

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT

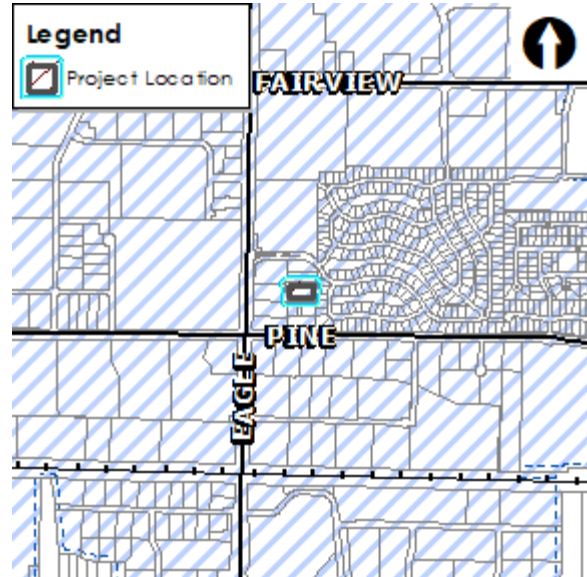
HEARING 4/15/2021
 DATE: *Continued from: 4/1/2021*

TO: Planning & Zoning Commission

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

SUBJECT: H-2021-0012
 Jakers Drive-Through – CUP, DES

LOCATION: 3268 E. Pine Ave., in the NW ¼ of
 Section 9, Township 3N., Range 1E.



I. PROJECT DESCRIPTION

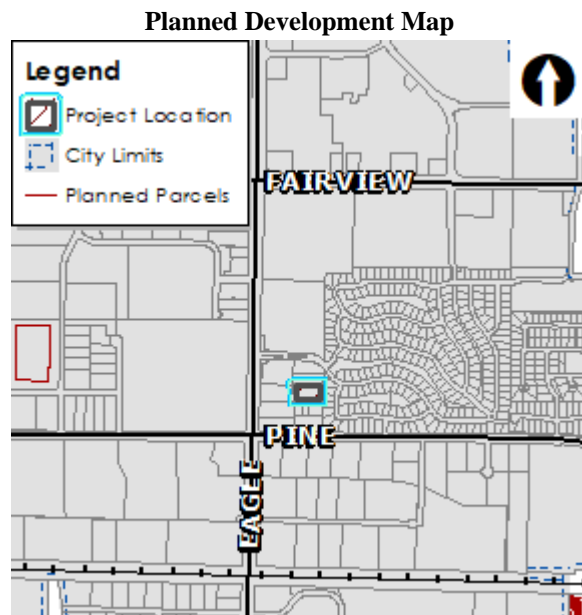
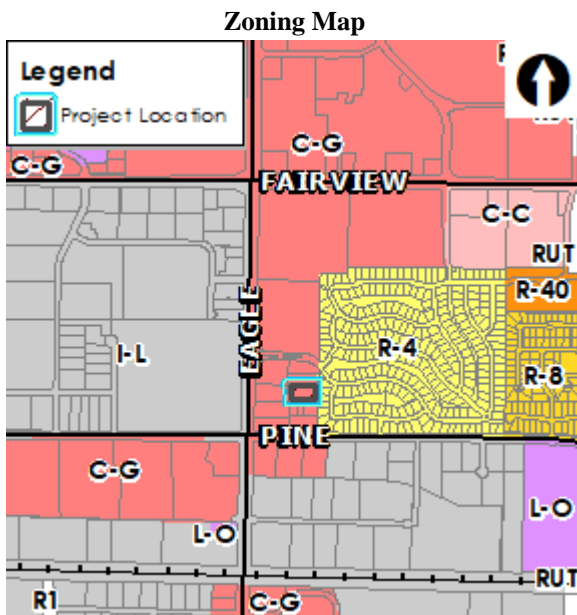
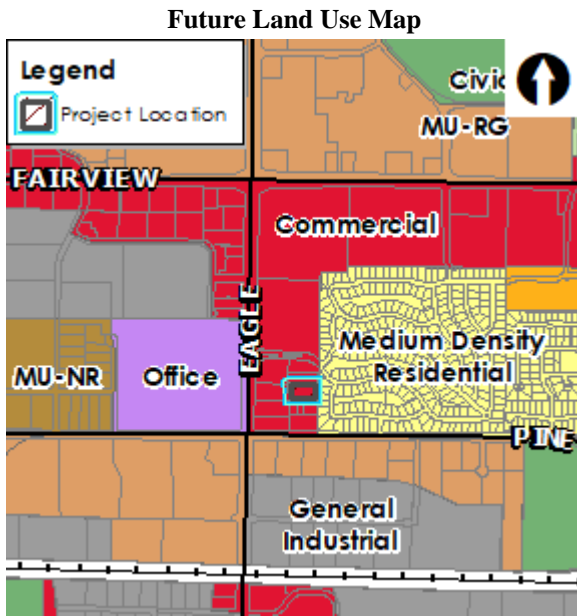
Conditional use permit for a drive-through establishment within 300-feet of a residential use and zoning district on 1.37-acres of land in the C-G zoning district. Administrative design review of proposed structures.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	1.37-acres	
Future Land Use Designation	Commercial	
Existing Land Use	Restaurant	
Proposed Land Use(s)	Drive-through establishment (order pick-up)	
Current Zoning	General Retail and Service Commercial District (C-G)	
Physical Features (waterways, hazards, flood plain, hillside)	None	
Neighborhood meeting date; # of attendees:	10/16/20; 2 attendees	
History (previous approvals)	CZC-06-102 (5,300 square foot restaurant); CZC-14-029/DES-14-026 (600 square foot sun room addition)	

A. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Mark Anderson – 1010 S. Allante Pl., Ste. 100, Eagle, ID 83709

B. Owner:

Adam Crane, Vintage Properties, LLLP – 3755 N. Hill Rd., King Hill, ID 83633

- C. Representative:
Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date
Newspaper Notification	3/12/2021
Radius notification mailed to properties within 300 feet	3/9/2021
Site Posting Date	3/26/2021
Next Door posting	3/9/2021

V. STAFF ANALYSIS

Two (2) 25-square foot (5’ x 5’) structures are proposed for a drive-through menu handout and order placement and pick-up along the south side of the existing Jakers restaurant. Because the drive-through is within 300-feet of a residential use and zoning district, a Conditional Use Permit (CUP) is required per UDC Table 11-2B-2 and 11-4-3-11A. Residential uses abut the east boundary of this site in Crossroads Subdivision, zoned R-4.

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. 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;

At 87’+/-, the drive-through should have sufficient capacity to prevent obstruction of driveways and drive aisles; there is no public right-of-way that abuts this site.

- 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 designed employee parking.

The stacking lane is a separate lane from the circulation lanes needed for access and parking; a one-way drive-aisle abuts the drive-through lane for vehicles to pass through to the east.

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

The stacking lane is located approximately 82-feet away from abutting residences to the east and residential zoning. A 4-foot tall berm with a 6-foot tall block CMU wall on top exists along the east boundary of this site to buffer existing residential properties.

- 4) Any stacking lane greater than one hundred (100) feet in length shall provide for an escape lane; and

The stacking lane is approximately 87-feet long; 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 a driveway that provides a connection between E. Presidential Dr. and E. Pine Ave. and from the adjacent property to the south for surveillance purposes; a public street does not abut this site.

There are no menu boards or speakers proposed; window locations are depicted on the elevations in accord with UDC 11-4-3-11B.

Based on the above analysis, Staff deems the proposed drive-through in compliance with the specific use standards as required.

Parking: The row of parking directly south of the proposed drive-through is proposed to be re-stripped to accommodate a one-way drive-aisle to allow space for the drive-through, which will reduce the number of parking spaces in this area by three (3).

A minimum of one (1) parking space is required for every 250 square feet of gross floor area per the specific use standards for restaurants in UDC [11-4-3-49](#). Based on 5,900 square feet, a minimum of 23 vehicle parking spaces are required; a total of 87 spaces are provided.

Landscaping: No landscaping is proposed or required with this application.

Building Elevations: Conceptual building elevations were submitted as shown in Section VII.B that consist of stucco panels with 2” wide recessed gold colored metal flashing accents and asphalt roofing; the materials and colors coincide with that of the existing restaurant building.

Design Review: Administrative Design Review of the proposed structures is required because they’re visible from the north/south private street/driveway to the west per UDC [11-5B-8B](#). The proposed materials and design are consistent with the design standards listed in the [Architectural Standards Manual](#) and are approved.

