

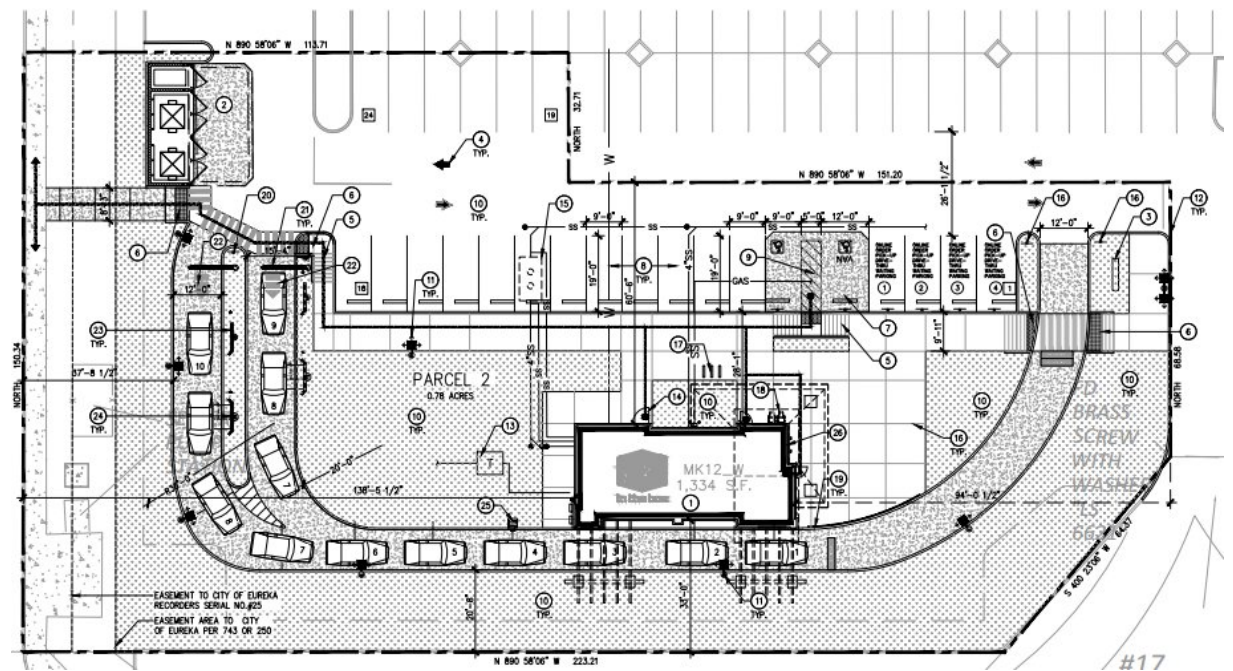
January 9, 2023

<b>Title:</b>	Jack in the Box
<b>Project:</b>	AA-21-0004 (mod)
<b>Location:</b>	2525 4 <sup>th</sup> Street
<b>APN:</b>	002-201-008
<b>Applicant:</b>	Clifton Sorrel, MBH Architects
<b>Property Owner:</b>	Tab Johnson (for Target)
<b>Purpose/Use:</b>	Modify two-lane drive-through restaurant, parking, landscaping, drive-through trellis, patio, lighting, and signage
<b>Application Date:</b>	August 17, 2022
<b>General Plan:</b>	GCS – General Service Commercial
<b>Zoning:</b>	CS – Service Commercial
<b>Staff Contact:</b>	Lisa Savage, Senior Planner
<b>Recommendation:</b>	Adopt a Resolution to find the project is exempt from CEQA under §15332, Class 32 In-fill Development Projects and approve with conditions
<b>Motion:</b>	<i>“I move the Planning Commission adopt a Resolution determining the project is exempt from CEQA and conditionally approving modification of Design Review for the restaurant at 2525 4<sup>th</sup> Street, APN 002-201-008.”</i>

Figure 1: Location Map



Figure 2: Site Plan



## **PROJECT SUMMARY**

The applicant, Cliff Sorrell (MBH Architects), is proposing modification of previously approved Design Review for a Jack in the Box drive-through restaurant at the northeast corner of 4<sup>th</sup> and Y Streets near 2525 4<sup>th</sup> Street. The modifications will reduce the footprint of the restaurant building from 2,800 square feet (sf) to 1,334 sf, change the façades of the building, and add signs.

