



JAMES SORENSEN  
COMMUNITY DEVELOPMENT  
DIRECTOR

MONICA ZOLTANSKI  
MAYOR

SHANE E. PACE  
CHIEF ADMINISTRATIVE  
OFFICER

## Staff Report Memorandum September 21, 2023

To:	Planning Commission	
From:	Community Development Department	
Subject:	Learning to Love Dance (Conditional Use Permit – Category II Home Occupation) 2167 E. 11620 S. [Community #27]	CUP08032023-006581  R-1-12 .35 acres

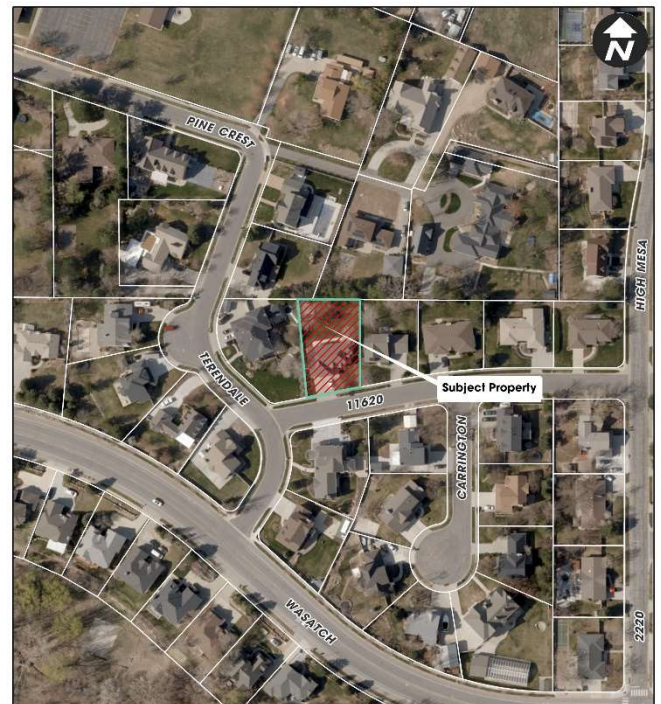
**Public Meeting Notice:** This item has been noticed to property owners within 500 feet of the subject area, on public websites, and at public locations.

### Request

The applicant and property owner, Debbie Bell, is requesting approval of a conditional use permit to allow for a category II home occupation for group child activities to allow for up to 12 children at one time on the property located at 2167 E. 11620 S. The applicant would like to hold dance classes at her home for children aged 2-8. (See Exhibit A). Any group child activities desiring to operate with more than eight children per day is required to obtain a conditional use permit for a category II home occupation from the Planning Commission. The permit could allow for up to 12 children per session or a maximum of 24 children per day.

### Background

The subject property is located in the R-1-12 zone and is 15,246 square feet. The subject property is lot 2 of the Hickory Valley 2 subdivision. To the east, west, and south are single family homes in the R-1-12 zone. To the north are single family homes in the R-1-20A zone.



CUP08032023-006581  
Conditional Use  
2167 E 11620 S

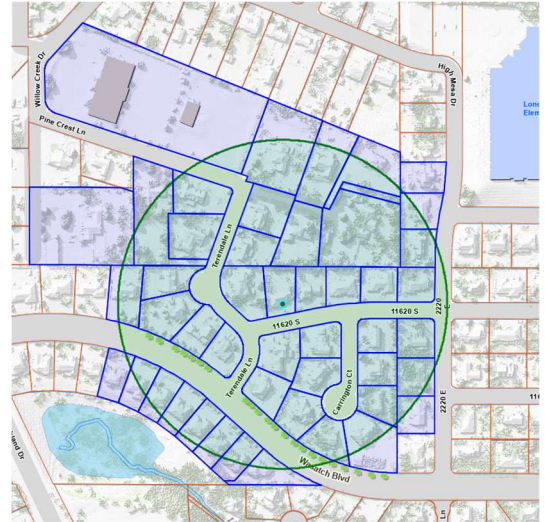
Sandy City, UT  
Community Development Department

### **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 August 31, 2023, and four neighbors attended. The following comments were made about the dance classes:

1. Concern about the time of day and that classes wouldn't be held at the same time school gets out.
2. Questions about the class size, number of employees, and types of dance taught.
3. Views this as an enhancement to the neighborhood and is strongly in favor of approval.
4. Happy to have her doing dance classes in the neighborhood.

In addition, staff has received one email from a neighbor (see Exhibit B).



