

**City of Saratoga Springs - Planning Commission Meeting**  
**October 13, 2016**

Regular Session held at the City of Saratoga Springs City Offices  
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

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**Minutes**

**Present:**

Commission Members: Kirk Wilkins, Hayden Williamson, David Funk, Ken Kilgore, Troy Cunningham, Brandon MacKay

Staff: Kimber Gabryszak, Planning Director; Mark Christensen, City Manager; Sarah Carroll, Senior Planner; Kara Knighton, City Planner; Kevin Thurman, City Attorney; Nicolette Fike, Deputy Recorder

Others: Barbara Thomas, Terry Rushton, Steve Rushton, Dylan Young, Mindy Dansie, Kirk Beecher, Kevin Croshaw, Deann Huish

**Excused:** Sandra Steele

**Call to Order - 6:30 p.m.** by Chairman Kirk Wilkins

1. **Pledge of Allegiance** - led by Mindy Dansie

2. **Roll Call** – A quorum was present

3. **Public Input**

**Public Input Open** by Chairman Kirk Wilkins

No public comments were shared.

**Public Input Closed** by Chairman Kirk Wilkins

Item #5 was moved forward in the agenda.

5. **Public Hearing: Wildflower Community Plan Amendment located West and North of Harvest Hills and North of S.R. 73, DAI applicant.**

Planning Director Kimber Gabryszak presented the amendment. The applicants would like to switch the original Neighborhood 13 with the original Neighborhoods 8, 9, and a portion of 10. Open Space remains consistent. The proposed amendment relocates the multi-family housing, and also reduces the amount of multi-family units from 442 to 425. In the Engineers report section D.3 there was some confusion of the words “before this development is allowed online.” they recommend a change to “before recordation.”

Nate Shipp was present representing Sunrise 3 LLC and DAI as the applicant. Mindy Dansie was also present. Nate Shipp mentioned the water contracts with Paul Johnson and if that is part of what they bring would they still need to have a new source online. City Manager Mark Christensen noted they would review it if the contracts were complete.

**Public Hearing Open** by Chairman Kirk Wilkins

Kirk Beecher with Central Utah Water Conservancy District commented that they have a piece of property adjacent with reservoirs and water sources and they ask that they remember they need access to it and that the drainages would not be blocked and that provisions are made that their pipelines are not disturbed. Their current access is Military Road.

**Public Hearing Closed** by Chairman Kirk Wilkins

Nate Shipp expressed appreciation for the Central Utah Water Conservancy District and their help. Their plan has shifted a little as they’ve talked with the School District. They’ve switched the school to area 2

because of better grading. Kirk Beecher noted in response to Commissioner Wilkins question that they have purchased express easements where their water and power lines go. City Attorney Kevin Thurman noted that in order to vacate Military Road the City Council would have to show that there was good cause and no person be materially injured. The easement and access rights would still remain if the road goes. Engineering and the Applicant will work to make sure adequate access remains.

Commissioner Kilgore asked if there was water there now. City Manager Mark Christensen replied that the original developers had ownership of a number of rights in the area that have been held in reservations, the analysis shows it is available. They are bringing a document to the City Council to formalize the assignment of those credits. Any needs above that would require additional water rights. This first phase should not exceed that amount. Commissioner Kilgore asked about D.9. in the Engineering report and limited capacity in the lift station. City Manager Mark Christensen responded that they are looking at adding additional pumps to that station and inlet park which should add about 3500 connections in the north part of the city. It should be ready for the development. They plan on creating a gravity outfall in the future.

Commissioner Williamson asked if the water would be on the same system as Harvest Hills. He wanted assurance that with the conditions in place here, the development is not going to have a negative impact on the existing residents of Harvest Hills. City Manager Mark Christensen said the culinary system is robust, currently supplying a majority of the secondary water. They are bringing on several projects this summer to beef the secondary system. They had people using more water than they should, or that the system was designed to provide. In the time since metering the consumption has decreased by 50%. He advised that the expectation is that the amount of water they are putting in the system over the next two years should be sufficient for this project. Some of the issues exist because of the elevation the homes are built at. Having the pond online should help alleviate some of those problems. City Attorney Kevin Thurman noted they are required to provide all the improvements for this development, our requirement is to install the system improvements in our impact fees facility plan. This approval doesn't give them a pass to install homes without adequate pressure. City Manager Mark Christensen noted they have purchased credits they need to access, they are guaranteed to them. There are mutually ways to move forward, just because people are overusing doesn't mean it would impact someone that has existing credits within the system.