## **Project Background**

Design Review for an unidentified, two-lane drive-through fast food restaurant with associated parking, landscaping, and patio was originally approved by the Planning Commission, along with the required Conditional Use (CUP-21-0003) and Coastal Development (CDP-21-0004) Permits, on December 13, 2021. Since then, the applicant has identified the tenant as Jack in the Box and is proposing a considerably smaller restaurant structure, with associated parking, landscaping, drive-through trellis, patio, lighting, and signage. The restaurant will be drive-through and walk-up only; there is no proposed interior access for customers. There are multiple signs proposed for each side of the restaurant with twenty signs with a total of 437 sf of signage. The application for the proposed modifications was received in August, 2022, prior to a recent update to the City's sign regulations for the Coastal Zone, and is therefore subject to the earlier sign standards.

To accommodate this restaurant, a minor subdivision was approved for the division of the 11.58-acre "Target" parcel into two parcels (Minor Subdivision SDMN-21-0004). Parcel 1 is 10.8 acres and contains the existing Target store and off-street parking, and Parcel 2 is 0.78 acres (33,977 sf) and will be developed with the drive-through restaurant. A "Notice of Action on a Subdivision" was approved on December 22, 2021, by the Director of Development Services, and is currently awaiting final map approval.

The property is located northeast of the intersection of 4th and Y Streets in the CS (Service Commercial) zone district.

### **DESIGN REVIEW ANALYSIS**

The proposed project requires Site Plan and Architectural Review by the Planning Commission as the project is located within the Design Review Area and involves new construction of a conditionally permitted drive-through restaurant use. Architectural Review is also required for the proposed signage. The Site Plan and Architectural Review are a modification of Design Review AA-21-0004.

To approve a Design Review application, the Planning Commission must consider all of the following:

Site Plan review is intended to:

1. Preserve the natural beauty of the City's sites;
2. Prevent the indiscriminate clearing of property and the destruction of trees and shrubs;
3. Prevent excessive grading of hillsides and creation of drainage hazards;
4. Ensure structures are properly related to their sites, to surrounding sites and structures, to traffic circulation in the vicinity; and
5. Ensure parking areas, walk ways, and landscaping are arranged to accomplish the objectives of the zoning code.

Architectural review is intended to prevent the erection of structures or signs that would be inharmonious with their surroundings or would have an adverse effect on the value of property or improvements in the vicinity.

#### **Site Plan and Architectural Review**

The Planning Commission should determine whether the proposed two-lane drive-through and walk-up restaurant with parking, landscaping, drive-through trellis, patio, lighting, and signage, will be inharmonious with the surroundings or will have an adverse effect on the value of property or improvements in the vicinity. Pursuant to EMC §10-5.1801 et seq., the ugly, inharmonious, monotonous, and hazardous shall be barred. The Commission's review includes exterior design, materials, textures, and colors but does not include elements of the design which do not affect exterior appearance. The Planning Commission must recommend disapproval of drawings for a structure or a sign which would be inharmonious with surrounding development, but the Commission cannot require new structures duplicate a specific historic architectural style as a condition of approval.

The exterior of the restaurant building is proposed to be similar to Target and will use the same or very similar colors and exterior materials.

Figure 3: Existing Target Store



As discussed above, the restaurant will be drive-through or walk-up only; there is no proposed interior access for customers. The front employee entrance of the building (north elevation) facing the Target parking lot will have a large clear glass window and an employee door with side light window (both with frosted glazing) and a clear glass transom window inside dark bronze anodized aluminum frames. There is also a light brown metal door on the north side, closer to the drive-through canopy (Figure 4) which will be used for product deliveries. The rear of the building (south elevation) facing Highway 101, will have two drive-up windows, one for ordering/payment and one for food pickup; both with frosted glazing and dark bronze anodized aluminum frames (Figure 5). On the east side another glass employee door and a walk-up window are proposed, both with frosted glazing and dark bronze anodized aluminum frames (Figure 6). Also, on the east side, adjacent to the walk-up window, will be a concrete patio, made up of concrete squares similar to the proposed sidewalk (Figure 7). The patio will not be furnished. A stained wood awning will be located over the sidewalk, roofed with gray composite shingles and supported by stone veneer columns on both the north and east elevations. Along the south side of the building, the drive-through will be covered by a stained wood trellis, also supported by stone veneer columns. Stone veneer accents are found throughout the building façade. There will be one raised parapet area on the east end of the building which will be trimmed in wood, and roofed with gray composite shingles (Figure 6). Shielded light fixtures are proposed for all sides of the building, at the roofline. The remainder of the building will be painted plaster with a rough sand finish and stained wood accents.

