

**Sandy City Public Hearing
Taylor Dental Rezone
ZONE-3-15-4241**

Notice is hereby given of a public hearing to be held in the Sandy City Hall, City Council Chambers, 10000 Centennial Parkway (170 West), Sandy, Utah, before the **Sandy City Planning Commission** on **Thursday, May 7, 2015, at approximately 6:15 p.m.** to consider a request by Dr. Glen Taylor, DDS requesting that the Planning Commission consider a request to **rezone** approximately 0.29 acres of **property** from the R-1-8 “Single-Family Residential District” to the CN “Neighborhood Commercial District”. The subject property is located at approximately 675 East 9950 South Street, which is the northwest corner of the intersection of 9950 South Street and 700 East Street. If approved by the City, rezoning would allow for this property to be combined with the adjoining property located at 9924 South 700 East Street (which is currently zoned CN “Neighborhood Commercial”), and be developed as a dental practice office for Dr. Taylor.

If you have questions or comments concerning this proposal, please attend this Planning Commission Meeting or please call Doug Wheelwright, Development Services Manager at 801-568-7255 or by email at: dwheelwright@sandy.utah.gov, and your comments or concerns will be forwarded to the Commission, upon your request.

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| .Posted | April 20, 2015 | Sandy City Hall Sandy Parks & Recreation Salt Lake County Library - Sandy Sandy City Website (http://www.sandy.utah.gov) Utah Public Notice Website (http://pmn.utah.gov) |
| Published | April 23, 2015 | Salt Lake Tribune |

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The subject property is currently zoned R-1-15 in Salt Lake County. The R-1-15 Zone allows single family dwellings on minimum 15,000 square foot lots. In general, when Sandy City annexes a property into the City from Salt Lake County we have always been sensitive to what the property was zoned in the County. In most cases we have been able to zone property to a comparable zone as we annex them into the City. As we have done this we have taken into account the existing properties that are adjacent to the area being annexed and try to assure that the annexed area is compatible with the existing area.

As we annex these parcels into Sandy City, staff is recommending that they be zoned R-1-15. Staff feels that the R-1-15 Zone is appropriate for these parcels.

It is recommended that the Fairbanks Annexation be approved and zoned R-1-15 based upon the following findings:

1. The area is contiguous to the Sandy City boundary (three sides).
2. The properties are located within an area designated in the Sandy City General Plan for incorporation.
3. The City is presently providing culinary water, fire service and emergency medical service to this area.
4. The City can provide a high level of other municipal services to these properties.
5. The R-1-15 Zone is appropriate for these parcels based upon the surrounding land uses.

James Sorensen presented this item to the Planning Commission.

Acting Chairman Nancy Day opened this item to public comment and there was none.

Jared Clayton moved that the Planning Commission recommend to the City Council that the Fairbanks Annexation be approved and zoned R-1-15 based on the 5 findings outlined in the staff report.

Gayle Willardson seconded the motion. The vote was as follows: Jared Clayton, yes; Gayle Willardson, yes; Ron Mortimer, yes; Scott Sabey, yes; Joe Baker, yes; Nancy Day, yes. The vote was unanimous in favor.

2. **Taylor Dental Rezone, Residential R-1-8 to Neighborhood Commercial CN**
675 East 9950 South [Community #5]

ZONE-3-15-4241

Dr. Glen Taylor, DDS, representing Hansen Property Investments whom is the property owner, requested to rezone approximately .29 acres from the R-1-8 "Single-Family Residential District" to the CN "Neighborhood Commercial District." The subject property is located at approximately 675 East 9950 South. The resulting application of zoning would allow for this

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property, along with the parcel to the north, to be redeveloped into a commercial site plan. Dr. Taylor has submitted a concurrent application for the construction of a new dental office and associated parking lot on the site.

Dr. Taylor has prepared a letter requesting the zone change as well as a letter from the existing property owner, Hansen Property Investments (see attached). The subject property is bordered by single family homes to the south and west, zoned R-1-8. To the north the property is bordered by currently vacant property that is zoned CN (Neighborhood Commercial).

