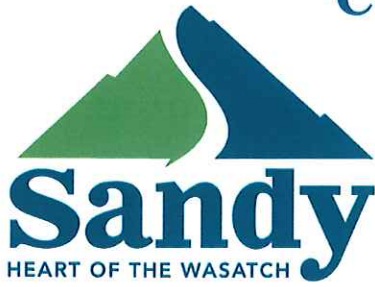


Community Development Department



Tom Dolan
Mayor

Byron Jorgenson
Chief Administrative Officer

Michael G. Coulam
Director

CITY COUNCIL AGENDA & ACTION REQUEST

TITLE: Thornblad Rezone - ZONE-8-16-5120

Date of Request: October 17, 2016

Requesting Department: Community Development

Contact Employee: Mike Wilcox, Long Range Planning Manager

Telephone: 801-568-7261

Approved Agenda Date: October 25, 2016

Nature of Request: Steve Williams and Kurt Michelsen are requesting to rezone approximately 0.97 acres from the R-1-8 "Single-Family Residential District" to the R-2-8 "Two-Family Residential District". The subject property is located at 294 East 9400 South. The resulting application of zoning would allow for a proposed twin home development of 4 lots and 8 units on the subject property.

Brief History of Prior Recommendations: Staff recommended to Planning Commission that the proposed rezoning be approved. On **September 15, 2016**, the Planning Commission unanimously recommended to the City Council to rezone the subject property from the R-1-8 "Single-Family Residential District" to the R-2-8 "Two-Family Residential District".

Proposed Motion for Action:

1. That the subject property, located at approximately 9270 South 840 East, be rezoned from the R-1-8 "Single-Family Residential District" to the R-2-8 "Two-Family Residential District" based on the three findings shown in the staff report.
2. To adopt ordinance #16-40 to rezone the subject property from the R-1-8 "Single-Family Residential District" to the R-2-8 "Two-Family Residential District".

Attachments:

Action Document

Additional Detail, Info., Reports

Planning Commission Minutes

Resolution

Ordinance Exhibits

Annexation Policy

THORNBLAD REZONING

ORDINANCE #16-40

AN ORDINANCE AMENDING AND FIXING THE BOUNDARIES OF A ZONE DISTRICT OF THE SANDY CITY ZONING ORDINANCE; TO WIT: REZONING APPROXIMATELY 0.97 ACRES FROM THE R-1-8 "SINGLE-FAMILY RESIDENTIAL DISTRICT" TO THE R-2-8 "TWO-FAMILY RESIDENTIAL DISTRICT", LOCATED AT APPROXIMATELY 294 EAST 9400 SOUTH; ALSO PROVIDING A SAVING CLAUSE AND AN EFFECTIVE DATE FOR THE ORDINANCE.

BE IT KNOWN AND REMEMBERED that the City Council of Sandy City, Utah, finds and determines as follows:

1. Pursuant to Sections 10-9a-501 through 10-9a-505 Utah Code Annotated 1953 as amended the City has authority to make and amend a zoning plan which divides the City into zoning districts and within those districts to regulate the erection, construction, reconstruction, alteration, and uses of buildings and structures and the uses of land.

2. A request has been made for a change of zoning on the below described property.

3. The Planning Commission held public hearings on September 15, 2016, which meeting was preceded by notice published in the Salt Lake Tribune on September 1, 2016, and by posting in Sandy City Hall, Sandy Parks & Recreation, the Salt Lake County Library-Sandy, the Sandy City Website - <http://www.sandy.utah.gov>, and the Utah Public Notice Website - <http://pmn.utah.gov> on August 25, 2016; and to review the request for rezoning and has made recommendations thereon to the City Council.

4. The City Council of Sandy City, Utah has held public hearings before its own body on October 25, 2016 which hearing was preceded by publication in the Salt Lake Tribune, on October 15, 2016, and by posting in Sandy City Hall, Sandy Parks & Recreation, the Salt Lake County Library-Sandy, the Sandy City Website - <http://www.sandy.utah.gov>, and the Utah Public Notice Website - <http://pmn.utah.gov> on October 10, 2016; and has taken into consideration citizen testimony, planning and demographic data, the desires of the owners of the property and the Planning Commission recommendation as part of the Council's deliberations.

