



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

October 18, 2018

To: Planning Commission
From: Community Development Department
Subject: La Puente Mexican Restaurant
(Extended Hours and Alcohol Sales)
7640 S. Union Park Ave.
[High Point, Community #6]

CUP-09-18-5490
Zone: SD(Union Heights)

HEARING NOTICE: *This item has been noticed to property owners within 500 feet of the subject area.*

PROPERTY CASE HISTORY	
Case Number	Case Summary
SPR#88-21c	Union Place (High Point North) Gas Station Site Plan (Project Not Pursued)
SPR#00-08	Union Heights – Master Plan for 1 Office Building and 2 Retail Sites. Approved by PC.

DESCRIPTION OF REQUEST AND BACKGROUND

The applicant, Maria Flores, is requesting that the Planning Commission consider a request for a conditional use permit (CUP) to allow for the La Puente Mexican Restaurant at 7640 South Union Park to operate with extended hours to be from 10:00 AM to 10:30 PM and to serve alcohol. (See Exhibit #1 – Application Materials). The proposed restaurant will operate during the following hours: Sunday to Thursday 10:00 AM – 10:00 PM, and Friday and Saturday 10:00 AM – 10:30 PM.

The subject property is bordered to the north, south, east and west by commercial businesses zoned SD(Union Heights). However, further to the west are single-family residential lots within Midvale City. The distance from the nearest residential property to the subject property is within 225 feet, with a 14-foot grade change (See Exhibit #2 – Distance Map).

This restaurant space was previously occupied by Iggy's Sports Grill from 2005 – 2016. Iggy's Sports Grill was a full service Restaurant that served alcohol to its customers (*See Exhibit #3 – Iggy's Sports Grill Business License*). Because the previous restaurant has been closed for more than one year, staff wanted this item to come before the Planning Commission.

ANALYSIS

Per **Section 15A-23-19** of the Sandy City Land Development Code, any commercial uses located within 250 feet of a residential district where such commercial use desires to operate after 10:00 PM and/or before 6:00 AM shall require a separate Conditional Use approval from the Planning Commission.

Per **Section 15A-19-21** of the Sandy City Land Development Code, Alcoholic Beverage Restaurant Full Service License in the SD (Union Heights) require a conditional use permit.

COMPLIANCE WITH SECTION 15A-33-04

Staff response in *italics*.

Conditions. In order to achieve compliance with the standards set forth herein, the City may impose conditions, which address standards 15A-33-03 "A" to "O", as contained in the Sandy City Development Code. This proposed conditional use meets or satisfies all of Conditions "A" through "O", except the following conditions, which merit discussion or additional consideration by the Planning Commission:

- A. Size, configuration and location of the site and proposed site plan layout.
The restaurant will operate in the tenant space on the north side of the northern building adjacent to Union Park Avenue. The proposed restaurant site is surrounded by retail and office uses.
- B. Proposed site ingress and egress existing and proposed roads and streets.
The ingress and egress to and from the site is existing and will not change.
- E. Site circulation patterns for vehicular, pedestrian and other traffic.
Vehicular circulation will utilize the existing ingress/egress point of access on the north side of the property, which is 100 feet from the restaurant site.
- I. Fencing, screening and landscape treatments, and other features designed to increase the attractiveness and safety of the site and protect adjoining owners from noise, visual and other impacts.
Separation for the restaurant from the properties to the west is 225 feet, with a 14-foot grade change. The elevation change provides sufficient separation and buffering from residential properties.
- O. Such other conditions determined reasonable and necessary by the City to allow the operation of the proposed conditional use, at the proposed location in compliance with the requirements of this Code.
That the applicant complies with all Building & Safety, and Fire & Life Codes.

NOTICE

A neighborhood meeting was not required by the Community Development Department due to the distance from the residential properties, and the limited impact to surrounding commercial properties. Notices were mailed to the property owners within a 500-foot radius of the subject parcels in advance of the Planning Commission meeting.

CONCERNS

Staff has no concerns.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve a Conditional Use Permit to allow for extended business hours from 10:00 AM to 10:30 PM and for the Alcohol Beverage Restaurant Full Service License at 7640 South Union Park Avenue for La Puente Mexican Restaurant based on the findings listed below and the subject to the following conditions:

Finding

1. Staff finds that there is significant separation from the La Puente Restaurant and the nearest residential properties, and impact regarding the extended hours will be minimal.
2. A previous restaurant occupied this space for a number of years with little or no impact to the residential properties to the west.

