

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: August 17, 2023

TO: Planning & Zoning Commission

FROM: Linda Ritter, Associate Planner
208-884-5533

SUBJECT: H-2023-0035 – Bridgetower Marketplace CUP

LOCATION: 3149 W. Quintale Drive in the NW ¼ of Section 35, Township 4N., Range 1W. (Parcel # R1079920481)



I. PROJECT DESCRIPTION

Conditional Use Permit request to construct a drive through which is part of a mixed-use commercial retail development project comprised of two single story buildings totaling 12,266 sq. ft. The Conditional Use Permit is for the building located at 3137 W. Quintale Drive which is approximately 5,826 square feet and is located within 300 feet of a another drive through and a residential district. The building is located on approximately 1.62 acres of land in the C-N zoning district.

II. SUMMARY OF REPORT

A. Project Summary

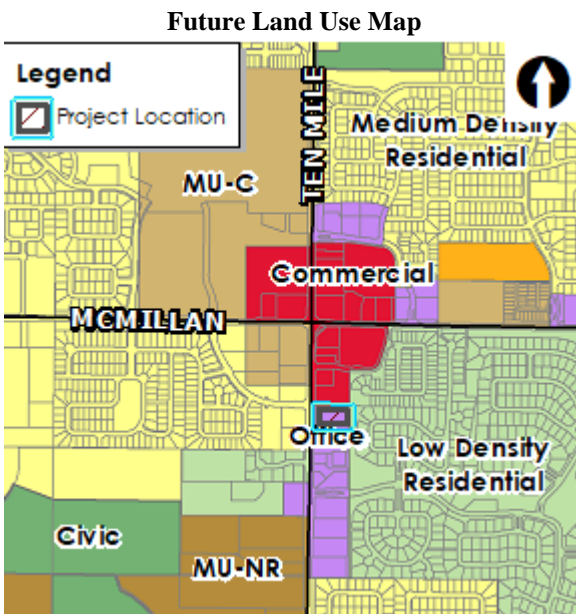
Description	Details	Page
Acreage	1.62 acres (Conditional Use Permit)	
Future Land Use Designation	Office	
Existing Land Use	Vacant/undeveloped	
Proposed Land Use(s)	Mixed-use commercial retail with a drive-through	
Current Zoning	Neighborhood Business (C-N)	
Physical Features (waterways, hazards, flood plain, hillside)	None	
Neighborhood meeting date; # of attendees:	6/05/2023; 2 attendees and 1 email	

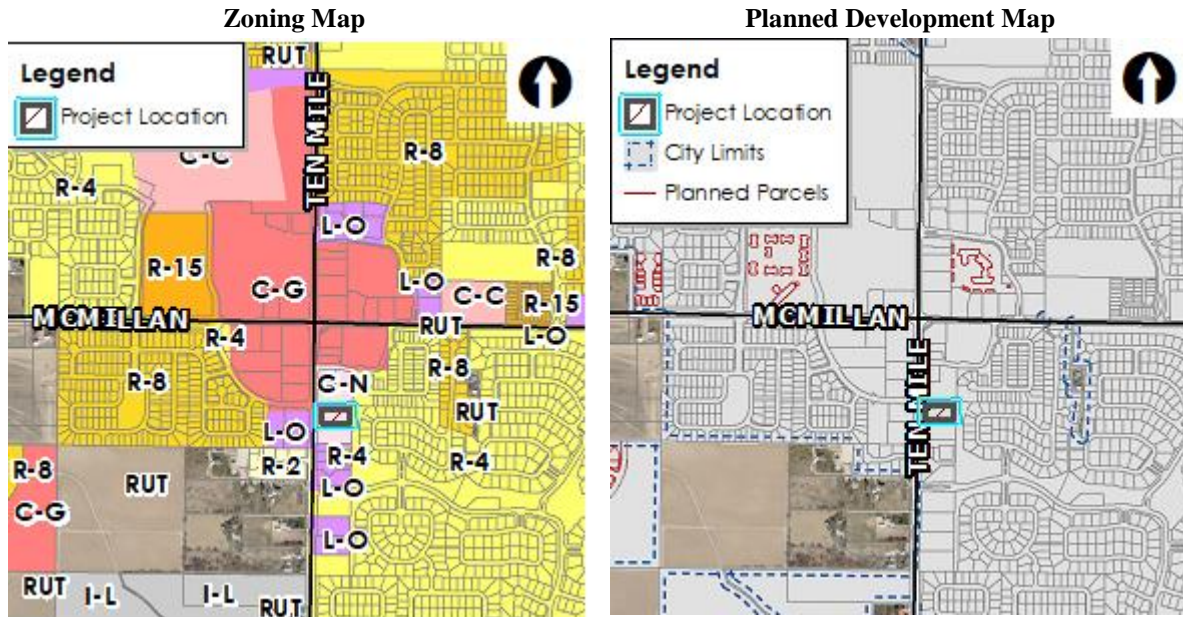
Description	Details	Page
History (previous approvals)	Annexation (AZ-01-003, DA Inst. No. 101117652); Preliminary Plat Bridgetower Crossing Subdivision (PP-01-005); Conditional Use Permit (CUP-01-006), Final Plat (FP-04-031 , DA Inst. No. 100079863); Bridgetower Crossing Commercial Rezone (RZ-07-022, DA Inst. No. 108059802); A-2023-0034	

