



SANDY CITY COMMUNITY DEVELOPMENT

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COMMUNITY DEVELOPMENT
DIRECTOR

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CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

September 20, 2018

To: Planning Commission
From: Community Development Department
Subject: Beans and Brews Extended Hours
 7465 S. Union Park Ave.
 [High Point, Community #6]

CUP-09-18-5486
 Zone: SD(Harada)

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#96-52	Site Plan for Sweet Tomatoes Restaurant. Approved by PC
SPR#96-47	Overlook at Union Park Master Plan. Master plan for landscaping and maintenance for commercial properties on Harada properties. Approved by PC
CUP-11-17-5317	CUP to allow a restaurant and drive-thru. Approved by PC
SPR-11-17-5316	Restaurant and drive-thru (Beans and Brews). Approved by PC
SUB-05-18-5401	Subdivision to create commercial pad site, final subdivision not completed by applicant. Approved by PC

DESCRIPTION OF REQUEST AND BACKGROUND

The applicant, Scott Sutter for Beans and Brews, is requesting that the Planning Commission consider a request for a conditional use permit (CUP) to allow for the Beans and Brews coffee shop to open at 5:30 AM (See Exhibit #1 – Application Materials).

The proposed Beans and Brews site will be located on the west side of the property adjacent to Union Park Avenue. The commercial preliminary subdivision plat was approved by the Planning Commission in May of 2018, but has not received final approval by staff, nor has the plat been recorded with Salt Lake County (See Exhibit #2 – Future Commercial Lot).

The subject property is bordered to the north, south, east and west by commercial businesses zoned SD(Harada). However, further to the east are seven single-family residential lots in a cul-de-sac within un-incorporated Salt Lake County jurisdiction zoned A-1. The distance from the nearest residential property to the subject property is within 250 feet, with a 20-foot grade change and 40-foot landscape buffer (*See Exhibit #3 – Distance Maps*).

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.

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 proposed coffee shop will be on the west side of the property adjacent to Union Park Avenue.
- 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.
Pedestrian and vehicular circulation will utilize the existing sidewalk and ingress/egress point of access on the west side of the property, which is 400 feet from the residential properties.
- 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 property from the properties to the east is via a 40-foot landscape buffer with a 20-foot grade change. Beyond this landscape buffer is a 70-foot wide parking lot. This landscaping and elevation change, provide ample 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 5:30 AM to 10:00 PM at 7465 South Union Park Avenue for Beans and Brews based on the findings listed below and the subject to the following conditions:

Finding

1. Staff finds that the proposed business hours meets the intent of **Section 15A-23-19** of the Sandy City Land Development Code.
2. Staff finds that there is ample separation from the Beans and Brews building and the nearest residential properties.

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 prior to further expanding the business hours.
3. That the applicant obtain a business license from the Community Development Department.

Planner: _____



Reviewed by: _____

Wade Sanner, *Planner*

File Name: S:\USERS\PLN\STAFFRPT\2018\CUP-06-18-5431 Beans and Brew Extended Hours

Exhibit #1 – Application Materials

To: Sandy City Planning Commission

Hello my name is Scott Sutterfield the owner of the new Beans & Brews Coffee House opening at 7465 So Union Park Ave. I am writing to you today to request a Conditional Use Permit for this new location. My understanding is that due to the proximity of a neighborhood I cannot open until 6 am. We would like your consideration to allow us to open at 5:30 am. The location of our building in relation to the neighborhood in question should have no impact on the residents of this area as they do not have any direct sight line to our building. Our building is located just off the busy road that is Union Park Ave and will not cause any disruption to our nearby neighbors, furthermore our business during the time from 5:30 to 6 is usually very slow making the impact minimal to nothing for our neighbors. All of our locations around the Salt Lake Valley open at 5:30 or earlier so we would like to remain consistent with our other stores so our loyal customer base can expect the same store hours that they experience elsewhere. Should you have any questions or concerns please call me anytime. I appreciate your consideration in the matter.

Regards,

Scott Sutterfield

Exhibit #2 – Future Commercial Lot

Exhibit #3 – Distance Maps

Distance Map

