

Tom Dolan
Mayor

Byron Jorgenson
Chief Administrative Officer

Michael G. Coulam
Director

MEMORANDUM

July 11, 2016

To: City Council via Planning Commission
From: Community Development Department
Subject: 94th South Townhomes Rezone [CC to MU] ZONE-06-16-005098
 Approximately 9270 South 840 East 5.68 Acres
 [Quarry Bend, Community #7]

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

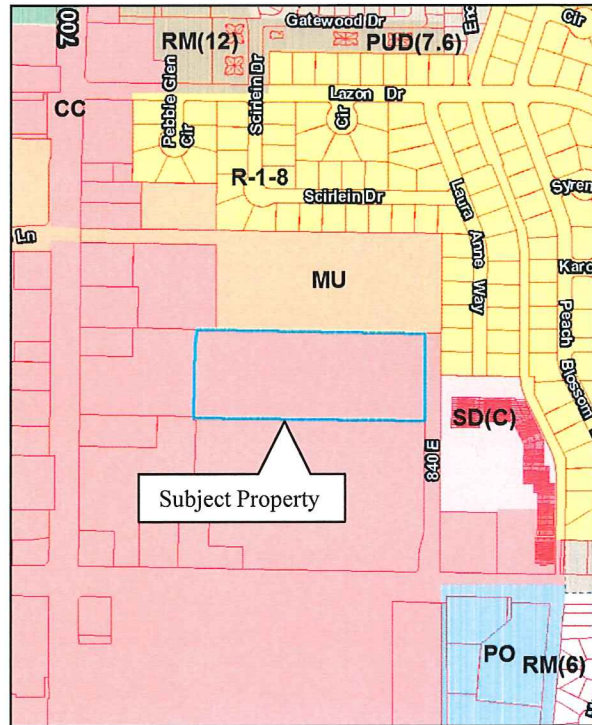
PROPERTY CASE HISTORY	
Case Number	Case Summary
SPR #80-07	A portion of the subject property was part of the Albertson’s Shopping Center, which included a Fred Meyer, inline strip retail, pad sites, and an Albertson’s Grocery Store.
2002 Local Area Master Plan – Sandy Corners Strategic Plan	In 2002, the city adopted a local area plan for the subject property and surrounding areas of the intersection of 9400 South and 700 East called the Sandy Corners Strategic Plan. This plan laid out an overall concept and vision of this area to guide redevelopment over the following 20 to 30 years. It envisioned enhancements road networks, new transit options, pedestrian and bike facilities, urban design principles, new land uses (including new medium density residential units), and economic development.
SUB-8-10-1459	In anticipation of the redevelopment of the retail center, a subdivision of the center was recorded. This was done to allow for the sale of almost 16 acres to the LDS church for the subsequent construction of the new Deseret Industries building. The LDS church purchased Lot 7 of the plat.
SPR-8-10-1458	As part of the redevelopment of this center, the LDS church demolished most of the center (including the big box stores and some of the pad sites) to make way for a new Deseret Industries building. As part of this development, a new public street (840 East) was dedicated to the city and partially constructed.
SUB-1-15-4064	After the completion of the DI building, the church recorded a subdivision plat to divide Lot 7 into two and allow for further redevelopment of the area. The subject property was created through this action.

BACKGROUND

Mr. Paul Willie, with Mountain States Property Management, is requesting to rezone approximately 5.68 acres from the CC “Community Commercial District” to the MU

“Mixed Use District”. The subject property is located at approximately 9270 South 840 East. The resulting application of zoning would allow for a proposed townhome development on the subject property.

Mr. Willie has prepared a letter requesting the zone change (see attached). The subject property is bordered by a vacant, undeveloped parcel to the north (zoned MU), a dedicated public road right-of-way (840 East) and single family homes to the east (zoned R-1-8), and commercial development to the east, south and west (zoned SD(C) and CC) (see zoning map to the right).