B. Community Metrics

Description	Details
Ada County Highway District	
• Staff report (yes/no)	Yes
• Requires ACHD Commission Action (yes/no)	No
Traffic Impact Study (yes/no)	No
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed from a shared driveway via Ten Mile Road at the Northern boundary of the site.
Trip Generation	See ACHD Staff Report

C. Project Area Maps





III. APPLICANT INFORMATION

A. Applicant:

Cheri Moore, Eckhardt Properties – 22033 Eel Lane, Middleton, ID 83644

B. Owner:

Same as Applicant

C. Agent/Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	7/26/2023	
Radius notification mailed to properties within 500 feet	7/28/2023	
Public hearing notice sign posted on site	8/2/2023	
Nextdoor posting	7/31/2023	

V. COMPREHENSIVE PLAN ([HTTPS://WWW.MERIDIANCITY.ORG/COMPPLAN](https://www.meridiancity.org/compplan)):

Land Use:

This property is designated Office on the Future Land Use Map (FLUM).

The purpose of the Office designation is to ensure that neighborhoods, neighborhood centers, and commercial developments be both grounded and unique, incorporating features of their surroundings while offering residents, visitors, and employees distinctive, safe, and inviting environments.

Gathering places should be convenient and integrated, encourage social activity and engagement through generous and intentional amenities and activation, and be a cornerstone of community pride and timeless neighborhood value.

COMPREHENSIVE PLAN POLICIES (<https://www.meridiancity.org/compplan>):

Goals, Objectives, & Action Items: Staff finds the following Comprehensive Plan policies to be applicable to this application and apply to the proposed use of this property (staff analysis in *italics*):

- “Plan for an appropriate mix of land uses that ensures connectivity, livability, and economic vitality.” (3.06.02)
The proposed use will contribute to the mix of uses in this area that ensure the livability and economic vitality of the community.
- “Encourage and support mixed-use areas that provide the benefits of being able to live, shop, dine, play, and work in close proximity, thereby reducing vehicle trips, and enhancing overall livability and sustainability.” (3.06.02B)
The subject mixed-use area is currently a bustling and diverse community with a range of amenities, including office buildings and single-family developments. To the north, there are commercial and office uses, such as a credit union and a multi-use medical building. To the east, there is a single-family residential area, and to the south, there is a vacant lot that is proposing a daycare facility. Across Ten Mile Road to the west, new development is emerging, featuring single-family residences, retail spaces, office buildings, and other types of land use.
The proposed mixed-use commercial development aims to further enhance this vibrant area by introducing a drive-through option for area residents, particularly those residing in nearby residential developments. This addition will provide convenience and accessibility to the community, allowing residents to easily access services and amenities without leaving their vehicles. Additionally, the new establishment will create job opportunities for nearby residents, contributing to the local economy and further fostering a sense of community.
Overall, the proposed mixed-use development aligns with the existing character of the area and complements the surrounding land uses. It aims to meet the needs of the community by offering convenient services while also contributing to the economic vitality of the neighborhood.
- “Require pedestrian circulation plans to ensure safety and convenient access across large commercial and mixed-use developments.” (3.07.02A).
Along the entire frontage of S. Ten Mile Road, there is an existing 5-foot wide detached sidewalk within the landscape buffer. The development requires a minimum 5-foot wide sidewalk adjacent to all commercial buildings and along the main driveways within the site. These sidewalks will facilitate pedestrian connectivity and easy access throughout the mixed-use development.

