

CITY OF SARATOGA SPRINGS
CITY COUNCIL MEETING
Tuesday, March 15, 2016
City of Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

CITY COUNCIL AGENDA

Commencing at 7:00 p.m. or after the completion of Work Session.

- Call to Order.
- Roll Call.
- Invocation / Reverence.
- Pledge of Allegiance.
- Public Input - Time has been set aside for the public to express ideas, concerns, and comments - please limit repetitive comments.
- Awards and Recognitions: Introduction of 2016 Saratoga Springs Royalty; other.

POLICY ITEMS:

REPORTS:

1. Mayor.
2. City Council.
3. Administration Communication with Council.
4. Staff Updates: Inquiries, Applications, and Approvals.

PUBLIC HEARING ITEMS:

1. Budget Amendments. Resolution R16-18 (3-15-16).
2. Cowboys Commercial - Rezone, General Plan Amendment, Concept Plan. Ordinance 16-08 (3-15-16).

ACTION ITEMS:

1. Appointment of Pam King to the Library Board of Directors. Resolution R16-19 (3-15-16).
2. Award of Bid: Regal Park Fence Project - contract to install a concrete mow curb and vinyl fence along property lines next to the pedestrian trail and park property. Resolution R16-20 (3-15-16).
3. Spring Clean-Up - Public Works central dumpster location and punch pass.

APPROVAL OF MINUTES:

1. March 1, 2016.

CLOSED SESSION:

1. Motion to enter into closed session for any of the following: purchase, exchange, or lease of real property; pending or reasonably imminent litigation; the character, professional competence, or the physical or mental health of an individual.

ACTION ITEMS (Continued):

1. Settlement Options with JD V LLC / JD VI LLC.

ADJOURNMENT

Councilmembers may participate in this meeting electronically via video or telephonic conferencing. The order of the agenda items are subject to change by order of the Mayor.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Recorder at 766-9793 at least one day prior to the meeting.

City Council Staff Report

Author: Chelese M. Rawlings, Finance Manager
Subject: Budget Amendments
Date: March 15, 2016
Type of Item: Resolution



Summary Recommendation: Staff recommends approval of the following by resolution amending the budget for the fiscal year 2015-16.

Description

A. Topic

This is the fifth budget amendment for the fiscal year 2015-2016.

B. Background

On August 4, 2015, October 6, 2015, January 19, 2016 and February 16, 2016, the first, second, third and fourth budget amendments for FY15-16 were approved by council. Attached is the detail of the requested budget amendments for the 5th budget amendment.

C. Analysis

Additional budgeted expenditures are detailed in the attached spreadsheet.

Recommendation: Staff recommends approval of the resolution amending the budget for the fiscal year 2015-16.

RESOLUTION NO. R16-18 (3-15-16)

A RESOLUTION AMENDING THE CITY OF SARATOGA SPRINGS BUDGET FOR FISCAL YEAR 2015-2016 AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Saratoga Springs has found it necessary to amend the City's current 2015-2016 fiscal year budget;

WHEREAS, pursuant to state law, the City Council has conducted a public hearing on the proposed amended budget; and,

WHEREAS, the City Council has determined that the proposed budget amendment is in the best interests of the public, will further the public health, safety, and welfare, and will assist in the efficient administration of City government.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SARATOGA SPRINGS, UTAH, THAT:

1. The City of Saratoga Springs does hereby adopt the amended 2015-2016 fiscal year budget as set forth and attached hereto.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage.

Passed on the 15th day of January, 2016

CITY OF SARATOGA SPRINGS
A UTAH MUNICIPAL CORPORATION

Jim Miller, Mayor

Attest: _____
Cindy LoPiccolo, City Recorder

2015-2016 Budget Amendment Supplemental #5

G/L Account	Department	Description	Current FY 2016 Budget	New Budget Amount	Increase (Decrease)	Notes/Comments
General Fund						
<u>Revenues</u>						
10-3701-954	Administrative Charges	Admin Charge - Storm Drain	323,164	80,791	242,373	Adjust Admin Charge from Storm Drain until rate study is complete
10-4180-314	Planning Department	Prof & Technical Services	-	25,000	25,000	General Plan update, remainder budgeted for in FY2017
10-4170-600	Elections Department	Misc Expense - Elections	9,600	15,096	5,496	Quote on Contract with County was for only 10 machines
10-4260-500	Grant Expenditures	Fire Department Grants	195,708	243,708	48,000	Grant for EKG Monitor and Auto pulse - offset by \$23K in grant revenue
General Capital Projects						
<u>Expenditures</u>						
35-4000-210	Capital Projects	Computer Hardware and Equip	15,136	-	(15,136)	transfer to replacement general ledger line
35-4000-798	Capital Projects	Computer replacement fund	32,583	47,718	15,136	transfer to replacement general ledger line
35-4000-670	Capital Projects	Loch Lomond Crosswalk	18,000	11,095	(6,905)	project complete - defund balance
Debt Service Fund						
<u>Revenues</u>						
40-3701-951	Debt Service Fund	Admin Fee From Water	118,559	121,600	(3,041)	Increase fee from water for 2011 Sales Tax Debt - balance of debt used for secondary water meters
Water Fund						
<u>Expenditures</u>						
51-5105-233	Water Operations	Admin Fee to Debt Service	118,559	121,600	3,041	Increase fee from water for 2011 Sales Tax Debt - balance of debt used for secondary water meters
51-5105-936	Water Operations	Secondary Residential Meters	-	97,316	97,316	Secondary Water Meters - Phase III
Storm Drain						
<u>Expenditures</u>						
54-5400-667	Storm Drain Operations	Harvest Moon Drive 1	54,480	146,500	92,020	Budget for approved contract amount
54-5400-910	Storm Drain Operations	Admin Charge - General Fund	323,164	80,791	(242,373)	Adjust Admin Charge from Storm Drain until rate study is complete
Garbage Utility Fund						
<u>Expenditures</u>						
New Code	Garbage Operations	Garbage/Recycle Cans	-	75,000	75,000	Purchase of recycle cans (fund balance)
Culinary Impact Fund						
<u>Expenditures</u>						
56-4000-719	Culinary Impact	Culinary Waterline 18" in RR	-	46,137	46,137	Last Payment of Contract for Project
Secondary Impact Fund						
<u>Expenditures</u>						
57-4000-794	Secondary Impact	Zone 1 North Transmission Line	1,481,000	-	(1,481,000)	Defund - Not a priority
					<u>(1,098,936)</u>	



City Council Staff Report

**Rezone, General Plan Amendment, Concept Plan
Cowboys - Commercial
March 15, 2016
Public Hearing**

Report Date:	March 8, 2016
Applicant:	White Elk Frontiers
Owner:	White Elk Frontiers
Location:	431 South Redwood Road
Major Street Access:	Redwood Road
Parcel Number(s) & Size:	58:038:0036 – 4.865 acres
Parcel Zoning:	Agricultural
Adjacent Zoning:	Planned Community, Agricultural
Current Use of Parcel:	Agriculture
Adjacent Uses:	Agriculture, Vacant
Previous Meetings:	PC - 2/25/2016
Previous Approvals:	None
Type of Action:	Legislative
Land Use Authority:	City Council
Future Routing:	City Council
Author:	Jamie Baron, Planner I

A. Executive Summary:

The applicant is requesting a Rezone and General Plan Amendment for 4.865 acres of property located at 431 South Redwood Road in order to build a Convenience Store with fuel services, retail stores, professional offices, and restaurants.

Recommendation:

Staff recommends that the City conduct a public hearing on the Cowboys - Commercial Rezone and General Plan Amendment, take public comment, review and discuss the proposal, provide feedback on the Concept Plan, and choose from the options in Section “H” of this report.

Options include approval with conditions, denial, or continuing the application to a later meeting.

- B. Background:** On December 21, 2015, the City received applications for Rezone, General Plan Amendment, and Concept Plan for a commercial development on 4.865 acres located at 431 South Redwood Road. The proposed development is surrounded by the Planned Community (PC) zone, which property is part of the City Center District Area Plan (DAP). The Cowboys property was not included in the PC zone or the DAP, and is not large enough to be zoned PC on its own.
- C. Specific Request:** The applicant requests a rezone from Agriculture (A) to Regional Commercial (RC) and a General Plan Amendment from Planned Community (PC) to RC for the purpose of building a 5,000 - 6,000 square foot convenience store with fuel services and multiple commercial stores, located at 431 South Redwood Road on parcel 58:038:0036 (4.865 acres). The attached Concept Plan shows the proposed layout of the site.

D. Process:

Rezone and General Plan Amendment

Section 19.17.03 outlines the process requirements for a Rezone and General Plan Amendment, requiring all rezone and general plan applications to be reviewed by both the Planning Commission and City Council. The City Council is the Land Use Authority for Rezone and General Plan applications and shall review and either approve or deny the application, after receiving a formal recommendation from the Planning Commission. Both the Planning Commission and City Council reviews involve a public hearing.

Concept Plan

Section 19.17.02 states "Petitions for changes to the City's Zoning Map to all land use zones shall be accompanied by an application for Concept Plan Review or Master Development Agreement approval pursuant to Chapter 19.13 of this Code."

The applicant has submitted a Concept Plan for the proposed development. Per Section 19.13 of the City Code, the process for a Concept Plan includes an informal review of the Concept Plan by both the Planning Commission and the City Council. The reviews shall be for comment only, no public hearing is required and no recommendation or action made.

