

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



In the Matter of the Request for a Conditional Use Permit and Development Agreement Modification, by Ethan Mansfield, Hawkins Companies, LLC

Case No(s). H-2024-0049

For the City Council Hearing Date of: January 28, 2025 (Findings on February 11, 2025)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of January 28, 2025, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of January 28, 2025, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of January 28, 2025, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of January 28, 2025, 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 City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 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 Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.
7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of January 28, 2025, 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 City Council'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 and Development Agreement Modification is hereby approved per the conditions of approval in the Staff Report for the hearing date of January 28, 2025, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

Please take notice that approval of a preliminary plat, combined preliminary and final plat, or short plat shall become null and void if the applicant fails to obtain the city engineer's signature on the final plat within two (2) years of the approval of the preliminary plat or the combined preliminary and final plat or short plat (UDC 11-6B-7A).

In the event that the development of the preliminary plat is made in successive phases in an orderly and reasonable manner, and conforms substantially to the approved preliminary plat, such segments, if submitted within successive intervals of two (2) years, may be considered for final approval without resubmission for preliminary plat approval (UDC 11-6B-7B).

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-6B-7.A, the Director may authorize a single extension of time to obtain the City Engineer's signature on the final plat not to exceed two (2) years. Additional time extensions up to two (2) years as determined and approved by the City Council may be granted. With all extensions, the Director or City Council may require the preliminary plat, combined preliminary and final plat or short plat to comply with the current provisions of Meridian City Code Title 11. If the above timetable is not met and the applicant does not receive a time extension, the property shall be required to go through the platting procedure again (UDC 11-6B-7C).

Notice of 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. 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. For conditional use permits that also require platting, the final plat must be signed by the City Engineer within this two (2) year period.

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-5B-6.G.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 City Council may be granted. With all extensions, the Director or City Council may require the conditional use comply with the current provisions of Meridian

City Code Title 11(UDC 11-5B-6F).

Notice of Development Agreement Duration

The city and/or an applicant may request a development agreement or a modification to a development agreement consistent with Idaho Code section 67-6511A. The development agreement may be initiated by the city or applicant as part of a request for annexation and/or rezone at any time prior to the adoption of findings for such request.

A development agreement may be modified by the city or an affected party of the development agreement. Decision on the development agreement modification is made by the city council in accord with this chapter. When approved, said development agreement shall be signed by the property owner(s) and returned to the city within six (6) months of the city council granting the modification.

A modification to the development agreement may be initiated prior to signature of the agreement by all parties and/or may be requested to extend the time allowed for the agreement to be signed and returned to the city if filed prior to the end of the six (6) month approval period.

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 January 28, 2025

By action of the City Council at its regular meeting held on the _____ day of _____, 2025.

COUNCIL PRESIDENT LUKE CAVENER VOTED _____

COUNCIL VICE PRESIDENT LIZ STRADER VOTED _____

COUNCIL MEMBER DOUG TAYLOR VOTED _____

COUNCIL MEMBER JOHN OVERTON VOTED _____

COUNCIL MEMBER ANNE LITTLE ROBERTS VOTED _____

COUNCIL MEMBER BRIAN WHITLOCK VOTED _____

MAYOR ROBERT SIMISON VOTED _____
(TIE BREAKER)

Mayor Robert E. Simison

Attest:

Chris Johnson
City Clerk

Copy served upon Applicant, Community Development Department, Public Works Department and City Attorney.

By: _____ Dated: _____
City Clerk's Office

EXHIBIT A

COMMUNITY DEVELOPMENT DEPARTMENT REPORT



HEARING DATE: 1/28/2025

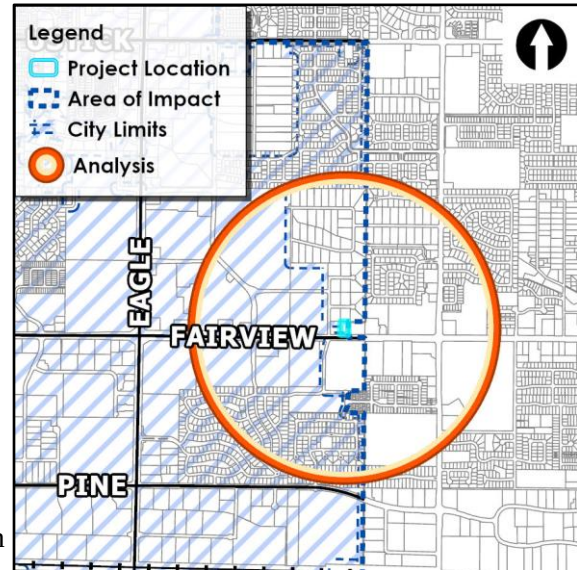
TO: Mayor & City Council

FROM: Linda Ritter, Associate Planner
208-884-5533
lritter@meridiancity.org

APPLICANT: Ethan Mansfield, Hawkins Companies, LLC

SUBJECT: H-2024-0049
Fairview Drive-Through CUP, MDA

LOCATION: 4300 E. Fairview Avenue, located in a portion of the SW ¼ of the SE ¼, Section 4, T3N, R1E



I. PROJECT OVERVIEW

A. Summary

A Conditional Use Permit for the development of an 1,843 square foot quick-lube oil change facility and drive-through coffee shop within three hundred (300) feet of another drive-through facility and an existing residence; create a new development agreement to establish new hours of operations for the coffee shop to begin service at 5 AM; and approve new concept plan on a 0.76-acre parcel located at 4300 E. Fairview Avenue in the C-G zoning District.

B. Issues/Waivers

The applicant is asking for a Council waiver to reduce the twenty-five (25) landscape buffer for the area in which the trash enclosure would occupy in order to expand the existing trash enclosure on the property to the west with the property owner's permission. Currently, a portion of the trash enclosure on the property to the west extends onto the applicant's property.

C. Recommendation

Staff: Approval w/ conditions

D. Decision

Planning and Zoning Commission: Recommend Approval

City Council: Approval

II. COMMUNITY METRICS

Table 1: Land Use

Description	Details	Map Ref.
Existing Land Use(s)	Vacant	-
Proposed Land Use(s)	Quick-Lube Oil Change and Drive-Through Coffee Shop	-
Existing Zoning	General Retail and Service Commercial District (C-G)	VII.A.2
Proposed Zoning	General Retail and Service Commercial District (C-G)	
Adopted FLUM Designation	Commercial	VII.A.3
Proposed FLUM Designation	Commercial	

