

\*\*\*PLANNING MEETING\*\*\*

TUESDAY, APRIL 8, 2014

**Those in Attendance:** **Council:** Chairwoman Linda Martinez Saville, Scott Cowdell, Steve Fairbanks, Chris McCandless, Kris Nicholl, Stephen Smith, Dennis Tenney. **Administration:** Community Development Director Mike Coulam, Communications Nichole Martin, Public Utilities Director Shane Pace, Zoning Administrator Brian McCuiston, City Attorney Wally Miller, Police Assistant Police Chief Kevin Thacker, Fire Chief Bruce Kline, Parks and Recreation Director Scott Earl, Public Works Director Rick Smith, Assistant Administrative Services Director Brian Kelley, Police Chief Chapman, Council Office Director Phil Glenn, Council Office Manager Pam Lehman.

**a. Administrative Report**

**Mike Coulam** presented a list of residential projects to the Council. Sandy Pride bags were handed out for Sandy Pride Day. Larry Miller and Zion's Bank will sponsor homes.

**Scott Cowdell** asked if the majority of the residential projects had been approved.

**Mike Coulam** stated that some are in the process of being approved. Many of the proposed projects are on infill lots.

**b. Revisions to Definitions – Heavy Industry**

**Fire Marshall Robert DeKorver**, and **Zoning Administrator Brian McCuiston** reported on a business which produces a cleaning chemical of ethylene and water. They approached the Fire Department for approval to expand their business with storage of the chemical. Staff found that zoning did not allow Heavy Industry within the City. The expansion of the business was denied. The business contacted the Fire Department for help. A committee was formed consisting of the Fire Marshall, Building Official, Zoning Department, Business Licensing, and Legal to re-evaluate the definition of Heavy Industry, Medium Industry, and Light industry. The committee defined businesses that already operate in the City and if they could be deemed as Heavy, Medium or Light Industry. They asked the Council what direction they would like to see the City take. [Ref: Exhibit "A"]

**Brian McCuiston** noted that this has provided an opportunity for Staff to evaluate the existing Definitions and add other examples of various types of businesses in the code. The definition of light industry is no outside storage; medium industry allows either inside or outside storage with some type of process outside. Heavy Industry was defined in the code; however, it is not allowed in any of the zoning districts. Staff has determined further research should be done to determine what types of industrial businesses they would like in commercial districts and what impact those businesses may have on other retail businesses in the area. Staff does not want heavy industry that exceeds the control limits mentioned in the fire and] building codes.

**Chris McCandless** asked if Staff had talked to businesses that would be affected by the change. He asked how this would affect BD Medical.

**Robert DeKorver** noted that conversations have begun with fireworks businesses [TNT]. If businesses are located in an area that does not allow heavy industry, they would then become legally nonconforming. BD Medical's major operation does not fall under heavy industry since they do not have a major H-3 occupancy.

**Brian McCuiston** stated that Staff would need to determine if TNT could be approved as a small operating business, and if they have storage on site. He did not know if they could be considered grandfathered in the code.

**Chris McCandless** asked how many businesses would be affected by this change.

**Brian McCuiston** noted that Staff is proposing a more thorough and detailed screening process that would be handled through the business licensing department.

**Stephen Smith** thought that most people would define heavy industry as having noise, vibration, smoke, pollution, truck trips, and on site activity that creates a nuisance. He is not opposed to heavy industry if it is in a closed structure and in a business park. He asked if the zone could be defined for light, medium, and heavy industry, to take into account the environment of the activity. He asked if there has been a problem with heavy industry or high occupancies in the City. He suggested that this use could be considered as a conditional use. He does not want to rule out legitimate businesses that operate in a safe environment and with minimal impact on surrounding neighbors because there are problems in crafting a definition in the ordinance that would work.

**Dennis Tenney** believes that an inventory should be taken in the community to determine how many businesses fall into the category of light, medium and heavy industry. This could help Staff determine how much of an issue this really is.

**Robert DeKorver** noted that they have already started that process. According to the fire and Building codes, these businesses can be built to meet safety codes. The Council needs to decide if they want these types of businesses in the city.

**Phil Glenn** stated that it may be helpful to have a broader discussion to determine how the Council really feels. There is real potential for this to get away from the City if it is not properly dealt with.

**Stephen Smith** agreed with Mr. Glenn. His business operation could conceivably fall into a heavy Industry category if someone were of a mind to put them in that category.

**Phil Glenn** stated that definitional issues are very important. The Council needs to make certain that they deal with potentially dangerous issues. He asked the Council if they would like to have further discussion once the inventory has been completed.

