

Order for Special Meeting

Pursuant to the Sandy City Municipal Code § 22-1-3(b) a Special Meeting of the City Council will be held at 5:00 PM on Thursday, June 29, 2017. The agenda for the June 29, 2017 Special Meeting is attached to this Order and is for the consideration of an inter-local agreement for the administration of HOME funds through the County Consortium, and to consider an item tabled from the June 17, 2017 City Council meeting, namely a request from Mr. Preston Naylor, with NFM Real Estate, to approve a rezone approximately 5.68 acres from the 1 acre from the R-1-8 "Residential Single-Family District" to the RM(10) "Residential Multi-Family District" for the subject property, located at approximately 350 East 9000 South, known as the 300 East Townhomes Rezone - ZONE-03-17-5225.



Stephen P. Smith, Chair



Date



Sandy City, Utah

10000 Centennial Parkway
Sandy, UT 84070
Phone: 801-568-7141

Meeting Agenda

City Council

Scott Cowdell, District 1
Maren Barker, District 2
Kristin Coleman-Nicholl, District 3
Chris McCandless, District 4
Steve Fairbanks, At-large
Linda Martinez Saville, At-large
Stephen P. Smith, At-large

Thursday, June 29, 2017

5:00 PM

Council Chambers

Special Meeting

Web address to view complete packet: <http://sandyutah.legistar.com>

The Sandy City Council has adopted Rules of Procedure which are available at the rear of the Council Chambers and online at: <http://sandy.utah.gov/government/city-council/procedure-guidelines.html>. Public comments during the Citizen Comment portion of the City Council meeting, or those offered during a Public Hearing may not exceed 3 minutes. If you wish to comment on a public hearing item(s), please hold your comments until that item is being discussed. Work Session items may or may not occur prior to 7:00 PM. Items not concluded during the Work Session will occur in the regular Council Meeting at the conclusion of other official business. Consent Calendar items have been previously considered or are otherwise routine in nature and will be considered in a single motion unless a Council Member wishes to discuss an item separately. In compliance with the Americans with Disabilities Act, reasonable accommodations for individuals with disabilities will be provided upon request. For assistance, please call (801) 568-7141.

5:00 Council Meeting

Roll Call

Citizen Comments

Council Items

1. [ZONE-03-17-5225](#) Mr. Preston Naylor, with NFM Real Estate, is requesting the City Council to approve a rezone approximately 5.68 acres from the 1 acre from the R-1-8 "Residential Single-Family District" to the RM(10) "Residential Multi-Family District" for the subject property, located at approximately 350 East 9000 South, known as the 300 East Townhomes Rezone - ZONE-03-17-5225.

Attachments: [Council Request.pdf](#)
[Staff Report.pdf](#)
[PC05-04-2017.pdf](#)
[17-19.docx](#)
[Historic Committee Memo.pdf](#)

2. **17-178** The Community Development Department is recommending that the City Council approve the Interlocal Cooperation Agreement for the Home Investment Partnership Program for Federal Fiscal Years 2018 through 2020.

Attachments: Staff Report.pdf
AATF_Home Consortium Agreement.PDF
Resolution #17-37C scan.pdf

Adjournment



Staff Report

File #: ZONE-03-17-5225,
Version: 2

Date: 6/29/2017

Agenda Item Title:

Mr. Preston Naylor, with NFM Real Estate, is requesting the City Council to approve a rezone approximately 5.68 acres from the 1 acre from the R-1-8 "Residential Single-Family District" to the RM(10) "Residential Multi-Family District" for the subject property, located at approximately 350 East 9000 South, known as the 300 East Townhomes Rezone - ZONE-03-17-5225.

Presenter:
Mike Wilcox

Description/Background:

Mr. Preston Naylor, with NFM Real Estate is requesting to rezone approximately 1 acre from the R-1-8 "Residential Single-Family District" to the RM(10) "Residential Multi-Family District". The subject property is located at approximately 350 East 9000 South. The resulting application of zoning would allow for a proposed townhome development on the subject property.

Staff recommended to Planning Commission that the proposed rezoning be approved. On May 4, 2017, the Planning Commission recommended to the City Council to rezone the subject property from the R-1-8 "Residential Single-Family District" to the RM(10) "Residential Multi-Family District".

During the June 13, 2017 meeting, the City Council tabled the item until the Historic Committee could provide a written recommendation on the subject application. Said recommendation has been provided and is attached hereto.

Additional information is attached.

Recommended Action and/or Suggested Motion:

1. That the subject property, located at approximately 350 East 9000 South, be rezoned from the R-1-8 "Residential Single-Family District" to the RM(10) "Residential Multi-Family District" based on the two findings shown in the staff report and an additional finding that the Historic Committee has forwarded a positive recommendation regarding the rezoning to the City Council.
2. To adopt ordinance #17-19 to rezone the subject property from the R-1-8 "Residential Single-Family District" to the RM(10) "Residential Multi-Family District".



