



# Sandy City, Utah

10000 Centennial Parkway  
Sandy, UT 84070  
Phone: 801-568-7141

## Meeting Minutes

### City Council

*Scott Cowdell, District 1*  
*Maren Barker, District 2*  
*Kristin Coleman-Nicholl, District 3*  
*Chris McCandless, District 4*  
*Steve Fairbanks, At-large*  
*Linda Martinez Saville, At-large*  
*Stephen P. Smith, At-large*

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Tuesday, January 17, 2017

5:15 PM

Council Chambers

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Web address to view complete packet: <http://sandyutah.legistar.com>

### 5:15 Work Session

#### Agenda Planning Calendar Review

Chairman Stephen Smith reviewed the Agenda Calendar.

#### Council Office Director's Report

Council Office Director Michael Applegarth referenced a packet of information at each of the Council's stations from residents pertaining to items on this evening's Agenda.

#### Mayor's Report

Mayor Dolan reported that James Sorensen will be considered to replace Mike Coulam who will be retiring the end of March. Mr. Sorensen has been with the City for 23 years. Mayor Dolan updated the Council on potential projects in the City.

Redevelopment Agency Director Nick Duerksen presented a more detailed briefing to the Council on participation agreements with Mountain America Credit Union.

#### CAO Report

CAO Shane Pace presented an update on the codification bids.

#### Legislative Update

Nicole Martin presented an update on the upcoming Legislative Session scheduled to begin on January 23, 2017, and the number of bills coming before the Legislature.

Council comments and questions followed.

### Information Items

1. [17-010](#) Community Development and City Attorney's Office recommending the City Council discuss the review process for residential facilities for persons with

disabilities.

**Attachments:** [Sandy City Land Development Code 15A-11-08](#)

Community Development Director Mike Coulam and City Attorney Darien Alcorn presented information on the review process for residential facilities for persons with disabilities and the advantages of hiring a hearing officer and an expert in administrative procedures.

Council discussion followed.

2. [16-440](#) Community Development will provide the City Council a walk-through of the proposed changes and updates to the Sandy City Civic Center Area 30 Year Development Plan (to be renamed The Cairns Master Plan - A 25 Year Development Plan for Sandy's Downtown District).

**Attachments:** [The Cairns Master Plan](#)

Mike Wilcox presented this item to the Council. He reviewed changes being suggested by Chris McCandless. Council Members provided comments and suggestions during the presentation.

Meeting went into Recess

Meeting Reconvened

3. [17-005](#) Discussion of appointments to citizen committees.

**Attachments:** [Council Committee and Staff Assignment](#)

This item was moved to the January 31, 2017 Council meeting.

4. [16-196](#) Council Office recommending the City Council discuss proposed policy on public hearings

**Attachments:** [Utah Code Section 10-3-606](#)

[2007 Meeting Conduct Guidelines](#)

[9-6-16 Public Hearing Clean Version for 1/3/17](#)

[Draft Public Hearing Policy 9-6-16 Red Line Version](#)

This item was moved to the January 31, 2017 Council Agenda.

5. [17-011](#) Council Member Nicholl and Council Member McCandless recommending the City Council discuss the use of development agreements and the development review committee process.

**Attachments:** [Draft Development Agreement Guideline](#)

This item was moved to the January 31, 2017 Council Meeting.

## 7:00 Council Meeting

Possible Closed Session: pending or reasonably imminent litigation.

Meeting went into Recess

Meeting Reconvened

**A motion was made by Kristin Coleman-Nicholl, seconded by Maren Barker, to enter into a possible Closed Session to discuss pending or reasonably imminent litigation... The motion carried by the following vote:**

- Yes:** 7 - Scott Cowdell  
Maren Barker  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville  
Stephen P. Smith

### Roll Call

- Present:** 7 - Council Member Scott Cowdell  
Council Member Maren Barker  
Council Member Kristin Coleman-Nicholl  
Council Member Chris McCandless  
Council Member Steve Fairbanks  
Council Member Linda Martinez Saville  
Council Member Stephen P. Smith

Council Office Director Michael Applegarth

#### **Administration:**

- Mayor Tom Dolan  
CAO Byron Jorgenson  
Deputy to the Mayor Nicole Martin  
Assistant CAO Scott Bond  
Assistant CAO Korban Lee  
Assistant CAO Shane Pace  
City Attorney Rob Wall  
Attorney Darian Alcorn  
Community Development Director Mike Coulam  
Long Range Planning Manager/CDBG Mike Wilcox  
Administrative Services Director Brian Kelley  
Fire Chief Bruce Cline  
Parks & Recreation Director Scott Earl  
Police Chief Kevin Thacker  
Public Utilities Director Tom Ward  
Public Works Director Mike Gladbach

## Opening Remarks / Prayer / Pledge of Allegiance

Chairman Stephen P. Smith welcomed all those in attendance.

