

**Public Hearing for Fairview Drive-through (H-2024-0049) by Ethan
Mansfield, Hawkins Company, located at 4300 E. Fairview Ave.**

- A. Request: Conditional Use Permit for a drive-through facility for a coffee shop that is within three hundred (300) feet of another drive-through facility and an existing residence.
- B. Request: Modified Development Agreement to create a new Development Agreement to establish the hours of operations to begin service of the coffee shop at 5:00 am and approve new concept plans.

Lorcher: The next item on the agenda is Hawkins Companies request for a conditional use permit for a drive-thru and a modified development agreement at 4300 East Fairview. We will begin with the staff report.

Ritter: Good evening, Commissioners. Linda Ritter with the Planning Department. So, tonight we are here for a request for a conditional use permit and a development agreement modification for a 1,843 square foot quick lube oil change facility and drive-thru coffee shop that is within 300 feet of another drive-thru facility and an existing residence. The development agreement modification is to establish new hours of operation for the coffee shop to begin at 5:00 a.m. So -- oops. So, this application we are looking at -- it is viewed as a restaurant. It requires one parking space for every 250 square feet of gross floor. So, right now they are required to have seven parking spaces. With this layout the applicant is proposing 17 parking spaces, which exceeds the number of parking spaces required for this. In reviewing the site plan staff has talked with the applicant and we feel that this layout is -- we don't feel that it's sufficient and we feel that moving the employee parking from the north side of the property to the south side of the property would provide for better flow for the drive-thru for the coffee shop and the lube shop and there would not be the interference for any queuing in there and so we are asking the applicant to work with staff to come up with a better layout 15 days prior to the Council hearing as you are the recommending body and the final decision will be made by City Council. The layout -- the building itself works, we are just trying to do a better layout for the drive-thru so that there is no interference with the queuing. There will be -- they are required to do a 25 foot landscape buffer, because they are adjacent to residential property here. The applicant did state that they did meet with this property owner, who had no issues with the proposal going in at this location, but the applicant is asking for a buffer reduction to include a Council waiver or exception to add the trash enclosure within the 25 foot buffer. We would like for the applicant to work with the existing property owner to the west, because their trash enclosure already is within the landscape buffer and we would like them to try to extend that trash enclosure so that we are not -- we are minimizing the impact to the landscape buffer. The applicant will be working with Republic Services to see if this is a good location so that they can get in and out of there with the extension of the trash enclosure. So, we will have all of that worked out before we get to City Council. Otherwise, they meet their landscape requirement for this application. So, this is a picture of the existing trash enclosure and as you can see

here on this picture it does intrude into the existing landscape buffer. We would just like to have that extended, so that both of the businesses can utilize that area for their trash enclosure. So, they did provide building elevations. These are conceptual. They will have to go through design review and certificate of zoning compliance before the building -- before they apply for their building permit. For their -- again their development agreement modification is only for the hours of operation for the coffee shop. Currently the DA states that business can only operate between 7:00 a.m to 7:00 p.m. They are in the C-G, which allows for a business to operate between 6:00 a.m. and 11:00 p.m. But the DA is what regulates what happens on this site, so they just want to change it. The applicant is asking for the closing hour to be 7:00 p.m. Since it is there they would like to make that change. Again, this is the location of where the proposal is. These are the residential units behind here. This is the property owner. Their house is right here. They did talk to that property owner. The city did receive about six -- five to six comments on this application asking the city to oppose this development. They don't like the -- an oil change and fast food in that location due to the proximity of the residential neighborhood. They said that this proposal will be too noisy for the neighborhood as it is scheduled to open at 5:00 a.m. and last into the evening and the other noisy hectic operation starting at 5:00 a.m. and lasting into the evening auto repair machinery and drive-thru speakers, air pollution, high traffic, idling vehicles, two businesses within -- with drive-thru operations can cause potential traffic problems because they share a common parking lot and ingress-egress and the reduction of residential property values. Another one was in agreement with one of the comments and the last one to oppose the application would like less going on in the area where she lives. Again there are several ways for this -- for people to get in. Access will come in off of Fairview to access this property. There is a - - there are two existing drive-outs already on the -- when the bank went in they added the drive-out for this portion on the south side. They will be adding a drive-out on the north side of the property and people -- they can't go across here, so most people will likely come out this way or either come out front and access Fairview or they will go up and take this road, hit the roundabout and come out on Records. So, there are several ways for people to get out of this development. So, staff is recommending approval of this development with our conditions and at this time I will stand for any questions you may have.

