

**CITY OF MERIDIAN
FINDINGS OF FACT, CONCLUSIONS OF LAW
AND
DECISION & ORDER**



In the Matter of the Request for a conditional use permit to construct and operate a 4,833 square foot office building and leave an empty pad site for an approximate 3,500 square foot office building on 1.06 acres for Black Creek Legal Office, Located at 195 S. Touchmark Way in the L-O Zoning District, by Daphne Romani.

Case No(s). H-2026-0048

For the Planning & Zoning Commission Hearing Date of: September 3rd, 2026 (Findings on September 17th, 2026)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of September 3rd, 2026, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of September 3rd, 2026, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of September 3rd, 2026, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of September 3rd, 2026, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the "Local Land Use Planning Act of 1975," codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian Planning & Zoning Commission takes judicial notice of its Unified Development Code codified at Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Amended Comprehensive Plan of the City of Meridian, which was adopted April 19, 2011, Resolution No. 11-784 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this decision, which shall be signed by the Chairman of the Commission and City Clerk and then a copy served by the Clerk

upon the applicant, the Planning Department, the Public Works Department and any affected party requesting notice.

7. That this approval is subject to the conditions of approval in the attached staff report for the hearing date of September 3rd, 2026, incorporated by reference. The conditions are concluded to be reasonable, and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

Pursuant to the Planning & Zoning Commission's authority as provided in Meridian City Code § 11-5A and based upon the above and foregoing Findings of Fact which are herein adopted, it is hereby ordered that:

1. The applicant's request for a conditional use permit is hereby approved in accord with the conditions of approval in the staff report for the hearing date of September 3rd, 2026, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Two (2) Year Conditional Use Permit Duration

Please take notice that the conditional use permit, when granted, shall be valid for a maximum period of two (2) years unless otherwise approved by the City in accord with UDC 11-5B-6F.1. 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, acquire building permits and commence construction of permanent footings, install underground City utilities; or record a final plat. For conditional use permits that also require platting, the final plat must be signed by the City Engineer within this two (2) year period in accord with UDC 11-5B-6F.2.

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-5B-6F.1, the Director may authorize a single extension of the time to commence the use not to exceed one (1) two (2) year period. Additional time extensions up to two (2) years as determined and approved by the Commission may be granted. With all extensions, the Director or Commission may require the conditional use comply with the current provisions of Meridian City Code Title 11.

E. Judicial Review

Pursuant to Idaho Code § 67-6521(1)(d), if this final decision concerns a matter enumerated in Idaho Code § 67-6521(1)(a), an affected person aggrieved by this final decision may, within twenty-eight (28) days after all remedies have been exhausted, including requesting reconsideration of this final decision as provided by Meridian City Code § 1-7-10, seek judicial review of this final decision as provided by chapter 52, title 67, Idaho Code. This notice is provided as a courtesy; the City of Meridian does not admit by this notice that this decision is subject to judicial review under LLUPA.

F. Notice of Right to Regulatory Takings Analysis

Pursuant to Idaho Code §§ 67-6521(1)(d) and 67-8003, an owner of private property that is the subject of a final decision may submit a written request with the Meridian City Clerk for a regulatory takings analysis.

G. Attached: Staff Report for the hearing date of September 3rd, 2026.

By action of the Planning & Zoning Commission at its regular meeting held on the _____ day of _____, 2026.

COMMISSIONER MARIA LORCHER, CHAIRMAN VOTED _____

COMMISSIONER JARED SMITH, VICE CHAIRMAN VOTED _____

COMMISSIONER ROBERT SHAPPEE VOTED _____

COMMISSIONER JESSICA PERREAULT VOTED _____

COMMISSIONER MATHEW STOLL VOTED _____

COMMISSIONER MATTHEW SANDOVAL VOTED _____

COMMISSIONER DOM GELSOMINO VOTED _____

Maria Lorcher, Chairman

Date

Attest:

Chris Johnson, City Clerk

Copy served upon the Applicant, the Planning and Development Services divisions of the Community Development Department, the Public Works Department and the City Attorney.

