

Eyisha Malieitulia

Subject: FW: [EXTERNAL] Farnsworth Farms - Planning Commission Public Input

From: Mark Ciullo <mciullo@gmail.com>
Sent: Tuesday, September 14, 2021 3:55 PM
To: Craig Evans <cevens@sandy.utah.gov>
Cc: Brian McCuistion <bmccuistion@sandy.utah.gov>
Subject: [EXTERNAL] Farnsworth Farms - Planning Commission Public Input

Dear Mr. Evans - please pass this along to the Planning Commission members for review as soon as possible prior to the meeting on Thursday. It would also be great to get this into the public record if you can along with the meeting minutes from our Neighborhood meeting from July.

Thank you in advance.

Dear Sandy City Planning Commission,

I am writing to you regarding the Farnsworth Farms proposal you will be reviewing on September 16, 2021.

I have stayed informed and up to date on this project, I have actively participated and sent data to the various city bodies and legal teams on this subject, and I am writing to you today to focus on a subset of my concerns.

The subdivision review is not yet complete as the application that exists before you does not comply with and match Ordinance 20-04. There are significant changes to that ordinance, and where in some areas the plan pushed for an exception and modifications to the city code requirements, in other areas the plan just completely ignored these significant modifications to the ordinance. These left-out changes would also require city approval and public transparency, a reworking of the plan that is before you, or a new submission in its entirety. With that said, I am confident you can review this incomplete application and weigh in with your thoughts to help guide City Council, but I cannot see how you can vote that this application is complete and ready for final recommendation.

Let me outline the items of greatest importance to me which make this application non-compliant to the one shown in Ordinance 20-04.

1. The approved ordinance shows a different number and layout of designated units, and a different total number of total bedrooms. (See Ordinance 20-04 page 13 project summary in "New Design")

Item	Approved Ordinance	New Application	Difference
Twin Homes	30	30	n/a
Front Loaded Townhomes	16	14	-2
Rear Loaded Townhomes	50	52	+2
3-bedroom units	96	64	-32

2-bedroom units	0	12	+12
4-bedroom units	0	20	+20
Total Bedrooms	288	296	+8

public walking path along 700 E has been removed (See Ordinance 20-04 page 30 "Walkable Community")

a. This was the single general public benefit committed to by DAI, asked about specifically by City Council on review at the time of rezone, something the community feels is important and was included in Ordinance 20-04. In order to put this overlooked commitment back into the plan, setbacks along 700 and fence configuration will likely need to be reconsidered. To remove a public walking path and instead propose buildings with a 5.75' setback along 700 East is a significant negative change.

3. The committed parking is different than in the approved ordinance (See Ordinance 20-04 page 15 "377 Parking Spaces")

Item	Approved Ordinance	New Application	Difference
Parking	377	358	-19

I recognize the information on page 157 of your packet regarding parking (the maximum 10% parking above required city code restriction), this plan also reduced pedestrian mews width and requests a minimized pedestrian sidewalk requirement against the same city code. One could argue we could remove personal driveways on some units, increase guest parking, and likely maintain compliance with both overall parking, sidewalk requirements as well as pedestrian mews width. I get how this might decrease the value of the sale for the developer, but it is not the city's role to maximize the developers profit. Additionally, I am not sure how the 19 off street stalls are being calculated (page 157 of your packet) when page 164 shows 46 guest parking stalls. If we are allowed to go above 10%, we should aim to meet Ordinance 20-04 at 377 spaces.

c. Removal of driveways attributed to the units along 700 East substituted with additional guest parking, could also help meet parking code limitations and address item #2 (walking path) as well.

4. The vehicle stacking commitment of 8 cars and 80ft at gated entrance (4 cars at each gate) is not conditioned (See Ordinance 20-04 page 16 "Vehicle Stacking" - a concern brought up by Planning Commission in prior Planning Commission meetings and subsequently modified as part of the Approved Ordinance).

d. The new plan only says "That gates be located such that they adhere to Sandy City ordinance [21-21-10(o)] and also comply with UDOT's queueing requirements."

e. Since City Staff and Legal Teams indicated that the only way to have any of these conditions 'live with the property' was to have them listed as conditions on the site plan. This 8 car stacking must be listed as a condition that shall be a requirement for the property into the future no matter who owns and manages the land into the future.

I know there were also many other items of noted difference from what was promised and committed to the neighbors that may matter less to me, but have been voiced by my neighbors. The maximum height has increased from what was promised, the setbacks along the majority of property lines were decreased in comparison to what was promised, there is a water retention area in some neighbors' backyards, the HOA was to have protections to protect the community against crime and inconsiderate renters, etc. I have tried to

meet with the developers and the city to review these details, I have provided lists of the public commitments DAI made in detail, and I continue to offer my support and help where needed.

If this plan is pushing setbacks lower than what was promised, limiting mews width, and eliminating sidewalks in order to fit in the 96 units with adequate parking, perhaps the zoning change is too dense to fit the concept in that was approved in Ordinance 20-04. This is exactly what City code is supposed to protect us from, and I feel as if this plan is trying to bend City code in order to fit in 96 units. These 96 units were promised with everything I have mentioned above as outlined in Ordinance 20-04. Ideally, I think the plan needs to be carefully modified rather than adjust code in these areas, as I think the developer is really pushing the limits to get the look and feel promised with the density of the property. I would love to see it done, but not at the expense of the community and what was promised in the ordinance.

Lastly, I spoke with the Planning Director this week and based upon our conversation and the comments made by our City attorneys previously, I would like to make sure that all of the conditions are properly noted on the site plan such that the conditions live with the property. Darien Acorn indicated that conditions listed on the site plan would carry the requirements for any future or successor owners of the property, and ensuring that these conditions are properly noted in the correct places on the site plan is the only thing we have to ensure these commitments are adhered to once the zoning is changed. Many current items are referenced in the staff report (such as building height) but not on the actual site plan. We should either include all of these conditions on the Site Plan, review with the City legal team to ensure that a staff report would carry legal requirements against the land element. Let's be very deliberate about how these are listed and on what forms such that overlooked details do not lead to future community issues.

I thank you for your time, and please let me know if you have any question. I am happy to discuss with you at any point.

Mark Ciullo
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