**Stephen Smith** thought that a broader discussion should include the survey and the number of light, medium and heavy industry businesses that are located in the City; the zones these businesses are located in; the zones they came in under; and if they are conditional uses or if certain conditions should be applied to the specific business. He would like to spend time going through the definitions of light, medium, and heavy industry to better understand the reason why the wording was either left in or taken out of the code.

**Phil Glenn** stated that the Council office could do a detailed account of the minutes pertaining to this discussion. Once the Council reviews the minutes, a memo could be sent to the committee with the Council's recommendations.

**Steve Fairbanks** asked how the Council felt.

**Chairwoman Saville** asked the Council if they would like to do as Councilman Stephen Smith and Mr. Glenn recommended. Steve Fairbanks-yes, Chris McCandless-yes, Steve Smith-yes, Dennis Tenney-yes, Scott Cowdell-yes, Kris Nicholl-yes, Linda Saville-yes.

**\*\*Phil Glenn** presented background information for the Council to consider for interview procedures for the replacement of the Council Office Director. The process would include different interview stations and be conducted in an afternoon. He would be willing to come back with a number of suggested topics and questions to use during the interview process. Chairwoman Saville noted that the Council could take this information under advisement, then let Mr. Glenn know next week when they would like to start this process.

### c. Master Planning – City Owned Properties near City Hall

**Councilman Chris McCandless** presented a power point presentation on the Hale Center Theater update. [Ref: Exhibit "B"] . If the Council approves of his recommendations, they could approve the resolution that is on this evening's City Council agenda.

**Kris Nicholl** asked if this had been presented to the Hale Center Theater board members and how it was received.

**Chris McCandless** stated that he has not presented this particular presentation to the board. He has presented the concept and it went very well. The Board thought that the concept was doable.

**Dennis Tenney** liked the idea of having two master plans. It would cover all bases. In his opinion, Sandy can offer the best location with freeway visibility. He strongly supports the concept.

**Stephen Smith** liked the process that Chris went through. There were two issues of concern. The restaurant row being placed on the front porch of City Hall, and the aesthetic change it would have on City Hall. We do not want to minimize the dignity of City Hall. Would the City be allowed to use the newly developed parking lot for the staging of the 4<sup>th</sup> of July parade? City Hall has been used as a staging area, but once the property is developed that option could be in jeopardy.

**Chris McCandless** stated that maintaining the integrity of City Hall would be a challenge especially with a parking structure on the west side.

**Steve Fairbanks** stated that as a result of the City's new master plan, community events would need to be reconfigured. How would a restaurant row affect other restaurants in the area, and what type of users would it attract.

**Chris McCandless** stated there would need to be a study conducted to determine these issues.

**Scott Cowdell** is very concerned that too much land will be taken off the tax rolls. The City needs to know what it will cost them. He is not opposed to a restaurant row. He does not believe that a park is needed on the property since this is a valuable piece of commercial property. The park would have no purpose unless there are plans for residential uses in the development.

**Steve Fairbanks** felt that the proposal was for open space not a park.

**Chris McCandless** called it a business set-back area.

**Scott Cowdell** suggested that this area could be made into a walking mall where businesses are put right up against the street with no set-backs. He would like to better understand the benefits of this project and to see how it will be profitable for the City before he would be completely convinced. He is not opposed to further consideration of this proposal. He wants to see something that produces revenue in this area since a lot of the remaining parcels in the City need to be made special.

**Chris McCandless** agreed with Mr. Cowdell. The resolution on the Agenda this evening would authorize the master planning.

**Phil Glenn** stated that the Council would be budgeting for a master planning process if they approve the resolution this evening. He asked the Council what they see as appropriate additional City expense in the upcoming fiscal year. Are they thinking of the RDA as a potential revenue for this project or some other revenue such as bonding. And is this something they would like in this fiscal year or next year's budget.

**Chris McCandless** would like to see this project become almost self sufficient. He does not believe that the City will be spending a great deal of money; and all departments would weigh in on this plan. The process could take several years to put together with studies, master planning, and financial issues.

**Dennis Tenney** hoped that by commissioning the master planning process now, it will provide answers to questions addressed this evening.

**Mike Coulam** felt that with the hiring of Lyle Beecher to do a study and working hand in hand with the City, they can come up with a lot of good ideas to make this come to fruition.

**d. Planning for Fiscal Year 2014-2015 budgets; review of various budgeting issues.**

**Phil Glenn**- reviewed the schedule and previous discussions regarding issues that could have a Potential impact on the budget.

**Council Chairwoman Linda Saville** suggested that the Council schedule each department for a Short budget presentation of their departments. All of the Council agreed.

**Stephen Smith** would like Brian Kelley to review the interdepartmental charges and how they are Assessed and determined between each of the departments.

