



Sandy City, Utah

10000 Centennial Parkway
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Phone: 801-568-7256

Meeting Minutes

Planning Commission

Dave Bromley
Monica Collard
Cameron Duncan
David Hart
Ron Mortimer
Daniel Schoenfeld
Jamie Tsandes
Steven Wrigley (Alternate)

Thursday, July 20, 2023

6:15 PM

Council Chambers and Online

Meeting procedures are found at the end of this agenda.

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4:00 PM FIELD TRIP

[23-271](#)

Map

Attachments: [072023](#)

5:15 PM EXECUTIVE SESSION

6:15 PM REGULAR SESSION

Welcome

Pledge of Allegiance

Introductions

- Present** 6 - Commissioner Dave Bromley
Commissioner Monica Collard
Commissioner Jamie Tsandes
Commissioner Daniel Schoenfeld
Commissioner Steven Wrigley
Commissioner Cameron Duncan
- Absent** 2 - Commissioner Ron Mortimer
Commissioner David Hart

Public Hearings

1. [ANEX05032](#) Riverscape Annexation
[023-006528](#) 8700 S. 700 W.
[\(PC\)](#)

Attachments: [Staff report](#)
[Vicinity Map](#)
[23-25C Riverscape Annexation Intent Resolution](#)
[Riverscape Annexation Prelim Plat](#)

The applicant requested to table this item to an unspecified date.

- Yes:** 6 - Dave Bromley
Monica Collard
Jamie Tsandes
Daniel Schoenfeld
Steven Wrigley
Cameron Duncan
- Absent:** 2 - Ron Mortimer
David Hart

2. [REZ0508202](#) Sanders Road Office Rezone
[3-006530](#) 1200 E. Sanders Road
[\(PC\)](#) [Community #14]

Attachments: [Staff report - Sanders Road Office Rezone](#)
[Letters and Emails \(7.11.23\).pdf](#)
[Additional Letters and Emails](#)

Jake Warner introduced this item to the Planning Commission.

Robert Herrera and Nate Creer, 1200 E Sanders Road, Sandy, said their intent is to become compliant with the zoning for their office building.

Cameron Duncan asked how many people are brought in for meetings.

Nate Creer said fifteen.

Dave Bromley asked how they've handled parking.

Nate Creer said they will need to fix the parking.

Dave Bromley asked what the building size is.

Nate Creer said 3,000 square feet.

Daniel Schoenfeld opened this item for public comment.

Chris Clawson, 11656 S Brisbane Dr, asked why can't the zoning stay the same and shared concerns with future businesses moving into the neighborhood.

Lance Brown, 1177 E Sanders Road, asked why the city is interested in changing the zone.

Connie Mansen, 11718 S Brisbane Dr, asked if the business can remain as a residential zone but with restricted use and shared concerns with having a commercial zone in the residential zone.

Steve Van Maren, 11039 S Lexington Circle, suggested to not change the zone as long as its occupied by this current owner.

Mark Rasmussen, 11619 S Brisbane Drive, asked if there were any provisions on what the building can be used for and has concerns about what happens if they sell the property.

Patricia Jones, 1237 E Shadow Gate Circle, has concerns about the possibility of future commercial development within a residential zone.

Heidi Razo, 11683 S Canberra Drive, wants the zone to stay as a residential zone.

Eric Freeman, 1205 E Sanders Road, does not want the zone to change to commercial and shared concerns with the future if the zone is changed.

Janelle Goodman, 11671 S Canberra Drive, asked why does the zoning need to change if

the use is for educational purpose.

Tanner Dall, 11632 S Brisbane Drive, does not want the zone to change to commercial and concerned for the future of the neighborhood.

Robert Hatch said he lives on Brisbane Drive and is opposed to the re-zone and worried about the future of his neighborhood.

Gerald White, 1255 E Canberra Drive, asked if the rezone will reduce his property value and shared his concern over additional traffic with the rezone.

Daniel Schoenfeld closed this item to public comment.

Robert Herrera acknowledged the concerns brought up by the residents and said he didn't know he was out of compliance until he applied for a building permit.

Nate Herrera said the acquisition of the property was viewed as an educational offering but no kids come to the building.

Dave Bromley asked if they've considered legal counsel to see if their situation fits within Sandy City ordinances.

Nick Herrera said they don't have property attorneys.

Jake Warner said that zoning runs with the land regardless of who the owner is. The current use of the building is primarily used for office which is not allowed in a residential zone. If the applicant changed the use of the building to fit the current zone then they would be compliant.

Robert Herrera asked what would that look like. They could do training or hold a cultural event.

