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**City of Saratoga Springs
City Council Meeting
February 16, 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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Work Session Minutes

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Present:

Mayor: Jim Miller

Council Members: Michael McOmber, Shellie Baertsch, Chris Porter, Stephen Willden, Bud Poduska

Staff: Mark Christensen, Kimber Gabryszak, Kyle Spencer, Owen Jackson, Kevin Thurman, Gordon Miner,
Nicolette Fike, Kara Knighton

Others:

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Excused:

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Call to Order - 6:00 p.m.

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1. Rezone, General Plan, and Concept for Grandview Commons.

Kara Knighton advised everyone that this is located at the corner of Grandview and Redwood Road. She then gave an overview of the plans. The applicant is asking for a zone that would accommodate multi-family housing, but they plan to make those smaller single family lots. Lake View Terrace Road was previously required to be dedicated as public access but that has not happened yet. There is a planned right in right out onto Grandview and entrance onto Redwood Road that is pending approval from UDOT. The concept that was put into the packets was their second plan. There will be a public hearing for this item at a later date as well. The notice for that public hearing will be sent to property owners in the area when it is scheduled.

LeGrand Wolstenhume, applicant, advised the Council that they will not be asking for any variances on the property. There is about a three mile stretch that there wouldn't be any commercial. That is a lot of distance between commercial for a growing city. They plan to have a pizza chain, orthodontist, or other things like that in the development. In the area they plan to zone Regional Commercial they don't have any residential zoning adjacent to it. They are also flexible with where the Neighborhood Commercial zone would be. They can extend the R-10 zone so that no commercial zone is surrounding the existing homes. Anything they put in the Neighborhood Commercial zone would be services for the community. Councilman Porter is not comfortable with Regional Commercial that close, even with the R-10.

Neighborhood Commercial is more appropriate in this City. This is the second time we've had someone ask for this type of rezone for a gas station. He would be more comfortable putting the gas station use into Neighborhood Commercial or create a Community Commercial zone, something like that rather than developers having to go to Regional Commercial. We would have to put so many condition that it would force him back into Neighborhood Commercial. Some of the lots are just 5,000 square feet in the R-10 zone. He would feel more comfortable with R-6 than R-10. That would be 6,000 square foot lots which he feels would be more appropriate in this part of the City.

Councilwoman Baertsch appreciates him coming in. They worked hard on the master land use plan. They did not want Saratoga Springs to look like State Street in Orem or Redwood Road in West Valley City. They want areas that are residential and other areas that are commercial. She does not think this area is appropriate for a Regional Commercial type of use. The traffic issues that already exist in the area does not lend itself to having a gas station right there. There is a lot of Planned Community zone close by that they don't have plans for yet. It is close by this area. She feels they need to be careful to safeguard the residential areas. She is not sure how Avondale was zoned Neighborhood Commercial. Schools technically fit into Residential. It is an area that is already congested so adding more congestion with the gas station does not make sense to her. She does not want to allow R-10 in the area either. She appreciates single family homes but she would like to see R-6 in the area instead. That would allow for

54 6,000 square foot lots. There are R-6 lots to the South and R-3 to the West. If the land were to be sold to
55 someone else and it is still zoned R-10 someone could build very dense units and they don't want that. If
56 there was a master development put together with an R-6 zone she would be a little more comfortable
57 with that.

58 Legrand Wolstenhume advised that they would not have proposed this concept if UDOT had not agreed to
59 widen Redwood Road to four lanes, two in each direction. He thinks that will help alleviate the
60 congestion. Holiday Oil is who wants to put the store on this lot. They have agreed to have construction
61 coincide with when Redwood Road will be under construction. They are also meeting with UDOT to see
62 if they will allow for a double left hand turn lane off of Grandview onto Redwood Road. UDOT does not
63 think that the traffic count is high enough to warrant the double turn lane. They are hoping to show them
64 that it really is warranted.

65 Councilwoman Baertsch noted that she was not talking about the traffic on Redwood specifically but more
66 about the traffic that would be added to the neighborhood immediately surrounding this proposed
67 development.

68 Councilman McOmber noted that this is the third time this type of development has been brought to them in
69 the six years that he has been on the City Council. He believes that residents aren't there in mass because
70 it's a work session item. When it comes time for public hearing they will be here. He has lived in this
71 neighborhood in the past. When he lived there it wasn't as developed but now the traffic issue is even
72 worse. He noted the history of the preschool. There was no other place to put a preschool. Since it was a
73 private preschool and not associated with Alpine School District they could not go into a Residential
74 zone. The promise to the residents at the time is that they wouldn't add any other higher density around
75 the preschool. The residents just to the north of this proposed development are some of the oldest homes
76 in the City. He would be okay with an R-6 zone but would like to see R-3 in the back part and R-6
77 towards Redwood Road. He thinks we need continuity because of the trail plan but it gets the homes off
78 of Redwood Road. No resident is going to have a problem with a little bit of a smaller lot because no one
79 is going to build a big fancy dream home backing Redwood Road. Lake View Terrace Road is extremely
80 busy because of the preschool. There is already a lot of congestion there. If there is a gas station added it
81 would get really confusing and possibly dangerous. He reiterated that he would like to see R-3 in the
82 back section and R-6 up front.

83 Councilman Poduska also remembers when the preschool came in. We are trying to preserve neighborhoods
84 and communities and not have it divided up by zones. There is a commercial area already set aside on
85 Ring Road. There will probably also be lights at that intersection when they become warranted. He does
86 not think that Regional Commercial should be inserted into this Residential area since there are other
87 options for placing this commercial use nearby. Lakeside Terrace is a nice planned community that you
88 can have larger homes on smaller lots. He would like to see them continue R-6 and buffer it along the
89 road like has been done in the area already.

90 Councilman Willden does appreciate the fact that he is trying to bring commercial to the south end of the
91 City but he doesn't think this is the right spot. It's not a good fit with all of the single family homes
92 around the area. It doesn't protect the rights for the homeowners that area already there. He hopes that
93 they can work with the City to find a spot that is a better fit. If they approve a higher concentration of
94 homes he would like to tie it to a specific width and it has to be single family homes. If it changes to
95 anything else they would revert to the prior zone if the conditions weren't met.