### **Analysis**

**Section 21-11-5(f)(4)** of the Sandy City Development Code states the following provisions indicate a maximum limit that may be granted by the Planning Commission for other group child group activities which are expected to generate or exceed eight children/students at any one time other than child day care:

- a. The following guidelines shall be used to determine the maximum number of students/children permitted:
  1. A traffic plan that has been reviewed and approved by the City Transportation Engineer which includes acceptable traffic flow, drop off, and turn-around areas.
  2. The existing residential street is sufficient width to accommodate additional vehicular traffic.
- b. a maximum of 12 students/children per session and a maximum of 24 students/children per day shall be permitted.
- c. A maximum of four sessions per day may be permitted.
- d. All sessions combined shall no generate more than 24 vehicular stops per day.
- e. The total number of student/children shall include the licensee's and any employees' children if they are under six years of age and are under the care of the licensee at the time of the home occupation is conducted.
- f. No group child activities falling under a Category II home occupation may be established within 200 feet as measured from the property line to property line of another group child activity, Category II home occupation use.

The applicant, who is the only employee, is proposing to conduct dance classes for children between two to eight years old. The proposed use is only for child activities. Adult participation in classes such as "Mommy and Me" are or staying to watch the dance classes is not allowed. Dance classes will be held during the day, Monday through Friday, generally between 9:00am and 2:00pm and in the evenings from 4:00pm to 6:00pm. The applicant is proposing to only hold two class maximum per day with 8 children in each class.

A proposed traffic plan has been reviewed and approved by the Transportation Engineer, Britney Ward (see Exhibit C). This plan shows all drop-off and pick-ups are to occur on the passenger side of the vehicle in front of the home. No on-street parking is allowed at any time, including employee parking.

### **Conditional Use Standards**

The City may impose conditions on conditional uses 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:

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

*The applicant is proposing to have the children dropped off and picked up in front of their property on 11620 South.*

(12) The regulation of operating hours for activities affecting normal schedules and functions.

*The applicant is proposing to operate Monday through Friday from 9:00am – 2:00pm and 4:00pm – 6:00pm with a maximum of two classes per day.*

(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 has no concerns with the proposed use so long as the classes held only involve children and not the parents.

### **Recommendation**

Staff recommends that the Planning Commission approve a Conditional Use Permit for a category II home occupation for child group activities as described in the staff report for the property located at 2167 E. 11620 S. based on the following findings and subject to the following conditions:

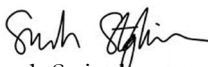
### **Findings:**

1. The proposed use meets the intent of a category II home occupation for group child activities in the Sandy City Land Development Code.
2. Classes are for children between the ages of two and eight.

### **Conditions:**

1. That classes are only held for children. No adults are allowed to participate in classes.
2. That the applicant complies with all Building & Safety, and Fire & Life Codes applicable to a category II home occupation for child group activities.
3. That this Conditional Use Permit be reviewed upon legitimate complaint.

Planner:

  
Sarah Stringham  
Planner

File Name: S:\Users\PLN\STAFFRPT\2023\CUP08032023-006581 Learning to Love Dance CUP

## Exhibit "A"

## Description for Conditional Use Permit

**Business Name- Learning to Love Dance**

Learning to love dance is requesting to provide small dance classes for children ages 2-6 from the basement of a home located at 2167 E 11620 S Sandy UT 84092. Jake and Debbie Bell are the owners of the home. Debbie will be the only teacher. Students will enter through the front door, go directly downstairs to the basement studio.

**Hours of Operation-**

A maximum of 2 classes per day will be offered on weekdays with a maximum of 8 students per class. Possible 2 hour time frames will be kept to either 9:15-11:15 AM, 12:45-2:45 PM or 4:15-6:15 PM. Debbie is willing to make adjustments to these time frames if needed or required by the city permit.