**Motion made by Commissioner Williamson that Based upon the information and discussion tonight, I move to forward a positive recommendation to the City Council for the Wildflower Community Plan Amendment, as outlined in Exhibit 4, with the Findings and Conditions in the staff report dated October 13, 2016. With the modification that the Engineering condition D.3. be changed to read "A new culinary and secondary water source must be online before the subdivision plat recordation." Seconded by Commissioner Funk. Aye: David Funk, Kirk Wilkins, Hayden Williamson, Troy Cunningham, Ken Kilgore. Motion passed 5 - 0.**

**6. Public Hearing: Updates to the Transportation Master Plan, an element of the General Plan.**  
Planning Director Kimber Gabryszak gave a brief explanation of the Transportation Master Plan.

Kevin Croshaw was present for Horrocks Engineers. The Transportation Master Plan is a guide to provide capacity in the City to accommodate future growth. Saratoga Springs is expected to grow to a population of approximately 79,000 by the year 2040. The presentation included Background information, Existing Conditions overview, Future Conditions, Alternatives Evaluation and Recommendations. They look at adjacent cities to make sure the plans match. He noted another cross section of roadway added to the master plan, a two lane collector road.

**Public Hearing Open** by Chairman Kirk Wilkins

Barbara Thomas spoke on behalf of a parcel of property the Rushton family owns and the alignment of the freeway; it would cut the property into three. They agree with Bonneville drive. She asked for

clarification of the width of the roads near the property. There are residents that exist along there and they wouldn't want commercial there.

**Public Hearing Closed** by Chairman Kirk Wilkins

Commissioner MacKay joined the meeting at this time.

Planning Director Kimber Gabryszak clarified for public comment that the previous alignment went into that property; the revised alignment pushes it further into where the city has some easements. She advised what the width would be where the right-of-way decreases, and the alignment in the south. UDOT, MLAG, and the City are working to determine what width they would need in that area of the city. UDOT is looking at a variety of factors for control of the roads and the needs of the city. This current plan should be able to handle the different varieties, they don't know if it will be a UDOT facility. City Manager Mark Christensen noted that it is better if it's too wide than if they need to take out houses in the future. They are looking at how to preserve the area and working through the process. The right-of-way they are anticipating is to funnel people through the lanes. This anticipates only to Pelican Point, there are things to the south we can't anticipate at this point. We want to make sure and preserve as much of a right-of-way as we foresee we need so we are not short in the end.

Commissioner Kilgore asked if we knew what was happening south of our city. City Manager Mark Christensen responded that we really did not know at this time. Planning Director Kimber Gabryszak noted a part of the study looked at capacity at the south end. She noted the area of Teguyo development that is entitled to 4700 units. To move forward the City would need to find a way to treat sewer down there, as well as a secondary water source. If a bridge ever came in it would connect somewhere in the south area. City Manager Mark Christensen noted that Lake Mountain is about as far south as we can service now; but we want to keep the long range plans continuing to look in the future.

Commissioner Wilkins asked if this bridge was privately owned. City Manager Mark Christensen advised the City does not have an intention of owning a bridge.

Commissioner Kilgore asked how the levels of acceptability are determined. Level of service A is zero congestion all the time. As you go down you get to D, with free flow most of the day but congestion during peak times. Typically they use level service C or D as a standard, you can't afford A everywhere. Level service D is the best financial balance for the city. Commissioner Kilgore asked about anything above a major arterial should have light signal separation of about ½ mile. He noted where it was ¼ mile on Redwood Road and a lot of congestion. Planning Director Kimber Gabryszak advised it was a UDOT road and when it gets to a more commercial area they decrease that distance. They meet with UDOT regularly and they watch the areas to see where lights are warranted.

