



Sandy City, Utah

10000 Centennial Parkway
Sandy, UT 84070
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, September 7, 2023

7:15 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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<https://us02web.zoom.us/j/81240692999>

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US: 253 215 8782 or 346 248 7799 or 669 900 6833 or 301 715 8592 or 312 626 6799 or 929 436 2866

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Webinar ID: 812 4069 2999

Passcode: 475484

4:00 PM FIELD TRIP

[23-344](#)

Map

Attachments: [090723](#)

5:15 PM EXECUTIVE SESSION

[23-349](#)

General Plan Work Session - The General Plan project team (GSBS and City Staff) will be providing an update on the General Plan and will be seeking input from the Planning Commission

Attachments: [Sandy General Plan Survey Phase II Report 20230824.pdf](#)

7:15 PM REGULAR SESSION

Welcome

Pledge of Allegiance

Introductions

- Present** 5 - Commissioner Dave Bromley
Commissioner Daniel Schoenfeld
Commissioner Steven Wrigley
Commissioner David Hart
Commissioner Cameron Duncan
- Absent** 3 - Commissioner Monica Collard
Commissioner Jamie Tsandes
Commissioner Ron Mortimer

Public Hearings

- 1. [CA08252023](#) Amendments to Title 21 of the Land Development Code related to
[-0006593](#) Violations, Enforcement and Penalties in the Sensitive Area Overlay Zone

Attachments: [Staff Report and Exhibits](#)

Melissa Anderson introduced this item to the Planning Commission.

Steven Wrigley clarified the reasoning for the code amendment.

Melissa Anderson said the majority of cases we deal with are steep slopes and before work can be done on a 30% slope the applicant needs a plan and approval from the Planning Commission. This is not retro active but it would apply to those who do not get the proper approval (permit) after the code is adopted.

Steven Wrigley said the resident would receive a fine and they need to restore the hillside the best they could.

Melissa Anderson said to fix the situation they need to submit a plan for review and approval before work can be done.

James Sorensen said this is also being used as a tool to educate residents because a lot of people aren't familiar with the ordinances.

Dave Bromley asked if this is retro active for residents who've purchased a home where work was done by a previous home owner.

Melissa Anderson said it's only for those going forward.

James Sorensen said there's a current SOA code.

Dave Bromley asked what date triggers the daily fee.

Melissa Anderson said it would start on the date the citation is issued.

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 Dave Bromley, that the Planning Commission forward a positive recommendation to the City Council to amend Title 21, of the Sandy Municipal Code, relating to Violations, Enforcement and Penalties in the Sensitive Area Overlay zone as shown in Exhibit "A", based on the four findings detailed in the staff report.

- Yes:** 5 - Dave Bromley
 Daniel Schoenfeld
 Steven Wrigley
 David Hart
 Cameron Duncan

- Absent:** 3 - Monica Collard
 Jamie Tsandes
 Ron Mortimer

2. [CA07282023-0006578](#) Amendment to Title 21, of the Land Development Code to the definition of a "Transitional Housing Facility"

Attachments: [Staff Report and Exhibits](#)

Melissa Anderson introduced this item to the Planning Commission.

David Hart asked to define the term non congregate interim housing.

Melissa Anderson said people would have their own room versus a large group of people gathering in one room and it's temporary.

David Hart asked if this would be a facility based only on referral and family members cannot visit.

Melissa Anderson said as part of the Conditional Use Permit, visitors are not permitted.

David Hart asked if there are people hanging outside around the facility, would they be asked to leave.

Melissa Anderson said yes and that question is more for the Conditional Use Permit application.

David Hart asked if a person is allowed to stay for only 24 months total.

Melissa Anderson said in terms of the definition, it would be any one point in time for a total of 24 months.

Steven Wrigley asked if there's a penalty for those who stay longer than 24 months.

Melissa Anderson explained the conditions of approval.

Steven Wrigley asked how this definition is compared to other cities.

