

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
Steven Wrigley
LaNiece Davenport
Craig Kitterman (Alternate)
Jennifer George (Alternate)

Thursday, May 15, 2025

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:

https://us02web.zoom.us/webinar/register/WN iNYylgCTSkOb-ZTbjAK6VQ

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You can join the meeting with the following link: https://us02web.zoom.us/s/83367414633

Or join via phone by dialing:

US: 253 215 8782 or 346 248 7799 or 669 900 6833 or 301 715 8592 or 312 626 6799 or 929 436 2866 (for higher quality, dial a number based on your current location)
International numbers available: https://us02web.zoom.us/u/kb1dxf3RC1

Webinar ID: 833 6741 4633 Passcode: 494238

4:00 PM FIELD TRIP

1. <u>25-136</u> Map

Attachments: 05152025.pdf

6:15 PM REGULAR SESSION

Welcome

Pledge of Allegiance

Introductions

Present 5 - Commissioner Dave Bromley

Commissioner Ron Mortimer Commissioner Daniel Schoenfeld Commissioner Steven Wrigley Commissioner Craig Kitterman

Absent 4 - Commissioner Cameron Duncan

Commissioner David Hart Commissioner Jennifer George Commissioner LaNiece Davenport

Public Hearings

ANX0331202 Hidden Hollow Annexation (R-1-40A Zone)
5-006938(PC) 10665 S. Dimple Dell Road & 3075 E. Deer Hollow Drive
[Community #29]

Attachments: Staff Report

Vicinity Map

Resolution 25-12C

Annexation Plat

Physical Posting of property

Brian McCuistion presented this item to the Planning Commission and recommended approval for the annexation.

Ron Mortimer opened this item for public comment.

Ron Mortimer closed this item to public comment.

A motion was made by Steven Wrigley, seconded by Daniel Schoenfeld, that the Planning Commission send a positive recommendation to the City Council that the Hidden Hollow Annexation be approved and zoned R-1-40A based on the four findings detailed in the staff report. The motion carried by the following roll call vote:

Yes: 5 - Dave Bromley

Ron Mortimer Daniel Schoenfeld Steven Wrigley Craig Kitterman

Absent: 4 - Cameron Duncan

David Hart Jennifer George LaNiece Davenport

3. REZ0319202 Jordan Credit Union Rezone

<u>5-006931</u> 9260 S. 300 E.

(PC) [Community #4, Historic Sandy]

Attachments: Staff Report

Jake Warner presented this item to the Planning Commission.

Ron Mortimer opened this item for public comment.

Ron Mortimer closed this item to public comment.

Steven Wrigley said this rezone is to bring the property into compliance.

A motion was made by Daniel Schoenfeld, seconded by Craig Kitterman that the Planning Commission forward a positive recommendation, recommending that the City Council approve the application for a zone change from the R-1-8 Zone to the PO Zone. The motion carried by the following roll call vote:

Yes: 5 - Dave Bromley

Ron Mortimer Daniel Schoenfeld Steven Wrigley Craig Kitterman

Absent: 4 - Cameron Duncan

David Hart Jennifer George LaNiece Davenport

Nonvoting: 0

Public Meeting Items

4. <u>SUB0928202</u> Sandy Station Block 20 Subdivision (HSD Architectural Review)

<u>2-006410</u> 240 E 8960 S

(2nd) [Community #4, Historic Sandy]

Attachments: Staff Report

Exhibit A
Exhibit B

Thomas Irvin presented this item to the Planning Commission.

Ron Mortimer opened this item for public comment.

Ron Mortimer closed this item to public comment.

A motion was made by Steven Wrigley, seconded by Daniel Schoenfeld, that the Planning Commission approve the revised architectural elevations for the Sandy Station Block 20 Subdivision located at 240 E 8960 S based on the two findings and subject to the one condition detailed in the staff report. The motion carried by the following roll call vote:

Yes: 5 - Dave Bromley

Ron Mortimer Daniel Schoenfeld Steven Wrigley Craig Kitterman

Absent: 4 - Cameron Duncan

David Hart Jennifer George LaNiece Davenport

5. SUB0125202

GSL Electric Campus Subdivision Amendment

4-006704

595 W. Sandy Parkway

[Community #1, Northwest Exposure]

Attachments: Staff Report

Exhibit A

Doug Wheelwright introduced this item to the Planning Commission.