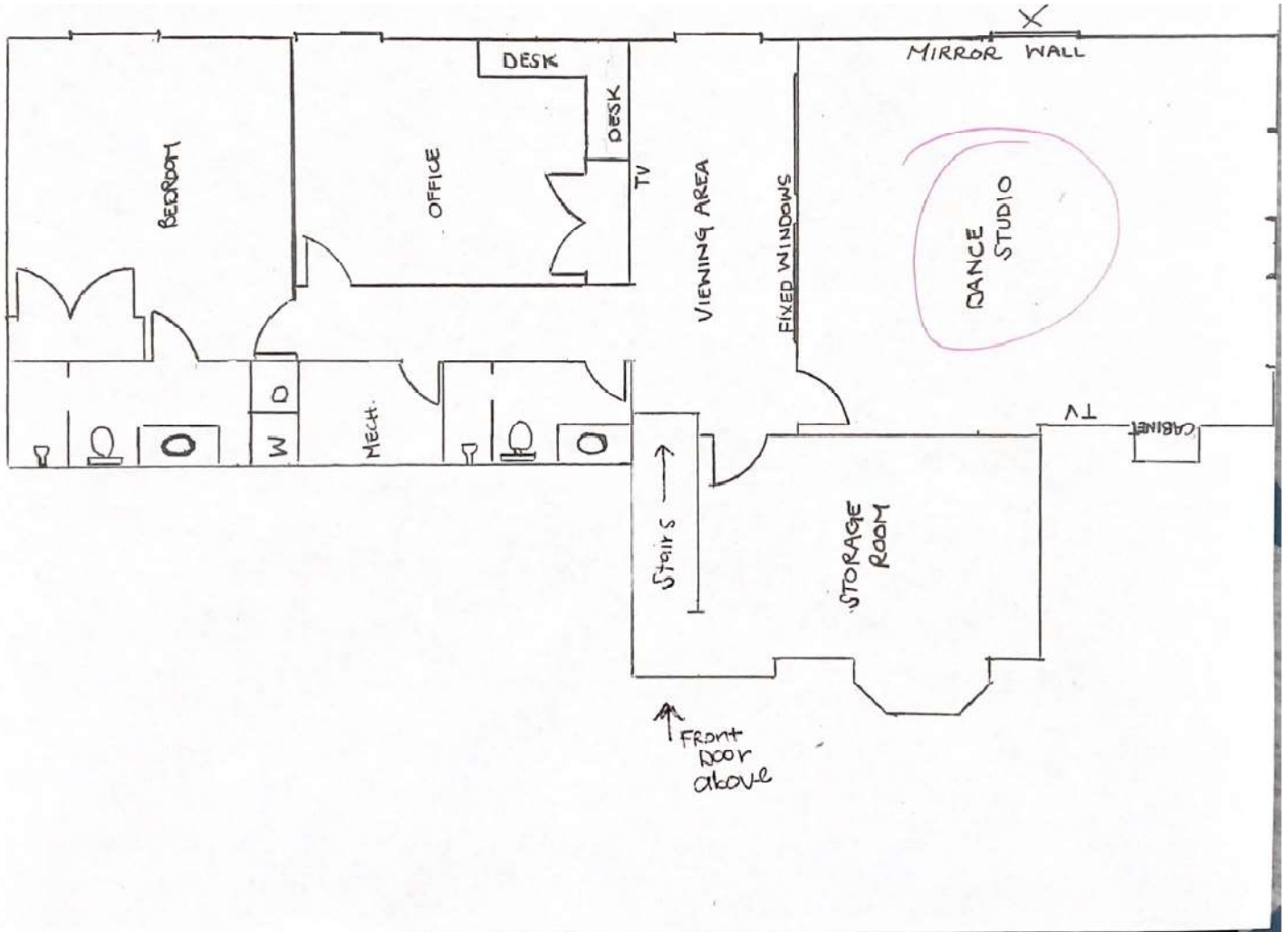
**Possible Parking-**

Debbie is willing to add more concrete to her side yard that would allow for 3 additional cars in her driveway. Please see attached picture. Parents and dancers will be encouraged to carpool.

**Drop Off & Pick Up-**

Some parents will choose to drop off and pick up. Please see the attached neighborhood plat map to see the possible flow of traffic. Parents and dancers will be encouraged to walk or carpool to decrease the amount of cars coming and going. I understand that my permit would only allow for 24 per day. To maintain this amount I am willing to limit students per day and or require parents to carpool.

Exhibit "A" Continued



## Exhibit "B"

**From:** Leah Davies <leahjade@gmail.com>  
**Sent:** Thursday, August 31, 2023 12:11 PM  
**To:** Sarah Stringham <sstringham@sandy.utah.gov>  
**Subject:** [EXTERNAL] Conditional use permit 2167 E. 11620 S.

Hi Ms. Stringham,

I'm writing to submit my comments regarding the proposed permit for dance classes @ 2167 E. 11620 S. My only concern is traffic related - street parking in particular. The streets at this location are narrow enough that parked cars require drivers to move into the opposing lane of traffic. Multiple cars would also reduce visibility of driveways and children crossing the street. The end of school day for Lone Peak Elementary (3:30) is when this would be of particular concern to me.

