

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



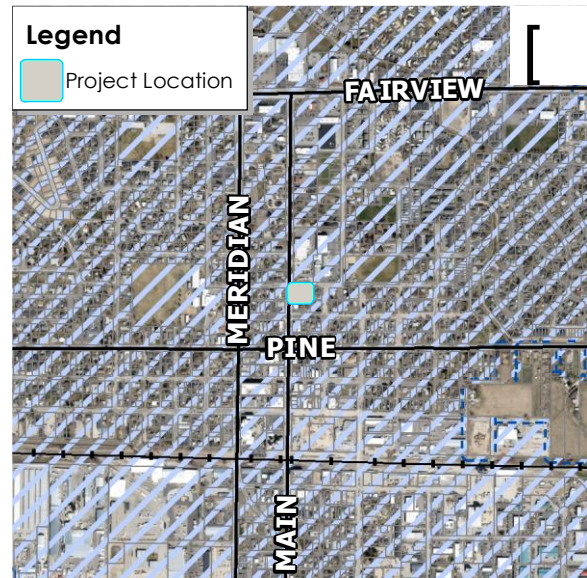
HEARING DATE: 6/15/2023

TO: Planning & Zoning Commission

FROM: Linda Ritter, Associate Planner
208-489-0573

SUBJECT: H-2023-0025
Loose Screw Brewery - CUP

LOCATION: 105 E. Carlton Avenue



I. PROJECT DESCRIPTION

The Applicant applied for a conditional use permit (CUP) to operate a brewery (food and beverage processing, minor) as the primary use AND a drinking establishment to extend the operating hours beyond those allowed by the specific use standards for a brewery (UDC 11-4-3-46) from an existing 8,185 square-foot building on 0.45 acres of land in the O-T zoning district.

The Director has approved an Administrative Design Review (A-2023-0073) for the proposed modifications to the exterior façade of the existing building.

II. SUMMARY OF REPORT

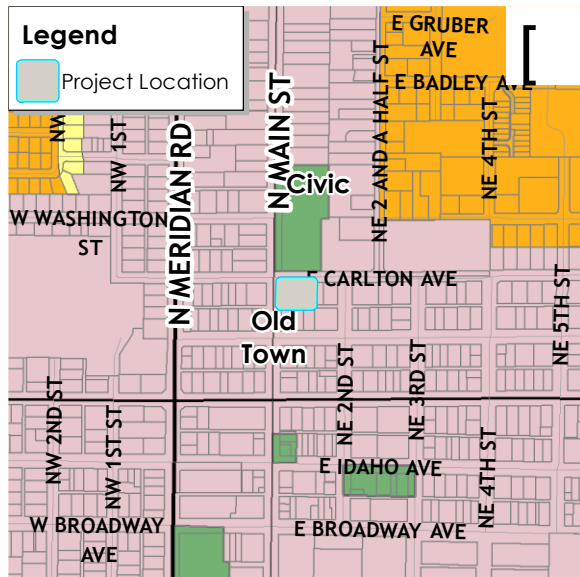
A. Project Summary

Description	Details
Acreage	0.45 acres (contains existing building)
Future Land Use Designation	Old Town
Existing Land Use(s)	Vacant commercial building
Proposed Land Use(s)	Food products processing, minor (brewery) and drinking establishment
Neighborhood meeting date; # of attendees:	03/08/2023

Description	Details
History (previous approvals)	A-2023-0073 – Façade improvement only

