

**MINUTES**  
**SANDY CITY COUNCIL MEETING**

Sandy City Hall - Council Chambers #211  
10000 Centennial Parkway  
Sandy, Utah 84070

**July 1, 2014**

Meeting was commenced at 7:00 p.m.

**PRESENT:**

**Council Members:** Chairman Steve Fairbanks, Scott Cowdell, Kris Coleman Nicholl, Chris McCandless, and Dennis Tenney.

**Mayor:** Tom Dolan

**Others in Attendance:** CAO Byron Jorgenson; Assistant CAO Scott Bond; Assistant CAO Korban Lee; Assistant to the CAO Communications Director Nicole Martin, City Attorney Walter Miller; Community Development Director Mike Coulam; Public Utilities Director Shane Pace, Public Works Director Rick Smith, Economic Development Director Nick Duerksen; Deputy to the Mayor John Hiskey; Police Chief Kevin Thacker; Fire Chief Bruce Cline, Parks & Recreation Director Scott Earl; Administrative Services Director Art Hunter; Assistant Administrative Services Director Brian Kelley; Council Office Director Phil Glenn; Council Office Executive Secretary Wendy Downs

**ABSENT/EXCUSED:** Linda Martinez Saville; Stephen Smith

1. **OPENING REMARKS/PRAYER/PLEDGE:**

The prayer was offered by Boy Scout Ryuher Abe. As part of the opening remarks and pledge, Jim McClintic showed a photo montage American flags. The Sandy Exchange Club puts on a program every year called "proudly we hail"

2. **CITIZEN(S) COMMENTS:**

a. **Jim Chlumsky**, Sandy City/Salt Lake County Health Department Liaison, said that he likes to check in with cities on a quarterly basis. He asked if the Council had any questions or concerns. No questions were asked. The Council thanked Mr. Chlumsky for his visit.

**Chairman Fairbanks** welcomed Senate President Wayne Neiderhauser, who was present at the meeting.

**PUBLIC HEARING(S):**

3. **Cobble Canyon Lane Annexation**

**Public Hearing** – notice is given that the Sandy City Council has adopted a resolution indicating its intent to annex an unincorporated area, located at approximately 8955 South Cobble Canyon Lane in Salt Lake County, into the municipality of Sandy City. The area under consideration for annexation comprises approximately 45.15 acres. It is being proposed to annex these properties to the City with the R-1-10 Zone (single family residential on 10,000 square foot lots) and the R-1-40 to the R-1-10 Zone and 4.23 acres will be zoned to the R-1-140 Zone. The City Council will annex the area unless written protests to the annexation are presented at the public hearing, are on file by 5 p.m. on the day of such hearing with the Sandy City Recorder, by the owner of private real property that: (a) is located within the area proposed for annexation, (b) covers a majority of the total private land area within the entire area proposed for annexation and, (c) is equal to at least ½ the value of all private real property within the entire area proposed for annexation.

**Discussion:** [7:26:45 PM](#)

**James Sorenson** reviewed the proposed Cobble Canyon Lane Annexation.

## **BACKGROUND**

Rick Osterloh requested annexation for properties located at approximately 8955 South Cobble Canyon Lane. The area under consideration for annexation contains 62 parcels with many different owners. All of the parcels have residential dwellings located on them. The applicant is proposing to annex these properties into the City and is requesting the R-1-10 Zone (single family residential on a minimum of 10,000 square foot lots) and the R-1-40 Zone (single family residential on a minimum of 40,000 square foot lots). 53 of the property owners have consented to be annexed. The remaining 9 have not signed a consent form, but have been contacted and are aware of the proposed annexation request.

The southern end of the proposed area to be annexed is bordered by Sandy City.

## **ANALYSIS**

The annexation is being considered by the City for the following reasons:

1. The area is contiguous to the Sandy City boundary (south).
2. The property is located within an area designated in the Sandy City General Plan for incorporation.
3. The City is presently providing fire service and emergency medical service to the area and water service to the majority of the area.
4. The City can provide a high level of other municipal services to these properties.

## **General Plan**

Portions of the Sandy City General Plan which relate to this application are as follows:

- p.43 Recognize that economics alone is not sufficient reason to alter established neighborhoods. Human and environmental impacts also should be recognized.
- p.44 Require proposed zoning changes to be in harmony with established neighborhoods.

## **Zoning**

The subject property is currently zoned A-1 in Salt Lake County. This zone allows single family dwellings on minimum 10,000 square foot lots. In general, when Sandy City annexes a property into the City from Salt Lake County we have always been sensitive to what the property was zoned in the County. In most cases we have been able to zone property to a comparable zone as we annex them into the City. As we have done this we have taken into account the existing properties that are adjacent to the area being annexed and try to assure that the annexed area is compatible with the existing area.

In this particular case the property being annexed is zoned A-1 in the County. Staff feels it makes sense to zone the property R-1-10 because it is consistent with the zoning that was approved for this area under the County A-1 Zone. All the lots are 10,000 square feet or greater, it is also consistent with the adjacent properties in Sandy, which are zoned R-1-10. Staff is also recommending that one of the parcels, which is just over four acres be zoned R-1-40. The parcel is currently zoned R-1-43 in the County, the proposed R-1-40 Zone would be consistent with the County zone.