Community Development Department

Tom Dolan
Mayor

Scott J. Bond
Chief Administrative Officer

James L. Sorensen
Director

CITY COUNCIL AGENDA & ACTION REQUEST

TITLE: 300 East Townhomes Rezone - ZONE-03-17-5225

Date of Request: May 10, 2017

Requesting Department: Community Development

Contact Employee: Mike Wilcox, Long Range Planning Manager

Telephone: 801-568-7261

Approved Agenda Date: June 13, 2017

Nature of Request: Mr. Preston Naylor, with NFM Real Estate is requesting to rezone approximately 1 acre from the R-1-8 “Residential Single-Family District” to the RM(10) “Residential Multi-Family District”. The subject property is located at approximately 350 East 9000 South. The resulting application of zoning would allow for a proposed townhome development on the subject property.

Brief History of Prior Recommendations: Staff recommended to Planning Commission that the proposed rezoning be approved. On **May 4, 2017**, the Planning Commission recommended to the City Council to rezone the subject property from the R-1-8 “Residential Single-Family District” to the RM(10) “Residential Multi-Family District”.

Proposed Motion for Action:

1. That the subject property, located at approximately 350 East 9000 South, be rezoned from the R-1-8 “Residential Single-Family District” to the RM(10) “Residential Multi-Family District” based on the three findings shown in the staff report.
2. To adopt ordinance #17-19 to rezone the subject property from the R-1-8 “Residential Single-Family District” to the RM(10) “Residential Multi-Family District”.

Attachments:

☒ Action Document
☒ Additional Detail, Info., Reports
☒ Planning Commission Minutes

☐ Resolution
☒ Ordinance Exhibits
☐ Annexation Policy



Community Development Department

Tom Dolan
Mayor

Scott J. Bond
Chief Administrative Officer

James L. Sorensen
Director

MEMORANDUM

April 27, 2017

To: City Council via Planning Commission
From: Community Development Department
Subject: 300 East Townhomes Rezone, R-1-8 to RM(10) ZONE-03-17-5225
 350 East 9000 South [Historic Sandy, Community #4] 1 Acre

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

REQUEST

Preston Naylor, with NFM Real Estate, submitted a request to rezone approximately one (1) acre from the R-1-8 "Single-Family Residential District" to the RM(10) "Residential Multi-Family District". The subject property is located at approximately 350 East 9000 South. The resulting application of zoning would allow for a proposed townhome development on the subject property. At the encouragement of staff, the applicant requested that this item be tabled at the April 20, 2017 Planning Commission. This allowed the applicant time to have further discussions with staff and elected officials to review the request. As a result the applicant has amended his request to the RM(10) Zone rather than the RM(12) (see attached letters from the applicant).

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 March 8, 2017. 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 a collection of vacant properties that were remnants from the major road widening of 9000 South Street constructed by UDOT. There were eight (8) homes along this frontage that were purchased and removed as part of that project. These parcels represent land that was leftover. The remaining property has remained vacant since the mid 1990's after the road project was completed. The property is bordered by single family homes to the east and

(zoned R-1-8), a duplex unit and other single family homes to the west (zoned R-1-7.5(HS)) and to the north by an LDS church (zoned R-1-8) (see zoning map).

ANALYSIS

Mr. Naylor has submitted a conceptual subdivision layout that will need to be further refined through the review process with City Staff and the Planning Commission. The subdivision conceptual design is proposed to be for-sale townhomes with common areas and amenities.

The application of the RM zone is appropriate based on the surrounding developments of a church to the north, and a major arterial street as the street frontage. Single-family homes fronting onto a major street are not well received in the market, but townhomes and similar multifamily housing can act as a good transition and buffer from the heavy trafficked street and the single family homes behind it. Throughout the Historic Sandy Neighborhood, there are various multi-family developments (apartment buildings, condos, duplexes, townhomes, and twin homes) mixed within the single-family homes. This has occurred over time as the zoning districts for this neighborhood at one time allowed for multi-family housing and some that pre-date zoning designations. This would not be the first introduction of multi-family housing in the area. This is a much better location for this type of use than many of the pre-existing multi-family housing units in the neighborhood.

This property is unique in that access is extremely limited. While it has a lot of frontage onto a public street, UDOT controls access onto this major arterial. New driveways would not be permitted by UDOT and the access would need to be through the side streets. These site conditions limit the land uses that can work within those parameters.

Staff has worked with the applicant to find the appropriate density and zoning district to accommodate a well-designed project on this difficult collection of parcels. We have worked with the applicant to develop a conceptual layout for this site. The initial request for RM(12) was determined to be a bit too much for site to be appropriate for the area. Staff is much more comfortable with the request of the RM(10) as it would allow 10 units on the site.

