

PLANNING COMMISSION STAFF REPORT

SUBJECT: Culver's; Preliminary Site Plan and Conditional Use Permit for a Restaurant, Fast Food (General) located at 7697 South 5600 West in a SC-2 (Community Shopping Center) Zone.

SUMMARY: Culver's; 7697 South 5600 West; Preliminary Site Plan and Conditional Use Permit for Restaurant, Fast Food; SC-2 Zone; Mountain Summit Management/Matt Young (applicant) [#23127; parcel 20-25-351-012]

STAFF RECOMMENDATION: Staff recommends that the Planning Commission approve the Preliminary Site Plan and Conditional Use Permit for a Fast Food Restaurant (General) for Culver's restaurant, located at 7697 South 5600 West in a SC-2 zone subject to the approval conditions listed on page 2 of the staff report.

MOTION RECOMMENDED PRELIMINARY SITE PLAN: "I move that the Planning Commission approve the Preliminary Site Plan for a Fast Food Restaurant (General) for Culver's restaurant, located at 7697 South 5600 West South in a SC-2 zone subject to the approval conditions listed on page 2 of the staff report."

MOTION RECOMMENDED CONDITIONAL USE: "I move that the Planning Commission approve the Conditional Use Permit for a Fast Food Restaurant (General) for Culver's restaurant, located at 7697 South 5600 West in a SC-2 zone subject to the approval conditions listed on page 2 of the staff report."

Prepared by:



Ray McCandless
Senior Planner

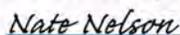
Reviewed by:



Larry Gardner (Feb 23, 2021 10:59 MST)

Larry Gardner, AICP
City Planner

Reviewed by:



Nate Nelson (Feb 23, 2021 11:01 MST)

Nate Nelson
City Engineer

Reviewed by:



Duncan Murray (Feb 23, 2021 11:19 MST)

Duncan Murray
Assistant City Attorney

Preliminary Site Plan, approval conditions:

1. The proposed development shall meet all applicable 2009 City Code requirements.
2. All changes to the site shall be consistent with the Site Plan application.
3. An approved preliminary site plan shall remain valid for one year following the date of the approval.

Conditional Use Permit, approval conditions:

1. Planning Commission approvals do not include Public Safety, Fire, Building and Safety, or Engineering approval.
2. Any appeals to the decision of the Planning Commission may be made to the Board of Adjustment within thirty (30) days pursuant to City Code, Section 15-5-3.

I. BACKGROUND:

The property consists of approximately 1.28 acres of land located at approximately 7697 South 5600 West. The property is currently vacant and is in the Community Shopping Center (SC-2) zoning district.

II. GENERAL INFORMATION & ANALYSIS:

The subject property's surrounding zoning and land uses are as follows:

	Future Land Use	Zoning	Existing Land Use
North	Commercial	SC-2	Commercial
South	Commercial	SC-2	Commercial
East	Commercial	SC-2	Commercial
West	Commercial	SC-2	Commercial

III. FINDINGS OF FACT

Section 13-7E-8: Conditional Use Criteria.

Prior to approving a Conditional Use Permit, the Planning Commission shall make findings on the following criteria and shall have the duty and power to approve, disapprove, and/or require modifications as deemed necessary to carry out the purposes of §13-7E-8 of the Municipal Code.

Criteria 1: *The proposed use is consistent with the intent of the goals and policies of the general plan and the purpose of the zone district in which the site is located;*

Discussion: The site is designated as Community Commercial on the Future Land Use Map in the General Plan. The General Plan states the following concerning Community Commercial:

“Community Commercial - The Community Commercial designation is applied to areas in which shopping centers may be established to satisfy the daily or specialty shopping needs of a community or a group of neighborhoods. The services provided in these districts will normally serve a trade area population of 10,000 to 70,000 people. Medium-scale department stores and supermarkets may be typical uses permitted in Community Commercial districts as anchors, and by a wide range of restaurants, hotels, retail and specialty shops, automobile service stations, and hard goods or soft goods stores.”

A restaurant is consistent with the intent of the Community Commercial land use designation. A restaurant is an appropriate land use for this area.

Goals and policies relating to areas designated as Community Commercial include the following:

- Encourage the creation of planned commercial centers exhibiting the qualities of good design and efficient function. (Page 35)
- Require that all new buildings, additions, and/or façade remodels to commercial developments are reviewed by the Design Review Committee. (Page 37)

The site plan, neighborhood walkability and building elevations were reviewed by the Design Review Committee via e-mail on February 23, 2021. The Design Review Committee recommends approval of the proposed site layout and building design and materials.

