

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 4/12/2022

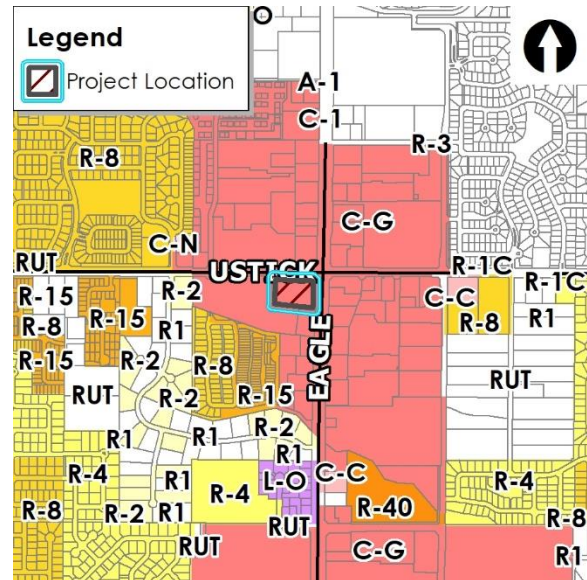
TO:

Mayor & City Council

FROM: Joseph Dodson, Associate Planner
208-884-5533

SUBJECT: H-2021-0104
Eagle Crossing MDA

LOCATION: 3117 E. Ustick Rd.
The project encompasses 4 existing lots located at the southwest corner of S. Eagle Road and E. Ustick Road, in the NE ¼ of the NE ¼ of Section 5, Township 3N., Range 1E



I. PROJECT DESCRIPTION

Modification to the existing Development Agreement (Inst. #2019-121599) for the purpose of updating the existing concept plan.

II. APPLICANT INFORMATION

A. Applicant:

Taylor Lindsley, Wadsworth Development Group – 166 E. 14000 S., Suite 210, Draper, UT 84020

B. Owner:

Wadsworth Meridian, LLC – 166 E. 14000 S., Suite 210, Draper, UT 84020

C. Representative:

Same as Applicant

III. NOTICING

	City Council Posting Date
Legal notice published in newspaper	3/6/2022
Radius notice mailed to properties within 500 feet	3/7/2022

Public hearing notice sign posted	3/31/2022
NextDoor Posting	3/08/2022

IV. STAFF ANALYSIS

Property History –

Property was annexed and zoned in 2005 (Sadie Creek Commons, AZ-05-052). In 2019, a DA Modification was approved to remove the subject site from the original DA to enter into a new one specific to this site (H-2019-0082, DA Inst. #2019-121599). Pre-plat approval was granted in 2021 to subdivide property into 5 lots (H-2020-0104). Other administrative approvals have been granted on the subject site: A-2019-0376 & A-2021-0010 (CZC for parking lot, landscaping, and other relevant site improvements); A-2021-0012 (CZC and Design Review approval of the southwest multi-tenant building); PBA-2021-0020 (boundary adjustment to remove a lot along the north boundary creating 4 buildable lots instead of 5).

Development Agreement Modification –

The existing concept plan within the approved Development Agreement (DA) (Inst. #2019-121599) depicts four buildings on the subject site (Exhibit VI.A below) with the two closest to the north boundary and Ustick Road being multi-tenant buildings or similarly sized commercial buildings. Since this concept plan was approved the property has changed ownership and according to the new owners, the existing concept plan is not best suited for site development. Therefore, the Applicant is requesting to modify the existing DA for the purpose of updating the concept plan to show two drive-through uses along the north boundary instead of two larger commercial buildings.

None of the existing provisions contained within the recorded DA preclude additional drive-through uses from occurring on the property—the approved multi-tenant building in the southwest corner of the site is approved with a drive-through. Because of this existing drive-through approval, the request would conceptually allow three (3) drive-throughs within this project. The two (2) new drive-throughs shown on the updated conceptual development plan will need to obtain Conditional use Permit (CUP) approval prior to submitting for building permits because of the existing drive-through noted. Staff does not have specific comments on the site plans of each drive-through but notes that revisions to their individual circulation patterns may occur with the future CUP applications. In addition, the proposed concept plan shows a reduction in commercial square footage because the drive-through restaurants are smaller than the currently shown multi-tenant buildings and propose a more car dominant development than currently shown on the concept plan.

Access to the development is existing via a drive aisle connection to a shared driveway from E. Ustick Rd. approved with the Villasport project (H-2018-0121) along the west boundary of the site and a recorded cross-access easement via N. Centrepont Way, N. Cajun Ln. and E. Seville Ln. The Applicant is not proposing any revisions to the ingress/egress for the overall site but access to Centrepont Way to the west is indirect until such time the property to the west develops. Within the site, preliminary analysis shows that there should be ample parking for the four (4) proposed buildings and their uses (four restaurants and one urgent care/clinic) and internal circulation shown on the concept plan should meet all requirements of the UDC. Should Council determine additional drive-through uses on the subject site are warranted, the subject DA Modification should be approved.