Melissa Anderson said she has not analyzed this definition with other cities.

Mike Wilcox said that they did compare the existing definition to the federal definition that HUD uses and incorporated some language to strengthen the code amendment.

Rob Hughes, Attorney with Parson, Bailey & Latimer, explained the goal is to move people into permanent housing as quickly as possible. This facility will be on referral basis only where you cannot hang out or stand in a line to get a room. He also explained congregate housing. Congregate is a big room with a number of beds. This facility is non congregate where individual rooms are assigned.

Dave Bromley asked if Sandy City is the first to offer this type of facility.

Rob Hughes said yes.

Dave Bromley asked if there are any initiatives to get other municipalities throughout the county to have comparable ordinances.

Rob Hughes said yes.

Dave Bromley said he's concerned that Sandy City will be the only city with ordinances in the county to accommodate this facility.

Rob Hughes said converting former hotels into housing units is a model that's moving forward.

Steven Wrigley asked Rob Hughes how long does he think the average stay will be.

Rob Hughes said that would be a question for the operators.

Daniel Schoenfeld opened this item for public comment.

Adrien Covington, 9995 S 300 E, has concerns with the definition on who's referring people and how long they can stay.

Brooke Christiansen, 8749 S 450 E, is concerned about the language regarding non congregate and how long people can stay.

Allyson Hendricksen, 463 E Wyandotte, said she moved from Kearns to escape these types of issues and wants to know who is considered medically vulnerable and asked to keep the length of stays to 30 days.

Levey Woodruff, 8831 S 300 E, is in favor of the amendment. She said she volunteers at a similar facility called the In Between which is located in a residential neighborhood in Salt Lake City. She said this facility is peaceful and clean and if they want to see less homeless people then more facilities like this need to exist.

Patricia Jones, 1237 E Shadow Gate Circle, said the code amendment should come after the conditional use permit and stays should not exceed 24 months.

Gary, lives in Midvale and works in Sandy, wants clarification on "referred" and asked where do they go if they don't have anyplace to go.

William Bailey, lives in Midvale and works for Canyons School District, shared concerns regarding homeless shelters and assisted living facilities.

Jeff Silvestrini, Mayor of Millcreek, shared his experience with the temporary winter overflow shelter in Millcreek. Mayor Silvestrini said they hosted a congregate shelter by referral only where they did not accept walk ups. He also said if the facilities are well managed they are successful and the data they kept showed they did not experience increased crime in and around their shelter.

Alejandro Puy, SLC Council Member representing District 2, said that one motel in his area was transformed to a similar facility. Many of the constituents in his area had the same concerns regarding crime and because of those concerns they paid extra attention and the calls for police services were lowered and many neighbors noticed an improvement. If the shelter is managed correctly then the facility is successful.

Nichelle Martinez is in support of the code amendment.

Demi shared her support of the code amendment.

Alex with the Nomad Alliance shared his support of the code amendment.

Robin Pendegrass, with the Nomad Alliance, shared his support of the code amendment.

Brandy, who used to be homeless, shared her support of the code amendment.

Steve Eliason, 8157 S Grambling Way, represents District 43 in the Utah House of Representatives, spoke about tax cuts for Sandy City.

Crystal Shcram shared several concerns.

Wendy Garvin, Exec Director of Unshelter Utah, opened up a shelter last year in Salt Lake City that was unfunded and relied completely on volunteers and shared her positive experience with their facility.

Daniel Schoenfeld closed this item to public comment.

Melissa Anderson provided additional clarification regarding the proposed code change.

Steven Wrigley asked about referrals.

Mike Wilcox said the intent is that a person can not walk up to the door and be admitted.

James Sorensen said the entire purpose is to distinguish that it is not a walk up facility.

Wayne Niederhauser, State Homelessness Director, said his department does not have power to force the city to turn the facility into a homeless shelter if the need arises.

Dave Bromley asked about Brooke Christiansen's comment regarding congregate vs non congregate with the possibility of two people in a room and if the code needs to address that.