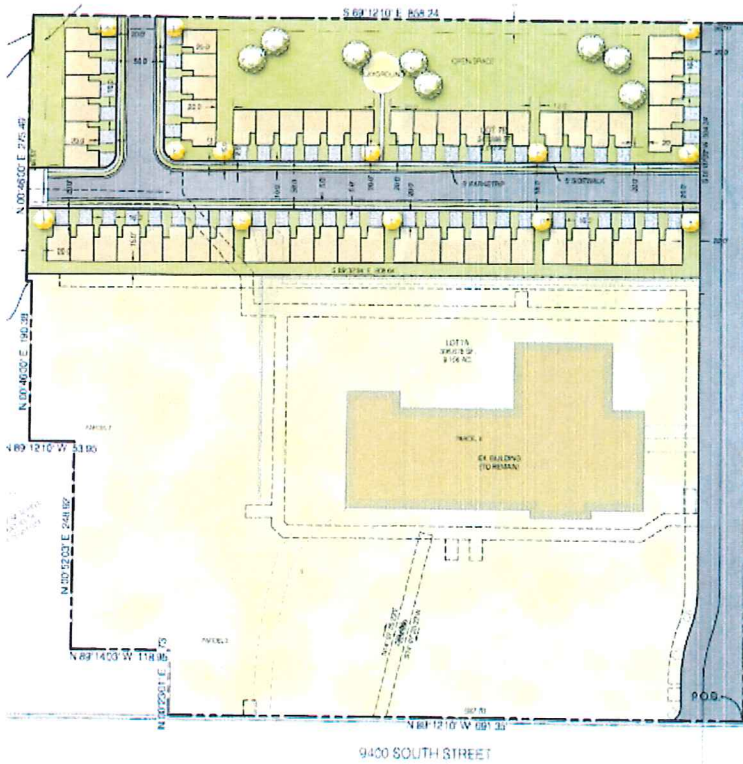


NOTICE

Notices were mailed to property owners within a 300 foot radius of the subject parcel as per Sandy City Land Development Code requirements. Additionally, the applicant held a Community Meeting on June 8, 2016. A full report of the comments and issues voiced at the meeting is attached to this staff report. This meeting was for both the rezoning request as well as the proposed concept plan of the townhomes.

ANALYSIS

Mr. Willie has submitted a conceptual site plan that will need to be further refined through the review process with City Staff.



The subdivision conceptual design is proposed to be for-sale townhomes with common area (see plan to the left).

The subject property was historically part of the former Albertson's and Fred Meyer shopping center. Those big box stores had closed and the center was partially redeveloped by the LDS church in the construction of the new Deseret Industries building. This new building was sited closer to the street than the

previous big box stores. This created remnant land behind the DI that has poor visibility and is not ideal for commercial development. With access coming from the recently created 840 East public street, multi-family residential housing is ideal for this location.

