



CITY OF SARATOGA SPRINGS

Planning Commission Meeting

Tuesday, June 15, 2010

Meeting held at the Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs

MINUTES

Work Session 6:34 P.M.

Present:

Commission Members: Hannah Thiel, Chris Strickland, Dennis Brown, Earl Halvas, Cassie Gross, Kristen Hood

Absent Members: Joe Hudson

Staff: Lori Yates, Jim McNulty, Sarah Carroll

Others: Brandon Beattie, Brian Russell, Shanda Blake, Jason Wolff, Desmond Jimmerson, Dave Harper, Aleta Wilkinson, Ronald Johnston, Ken Evans

Pledge of Allegiance led by Kristen Hood

Hannah Thiel opened the public input.

No public input at this time.

Hannah Thiel closed the public input.

4. Public Hearing: Proposed Site Plan for a Burger King restaurant located at 117 East State Road 73; RJR Restaurants, Inc., applicant.

Sarah Carroll presented the proposed Site Plan for a Burger King restaurant located approximately at 117 East State Road 73. The site plan complies with all of the Regional Commercial requirements including parking requirements, setbacks and landscape requirements. Sarah discussed the proposed building elevations and signage. Staff recommends approval.

The Planning Commission took some time to discuss the signage for each elevation.

Hannah Thiel opened public input.

No public input at this time.

Hannah Thiel closed public input.

Dennis Brown discussed the option of a fourth sign proposed on the elevations.

Chris Strickland supports the proposed project.

Cassie Gross asked staff if the "Home of the Whopper" sign would be considered an awning/canopy sign. Cassie Gross also had asked Jeremy Lapin, City Engineer, general engineering questions about the location of the drive through entrance.

Hannah Thiel stated that the layout of the building fits the site. She felt that the "Home of the Whopper" sign was attractive, but stated it cannot be approved if the Code does not allow it.

A discussion took place with staff and Commissioners of possibly allowing the Home of the Whopper sign to be considered as an awning canopy sign.

Brian Russell, architect of the project, indicated that the company is willing to work with the City regarding the signage.

Motion was made by Cassie Gross and seconded by Chris Strickland to recommend approval to the City Council for the Proposed Site Plan for a Burger King restaurant located at 117 East State Road 73; RJR Restaurants, Inc., applicant.

Subject to staff recommendations dated June 15, 2010:

- 1. That all requirements of the City Engineer be met, including those detailed in the attached report.**
- 2. That all requirements of the Fire Chief be met.**
- 3. That the words "Drive Through" be painted on the asphalt in the area that is striped for drive through stacking.**
- 4. Per City Code, only one sign is allowed on each elevation.**
- 5. That one sign be allowed on three elevations.**
- 6. That additional details be provided to staff regarding the use and treatment of the outdoor patio area.**
- 7. That staff review the Awning/Canopy sign ordinance to determine if "Home of the Whopper" could be consider as an awning sign.**

5. Public Hearing: Proposed Preliminary Plat for Western Hills located at approximately 1700 North and 200 West; Desert Peak Management Group, LLC, applicant.

Sarah Carroll presented the proposed Preliminary Plat for Western Hills. This plat includes nine single family residential lots, 5.65 acres of open space, a lot for an LDS Church and a lot for an elementary school. Sarah discussed the analysis for open space, the railroad berm, trails, the Canal Right of Way, future lots, fencing, the roundabout and the approval from UDOT. Sarah also reviewed staff recommendations.

Cassie Gross expressed concerns with the soil which makes up the berm and the possibility of it being contaminated. Sarah Carroll indicated that a soils test has been requested. Ron Johnston, applicant, indicated a soils contamination test is being done and the results will be known by June 25th.

Cassie Gross asked if the remnant lot between aspen Hills Lot 18 and Western Hills Lot 1 could be added to Lot 18. Ron Johnston indicated that he sees no problem with making that change.

Kristen Hood asked about the water runoff near the berm. Jeremy Lapin, City Engineer, indicated that there will need to be a temporary detention pond created if the berm is removed.