B. Project Area Maps

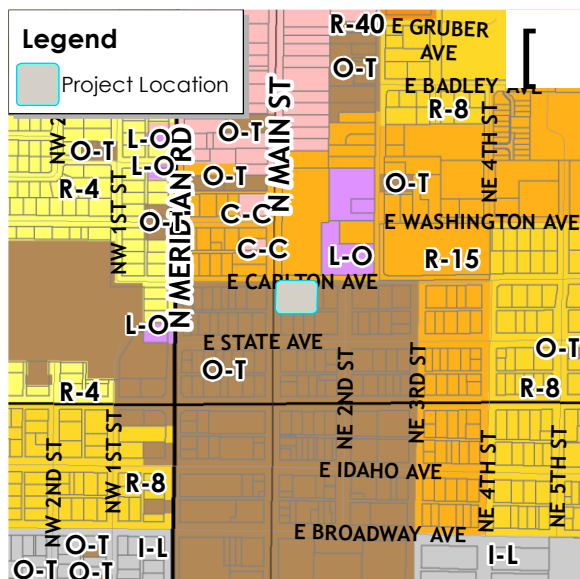
Future Land Use Map



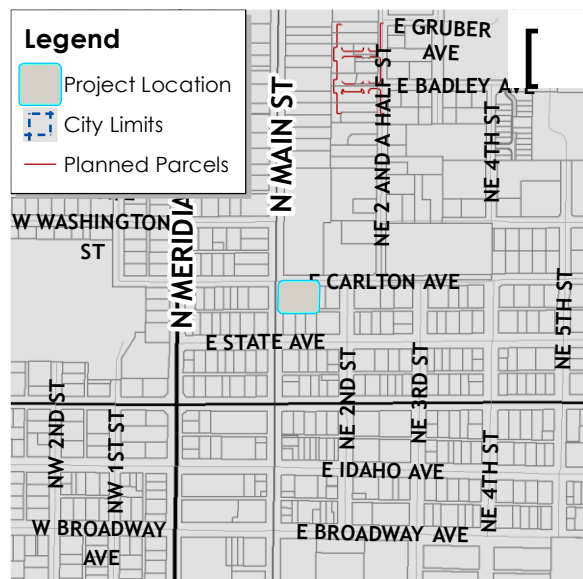
Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant:

Michael Garcia, Gracia Family Ventures, LLC – 6700 N. Linder Rd., Ste. 156-411, Meridian, ID 83646

B. Owner:

Robert Shappee, JTR Holdings, LLC – 141 E. Carlton Ave., Meridian, ID 83642

C. Representative:

Michael Garcia, Garcia Family Ventures, LLC – 6700 N. Linder Rd., Ste 156-411, Meridian, ID 83646

IV. NOTICING

	Planning & Zoning Posting Date
Newspaper Notification	5/25/2023
Radius notification mailed to properties within 300 feet	5/23/2023
Site Posting Date	6/1/2023
NextDoor posting	5/25/2023

V. STAFF ANALYSIS

A. Future Land Use Map Designation (<https://www.meridiancity.org/compplan>)

Old Town - The purpose of this designation is to accommodate and encourage further intensification of the historical city center in accord with the Meridian Comprehensive Plan. The intent of the O-T district is to delineate a centralized activity center and to encourage its renewal, revitalization and growth as the public, quasi-public, cultural, financial and recreational center of the city. Public and quasi- public uses integrated with general business, and medium-high to high density residential is encouraged to provide the appropriate mix and intensity of activities necessary to establish a truly urban city center.

The subject site is already zoned Old Town (OT). The proposed use will be located on a 0.45 acre parcel and located within an existing 8,815 square-foot building. The proposed brewery will include brewery equipment, a taproom, an event center, an outdoor beer garden, and a grain silo along N. Main Street. As food and beverage processing, minor is an allowed use and will be subject to specific use standards listed in UDC 11-4-3-46. The drinking establishment request is being requested to allow extended hours of operation beyond 10 pm (see analysis below).

B. 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):

- Encourage infill development. (3.03.01E)

The Comprehensive Plan defines infill as “development on vacant parcels, or redevelopment of existing parcels to a higher and better use that is surrounded by developed property within the City of Meridian.” The brewery is proposed within an existing vacant building in the O-T district that is currently being underutilized. This property is part of the Meridian Urban Renewal District boundary.