Table 2: Process Facts

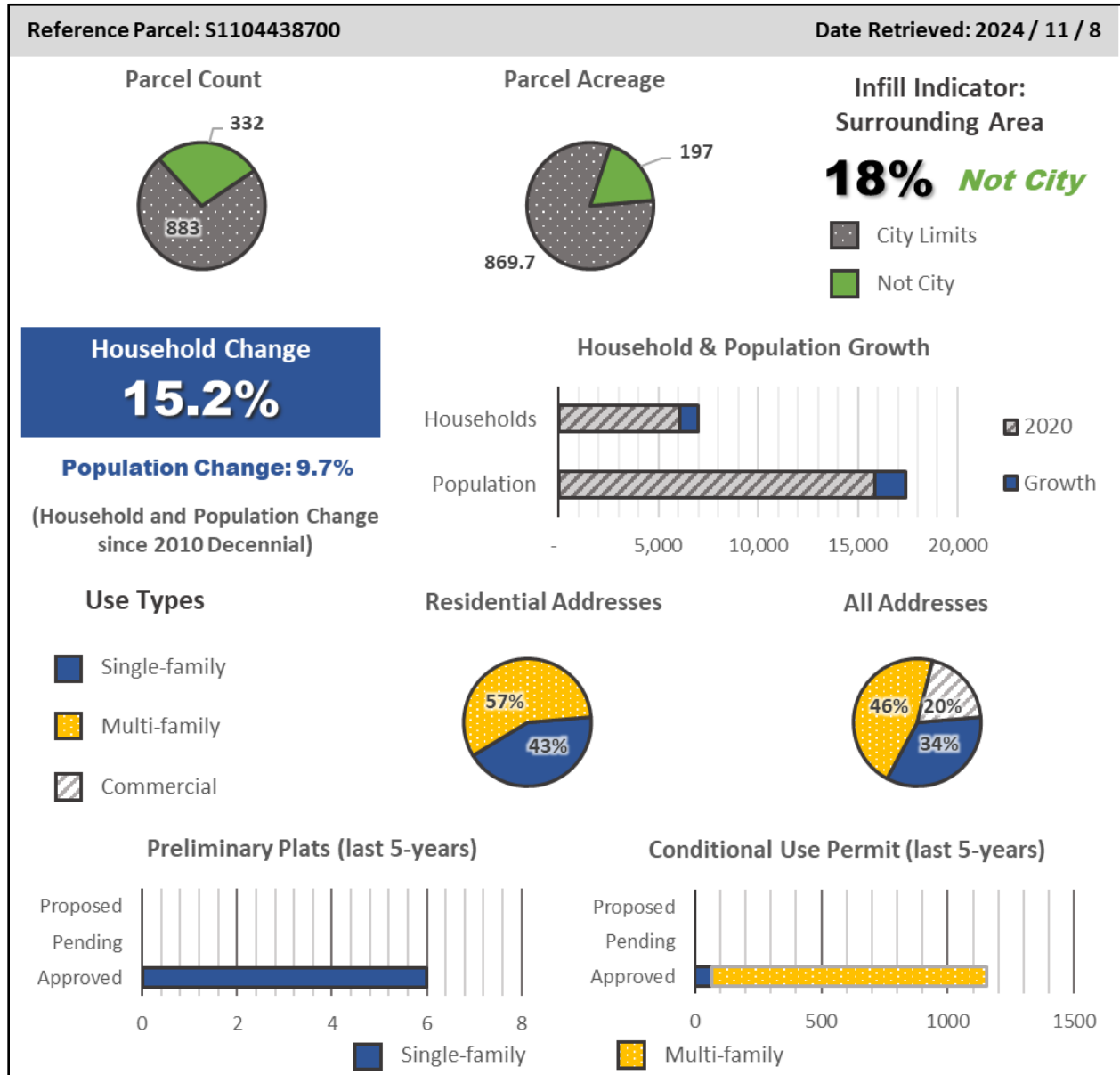
Description	Details
Preapplication Meeting date	8/5/2024
Neighborhood Meeting	9/5/2024
Site posting date	12/5/2024

Table 3: Community Metrics

Agency / Element	Description / Issue	Reference
Ada County Highway District		IV.D
• Comments Received	Yes, Staff Report	-
• Commission Action Required	No	-
• Access	Fairview Avenue	-
• Traffic Level of Service	Better than “E”	-
ITD Comments Received	No Comments	IV.E
Meridian Fire	No Comments	
Meridian Police	No Comments	
Meridian Public Works Wastewater		
• Distance to Mainline	Sewer is available at the site	
• Impacts or Concerns	Ensure no sewer services pass through infiltration trenches	
Meridian Public Works Water		
• Distance to Mainline	Water is available at the site	
• Impacts or Concerns	No	

Note: See City/Agency Comments and Conditions Section and public record for all department/agency comments received. Fairview Drive-Through CUP, MDA H-2024-0049 (copy this link into a separate browser).

Figure 1: One-Mile Radius Existing Condition Metrics



Notes: See VIII. Additional Notes & Details for Staff Report Maps, Tables, and Charts.

Figure 2: ACHD Summary Metrics

Level of Service Planning Thresholds

1. Condition of Area Roadways

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Fairview Avenue	142-feet	Arterial	1611	Better than "E"

* Acceptable level of service for a five-lane principal arterial is "E" (1,780 VPH).

** ACHD does not set level of service thresholds for State Highways.

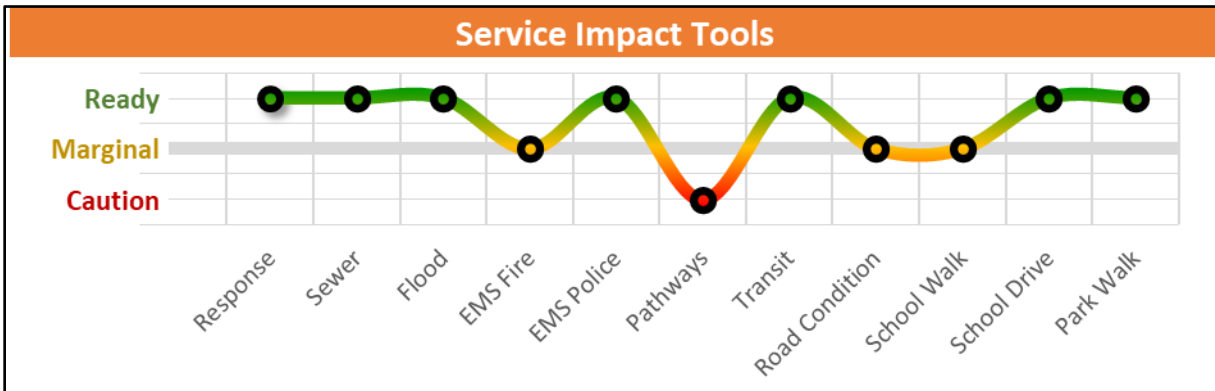
2. Average Daily Traffic Count (VDT)

Average daily traffic counts are based on ACHD's most current traffic counts.

- The average daily traffic count for Fairview Avenue west of Cloverdale Road was 35,600 on July 16, 2024.

Notes: See VIII. Additional Notes & Details for Staff Report Maps, Tables, and Charts.

Figure 3: Service Impact Summary



Notes: See VIII. Additional Notes & Details for Staff Report Maps, Tables, and Charts.

III. STAFF ANALYSIS

Comprehensive Plan and Unified Development Code (UDC)

A. General Overview

Commercial Land Uses - This designation will provide a full range of commercial uses to serve area residents and visitors. Desired uses may include retail, restaurants, personal and professional services, and office uses, as well as appropriate public and quasi-public uses. Multi-family residential may be allowed in some cases but should be careful to promote a high quality of life through thoughtful site design, connectivity, and amenities. Sample zoning include: C-N, C-C, and C-G.

The property is currently zoned General Retail and Service Commercial District (C-G) which allows the largest scale and broadest mix of retail, office, service, and light industrial uses.

Table 4: Project Overview

Description	Details
History	AZ-04-026, CUP-04-035, DA Inst.# 105022224 Mountain West Bank
Acreage	0.76

B. History

The property was approved for annexation and zoning on October 26, 2004, from Rural Urban Transition (RUT) to C-G for approximately 2.48 acres of land and a Conditional Use Permit (CUP) for a new 4,500 square-foot bank with a drive-through. The current Development Agreement requires a CUP for all uses and restricts the hours of operation from 7 am to 7 pm.