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

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. This proposal would add more variety of housing types and home ownership 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 from the R-1-8 to RM(10) 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:

Reviewed by:



Mike Wilcox
Long Range Planning Manager

File Name: S:\USERS\PLN\STAFFRPT\2017\ ZONE-03-17-5225_300_East_Townhomes



**ZONE 03-17-5225 :: 300 East Townhomes
255 E 9000 S**



Michael Wilcox - RE: 300 E Townhome Rezone

From: Preston Naylor <penaylor@nfmrealestate.com>
To: Michael Wilcox <MWilcox@SANDY.UTAH.GOV>
Date: 4/25/2017 2:19 PM
Subject: RE: 300 E Townhome Rezone
Attachments: 300 East Townhomes.pdf

Mike,

In reference to our conversation I have attached the latest site plan which represents the reduction in our original request from 12 to ten units. Also I have met with Scott Cawdell and presented various townhome designs and elevations and discussed the appropriate use of materials, all of which would reflect the tradition look we are contemplating for the project. Furthermore we are schedule to meet with the Historic committee on May 10th to continue the discussion to achieve the "right look" for historic Sandy.

Thank you for your continued cooperation as we work to create a development which would be beneficial to the community.

Thank you,

Preston

Preston E. Naylor
NFM Real Estate, Inc.
22 East 100 South, 3rd Floor
Salt Lake City, Utah 84111
[801-322-2208](tel:801-322-2208) Office
[801-205-3109](tel:801-205-3109) Cell
penaylor@nfmrealestate.com



N.F.M. REAL ESTATE

Real Property Investment
Professional Consulting
Commercial Brokerage

Preston E. Naylor
Office: 801-322-2088
Fax: 801-322-2233

March 1, 2017

Mike Wilcox
Sandy City Long Range Planning Manager
Community Development Department
1000 Centennial Parkway
Sandy, Utah 84070

Re: Application for Zone Change: 8986 South, 280 East to 400 East

Dear Mike:

In reference to the attached application, we hereby request a zone change on the above referenced parcels from R1-8 to RM-12. This particular property has been undeveloped and neglected for a significant period of time. Sandy City has improved, with landscaping and a sidewalk, the property directly adjacent to the subject bordering 90th South, however the subject property itself remains vacant. It is covered with weeds and contains a fair amount of old damaged concrete. In this condition the property has become a bit of a safety hazard and certainly an attractive nuisance to the neighborhood.

Located one block from a Trax station the property provides exceptional accessibility to mass transit. The proposed zone change would enable the development of a townhome project which would, with the right design, reflect the esthetic and cultural values of the community. It is our intention to work in conjunction with the planning department and the Sandy Historic Committee as we developed the appropriate design for the project. The result of a this combined effort, carefully executed, would, in our opinion, create a superb townhome development which would be an asset to the community. In consideration of the above we respectfully request the approval of zoning change as outlined in the application.