City Clerk's Office

Date

COMMUNITY DEVELOPMENT

DEPARTMENT REPORT



HEARING DATE: 9/3/2026

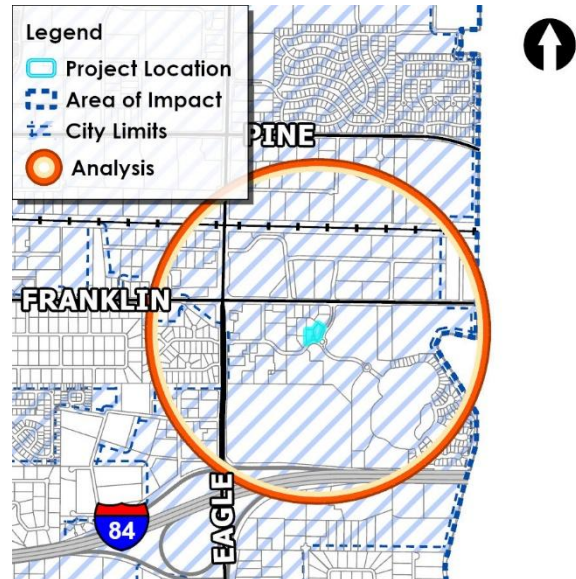
TO: Planning & Zoning Commission

FROM: Nick Napoli, Associate Planner
208-884-5533
nnapoli@meridiancity.org

APPLICANT: Daphne Romani

SUBJECT: H-2026-0048
Black Creek Legal Office

LOCATION: Located at 195 S. Touchmark Way in the north ¼ of Section 16, T.3N., R.1E.



I. PROJECT OVERVIEW

A. Summary

The applicant requests a conditional use permit to construct and operate a 4,833 square foot office building and leave an empty pad site for an approximate 3,500 square foot office building on 1.06 acres in the L-O zoning.

B. Recommendation

Staff: Approval with conditions.

C. Decision

Planning and Zoning Commission: Pending

II. COMMUNITY METRICS

Table 1: Land Use

Description	Details	Map Ref.
Existing Land Use(s)	Vacant	-
Proposed Land Use(s)	Office	-
Existing/Proposed Zoning	L-O	V.A.2
Future Land Use Designation	MU-C (Mixed Use Community)	V.A.3

Table 2: Process Facts

Description	Details
Preapplication Meeting date	7/8/2026
Neighborhood Meeting	7/22/2026
Site posting date	8/22/2026

Table 3: Community Metrics

Agency / Element	Description / Issue	Reference
Ada County Highway District		-
• Comments Received	Yes	-
• Commission Action Required	No	-
• Access	Private Drive Aisle	-
ITD Comments Received	No	-
Meridian Public Works Wastewater		III.B
• Distance to Mainline	Available at site	
• Impacts or Concerns	No	
Meridian Public Works Water		III.B
• Distance to Mainline	Available at site	
• Impacts or Concerns	No	

Note: See section III. City/Agency Comments & Conditions for comments received or see the public record:
(<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=362259&dbid=0&repo=MeridianCity>).

III. STAFF ANALYSIS

Comprehensive Plan and Unified Development Code (UDC)

A. General Overview

This property is designated as Mixed-Use Community (MU-C) on the Future Land Use Map (FLUM). The proposed use for an office building is consistent with prior approvals and the comprehensive plan for the MU-C designation.

The subject site is among several commercially zoned properties surrounding the corner of S. Touchmark Way and E. Franklin Road. The proposed office buildings align with the desired uses specified within the Mixed-Use Community designation. In conjunction with the existing office buildings, proposed future residential, and existing residential the proposed use satisfies the mix of uses desired in the MU-C designation.

Table 4: Project Overview

Description	Details
History	AZ-05-022; PP-05-054; CUP-05-050
Acreage	1.06 acres

B. History and Process

The subject property was annexed in May 2001 (Ordinance No. 01.917) and approved a conditional use permit (CUP-05-050) for the applicant to develop the property into a mixed-use retirement community consisting of residential dwellings, medical offices, commercial/retail businesses, and a senior community center. The CUP requires all lots within the scope of the permit to receive detailed CUP approval prior to developing the property.

C. Site Development and Use Analysis

1. Proposed Use Analysis (*UDC 11-2*):

The proposed use of an office building aligns well with the Mixed-Use Neighborhood (MU-C) future land use designation, which supports a blend of residential, commercial, and recreational uses. Office buildings are typically principally permitted in the L-O zoning, however, due to a provision in the CUP from 2005, all properties require detailed CUP approval.

