

## Exhibit "A"

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### Sec. 21-19-20. SD (Carnation)-10600 S. 1000E.

- (a) *Purpose.* The SD(Carnation) Zone is established to provide an area for convenience commercial retail services and professional and business offices with development standards compatible with those of contiguous properties.
- (b) *Uses Allowed.*
- (1) *Permitted and Conditional Uses.* Permitted or Conditional Uses shall follow the use list for the CvC Zone, as listed in Section 21-8-2, with the following exceptions:
- a. All alcoholic beverage related land uses shall be not permitted within this district with the exception of alcoholic beverage off-premises beer retailer licenses.
- ~~b. All automotive related land uses, including repair, oil change, gasoline dispensing, rental and other service activities, shall be not permitted within this district.~~
- ~~eb.~~ All pharmacy (including ancillary compounding) and medical and health care office uses shall be permitted within this district.
- ~~dc.~~ Drive-up window (non-food) uses (limited to banks, ATMs, dry cleaners, pharmacy, etc.) shall be permitted within this district.
- (c) *Development Standards.* The following standards shall apply specifically to development in the SD(Carnation) Zone. Where a specific standard is not mentioned, the development requirements of the CvC Zone District shall apply, in addition to general standards provided in Chapter 21-23. Where conflict may be found to exist, the provisions of this zone district shall prevail.
- (1) *Planning Commission Review.* Review of all preliminary and final site plans in the SD(Carnation) Zone is required by the Planning Commission according to the standards outlined in Chapter 21-32. A Traffic Study shall be submitted before Planning Commission review, as may be required by the Transportation Engineer.
- (2) *Building Setbacks.*
- a. *From All Streets.* All buildings shall be set back at least 30 feet from the 10600 South Street right-of-way line. All buildings shall be set back at least 15 feet from the 1000 East realignment right-of-way line.
- b. *Interior Yard.* There shall be at least a ten-foot setback from each interior property line.
- (3) *Landscaping.* The minimum depth of landscaping along the 10600 South street frontage shall be eight feet. The minimum depth of landscaping adjacent to all drive access points for the Dimple Dell Recreation Center Drive access roads shall be ten feet. Landscaping along the 1000 East Realignment shall be at least 15 feet.

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# Exhibit "C"

AN

**From:** Adam NASH adamnash2022@gmail.com  
**Subject:** Code Amendment  
**Date:** May 23, 2023 at 10:23 AM  
**To:** Adam adam@growthaid.com

Attached please find the General Development Application and the Code Amendment to be applied to property we own adjacent to the Big 5 on 10600 South 1000 East. It is the property that has sat year after year, 24 do be exact, without being developed to finish off the shopping center.

The property was assembled by Sandy City, Salt Lake County and NuPetco over 20 years ago. This was done to realign 1000 East and create a safe intersection with a traffic light going north. 1000 East was vacated where it crossed the property and that land given to NuPetco in exchange for the land where 1000 East was moved onto..

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(LDC 2008, § 15A-19-17; Ord. No. 17-09, 3-9-2017; Ord. No. [19-34](#), § 1(exh. A), 12-17-2019; Ord. No. [20-06](#), § 1(exh. B), 7-7-2020)

The property created by this assemblage and was zoned by the planners with a unique zone that is only on our property. No One else in the city has the same zoning and restrictions. Carnation with the CvC zone underlying the Carnation Zone and then they randomly restricted normal businesses from being to experience our awesome property.

As a matter of fact, Big 5 has been hanging on by a shoe string. They are very excited about another business to bring in shoppers but they have only extended their lease to December of 2025.

THE LAST THING THE CITY WANTS IS ANOTHER BIG BOX RETAILER TO GO OUT OF BUSINESS AND LEAVE THE EMPTY BUILDING BEHIND.

We can't put a gym here because of the Dimple Dell Recreation Center. Other sub par retailers are not appealing to us. ie Zuchers, All a Dollar, Thrift Stores and the like.

The SD(Carnation) Zone is established to provide an area for convenience commercial retail services

Certainly C-Store with Self Service Gas is a convenience commercial retail service. This was a big mistake to limit the different type of retailers. I had to fight all the way to the top to get a Pharmacy with Drive up window approved. Again a huge mistake. I spent three years to finally get this approved. It was finally approved in the middle of COVID and because Jolleys didn't have a new store to compete with the national chains, or a drive up window they almost went bankrupt. There was absolutely no help from the planners or public utilities oother than James Sorensen and Andrea in Traffic.

In order to discuss the application further, I would like to answer the questions proposed in the application:

a- Is the change reasonably necessary? Yes, for the survival of Big 5 and to buiuld out a shopping center that has sat vacant for the past 24 years.

## **Exhibit "C"**

b- Is it in the public interest? Absolutely. The c-store represents competition with other c-stores to keep prices down. Several times throughout the year the athletic field is way over packed. The c-store would provide refreshments to the parents and fans without having to drive several blocks.

c- Is it in harmony with the objectives and purposes of the future development of Sandy City? It is. Sandy City prescribes fair and equal land ownership as does the US Constitution. Sandy City wants new Businesses to come to they city. They bring enormous sales and property taxes.

d- Is the change consistent with the General Plan? Yes. Other than the restriction placed on the property by the Carnation Zone, It matches the General Plan exactly.

