



Sandy City, Utah

10000 Centennial Parkway
Sandy, UT 84070
Phone: 801-568-7256

Meeting Minutes

Planning Commission

Dave Bromley
Cameron Duncan
David Hart
Ron Mortimer
Daniel Schoenfeld
Jamie Tsandes
Steven Wrigley
Craig Kitterman (Alternate)
Jennifer George (Alternate)

Thursday, March 7, 2024

6:15 PM

Council Chambers and Online

Meeting procedures are found at the end of this agenda.

This Planning Commission meeting will be conducted both in-person, in the Sandy City Council Chambers at City Hall, and via Zoom Webinar. Residents may attend and participate in the meeting either in-person or via the webinar link below. Register in advance for this webinar:

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Webinar ID:822 2032 2124

Passcode: 054030

4:00 PM FIELD TRIP

1. [24-089](#) Map

Attachments: [March 7th](#)

6:15 PM REGULAR SESSION

Welcome

Introductions

- Present** 8 - Commissioner Dave Bromley
 Commissioner Cameron Duncan
 Commissioner David Hart
 Commissioner Ron Mortimer
 Commissioner Daniel Schoenfeld
 Commissioner Jamie Tsandes
 Commissioner Steven Wrigley
 Commissioner Craig Kitterman
- Absent** 1 - Commissioner Jennifer George

Pledge of Allegiance

Consent Agenda

- 2. [SPR0124202](#) Storm Mountain Park Localscapes Conversion
[4-006703](#) (Water Efficient Landscape Site Plan Review)
 11426 S. 1000 E.
 [Community #14]

Attachments: [Staff Report](#)
[Exhibit A](#)

Daniel Schoenfeld opened this item for public comment.

Daniel Schoenfeld closed this item to public comment.

A motion was made by David Hart, seconded by Cameron Duncan, that the Planning Commission determine preliminary modified site plan review for water efficient landscape is complete for Storm Mountain Park located at 11426 S 11000 E based on the two findings and subject to the two conditions detailed in the staff report.

- Yes:** 7 - Dave Bromley
 Cameron Duncan
 David Hart
 Daniel Schoenfeld
 Jamie Tsandes
 Steven Wrigley
 Craig Kitterman

- Absent:** 2 - Ron Mortimer
 Jennifer George

- 3. [SPR0124202](#) Bicentennial Park Localscapes Conversion
[4-006702](#) (Water Efficient Landscape Site Plan Review)
 530 E. 8680 S.
 [Community #4, Historic Sandy]

Attachments: [Staff Report](#)
[Exhibit A](#)

Daniel Schoenfeld opened this item for public comment.

Daniel Schoenfeld closed this item to public comment.

A motion was made by David Hart, seconded by Cameron Duncan, that the Planning Commission determined preliminary modified site plan review for water efficient landscape is complete for Bicentennial Park located at 530 E 8680 S based on the two findings and subject to the two conditions detailed in the staff report.

- Yes:** 7 - Dave Bromley
 Cameron Duncan
 David Hart
 Daniel Schoenfeld
 Jamie Tsandes
 Steven Wrigley
 Craig Kitterman

- Absent:** 2 - Ron Mortimer
 Jennifer George

Public Hearings

4. [GPA0220202](#) General Plan Amendment – Parks, Trails and Recreation Master Plan
[4-006718](#) Updating the City’s Parks Master Plan
[\(PC\)](#)

Attachments: [Staff Report](#)
[Exhibit A](#)

Jake Warner introduced this item to the Planning Commission.

Erika Chmielewsky with GSBS presented the Parks, Trails & Recreation Master Plan to the Planning Commission.

David Hart asked if county pools are included in her count for pools.

Erika Chmielewsky said they do not count pools that are not managed through Sandy City.

David Hart asked where the HAWK system would be on 9400 S.

Brittney Ward, Sandy City Transportation Engineer, replied that she's looking to do a study with UDOT to install a HAWK at the southwest access of the amphitheater.

David Hart asked if it'll come in below the hospital entry.

Brittney Ward said the main entrance by the splash pads.

David Hart said he's concerned with people coming down the hill.

Brittany Ward said stop and sight distance will be reviewed as part of the study.

Daniel Schoenfeld opened this item for public comment.

Steven Van Maren, 11039 S Lexington Circle, doesn't think the trails master plan is that old.

Daniel Schoenfeld closed this item to public comment.

