



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

November 19, 2020

To:	Planning Commission	
From:	Community Development Department	
Subject:	Towne Ridge Retail Pad Sites Conditional Use for "Restaurant, Drive-up Window." 9680 S. and 9710 S. State Street [Civic Center, Community #2]	CUP-11-20-5958 CBD Zone 2.37 Acres

Public Notice: In addition to the posting of the meeting agenda, this project was noticed for this meeting to property owners within 500 feet of the subject property, by U.S. Mail delivery.

PROPERTY CASE HISTORY	
Case Number	Case Summary
SUB-03-16-5012	Towne Ridge Commercial Subdivision, Approved 2016. Plat Recorded.

DESCRIPTION OF REQUEST

Sterling Realty Organization, of Seattle, Washington, property owners, represented by Mr. Chris Jensen, Architect, of THINK Architecture, of Sandy, Utah, are requesting Conditional Use review for two future restaurants with drive-up window service, one restaurant in each of the two new, multi-tenant retail commercial buildings, located upon the two "Pad Site" lots approved in the Towne Ridge Commercial Subdivision in 2016. The two commercial subdivision lots are located at 9680 and 9710 S. State Street and are zoned Central Business District (CBD) and the lots also are located within the Cairns downtown development district. Pad lot "B" is proposed to have a commercial shell building of 8,097 square feet and Pad Lot "C" is proposed to have a commercial shell building of 8,113 square feet. Both buildings will be single story, slab on grade structures. The Planning Commission is the land-use authority for this requested action.

BACKGROUND

Sterling Realty Organization has purchased the Towne Ridge Towers Office buildings (now occupied by NICE-inContact), the large parking structure located to the south of the office towers and these two vacant retail pad lots from the Worker's Compensation Fund (WCF) as long term investment properties. These properties front the west side of State Street, directly south and west of the Mountain America Exposition Center. All property in this area is zoned CBD.

NEIGHBORHOOD MEETING

A Neighborhood meeting was not held for the Conditional Use on this project, because there is no residential development or population in this immediate area.

CONDITIONAL USE ANALYSIS

Conditional Use consideration for Restaurant, Drive-up Window in the CBD Zoning District.

Under the Sandy City Development Code, the Planning Commission, through the Conditional Use process, can: **approve** Conditional Uses if no mitigation of reasonably anticipated detrimental impacts is necessary; **approve** Conditional Uses, subject to reasonable conditions designed to mitigate or eliminate reasonably anticipated detrimental impacts; or **deny** Conditional Uses, if it is determined that reasonably anticipated detrimental impacts cannot be adequately mitigated. The burden of mitigating these impacts or effects is the responsibility of the applicant and not of the municipality or adjacent property owners (Section 21-33-04).

Compliance with Section 21-33-04 Conditional Use Permit:

In order to achieve compliance with the standards set forth herein, the City may impose conditions that address these standards:

1. Size, configuration and location of the site and the proposed site plan layout.

The layout is properly designed and located. The site is adequately sized for the proposed new buildings.

2. Proposed site ingress and egress to existing and proposed roads and streets.

The ingress and egress to and from the site will be adequate for use by these facilities.

3. The adequacy, provision, relocation or protection of public facilities and amenities, including roads and street, culinary water, secondary water, sanitary sewer, storm drainage, public safety and fire protections, and other utilities.

All these public facilities either presently exist at the site and are functioning or are proposed to be improved and expanded by the proposed site improvements. These public facilities will not be detrimentally impacted by the proposed Conditional Use of the property.

4. Design, location and amount of off-street parking, loading areas and solid waste disposal and collection areas.

Adequate vehicle parking will be provided by the surface parking on the pad sites and the fact that the entire Towne Ridge Commercial "Campus" is covered by a shared parking agreement, and as per the Sandy City Development Code.

5. Site circulation patterns for vehicular, pedestrian and other traffic.

Site circulation will be sufficient for the use as designed on the site plan.

6. Mass, size, number, location, design, exterior features, materials, and colors of buildings, structures and other facilities.

The building design, materials, and colors meet the zoning requirements and the Sandy City Architectural Design regulations, and the Sandy City Architectural Design Review Committee has reviewed the design and has recommended approval by the Planning Commission in the related Site Plan Review case #SPR-08-20-5886.

7. The location and design of all site features, including proposed signage, lighting, and refuse collection.

This standard will be met. Site signage is not included in this review but must be by separate application.

8. The provision of useable open space, public features, and recreational amenities.

This standard is not applicable.

9. 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.

The site landscaping will be installed as part of this site plan approval as shown on the attached plans. This standard will be met.

10. Measures directed at minimizing or eliminating possible nuisance factors including, but not limited to noise, vibrations, smoke, dust, dirt, debris, plant materials, odors, gases, noxious matter, heat, glare, electromagnetic disturbances, and radiation.

This facility will be subject to the noise limits imposed by the County Health Department. There will not be any unusual vibration, smoke, dust, and debris or plant materials nuisance factors after development of the building and site.

11. Measures designed to protect the natural features of the site, including wetlands and drainage ways, ground water protection, soils, wildlife and plant life.