96 Mayor Miller advised that he lives in this neighborhood and it's a tough piece of property. It is by Redwood
97 Road and the development just to the North doesn't seem to be selling homes right along Redwood
98 Road. With school traffic it gets to be a crazy intersection. With more added there it would get even
99 worse.

100 Councilman McOmber noted with the new school boundaries many residents are still driving north to
101 Saratoga Shores Elementary.

102 Legrand Wolstenhume noted that there is no sewer on Redwood Road so it's hard to do residential more
103 toward there. They did look at putting residential there but it is difficult to do there without extending
104 sewer lines to it.

105 Kevin Thurman responded about a conditional rezone. It is the preference of staff to determine if it makes
106 sense to have a certain zone there. If it makes sense by a policy standpoint. If it makes sense to have R-6

107 zone it is their preference to make it that way. You can have conditions based on a certain plan or project
108 but it is best to make the decision now to change it to what they think it should be.
109 Councilman McOmber clarified whether there can be attached homes in an R-6 zone such as duplexes or
110 triplexes.
111 Kimber Gabryszak advised that there can be duplexes or triplexes in an R-6 zone.
112 Councilman McOmber advised that he would not be comfortable with R-6 in that area then. The zone he
113 would be most comfortable with there would be R-5. If there isn't an MDA with the development he
114 wouldn't want to go beyond and R-5.
115 Councilwoman Baertsch agrees with that. On the land use map it is marked as low density residential which
116 only goes up to R-5.
117 Councilman McOmber advised that according to the land use map they would be giving them the most
118 generous zone to allow R-5.
119 Legrand asked if the R-5 zone allows for any PUD.
120 Councilwoman Baertsch noted they don't allow PUD's anymore.
121 Legrand Wolstenhume mentioned that cul-de-sac's are hard. You cannot have an access road from Redwood
122 Road. Anything you do has to come out on Lake View Terrace or possibly a right in-right out on
123 Grandview. The planning on this is not as easy as you'd like it to be for residential. When you look at
124 land use and turn around or cul-de-sac size the lots are not as appealing because of the funny sizes and
125 shapes.
126 Councilwoman Baertsch submits that the different types or developments all come with their unique
127 challenges. She encouraged him to work with staff to work it out the best they can.
128 Legrand Wolstenhume thanked them for their time.

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131 **2. Discussion of Mixed Waterfront**
132 Kara Knighton reviewed the purpose of the new code and shortcomings of the old Mixed Lakefront zone.
133 She reviewed the background of the Mixed Waterfront zone. The Mixed Lakeshore zone has not been
134 used in the city. Developers are choosing to utilize low density residential and this is not necessarily a
135 zone that they would like to see go away. They changed the name to encourage use of the zone. They did
136 research in several cities and came back with several takeaways. She noted things from the different
137 cities to take into account.
138 Councilwoman Baertsch asked if there was any need to coordinate view corridors between lots to open it up
139 completely.
140 Kara Knighton noted each lot takes the view corridor into account on its own is how they have done it in
141 Spokane. She continued with the presentation. Staff proposes a buffer/overlay zone over the Jordan River
142 and Utah Lake in addition to the Mixed Waterfront zone. Within the Mixed Waterfront zone you would
143 have things regulated such as building height or density. The buffer/overlay zone would be more of the
144 building articulation and trail regulations. She then showed the Council a conceptual drawing of what the
145 zone and overlay could look like.
146 Councilwoman Baertsch asked how the buffers would be laid out.
147 Kimber Gabryszak said that it is conceptual but they would identify a permanent line like the compromise
148 line. When someone submits a design they would need to have engineering done and submit the wetland
149 delineation showing where all the lines are. That would be the most accurate but they could have an
150 overlay that shows the approximate area.
151 Kara Knighton said staff would recommend considering the Jordan River best practices when we do they do
152 the overlay and zone. Staff would like the City Council's feedback. They will be drafting the zone and
153 overlay after receiving their feedback.
154 Councilman Poduska asked about a table in the Richland area and what the distance of 0 meant.
155 Kara Knighton advised that means they allow for multifamily uses.
156 Councilman Poduska likes the building setback aspect in Spokane. He then noted that it mentioned buildings
157 were oriented towards the water rather than the street and some had a street in between. He wondered if
158 the trail system take precedence over some of the side streets.

159 Kimber Gabryszak advised that there are places where Riverside Drive will be right by the water. There are
160 also locations where they will be facing the road. It will be a case by case analysis.
161 Councilman Porter asked what the open space requirement is for Mixed Waterfront.
162 Kimber Gabryszak advised that it is 20-25% but they are looking at overhauling it.
163 Councilman Porter doesn't know that putting an overlay that adds more restrictions would bring more
164 development. He wondered if it would be possible to give additional credit for open space to encourage
165 people to build in this zone. He thinks the credit would make it more attractive.
166 Councilwoman Baertsch advised that a lot of the areas are within sensitive areas anyway so they would only
167 have about 50% open space credit anyway. She doesn't think it is more restrictions, it's just taking the
168 restrictions and clarifying them.
169 Councilman Porter understand that but thinks that we need to do something to attract development in this
170 zone.
171 Kimber Gabryszak clarified that they are recommending a two prong approach. The buffer/overlay would
172 apply no matter what zone it was over. That way they get a consistent trail system and consistent
173 treatment. Then the things they have talked about such as building articulation and building setback
174 would apply to Mixed Waterfront and all zones. They are just looking at the Mixed Waterfront zone to
175 have an increased concentration and a mixed use in the Mixed Waterfront zone to entice development to
176 come.
177 Councilman Porter also mentioned that they want to encourage people to face the water. He suggested to
178 give them an incentive to do that rather than face Redwood Road or the commercial development.
179 Councilman Willden suggested that they look at the minimum size of one of the areas to make sure that it
180 isn't densely populated in just that area.
181 Councilman McOmber likes the idea of the consistency of the overlay, it makes sense here as it overlays all
182 the zones. He would recommend talking to Lehi about what Saratoga Springs is doing on our side of the
183 lake. They have already gone right next to the river and it looks bad. If they stop now they can fix it in
184 the future. If they keep going the way they are everyone will want to live in Saratoga Springs rather than
185 Lehi because our side will look so nice. He thinks that when it's right and when it looks good people will
186 come and develop. He doesn't think we need to give anything away to get a developer to come because
187 once it looks right that will happen anyway. He doesn't think there is a big rush to get this developed
188 very fast. Having the overlay will give them incentive to come and put a restaurant or something in.
189 More field research can also be done. Even if they don't go to the places they can call and ask other
190 city's such as San Antonio to see what they did to rehabilitate similar areas they have had. We've got
191 some beautiful things that will attract the right kinds of business. He thinks staff has done a great job on
192 this and thanked them for all of their work.
193 Councilwoman Baertsch commented that as you go over the overlay sections to be careful about landscaping.
194 She would like it to be very safety oriented with the shrubs and trees to make sure you can have an eye
195 on the trail and edges of the lakeshore and river shore.
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197 **3. Agenda Review:**

