

EXHIBIT A



STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT

HEARING DATE: 12/2/2021

TO: Planning & Zoning Commission

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

SUBJECT: H-2021-0073
Inglewood Coffee Shop Drive-Through – CUP

LOCATION: 3330 E. Victory Rd., in the SW ¼ of
Section 21, Township 3N., Range 1E.



I. PROJECT DESCRIPTION

Conditional use permit (CUP) for a drive-through establishment for a coffee shop within 300-feet of a residential use and zoning district on 0.83 of an acre of land in the C-C zoning district.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	0.83-acre	
Future Land Use Designation	Mixed Use – Community (MU-C)	
Existing Land Use	Vacant/undeveloped land	
Proposed Land Use(s)	Restaurant (coffee shop) with a drive-through	
Current Zoning	Community Business District (C-C)	
Physical Features (waterways, hazards, flood plain, hillside)	The McDonald Lateral runs through this site.	
Neighborhood meeting date; # of attendees:	5/25/21; 2 attendees	
History (previous approvals)	H-2019-0099 (Inglewood Sub. AZ, PP – Development Agreement Inst. #2019-124424); FP-2021-0037 (Inglewood Sub. 2)	

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A. Project Area Maps

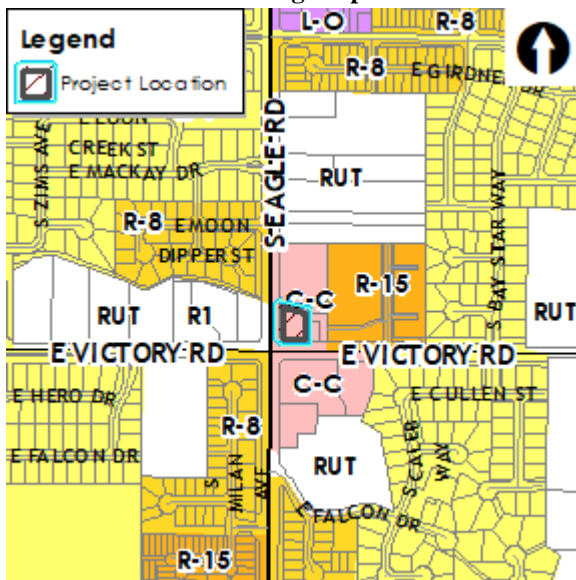
Future Land Use Map



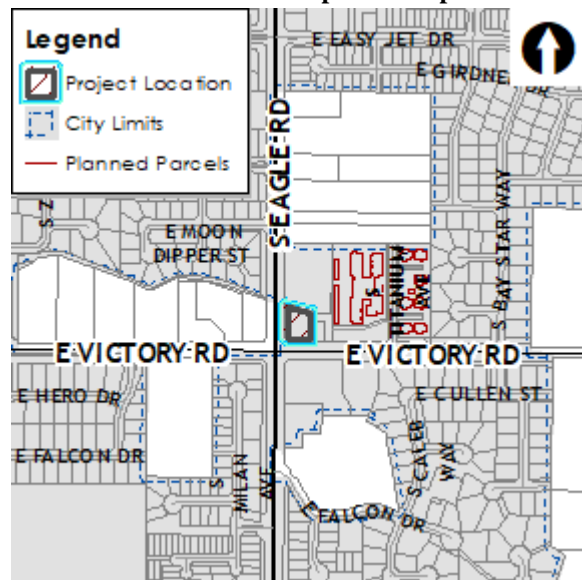
Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant:

Clint Tolman, Gold Stream – 197 W. 4860 S., Murray, UT 84107

B. Owner:

Jim Petersen, Gold Stream – 197 W. 4860 S., Murray, UT 84107

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C. Representative:

Emily Mueller, Gold Stream Holdings, LLC – 197 W. 4860 S., Murray, UT 84107

IV. NOTICING

	Planning & Zoning Posting Date
Newspaper Notification	11/16/2021
Radius notification mailed to properties within 300 feet	11/10/2021
Site Posting Date	11/18/2021
Next Door posting	11/12/2021

V. STAFF ANALYSIS

The proposed drive-through is for a 2,365 square foot Starbucks coffee shop (classified as a restaurant) within 300-feet of a residential use and zoning district, which requires Conditional Use Permit approval (CUP) per UDC Table 11-2B-2 and 11-4-3-11A.1.