David Hart said it's a lot of material that the Planning Commission hasn't reviewed.

Jamie Tsandes said she was on the committee and they've done a good job.

A motion was made by Dave Bromley, seconded by David Hart, that the Planning Commission forward a positive recommendation to the City Council to adopt the Sandy City Parks, Trails and Recreation Master Plan.

- Yes:** 7 - Dave Bromley
 Cameron Duncan
 David Hart
 Daniel Schoenfeld
 Jamie Tsandes
 Steven Wrigley
 Craig Kitterman

- Absent:** 2 - Ron Mortimer
 Jennifer George

5. [CA02262024-0006721](#) Amendments to Title 21, Chapter 11 Section 5 of the Land Development Code related Home Occupations

Attachments: [Staff Report and Exhibits](#)

Melissa Anderson introduced this item to the Planning Commission.

Steven Wrigley asked if there's a limit on how many elderly care people are allowed in a home and if the health department or city does the licensing.

Melissa Anderson said the state does the licensing and currently it's two people.

Steven Wrigley said that a small population of DSPD's clientele include adjudicated sex offenders, under state guardianship, and asked Melissa Anderson to exclude them.

Melissa Anderson said she will look into it.

David Hart asked if staff would have to investigate.

James Sorensen said the Planning Commission can add that to the motion as a recommendation as this item will go on to City Council.

Craig Kitterman asked if city code governs employees and parking for home occupations.

Melissa Anderson said the home occupation code has several standards that the business owner must abide by, including employees and parking but staff is not.

Daniel Schoenfeld opened this item for public comment.

Daniel Schoenfeld closed this item to public comment.

A motion was made by Steven Wrigley, seconded by David Hart, that the Planning Commission forward a positive recommendation to the City Council to amend Title 21, of the Sandy Municipal Code, relating to Home Occupations, as shown in Exhibit "A", based on the four findings with an amendment to add a condition - To exclude individuals, that are eligible to receive DSPD services, who are adjudicated sex offenders.

- Yes:** 7 - Dave Bromley
 Cameron Duncan
 David Hart
 Daniel Schoenfeld
 Jamie Tsandes
 Steven Wrigley
 Craig Kitterman

- Absent:** 2 - Ron Mortimer
 Jennifer George

Public Meeting Items

6. [SPX0214202](#) Macey's Market Little Cottonwood Flagpole
[4-006712](#) (Special Exception)
1860 E. 9400 S.
[Community #17, Willow Canyon]

Attachments: [Staff Report](#)

Sarah Stringham introduced this item to the Planning Commission.

David Tilley, with Associated Foods, 1860 E 9400 S, said that all their Macey's stores have flags in their parking lots and are requesting a 120 foot pole with a 30x60 flag in one of the islands in the north east corner.

Daniel Schoenfeld asked David Tilley if he's read the staff report and understands it.

David Tilley said he did read the staff report and understands it. He said the island that the flag pole is going in is zeros cape and feels the flag is positioned in a good spot with minimum noise and tall enough where it wouldn't block any views.

Cameron Duncan asked David Tilley about condition number two and asked him if he's going to install landscaping in the islands.

David Tilley asked if he's referring to just the islands.

Mike Wilcox said the islands within their parking field which are to the east and west need to be updated.

David Tilley asked for clarification on the landscaping.

Sarah Stringham said at least 33% will need to be plant covered.

Jamie Tsandes clarified that irrigation will need to be provided for the plants.

Mike Wilcox said the center was developed with landscaping and it appears that they've ripped out the grass and replaced it with rock without going through a modified site plan or a water wise landscape review. The site is currently not in compliance with that.

James Sorensen said the water line is there and they'll need to bring the site into compliance.

David Tilley said they'll figure it out.

Steven Wrigley asked if there are other 120 foot flag poles in the city.

Sarah Stringham said yes.

Daniel Schoenfeld opened this item for public comment.

Matthew Ostrander, 9358 S Maison Drive, asked if this is really needed and feels it will impact his scenic view.

Kelly Jensen, 1482 E Snow Circle, Sandy, asked if it's necessary to require landscaping that requires water.

Diane Nicholson, 2026 E Ashley Ridge Road, asked if the winds and noise from a huge flag will be an issue and it's odd that an American flag will be in front of the liquor store.

Daniel Schoenfeld closed this item to public comment.

David Tilley, asked if they could leave the islands landscaped with xeriscape and said the flagpole won't intrude with scenic views.

