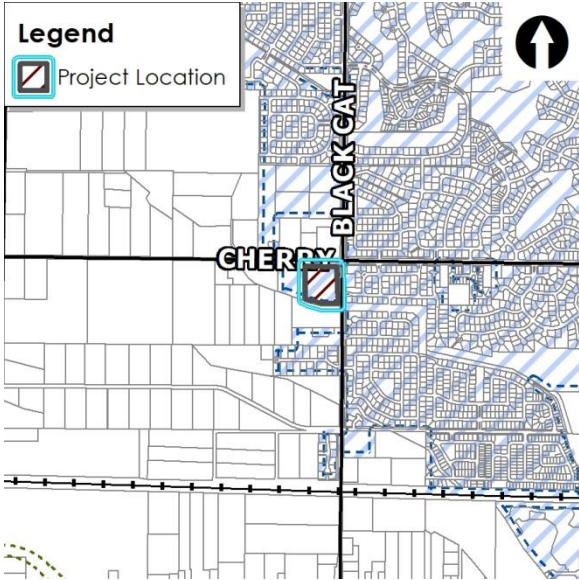


STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: January 18, 2024
 TO: Planning & Zoning Commission
 FROM: Sonya Allen, Associate Planner
 208-884-5533
 SUBJECT: Sulamita Church – MCU
[MCU-2023-0008](#)
 LOCATION: 4973 W. Cherry Ln./1435 N. Black Cat Rd., in the NE 1/4 of Section 9, T.3N., R.1W.



I. PROJECT DESCRIPTION

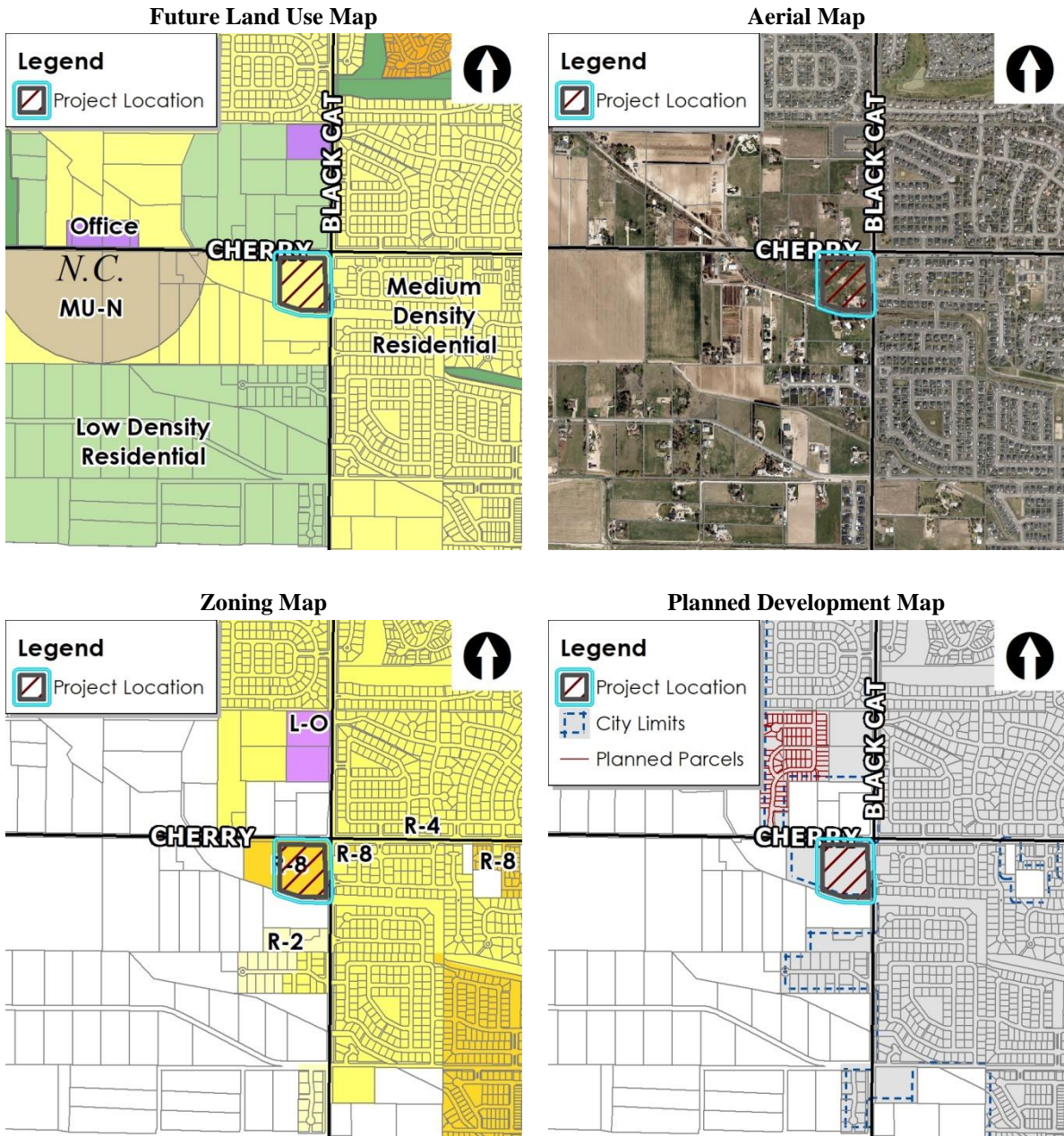
Modification to the existing Conditional Use Permit (H-2018-0110) to allow the existing manufactured home structure to remain on the site for an additional two (2) years beyond the date of issuance of the Certificate of Occupancy for the church in order to continue the operation of a food pantry in the structure.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details
Acreage	8.49
Future Land Use Designation	MDR
Existing Land Use	Food pantry (temporary use)
Proposed Land Use(s)	NA (church is in the development process to the north on the same parcel)
Current Zoning	R-8
Proposed Zoning	NA
Phasing plan (# of phases)	1
Physical Features (waterways, hazards, flood plain, hillside)	Ten Mile Creek runs along south boundary
Neighborhood meeting date; # of attendees	11/22/23
History (previous approvals)	AZ-14-014 (DA # 2015-023708); CUP-14-019 (expired); H-2018-0110 (CUP)