Boy Scout Colby Taylor offered the opening prayer.

Boy Scout Jarom Ash led the audience in the pledge.

Both Scouts represented Troop 809.

## Citizen Comments

Michael Braun, felt posting public hearing signs near or on the subject property would be beneficial in the notification process for residents.

Kevin Rindlisbacher, 165 West Albion Village Way, owner of Riverton Music, addressed a pole sign that he requested in front of his business, and a decision that was made by the Board of Adjustment and the appeal from the City on that decision.

Citizen Comments was closed.

## Consent Calendar

### Approval of the Consent Calendar

**A motion was made by Kristin Coleman-Nicholl, seconded by Chris McCandless, to approve the Consent Calendar. The motion carried by the following vote:**

**Yes:** 7 - Scott Cowdell  
Maren Barker  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville  
Stephen P. Smith

6. [16-318](#) City Council recommending adoption of Resolution 17-03C canceling the February 7, 2017 and February 14, 2017 City Council meetings for various special recognitions.

**Attachments:** [17-03C cancel February 7 and 14 City Council Meetings.pdf](#)

**Item adopted.**

7. [17-013](#) Approval of the January 3, 2017 City Council Minutes.

**Attachments:** [January 3, 2017 Meeting Minutes.pdf](#)

**Item approved.**

## 7:05 Public Hearings

8. [GPA-11-16-5](#) Community Development is requesting the City Council to adopt The  
[165](#) Cairns Master Plan - A 25 Year Development Plan for Sandy's Downtown  
District (an update to the original Sandy Civic Center Area 30-Year  
Development Plan).

**Attachments:** [Staff Report](#)  
[Cover Sheet](#)  
[Location Map](#)  
[Ordinance 17-01](#)  
[011172017.pdf](#)

Mike Wilcox led the discussion on the updates to the Cairns Master Plan.

Council discussion and recommendations were made.

**A motion was made by Chris McCandless, seconded by Kristin Coleman-Nicholl, to adopt Ordinance #17-01, The Cairns Master Plan - A 25 Year Development Plan for Sandy's Downtown District (an update to the original Sandy Civic Center Area 30-Year Development Plan) as part of the City's General Plan, and providing an effective clause with the amendments the Council discussed and approved, numbers 1-6 and the item that was proposed by Mr. Van Maren also be accepted.... The motion carried by the following vote:**

- Yes:** 5 - Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville  
Stephen P. Smith
- No:** 2 - Scott Cowdell  
Maren Barker

**Steve Fairbanks made a motion seconded by Linda Martinez Saville to accept numbers 1-21 on the handout from Mr. Wilcox to accept the spelling and gramatical corrections that were made by Staff to the Cairns Master Plan... the motion carried by the following vote:**

- Yes:** 7 - Scott Cowdell  
Maren Barker  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville  
Stephen P. Smith

**Scott Cowdell made a motion, seconded by Maren Barker to exclude the Boulder's Venture property from the boundaries of the Cairns master plan... the motion carried as follows:**

- Yes:** 3 - Scott Cowdell  
Maren Barker  
Linda Martinez Saville
- No:** 4 - Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Stephen P. Smith

**Chris McCandless made the motion, seconded by Kris Coleman-Nicholl to accept the proposed change to the map of the Cairns District to include the Boulder's Venture project as part of the Cairns District**

- Yes:** 4 - Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Stephen P. Smith
- No:** 3 - Scott Cowdell  
Maren Barker  
Linda Martinez Saville

**Kris Coleman-Nicholl made a motion, seconded by Steve Fairbanks to accept the change in imagery on page 29, Figure 219...motion carried by the following vote:**

- Yes:** 7 - Scott Cowdell  
Maren Barker  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville  
Stephen P. Smith

**Chris McCandless made a motion seconded by Scott Cowdell to modify the map and language on page #52 to reflect the possible building west of the east ring road near the Shops at Southtown to exceed the tier one maximum height...motion carried by the following vote:**

- Yes:** 6 - Scott Cowdell  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville  
Stephen P. Smith
- No:** 1 - Maren Barker

**Kris Coleman Nicholl made the motion seconded by Steve Fairbanks to change the maps on page 57 and page 73, figures 353 and 409, reflecting existing near by parks and open spaces to the Cairns District and highlight east/west connections to the Jordan River and the Wasatch Mountains.....motion carried by the following vote:**