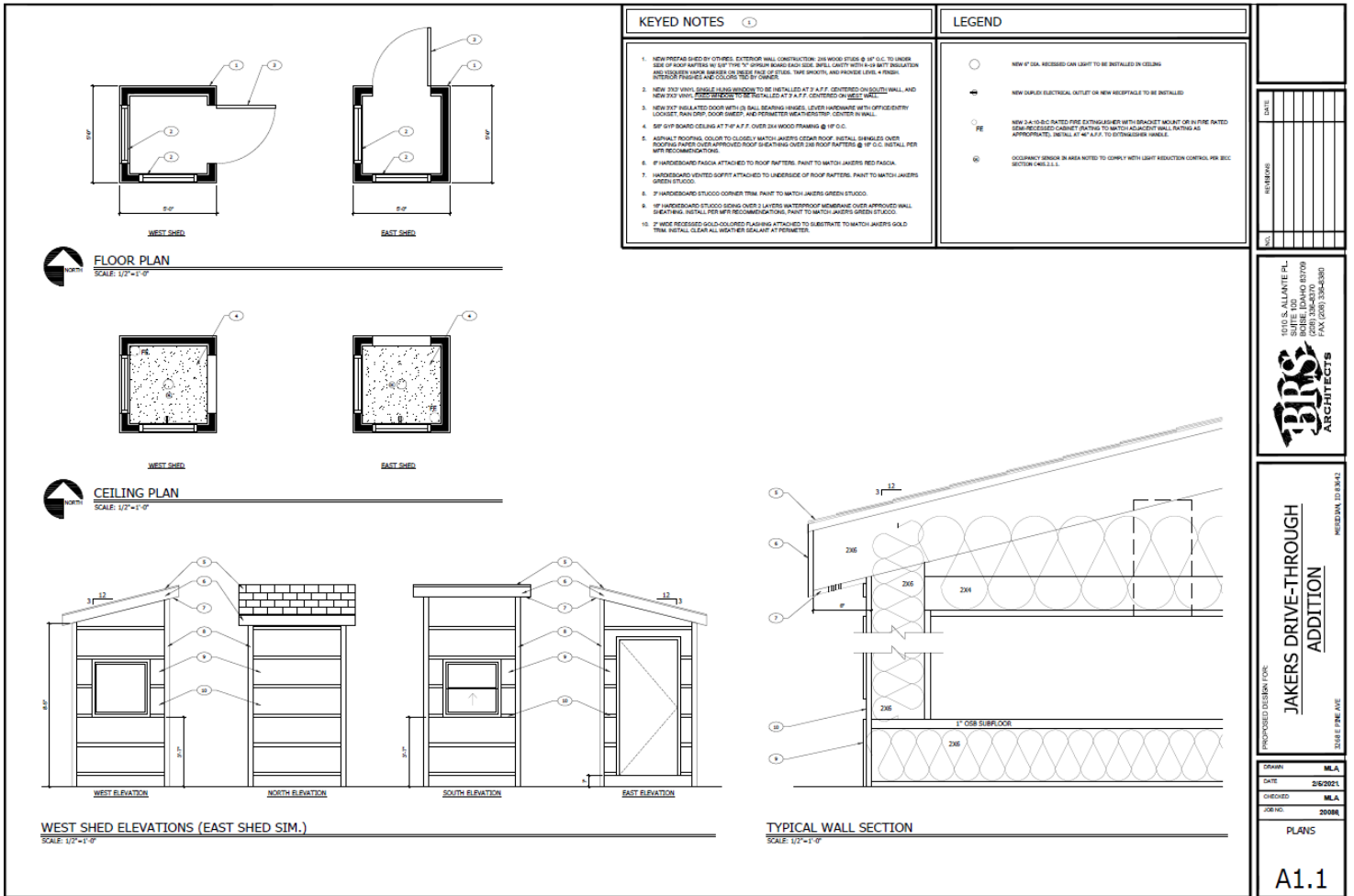
Certificate of Zoning Compliance: A Certificate of Zoning Compliance application is required to be submitted for the proposed use prior to submittal of a building permit application to ensure consistency with the conditions in Section VII and UDC standards.

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. Building Elevations (dated: 2/5/21) & Photos





SOUTH ELEVATION



EXAMPLE OF GOLD TRIM WALL



VIEW LOOKING EAST



EAST ELEVATION



VIEW LOOKING NORTH



NORTH ELEVATION



VIEW LOOKING WEST



WEST ELEVATION



VIEW LOOKING SOUTH

DATE	REVISION

1000 S. ALLANTE PL.
SUITE 102
ROSELAND, INDIANAPOLIS
IN 46208
PHONE: (317) 234-4300
FAX: (317) 234-4300

BBS
ARCHITECTS

PROPOSED DESIGN FOR:
**JAKERS DRIVE-THROUGH
ADDITION**
3248 E PINE AVE
MELZEDA, IN 46421

DESIGN	MLA
DATE	2/6/2021
CHECKED	MLA
DATE	2/20/21

SITE PHOTOS
A2.1

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING

1. The site/landscape plan submitted with the Certificate of Zoning Compliance application shall demonstrate compliance with the specific use standards listed in UDC [11-4-3-11](#) Drive-Through Establishments consistent with the plan in Section VII.A.
2. Compliance with the standards listed in UDC [11-4-3-11](#) – Drive-Through Establishment is required.
3. The future structures shall be consistent with the elevations in Section VII.B as approved with the Administrative Design Review application.
4. A Certificate of Zoning Compliance application shall be submitted and approved for the proposed use prior to submittal of a building permit application.
5. 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. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=223674&dbid=0&repo=MeridianCity>

C. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=224330&dbid=0&repo=MeridianCity>

D. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=223529&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.

Staff finds the site is large enough to accommodate the proposed drive-through and meet all dimensional and development regulations of the C-G 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 proposed 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.

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.

Staff 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.

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. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

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:

- 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.