- “Minimize noise, lighting, and odor disturbances from commercial developments to residential dwellings by enforcing city code.” (5.01.01F)
Operation of the proposed use should comply with City ordinances pertaining to noise, lighting, and odor disturbances.

VI. STAFF ANALYSIS

- A. The Applicant requests approval of a Conditional Use Permit (CUP) to construct a 5,826 square foot multi-tenant building with a drive-through pick-up window for a restaurant on a 1.62-acre property in the C-N zoning district.

A restaurant is listed as a principal permitted use in the C-N zoning district per UDC Table 11-2B-2, subject to the specific use standards listed in UDC 11-4-3-49. A drive-through requires approval of a conditional use permit when it's within 300 feet of another drive-through facility, an existing residence or a residential district per 11-4-3-11A.1. In this case, one other drive-through establishment exists within 300 feet of the property – Westmark Credit Union on the lot to the north. There are also existing residences and a residential district within 300 feet of the property to the east (Bridgetower Crossings No. 5 Subdivision). As noted above, the City has already approved a certificate of zoning compliance and administrative design review application for this property. The site design, building elevations, and proposed uses were found to be in compliance with UDC standards.

B. CONDITIONAL USE PERMIT (CUP)

Conditional use permit for a new 5,826 square foot multi-tenant building with a drive-through for a restaurant on approximately 1.62 acres of land in the C-N zoning district to allow the requested drive-through use within 300 feet of another drive-through facility, residential district, and existing residence.

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

The proposed use is subject to the following standards: *(Staff's analysis/comments in italic text)*

Drive-Through Establishment: The proposed drive-through establishment is subject to the specific use standards listed in UDC [11-4-3-11](#), Drive-Through Establishment. All establishments providing drive-through service are required to identify the stacking lane, menu and speaker location (if applicable), and window location on the site plan. *A menu board location should be depicted on the plans.* The site plan is also required to demonstrate 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:

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

The site layout for the proposed building includes a stacking lane that provides queuing space for up to 5 vehicles, which is located before the drive-through window. The drive-through itself starts at the northeast side of the building along the private drive and exits at the northwest side onto the private drive to the north of the property. If there is excessive overflow from the drive-through lane, it will stack onto the private drive to the north or the commercial drive aisle to the east, rather than spilling onto N. Ten Mile Road. The concept plan also shows that the stacking lane is separate from the drive aisles and parking, which allows for easy access to the rest of the development.

- 2) The stacking lane shall be a separate lane from the circulation lanes needed for access and parking, except stacking lanes may provide access to designated employee parking.

The stacking lane is a separate lane from the circulation lanes needed for access and parking.

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

residence;

The stacking lane is not located within 10' of any residential district or residence.

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

The stacking lane exceeds 100' in length and an escape lane is required. An escape lane is proposed prior to approaching the ordering window and parallels the stacking lane along the north side of the building.

5) The site should be designed so that the drive-through is visible from a public street for surveillance purposes.

The drive-through is located starting on the northeast side of the building and ending on the northwest side of the building. The drive-through is visible from N. Ten Mile Road along the north side of the building for surveillance purposes.