Melissa Anderson said having two people in a room still complies to being non congregate.

A motion was made by Dave Bromley, seconded by Cameron Duncan, that the Planning Commission forward a positive recommendation to the City Council to amend Title 21, of the Sandy Municipal Code, to amend the definition of a "Transitional Housing Facility," as shown in Exhibit "A", based on the four findings detailed in the staff report. Along with an additional recommendation that the City Council consider what approaches that might work best to limit the number of these types of facilities allowed within the city.

- Yes:** 5 - Dave Bromley
Daniel Schoenfeld
Steven Wrigley
David Hart
Cameron Duncan

- Absent:** 3 - Monica Collard
Jamie Tsandes
Ron Mortimer

Public Meeting Items

3. [CUP0728202](#) Medically Vulnerable People Transitional Housing Facility (Conditional Use
[3-006576](#) Permit)
8955 S Harrison St.
[Northwest Exposure, Community #1]

Attachments: [Staff Report and Exhibits](#)

Melissa Anderson introduced this item to the Planning Commission.

Wayne Niederhauser, Utah State Homelessness Coordinator, spoke about the need for housing and the homeless problem throughout the state.

Laurie Hopkins, Executive Director with Shelter the Homeless, introduced her partners, the project and said their goal is to provide a permanent home for those who come through their facility. Their goal is to begin operating by the winter time. She also shared details about who they serve and what a transitional housing facility is.

Janida Emerson, CEO of Fourth Street Clinic, spoke about the need for the Medically Vulnerable People program, how it's different and what constitutes as Medical Vulnerability.

Michelle Flynn, Executive Director of the Road Home, spoke about the overall services, and their goal is to have residents move out as soon as possible. A lot of them will go into subsidized assisted living housing, internal and external safety and security plan and impact mitigation.

Catherine, on behalf of SLC Mayor Wilson, spoke about the medically vulnerable population and their need for this type of facility.

Melissa Anderson reviewed the conditions of approval.

Cameron Duncan asked if there will be bed checks at the end of the day.

Michelle Flynn said that room inspections and bed checks are done on a regular basis.

Cameron Duncan asked if there's more people in the winter vs summer.

Michelle Flynn said they anticipate being full all the time.

Cameron Duncan asked if spouses can enter at same time.

Michelle Flynn said yes and it's unlikely but it is possible and it is for 18 and older so children cannot enter.

Cameron Duncan asked how would elderly people transition into other housing.

Janida Emerson said they could be placed into assisted living, long term care or a nursing facility depending on their needs and how they're able to care for themselves.

David Hart asked about the referral process.

Janida Emerson said the referrals come from case workers and other Homeless Resource providers working with this population. She said the assessment is done

knowing this facility is not a long term nursing home.

David Hart asked to clarify what chronic health issues will they be treating and asked if they would also treat patients with regular drug and alcohol abuse.

Janida Emerson said many of their patients have issues like cancer, diabetes, kidney failure, etc but they also treat patients who have concurring issues from substance abuse.

David Hart asked to explain recuperative care.

Janida Emerson said recuperative care is to help them recover and then transition them out of homelessness and back to work.

David Hart said once they've recuperated they are moved into a permanent situation.

Janida Emerson said yes.

David Hart asked about the discharge plan and what's considered short term.

Michelle Flynn said the discharge plan is finding permanent housing and securing that for the patient as their medical needs are being addressed.

David Hart asked what's a reasonable short period of time that someone will stay.

Michelle Flynn said the average is 90 days.

David Hart asked about the occupancy and if it's based on bed count.

Michelle Flynn said the occupancy is an estimate and the maximum is based on two people per room.

David Hart asked about the provision regarding fencing.

Melissa Anderson said the applicant is considering fencing the property for the safety of the occupants but staff did not see the need to require a perimeter fence.

Steven Wrigley asked if this facility will turn into a treatment center.

