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MEMORANDUM

October 7, 2021

To: Planning Commission
From: Community Development Department
Subject: Centennial Village - Amend CBD-A&C Zone for Auto Dealers & Related Uses
Amend Title 21, Chapter 8, Land Uses in the Commercial, Office, Industrial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development District of the Sandy Municipal Code. CA09032021-0006144

HEARING NOTICE: *This item has been noticed on public websites at least 10 days prior to the Public Hearing.*

REQUEST

Simon Rucinski of Designs of Tomorrow - Architecture, representing Centennial Village LLC, has applied for a code amendment to the commercial land use matrix to allow for auto dealer and related uses in the CBD-A&C Zone. The proposal would amend [section 21-8-2, Permitted Land Use Matrix by the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts](#). Centennial Village LLC owns the 4.27-acre block that currently houses the Civic Center Post Office location which is within a retail/office building. They are seeking to add to this block and redevelop the existing structures on this site in a project known as Centennial Village. It is located at 215 West Sego Lily Drive. The property is bordered by Monroe Street on the west, Sego Lily Drive on the north, Centennial Parkway on the east and on the south side by a planned extension of a public street, 10080 South. The proposed code amendment would allow for the developer to incorporate an auto dealership into their mixed-use development. The details of the applicant's request can be found in their letter (attached).

BACKGROUND

In 2008, the city adopted a sub-district of the CBD (Central Business District) Zone, known as the Arts and Culture District (CBD-A&C). It was established and applied to several properties south of Sego Lily Drive and west of Centennial Parkway (see Figure 1 - Zoning Map).

The following are the purpose statements of the Central Business District:

Section 21-23-21(a) *Central Business District (CBD).*

(1) *Purpose of CBD District. The Central Business District Zone is established to stimulate economic development by providing a unique planning environment for large-scale regional commercial and office development adjacent to Interstate 15. This district encourages creative development and site design for regional commercial and office uses within planned commercial centers which will serve the south valley area.*

(4) *CBD Zone Subdistricts. The zone also establishes subdistricts within the CBD Zone which are described hereafter.*

c. *The Arts and Culture District (CBD-A&C) is established as a subdistrict within the CBD Zone to create an environment wherein arts, cultural and recreational uses may be integrated into mixed use developments using standards which are designed to be pedestrian-friendly. Those parcels within the zone are designated as such on the zoning map.*