As the property will be developed for commercial uses within a commercial zoning district and will be surrounded by commercial land uses, the site is consistent with the goals and policies of the General Plan.

The site is located in the SC-2 zone. The purpose of the SC-2 zone is as follows:

“SC-2 Zone: The community shopping center (SC-2) zone is established to provide an area in which a general shopping center facility can be established to satisfy the specialty shopping needs of a community or a group of neighborhoods. The services provided in an SC-2 zone will normally serve a trade area population of ten thousand (10,000) to seventy thousand (70,000) people. Specialty shops situated in an attractively designed shopping center complex surrounded by appropriate landscaping will characterize the SC-2 zone. A junior department store and a supermarket will characterize uses permitted in the SC-2 zone as anchors, and by a wide range of restaurants, specialty shops, and hard goods or soft goods stores.”

The proposed restaurant creates a more desirable mix of commercial uses near area residents. A restaurant at this location is compatible with adjoining uses and will not create undue noise, intrusive lighting, an excess of parking or traffic through

the area with the conditions of approval as listed on Page 2 of this report. The proposed site plan meets all applicable zoning code requirements.

Finding: The proposed use is consistent with the intent of the goals and policies of the general plan and the purpose of the zone district in which the site is located.

Criteria 2: *The proposed use will not be materially detrimental to the health, safety or general welfare of persons residing or working in the neighborhood of the proposed use or have an adverse effect on the property, adjacent properties, the surrounding neighborhood, or the city as a whole as a result of the type of use or hours of operation;*

Discussion: The proposed commercial use of property will not be detrimental to the health, safety, or general welfare of residents or to adjoining property as this is a commercial use in an established commercial zoning district. The hours of operation are not a concern.

Finding: The proposed use will not be materially detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use or have an adverse effect on the property, adjacent properties, the surrounding neighborhood or the City as a whole as a result of the type of use or hours of operation.

Criteria 3: *The proposed site is adequate in size and shape to accommodate the proposed use and that all requirements for the zone district, including, but not limited to, setbacks, parking, on site circulation, screening, buffering and landscaping are being met;*

Discussion: The proposed site is adequate in size and shape to accommodate the proposed use. All required building setbacks are met.

City Code requires a minimum 15% on-site landscaping for commercial uses. The submitted landscape plan shows 23% or 13,299 sq. ft. of on-site landscaping which meets the minimum landscaping requirements for the proposed use.

Adjoining properties to the east, west and north are commercial. The property to the south is multi-family residential. Traffic circulation is adequate to serve the proposed uses within the building and parking is adequate for the site. The site plan shows 48 parking spaces where 48 spaces required. The drive through lane will accommodate the required 6 stacking spaces.

Finding: The proposed site is adequate in size and shape to accommodate the proposed use and that all requirements for the zone district, including, but not limited to, setbacks, parking, on site circulation, screening, buffering and landscaping are being met provided that the landscaping and fencing is revised as discussed above.

Criteria 4: *The proposed site has adequate access to public streets and highways to carry the type and quantity of traffic which may be generated by the subject use and on site*

circulation is adequate to permit driveways, parking and loading requirements in a manner which is safe and efficient;

Discussion: The site will be accessed from a private street which connects to 5600 West. The private street can adequately serve traffic generated by the proposed development. Driveways, parking and loading areas are adequate for the proposed building.

Finding: The proposed site has adequate access to public streets and highways to carry the type and quantity of traffic which may be generated by the subject use and on site circulation is adequate to permit driveways, parking and loading requirements in a manner which is safe and efficient.

Criteria 5: *The proposed use will ensure compatibility with surrounding uses and will use building materials that are in harmony with the area;*

Discussion: The use is compatible with neighboring and anticipated future land uses. A variety of exterior materials will be used on the building including veneered stone, EIFS and aluminum. The site plan and building elevation drawings were reviewed by the Design Review Committee on February 23, 2021. The Design Review Committee recommend that the Planning Commission approve the site plan, building design and conditional use permit as submitted.

Finding: The proposed use will ensure compatibility with surrounding uses and will use building materials that are in harmony with the area.

Criteria 6: *Adequate conditions or stipulations have been incorporated into the approval of the conditional use permit to ensure that any anticipated detrimental effects can be mitigated.*

Discussion: The conditions of approval included in the recommendation section of this report will be sufficient to mitigate any anticipated detrimental effects.

Finding: Adequate conditions or stipulations have been incorporated into the approval of the conditional use permit to ensure that any anticipated detrimental effects can be mitigated.

Criteria 7: *Where applicable, the proposed use will have appropriate connections to the city water and sewer utility systems, and its water meter and pipe design shall be reviewed by the city engineer with due regard to the public health, safety and welfare.*

Discussion: The Engineering Department has reviewed the plans and does not have any concerns at this time.