Mike Wilcox said the landscaping ordinance does allow for xeriscape but not xeroscape.

A motion was made by Cameron Duncan, seconded by David Hart, that the Planning Commission approve a special exception for a 120-foot flagpole and as described in the staff report for the property located at 1860 E 9400 S based on the two findings and subject to the five conditions detailed in the staff report.

Yes: 6 - Dave Bromley
 Cameron Duncan
 David Hart
 Daniel Schoenfeld
 Steven Wrigley
 Craig Kitterman

No: 1 - Jamie Tsandes

Absent: 2 - Ron Mortimer
 Jennifer George

7. [SPR0213202](#) Sandy Fire Station #31 (Cairns Site Plan Preliminary Review)
[4-006711](#) 9295 S. Monroe St.
 [Community #2, Civic Center]

Mike Wilcox said this item has been tabled to a future date.

Daniel Schoenfeld opened this item for public comment.

Cathy Spud, 8260 S 560 E, said the Fire Chief told her that it's 56 steps from the handicapped parking to the main entrance and she asked if that will change in the future to better accommodate special needs.

Daniel Schoenfeld closed this item to public comment.

A motion was made by Dave Bromley, seconded by Steven Wrigley, that this item be tabled to a future date.

Yes: 7 - Dave Bromley
 Cameron Duncan
 David Hart
 Daniel Schoenfeld
 Jamie Tsandes
 Steven Wrigley
 Craig Kitterman

Absent: 2 - Ron Mortimer
Jennifer George

- 8. [SPR#06-40\(2024\)](#) America First Field (Real Salt Lake Soccer Stadium) -
2024 Parking and Access Management Plan
9256 S. State St.
[Community #2, Civic Center]

Attachments: [Staff Report.pdf](#)
[Exhibit A](#)
[Exhibit B](#)

Mike Wilcox introduced this item to the Planning Commission.

Ryan Hales with Hales Engineering spoke about updates regarding the 2024 parking management plan.

Josh Gibbons with Hales Engineering, spoke about on site parking stalls, secured parking stalls within a five and 15 minute walk, unofficial parking stalls and event signage.

Daniel Schoenfeld opened this item for public comment.

Daniel Schoenfeld closed this item to public comment.

A motion was made by David Hart, seconded by Craig Kitterman, that the Planning Commission reviewed and approved the 2024 Parking and Access Management Plan for America First Field located at 9256 S State Street based on the two findings and subject to the two conditions detailed in the staff report.

Yes: 7 - Dave Bromley
Cameron Duncan
David Hart
Daniel Schoenfeld
Jamie Tsandes
Steven Wrigley
Craig Kitterman

Absent: 2 - Ron Mortimer
Jennifer George

9. [MSC032020](#) Interpretation of the term “Mixed Use Development”
[23-006505_3](#)
[rd](#)

Attachments: [Supplemental Staff Report](#)

[Exhibit A](#)

[Exhibit B](#)

[Exhibit C](#)

[Exhibit D - Staff Report](#)

[PC Minutes from 8/3/23](#)

[Neighborhood Mtg Minutes 08/09/23](#)

[PC Minutes from 10/05/23](#)

Mike Wilcox introduced this item to the Planning Commission and presented the information from the supplemental memo provided to the Commission.

Steven Wrigley asked if there have been other applications for a mixed use development allowed in the CN Zone.

Mike Wilcox responded that there were none.

Steven Wrigley asked what's the policy on defining mixed use for the city and if there's a percentage with business vs ratio.

Mike Wilcox replied that within the definitions it calls out a ratio that's determined by the Planning Commission.

Steven Wrigley said that he doesn't see much mixed use and this project seems like it's more of an apartment complex instead of mixed use.

Wade Budge, presented this item to the Planning Commission. He reviewed the process in which his application has gone through and spoke about the opinions of the ombudsman.

Steven Wrigley asked Wayne Budge that under his interpretation you could have 500 square feet commercial and still meet the definition?

Wade Budge replied that you could because there isn't a limitation.

Steven Wrigley asked what makes it different from a multi use if you only have 500 sq feet or 15,000 sq feet.

Wayne Budge replied that he can only rely on the code as it is written and the code says that it must have one other use which they've done.

Daniel Schoenfeld opened this item for public comment.

Stephen Royer, 1934 E Segoe Lily Drive, said he is a retired contractor with 50 years of experience. A lot of his experience was in multi family construction and while he's an advocate for development, infill and multi-family, he's not in support of this project because of the existing traffic issues.