- E. Community Review:** The Rezone and General Plan Amendment portions of this application has been noticed as a public hearing in the *Daily Herald*, City website, and Utah Public Notice Website, and mailed notices have been sent to all property owners within 300 feet of the subject property at least 10 days prior to this meeting. As of the date of this report, no public input has been received. The Concept Plan does not require a public hearing.
- F. General Plan:** The Land Use Element of the General Plan designates the property as Planned Community. The applicant requests that the General Plan be amended to designate the property as Regional Commercial in order to build a Convenience Store and multiple retail, professional offices, and restaurant uses, as the property does not meet the minimum area requirement of the PC zone.

The Regional Commercial designation is defined by the General Plan as follows:

Regional Commercial. Regional Commercial areas shall be characterized by a variety of retail users including big box retail configured in developments that provide excellent vehicular access to and from major transportation facilities. Developments located in Regional Commercial areas shall be designed so as to create efficient, functional conglomerations of commercial activities.

As Regional Commercial areas are to be located in close proximity to substantial roadways, careful consideration shall be given to the arrangement of structures and other improvements along those corridors. Consideration shall also be given to the existing or potential availability of mass transit facilities as sites in this designation are designed.

Among the many tenants anticipated in these areas are large destination oriented businesses. With that in mind, individual sites shall be designed so as to make automobile access a priority. Even so, specific areas for pedestrian activity shall be designated and appropriately improved. Plazas and other features shall be provided as gathering places which should be incorporated so as to make each site an inviting place to visit.

Developments in these areas shall contain landscaping and recreational features as per the City's Parks, Recreation, Trails, and Open Space Element of the General Plan. In this land use designation, it is estimated that a typical acre of land may contain 5 equivalent residential units (ERU's).

Staff conclusion: *Consistent, if the General Plan Amendment is granted, as outlined below.*

Based on the Concept Plan, the proposed site is consistent with the proposed land use designation of Regional Commercial as indicated below.

1. *The proposed development is located adjacent to Redwood Road.*
2. *The site has been designed so that automobiles have adequate access as well as pedestrian access.*
3. *The proposed site indicates the required trail improvements on Redwood Road.*

The proposed site is not consistent with the proposed land use designation of Regional Commercial as indicated below.

1. *The proposed site does not yet include plazas and other features to create gathering places.*

The current Planned Community designation is defined by the General Plan as follows:

Planned Community. The Planned Community designation includes large-scale properties within the City which exceed 500 acres in size. This area is characterized by a mixture of

land uses and housing types. It is subject to an overall Community Plan that contains a set of regulations and guidelines that apply to a defined geographic area. Required Village Plans contain regulations that apply to blocks of land and provide specific development standards, design guidelines, infrastructure plans and other elements as appropriate. Development in these areas shall contain landscaping and recreational features as per the City's Parks, Recreation, Trails, and Open Space Element of the General Plan.

Staff Finding:

The proposed site is not consistent with the current land use designation of Planned Community as indicated below.

1. *The site does not meet the minimum required area of 500 acres.*
2. *The concept plan does not provide for a mix of housing and land use types.*

G. Code Criteria:

Rezoning and General Plan amendments are a legislative decision; therefore, the Council has significant discretion when making a decision on such requests. Because of this legislative discretion, the Code criteria below are guidelines and are not binding.

Rezone and General Plan Amendment

19.17, General Plan, Ordinance, and Zoning Map Amendments

- Planning Commission/City Council Review
 - The Planning Commission shall recommend adoption of proposed amendments only where it finds the proposed amendment furthers the purpose of the Saratoga Springs Land Use Element of the General Plan and that changed conditions make the proposed amendment necessary to fulfill the purposes of the Title.

Possible Finding: *Rezone will be consistent if the General Plan Amendment is granted.*

- Consideration of General Plan, Ordinance, or Zoning Map Amendment
 - The Planning Commission and City Council shall consider, but are not bound by, the following criteria when deciding whether to recommend or grant a general plan, ordinance, or zoning map amendment:
 1. the proposed change will conform to the Land Use Element and other provision of the General Plan;
 2. the proposed change will not decrease nor otherwise adversely affect the health, safety, convenience, morals, or general welfare of the public;
 3. the proposed change will more fully carry out the general purposes and intent of this Title and any other ordinance of the City; and

4. in balancing the interest of the petitioner with the interest of the public, community interests will be better served by making the proposed change.

Possible Finding: Consistent. *The request is consistent with the outlined criteria as follows:*

1. *The applicant has applied for a General Plan Amendment and will be consistent if the amendment is granted.*
2. *With conditions to minimize light and noise, address increased traffic and public safety, the proposed change will not pose a threat to the general welfare of the public.*
3. *The proposed change will be providing services to the central area of the City as this area has expanded, which will aid in the orderly growth of the City, enhance the economic well-being of the City, and promote the growth of the City in accordance with the Land Use Element of the General Plan.*
4. *The applicant proposes the change in order to build a commercial development that will offer retail and fuel amenities to the surrounding neighborhood and future business park area. The public may express concern about light pollution, noise, increased traffic, and public safety. These concerns can be mitigated with conditions and adherence to the City Land Use Code and will not affect the proposed amenities. The property would not be able to be developed without a zone change and cannot meet the requirements of the current future land use designation.*

Concept Plan

With the widening of Redwood Road along the frontage of this property, the 30' landscaping portion of the public Right of Way (ROW) may need to be dedicated to the City, depending on the requirements of UDOT.

Currently the concept plan shows the area to be owned and maintained by the property owner. The plan would require a 10' building setback from the easement edge and shifting the buildings to meet that requirement.

In the event that the area is dedicated to the City, the Council can approve a 10' setback reduction along redwood road that would allow the site to achieve the same layout.

See the attached Planning Review Checklist for full analysis.

H. Recommendation and Alternatives:

Staff recommends that the City Council conduct a public hearing, take public input, discuss the application, provide feedback on the Concept Plan and choose from the following options.

Option 1 – Approval

“I move to **approve** the Cowboys - Commercial Rezone and General Plan Amendment with the Findings and Conditions in the Staff Report dated March 8, 2016:”

Findings

1. With conditions, the application complies with the criteria in sections 19.04 & 19.17 of the Development Code, as articulated in Section “G” of the staff report, which section is incorporated by reference herein.
2. With conditions, the application is consistent with the General Plan, as articulated in Section “F” of the staff report, which section is incorporated by reference herein.

Conditions:

1. All conditions of the City Engineer shall be met, including but not limited to those in the Staff report in Exhibit 1.
2. The Rezone and General Plan Amendments shall not be recorded until a site plan is approved.
3. Any other conditions or changes as articulated by the City Council:

_____.

Option 2 – Continuance

The City Council may also choose to continue the item. “I move to **continue** the Cowboys - Commercial Rezone and General Plan Amendment to another meeting on [April 5, 2016], with direction to the applicant and Staff on information and / or changes needed to render a decision, as follows:

1. _____
2. _____

Option 3 – Denial

The City Council may also choose to deny the application. “I move to **deny** the Cowboys - Commercial Rezone and General Plan Amendment with the Findings below:

1. The Cowboys - Commercial Rezone and General Plan Amendment is not consistent with the General Plan, as articulated by the City Council:
_____, and/or,
2. The Cowboys - Commercial Rezone and General Plan Amendment is not consistent with Section [SECTION] of the Code, as articulated by the City Council:
_____.

Comments on Concept Plan:

1. Depending on the requirements of UDOT in the widening of Redwood Road, the landscaped portion of the Public Right of Way may need to be dedicated to the City. Plan 1 shows the concept plan based on the property owner maintaining the ownership of the area and caring for the maintenance of the trail. Should this portion of the ROW be dedicated to the City, the code does allow for a 10’ setback reduction on one side that would allow the site to still work as shown in the concept plan.

2. The Planning Commission recommends the reduction of the setback adjacent to Redwood Road if the 30' portion of ROW should be dedicated to the city.
 3. Any comments from the City Council:
-

I. Attachments:

1. City Engineer's Report (pages 8-9)
2. Location & Zone Map (page 10)
3. Location and Land Use Map (page 11)
4. Concept Plan 1 (page 12)
5. Planning Review Checklist Plan 1 (pages 13-16)
6. PC draft minutes 2/25/2016 (pages 17-19)

City Council Staff Report

Author: Janelle Wright, EIT, Project Engineer
Subject: Cowboys Rezone – Concept Plan
Date: March 8, 2016
Type of Item: Concept Plan Review



Description:

A. Topic: The applicant has submitted a concept plan application. Staff has reviewed the submittal and provides the following recommendations.