This standard is not generally applicable.

12. The regulation of operating hours for activities affecting normal schedules and functions;

Extended business hours are not restricted in this zoning district when beyond 250 feet of residential zoning.

13. Identifying a time for regular review and monitoring, as determined necessary, to ensure the use continues to operate in compliance with all conditions and requirements of approval.

The conditional use will be reviewable upon legitimate complaint, and any new impacts arising can then be addressed by the Planning Commission, through the imposition of additional mitigating measures

14. Measures to ensure compliance with all conditions and requirements of approval including but not limited to bonds, letters of credit, improvement agreements, the agreements to conditions, road maintenance funds, and restrictive covenants.

Measures to ensure compliance will be enforced by the Sandy City staff upon citizen complaint or staff observance and will be adequate to mitigate potential violations of approval conditions.

15. 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.

To mitigate any potential negative impacts to the City and the neighborhood, staff suggest the conditions listed at the bottom of this report, 1 to 3.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **grant** the Conditional Use requests to allow “Restaurant, Drive-up Window” land use on the Towne Ridge Commercial Subdivision lots “B” and “C”, based on the staff report, the **staff findings 1 to 15** in the above analysis of the Conditional Use Standards and the **three additional findings listed below and subject to the following three conditions:**

FINDINGS:

- A. That the various City Departments and Divisions, including the City Engineer and the Transportation Engineer, have preliminarily approved the proposed related site plan.
- B. That the proposed site planning and infrastructure improvements, building design, will provide substantial mitigation of reasonably anticipated detrimental impacts of the drive-up window and its related vehicle queuing development upon the surrounding businesses.
- C. That the proposed “Restaurant, Drive-up Window” land use request has been reviewed by staff considering the 15 standards contained in the Sandy City Development Code, 21-33-04, Conditional Use Process, and appropriate and adequate mitigation measures will be implemented or will be imposed as deemed necessary to minimize impacts to the surrounding business community, subject to the following conditions.

CONDITIONS OF APPROVAL:

- 1. That the applicant proceeds through final site plan approval with staff as required by the Sandy City Development Code.

2. That the Conditional Use Permit for "Restaurant, Drive-up Window" be reviewed upon future legitimate citizen complaint or staff observation of non-compliance with conditions.
3. That the applicant be responsible to meet all provisions of the Sandy City Development Code and all conditions of approval that are included in this report and as may be imposed by the Planning Commission to mitigate the reasonably anticipated detrimental effects of the proposed use.

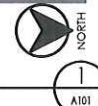
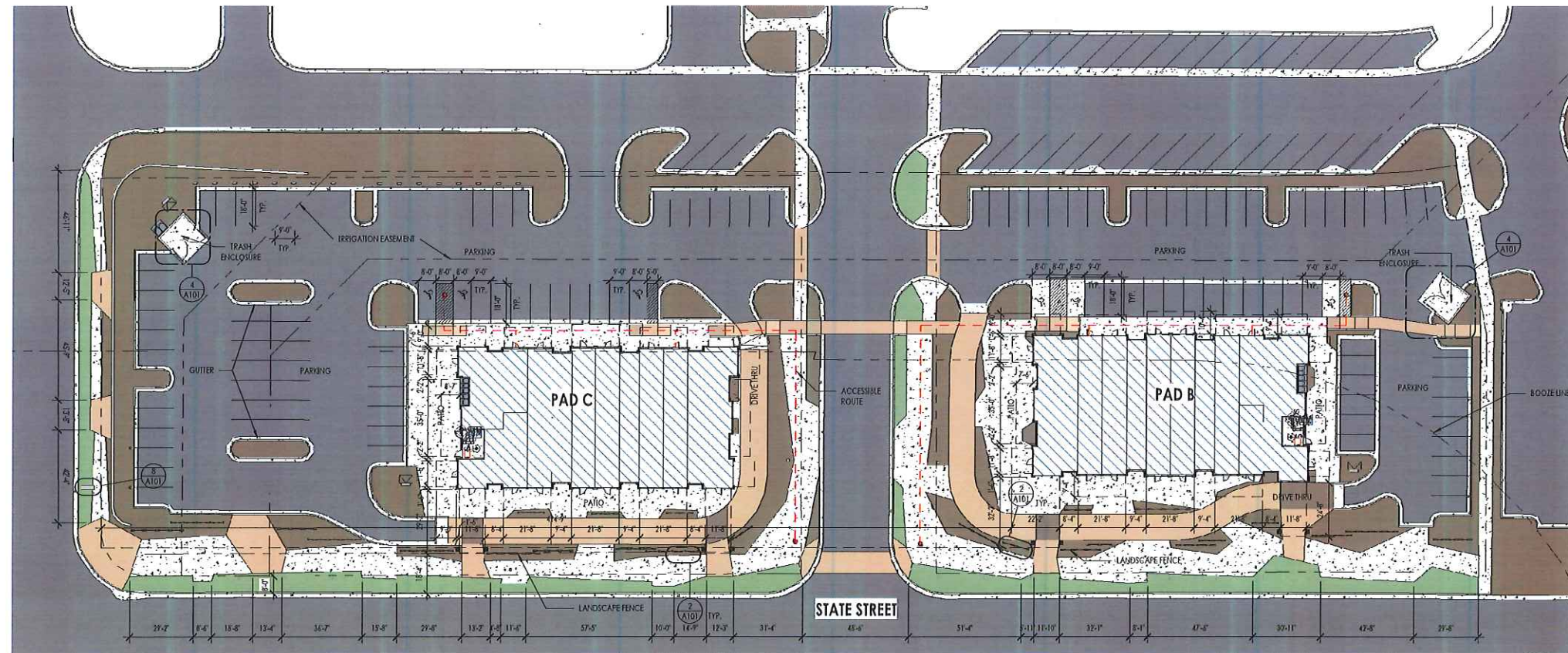
Planner:

