



Sandy City, Utah

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Meeting Minutes

Planning Commission

Dave Bromley
Michael Christopherson
Monica Collard
Ron Mortimer
Jamie Tsandes
Cameron Duncan
Daniel Schoenfeld

Thursday, November 3, 2022

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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4:00 PM FIELD TRIP

[22-395](#)

Field Trip Map

Attachments: [Field Trip Map](#)

6:15 PM REGULAR SESSION

Welcome

Pledge of Allegiance

Introductions

- Present** 5 -
Commissioner Dave Bromley
Commissioner Ron Mortimer
Commissioner Jamie Tsandes
Commissioner Michael Christopherson
Commissioner Daniel Schoenfeld
- Absent** 2 -
Commissioner Monica Collard
Commissioner Cameron Duncan

Public Hearings

1. [CA04182022](#) Amendments Related to Water Efficient Landscaping Standards:
[-0006307](#) Amend Title 21, Chapter 25, Landscaping Standards, and Chapter 37,
[\(PC\)](#) Definitions, of the Sandy Municipal Code
Amend portions of the Sandy City Standard Specifications and Details for
Municipal Construction

Attachments: [Staff Report Landscape Code Amendments](#)
[Exhibit A - Ordinance Title 21 Ch 25 - Redline](#)
[Exhibit B - Ordinance Title 21 Ch 25 - v9 Final](#)
[Exhibit C - CUWCD Water Efficient Standards](#)

Melissa Anderson introduced this item to the Planning Commission.

Ron Mortimer opened this item for public comment.

Steve Van Maren, 11039 S Lexington Circle, Sandy, asked if boulders could be set back two feet from the gutter and for clarification on section 21-25-1(a)(2). Steve also said that he's seen the county abuse the curb-less green zone in a parking lot and asked if an intent can be added that the pavement drain into the islands.

Ron Mortimer closed this item for public comment.

Jamie Tsandes said she does not support completely prohibiting bark mulch in the parkstrip and recommends a change to allow bark mulch if a two-foot-wide buffer of rock mulch abutting the curb is provided. Jamie asked what happens with the parkstrip standard width now that the parkstrip can go up to eight feet with the design standards.

Melissa Anderson replied that the width of the parkstrip doesn't change, only the requirement for an eight-foot wide parkstrip if turf is proposed to be used in the parkstrip.

Jamie Tsandes asked if the city is going to change the parkstrip minimum.

Ryan Kump explained what the city standards, exceptions and recommendations are and said that currently eight foot parkstrips are not required for new developments.

Mike Wilcox added that in the Residential Conservation Overlay zone and in the Historic Sandy Development zone, they are required to have eight foot parkstrips unless it's waived by the Planning Commission.

Jamie Tsandes wanted clarification for trees that are not allowed in parkstrips that are less than eight feet.

Mike Wilcox replied that it's not new and has been an existing standard for more than 16 years. He said that street trees are allowed as long as they're placed behind the sidewalk rather than in the parkstrip.

Jamie Tsandes asked if the parkstrips, which the Planning Commission have been approving, are currently eight feet wide if they have street trees.

Mike Wilcox said yes, street trees are required in all contexts except for single family residential contexts. If the development does not have 8' parkstrips, the trees are placed 4' behind the sidewalk.

Ryan Kump said they could also be existing trees.

Jamie Tsandes recommended the language to be replaced from licensed landscape designer, a licensed architect, certified practice landscape architecture to be a licensed professional landscape architect so that there's consistency. Jamie also asked if the city requires that a landscape plan be stamped.

Mike Wilcox said yes, with regards to commercial development, a landscape architect is required to sign the landscape plans.

Dave Bromley asked Jamie Tsandes if there's a reason why weed barrier wouldn't be required.

Jamie Tsandes said she doesn't recommend a weed barrier as a requirement because vegetation doesn't do well after a while and would recommend leaving it at the discretion of the contractor.

Dave Bromley said if there's a bigger area with mulch it will end up with weeds.

Jamie Tsandes asked staff if the city has had discussion about requiring weed barrier in areas where there's just rock.

Ryan Kump replied that bark versus rock was not discussed. The discussion was about private landscaping versus parkstrip (public right of way) and an extension of city parks. Ryan said that parks & recreation department uses the weed barrier where appropriate.