- 198 a. Discussion of current City Council agenda staff questions.
199 b. Discussion of future City Council policy and work session agenda items.
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201 Mark Christensen asked if they would do Action Item 7 along with item 3 in the public hearings.
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203 **Adjourn to Policy Session 6:55 p.m.**
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Date of Approval

City Recorder

Policy Session Minutes

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Present:

Mayor: Jim Miller

Council Members: Michael McOmber, Shellie Baertsch, Rebecca Call, Stephen Willden, Bud Poduska

Staff: Mark Christensen, Kimber Gabryszak, Kyle Spencer, Owen Jackson, Kevin Thurman, Gordon Miner, Sarah Carroll, Chelese Rawlings, Jess Campbell, Andrew Burton, Nicolette Fike, Melissa Grygla, Kara Knighton

Others: Kara Traveller, Carter Traveller, Amy Wilson, Rod Turner, Erock Nielson, Tanja Neth, Tony Neth, Rod Eichelberger, Doug Turner, Diane Porter, Tyler Durdette, Jackson Marble, Mike Bagley, Brayden Ross, Michael Pirente, Will Perdue, Cole Perdue, Jonathan Warner, Garrett Seely, Addison Morford, Mason Morford, Steve Chidester, Logan Chidester, Christopher Tyte, Matt Scott, Krisel Travis

Excused:

Call to Order 7:01 p.m.

Roll Call – a quorum was present

Invocation / Reverence - given by Councilwoman Baertsch

Pledge of Allegiance - led by troop 1851

Public Input – Opened by Mayor Miller

Mason Mumford, 531 Muskmelon, wondered what they are doing for Harvest Hills so they don't have to go to schools in Lehi.

Councilwoman Baertsch advised that they have been meeting with and talking to Alpine School District about finding good locations and building schools as fast as they can. The City doesn't have a lot of control over the school district but they will work with them as much as they can. The School District will probably put a bond on the ballot to build a high school in Eagle Mountain so the kids in Saratoga Springs don't have to go to Lehi.

Public Input - Closed by Mayor Miller

Awards, Recognitions and Introductions

- Chief Burton introduced Allen Smithy who has agreed to become the Chaplain for the police department. A lot of the bigger police departments have a Chaplain who help do a variety of things like death notifications or visit with department members or say the prayer at the awards banquet. Mr. Smithy is uniquely qualified for this position. He worked at the state penitentiary in Idaho and was a reserve officer for a small community there. He joined the army and ended up in Special Forces. That is where he and the chief became acquainted. He retired from active duty as a command sergeant major. Being a command sergeant major will help him as he works with police officers that have a similar mentality. He has done many tours of duty. He obtained a master's degree and became a teacher and is working on his PhD. He was presented with his chaplain badge so he can provide identification if needed.

POLICY ITEMS

REPORTS:

1. Mayor.

Mayor Miller advised that they broke ground on the retail shopping complex for Smith's Marketplace. This is the first part of the development. It shows a continued investment of the community by Smith's. They were one of the first businesses out here when the City wasn't a very big community yet. The new investment in the community and the commitment to backfill the current building so there isn't a vacancy is a continuation of their commitment to the community. He thanked Smith's for investing in the community and Boyer Company for putting together the commercial development. This has been six years in the making. It takes a while to get companies to commit to building. It is a great accomplishment to see this happening.

2. City Council.

261 Councilwoman Baertsch asked for staff follow up on the Gables water issue.
262 Chelese Rawlings said they are meeting Thursday with them. They have found a few issues to discuss.
263 Councilwoman Baertsch also asked for an update on whether they have figured out about mining permits and
264 expirations.
265 Mark Christensen advised that they have not yet.
266 Councilwoman Baertsch advised that they have talked a lot about that amongst themselves. The next step is
267 to figure out when they expire and what they need to do to mitigate potential issues moving forward.
268 Also they are working with MAG on Foothill Boulevard but there isn't an exact alignment. She asked if
269 staff would update on everyone on what they need to do to be able to go out to bid or create the exact
270 alignment.
271 Mark Christensen advised that they discussed this earlier in the day as they were discussing capital projects.
272 They discussed setting some money aside to do some provisional scoping for the project on what the
273 distance is and what the alignment would be. They are not going to design the road because if it is a
274 UDOT road they are going to it. If it is a City road they will have some preliminary work done. This is a
275 long section of road. The expense on the road is going to be large. So right now they are just looking at
276 budget to do some preliminary work.
277 Councilwoman Baertsch asked for follow up on the non-motorized put-ins and where the locations were
278 going to be.
279 Councilman Willden did not follow up yet. He will get those to staff to put on the master trails plan.
280 Councilman McOmber had a follow up with the street signs in Saratoga Springs Development. We as a
281 council need to have a discussion on that. He believes street signs are a public safety issues. He thinks
282 the street signs should be maintained by the city. The City sets the standard as far as how they need to
283 look so he thinks that the City should also maintain them. There are many signs that you cannot read.
284 Even though Saratoga Springs Fire Department may be familiar with the roads there are shared services
285 with other agencies so they may not have as easy of a time navigating through the roads. There are also a
286 few streets without signs. We need to set a better standard going forward. Then in regards to the sports
287 complex he would like to have Mayor Miller, or whoever he designates, to be involved in the process as
288 it's one of the largest projects in the city coming up. The more involvement they have from the Mayor
289 and Council the better.
290 Mayor Miller asked to get the street sign discussion on the work session.
291 Mark Christensen advised that Fire Chief Jess Campbell has been working with Saratoga Springs
292 Development on the street sign issue. They will bring it back to the next work session. He also advised
293 the Council that they are in the process of pre-qualifying architects and firms to work on the Sports
294 Complex.
295 Mayor Miller advised that he along with one council member would like to be involved. Councilman Porter
296 will be the other person to be involved in the project with the Mayor.
297 Councilman McOmber advised that sometimes the meetings are during the day so he would be happy to step
298 in as well if needed.
299 Councilman Willden advised that he has been attending the Utah League of Cities and Towns meetings with
300 Councilwoman Baertsch and the City Manager Mark Christensen. There has been a lot of legislation
301 proposed this year that could have a significant impact on homeowners rights that may be detrimental.
302 He asked that people pay attention to what their state legislators are doing. A lot of times their bills go
303 unopposed that may have a significant impact. He also attended his first Jordan River Commission
304 meeting as a voting member.
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306 **3. Administration Communication with Council. – None**