C. Site Development and Use Analysis

1. Existing Structures/Site Improvements (*UDC 11-1*):

Applicant is proposing a construct a quick-lube oil change facility and drive-through coffee shop. The building will be approximately 1,843 gross square feet overall and is proposed to be twenty-six (26) feet in height. The applicant is proposing seventeen (17) parking spaces which exceeds the required seven (7) spaces per UDC 11-2. The site is currently vacant with no structures.

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

Applicant is proposing a construct an 1,843 square foot building with a quick-lube oil change facility and drive-through coffee shop. The applicant is proposing to add lane striping to better define the additional queuing space available to each user as customers will typically enter the development from the southern entrance off Fairview Avenue. Directional signage will indicate the location of the oil change tenant and the coffee shop tenant's queuing area. The applicant states the typical number of services for this oil change user is up to six (6) vehicles in the peak hour. The site plan shown in Exhibit VIIC shows the proposed quick-lube oil change shop can accommodate up to 6 vehicles – two in the service bays and four (4) stacked behind – without vehicles stacking in the east-west drive aisle.

Per the queuing analysis completed for the coffee shop (Human Bean), the 95th percentile queuing rate is four (4) vehicles, with a maximum expected queuing of six (6) vehicles. The applicant states there would be no vehicles from the coffee shop stacking in front of the oil change entrance. The striping and directional signage provided will ensure that even in unexpected instances of extremely high demand, stacking can be reasonably accommodated.

A pedestrian entrance to the site will be placed in front of the coffee shop to accommodate bike/pedestrian walk-up service.

Employee parking spaces have been placed along the north side of the site and will be signed as “Employee Parking” to eliminate the possibility of conflict with the east-west drive aisle during the coffee shop’s busiest hours.

In reviewing the site plan, staff feels moving the employee parking to the south side of the lot to align with the parking layout for the adjacent bank to the west. Staff feels this will help minimize conflicts between vehicles using the coffee shop drive-through and customers accessing the quick-lube oil change facility, while also ensuring sufficient stacking space for the coffee shop drive-through.

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

The proposed drive-through building will be approximately 1,843 gross square feet overall and is twenty-six (26) feet in height with seventeen (17) parking spaces. This site complies with the dimensional standards for the C-G zoning district.

4. Specific Use Standards (*UDC 11-4-3*):

Vehicle Repair, Major and Minor (*UDC 11-4-3-37*)

- A. Where adjoining a residential property or district, all repair activities (including, but not limited to, open pits and lifts) shall occur within an enclosed structure.
- B. Inoperable or dismantled motor vehicles shall be stored behind a closed vision fence, wall, or screen or within an enclosed structure and shall not be visible from the street.

Drive-Through Establishment (*UDC 11-4-3-11*)

- A. A drive-through establishment shall be an accessory use where the drive-through facility (including stacking lanes, speaker and/or order area, pick up windows, and exit lanes) is:
 - 1. Not within three hundred three hundred (300) feet of another drive-through facility, a residential district, or an existing residence: or
 - 2. Separated by an arterial street from any other drive-through facility, residential district or existing residence; or
 - 3. Not within the O-T zoning district.

Otherwise a conditional use permit is required.

A Conditional Use Permit is required as the drive-through is within three hundred (300) feet of another drive-through and an existing residence.

- B. All establishments providing drive-through service shall identify the stacking lane, menu and speaker location (if applicable), and window location on the certificate of zoning compliance or the conditional use permit. Speakers are prohibited in the O-T zoning district.

The site plan shown in Exhibit B provides the location of the stacking lane for the proposed coffee shop.

- C. A site plan shall be submitted that demonstrates safe pedestrian and vehicular access and circulation on the site and between adjacent properties. At a minimum the plan shall demonstrate compliance with the following standards:

- 1. Stacking lanes shall have sufficient capacity to prevent obstruction of driveways, drive aisles, and the public right-of-way by patrons.

Moving the employee parking to the south side of the lot to align with the parking layout for the adjacent bank to the west will help minimize conflicts between vehicles using the coffee shop drive-through and customers accessing the quick-lube oil change facility, while also ensuring sufficient stacking space for the coffee shop

drive-through.

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.
3. The stacking lane shall not be located within ten (10) feet of any residential district or existing residence.

The stacking lane is proposed to be over twenty-five feet away from the residential property.

4. Any stacking lane greater than one hundred 100 feet in length shall provide for an escape lane.

The staking lane is not greater than 100 feet in length therefore an escape lane is not required.

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 E. Fairview Avenue.

- D. The applicant shall provide a six-foot sight obscuring fence where a stacking lane or window location adjoins a residential district or an existing residence.

There is an existing six (6) foot wooden fence on the north side of the property adjacent to the existing residential home.

Restaurant (UDC 11-4-3-49)

A. Parking.

1. At a minimum, one (1) parking space shall be provided for every two hundred fifty (250) square feet of gross floor area.

Upon any change of use for an existing building or tenant space, a detailed parking plan shall be submitted that identifies the available parking for the overall site that complies with the requirements of this title.

Per UDC 11-3C restaurants require one (1) parking space for every two hundred and fifty (250) square feet of gross floor area. The total number of parking spaces required is seven (7). The applicant is proposing seventeen (17) parking spaces which exceeds the required number parking spaces for this proposal.

D. Design Standards Analysis

1. Structure and Site Design Standards (*Comp Plan 3.07.02A, Comp Plan 5.01.02D, UDC 11-3A-19*):

Require pedestrian circulation plans to ensure safety and convenient access across the commercial development.

Require appropriate building design, and landscaping elements to buffer, screen, beautify, and integrate commercial, multifamily, and parking lots into existing neighborhoods. Therefore, buildings shall be designed in accord with the "City of Meridian Architectural Standards Manual."

Per UDC 11-3A-19 pedestrian walkways shall provide a continuous walkway that is a minimum of five (5) feet in width from the perimeter sidewalk to the main building entrance(s) for nonresidential uses. The internal pedestrian walkway shall be distinguished

from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks.

In reviewing the site plan layout, staff recommends that employee parking be located on the south side of the lot to align with the parking layout for the adjacent bank to the west. This arrangement would help minimize conflicts between vehicles using the coffee shop drive-through and customers accessing the quick-lube oil change facility, while also ensuring sufficient stacking space for the coffee shop drive-through.

2. Landscaping (UDC 11-3B):

i. Landscape buffers along streets

Per UDC 11-2B-3, landscape buffers along arterial shall be thirty-five (35) feet in width. The applicant will be required to install the landscape buffer along E. Fairview Avenue. The landscape buffer shall be located entirely outside of any existing right-of-way and any additional right- way required by ACHD with this application. All trees shall be located beyond the required street right- way.

ii. Parking lot landscaping

Per UDC 11-3B-8, the applicant shall provide perimeter and internal parking lot landscaping to soften and mitigate the visual and heat island effect of a large expanse of asphalt in parking lots, and to improve the safety and comfort of pedestrians. A five-foot wide minimum landscape buffer adjacent to parking, loading, or other paved vehicular use areas.

iii. Landscape buffers to adjoining uses

Provide a minimum twenty-five (25) foot wide landscape buffer along the entire north property line, as proposed. Materials used in the buffer shall meet the requirements of UDC 11-3B-9.

