

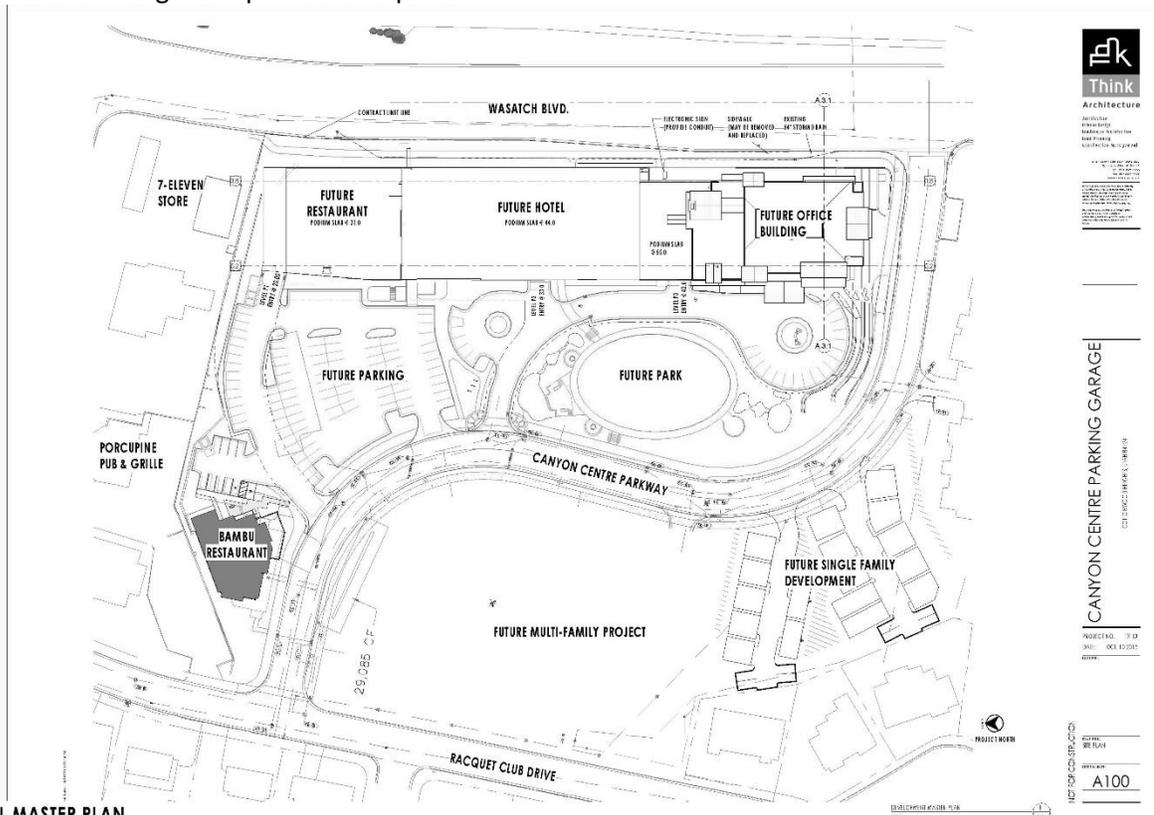
Planning Commission
Meeting Date: March 2, 2016



FILE NUMBER/
PROJECT NAME: CUP-16-002 Canyon Centre Phase III
LOCATION: 7350 S Wasatch Boulevard
REQUEST: Approval of Conditional Use Permit for phase III site plan approval for a restaurant approximately 4,800 s.f. in size on 0.78 acres.
OWNER: Canyon Centre Capital LLC – 801-984-5770
ARCHITECT/
DESIGNER: Think Architecture – Kenney Nichols – 801-269-0055
APPLICANT: Think Architecture – Kenney Nichols – 801-269-0055
RECOMMENDATION: APPROVAL subject to conditions of approval

APPLICANT'S PROPOSAL

The applicant is requesting conditional use approval of the Canyon Centre Phase III site plan for a new restaurant, as part of the overall Canyon Centre mixed-use project on 10.85 acres at 7359 S Wasatch Boulevard. The restaurant use is a conditional use in the Mixed Use zone. Because this property lies within the Gateway Overlay zone, approval from the Architectural Review Commission, and issuance of a Certificate of Design Compliance is required.