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308 **4. Staff Updates: Inquires, Applications, and Approvals.**

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310 **PUBLIC HEARING ITEMS:**

311 **They moved Action Item 7 up with Public Hearing item 3.**

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313 **3. Vacation of Easements in Villages at Saratoga Springs (Fox Hollow), Various Locations, Matt Scott - JF**
314 **Capital, Applicant; Ordinance 16-06 (2-16-16)**
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316 **7. Reimbursement Agreement and Release of All Claims with JF Capital for The Villages at Saratoga**
317 **Springs (Fox Hollow), Neighborhood 6; Resolution R16-14 (2-16-16).**
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319 Kevin Thurman advised that these items pertain to vacating easements in the Villages at Saratoga Springs,
320 also referred to as Fox Hollow. The easements were determined to no longer be necessary by the
321 engineering department. There is a provision in the mast development agreement that says if a property
322 owner and the city agree to vacate the easement they can do so without the permission of other property
323 owners. It requires a public hearing and also an ordinance be passed. There is a water tank in a small
324 corner of the property that is being vacated because it will be overlapping a couple of lots. There is also a
325 sewer easement and a road easement that won't be necessary for the development of this property.

326 Councilwoman Baertsch doesn't see a problem with the tank or sewer easement. She did wonder about the
327 Foothill Boulevard second access easement. Where they don't know where the alignment will be or
328 where the elevations would be would it be wise to vacate the easement at this time. Her thought would be
329 to hold on to it for now and wait until they know what will be happening with the property. It doesn't
330 seem wise to cut off possible connectivity.

331 Councilman McOmber had the same concern. He wondered why they would make it so they have to go back
332 and get the easement again.

333 Mark Christensen said the reason is to vacate is that it's quite steep and to get the right grades and things and
334 it would be more intrusive. In order to make that access point work it would need to be a much larger
335 easement.

336 Councilwoman Baertsch advised that if Mountain View Corridor comes in the road is actually supposed to
337 be sunken in so it would work. She thinks vacating the easement would be inappropriate at this time.

338 Matt Scott with JF Capital noted that one of the big things on the plat is they got final approval with lots on
339 where the road easement is. It was intended that the easement was no longer going to be needed. The
340 subdivision was completed with lot services in that place.

341 Kevin Thurman advised that it is a very small portion of Foothill Boulevard that they are asking to have
342 vacated. It is labeled R-6, it is not the whole road.

343 Councilwoman Baertsch said we also require connectivity to trail easement so she is not ok with vacating
344 something that could be used for access or connectivity later. She would rather not vacate it at this time.

345 Councilman Poduska had no problems with the vacations. He asked if these easements would interfere with
346 the new plots.

347 Matt Scott advised that the homes would be directly on top of the easement. He also advised that there is
348 access to the trail a couple feet away from where this easement would be. He pointed out where there is
349 access to the pond and trail.

350 Councilman Willden is not particularly concerned about the trail connectivity. He thinks that the request is
351 reasonable. It would be more costly to use the easement then it would be to vacate it. The concerns that
352 were brought up are valid but he feels they have been sufficiently mitigated.

353 Councilman McOmber has no problem with vacating the easements. He appreciates Councilwoman bringing
354 up the concerns that she has. He also appreciated seeing where the access to the trails are. Their main job
355 is to main trail connectivity and he thinks they meet the needs with the proposed vacations.

356 Councilman Poduska sees how the overlay would interfere with what they are trying to do in the
357 development.

358 Chris Porter understands the concerns that were brought up as well. He thinks that the trail connectivity that
359 were shown are sufficient. The roadway is very steep. Foothill Boulevard is planned to be a dual frontage
360 road but he thinks that is a strange place to put the access. He is okay with the vacations as outlined.

361 Councilwoman Baertsch clarified that it doesn't show the actual numbers on what the original cost was
362 versus what we are reimbursing.

