

d. Sandy Library: Byron stated that the road improvement project for Sege Lily and Petunia is nearly completed. Byron stated that Rick Smith notified Magna Development that these two roads must be completed before the library is built. The temporary entrance on Buttercup will be closed, when access to Sege Lilly is made available.

COUNCIL ITEMS:

- FILE ✓
3. Ordinance #89-43 - amending the Official Street Map of Sandy City along the 8400 South Corridor west of 300 East.
(Street Map Amendment: 8400 South Corridor west of 300 East

MOTION: Ron Gee made the motion to adopt the ordinance amending the street map, as presented.

SECOND: John Winder

VOTE: Ron-Yes, John-Yes, Dennis-Yes, Dick-Yes, Bruce-Yes, Bryant-Yes, Ralph-Yes

MOTION PASSED

- FILE ✓
4. Ordinance #89-44 - annexing approximately 1.50 acres located at approximately 1777 East 11400 South into Sandy City, Utah, and zoning the property SD(R2A) (Special District) Residential, 2 Units Per Acre).
(Fluckiger/Robertson Annexation and SD(R2A) Zoning)

DISCUSSION: Mike Coulam explained that City Planner, George Shaw, prepared the special zone of SD(R2A) (Special District), (Residential/limit of 2 homes with one home containing an Accessory Apartment), to meet the needs of Mr. Fluckiger. The zone not only meets the Fluckinger's needs, it also addresses concerns expressed by the Council.

John Fluckiger, present at the meeting, told the Council that he has met with the owner of the adjoining mink farm. He said that the owner of the mink farm felt the wood fence and the placement of the two Fluckiger homes at the front of the property, will provide adequate buffering for the mink.

Mr. Fluckiger stated that it was his plan to tear down the existing home, and build two new homes (without basements) on the front portion of the lot. One of the homes will contain an apartment for Mr. Fluckiger's Mother-in-Law. Mr. Fluckiger stated that the current code requires that this apartment not exceed 30% (or 800 square feet) of the entire home size. Because the new home is very large, and is being built all on one floor, Mr. Fluckiger stated that the apartment, as designed, will require a total of 1020 square feet, including the outside staircase. He said the outside entrance to the apartment was requested by his Mother-in-Law, as she desires to remain financially independent, as a moderate income household.

Bruce Steadman polled the Council concerning their approval of the additional square footage required by the Accessory Apartment. All of the Council indicated that they were willing to have an amendment

written into the ordinance, stating that the apartment, including the staircase, could contain 1020 square feet.

MOTION: Ron Gee made the motion to adopt the ordinance, with an amendment to the square footage of the Accessory Apartment as discussed by Council. The square footage approved for the apartment is 1020 square feet, including the staircase.

SECOND: Dennis Tenney

VOTE: Ron-Yes, Dennis-Yes, John-Yes, Dick-Yes, Bruce-Yes, Bryant-Yes, Ralph-*No

*Ralph Tolman stated that he voted "No", because he felt the required building lot size should not be reduced. He felt the request of the adjoining property owners to keep lot sizes large, should be honored.

MOTION PASSED

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file
5. Ordinance #89-45 - amending the Development Code Section 15-9-1, 15-9-3, 15-8, 15-8-3, and 15-2-2, changing how "Public Utility Stations" are defined and listed in the RC, CC, CVC, and PO Zones.
(Code Amendmt: "Public Utility Stations in Commercial Zones")

MOTION: Ron Gee made the motion to accept the ordinance as presented.

SECOND: Dennis Tenney

VOTE: Ron-Yes, Dennis-Yes, Dick-Yes, Bruce-Yes, Bryant-Yes, John-Yes, Ralph-No

MOTION PASSED

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6. Ordinance #89-46 - amending the Development Code Section 15-23-6 affecting "Conditional Use Appeals Process", requiring all appeals from the decisions of the Planning Commission regarding "Conditional Use Permits" be heard by the Council.
(Code Amendment: "Conditional Use Appeals Process")

MOTION: Ron Gee made the motion to accept the ordinance as presented.

SECOND: John Winder

VOTE: Ron-Yes, John-Yes, Dennis-No, Dick-Yes, Bruce-Yes, Bryant-Yes, Ralph-No

MOTION PASSED

7. Resolution #89-91 C - approval of a proposal to waive electrical permit fees for construction of High Point Park.
(High Point Park Electrical Permit Fee Waiver)

DISCUSSION: Byron Jorgenson explained that the High Point Park Project has been bid, and the resolution was being presented to obtain Council approval to waive the electrical permit fees, as the project is a City park.

MOTION: Dennis Tenney made the motion to approve the

Pioneer Avenue and 8400 South from a local street to a collector street.

3. 8400 South (or Princeton Drive) be extended east from State Street and connect into 115 East.

MOTION: Ron Gee made the motion that the appropriate documents be prepared by Staff to amend the City's Official Street Map along the 8400 South Corridor, west of 300 East.

SECOND: Dennis Tenney

VOTE: Ron-Yes, Dennis-Yes, Dick-Yes, Bruce-Yes, Bryant-Yes, John-absent, Ralph-Yes

MOTION PASSED

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2. ~~Public Hearing~~ to consider a request by Mr. Arnold Fluckiger, on behalf of Ida June Robertson, to annex 1.50 acres located at 1777 East 11400 South. The requested zone for the property is R-1-20A (Residential, Single Family 20,000 sq. ft. lot with Animal Rights). (Robertson/Fluckiger Annexation and Zoning)

DISCUSSION: Mike Coulam explained Mr. Arnold Fluckiger's request to annex 1.50 acres into the City, with a requested zone of R-1-20A. Mr. Fluckiger would like to subdivide the property into 3 building lots. He plans to build either: a. Two additional new homes, and leave the existing home. b. Tear down the existing home, and build 3 new homes. Mr. Fluckiger would be residing in one of the homes, his mother-in-law in one, and his son in the other. Mr. Fluckiger has requested that animal rights be left with the zoning classification, as his grandchildren would like to have small pets (not horses), such as dogs, cats, goats, etc. Mr. Fluckiger has constructed a wood fence at the rear of his property to provide a barrier between his property and the neighboring farmer's mink pens. He has also requested that the existing large trees not be required to be removed by any type of zoning considered by the City.