B. Background:

Applicant: White Elk Frontiers
Request: Concept Plan
Location: 431 South Redwood Road
Acreage: 4.87 acres - 1 lot

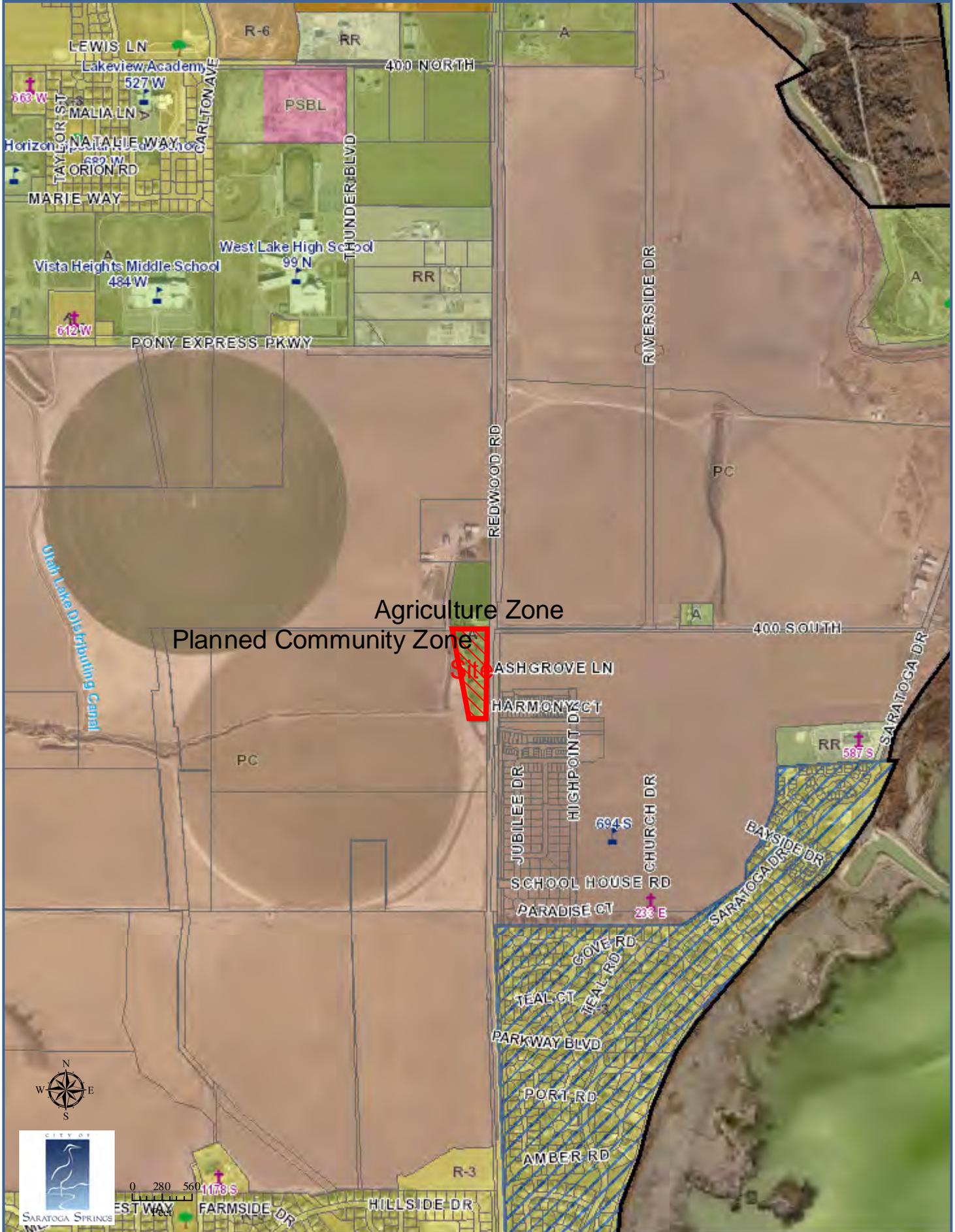
C. Recommendation: Staff recommends the applicant address and incorporate the following items for consideration into the development of their project and construction drawings.

D. Proposed Items for Consideration:

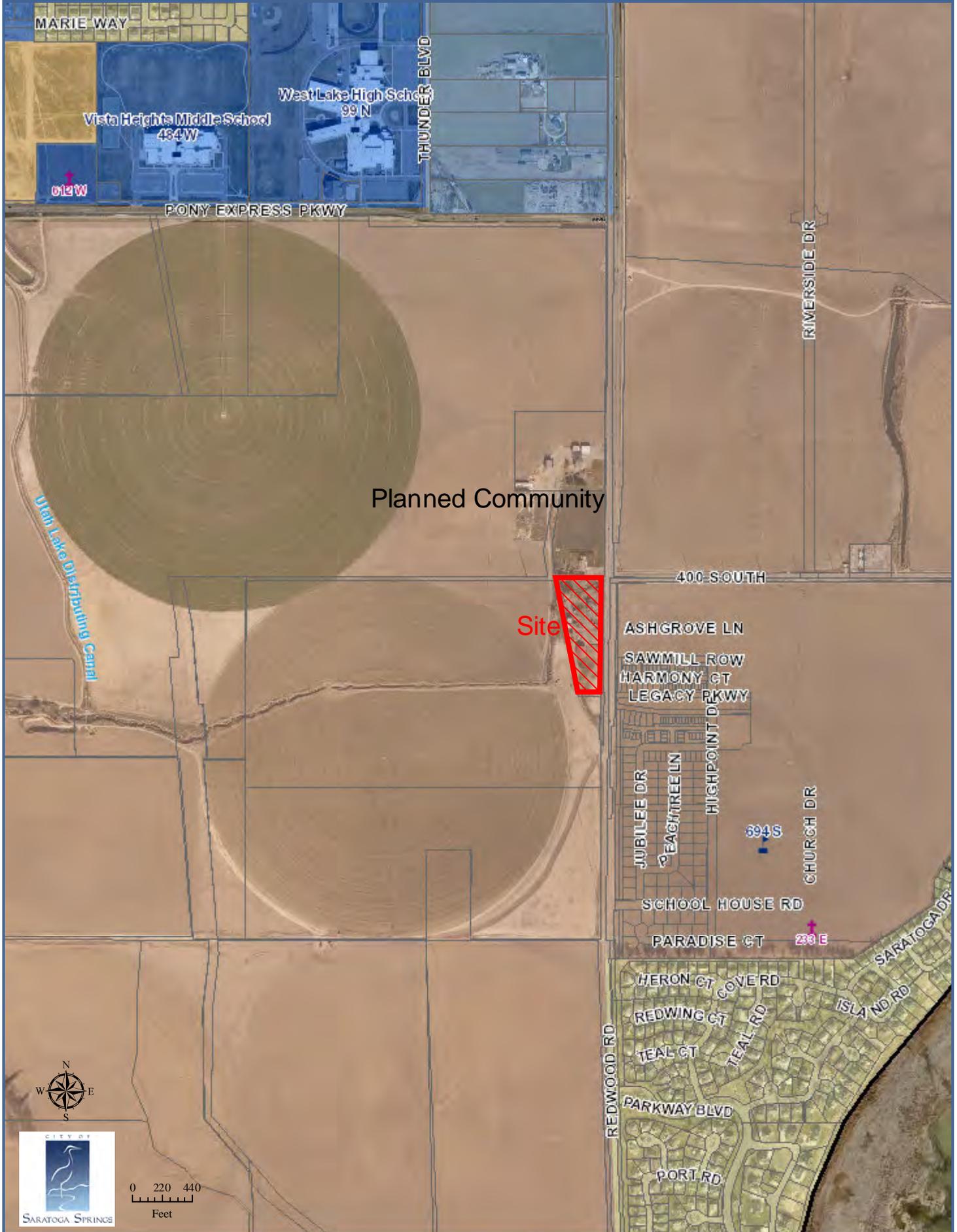
- A. Prepare construction drawings as outlined in the City's standards and specifications and receive approval from the City Engineer on those drawings prior to receiving Final approval from the City Council.
- B. Consider and accommodate existing utilities, drainage systems, detention systems, and water storage systems into the project design. Access to existing facilities shall be maintained throughout the project.
- C. Comply with the Land Development Codes regarding the disturbance of 30%+ slopes.
- D. Incorporate a grading and drainage design that protects homes from upland flows.
- E. Developer shall provide a traffic study to determine the necessary improvements to existing and proposed roads to provide an acceptable level of service for the proposed project.

- F. Project must meet the City Ordinance for Storm Water release (0.2 cfs/acre for all developed property) and all UPDES and NPDES project construction requirements.
- G. Developer shall meet all applicable city ordinances and engineering conditions and requirements in the preparation of the Construction Drawings.
- H. Project bonding must be completed as approved by the City Engineer prior to recordation of plats.
- I. All review comments and redlines provided by the City Engineer are to be complied with and implemented into the construction drawings.
- J. All work to conform to the City of Saratoga Springs Standard Technical Specifications, most recent edition.
- K. Developer shall prepare and record easements to the City for all public utilities not located in a public right-of-way.
- L. Developer is required to ensure that there are no adverse effects to adjacent property owners and future homeowners due to the grading and construction practices employed during completion of this project.
- M. A portion of this site is located in Zone A of the FEMA Flood Plain Map which will need to be removed before any construction within flood plain may occur.

Location and Zoning Map - Cowboys



Land Use Map - Cowboys



CORP OF PRESIDING BISHOPRIC

MCLACHLIN

SUBURBAN LAND RESERVE

400 SOUTH

D.R. HORTON

REDWOOD ROAD (HIGHWAY 66)

CORP OF PRESIDING BISHOPRIC

REFERENCE NOTES

- | | |
|--------------------------------|--|
| 1 EXISTING TELEPHONE PEDESTAL | 11 NEW UNDERGROUND POWER LINE |
| 2 FLOOD PLAIN | 12 NEW TRANSFORMER |
| 3 EXISTING OVERHEAD POWER | 13 NEW GAS LINE (FINAL LOCATION PER QUESTAR) |
| 4 EXISTING SECONDARY WATER | 14 NEW WATER LINE |
| 5 EXISTING GAS LINE | 15 ROAD CENTER LINE |
| 6 EXISTING COMMUNICATIONS LINE | 16 NEW IRRIGATION |
| 7 EXISTING STORM DRAIN | 17 NEW R.O.W. EASEMENT |
| 8 EXISTING WATER | 18 UNDERGROUND RETENTION |
| 9 10' PEDESTRIAN WALKWAY | 19 NEW STORM DRAIN |
| 10 IRRIGATION EASEMENT | 20 NEW DUMPSTER ENCLOSURE |

LEGEND

- EUROPEAN ALDER (ALNUS GLUTINOSA) - 1/2" CALIPER
- BIGTOOTH MAPLE (ACER GRANDIDENTATUM) - 1/2" CALIPER
- UTAH JUNIPER (JUNIPERUS OSTEOSPERMA) - 2" CALIPER
- VERIEGATED REDTWIG DOGWOOD (CORNUS SERICEA) - 1 GALLON
- BOULDER - VARIED SIZE
- BERMED AREA

