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CITY OF SARATOGA SPRINGS
CITY COUNCIL MEETING

Tuesday, March 25, 2014

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

POLICY SESSION -Commencing at 7:06 p.m.

Present:

Council Members: Mayor Miller, Councilman Willden, Councilwoman Baertsch, Councilwoman Call, Councilman McOmber and Councilman Poduska

Staff: Lori Yates, Mark Christensen, Spencer Kyle, Kimber Gabryszak, Sarah Carroll, Chief Jess Campbell, Mark Edwards, Owen Jackson

Others: Karalyn Becraft, Ryan Poduska, Jennifer Klingonsmith, Barbara Poduska, James Deriea, William, Andrew, and Daniel Yates, Tina LeBaron, Aimee and Bret Walker, James Doolin, Aaron Evans, Alison Johnson, Jeni Bitter, Suzanne Werner, Robert Werner, Christie Eager, Travis Jordan, Devia Olsen, Lori Sims, Lisa and Matthew Morris, Matt Percy, Jake Smith, Dawson Balzotti, Noah Jordan, Dasan Rohner, Zachary Warren, Huey Kolowich, Eric Anderson, Adam Stout, Gayle Hutching, Joseph Sims, Faye Fackrell, Leil Fackrell, Blair Hutchings, Andrew Bargeron, Zach Warren, Michelle Warren, Paula Heaton, , Kelsey Dean, Benjamin Dean, Keveny Daley, Kris Holley, Maurie Pyle, Ashley Buhman, Kathy McGregor, Steve Larson, Janette Crump, Taylor Crump, Stephen Sowby, Henry Barlow, Mark Barlow, Chris Porter

Call to order by Mayor Miller.

Roll Call.

Invocation was given by Councilman McOmber.

Pledge of Allegiance was led by Jonah Phillips of Troop 1281.

Mayor Miller opened public input.

Karalyn Becraft quoted Kimber Gabryszak from an article as saying that PUDs had loopholes that inadvertently allowed developers to give small open spaces and gain higher densities. Ms. Becraft is concerned that the R4 and R5 allow for high densities and the developer doesn't have to give any open space in return. She is concerned with all of the changes that occurred on July 16, 2013. She spent considerable time trying to find information on lot sizes in R3 zones and finally spoke with Sarah and again took considerable time before finding the information. She would like to know the reasoning behind the change and asked that the rezone be tabled until this information is available.

Ben Dean expressed concern that public input from Planning Commission meetings isn't being shared with the City Council.

Mayor Miller closed public input.

Awards

Sergeant Eddie Christensen recognized Jason Ruch for his recent promotion to Corporal with the Saratoga Springs Police Department.

I. Consent Calendar:

- a. Award of Bid for the City Wide Crack Seal project.
- b. Award of Contract for the Shoreline Wetland Cultural Resource Study.
- c. Award of Bid for the Loch Lomond pressure reducing valve project.
- d. Sierra Estates storm drain reimbursement agreement.
- e. Preliminary Plat for Stillwater Phase 6 located at 2700 South Stillwater Drive, Land Solutions Partner, applicant.
- f. Joint Federal Aid agreement between the City of Saratoga Springs and Utah Department of Transportation for Lakeshore Trail.

Councilwoman Baertsch asked that a clarification be made on the Sierra Estates storm drain amount - \$70,000 and not \$75, 000. Also, in the Stillwater project, make sure the trail construction on the north trail is included.

Councilman McOmber clarified that we aren't taking federal aid for the Lakeshore Trail; this is local gas tax money coming back to the city.

59 Councilwoman Baertsch moved to approve the consent calendar with a. Award of Bid for the City Wide Crack Seal project to
60 Top Job LLC for \$71, 862, b. Award of Contract for the Shoreline Wetland Cultural Resource Study to SWCA Environmental
61 Consultants, Inc. with alternates 1 and 2 for \$79, 562, c. Award of Bid for the Loch Lomond pressure reducing valve project
62 to Taurus Plumbing and Excavating Company for \$82, 900, d. Sierra Estates storm drain reimbursement agreement for a
63 lump sum of \$70,000, e. Preliminary Plat for Stillwater Phase 6 to include the north trail construction. Councilman McOmber
64 seconded. Aye: Councilman Willden, Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman
65 Poduska. MOTION PASSED.

66
67 **2. Public Hearing: Real Estate transaction with Central Utah Water Conservancy District.**

68
69 **Jeremy Lapin** this is property was initially set aside as a detention pond for water. Because of the road widening it isn't needed
70 for a pond any more. The Central Utah Water Conservancy could use it; .605 acres.

71
72 **Mayor Miller** opened public input.
73 There was none.

74
75 **Councilman Poduska** moved that the public hearing be closed. Councilman McOmber seconded. Aye: Councilman Willden,
76 Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman Poduska. MOTION PASSED.

77
78 Council gave direction to staff for the real estate transaction.

79
80 **3. Public Hearing: Rezone and Concept Plan for Talus Ridge located at approximately 550 North 800 West, Edge Homes,**
81 **applicant.**

82 **a. Ordinance 14-4 (3-25-14): amending the City of Saratoga Springs official zoning map.**

83
84 **Sarah Carroll** presented the rezone for Talus Ridge and the request for the change of zone.

85 **Steve Maddox**, applicant, said they have had two neighborhood meetings. He understands that the amenities aren't as popular
86 but the ones that are being proposed will bring benefits in the future. The overall density is lower and the lot size is comparable
87 with the surrounding subdivision. The concern is the rezone and the impact it may bring. Double fronted lots are of a concern. He
88 feels that they have been flexible in seeking a solution and is asking for a small variance.