The proposed development plan is in substantial conformance with the provisions in the existing Development Agreement (Inst. #2019-124424) and with the approved conceptual development plan included in the agreement. A common green space gathering area (5%) with seating and tables is proposed on the east side of the site in accord with provisions #5.1c and #5.1d in the Development Agreement. Other off-site common areas are proposed on the adjacent properties to the north and east as shown on the site plan.

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. All establishments providing drive-through service are required to identify the stacking lane, menu and speaker location (if applicable), and window location. 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;

The stacking lane appears to have sufficient capacity to prevent obstruction of driveways, drive aisles and the public right-of-way by patrons as required.

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 designated 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.

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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 S. Eagle Rd. and E. Victory Rd., public streets along the west and south boundaries of 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 use is also 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. Based on 2,365 square feet, a minimum of nine (9) off-street parking spaces are required to be provided; a total of 19 spaces are proposed, including 6 compact spaces, which exceed the minimum standard.

Hours of Operation: The hours of operation are restricted to 6:00 am to 11:00 pm in the C-C zoning district per UDC 11-2B-3B.

Dimensional Standards: Future development should be consistent with the dimensional standards listed in UDC Table [11-2B-3](#) for the C-C zoning district.

Access: A right-in/right-out driveway access is proposed via S. Eagle Rd. to the north of this site as shown on the site/landscape plans. Access is also available through an ingress-egress easement with the property to the east via S. Titanium Ave., a local street off E. Victory Rd.

Parking: As noted above, UDC 11-4-3-49 includes parking standards for restaurants, which the site plan demonstrates compliance.

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 bicycle rack is proposed north of the building for two (2) bicycles in accord with this requirement. **A detail of the bicycle rack should be submitted with the Certificate of Zoning Compliance application that demonstrates compliance with the standards in UDC 11-3C-5C.**

Pedestrian Walkways: Where pathways cross vehicular driving surfaces, they're required to be distinguished from the vehicular driving surface through the use of pavers, colored or scored concrete, or bricks. 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; where it's not feasible to comply with the standards due to the irrigation district easement for the McDonald Lateral, alternative compliance should be requested as set forth in UDC 11-5B-5. The landscape plan submitted with the Certificate of Zoning Compliance application should reflect compliance with this standard; or an alternative compliance application should be submitted.

Street buffer landscaping along S. Eagle Rd. and E. Victory Rd. is required to be installed with the Phase 2 subdivision improvements. **Because ACHD is requiring the construction of a northbound right-turn lane on Eagle Rd. that may affect the width of the street buffer approved with the**

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final plat, Staff recommends the site and landscape plans are updated accordingly to include the right-turn lane and the minimum 25-foot wide street buffer along Eagle Rd. required by UDC Table 11-2B-3. If the existing sidewalk is being removed to allow for the construction of the right-turn lane, a detached sidewalk should be constructed in accord with UDC 11-3A-17C.

Waterways: The McDonald Lateral crosses this site within a 41-foot wide easement. The lateral is proposed to be piped with the subdivision improvements. The building is proposed to be located outside of the easement.

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 fiber cement lap and board and batten siding with metal panel accents. The proposed materials are consistent with those in the residential portion of the development to the east in accord with the Development Agreement. The final design shall be consistent with the design standards listed in the [Architectural Standards Manual](#) and with the Development Agreement.

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 December 2, 2021. At the public hearing, the Commission moved to approve the subject CUP request.