Lorcher: Would the applicant like to come forward? Hi.

Mansfield: Hello, Madam Chair. Nice to see you.

Lorcher: Nice to see you.

Mansfield: I have a presentation if you don't have any questions for staff.

Lorcher: Not yet, but we will -- let's hear your presentation. If you could just state your name and address for the record.

Mansfield: Excellent. Thank you. I'm going to wait for Linda to pull it up. My name is Ethan Mansfield, Hawkins Companies, 855 West Broad Street, Boise, Idaho. 83702. I

don't have much to add above Linda's presentation. I think she did a great job reviewing the project. I think it's pretty straightforward. We agree with the conditions in the staff report. I would like to just clarify the hours very quickly. The hours of the coffee user will be 5:00 a.m. to 7:00 p.m. The hours of the oil change user will be 8:00 a.m. to 7:00 p.m. and this -- this is consistent with the other -- for the coffee user. They have several other locations in Meridian. This is consistent with those other locations. This will be the first of this oil change user in Meridian, but this is standard operating hours for all of their other locations across the United States.

Lorcher: Okay.

Mansfield: And, then, I would like to just say that we do have representatives from Oil Changers online tonight if you would like to ask questions about operations, environmental safety, the machinery that they use, which is common like household drills, like electric drills like you might use in your garage and, then, also to clarify access, we would be taking access primarily from Fairview. The site plan is set up to kind of facilitate the access on and off of Fairview, not to be using Venture as much, although that is absolutely an option. I just wanted to clarify that that's kind of the intention was to utilize the Fairview just so that there wasn't as much traffic on Venture or any of the -- you know, kind of lesser -- or like lower traffic roadways and I think that's all I have got. Thank you very much.

Lorcher: So, before you walk away -- Commissioners, do we have any questions for the applicant?

Seal: Yeah. I mean I will ask on the -- I mean the 5:00 a.m. to 7:00 p.m. for the coffee shop is that absolutely necessary? Because this -- I mean even though it's quite a ways away from the houses that are there it is right up against a residential, which is not common for the rest of the -- or rest of the locations.

Mansfield: Yeah. So, that's a great question Commissioner Seal. We did take a look at the other locations of Human Bean within Meridian. These are them. Two of them are in the C-G zone. One of them is in Old Town -- in Old Town zone. The Old Town is actually much closer to a residential neighbor than we are. We are about 277 feet from -- the building is 277 feet. Not the property boundary, but the building itself from the nearest residential structure and this one is -- if I remember correctly -- about one hundred, one fifty, so all of these are open at 5:00 a.m. and they close at 7:00 p.m. Monday through Friday and, then, on Saturday and Sunday they open at 6:00 a.m., so that is consistent with the other operations of every Human Bean in the Treasure Valley, so that's why we are asking for it here. We feel that the -- any potential impact can be mitigated by -- you know, as far as light by the landscape buffer and as far as noise there is a noise ordinance and there are noise requirements that speakers don't -- can't be heard off property. So, that's taken care of in other areas of the code and, obviously, we are committed to meeting those -- that code. So, you could stand at the back fence and not hear the speaker.

Lorcher: Did you -- do you agree with the request to move the parking stalls to the north side of the property -- south side -- they are in the south side now; right? Oh, they are on the north. So, to -- are you amiable to move the parking to the south side of the property?

Mansfield: It is a little bit confusing because the site plan was turned sideways and that -- yeah. And that's just the way it was -- it was produced that way. So, we have been working with staff on a solution to remove them from the -- the north side. We have a couple different solutions that it sounds like we are working through with staff and they have been really great to work with on this. Our current iteration does not include them on the -- on the south side, but includes additional on the -- on the east side to meet parking requirements, but we have been working through that and kind of, you know, sharing our needs and so -- the city's needs and I think we have been making great progress. So, we are committed to continuing to work on that.