363 Kevin Thurman advised that the numbers are what their upsize cost is.

364 Mark Christensen clarified that this was something that was done two summers ago. An agreement was made
365 at that time for improvements that were going to be made. They are not just finalizing the agreement.
366 The preliminary conversations were some time ago.
367 Councilwoman Baertsch advised that this is different than what they normally see so it makes her a little
368 uncomfortable. She would like to wait until they see the numbers.
369 Matt Scott asked what numbers she is looking for.
370 Councilwoman Baertsch advised that they normally see the cost and the upsize cost so it's clearer on what
371 they would be reimbursing.
372 Matt Scott advised that the lines being discussed are not an upsize, they are new lines that would have to be
373 put in.
374 Councilman McOmber clarified that it is an upsize because the City is requesting them to put in a bigger line
375 than what is required and they are willing to pay for that extra cost but they haven't been given all of the
376 numbers.
377 Matt Scott advised that the lines would not be servicing their project. They have gotten their water by other
378 means. A study was done in regards that determined they needed additional pressure for future
379 development so they are completely new lines. They put the lines in for the City because they were
380 there.
381 Mark Christensen advised that Jeremy Lapin has all of the itemized bids and apologized if they weren't the
382 actual cost.
383 Councilwoman Baertsch advised that the clarification from Matt Scott was helpful.
384 Kevin Thurman said they are not sure of the time of the closing, prior to that they are required to settle the
385 original development agreement for the property. The developer owes them some money for that so they
386 are wanting to offset the reimbursement amounts by settling the amounts that are owed to the City.
387 Councilwoman Baertsch said that was okay. Now that she understands it's not an upsize she is okay with it.
388 Kevin Thurman asked that the Council authorize the City to use the money that the developer owes us to
389 offset the reimbursement amounts in the agreement.
390 Councilman Willden noted that it would be helpful to outline how they are going to pay for the
391 reimbursement in the staff report. He knows it is in the body of the agreement but it would be helpful to
392 pull it out of there to make it clearer.
393 Mark Christensen advised that this was a very complex agreement. It is the agreement with SCP Fox Hollow
394 and Henry Walker Homes that was entered into in 2012. The City had collected bond money and that
395 was to finish paying for certain improvements. There is a number the City owes them and a number they
396 owe us. It is worked out in escrow right now for the developer to sell the property and make everyone
397 whole.
398 Councilman Willden advised that it would be helpful for him to have the funding source pointed out.
399 Kevin Thurman believes it would be helpful to give a background in the future. Anything over \$25,000, per
400 the purchasing policy, has to be brought to the Council. It would be helpful to share how much is left in
401 the capital expense budget.

402
403 **Motion made by Councilman McOmber to approve vacation of easements of the Villages of Saratoga**
404 **Springs (Fox Hollow) in the various locations as outlined in the report Ordinance 16-06. Seconded**
405 **by Councilman Willden.**

406
407 Councilwoman Baertsch will be voting no strictly because of the easement on Foothill Boulevard.

408
409 **Roll Call Vote: Aye: Councilman McOmber, Councilman Porter, Councilman Poduska, Councilman**
410 **Willden. Nay- Councilwoman Baertsch. Motion Passed 4-1.**

411
412 **Motion by Councilwoman Baertsch for item 7 to approve the reimbursement agreement and release of**
413 **all claims with JF Capital for the Villages at Saratoga Springs (Fox Hollow) Neighborhood 6 R16-**
414 **14 and authorize that it can be offset by fees owed by developer or impact fees as charged.**
415 **Seconded by Councilman Poduska. Roll Call Vote: Aye: Councilwoman Baertsch, Councilman**
416 **McOmber, Councilman Porter, Councilman Poduska, Councilman Willden. Motion Passed 5-0.**

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The Council then moved back to Public Hearing item 1.

1. Budget Amendments to the City of Saratoga Springs 2015-2016 Fiscal Year Budget; Resolution R16-11 (2-16-16).

Chelese Rawlings brought back budget amendments as directed at the last meeting. The three major amendments are the personnel costs for a third of the year for a sergeant, police officer III and a part time detective. The cost associated with these for a third of the year is \$90,000. The one-time costs can be funded by existing funds that they have this year. They realize they have a little bit of excess and can fund it from estimations that were done. There is also an adjustment for GIS software that is needed and some increase for wild land expenses for the fires that went on.

Councilman McOmber thanked the police department for working with them and being proactive. He was also grateful that they found some money from this year's budget to fund the one-time costs.

Motion by Councilman Willden to approve Budget Amendments to the City of Saratoga Springs 2015-2016 Fiscal Year Budget- Resolution R16-11 (2-16-16). Seconded by Councilman McOmber.

Public hearing open-No comments were received.

Public hearing closed.

Roll Call Vote: Aye: Councilwoman Baertsch, Councilman McOmber, Councilman Porter, Councilman Poduska, Councilman Willden. Motion Passed 5-0.

2. Rezone and Concept Plan for Lake Mountain, located approximately 3750 S and West of Lake Mountain Estates, Nick Baird Applicant; Ordinance 16-05 (2-16-16)

Kimber Gabryszak reviewed the request. The property is located towards the south end of the city. The applicants are requesting a rezone to R-3. It is low density residential and they are not asking for a variance on the density. The zone request is consistent with the general plan. The Planning Commission forwards a positive recommendation for the rezone as long as the issues with the site are addressed. This is just a concept plan so no approval is given for the units or layout. At this time there are issues with water pressure, connectivity and second access to the site. They need to make sure the natural sensitive lands are protected. They have quite a few man made sensitive land; slopes over 30% made by mining activity that will be reviewed for appropriate stabilization prior to development. There are hillside development requirements. They need to make sure that open space and amenities are provided. There are also some technical code requirements that need to be met. The biggest issues are the water pressure and the location of Foothill Boulevard. The property is required to provide two points of access so they will review that throughout the process. There are a couple of other developments on the south side of the City that are on hold until the water pressure issue is resolved.

Public hearing open.

Rod Eichelberger, 3901 Panorama Drive. Mr. Eichelberger advised that they are commonly told, after asking why development seems to be going fast, that you can't infringe on property owners rights to develop their property. He understands the legal reason for that response but he doesn't think it is completely accurate. The ability to control the zoning of the property is a method to control growth. When this property was bought it was Agricultural. They knew that a rezone would be needed. The City uses zoning regularly to control what is being done on the property. Part of the code states that certain things need to be taken into account when deciding whether to approve a rezone or not. He thinks that changing the zone of the property will negatively affect the safety and general welfare of the public and is not in the interest of the public or community. He thinks the water pressure issue can be fixed but the only two connection points will be Harrier or Harbor Park. They are both residential roads. They are not designed for the traffic of 250 more homes. The route through Harrier is particularly dangerous. There are a lot of kids on Harbor Park. Neither or the routes are good and there are no other options right now. The

470 widening of Redwood Road will also not make it to Lake Mountain. There is too much going on in other
471 places. Public schools will also not be able to meet the needs of the additional houses that would be
472 going in. In the eyes of the community the City doesn't have a good track record of taking care of the
473 needs. He thinks it is getting better but there is still question there. He thinks this would be a mess and
474 thinks that the City's infrastructure needs to catch up before they consider this.
475

476 Mike Bagley, 71 East Turnbuckle Road. Mr. Bagley advised that he understands that the City doesn't have
477 any control over Redwood Road. However, he wondered if the City could help petition with the state to
478 get some of the issues with Redwood Road resolved.
479

480 **Public hearing closed.**

481
482 Councilman Willden appreciates whoever did the Planning Commission minutes. He thought they were well
483 done and helped follow what happened and understand the conversation. He understands the problems
484 with water and secondary water and schools but a lot of times bringing in new developments helps fix
485 those problems. New water infrastructure helps new residents and also the existing residents. It will also
486 help bring in schools that may not get built unless there are more hopes built on the south end of the
487 school. There are a lot of issues that need worked out. He is interested in helping the existing residents
488 by bringing in the infrastructure in for the new development. This will help bring some of the things they
489 need. He is in favor of this to show the school district we need more schools and more roads and things.

