

SANDY CITY COMMUNITY DEVELOPMENT



JAMES SORENSEN
COMMUNITY DEVELOPMENT DIRECTOR

MONICA ZOLTANSKI
MAYOR

SHANE E. PACE
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

August 18, 2022

To: Planning Commission
From: Community Development Department
Subject: Sandy Infant and Childcare (Category II Home Occupation CUP07222022-006363
Conditional Use Permit) Zoned R-1-8
1616 East Waters Ln
[Community #16 - Falcon Park]

HEARING NOTICE: *This item has been noticed to property owners within 500 feet of the subject property.*

DESCRIPTION OF REQUEST

Zea Robbins, tenant of 1616 East Waters Lane, representing property owner Peronelle Philip, is requesting a Conditional Use Permit to allow for a Category II daycare which permits up to 16 children at one time on a property. (*See Exhibit #1 – Application Materials*). Any child daycare or preschool 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 property is on a 0.18-acre (7,840 square feet) lot with a 2,803 square foot single-family home. The applicant is proposing to operate Monday through Friday from 7:00 AM to 4:00 PM. The applicant operates both a half day and full day daycare to stagger the number of children in her care.

The applicant is not currently operating a daycare and is planning to use the license to start operations. She plans to grow the business and hire as needed and is aware that the Sandy City Land Development Code allows her to hire one full-time employee or two part-time employees working 20 hours a week each. The State of Utah governs the ratios of child to caregiver and the applicant is aware that she meets these requirements.

The property is located north of 9400 South on the west side of Waters Ln. It is part of the Silver Mountain Estates #3 Subdivision in the R -1-8 zone. Properties to the north, south, east, and west

are single family homes zoned R-1-8. The applicant is proposing curbside pick-up and drop off in front of her property on waters lane. (*See Exhibit #2 – Traffic Pattern*).

ANALYSIS

Section 21-11-05(F)(3) of the Sandy City Development Code states:

(3) Child Day Care. The following items indicate maximum limits that may be granted by the Planning Commission when a child day care is expected to exceed eight at one time:

- a. A maximum of 16 children is permitted at any one time.
- b. A maximum of 18 children is permitted per day.
- c. These numbers shall include the licensee's and any employee's children if they are under six years of age under the care of the licensee at the time of the home occupation is conducted.
- d. A maximum of 24 vehicular stops per day for child drop off to pick up is permitted.

COMPLIANCE WITH SECTION 21-33-04

Staff response in *italics*.

Conditions. In order to achieve compliance with the standards set forth herein, the City may impose conditions which address standards 21-33-04 "1" to "15", as contained in the Sandy City Development Code. This proposed conditional use meets or satisfies all of Conditions "1" through "15", except the following conditions which merit discussion or additional consideration by the Planning Commission:

5. Site circulation patterns for vehicular, pedestrian and other traffic;
The applicant is proposing to have children picked off in front of her property on waters lane.

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 Code.

That the applicant complies with all Building & Safety, and Fire & Life Codes applicable to a child day care.

NOTICE

A neighborhood meeting was held on August 9, 2022, at 7:00 PM by the Community Development Department. No neighbors attended the meeting and staff has not received any phone calls or emails regarding the project.

CONCERNS

The proposed Home Occupation business meets the requirements set forth in the Land Development Code and the applicant has agreed to abide by the rules set forth therein. Staff has no concerns.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve a Conditional Use Permit for Zea Robbins for the property located at 1616 E. Waters Ln. to operate a Category II Home Occupation daycare as described in the application materials based on the following findings and subject to the following conditions:

Findings

1. The proposed use meets the intent of the home occupation section of the Sandy City Land Development Code.
2. That the property owner, Peronelle Philip, has granted the applicant permission to apply for a Conditional Use Permit on her behalf.
3. The applicant is aware of and is willing to comply with all regulations applicable to this type of home occupation.

Conditions

1. That the applicant complies with all Building & Safety, and Fire & Life Codes applicable to a child daycare.
2. That the applicant be responsible for meeting all provisions of the Sandy City Development Code and all conditions of approval imposed by the Planning Commission.
3. That the applicant or an aid assist at curbside with the directing of traffic and the loading/unloading of clients. Patrons shall not block driveway entrances to neighboring properties.
4. That this Conditional Use Permit be reviewed upon legitimate complaint.
5. That the applicant meet all state business licensing requirements for a residential daycare.

Planner:



Claire Hague, Planner

S:\Users\PLN\STAFFRPT\2022\CUP07222022-6363 Sandy Infant and Childcare LLC

Exhibit #1 – Application Materials

Sandy City Planning Department

Attention Claire Hague

10000 Centennial Parkway

Sandy UT. 84070

Noise Plan for **Conditional Use Permit** for Sandy Infant & Childcare LLC., owned & operated by Zea Robbins, located at 1616 E Waters Lane Sandy, UT. 84093

Business hours for the childcare at 1616 E Waters Lane will be conducted from 7:00am – 4:00pm. Employees scheduled for the day will arrive approximately 20 minutes prior to their shift and park on the driveway of the residence or in the garage of the residence depending on what stalls are available that day. During their 8-9 hour shift their vehicle will remain in the designated parking stall. Employees may enter through the front door, side gate or garage. Employees will create the same amount of noise as a family member returning home, parking their car, and entering the residence for an extended period. There will be a strict no smoking policy in place at the residence for both working and non-working hours for parents and employees. In the Sandy Infant & Childcare LLC. Policies & Agreement, parking instructions will be provided to clients. The no smoking policy will also be highlighted in the document. I will also stress the importance of picking up and dropping off swiftly, with an emphasis on the fact that the business is located in a quiet residential neighborhood and it is required in our childcare agreement that neighbors are respected, speed limits adhered to and an overall awareness of personal impact be observed.

