



SANDY CITY COMMUNITY DEVELOPMENT

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DIRECTOR

MONICA ZOLTANSKI
MAYOR

SHANE E. PACE
CHIEF ADMINISTRATIVE OFFICER

Staff Report Memorandum February 15, 2024

To: Planning Commission
From: Community Development Department
Subject: The Inn, LLC – Adult and Child Daycare
(Conditional Use Permit)
11333 S. 1000 E.
[Community #13, Alta High]

CUP01222024-006701

PO Zone
4,093 Sq. Ft

Public Meeting Notice: This item has been noticed to property owners within 500 feet of the subject area, on public websites, and at public locations.

Request

The applicant, Tuiono Malakai, with permission from the property owner, Robert Holmes from Wolfe Management, is requesting approval of a conditional use permit for a property located at 11333 S. 1000 E, which was developed as an office building. The request is to have Adult and Child Daycare for persons with mental and physical disabilities within a portion of the existing building. This proposed use is listed as conditional within the Professional Office (PO) zone. See the application letter (Exhibit A) and application materials (Exhibit B) which are attached hereto.

Background

11333 S. 1000 E. is located in the PO zone. The subject property is .83 acres (36,154 square feet) with an approximately 9,300 square foot medical office building. The building went through a site plan review in 2004 and was built in 2005.

Property to the south is also in the PO zone. The northern property is zoned R-1-10 and Alta High School is located on this property. To the east and west properties are zoned R-1-8 with single family homes. A church is also located to the west in the R-1-8 zone.



CUP01222024-006701
Conditional Use
11333 S 1000 E Suite 100
Sandy City, UT
Community Development Department

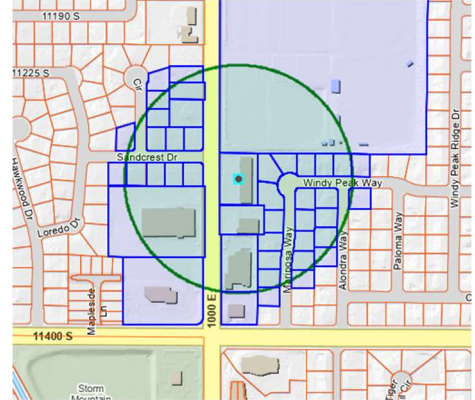
Property Case History	
Case Number	Case Summary
SPR 04-21	South Valley Rheumatology Clinic

Public Notice and Outreach

This item has been noticed to property owners within 500 feet of the subject area by mail. A neighborhood meeting was held on February 1, 2024, and one neighbor attended the meeting. The following comments were made:

1. The attendee was from the daycare next door. They were wondering what type of daycare was going on in the building.

In addition, staff has received one phone call and two emails regarding the project (See Exhibit “C”).



Analysis

The applicant is proposing to have adult and child daycare servicing clients with mental and physical disabilities at 11333 S. 1000 E., Suite 100. In the Sandy City Land Development Code, Sec. 21-8-2(b) lists Adult and Child Daycare as a conditional use in the PO zone. The PO Zone purpose is shown below:

Professional Office District (PO). This district is established to provide an area for professional and business offices, non-retail services, and other uses not including merchandising, warehousing, and manufacturing, with business hours consistent with those of contiguous property. Developments adjacent to residential areas shall have a residential look to enhance compatibility. Developments adjacent to commercial zones shall act to buffer less dense residential developments or districts.

The building has three office suites accessed through a common lobby. The proposed non-retail service business would operate within one of the suites which has a total of 4,093 square feet. The main level has 3,283 square feet and a second floor loft with 810 square feet. The proposed hours of operation are from 9:00am to 9:00pm Monday through Saturday. They are proposing to conduct two shifts of activity with adults during the day and middle school and high school aged children during after school hours. Depending on demand this model could change.