Finding: Where applicable, the proposed use will have appropriate connections to the city water and sewer utility systems, and its water meter and pipe design shall be reviewed by the city engineer with due regard to the public health, safety and welfare.

IV. PRELIMINARY/FINAL SITE PLAN FINDINGS OF FACT:

Prior to approving a Preliminary Site Plan, the Planning Commission shall make findings on the following criteria and shall have the duty and power to approve, disapprove, and/or require modifications as deemed necessary to carry out the purposes of §13-7B-4 of the Municipal Code.

Finding A: *The proposed site plan is consistent with the intent of the goals and policies of the general plan and the purpose of the zone district in which the site is located.*

Discussion: This is discussed in Criteria I of the previous section.

Finding: The proposed site plan is consistent with the intent of the goals and policies of the general plan and the purpose of the zone district in which the site is located.

Finding B: *The proposed site development plan's building heights, building locations, access points and parking areas will not negatively impact adjacent properties or the surrounding neighborhood.*

Discussion: The height of the building is 23' which is consistent with the heights other buildings in the area. Parking will be on the east and west sides of the building. No adverse impacts to adjoining properties are anticipated from access points or parking areas.

Finding: The proposed site development plan's building heights, building locations, access points and parking areas will not negatively impact adjacent properties or the surrounding neighborhood.

Finding C: *The proposed development promotes a functional relationship of structures to one another, to open spaces and to topography both on the site and in surrounding neighborhoods.*

Discussion: The site is one of several commercial lots. Future commercial businesses will use shared driveways which will promote a functional relationship between lots. The site is relatively level.

Finding: The proposed development promotes a functional relationship of structures to one another, to open spaces and to topography both on the site and in surrounding neighborhoods.

Finding D: *The height, location, materials, color, texture, area, setbacks and mass, as well as parts of any structure and landscaping, is appropriate to the development, the neighborhood and the community.*

Discussion: This is discussed in Criterion 5.

Finding: The height, area, setbacks and overall mass, as well as parts of any structure and landscaping are appropriate to the neighborhood and the community.

Finding E: *Ingress, egress, internal and external pedestrian and traffic circulation, off-street parking facilities, loading and service areas, and pedestrian ways is designed to promote safety and convenience.*

Discussion: Site access is discussed in Criterion 4 in the Conditional Use Permit findings section.

Finding: The ingress, egress, internal and external pedestrian and traffic circulation, off-street parking facilities, loading and service areas, and pedestrian ways is designed to promote safety and convenience.

Finding F: *The architectural character of the proposed development is in harmony with and compatible to those structures in the neighboring environment and the architectural character desired for the city, avoiding excessive variety or monotonous repetition.*

Discussion: Architectural character of the proposed development is discussed in Criterion 5 in the Conditional Use Permit findings section.

Finding: The architectural character of the proposed development is in harmony with and compatible to those structures in the neighboring environment and the architectural character desired for the city, avoiding excessive variety or monotonous repetition.

Finding G: *Public facilities and services intended to serve the subject development, including, but not limited to, roadways, parks and recreational facilities, schools, police and fire protection, storm water drainage systems, water supplies, wastewater, power and refuse collection are adequate to serve the site.*

Discussion: Public facilities and services are discussed in Criterion 7 in the Conditional Use Permit findings section.