Lorcher: Okay. Commissioners, any other questions before public testimony?

Sandoval: Madam Chair?

Lorcher: Commissioner Sandoval.

Sandoval: This might be a question for staff. So, the CUP for a drive-thru being within 300 feet, is that for the existing drive-thru that's on the site plan to the left, that bank, or is it because there is two drive-thrus in this plan?

Ritter: Commissioner Sandoval, so the -- the old place is not a drive-thru. So, that's not considered a drive-thru.

Sandoval: Okay.

Ritter: The coffee shop is a drive-thru, but it is for the bank that is to the -- on the east side and for the residence that is adjacent to this.

Sandoval: Perfect. Thank you.

Lorcher: All right.

Ritter: And also -- sorry. Also this particular property -- the development agreement requires a CUP for any use on this property.

Lorcher: Thank you.

Mansfield: Thank you very much.

Lorcher: Madam Clerk, do we have anyone signed up for testimony?

Lomeli: Madam Chair, we had a Jack sign up, but it looks like they might have crossed their name out. That's the only name on this list.

Lorcher: You are good? Okay. Is there anybody in Chambers that would like to testify? I see you nudging. No? You are good? Okay. And anybody online? Did I already ask that question?

Lomeli: Madam Chair, no one has signed up online and no one has their hand raised.

Lorcher: All right. Then I will take a motion to close the public hearing.

Seal: So moved.

Sandoval: Second.

Lorcher: Oh. Wait. Sorry. Stop. Did you have anything else to add? You are good? All right. I will take that motion and the second to close the public hearing. All those in favor say aye. Any opposed? Motion carries. Thank you. Sorry about that.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Lorcher: Okay. What do we think about Human Bean and the Oil Changer? Is that the name of the --

Seal: Madam Chair?

Lorcher: Commissioner Seal.

Seal: I always like to see things come through a little bit more complete. I would -- I agree with staff's recommendation to move the parking. So, if they can work through that before it gets to City Council I don't see an issue with it, so -- you know, I have got to say after In-N-Out I'm a little gun shy on drive-thrus in this area, so -- you know, I -- I don't think -- yeah. I don't think that we are going to have the volume there, so -- as we have - - we have seen with and continue to see at the In-N-Out very close to this. But I think it's far enough away from that -- that the traffic patterns in here are probably going to be pretty close to what they are forecasting on it. So, I don't have any big issues with it, so -- I mean it's -- it's another expansion of kind of that -- that -- that small grouping of houses that's back there, so -- I mean that's -- kind of sad to see some of that disappearing and getting encroached on, but all of this is an accepted use for this plot right here, so I don't necessarily have any issues with it.

Lorcher: Yes. And we are the recommending body to City Council because of the development agreement modification. Commissioner Garrett or Sandoval, do you have any comments?

Garrett: No, I don't.

Sandoval: Yeah. Madam Chair. So, as far as it being -- I mean the only issue I would see is looking at it from the position of there is another drive-thru adjacent to it and it's a bank and this is a coffee shop. So, I don't really think that there is any issues -- nothing that I have with it certainly.

Lorcher: Yeah. I guess the only thing that I would say in regard to the trash enclosure - - the trash enclosure right now is on the -- at the back of the property, which is -- abuts up to the residential and I don't know if you have ever heard of those big cans, you know, blasting back and forth when they are -- where they are doing their shake. It would be nice to see that actually moved away from the residential a little bit more. But if -- they are working with staff to find the best spot, because there is already one existing there. So, that's a detail that they can work out. All right.

Seal: Madam Chair?

Lorcher: Commissioner Seal.

Seal: After considering all staff, applicant and public testimony, I move to recommend approval to the City Council of File No. H-2024-0049 as presented in the staff report for the hearing date of December 19th, 2024, with no modifications.

Sandoval: Second.

Lorcher: It's been moved and seconded to approve File No. H-2024-0049. All those in favor say aye. Any opposed? Oh. Sorry. Are any opposed? Motion carries. Thank you very much.

MOTION CARRIED: FOUR AYES. THREE ABSENT.