	LANDSCAPING	44,882 SF	1.030 ACRE	22.5%
	CONCRETE PAVING	36,403 SF	0.835 ACRE	18.3%
	ASPHALT PAVING	87,317 SF	2.005 ACRE	43.8%
	BUILDING	30,576 SF	0.702 ACRE	15.4%
	TOTAL	199,178 SF	4.572 ACRE	

LEGAL DESCRIPTION

COMMENCING N 1823.99 FT 4 W 39.84 FT FROM S 1/4 COR. SEC. 26, T55, R.W. SLB411; N 89 DEG 29' 43" W 168.95 FT; N 10 DEG 22' 26" W 819.21 FT; S 89 DEG 51' 34" E 325.38 FT; S 0 DEG 38' 0" W 807.13 FT TO BEG. AREA 4.572 AC

PARKING TABULATION

RETAIL SPACE (4/1000)	14,280 SF	58 STALLS
PROFESSIONAL (4/1000)	2,760 SF	11 STALLS
RESTAURANT (1/100)	4,200 SF	42 STALLS
MARKET (5/1000)	2,400 SF	12 STALLS
CONVENIENCE (5/1000)	4,967 SF	25 STALLS
PARKING REQUIRED		148 STALLS
PARKING PROVIDED		149 STALLS

VICINITY MAP



SITE PLAN

1" = 50'-0"



Revisions:

DATE: 5 JUNE 2015
JOB NO.: 1510
DRAWN: J. PLOUZEK
No. 6392042

NMA INNONIE
PRACTICAL INNOVATION IN ARCHITECTURE
46 WEST MAIN, LEHI, UTAH 84043 • 801.768.3820 • FAX 801.768.3824

Project Title
COWBOY PROPERTY
400 S REDWOOD ROAD
SARATOGA SPRINGS, UTAH

Sheet Title
ARCHITECTURAL
SITE PLAN

Sheet No.
A1.0

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APPLICATION REVIEW CHECKLIST

(8/20/2014 Format)

Application Information

Date Received:	February 8, 2016 - Resubmittal
Project Name:	Cowboys
Project Request / Type:	Rezone, GPA, Concept Plan
Body:	City Council
Meeting Type:	Public Hearing
Applicant:	Toby Rolfe
Owner (if different):	White Elk Frontier (Toby Rolfe)
Location:	431 South Redwood Road
Major Street Access:	Redwood Road
Parcel Number(s) and size:	58:038:0036 – 4.865392 acres
General Plan Designation:	(PC) Planned Community
Zone:	(A) Agriculture
Adjacent Zoning:	(A) Agriculture, (PC) Planned Community
Current Use:	Agricultural
Adjacent Uses:	Agricultural
Previous Meetings:	None
Land Use Authority:	City Council
Future Routing:	City Council
Planner:	Jamie Baron, Planner I

Section 19.13 – Application Submittal

- Application Complete: Yes
- Rezone Required: Yes
 - Zone: (RC) Regional Commercial
- General Plan Amendment required: Yes
 - Designation: (RC) Regional Commercial

Section 19.13.04 – Process

- DRC:
 - 1/4/16
 - Concept plan shows parking between buildings and street; Design Standards require most parking behind buildings. Review of the Design Standards will be provided with Planning redlines.
 - Missing information on storm drain and other utility issues. See Engineering review.
 - UDOT accesses and spacing may have issues.

- Strip mall appearance.
 - Discussed the general need for the rezone itself; area is “green” and adjacent development patterns unknown due to the City Center District Area Plan entitlements without specific layouts or uses. Unclear how the use will fit with and function with future development. Automobile-oriented commercial may not be desirable in this location and exacerbate Redwood Road traffic issues. At a minimum, a through traffic study will be needed, and an overhaul of the concept plan to fully meet code, comply with UDOT requirements, and mitigate traffic impacts, before Staff could support the rezone.
 - The City owns a large easement on the property.
 - The drainage is in the FEMA Flood Plain.
- Neighborhood Meeting: N/A
 - PC: Scheduled for February 25, 2016.
 - CC: Not currently scheduled.

General Review

Fire Department

- Fire has no issue with rezone.

Code Review

- 19.04, Land Use Zones (the Concept Plan has been reviewed with the proposed zoning)
 - Zone: RC
 - Use: Convenience Store, Retail Stores, Professional Office, Restaurants – Permitted Use
 - Setbacks: **Can Comply**. The plan indicates a 20 foot side set back on the north end of the property with all other setbacks as 30 feet. The east side of the development will need a 40’ setback.
 - The required setbacks are as follows:
 - Front – 20’
 - Sides – 30’ when adjacent to residential or agricultural zones, 20’ when adjacent to all other zones.
 - Rear – 30’ when adjacent to residential or agricultural zones, 20’ when adjacent to all other zones, 40’ when the rear of a building faces an Arterial or Collector Street.
 - Lot size – Minimum of 20,000 square feet for all uses. **Complies**. The site is a total of 199,287 square feet.
 - Structure Height – Maximum height of 50 feet. Will be reviewed at site plan.
 - Coverage – 50% maximum. **Complies**. The convenience store, fuel canopy, and other buildings equal a total of 34,535 square feet for 17.3% lot coverage.
 - Building size – Minimum of 1,000 square feet above grade. **Complies**. The proposed plan shows a total of 29,607 square feet of buildings.
 - Landscaping:
 - Required front yard areas, and other yard areas facing a public street shall have a landscaped area of not less than 20’. **Complies**. The plan indicates a 20 foot or larger front yard on both street frontages.

- Buffering – Will be reviewed with Site Plan.
 - Access – Each roadway shall not be more than 40 feet in width, except as increase by permissible curve return radii; and the entire flare of a return radii shall fall within the right of way. **Complies.** The proposed road ways for access are no more than 27 feet in width.
 - Utilities – Will be reviewed with Site Plan.
 - Grading & drainage – Will be reviewed with Site Plan.
 - Water – Will be reviewed with Site Plan.
 - Irrigation – Will be reviewed with Site Plan.
 - Special Provisions – Will be reviewed with Site Plan.
 - Maps and Drawings Required – Will be reviewed with Site Plan.
 - Bond or DA – Will be reviewed with Site Plan.
 - Consideration in Review – Will be reviewed with Site Plan.
 - Traffic
 - Advertising
 - Landscaping
 - Site layout
 - Storm drainage
 - Water pressure
- 19.18, Signs – No signs proposed, will be reviewed at Site Plan
 - 19.27, Addressing – Addressing shall be required for Final Plat and Site Plan.

**City of Saratoga Springs
Planning Commission Meeting
February 25, 2016**

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

Minutes

Present:

Commission Members: Kirk Wilkins, Sandra Steele, Hayden Williamson, David Funk, Ken Kilgore, Troy Cunningham

Staff: Kimber Gabryszak, Sarah Carroll, Kevin Thurman, Nicolette Fike, Jamie Baron, Mark Christensen, Gordon Miner, Kara Knighton

Others: Jerome Baily, Stan Steele

Excused: Brandon MacKay

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

1. **Pledge of Allegiance** - led by Jerome Bailey
2. **Roll Call** – A quorum was present
3. **Swearing in of Reappointed Commissioners, Sandra Steele and Troy Cunningham.**
Commissioners were sworn in by the Deputy City Recorder.
4. **Public Input – Time has been set aside for any person to express ideas, concerns, comments, questions or issues that are not listed on the agenda. Comments are limited to three minutes.**

Public Input Open by Chairman Kirk Wilkins

No public input was given.

Public Input Closed by Chairman Kirk Wilkins

5. **Public Hearing: Rezone, General Plan Amendment, Concept Plan for Cowboys - Commercial, located at 431 South Redwood Road, White Elk Frontiers applicant.**

Jamie Baron presented the plans. The applicant requests a rezone from Agriculture to Regional Commercial and a General Plan Amendment from Planned Community to Regional Commercial for the purpose of building a Convenience Store with fuel services, retail stores, professional offices, and restaurants. Staff finds that the proposed site is not consistent with the current land use designation of Planned Community. There are two concept plans tonight depending on the widening of Redwood Road. The first has a 30' right-of-way owned and maintained by the property owner. Staff recommends this first plan over plan 2. Plan 2 would have the 30' right-of-way dedicated to and maintained by the City. There are fewer buildings on Plan 2 but they have a larger sq. footage. Plan 1 would require a 10' building setback from the ROW and shifting buildings. Plan 2 adds a 30' setback from the ROW and with the proposed parking does not meet the 20' front yard requirement.

Jerome Bailey, for applicant, commented that both concepts worked but the question is how UDOT would widen the road and how it would be factored in.

Public Hearing Open by Chairman Kirk Wilkins

No public input was given.

Public Hearing Closed by Chairman Kirk Wilkins

Sandra Steele noted that option 1 is the only one she could support because of City design standards which call for parking in the back. There can be reductions to get it closer to the street. They do need to provide some kind of walk for disabled to get in to the building. This appears to be a good use of this property as it wouldn't fit residential.

David Funk thought the area just north would be a similar situation. It seems to have put the owners in a tight position, They can't qualify for a larger area so it would either need to be residential or commercial and as it's too small for residential and is on a corner and well-used road area, it leans toward commercial. It appears both lots would need to be rezoned to commercial type areas so they can do something with it. His comment would be that this meets the requirements for a rezone.

Hayden Williamson believes it's great to have a gas station here, and when people move in they will already know what they are getting. He asked if it would need a setback reduction either way.