OVERALL MASTER PLAN



BAMBU RESTAURANT

CANYON CENTRE



Think
Architecture

ARCHITECT
KIMBERLY
KIMBERLY ARCHITECTURE
1000 PINE
CANYON CENTER, UT 84015

CANYON CENTRE PARKING GARAGE

PROJECT NO. 100
DATE: OCT 15 2015

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A100

BACKGROUND

ZONING

The property is located in the city's Mixed Use (MU) zone. Per Zoning Ordinance chapter 19.36.010, the purpose of the MU zone is as follows:

*"A) The purposes of the MU zone are to provide areas in the city primarily for medium to high density residential mixed-use developments, with commercial, institutional, office and service uses apportioned on-site in a manner sensitive to the street environment and adjacent residential areas; to support an urban village where amenities are focused on a local main street; and to enhance the accessibility of the Fort Union area and the Gateway Overlay District.
B) The MU zone is intended to achieve cohabitation of uses, while ensuring that negative impacts on residents are minimized. The spaces created in the MU zone are intended to encourage a diminished need for motorized travel and shall possess characteristics (accomplished through roads, passages and sidewalks) that serve the needs of pedestrians, bicyclists and motor vehicle users while still allowing casual encounters of human beings at an intimate, or pedestrian, scale."*

The site is also located in the city's Gateway Overlay District zone. The purpose of the Gateway Overlay District is as follows, per 19.49.010:

"[The Gateway Overlay District] sets forth standards for development, redevelopment, and changes in land use along streets designated in as Gateway Overlay Districts on the city's zoning map, to promote design compatibility for all permitted and conditional uses in the underlying districts."

The primary additional requirement of being located in the Gateway Overlay District is that it requires review by the city's Architectural Review Commission (ARC), and that prior to construction the applicant obtain a Certificate of Design Compliance. This Certificate is granted upon a favorable recommendation of site and architectural design by the ARC. The code states, "A certificate of design compliance issued by the ARC shall be required before proceeding with any new development or changes to existing development in a Gateway Overlay District" (19.49.060(C)).

GENERAL PLAN

The General Plan Land Use Map designates the property as Mixed Use. This designation includes mixed use areas that contain a mix of land uses, such as residential, commercial and office within the same area. Land uses in the Mixed Use classification are encouraged to be varied either vertically or horizontally. Additionally, the General Plan references this area as a *Canyon Gateway*. In this designated area (at the base of Big Cottonwood Canyon), special enhancements and efforts to preserve open spaces should be considered as part of any project. The overall master plan, in general, maintains significant open spaces in the center of the project. Phase III on its own, includes more than twice the 15% amount of required landscaping/open space, by providing 35% landscaping/open space for the site.

SITE AND AREA CONTEXT

The property is located on the west side of Wasatch Boulevard, just south of Fort Union Boulevard, directly south of commercial property fronting on Fort Union Boulevard. The property is 10.85 acres. The east side of the property is adjacent to Wasatch Boulevard, and the west side of the property is

adjacent to Racquet Club Drive. The site is surrounded by commercial and office uses to the north, by single-family residential neighborhoods to the west, by vacant property in the city's Public Facilities (PF) zone to the east (across Wasatch Blvd), and by multi-family residential housing to the south.

ADJACENT USES

- North: retail commercial and office buildings – Regional Commercial (CR) zone
- South: multi-family residential units – Residential Multi-Family (RM) zone
- East: vacant – Public Facilities (PF) zone
- West: single-family residential neighborhood – Residential Single Family (R-1-8) zone

SITE HISTORY

The subject property was used as the Canyon Racquet Club prior to the site being razed in 2008. Since that time, the property has been vacant. The applicant and the city's redevelopment agency (CDRA) have established a Community Development Area (CDA) on the site in 2011 that allows the developer to use tax increment financing to help fund the public improvements of the project. In 2013, the city granted conditional use approval of Phase I of the Canyon Centre project, which consisted of the construction of a parking garage on the east side of the property and an office building located on top of the parking garage at the southeast corner of the property. The approval of phase I was appealed to and upheld by the Cottonwood Heights Board of Adjustment. The project was further appealed to District Court and is currently pending.