Commissioner Funk asked how up to date the information on the current situation is. Kevin Croshaw replied that they take the existing conditions, UDOT counts their roads and they counted a few roads to project in to the future. Commissioner Funk is concerned on 800 W or Foothill, with the new construction there is a lot of increase of traffic and two weeks ago they received an update from UDOT on their plans for the Mountain View Corridor, it merges onto 800 W. City Manager Mark Christensen noted the first phase of Mountain View Corridor is only to SR 73. This is UDOT's project. We are working with them to continue Mountain View Corridor to the south. Commissioner Funk is concerned that traffic would continue from 2100 N and continue south on 800 W to Pony Express. He feels we should have some recourse for the increased traffic on 800 W. Kevin Croshaw added that as part of the master plan they were working on an impact fee for the city and what UDOT is funding for is a 10 year plan. Upcoming developments were included in the analysis.

Commissioner Wilkins asked what the orange roads were. Kevin Croshaw noted the city is split into functional classifications. They work the way down through arterials. In the previous master plan they wanted 3 lane roads already built to meet the qualifications for a collector road. This plan makes it so they

don't have to take out houses. From a functional classification point you can use 2 lanes as part of the connectivity.

Commissioner Williamson asked about Bonneville drive. It seems like more of a collector rather than a local road. Planning Director Kimber Gabryszak said the idea for it is not a lot of high speed traffic up in the foothills. But when all the developments come through there will be connectivity, another emergency access route. City Manager Mark Christensen noted it used to be the Foothill alignment, but one reason they moved Foothill was to feed it from both sides.

**Motion made by Commissioner Williamson to forward a positive recommendation for the Updates to the Transportation Master Plan, an element of the General Plan. Seconded by Commissioner Kilgore. Aye: Brandon MacKay, David Funk, Kirk Wilkins, Hayden Williamson, Troy Cunningham, Ken Kilgore. Motion passed 6 - 0.**

A short break was taken at this time. Meeting resumed at 7:59 p.m.

**4. Public Hearing: Saratoga Springs 2 Church Site Plan located at 233 E. School House Rd. Evans & Associates Architecture applicant.**

City Planner Kara Knighton presented the plans for the church. The proposal also contains a 190 sq. ft. storage building, 210 parking stalls including 7 ADA stalls, and 34,367 sq. ft. of landscaping. Staff recommended an additional condition 1. The southeast double row parking lot island shall be increased to 9' in width.

**Public Hearing Open** by Chairman Kirk Wilkins

No public were present for comment on this item.

**Public Hearing Closed** by Chairman Kirk Wilkins

Commissioner Funk noted on pg. 21 19.09 a word change from seats to parking stalls.

Commissioner Cunningham noted a recommendation of a pathway connecting to a trail to south, where is the trail. City Planner Kara Knighton noted where the trail was and that staff originally recommended a connection. But there was not a feasible way to connect. There is a connection just to the west one lot over through a cul-de-sac.

Commissioner Wilkins asked about an issue with the garbage can area. City Planner Kara Knighton noted the applicant has addressed that issue.

Commissioner Kilgore noted under 19.14 there is a can comply with architectural designs. City Planner Kara Knighton replied that was a typo, it should be a does comply.

**Motion made by Commissioner Williamson to forward a positive recommendation to the City Council for the Saratoga Springs 2 Site plan, located on parcel 45:581:0241 and as shown in exhibit 2, with the findings and Conditions in the Staff Report dated October 6, 2016. Seconded by Commissioner Funk.**

City Planner Kara Knighton noted the additional condition

**Commissioner Williamson added the additional condition to the motion. The southeast double row parking lot island shall be increased to 9' in width. Accepted by Commissioner Funk. Aye: Brandon MacKay, David Funk, Kirk Wilkins, Hayden Williamson, Troy Cunningham, Ken Kilgore. Motion passed 6 - 0.**

**7. Work Session: Code Amendments, Title 19, multiple sections, including Open Space, ERUs, Mixed Waterfront and Buffer Overlay, Design Standards, and 19.04 overhaul/setbacks.**

Planning Director Kimber Gabryszak said they are trying to get as much of this through the process as possible. They are looking at reformatting completely with a buffer setbacks allowing for footprint development, moving development standard, open space requirements moved to 19.19. They tried to remove all the references so it's all in one place again.