Individuals are referred to The Inn through the Department of Services for Persons with Disabilities (DSPD). The DSPD guideline sets the capacity limit with a minimum of 50 square feet per one individual. The calculation of square footage does not include hallways, office, storage, or kitchen space. The staffing ratio minimum is two staff for nine to 16 clients and one additional staff per eight clients. Administrative staff do not count towards this staffing number. The applicant is proposing to have around 50-60 individuals between the two proposed sessions. The applicant is proposing to have between four and six employees on site during business hours. Six non-administrative employees would allow for up to 48 clients at a time. The applicant is proposing to have one or two vans that will offer transportation services to and from client's homes. The vans will also be used for field trips out into the community. Activities will be available on-site for those that do not wish to participate in offsite activities.

A traditional child daycare for young children has requirements for outdoor space. The DSPD does not require onsite outdoor space for this specific use. If the conditional use permit is granted, a traditional child daycare would not be allowed to operate under this conditional use permit.

Parking

There are 39 on-site parking spaces to be shared between the three office suites. Sandy City Land Development Code Sec. 21-24-8(b) gives the parking requirements for a daycare at one space for each instructor plus drop off space. The applicant originally requested eight parking spaces from the property owner for employee use. They are expecting to have between four and six employees. Additional parking spaces are needed for drop off and pick-up of clients. The applicant has made

the owner of the building aware of the need for additional parking for The Inn. The applicant is proposing to park one to two vans onsite. The vans will be used for transportation services to and from clients homes as well as taking clients into the community for various activities during business hours. Staff is proposing eight additional parking spaces be designated for pick-up and drop-off for clients. A total of at least 16 parking spaces are needed. Signage designating specific parking stalls as pick-up and drop-off for The Inn will help keep parking spaces available for this purpose. This is needed since the site was not designed with a loop drive isle nor has an established pick-up and drop-off area. Britney Ward, City Transportation Engineer, reviewed the site and noted that the drive aisle is greater than 150 feet, which exceeds today's parking lot design standards. She suggested working with the business and property owner to the south to create reciprocal access and connect their drive isles.

Conditional Use Standards

The City may impose conditions on a conditional use based on certain standards of review found in section 21-33-04 of Sandy City Land Development Code. The following items from that list are applicable to this particular request and merit discussion or additional consideration by the Planning Commission (staff analysis is found below in *italics*):

Sec. 21-33-4. Conditions.

In order to achieve compliance with the standards set forth herein, the City may impose conditions that address:

- (2) Proposed site ingress and egress to existing and proposed roads and streets.

Ingress and egress to the from the site is accessed through the driveway at the north end of the property. A stub to connect this drive isle to the South could be provided, and an easement recorded on the property ensuring that these parking lot areas could be connected in the future.

- (4) Design, location and amount of off-street parking, loading areas and solid waste disposal and collection areas.

There are 39 parking stalls for the entire building. The Inn will have 16 designated parking stalls for their use.

- (5) Site circulation patterns for vehicular, pedestrian and other traffic.

Ingress and egress to the from the site is accessed through the driveway at the north end of the property. Cars will park in designated stalls for drop off and pick up.

- (14) Measures to assure compliance with all conditions and requirements of approval, including, but not limited to, bonds, letters of credit, improvement agreements, agreements to conditions, road maintenance funds, and restrictive covenants.

To be reviewed upon legitimate complaint.

- (15) Such other conditions determined reasonable and necessary by the City to allow the operation of the proposed conditional use, at the proposed location in compliance with the requirements of this title.

That the applicant complies with all Building & Safety, and Fire & Life Codes.

Staff Concerns

Staff is concerned about parking access with only one entry/exit point for a use that relies on pick-up and drop-off of clients. A reciprocal access easement should be required now to ensure that when/if the property to the south is redeveloped, these drive isles can connect in the future.

Recommendation

Staff recommends that the Planning Commission approve a Conditional Use Permit for adult and child daycare in the PO Zone as described in the staff report for the property located at 11333 S. 1000 E. based on the following findings and subject to the following conditions:

Findings:

1. The proposed use meets the intent of the PO Zone.
2. Parking and access requirements are sufficient for this type of business.