DEVELOPMENT INFORMATION SUMMARY

BAMBU RESTAURANT:

- Existing Use: Vacant
- Proposed Use: Restaurant
- Parcel Size: 33,907 square feet
- Building Size: Approximately 4,829 square feet
- Building Height Allowed: Two stories, or 35' from historic grade, whichever is less (the planning commission)
- Building Height Provided: 25' to the tallest building form, with a 4' chimney extension.
- Parking Required: 33 stalls
- Parking Provided: 33 stalls
- Landscaping Required: 15% (5,086 square feet)
- Landscaping Provided: Excess of 35% (11,880 square feet)
- Front Yard Setback Required: 20 feet
- Front Yard Setback Provided: 20 feet
- Side Yard Setback Required: 10 feet
- Side Yard Setback Provided: 90 feet±
- Rear Setback Required: 10 feet
- Rear Setback Provided: 10 feet

ARCHITECTURE REVIEW COMMISSION (ARC)

The ARC reviewed all three components of this application at its meeting on February 24, 2016. The commission discussed site layout, architecture and landscaping. The ARC recommended approval of the

project to the planning commission and issued a Certificate of Design Compliance for the project, subject to the following conditions of approval:

1. Ensure that architecture style remains consistent with architecture approved with the overall master plan
2. Ensure that landscaping remains consistent with landscaping approved with the overall master plan

IMPACT ANALYSIS

STRUCTURE HEIGHT

Per the Cottonwood Heights zoning ordinance chapter 19.76.030.D, structure height is measured as follows:

D. Structure height – Vertical measurement

1. Structure height shall be measured by taking the average vertical distance measured at the four corners of the main structure. This measurement shall be taken from the original natural grade of the lot to the highest point of the roof structure. In cases where the four corners of the structure are not explicitly clear, the city's building official and the director shall designate the four corners of the structure.

3. Original ground surface shall be the elevation of the ground surface in its natural state before any manmade alterations such as, without limitation, grading, excavation or filling, excluding improvements required by zoning or subdivision ordinances. When the elevation of the original ground surface is not readily apparent because of previous manmade alterations, the elevation of the original grade shall be determined by the director using the best information available.

Consistent with Phase I of the Canyon Centre project, historic grade was determined by to be the previous approved site grading of the last use on the property (i.e. Canyon Racquet Club).

In the MU zone, building/structure height is limited as follows, per 19.36.050:

19.36.050 Maximum height of structures

Structures in an MU zone shall not exceed a height of two stories, or 35 feet, whichever is less.

The planning commission, after receiving favorable recommendation from the DRC, may increase the maximum height of a structure in an MU zone to no more than three stories, upon a finding that such increased height will not adversely affect the public health, safety or welfare.

Since the property is located in the Gateway Overlay Zoning as well, further restriction on structure height is made in 19.49.060.F, which states, "In no case shall structure height exceed 45 feet in the Gateway Overlay District."

The proposed development is located on a lot that contains a relatively flat building envelope. The existing grade has been established and height will be measured from that point. The proposed restaurant is a single-story structure, with only architectural elements that extend above that first story. The highest point of the main part of that structure is 25 feet, with the chimney extending an additional 4 feet. No portion of the building, or appurtenances, will reach or exceed the allowed height of 35 feet.

TRAFFIC

The proposed Phase III use is accessed from Canyon Centre Parkway, a two-lane road with landscaping along each side. This site was considered as part of the study of the overall master plan, and is not anticipated to exceed the expected overall trip generation of the site from the originally approved traffic study.

PARKING

The total number of required parking stalls for this development is calculated using the 3rd Edition ITE Parking Generation manual. Using the requirement of .33 stalls per seat, a total of 33 stalls is required. The proposal includes 33 stalls, all contained on site as surface parking.

FIRE

As part of final approval, Unified Fire Authority (UFA) has reviewed the preliminary plans, made recommendations included in this report, and will review the final plans and work with the applicant and city staff to ensure compliance with the International Fire Code. All building permits will be reviewed by UFA officials for code compliance.

ATTACHMENTS

1. Conditions of Approval
2. Context Aerial
3. Land Use Map
4. Zoning Map
5. Site / Landscape Plan
6. Elevations
7. Sample Motions

STAFF: Glen Goins, Senior Planner, 801-944-7065

CONDITIONS OF APPROVAL

Staff recommends APPROVAL, subject to the following conditions:

Engineering

1. Planning Set is incomplete and a full construction plan set must be submitted for city review.
 2. Plans must include a site plan showing all existing features on site. Include existing concrete wall and any other existing features.
 3. Documentation about the existing storm water treatment system and design treatment rate must be submitted to the city engineer for review and approval. Documentation about existing and future storm water flow entering treatment system from all Canyon Centre phases must also be submitted.
 4. Proposed roadway improvements including ADA ramps, Curb & Gutter, sidewalk, fencing, and all other improvements must be labelled. Include detail sheets for all proposed improvements.
 5. An ADA Ramp at Racquet Club Drive and Canyon Centre Intersection must be included.
 6. Detailed elevation data including RIM/INV elevation for all proposed storm drain facilities must be provided.
 7. Size of proposed inlets boxes and reference details must be labelled.
 8. Tie-in elevations for all curb & gutter matching the existing TBC must be shown.
 9. ADA ramps and detectable warnings at all proposed intersections must be labelled.
 10. Construction details for all proposed improvements, including, sidewalk, ADA Ramps, driveways, street lights, landscaping, storm drain improvements, and all other improvements must be submitted. All proposed improvements must meet APWA 2012 standards.
 11. All on-site parking lot striping and drive approaches must be labelled.
 12. A 2 % grade away from all proposed building in all directions must be maintained.
 13. The system must be designed to prevent cumulative aggregation of storm water flows between lot lines and adjacent properties.
 14. Saw cut boundaries and pavement design for utility installation on Canyon Centre Parkway must be shown, matching existing asphalt thickness on Canyon Centre.
 15. Storm drain calculations using NOAA IDF Curve – Cottonwood Weir, Utah (42-1759) from NOAA Atlas 14 must be submitted.
- Identify all drainage areas that will contribute to storm water flows, both on-site and off-site.
 - Show all upstream contributing basin areas, including calculations and analysis for the peak runoff entering the site.
 - Storm water detention shall be designed to detain a 100-year 24-hour storm event. Design detention pond with a controlled release of storm water into city approved drainage facilities at a rate no greater than 0.2 cubic feet per second per developed acre outside of sensitive lands overlay zone, and 0.1 cubic feet per second per developed acre inside sensitive lands overlay zone. Provide calculations for detention storage.
 - Submit calculations for sizing of orifice.
 - Submit calculations for storm water treatment sizing.

16. A Storm Water Pollution Prevention Plan per the Utah Department of Environmental Quality Template must be submitted.
 - a. Include an erosion control plan with BMP's that best address sediment and erosion control (i.e. inlet protection, concrete washout, silt fences, stabilized entrance, temporary sedimentation pond).
 - b. Complete and submit a notice of intent (NOI) to the Utah Division of Water Quality, prior to commencement of construction activities. Please submit a copy of the NOI to Cottonwood Heights.
 - c. Provide SWPPP details on erosion control plan including an inspection schedule. Show inspections must occur after every major storm event and on a weekly basis.
17. The developer shall provide letters of approval from the following:
 - a. Salt Lake City Department of Public Utilities
 - b. Cottonwood Improvement Sewer District
18. A construction cost estimate breakdown for the bond for public improvements that will be dedicated to the city shall be prepared and submitted.

Submit the following for all retaining walls greater than four feet in exposed height:

1. Label each retaining wall on site plan for reference to retaining wall calculations and submittals.
2. Material strength parameters used in the design of the retaining wall must be based on separate geotechnical report.
3. Tiered retaining walls are considered a single structural unit unless the tiered walls are horizontally offset by a minimum distance of two times the exposed wall height of the lower wall. Show horizontal distance between the tiered retaining walls.
4. Submit cross-sectional drawings including surface grades and structures located in front of and behind the retaining wall. If the wall is supporting a slope, then the cross-section shall include the entire slope plus surface grades and structures within a horizontal distance equivalent to one times the height of the slope.
5. Include drainage design, including a free-draining gravel layer wrapped in filter fabric located behind the retaining wall with drain pipe day-lighting to a proper outlet or weep holes placed through the base of the wall.
6. Submit design calculations ensuring stability against overturning, base sliding, excessive foundation settlement, bearing capacity, and internal shear and global stability as follows:
 - a. If geogrids are used, additional calculations for pullout, tensile overstress, internal sliding, facing connection and bulging shall be completed, and other calculations used to meet design standards for that particular material are required;
 - b. The design engineer shall indicate the design standard used and supply a printout of the input and output of the files in an appendix;
 - c. Calculations shall include analysis under static and seismic loads, which shall be based on the characteristic earthquake or maximum credible earthquake (MCE), with spectral acceleration factored for site conditions in accordance with the IBC;
 - d. Rock walls shall be designed in general accordance with the 2006 FHWA- CFL/TD-06-006 "Rockery Design and Construction Guidelines;" and

- e. Concrete cantilever walls shall be designed in general accordance with specifications provided in current American Concrete Institute or American Society of Civil Engineers publications;
- f. A global stability analysis demonstrating minimum factors of safety of a least 1.50 under static conditions and at least 1.1 under seismic loading.