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Aleks Yanchuk, MMGC Sulamita – 4973 W. Cherry Ln., Meridian, ID 83642

B. Owner:

MMGC Sulamita – 4973 W. Cherry Ln., Meridian, ID 83642

C. Agent/Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date
Newspaper Notification	1/2/2024
Radius notification mailed to properties within 500 feet	12/29/2024
Public hearing notice sign posted on site	1/4/2024
Nextdoor posting	12/29/2024

V. STAFF ANALYSIS

The existing conditional use permit (CUP) (H-2018-0110) approved a church to develop on this site and allowed the former dwelling/manufactured home, consisting of approximately 2,439 square feet, to be used as a job shack while the church was being constructed. This structure, along with the accessory structures on the site, were required to be removed prior to issuance of the Certificate of Occupancy for the church.

The Applicant states the existing structure has been being used as a food pantry, providing food to over 100 families in the community. The church is now nearing completion of construction and the Applicant requests the structure is allowed to remain on the site for an additional 2-years after the Certificate of Occupancy is issued in order to continue providing food to area families who rely on the support. During this extended period, the Applicant plans to pursue fundraising to establish a permanent location for the food pantry.

The CUP modification is requested to change the use of the existing structure from a job shack to a food pantry; and to extend the time period it can remain on the site for up to two (2) years from the date of issuance of the Certificate of Occupancy for the church. Because the use provides a needed service for the community and is secondary to the church use, it’s considered an accessory use to the approved church use; therefore, Staff is amenable to the request.

The following Comprehensive Plan policy supports the request: “Strengthen public services, programs, and community resources to be responsive to and representative of Meridian's diversity.” (2.05.01G)

A site plan was submitted, included in Section VII, that depicts the location of the structure housing the food pantry along with the access driveway via N. Black Cat Rd., which connects to the church parking lot, and off-street parking for five (5) vehicles.