Kimber Gabryszak replied they would present it to City Council; it would probably be a better development with a reduction.

Hayden Williamson asked about the difference between parking stalls. Option 2 may make more sense with more parking, the advantage to the city with option 1 is the parking is behind the building.

Ken Kilgore commented that the amount of parking in option 1 is more than adequate.

Hayden Williamson asked if the applicant had a preference in the options.

Jerome Bailey said he likes both, and commented that it is important to have the ADA compliance and they could shift things in either option at this point.

Troy Cunningham asked about the Tickville Wash mitigation.

Mark Christensen mentioned that they did get the LOMR paperwork this week for review, the CLOMAR has been done and at some point it is something they would abandon on that property. The removal of this from the flood plain will be taking place as part of the Legacy Farms Project. He noted that previous applicants and owners didn't want to be part of the zoning changes so the zoning sort of occurred around them. The whole area will be benefitting from Legacy Farms improvements in the area.

Troy Cunningham noted that the City owned a large easement here and asked for clarification.

Jamie Baron said it was for the previous alignment of Tickville wash.

Troy Cunningham voiced a concern about the distance between alcohol sales and proximity to the school across the street.

Kimber Gabryszak remarked that the code stated within *proximity* with no specific distance, they will make sure it's a fair distance.

Troy Cunningham noted that the high school kids would come here, which could be good and bad, he is concerned about traffic flows. He prefers plan 1, he feels it's a better look from the main road.

Ken Kilgore noted it didn't have areas for plazas and gathering spaces and wondered if the applicant would make it more pedestrian friendly with some of those spaces.

Jerome Bailey said they wanted it to have more of a feel of a plaza, if it could be a little more distant from the main road that would help with that. He asked what would happen with the flood plain if it would need to be filled in or who would do that.

Mark Christensen noted that they would work with the City Engineer on that. There will need to be construction standards to work out later.

Jerome Bailey noted there were thoughts of a future stoplight and how it could eventually give another connection to the high school so they wouldn't always need to go onto Redwood Road.

Ken Kilgore asked who is responsible for extending the road to the west.

Mark Christensen noted there were a few property owners in the vicinity and they would need to work though it in more detail.

Ken Kilgore noted that we need to make sure there are no negative consequences to any homes in the area; there have been a number of residents that have commented that during grading their homes get flooded so he wanted to make sure they helped mitigate potential problems

Jerome Bailey said they would consult their engineer, so far the ground has been fairly clean from tests done on it.

Mark Christensen noted they will work with them as well so there were no negative impacts. It is part of the requirements.

Ken Kilgore thanked him and said he is also in favor of plan 1.

Kirk Wilkins asked about a traffic study.

Kimber Gabryszak said it will be required for their site plan.

Kirk Wilkins said he is leaning toward option 1 as well. He asked how far UDOT would widen the road.

Mark Christensen said we don't know the answer to that yet. They are currently looking at the expansion and the edge of asphalt would probably be pretty close to their western boundary.

Jerome Bailey said he talked to UDOT on that and heard it was 20ft. but they added another 10 ft. to the concepts to be safe.

Kimber Gabryszak said from everything they know that 30' should stay as landscaping and be fine but they want to be safe down the road and not have something 3 feet off the right-of-way.

Sandra Steele asked what would happen with the box culvert.

Mark Christensen said likely they would want to preserve access to that for any possible future access needed.

There should still be some open channel on the north to use and they would like to keep this open.

Kevin Thurman noted the City is interested in keeping our easement.

Sandra Steele asked if there were plans to put gates on it.

Mark Christensen said they would work towards that and keep in mind that it could be an attractive nuisance.

Motion made by Troy Cunningham to forward a Positive recommendation to the City Council for the Cowboys - Commercial Rezone and General Plan Amendment with the Findings and Conditions in the staff report dated 2-18-2016. Seconded by Hayden Williamson. Aye: Sandra Steele, David Funk, Hayden Williamson, Kirk Wilkins, Ken Kilgore, Troy Cunningham. Motion Passed.

6. Training - Utah League of Cities and Towns

Meg Ryan from Utah League of Cities and Towns (ULCT) went over a few concepts with the Planning Commission. She was asked to review some basic powers and duties. She noted that Planning Commission is a face of the City and how we listen and respond to public is important. Land use is planning for the future. You need to know your limitations and your possibilities. Know what you are really allowed to do and not to do. Zoning is not static. This is your community, collective, not individuals – your strength is working together for collective goals.

Meg Ryan reviewed the Land Use Development and Management Act and where to find it. It Respects Local Control. City Council is the Legislative body of the City, they may delegate some things. Planning Commission is a Land Use Authority. UCA 10-9A-102. She reviewed basic themes of the LUDMA. Private property rights, Must clearly write it down, Must abide by it, and Must act with reasonable diligence. She went over Land Use Tools, the General Plan and the Land Use Code.

Meg Ryan advised that Ordinances should be clearly written and be objective, not subjective. There should be due process and regulations, equitable treatment. Planning Commission recommends to the City Council. City Council takes final action and appoints. She noted what is required from the Utah State Statute. She said they should be familiar with their duties and reviewed the City Code on that.

Mark Christensen noted we are working with City Council on what duties they are comfortable with delegating.

Meg Ryan reviewed the role of the City Council. She advised on the different roles of legislative, administrative and quasi-judicial. She reviewed Public Hearing practices and notices at the different levels. Findings of Fact are the reasons why decisions were made. Planning Commission is not an appeal authority. She talked about appeals and variances and their criteria.

A short break was taken at this time.

7. Work Session: Discussion of Code and Vision.

Kimber Gabryszak said they were taking the Home Occupation changes to the City Council next week and will have a new round of clean-ups coming through later.

8. Approval of Minutes:

a. February 11, 2016

ORDINANCE NO. 16-08 3-15-16

AN ORDINANCE OF THE CITY OF SARATOGA SPRINGS, UTAH, ADOPTING AMENDMENTS TO THE CITY OF SARATOGA SPRINGS' OFFICIAL ZONING MAP AND LAND USE MAP OF THE GENERAL PLAN FOR CERTAIN REAL PROPERTY TOTALING 4.865 ACRES LOCATED AT APPROXIMATELY 431 SOUTH REDWOOD ROAD,; INSTRUCTING THE CITY STAFF TO AMEND THE CITY ZONING MAP AND LAND USE MAP OF THE GENERAL PLAN; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Utah Code Chapter 10-9a allows municipalities to amend the General Plan and the number, shape, boundaries, or area of any zoning district; and

WHEREAS, before the City Council approves any such amendments, the amendments must first be reviewed by the planning commission for its recommendation; and

WHEREAS, on February 25, 2016, the Planning Commission held a public hearing after proper notice and publication to consider proposed amendments to the City's Land Use Map contained in the General Plan as well as the City-wide zoning map and forwarded a positive recommendation with conditions; and

WHEREAS, on March 15, 2016, the City Council held a public hearing after proper notice and publication to consider the proposed amendments; and

WHEREAS, the City Council voted on the application at the March 15, 2016 meeting; and

WHEREAS, after due consideration, and after proper publication and notice, and after conducting the requisite public hearing, the City Council has determined that it is in the best interests of the residents of the City of Saratoga Springs that amendments to the Land Use Map of the General Plan and City-wide zoning map be made.

NOW THEREFORE, the City Council hereby ordains as follows:

SECTION I – ENACTMENT

The property described in Exhibit A is hereby changed from Agricultural to Regional Commercial on the City's Zoning Map and is hereby changed from Planned Community to Regional Commercial on the City's Land Use Map of the General Plan. City Staff is hereby instructed to amend the official City Zoning Map and Land Use Map of the General Plan accordingly.

SECTION II – AMENDMENT OF CONFLICTING ORDINANCES

If any ordinances, resolutions, policies, or maps of the City of Saratoga Springs heretofore adopted are inconsistent herewith they are hereby amended to comply with the provisions hereof. If they cannot be amended to comply with the provisions hereof, they are hereby repealed.

SECTION III – EFFECTIVE DATE

This ordinance shall take effect upon its passage by a majority vote of the Saratoga Springs City Council and following notice and publication as required by the Utah Code.

SECTION IV – SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION V – PUBLIC NOTICE

The Saratoga Springs Recorder is hereby ordered, in accordance with the requirements of Utah Code § 10-3-710—711, to do as follows:

- a. deposit a copy of this ordinance in the office of the City Recorder; and
- b. publish notice as follows:
 - i. publish a short summary of this ordinance for at least one publication in a newspaper of general circulation in the City; or
 - ii. post a complete copy of this ordinance in three public places within the City.

ADOPTED AND PASSED by the City Council of the City of Saratoga Springs, Utah, this 15th day of March, 2016.

Signed: _____

Jim Miller, Mayor

Attest: _____

Cindy LoPiccolo, City Recorder

Date

VOTE

- Shellie Baertsch _____
- Chris Porter _____
- Michael McOmber _____
- Bud Poduska _____
- Stephen Willden _____

City Council Staff Report

Author: Melissa Grygla, Library Director
Subject: Library Board Member
Date: March 9, 2016
Type of Item: Resolution



Summary Recommendations: The City Council should appoint Pam King to fill Janae Wahnshaffe's position on the Library Board which will become vacant on April 12, 2016.

Description:

A. Topic: Library Board Member Appointment

B. Background: Janae Whanschaffe was directed by the Utah State Library to step down from the Saratoga Springs Library Board, with her recent appointment as Director of Highland City Library because of potential conflicts with the North Utah County Library Cooperative (NUCLC). Her position on the board will become vacant at the next board meeting on April 12, 2016. Pam King has been nominated by the library board to fill the empty seat. Her term would expire on June 30, 2018.