By offering service options within proximity to both residential areas and existing commercial developments, this project contributes to the community's overall livability and sustainability. Specifically, it adheres to Policy 3.06.02B, which encourages and supports mixed-use areas that provide the benefits of living, shopping, dining, and working nearby, thereby reducing vehicle trips.

2. Dimensional Standards (*UDC 11-2*):

Development of the site shall comply with the dimensional standards of the L-O zoning district in UDC Table 11-2B-3. *Staff has reviewed the proposed plans and building elevations and they comply with the required standards.*

D. Design Standards Analysis

1. Landscaping (*UDC 11-3B*):

i. Parking lot landscaping

Landscaping is required to be provided along all parking areas per the standards listed in UDC 11-3B-8. *The proposed landscape plan is in compliance with the standards in UDC 11-3B-9.*

ii. Landscape buffers to adjoining uses

Landscaping is required to meet the standards of UDC 11-3B-9. *The landscape plan meets the minimum requirements.*

iii. Storm integration

Storm drainage is required to comply with the standards listed in UDC 11-3A-18.

2. Parking (*UDC 11-3C*):

i. Nonresidential parking analysis

A minimum of one (1) off street parking space is required per 500 square feet of gross floor area. Based on the estimated square footage of both buildings being 8,300 square feet, 17 parking stalls are required. *A total of 31 parking stalls are provided exceeding the required parking.*

ii. Bicycle parking analysis

A minimum of one (1) bicycle parking space must 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. *Bicycle parking is depicted on the plans submitted and meet the requirements.*

3. Building Elevations (*Comp Plan, Architectural Standards Manual*):

Goal 2.09.03A of the Comprehensive Plan highlights establishing distinct, engaging identities within commercial and mixed-use enters through design standards to integrate commercial, multifamily, and parking areas with existing neighborhoods. In response, the developer has submitted conceptual building elevations for the proposed structure as shown in Section VII.C. Building materials consist of concrete cladding, cedar slat panels, black metal standing seam, and black metal parapet caps.

The final design is required to comply with the Architectural Standards Manual for Commercial Design Guidelines.

E. Transportation Analysis

1. Access (*Comp Plan, UDC 11-3A-3, UDC 11-3H-4*):

Goal 6.01.02B emphasizes reducing the number of access points onto arterial streets by utilizing strategies such as cross-access agreements, access management, and the creation of frontage and backage roads, while also improving connectivity between local and collector streets. The site plan features a single access point via a private drive aisle located on the eastern part of the site. This private drive aisle connects to S. Touchmark Way and E. Louise Drive (collector streets).

2. Sidewalks (*UDC 11-3A-17*):

The proposed plan includes a pedestrian walkway from the main sidewalk on the north side of the buildings connecting to the front of each building. Pedestrians do not need to cross driving surfaces to connect with these building so delineation from the drive aisle is not required. *The site/landscape plan submitted both reflect compliance with this standard.*

F. Services Analysis

1. Pressurized Irrigation (*UDC 11-3A-15*):
Underground pressurized irrigation water is required to be provided as set forth in UDC 11-3A-15.
2. Storm Drainage (*UDC 11-3A-18*):
Storm drainage is required to comply with the standards listed in UDC 11-3A-18.
3. Utilities (*Comp Plan, UDC 11-3A-21*):
Both the Plan and the UDC establish policy and regulations for extending and connecting to City utilities. Goal 3.03.03G of the Plan mandates urban infrastructure be provided for all new developments, including curb and gutter, sidewalks, water and sewer utilities. All utilities for the proposed development are required to be installed in accord with the standards listed in UDC 11-3A-21.

III. CITY/AGENCY COMMENTS & CONDITIONS

A. Meridian Planning Division

1. Future development of this site shall comply with the previous conditions of approval and terms of AZ-05-022; PP-05-054; CUP-05-050; and FP-06-012 and the conditions contained herein.
2. The site plan and/or landscape plan, as applicable, shall be revised with the certificate of zoning compliance application as follows:
 - Address Public Works comments regarding easements.
3. 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.
4. 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 Public Works

PRE-PLAT CONDITIONS

Wastewater	
• Distance to Sewer Services	Sewer Available at site
• Sewer Shed	
• Estimated Project Sewer ERU's	See application
• WRRF Declining Balance	
• Project Consistent with WW Master Plan/Facility Plan	Yes
• Impacts/concerns	See Public Works Site Specific Conditions
Water	
• Distance to Water Services	Water Available at Site
• Pressure Zone	
• Estimated Project Water ERU's	See application
• Water Quality	None
• Project Consistent with Water Master Plan	Yes
• Impacts/Concerns	None – Please see Public Works Site Specific Conditions