The applicant is requesting a Council waiver to place the trash enclosure into the landscape buffer to match the existing trash enclosure for the adjacent property to the west. Staff is asking the applicant to work with the adjacent property owner to expand the existing trash enclosure and request council waiver to reduce the landscape buffer for the area in which the trash enclosure is located.

iv. Storm integration

An adequate storm drainage system is required in all developments in accord with the City's adopted standards, specifications and ordinances. Design and construction shall follow best management practice as adopted by the City as set forth in UDC 11-3A-18.

3. Parking (UDC 11-3C):

i. Nonresidential parking analysis

Per UDC 11-3C Restaurants require one (1) parking space for every two hundred and fifty (250) square feet of gross floor area. The total number of parking spaces required is seven (7). The applicant is proposing seventeen (17) parking spaces which exceeds the required number parking spaces for this proposal. The applicant will be required to install wheel stops for the compact stalls or widen the sidewalk to seven (7) feet to prevent vehicles from overhanging on the sidewalk.

ii. Bicycle parking analysis

Per UDC 11-3C-6.G One (1) bicycle parking space shall be provided for every twenty-five (25) proposed vehicle parking spaces or portion thereof, except for single-family

residences, two-family duplexes, and townhouses. Based on seventeen (17) parking spaces being proposed, one (1) bicycle parking space is required.

4. Building Elevations (Comp Plan, Architectural Standards Manual):
Conceptual building elevations were submitted for the proposed structure as shown in Section VII.F. Building materials consist of stucco, stone, wood and metal accent. Final design is required to comply with the design standards in the Architectural Standards Manual and recorded development agreement.

The Comprehensive Plan's goal is to require appropriate building design, and landscaping elements to buffer, screen, beautify, and integrate commercial, multifamily, and parking lots into existing neighborhoods.

5. Fencing (UDC 11-3A-6, 11-3A-7):
There is an existing fence along the north property line that was required with the annexation, zoning and CUP in 2004. No additional fencing required.

E. Transportation Analysis

1. Access (Comp Plan 6.01.02C, UDC 11-3A-3, UDC 11-3H-4):
Access to the property is from E. Fairview Avenue in accord with UDC 11-3A-3.
The Comprehensive Plan's goal is to require new development to establish street connections to existing local roads and collectors as well as to underdeveloped adjacent properties.
2. Sidewalks (UDC 11-3A-17):
All sidewalks constructed as part of this proposal are required to comply with the standards listed in UDC 11-3A-17.

F. Services Analysis

1. Pressurized Irrigation (UDC 11-3A-15):
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.
2. Storm Drainage (UDC 11-3A-18):
The applicant shall design and construct an adequate storm drainage system in accordance with the city's adopted standards and shall follow Best Management Practice as adopted by the city.
3. Utilities (Comp Plan 3.03.03A, UDC 11-3A-21):
Ensure development is connected to City of Meridian water and sanitary sewer systems and the extension to and through said developments are constructed in conformance with the City of Meridian Water and Sewer System Master Plans in effect at the time of development. All utilities are available to the site. Water main, fire hydrant and water service require a twenty-foot (20) wide easement that extends ten (10) feet past the end of main, hydrant, or water meter. No permanent structures, including trees are allowed inside the easement.

G. Development Agreement

The Applicant is requesting a modification to the existing Development Agreement (DA) Inst. #105022224. The current Development Agreement requires a CUP for all uses and restricts the hours of operation from 7 am to 7 pm. The applicant is requesting the following changes:

- A. Adopt the Special Recommendations of the Planning and Zoning Commission as follows:
1. The hours of operation for businesses on this site are limited from ~~5~~ am to ~~6~~ pm since the site abuts single-family residences.

UDC 11-1B-3B limits hours of operation in the C-G zoning district from 6 am to 11 pm. As the DA is the governing document for this property, the applicant is requesting that Council approve a modification of the existing agreement to allow the changes request in the hours of operation for the drive-through coffee shop.

IV. CITY/AGENCY COMMENTS & CONDITIONS

A. Meridian Planning Division

1. Development Agreement Modification:

Fifteen (15) days prior to the City Council hearing, the applicant shall provide the revised concept plan for the site and landscaping plan showing the employee parking located on the south side of the lot to align with the parking layout for the adjacent bank to the west or a layout that is amenable to the staff and the applicant.

- a. The modified DA shall be signed by the property owner and returned to the Planning Division within six (6) months of the City Council approval of the Findings. The DA shall, at minimum, incorporate the following provisions:
 - b. Future development of this site shall be generally consistent with the proposed site plan, landscape plans and conceptual building elevations included in Section VII-D and VII-E and the provisions contained herein.
 - c. The site shall not use any form of electronic amplification for communication.
 - d. The applicant shall work with the neighbor to construct a fence that will block the light from the vehicles entering the property.
2. Conditional Use Permit:
 - 2.1 The Applicant shall comply with all specific use standards for the proposed use of Multi-family Residential Development (UDC 11-4-3-27).
 - 2.2 The Applicant shall obtain a Certificate of Zoning Compliance (CZC) and Administrative Design Review (DES) approvals before submitting for any building permit within this development.
 - 2.3 Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2B-3-7 for the C-G zoning district.
 - 2.4 Off-street parking is required to be provided by the standards listed in UDC Table 11-3C-6 for restaurant.
 - 2.5 The Applicant shall comply with all ACHD conditions of approval.
 - 2.6 Provide a pressurized irrigation system consistent with the standards as outlined in UDC 11-3A-15, UDC 11-3B-6, and UDC 9-1-28.
 - 2.7 Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are

in substantial compliance with the approved landscape plan as outlined in UDC 11-3B-14.

- 2.8 This project is subject to all current City of Meridian ordinances and shall comply with the previous conditions of approvals associated with this site (AZ-04-026; CUP-04-035; DA Inst. #105022224).
- 2.9 The Applicant shall obtain a Certificate of Zoning Compliance (CZC) and Administrative Design Review (DES) approvals before submitting for any building permit within this development.
- 2.10 Compliance with the standards listed in UDC [11-4-3-11](#)– Drive-Through Establishment, Vehicle repair, major and minor UDC [11-4-3-37](#) and standards listed in UDC [11-4-3-49](#) – Restaurant is required.
- 2.11 The landscape buffer along Fairview Avenue shall be located entirely outside of any existing right- way and any additional right- way required by ACHD with this application. All trees shall be located beyond the required street right-of-way.
- 2.12 Provide wheel stops for the compact spaces.
- 2.13 Provide a copy of the recorded easement for the water connection from the adjacent property with the submittal of the CZC and Design Review.
- 2.14 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. Irrigation Districts

- 1. Nampa & Meridian Irrigation District

See public record (copy the link into a separate browser)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=367036&dbid=0&repo=MeridianCity>
[Y](#)

C. Idaho Department of Environmental Quality (DEQ)

See public record (copy the link into a separate browser)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=367036&dbid=0&repo=MeridianCity>
[Y](#)

D. Ada County Highway District (ACHD)

See public record (copy the link into a separate browser)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=367036&dbid=0&repo=MeridianCity>
[Y](#)

E. Idaho Transportation Department (ITD)

See public record (copy the link into a separate browser)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=367036&dbid=0&repo=MeridianCity>
[Y](#)

V. 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.
Staff finds that the site is large is enough to accommodate the proposed uses as the site is 0.761 acres. The proposed multi-tenant building with the quick-lube oil change facility and coffee shop drive-through restaurant will be approximately 1,843 gross square feet overall and fifty (50) feet in height.
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 proposed quick-lube oil change facility and coffee shop drive-through restaurant will be harmonious with the uses allowed in 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.
Staff 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 quick-lube oil change facility and coffee shop drive-through restaurant complies with the purpose statement of the C-G zone which is to provide the largest scale and broadest mix of retail, office, service, and light industrial uses. Other permitted uses within the C-G zone include retail, restaurants, personal and professional services, as well as appropriate public and quasi-public uses.
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 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.
Staff 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.
Staff 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.
Staff 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.