Carl Green, 6524 S Daffodil Way, West Jordan, presented this item to the Planning Commission.

Doug Wheelwright further presented this item and recommended approval to the Planning Commission.

Ron Mortimer opened this item for public comment.

Brad Fog, 2816 E Etienne Way, asked for clarification about widening of the private street.

Ron Mortimer closed this item to public comment

Staff explained that the street dedication to Sandy City is only on Sandy Parkway and does not impact the private road easement.

Mike Wilcox also mentioned that it's dedication to allow for the public sidewalk and park strip along that frontage of Sandy Parkway.

A motion was made by Daniel Schoenfeld, seconded by Steven Wrigley, that the Planning Commission approve the proposed preliminary GSL Electric Campus Subdivision amended plat for the property located at 595 W Sandy Parkway based on the two findings and subject to the three conditions detailed in the staff report. The motion carried by the following roll call vote:

Yes: 5-Dave Bromley

> Ron Mortimer Daniel Schoenfeld Steven Wrigley Craig Kitterman

Absent: 4 - Cameron Duncan

David Hart Jennifer George LaNiece Davenport

6. <u>CUP0309202</u> Wijdan Khadhir Daycare (Conditional Use Permit)

<u>5-006921</u> 8535 S. Littlewood Circle

[Community # 6, High Point]

Attachments: Staff Report

Sarah Stringham introduced this item to the Planning Commission.

Wijdan Khadir, 8535 S Littlewood Circle, presented this item to the Planning Commission.

Ron Mortimer opened this item for public comment.

Ron Mortimer closed this item to public comment.

Craig Kitterman shared his concerns with traffic congestion in a cul-de-sac with additional children from the daycare.

Ivan Hooper, Sandy City Transportation Engineer, said that the traffic impacts are minimal with a daycare and a cul-de-sac.

A motion was made by Daniel Schoenfeld, seconded by Dave Bromley, that the Planning Commission approve a Conditional Use Permit for a category II home occupation for a day care use for the property located at 8535 S Littlewood Circle based on the one finding and subject to the four conditions detailed in the staff report. The motion carried by the following roll call vote:

Yes: 4 - Dave Bromley

Ron Mortimer
Daniel Schoenfeld
Steven Wrigley

No: 1 - Craig Kitterman

Absent: 4 - Cameron Duncan

David Hart Jennifer George LaNiece Davenport

7. CUP0323202

Canny Kids on Hidden Circle Daycare (Conditional Use Permit)

5-006937

11617 S. Hidden Circle [Community # 24]

Attachments: Staff Report

Sarah Stringham introduced this item to the Planning Commission.

Sariah Schmikrath, 11617 S Hidden Circle, presented this item to the Planning Commission.

Steven Wrigley asked the applicant if she has 12 or 16 kids.

Sariah Schmikrath said she currently has eight.

Mike Wilcox said that the code allows for a maximum of 18 per day but no more than 16 at one time.

Ron Mortimer opened this item for public comment.

Donald Dana, 11612 S Casper Place, is opposed to the daycare and shared his concerns relating to noise, toys and rocks being thrown over the fence.

Shauna Soles, 11622 S Hidden Circle, shared her concerns relating to noise, traffic and equity.

Jerry Jensen, 11636 S Hidden Circle, shared his concerns relating to traffic and safety.

Alex Jensen, 11636 S Hidden Circle, shared his concerns with the daycare's drop in aspect.

Susan Moody, 11631 S Hidden Circle, shared her concerns about traffic, safety and noise.

Reagan Moody, 11631 S Hidden Circle, shared her concerns relating to her safety while tanning by her pool in her backyard and her younger brother who's learning how to drive.

Holly Taylor, 11609 S Hidden Circle, shared concerns about barking dogs and declining property value.

Ron Mortimer closed this item to public comment.

Steven Wrigley said he likes the concept but he's not sure if it fits a cul-de-sac neighborhood because of all the traffic.

Sarah Stringham said a category II allows for 24 trips.

Craig Kitterman said that as a commissioner they have a duty to protect the neighbors regardless of what the code says.

Danny Schoenfeld said the code allows for the day care.

Dave Bromley clarified the duties of the commission and that this conditional use can be revoked upon legitimate complaint.

Sariah Schmickrath said she's making efforts to being a respectful neighbor.