Jake Warner said that would need to be their primary purpose.

Jamie Tsandes asked to explain the difference with the day care and this business.

Jake Warner said it would come down to what is allowed in a zone.

Mike Wilcox said a commercial day care is not a permitted use for this property.

Jamie Tsandes asked the applicant if he could sell the property for profit as a non profit building.

Robert Herrera said they cannot sell the building where the founder profits from the sale. It will have to go back into the business.

Steven Wrigley asked the applicant about their business license.

Jake Warner clarified that it's not about the license but the use of the property.

Steven Wrigley asked if they could approve the rezone and then change it back if the current owner were to leave.

James Sorensen said no.

Monica Collard said she is struggling with their land use.

Daniel Schoenfeld reopened this item for public comment.

T Goodman, 11671 S Canberra Drive, said he is against the re-zone.

Daniel Schoenfeld closed this item to public comment.

Jamie Tsandes said if they don't approve the rezone then the building will probably be sold.

Dave Bromley said it could be sold to someone who would be able to comply to the existing use or for redevelopment of homes. Dave said the changes that could occur with the zone change is concerning to him.

Cameron Duncan said he doesn't agree with the zone change.

Monica Collard asked if tabling this is an option so that staff could continue to work with the applicant on a resolution.

James Sorensen said that the applicant would need to modify their use to fit the current zone.

A motion was made by Cameron Duncan, seconded by Monica Collard, that the Planning Commission forward a negative recommendation, recommending that the City Council not approve the zone change from the R-1-10 Zone to PO Zone.

Yes: 6 - Dave Bromley
Monica Collard
Jamie Tsandes
Daniel Schoenfeld
Steven Wrigley
Cameron Duncan

Absent: 2 - Ron Mortimer
David Hart

3. [CA05252023](#) Amendments to Title 21 of the Land Development Code, Chapter 19,
[-0006537](#) Special Development (SD) Districts, Section 20, SD (Carnation) -10600 S.
1000 E.

Attachments: [Staff Report -SD Carnation Zone Code Amend.FINAL](#)
[Exhibits A - E](#)

Melissa Anderson introduced this item to the Planning Commission.

Adam Nash, 3267 E 3300 S, gave a brief history on the different businesses he wanted to put on this property and does not agree with staff's recommendation to deny this application.

Melissa Anderson spoke about staff's recommendation.

Richard Benham, Assistant Director of Sandy City Public Utilities, said that the state requires a Drinking Water Source Protection Plan that was updated and submitted to the state by Bowen Collins. He spoke about zones 1-4 and that gasoline service stations in zone 4 are not approved due to the risk of ground water contamination. Richard mentioned that Sandy City has lost three wells due to contamination.

Chris Dekorver with Bowen Collins, spoke about contamination time tables and that there are some service stations located in zone 4 that were grandfathered in but new gas station services are not allowed.

Richard Benham said the applicant was referring to an outdated map acquired from the state and that the city is the land use authority to restrict uses.

Adam Nash said there's a disconnect with a lot of wrong information provided and asked what's restricted in Zone 4.

Richard Benham said underground storage tanks are restricted and needs approval from Sandy City Public Utilities per Section 21-17 of the City Code.

Adam Nash spoke about the map he received from the DEQ and that water contamination is not that catastrophic since there should be precaution measures in place. He also spoke about borings and had a geologic report done.

Cameron Duncan asked how deep was the deepest bore.

Adam Nash said 15.5 feet.

Monica Collard asked if he remembered when the SD Carnation Zone was created and if these restrictions were on the property at that time.

Adam Nash said yes.

Daniel Schoenfeld opened this item for public comment.

Ryan Johnson, Asst General Manager with White City Water Improvement District, said that every report that he's seen falls within zone 4. He also said the public's drinking water is White City's main concern and opposes having another service station in the area.

Jackie Smith, 1046 E Feather Circle, Sandy, said there isn't a need for another gas station within a one mile residence.

Steven Wrigley asked when was the map updated and if it was submitted to the state.

Richard Benham said the map comes from Sandy City's consultant which was submitted to the state a year and a half ago and he doesn't know why it wasn't updated at the state.

Steven Wrigley asked if the updated map was based upon a report.

Chris Dekorver said the report is updated every six years to see if the well has changed.

Steven Wrigley asked if White City is included in the new map.

Chris Dekorver said yes.

Cameron Duncan said that the applicant offered to do an additional report that would check to see if his property is in the zone and asked if that would be a viable option.

Richard Benham said the applicant could hire a consultant to put data together into a model, that's recognized by the state, which will come up with the same results. He also added that boring 15' is not deep enough since the water wells are 300'-400' down.