Janida Emerson said their intent is not to be a mental health or substance abuse treatment center which they are not licensed to do.

Steven Wrigley asked what happens if residents are caught using drugs and alcohol.

Michelle Flynn said that participants are given a list of expectations that they need to agree to. If they have repeated violations of the expectations, they could be moved to a different facility.

Steven Wrigley asked what the staff ratio is.

Michelle Flynn said she would get that information but staff would include 24/7 staff, security, on site case managers and medical staff.

Daniel Schoenfeld opened this item to public comment.

Gary, 127 E 6890 S, Midvale, shared comments in opposition to the facility.

William Bailey, works for Canyon School District, shared comments in opposition to the facility.

Levey Woodruff, 8831 S 300 E, shared comments in support of the facility.

T.F. Nelson, 643 E Locust Street, is representing his boss Trond Pederson who opposes this facility however his personal opinion is to take this to the ballot so Sandy residents can vote on it.

Allyson Hendricksen, 463 E Wyandotte Ave, shared comments in opposition to this facility.

Stacey Peterson, lives in Draper and has property in Sandy, and shared concerns in opposition of the facility.

Patricia Jones, 1237 E Shadow Gate Lane, shared concerns that are not in support of the facility.

Shirley Hudson, 11550 S 700 E, shared concerns that are not in support of the facility.

Adrien Covington, 9995 S 300 E, shared his research findings and is not in support of the facility.

Elijah Nieves, 57 W Crawford Place, said he does not support the facility.

Jennifer Goulding, 57 W Crawford Place, said she wants more information.

Rebecca Colley, 1688 E 10770 S, shared several concerns that she has with this facility.

Ginger Broadbent, 652 E 8600 S, is not in support of the facility.

Brooke Christiansen, 8740 S 450 E, shared comments regarding the conditions of approval for the request.

John Manning, 2328 E Hidden Valley Circle, is against the facility.

Daniel Schoenfeld closed this item to public comment.

David Hart asked about the specifics of patients coming and going.

Laurie Hopkins said people can come and go. Transportation is provided for the tenants as well.

Michelle Flynn said they are not a lock down facility and patients can come and go.

David Hart said if a patient has an issue with substance abuse, leaves the facility to drink alcohol, what are the consequences.

Michelle Flynn said they have a staff ratio of 10:1 during the day and they go through a screening process when they return.

David Hart asked why not provide a sobriety test when they come and go.

Michelle Flynn said they don't need to do a sobriety test because they'll already know when the patient checks in. If the patient brings in alcohol to the facility it is a violation of expectations which they will also address. They have plans and procedures in place to address these issues if they arise.

Daniel Schoenfeld asked about a specific age demographic for resident and caregiver.

Michelle Flynn said the typical age is 62 years old and up and that caregivers are not usual.

Janida Emerson said most scenarios with caregivers are with aging couples where one has dementia or Alzheimer's and they need their partner with them to help them feel safe and remind them to navigate self care.

Steven Wrigley asked for that staff ratio at night.

Michelle Flynn said she doesn't have that number on hand but it will be lower because people will be sleeping.

Rob Hughes, addressed the comments on research, and said that the research that was cited was in regards to congregate housing and does not apply however Mayor Silvestrini and Mr. Puy did provide information that does relate to this proposal.

Dave Bromley spoke about the maximum occupancy.

Mike Wilcox said he didn't know what the maximum occupancy cap would be and invited the fire marshal to speak on it.

Gerald Strebel, Sandy City Fire Marshall, said they're still working through it and he'll need to know the occupancy type first.

David Hart said it's important that they know what's happening at the facility and they want to see it tracked.

Steven Wrigley said he thinks a one year review would be good so that they know the facility is actually following the plan they've presented.

Dave Bromley said that revoking a conditional use permit is not unusual and has happened in the past. He also said the reporting should be given to staff and staff can bring it back to the Planning Commission if staff feels it needs to.