490 Councilman McOmber understands the frustrations. The Council always look at the impacts to the
491 neighboring community and the traffic and safety impact. The fire marshal will look at this to see if there
492 is adequate access. He doesn't know if the access as proposed will work but that will be looked into.
493 Lake Mountain was started a long time ago and they didn't really think of what was going to go in
494 behind them. New development is the best way to take care of the issues in that area of the City. There
495 isn't any budget to put in a water tank on that end of the City. If a bond was proposed for this he doesn't
496 think it would be passed. A lot of the water issues are being resolved by new development currently.
497 There was a hole from the north to the south for water connectivity. A conditional approval is what he
498 would be looking at for this. This has to be strongly conditioned based on traffic studies and fire marshal
499 review. Redwood Road is not considered a failing road on the south end currently. It is lucky that they
500 are getting it widened at this time because of projections for the future. This is coming in at a very low
501 density which is more desirable than other requests that they more normally hear about. They usually
502 have to push back to get lower density. Being a conditional approval is key and all of the conditions need
503 to be met. He has been in favor of reducing density and has given a lot of push back to developers that
504 have proposed high density.

505 Councilman Poduska noted one thing they strive to achieve in the City is connectivity. Lake Mountain
506 Estates is isolated now. There is no way to go from one community to another. This development will
507 provide that connectivity. With the concerns about water pressure and availability this has been one of
508 the problems Lake Mountain Estates has had. So for them to have more connectivity to water would be a
509 great advantage. It has been there experience that UDOT has responded to need for roads as quickly as
510 possible. Pioneer Crossing and the expansion of Redwood Road has happened a lot quicker than
511 originally thought. They will also petition them to expand Redwood Road to Harbor Bay.

512 Councilwoman Baertsch advised that when the City works with MAG and UDOT they don't like to build
513 "roads to nowhere". They don't see Redwood Road as a failure yet. As they do get more development
514 that is how the City gets funding. It becomes necessary to look at new development to get the
515 infrastructure that is needed. They don't want to overdo it either. As she looked at the open space she
516 didn't see that they had any improved open space. It looks like it is all unimproved natural open space.
517 That would need to be addressed. She would like to see Harrier go all the way through to Wild Life. It
518 makes more sense to give more direct routes to the collectors. Harbor Bay has the same asphalt as a
519 collector. Harrier does not have the same width of asphalt. She also wondered why Harbor is not
520 connected all the way up to Foothill. She thinks that seems foolish unless there is something else planned
521 up there that she doesn't know about.

522 Kimber Gabryszak said it is currently planned that way in the Transportation Master Plan. They need to look
523 into it.
524 Councilwoman Baertsch thinks they need to make sure there are connection points in there. In between
525 Foothill and the sensitive lands it doesn't seem like there is an access point. She is worried that the
526 homes will surround it and there will be a triangle of land that has no access to it. Some of the open
527 space parcels are very small. She doesn't know why they are there. They do not connect to anything
528 either. She would like to see increased connectivity and better utilization of the open space. The low
529 density of the project will be beneficial to other residents but they need to make sure the traffic of these
530 homes don't negatively impact the existing residents.
531 Councilman Porter thinks the conditional approval of the rezone is the right way to go. He clarified that this
532 project is going to be put on hold until the issues are resolved.
533 Kimber Gabryszak advised that if water is the only issue have given preliminary approval to other
534 subdivisions to move forward to work out issues in the process but no homes would be built.
535 Councilman Porter mentioned that UDOT only uses approved homes as what infrastructure is needed. Since
536 it can't be moved forward until the other issues are resolved they won't be able to address that problem
537 right away.
538 Kevin Thurman noted one of the conditions of approval is the agreement attached to the staff report. One of
539 the conditions of approval in the agreement were the water improvements. It's specific to what is needed
540 by the developer and at the time the plat is submitted. The City is adequately protected in that regard.
541 The actual alignment of Foothill Boulevard was requested to not be tied to a specific location but be
542 more general. It is required of the developer to install Foothill but not be tied to the exact location. He
543 thinks that is reasonable.
544 Councilman McOmber noted that agreement is critical and he will be looking at it more closely when it
545 comes for a preliminary plat approval.
546 Kevin Thurman noted this agreement would be approved in the same form as the agreement. It defers to the
547 current city regulations at the time the plat is approved. They are conditionally approving the agreement
548 as well in substantially the same format as what was given to them in the staff report.
549 Nick Mango, for applicant, was present. He thanked the Council for taking the time on the application.
550

551 **Motion made by Chris Porter to conditionally approve rezone for Lake Mountain located at**
552 **approximately 3750 South and West of Lake Mountain Estates including staff findings and**
553 **conditions. Seconded by Councilman Poduska. Roll Call Vote: Aye: Councilwoman Baertsch,**
554 **Councilman McOmber, Councilman Porter, Councilman Poduska, Councilman Willden. Motion**
555 **Passed 5-0.**
556
557
558

559 **ACTION ITEMS:**

560 **1. Library Board Bylaws Amendment.**

561 Melissa Grygla commented that the library board would like to change their meeting times. Instead of
562 designating a specific time it states a time established on the regular meeting scheduled. If they want to
563 change the time again in the future they will not have to come back to do so.
564 Councilwoman Baertsch also suggested that they add the location can be designated on the meeting schedule
565 as well. When they eventually have the City Offices somewhere else they won't have to change their
566 bylaws again.
567

568 **Motion made by Councilwoman Baertsch to approve the library bylaws amendment also including a**
569 **standing place or location. Seconded by Councilman Porter. Roll Call Vote: Aye: Councilwoman**
570 **Baertsch, Councilman McOmber, Councilman Porter, Councilman Poduska, Councilman Willden.**
571 **Motion Passed 5-0.**
572

573 **2. Bid Award: Library RFID.**

574 Melissa Grygla advised that they were awarded a grant in September for this project. They received four
575 different quotes. The grant was for \$45,000. Tech Logics quote includes a self-check kiosk and is
576 \$42,370 and there are some other costs that would bring the total cost to \$45,560. The library has the
577 \$560 to cover the overage. They requested to have approval for the City Manager to go into contract with
578 Tech Logic.