Dr. Taylor has submitted a preliminary site plan, which is currently being reviewed with staff, of the proposed office development (see attached). The proposed zone change would allow this property to be merged with the vacant parcel to the north and be developed together. The proposal includes a 4,600 square foot dental office building and 27 parking stalls. The access will come from 9950 South and not directly from 700 East due to UDOT safety requirements. There will also be a future reciprocal access to the north once the existing single family home has redeveloped commercially for their second point of access to 700 East.

Staff recommends that the Planning Commission forward a positive recommendation to the City Council to rezone the subject property from the R-1-8 "Single-Family Residential District" to the CN "Neighborhood Commercial District." based on the following findings:

1. That the proposed rezoning is consistent with the Sandy City General Plan.
2. That the proposed rezoning will have no unmitigated negative impacts on the surrounding properties or the area as a whole.

Doug Wheelwright presented this item to the Planning Commission.

Eric Jones, 1534 West 1900 South, Woods Cross, and Kurt Dehart, 8283 South 4300 West, West Jordan, applicants, stated that they have read the staff report and do not have any questions.

Acting Chairman Nancy Day opened this item to public comment.

Kasey Do, 7845 Waterton Circle, Sandy, stated that he represents a group of residents. He stated that this street is interesting because it is a single family zone, but the City approved a new zoning. He stated that it is his understanding that they want to use this street as an entrance to those two parcels and that worries him because there are children who live on the street and play outside. Mr. Do suggested that if the City is going to rezone the subject property to commercial, then the City should rezone all of the property on 9950 South Street to commercial and not just the corner parcel.

Acting Chairman Nancy Day closed this item to public comment.

Commissioner Scott Sabey stated that the Planning Commission can only look at what is being brought to them, which is presently an application to have one parcel changed. The whole neighborhood cannot be looked at, for a variety of reasons, including zoning issues. He stated that he can see the street as a whole being made a commercial zone as a dead end street off of 700 East, but the application has not been brought that way. The only issue before the Planning Commission today is the one that was immediately brought and noticed to the public.

Commissioner Joe Baker stated that 700 East is a commercial thoroughfare and everything that fronts 700 East has commercial viability and at the present time this is not zoned for that. He believes that the 676 should be attached to the other property owned by the applicant, that are all zoned CN. He believes the zone change will work very well.

Ron Mortimer moved that the Planning Commission forward a positive recommendation to the City Council to rezone the subject property from the R-1-8 "Single-Family Residential District" to the CN "Neighborhood Commercial District." based on the 2 findings outlined in the staff report.

Scott Sabey seconded the motion. The vote was as follows: Ron Mortimer, yes; Scott Sabey, yes; Gayle Willardson, yes; Jared Clayton, yes; Joe Baker, yes; Nancy Day, yes. The vote was unanimous in favor.

3. Taylor Dental Office, (New Office Building)
9924 South 700 East [Community #5]

SPR-3-15-4226

Dr. Glen Taylor, DDS, requested that the Planning Commission review the proposed preliminary site plan for the Taylor Dental Office project. The site consist of two property parcels, the northern one of which is currently zoned CN "Neighborhood Business District" and the southern one is the subject of a rezoning petition also pending before the City. The site is located at approximately 9924 S. 700 E. and is currently vacant. Existing zoning to the west and south is R-1-8, "Single Family Residential". Properties to the east, across 700 East Street are residentially zoned and in the jurisdiction of un-incorporated Salt Lake County, within the White City Township.

The applicant has met several times with the Sandy City Development Review Committee to perfect the site plan, in anticipation of the pending rezoning being approved by the City. The site plan has been reviewed by all the necessary city departments and divisions, based upon the requirements for development in the Neighborhood Commercial (CN) zoning district. The plan meets the applicable requirements and standards, subject to finalization of the SPR and compliance with the standard conditions and requirements of the City Departments, as contained in the various preliminary review letters.