5. The rezoning of said parcel will be appropriate, it is in accordance with the General Plan, it will promote the health and general welfare of the City, it will be compatible with the best interests of the particular neighborhood involved and it will be sensitive to the needs of the City as a whole.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Sandy City, Utah, as follows:

Section 1. Amendment. The zoning ordinance which sets forth the zone districts within Sandy City which portion of the said zoning ordinance is established by a zoning map, is hereby amended as follows:

The property described in **EXHIBIT A** is attached hereto and by this reference made a part hereof, which property is located at approximately 294 East 9400 South, Sandy, Utah, and is currently zoned the R-1-8 "Single-Family Residential District", shall be zoned to the R-2-8 "Two-Family Residential District", and the land use map is amended accordingly. The resulting application of zoning would allow for a proposed twin home development of 4 lots and 8 units on the subject property.

ZONING PRIOR TO EFFECTIVE DATE OF THIS ORDINANCE:

R-1-8 "Single-Family Residential District"

ZONING AFTER EFFECTIVE DATE OF THIS ORDINANCE:

R-2-8 "Two-Family Residential District"

Section 2. Severability. If any part of this ordinance or the applications thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section 3. Effective Date. This ordinance shall become effective upon publication of a summary thereof.

PASSED AND APPROVED this _____ day of _____, 2016.

Stephen P. Smith, Chairman
Sandy City Council

ATTEST:

City Recorder

PRESENTED to the Mayor of Sandy City for his approval this _____ day of _____, 2016.

APPROVED this _____ day of _____, 2016.

Thomas M. Dolan, Mayor

ATTEST:

City Recorder

RECORDED this _____ day of _____, 2016.

SUMMARY PUBLISHED this _____ day of _____, 2016.

Chairman Jared Clayton closed this item to public comment.

Scott Sabey recused himself from this item.

Commissioner Cheri Burdick commented that she believes the buyer sees what they are purchasing and it is up to them if they choose to put it in a disclosure and have it recorded.

Commissioner Joe Baker commented that he believes the mixed use seems appropriate for that area. The other issues will have a date in the future to be discussed.

Commissioner Joe Baker moved that the Planning Commission forward a positive recommendation to the City Council to rezone the subject property, located at 668 & 660 East Locust Street, from the BC and the R-1-7.5(HS) to the MU "Mixed Use District" based on the three findings in the staff report.

Cheri Burdick seconded the motion. The vote was as follows: Joe Baker, yes; Cheri Burdick, yes; Ron Mortimer, yes; Jared Clayton, yes. The vote was unanimous in favor.

6. Thornblad Rezone, R-1-8 to R-2-8 294 East 9400 South [Community #5] ZONE-8-16-5120

Mr. Steve Williams and Mr. Kurt Michelsen, with SAW Enterprises, requested to rezone approximately 0.97 acres from the R-1-8 "Single-Family Residential District" to the R-2-8 "Two-Family Residential District". The subject property is located at 294 East 9400 South. The resulting application of zoning would allow for a proposed twin home development of 4 lots and 8 units on the subject property. Mr. Steve Williams and Mr. Kurt Michelsen have prepared a letter requesting the zone change.

While bordered by single-family homes on 3 sides, this property is isolated from the surrounding subdivisions. It's also fronting a major collector road in 9400 South. This type of situation lends itself for the property to be rezoned to something different than the properties around it. Attached single-family housing can be a good land use in these situations.

Staff recommends that the Planning Commission forward a positive recommendation to the City Council to rezone the subject property, located at 294 East 9400 South, from the R-1-8 "Single-Family Residential District" to the R-2-8 "Two-Family Residential District" based on the following findings:

1. That the proposed rezoning is consistent with the Sandy City General Plan.

Planning Commission Minutes
September 15, 2016
Page 12

2. That the proposed rezoning will have no unmitigated negative impacts on the surrounding properties or the area as a whole.

Mike Wilcox presented this item to the Planning Commission.

Steve Williams, with SAW Enterprises, 4373 Briarwood Lane, Lehi, stated that they have been working on what they can do with this property for the past 2 years. Initially they wanted to have it be very dense. They now would like a road down the center with 2 homes on each side.

Chairman Jared Clayton opened this item to public comment.