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

Restaurant: The proposed use is also subject to the specific use standards listed in UDC [11-4-3-49](#) Restaurant, which requires at a minimum, one (1) parking space to be provided for every 250 square feet of gross floor area (see parking analysis below). ***The proposed multi-tenant building will include space to accommodate a restaurant and up to two (2) additional tenants upon project completion.***

Dimensional Standards (UDC [11-2](#)):

Development of the site shall comply with the dimensional standards of the C-N zoning district in UDC Table [11-2B-3](#). Staff has reviewed the proposed plans and building elevations and they comply with the required standards. A Certificate of Zoning Compliance and Design Review ([A-2023-0033](#)) was approved for this project.

Access (UDC [11-3A-3](#)):

Access is proposed on the site plan from W. Quintale Drive, a private street on the north side of the property, via the residential arterial road to the west (N. Ten Mile Road). Vehicles will enter the site from the west and will either park in the lot in front of the building or continue to the east and enter the drive through along the east side of the property and exit on the north side of the property. There is an escape lane provided just north of the drive through window that exists the drive aisle to the north. ***Direct access via S. Ten Mile Road is prohibited.***

Parking (UDC [11-3C](#)):

A minimum of one (1) off-street parking space is required per 500 square feet (s.f.) of gross floor area, except for the restaurant use which is 250 s.f. as noted above. Based on the 12,266-foot multi-tenant buildings, a minimum of 25 parking spaces are required, if the building were to develop with other uses other than a restaurant. To ensure the site can accommodate other restaurant users staff has evaluated the parking ratio based on the 250 s.f. requirement. If every tenant space in this commercial development were approved as restaurants the site would need to have a minimum of 49 parking spaces. A total of 67 parking spaces are proposed, exceeding both UDC standards.

A minimum one (1) bicycle parking space is required to be provided for every 25 vehicle spaces or portion thereof per UDC [11-3C-6G](#); bicycle parking facilities are required to comply with the location and design standards listed in UDC [11-3C-5C](#). ***Bicycle parking was reviewed and approved with the plans that were submitted for the certificate of zoning certification and design review application (A-2023-0034).***

Pedestrian Walkways: The proposed plan includes a 5-foot pedestrian walkway along the southern boundary of the property as mandated by UDC 11-3A-19.B.4. The adjacent property will be required to building the additional 5 feet and the pathway will be shared and maintained by both properties.

Landscaping (UDC [11-3B](#)):

Street buffer: The 35-foot street landscape buffer along N. Ten Mile Road was constructed with the improvements for the Bridgetower Crossing Subdivision No. 7. *Staff recommends that the existing landscaping buffers along N. Ten Mile Road remain in place and shall be protected during construction on the site per UDC 11-3B-10. According to UDC Table 11-2B-3, a 25-foot wide landscaped buffer is required adjacent to residential uses. The adjacent residential use to the east of the property has already incorporated a landscape buffer and sidewalk lining the private drive, which provides additional screening and buffering.* "Parking lot: Landscaping is required in the parking lot per the standards in UDC 11-3B-8C.1. *The applicant added a landscape strip along the west side of the parking lot, in front of the parking stalls, with a width of 3 to 4 feet. To accommodate the landscape strip, the parking stalls adjacent to the building can be reduced to 17 feet in length and the drive aisles can be reduced to 25 feet in width (see landscape plan below). The Perimeter landscape planter around the building drive aisles (north, south, east, and west) should be 5-feet in width.* Per UDC 11-3B-8C.2d, each interior planter that serves a double row of parking spaces shall have at least two (2) trees and shall be covered with low shrubs, lawn, or other vegetative ground cover. Trees shall be centered within the planters and provide urban canopy. Deciduous urban canopy trees shall be pruned to a minimum height of eight (8) feet above the adjacent parking areas.

The landscape plan shows two planters that serve a double row of parking stalls in which two trees have been added per UDC.

Outdoor Lighting (UDC 11-3A-11):

All outdoor lighting is required to comply with the standards listed in UDC 11-3A-11C. Light fixtures that have a maximum output of 1,800 lumens or more are required to have an opaque top to prevent up-lighting; the bulb shall not be visible and shall have a full cutoff shield in accord with Figure 1 in UDC 11-3A-11C.