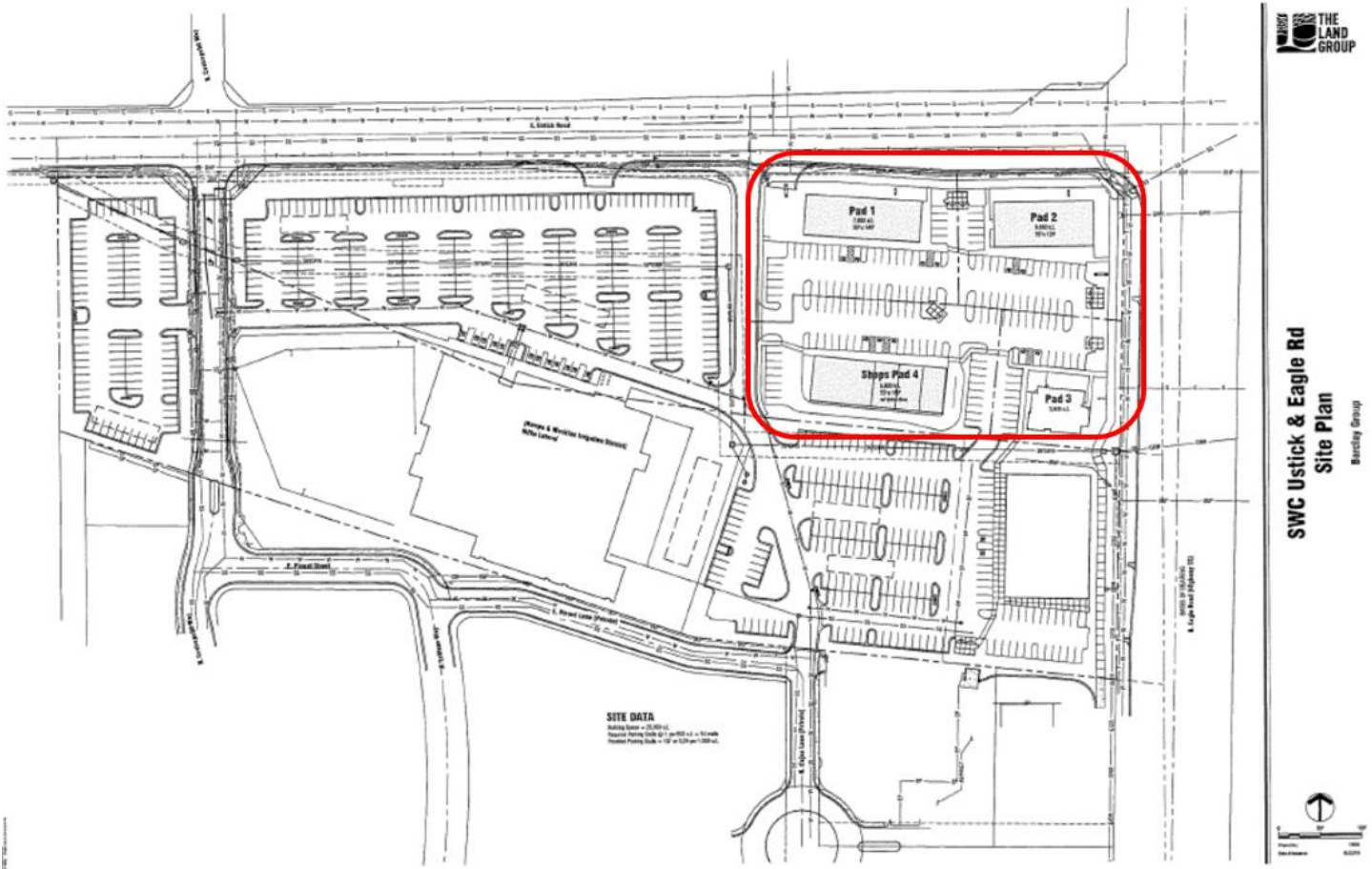
V. DECISION

A. Staff:

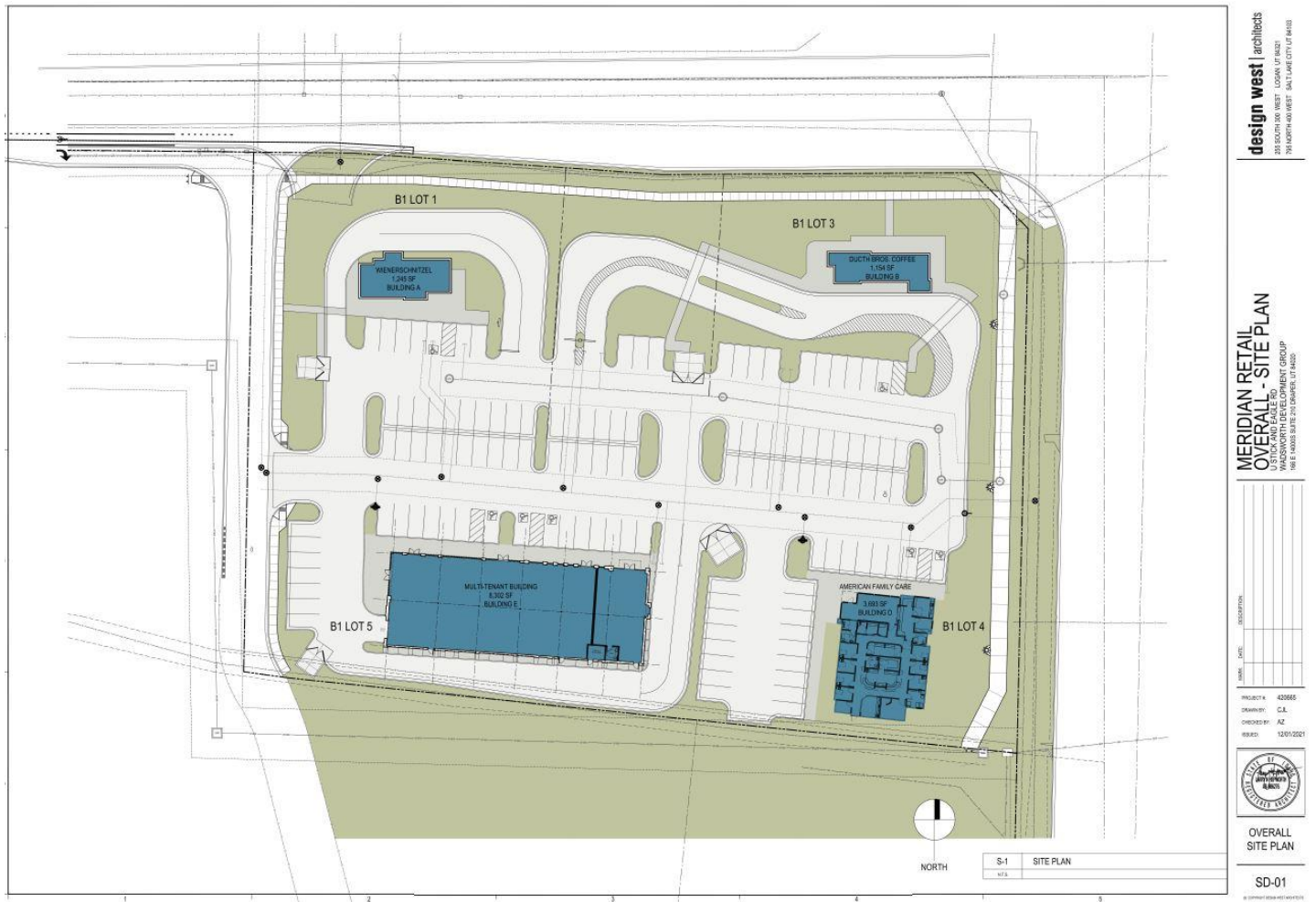
Staff recommends approval of the proposed MDA per the provisions in Section VI.

VI. EXHIBITS

A. Existing Conceptual Development Plan



B. Proposed Conceptual Development Plan –



C. Proposed Revisions to the existing Development Agreement Provisions –

1. Future development of this site shall substantially comply with the updated conceptual development plan and provisions contained herein.
2. Owner/Developer shall adhere to all previous conditions of approval associated with this site including but not limited to: H-2020-0104; A-2019-0376; A-2021-0010; A-2021-0012; PBA-2021-0020.
3. Any future drive-through establishment use shall obtain Conditional Use Permit (CUP) approval prior to submittal for any other applications with the City, per UDC 11-4-3-11.
4. The applicant shall be responsible for all costs associated with the sewer and water service extension and hook-up to City services.
5. Any existing domestic wells and/or septic systems within this project shall be removed from their domestic service, per City Ordinance Section 5-7-517; wells may be used for non-domestic purposes such as landscape irrigation.
6. ~~Future development of this site shall substantially comply with the conceptual development plan and provisions contained herein.~~
7. The Developer shall ~~record a~~ maintain the recorded cross-access/ingress-egress easement to the adjacent properties to the west ~~and south~~ (Parcel # S1105110111, Inst. #106169335 ~~S1105110110 & S1105110120~~). ~~A copy of the recorded easement(s) shall be submitted to the Planning Division with the first development application for the site.~~
8. Future development shall comply with the structure and site design standards listed in UDC 11-3A-19 and the design standards listed in the Architectural Standards Manual.
9. ~~A 10 foot wide multi-use pathway with a public use easement and pedestrian lighting and landscaping shall be installed adjacent to N. Eagle Rd./SH 55 as set forth in UDC 11-3H-4C.3.~~