Figure 4: Elevation- Building Front – North



The rear of the building will be similar to the front, utilizing the same materials, roofline, and roofing materials (Figure 5). In addition, there will be wooden planted trellises, and additional shrubs and trees shielding the drive-through from view along 4th Street.

Figure 5: Elevation- Building Rear, South (Facing 4th Street)



Figure 6: Elevations- Building Sides  
East

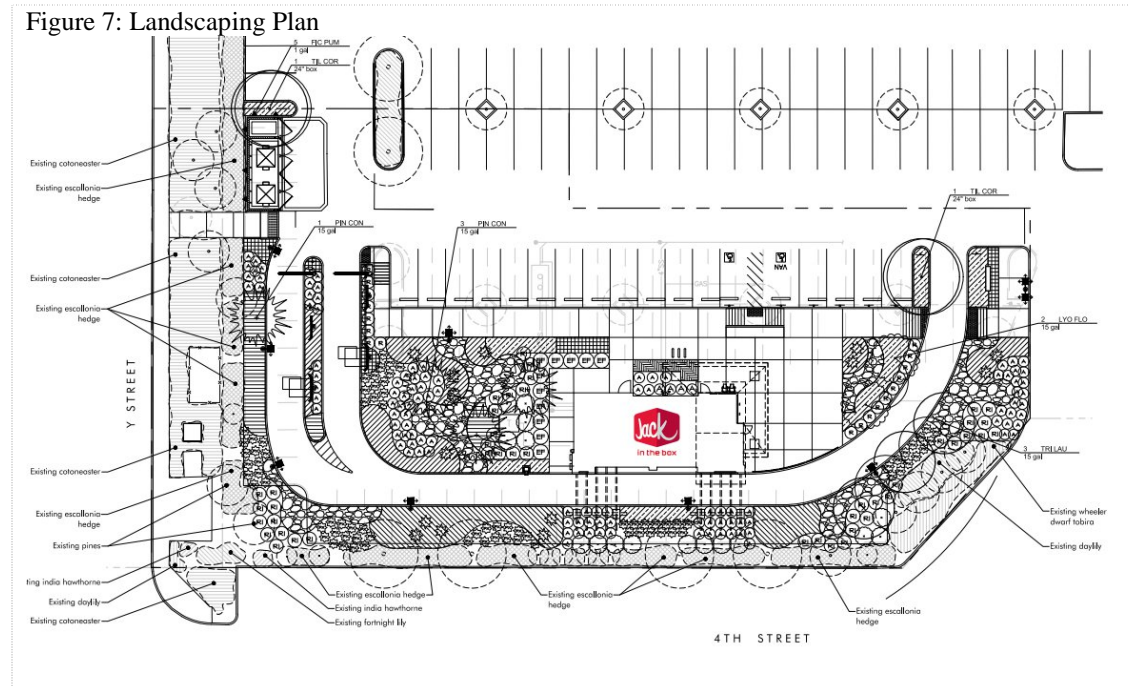
West



The project is located in the CS zone district. Pursuant to EMC §10-5.201, the CS zone district has no minimum front, side, or rear yard setback requirements, a maximum height limit of 55 feet, and a 120% floor area ratio (FAR). The proposed building fits well within these parameters, and although there are no setback requirements for the newly created lot, the design provides ample space between the restaurant and property lines. The maximum overall proposed building height is 34' 8", and the restaurant has a 3.9% FAR.

Seven off-street parking spaces are required for the restaurant, including at least one ADA-accessible space, and 14 are provided, including two ADA-accessible spaces. Electric vehicle spaces will be provided if required by the Building code. The dimensions of the spaces and parking drive aisles meet the minimum requirements. Per EMC §10-5.1603, no loading berth is required for commercial uses less than 4,000 sf and the restaurant is 1,334 sf; therefore, no loading berth is required or provided. Based on the above analysis, the restaurant use meets all parking and loading requirements.

There are no landscaping requirements for new structures in the CS zone district. However, a robust landscaping plan is being proposed (see Figure 7). The existing landscaping along 4th and Y Streets adjacent to the site will be retained and enhanced with additional plantings. Landscaping is proposed for the east and west sides of the restaurant adjacent to the interior sidewalks, planted trellises on the south side of the building, and plantings between the two drive-through lanes (Figure 7). The plants as proposed are all appropriate, with the exception of *Leptospermum laevigatum*, Australian tea tree, which is listed as an invasive species on the California Invasive Plant Council's list. The applicant has agreed to replace all sixteen, 5-gallon, Australian tea trees with similarly sized trees/shrubs of a species native to Eureka as listed by the California Native Plant Society (Calscape).