Jamie Tsandes said that fabric could be required if something is 100% bark mulch or rocks with no plants.

Ryan Kump replied that the code is written where you cannot have 100% rock or bark mulch with no planting.

Melissa Anderson said that her understanding was that there were different perspectives of when a weed barrier needs to be applied or not. The primary concern is to allow some percolation if a weed barrier is provided.

Dave Bromley asked if there's a standard that might exempt commercial buildings from having to do fifteen feet of front yard landscaping.

Mike Wilcox said that in the Cairns District and Storefront Conservation Overlay where the building is allowed to come up closer this standard is not applicable and there should be a similar exemption.

Melissa Anderson said language could be added to Sec. 21-25-2(a)(1) to exempt those areas from the fifteen feet of front yard landscaping.

Jamie Tsandes asked if the rebate program is for resident's only.

Melissa Anderson replied that the rebate is for HOA's and single family homes.

Mike Wilcox said there are other rebates for commercial entities.

Jamie Tsandes asked if a resident wanted to participate in the rebate, who has an

existing landscape, do they have to meet all the requirements water efficient landscape standards?

Melissa Anderson replied that in order to be eligible for the rebate the limitations on turf are required and the rest are recommendations that the program administrator determines if they need to meet them.

A motion was made by Jamie Tsandes, seconded by Dave Bromley, that the Planning Commission forward a positive recommendation to the City Council to amend Title 21, Chapter 25, "Landscaping Standards" and Chapter 37, "Definitions," of the Sandy Municipal Code, by ordinance as shown in Exhibit "A", with the following amendments:

1. The following language is added to Sec. 21-25-1(a)(4)(c), Parkstrip Plantings & Hard Surface Materials: "Non-porous material shall not be placed under the mulch. A porous weed barrier fabric may be used under the mulch."

and

The following language is added to Sec. 21-25-(4)(c)(3)(b), Landscape Design Standards: "A porous weed barrier fabric may be used under the mulch."

2. To allow bark mulch in parkstrips while mitigating negative impacts to the stormwater drainage system, the following language is added to the standards for Mulch in Parkstrips: "In new development, bark mulch is prohibited, unless a two-foot-wide buffer of rock mulch abutting the curb is provided." (See Sec. Sec. 21-25-1(a)(4)(c))

3. An exception is provided to front yard landscaping requirements on commercial, industrial, institutional and multifamily residential projects when the Cairns Design Standards or Storefront Conservation Overlay zone applies to the property. (See Sec. 21-25-2(a)(1))

4. For developer installed landscaping, "Landscape Designer" is replaced with "Landscape Architect." Note that a landscape architect is not required for homeowner installed landscaping.

This motion is based on the findings and conclusions provided in the staff report dated November 3, 2022, and findings in support of the proposal with a modification made by the Planning Commission during deliberations on this matter.

Yes: 5 - Dave Bromley
 Ron Mortimer
 Jamie Tsandes
 Michael Christopherson
 Daniel Schoenfeld

Absent: 2 - Monica Collard
 Cameron Duncan

- 2. [MSC102720](#) Amend portions of the Sandy City Standard Specifications and Details for
[22-006431](#) Municipal Construction

Attachments: [Exhibit D - PC Memo on Standard Specs. and Details](#)
[Exhibit E - Standard Specs and Details Updates](#)

A motion was made by Jamie Tsandes, seconded by Daniel Schoenfeld, that the Planning Commission forward a positive recommendation to the City Council to adopt the proposed updates to the Sandy City Standard Specifications and Details for Municipal Construction by ordinance as shown in Exhibit "E."

If any of the amendments stated in the first motion need to be incorporated into the Sandy City Standard Specifications and Details for Municipal Construction, the Planning Commission directs staff to do so. This motion is based on findings that the proposal implements water efficient landscaping standards, and is consistent with current State Code, the Central Utah Water Conservation District, and the Sandy City Land Development Code.