VI. ACTION

A. Staff:

Approval of the proposed conditional use permit with the conditions in Section IV per the Findings in Section V.

B. Commission:

The Meridian Planning & Zoning Commission heard these items on December 19, 2024. At the public hearing, the Commission moved to recommend approval of the subject Conditional Use Permit and Development Agreement Modification requests.

1. Summary of Commission public hearing:

- a. In favor: Ethan Hawkins, applicant
- b. In opposition: None
- c. Commenting: None
- d. Written testimony: Anna Downing – oppose oil change and fast food use due to proximity to residential neighborhood and many other reasons; Julie Parker – oppose development because it will be too noisy for the neighborhood as it is scheduled to open at 5 am and last into the evening; Sean Thompson – Noisy, hectic operations starting at 5 am and lasting into the evening, auto repair machinery and drive through speakers, air pollution from high traffic and idling vehicles, two businesses with drive through operations can cause potential traffic problems because they have to share a common parking lot structure and ingress/egress, and the reduction of residential property values; Barry Thompson – In agreement with Sean Thompson; and Sandra G – Oppose the application and would like less going on around where she lives.
- e. Staff presenting application: Linda Ritter
- 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. Coffee shop opening hours, trash enclosure location, revised site plan

4. Commission change(s) to Staff recommendation:

- a. None

5. Outstanding issue(s) for City Council:

- a. Revised site plan

C. City Council:

The Meridian City Council heard these items on January 28, 2025. At the public hearing, the Council moved to approve the subject Conditional Use Permit and Development Agreement Modification requests.

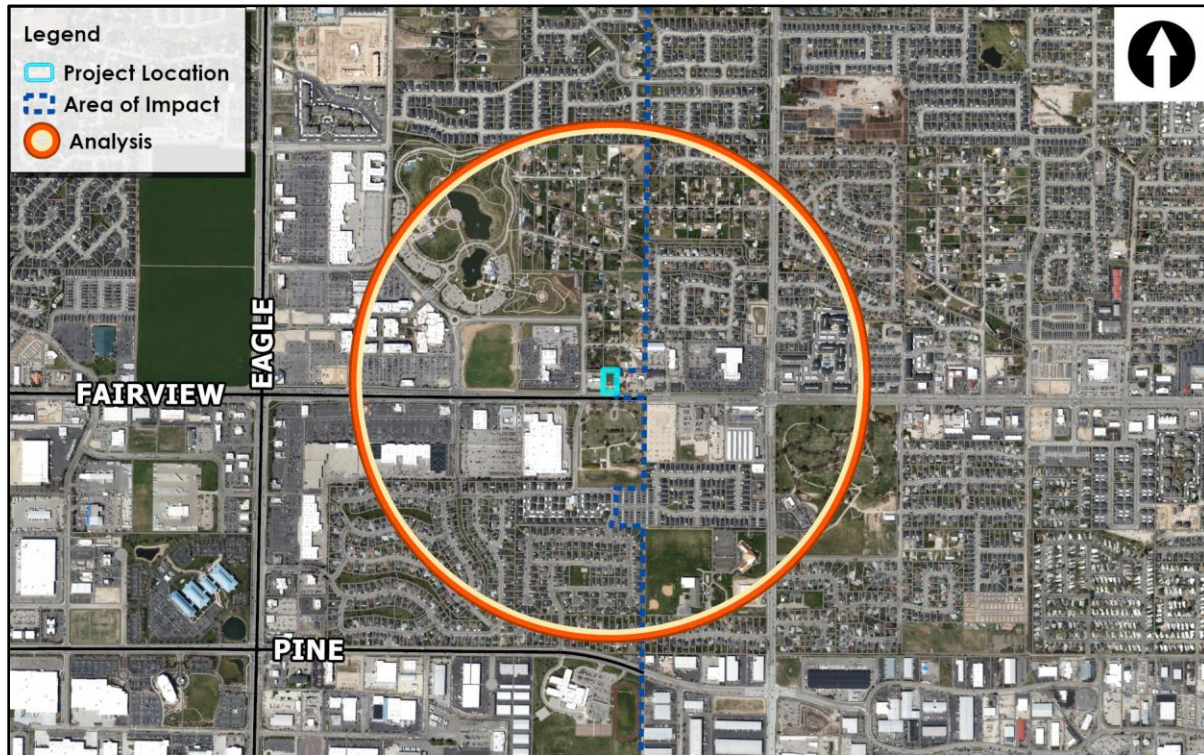
1. Summary of the City Council public hearing:
 - a. In favor: Ethan Mansfield representing the property owner
 - b. In opposition: None
 - c. Commenting: None
 - d. Written testimony: Sean Thompson
 - e. Staff presenting application: Linda Ritter
 - f. Other Staff commenting on application: Bill Parsons
2. Key issue(s) of public testimony:
 - a. Fencing along the adjacent residential property to block headlights from vehicles entering the property.
3. Key issue(s) of discussion by City Council:
 - a. Amplified speakers, fencing
4. City Council change(s) to Commission recommendation:
 - a. No amplified speakers for the property.
 - b. Work with adjacent residential property owner to install fencing that blocks the vehicle headlights entering the property.

VII. EXHIBITS

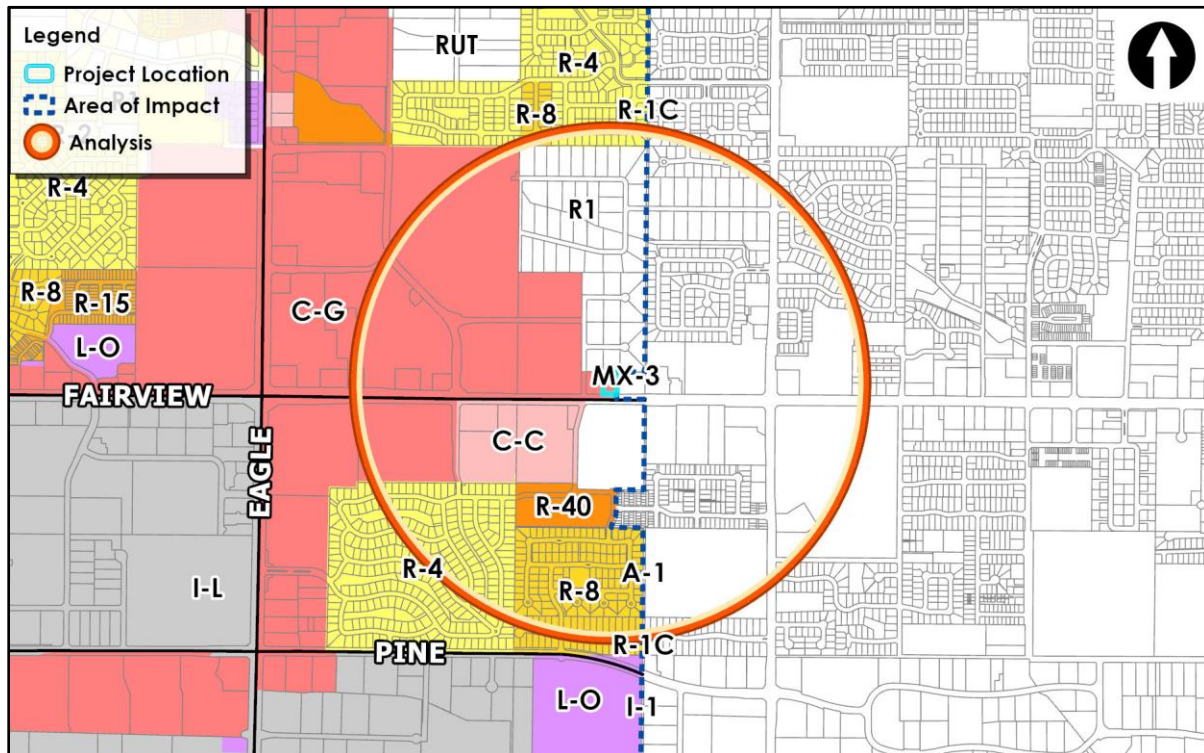
A. Project Area Maps

(link to [Project Overview](#))