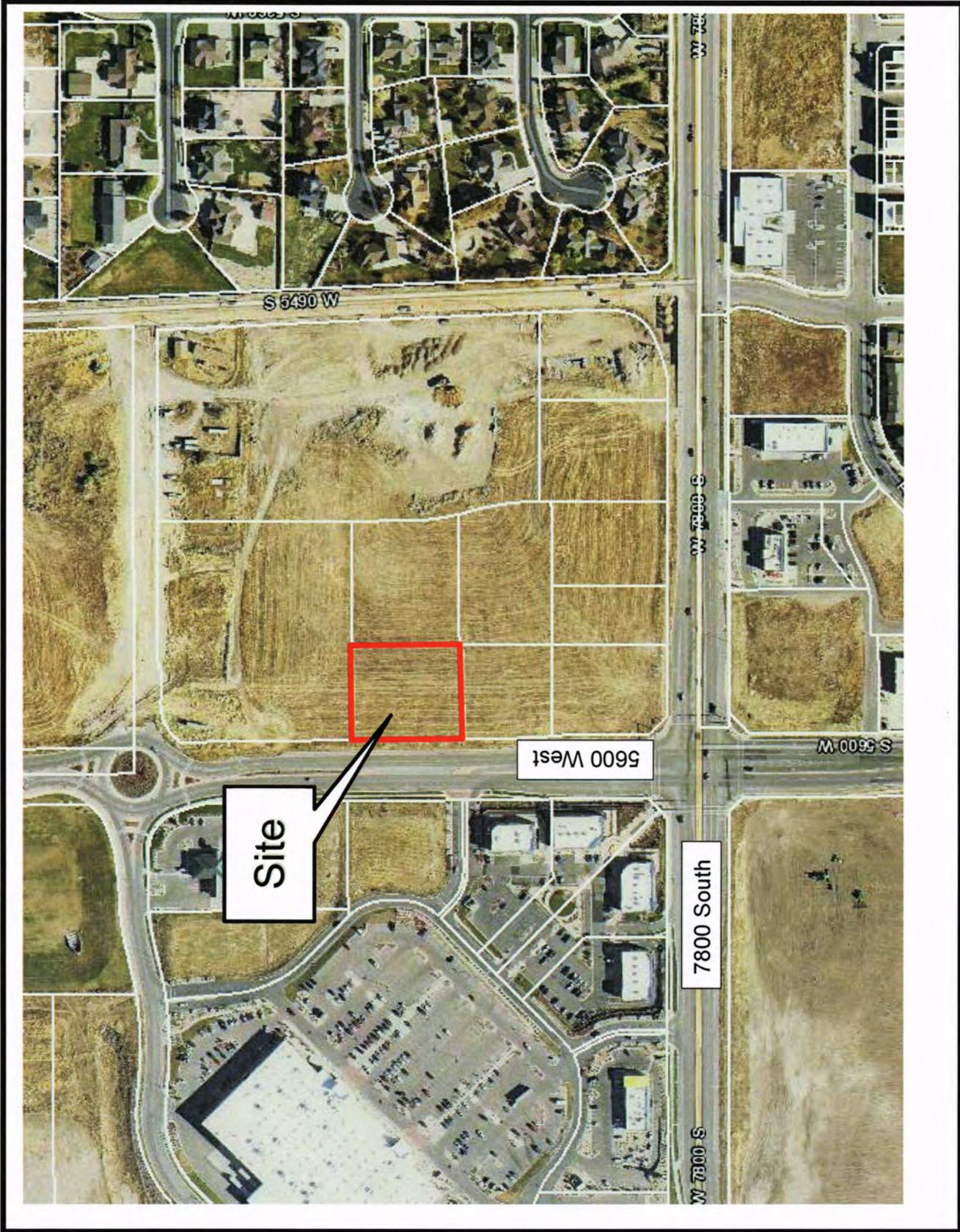
Finding: Public facilities and services intended to serve the subject development, including, but not limited to, roadways, parks and recreational facilities, schools, police and fire protection, storm water drainage systems, water supplies, wastewater, power and refuse collection are adequate to serve the site.

V. CONCLUSION:

Subject to the findings discussed in this report and compliance with all the conditions of approval, all applicable requirements for conditional use permit and preliminary/final site plan approval can be met.

VI. ATTACHMENTS:

- Exhibit A – Vicinity Map
- Exhibit B – Subdivision Plat
- Exhibit C – Zoning Map
- Exhibit D – Future Land Use Map
- Exhibit E – Site Plan
- Exhibit F – Elevations
- Exhibit G– Landscape Plan
- Exhibit H – Applications