C. Funding Source: There are no anticipated funding impacts of appointing a new Library Board member.

D. Analysis: Pam King is a resident of Saratoga Springs who expressed an interest in joining the Library Board last summer. The Library Board kept her name on file to contact as a potential member in the future if a member was unable to fulfill their current term with the Library Board. I believe that to help the Library Board maintain the quorum necessary to hold meetings and vote, it would be prudent to appoint the specified individuals to the Library Board.

E. Department Review: City Manager, Library

Alternatives:

A. Approve the Request: Staff recommends that the City Council approve the appointment of Pam King to fill the remainder of Janae Whanschaffe's term ending June 30, 2018.

B. Deny the Request: The City Council could deny the request and not approve the appointment of these board members. The existing library board members would then have to locate, recommend, and evaluate other possible candidates who would like to fill the positions.

C. Continue the Item: The City Council could continue the request until a later date and time. The result being that the Library Board would not always have a sufficient number of members present to complete the necessary quorum.

Recommendation: Staff recommends the approval of the attached Resolution.

RESOLUTION NO. R16-19 (3-15-16)

**A RESOLUTION APPOINTING A MEMBER
TO THE LIBRARY ADVISORY BOARD AND
ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the Governing Body of the City of Saratoga Springs has established a Library Advisory Board; and

WHEREAS, there is a vacancy on the Board due to a resignation and the new member will fill the unexpired term.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the City of Saratoga Springs that the following person is hereby appointed to the Library Board of Directors as outlined herein:

<u>Board Member</u>	<u>Term</u>
Pam King	June 30, 2018

This resolution shall become effective immediately upon its passage.

Passed on the 15th day of January, 2016

CITY OF SARATOGA SPRINGS
A UTAH MUNICIPAL CORPORATION

Jim Miller, Mayor

Attest:

Cindy LoPiccolo, City Recorder

**City Council
Staff Report**

Author: Mark T. Edwards, Capital Facilities Manager

Subject: Regal Park Fence Project

Date: March 15, 2016

Type of Item: Award of Bid



Description:

A. Topic:

This item is presented to the City Council for an award of bid for the contract to install a concrete mow curb and vinyl fence along property lines next to the pedestrian trail and park property.

B. Background:

The company currently working in Regal Park was originally contracted to install a two rail fence but was asked to upgrade to a 6' semiprivate fence if the residents chose to pay for the upgrades. The contractor changed fencing subcontractors 3 times last fall, each time a new contractor approached residents for payments. This became confusing for many residents who also felt rushed to enter into an agreement. After numerous resident complaints, Staff removed the fencing element of the contract from the contractor's responsibilities and has rebid the fencing contract. Prices for the mow curb and fences came in almost 14% higher than originally bid, mostly due to higher concrete costs. Unfortunately, only one contractor provided a bid on the project. This may not be ideal but the contract was advertised on Bidsync in an open and fair manner.

The new contract included a Base Bid for the 2 rail fence provided by the City and an Additive Alternate bid for the upgrade to a 6' semi-private fence. If the residents want the upgrade they must pay \$9.25 per linear foot, directly to the contractor.

C. Analysis:

Council can pick from two options, one is to award the bid to the one contractor who proposed on this project or direct Staff to re-advertise the fence project in hopes of getting better prices.

Recommendation:

Staff recommends that the bid for the Regal Park Fence Project be awarded to England Construction for \$36,496.00 with Additive Alternate A for \$10,767 which will be paid by the residents if they desire a fence upgrade. These funds will continue to come from the GL Acct. # 35-4000-660 which is funded from The Benches, Phase 8 Bond Settlement Agreement.

Bid #	Base Bid	Alternate 1	
England Construction	\$ 36,495.00	\$ 10,767.00	(Paid by residents for fence upgrade)
TOTAL	\$ 36,495.00		

March 4, 2016

Saratoga Springs City
1307 N. Commerce Dr, Suite 200
Saratoga Springs, UT 84045
Attn: Mark Edwards

RE: Regal Park, Fencing Project Letter of Recommendation

Dear Mr. Edwards,

Project Engineering Consultants, Ltd. (PEC) has received and reviewed the bids submitted for the Regal Park Fencing Project. Only one bid was received. Based on the submitted bid PEC recommends that Saratoga Springs award the contract to England Construction, whose bid price was \$36,496.00 for the base bid and bid alternate 1 with a price of \$10,767. Bid alternate 1 will be paid directly to the contractor by residents desiring an upgrade (\$9.25/lin ft). If residents decline the upgrade only the base bid will be installed.

Respectfully,
Project Engineering Consultants, Ltd.



Lars Anderson, ASLA
Vice President

RESOLUTION NO. R16-20 (3-15-16)

**A RESOLUTION AWARDING A BID TO
ENGLAND CONSTRUCTION FOR THE REGAL
PARK FENCE PROJECT**

WHEREAS, the City Council of the City of Saratoga Springs has found it necessary to install a concrete mow curb and vinyl fence along property lines next to the pedestrian trail and park property at Regal Park;

WHEREAS, the City of Saratoga Springs advertised for a Regal Park Fencing Project RFB from Feb. 25, 2016 to March 2, 2016 and one bid was received;

WHEREAS, Project Engineering Consultants, Ltd. (PEC) reviewed the bid submitted for the Regal Park Fence Project and recommended that the City of Saratoga Springs award the contract to England Construction, whose bid price was \$36,496.00 for the base bid and bid alternate 1 with a price of \$10,767; bid alternate 1 will be paid directly to the contractor by residents desiring an upgrade (\$9.25/lin ft); if residents decline the upgrade only the base bid will be installed;

WHEREAS, the City Council has determined that the proposed project is in the best interest of the public, will further the public health, safety, and welfare, and will assist in the efficient administration of City government and public services.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SARATOGA SPRINGS, UTAH, THAT:

1. The City of Saratoga Springs does hereby award a bid award to England Construction in the amount of \$36,496, with Additive Alternate A for \$10,767 for the Regal Park Fence Project.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage.

Passed on the 15th day of January, 2016

CITY OF SARATOGA SPRINGS
A UTAH MUNICIPAL CORPORATION

Jim Miller, Mayor

Attest: _____
Cindy LoPiccolo, City Recorder

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CITY OF SARATOGA SPRINGS
CITY COUNCIL MEETING MINUTES

Tuesday, March 1, 2016
City of Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

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City Council Work Session

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Call to Order: 6:03 p.m. by Mayor Pro Tem Stephen Willden
Present Council Members Michael McOmber, Stephen Willden, Shellie Baertsch, Bud Poduska and Chris Porter.

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Mayor Jim Miller joined the meeting at 6:06 p.m. following instruction to visiting Boy Scout Troop.

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Staff: City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager Spencer Kyle, Planning Director Kimber Gabryszak, Public Relations and Economic Development Manager Owen Jackson, Recreation Director Heston Williams, City Engineer Gordon Miner, Capital Facilities Manager Mark Edwards, City Recorder Cindy LoPiccolo, Deputy City Recorder Nicolette Fike

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1. **Street Signs.**

Assistant Manager Kyle presented a report concerning the deteriorated condition of street signs within the Saratoga Springs Development for discussion purposes. Manager Kyle reported it is staff's opinion the signs are private, however, as this is a public safety issue notified by Fire Chief Campbell, staff is seeking Council review; noted funding options in the event it was determined the City would assist with sign replacement.

Council Member Porter reported he reviewed cost information from the HOA, understands the argument this is a public safety concern, however, has difficulty expending public funds to a private entity as the residents voted to keep the streets private, in addition there is talk about possible future gating.

Council Member McOmber noted sewer and storm drains within the development are maintained by the City, roads are private, however, in his opinion the signs are not. He pointed out the homeowners pay property tax, do not receive snow plowing, the purpose of signs are for safety and are not an amenity, and fire and police would have access in the event the community was gated. Council Member McOmber further noted if the HOA fails the City must take over responsibility, many residents have come to him and he is in support of the request for the City to pay for the street sign replacement.

City Manager Christensen reported he believed in the event the HOA went under, the area would be considered a special assessment area with slightly different treatment as the private streets would remain.

Council Member Poduska commented it was his opinion the matter is based on the consideration of what is private v. public, noted the developer presented a plan for private designation with the advantages of not constructing/paying for sidewalks etc., this is a private enterprise set up to privately provide for necessary maintenance, and signs should stay private and be funded by the HOA.

Council Member Baertsch clarified 64 signs to be unreadable at an approximate cost of \$2,000 for replacement, commented she has concern with private v. public responsibility in view of not only this development but all other private developments and businesses in the City, and stated she believes it would be a mistake in this particular situation to use public funds.