A motion was made by David Hart, seconded by Cameron Duncan that the Planning Commission approve a Conditional Use Permit for a Transitional Housing Facility at 8955 S Harrison Street, based on the four findings and subject to the fifteen conditions detailed in the staff report with modifications to the following conditions:

#4: As proposed by the applicant, the facility shall provide non-congregate

interim housing for medically vulnerable people on a referral basis only (walk-ups shall not be allowed) with a maximum of 165 occupants;

#5: The applicant shall prepare a Security Plan, and the plan shall be coordinated with the Sandy Police Chief. The Security Plan shall be reviewed at least twice a year with the Sandy Police Chief or designee to ensure the facility can adequately prevent and eliminate any security issues that may arise. The police shall track all calls and submit a report to the Community Development Department twice a year;

#7: The applicant shall work with staff to ensure that exterior lighting is operational and adequate to monitor the site for the safety of the occupants and surrounding residents and businesses. Exterior lighting shall be sufficient for security cameras to capture good video images.

Yes: 5 - Dave Bromley
Daniel Schoenfeld
Steven Wrigley
David Hart
Cameron Duncan

Absent: 3 - Monica Collard
Jamie Tsandes
Ron Mortimer

4. [CUP0726202](#) Shawn Olsen Sport Shed (Conditional Use Permit)
[3-006574](#) 8350 S. Red River Rd.
[Community #18]

Attachments: [Shawn Olsen CUP Staff Report final](#)

Sarah Stringham introduced this item to the Planning Commission.

Shawn Olsen, 8350 S Red River Road, said he has read and understands the staff report.

Daniel Schoenfeld opened this item for public comment.

Daniel Schoenfeld closed this item to public comment.

A motion was made by Dave Bromley, seconded by Cameron Duncan, that the Planning Commission approve a Conditional Use Permit for an accessory structure with additional height, square footage, and reduced setbacks for the property located at 8350 S Red River Road based on the four findings and subject to the seven conditions detailed in the staff report.

Yes: 5 - Dave Bromley
Daniel Schoenfeld
Steven Wrigley
David Hart
Cameron Duncan

Absent: 3 - Monica Collard
Jamie Tsandes
Ron Mortimer

- 5. [CUP0828202](#) Bicentennial Park Improvements (Conditional Use Permit)
[3-006596](#) 530 E. 8680 S.
[Historic Sandy, Community #4]

Attachments: [Staff Report Bicentennial report final w attachments](#)

Sarah Stringham introduced this item to the Planning Commission.

Jeremy Garcia, Assistant Parks Superintendent, said the improvements are needed and the amenities are unique.

Cameron Duncan asked if the tennis courts ever get used and if one tennis court could be eliminated.

Jeremy Garcia said the tennis courts do get used and currently there are three and will be eliminating one.

Cameron Duncan asked if the tennis courts could be used as pickle ball courts.

Jeremy Garcia said that the nets for tennis and pickle ball are different

Daniel Schoenfeld opened this item to public comment.

Sherri Fairbanks asked if there's any plans for parking improvements.

Daniel Schoenfeld closed this item to public comment.

Jeremy Garcia said there are no plans for parking improvements.

Dave Bromley suggested that a poll be used to gather neighborhood input on what amenities they'd like to see.

A motion was made by Cameron Duncan, seconded by David Hart, that the Planning Commission approve a Conditional Use Permit for the proposed changes in an outdoor recreation for the Bicentennial Park located at 530 E 8680 S based on the three findings and two conditions detailed in the staff report.

- Yes:** 5 - Dave Bromley
Daniel Schoenfeld
Steven Wrigley
David Hart
Cameron Duncan

- Absent:** 3 - Monica Collard
Jamie Tsandes
Ron Mortimer

- 6. [SPR0727202](#) [3-006575](#) Bicentennial Park Improvements (Site Plan Review)
530 E. 8680 S.
[Historic Sandy, Community #4]

Attachments: [Staff Report Bicentennial report final w attachments](#)

A motion was made by Cameron Duncan, seconded by David Hart, that the Planning Commission determine preliminary review is complete for the Bicentennial Park located at 530 E 8680 S based on the three findings and three conditions detailed in the staff report.