Vicinity Map

Exhibit A

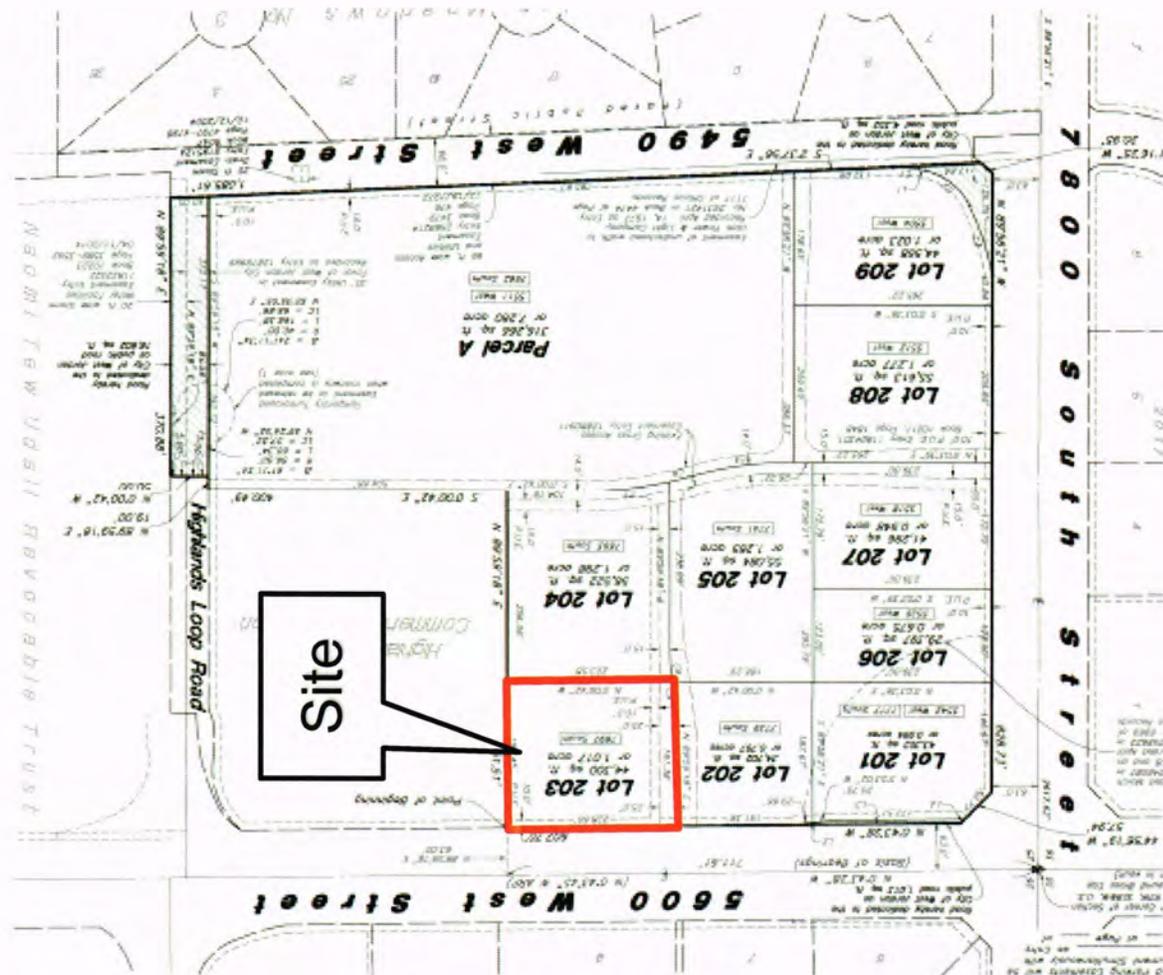