- Preserve private property rights and values by enforcing regulations that will prevent and mitigate against incompatible and detrimental neighboring uses. (3.05.01C)

The conditional use is a process to ensure any impacts associated with a particular use are mitigated. Based on the location, currently the proposed use is only allowed to operate between the hours of 11 AM to 10 PM. In accordance with MCC 6-3-6 any loud noise which emanates from the building shall cease at 11 PM. However, the applicant is requesting extended hours to operate until 12 am on occasion. It is important to note that the City is currently processing a code change to allow the extended hours. If this is not approved by the City the applicant should operate in accordance with the hours specified above. To further reduce impacts on nearby residential properties, staff recommends a condition of approval that all outdoor seating and events associated with this use be limited to the fenced beer garden and the upper deck areas.

- Minimize noise, lighting, and odor disturbances from commercial developments to residential dwellings by enforcing city code.

As mentioned above, operating hours will be from 11 AM to 10 PM. No additional lighting for the parking lot has been proposed. In accordance with MCC 6-3-6 any loud noise which emanates from the building shall cease at 11 PM. Any odor that may emanate from the brewery shall be mitigated.

- Require appropriate building design, and landscaping elements to buffer, screen, beautify, and integrate commercial, multifamily, and parking lots into existing neighborhoods. (5.01.02D)

Exterior building modifications were reviewed and approved through administrative design review application (DES) A-2023-0073. As this is an existing developed site and no expansion of the building is being proposed, no additional landscape screening or buffering is required.

C. Existing Structures/Site Improvements:

The proposed project is within an existing 8,185 square-foot building and the applicant is proposing to renovate the exterior of the building. The proposed updates include adding horizontal and vertical wood siding and using a darker gray color to transform the remaining brick. The stucco around the second level event space and outdoor deck will also be painted a lighter gray to match the color palette of the ground floor and create a contemporary pattern.

Additionally, all existing windows will be replaced, and the street-facing façades will have varied fenestration, material changes, textures, patterns, and recesses. This approach will add visual interest and depth to the building's exterior.

Exterior lighting is being proposed to promote a safe pedestrian environment. Downlit signage on the building and a grain silo is being proposed, which can enhance the project's visibility and branding. Overall, these updates seem to align with contemporary design trends and can

contribute positively to the aesthetics of the area. The Director has approved the administrative design review application for these improvements.

D. Proposed Use Analysis:

The proposed use will be a brewery (food and beverage processing, minor) as the primary use and a drinking establishment (for extended hours only) within the existing 8,185 square-foot commercial building. Approximately 943 s.f. of the business will be dedicated to brewing and associated equipment, with the remainder for tasting and events.

A brewery is categorized as minor food and beverage products processing use and it allowed and is use by right unless it exceeds 5,000 s.f.. The existing building is approximately 8,185 which requires CUP approval.

The applicant is proposing approximately ten (10) tables inside, bar seating and lounging areas. There will be four (4) 8-seat picnic-style tables underneath the covered patio and four (4) additional tables on the north side of the covered patio for a total of 8 tables outside. The Event Area and upstairs patio are flex spaces and the number of tables will be determined by the event.

The brewery will operate from 11 AM to 10 PM. The proposed use complies with the zoning for the site but is subject to specific use standards as listed in 11-4-3-46.

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

UDC-11-4-3-10 states the following:

The drinking establishment shall not be located within three hundred (300) feet of a property used for a church or any other place of worship, or any public or private education institution, nor shall the drinking establishment be located within one thousand (1,000) feet of an adult entertainment establishment; provided, that this limitation shall not apply to any duly licensed premises that at the time of licensing did not come within the restricted area but subsequent to licensing came therein; the expansion of an existing establishment may be allowed with the approval of a conditional use permit as set forth in Section 11-5B-6 of this Title.

- The property is located within three hundred (300) feet of a property used for a church or any other place of worship, or any public or private education institution. Therefore, the operating hours shall be limited to 11 AM to 10 PM with this conditional use permit. Because the specific use standards for a brewery are limited the applicant has requested that they are deemed a drinking establishment to allow extended hours to 12 AM. As noted above the specific use standards for a drinking establishment do not allow the operation of such a use within three hundred feet of a school or church. However, Staff is currently processing a code change remove this requirement. Staff anticipates the proposed code changes to be discussed with the Commission during the July 6th Commission hearing. Upon approval of the code amendment, the proposed project will be allowed to extend its operating hours.*

For properties abutting a residential district, no outside activity or event shall be allowed on the site, except in accord with Chapter 3, Article E, "temporary use requirements", of this Title.