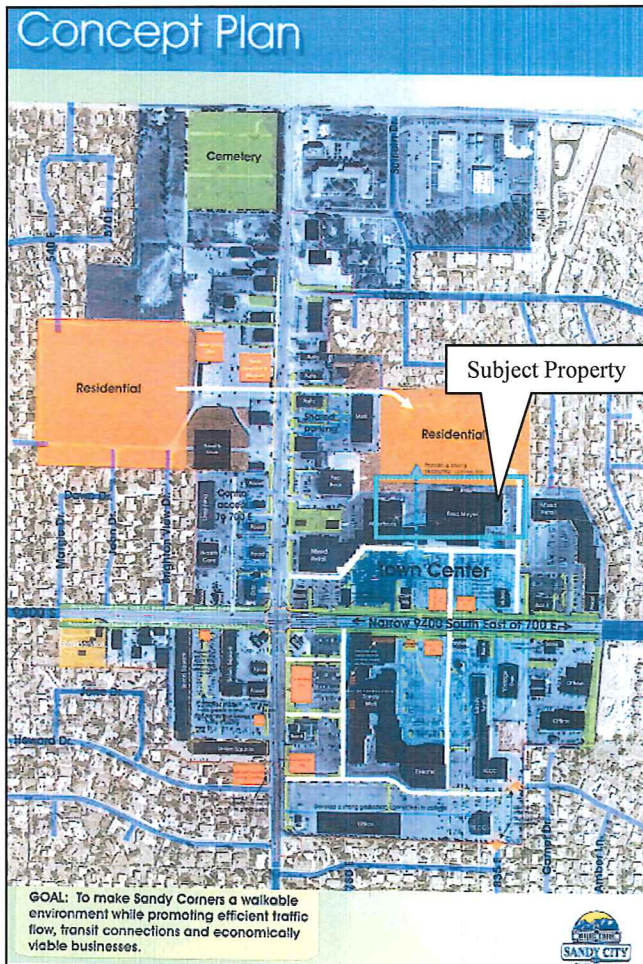
There have been previous efforts to develop townhomes similar to these which were done in conjunction of the Rose Gardens project. The vacant properties immediately to the north, along with what would become the Rosegate Senior Apartments, were zoned to Mixed Use (MU). The land immediately to the north was master planned for townhomes as part of a horizontal mixed use master plan. While that phase of the project was never completed, this proposal would expand that MU zone and townhome concept to the subject property.

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 – Housing - Subdivisions

Goal 2.0 – Discourage Sprawl and excessive consumption of land

The following Goals and Policies from the adopted Housing Element, are examples of how this rezoning may fulfill the overall objective of the General Plan:



1 – Goals – Quality Growth

Goal 1.4 – Ensure a range of housing options to accommodate an aging population and growth trends

1.4.1 Encourage the consolidation of vacant and redevelopable parcels to better accommodate the development of senior and other multi-family and mixed-use projects

1.4.2 Sites designated for new residential development should have adequate public utilities and facilities and be located near existing or future amenities appropriate for the projected population, including transit options

The proposed rezoning would help allow an infill development that is also supported by the goals and policies of the Sandy Corners Strategic Plan (see concept plan to the right). This was a local area master plan, adopted in 2002 to guide future redevelopment of this

area. Portions of this plan have been implemented through the Rose Garden development and the new Deseret Industries building. Allowing new residential development on this parcel could help encourage further redevelopment of the commercial properties along 9400 South and 700 East. This proposal would introduce new housing types and opportunities in this area, particularly adding ownership opportunities where most of the new multi-family housing in Sandy has been for-rent apartment units.

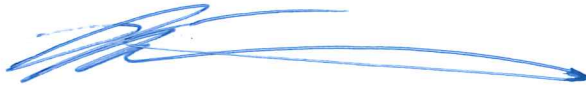
Staff's evaluation of the proposal and the feedback received from the neighborhood meeting has led to a positive recommendation for the rezoning.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a positive recommendation to the City Council to rezone the subject property, located at 9270 South 840 East, from the CC "Community Commercial District" to the MU "Mixed Use District" based on the following findings:

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

Planner:



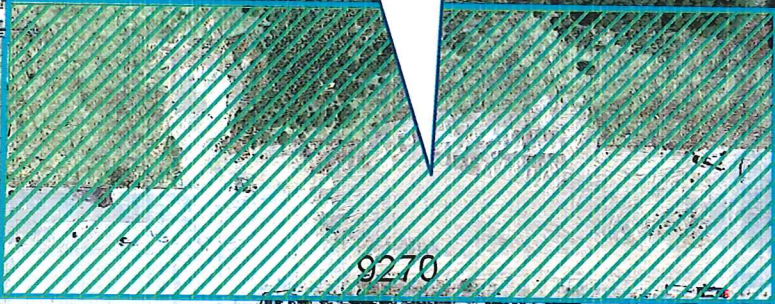
Mike Wilcox
Long Range Planning Manager

Reviewed by:

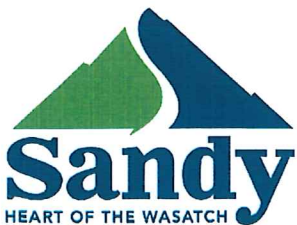




Subject Property



**ZONE-06-16-005098 :: 94th South Townhomes
9270 South 840 East**



PRODUCED BY WADE SANNER
THE COMMUNITY DEVELOPMENT DEPARTMENT

**Mountain States Property Management
95 West 100 South Suite 340
Logan, Utah 84321**

June 10, 2016

Sandy City
1000 Centennial Parkway
Sandy, Utah 84070

Dear Sandy City,

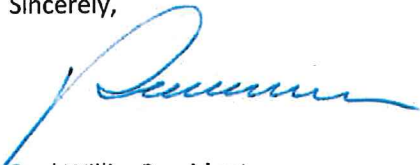
We have under contract with the LDS Church the parcel of property identified on the attached plat map. It is currently zone CC (Commercial). With its location directly behind the Deseret Industries building it is doubtful that it will develop out as commercial as it lacks any real visibility to a retail customer base.

The adjacent parcel to the north is zoned MU (Mixed Use) and it appears that if both of these parcels were zoned MU an appropriate development in one zone could take place. We have submitted a site plat showing "for sale", front entry townhomes on this site with a public road and ample parking and open space. The density on this plan would be approximately 10 units per acre which would make a good transition from the commercial zone to the south and the single family zone to the north.

We are respectfully requesting a zone change for the parcel located north of 840 East on 9400 South (see attached property plat map).

We have worked with many cities along the Wasatch front and around the country to successfully build attractive, safe, medium density residential communities. We would be pleased to work with your staff to come up with an acceptable plan for this area.

Sincerely,



Paul Willie, President
Mountain States Property Management
(435)757-2800

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

SPECIAL PROJECTS DEPARTMENT

Real Estate Services Division
50 East North Temple Street
Salt Lake City, Utah 84150-0012
Phone: 1-801-240-3840
Facsimile: 1-801-240-3907

June 13, 2016

Sandy City
Community Development
10000 Centennial Parkway
Sandy, UT 84070

To Whom It May Concern:

Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints ("CPB"), hereby authorizes Paul Willie from Mountain States Property Management ("MSPM") to apply on its behalf to Sandy City for a zone change with respect to the property legally described as Lot 7B, Amendment of Lot 7, 9400 South Commercial Subdivision, located at 9270 South 840 East, Sandy, UT 84094 ("Property") (Parcel Record 28053510280000). Specifically, CPB authorizes MSPM to apply for a zone change from the current zoning, community commercial (CC), to mixed-use (MU). MSPM shall pay all costs associated with the zoning application. No final approval shall be given nor binding action made by Sandy City with respect to the Property until such time as MSPM has acquired legal title to the property. No liens or other encumbrances shall be asserted against the property in connection with the application to the City for a zone change.

CORPORATION OF THE PRESIDING BISHOP
OF THE CHURCH OF JESUS CHRIST OF
LATTER-DAY SAINTS, a Utah corporation sole

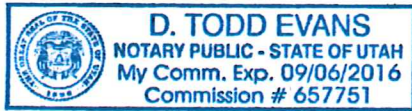
By: 

50 _____
Authorized Agent

STATE OF UTAH)
 :SS
COUNTY OF SALT LAKE)

On this 13 June 2016, personally appeared before me Terry F. Rudd, personally known to me to be an Authorized Agent of **CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole**, who acknowledged before me that he signed the foregoing instrument as Authorized Agent for said corporation, and that the seal impressed on the within instrument is the seal of said Corporation; and that said instrument is the free and voluntary act of said Corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument on behalf of said Corporation and that said Corporation executed the same.

WITNESS my hand and official seal.