Conditions

1. That the proposed structure comply with all applicable Building & Safety, and Fire & Life Codes.
2. That the applicant be responsible for meeting all provisions of the Sandy City Development Code, and all conditions of approval imposed by the Planning Commission to mitigate a reasonably anticipated detrimental effects of the proposed use.
3. That the applicant obtain a business license from the Community Development Department.
4. That the use be reviewed upon legitimate complaint.

Planner: Wade Sanner

Reviewed by: PM

Wade Sanner, Planner

Exhibit #1 – Application Materials

To The Sandy Planning Commision
September 14, 2018

Conditional Use Permit

My name is Maria Flores and I'm part of the La Puente Mexican Restaurant, I bought a franchise from this group and will be operating in the Union Heights Shopping Center in Sandy Utah, the restaurant will be located at 7640 Union Park Av. Sandy Utah 84047, same building in where Iggy's restaurant use to operate, I am requesting for a conditional use permit to do the fact that I will like to get permission to operate with a Full Liquor License same as the former Iggy's did in that building, I will not be changing the type of use do to the fact that I will be running a full sit-down Mexican Restaurant and will love to offer our clientele the convenience of being able to enjoy a drink with their meal just like they do at our different locations. My intentions are to offer the service always with a much greater percentage of food sales versus our liquor sales.

Our hours of operation will be Sunday to Thursday 10:00 am to 10:00 pm and Friday and Saturday from 10:00 am to 10:30 pm.

There's a few restaurants in our surroundings that count with a liquor license as of right now and so I'm really hoping that by me having and getting the same opportunity won't make any negative impact in the Sandy area where I will be located. I have operated other locations for several years and I have never been issued any citation. Thank you very much for taking the time to review my application.