Council Member Willden expressed the opinion if the HOA pays for the replacement of the signs the City should not mandate they are blue, concurred with Council Member Baertsch and recommended a long term

54 city-wide policy for all private areas versus area by area, and stated he is uncomfortable in view of restricted
55 access paying for the signs, possibly have a dedicated easement to the City. Assistant City Manager Kyle
56 agreed the color of the signs should not be mandated.
57

58 Council Member McOmber pointed out the City has benefit of public access to Eagle Park, and noted
59 problems in regard to the storm drains which he will discuss this at a later time, the HOA has requested the
60 City maintain the signs due to public safety reasons.
61

62 Council Member Porter commented if there is mandated openness to the City he would be open to replacing
63 those signs along a driving access easement to Eagle Park and other park – along that easement the City
64 would have some responsibility.
65

66 City Attorney Thurman clarified the state requires the maintenance to be the responsibility of the HOA with
67 access granted to the City.
68

- 69 2. **Park Funding Sources; Sports Complex.** City Manager Christensen requested Council direction
70 concerning the question how it would like to move forward with planning and funding for the new sports
71 complex, in particular concerning the 100 acre parcel. City Manager Christensen inquired if Council would
72 want to move forward with a bond or build as we go, is it desired the 100 acres be master planned or should
73 the City focus on the 25 acres of the project and have a concept laid out.
74

75 City Manager Christensen explained, if approved, the City could receive \$10 million tax exempt bank
76 qualified bond funding, however, would be obligated to make payment on the bonds and if necessary
77 increase taxes to do so. He identified and reviewed financial aspects of possible funding options in
78 particular a general obligation bond, a sales tax revenue bond, lease revenue or municipal building authority
79 loan, or build as we go financing using annual budget residual, noting park impact fees could be used to pay
80 the debt or as a funding source and there is time sensitivity if the City wants to do a general obligation bond.
81 He commented concerning the possible involvement of a large developer that has asked to place an SID
82 similar to the south end of the City and the use of those proceeds, and reported Jonathan Ward will be
83 invited to present financial options.
84

85 Council Member McOmber noted there is a demand for recreation in the City and he has heard positive
86 comments from residents, and pointed out as the City grows these types of amenities are important, a
87 community of 100,000 in 60 years needs to have a regional sports park, and should be offered to attract
88 growth.
89

90 Council Member Porter noted it would be helpful to know costs and phasing.
91

92 Council Member Baertsch pointed out use of all impact fees for one big regional park is a concern as there
93 are other parks in the City.
94

95 Council Member Poduska inquired if the bond debt would have impact in the event the City must pay for
96 other necessary capital projects, pointed out an economy bust could happen again to some degree,
97 understands the project would be a great asset and would like to do the bond, however, phase the
98 development in accordance with what can be afforded and bond in a progressive way rather than all at once.
99

100 City Manager Christensen noted decisions are necessary in regard to purchasing the property and the
101 challenge concerning inflation of the cost of property and infrastructure, and recommended if there is a
102 decision on the purchase then to move ahead with the master plan, if not, only have a concept plan.
103

104 Council Members Baertsch and Willden concurred with planning the entire area at once, then plan ahead
105 with a master plan in place, similarly to the City Center project.
106

107 Council Member Willden referred to discussion of selling fields etc. for name and advertising rights.

108

109 Assistant Public Works Director Edwards inquired concerning master planning, noting this project is being
110 talked about as being built on 25 acres, however does the City want to master plan the total 100 acres;
111 reported costs have recently been received however needs evaluation. He reported a detailed level of
112 elevations for all future improvements such as infrastructure and engineering is necessary, not construction
113 planning.

114

115 Recreation Director Williams requested a decision on level of tournaments, if the City wants to bring teams
116 from all over the country, or state – if country, a certain level of amenities is necessary, and he is supportive
117 of whatever program Council would like.

118

119 Council Member McOmber noted a sports facility would be economically beneficial to the City bringing
120 supporting businesses such as hotels, a KOA should be planned as the City has hot springs, and there is a
121 substantial potential for regional and national tournaments pointing out the area benefits from the nearby
122 mountains and lake, and Salt Lake is inexpensive to fly into.

123

124 Council Member Baertsch inquired concerning the possibility of developing standard improvements and at a
125 later date converting to a higher level of improvements. Assistant Public Works Director Edwards advised
126 that would not be cost effective, would be very complicated and disruptive, and recommended making a
127 decision and building what is desired. City Manager Christensen recommended choosing level of
128 improvements now and then building portions at a time.

129

130 Council concurred to review cost information from the consultants and cafeteria style presentation of
131 options; concurred to master plan first then make decisions on quality and level of improvements of the 25
132 acres.

133

134 **Adjournment:** The Work Session adjourned at 7:00 p.m. to the Policy Session.

135

136 **Policy Meeting**

137

138 **Call to Order:** Mayor Jim Miller called the Policy Session to order at 7:00 p.m.

139

140 **Roll Call:**

141 Present Council Members Chris Porter, Stephen Willden, Michael McOmber, Bud Poduska, and
142 Shellie Baertsch.

143 Also Present City Manager Mark Christensen, City Attorney Kevin Thurman, Spencer Kyle Assistant
144 City Manager, Public Relations and Economic Development Director Owen Jackson,
145 Planning Director Kimber Gabryszak, City Engineer Gordon Miner, Capital Facilities
146 Manager Mark Edwards, City Recorder Cindy LoPiccolo, Deputy City Recorder Nicolette
147 Fike

148

149 Invocation by Council Member McOmber

150 Pledge of Allegiance led by Council Member Willden

151

152 **Public Input:**

153

154 Nancy Park, 324 Pavilion Circle, representing the Board for Saratoga Springs Development, spoke in support of
155 the City funding the replacement and maintenance of the street signs as a safety issue.

156

157 **Awards and Recognitions:**

158

159 Fire Department Chief Jess Campbell introduced new Fire Fighter-Paramedics Ryan Rackman, Nick McQueen,
160 and Trent Jenkins. Mayor Miller gave the oath of office and welcomed the new officers to the City.
161

162 Police Chief Andrew Burton introduced new Police Officers Terry Cox and Jason Blake. Mayor Miller gave the
163 officers the oath of office and welcomed them. Chief Burton presented the officers with a Certificate of
164 Commission.
165

166 Civic Events Coordinator AnnElise Harrison announced the Miss Saratoga Springs Pageant event will be held
167 on Saturday, March 5, 7:00 p.m. at Vista Heights Middle School. Coordinator Harrison reviewed the program
168 and contestant qualifications noting the Saratoga Springs Pageant format is being followed by other entities.
169 Coordinator Harrison introduced and thanked Pageant volunteers Tyfani Balzotti, Rebecca Crookston, and
170 Janelle Cropper for their hard work and involvement, and encouraged attendance and support.
171

172 **POLICY ITEMS:**

173 **Reports:**

174 Public Relations and Economic Development Manager Jackson announced the City of Saratoga Springs Spring
175 Festival and Egg Hunt will be held on Saturday, March 19, 9:00 am sharp at the Neptune Park, and invited
176 attendance.
177
178

179 Planning Director Kimber Gabryszak presented a staff update on new and supplemental Planning Department
180 submittals.
181
182

183 Council Member Baertsch presented a legislative update, noting the bill concerning home occupations is being
184 watched and recommended holding off a decision on the City's ordinance amendment until resolution of the
185 bill. She recommended the Council and staff figure out a strategy and ways to improve economic development
186 in the City including obtaining membership on current regional development committees, as the City has missed
187 several economic development opportunities.
188

189 Council Member Willden reported in regard to the proposed access points (Jordan River Commission), Spencer
190 Kyle has the information and will identify them on the parks and trails plans; and he has also been attending the
191 same league meetings.
192

193 Council Member Porter reported Camp Williams will conduct live fire exercises March 18-20, March 30-April
194 3, and April 15-20. Also reported the Camp is establishing a community program, the Utah Fire Academy will
195 hold wildland fire training at the Camp and surrounding Fire agencies are invited to attend and participate to
196 establish future inter-local assistance. Council Member Porter reported Camp Williams is working to establish a
197 buffer of open space along the northern edge, which would be an amenity to the City as well as protect the
198 Camp.
199

200 Mayor Miller invited legislative participation, and reported he is talking with people in the building industry as
201 certain businesses have gone to other areas, they are looking at business trends and how to improve business
202 approval process as there is a need to go forward, be competitive with the right businesses, and grow Saratoga
203 Springs.
204

205 **PUBLIC HEARING:**

- 206
207 1. **Code Amendments to Section 19.08 – Home Occupations. Ordinance 16-07 (3-1-16).**
208

209 Mayor Miller opened the public hearing.
210

211 Planning Director Gabryszak presented the staff report addressing proposed code amendments to Section
212 19.08 Home Occupations as they apply to home based business applications. Director Gabryszak reported
213 this issue has been discussed in work sessions, the Planning Commission held a public hearing on February
214 11, 2016 and forwarded a positive recommendation to the City Council. She advised the goal is to clean up
215 the Home Occupations code section, categorize types in Class 1, 2 and 3 home occupations depending on
216 impact, adding and clarifying current standards, adding example language and some restrictions. Director
217 Gabryszak reviewed Class description and examples, and the specific recommended code changes from
218 staff and the Planning Commission.

219
220 Mayor Miller invited public comment - None.

221
222 Mayor Miller closed the public hearing for discussion.

223
224 Council Comment:

225
226 Council Member Porter inquired concerning the analysis for Class 3 number of 8, expressing the opinion it
227 may be low; recommended uses in office warehouse “and” industrial be “and/or”; noted the sign code
228 19.18 allows residential signs to be free standing or attached and there should be consistency; approve costs
229 based on impact, however, noted some metrics seem to address size instead of impact.

230
231 Council Member Baertsch commented she agrees with Council Member Porter in part; has a question when
232 is a home business inappropriate for residential areas, has concern with high impact home businesses in
233 regard to traffic and sharing amenities e.g. parking, noting the City needs to limit impact but not ability to
234 use private property; code should include provision for possibility of an accessory building; percentage of
235 home if 40% should include hallways etc., should be incidental; noted cul-de-sacs have a greater traffic
236 impact; free standing signs okay as long as they meet code standards; and recommended in view of current
237 legislation having this public hearing but holding on decision until legislation final.

238
239 Council Member McOmber commented Home Occupancy code should exclude residents conducting
240 hobbies and clubs and train staff to evaluate appropriately; pointed out the City should be careful not to
241 give home occupancy businesses an unfair advantage over other businesses, if big, get the building.