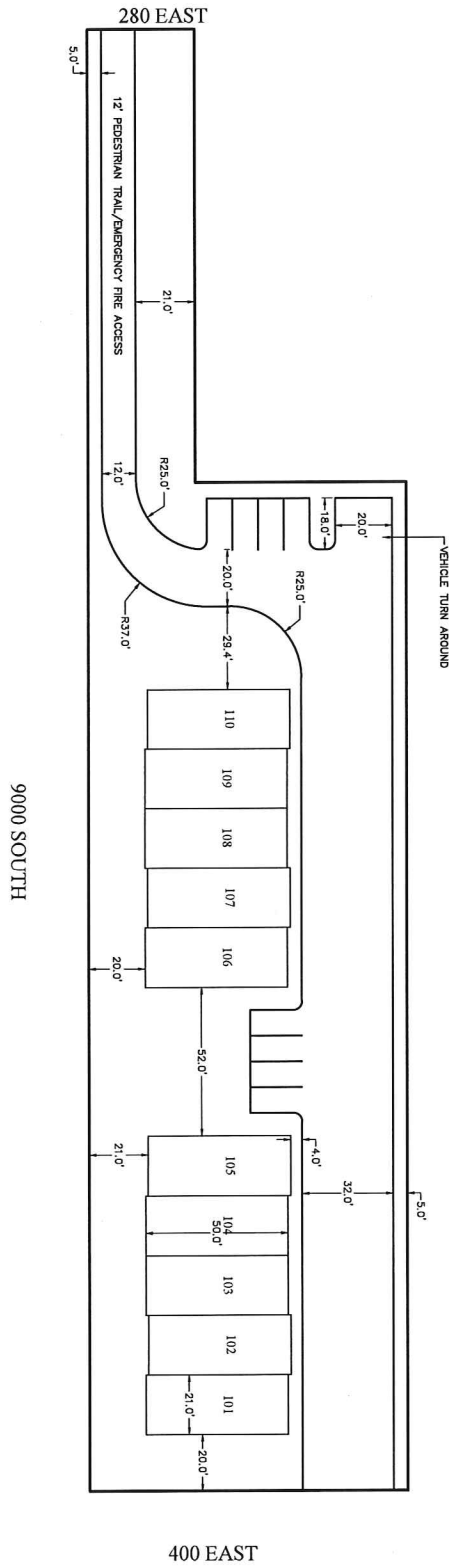
Thank you,

NFM Real Estate

CONCEPT J

PROJECT: 18-263
 LOCATED AT: 300 East 9000 South, Sandy, Utah
 ORIGINAL PROPERTY: 1.08 ACRES
 TOWNHOMES: 10
 TOTAL DENSITY: 8.52 UNITS/ACRE

300 EAST TOWN HOMES



GENERAL NOTE:
 INFORMATION PROVIDED ON THIS PLAN IS BASED ON THE BEST AVAILABLE DATA AT THE TIME OF PREPARATION AND MAY CHANGE AT ANYTIME FOR ANY REASON. THIS PLAN IS FOR ESTIMATING PURPOSES ONLY.



REVISION BLOCK	
#	DATE
1	
2	
3	
4	
5	
6	
7	
8	

300 EAST TOWN HOMES

300 E 9000 S, SANDY

Page 12 of 15

June 20, 2017 Special Meeting

FOCUS
 ENGINEERING AND SURVEYING, LLC
 32 WEST CENTER STREET
 MIDVALE, UTAH 84047 PH: (801) 352-0075
 www.focusllc.com

Michael Wilcox - Community #4 Meeting

From: Marsha Millet
To: Wilcox, Michael
Date: 3/10/2017 11:18 AM
Subject: Community #4 Meeting
Attachments: 20170310111713226.pdf

Mike,

A neighborhood meeting of the Historic Sandy Community (#4) took place on Wednesday, March 8, 2017 at 6:30 p.m. in the east conference room of Sandy City Hall. The meeting was held to inform any interested neighbors, living within a 300 foot radius of the property in question, that an application for a zoning change is being submitted to Sandy City by Preston Naylor of NFM Real Estate, Inc.

Mr Naylor is asking that the current R-1-8 zone be changed to R-M-12. A copy of the meeting attendees is attached.

Mr. Naylor is under contract to purchase a piece of property at 300 East 9000 South. If his zoning request is approved, he plans to develop the property by building twelve town homes on it. He is calling the project the 300 East Town Homes. At the meeting, he showed the neighbors a drawing of the lot, the layout of the town homes, and the turn around lane for the fire department. He said that the front of the town homes will face 9000 South and the garages will be accessed at the back. He reported that the town homes will be a "For Sale" product, to be sold for \$300,000+ to people who most likely will be middle to late thirties with one or two children. He showed a couple of renderings of what he said the town homes may look like, and he made a point of saying that they are only conceptual and not exactly what the actual town homes will look like.

Concerning the trees along 9000 South that interface with this property, Mr. Naylor said he would preserve as many of them as possible in the course of construction.

The neighbors at the meeting had two concerns:

1. Water pressure in the area is low for some residents. They don't want this project to make their water pressure worse than it already is.
2. There is a concern that if this zoning request is approved, then the City will arbitrarily apply the same zoning in other areas of this neighborhood. Mr. Naylor explained to them that his application for a zoning change is ONLY for the property in question, and not for any others in the area.

The meeting adjourned at approximately 7:15 p.m. Call me at ext. 7114 if you have any questions.

Sincerely,

Marsha Millet
 Senior Advisor to the Mayor

Community #4
Neighborhood Meeting
3-8-17

Name

Address

Phone

Queen Lashawne
Dee R. Reihl (C)

416 E. Laurel
432 Laurel

801 561-290

801 563 5992

PRESTON NAYLOR

1603 REDSTONE AVE. P.O. UT. 801 322 2208

Marsha Millet

Sandy City

801-568-7114

Wendell Cahoon

424 E. Laurel

801 566-4935

Mr. Alvarez responded that he wanted to increase the unit size to expand the master bedrooms and bathrooms and add space to the garage.

This item did not require a motion.

2. TABLED FROM APRIL 20, 2017
300 East Townhomes Rezone, R-1-8 to RM(10)
350 East 9000 South [Historic Sandy, Community #4] ZONE-03-17-5225

Preston Naylor, with NFM Real Estate, submitted a request to rezone approximately one (1) acre from the R-1-8 “Single-Family Residential District” to the RM(10) “Residential Multi-Family District”. The subject property is located at approximately 350 East 9000 South. The resulting application of zoning would allow for a proposed townhome development on the subject property. At the encouragement of staff, the applicant requested that this item be tabled at the April 20, 2017 Planning Commission. This allowed the applicant time to have further discussions with staff and elected officials to review the request. As a result the applicant has amended his request to the RM(10) Zone rather than the RM(12).