Victoria (inaudible), 9420 South 300 East, Sandy, confirmed that the property was originally a fire hazard. She stated that her concern is privacy and does not want anyone facing them with their windows. She believes that trees would be beneficial. She also commented a fence would be beneficial.

Kenny Cloath, 9434 South 300 East, Sandy, stated that he hopes that they finish cutting down those big trees on that lot. He would like to see the trees match the project.

Judy Allen, 9406 South 300 East, Sandy, commented that they have been to a meeting with the applicant before and she thought that she was told that the driveway would come in the west side of the property and it now looks like it's coming in the middle. She stated that she is concerned about the stop light as well. She stated that she is older and wiser, not smarter. She understands that a public meeting is just for the City to let the public know what they are doing. She appreciates the applicants.

Chairman Jared Clayton closed this item to public comment. He explained that tonight's discussion is only for a rezone.

Commissioner Scott Sabey commented that the Planning Commission members are all volunteers and he would not waste his time if all it was to do was to let the public talk and then ignore them. He

Curt Mickelson, 11492 South 3420 West, South Jordan, stated that their intentions are to put up a fence for more privacy. He also commented on the trees.

Chairman Jared Clayton opened this item to public comment.

Commissioner Joe Baker commented that he is in favor of the rezone and hopes something can be put in place that will enhance the whole neighborhood.

Commissioner Joe Baker recommended that the Planning Commission forward a positive recommendation to the City Council to rezone the subject property, located at 294 East 9400 South, from the R-1-8 “Single-Family Residential District” to the R-2-8 “Two-Family Residential District” based on the two findings outlined in the staff report.

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

7. Approval of Minutes – August 4, 2016

Ron Mortimer moved that the Planning Commission approve the minutes of the August 4, 2016 meeting.

Joe Baker seconded the motion. The vote was all in favor.

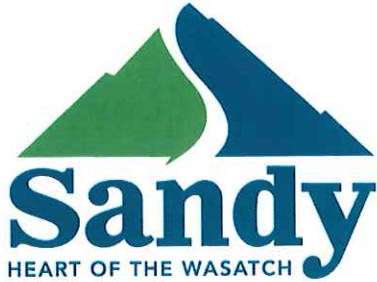
8. There was no City Council report given.

11. Mile Coulam gave the Director’s Report.

The meeting adjourned at 7:42 p.m.

The content of these minutes is not intended nor are they submitted as a verbatim transcript of the meeting. These minutes are a brief overview of what occurred at the meeting.

Respectfully submitted: _____
Amy Thomas, Minutes Secretary



Tom Dolan
Mayor

Byron Jorgenson
Chief Administrative Officer

Michael G. Coulam
Director

MEMORANDUM

September 8, 2016

To:	City Council via Planning Commission	
From:	Community Development Department	
Subject:	Thornblad Rezone [R-1-8 to R-2-8]	ZONE-8-16-5120
	Approximately 294 East 9400 South	0.97 Acres
	[Community #5]	

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

REQUEST

Mr. Steve Williams and Mr. Kurt Michelsen, with SAW Enterprises, are requesting to rezone approximately 0.97 acres from the R-1-8 "Single-Family Residential District" to the R-2-8 "Two-Family Residential District". The subject property is located at 294 East 9400 South. The resulting application of zoning would allow for a proposed twin home development of 4 lots and 8 units on the subject property (see attached concept plan). Mr. Steve Williams and Mr. Kurt Michelsen have prepared a letter requesting the zone change (see attached).

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 May 4, 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 development.