The hearing was then opened to comments from the public.

Mr. Wesley Shaw, a neighbor residing east of the Mink Ranch, explained that he has a 4-acre parcel on which he keeps 5 horses. He wanted to be sure that Mr. Fluckiger's request to rezone the property would not affect his current animal rights. He felt that the abutting properties were all rural in nature, and expressed his desire that the Fluckiger Property not be allowed to be subdivided into lots for 3 homes.

Bruce Steadman assured Mr. Shaw that his animal rights would remain in tact, as long as he kept animals on the property.

Connie Armitage, residing east of the Fluckiger Property, expressed her opinion, that since the majority of the land owners in the area have at least 1 acre parcels, that the area should remain rural. She did not believe that homes built in such a close proximity to the mink ranch would be advisable.

Ron Gee expressed his concern that the mink ranch be protected from encroaching development. He said the mink ranch, and the affect of the proposed homes on the mink, should be addressed. Ron felt a block wall should be constructed between the two properties to insure that Mr. Fluckinger's homes, and their subsequent traffic impact, would not adversely affect the mink.

Ralph Tolman felt that if the Fluckiger rezoning request was granted, that it would establish a precedent for the area of smaller lot sizes. He felt the area should remain rural, and be zoned for large lots.

- #1 MOTION: Ron Gee made the motion that the appropriate documents be prepared by Staff to annex the Fluckiger property as outlined, with a Zone of R-1-20. The A (animal rights) should be dropped from the requested zone. He recommended that the parcel then proceed through the Site Plan Review process for a mini subdivision with a private lane. He also recommended that the Planning Commission require construction of a block wall to separate the Fluckiger property from the mink farm.

SECOND: Dennis Tenney
MOTION WITHDRAWN

- #2 MOTION: Dennis Tenney made the motion that Staff prepare the appropriate documents to annex the Fluckiger property into Sandy City, with a Zone of R-1-20A

MOTION DIED FOR LACK OF A SECOND

- #3 MOTION: John Winder made the motion that Staff prepare documents to annex the Fluckiger property into Sandy City. Staff should then investigate the potential of zoning the property PUD-2A. He recommended that two homes be built towards the front of the property, and that the large trees be retained.

SECOND: Dennis Tenney
MOTION WITHDRAWN

- #4 MOTION: Dick Adair made the motion to deny the annexation petition, as he could see no significant advantage to the City by approving the annexation request.

SECOND: Ralph Tolman
VOTE: Dick-Yes, Ralph-Yes, Dennis-No, Bruce-No, Bryant-No, John-Yes, Ron-No

MOTION FAILED

- #5 MOTION: Ron Gee made the motion that Staff review and make recommendations to the Council regarding zoning the property R-1-20.

MOTION DIED FOR LACK OF A SECOND

#6 MOTION: John Winder made the motion that Staff prepare the appropriate documents to annex the Fluckiger property into Sandy City, with an R-1-40A Zone.

MOTION DIED FOR LACK OF A SECOND

#7 MOTION: Dennis Tenney made the motion that Staff study the zoning issue, and return with a recommendation for the Council's approval. He indicated that Staff should formulate their zoning recommendation, based upon the zoning of the adjacent neighborhoods.

MOTION DIED FOR LACK OF A SECOND

DISCUSSION: The Council then held a discussion regarding possible solutions that might be utilized to accomplish the annexation, and to create a zone that would be acceptable to all of the Council and meet the special needs of the Fluckiger's.

#8 MOTION: Ron Gee made the motion that the appropriate paperwork be prepared by Staff to annex the Fluckiger property into Sandy City, with an SD Zoning (with animal rights) that would allow two homes to be built on the property. One of the homes, would be allowed to include the construction of an Accessory Apartment (or Mother-in-Law Apartment).
SECOND: Dennis Tenney
VOTE: Ron-Yes, Dennis-Yes, Dick-No, Bruce-Yes, Bryant-Yes, John-Yes, Ralph-No

MOTION PASSED

3. Consideration of application by Vanda Artez requesting that the City grant her a Class C Beer License to operate the Pegasus Lounge at 8475 S. State Street.
(Pegasus Lounge Class C Beer License Application)

DISCUSSION: Police Chief, Larry Lunnen, reported that the request for a Class C Beer License was remanded to the Police Department for their customary review/investigation, and subsequent recommendation. Chief Lunnen reported that Detective James conducted the investigation.

During the investigation, Officer James found that Mr. and Mrs. Artez had formerly operated the Spring Deer Lounge in South Salt Lake City, Utah. The South Salt Lake Police Department was contacted, and asked to submit a report regarding the operation of the Spring Deer Lounge. The report indicated that the police were summoned frequently to the lounge to deal with various altercations. During the Artez's ownership, the lounge was cited for the sale of alcohol to a minor, 2 work card violations, a citation was issued to the bartender for illegal sale of a controlled substance, aggravated assault, stolen vehicles, DUIs (Driving under the Influence), in all, 37 calls to the