Planning Director Kimber Gabryszak noted some of the changes in 19.04 Land Use Zones

- Renamed zones, refers more to the lot sizes and type of housing, than the number of lots per acre, e.g. R1-10 means to allow single-family homes with a minimum lot size of 10,000 square feet.
- Development Standards table.

Commissioner Williamson asked to clarify how footprints worked on the lot sizes. Planning Director Kimber Gabryszak advised how it would work.

- Changes to some setbacks – residential pretty much stayed the same. Many developers have asked for a 15' setback for Corner side setback. That doesn't work with utilities which need a 20' setback.
- Inclusion of footprint development. – they will have same open space requirement but there is a floor in place in the open space now of 10 or 15%. With a footprint they need a minimum of 35% so it's not too crowded.

Commissioner Williamson asked if there was a space allowed for small private area. Planning Director Kimber Gabryszak said it would be limited common area, where they may have their own bbq with a little side fence. They would clarify it including balconies etc.

- Land Use Regulations – Community Commercial is a transitional zone between Regional Commercial and Neighborhood Commercial. Still appropriate close to a neighborhood but not have impacts like a big box. A Walgreens for example, a fairly small footprint.

Commissioner Funk noted they need to put the Community Commercial in the Permitted table. He asked about churches in the Community Commercial zone. Many times small churches will go into a small strip mall, also regional commercial. Perhaps it could be conditional in those areas. Senior Planner Sarah Carroll responded that they want to create areas that have a tax base and generally churches don't have a tax base. They could add it, with size restrictions perhaps if it's not against the religious land use act, however, if a 5 acre church came into an area they reserved for commercial tax base use that takes away the tax base. There are many other zones they could go in. Commissioner Kilgore thinks perhaps the tax base argument is a good one and it may mess up the parking.

Commissioner Funk thought about them because it refers to a gathering space and promoting pedestrian activity and a local church might do that. He was also concerned about commuter light rail station as a conditional use. Planning Director Kimber Gabryszak noted they also heard from Commissioner Steele about concern over large veterinary hospitals being more appropriate in Regional Commercial and Agricultural zones.

Planning Director Kimber Gabryszak reminded them that the small A in the table was for ancillary use and the E was for Edge use.

- Development Standards - Proposing tighter setbacks in the Community Commercial Zone. You don't need utilities running along the streets in these zones. Senior Planner Sarah Carroll noted one of the main reasons for changing it in the Regional Commercial zone was to keep parking in the back. They wanted setbacks near neighborhoods to match what the homes had. In the Community Commercial zone they can still request exceptions and in the other zones they wouldn't need to request. Planning Director Kimber Gabryszak explained they want things to be developable in a logical manner, they are looking for a comprehensive concept plan. Lots may be created within the development based on a comprehensive concept plan. Mixed use has its own table because its more complicated. Senior Planner Sarah Carroll said in our code it only had requirements for residential, but they needed to address the commercial.

Commissioner Williamson asked what the logic was from increasing the setback for the taller buildings. Senior Planner Sarah Carroll replied it was human scale, creating the separation as it gets taller so you don't feel so small.

Commissioner Wilkins asked if this was comparable to areas that are bringing in lots of desired businesses. Senior Planner Sarah Carroll replied that they have. They did research several different codes as they were looking at these updates. Planning Director Kimber Gabryszak noted some developers commented on our cities big setbacks. This is consistent in what they are seeing in other locations.

- Mixed Waterfront - City Planner Kara Knighton explained the new allowable density by project table. It will also allow them to put higher densities along the river and lower going back.

#### 19.25 Lake Shore Trail

- Addition of Buffer Overlay - City Planner Kara Knighton noted the main addition was the graphic. The other item that changed was the bank stabilization. They recommend that riprap be prohibited as it has a dangerous effect on the environment. Planning Director Kimber Gabryszak noted that they got some feedback from other, state and schools entities to make sure they aren't stepping on toes.

#### 19.19 Open Space

Commissioner Funk noted on the baseball diamond it should be striped but not specifically with paint. On #6 he wondered if the grill needed to be cast iron. Planning Director Kimber Gabryszak noted that was recommended. On #29, minimum of 50 gallons, below in the table it says 32.