Hannah Thiel opened public input.

Ken Evans, a resident of Saratoga Springs, suggested that the park plan be addressed before this plat approval. He would also like to see that the fencing along the trail and the proposed project be consistent. Sarah Carroll indicated that the fencing will be consistent with the proposed Aspen Hills trail plans. Ken also suggested a multi-purpose trail for residents in the area. He also suggested the he would like to see the berm preserved.

Brandon Beattie, a resident of Aspen Hills, indicated the multi-purpose trail would be great to have available to the area. Brandon asked if there has been a design proposed for the bridge within Parcel D. Jeremy Lapin stated that the bridge would need to go through an approval and process. Brandon also expressed concerns with the overall design of the project. He also touched on the proposed access entrance on 400 West, which would create the traffic to multiply through the Aspen Hills subdivision. He would be opposed to having 400 West created at this time. He suggested that the roundabout not be installed at this time.

Shanda Blake presented to the Planning Commission a proposal for the park which includes keeping the berm. She indicated that the berm would add more character to the park. She stated that the park may help with sales of the homes in the area. She also suggested that the park be a themed park based on the history of the area.

Aleta Wilkinson, a resident of Harvest Hills, had indicated that she would like to see the berm stay in place. She stated the berm is a buffer for those adjacent residents. She also touched on the potential flooding if the berm is removed. She stated that the City promised six years ago that the berm would stay.

Hannah Thiel closed public input.

Kristen Hood suggested keeping the berm and feels there would be too much work involved with removing the berm.

Cassie Gross stated that she would like to see the berm kept in place and possibly working around it. She also touched on staff's recommendations.

Chris Strickland agrees with keeping the berm. He also expressed appreciation for those who have made comments on this project. Chris touched on the landscaping around the canal.

Dennis Brown stated that until we have a design for the park, it is too premature to decide whether the berm remains or is removed. He addressed accesses to the church which might involve crossing the canal. Sarah Carroll indicated that at this time she is not aware of the plans for access to the church. He also stated the drainage located near the berm will need to be addressed and Jeremy Lapin agreed with Dennis.

Earl Halvas felt that there are many items that have not been resolved with this particular project.

Hannah Thiel indicated that she was comfortable leaving a portion of the berm in place, but suggested that both the City and the developer be responsible for the removal of the berm. She also stated that she is not in favor of keeping the berm in its natural state because of the potential for rodents. She also recommended that the HOA and the church be responsible for the canal right of way maintenance. She also agreed with the proposed roundabout.

Motion was made by Hannah Thiel to recommend approval to the City Council for the Proposed Preliminary Plat for Western Hills located at approximately 1700 North and 200 West; Desert Peak management Group, LLC, applicant.

Subject to staff recommendations dated June 15, 2010 and the following changes as indicated:

1. That all requirements of the City Engineer are met, including those listed in the attached report.
2. That all requirements of the Fire Chief are met.
3. That the developer removes a portion of the berm per engineering approval.
4. Open Space parcels A through E will be dedicated to the City with recordation of the Plat.
5. Parcel F will be identified as open space on the plat and retained by the developer. This parcel shall be deeded to the City within two years of recordation of the plat.
6. Parcel F will count as open space credit towards the development of future phases.
7. The developer shall improve the berm that is outside of the City Park area by flattening the slope to 3.5:1, thus reducing the crest by 3.5 to 5 feet. ~~The native landscaping on the northwest side of the berm shall remain.~~ The southeast side of the berm shall be improved with an irrigation system and landscaped with a combination of trees, xeriscaping and hydro-seed. All irrigation and landscaping plans must be approved by City staff prior to construction.
8. The trails connecting Harvest Hills walking paths and sidewalks of the trail along the berm and the public sidewalk along Aspen Hills Boulevard shall be 8' wide asphalt trails.
9. The trail along the base of the berm shall be 8' wide concrete.
10. All trails will require either dedication to the City of a public access easement.
11. The developer shall install a 10' wide bridge that can handle a one ton load at the south end of Parcel D to cross the canal.
12. Parcel E shall be dedicated to the City and shall be landscaped by the developer and maintained by the future HOA.
13. The area that will be part of the trail behind the land between Aspen Hills Lot 18 and Western Hills Lot 1 shall be dedicated with this plat.

