



STAFF REPORT

Meeting Type:	City Council
Meeting Date:	June 16, 2025
From:	Patrick Depa, Senior Planner
Subject:	Re-Zoning Extension Request: Michael Maiden

DECISION TO BE MADE

Michael Maiden submitted a letter (Exhibit A) to the Development Services Department requesting the City Council consider granting an extension to their conditional re-zoning approval and design modification timeframe established in the development agreement between the City and Michael Maiden LLC regarding the property at 16600 362nd Drive (SE corner of Hwy 26 and 362nd Drive).

The requested extension (File No. 25-020 EXT) would allow Michael Maiden LLC to continue the building modifications they have proposed, while continuing to operate leased units as if their property already had a Light Industrial (I-1) zoning designation.

APPLICABLE COUNCIL GOAL

No goals are applicable

BACKGROUND / CONTEXT

Mr. Michael Maiden applied to change the zoning designation for the subject property from Light Industrial (I-2) to Industrial Park (I-1) in 2014 under File No. 14-028 ZC. Mr. Maiden and the City agreed that the zone change be conditioned on completing modifications to the existing buildings in compliance with the Sandy Style Design Standards. The approved building modifications would incorporate "Sandy Style" design elements into the facades of these highly visible buildings (visible on Highway 26, 362nd Drive, and Industrial Way). In addition, the building modifications would allow for higher and more diverse uses with the eventual zone amendment to Industrial Park (I-1).

The zone change request was adopted on June 15, 2015, under Ordinance No. 2015-03 (Exhibit B), with a condition that the applicant complete all building upgrades within three (3) years from the date of design review approval. In Ordinance No. 2015-03 the City Council conditioned the applicant to sign a contract specifying the terms and timelines associated with the zone change. A Non-Statutory Development Agreement (Exhibit C) was recorded between the City of Sandy and Michael Maiden on August 5, 2015, that included the three (3) year timeline for the remaining steps, including all design

review proposed improvements. File No. 16-007 DR - Eagle Park Façade Improvements, was approved on July 29, 2016. The conditional rezoning (File No. 14-028 ZC) and the Development Agreement both set the clock ticking from the date the Design Review was approved (July 29, 2016). This extension does not apply to the Design Review because the applicant received their building permits in 2020 and have continued to meet all 180-day progress inspections.

On May 25, 2018, with only some of the modifications complete, the Development Services Director granted the applicant an extension to July 29, 2019. On March 20, 2019, the applicant applied for a design review modification, which was approved on June 19, 2019. On July 9, 2019, the Director granted the applicant their second and last administrative extension to July 29, 2020. In early 2020, the applicant requested an additional extension. The applicant was advised by the Director to ask the City Council to grant an extension for one additional year or to another date as approved by the City Council. After consideration, the Council approved an extension for an additional five years, through July 29, 2025.

KEY CONSIDERATIONS / ANALYSIS

The subject site, known as the Eagle Park Façade Improvements, are directly linked to Michael and Vicky Maiden's zone change request in 2014 (Exhibit D). The Maiden's request to change the zoning designation from Light Industrial (I-2) to Industrial Park (I-1) came shortly after the City started allowing a greater array of permitted uses normally only allowed in commercial districts. At that time, the City recently completed an analysis to determine if sufficient commercial and industrial lands existed in the current urban growth boundary to accommodate projected growth for the next 20 years. The study concluded that there was currently a surplus of industrial lands and a deficient of commercial lands. Changing the zoning from I-2 to I-1 would increase the opportunity for commercial uses on this property.

Part of the logic in allowing more commercial type uses into the I-1 zoning district was that properties would now be subject to the "Design Standards" commonly associated with Sandy's commercial districts which is known as "Sandy Style". As a result, converting the subject properties from I-2 to I-1 would not adversely affect any land use policy.

The only building that has been completely finished is the Maiden Foundry Building (Exhibit D). Other buildings, such as the Wippersnappers Building and Stevenson Building, only have their west facing façade finished. The west facing facades are the ones facing the 362nd Drive public right-of-way. Of the remaining buildings to be modified, four of the remaining facades on the Platt and Paleo Buildings have the highest visibility to Hwy 26 and 362nd Drive. Mr. Maiden says he is committed to having these four facades visible from Hwy 26 and 362nd Drive on the Platt and Paleo Buildings take priority.

The Maidens are aware that this intersection is where a lot of recent investment and economic growth is taking place including the improvements to the intersection, extension of 362nd Drive on the north side of Hwy 26, and the connection to Bell Street. The Maidens have recently invested in repairing, sealing, and striping their parking lots. Many of the trees adjacent to their site along Hwy 26 were planted in 2014 as a requirement of land use approval that have matured and created an attractive screening of their site.

If the City Council decides to grant an extension of the conditional re-zoning approval, an addendum to amend the original development agreement will have to be completed and signed by both parties.

BUDGET IMPACT

Minimal expenses related to legal review.

RECOMMENDATION

Staff supports granting an extension to the applicant. The City Council may decide whether to grant an extension and if so, set a specific date. If the extension is approved, staff suggests that the City Council authorizes the City Manager to enter into a revised development agreement with Michael Maiden.

SUGGESTED MOTION LANGUAGE

Options:

I move to:

- (1) grant the requested extension of '5' years to a date of 'July 29, 2030; OR
- (2) grant a shorter extension (two years?) with the option for the Council to extend to the full five years if the Council is satisfied with the progress so far after two years; OR
- (3) deny the extension;

for the Eagle Park Façade Improvements and the modification of the underlying zoning designation to Industrial Park (I-1), and to authorize the City Manager to execute a revised development agreement with the concurrence of the City Attorney (if necessary).

LIST OF ATTACHMENTS / EXHIBITS

- Exhibit A – Michael Maiden's Letter
- Exhibit B – Ordinance No. 2015-03
- Exhibit C – Development Agreement
- Exhibit D – Eagle Park (Site Plan/Building Names)
- Presentation Slides