



Fratelli Ristorante
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To: Sandy City Council Members
From: Fratelli Ristorante
Pete Cannella & Dave Cannell, Owners
Date: August 11, 2016
Re: Fratelli Ristorante Rezone Request

For your consideration, Fratelli Ristorante would like to present the following points with regards to our request to rezone the parcel of property located at 1420 Segó Lily Dr. in Sandy. As Doug Haymore stated in the Planning Commission meeting on August 4, 2016, *"This is a remnant piece which by no fault of the applicant has unique restrictions and abilities and would not be appropriate for its currently zoned uses."* This piece of property has remained vacant and abandoned for a considerable amount of time by McMullin Homes, the homebuilder whose subdivision lies directly east of the parcel. It is agreed by all parties that this land is not suited for residential development; therefore a rezone would be appropriate. The most logical rezone option would be Community Commercial ("CC") as it shares a predominant boundary line with a current CC development. The claims voiced by homeowners that the homes along Eagle Cliff Way have always had "buffer" between themselves and the CC-zoned shopping center are unfounded, as there are approximately six homes on the southern end of that street that share a boundary line with the CC-zoned shopping center.

The rezone of this property to CC has received a positive recommendation from Sandy City staff and a positive recommendation on two occasions from Sandy City Planning Commission. There have been other attempts to develop this property in the past, none of which have received positive recommendations from Sandy City staff or Planning Commission.

Fratelli Ristorante has taken great care to address and mitigate the concerns of potential neighbors and community members during the preliminary planning process for the building. Additional traffic created by the customers of the restaurant has been a major concern of the residents adjacent to the property. Ryan Kump, City Transportation Engineer, has stated that the property will have a single driveway in and out which will be placed on the apex of the horizontal curve, creating larger than standard sight triangles. Therefore, pulling in and out of the restaurant parking lot will be safer than accessing the shopping center driveway directly west of the property or accessing residential streets Eagle Cliff Way or Firelight Way to the east. Fratelli Ristorante would like to point out that due to the nature of restaurant business, traffic is more evenly dispersed throughout the operating hours than would be the case for an office building. Furthermore, the peak hours of restaurant visitors do not coincide with peak traffic hours.

During the meeting, there were some questions raised regarding the restaurant's operating hours. Currently Fratelli Ristorante is open until 9:00 p.m. Mondays through Thursdays and 10:00 p.m. on Fridays and Saturdays. The restaurant is currently closed on Sundays. Taking into consideration noise and light coming from the property, Fratelli Ristorante is willing to install any sort of noise and light barriers necessary to help mitigate the effects on neighbors, including but not limited to landscape features, sound barrier walls and shaded light fixtures.

Fratelli Ristorante would like to clarify some concerns voiced about the high-pressure gas line that runs across the property. The gas line in question only intersects the property for a few feet in the northwest corner of the parcel. It then continues along the landscaped area belonging to the shopping center to the west. Furthermore, the setbacks that Sandy City requires for a building are greater than or equal to the setbacks required by Questar, making this gas line a non-issue.

Regarding the easement access from the shopping center to the west for deliveries and garbage, it has recently come to Fratelli's understanding that Wasatch Properties, who was in negotiations to purchase the shopping center, has stepped away. Fratelli has personal connections with the new purchasers of the shopping center, who are expected to close on the property in the next few weeks. As with the negotiation process before regarding this access, we cannot continue to negotiate until the new purchaser has completed the transaction. At the time of completion of the sale, we will re-initiate discussions regarding easement access for deliveries and garbage. Even if the new shopping center owners do not grant access, Fratelli is confident that our architect can come up with a plan to mitigate the neighbor's concerns.

During the meeting, there was also some concern as to whether or not this location is suitable for a DABC liquor license. The proximity of churches, schools, libraries and public parks to a restaurant that serves alcohol can be no closer than 600 feet walking distance or 200 feet straight line distance. There is no requirement by the DABC pertaining to the proximity of an establishment serving alcohol to residential areas. Steve Wallenda, DABC Compliance and Licensing, will be submitting a letter to Sandy City outlining this requirement.

In conclusion, Fratelli Ristorante feels strongly that allowing us to continue to invest in the community that we have grown up in and our business has called home for the past nine years will be positive for Sandy's residents. Having a local, family-run business will raise property values and contribute to a sense of community and quality of life. This type of establishment is exactly what Sandy needs to continue to grow as one of the premier communities along the Wasatch Front.