NON-PLAT CONDITIONS

PUBLIC WORKS DEPARTMENT

Site Specific Conditions of Approval

1. There is an existing stub located at the SW corner of the site. Water meter needs to connect within 3' from end of stub. Callout removal of the Blow-off. Water meters need to be located in a landscaping area.
2. Water services require a 20' easement up to the water meter. The city request that the easement extends 10' past the water meter but only 5' is required.
3. Single structure, multi-tenant units that are for rental only should have a single City meter. If the units will be owned individually, then each needs a water meter.
4. Carports and other permanent structures (trees, bushes, buildings, trash receptacle walls, fences, infiltration trenches, light poles, etc.) cannot be built within the utility Easement.
5. Ensure no Sewer services cross infiltration trenches. Sewer service lines through underground seepage beds or swales are not allowed unless approved by the City Engineer.
6. Water services require a 20' easement up to and 10' beyond the meter or as close to 10' as possible.

General Conditions of Approval

1. Applicant shall coordinate water and sewer main size and routing with the Public Works Department.
2. Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
3. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). Sewer/water easement varies depending on sewer depth. Sewer 0-20 ft deep require a 30 ft easement, 20-25 ft a 40 ft easement, and 25-30 ft a 45 ft easement. Ensure no permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are built within the utility easement. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD.
4. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (UDC 11-3B-6). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
5. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
6. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
7. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
8. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9-4-8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
9. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
10. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
11. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
12. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
13. Developer shall coordinate mailbox locations with the Meridian Post Office.
14. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.

15. The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
16. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
17. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
18. A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
19. The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
20. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

IV. FINDINGS

A. Conditional Use (UDC 11-5B-6E)

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 use and meets all dimensional and development regulations of the recommended L-O 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 office use will be harmonious with the Comprehensive Plan and is consistent with applicable UDC standards with the conditions noted in Section IV 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 should 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 IV 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.
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:
This finding is not applicable.
10. 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.
11. 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.

IV. ACTION

A. Staff:

Staff recommends approval of the proposed CUP application and finds it in conformance with the Comprehensive Plan, UDC with the conditions included in Section IV. and Findings in V.

B. Commission:

The Meridian Planning & Zoning Commission heard this item on September 3rd, 2026. At the public hearing, the Commission moved to approve the subject conditional use permit request.

1. Summary of the Commission public hearing:

- a. In favor: Daphne Romani
- b. In opposition: None

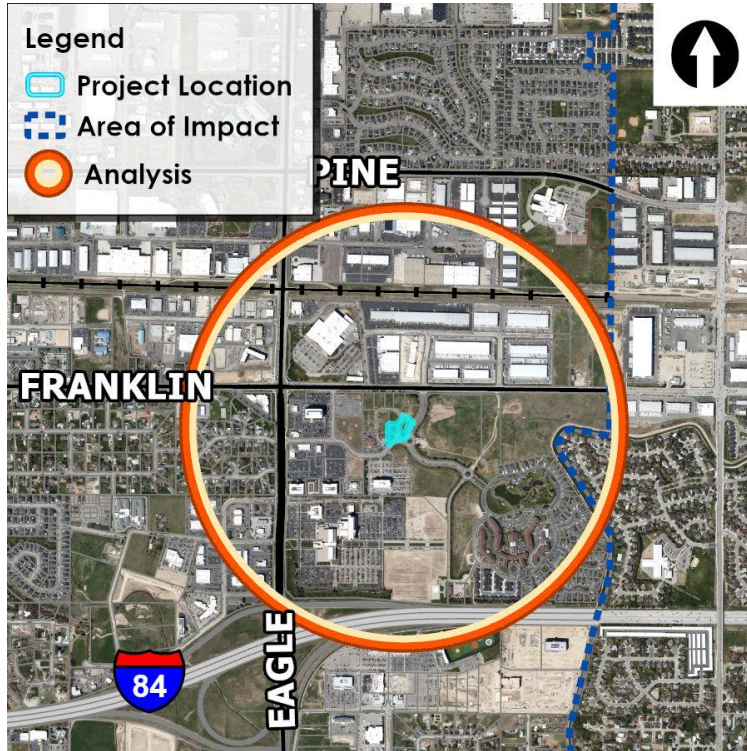
- c. Commenting: None
- d. Written testimony: None
- e. Staff presenting application: Nick Napoli
- f. Other Staff commenting on application: None
- 2. Key issue(s) of public testimony:
 - a. None
- 3. Key issue(s) of discussion by Commission:
 - a. None
- 4. Commission change(s) to Staff recommendation:
 - a. None