- N/A – This property does abut a residential use but not a residential district as defined in Chapter 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.

- *This property is zoned OT and requires one (1) parking space per one thousand (1,000) square-feet of gross floor area, and requires eight (8) parking spaces for this proposal. However, the change in use requires the applicant to meet the higher parking requirement listed above. **The proposed change of use will require thirty-three (33) parking spaces. Currently there are only twenty-eight (28) parking spaces to serve this site. Since the property is under common ownership with the adjacent property at 129 E. Carlton Avenue, the applicant will be required to enter into a parking agreement to meet the required parking needed for the proposed change of use or submit written documentation from the owner to use the adjacent law office parking.***

UDC 11-4-3-46 allows minor food and beverage products processing as follows:

The building tenant space shall not exceed five thousand (5,000) square-feet. In the commercial, industrial and traditional neighborhood districts additional square footage may be approved with a conditional use permit. In no case shall the maximum square footage in any of these districts exceed ten thousand (10,000) square-feet.

- *The existing building is 8,158 square-foot and does not exceed the ten thousand (10,000) square-feet threshold.*

In the commercial districts, a conditional use permit shall be required when the use is located within three hundred (300) feet of a residential district or existing residence.

- *NA – The property is not located in a commercial district.*

In the commercial and traditional neighborhood districts, the dining area, tasting area, retail showroom or any combination thereof, shall comprise a minimum of twenty-five (25) percent of the building and/or tenant space, as applicable.

- *Approximately nine hundred forty-three (943) square-feet will be dedicated to brewing and the associated equipment. The event and deck areas are a little over one thousand seven hundred (1,700) square-feet. Building floor plans are shown below in the Section VII Exhibits.*

Storage of materials, storage and equipment must be within fully enclosed structures, (outdoor) mechanical equipment associated with the manufacturing may be reviewed as integral architectural elements.

- *N/A - No outdoor storage has been proposed with is application. All equipment shall be within an enclosed structure.*

Mechanical equipment associated with the manufacturing of the beverage may be reviewed and approved as an integrated architectural element of the building through administrative design review as a design standards exception.

- *The applicant has proposed a grain silo as part of the design of the building. The Design Review (DES A-2023-0073) was approved for the exterior remodel of the existing building on May 5, 2023.*
- *The applicant is proposing to construct a new trash enclosure on the east side of the property. The applicant will coordinate with Republic Services of Meridian for the*

appropriate size and location of the trash enclosure. The applicant shall provide this information to the City with their CZC submittal.

Alcohol serving is limited to 11 AM to 10 PM.

- *The hours of operation will be limited to 11 AM to 10 PM until the new code goes into effect then the applicant will be allowed to remain open and serve patrons until 12 AM as noted above.*

F. Dimensional Standards (UDC 11-2):

This use will occupy an existing commercial building. A Design Review application (DES A-2023-0073) was approved for the exterior remodel of the existing building on May 5, 2023. The applicant is required to apply for Certificate of Zoning Compliance for review and approval prior to building permit issuance.

G. Access (UDC 11-3A-3, 11-3H-4):

Access to this development is via E. Carlton Avenue which is an existing access point. Per ACHD a traffic impact study for this proposal was not required. It was determined no improvements to the adjacent streets are required.

H. Parking (UDC 11-3C):

UDC 11-3C-5B requires one space for every one thousand (1,000) square feet of gross floor area for the O-T district. This amounts to eight (8) parking spaces for the existing 8,185 square-foot building. The proposed change of use will require thirty-three (33) parking spaces. Currently there are only twenty-eight (28) parking spaces to serve this site. Since the property is under common ownership with the adjacent property at 129 E. Carlton Avenue, the applicant will be required to enter into a parking agreement to meet the required parking needed for the proposed change of use.

