



# SANDY CITY COMMUNITY DEVELOPMENT

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## MEMORANDUM

June 7, 2018

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**To:** Planning Commission  
**From:** Community Development Department  
**Subject:** Southtown West Rezone, CBD-O to CBD  
10060 S. State Street  
[Community #9, "Commercial Area"]

ZONE-05-18-5403  
1.14 Acres

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**HEARING NOTICE:** *This item has been noticed to property owners within 500 feet of the subject area, on public websites, and in the newspaper.*

PROPERTY CASE HISTORY	
Case Number	Case Summary
S#95-05	Centennial Square Subdivision
SPR#95-11	Centennial Square Office Complex
SPR#97-05	Sweet Tomatoes Restaurant
S#97-25	Centennial Square Amended

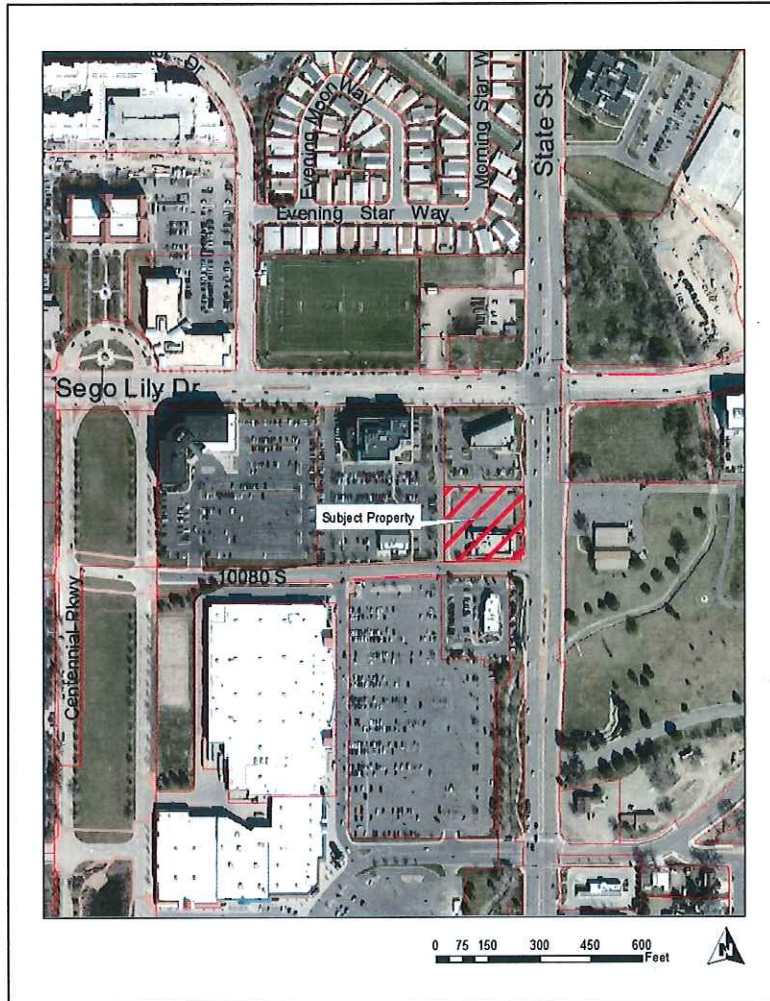
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### REQUEST

Thomas Williamsen (Applicant) has submitted an application for a zone change of property (approximately 1.14 acres) located at 10060 S. State Street from the Central Business District – Office Subdistrict (CBD-O) Zone to Central Business District (CBD) Zone. A concept plan submitted with the application implies that the existing building would be demolished and a new commercial building, with a drive-up window would be built. The Applicant has expressed his desire to construct a two-unit commercial building that would contain a retail tenant and drive-through restaurant. The current zone (CBD-O) does not allow for restaurants with a drive-up window. The proposed zone change to CBD would allow for a drive-through restaurant.

### BACKGROUND

The subject property is located on the west side of State Street. The subject property is on the south east corner of an area zoned CBD-O. The properties to the east, across State Street, are zoned MU. The properties to the south, across 10080 S. are zoned CBD.



There is an existing building on the site that was previously used as a restaurant (Sweet Tomatoes). The building is currently vacant. The existing building does not have a drive-up window. The property to the south, across 10080 S., is a restaurant with a drive-up window (Chick-Fil-A).

A community meeting was not previously held for this project as there are no residential dwelling units located within 500 feet of the subject property.

## FACTS AND FINDINGS

- The “Restaurant, Drive-Up Window” land use is not permitted in the CBD-O Zone and is a conditional use in CBD Zone.
- The subject property is adjacent to an area zoned CBD to the south.
- A Master Development Site Plan (1995) was approved, with conditions, for the Centennial Square Office Complex, which includes the subject property.
- The subject property is located in the South Village of The Cairns Master Plan (2017). The site is shown as “existing” (page 42), with no proposed changes.
- Both the Master Development Site Plan (1995) and The Cairns Master Plan (2017) include conditions, goals, and principles that promote walkability through land uses, site design, and building placement.
- The Sandy City General Plan includes applicable goals and policies, including the following:

### ***Commercial/Industrial Zoning and Development***

- *Policy 1.1 – Identify, describe, and encourage various levels of retail commercial activity into the most appropriate locations within Sandy City. In some cases, these*

*designations would apply to existing commercial districts, in other instances new locations should be identified.*

**Transportation**


- *Goal 4.0 – Make walking and bicycling a viable, convenient, and safe mode of transportation.*


**CONCLUSIONS**

- The Applicant’s intent to rezone the subject property and construct a building that would include a drive-through restaurant is generally discouraged by the associated master plans, but not prohibited.
- Retail uses are encouraged by The Cairns Master Plan and the sales tax revenue associated with retail uses generally increase the tax revenue of a property to the City.
- Reconstruction of the existing building on the property, if consistent with The Cairns Master Plan, would also support associated goals and principles.
- Specific site design and building aesthetics would be reviewed for compliance with the City Code and for consistency with the General Plan and applicable master plans upon submittal of a site plan application, if the proposed rezone is approved.
- A rezone of the property to CBD would be consistent with an adjacent zone area to the south.

Planner:

Reviewed by:

  
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Long Range Planning Manager

  
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Planning Director