V. EXHIBITS

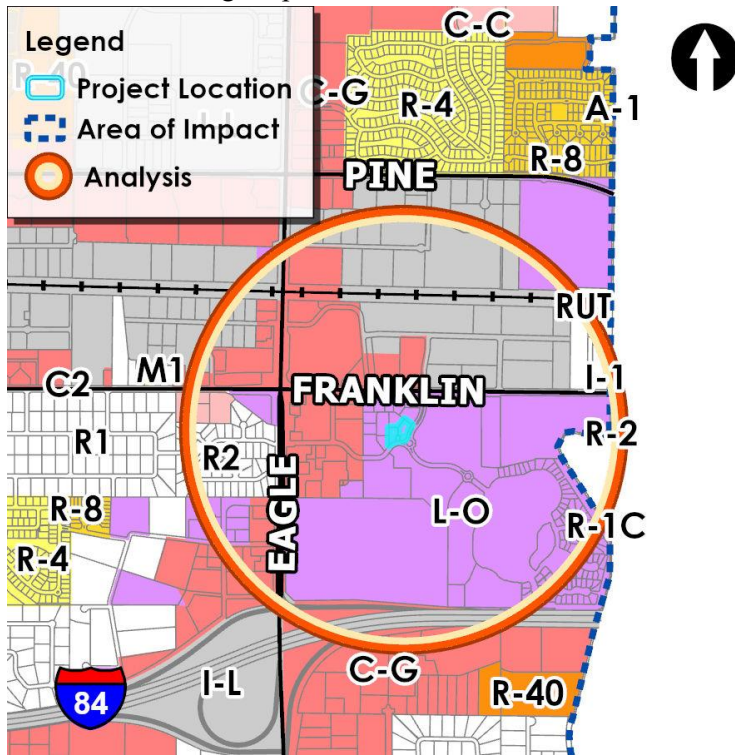
A. Project Area Maps

(link to [Project Overview](#))