Outdoor lighting was approved with the Certificate of Zoning Compliance and Design Review application (A-2023-0034).

Mechanical Equipment: All mechanical equipment on the back of the building and outdoor service and equipment should be incorporated into the overall design of buildings and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets as set forth in UDC [11-3A-12](#). If mechanical equipment is proposed to be roof-mount, all equipment should be screened and out of view as noted above.

Building Elevations (UDC [11-3A-19](#) | [Architectural Standards Manual](#)):

Conceptual building elevations were submitted for the proposed structure as shown in Section VII.C. Building materials consist of brick, stucco, metal siding, metal roof canopy, and glazing. Final design was approved through administrative design review (A-2023-0034).

Certificate of Zoning Compliance (UDC [11-5B-1](#)):

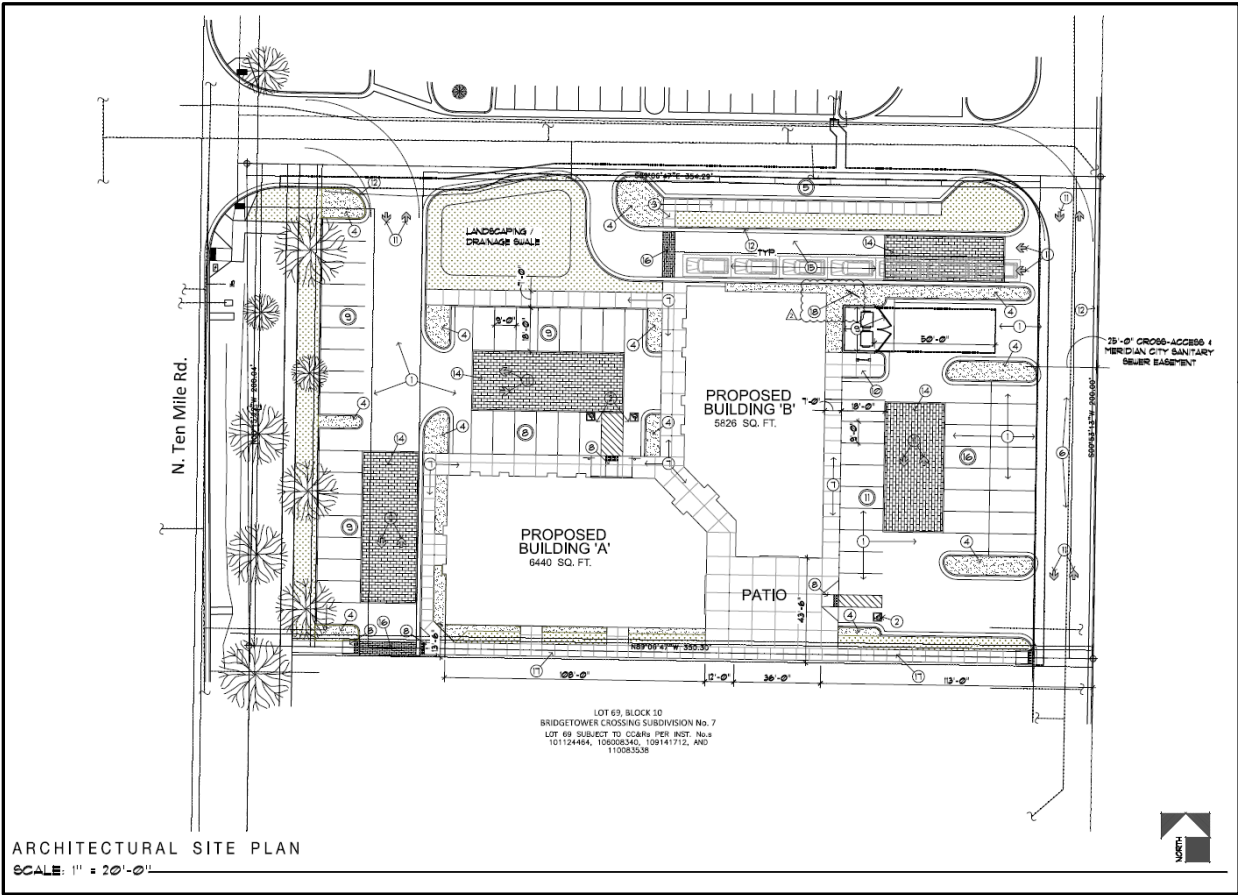
A Certificate of Zoning Compliance (CZC) was submitted, reviewed and approved administratively (A-2023-0034).