1. Summary of the Commission public hearing:

- a. In favor: Jim Petersen, Gold Stream (Applicant)
- b. In opposition: None
- c. Commenting: None
- d. Written testimony: None
- 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. None

4. Commission change(s) to Staff recommendation:

- a. None

A. Proposed Site Plan (dated: 9/23/2021)



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C. Building Elevations (dated: 7/21/21)

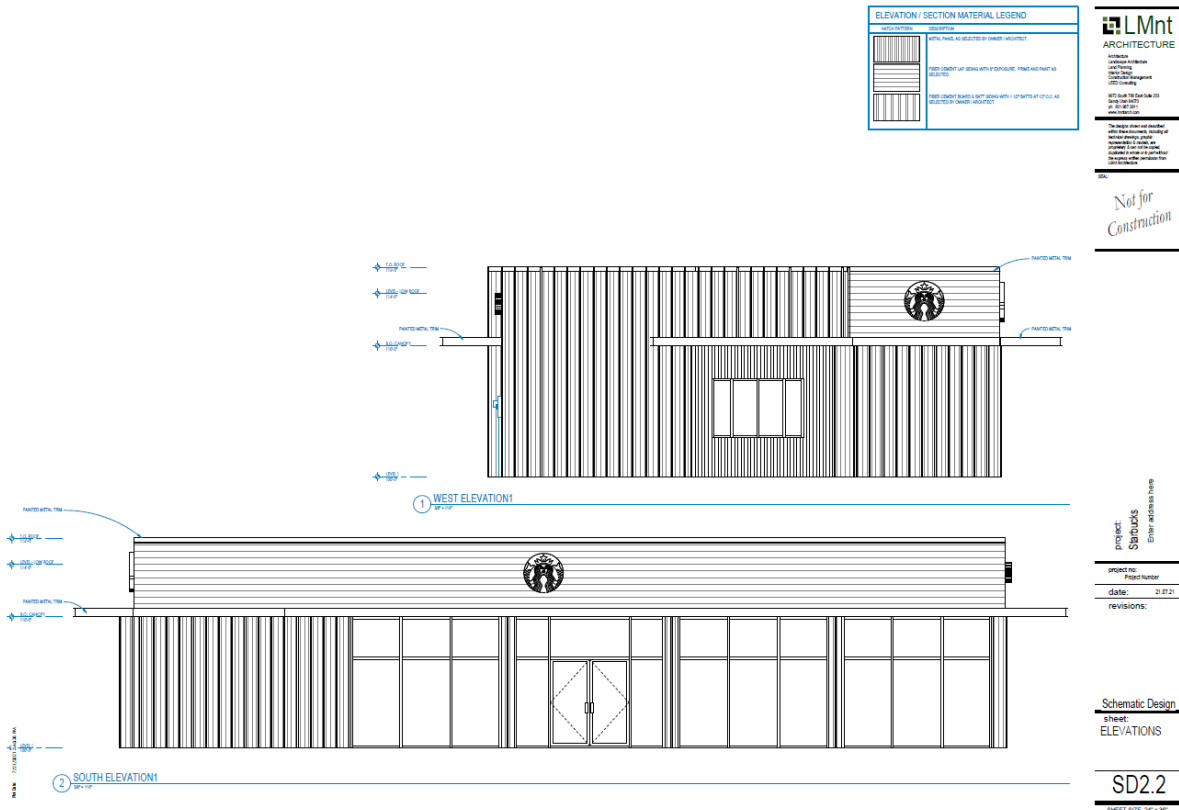
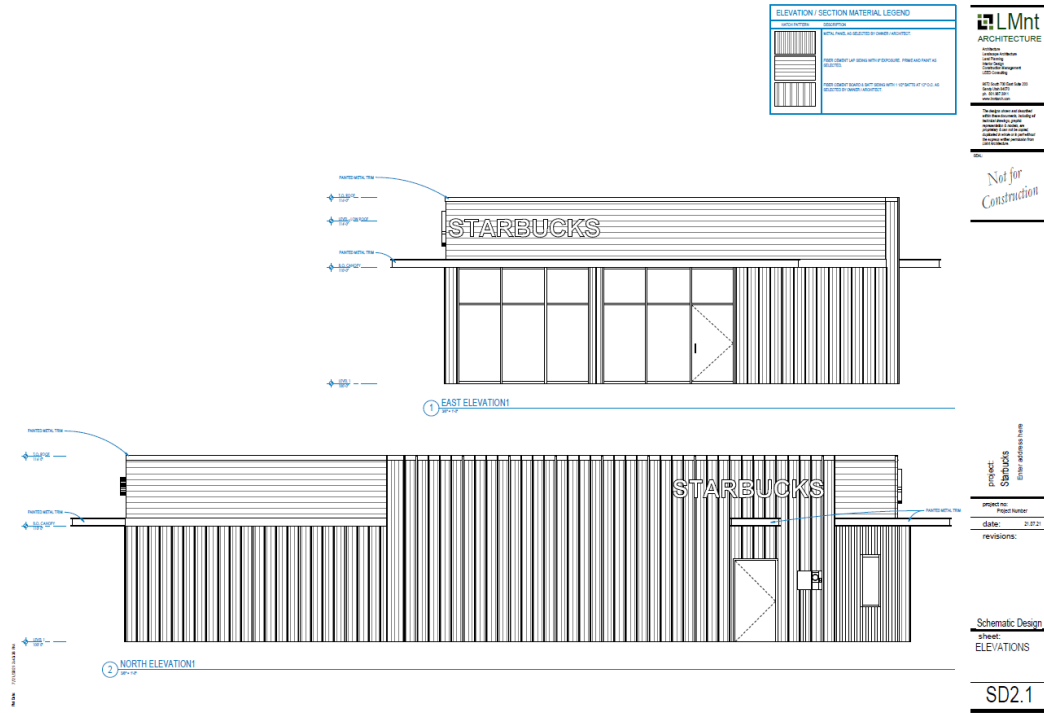


