



Legislation Text

File #: CUP-07-18-5462(A), **Version:** 1

Agenda Item Title:

7-Eleven Convenience Store Conditional Use for extended business hours to 24/7
711 West 9000 South
[Community #2 - Civic Center]

Presenter:

Doug Wheelwright

Description/Background:

The applicant is requesting that the Planning Commission receive and review new technical information, submitted relative to the reasonably anticipated (potential) detrimental impacts involving noise and light trespass generated by the development. The applicant is requesting that the Planning Commission remove the approval condition from its decision on October 18, 2018, which limited the business hours to 6:00 A.M. to Midnight, and grant the conditional use request for full 24 hour a day, 7 days a week operation. The Planning Commission is the approval body for Conditional Uses.

The applicant is requesting that the Planning Commission review new technical information relative to the anticipated detrimental impacts to the neighboring residential properties, from site activity generated noise and vehicle produced light trespass. The applicant has also proposed two changes to the site plan from the plan presented at the October 18, 2018 Planning Commission meeting. The first change to the site plan includes raising the required 8-foot high masonry buffer wall to 10 feet, extending along the south property line to the west property line. The second change follows the requirement of the Planning Commission, revising the landscape plan for the 10 foot wide landscape buffer strip, along the south property line to a more densely planted evergreen tree buffer.

Recommended Action and/or Suggested Motion:

Staff recommends that the Planning Commission grant the Conditional Use requests to allow extended business hours to 24 hours a day, 7 days a week, 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 five 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, building design, densified landscaping and 10-foot high buffer wall will provide substantial mitigation of reasonably anticipated detrimental impacts of the development upon the abutting residential properties.

C. That the proposed extended business hours 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 abutting residential 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 extended business hours to 24/7 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.
4. That UDOT must allow the right-in-right-out shared driveway on 9000 South Street.
5. That fuel deliveries and the dumping of the trash by commercial trash removal service be limited to 7:00 A.M. to 10:00 P.M.