Francois Delagiroday, 2509 E Falcon Way, commented on threats made by Mr. Budge and asked the commission not to approve the project because of the endless developments of high density areas.

Fred Gill, 2098 E Segoe Lily, also commented on threats made by Mr. Budge and shared his concerns over the existing traffic pattern.

Janet Ballard, 9874 S Petunia Way, asked if the apartments could not be so high.

Don Hammond, 10209 S Locksley Road, said the property owners took a risk of losing money when they purchased the property, the project is not going to help bring in more business to the existing commercial businesses nearby and that the owner is trying to push residential into a commercial area.

Diane Long, 2430 Segoe Lily Drive, said there's no need for additional retail since the nearby retail doesn't do well and that the owner's are trying to slide in an apartment complex with little commercial. She commented that the ombudsman's recommendation is an opinion that doesn't need to be adopted and commented on threats by Mr. Budge.

Shelly Cluff, 192 E Oak Manor Drive, said the traffic is not pretty and asked if the Planning Commission can introduce language into the code so there's more clarity so this issue doesn't happen again.

Marvin Cluff, 1982 E Oak Manor Drive, suggested that the Planning Commission and developer come to an agreement that will work for both parties.

Kay Burton, 10302 E Dell Drive, spoke about citizens rights and said that this proposed development is not good for the area.

Joyce Walker, 2486 E Segoe Lily Drive, said that this proposed development poses threats to this community.

David Baird, said there isn't any public transportation currently available in this area and that the application is incompetent.

Tiffany Reid, 10147 S Snow Iris Way, shared concerns with parking.

John Porter, 10321 Ashley Meadows Circle, shared comments regarding traffic on 1300 E.

Clint Jewel, 1435 E Edgecliff, suggested that the city purchase the property and turn it into a park.

Paul Godot, 10359 Eagle Cliff Way, commented that the commissioners not to be intimidated and bullied by the applicant, said the ombudsman's opinion is without merit and asked to deny the application.

Pamela, 1474 E Edgecliff Drive, is concerned about an evacuation in case of an emergency.

Kelly Jensen, 1482 E Snow Circle, said the residential scale is too big that will affect traffic. He said that 1300 E and Segoe Lily will need to be revamped and made wider and asked that this not be approved.

Mitzi Fox, 10202 S Roseboro Road, believes that the code needs to be updated and doesn't feel the project fits the area.

Morgan Fox, 10202 S Roseboro Road, is not in support of the project.

Matthew Ostrander, 9358 S Maison Drive, said that affordable housing with public transit is what's needed.

Mi Young Trepinski, 1718 E Edgecliff Drive, shared an article on what the role of an ombudsman is and the threat by Mr. Budge regarding a lawsuit and the cost of it was very ominous.

Alex Buxton, 10210 Snow Iris Way, shared concerns relating to traffic.

Ranae Heiner, owns two of the medical buildings directly to the east, shared concerns relating to traffic and said that a large density building doesn't fit in the area.

Laura Morrison, 10142 S Cala Lily Way, shared concerns with traffic and public noticing for this project.

Daniel Schoenfeld closed this item for public comment.

Mike Wilcox replied to Laura Morrison's comment regarding noticing and said that notices were sent out to property owners within a 500 foot radius and also posted to the property with noticing signs on Sege Lily and 1300 E.

Wade Budge said that most of the comments were in regards to the project itself. He also said that when the project first began it was pre-Covid, when public transit existed in this area but it no longer does. Mr. Budge said he's not there to make threats but to communicate what the statute says. He also said the ombudsman is a neutral party who is simply saying that in Utah we follow the constitution which protects private property rights.

David Hart said that he does not feel that this development meets the definition of a mixed use and cited agreement with several of the findings shown in the staff recommendation.

Dave Bromley asked David Hart to clarify the walk-able aspect.

David Hart said the development is enclosed and walk able within itself but it's not integrated within the community.

Dave Bromley said there's connections to the north and east, where the trail systems connect, as well as interior and struggles to see David Hart's perspective.

Cameron Duncan commented that he feels this project has good connectivity but is struggling with the commercial component and doesn't feel there's enough to justify for a mixed use development. It feels more like a residential development with token amount of commercial and more internally focused in its design and layout.

Dave Bromley said ratio's are something they need to address and has a concern with the amount of retail, in general, that can be supported.