Conditions:

1. That the business complies with all requirements from the Department of Services for Persons with Disabilities.
2. That child daycare use be limited to the service of adolescents in middle school and high school with special needs (mental and physical disabilities). General child daycare use would require separate review of that particular use.
3. That the lease for this use reflect that it has exclusive access to at least 16 parking stalls within the shared on-site parking lot.
4. That parking stall signage designating pick up/drop off spots be installed.
5. A reciprocal access easement between the property owner and the property owner directly to the south be signed and recorded that would allow for the connection and use of their parking lot drive isles when/if the properties expand or redevelop.
6. That the applicant complies with all Building & Safety, and Fire & Life Codes.
7. That the applicant be responsible for meeting all provisions of the Sandy City Development Code.
8. That this Conditional Use Permit be reviewed upon legitimate complaint.

Planner:



Sarah Stringham
Planner

File Name: S:\USERS\PLN\STAFFRPT\2024\CUP01222024-006701 - THE INN - ADULT DAYCARE\STAFF REPORT THE INN
CUP ADULT DAYCARE.DOCX

Exhibit "A"



1/22/2024

RE: Conditional Use Permit

The INN LLC
11333 S 1000 E Suite 100
Sandy, UT 84094

To Whom it May Concern:

The use of this building will be for Day Support and After School Program for Special Needs individuals. We are licensed with DSPD (The Department of Services for Persons with Disabilities) and have a contract with them to provide services and care to individuals and to be able to take them into the community and allow them to enjoy a better quality of life through their participation there.

Many of those who will be requiring these services are those within the Autism Spectrum Disorder, Cerebral Palsy, Acquired Brain Injury, Intellectual Disabilities, Physical Disabilities, Mental Health Conditions and more.

This location fits the standard of care our business is looking for as it is located close to a recreational facility, Movie Theater, Restaurants, Parks and other Recreational Areas. This facility will allow adults with special needs to come together to socialize, develop and learn with others and staff. We will have activities that will help them learn and practice fundamental life skills. This location will also be used as a drop off and pick site for families as well as a site for those who do not want to go into the community.

The activities and services on site include the following: Sensory Rooms, Arts and Crafts, Painting, Games, Projector for Movies, Calming Room, and a variety of life learning skills. The additional skills provided will be Personal Budget Assistance, Employment Education including Resume training and much more. We plan to have 1-2 vans on site as we will be picking up and dropping off individuals to and from the site as well as to their homes. We plan to use up to 8 parking stalls at one time as we do plan to have 4-6 full time employees on site during business hours.

The office hours will be 9am to 9pm Monday through Saturday depending on the needs. We are planning on two shifts of activities 9am to 3pm for the morning and then an After School Program as needed from 3:30pm-9:00pm. There should not be a big impact on traffic as the times available to clients will vary each day and be within typical business hours.

The conditional use of this facility will not be in contrast to the public interests as we are dedicated to protect and promote the health, safety and welfare of the public as well as our clients and staff. We will be keeping with the character of the existing zoning area, in that the space we are using is equipped appropriately for use.

Please let me know if you have any further questions that we can answer. We look forward to expediting this approval for use so that we can provide these needed services throughout the community.

Sincerely,



Tuiono Malakai
Executive Director

801-201-1955

tuiono@parutah.com

www.theinnutah.com



Exhibit "B"

