



Legislation Details (With Text)

File #:	ZONE-03-20-5825(CC2)	Version:	1	Name:	
Type:	Ordinance	Status:		Agenda Ready	
File created:	11/5/2020	In control:		City Council	
On agenda:	11/17/2020	Final action:			
Title:	Community Development Department presenting a rezone application (File #ZONE-03-20-5825, Orchards at Farnsworth Farms Rezone) on behalf of DAI, requesting that 10.07 acres located at 11228 S. 700 E. be rezoned from the R-1-40A Zone to the PUD(10) Zone.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	1. PC Report-Farnsworth-signed (10.23.20), 2. Applicant's Planning Commission Presentation, 3. Planning Commission Minutes-draft (11.5.20), 4. Emails Received For 11.5.20 PC Meeting, 5. Emails Received 11.6.20 to 11.10.20, 6. City Council Minutes (10.13.20), 7. Ordinance #20-04-Orchards at Farnsworth Farms Rezone, 8. Public comment email received prior to agenda publication, 9. Emails Received 11.11 to 11.17				

Date	Ver.	Action By	Action	Result
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Agenda Item Title:

Community Development Department presenting a rezone application (File #ZONE-03-20-5825, Orchards at Farnsworth Farms Rezone) on behalf of DAI, requesting that 10.07 acres located at 11228 S. 700 E. be rezoned from the R-1-40A Zone to the PUD(10) Zone.

Presenter:

Jake Warner

Description/Background:

Joe Salisbury submitted an application on behalf of DAI (Applicant) for a zone change of 10.07 acres located at 11228 S. 700 E. from the R-1-40A Zone ("Single Family Residential District") to the PUD (12) Zone ("Planned Unit Development"). The Applicant also submitted a concept plan showing 116 dwelling units, which would be a density of 11.52 units per acre. The Application was presented in a neighborhood meeting on May 18, 2020 and to the Planning Commission, in a public hearing, on June 4, 2020. Following the Planning Commission meeting, the Applicant revised the concept plan, in response to input received, including a reduction of the total number of units to 96 units. The density of the revised concept plan is 9.53 units per acre. The Application, as originally submitted, was presented by City staff to the City Council on October 13, 2020. The Applicant also presented the revised concept plan to the City Council. By a vote of 4-3, the City Council remanded the Application back to the Planning Commission to consider a potential zone change to the PUD(10), rather than a PUD(12), and provide comments on the revised concept plan.

The item was presented to the Planning Commission on November 5, 2020 as an amended application requesting a zone change to the PUD(10) Zone, and a public hearing was held. The Planning Commission, by a vote of 7-0, approved a motion recommending that the City Council

approve a zone change of the subject property to PUD(10). The Planning Commission also provided comments (see attached draft minutes of the 11/5/20 Planning Commission meeting) regarding the revised concept plan as requested by the City Council.

Fiscal Impact:

At the requested density, it is likely that the proposed subdivision would generate revenues that would exceed expenses.

Further action to be taken:

The Application is requesting a rezone, a legislative item, and is being presented to the City Council for a decision to approve or deny the proposed zone change. A separate application for a subdivision or site plan would need to be submitted and approved prior to development.

Recommended Action and/or Suggested Motion:

Alternative Motions:

1. Motion to Approve - Adopt Ordinance #20-04, an ordinance amending and fixing the boundaries of a zone district of the Sandy City Zoning Ordinance; rezoning approximately 10.07 acres located at 11228 S. 700 E. from the R-1-40A "Single Family Residential District" to the PUD(10) "Planned Unit Development (10 units per acre)".

2. Motion to Approve with revisions - Adopt Ordinance #20-04, an ordinance amending and fixing the boundaries of a zone district of the Sandy City Zoning Ordinance; subject to the following revisions: (expressed revisions) rezoning approximately 10.07 acres located at 11228 S. 700 E. from the R-1-40A "Single Family Residential District" to the PUD(10) "Planned Unit Development (10 units per acre)".

3. Motion to Deny - Not adopt Ordinance #20-04, an ordinance amending and fixing the boundaries of a zone district of the Sandy City Zoning Ordinance; denying the proposed zone change of approximately 10.07 acres located at 11228 S. 700 E.

4. Table the Application - Table the application to a future decision. (If necessary, provide a date for further consideration and/or give direction to Staff for additional information requested.)

5. (added by Council Office 11/13/20): Conditional approval as suggested by Council Member Christensen:

*Motion that the City Council approve Ordinance #20-04 with the following amendment to the final paragraph that this Ordinance shall not become effective until it is published. The City Recorder is instructed to **NOT** publish this Ordinance until the Director of Community Development and the City Attorney certifies by letter that a building permit or permits have been applied for and approved to develop the property subject to this Ordinance in compliance with Planning Commission approvals and the plans reviewed by the City Council as a part of the adoption of and attached as Exhibit A to this Ordinance on November 17, 2020 or, after receiving a recommendation from the Planning Commission, the City Council has been advised of and accepted revisions to Exhibit A made during the site plan and building permit approval process. If the certification by letters or City Council acceptance of revisions as specified above has not been obtained on or before November 1, 2021, then the City recorder is instructed to **NOT** publish this Ordinance which shall then become null, void and of no legal or binding effect.*