- Equivalent Acre – Planning Director Kimber Gabryszak reviewed the table. They have tested the point system with positive reviews. They added the limitation that they can't have more than 50% of specific items.

Commissioner Kilgore asked why detention basin was in there, it can't be an equivalent acre if it's zero. Planning Director Kimber Gabryszak replied that was a good point.

- Minimum Required Amenities – This removes the argument that they don't need amenities. It also has limitations per item type. They added winter sports facilities. They took out sledding areas due to liability issues. If there is something not on the list they can propose it for comparison. They are working on a practical applications spreadsheet where a developer can plug in their information.
- City Acceptance – this puts criteria in place as to when the City may accept Open Space.

#### 19.TBD - Site and Architectural Design Standards. –

- Planning Director Kimber Gabryszak advised on the various sections of the chapter. Much of it is in the existing design standards. The only really new section is Architectural Design Standards, Residential. There are two sections, Architectural wrap and Materials and Colors.

Commissioner Kilgore noted where several houses do things like stucco on 3 sides and siding in the back, extending stone etc. to the siding in the back may look odd. Commissioner Williamson noted if it needed to look the same on all sides, also for instance shuttered windows on the side.

#### 19.TBD – Mixed Use and Mixed Waterfront Development Standards.

- Planning Director Kimber Gabryszak quickly discussed the new Mixed Use and Mixed Waterfront development standard.

Commissioner Funk asked about the operation standards, if they should make the operations hours and delivery hours the same. Planning Director Kimber Gabryszak noted to make those the same.

Commissioner Kilgore noted a typo change of 145 feet on that page and some additional formatting changes on 1.d.

Planning Director Kimber Gabryszak noted that also in the buffer overlay it doesn't mean you can't build in the area, just that it's subject to those standards.

#### 19.06 Landscaping and Fencing

- Remove exception language
- Remove minimum turf requirements and modify shrub parameters – They would like input on this as they are running into issues with turf requirements and that it applies to HOA open space in those

Commissioner Funk reminded staff that they changed the tree sizes.

19.09 Parking

- Exempt single rows of parking from the parking island requirement, when adjacent to a similar landscaped area
- More clearly require connectivity between parking lots
- Remove through-access requirements
- Clarify land use authority

Commissioner Wilkins asked if the changes would allow more access to main roads. Planning Director Kimber Gabryszak replied it is inside the parking not access to the main roads.

19.12 Subdivisions

- Require data tables on the plat rather than as accompanying data

19.18 Signs

- Allow additional temporary signage in all non-residential zones, for example “for lease” or other similar types

Commissioner Funk wondered why they worry about what they do in the back for porches in multiple use. If they allow it in the front, why not allow it in the back. Planning Director Kimber Gabryszak replied if a porch is under a certain height off the ground then it doesn't have to be in the setbacks. In the front they are usually a little higher. Commissioner Williamson wondered what the reasoning was behind at grade verses non. Senior Planner Sarah Carroll gave an example where a raised deck on a short yard was more encroaching on the neighboring yard. If they allow a deck 10 feet in the air what is the appropriate proximity to the neighboring yard. Currently if a deck is above 2 feet you have to meet the rear setback. Commissioner Williamson thought in residential it might be a bigger deal but this is mixed use where it makes less sense.

8. Approval of Minutes:

- a. September 22, 2016

**Motion made by Commissioner Kilgore to approve the minutes of September 22, 2016. Seconded by Commissioner Cunningham. Aye: Brandon MacKay, David Funk, Kirk Wilkins, Troy Cunningham, Ken Kilgore. Motion passed 5 - 0. Abstain: Commissioner Williamson.**

9. Reports of Action. - none

10. Commission Comments. - none

11. Director's Report:

- a. Council Actions  
b. Applications and Approval - memo in the packet.  
c. Upcoming Agendas – Planning Director Kimber Gabryszak appraised of the upcoming agenda.  
d. Other

12. Motion to enter into closed session – No closed session was held.

13. Meeting Adjourned at 9:35 p.m. by Chairman Kirk Wilkins

27 OCT 2016  
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Date of Approval

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City Recorder



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Planning Commission Chair  
Kirk Wilkins