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a positive recommendation to the City Council to rezone the subject property from the R-1-8 to RM(10) 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.

Andrew King presented this item to the Planning Commission.

Commissioner Scott Sabey asked about the 12 foot secondary access on the west end.

Andrew King stated he believes there would be a driveway approach to access it from the driveway approach.

Preston Naylor, NFM Real Estate, 1503 Red Stone Way, Park City, presented the project. He stated the proposed property is well located and is a great place for townhomes. He will work with the Historic Committee concerning the materials used. He stated they originally wanted 12 units, but has since reduced it down to 10. He also doubled the requirement for guest parking and each unit will have a two-car garage.

Chairman Ron Mortimer opened this item to the public.

Before the meeting, Andrew King passed out an email from a nearby property owner who was against the request.

Owen Gatham, 416 E. Laurel Drive, stated his concern is what is taking place in these small areas. He believes the number of units should be less than the proposed 10.

Chairman Ron Mortimer closed this item to public comment.

Commissioner Doug Haymore moved the Planning Commission forward a positive recommendation to the City Council to rezone the subject property from the R-1-8 to RM(10) based on the two findings in the staff report.

Scott Sabey seconded the motion. The vote was as follows: Doug Haymore, yes; Scott Sabey, yes; Cyndi Sharkey, yes; Lisa Hartman, yes; Joe Baker, yes; Ron Mortimer, yes.
The vote was unanimous in favor.

**3. Granite Hollow South Rezone, R-1-40A to R-1-12
2543 East 10000 South [Little Cottonwood, Community #20] ZONE-04-17-5243**

Mr. Jeff Mansell requested to rezone approximately 2.57 acres from the R-1-40A “Single-Family Residential District” to the R-1-12 “Single-Family Residential District.” The subject property is located at approximately 2543 East 10000 South. The resulting application of zoning would allow for a subdivision proposal of the property creating a total six (6) lots, including a lot for the existing home. Mr. Mansell has prepared a letter requesting the zone change.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a positive recommendation to the City Council to rezone the subject property from the R-1-40A “Single-Family Residential District” to the R-1-12 “Single-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.

Andrew King presented this item to the Planning Commission.

Commissioner Doug Haymore asked what the appropriate rezone would be to accommodate what the applicant is asking for.

Andrew King asked if the question is could the rezone require larger lots and still accommodate what is being proposed? If that is the question, he stated he does not think so. The biggest reason for that comes down to lot frontage. There is a lot of land, but because of roads, their expense,

300 EAST TOWNHOMES REZONE

ORDINANCE #17-19

AN ORDINANCE AMENDING AND FIXING THE BOUNDARIES OF A ZONE DISTRICT OF THE SANDY CITY ZONING ORDINANCE; TO WIT: REZONING APPROXIMATELY 1 ACRE FROM THE R-1-8 "RESIDENTIAL SINGLE-FAMILY DISTRICT" TO THE RM(10) "RESIDENTIAL MULTI-FAMILY DISTRICT", LOCATED AT APPROXIMATELY 350 EAST 9000 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 April 20, 2017, which meeting was preceded by notice published in the Salt Lake Tribune on April 6, 2017, 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 March 31, 2017; 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 June 13, 2017 which hearing was preceded by publication in the Salt Lake Tribune, on May 30, 2017, 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 May 24, 2017; 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 rezone 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**, which is attached hereto and by this reference made a part hereof, which property is located at approximately 350 East 9000 South, Sandy, Utah, and is currently zoned the R-1-8 “Residential Single-Family District”, shall be zoned to the RM(10) “Residential Multi-Family District”, and the land use map is amended accordingly.

ZONING PRIOR TO EFFECTIVE DATE OF THIS ORDINANCE:

R-1-8 “Residential Single-Family District”

ZONING AFTER EFFECTIVE DATE OF THIS ORDINANCE:

RM(10) “Residential Multi-Family District”

Section 2. Severable. 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. This ordinance shall become effective upon publication of a summary thereof.

PASSED AND APPROVED this ____ day of _____, 2017.

Stephen P. Smith, Chairman
Sandy City Council

ATTEST:

City Recorder

PRESENTED to the Mayor of Sandy City for his approval this ____ day of _____, 2017.

APPROVED this ____ day of _____, 2017.

Thomas M. Dolan, Mayor

ATTEST:

City Recorder

RECORDED this ____ day of _____, 2017.