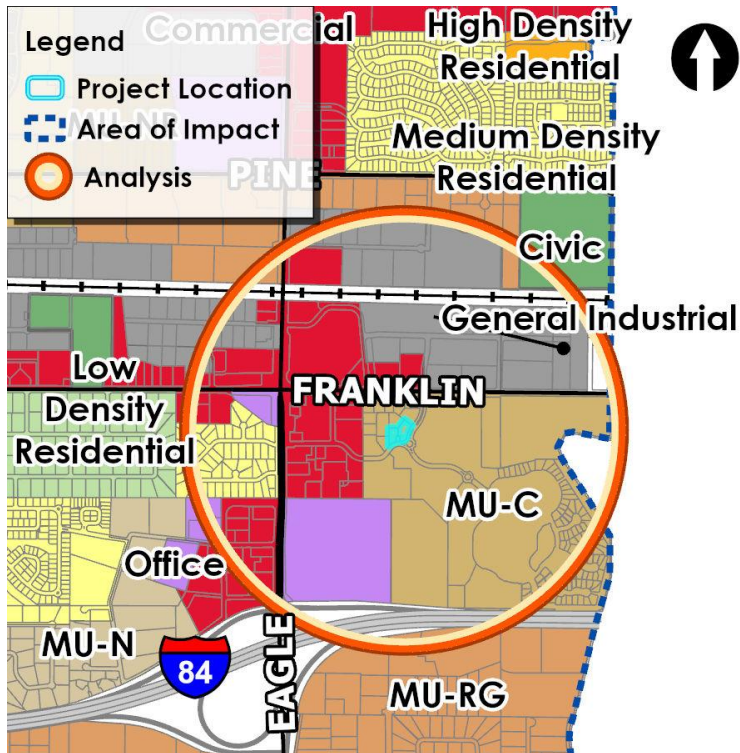
1. Aerial



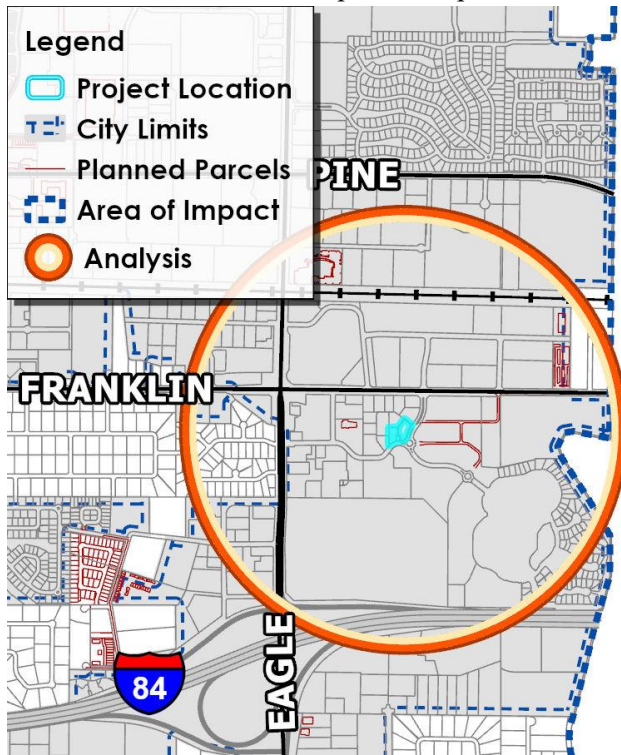
2. Zoning Map



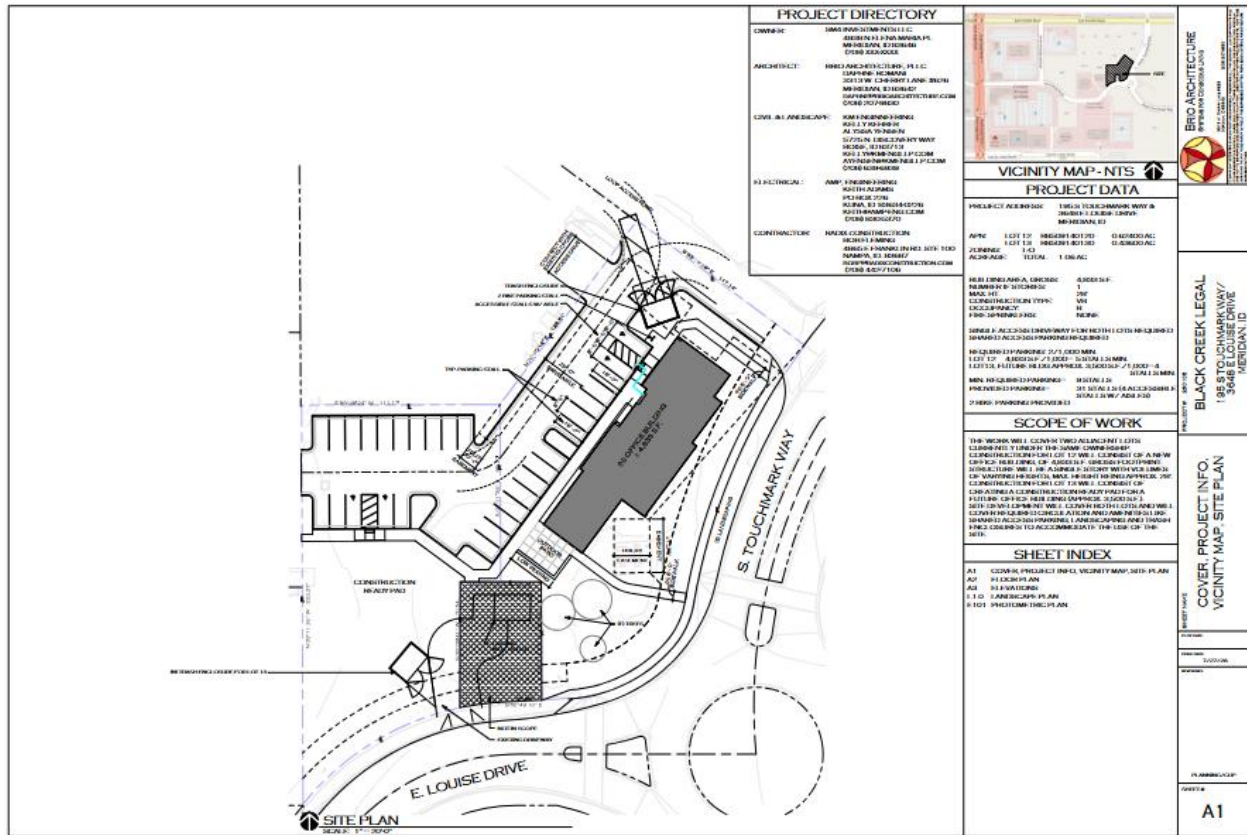
3. Future Land Use