BACKGROUND

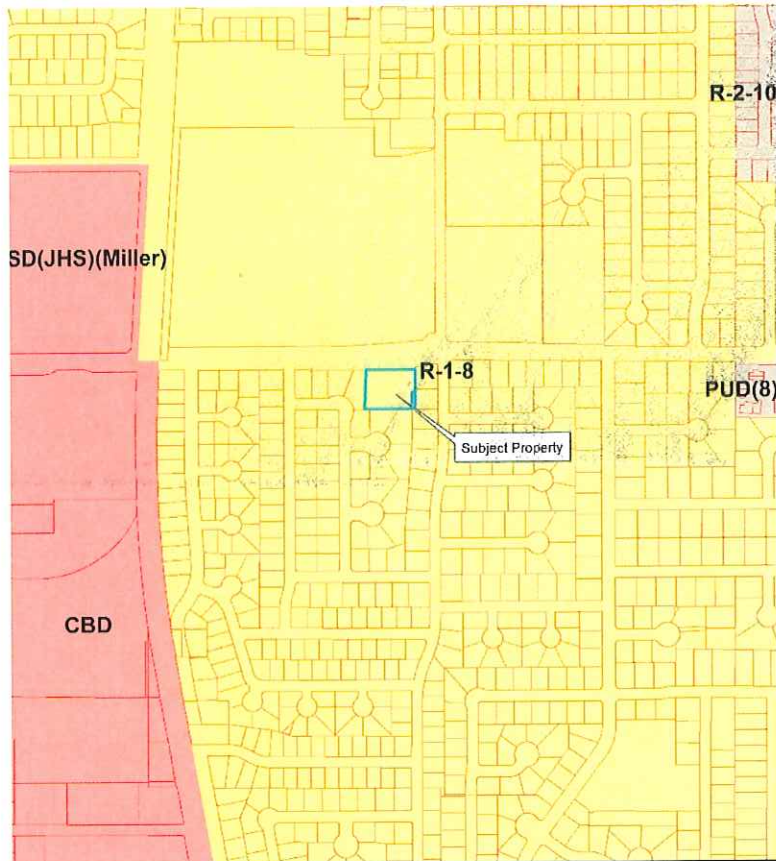
The subject property is bordered by Mount Jordan Middle School to the north (R-1-8) and single family homes to the west, south, and east (zoned R-1-8) (see zoning map).

The properties around this parcel have all been subdivided long ago in the 1970's but left this parcel out of those plats. These subdivisions left no stubs streets, connections, or ways to tie-in this property in the future. In reviewing old aerial imagery, it was determined that this land was the original farmhouse property from whence the surrounding subdivisions

came. The original home pre-dates our aerial imagery from 1938. A different home appears on the property in the 1958 aerial image, which is the same home that stands today on the property.

ANALYSIS

While bordered by single-family homes on 3 sides, this property is isolated from the surrounding subdivisions. It's also fronting a major collector road in 9400 South. This type of situation lends itself for the property to be rezoned to something different than the properties around it. Attached single-family housing can be a good land use in these situations.



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

Goal 4.0 – Provide housing for people in all life stages and incomes

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 would bring new residential development to the area that is otherwise built-out. This proposal would also introduce new housing types and opportunities in this area.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a positive recommendation to the City Council to rezone the subject property, located at 294 East 9400 South, from the R-1-8 “Single-Family Residential District” to the R-2-8 “Two-Family Residential 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.