**Phil Glenn** asked if this was something that everyone on the Council wanted to do.

**Stephen Smith** felt that the Council should discuss this issue because it is a significant cost driver to the budget.

**Phil Glenn** reminded the Council of the short time they have left to discuss the various budget issues.

**Scott Cowdell** suggested that all of the department budget presentations be held on the same evening so the Council would have more time for discussion.

**Phil Glenn** asked the Council to highlight issues of importance to them for future discussion.

**Kris Nicholl/ Nichole Martin**- "Sandy Now" has a plan for the City Council to talk about issues. They are waiting for the Council to get on board.

**Phil Glenn**- said that when positions are stated in those types of letters, the Council needs to be careful that the position stated are those of the Council as a group, not of an individual Council member. The message needs to reflect a position which the majority of the Council supports.

**Kris Nicholl**- said the Council would post upcoming events and upcoming issues in "Sandy Now".

**Chris McCandless**- said Cottonwood Heights does this and they do a nice job. They rotate two Council people bring their articles to the City Council prior to it being submitted.

At approximately 6:55 p.m., **Chris McCandless** made a motion to adjourn Planning Meeting, motion seconded by **Steve Fairbanks**.

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Linda Martinez Saville  
Council Chairwoman

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Pam Lehman  
Council Office Manager

4/8/14 Plug mte. Exhibit "A"

# Heavy Industry

- A use engaged in the basic processing and manufacturing of materials or products, predominantly from extracted or raw materials; or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions; or a use engaged in the storage of or manufacturing processes using flammable or explosive materials; that constitute a physical or health hazard in quantities in excess of those allowed in control areas identified within the International Building Code under the High-Hazard Group H Occupancy. Examples of this use may include refineries, mining operations, above ground flammable or chemical storage, or other similar uses.

4/18/14 Pubg Mtg Schlotz "B"



# Hale Center Theater Update

Prepared by:

Councilman Chris  
McCandless and Scott  
Bond

# Hale Center Theater Update

- Purchase agreement with HCT has expired and is now out of contract with Sandy City
- Councilman McCandless is a HCT Board Member and serves on the Legacy Committee
- Mr. McCandless has attended several meetings with the HCT Board and others.
- HCT looking at another site in South Jordan
- Councilman McCandless has privately completed a comparative analysis of both sites

# Hale Center Theater Update

- **HCT and Sandy City Challenges:**
  - No dedicated funding for public improvements
  - HCT capital campaign showed no progress
  - Existing HCT 11 acre plan significantly increases the HCT operating and overhead costs
  - HCT plan takes Sandy City property off the tax rolls
  - Overreaching HCT parking needs for the eleven acre site – short and long term issues

# Hale Center Theater Update

## ○ Old Site Plan Description:

- Used all of the sites eleven acres for three/four theaters and other components
- Requires significant surface parking with HCT the only entity to maintain the lot
- \$90 million in A&D costs
  - Funding had to be complete prior to commencement of construction
- Capital funding campaign was to aggressive of a time frame for HCT

# Hale Center Theater Update

- **Proposed Alternative HCT Plan:**
- Co-locate Sandy City site together with WVC site – dual operation
- Increase each theater complexes market share into Davis and Utah Counties respectively
- Decrease need for Sandy site to have four theaters – now planned for two theaters with one in the round
- Through the proposed Sandy development plan, HCT can take up to three years to obtain funding for phase 3a and 5 years for phase 3b.
- Shared parking plan including maintenance of structure.

# Hale Center Theater Update

- **Proposed Alternative Sandy Plan:**
  - Allocate land for two 20,000 (+/-) office building pads sites on the eleven acre parcel.
  - Extend the affected RDA term by 17 years
    - Creates TIF needed to pay for parking structure and city park
    - Shared parking plan for both office and HCT (450 stalls in structured parking)
    - Sell surplus property needed for I-15 expansion to UDOT and allocate to parking structure costs
  - Expand master plan to include a Phase V area (east side of Monroe) creating a walkable main street design for the additional restaurants
    - Pedestrian crossing with HAWK light signal
    - Second city owned parking structure