Regarding proposed signage, the property is located in the CS - Service Commercial zone district and under the applicable sign regulations, three-square feet (sf) of signage is allowed for every foot of the lot's street frontage. The site is a corner lot, with a combined total of 373.55 feet of street frontage on 4th Street and Y Street, allowing a total of 1,121 sf of signage on the property. Twenty signs are proposed, totaling 437 sf.

There will be four internally illuminated "Jack" wall mounted square signs with a red background and white lettering (Figure 8). Three of these square signs will be 11 sf in size and located on the north, south, and east sides of the proposed building, and one sign will be 27 sf and located on the west side. Each sign will have an associated internally illuminated rectangular "In the Box" wall mounted sign with red lettering on a white background, with three signs at three sf and one at six sf. One 16 sf Jack logo sign will be located on the south façade, which will consist only of an internally illuminated outline in purple (Figure 8). Additionally, one internally illuminated, wall mounted, rectangle shaped, sign, "The Best Burger Joint Famous for its Tacos", with white lettering on a purple background will be located on the east façade, facing Target and measuring 14 sf (Figure 8).

Figure 8: Internally Illuminated Signs



One painted sign is proposed: “Open Late Night” on the north side of the building. The painted sign will be 32 sf, with black lettering (Figure 9 below).

Figure 9: Painted Signs



Additionally, four framed wall graphic signs at 12 sf each are proposed, with two on the south elevation and two on the north elevation, along with three unframed graphic signs at 40 sf each, with two on the south elevation and one on the west elevation. The framed and unframed graphic signs are meant to change periodically with new highlighted menu items and promotions (Figures 4-6, above).

The applicant is proposing one window graphic on the north elevation east of the employee door which will read “24 HR DRIVE THRU” and be six sf with white lettering on a red background (Figure 4 above).

Finally, a monument sign is proposed with an internally illuminated “Jack in the Box” logo on a white background (Figure 10). The overall size is 9’ x 7’, or 63 sf, or 126 sf including both sides. The overall design will match the design of the existing Target monument sign.

Figure 10: Monument Sign

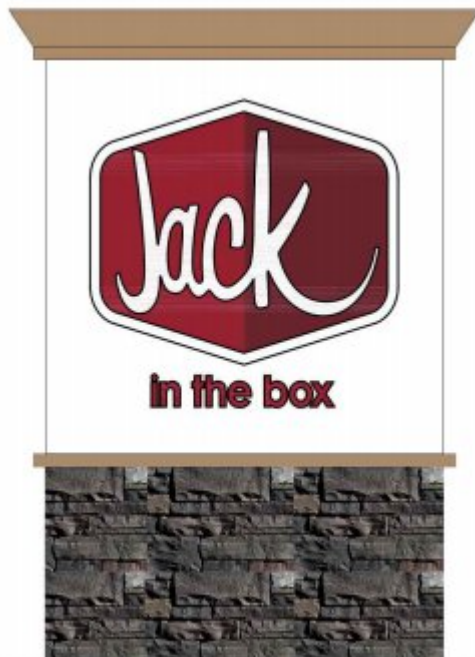




Figure 10: Sign Summary Table

	Internally Illuminated Signs	Painted Signs	Framed Signs	Unframed Signs	Window Signs	Monument Signs
North	2	1	2	-	1	-
South	3	-	2	2	-	-
East	3	-	-	-	-	-
West	2	-	-	1	-	1 (freestanding)

The proposed signage meets the size and siting limitations contained in EMC §10-5.1704 and only utilizes approximately 39 percent of the allowed signage for the parcel.

Staff believes the proposed development as modified, including the proposed restaurant building, parking, landscaping, drive-through trellis, patio, lighting, and signage, will be harmonious with its surroundings and will not have an adverse effect on the value of properties within the vicinity. As a result, Staff believes the necessary findings, as mentioned above, can be made to approve the Site Plan and Architectural Review.

**STAFF CONTACT**

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**DOCUMENTS ATTACHED**

Attachment 1: Planning Commission Resolution 2023-XX

Attachment 2: December 13, 2021, Planning Commission Staff Report and Resolution 2021-29

Attachment 3: Site Plan