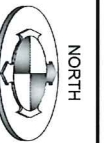


Notary Public for the
State of Utah

CONCEPT

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 5,
TOWNSHIP 3 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN

GRAPHIC SCALE
1 INCH = 20 FEET



Michael Wilcox - Community #7 Meeting Notes

From: Marsha Millet
To: King, Andrew; Wilcox, Michael
Date: 6/16/2016 12:23 PM
Subject: Community #7 Meeting Notes
Attachments: 20160614163313113.pdf

Dear Andrew and Mike,

A neighborhood meeting was held by the Quarry Bend Community (#7) on Wednesday, June 8, 2016 at 6:30 p.m. at Sandy City Hall. I represented the community at the meeting and conducted it at the request of Beverly Barrett, who is the Community Coordinator and was unable to attend it. A roster of the meeting attendees, and the meeting flyer is attached with this report.

The meeting was requested by Sean Alibrando, Vice President of Mountain States Property Management (MSPM). He and Paul Willie, President of MSPM, are under contract with the LDS Church to purchase approximately 5.68 acres of land directly to the north of Deseret Industries at 9270 South 840 East. They are applying for a zoning change of this property with Sandy City. The current zone is commercial and they are asking for a mixed-use zone.

Please note: There is another piece of property to the north of the subject property. Sean and Paul attempted more than once to contact this owner about selling his property to them, but they were never able to make contact with him.

At the meeting Paul and Sean explained that if the zone change is approved, their intention is to build 58 luxury town homes on this property; that is almost ten units per acre. They feel that is a reasonable density considering the fact that they wanted to put apartments there and were turned down by the City. They need to build this many units in order for this to pencil out for them. They intend to build ten units to begin with and then as those units sell, to build additional ones.

An artist's rendering was shown of what they want their town homes to look like when completed. They are two story town homes with two-car garages, giving each unit the capacity for four parking spaces; an HOA that will take care of landscaping; a flood detention pond on the northwest corner of the property; a playground for children, and barbeque areas. The roads in the project will be public and maintained by Sandy City.

One of the neighbors in attendance who lives on Scirlein Dr. (street just to the north of the property owned by the mysterious property owner) wanted to know what they intend to do with the roads that will eventually go around three sides of both properties. Sean explained that all roads will be built when both properties are developed. Right now MSPM is required to submit a mixed-use master plan for both properties, but they are only required to build the roads that pertain to their property. The neighbor does not want concrete against his backyard, but would be okay with a barrier or a set-back between his backyard and the street. Sean and Paul had no problem with that.

Another neighbor asked if both in and out access to this project could be on 9400 South only, without accessing 700 East. Paul and Sean explained that in and out access to their project will be on 9400 South; however, the master plan for both properties calls for in and out access on 700 East as well, when the property to the north of theirs is developed. At that time, there will be an east/west road built to go to 700 East, between Jiffy Lube and Steve's Automotive Specialists.

A woman by the name of Joanne Sorensen identified herself as the niece of Alvin Malstrom and was speaking on his behalf. He is concerned that a road is being planned to go between the north side of his house and the

south side of Pep Boys. She was told by Paul and Sean that no such road is being planned. The road will be stubbed.

A neighbor asked about their time table. If all goes well this year, there is a possibility that construction may begin this year; but more than likely, it will start in 2017.

One man suggested that they may want to put a sound wall on the south edge of their project to shield some of their future residents from noises coming from Deseret Industries. Paul was in favor of putting trees there as a barrier.

A couple of people mentioned that gophers are a huge problem in their neighborhood. They feel that when construction begins on the property in question, it will uproot these gophers and send them into neighboring yards. They wanted to know if MSPM could proactively get rid of the gophers when tearing up the dirt.

One man was interested to know if the lights in their project will be dark sky compliant by shining downward. Paul said that MSPM will put whatever lighting in the project that the City requires.

Finally, a neighbor asked if their property values would be affected by this development. Paul said that the proposed town homes will be sold for \$250,000 to \$350,000. He doesn't know if surrounding property values will go higher, lower or stay the same.