Adam NASH  
Adam NASH  
adamnash2022@gmail.com



# White City Water Improvement District

999 E. Galena Dr.  
Sandy, Utah 84094  
801-571-3991

**General Manager**  
Paul H. Ashton, J.D.

**Board of Trustees**  
Paulina F. Flint, Chair  
Robert Johansen, Vice Chair  
Christy Seiger-Webster, Clerk  
Garry True, Treasurer  
Cody Cutler, Trustee

May 15, 2023

Via: email [mwilcox@sandy.utah.gov](mailto:mwilcox@sandy.utah.gov)  
[lennie@sandy.utah.gov](mailto:lennie@sandy.utah.gov)

Mike Wilcox  
Planning Director - Sandy City  
10000 S. Centennial Parkway  
Sandy City, UT 84070

Lennie Chanthaphuang  
Chief Engineer - Sandy City  
10000 S. Centennial Parkway, Suite 241  
Sandy City, UT 84070

Subject: Proposed Service Station at 10600 South 1000 East

Dear Mr. Wilcox and Mr. Chanthaphuang,

White City Water Improvement District (hereafter "WCWID") has been informed that Adam Nash has proposed the construction and operation of a service station (hereafter "gas station") just outside WCWID's service area at approximately 10600 South 1000 East, Sandy, Utah. Mr. Nash reached out to WCWID's Operations Manager Ryan Johnson at the end of March. Mr. Johnson informed him that while WCWID is generally "not opposed to underground storage tanks as long as all precautions are taken to protect our drinking water[,]" the underground storage tanks must comply with the Sandy City Source Protection Ordinance.

The technology for underground storage tanks have improved through the years and the change of petroleum leakage and contamination has been greatly mitigated. However, any risk of contamination, however minimal, must be evaluated in conjunction with the potential consequences of such contamination. In this situation, the potential consequence of leakage and contamination would be catastrophic to water wells within the area including, but not limited to those owned and run by WCWID, but also wells owned and run by Sandy City and the Jordan Valley Water Conservation District. In that regard, the underground aquifer from which those wells draw pristine drinking water would be severely damaged if petroleum products leak and contaminate the aquifer.

The proposed gas station lies directly in groundwater source protection zone 4 of WCWID's Well No. 3A. As a special district, WCWID does not have general zoning and police power to enforce source protection beyond source protection zones 1 and 2 for its wells. As a consequence, it must rely upon counties and cities to protect source protection zones 3 and 4 for its wells. Mr. Johnson and I have brought this matter up to the elected WCWID Board of Trustees and they have instructed us to petition Sandy City to not grant approval for construction of the proposed gas station. WCWID recognizes that other service stations

are present in the community, some of which may also fall within source protection zones of various well sites. However, there is no need to further increase the risk, however minimal, given the consequences of leakage and contamination. Even if Sandy City determines that it will grant approval to construction and operation of the gas station, then WCWID respectfully requests that insurance be obtained that will protect WCWID from potential harm that may arise as a result of construction and operation of a gas station.

If either of you have any questions, please feel free to advise me.

Sincerely

*Paul H Ashton*

General Manager/ General Counsel

Sent via e-mail to the following:

Tom Ward -- [tward@sandy.utah.gov](mailto:tward@sandy.utah.gov)

Paulina F Flint, Chair -- [pbflint@yahoo.com](mailto:pbflint@yahoo.com)

Cliff Linford -- [clinford@sunrise-eng.com](mailto:clinford@sunrise-eng.com)

## Melissa Anderson

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**From:** Tom Burns <tburnsrn146@gmail.com>  
**Sent:** Thursday, June 29, 2023 4:21 PM  
**To:** Melissa Anderson  
**Cc:** adam@gowthaid.com  
**Subject:** [EXTERNAL] Feedback on CA052502023-0006537

Ms. Anderson & Mr. Nash,

I was not able to attend the meeting held on 6/27/23 regarding Code Amendment of CA052502023-0006537 984E 10600 S - where a proposal for a new gas station to be built on the corner of 1000E/Carnation and 10600S in the city of Sandy.

May I voice most **ardently** to NOT allow this zoning?! Within < 1 mile in either direction to the east and west of 1000E/Carnation, there are THREE gas stations/mini marts. That for this location and population is sufficient. I would implore that the proposed parcel of land be used and zoned for something else. I would prefer something that would not add the already busyness and noise of traffic to that intersection. May it be a park, Memorial garden dedicated to war veterans, a useful orchard or public garden or simply left alone as a natural space?

I don't see the removal of a retail space like Big 5 as a benefit either.

Thanks for your consideration.

Regards,

Tom

Sent from my iPad

Tom Burns, RN BSN

TBurnsRN146@gmail.com

(801) 448-4466

Seatbelt TOO Confining??? Consider a COFFIN...! Buckle-Up!