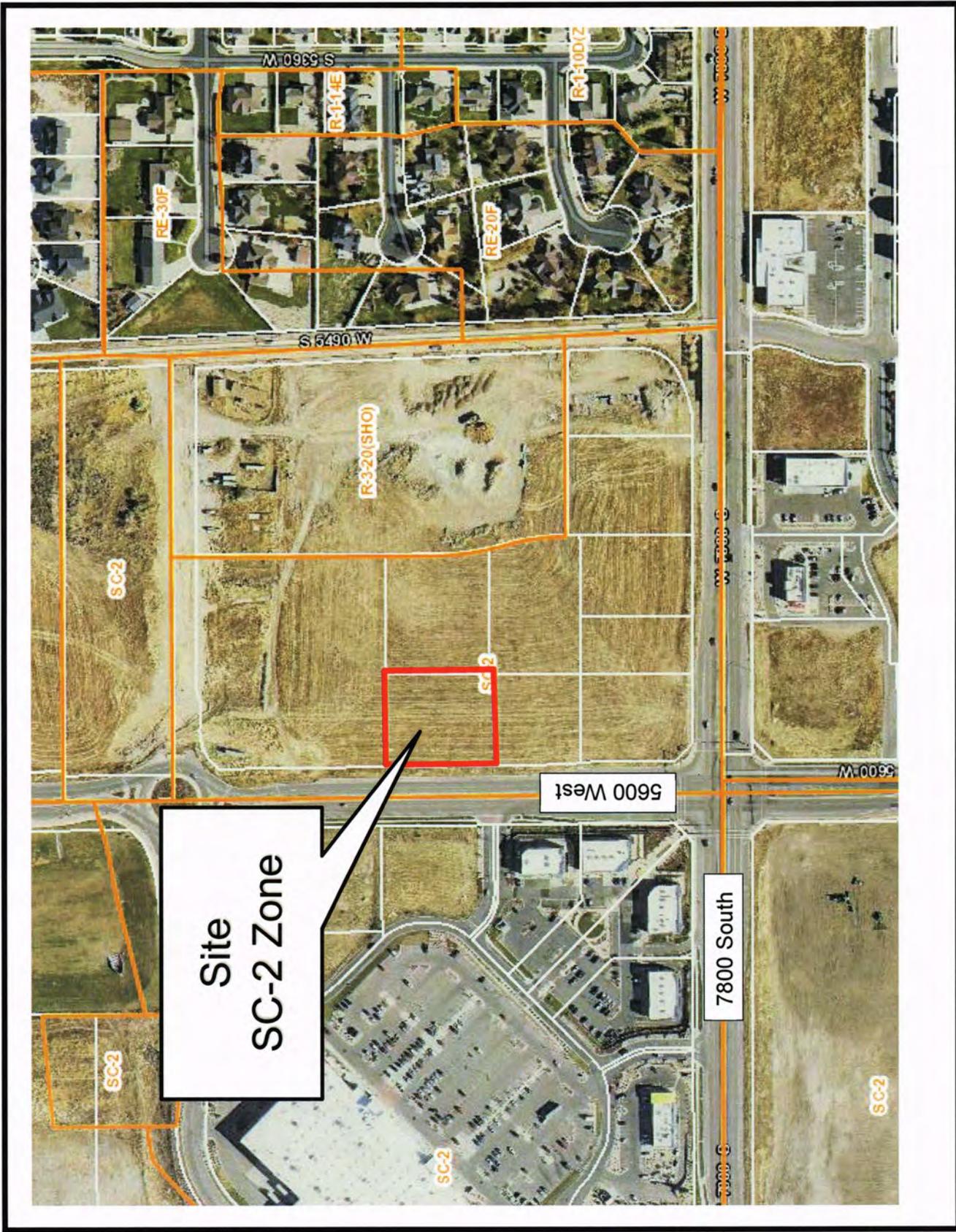
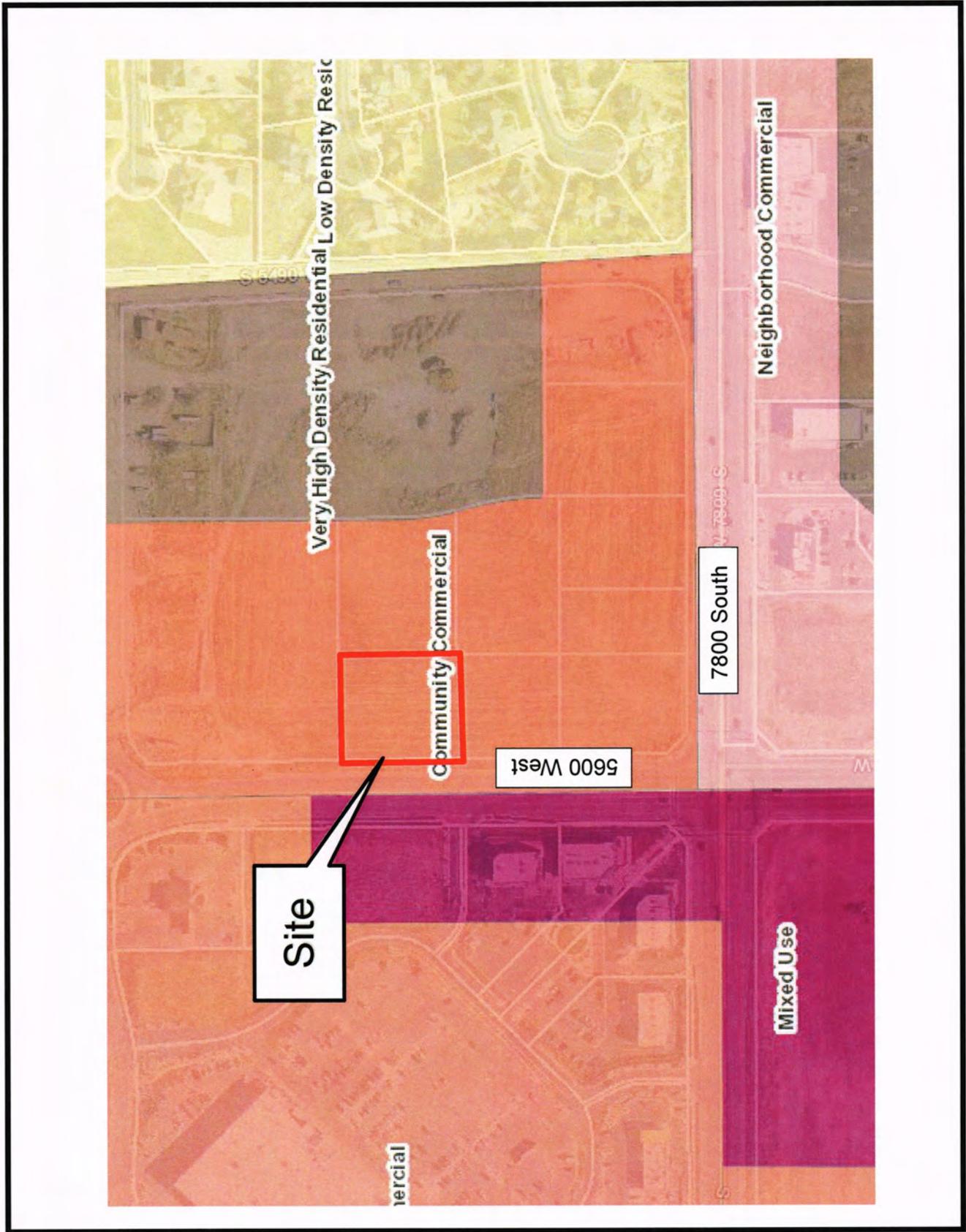