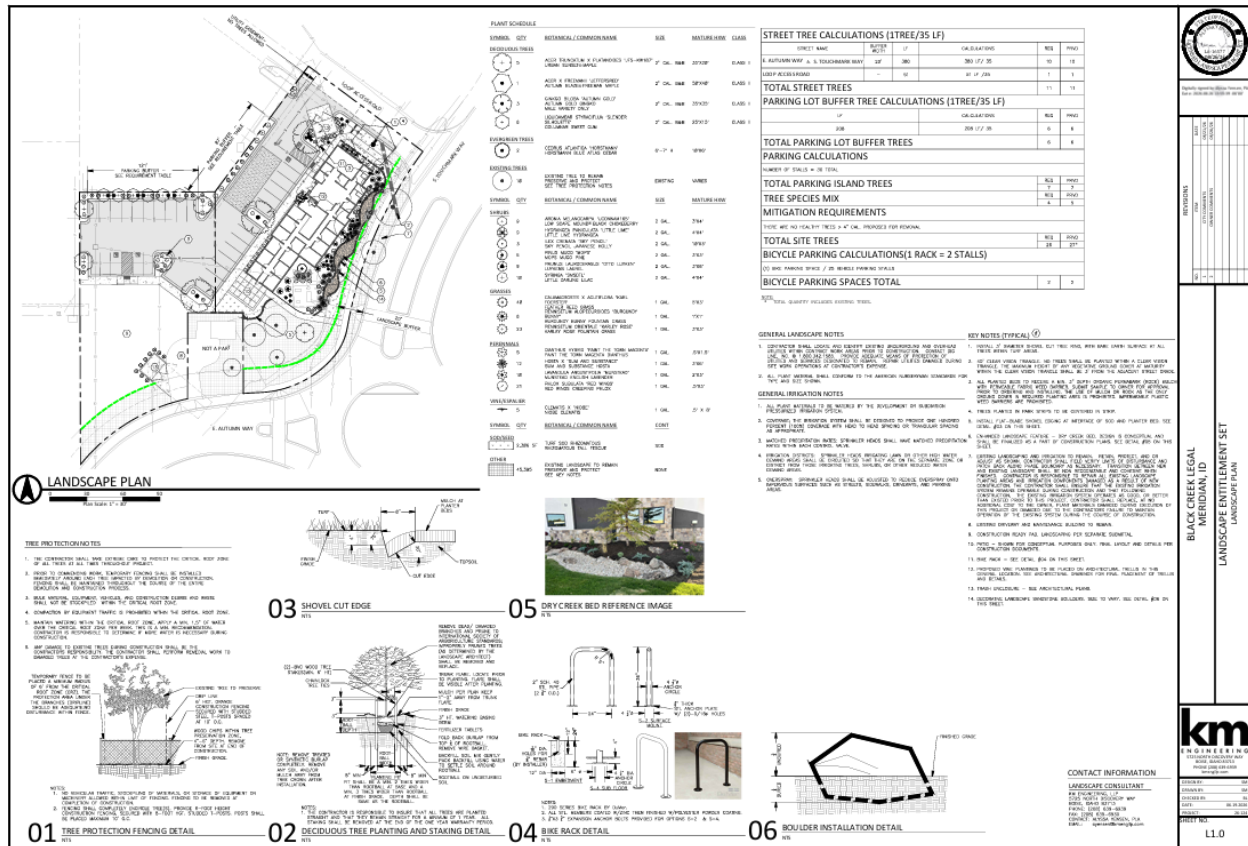
4. Planned Development Map



B. Site Plan (date: 6/24/2026)



C. Landscape Plan (date: 6/24/2026)



D. Building Elevations (date: 6/24/2026)



TOUCHMARK VIEW



ENTRY VIEW