VII. DECISION**A. Staff:**

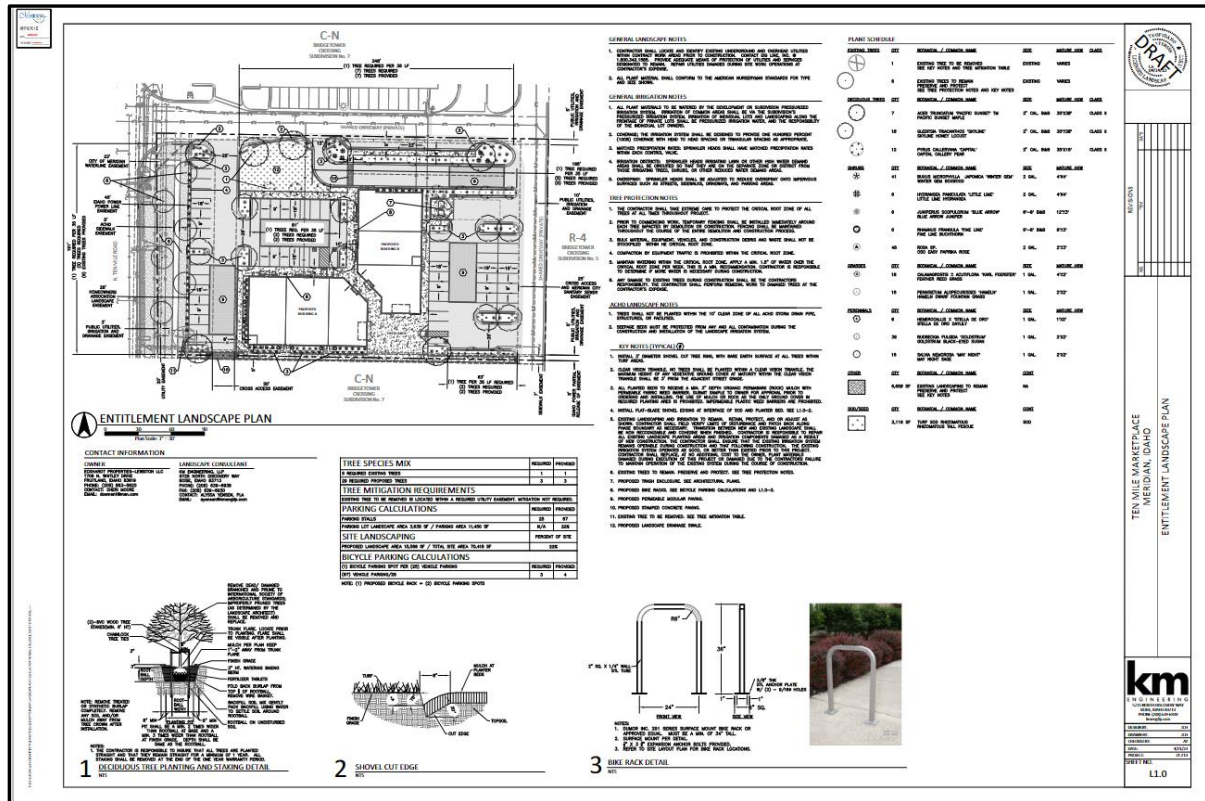
Staff recommends approval of the Conditional Use Permit per the provisions included in Section IX in accord with the Findings in Section X.