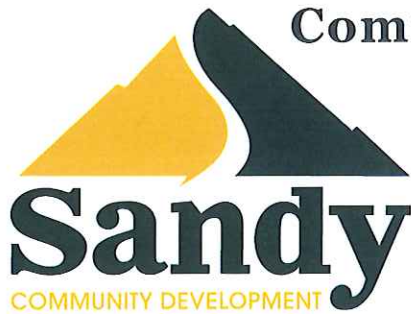
SUMMARY PUBLISHED this ____ day of _____, 2017.

EXHIBIT A
LEGAL DESCRIPTION

Rezoning – 300 East Townhomes
ZONE-03-17-5225

Beginning 139.65 feet North and 429 feet East from the Center of Section 6, Township 3 South, Range 1 East, Salt Lake Base and Meridian, and running thence North 112 feet; thence West 355.50 feet; thence South 74 feet; thence West 131.41 feet; thence South 14°37'05" East 30.45 feet; thence South 89°47'49" East 323.72 feet; thence South 7.38 feet; thence East 155.50 feet to the point of beginning.

Contains: .96 +/-acres



Community Development Department

Tom Dolan
Mayor

Scott J. Bond
Chief Administrative Officer

James L. Sorensen
Director

HISTORIC COMMITTEE MEMORANDUM

June 14, 2017

On May 10th, 2017, the Sandy City Historic Committee discussed issues related to the 300 East Townhome Rezone. The applicant, Preston Naylor, presented the ideas and concepts for the layout and the architecture of a proposed townhouse project, located at 350 East 9000 South. Issues related to finish materials on the townhomes, building height and the number of units allowed were discussed. The Historic Committee requested that the applicant return to the committee for discussion and a recommendation once architectural plans are submitted to the City. Based on this discussion, the applicant made commitments to the Historic Committee that the townhomes would have an historic aesthetic, including but not limited to the following: predominantly brick and fiber-cement sidings, pitched roofs, limited EIFS and gridded windows.

The Historic Committee recommended the City Council approve the requested rezone of the subject property, from the R-1-8 to RM(10).



Jeff Smith, Historic Committee Chair

6/14/17

Date



Staff Report

File #: 17-178, Version: 1

Date: 6/29/2017

Agenda Item Title:

The Community Development Department is recommending that the City Council approve the Interlocal Cooperation Agreement for the Home Investment Partnership Program for Federal Fiscal Years 2018 through 2020.

Presenter:

Mike Wilcox

Description/Background:

A memorandum summarizing the HOME program and the need for the proposed Interlocal Agreement for the Home Investment Partnership Program is attached.

Recommended Action and/or Suggested Motion:

1. That the City Council authorize Mayor Tom Dolan to sign the Interlocal Cooperation Agreement for the Home Investment Partnership Program for Federal Fiscal Years 2018 through 2020.



Community Development Department

Tom Dolan
Mayor

Scott J. Bond
Chief Administrative Officer

James L. Sorensen
Director

MEMORANDUM

June 21, 2017

To: City Council
From: Community Development Department
Subject: **Interlocal Cooperation Agreement for the HOME Investment Partnership Program for Federal Fiscal Years 2018 through 2020**

BACKGROUND

The HOME Program's main objective is to implement local housing strategies designed to increase homeownership and affordable housing opportunities for low and very low-income Americans. It is authorized by the HOME Investment Partnerships Act, which is Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended.

The funds may use HOME funds for a variety of housing activities, according to local housing needs. Eligible uses of funds include tenant-based rental assistance; housing rehabilitation; assistance to homebuyers; and new construction of housing. HOME funding may also be used for site acquisition, site improvements, demolition, relocation, and other necessary and reasonable activities related to the development of non-luxury housing. Funds may not be used for public housing development, public housing operating costs, or for Section 8 tenant-based assistance, nor may they be used to provide non-federal matching contributions for other federal programs, for operating subsidies for rental housing, or for activities under the Low-Income Housing Preservation Act.

The HOME funds are allocated using a formula designed to reflect relative housing needs. These funds are divided up amongst states, cities, urban counties, and consortia (contiguous units of local governments with a binding agreement). Local jurisdictions that are eligible for at least \$500,000 can receive a direct allocation. Entitlement Communities that do not qualify for an individual allocation under the formula can join with one or more neighboring localities in a legally binding consortium whose members' combined allocation would meet the threshold for direct funding.

The City does not qualify for direct allocation for HOME Funds and has historically partnered with other direct entitlement cities (South Jordan, West Jordan, West Valley, and Taylorsville) within Salt Lake County to receive these funds through the Salt Lake County consortium. The other jurisdictions within the Salt Lake County are already under the urban county entitlement group and do not receive direct allocation of any HUD funds. The agreement to join the consortium is done every three years and is binding for the duration of the terms of the agreement.