Steven Wrigley asked staff if there are other mixed use dwellings in this area.

Mike Wilcox said there are town homes nearby but there aren't any apartments.

Steve Wrigley asked if this area is zoned for apartments.

Mike Wilcox said no.

Steven Wrigley asked if the city would put apartments in this area if it weren't zoned CN.

Mike Wilcox said that would require a rezone.

Darien Alcorn said this property is currently zoned neighborhood commercial. Sandy City defines what uses are permitted in the CN Zone. Mixed Use is a conditional use in the CN Zone which is a permitted use where you impose conditions to mitigate reasonably anticipated detrimental effects that occur from doing that conditional use over what you'd typically put in there as a permitted use. Whether or not this property would have been zoned multi family residential is a question that would only have come up if the property owner applied for a rezone. In this case, the applicant applied for a CUP to do a development that would be that conditional use that was already defined in city code. The question now is whether or not the applicant submitted an application really was a mixed use and therefore could qualify if they could receive a conditional use permit.

Steven Wrigley said when is it a mixed use and that's what we're struggling with here.

Dave Bromley asked Mike Wilcox about mixed use and an overlay zone.

Mike Wilcox wanted to clarify that we are not applying this as an overlay zone, it was simply used as an analogy in the staff report and clarified how we apply the standards for mixed use development as a practice.

Dave Bromley asked Mike Wilcox to review the table of uses allowed in the CN Zone and other commercial zones, in particular Mixed Use Development.

Mike Wilcox said yes, the standards through the conditional use have been applied and required to adhere to those standards that govern and regulate mixed use development.

Dave Bromley wondered about the thoughts of the other PC members about the expectation to have a commercially mixed use development that is more focused on commercial within the CN Zone.

Craig Kitterman said he's lived in the area for 45 years and the commercial area on the corner of 1300 E and 10600 S never reached critical mass and feels the commercial use of the project would help reach that. Craig said he's in support of more commercial versus residential.

David Hart spoke about percentages on the code and that would ultimately be up to the Planning Commission to determine. Concerned more about the integration to the community and lack of planning.

Cameron Duncan said he thinks it needs less residential rather than more commercial and that the project is out of balance.

Steven Wrigley asked Mike Wilcox to address public comments relating to the needs of

amending the ordinance.

Mike Wilcox said that staff processed a recently adopted code amendment relating to mixed use development that addressed the applicability of mixed use development and to refine and clarified the definition of mixed use.

Daniel Schoenfeld said that feedback was given to the applicant back in August and feels that they're reviewing the same thing and doesn't feel the project meets the mixed use definitional standards.

A motion was made by David Hart, seconded by Craig Kitterman, that the Planning Commission determined that this request does not meet the definitional standard of a "Mixed Use Development" as outlined in the Land Development Code based on the six findings detailed in the staff report.

Yes: 5 - Cameron Duncan
David Hart
Daniel Schoenfeld
Steven Wrigley
Craig Kitterman

No: 1 - Dave Bromley

Absent: 2 - Ron Mortimer
Jennifer George

Recused: 1 - Jamie Tsandes

Administrative Business

1. Minutes

An all in favor motion was made by Cameron Duncan to approve the meeting minutes from 02.15.2024.

[24-090](#) PC Minutes from Feb 15, 2024 meeting

Attachments: [02.15.2024 Minutes \(DRAFT\)](#)

2. Sandy City Development Report

[24-091](#) Development Report

Attachments: [03.01.2024 DEV REPORT](#)

3. Director's Report

Adjournment

An all in favor motion was made by Cameron Duncan to adjourn.

Meeting Procedure

1. Staff Introduction
2. Developer/Project Applicant presentation
3. Staff Presentation
4. Open Public Comment (if item has been noticed to the public)
5. Close Public Comment
6. Planning Commission Deliberation
7. Planning Commission Motion

In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be limited to 2 minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed 5 minutes to speak. Comments which cannot be made within these time limits should be submitted in writing to the Community Development Department prior to noon the day before the scheduled meeting.

Planning Commission applications may be tabled if: 1) Additional information is needed in order to take action on the item; OR 2) The Planning Commission feels there are unresolved issues that may need further attention before the Commission is ready to make a motion. No agenda item will begin after 11 pm without a unanimous vote of the Commission. The Commission may carry over agenda items, scheduled late in the evening and not heard, to the next regular scheduled meeting.

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