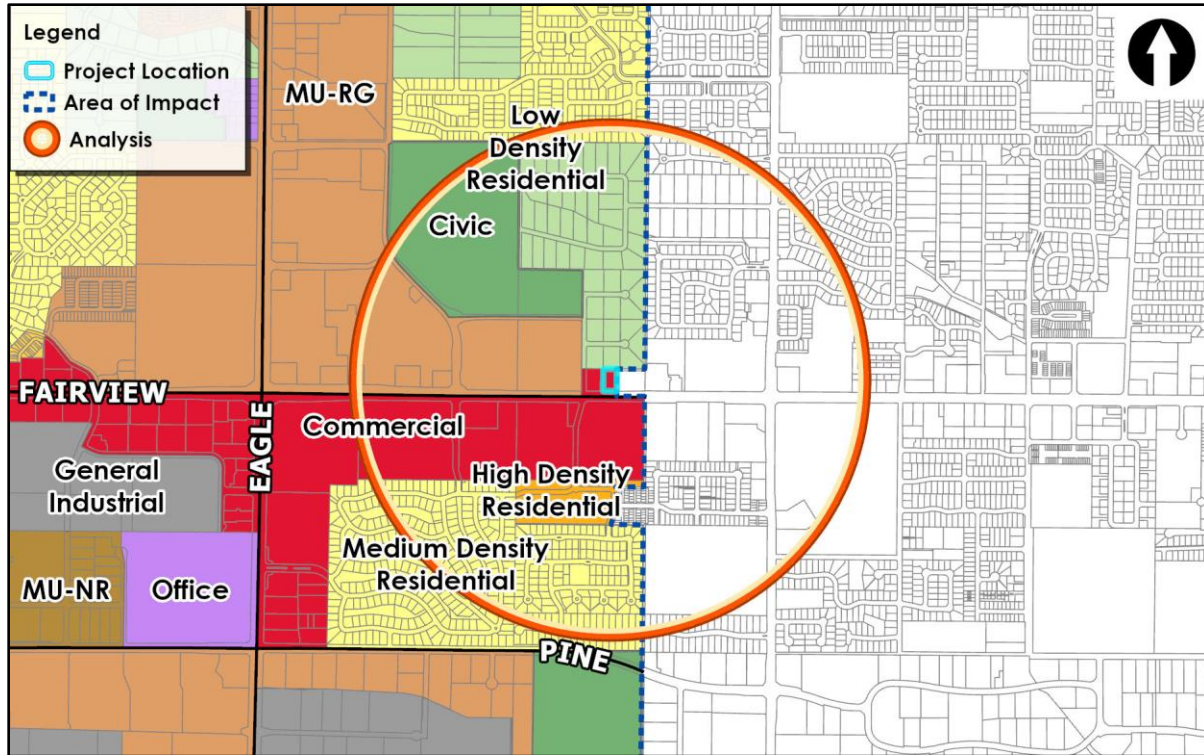
1. Aerial



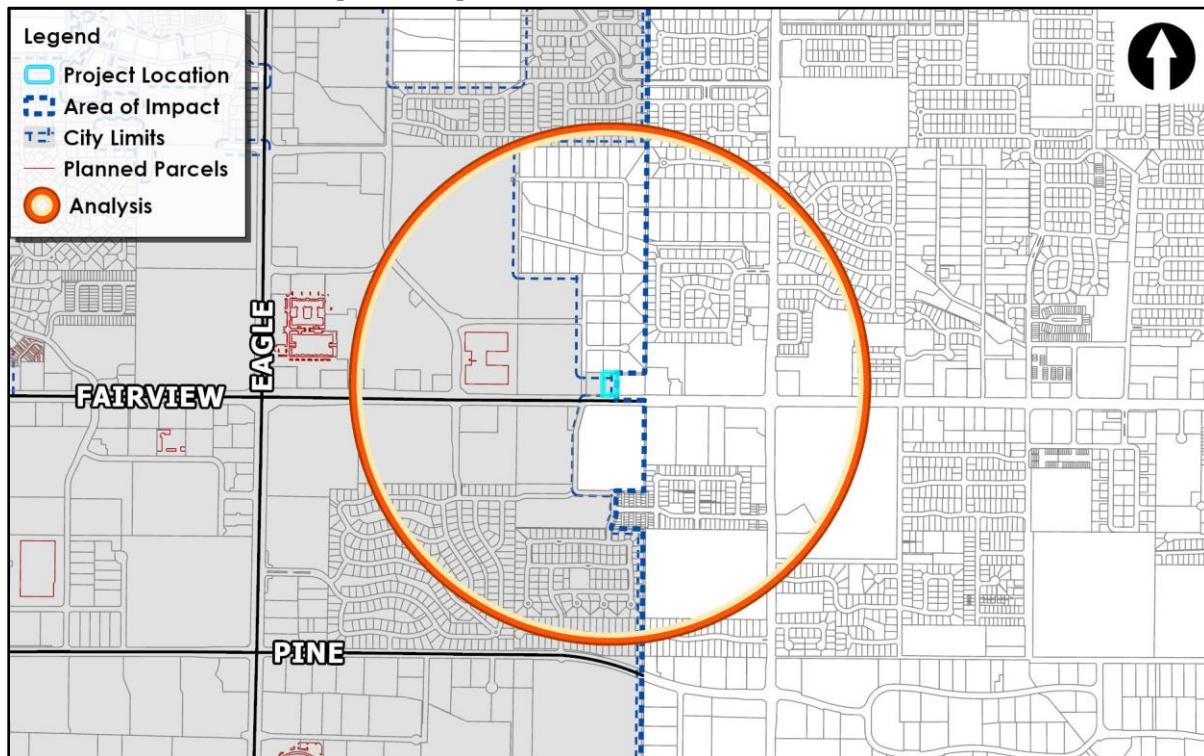
2. Zoning Map



3. Future Land Use



4. Planned Development Map



5. Map Notes

Nearby Recent Preliminary Plats (within last 5-years)

H-2018-0071 H-2019-0121 H-2020-0116 H-2021-0012 H-2022-0008 H-2022-0069 H-2023-0040 H-2023-0058 H-2024-0021
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Nearby Recent Conditional Use Permits (within last 5-years)