11333 S 1000 E



January 22, 2024

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Exhibit "B" continued

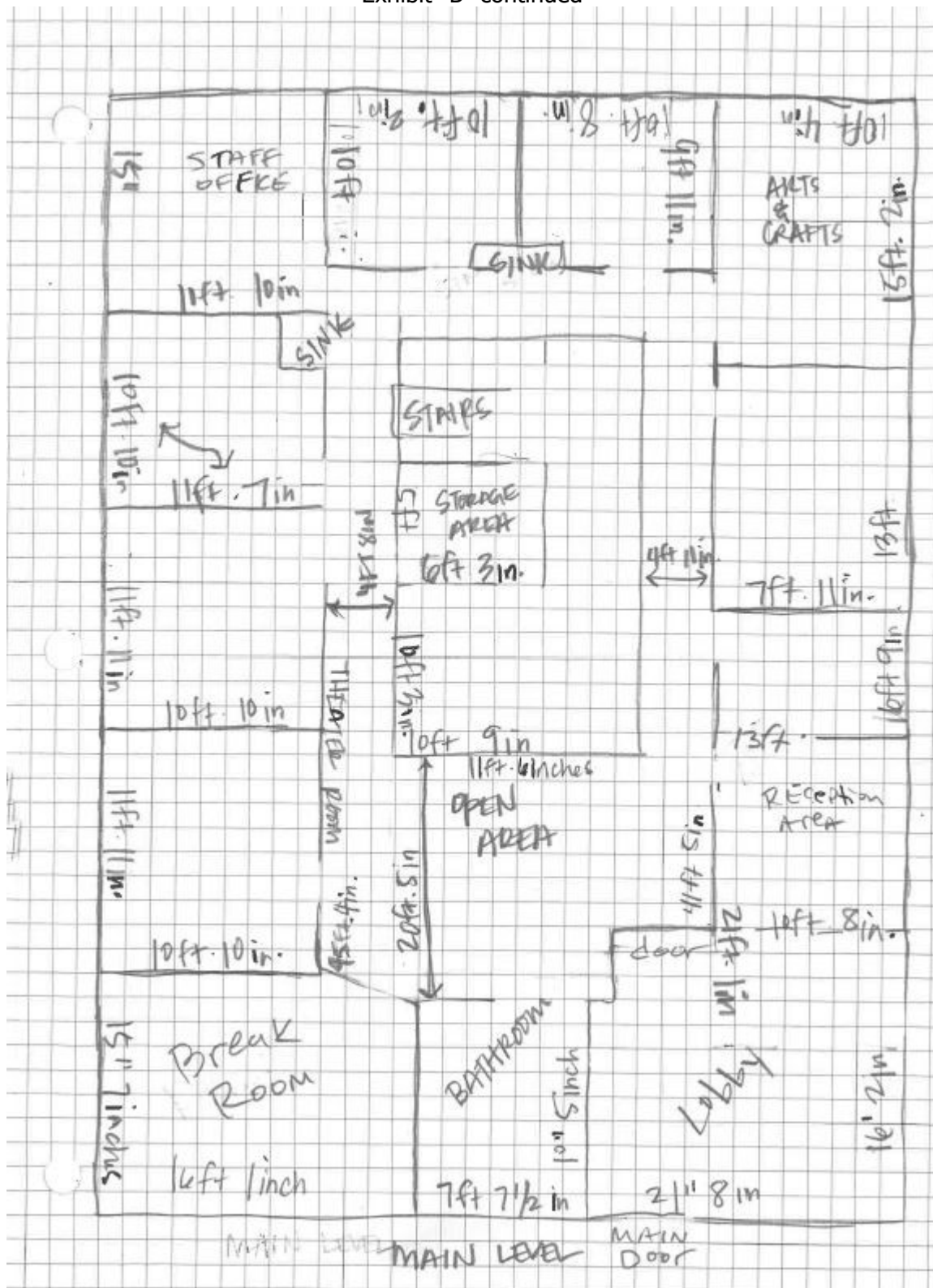