As conditions of approval of the subject application, Staff recommends the following:

- **The structure should connect to City water and sewer within 30 days of approval of the subject application or prior to issuance of Certificate of Occupancy for the church, whichever occurs first (if not already connected).**
- **A Certificate of Zoning Compliance application is required to be submitted for the change in use of the building from residential to a food pantry associated with the church and for the addition of the parking shown on the site plan.**
- **A building permit application is required to be submitted to change the use from residential to commercial (i.e. food pantry) within 30 days of approval of the subject application.**
- **The address of 1435 N Black Cat Rd. should be placed on the building or on a sign at the driveway entrance to the food pantry for way-finding purposes if not already existing.**

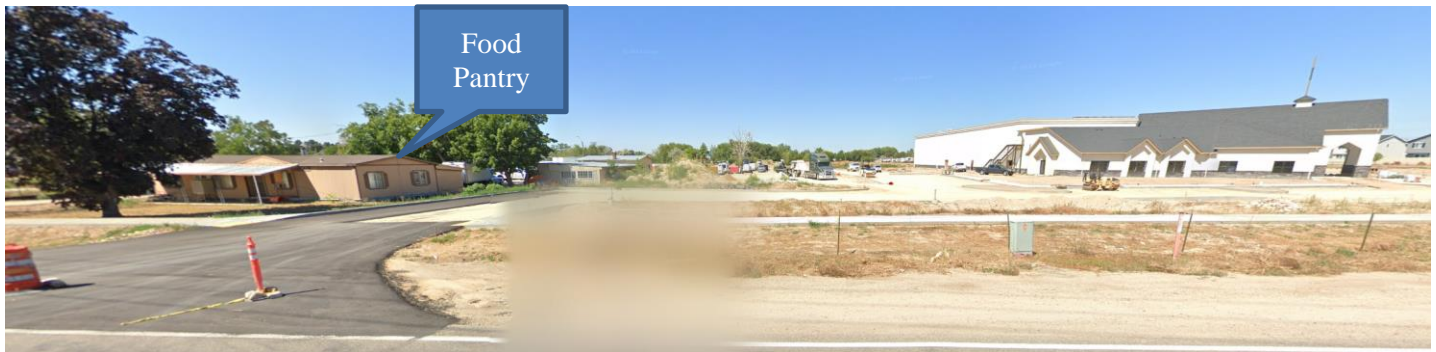
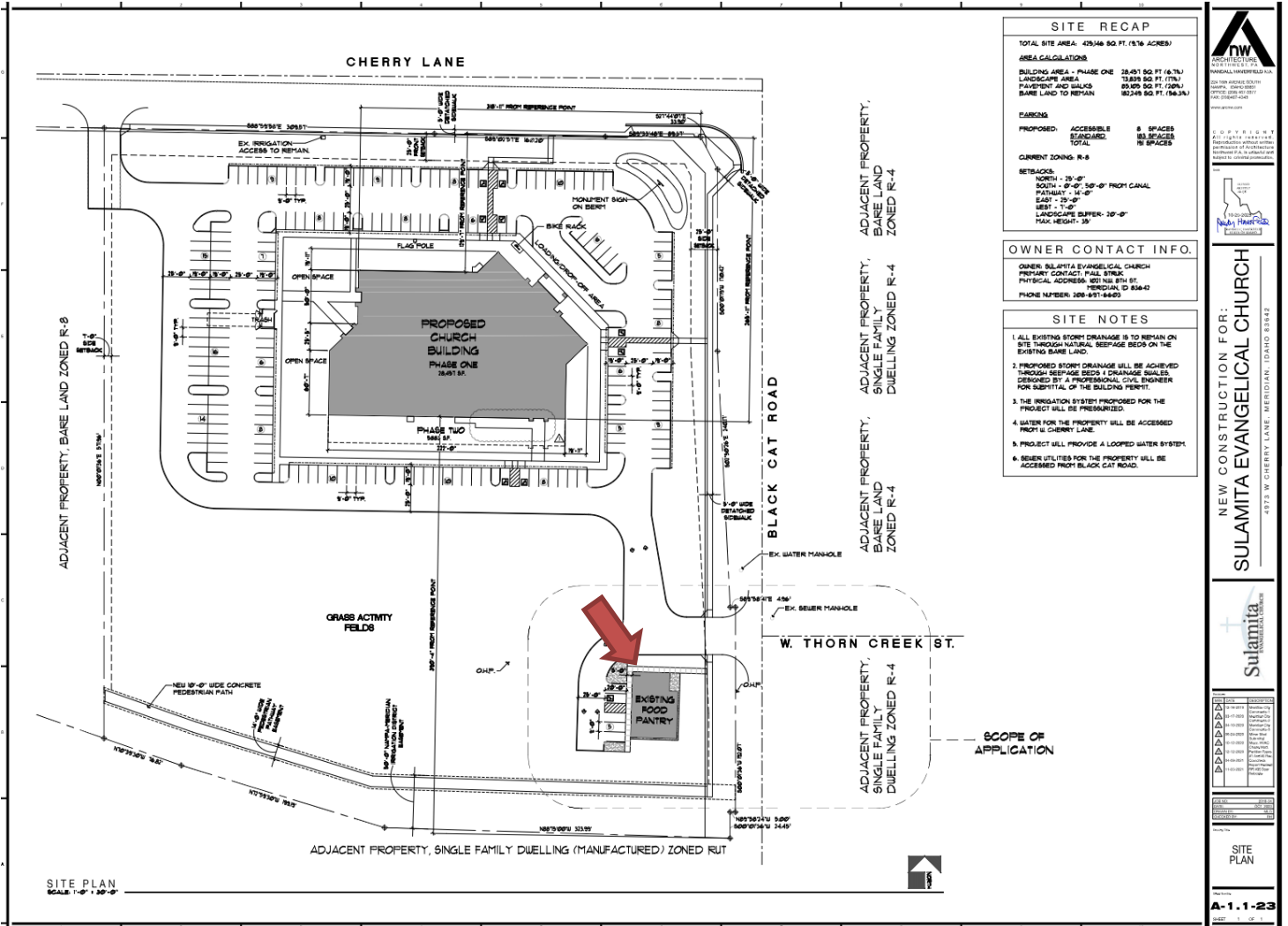
VI. DECISION