579 Councilwoman Baertsch asked what the difference was between the original and the modified bid.

580 Melissa Grygla advised that the initial bid were self-check kiosks that would require a counter be installed
581 with computers. The self-check kiosks units are all contained and completely mobile if they need to be
582 moved in the future. They will also fit in the existing facility much more easily.

583 Mark Christensen noted the alternative would be that a counter top would have to be built in where the copy
584 machine and displays are currently.
585

586 **Motion by Councilman Poduska to award bid for library RFID to Tech Logic for \$42,370. Seconded**
587 **by Councilwoman Baertsch.**
588

589 Councilman McOmber clarified that none of the other programs are being impacted.

590 Melissa Grygla noted that there was some money donated that they still had available to use for this project.
591

592 **Roll Call Vote: Aye: Councilwoman Baertsch, Councilman McOmber, Councilman Porter,**
593 **Councilman Poduska, Councilman Willden. Motion Passed 5-0.**
594

595 **3. Bid Award: Phase 2 – North Gravity Sewer Outfall for Redwood Road Sewer Project.**

596 Mark Edwards reviewed the bid, they wanted to get this in before Boyer got started. They are connecting to
597 an existing manhole that was put in under Pioneer Crossing a couple of years ago.

598 Mayor Miller noted this is following the city's long term plan for infrastructure.

599 Mark Christensen noted we will be running this next segment because they don't want to be conflicting with
600 Boyer in the future. They will be in and out. The infrastructure will be there when they want to make this
601 section live. They will just need to go into a manhole to change where the flow needs to go.

602 Councilman McOmber noted that our sewage is pumped out of the city. This will help us move to a gravity
603 system that is cheaper and more sustainable in the long term.
604

605 **Motion made by Councilman Porter to approve bid award for Phase 2 North Gravity Sewer Outfall**
606 **for Redwood Road Sewer Project to Knowland and Son Construction in the amount of \$647,607.**
607 **Seconded by Councilwoman Baertsch. Roll Call Vote: Aye: Councilwoman Baertsch, Councilman**
608 **McOmber, Councilman Porter, Councilman Poduska, Councilman Willden. Motion Passed 5-0.**
609

610 **4. Public Improvements Extension and Reimbursement Agreement for Legacy Farms Village Plans 1 & 2;**
611 **Resolution R16-12 (2-16-16).**

612 Mark Christensen advised the Council that this is the reimbursement for Village Plan 1. It connects a lot of
613 infrastructure throughout the area. Village Plan 2 has extended their sewer line through all of the
614 Saratoga Springs Development and Legacy Farms. That prevented the City from having to rip out the
615 existing sewer line. It was very cost effective. There will be about a block of construction in Saratoga
616 Springs to connect the old line to the new line but that is much less impact than it could have been. They
617 are phasing the installation with the different village plans that they are doing. The source of funding for
618 this reimbursement is Legacy Farms now paying impact fees to the City for the development.

619 Councilwoman Baertsch asked if it would be mostly impact fee credits. Going back to Councilman Willden
620 comments to have that information in the packet.

621 Councilman Porter asked how long the connection through Saratoga Springs Development would take to
622 know how long the neighborhood would be impacted.

623 Mark Christensen noted it would not be in this phase. This segment will be very minimalistic. The impact to
624 the Saratoga Springs development will be in a future phase. At this point they don't need to connect
625 because they can't start flowing it until between phases three and four. With advance planning they are
626 able to save a huge amount of infrastructure cost.

627 Krisel Travis noted the leg that goes back to Saratoga Springs Development in the proposal is an option. She
628 asked if they are authorizing just what is approved right now or to add the connection back to the
629 Saratoga Springs Development.
630 Mark Christensen advised that they think it's advantageous to do the connection. They worded Village Plan 2
631 in such a way to be able to award that.

632
633 **Motion by Councilman Willden to approve the public improvements extension reimbursement**
634 **agreement for Legacy Farms Village Plan 1 and 2 R16-12 (2-16-16). Seconded by Councilman**
635 **Poduska. Roll Call Vote: Aye: Councilwoman Baertsch, Councilman McOmber, Councilman**
636 **Porter, Councilman Poduska, Councilman Willden. Motion Passed 5-0.**
637

638 **5. Legacy Farms Village Plan 2 Plats 2A & 2B Agriculture Protection Area Removal; Resolution R16-13**
639 **(2-16-16).**

640 Kara Knighton are requesting that the Agriculture Protection Area be removed from Plats 2A and 2B. Staff
641 recommends approval.

642
643 **Motion by Councilwoman Baertsch to approve the removal of the agricultural protection from the**
644 **area of approximately 23.419 acres based on the analysis of this report and findings and conditions**
645 **of section f of the report, R16-13 (2-16-16). Seconded by Councilman Porter. Roll Call Vote: Aye:**
646 **Councilwoman Baertsch, Councilman McOmber, Councilman Porter, Councilman Poduska,**
647 **Councilman Willden. Motion Passed 5-0.**
648

649 Councilman McOmber thanked DR Horton for including single family homes in the development along with
650 multi-family. He knows they didn't have to, but he appreciates it.

651
652 **6. Final Plat Approval for Lakeside at Saratoga Springs, Plat 27, Located at approximately 2800 S**
653 **Redwood Road, Woodside Homes, Applicant.**

654 Sarah Carroll reviewed the request. They are requesting additional variations to their setbacks. The main
655 change is to the front setback. It would be 15 feet to the living space and 20 feet to the garage. On corner
656 lots it would be 20 feet to the front and 15 feet on the corner side. The applicant has supplied a detail
657 indicating they comply with the requirements for clear site triangle. They laid out their model home on
658 their proposed lot and realized it didn't fit and they need more space for the product they propose to
659 build on these lots.