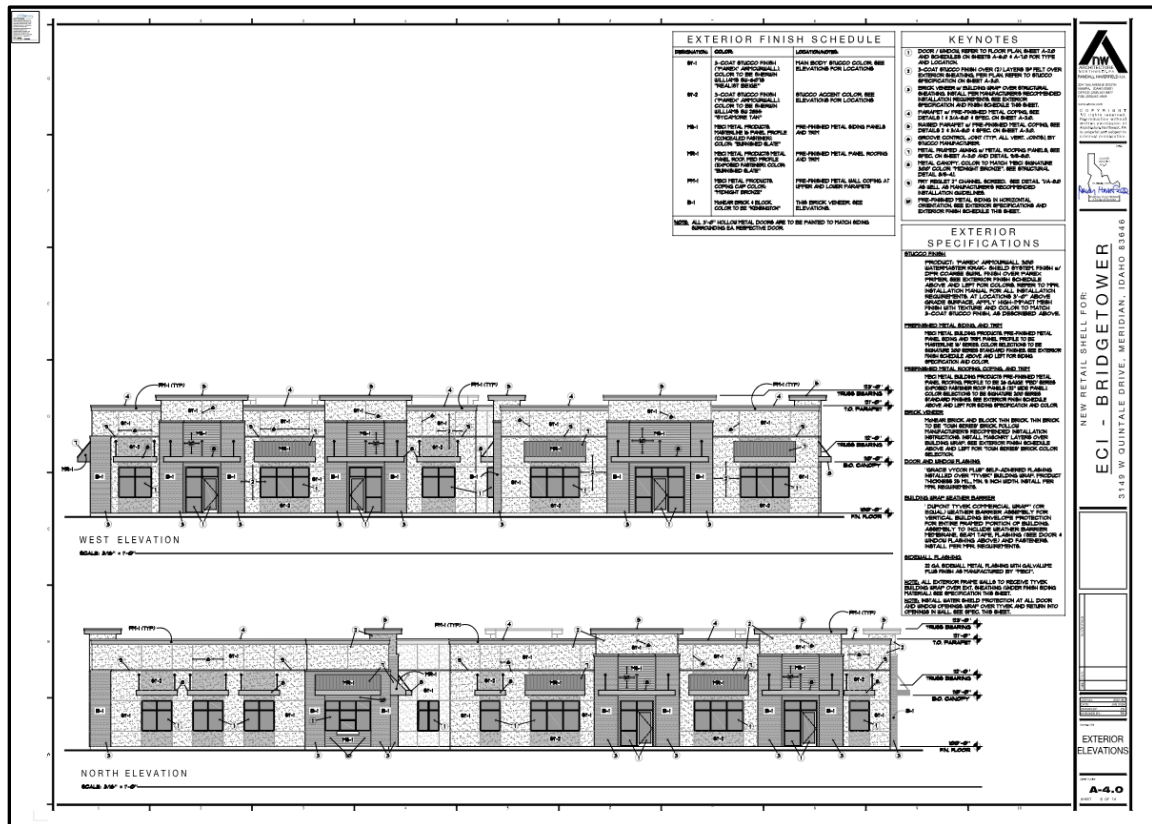
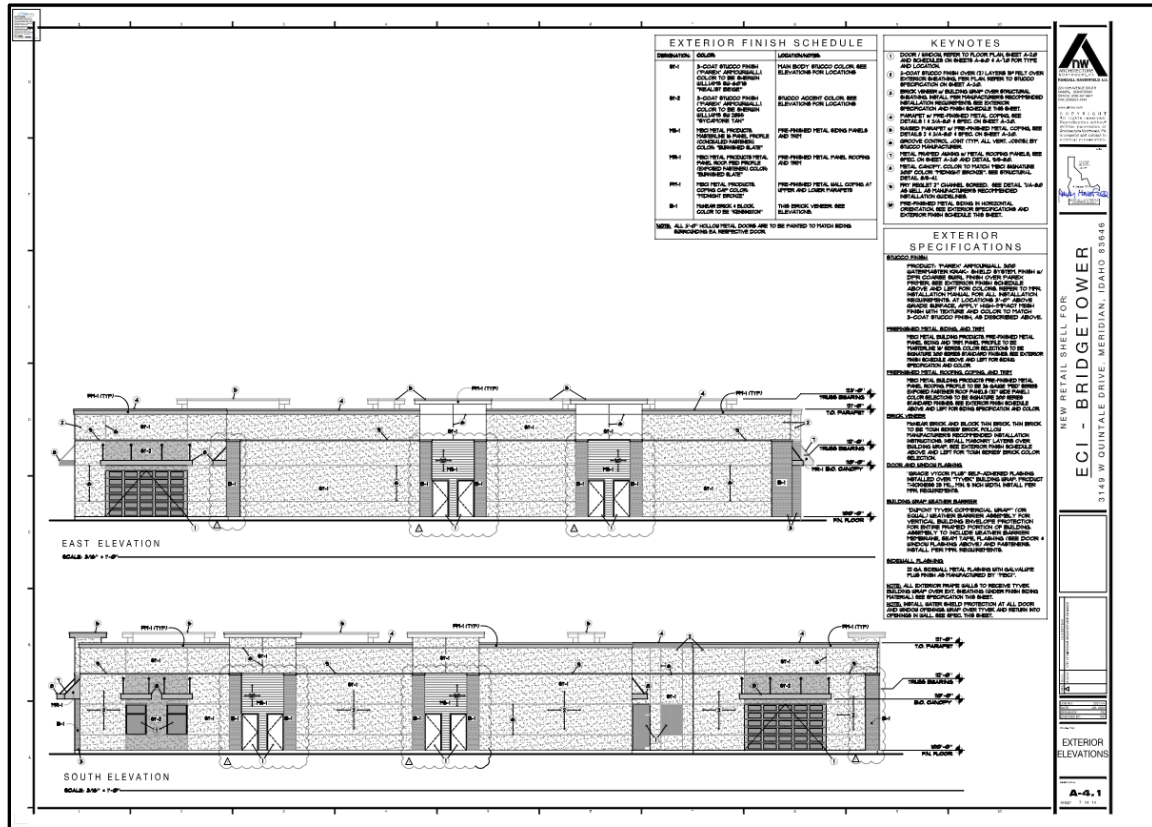
VIII. EXHIBITS