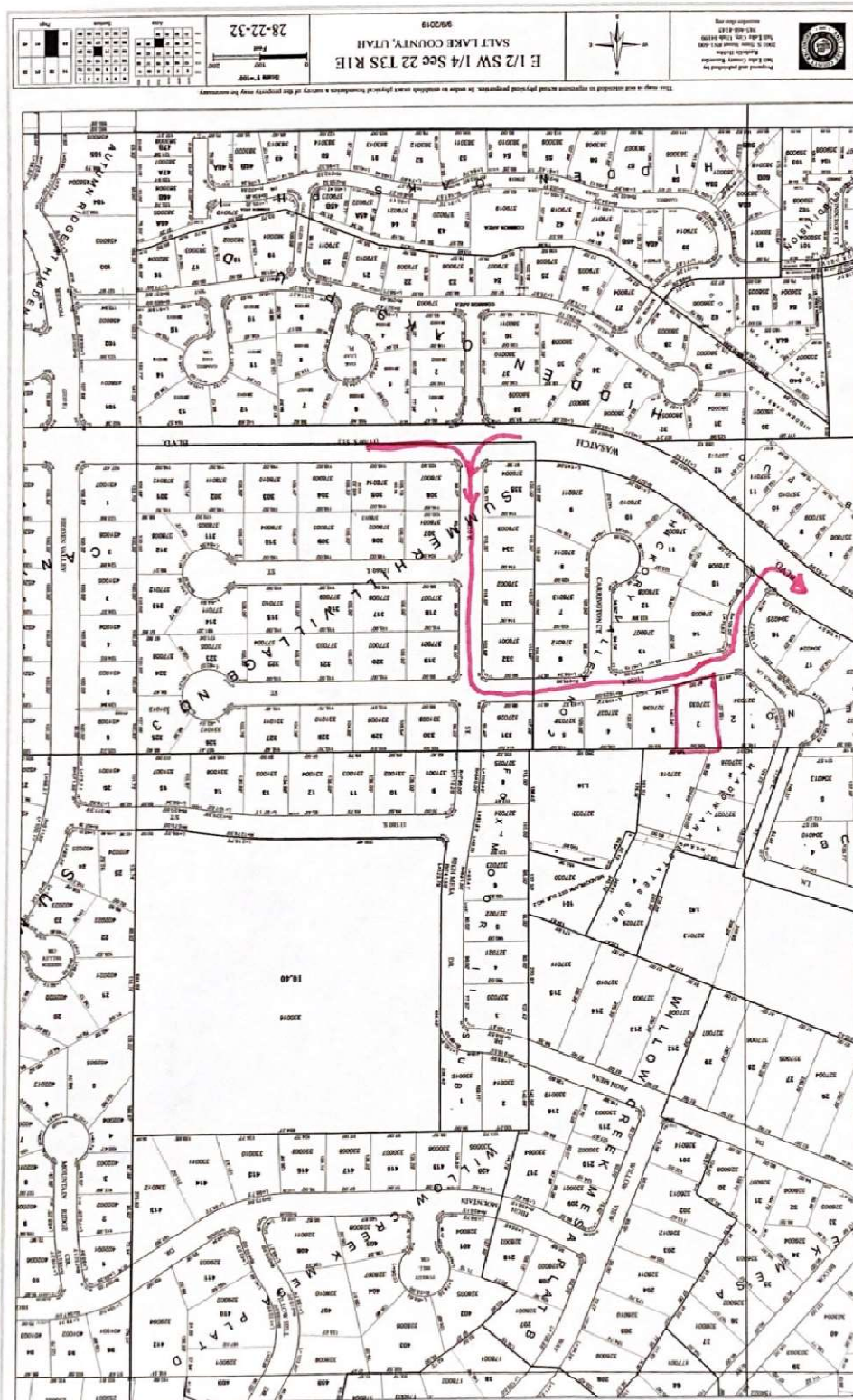
Lone Peak is just up the hill on High Mesa Dr. and traffic on all streets to it is busy from about 3:20-3:45. There are several children who live on Carrington Ct, Terendale Ln, and Stonecroft Way that I've seen crossing at various places (there's no crossing guard @ 11620 S. 2220 E.). Many drivers & even the buses use 11620 S. to leave school, as it avoids the school zone/crossing guard traffic @ 2220 E & Wasatch.

If Ms. Bell's classes don't coincide with this time and she doesn't expect many parents to need street parking, then I think this would be a very fun addition to our neighborhood community.

Thanks,

Leah Davies  
11622 S. Terendale Ln  
(435) 232-0068

Exhibit "C"



\* 2167 E. 11620 S. Sandy UT 84092  
Flow of Traffic for Drop off & Pick up