Fire

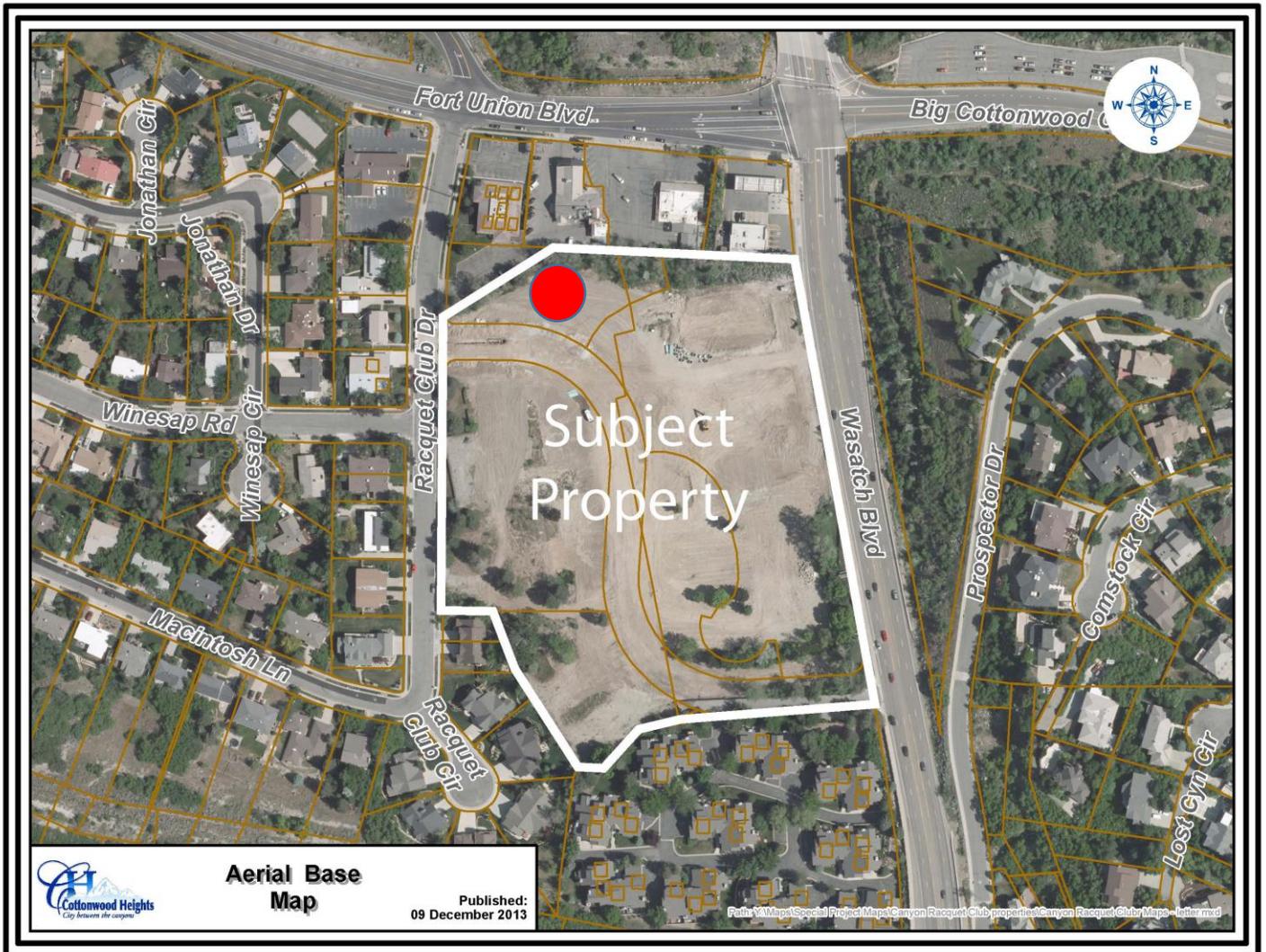
1. If the structure is over 5,000 square feet or occupant load is 100 or more, an Automatic Fire Sprinkler System shall be installed. If an Automatic Fire Sprinkler System is installed a fire hydrant is required to be within 100 feet of FDC.
2. Fire flow verification is required.