Salt Lake County has set up an advisory committee to help guide how the HOME funds are spent each year (similar to the function of our CDBG Committee). Each entitlement city has a representative on the HOME Advisory and Allocation Committee and other appointed persons from the County, as well as support staff provided by The Community Resources Department. Mike Wilcox serves as that representative for Sandy City. The committee makes recommendations that best fit the priorities of the Salt Lake County Consolidated Plan. These recommendations go before the County Mayor for formal approval in their budget process. The following link provides additional information on the committee member and the meetings held for this upcoming budget cycle and the allocations made:

<http://slco.org/community-resources/home-advisory-and-allocation-committee/>

<http://slco.org/uploadedFiles/depot/fRD/fCRD/FinalMayorsFundingFY17-PendingFederalBudgetConfirmation.pdf>

<http://slco.org/community-resources/plans-and-reports/>

STAFF RECOMMENDATION

1. Staff recommends that the City Council authorize Mayor Tom Dolan to sign the Interlocal Cooperation Agreement for the HOME Investment Partnership Program for Federal Fiscal Years 2018 through 2020.

Planner:



Mike Wilcox
Long Range Planning Manager
CDBG Program Administrator

INTERLOCAL COOPERATION AGREEMENT

BETWEEN

SALT LAKE COUNTY

AND

SANDY CITY, SOUTH JORDAN, WEST JORDAN CITY, WEST VALLEY CITY, AND
TAYLORSVILLE CITY RELATING TO THE HOME INVESTMENT PARTNERSHIP
PROGRAM FOR FEDERAL FISCAL YEARS 2018 THROUGH 2020

This Agreement is made and entered into and shall be effective as of October 1, 2017 by and between Salt Lake County (“County”) a body corporate and politic of the State of Utah, and Sandy City, South Jordan, West Jordan City, West Valley City and Taylorsville City (the “Cities”), municipal corporations of the State of Utah located within Salt Lake County.

R E C I T A L S

WHEREAS, the HOME Program is authorized by the HOME Investment Partnerships Act, which is Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended (42 U.S.C. 12701 et seq.) (the “Act”), and which permits and provides for the participation of the United States Government in a wide range of local housing activities and programs authorized under Title II of the Act (the “HOME Program”) and administered by the U.S. Department of Housing and Urban Development (“HUD”);

WHEREAS, Section 216(2) of the Act provides that a consortium of geographically contiguous units of general local government can be considered to be a unit of general local

government for the purpose of the HOME Program;

WHEREAS, in accordance with Section 217(b)(3) of the Act, approved consortia of units of local governments are considered jurisdictions eligible to receive allocations of HOME funds by formula;

WHEREAS, the parties are governmental entities and are therefore authorized by the Utah Interlocal Cooperation Act, Section 11-13-1, *et seq.*, Utah Code Annotated, (2013) to enter into agreements with each other to perform any governmental service, activity and undertaking which each governmental entity is authorized by law to perform;

WHEREAS, the Cities and County have determined that it will be mutually beneficial and in the public interest to enter into an interlocal cooperation agreement to form a consortium in order to receive HOME funds and to participate in the HOME Program;

NOW THEREFORE, in consideration of the mutual promises contained herein, the County and Cities agree as follows:

1. The parties agree to cooperate to undertake or to assist in undertaking housing assistance activities pursuant to the HOME Program and agree, collectively and individually, to affirmatively further fair housing.

2. The parties authorize the County to act in a representative capacity for all members of the consortium for the purposes of the HOME Program. As the lead entity, the County may add new members to the consortium.

3. The parties agree that the County, as the lead entity, shall assume overall responsibility for ensuring the consortium's HOME Investment Partnership Program is carried out in compliance with the requirements of the program, including requirements concerning a

Consolidated Plan as set forth in HUD regulations in 24 CFR Parts 91 and 92 and the requirements of 24 CFR 92.350.

4. This Agreement shall begin as of the above-mentioned date and shall continue for federal fiscal years 2018 through 2020 consistent with the Salt Lake County Urban County qualification. The parties further agree that:

(a) this Consortium Agreement will, at a minimum, remain in effect until the HOME funds from each of the federal fiscal years of the qualification period are expended for eligible activities;

(b) no Consortium Member may withdraw from the Agreement while the Agreement remains in effect; and,

(c) this Agreement shall be governed by the requirements of the then current Consortium Qualification notice.

5. This Agreement has attached to it six separate signature pages for each of the parties to this Agreement, which shall be executed separately and attached to this Agreement after execution by the named party and together with each other signature page and with this Agreement shall constitute the full Agreement of all the parties.

6. No separate entity is created by this Agreement; however, to the extent that any administration of this Agreement becomes necessary, the County Mayor or designee and the Cities mayors or designees, shall constitute a joint board for such purpose.

