



Legislation Text

File #: CUP-06-19-5680, **Version:** 1

Agenda Item Title:

Panera Bread Restaurant Drive-Thru Window
10200 South State Street
[Community #9, South Towne]

Presenter:

Douglas L. Wheelwright

Description/Background:

The applicant, Mr. John Lee, representing ST Mall Owners, LLC and Panera Bread, is requesting that the Planning Commission review and approve a commercial site plan for a new Panera Bread Restaurant with a Drive-up Window, which also requires Conditional Use review. An associated staff report addresses the Site Plan Review application for the restaurant site. The Planning Commission is the land use approval body for this action, as designated in the Sandy City Development Code.

BACKGROUND

The property is currently part of a large property parcel that contains most of the parking spaces for the shopping center anchor tenant Target store and the other commercial shops to the south, including Barnes and Noble. The property owner, ST Mall Owners, LLC, is proposing to create a one-half acre "Pad Site" in the southeast corner of the existing parking lot as the site for this new restaurant. The existing parking lot improvements in this area will be modified and the access driveway that currently connects to the main entrance road for the shopping center (10200 South) will be shifted to the west and reconstructed to accommodate the pad site layout. Because the property is zoned CBD, the site plan must be approved by the Planning Commission. The CBD zone also triggers a requirement that the proposed building be reviewed by the Sandy City Architectural Design Review Committee. The entire area around this site is zoned CBD. The Jordan and Salt Lake Canal property abuts the site on the east, which abuts State Street in this area.

See the attached staff report for additional information.

Recommended Action and/or Suggested Motion:

Staff recommends that the Planning Commission grant the Conditional Use requests to allow "Restaurant, Drive-up Window" land use, 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. Placing the drive-up window on the west side of the building, facing the existing large parking lot, and wrapping the drive-up window queuing isle around the north and west sides of the building, and away from State Street will help mitigate the detrimental impacts of the drive-up window for the restaurant.

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, 15A-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 proceed 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.