A. Site Plan (date: 6/29/23)



B. Landscape Plan (date: 3/24/23)





IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. 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-01-003, PP-01-005; CUP-01-006; FP-04-031; RZ-07-022, DA Inst. No. 108059802; A-2023-0034).
2. All mechanical equipment on the building and outdoor service and equipment should be incorporated into the overall design of the building and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets as set forth in UDC [11-3A-12](#).
3. A Certificate of Zoning Compliance and Design Review application was submitted and approved for the proposed use (A-2023-0034). The design of the site and structure complied with the standards listed in UDC [11-3A-19](#); the design standards listed in the [Architectural Standards Manual](#).
4. The existing landscaping buffers along N. Ten Mile Road to remain in place and shall be protected during construction on the site per UDC [11-3B-10](#).
5. Compliance with the standards listed in UDC [11-4-3-11](#) – Drive-Through Establishment and standards listed in UDC [11-4-3-49](#) – Restaurant is required.
6. 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. PUBLIC WORKS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=301912&dbid=0&repo=MeridianCity>

Public Works Non-Plat Conditions

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=301913&dbid=0&repo=MeridianCity>

C. FIRE DEPARTMENT

No comments were submitted.

D. POLICE DEPARTMENT

No comments were submitted.

E. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=302780&dbid=0&repo=MeridianCity>

F. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=301919&dbid=0&repo=MeridianCity>

G. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=302652&dbid=0&repo=MeridianCity>

X. 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 that the subject property is large enough to accommodate the proposed use and dimensional and development regulations of the C-N district (see Analysis, Section VI for more information).

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 multi-tenant building with a drive-through will be harmonious with the uses allowed in the Comprehensive Plan and is consistent with applicable UDC standards with the conditions noted in Section VI 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 that if the applicant complies with the conditions outlined in this report, the proposed use will not adversely affect other property in the area.

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.