Yes: 5 - Dave Bromley
Daniel Schoenfeld
Steven Wrigley
David Hart
Cameron Duncan

Absent: 3 - Monica Collard
Jamie Tsandes
Ron Mortimer

- 7. [SGN0816202](#) [3-031489](#) Quarry Bend Sign Theme (Sign Theme Amendment)
1000 E. 9200 S.
[Quarry Bend, Community #7]

Attachments: [Staff Report Walmart Sign theme final](#)

Sarah Stringham introduced this item to the Planning Commission.

Daniel Beckstrom with SJ Design Group, said that Walmart is looking to split the existing sign.

Daniel Schoenfeld opened this item to public comment.

Daniel Schoenfeld closed this item to public comment.

A motion was made by Cameron Duncan, seconded by Dave Bromley, that the Planning Commission approve the sign theme amendment for the Quarry Bend Retail Development located at 1000 E 9200 S based on the two findings and subject to the four conditions detailed in the staff report.

Yes: 5 - Dave Bromley
Daniel Schoenfeld
Steven Wrigley
David Hart
Cameron Duncan

Absent: 3 - Monica Collard
Jamie Tsandes
Ron Mortimer

- 8. [SUB0928202](#) Sandy Station Block 20 Subdivision
[2-006410](#) 240 East 8960 South
 [Community #4, Historic Sandy]

Attachments: [Staff Report](#)

Thomas Irvin introduced this item to the Planning Commission.

Mark Stephenson, 2003 Eagle Crest Drive, Draper, said they're providing an opportunity for one new house and one existing house with a new two car garage added.

Daniel Schoenfeld opened this item for public comment.

Daniel Schoenfeld closed this item to public comment.

A motion was made by Cameron Duncan, seconded by Dave Bromley, that the Planning Commission determine preliminary subdivision review is complete for the Sandy Station Block 20 located 240 E 8960 S based on the four findings and subject to the five conditions detailed in the staff report.

- Yes:** 5 - Dave Bromley
 Daniel Schoenfeld
 Steven Wrigley
 David Hart
 Cameron Duncan

- Absent:** 3 - Monica Collard
 Jamie Tsandes
 Ron Mortimer

- 9. [SUB0923202](#) Sandy Station Block 59 Subdivision
[2-006408](#) 8810 South 90 East
 [Community #4, Historic Sandy]

Attachments: [Staff Report](#)

Thomas Irvin introduced this item to the Planning Commission.

Dave Bromley questioned the depth of the driveway.

Mark Stephenson said this will provide the opportunity to build one new home.

Daniel Schoenfeld opened this item to public comment.

Daniel Schoenfeld closed this item to public comment.

A motion was made by Cameron Duncan, seconded by Dave Bromley, that the Planning Commission determine preliminary subdivision review is complete for the Sandy Station Block 59 Subdivision located at 8810 S 90 E based on the four findings and subject to the five conditions detailed in the staff report.

- Yes:** 5 - Dave Bromley
 Daniel Schoenfeld
 Steven Wrigley
 David Hart
 Cameron Duncan

Absent: 3 - Monica Collard
Jamie Tsandes
Ron Mortimer

Administrative Business

1. Minutes

An all in favor motion was made by David Hart to approve the meeting minutes from 08.17.2023.

[23-346](#) PC Minutes

Attachments: [08.17.2023 Minutes \(DRAFT\)](#)

2. Sandy City Development Report

[23-347](#) Development Report

Attachments: [09.01.2023 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.

In compliance with the Americans With Disabilities Act, reasonable accommodations for individuals with disabilities will be provided upon request. For assistance, or if you have any questions regarding the Planning Commission Agenda or any of the items, please call the Sandy City Planning Department at (801) 568-7256