- Yes:** 6 - Scott Cowdell  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville  
Stephen P. Smith
- No:** 1 - Maren Barker

**Chris McCandless made the motion seconded by Steve Fairbanks to accept the proposed replacement of the Dimple Dell image with the one provided by Chris McCandless on page 84, figure 446 ...motion carried by the following vote:**

- Yes:** 7 - Scott Cowdell  
Maren Barker  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville  
Stephen P. Smith

**Scott Cowdell made the motion seconded by Maren Barker to not accept the proposed change to the map on page 94-95, figure 495, that shows Beetdigger Boulevard and its continuation to 10600 South.....motion carried as follows:**

- Yes:** 3 - Scott Cowdell  
Maren Barker  
Linda Martinez Saville
- No:** 4 - Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Stephen P. Smith

**Chris McCandless made a motion seconded by Steve Fairbanks to accept the proposed change to the map showing the extension of Beetdigger Boulevard to 10600 South and to add vehicular wayfindings rather than a gateway at 10600 & Beetdigger Boulevard, pages 94/95, figure 495.....motion carried with the following vote:**

- Yes:** 4 - Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Stephen P. Smith
- No:** 3 - Scott Cowdell  
Maren Barker  
Linda Martinez Saville

**Chris McCandless made the motion seconded by Stephen Smith to ask Staff to modify page 4 to include a 5th element to describe the zoning process that is necessary in order for this guideline plan to be able to accommodate development as is described...motion carried by the following vote.....**

- Yes:** 7 - Scott Cowdell  
Maren Barker  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville  
Stephen P. Smith

**A motion was made by Kris Coleman-Nicholl, seconded by Maren Barker to take a 5 minute recess. The motion was approved by a unanimous voice vote of all in favor.**

9. [ZONE-10-16-5149](#) Mr. David George with A Better Quality Home, LC, is requesting the City Council to approve a rezone approximately 3.68 acres from the R-1-20A "Single Family Residential District" to the PUD(18) "Planned Unit Development" for the subject property, located at 789 East 7800 South, known as the 789 Townhomes Rezone - ZONE-10-16-5149. (Public Hearing continued from 1/17/17)

**Attachments:** [Council Request.pdf](#)  
[17-05.docx](#)  
[EXHIBIT A.doc](#)  
[PC12-01-2016 - Draft.pdf](#)  
[Staff Report - 789 Towns.pdf](#)  
[Sandy 7800 South Townhomes TIS.pdf](#)

This item was tabled to the January 31, 2017 City Council meeting. The applicant had a scheduling conflict and asked that the hearing be rescheduled.

Mike Wilcox briefed the Council on the proposed development.

Chairman Smith opened the public hearing.



Joe Tetman- filled out a comment card, but was not present for the public hearing.

Steve Van Maren, 11039 So. Lexington Circle, voiced opposition to the proposed development and the PUD (18).

Julia Foster, 10716 Dimple Dell Drive, voiced opposition. She believes there are already too many townhomes in the area.

**A motion was made by Scott Cowdell, seconded by Maren Barker to continue the public hearing to Tuesday, January 29, 2017, for Mr. David George with A Better Quality Home, LC, located at approximately 789 East 7800 South, rezoned from the R-1-20A "Single Family Residential District" to the PUD(18) "Planned Unit Development" ... The motion carried by the following vote:**

**Yes:** 7 - Scott Cowdell  
Maren Barker  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville  
Stephen P. Smith

10. [ZONE-11-16-5162](#) Mr. Boyd Bradshaw of Quail Crest, LLC, is requesting the City Council to approve a rezone of approximately 4.56 acres from the R-1-20A "Single Family Residential District" to the R-1-40A "Single Family Residential District" and a rezone of approximately 3.22 acres from the R-1-20A "Single Family Residential District" to the R-1-12 "Single Family Residential District" for the subject property, located at approximately 1861 E, 1885 E, & 1895 East Dimple Dell Road, known as the Quail Crest Rezone - ZONE-11-16-5162.

**Attachments:** [Council Request.pdf](#)  
[17-04.docx](#)  
[R-1-40A Dimple Dell Legal Description.docx](#)  
[R-1-12 Dimple Dell Legal Description.docx](#)  
[PC12-01-2016.pdf](#)  
[Staff Report - Quail Crest.pdf](#)  
[Quail Crest Slope Map.pdf](#)  
[Public Comments.pdf](#)

Mike Wilcox presented this item to the Council. He addressed comments from the Council. The Planning Commission recommended approval of this request. Additional e-mails from residents were copied and handed out to the Council at their stations.