660 Councilwoman Baertsch did not want to allow the change to the setbacks. The code requires that every time
661 you decrease the front setback you increase the garage setback so this request doesn't fit that. At this
662 point if you went to a 15 foot setback the garage setback would be 30 feet. They have discussed this
663 before and she was uncomfortable with it then and still doesn't like it. She will not approve this.

664 Councilman Poduska is not sure why the variance is being requested.

665 Garrett Seeley, Woodside Homes, advised that they did a study through Saratoga Springs Development. The
666 15 foot setback is what is standard versus the 20 foot setback that was originally approved. There is 13
667 feet from the curb to the property line. There is 15 feet to the living space or 20 feet to the garage. If you
668 take that into account there is actually 33 feet to the garage which is a lot of space. They would like to
669 provide larger homes with a three car garage. Without the variance they can't do that on a corner lot.

670 Mark Christensen advised that this was encountered during the discussion with Legacy Farms. He doesn't
671 see a public utility easement on this. There needs to be a minimum of a 10 foot setback for the public
672 utilities. If this were approved they may not be complying with the public utility setback.

673 Sarah Carroll clarified that the proposed setbacks will not interfere with the public utility setbacks that are
674 required. The public utility requires 10 feet from the property line and the setback is 15 feet from the
675 property line.

676 Garrett Seeley advised that in Fox Hollow they are doing a small lot product that have a shared driveway.
677 Power and gas are separated by 3 feet and the driveways are 2 feet away from the gas line. He thinks
678 there will be plenty of room for the easements.

679 Councilman Poduska is not sure why there is a need to do this variance here and why it isn't needed
680 somewhere else.
681 Sarah Carroll advised that this is a PUD that would allow the Council to approve variations up to a certain
682 point. She believes the main reason is because the lot size is 7,000 square feet and they are trying to
683 maximum that area.
684 Councilwoman Baertsch asked how they could get away with approving this when the code states that if
685 decrease the variance to the front you have to increase it to the garage.
686 Sarah Carroll advised that has been modified.
687 Councilman Poduska asked if this would meet all of the code requirements.
688 Sarah Carroll advised that this would meet the PUD ordinance which allows for modifying it up to 25%.
689 Councilman Poduska feels that if they are meeting code they need to approve it.
690 Councilman McOmber doesn't feel this is about whether they meet code or not. This is about offering a
691 variance or not. They gave a variance to this developer. They took it from 25 to 20. They made their lots
692 too small to fit the product they want to build. He has a right to say no to this variance. They gave a
693 variance from 25 to 20 already.
694 Councilwoman Baertsch advised that the original approval allowed them to go to 20 feet instead of the 25
695 feet that was required at the time.
696 Councilman McOmber believes they have been very generous on this development. They have allowed them
697 to count the golf course as part of the open space among other things. He is going to vote no for this.
698 Councilman Willden advised that there have already been variances given on the side and back. He doesn't
699 feel comfortable with creating the appearance of higher density.
700 Councilman Porter agrees with what has been said already. The variance has already been granted.
701

702 **Motion made by Councilwoman Baertsch to deny the variances and approve the final plat as originally**
703 **approved and not grant the additional variances. Roll Call Vote: Aye: Councilwoman Baertsch,**
704 **Councilman McOmber, Councilman Porter, Councilman Willden. Nay: Councilman Poduska.**
705 **Motion Passed 4-1.**
706
707

708 **8. Resolution R16-15 (2-16-16) Appointing Bud Poduska as an Alternate Board Member of the Utah**
709 **Valley Dispatch Special Service District.**

710 Mark Christensen noted they need an alternate person to serve on the board by resolution. During the retreat
711 they identified Councilman Poduska as that person.
712

713 **Motion by Councilwoman Baertsch to approve R16-15 appointing Bud Poduska as an alternate board**
714 **member of the Utah Valley Dispatch Special Service District. Seconded by Councilman Porter.**
715 **Roll Call Vote: Aye: Councilwoman Baertsch, Councilman McOmber, Councilman Porter,**
716 **Councilman Poduska, Councilman Willden. Motion Passed 5-0.**
717

718 **APPROVAL OF MINUTES:**

719 **1. February 2, 2016.**

720 Councilwoman Baertsch advised that she sent in some changes to the minutes and they have been posted.

721 Councilman McOmber advised that he was not able to review the minutes and asked if they could table the item
722 until he could review them. He ran out of time.
723

724 **Motion by Councilwoman Baertsch to table the minutes. Seconded by Councilman McOmber. All in**
725 **Favor-All Aye- Councilwoman Baertsch, Councilman McOmber, Councilman Porter, Councilman**
726 **Poduska, Councilman Willden. Motion Passed 5-0.**
727

728 **Motion to enter into Closed Session for the purchase, exchange, or lease of property, pending or**
729 **reasonably imminent litigation, the character, professional competence, or physical or mental health of**
730 **an individual.**
731

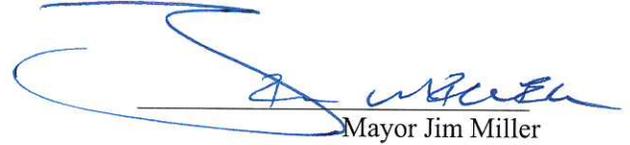
732 Motion made by Councilman Willden to enter into closed session for the purchase, exchange, or lease
733 of property, pending or reasonably imminent litigation, the character, professional competence, or
734 physical or mental health of an individual. Seconded by Councilman McOmber. Aye: Councilman
735 McOmber, Councilwoman Baertsch, Councilman Willden, Councilman Poduska and
736 Councilwoman Call. Motion Passed 5-0.
737

738 Meeting Moved to Closed Session 8:54 p.m.
739

740 Closed Session Adjourned at 9:03 p.m.
741

742 Policy Meeting Adjourned at 9:03 p.m.
743

744
745 3-1-2014
746 _____
747 Date of Approval
748


Mayor Jim Miller