- Yes:** 5 - Dave Bromley
Ron Mortimer
Jamie Tsandes
Michael Christopherson
Daniel Schoenfeld

- Absent:** 2 - Monica Collard
Cameron Duncan

Public Meeting Items

3. [CUP0916202](#) [2-006401](#) Picklr Sandy - Extended Hours & Parking
8645 S. Highland Drive [Willow Creek, #18]
Neighborhood Commercial (CN)
1.74 Acres

Attachments: [Final Staff Report](#)

Brynn Bohlender introduced this item to the Planning Commission.

Ron Mortimer opened this item for public comment.

Kent Hyde, 8666 S Alta Cove Drive, Sandy, said his back door is less than thirty five feet away from this facility's back door and has many concerns. His concerns include the notice not being sent to his surrounding neighbors, illegal activities happening in the alley behind the facility, rat infestation and the owners not providing employee coverage the entire time they're open. Mr. Hyde wants to make sure the backdoor is not being used and wants the facility to only be opened until midnight.

Steve Van Maren, 11039 S Lexington Circle, Sandy, wants to know if other businesses stay open past midnight.

Ron Mortimer closed this item to the public.

Ron Mortimer asked staff to clarify the hours from the existing Conditional Use Permit that currently allows businesses to operate until 1:00 a.m.

Brynn Bohlender replied to Kent Hyde's concerns. Brynn confirmed that in 1988 a conditional use permit was approved to extend the hours to 1:00 a.m. and that over sixty notices were mailed out for both the neighborhood meeting and this Planning Commission meeting. She said that during the neighborhood meeting concerns were brought up about the ongoing activities in the alley and the cleanliness of the property which need to be addressed with the police department and property management. Brynn said that the applicant intends to use the back door for emergency use only.

Jamie Tsandes asked if it was discussed in the neighborhood meeting, whether or not the criminal activity increased after Rite Aid went out of business.

James Sorensen said its something the police department would know of.

Michael Christopherson acknowledged all the concerns that were brought up and is comfortable with approving the additional one hour of operation and specifying the required number of parking stalls for this use

A motion was made by Michael Christopherson, seconded by Daniel Schoenfeld that the Planning Commission amend the original conditional use permit (CUP#88-33) for the Willow Creek Shopping Center to extend business hours from 5 a.m to 1 a.m. on the property located at 8725 S. Highland Dr., based on the one finding and subject to the five conditions detailed in the staff report.

Yes:

- Michael Christopherson
- Daniel Schoenfeld
- Dave Bromley
- Jamie Tsandes
- Ron Mortimer

Absent:

- Monica Collard
- Cameron Duncan

A motion was made by Michael Christopherson, seconded by Daniel Schoenfeld that the Planning Commission determine that 108 stalls is sufficient for indoor recreation use of Picklr Sandy on the property located at 8645 S. Highland Dr., based on the three findings detailed in the staff report.

- Yes:** 5 - Dave Bromley
Ron Mortimer
Jamie Tsandes
Michael Christopherson
Daniel Schoenfeld

- Absent:** 2 - Monica Collard
Cameron Duncan

4. [SPR0311202](#) Walmart Fuel Center Site Plan Review
[2-006282](#) 9151 S. Quarry Bend Dr.
[Quarry Bend, Community 7]

Attachments: [Final WalMart Fuel Center at Quarry Bend Site Plan Review-10-24-2022](#)

Doug Wheelwright introduced this item to the Planning Commission.

Michael Christopherson asked if a site plan review and approval would be needed if they had to move the gas station out of the well protection zone.

Doug Wheelwright replied that it could but would need to wait to see what Midvale City's decision is.

Dave Bromley asked why this is coming up now.

Doug Wheelwright replied that the gas station that was approved in 2005 was located in the southwest corner of the Walmart site and was unsure if the water well protection zone system existed then.

Mike Wilcox said that with improved technology the well zone may not have been on their radar back then.

Doug Wheelwright said this should have been identified in the initial review process but it wasn't.

Dave Bromley asked if Midvale City brought this up.

Doug Wheelwright said no, it was brought up by Sandy City Public Utilities.

Ryan Alvarez said they are in zone three, shared information on the underground storage tanks and is working with Midvale City engineers and public utilities to resolve this issue.

Ron Mortimer asked Ryan Alvarez if he understands that he still needs to have the approval from Midvale City to move forward with his project.

Ryan Alvarez said yes.

Ron Mortimer opened this item to public comment.

There was no public comment.

Ron Mortimer closed this item to public comment.