## **STAFF RECOMMENDATION**

It was recommended that the Cobble Canyon Lane Annexation be approved and zoned R-1-10 and R-1-40 based upon the following findings:

1. The area is contiguous to the Sandy City boundary (south).
2. The property is located within an area designated in the Sandy City General Plan for incorporation.
3. The City is presently providing fire service and emergency medical service to the area and water service to the majority of the area.
4. The City can provide a high level of other municipal services to this property.
5. R-1-10 & R-1-40 Zones are appropriate for the property based upon surrounding zoning and land uses.

**Chairman Fairbanks opened the public hearing.**

**Comments:**

- a. **Steve Van Maren**, 11039 Lexington Circle, asked, " if the proposed annex area remained in the Salt Lake County sanitation (waste collection) district who would initiate the process to bring them into Sandy's waste collection system".  
**Korban Lee** said that the City has initiated discussions in the past with Wasatch Front Waste and Recycling District when areas have annexed into Sandy. He said their administrative board made a ruling a few years ago that they will no longer allow residents out of the waste district when they annex into a neighboring city, unless there are unique circumstances. He said the City does not anticipate the residents requesting an exemption to leave the district. The residents would need to make a petition to the sanitation board if they want out of the district.
- b. **Cindy Sharkey**, 8893 Willow Green Drive, said the neighborhood exceeded the 85% of the residents' signatures in favor for the annexation. She said that two of the residents failed to sign consent forms because they preferred to stay in the County. She asked the Council to approve the annexation and the residents are very excited to be a part of Sandy City. She thanked the neighbors and City staff for help and support through the annexation process. She specifically thanked Korban Lee who was a major asset for the community through this annexation process.

**Chairman Fairbanks closed the public hearing.**

**Motion:** Chris McCandless made a motion to have paperwork brought back to adopt the Cobble Canyon Lane Annexation of properties located at approximately 8955 South Cobble Canyon Lane with the zones of R-1-10 and R-1-40 as presented by staff.

**Second:** Kris Nicholl

**Vote:** McCandless – Yes, Nicholl – Yes, Tenney – Yes, Cowdell – Yes, Fairbanks – Yes, Smith –absent, Saville –absent.

**Motion Approved:** five members in favor, two members absent

**COUNCIL ITEM(S):**

4. **Worker's Compensation Fund South Rezoning**  
**Ordinance #14-17** – rezoning approximately 6.26 acres from the MU "Mixed Use District" to the CBD "Central Business District", located at approximately 90 West Albion Village Way.

**Motion:** Dennis Tenney made a motion to adopt Ordinance #14-17 rezoning approximately 6.26 acres from the Mixed Used District to the Central Business District, located at approximately 90 West Albion Village Way.

**Second:** Chris McCandless

**Vote:** Tenney – Yes, McCandless – Yes, Nicholl – Yes, Cowdell – No, Fairbanks – Yes, Smith – absent, Saville – absent.

**Motion Approved:** four members voted in favor, one member opposed, two members absent

5. **Hale Rezoning**

**Ordinance #14-16** – rezoning approximately 1.87 acres from the R-1-20 “Single Family Residential District” to the R-1-10 “Single Family Residential District”, located at approximately 431, 441, 451, 477, and 491 East Wassail Road.

**Motion:** Chris McCandless made a motion to adopt Ordinance #14-16 rezoning approximately 1.87 acres from the R-1-20 “Single Family Residential District” to the R-1-10 “Single Family Residential District”, located at approximately 431, 441, 451, 477, and 491 Wassail Road.

**Second:** Kris Nicholl

**Vote:** McCandless – Yes, Nicholl – Yes, Cowdell – No, Tenney – Yes, Fairbanks – Yes, Smith – absent, Saville – absent.

**Motion Approved:** Four members in favor, one member opposed, two members absent

6. **Impact Fees**

**Ordinance #14-12** – amending and updating Sandy City’s Impact Fee Facilities Plan and Impact Fee Analysis for Parks and Recreation, Fire, Police, Water, and Storm Water Facilities and Improvements; amending the revised ordinances of Sandy City by amending Title 16, “Revenue and Finance”, Chapter 14, “Development Impact Fees”; adopting an amended and updated Impacted Fee for Parks and Recreation, Fire, Police, Water, and Storm Water; establishing certain policies related to impact fees for Parks and Recreation, Fire, Police, Water, and Storm Water Facilities; establishing service areas; and/or other related matters.

**Discussion:** [7:39:21 PM](#)

**Chris McCandless** asked to delay the decision on this ordinance until the next Council meeting, July 22<sup>nd</sup>, to allow for further research and discussion. [7:39:55 PM](#)

**Brian Kelley** said the main concern on delaying the approval of the ordinance is that the current study is very outdated. He said there are many projects throughout the City that need to be completed using needed and justified revenues from the revised impact fees. He noted there is a 90 day waiting period from the day the ordinance is approved. [7:40:54 PM](#)

**Motion:** Chris McCandless made a motion to delay adoption of the Impact Fee Ordinance #17-12 until the next City Council Meeting on July 22, 2014.

**Second:** Kris Nicholl

**Vote:** McCandless – Yes, Nicholl – Yes, Tenney – Yes, Cowdell – No, Fairbanks – Yes, Smith – absent, Saville – absent.

**Motion Approved:** four members in favor, one member opposed, two members absent.

7. **Completion of reports not held in Planning Meeting.**

At approximately 7:45 p.m., Scott Cowdell made a motion to adjourn Council Meeting and convene into a closed door session regarding personnel issues, motion seconded by Kris Nicholl. All members voted in a verbal affirmative.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

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Steve Fairbanks  
Council Chairman

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Wendy Downs  
Council Office Executive Secretary

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