H-2018-0107 H-2021-0103 H-2022-0046

B. Subject Site Photos









C. Service Accessibility Report

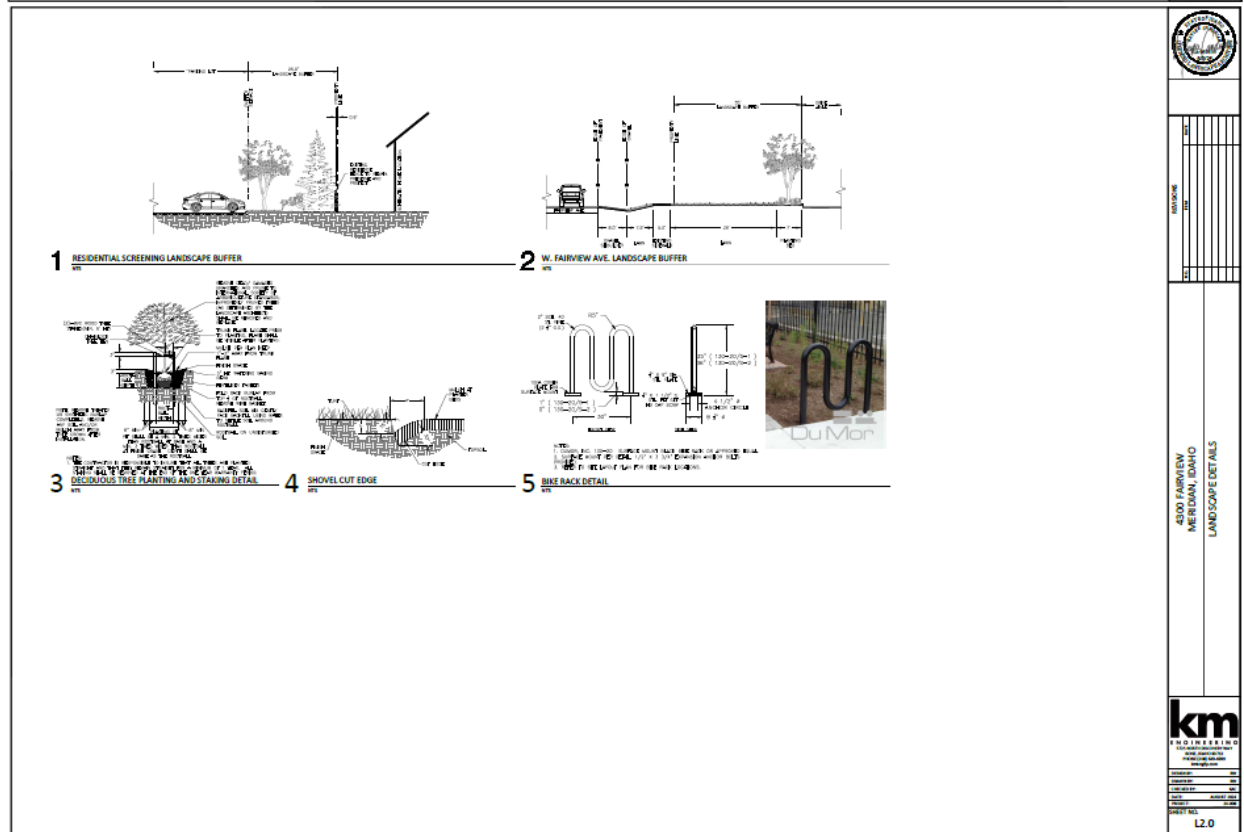
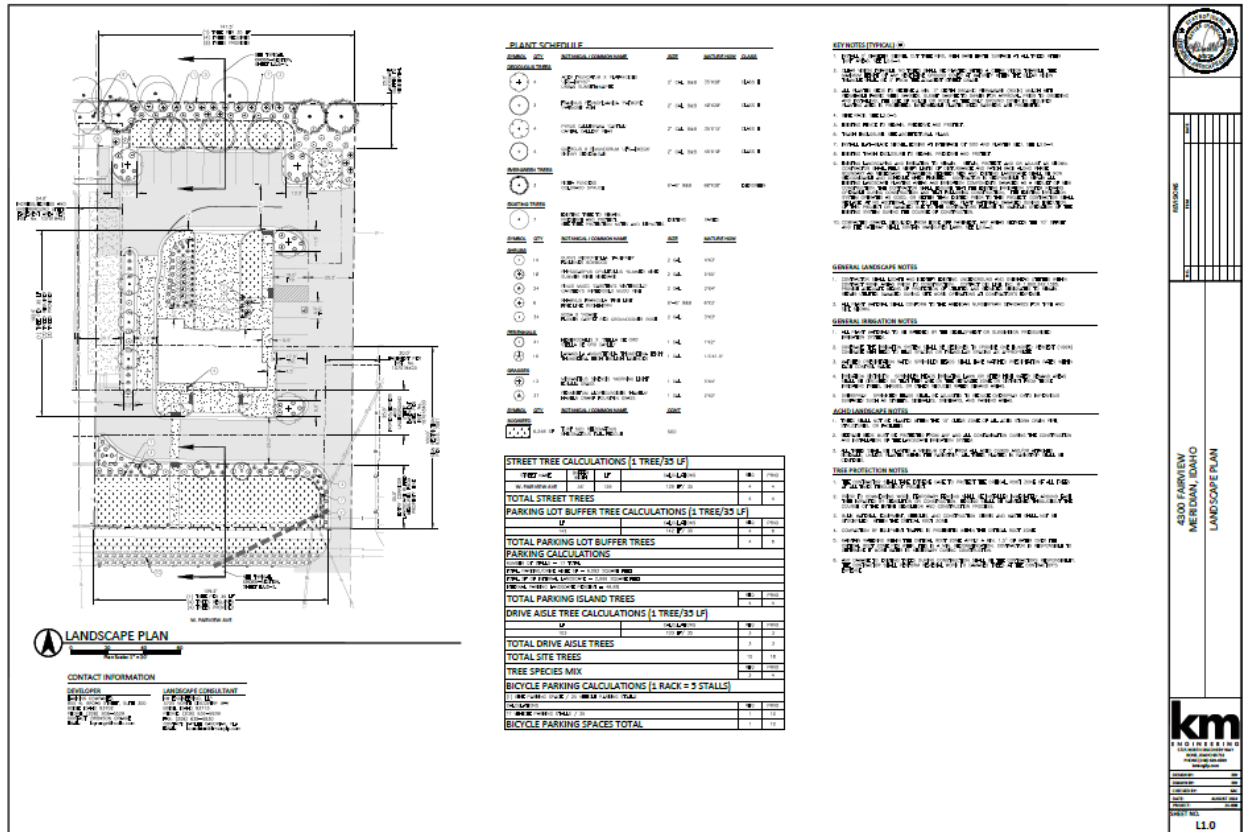
PARCEL S1104438700 SERVICE ACCESSIBILITY