A motion was made by Dave Bromley, seconded by Michael Christopherson, that

Planning Commission determine that the Preliminary Site Plan Review is complete for the proposed Walmart Automotive Self-Serve Fuel Station, as described in the staff report for the property located at 9151 S. Quarry Bend Dr., based on the two findings and subject to the six conditions detailed in the staff report, with a seventh condition added that the applicant work with the Sandy City Public Utilities Department and Midvale City Engineer, to satisfy and comply with any restrictions and mitigation measures placed upon the Walmart property by the Drinking Water Well Protection mapping and regulations.

Yes: 5 - Dave Bromley
 Ron Mortimer
 Jamie Tsandes
 Michael Christopherson
 Daniel Schoenfeld

Absent: 2 - Monica Collard
 Cameron Duncan

5. [SPR0103202](#) Cyprus Credit Union Site Plan Review
[2-006241](#) 8955 S. 700 East Street
 [Quarry Bend, Community, #7]

Attachments: [Final Cyprus Credit Union Site Plan Review P.C. staff report 11-03-2022](#)

Doug Wheelwright introduced this item to the Planning Commission.

Buddy Bennett, 3876 W Center View Way, West Jordan, Chief Operating Officer of Cyprus Credit Union, said they are relocating from 9400 S to 9000 S and 700 E and hopes their new building is warm and inviting.

Ron Mortimer opened this item to public comment.

Ron Mortimer closed this item to public comment.

Daniel Schoenfeld asked Doug Wheelwright about parking requirements with a smaller building footprint.

Doug Wheelwright said yes, and that the building is only single story and that they meet the parking requirements.

Jamie Tsandes asked if there's a minimum size requirement for shrubs.

Doug Wheelwright said it depends on the shrub species.

A motion was made by Dave Bromley, seconded by Jamie Tsandes, that the Planning Commission determine that Preliminary Site Plan Review is complete for the Cyprus Credit Union Sandy Branch office, located at 8955 S. 700 East Street, based on the three findings and six conditions detailed in the staff report with an added seventh condition that the existing non-conforming signs must be removed.

Yes: 5 - Dave Bromley
 Ron Mortimer
 Jamie Tsandes
 Michael Christopherson
 Daniel Schoenfeld

Absent: 2 - Monica Collard
 Cameron Duncan

6. [CUP1020202](#) Cyprus Credit Union Conditional Use Permit Review
[2-006426](#) 8955 S. 700 E. St.
 [Quarry Bend Community, #7]

A motion was made by Dave Bromley, seconded by Jamie Tsandes, that the Planning Commission grant approval for the requested Conditional Use to add a bank drive-up window to this bank branch office, located at 8955 S. 700 East Street, based on the three findings and two conditions detailed in the staff report.

Yes: 5 - Dave Bromley
 Ron Mortimer
 Jamie Tsandes
 Michael Christopherson
 Daniel Schoenfeld

Absent: 2 - Monica Collard
 Cameron Duncan

7. [SUB0112202](#) Cyprus Credit Union 90th South Subdivision
[2-006248](#) 8955 S. 700 East Street
 [Quarry Bend Community, #7]

Attachments: [Final Cyprus Credit Union Commercial Subdivision SUB01112022-006248 P.C. Staff report](#)

A motion was made by Dave Bromley, seconded by Jamie Tsandes, that the Planning Commission grant preliminary approval for the proposed two-lot commercial subdivision, Cyprus Credit Union 90th South Subdivision, located at 8955 S. 700 East Street, based on the two findings and three conditions detailed in the staff report with an addition to the first condition that after the word access, "and use", be added.

Yes: 5 - Dave Bromley
 Ron Mortimer
 Jamie Tsandes
 Michael Christopherson
 Daniel Schoenfeld

Absent: 2 - Monica Collard
 Cameron Duncan

Administrative Business

1. Minutes

[22-397](#) Minutes from October 6, 2022

Attachments: [10.06.2022 PC Minutes \(DRAFT\)](#)

An all in favor motion was made by Daniel Schoenfeld to approve the minutes from 10.06.2022.

2. Sandy City Development Report

[22-398](#) Development Report

Attachments: [DEVELOPMENT REPORT 10.27.2022](#)

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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