Monica Collard said she doesn't feel a service station is the right land use and fit for this area.

A motion was made by Dave Bromley, seconded by Steven Wrigley, that the Planning Commission recommend to the City Council to deny the application to amend Section 21-19-20 of the Sandy Municipal Code to allow gasoline service stations in the SD Carnation Zone, based on the findings detailed in the staff report.

Yes: 6 - Dave Bromley
Monica Collard
Jamie Tsandes
Daniel Schoenfeld
Steven Wrigley
Cameron Duncan

Absent: 2 - Ron Mortimer
David Hart

4. [CA06282023-0006555](#) Amendments to Title 21 of the Land Development Code related to Major Sports Venue Sign Theme

Attachments: [Staff Report - Sports Venue Sign Theme](#)
[Exhibits A - C](#)

Melissa Anderson introduced this item to the Planning Commission.

Tracy Baker, 543 E 1600 N, Vineyard, said she agrees with the staff report.

Daniel Schoenfeld opened this item for public comment.

Daniel Schoenfeld closed this item for public comment.

A motion was made by Cameron Duncan, seconded by Jamie Tsandes, that the Planning Commission forward a positive recommendation to the City Council to amend Title 21, of the Sandy Municipal Code, related to the sign theme standards for major sports venues, as shown in Exhibit "A" based on the four findings detailed in the staff report.

Yes: 5 - Dave Bromley
Jamie Tsandes
Daniel Schoenfeld
Steven Wrigley
Cameron Duncan

Absent: 2 - Ron Mortimer
David Hart

Recused: 1 - Monica Collard

Public Meeting Items

5. [SGN0628202](#) Real Salt Lake America First Field (Sign Theme Amendment)
[3-031053](#) 9256 S. State St.
Civic Center Community

Attachments: [Staff Report RSL Sign Theme Final w attachments](#)

Sarah Stringham introduced this item to the Planning Commission.

Tracy Barker, 543 E 1600 N, Vineyard, said they are updating the proposed sign and agrees with the staff report.

Daniel Schoenfeld opened this item for public comment.

Daniel Schoenfeld closed this item for public comment.

A motion was made by Cameron Duncan, seconded by Jamie Tsandes, that the Planning Commission approve the sign theme amendment for the Real Salt Lake America First Field located at 9256 S State St, based on the two findings and subject to the four conditions detailed in the staff report.

Yes: 5 - Dave Bromley
Jamie Tsandes
Daniel Schoenfeld
Steven Wrigley
Cameron Duncan

Absent: 2 - Ron Mortimer
David Hart

Recused: 1 - Monica Collard

- 6. [CUP0607202](#) Blackmoon Wellness Center (Conditional Use Permit)
[3-006544](#) 8807 S. 700 E.
 Quarry Bend Community

Attachments: [Staff Report Blackmoon Welness CUP Final](#)

Sarah Stringham introduced this item to the Planning Commission.

Angelica Gallardo, 188 E 9400 S, said she has read the staff report and understands the recommendations made by staff.

Daniel Schoenfeld opened this item for public comment.

Daniel Schoenfeld closed this item for public comment.

Dave Bromley asked if there's sufficient parking for guests and the four employees.

Sarah Stringham said there are thirteen stalls total that are shared between the two tenants.

Dave Bromley said that the Planning Commission's approval could be re-addressed in the future if an issue were to arise regarding the parking.

Monica Collard suggested to install signage to identify parking spots.

A motion was made by Jamie Tsandes, seconded by Dave Bromley, that the Planning Commission approve a Conditional Use Permit for commercial services and energy healing services as described in the staff report for the property located at 8807 S 700 E based on the three findings and subject to the four conditions detailed in the staff report, with a modification to Condition #2 to be revised to: That the sharing of parking be regulated through the lease agreements and by adding signage to identify the parking spaces designated for the tenants.

- Yes:** 6 - Dave Bromley
 Monica Collard
 Jamie Tsandes
 Daniel Schoenfeld
 Steven Wrigley
 Cameron Duncan

- Absent:** 2 - Ron Mortimer
 David Hart

7. [SPR0424202](#) Sandy Amphitheater Expansion (Modified Site Plan Review)
[3-006523](#) 1245 E. 9400 S.
[Quarry Bend, Community #7]

Attachments: [Staff Report](#)
[PC Submittal Set](#)

Mike Wilcox introduced this item to the Planning Commission.

Merle Marsh, Director of Community Arts for Sandy City, spoke about the different expansions in the past and said this expansion will help with concessions lines, seating, apparel sales and an enclosure for the glass recycling bin.

