



# Community Development Department

Tom Dolan  
Mayor

Scott J. Bond  
Chief Administrative Officer

James L. Sorensen  
Director

## MEMORANDUM

Sept. 21, 2017

---

**To:** City Council via Planning Commission  
**From:** Community Development Department  
**Subject:** SD(The Gardens) to Open Space ZONE-08-17-5291  
 1651 E. Dimple Dell Road, 1651 E. Badger Cove 6.61 Acres  
 [Community #22]

---

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

---

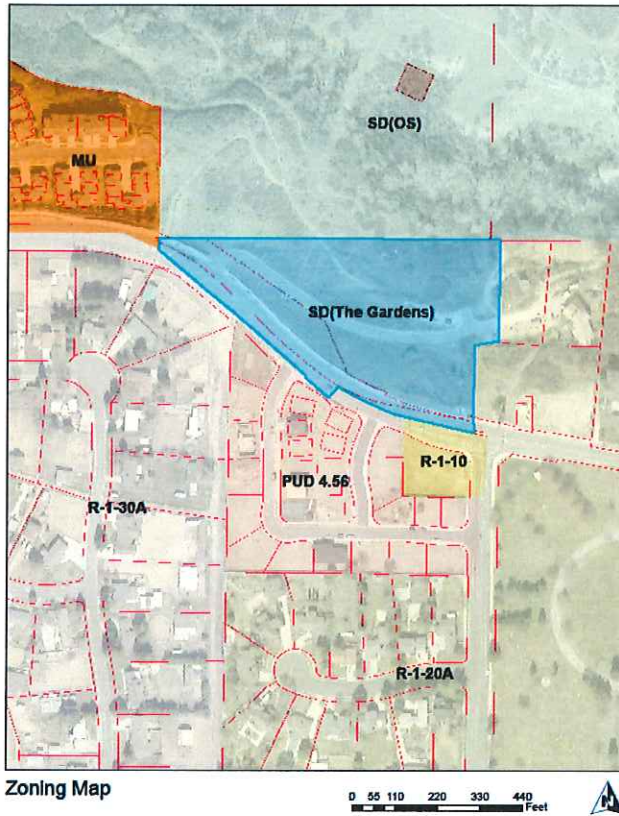
PROPERTY CASE HISTORY	
Case Number	Case Summary
CA#00-P	In 2000 the City Council approved Ordinance #00-33, creating a special development district zone (SD) called the SD(The Gardens) Zone. The SD was created specifically for the subject property of the current rezone request.
A#00-02	The subject property was part of an annexation application (McDonald Flynn Annexation) approved by the City Council on Sept. 26, 2000 by Ordinance #00-34. The Ordinance also rezoned the subject property to the SD(The Gardens) Zone.
SPR#00-21	A site plan application (The Gardens Gathering Place) for a reception center was submitted, but never developed.

### REQUEST

City staff, at the request of the City Council, generated an application for a rezone. The rezone application requests a change of zone of an entire zone area of approximately 6.61 acres from the Special Development District –Professional Office “The Gardens” (SD(The Gardens)) Zone to the Open Space District (OS) Zone. The zone area includes two parcels located at 1651 E. Dimple Dell Road (4.63 acres) and 1651 E. Badger Cove (1.19 acres) and a portion of the adjacent right of way (Dimple Dell Road). Both parcels are owned by Sandy City.

### BACKGROUND

The subject property was annexed into the City in 2000. At the time, a reception center (The Gardens Gathering Place) was being proposed on the subject property, and a site plan application was submitted. A special development district zone (SD(The Gardens)) was



created specifically for the property and a rezone of the property to the SD(The Gardens) was approved. The project was never built, and the property subsequently became owned by Sandy City. A road was built through the property that provides access to two parcels to the east of the subject property. The subject property is bordered by a single family home to the east (zoned R-1-20A), Dimple Dell Road to the south and west, and Dimple Dell Regional Park to the north (SD(OS)) (see zoning map).

### ANALYSIS

The stated purpose of the SD(The Garden) Zone was to provide “an area for a reception center, professional and business offices, non-retail services ..., and other similar uses.” (Development Code 15A-19-15). Due to several reasons,

including the property being owned by the City, the road having since been built, the slope of the property, and the public preference for open space, it is not likely that the subject property will be developed in the foreseeable future in a manner consistent with the purpose of the SD(The Gardens) Zone. A zone change to OS is supported by the Goals and Policies of the Sandy City General Plan, including the following:

### URBAN DESIGN

*GOAL: 4.0 PRESERVE, ENHANCE AND INTEGRATE NATURAL OPEN SPACES INTO THE URBAN FABRIC OF SANDY CITY.*

- *4.1 Identify preserve and develop open space and natural features to provide a diversity of uses and locations and focal points for the community.*
- *4.2 Establish development strategies with minimum impact on natural features such as Dimple Dell, abandoned irrigation canals, natural creeks, stream beds, and wetland areas.*
- *4.3 Preserve view corridors to the Wasatch and the Oquirrh Mountains.*
- *4.4 Develop an urban trail system that connects and provides access to Dimple Dell, the 40 Acres located near Wasatch Blvd. 11900 So. and the Foothills of the Wasatch Mountains.*

### STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a positive recommendation to the City Council to approve a rezone of the subject property from SD(The Gardens) to OS based on the following findings:

1. That the zone area will not likely be developed according to the purpose, uses, and regulations of the SD(The Gardens) Zone.
2. That the subject property is adjacent to existing open space (Dimple Dell Regional Park).
3. That the proposed change of zone will have no unmitigated negative impacts on the surrounding properties or the area as a whole.
3. That the proposed change of zone is consistent with the Sandy City General Plan.

**ALTERNATIVE RECOMMENDATION**


Staff recommends that the Planning Commission forward a positive recommendation to the City Council to approve a rezone of the subject property from SD(The Gardens) to SD(OS) based on the following findings:

1. That the zone area will not likely be developed according to the purpose, uses, and regulations of the SD(The Gardens) Zone.
2. That the subject property is adjacent to existing open space (Dimple Dell Regional Park) that is also zoned SD(OS).
3. That the proposed change of zone will have no unmitigated negative impacts on the surrounding properties or the area as a whole.
4. That the proposed change of zone is consistent with the Sandy City General Plan.

Planner:

Reviewed by:

  
\_\_\_\_\_  
Jake Warner  
Long Range Planning Manager

  
\_\_\_\_\_  
Brian McCuiston  
Planning Director