I. Landscaping (UDC 11-3B):

As this an existing developed site, landscaping is not required to comply with the requirements of this section. The applicant is proposing to replacing the existing grass along N. Main Street and E. Carlton Avenue with artificial turf. The applicant is proposing to enhance the landscape island at the rear of the property. Changes to the landscaping will be required with the certificate of zoning compliance application.

J. Fencing (UDC 11-3A-6, 11-3A-7):

The applicant is proposing to place a four (4) foot wrought iron fence around the beer garden area. The details for the proposed fence shall be submitted to staff for review and approval prior to permit issuance. No additional fencing is being proposed.

K. Building Elevations

This is an existing vacant commercial building on this site. The Director has approved an Administrative Design Review (A-2023-0073) for the proposed modifications to the exterior façade of the existing building. Building elevations are shown below in the Section VII Exhibits.

L. Food Trucks

The use of a food truck for this proposal cannot be approved under this conditional use permit as it is not an allowed use through unified development code. However; the applicant can apply for a temporary use permit (TUP) through the City Clerk's office for the use of a food truck.

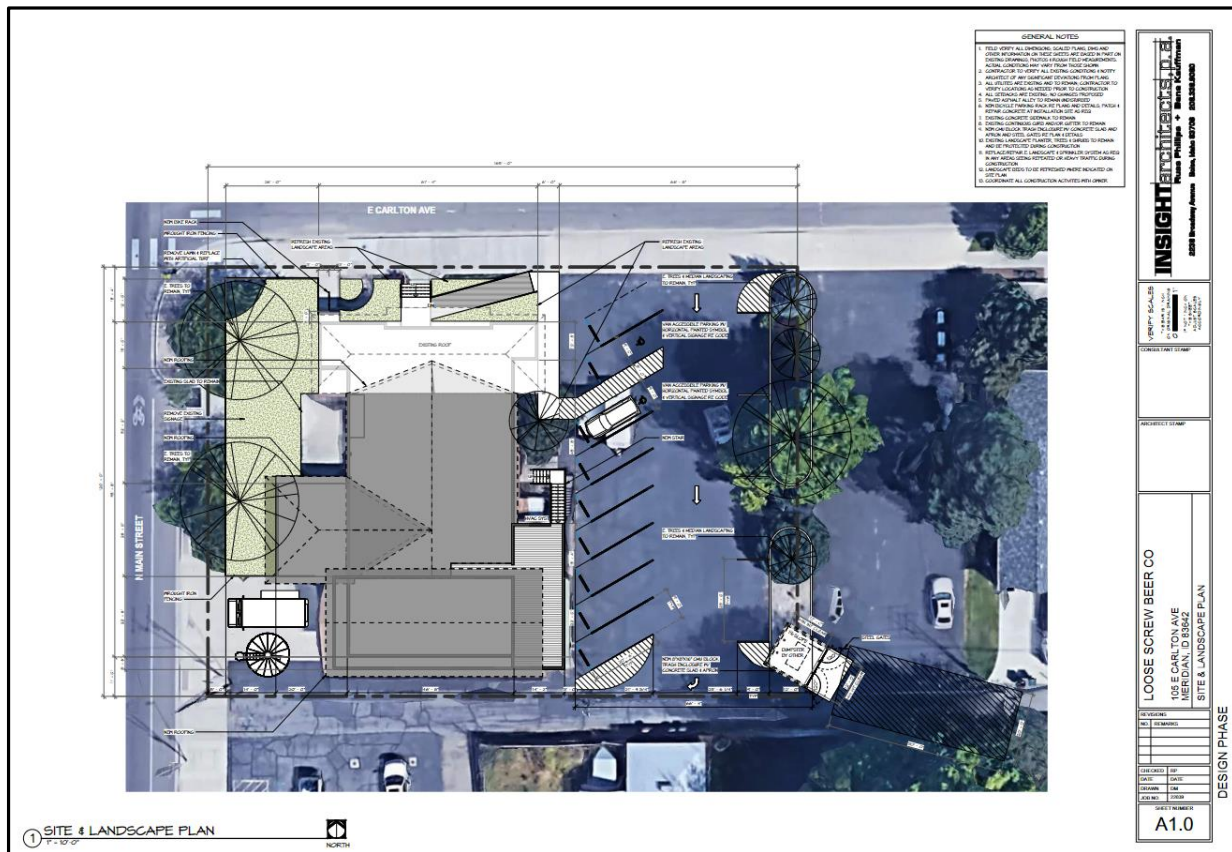
VI. DECISION

A. Staff:

Staff recommends approval of the proposed conditional use permit with the conditions in Section VIII per the Findings in Section IX.

VII. EXHIBITS

PROPOSED LANDSCAPE PLAN (CZC 2018-0052, MARCH 7, 2018)

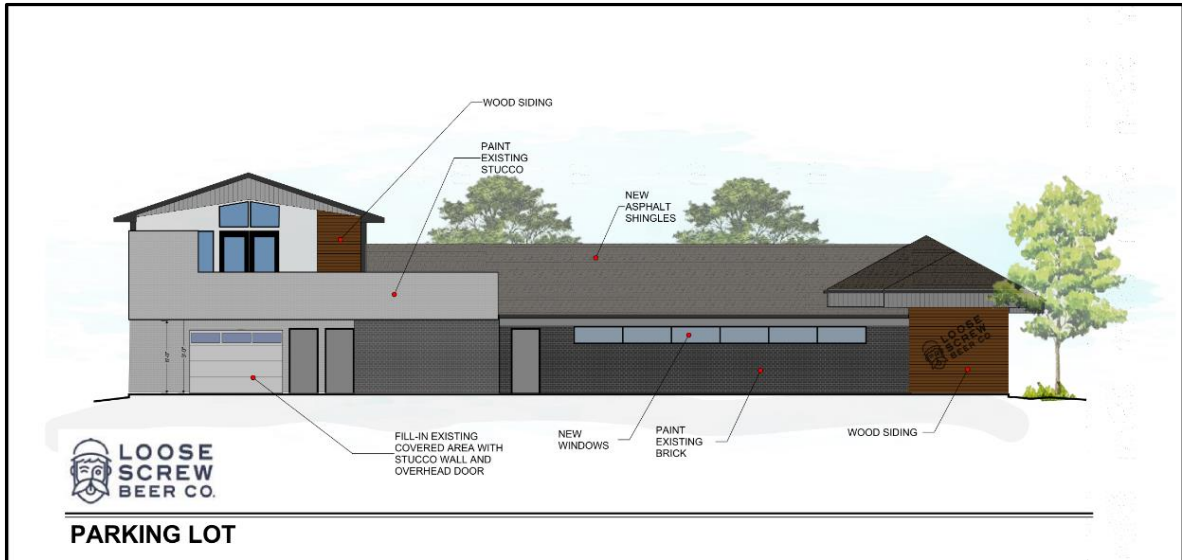


Existing Landscape (date: 5/10/2023)