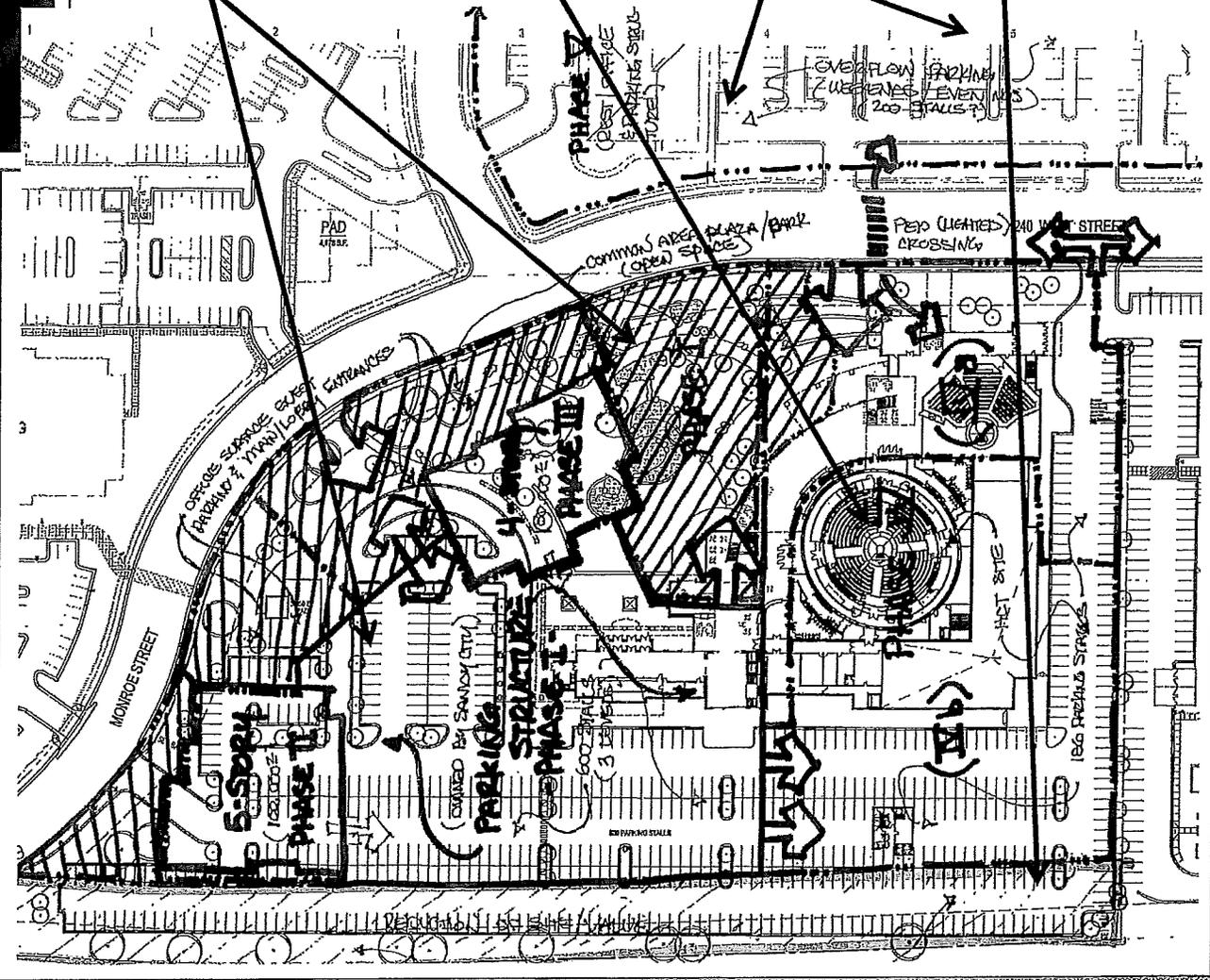
Phase I: Parking Structure and Park

Phase II & III: Market and sell office pad sites

Phase IV: Sell site to HCT (contingent)

Phase V: Design and construct City parking structure and sell office structure and restaurant sites

Note: Sell excess UDOT property at anytime



# Hale Center Theater Update

- **Moving Forward**

- Two step process:

- **Step One:** Engage BWA to provide multi-use master plan for site to be approved by City and used as an Exhibit to the Agreement mentioned in Step Two

- One master plan with HCT in the Phase IV area
- One master plan without HCT in Phase IV providing for an alternative use:
  - Office, apartments, retail, etc.
  - Authorize funding for the BWA services agreement

- **Step Two:** Prepare a formal offer or agreement with HCT from Sandy City

- See attached HCT Development plan for Agreement foundation.

# Hale Center Theater Update

- **Proposed Agreement Summary:**
  - Delineate HCT and Sandy separate responsibilities
  - HCT sale contingent upon timing and guarantee of funding (two phases)
  - Sandy provision contingent upon RDA being extended and bonding provided by Sandy for public improvements (structure and park)
  - Master and Site plan approval from Sandy PC
  - Sandy to provide an overflow parking agreement in Phase V
  - Owners association created to provide for parking structure maintenance based upon consumptive use of parking.
  - Upon acceptance both parties would use best efforts to complete the terms and provide a loyalty clause.