

**To:** Sandy City Council Members  
**From:** Fratelli Ristorante  
**Date:** August 15, 2016  
**Re:** Fratelli Ristorante Rezone

For your consideration, if it is determined at the August 16<sup>th</sup> Sandy City Council meeting that the CC zone is not appropriate for the parcel of land located at 1420 Segó Lily Dr., Fratelli Ristorante would request the City Council discuss and vote on a CN rezone. We feel our request to rezone to CC is appropriate given the proximity to the existing CC zoned property. However, the parcel at 1420 Segó Lily also borders on the CN zoned property located on the corner of 1300 East and Segó Lily Dr. The CN zone would limit businesses allowed to exist on a CC zoned property, thereby addressing neighborhood and City Council concerns.

**Community Commercial District (CC).** This district is established to allow for retail businesses and related uses to be grouped together into well planned and designed planned commercial centers serving an area of one or more of Sandy planning quadrants and/or areas that may extend beyond Sandy City.

**Neighborhood Commercial District (CN).** This district is established to allow for the creation of commercial centers to serve the convenience shopping and service needs of neighborhood areas of Sandy City within planned commercial centers. The Neighborhood Commercial District designation is intended for commercial developments that will relate to residential neighborhoods and will be compatible with residential character.

**Michael Applegarth - Fratelli Rezone - council agenda item**

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**From:** Daniel Rondeau <daniel@sagefa.com>  
**To:** "cmccandless@sandy.utah.gov" <cmccandless@sandy.utah.gov>, "knicholl@san...  
**Date:** 8/16/2016 12:38 PM  
**Subject:** Fratelli Rezone - council agenda item  
**Cc:** "mapplegarth@sandy.utah.gov" <mapplegarth@sandy.utah.gov>, "vfroisland@s..."

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Dear Members of the City Council:

I am emailing on behalf of the Hearthstone Homeowners' Association, Inc., which is the 50 home subdivision directly to the east and south of the site for the proposed rezone to the commercial "CC" zoning. The agenda for the meeting tonight lists this as item #7, under Council Items. The HOA reiterates the poll of its members found the vast majority in opposition to the rezoning this parcel to CC. The comments of the council during the last meeting indicate the tenor of the council was in line with the HOA in that the council was generally against placing a CC designation directly next to the residential community primarily because once it is rezoned CC there is no way in the present process to ensure the council gets what it agrees to. Rezoning to CC, even if well intentioned for what may be a delicious family eatery, does not guarantee that is what will go there and thus cracks open Pandora's box on what could happen with this parcel. Once approved for the CC zone, site planning cannot stop any of the plethora of what everyone agrees would be inherently unsavory businesses to be sharing a wall with residential. Counsel for the HOA has previously submitted a letter addressing our concerns and we implore you again to give that due consideration along with the detailed opposition packets and remarks provided by Messrs. Godot and Sheldon in the packets and during the hearing as well as the well thought concerns articulated by your fellow council members, specifically that of our local representative Ms. Barker. This rezone application should be denied.

Thank you for your work on behalf of Sandy.

Daniel Rondeau  
President, Hearthstone Homeowners' Association, Inc.

**Michael Applegarth - Re: Fratelli Alcohol and Hours**

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**From:** Michael Sheldon <mbnlsheldon@gmail.com>  
**To:** Paul Godot <paulgodot@gmail.com>, <mbarker@sandy.utah.gov>  
**Date:** 8/16/2016 1:38 PM  
**Subject:** Re: Fratelli Alcohol and Hours  
**Cc:** Scott Cowdell <scowdell@sandy.utah.gov>, Mike Applegarth <mapplegarth@sa...>

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Paul etal,

I find it ironic the juxtaposition of the action items tonight. Item one is on the rezone from CC to MU to allow the building of townhouses. These to be located next to commercial properties but with really good buffers of green spaces and streets then the principal business that is basically is 9 to 6, quiet, and facing away from the homes and has oodles of parking. I checked the web page and whilst they are open to 9 Tuesday to Saturday the customer flow charts on the web show a big drop off after 6. Closed on Sunday.

The staff report (06-16-005098) on pages 2 and 3 describes this current CC area as one remnant property with poor major street visibility and only feeder access therefore poor for commercial purposes. So spot on!

Then item two; the Fratelli proposal that is a "remnant" property, off a feeder road with poor visibility, has extremely limited parking and the main entrance faces the residences. Add to that it is a late night business with alcohol and party functions, it has later hours with no assurances of not going later or opening on Sundays and the concept has no street or substantial green space buffers. But this is good use of the land, it is good for the community and will be approved side by side on the same night?

It boggles the mind with the inconsistencies. Wonder what the city attorney feels about the opposites and the trap this creates?

I hope the council can see through this and does the right thing consistently! Approves the 1st and rejects the 2nd!

Michael

On Tue, Aug 16, 2016 at 11:10 AM, Paul Godot <[paulgodot@gmail.com](mailto:paulgodot@gmail.com)> wrote:  
Councilman Cowdell,

Your concern about rezoning the Property to commercial use solely to allow Fratelli to serve alcohol in essentially a residential neighborhood is a primary reason to deny the rezone. Serving hard liquor adjacent to a residential neighborhood should be against public policy. Serving hard spirits next to family homes does not promote the health, safety and general welfare of Sandy and our communities.

As for hours of operation, Fratelli's current hours are 11 am to 9 pm Monday - Thursday, 11 am to 10 pm Friday & Saturday. Closed Sunday. They do serve large parties and events. Being open until 10 pm on Friday and Saturday will create a noise problem as patrons leave the restaurant well after 10 pm. They may plan to be open on Sunday, if the rezone is approved. That means serving alcohol on Sunday.

Thank you for considering my thoughts, too.

Regards,  
Paul Godot