Upon client arrival cars will pull up to the park strip in one of the three allocated parking stalls and bring their child into the residence for drop off. The same procedure will be conducted during pick up at 4:00 pm. As needed, a staggered pick-up schedule will be introduced to allow for 3 parents to pick up in a time block. For example: the first 3 children to be dropped off that morning will be given the 4:00-4:10 pick up

time. If they are in the neighborhood early, I will ask that they wait curbside down the street until their block is open. If special arrangements need to be made for a specific child, such as a late pick-up, this will be handled on a case-by-case basis daily, as necessary.

Children will be outside one, possibly two times daily, weather permitting. At or around 11:30 daily we may eat lunch outside for 20-30 minutes. The second opportunity for outdoor time would be in the afternoon prior to pick up at approximately 3:15pm. The children would have the opportunity to either play in outdoor cars in the backyard or take a stroller ride to the local nearby park. I do not foresee the noise level being any louder than that of children from the neighborhood playing in the backyard of a residential home for a short amount of time.

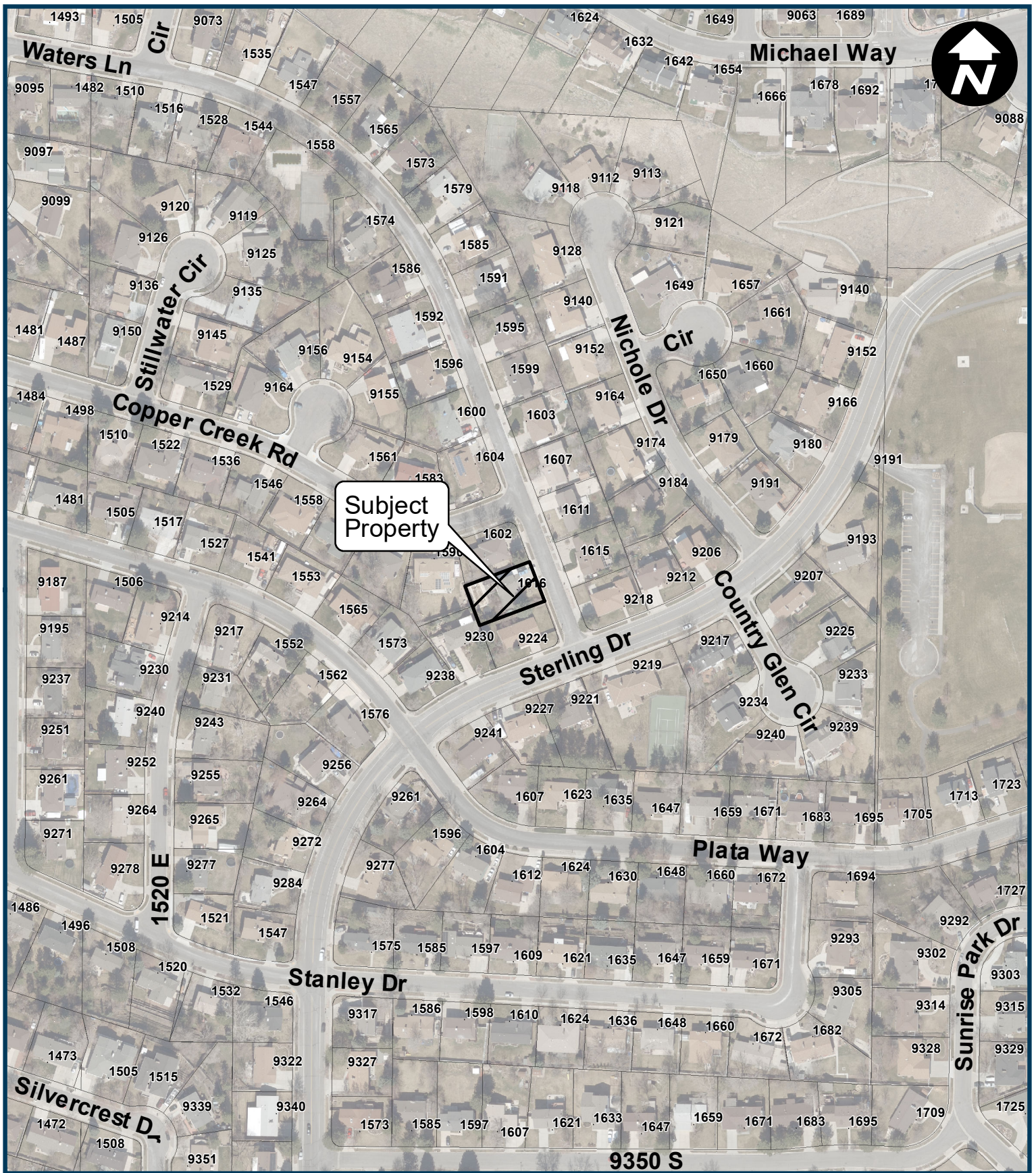
Exhibit #2 – Traffic Pattern



0 87.5 175 350 525 700 Feet



Exhibit #3 – Vicinity Map



CUP07222022-6363
Sandy Infant and Childcare LLC
1616 E. Waters Lane



PRODUCED BY BRYNN BOHLENDER
THE COMMUNITY DEVELOPMENT DEPARTMENT