Daniel Schoenfeld opened this item for public comment.

Daniel Schoenfeld closed this item for public comment.

A motion was made by Monica Collard, seconded by Cameron Duncan, that the Planning Commission determine preliminary review is complete for the Sandy Amphitheater Expansion located at 1245 E 9400 S, based on the two findings and subject to the four conditions detailed in the staff report.

Yes: 5 - Dave Bromley
Monica Collard
Daniel Schoenfeld
Steven Wrigley
Cameron Duncan

Absent: 2 - Ron Mortimer
David Hart

Recused: 1 - Jamie Tsandes

8. [SUB1012202](#) South Towne Center Mall Subdivision Amended (Commercial Subdivision
[1-006180](#) Amendment)
10450 S. State Street
[Commercial Area, Community #9]

Attachments: [Staff Report](#)
[Exhibit A - Application Materials](#)

Mike Wilcox introduced this item to the Planning Commission.

Jason Boal, 15 W South Temple, Salt Lake City, said that the intent of the application is to create parcels along the outside for different ownership. He wanted to make two clarifications regarding setbacks and transportation with the Monroe Street expansion.

Monica Collard asked if there is a master plan for this project and if this plan fits well with that.

Mike Jorgensen, with Shops at South Town, said this plan is not included with the master plan and this application will have no affect on that.

Dave Bromley asked the applicant to explain more about the setbacks and parking.

Jason Boal said there will be a shared parking agreement and he was referring to building setbacks.

Monica Collard said the parking lot is not included and wouldn't it cause a problem with all the lots.

Mike Wilcox said it would not be a problem with the shared parking lot agreement.

Monica Collard asked how the parking is covered if a new development came in and needed more parking.

Mike Wilcox said that any subsequent redevelopment will need to reevaluate the shared parking agreement for the overall site.

Jason Boal said that they're not proposing any new development but exercising ownership by creating lots.

Steven Wrigley said there's several buildings along 10600 S and if they're on private lots.

Jason Boal said they are part of the larger parcel.

Mike Wilcox spoke about the Monroe St extension and the need for the road to connect through the subject property. The road is not required to be dedicated right now, nor will improvements be required. At a future time, the exact location, alignment, and width of the Monroe Street extension will be determined. A plat note will be needed now to provide notice to property owners that the road will affect their property. This will substantially satisfy city code requirements regarding roadway dedication.

Mike Wilcox requested further clarity from the applicant regarding the need for reduced setbacks for their lots.

Jason Boal said the first iteration that staff saw did have the reduced setbacks. The more recent one had modified pad sites to meet the setbacks and there was a setback table included and they do not need the reduced setbacks at this time.

Daniel Schoenfeld opened this item for public comment.

Daniel Schoenfeld closed this item to public comment.

A motion was made by Monica Collard, seconded by Cameron Duncan, that the Planning Commission determine preliminary review is complete for the South Towne Center Mall Subdivision Amended plat located at 10450 S State Street based on the two finding and subject to the four conditions detailed in the staff report, with the modifications suggested by staff during the presentation.

Findings:

1. The proposed subdivision plat substantially meets city code requirements.
2. The proposal would help enable further development and improvement of the property

Conditions:

1. That the developer be responsible to meet all provisions of the CBD zoning district and the Land Development Code with the details finalized with staff during Final Site Plan review.
2. That the requirements and conditions of the various City Departments and Divisions be met and finalized during the Final Site Plan Review process with staff.
3. That the applicant work with Staff to develop alternate language for this note that is acceptable to both the City and applicant, to provide adequate notice of the future extension of Monroe Street through this property.
4. That the setbacks for this development be reduced to allow for the creation of the lots as shown on the preliminary plat with adequate “no-build” easements shown on the plat where deemed necessary and applicable by staff to ensure compliance with applicable building and fire codes.
5. That the applicant record revised covenants, conditions, and restrictions agreement to address the shared parking and access for all lots in the subdivision.

- Yes:** 6 - Dave Bromley
 Monica Collard
 Jamie Tsandes
 Daniel Schoenfeld
 Steven Wrigley
 Cameron Duncan

- Absent:** 2 - Ron Mortimer
 David Hart

Administrative Business

1. Minutes

An all in favor motion was made by Jamie Tsandes to approve the meeting minutes from 06.15.2023.

[23-270](#) Minutes from June 15, 2023

Attachments: [06.15.2023 Minutes \(DRAFT\)](#)

2. Sandy City Development Report

[23-272](#) Development Report

Attachments: [07.10.2023 DEV REPORT](#)

3. Director's Report

Adjournment

An all in favor motion was made 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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