Exhibit #2 – Distance Map

Distance Map

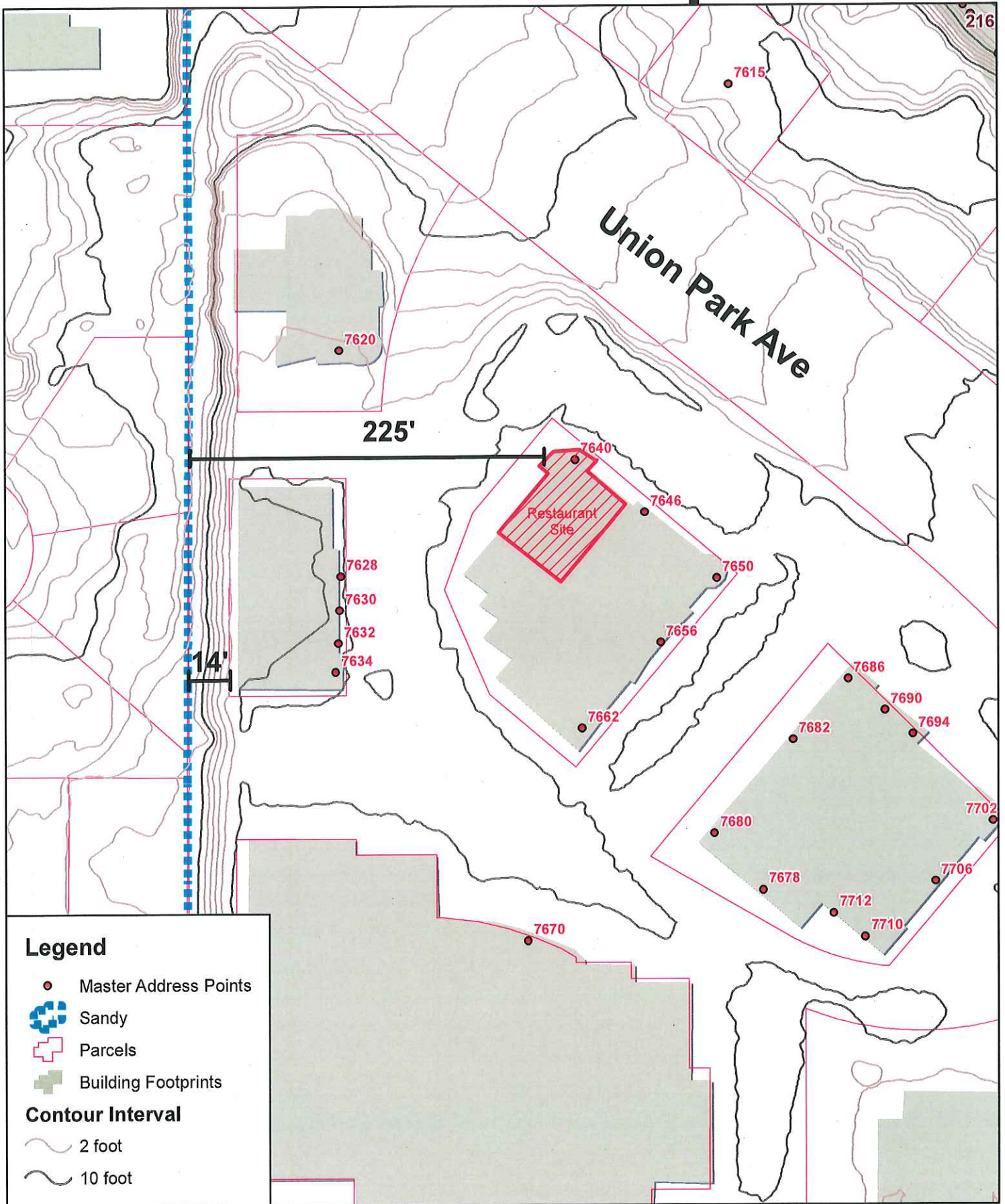


Exhibit #3 – Iggy’s Sports Grill Business License


Sandy City Business License
10000 Centennial Parkway, Suite 210
Sandy, Utah 84070

Phone: (801) 568-7252
Fax: (801) 568-7278
e-mail: BusLic@sandy.utah.gov

License No. 83079

IGGY'S SPORTS GRILL -A-
344 MAIN ST
LAYTON UT 84041


Fold Line

**Sandy City Business License Certificate**
State of Utah

Business Name: IGGY'S SPORTS GRILL -A-
Type: Commercial
Owner(s)/ Applicant(s): DAVE IPAKTCHIAN
LOLA IPAKTCHIAN
Licensed as: FULL SERVICE RESTAURANT

THIS LICENSE IS NOT TRANSFERABLE
IT IS A CRIMINAL OFFENSE TO ALTER THIS DOCUMENT

License Number: 83079
Expires: 12/31/16
No. of Employees: 30
Mayor: *Tom Dolan*
License Official: *Reshale Bosan*



A VALID LICENSE MUST BE CARRIED AT ALL TIMES WHILE CONDUCTING BUSINESS IN SANDY CITY, AND BE PRESENTED UPON DEMAND

PLEASE NOTE: This license may be trimmed at the edges, folded and laminated for credit card sized license.

Perforation/cut line

MUST BE POSTED IN A CONSPICUOUS PLACE OR CARRIED ON PERSON AND TO BE PRESENTED UPON DEMAND
IT IS A CRIMINAL OFFENSE TO ALTER THIS DOCUMENT

Sandy City Business License Certificate
STATE OF UTAH

IGGY'S SPORTS GRILL -A-

License Number: 83079	Type of Business: Commercial
Business Location: 7640 UNION PARK AVE MIDVALE UT 84047	Applicant(s): DAVE IPAKTCHIAN LOLA IPAKTCHIAN
Nature of Business: FULL SERVICE RESTAURANT	Number of Empl: 30
State License:	Expires On: 12/31/16
MAYOR: <i>Tom Dolan</i>	LICENSE OFFICIAL: <i>Reshale Bosan</i>



THIS LICENSE IS INVALID WITHOUT AN OFFICIAL CITY SEAL AND IS NOT TRANSFERABLE TO ANY OTHER LOCATION OR TO ANY OTHER ENTITY



Community Development Department

Tom Dolan
Mayor

Byron Jorgenson
Chief Administrative Officer

Michael G. Coulam
Director

UTAH DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL FULL-SERVICE RESTAURANT LIQUOR LICENSE

LOCAL CONSENT

Date: June 28, 2016

Utah Department of Alcoholic Beverage Control
Licensing and Compliance Section
1625 South 900 West
P O Box 30408
Salt Lake City, Utah 84130-0408

SANDY CITY hereby grants its consent to the establishment of a restaurant full liquor license to *IGGY'S SPORTS GRILL* owned by *LOLA ANN IPAKTCILAN AND DAVE IPAKTCILAN*, and located at *7640 SOUTH 1300 EAST, MIDVALE UT 84047*. Pursuant to the provisions of Utah Code 32B-1-202, 32B-5-201 through 203, 32B-5-205 and 206, the Sandy City business license allows for the storage, sale and consumption of liquor, wine and beer on the premises. Furthermore, said applicant has met all ordinances and requirements relating to issuance of local business and alcohol licenses.

A handwritten signature in black ink, appearing to read "Lesley L. Casaril", written over a horizontal line.

Authorized by Lesley L. Casaril,
Business License Administrator.