FINDINGS

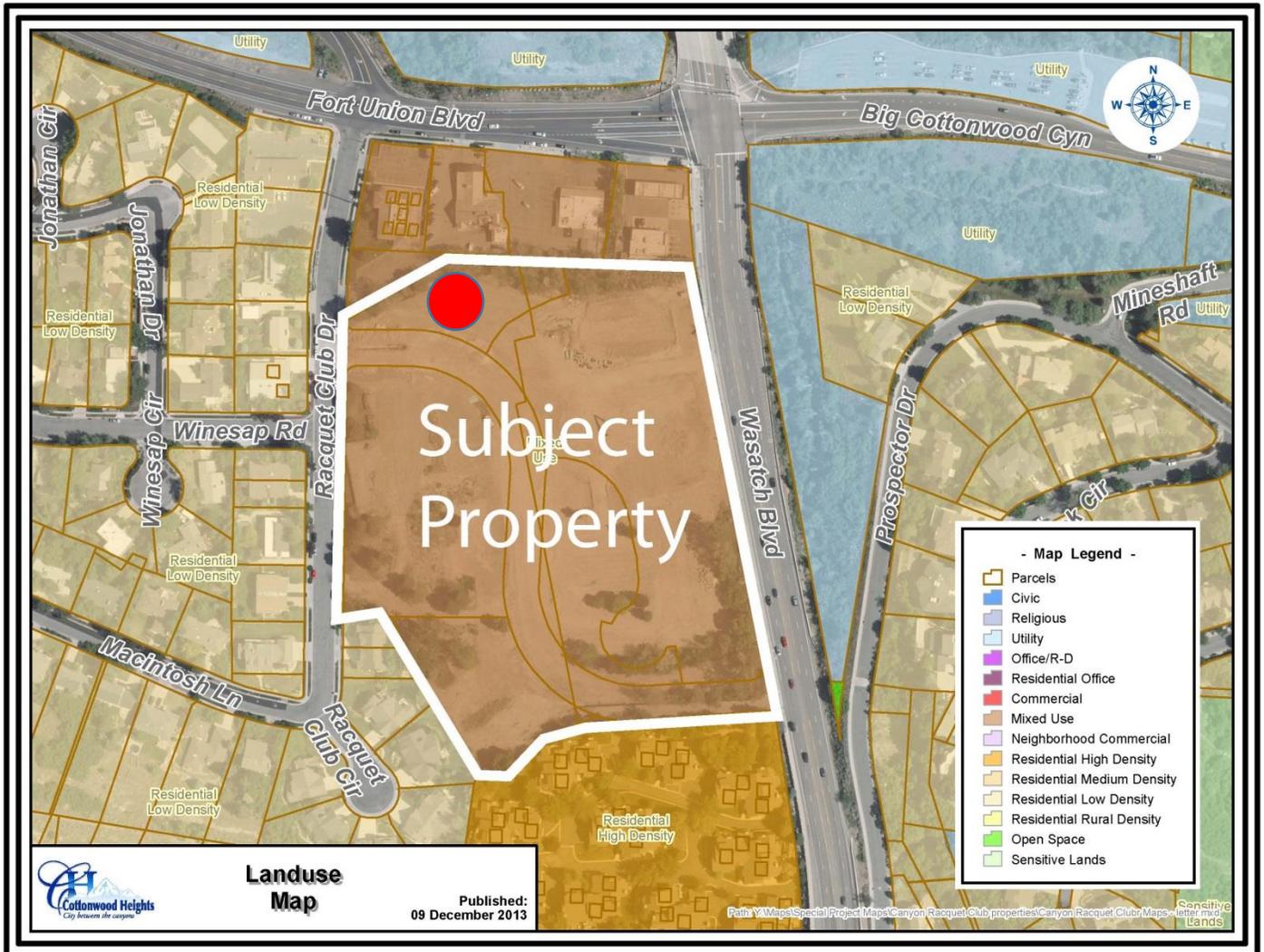
Approval of Canyon Centre Phase II, application CUP 16-002 is based on the following findings:

1. The Bambu restaurant building is appropriate in size, design and scale, with the conditions proposed.
2. The use of the restaurant is compatible with the Canyon Centre project and surrounding area, given the proximity of another restaurant directly adjacent to the north of the subject property, adequacy of on-site parking, and the proposed building entrance orientation, facing Canyon Centre Parkway.
3. The uses proposed in the project are consistent with those allowed in the Mixed Use Zone.
4. The uses will not, under the circumstances of the particular case, be detrimental to the health, safety, comfort, order or general welfare of persons residing or working in the vicinity;
5. That the use will comply with the intent, spirit, and regulations of this title and will be compatible with and implement the planning goals and objectives of the city;
6. That the use will be harmonious with the neighboring uses in the zoning district in which it is to be located;
7. That nuisances which would not be in harmony with the neighboring uses, will be abated by the conditions imposed;
8. That protection of property values, the environment, and the tax base for the city will be assured;
9. That the use will comply with the city's general plan;
10. That some form of a guaranty assuring compliance to all imposed conditions will be imposed on the applicant or owner;
11. That the internal circulation system of the proposed development is properly designed;
12. That existing and proposed utility services will be adequate for the proposed development;
13. That appropriate buffering will be provided to protect adjacent land uses from light, noise and visual impacts;
14. That architecture and building materials are consistent with the development and surrounding uses, and otherwise compatible with the city's general plan, subdivision ordinance, land use ordinance, and any applicable design standards;
15. That landscaping appropriate for the scale of the development and surrounding uses will be installed in compliance with all applicable ordinances.
16. That the proposed use preserves historical, architectural and environmental features of the property; and
17. That operating and delivery hours will be compatible with adjacent land uses.