**Sandy City Public Hearing Notice
Property Rezoning—Taylor Dental**

On **Tuesday, June 9, 2015, at approximately 7:00 P.M.**, the **Sandy City Council** will consider a request submitted by Dr. Glen Taylor, DDS, requesting the City to **rezone** (ZONE-3-15-4241) approximately 0.29 acres of **property** from the R-1-8 “Single-Family Residential District” to the CN “Neighborhood Commercial District”. The subject property is located at approximately 675 East 9950 South Street, which is the northwest corner of the intersection of 9950 South Street and 700 East Street. If approved by the City, rezoning would allow for this property to be combined with the adjoining property located at 9924 South 700 East Street, which is currently zoned CN “Neighborhood Commercial”, and be developed as a dental practice office for Dr. Taylor. If you have questions, please contact Doug Wheelwright, Development Services Manager, at 801-568-7255 or by email at: dwheelwright@sandy.utah.gov

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| Posted | May 21, 2015 | Sandy City Hall Sandy Parks & Recreation Salt Lake County Library - Sandy Sandy City Website (http://www.sandy.utah.gov) Utah Public Notice Website (http://pmn.utah.gov) |
| Published | May 26, 2015 | Salt Lake Tribune |

Second: Dennis Tenney

Discussion on the Motion:

Mr. Smith felt that it would be appropriate for Mr. Tenney to declare his conflict of interest.

Dennis Tenney stated that his son serves on the Hale Center Theatre board, and that no conversations have been entertained. He would be willing to recues himself from the vote if the Council believes there is a conflict.

Steve Fairbanks felt that Mr. Tenney needed to mention this, but that he did not need to recues him from the vote.

Chris McCandless asked the Council if they were good with Mr. Tenney's disclosure. The Council unanimously stated "aye". The City Council determined that Mr. Tenney would not need to recues himself from the vote.

Vote:

Fairbanks-yes,

Tenney-yes,

Cowdell-yes,

Saville-yes,

Smith-yes,

Nicholl-yes,

McCandless-yes

Smith-yes,

McCandless-yes

9. Sandy City Council will consider a request submitted by Dr. Glen Taylor, DDS, requesting the City to rezone approximately 0.29 acres of property from the R-1-8 "Single-Family Residential District" to the CN "Neighborhood Commercial District". The subject property is located at approximately 675 East 9950 South Street, which is the northwest corner of the intersection of 9950 South Street and 700 East Street.

Doug Wheelwright noted that this was a request to rezone property for the development of a dental clinic. A neighborhood meeting was held along with a public hearing with the Planning Commission. Staff and Planning Commission are recommending approval of the rezoning.

The public hearing was opened then closed as there were no comments.

Motion: Dennis Tenney made the motion to have documents brought back to approve the rezone of approximately 0.29 acres of property from the R-1-8 "Single-Family Residential District" to the CN "Neighborhood Commercial District", located at approximately 675 East 9950 South Street, northwest corner of the intersection of 9950 South Street and 700 East Street.

Second: Linda Martinez Saville

Vote:

Tenney-yes,

Saville-yes,
Cowdell-yes,
Smith-yes,
Nicholl-yes
Fairbanks-yes,
McCandless-yes

10. Sandy City Council will consider a request to review an application submitted by Mr. Kenny P. Nichols, Architect, of Think Architecture, representing Worker's Compensation Fund, abutting property owner at approximately 110 W. Albion Village Way. He is requesting Sandy City to consider vacating a second portion of Albion Village Way, located between the Neuroworx Physical Therapy Clinic project now under construction and the Albion Village Condominium Project. Doing so will allow the further re-alignment and re-dedication of a portion of Albion Village Way in a future subdivision amendment action.

Doug Wheelwright reported that this was a request from Worker's Compensation Fund to vacate the second portion of Albion Village Way. The first vacation was to facilitate the development of the Neuroworx physical therapy clinic. Staff and the Planning Commission unanimously recommend the vacation.

Mike Willard, representative from Workman's Comp, thanked City Staff for helping them achieve something that works well for the City and development.

The public hearing was opened then closed as there were no comments.

Council discussion followed.