A motion was made by Daniel Schoenfeld, seconded by Dave Bromley to approve the category II Conditional Use Permit did not pass with this permit due to not meeting the minimum quorum requirement of four votes in favor of the motion in order for it to carry.

Dave Bromley talked about the purpose of the conditional use permit.

Steven Wrigley said he also worries about snow removal in a cul-de-sac.

Sarah Stringham reviewed the conditions in the staff report and reminded commissioners that this item can be revoked upon legitimate complaint.

Craig Kitterman said he feels the neighbors concerns outweighs the code.

Dave Bromley said 98 trips was the total number of trips in the cul-de-sac and not from the daycare.

Craig Kitterman said that because it's a cul-de-sac you can't control how many people go in and out but you can control the number of commercial trips and this isn't the right place for the business.

Dave Bromley said the applicant could provide additional training relating to the traffic flow.

Mike Wilcox read a message from Sandy City Attorney, Darien Alcorn, who was attending remotely - A conditional use permit by state definition is an approved use where the impacts from that proposed use can be mitigated. The appropriate motion would be that if the impacts that are being generated by the use cannot be mitigated, those are grounds for a motion to deny a request. But if there are conditions that can be mitigated or impacts that can mitigated through conditions, whether those are already in the staff report or if there are additional ones that you think might help mitigate the concerns that you have or have been expressed by others, that would be the appropriate matter to address those rather than to deny unless you find and make a series of findings that the impacts cannot be in any way, shape or form, mitigated.

Craig Kitterman said the traffic count that we have now is with the current permit and an additional permit would double the count.

Dave Bromley said the applicant has been operating as a category II and didn't realize it.

Sarah Stringham clarified that the current trips wouldn't increase from what they currently are and that the applicant's intent is to come into compliance with this permit.

Brittney Ward, Sandy City Engineer, said that on average a single family home has 11 trips per day so with the eight homes in this cul-de-sac you're looking at 90 trips per day generated from regular home use which is consistent with what the neighbor had counted. With the daycare of 12 kids being dropped off by one vehicle you're looking at 48 additional trips the daycare is generating.

Craig Kitterman said the neighbors have the right to go in and out in whatever manner they do because they're the homeowners and they have that right but the daycare doesn't have the right to exceed those vehicle trips.

Daniel Schoenfeld said the applicant has the right to continue those trips with up to eight trips per day, the CUP would grant them up to 24 trips, and reminded the commissioners that they cannot deny this request.

Craig Kitterman said that the applicant is not in compliance now with the current number of children.

Sarah Stringham reminded the commissioners that the applicant did share, during her presentation, that she didn't realize she was out of compliance and has since then decreased the number of kids in her daycare to eight so that she's in compliance with operating as a category I.

Steven Wrigley asked if they have the ability to limit the amount of kids that can go into the backyard at one time to mitigate the noise.

Mike Wilcox said that they'll need to impose certain conditions that they find would make it equivalent to a permitted use. So having children playing in a backyard is an anticipated noise factor that's already part of a neighborhood and there is no cap or limit on the amount of kids one single family can have.

Steven Wrigley said the neighbors are saying the noise level is very loud with eight kids, to have 16 would be louder and asked if they could limit it to eight at one time to mitigate the noise. He also suggested a condition to have the children exit and enter on the right side of the vehicle.

Sarah Stringham said that children exiting on the right side of the car was part of the traffic plan that she will be educating the parents with.

Mike Wilcox suggested that they could add that no reverse and backward movements be allowed to help mitigate traffic concerns.

Darien Alcorn, Sandy City attorney, said that children being outside would not exceed the existing noise ordinance and the traffic plan is a good mitigation.

Steven Wrigley asked about mitigating safety in the cul-de-sac.

Darien Alcorn said that she didn't think there was a way to propose that a public road be used differently than what it is - a public road.

Mike Wilcox asked Darien Alcorn if they could impose further maximums or limit the total number of children and if that would be an allowable condition given what the code allows for.

Craig Kitterman said the permit that the applicant currently has would limit that.

Darien Alcorn replied that Sandy City code already authorizes up to 16 children in a day care under the category II home occupation as a conditional use and a conditional use is is a permitted use subject to conditions that address reasonably and anticipated detrimental impacts.

Mike Wilcox clarified that they couldn't further limit that.

Darien Alcorn said no.