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VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING

1. Future development of this site shall comply with the previous conditions of approval and terms of the existing Development Agreement [H-2019-0099 Inglewood Place Subdivision (AZ, PP) – Inst. #[2019-124424](#); FP-2021-0037 (Inglewood Place Subdivision No. 2)] 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. 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](#).
 - c. Include a detail of the bicycle rack that demonstrates compliance with the design standards in UDC 11-3C-5C.
 - d. Where pathways cross vehicular driving surfaces, they shall be distinguished from the vehicular driving surface through the use of pavers, colored or scored concrete, or bricks as set forth in UDC 11-3A-19B.4b.
 - e. Depict landscaping within all planter islands within the parking area in accord with the standards listed in UDC [11-3B-8C](#); where it's not feasible to comply with the standards due to the irrigation district easement for the McDonald Lateral, alternative compliance shall be requested as set forth in UDC [11-5B-5](#).
 - f. Depict the northbound right-turn lane on S. Eagle Rd. as required by ACHD with a minimum 25-foot wide street buffer in accord with UDC Table 11-2B-3 and a 5-foot wide detached sidewalk in accord with UDC 11-3A-17C.
3. Compliance with the standards listed in UDC [11-4-3-11](#) – Drive-Through Establishment and [11-4-3-49](#) – Restaurant is required.
4. The driveway access via S. Eagle Rd. is restricted to a right-in/right-out access per the Development Agreement.
5. No building permits shall be issued for this site until the property has been subdivided.
6. The hours of operation are restricted to 6:00 am to 11:00 pm in the C-C zoning district per UDC 11-2B-3B.
7. 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](#); the design standards listed in the *Architectural Standards Manual* and with the Development Agreement. *The Development Agreement requires some of the same design elements to be incorporated in the commercial portion of the development as in the residential portion.*
8. 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

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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. ADA COUNTY HIGHWAY DISTRICT (ACHD)

Staff Report:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243245&dbid=0&repo=MeridianCity>

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=241022&dbid=0&repo=MeridianCity>

C. BOISE PROJECT BOARD OF CONTROL (BPBC)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=242203&dbid=0&repo=MeridianCity>

D. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243209&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-C zoning district.

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.

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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.