Exhibit B Subdivision Plat



Zoning Map

Exhibit C



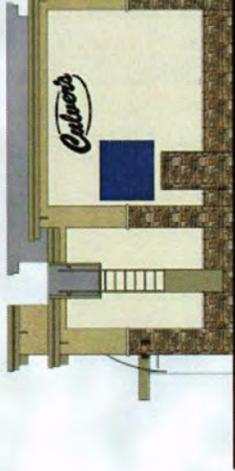

Future Land Use Map
Exhibit D



RIGHT SIDE ELEVATION



FRONT ELEVATION



REAR ELEVATION

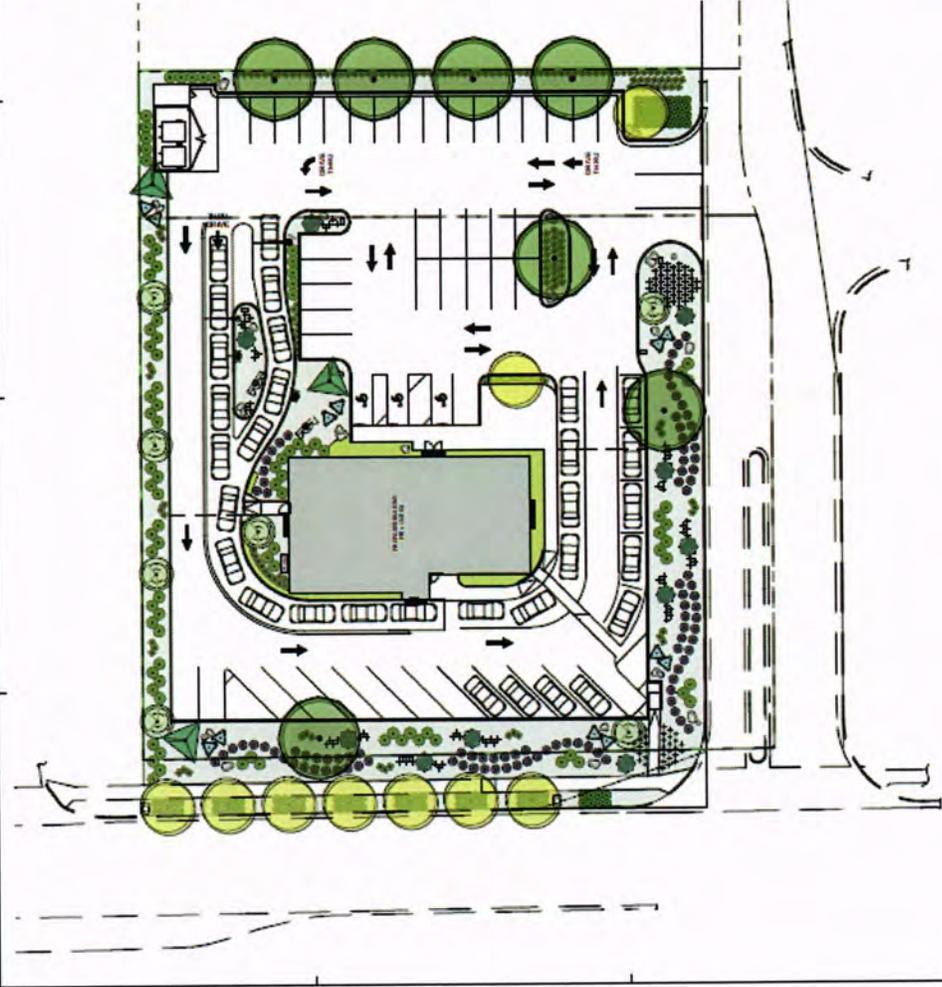


LEFT SIDE ELEVATION

Exhibit F Elevations

PLANT SCHEDULE

SYMBOL	DESCRIPTION	QUANTITY	NOTES
(Symbol)	Plant Name	10	Plant Name
(Symbol)	Plant Name	5	Plant Name
(Symbol)	Plant Name	3	Plant Name
(Symbol)	Plant Name	2	Plant Name
(Symbol)	Plant Name	1	Plant Name