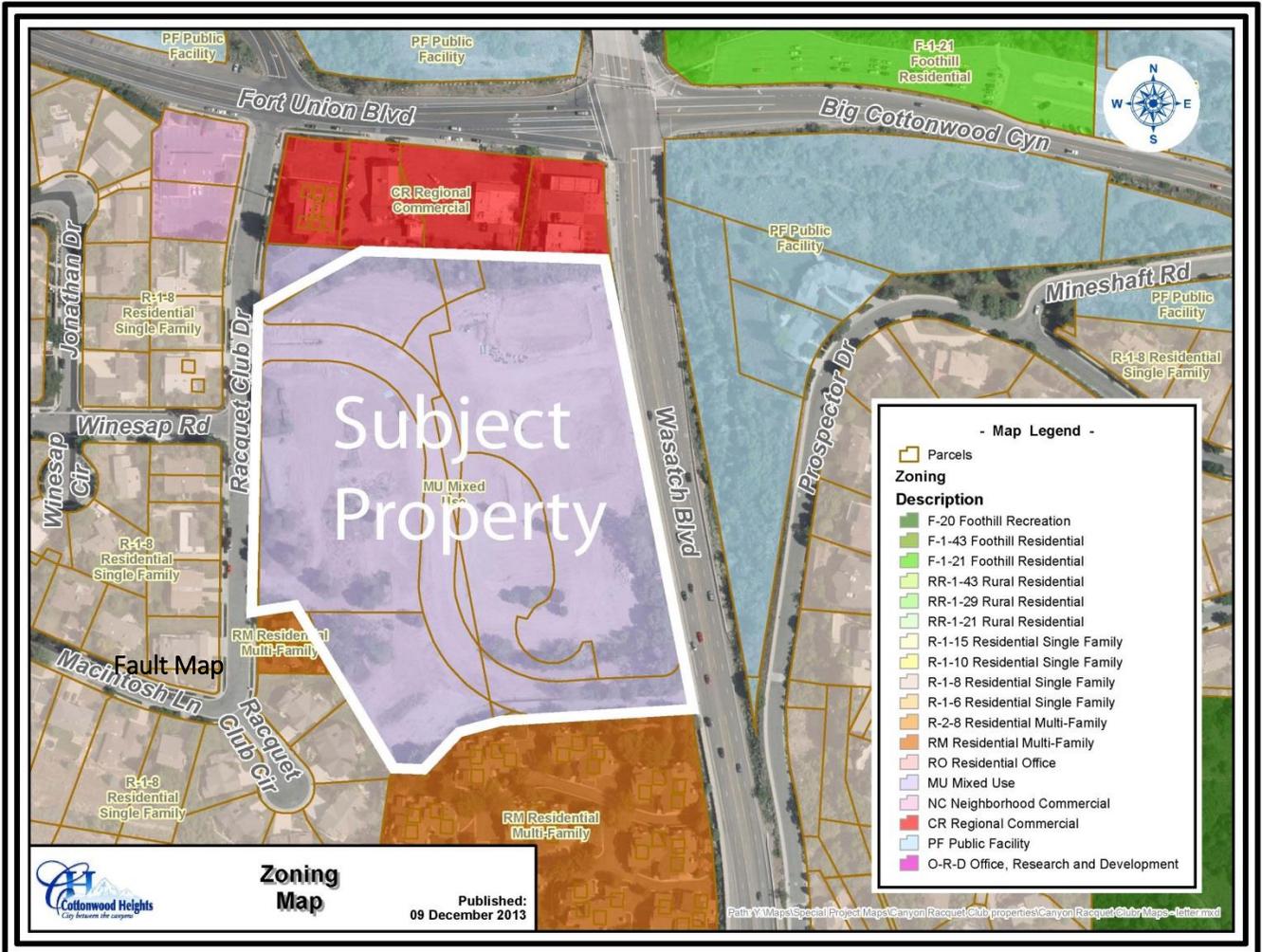
CONTEXT AERIAL



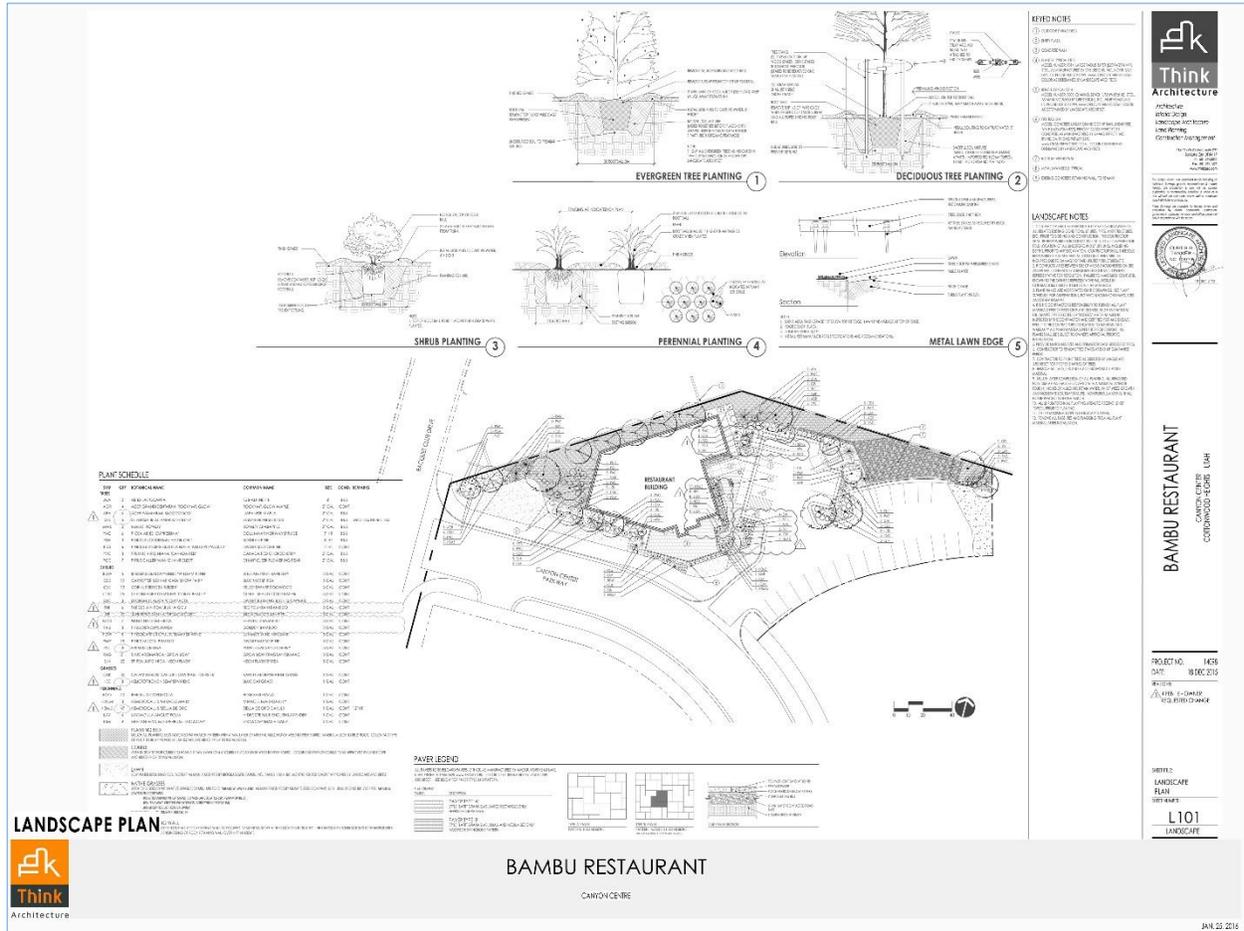
LAND USE MAP



ZONING MAP



PHASE III LANDSCAPING / SITE PLAN



ELEVATIONS



SAMPLE MOTIONS

Approval

I recommend approval of CUP-16-002, application for site plan and conditional use approval of Canyon Centre Phase III, a mixed-use project located at 7350 S Wasatch Boulevard. I recommend conditional use approval of the restaurant, subject to the following additional conditions:

- List additional conditions of approval and findings.

Denial

I recommend denial of CUP-16-002, application for site plan and conditional use approval of Canyon Centre Phase III, a mixed-use project located at 7350 S Wasatch Boulevard, based on the following findings:

- List findings for denial.