Exhibit "B" continued

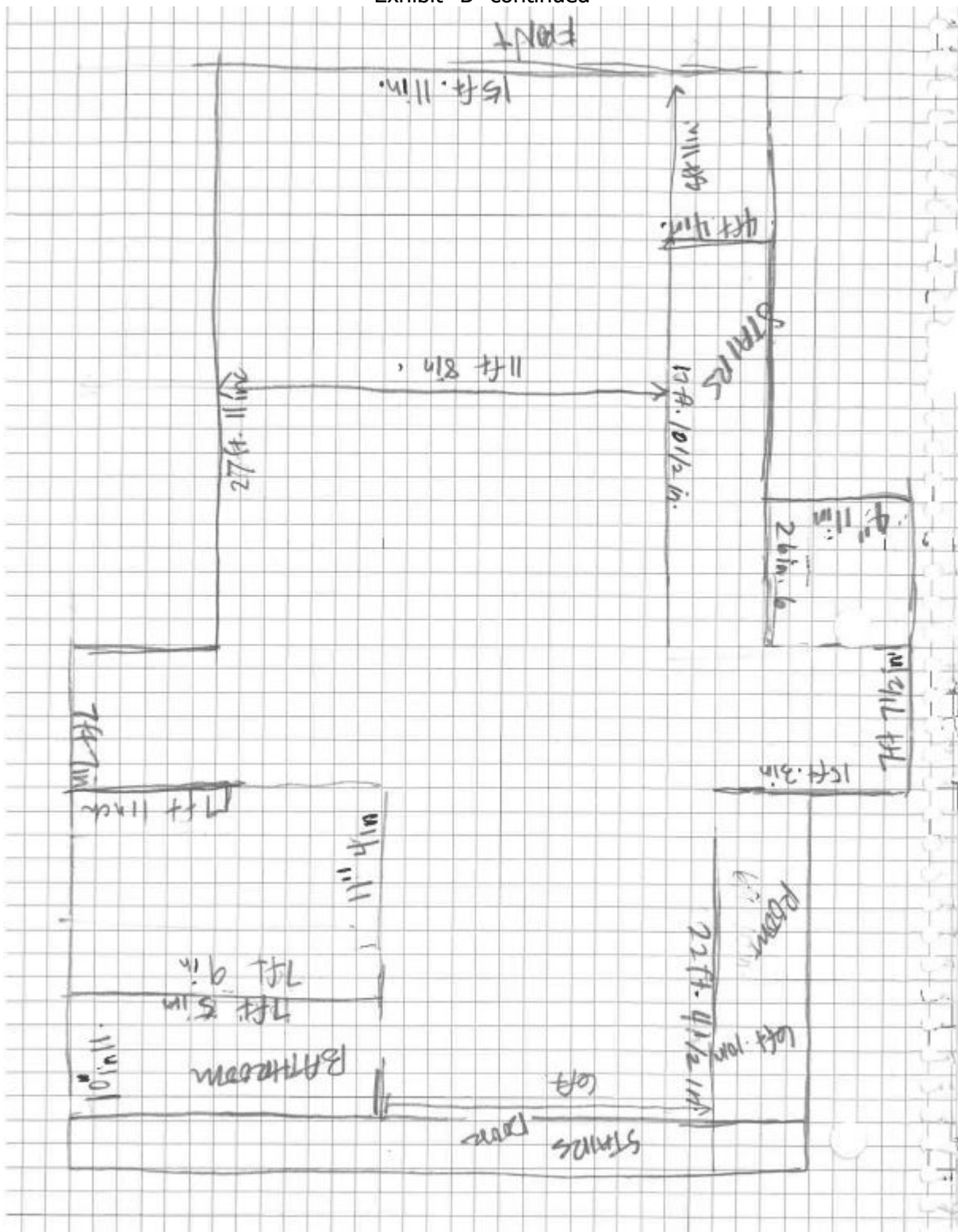
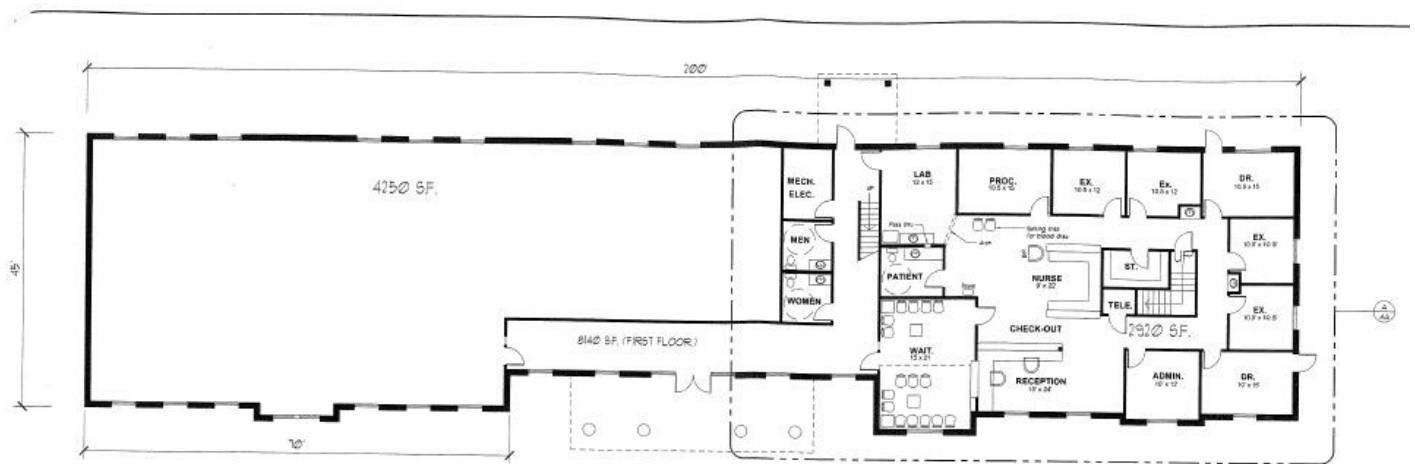
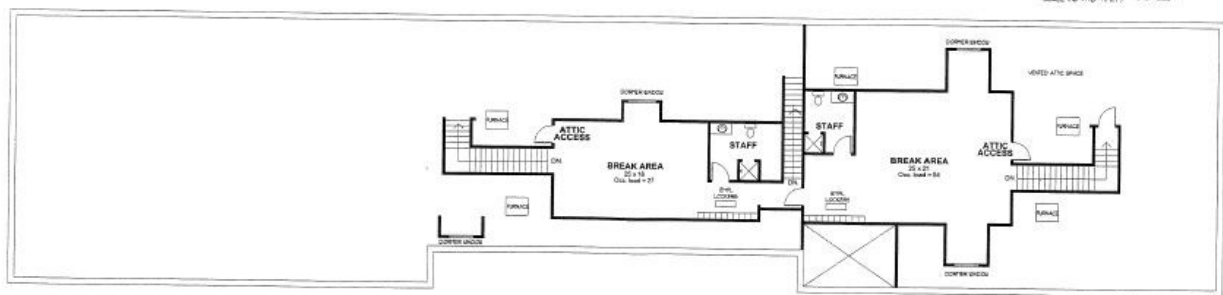