A. Approved Elevations (A-2023-0073, (5/8/2023))





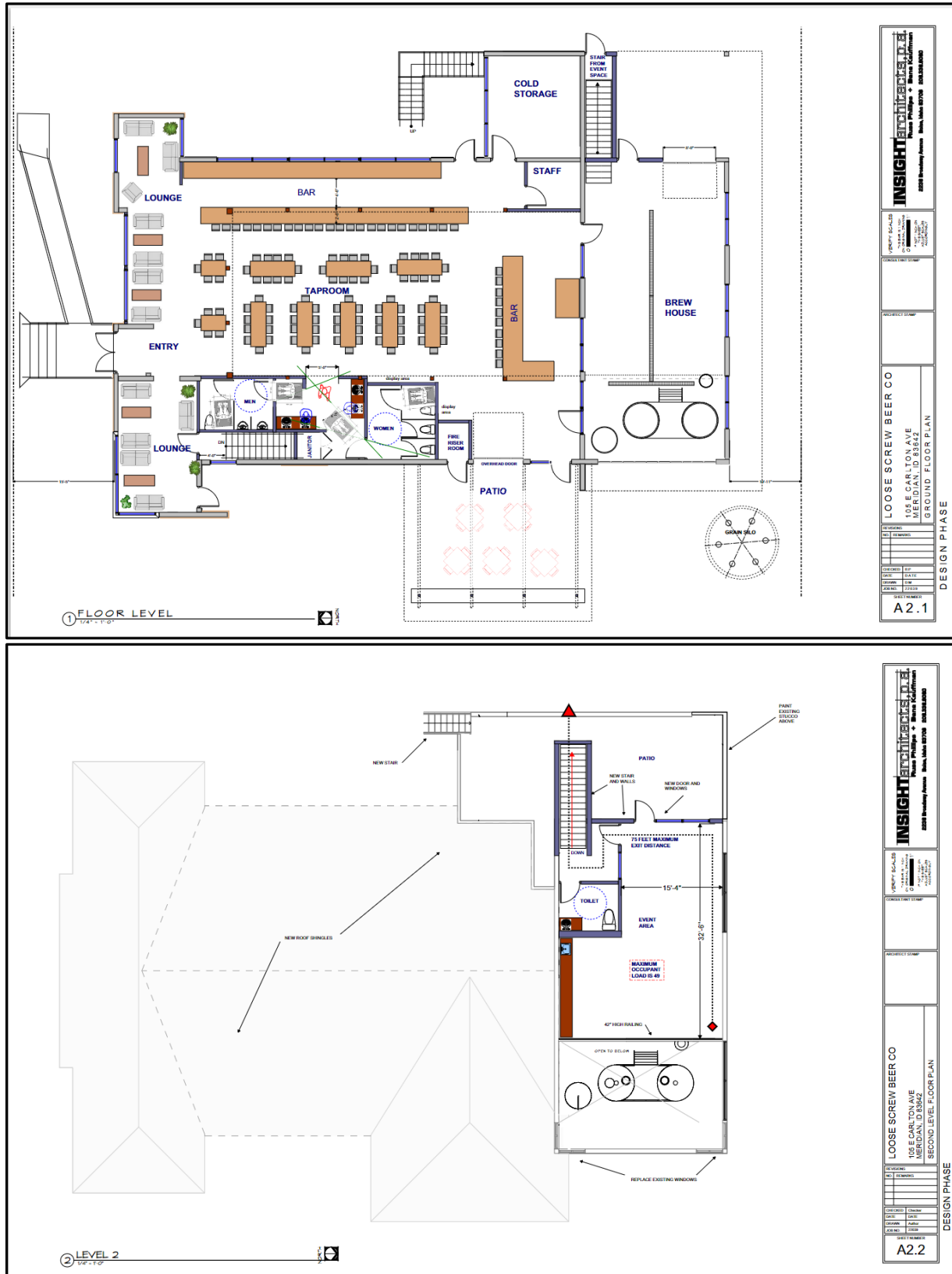
B. Existing Elevations N. Main Street and E. Carlton Avenue (date: 5/10/2023)



Existing Elevations Parking Lot (date: 5/10/2023)



C. Proposed Lower and Upper Floor Plans (date: 4/18/2023)



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING

1. A Certificate of Zoning Compliance (CZC) application is required to be submitted to the Planning Division and approved prior to building permit submittal to address parking and site modifications associated with the construction of the new trash enclosure (see condition 7 and 8 below).
2. The Applicant shall have a maximum of two (2) years to commence the use as permitted in accord with the conditions of approval. If the use has not begun within two (2) years of approval, a new conditional use permit must be obtained prior to operation or a time extension must be requested in accord with UDC 11-5B-6F.
3. All outdoor seating and events associated with this use shall be restricted to the fenced in beer garden and the upper deck areas.
4. Hours of operation shall be restricted from 11 AM to 10 PM. Upon approval of the code revision to the Drinking Establishment specific use standards, the operating hours may be extended from 10 PM to 12 AM.
5. Applicant shall comply with the standards as set forth in UDC 11-3A-12 for any outdoor service and equipment areas.
6. Applicant shall comply with all specific use standards required for a Drinking Establishment and Minor Food and Beverage Products Processing, UDC 11-4-3-10 and 11-4-3-46.
7. The applicant shall coordinate with Republic Services of Meridian for the appropriate size and location of the proposed trash enclosure.
8. The applicant shall enter into a parking agreement with the property owner at 129 E. Carlton Avenue to meet the required parking needed for the proposed change of use or submit written documentation from the owner to use the adjacent law office parking since the parcels are under common ownership.