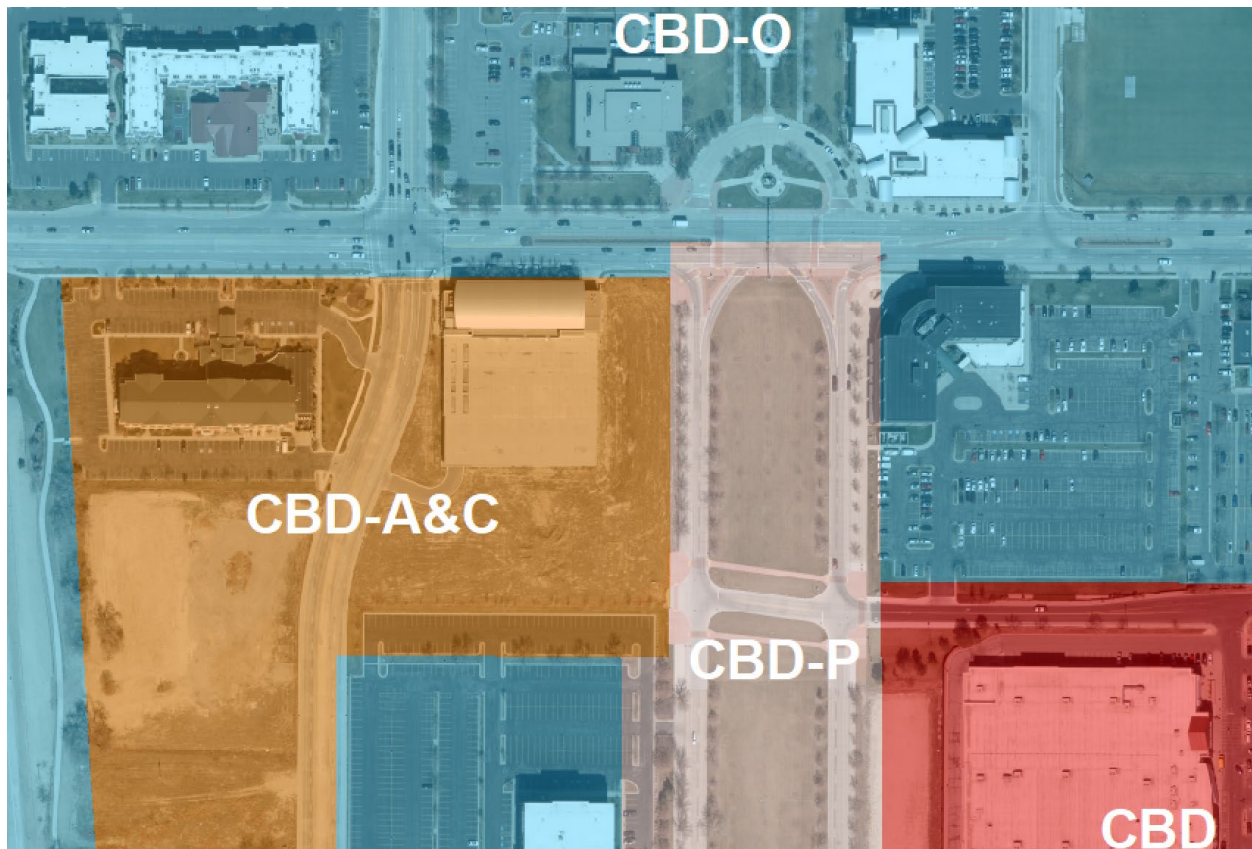


Figure 1 - Zoning Map

The purpose of this amendment and re-zoning was done in anticipation of a large development proposal that never became a reality. The land is now under different ownership groups and several iterations of projects have been proposed over the years. The current landowners of the eastern half of this area are proposing to build a vertical mixed-use project known as Centennial Village. The latest version of this project envisions high-end super car dealerships and related auto servicing uses as

the ground floor retail uses of this project along the frontages of Monroe Street, and 10080 Street. The applicant intends to temporarily utilize the Sego Lily retail frontage for these uses while the project is being built.

ANALYSIS

The Planning Commission must review the following criteria when considering a requested Code Amendment:

Is the change reasonably necessary?

Is it in the public interest?

Is it in harmony with the objectives and purposes of the future development of Sandy City?

Is the change consistent with the General Plan?

The applicant's request letter doesn't really address answers to these questions directly. It focuses on their intent and application if the changes are adopted. It could be argued that this proposal meets those criteria, and the applicant will need to articulate that further before the Planning Commission and City Council.

The applicant presented the proposed land use changes in front of the City Council in July 2021 as a discussion item. The City Council supported the applicant in applying for a code amendment and taking it through the appropriate process with staff.

Staff has concerns about the request and the appropriate application of the proposal in this area. Staff is concerned with the possible unintended consequences that could arise if not mitigated now in this amendment. Without certain limitations on the proposed automotive uses, it could result in a development and use of the land that is not consistent with the objectives of the Arts and Culture sub-district, the Cairns Master Plan (which is part of the General Plan), and the overall public interest.

The applicant has proposed to allow for automotive dealerships (used and new) along with minor and major automotive repair become conditional uses, whereas they are currently not permitted in any of the CBD area or its sub-districts.

If it is in the opinion of the Planning Commission and City Council that these uses are appropriate for the area, staff would recommend certain limitations be placed on the uses to limit any detrimental impact to the city's vision for the Cairns District. The applicant has proposed utilizing explanatory notes that would limit and further define where and how these uses would be allowed. Staff is proposing a few additions to their proposal to help mitigate unintended impacts.

NON-CONFORMING USES

This Code Amendment would not create any non-conforming use situations.

LAND DEVELOPMENT CODE PURPOSE COMPLIANCE

The Sandy City Land Development Code in [21-1-3](#) lists the criteria explaining the intent and purpose of the Ordinance. The purpose is:

Sec. 21-1-3. - Purpose and Scope.

- (a) *Purpose.* The ordinance from which this title is derived is adopted to implement the Sandy City's General Plan and to promote public health, safety, convenience, aesthetics, and welfare; efficient use of land; sustainable land use and building practices; transportation options and accessibility; crime prevention; timely citizen involvement in land use decision making; and efficiency in development

review and land use administration. Specifically, this title is established to promote the following purposes:

(1) *General.*

- a. To facilitate the orderly growth and development of Sandy City.
- b. To facilitate adequate provision for transportation, water, sewage, schools, parks, and other public requirements.
- c. To stabilize property values.
- d. To enhance the economic well-being of Sandy City and its inhabitants.

(2) *Implementation of General Plan.* To coordinate and ensure the implementation of the City's General Plan through effective execution of development review requirements, adequate facility and services review and other goals, policies, or programs contained in the General Plan.

(3) *Comprehensive, Consistent and Equitable Regulations.* To establish a system of fair, comprehensive, consistent and equitable regulations, standards and procedures for review and approval of all proposed land development within the City.

(4) *Efficiently and Effectively Managed Procedures.*

- a. To promote fair procedures that are efficient and effective in terms of time and expense.
- b. To be effective and responsive in terms of the allocation of authority and delegation of powers and duties among ministerial, appointed, and elected officials.
- c. To foster a positive customer service attitude and to respect the rights of all applicants and affected citizens.

GENERAL PLAN COMPLIANCE

The General Plan encourages appropriate development standards for all uses and zoning categories within Sandy City. This code amendment would further that goal and objective. The proposed Code Amendment will facilitate the orderly growth and development of Sandy City. These regulations would help promote the health, safety, and welfare of our residents.

STAFF RECOMMENDATIONS

The Community Development Department requests that the Planning Commission forward a positive recommendation to the City Council to adopt the proposed ordinance amendment as shown in Exhibit "A", attached, for the following reasons:

1. The proposal complies with the Purpose of the Land Development Code as stated in section 21-1-03.
2. Compliance with the Goals and Policies of the General Plan by establishing appropriate development standards for all uses and zoning categories within Sandy City.

Planner:



Mike Wilcox
Zoning Administrator