Exhibit "B" continued



A OVERALL MAIN FLOOR PLAN
SCALE 1/8" = 1' (1/4" = 1/2")
SCALE 1/8" = 1' (1/4" = 1/2")



B OVERALL UPPER FLOOR PLAN
SCALE 1/8" = 1' (1/4" = 1/2")
SCALE 1/8" = 1' (1/4" = 1/2")

Exhibit "C"

From: Helize Matusick <hmatusick@gmail.com>
Sent: Friday, January 26, 2024 11:54 AM
To: Sarah Stringham <sstringham@sandy.utah.gov>
Subject: [EXTERNAL] Permit for 11333 S 1000 E Suite 100

I live within 500 feet of the proposed permit for an Adult and Child Daycare program at the above property.

If approved, do we know what the anticipated hours of operation will be? How many staff members will be using the parking lot and what is the capacity of attendees for the business? Can we expect 100 cars coming and going twice a day, every day?

1000 e is a very, very busy street during the times Alta HS starts, stops and goes to lunch time. It is very hard to get onto and off of Sandcrest drive during these times. The parking lot entrance to this property is directly across from Sandcrest Drive. I'm concerned about the volume of traffic coming out of that parking lot making it even harder for us residents to get off of and onto Sandcrest Drive.

Sincerely,
Helize Matusick
Sandy Resident
208-949-6179

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2-1-24
Phone call

Kevin Wilde – wondering what Adult Daycare was. Explained it was for persons with disabilities such as autism or other mental or physical disabilities. He asked how many suites were in the office building. I told him there were three.

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From: Deb Sussman <perknchaps@gmail.com>
Sent: Monday, February 5, 2024 10:18 PM
To: Sarah Stringham <sstringham@sandy.utah.gov>
Subject: [EXTERNAL] Daycare

Hello, I was curious about adult and children daycare. I have not heard of that before. Are they kept separate spaces? Interesting concepts. Thanks deb sussman Sent from my iPhone