There was a fairly good turnout for this kind of meeting. The neighbors surrounding the subject property were reasonable, fair and overall seemed to be in favor of the project, although no one actually said that. I feel that if some of their concerns are addressed, they will be happy neighbors.

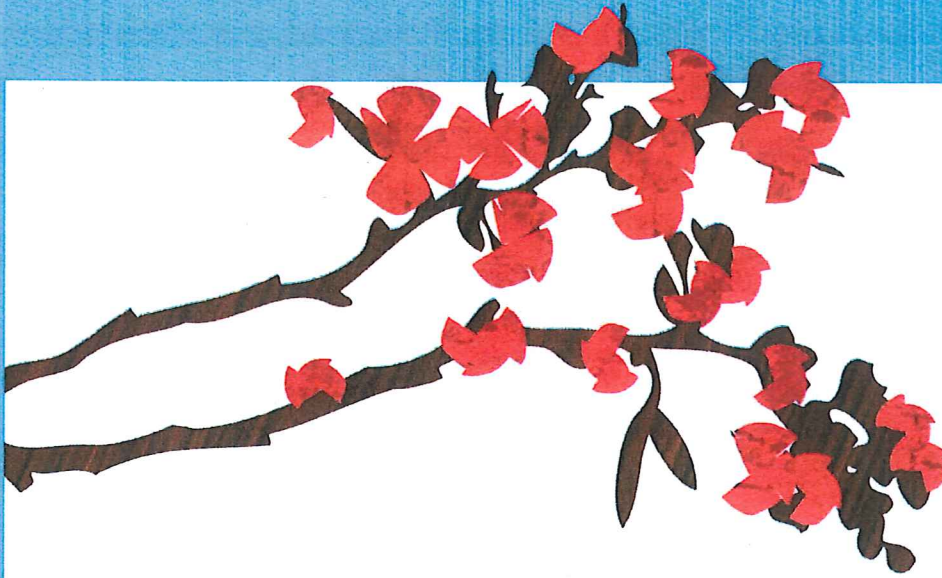
Please call me if you have any questions.

Sincerely,

Marsha Millet
Senior Advisor to the Mayor

Name address email phone #

Shauna Lynn	488 E Winchester St	Slynn@aus-Utah.com	801-288-8811
Karen Maki	792 E. Scirlein dr	maki.Karen@ymail.com	801 573-7662
Bruce Stracener	" "		801 865 1133
Scott Chatwin	9280S. Laura Anne Way	davidchatwin@conross.net	801-860-8259
Melinda Ashton	9280S. Laura Anne Way	mjashton29@hotmail.com	801-694-2600
Randy Clements	9268S. Laura Anne Wy	handyrandyrc@gmail.com	801-699-4696
BRIAN SEAMONS	806 E SCIRLEIN DR	chumsbunch@yahoo.com	801 566 0439
Becky Seamon	" "	" "	" "
Joann Joensen	alvan mpls hom 9325 So 700 East		am 801 295 2683 js 801-520-1264
Peter Aldous	816 E Scirlein Dr	petey.aldous@utah.edu	801-400-9312
Marsha Millet	Sandy City		301-562-7114
CLIFF WHITE	SCIRLEIN DR	CLIFFORD_WHITE@Hotmail.com	801-989-1646
Sean Alibrando	Kaysville, UT	salibrando@mountainstatespm.com	
Paul Willie	Logan, UT	paulw@mountainstatespm.com	



JOIN US:

NEIGHBORHOOD MEETING

JUNE 8, 2016

6:30 P.M.

SANDY CITY HALL, EAST CONFERENCE ROOM
10000 CENTENNIAL PARKWAY
SANDY, UT 84070

We will be discussing the development of the property located directly north of Deseret Industries on 94th South. We plan on submitting a re-zoning application so that we can build townhomes on the site and we'd like to hear your opinions.

FOR MORE INFORMATION CONTACT: MARSHA MILLET @ 801.568.7114 OR SEAN ALIBRANDO @ 801.614.8176