A motion was made by Daniel Schoenfeld, seconded by Dave Bromley, that the Planning Commission approve a Conditional Use Permit for a category II home occupation for day care use for the property located at 11617 S Hidden Circle based on the one finding and subject to the five conditions detailed in the staff report with a modification to add the following to Condition #2: That a traffic plan be developed with staff and notifications to clients to comply with the traffic plan including no backing movements. The motion carried by the following roll call vote:

Yes: 4 - Dave Bromley

Ron Mortimer
Daniel Schoenfeld
Steven Wrigley

No: 1 - Craig Kitterman

Absent: 4 - Cameron Duncan

David Hart Jennifer George LaNiece Davenport

Nonvoting: 0

8. <u>CUP0404202</u> Sandgren Accessory Structure (Conditional Use Permit)

<u>5-006947</u> 9195 S. Laura Anne Way

[Community #7]

Attachments: Staff Report

Sarah Stringham introduced this item to the Planning Commission.

Robin Sandgren, 9195 S Laura Anne Way, presented her item to the Planning Commission.

Ron Mortimer opened this item for public comment.

Ron Mortimer closed this item to public comment.

A motion was made by Dave Bromley, seconded by Steven Wrigley, that the Planning Commission approve a Conditional Use Permit for increase size and height with reduced setbacks for the property located at 9195 S Laura Anne Way based on the four findings and subject to the six conditions detailed in the staff report. The motion carried by the following roll call vote:

Yes: 5 - Dave Bromley

Ron Mortimer Daniel Schoenfeld Steven Wrigley Craig Kitterman

Absent: 4 - Cameron Duncan

David Hart
Jennifer George
LaNiece Davenport

Nonvoting: 0

9. CUP0404202 Edwards Accessory Structure (Conditional Use Permit)

<u>5-006946</u> 10157 S. 2020 E.

[Community #21, Falcon Hill]

Attachments: Staff Report

Sarah Stringham presented this item to the Planning Commission.

Ron Mortimer opened this item for public comment.

Ron Mortimer closed this item to public comment.

Steven Wrigley asked the applicant if he was ok with condition #2.

Erik Edwards said yes.

A motion was made by Daniel Schoenfeld, seconded by Dave Bromley that the Planning Commission approve a Conditional Use Permit for increased size and height with reduced setbacks for the property located at 10157 S 2020 E based on the four findings and subject to the five conditions detailed in the staff report.

Yes: 5 - Dave Bromley

Ron Mortimer Daniel Schoenfeld Steven Wrigley Craig Kitterman

Absent: 4 - Cameron Duncan

David Hart Jennifer George LaNiece Davenport

10.

CUP0305202 Lamb Accessory Structure (Conditional Use Permit)

5-006919

10746 S. 455 E.

[Community 11, Crescent]

Attachments: Staff Report

Exhibit B

Brynn Bohlender introduced this item to the Planning Commission.

Zeke Lamb, 10746 S 455 E, further presented this item to the Planning Commission.

Steven Wrigley asked the applicant the reason for his request for additional height.

Zeke Lamb replied that if ADU's were ever approved he'd like to use it for his mother.

James Sorensen clarified that the department follows the existing code which currently does not allow for this ADU use.

Ron Mortimer opened this item for public comment.

Ron Mortimer closed this item to public comment.

A motion was made by Daniel Schoenfeld, seconded by Dave Bromley, that the Planning Commission approve a Conditional Use Permit for building size and height increase for the property located at 10746 S 455 E based on the two findings and subject to the five conditions detailed in the staff report with a modification to Condition #1: That the proposed accessory structure is 23.4" feet tall. The motion carried by the following roll call vote:

Dave Bromley Yes: 5-

Ron Mortimer

Daniel Schoenfeld

Steven Wrigley

Craig Kitterman

Absent: 4 -Cameron Duncan

> **David Hart** Jennifer George

LaNiece Davenport

Nonvoting: 0

Administrative Business

1. Minutes

An all in favor motion was made by Daniel Schoenfeld to approve the meeting minutes from 04.03,2025 and 05.01,2025.

<u>25-137</u> Minutes

Attachments: 04.03.2025 PC Minutes (DRAFT)

05.01.2025 PC Minutes (DRAFT)

2. Sandy City Development Report

25-120 Development Report

Attachments: 05.01.2025 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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