Overall Score: 29	30th Percentile
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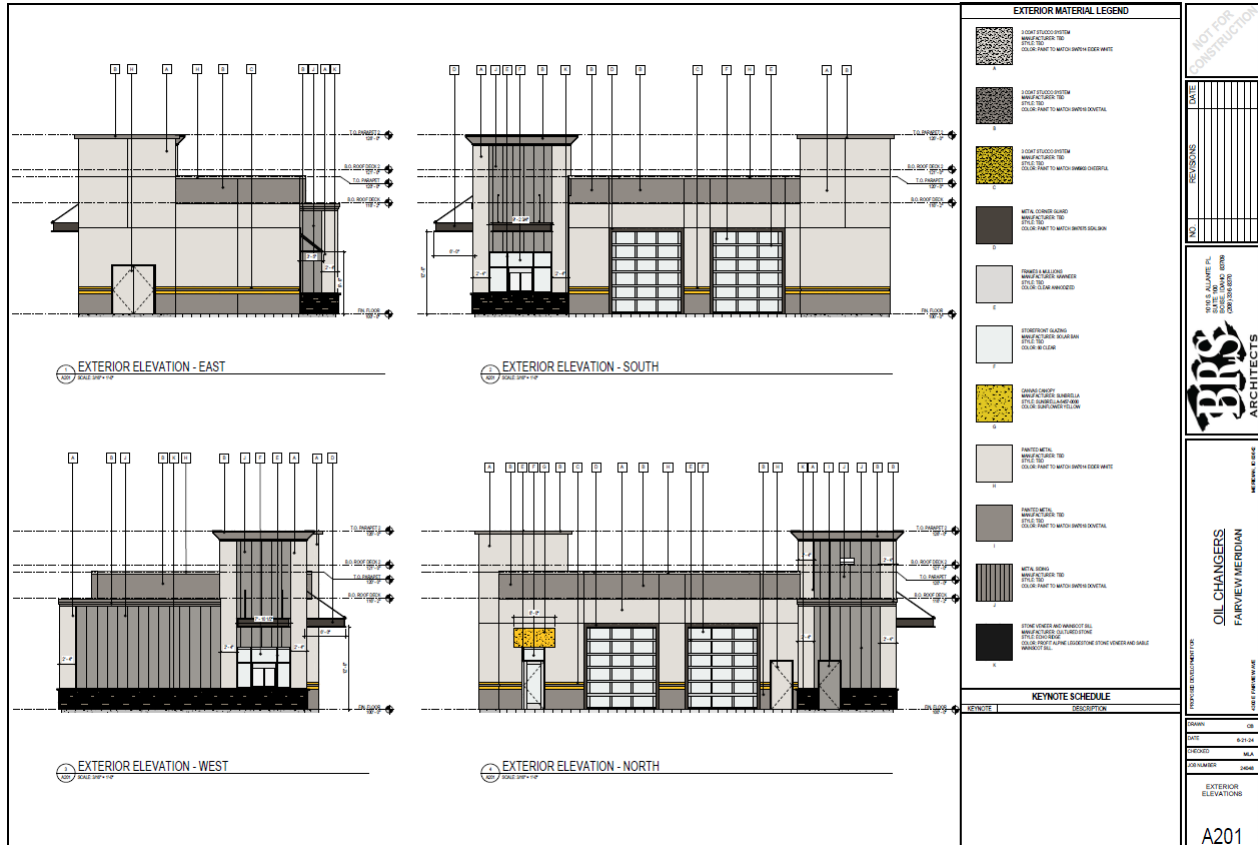
Criteria	Description	Indicator
Location	In City Limits	GREEN
Extension Sewer	Trunkshed mains < 500 ft. from parcel	GREEN
Floodplain	Either not within the 100 yr floodplain or > 2 acres	GREEN
Emergency Services Fire	Response time 5-9 min.	YELLOW
Emergency Services Police	Meets response time goals most of the time	GREEN
Pathways	Not within 1/4 mile of current or future pathways	RED
Transit	Within 1/4 mile of current transit route	GREEN
Arterial Road Buildout Status	Ultimate configuration (# of lanes in master streets plan) > existing (# of lanes) & road IS in 5 yr work plan	YELLOW
School Walking Proximity	From 1/2 to 1 mile walking	YELLOW
School Drivability	Either a High School or College within 2 miles OR a Middle or Elementary School within 1 mile driving (existing or future)	GREEN
Park Walkability	Either a Regional Park within 1 mile OR a Community Park within 1/2 mile OR a Neighborhood Park within 1/4 mile walking	GREEN

[illegible][illegible]

E. Landscape Plan (date: 10/29/2024)



F. Building Elevations (date: 6/21/2024)



VIII. ADDITIONAL NOTES & DETAILS FOR STAFF REPORT MAPS, TABLES, AND CHARTS

(link to [Community Metrics](#))

A. One-Mile Radius Existing Condition Notes

This data is automatically derived from enterprise application and GIS databases, and exported dynamically. Date retrieved notes generally reflect data acquired or processed within the last 30-days. Analysis is based on a one-mile radius from the centroid of the identified parcel. Parcel based data excludes certain properties and represents land as it exists now. Properties considered are only those with a total assessed value greater than 0 (i.e. excludes most HOA area, transitional development, government, and quasi government facilities). The following values also constrain included property acreage to reduce outliers and non-conforming instances from distorting averages: $R-2 < 5.0$; $R-4 < 2.0$; $R-8 < 1.0$; $R-15 < 0.5$; $R-40 < 0.25$.

Conditional Use Permits and Preliminary plat data likely include duplicate project submittals as they may be for the same project, approved at different times through multiple application types. Consider each independently or review prior application approvals. Some approved entitlements, and particularly older ones, may be constructed.

Decennial population counts and household counts are based on the most recent Decennial Census. Current population and current household values are COMPASS estimates, usually for the year previous, and are based on traffic analysis zone boundaries (TAZ's).

B. Mixed Use Analysis Notes

This data is derived from enterprise application and GIS databases, and exported dynamically. Data considered for analysis are only those areas overlapping the overall Mixed Use boundary area. Mixed Use areas across arterial roadways are distinct, separate, and not considered as they do not meet the mixed use principles in the Comprehensive Plan (e.g. pedestrian safety, transportation efficiency, etc.). Mixed Use parcel areas may be greater or smaller than the future land use area designation boundary due parcel size, configuration, right-of-way, and other factors. Conditional Use Permits and Preliminary plat data likely include duplicate project submittals as they may be for the same project, approved at different times through multiple application types. Consider each independently or review prior application approvals.

C. Service Assessment Notes

This data represents existing conditions derived from our enterprise application and GIS database, exported through dynamic reporting. The system references the most recent available data from various sources, including sewer main lines, sewer trunksheds, floodplain, fire service areas and response times, police crime reporting, pathway information, existing and planned transit, roadway improvements, school and park proximity, and other resources.

The tool provides context for project review, using multiple indicators consistently. Data from similar topics may vary based on different levels of review.

The overall score is based on weighted criteria (not a ranked order), and the percentile score compares the parcel to others in the city (higher is better). This tool was developed as a City Council priority and outcome of the 2019 Comprehensive Plan. Scores, whether high or low, are just one data point and should not be the sole basis for decisions.

D. ACHD Roadway Infographic Notes

The Ada County Highway District utilizes a number of planning and analysis tools to understand existing and future roadway conditions.

- **Existing Level of service (LOS).** LOS indicator is a common metric to consider a driver's experience with a letter ranking from A to F. Letter A represents free flow conditions, and on the other end Level F represents forced flow with stop and go

conditions. These conditions usually represent peak hour driver experience. ACHD considers Level D, stable flow, to be acceptable. The LOS does not represent conditions for bikes or pedestrians, nor indicate whether improvements: are possible; if there are acceptable tradeoffs; or if there is a reasonable cost-benefit.

- **Integrated Five Year Work Plan (IFYWP).** The IFYWP marker (yes/no) indicates whether the specified roadway is listed in the next 5-years. This work may vary, from concept design to construction.
- **Capital Improvement Plan (CIP).** The CIP marker (yes/no) indicates whether the specified roadway is programmed for improvement in the next 20-years.