Boyd Bradshaw, 765 Shady Lane, the applicant, addressed the Council regarding the proposed rezoning.

Chairman Smith opened the Public Hearing.

1. Monica Zoltansky, 10963 South Bay Meadow Circle, voiced her opposition and concern about development around Dimple Dell Park.

2. Robert Elliot, 1747 East 10600 South (Dimple Dell Road), voiced his concern and opposition about the development.
3. Dr. David Power, 1861 Dimple Dell Road, spoke in favor of the development.
4. Mary Young, 3260 East Wasatch Pines Lane, spoke against the development.
5. Nancy Workman, 10390 South Dimple Dell Road, spoke in favor of the development.
6. Diana vanUitert, 11090 Susan Drive, voiced opposition against the proposed development.
7. Fred Lesley, 1873 East 10980 South, spoke in favor of the proposed development.
8. Larry Newton, 1996 East 10980 South, spoke in favor of the proposed development.
9. William R. Rounds, 1847 East Dimple Dell Road, spoke in favor of the proposed development.
10. Michael Braun, 3020 Apple Hollow Cove, Granite Community Council, recommended that the Council consider more study, community input, and protect the land.
11. Deanna Knight, 1743 East Dimple, concerned the proposed development will set a precedence for the area.
12. Kim Russell, 1523 Ascot Parkway, also voiced concern that this will set a precedence for any future development in the area.
13. Dan Fisher, 10444 Dimple Dell Road, voiced his opposition to the proposed development.
14. Jaleen Jessup, 10543 Dimple Dell Road, suggested larger lots instead of smaller lots.
15. Mark Polish, 9673 South Kelly Brook Drive, voiced opposition to the proposed development.
16. Spencer Mortensen, 9673 South 3100 East, representative Dimple Dell Advisory Board, voiced opposition to the project as a whole.
17. Ralph Saucedo, 10304 South Dimple Dell Road, voiced opposition to the proposed development.
18. Melissa Richardson, 9970 South 540 East, spoke against the development.
19. Lisa Caddy, 10241 South Weeping Willow Drive, spoke in opposition to the proposed development.
20. Samantha Braun, 9576 Deer Run Place, spoke against the proposed project.
21. Steve Van Maren, 11039 South Lexington Circle, was hopeful the widening of the road would not impact the proposed development.
22. Harry Webster, 1430 Thistle Downs Drive, spoke in opposition to the proposed

development.

23. Marylee Benevidos, 10730 South 475 East, spoke in opposition to the proposed development.

24. Wendy Fisher, 1471 East Ascot Circle, was opposed to the proposed development and rezone.

25. Dean Wood, 1483 Pimlico Place, was opposed to the rezone and proposed development.

26. Melissa Fabrizio, 4 Pepperwood Pointe, spoke in favor of the proposed rezone and development. She felt it was a good compromise.

27. Julia Foster, 10716 Dimple Dell Drive, spoke in opposition to the proposed rezone and development.

28. Cody Simms, 10377 South Ashley Ridge Road, spoke in opposition to the proposed rezone and development.

29. Deanna Bierman, 10678 South 1225 East, was opposed to the proposed development and rezone.

30. Kathy Walker, 10758 South Whirlaway Lane, felt this proposed development and rezone was a conflict of interest for Chris McCandless.

31. Sierra Ingel, 10720 South Whirlaway Lane, voiced opposition to the rezone and proposed development.

32. Donna Dapses, 1445 East Thistledown Drive, spoke in favor of the proposed rezone and development.

33. Starr Dowding, 9945 South Tamara Street, spoke in opposition to the proposed rezone and development.

34. Gay Price, Holladay, boards his horses in Sandy, and is opposed to the proposed rezone and development.

As there were no further comments, the hearing was closed. (10:33 p.m.)

Boyd Bradshaw, applicant, spoke once again and addressed comments made by the public.

A motion was made by Kris Coleman-Nicholl, seconded by Maren Barker to take a 5 minute recess. The motion was approved.

Meeting went into Recess

Meeting Reconvened at approximately 10:47 p.m.

Council discussion and questions were again opened after the motion by Mr. Fairbanks.