Reviewed by:

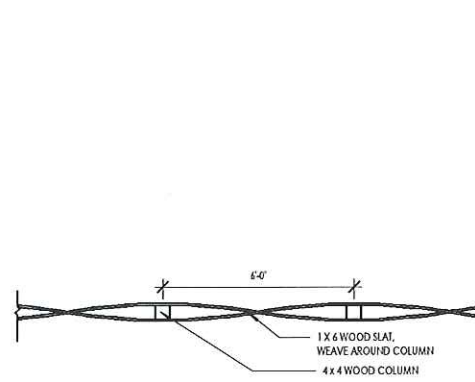
BM

Douglas L. Wheelwright

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Development Services Manager

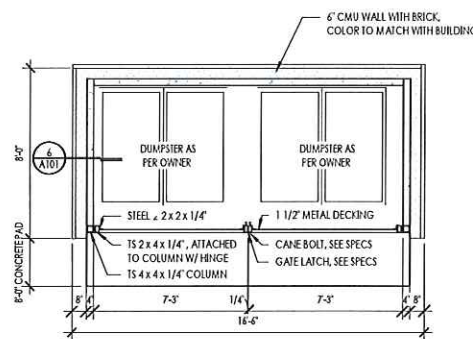


SITE PLAN
1" = 30'-0"

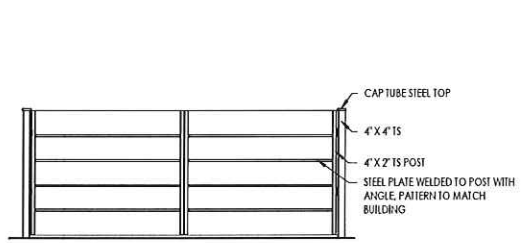


FENCE - PLAN
3/8" = 1'-0"

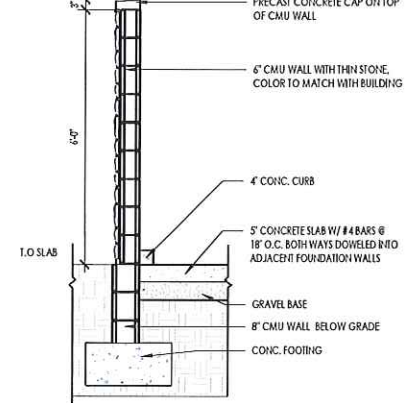
2 FENCE - ELEVATION
A101
3/8" = 1'-0"



3 DUMPSTER PLAN
A101
1/4" = 1'-0"



4 DUMPSTER - GATE ELEVATION
A101
1/4" = 1'-0"

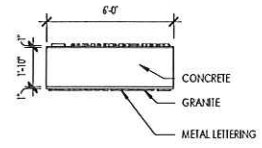


5 DUMPSTER - CMU WALL SECTION
A101
1/2" = 1'-0"

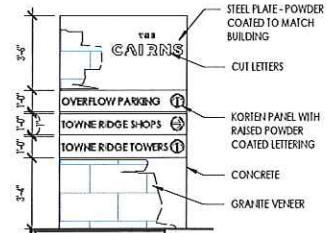
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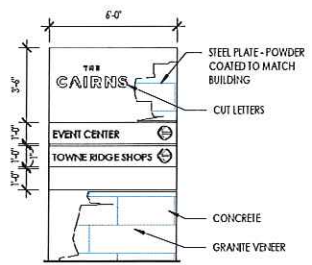
WAYFINDING SIGN



7 WAYFINDING SIGN - PLAN
A101
1/4" = 1'-0"



8 WAYFINDING SIGN - ELEVATION (EAST SIDE)
A101
1/4" = 1'-0"



9 WAYFINDING SIGN - ELEVATION (WEST SIDE)
A101
1/4" = 1'-0"

10

RECEIVED
NOV 12 2020
SANDY CITY
COMMUNITY DEVELOPMENT

TOWNE RIDGE
RETAIL PADS B AND C
9680 S STATE STREET
SANDY, UT 84070

PROJECT NO. 19106
DATE: 10 SEP 2020
REVISIONS:

SHEET TITLE:
ARCHITECTURAL SITE PLAN

SHEET NUMBER:
A101



Architecture
Interior Design
Landscape Architecture
Land Planning
Construction Management

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