7. Any other real or personal property acquired by the parties jointly under this Agreement, and paid for by them, shall be divided as the parties' representatives shall agree, or, if no agreement is reached, then it shall be divided according to their respective payment for the

property, or if it cannot be practically divided, then the property shall be sold and the proceeds divided according to the parties' proportionate share of the purchase of the item of property. If property is purchased at one party's sole expense in connection with this Agreement, then the property so purchased shall be and remain the property of the party which purchased it.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be duly authorized and executed by each on the dates specified on each signature page.

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SIGNATURE PAGE FOR SALT LAKE COUNTY
TO
INTERLOCAL COOPERATION AGREEMENT
HOME INVESTMENT PARTNERSHIP PROGRAM
FOR
FEDERAL FISCAL YEARS 2018 THROUGH 2020

SALT LAKE COUNTY

By: _____
Mayor or Designee

Administrative Approval:
Community Resources and Development

Approved as to Form and Legality:
Salt Lake County District Attorney

By: _____
Michael Gallegos, Director

By: _____
Deputy District Attorney

Date: _____

Date: 22 May 2017

SIGNATURE PAGE FOR SANDY CITY
TO
INTERLOCAL COOPERATION AGREEMENT
HOME INVESTMENT PARTNERSHIP PROGRAM
FOR
FEDERAL FISCAL YEARS 2018 THROUGH 2020

SANDY CITY

By:_____

Name:_____

Title:_____

Date:_____

ATTEST:

By:_____

Name: _____

Title:_____

Approved as to Form and Legality:
Sandy City Attorney

By:_____

Date:_____

SIGNATURE PAGE FOR SOUTH JORDAN CITY
TO
INTERLOCAL COOPERATION AGREEMENT
HOME INVESTMENT PARTNERSHIP PROGRAM
FOR
FEDERAL FISCAL YEARS 2018 THROUGH 2020

SOUTH JORDAN CITY

BY: _____

Name: _____

Title: _____

Date: _____

ATTEST:

By: _____

Name: _____

Title: _____

Approved as to Form and Legality:
South Jordan City Attorney

By: _____

Date: _____

SIGNATURE PAGE FOR WEST JORDAN CITY
TO
INTERLOCAL COOPERATION AGREEMENT
HOME INVESTMENT PARTNERSHIP PROGRAM
FOR
FEDERAL FISCAL YEARS 2018 THROUGH 2020

WEST JORDAN CITY

BY: _____

Name: _____

Title: _____

Date: _____

ATTEST:

By: _____

Name: _____

Title: _____

Approved as to Form and Legality:
West Jordan City Attorney

By: _____

Date: _____

SIGNATURE PAGE FOR WEST VALLEY CITY
TO
INTERLOCAL COOPERATION AGREEMENT
HOME INVESTMENT PARTNERSHIP PROGRAM
FOR
FEDERAL FISCAL YEARS 2018 THROUGH 2020

WEST VALLEY CITY

BY: _____

Name: _____

Title: _____

Date: _____

ATTEST:

By: _____

Name: _____

Title: _____

Approved as to Form and Legality:
West Valley City Attorney

By: _____

Date: _____

SIGNATURE PAGE FOR TAYLORSVILLE CITY
TO
INTERLOCAL COOPERATION AGREEMENT
HOME INVESTMENT PARTNERSHIP PROGRAM
FOR
FEDERAL FISCAL YEARS 2018 THROUGH 2020

TAYLORSVILLE CITY

By:_____

Name:_____

Title:_____

Date:_____

ATTEST:

By:_____

Name: _____

Title:_____

Approved as to Form and Legality:
Taylorsville City Attorney

By:_____

Date:_____

RESOLUTION #17-37 C

A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE SALT LAKE COUNTY AND SANDY CITY, SOUTH JORDAN, WEST JORDAN CITY, WEST VALLEY CITY, AND TAYLORSVILLE CITY RELATING TO THE HOME INVESTMENT PARTNERSHIP PROGRAM FOR FEDERAL FISCAL YEARS 2018 THROUGH 2020.

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

WHEREAS, Title 11, Chapter 13, Utah Code Annotated 1953, as amended, permits public agencies to enter into cooperative agreements to provide joint undertakings and services; and

WHEREAS, the attached agreement has been prepared to accomplish such purpose.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Sandy City, Utah:

1. It does hereby approve the attached agreement described as an interlocal agreement between the Salt Lake County and Sandy City, South Jordan, West Jordan City, West Valley City, and Taylorsville relating to the Home Investment Partnership Program for federal fiscal years 2018 through 2020.

2. The Hon. Thomas M. Dolan, Mayor of Sandy City, is hereby authorized to execute the agreement on behalf of Sandy City Corporation and to act in accordance with its terms.

DATED this ____ day of _____, 2017.

Stephen P. Smith, Chairman
Sandy City Council

ATTEST:

City Recorder

RECORDED this ____ day of _____, 2017.