WEST JORDAN CITY DATA
CHAPTER 13-1 LANDSCAPING REQUIREMENTS

PLANT TYPE	MINIMUM SPECIFICATIONS	MINIMUM QUANTITY
SHRUBS
TREES
...

SYMBOLS LEGEND



Exhibit G Landscape Plan





Development Services Application

8000 South Redwood Road, 2nd Floor, South
801-569-5180

ODA@westjordan.utah.gov

Property: Sidwell/Parcel # from SL County: 20-25-300-062-0000 Acreage: 1.285 Lcts: 203A

Approximate Street Address: 7697 S. 5600 W. West Jordan, UT 84081

Project Name: Culvers

Project Location: 7697 S. 5600 W. West Jordan, UT 84081

- Type of Application:
- | | | |
|--|---|---|
| <input type="checkbox"/> Concept | <input checked="" type="checkbox"/> Preliminary | <input checked="" type="checkbox"/> Final |
| <input type="checkbox"/> Agreement | <input type="checkbox"/> Site Plan | <input type="checkbox"/> Temporary Use Permit |
| <input checked="" type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Site Plan Amended | <input type="checkbox"/> Zone Change |
| <input type="checkbox"/> Design Review Committee | <input type="checkbox"/> Subdivision Major | <input type="checkbox"/> Planned Community |
| <input type="checkbox"/> Development Plan | <input type="checkbox"/> Subdivision Minor | |
| <input type="checkbox"/> General Land Use Amendment | <input type="checkbox"/> Subdivision Amended | |

Other: _____

Applicant: Matt Young Company: Mountain Summit Mgmt

Address: 3775 S. Greenbriar Way

City: SLC State: UT Zip: 84109

Phone: 801-884-8363 Cell: _____

Email: mattayoung22@gmail.com

Consultant: Robert Pointer

Address: 8610 S. Sandy Parkway Suite 200

City: Sandy State: UT Zip: 84070

Phone: 801-450-0189 Cell: _____

Email: rob@mcneileng.com

** Property Owner(s):

(1) Name: Matt Young

Address: 3775 S. Greenbriar Way

City: SLC State: UT Zip: 84109

Phone: 801-884-8363 Cell: _____

Email: mattayoung22@gmail.com

(2) Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Cell: _____

Email: _____

** Applicant must identify as a "Property Owner", all holders of any legal title to the Property, if necessary, attach additional page(s) to this Application to identify additional Property Owners.

Application

Exhibit H



Development Services Application

8000 South Redwood Road, 2nd Floor, South
801-569-5182

Kirsti.peterson@westjordan.utah.gov

#23127

Property: Sidwell Parcel # from SL County: 20-25-300-002-0000 Acreage: 1.285 Lots: 203A

Approximate Street Address: 7697 S. 5600 W. West Jordan, UT 84081

Project Name: Culvers

Project Location: 7697 S. 5600 W. West Jordan, UT 84081

Type of Application: Concept Preliminary Final

- Agreement
- Conditional Use Permit
- Design Review Committee
- Development Plan
- General Land Use Amendment
- Site Plan
- Site Plan Amended
- Subdivision Major
- Subdivision Minor
- Subdivision Amended
- Temporary Use Permit
- Zone Change
- Planned Community

Other: _____

Applicant: Matt Young Company: Mountain Summit Mgmt

Address: 3775 S. Greenbriar Way

City: SLC State: UT Zip: 84109

Phone: 801-884-8363 Cell: _____

Email: mattayoung22@gmail.com

Consultant: Robert Poirier

Address: 8610 S. Sandy Parkway Suite 200

City: Sandy State: UT Zip: 84070

Phone: 801-450-0189 Cell: _____

Email: rob@mcnsileng.com

**** Property Owner(s):**

(1) Name: Matt Young

Address: 3775 S. Greenbriar Way

City: SLC State: UT Zip: 84109

Phone: 801-884-8363 Cell: _____

Email: mattayoung22@gmail.com

(2) Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Cell: _____

Email: _____

** Applicant must identify as a "Property Owner", all holders of any legal title to the Property, if necessary, attach additional page(s) to this Application to identify additional Property Owners.

Application

Exhibit H