**A motion was made by Steve Fairbanks, seconded by Stephen Smith, to table council discussion on the Quail Crest, LLC rezone to the January 31, 2017 Council Meeting to allow Council time to digest the comments received and to provide**

for a broader discussion than time permits this evening....The motion failed by the following vote:

- Yes:** 2 - Steve Fairbanks  
Stephen P. Smith
- No:** 5 - Scott Cowdell  
Maren Barker  
Kristin Coleman-Nicholl  
Chris McCandless  
Linda Martinez Saville

**A motion was made by Kristin Coleman-Nicholl, seconded by Linda Martinez Saville, to deny the rezone request of Quail Crest, LLC, of approximately 4.56 acres, located at approximately 1861 E, 1885 E, & 1895 East Dimple Dell Road, to be rezoned from the R-1-20A "Single Family Residential District" to the R-1-40A "Single Family Residential District" and approximately 3.22 acres to be rezoned from the R-1-20A "Single Family Residential District" to the R-1-12 "Single Family Residential District"... The motion carried by the following vote:**

- Yes:** 4 - Scott Cowdell  
Kristin Coleman-Nicholl  
Chris McCandless  
Linda Martinez Saville
- No:** 3 - Maren Barker  
Steve Fairbanks  
Stephen P. Smith

11. [ZONE-10-16-5145](#) Mr. Richard Welch of Garbett Homes, is requesting the City Council to approve a rezone of approximately 3.02 acres from the R-1-12 "Single Family Residential District" to the R-1-6 "Single Family Residential District" for the subject property, located at approximately 1991 E. & 2073 E. Wasatch Blvd, known as the Stonecroft on Wasatch Rezone - ZONE-10-16-5145.

**Attachments:** [Council Request.pdf](#)  
[17-03.docx](#)  
[EXHIBIT A.doc](#)  
[PC11-03-2016.pdf](#)  
[Staff Report.pdf](#)  
[Executed Ordinance 17-03](#)

Mike Wilcox presented a brief description of the Staff report to the Council.

Richard Welch, applicant, spoke to the Council and expressed appreciation to the professionalism of Staff.

Chairman Smith opened the Public Hearing.

As there were no comments, the hearing was closed.

Council questions followed.

**A motion was made by Steve Fairbanks, seconded by Kristin Coleman-Nicholl, to**

adopt Ordinance #17-03 to rezone approximately 3.02 acres of property located at approximately 1991 E. & 2073 E. Wasatch Blvd, to be rezoned from the R-1-12 "Single Family Residential District" to the R-1-6 "Single Family Residential District" .... The motion carried by the following vote:

Yes: 7 - Scott Cowdell  
Maren Barker  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville  
Stephen P. Smith

## Council Items

Chairman Smith entertained a motion seconded by Steve Fairbanks to table items #12-15 on tonight's City Council meeting to the Tuesday, January 31, 2017 City Council Meeting.... The Council approved the motion by a unanimous voice vote all in favor.

12. [17-008](#) Community Development has prepared an Ordinance per the request of the City Council to amend the previous ordinances regarding formation of Special Committees, specifically amending the CDBG Citizens Committee. (Continued from the 1/17/17 Council Meeting)

**Attachments:** [ord#17-02.docx](#)  
[ord#17-02-redline.docx](#)  
[Resolution 88-76C.pdf](#)  
[Ord 84-53.pdf](#)  
[Ord 84-62.pdf](#)  
[Ord #93-9.pdf](#)  
[Ord #94-10.pdf](#)  
[Ord #94-27.pdf](#)  
[Ord #98-44.pdf](#)  
[Ord #00-48.pdf](#)  
[Ord #06-10.pdf](#)

13. [17-003](#) Council Member McCandless recommending the City Council receive and file the 2016 Jordan River Commission Annual Report and watch a brief video on the Urban Ranger program.

**Attachments:** [Jordan River Commission 2016 Annual Report.pdf](#)  
[Hyperlink](#)

14. [17-012](#) City Council Office recommending the Council adopt amendments directed by the Council to the Concept Approval Guideline and the Rules of

Procedure at its January 31, 2017 meeting.

**Attachments:** [2-28 Amended Concept Approval Guideline](#)

[2-28 Amended Rules of Procedure](#)

15. [17-001](#) Resolution # 17-01C - Sandy City Council appointments to serve on Citizen Committees, Boards, and Commissions for a term beginning January 1, 2017 and ending June 30, 2017. (cont. from 1/17/17)

**Attachments:** [Resolution 17-01C](#)

[Resolution 16-50C Committee Assignments.pdf](#)

[16-50C Council Committee and Staff Assignment .pdf](#)

Completion of reports and other items not held in the Work Session.

## Adjournment

The meeting adjourned at approximately 11:54 p.m. by Steve Fairbanks. The next scheduled meeting of the City Council is Tuesday, January 31, 2017 at 7:00 p.m.

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Stephen P. Smith, Chair  
Sandy City Council

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Michael Applegarth  
Meeting Clerk