14. The developer will install the roundabout and it will be maintained by the City after the warranty period.
15. UDOT's approval for the intersection of Aspen Hills Boulevard and Redwood Road as well as all associated acceleration and deceleration lanes must be obtained prior to the City's approval of the final plat.
16. Secondary water is not available in this area. Culinary water rights must be purchased from the City for secondary purposes.
17. That a soils report to be completed and if alterations are needed that the plans are reconsidered for approval.

Motion died due to the lack of a second.

Motion was made by Cassie Gross and seconded by Chris Strickland to recommend approval to the City Council for the Proposed Preliminary Plat for Western Hills located at approximately 1700 North and 200 West; Desert Peak Management Group, LLC, applicant. Aye: All

Subject to staff recommendations dated June 15, 2010:

1. That all requirements of the City Engineer are met, including those listed in the attached report.
2. That all requirements of the Fire Chief are met.
- ~~3. That the developer removes the berm from Parcels A and F.~~
4. Open Space parcels A through E will be dedicated to the City with recordation of the Plat.
5. Parcel F will be identified as open space on the plat and retained by the developer. This parcel shall be deeded to the City within two years of recordation of the plat.
6. Parcel F will count as open space credit towards the development of future phases.
- ~~7. The developer shall improve the berm that is outside of the City Park area by flattening the slope to 3.5:1, thus reducing the crest by 3.5 to 5 feet. The native landscaping on the northwest side of the berm shall remain. The southeast side of the berm shall be improved with an irrigation system and landscaped with a combination of trees, xeriscaping and hydro seed. All irrigation and landscaping plans must be approved by City staff prior to construction. That the developer brings plans back to the Planning Commission to discuss the future use of the berm outside of the City area.~~
8. The trails connecting Harvest Hills walking paths and sidewalks to the trail along the berm and the public sidewalk along Aspen Hills Boulevard shall be 8' wide asphalt trails.
9. The trail along the base of the berm shall be 8' wide concrete.
10. All trails will require either dedication to the City of a public access easement.
11. The developer shall install a 10' wide bridge that can handle a one ton load at the south end of Parcel D to cross the canal.
12. Parcel E shall be dedicated to the City and shall be landscaped by the developer and maintained by ~~either the abutting LDS church or the future HOA.~~
13. The remnant property be included with this plat.
14. The developer will install the roundabout and it will be maintained by the City after the warranty period.
15. UDOT's approval for the intersection of Aspen Hills Boulevard and Redwood Road as well as all associated acceleration and deceleration lanes must be obtained prior to the City's approval of the final plat.
16. Secondary water is not available in this area. Culinary water rights must be purchased from the City for secondary purposes.
16. If the soils report for the berm shows contaminates the Planning Commission needs to re-discuss the berm.

6. Public Hearing: Proposed Revisions to the Land Development Code.

Jim McNulty presented the proposed revisions to the Land Development Code. These revisions were discussed on June 1, 2010 by the Commission.

Hannah Thiel opened public input.

No public input at this time.

Hannah Thiel closed public input.

No comment was made by the Commission.

Motion was made by Chris Strickland and seconded by Dennis Brown to recommend approval to the City Council for the Proposed Revisions to the Land Development Code (Section 19-18, Sign Regulations).

7. Minutes

1. June 1, 2010.

Motion was made by Hannah Thiel and seconded by Chris Strickland to approve June 1, 2010 minutes as written. Aye: All

7. Director's Report.

Jim McNulty stated that there will be no Planning Commission meeting held on the July 6, 2010. Jim indicated that the next Planning Commission meeting will be held on July 20, 2010.

Motion to adjourn at 9:58 p.m. was unanimous.

Date

Lori Yates, City Recorder