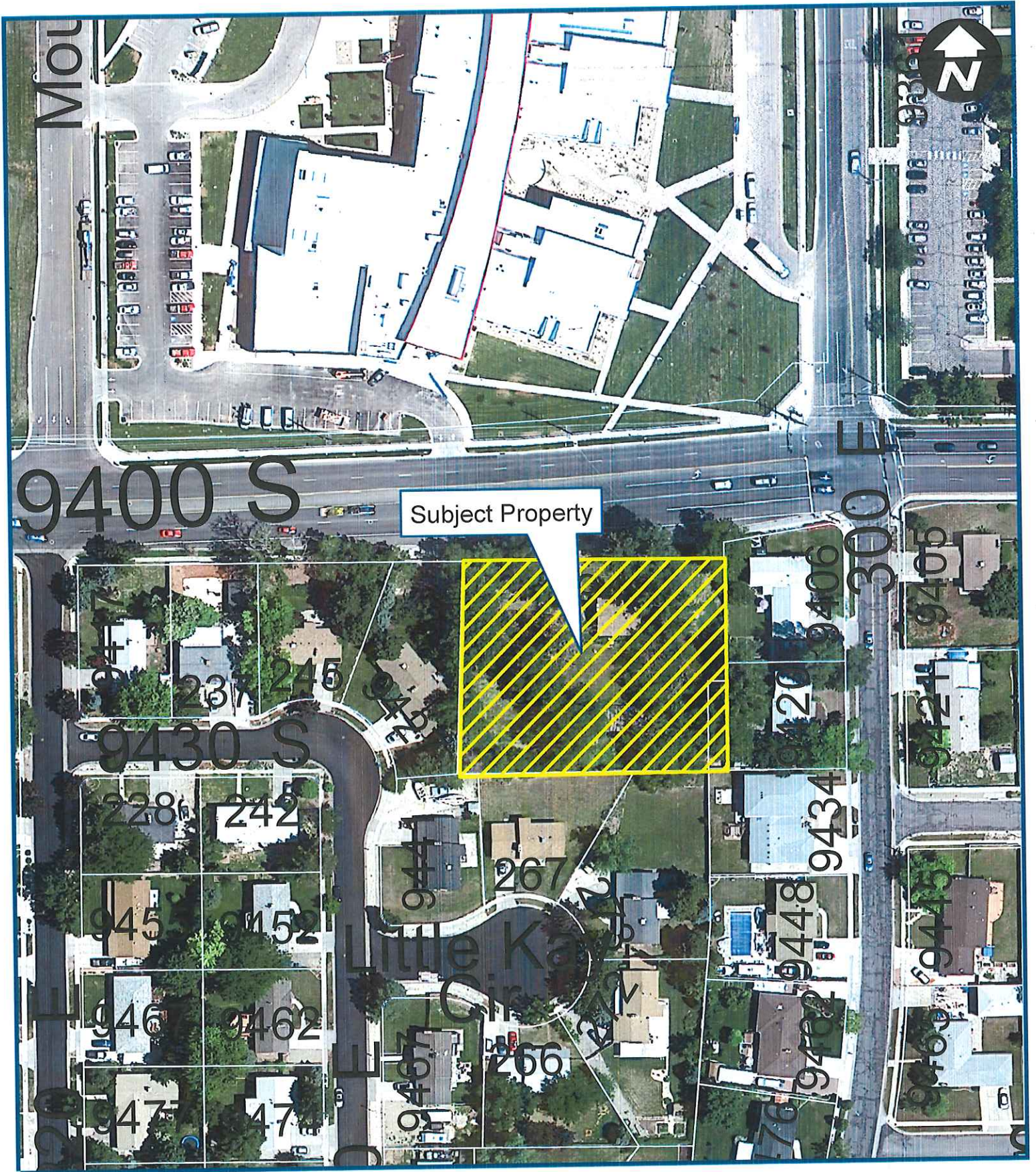
Planner:



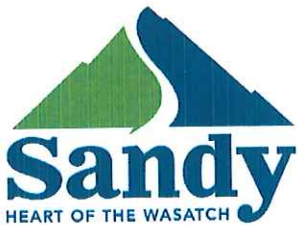
Mike Wilcox
Long Range Planning Manager

Reviewed by:





**ZONE-08-16-5120 :: Thornblad Rezone
294 East 9400 South**



PRODUCED BY WADE SANNER
THE COMMUNITY DEVELOPMENT DEPARTMENT

Yousuf Haroon

3706 Parkview Drive, Lakewood, California 90712

August 16, 2016

To Whom It May Concern:

I have engaged SAW Enterprise (Steve Williams) to handle matters pertaining to the rezoning, demolition and clearing of my property located at: 294 & 394 East 9400 South Sandy Utah.

Regards:



Yousuf Haroon
(310) 594-6725 Cell

Sincerely,



Steve Williams

(801) 860-5158

Sandy City

We have just under an acre of land (.97) located at 294 east 9400 south in Sandy Utah. We are looking to rezone the property and develop the land. At present there is one small home that is expected to be demolished by the end of August 2016. The property will be cleaned up as well, there are several trees that are dead and a bunch of others on the verge of dying. We plan on recycling all the trees. We are going to trim up the other trees to try and salvage as many trees as possible. We will also clean up all the tall weeds to prevent a fire hazard. The access to this property is off 9400 south, there is a turn lane in front of the property to make access in and out easy and not restrict any traffic flow on 9400 south.

Our current proposal is to have 8 twin homes on the property, see attached. We have had our neighborhood meeting and did not have any complaints about our proposal. We feel that our proposal will enhance the property, increase the values of the homes in the area, and make a nice addition to Sandy City. There will be a landscape maintenance plan set up for the home owners to keep the project looking nice and tidy.

Thank you for your consideration

Kurt M. Michelsen