242
243 Council Member Poduska noted the majority of home occupations are computer based businesses unless
244 daycare or lessons; inquired regarding possibility of restricting the number of home occupation businesses
245 per area, such as three day cares on one street. Director Gabryszak noted the only time the City has done
246 that is with less desirable types of businesses where you do not want a lot of them.

247
248 Council Member Willden concurred with Council Member Porter; noted concern with capping businesses,
249 and expressed opinion the City should not legislate out of fear.

250
251 Council discussed possible limitation of the number of patrons at one time or simultaneously, home
252 business percentage, and day care licensing requirements. City Manager Christensen recommended as
253 there is no consensus, and there are many changes and edits to make, staff will bring the ordinance back.

254
255 Motion by Council Member Baertsch to table the public hearing for Code Amendments to Section 19.08 –
256 Home Occupations until staff can bring back ordinance with discussed changes, was seconded by Council
257 Member Poduska

258 Roll Call Vote: Council Members Willden, Porter, McOmber, Poduska and Baertsch – Aye
259 Motion passed unanimously.

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261 **ACTION ITEMS:**

- 262
263 1. **Appointment of City Recorder. Resolution R16-16 (3-1-16).**

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City Manager Christensen introduced and recommended appointment of Cindy LoPiccolo as City Recorder.

Motion by Council Member Porter to adopt Resolution R16-16 (3-1-16) appointing Cindy LoPiccolo as City Recorder, was seconded by Council Member Baertsch
Roll Call Vote: Council Members Baertsch, Poduska, McOmber, Willden, and Porter – Aye
Motion passed unanimously.

4. **400 West Extension to Aspen Hills Blvd.**

Assistant Manager Kyle presented the staff report and recommendation for direction on the prioritization of the extension of 400 W to Aspen Hills Blvd. and authorization to the City Engineer to proceed with an RFP for the project design; advised funding is available for this construction season with the advantage of receiving favorable pricing on asphalt due to current oil prices.

Council Member Poduska commented in favor of construction of the street as soon as possible noting access will be provided from the northern portion of the City and connectivity to the commercial area; pointed out that the City goal is to inter-connect communities and neighborhoods, and allow free movement; understands some Aspen Blvd. residents have concerns, however, believes they will find the availability to the commercial area will serve them; notes the City has funds available due to low bidding from other projects, there is a time limit on the use of this land, and recommends approval.

Council Member Willden reported he received some concerns about traffic in this neighborhood, however, this extension has been on the master plan for several years and believes it serves the greater interest.

Council Member McOmber reported he has consistently referred possible new residents to master plans, the City needs connectivity, and with the additional connections residents will see less traffic impacts because alternative routes are created and there is more access; he is in favor of this extension.

Council Member Baertsch reported she has received both positive and negative feedback concerning this extension, some residents have concern about additional traffic impacts, however, believes many will continue to use Redwood Road, many issues will be mitigated when Foothill Blvd. goes in, this is important as another connection, it benefits the residents of Aspen Hills improving their connectivity and additionally helps the land developer with their process; so in favor of this. She reported one resident requested consideration of changing the name of 400 W to Brighton Way.

Council Member Willden noted as with other development, the City must look at and plan in regard to traffic in the long term for future and existing residents; in favor of this type of connector as in five years if we did not have them people would be angry we did not plan ahead – it is a necessary long term solution for the residents of Aspen Hills.

Motion by Council Member Baertsch to prioritize the extension of 400 W to Aspen Hills Blvd and direct the City Engineer and Project Manager to proceed with an RFP for the design of this project, and proceed with the appropriate budget amendments, was seconded by Council Member McOmber
Roll Call Vote: Council Members Porter, Willden, Poduska, McOmber and Baertsch – Aye
Motion passed unanimously.

Council concurred the rail line in the Park the appropriate venue for memorializing Brighton Tenney. Council Member Baertsch also noted if the landowner comes in with their development they have the ability to name streets.

316 2. **Final Plat Extension Request for Hillside Ridge Phase 2.** Located approximately 1300 S. Redwood
317 Road, Applicant: Winchester Homes. Staff report and presentation waived as information received at prior
318 meeting.
319

320 Motion by Council Member Poduska to approve the proposed 30-day extension for the Hillside Ridge
321 Phase 2 Final Plat located approximately 1300 S. Redwood Road, Applicant: Winchester Homes, and all
322 findings, was seconded by Council Member Porter

323 Roll Call Vote: Council Members Porter, Willden, McOmber, Poduska, and Baertsch – Aye
324 Motion passed unanimously.
325

326 3. **Award of Bid for segment of the Master Planned Sanitary Sewer, Saratoga Springs Commercial**
327 **Subdivision.** Staff report and recommendation waived as information received at prior meeting.
328

329 Motion by Council Member Baertsch to award the construction of a segment of master-planned 21-inch
330 sanitary sewer through the Saratoga Springs Commercial Subdivision project to Sunroc Construction for
331 the amount of \$39,620.50, was seconded by Council Member McOmber

332 Roll Call Vote: Council Members Baertsch, Porter, Willden, McOmber, Poduska – Aye
333 Motion passed unanimously.
334

335 5. **River Bend Phases 3, 4, and 5 – Addendum to Resolution Pertaining to the City Street Lighting**
336 **Special Improvement District to Include Additional Subdivision Lots. Resolution R16-17 (3-1-16).**
337

338 Motion by Council Member Willden to approve River Bend Phases 3, 4 and 5 - Addendum to Resolution of
339 the City of Saratoga Springs Pertaining to the City Street Lighting Special Improvement District to Include
340 Additional Subdivision Lots, Resolution R16-17 (3-1-16), was seconded by Council Member Porter

341 Roll Call Vote: Council Members Porter, Willden, McOmber, Poduska, Baertsch – Aye
342 Motion passed unanimously.
343

344 **APPROVAL OF MINUTES:**

345
346 1. **February 2 and 16, 2016.**
347

348 Motion by Council Member Baertsch to approve the minutes for February 2, 2016 and February 16, 2016
349 with corrections as submitted and posted, was seconded by Council Member Willden

350 Roll Call Vote: Council Members Porter, Willden, McOmber, Poduska, Baertsch – Aye
351 Motion passed unanimously.
352

353 **DISCUSSION ITEM:**

354
355 1. **Central Utah Water.** City Manager Christensen distributed a Comparison of City of Saratoga Springs
356 Obligations data sheet prepared by Central Utah Water, containing water contract information and
357 alternatives. He reported he has been having conversation with Central Utah Water and the LDS Church
358 for the last 2.5 years, the contract provides for more water than the developments are on track to use, the
359 Church's position is the water is expensive and would like to defer payments. He reported the affected
360 parties are trying to get Central Utah Water to back off on their take down and break up their costs – they
361 have finally broken out the capital expenditure and Operations & Maintenance costs.
362

363 City Manager Christensen reviewed the three alternatives and reported the Church is inclined to go to the
364 third option which anticipates the Church still contributing \$62 million up front as contracted, then a
365 reduced cost of picking up that capital water as the development moves forward. He reported this is also
366 believed at this time to be the City's best scenario as water would be taken on a more regular basis, water,
367 capital costs (O&M and replacement) are lower because we are not rushing to build all the infrastructure

368 and we would only be paying actual costs, the option keeps the water share in the City longer and gives
369 greater opportunity for shares for future development, however, this will continue to be evaluated.
370

371 Council briefly discussed effects of sale of water right to density, obligation of the City to plan and
372 preserve the resource, and the impact of the contractual obligation to the City's bond rating. City Manager
373 Christensen noted this is a complex issue, everyone has tried to do a good job lowering costs, and is now a
374 much better picture as the O&M is reduced to a manageable number.
375

376 **CLOSED SESSION:**

377
378 Motion by Council Member McOmber to enter into closed session for the purchase, exchange, or lease of
379 property, pending or reasonably imminent litigation, the character, professional competence, or physical or
380 mental health of an individual, was seconded by Council Member Poduska

381 Roll Call Vote: Council Members McOmber, Baertsch, Willden, Poduska and Porter – Aye

382 Motion passed unanimously.
383

384 The meeting moved to closed session at 9:09 pm.

385
386 Present: Mayor Miller, Council Members Baertsch, McOmber, Poduska, Porter, Willden, City Manager Mark
387 Christensen, City Attorney Kevin Thurman, Assistant City Manager Spencer Kyle, Planning Director Kimber
388 Gabryszak, City Recorder Cindy LoPiccolo
389

390 Closed Session Adjourned at 9:26 p.m.

391 **ACTION ITEMS (Continued):**

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393
394 **6. Settlement Options with JD V LLC / JD VI LLC.**

395
396 Council Member Baertsch reported in review and discussion of the settlement options Council finds Option
397 2 the best option for the City for several reasons, primarily because of the opportunity to keep the traffic
398 out of the City, also to prevent a problem such as the one recently on Grandview Blvd. where trucks were
399 going through commercial and residential neighborhoods.
400

401 Council Member McOmber noted Council also wants an eighteen month time frame for use of 800 West
402 and to get an alternate route.
403

404 **Motion by Council Member Baertsch to authorize the City to enter into a settlement agreement with**
405 **Hadco Construction, to work toward Option 2, and to include an 18 month time limit for use of 800**
406 **West, was seconded by Council Member Poduska**

407 **Roll Call Vote: Council Members Porter, Willden, McOmber, Poduska, and Baertsch – Aye**

408 **Motion passed unanimously.**
409

410 **ADJOURNMENT:**

411
412 There being no further business, Mayor Miller adjourned the Policy Meeting at 9:31 p.m.
413
414

415 _____
416 Date of Approval

Mayor Jim Miller

417
418 Attest:

419 _____
420 Cindy LoPiccolo, City Recorder