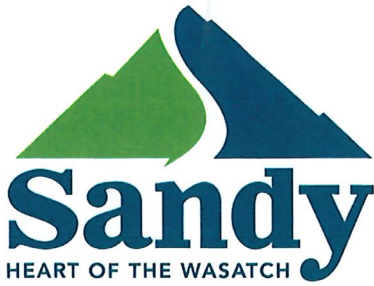
Motion: Dennis Tenney made the motion to authorize the vacation of the second portion of Albion Village Way located between the Neuroworx physical therapy project now under construction and the Albion Village condominium project to facilitate the realignment and rededication of a portion of Albion Village Way in a future subdivision amendment action to facilitate traffic through the area.

Second: Stephen Smith

Vote:

Tenney-yes,
Smith-yes,
Nicholl-yes,
Saville-yes,
Fairbanks-yes,
Cowdell-yes,
McCandless-yes

11. General Plan Amendment – Sandy City Council will consider a request to amend the Sandy City



Tom Dolan
Mayor

Byron Jorgenson
Chief Administrative Officer

Michael G. Coulam
Director

MEMORANDUM

April 29, 2015

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|-----------------|---|------------------|--|
| To: | City Council via Planning Commission | | |
| From: | Community Development Department | | |
| Subject: | Taylor Dental Rezone [R-1-8 to CN] | ZONE-3-15-4241 | |
| | Approximately 675 East 9950 South | .29 Acres | |
| | [Community #5] | | |

HEARING NOTICE: *This item has been noticed to property owners within 300 feet of the subject area and in the newspaper.*

BACKGROUND

Dr. Glen Taylor, DDS, representing Hansen Property Investments whom is the property owner, is requesting to rezone approximately .29 acres from the R-1-8 “Single-Family Residential District” to the CN “Neighborhood Commercial District.” The subject property is located at approximately 675 East 9950 South. The resulting application of zoning would allow for this property, along with the parcel to the north, to be redeveloped into a commercial site plan. Dr. Taylor has submitted a concurrent application for the construction of a new dental office and associated parking lot on the site.

Dr. Taylor has prepared a letter requesting the zone change as well as a letter from the existing property owner, Hansen Property Investments (see attached). The subject property is bordered by single family homes to the south and west, zoned R-1-8. To the north the property is bordered by currently vacant property that is zoned CN (Neighborhood Commercial).

NOTICE

Notices were mailed to property owners within a 300 foot radius of the subject parcels as per Sandy City Land Development Code requirements to notify of the Planning Commission meeting. Additionally, the applicant held a Community Meeting on March 4, 2015. A full report of the comments voiced at the meetings is attached to this staff report. This meeting was for both the rezoning request as well as the proposed development.

ANALYSIS

Dr. Taylor has submitted a preliminary site plan, which is currently being reviewed with staff, of the proposed office development (see attached). The proposed zone change would allow this property to be merged with the vacant parcel to the north and be developed together. The proposal includes a 4,600 square foot dental office building and 27 parking stalls. The access will come from 9950 South and not directly from 700 East due to UDOT safety requirements. There will also be a future reciprocal access to the north once the existing single family home has redeveloped commercially for their second point of access to 700 East.

The requested change is in compliance with the City's General Plan. Staff believes that the resulting zone change would be compatible with the surrounding area. The following Goals and Policies are examples of how this rezoning is in compliance with the City's General Plan:

Chapter II – Goals and Policies – Commercial/Industrial Zoning and Development

- | | |
|----------|--|
| Goal 1.2 | Encourage businesses providing employment opportunities to develop within Sandy. |
| Goal 4.0 | Allow retail commercial zoning designations only when it can be shown that a proposed area qualifies by compliance with the basic zoning prerequisites as adopted through the Sandy City Development Code. |

The proposed rezoning would help allow an infill commercial development to the area and encourage other properties in the area to revitalize. This property fronts a major arterial street, it is adjacent to commercially zoned property, it has adequate access and circulation, and won't create an undue burden on adjacent local neighborhood streets.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a positive recommendation to the City Council to rezone the subject property from the R-1-8 "Single-Family Residential District" to the CN "Neighborhood Commercial District." based on the following findings:

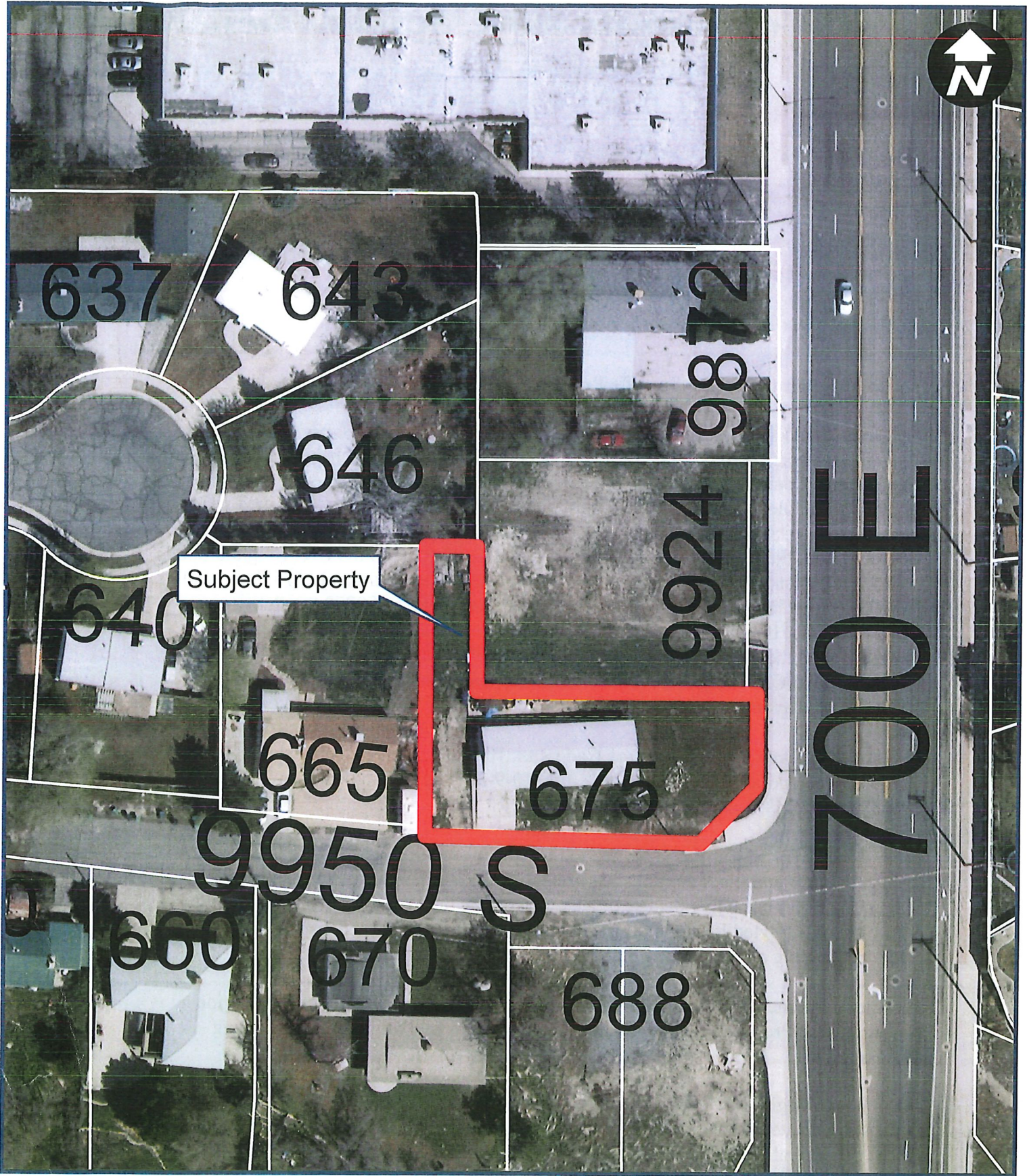
1. That the proposed rezoning is consistent with the Sandy City General Plan.
2. That the proposed rezoning will have no unmitigated negative impacts on the surrounding properties or the area as a whole.

Planner:

Reviewed by:




Mike Wilcox
Long Range Planning Manager



**ZONE-3-15-4241 :: Taylor Dental Rezone
675 E. 9950 S.**