B. ADA COUNTY HIGHWAY DISTRICT

1. Pay a traffic impact fee. If applicable, a traffic impact fee may be assessed by ACHD and will be due prior to the issuance of a building permit by the lead agency. This is a separate review process and it is the applicant's responsibility to submit plans directly to ACHD.
2. Comply with all ACHD policies and ACHD standard conditions of approval for any improvements or work in the right-of-way.
3. Obtain a permit for any work in the right-of-way prior to the construction, repair, or installation of any roadway improvements (curb, gutter, sidewalk, pavement widening, driveways, culverts, etc.).

C. IDAHO TRANSPORTATION DEPARTMENT (ITD)

Click on [link](#) to review comments

D. IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

Click on [link](#) to review comments

E. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

Click on [link](#) to review comments

IX. FINDINGS

A. Conditional Use Permit

The Commission shall base its determination on the conditional use permit request upon the following:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

The proposed project is within an existing structure in the O-T district. No expansion of the building or site is being proposed and therefore no additional site improvements are required for this proposal. Staff finds the site is large enough to accommodate the proposed use.

2. That the proposed use will be harmonious with the Meridian Comprehensive Plan and in accord with the requirements of this title.

The Comprehensive Plan identifies this area for public and quasi-public uses integrated with general business, and medium high to high density residential is encouraged to provide the appropriate mix and intensity of activities necessary to establish a truly urban city center.

A neighborhood brewery connected to the adjacent residential including outdoor seating is the type of neighborhood serving use envisioned by the Plan.

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

The proposed project is within an existing building and on an existing built out lot. The applicant is proposing to update the exterior of the existing building with horizontal and vertical wood siding. A more modern darker gray color will transform the existing, remaining brick. Existing stucco around the second level event space and outdoor deck will be painted a lighter gray to compliment the color palette of the ground floor and create a subtle contemporary patterning. All existing windows will be replaced, and street-facing façades will have varied fenestration, material changes, textures, patterns and recesses. Exterior lighting will be proposed to promote a safe pedestrian environment. Downlit signage on the building and grain silo is being proposed.

Hours of operation will be limited to between 11AM and 10PM. However, staff is proposing a code change to extend the operating hours for drinking establishments located within three hundred (300) feet of a place of worship and education facility located within the OT zone to 12AM. Upon approval of the code amendment, the proposed project will be allowed to extend its operating hours.

This type of neighborhood serving brewery enhances 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 hours of operation for the proposed use will be 11AM to 10PM. Staff is proposing a code change to extend the operating hours for drinking establishments located within three hundred (300) feet of a place of worship and education facility located within the OT zone to 12AM. Upon approval of the code amendment, the proposed project will be allowed to extend its operating

hours. All outdoor seating and events associated with this use shall be limited to the fenced in beer garden and upper deck areas.

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

The proposed use will be adequately served by all public facilities and services.

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 any 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.

This proposed project will operate within an existing commercial building and will operate between the hours of 11AM to 10PM. Staff is proposing a code change to extend the operating hours for drinking establishments located within three hundred (300) feet of a place of worship and education facility located within the OT zone to 12AM. Upon approval of the code amendment, the proposed project will be allowed to extend its operating hours.

The proposed project will be located in an area recommended for neighborhood mixed use which typically includes a mix of commercial and multifamily residential at an arterial intersection. This location is well-suited for the proposed use as it adds to the lively and vibrant downtown area.

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)

The proposed use will operate within an existing commercial building and will not result in damage of any such features.