A. Staff:

Staff recommends approval of the proposed modification to the existing Conditional Use Permit per the provisions included in Section VIII in accord with the Findings in Section IX.

VII. EXHIBITS

A. Site Plan & Photo



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. The applicant shall comply with all previous conditions of approval [AZ-14-014 (DA #[2015-023708](#)); [H-2018-0110](#) (CUP)] associated with this site except as otherwise approved with this application, as follows:
 - a. All existing structures *except* for the manufactured home structure that houses the food pantry shall be removed from the site prior to issuance of Certificate of Occupancy for the church. Said structure is allowed to remain and continue being used as a food pantry for an additional period of up to two (2) years after the date the Certificate of Occupancy for the church is issued. At the end of this period, the structure shall be removed.
 - b. The Applicant shall have connected to City water and sewer service within thirty (30) days of approval of the subject application or prior to issuance of Certificate of Occupancy for the church, whichever occurs first.
 - c. The address (i.e. 1435 N Black Cat Rd.) shall be clearly depicted on the building or on a sign at the driveway entrance to the food pantry for way-finding purposes if not already existing.
 - d. A Certificate of Zoning Compliance application shall be submitted for the change in use of the building from residential to a food pantry associated with the church and for the addition of the parking shown on the site plan.
 - e. A building permit shall be obtained from the Building Dept. to change the use of the manufactured home from residential to a commercial use (i.e. food pantry). The Applicant shall apply for the permit within 30 days of approval of the subject application.

B. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=317405&dbid=0&repo=MeridianCity>

C. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=315719&dbid=0&repo=MeridianCity>

IX. FINDINGS

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

The Commission shall base its determination on the Conditional Use Permit requests 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.

Staff finds the proposed 8.49-acre site is large enough to accommodate the church and accessory food pantry and meet all the dimensional standards and development regulations of the R-8 zoning district.
2. That the proposed use will be harmonious with the Meridian comprehensive plan and in accord with the requirements of this title.

Staff finds the food pantry (as an accessory use to the church) provides a needed service for the community and is harmonious with the Comprehensive Plan if the Applicant complies with the conditions of approval in Section VIII.

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.

Staff finds the continued operation of the food pantry associated with the church will be compatible with adjacent residential uses and the intended character of the area and will not adversely affect the same.

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

Staff finds the food pantry associated with the church will not adversely affect other properties in the vicinity if the Applicant complies with the conditions of approval in Section VIII.

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.

Staff finds the food pantry associated with the church will continue to be served by the public facilities and services noted.

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.

Staff finds the food pantry associated with the church will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community and will benefit 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.

Staff finds the food pantry associated with the church will not detrimentally affect any persons, property or the general welfare by the excessive production of traffic or emissions generated from the site.

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)

Staff is unaware of any natural, scenic or historic features that exist on this site of major importance that will be destroyed or damaged by the food pantry use. The Commission should rely on any public testimony presented to determine this finding.