89
90 **Mayor Miller** opened the public hearing.

91
92 **Aaron Evans** asked about the canal: keeping it safe from the children and the trash created by the new residents.

93 **Chris Porter** noted that a large number of rezone requests have come in. He strongly encouraged an MDA with the proposed
94 development.

95 **Karalyn Becraft** likes the plan. She pointed out that the developer has the intention of making the other 800 acres R-6 or higher.
96 If allowed to make this project R-5, that makes it easier to increase the density on the 800 acres. She liked the idea of the
97 northwest connection recommended by staff.

98 **Paula Heaton** noted that when they were forced to annex into the city in 2009, the agricultural rights were grandfathered in. As
99 more homes are built and new owners move in, she would like to see that they are made aware of the agricultural use and are
100 informed of the rights that will be next to them before they sign a contract.

101 **Henry Barlow** expressed the same concerns as addressed by Paula Heaton. His property is next to the proposed development. He
102 suggested that the agricultural usage be noted on the plat. He expressed concerns with the types of fencing that would be allowed
103 or required.

104 **Kelsey Dean** coordinated a petition with 140 signatures in opposition to the rezone. Many of the Sunrise Meadows residents
105 moved to the area because of the open space and agricultural land around them. The applicant has been responsible with
106 addressing our concerns. As the city continues to grow, they want to ensure a proper buffer between agricultural and new
107 residential projects. They oppose higher density for Talus Ridge.

108 **Margaret Pyle** expressed concern with 800 West and 400 North needing to be widened and the lines need to be restriped with a
109 more durable paint.

110
111 **Mayor Miller** closed the public hearing.

112
113 **Steve Maddox** disclosed that the agricultural use will be disclosed to buyers and recorded with the plat.

114 **Sarah Carroll** noted that the canal will be buried.

115 **Steve Maddox** is open to any fencing option that isn't chain link.

116
117 **Mayor Miller** appreciates the applicant holding a meeting with the residents. He noted that there were concerns about parking
118 for the proposed park if it will be used for soccer.

120 Councilman Poduska said density is a concern with the residents but this is a lower density at R4 (2.5 homes per acre) than
121 staying with R3 (3 homes per acre). The developer has made every effort to meet and work out difficulties. He doesn't see this as
122 a proposal with higher density.

123 Councilman Willden likes the plan. He would keep the R3 and grant the variance.

124 Councilwoman Baertsch agreed that it's a great plan; she likes the variation in lot size, the additional amenities which allow for
125 future planning. Her preference is to keep the R3. She would like to address the fencing issues and have an ag notice to be signed
126 by future homeowners with the title.

127 Councilman McOmber appreciates the comments from residents. He would keep the R3 with the variance on frontage and 9000
128 sq. foot lots. Having the title include the ag use is the right way to go. He appreciates the open space and the location of the
129 park.

130 Councilwoman Call said the R4 zoning is premature; concept plan is fine.

131
132 Councilwoman Call moved to deny Ordinance 14-4 (3-25-14): amending the City of Saratoga Springs official zoning map.
133 Councilwoman Baertsch seconded. Aye: Councilman Willden, Councilwoman Baertsch, Councilman McOmber,
134 Councilwoman Call, Councilman Poduska. MOTION PASSED.
135

136 **4. Public Hearing: Rezone and Concept Plan for Heron Hills located at approximately 3250 South Redwood Road, Steve**
137 **Larson, applicant.**

138 a. Ordinance 14-5 (3-25-14): amending the City of Saratoga Springs official zoning map.
139

140 Sarah Carroll presented the rezone for Heron Hills along with the concept Plan. There are some options to discuss. The
141 Planning Commission suggested a development agreement with the preliminary plat. There are 3 options for the location of the
142 detention basin. A phasing plan was provided, but it didn't include the open space phasing.

143 Steve Larson, applicant, said that the open space fits the needs of the council and staff. He noted the value of the detention pond
144 and the ability to use it to relocate wetlands. He stressed that the developer and city are working together. He suggested a
145 meandering boardwalk through the wetlands.

146
147 Mavor Miller opened the Public Hearing.
148

149 Bret Walker understands the property will be developed. He is concerned with the need for another secondary access since
150 Swainson Avenue is already being completed. He suggested making a cul-de-sac; add a security gate for emergency access only
151 and not an entrance onto Redwood Road. No other community in Saratoga Springs that has entrances on Redwood Road has
152 driveways that close to the entrance; this is a safety issue. He wondered why they never received notice of rezoning in 2013 or
153 2010. He suggested following the example of other cities and putting up large temporary signs by the area with the proposed
154 zoning changes.

155 Ryan Poduska, on HOA board that borders Hawks Ranch, said the residents of Hawks Landing need the Swainson Road
156 completion to Redwood.

157 Tina LeBaron doesn't agree with the rezone. She's concerned about neighbors that turn their property into rentals. She
158 expressed concern about having a park next to a beach due to drowning hazards.

159 Mori Simms noted that this area would feed off of Wildlife Blvd. which comes out onto Redwood Road and is a dangerous
160 intersection. We don't need more traffic trying to come off that road. She intends to have animals (horses, cows, pigs) and that
161 needs to be dealt with. She said she doesn't believe anyone really wants to have a beach area; it doesn't look like a beach area.

162 Kathy McGregor lives near the proposed project. She currently has a well with water that is 106° coming out of the ground.
163 They can't drink the water. She asked to be given an easement to be able to have city water. She would also like to request that
164 the lots that will back to her property have uniform fencing provided by the developer or no fencing at all.

165 Joseph Simms is not in favor of the rezone. Redwood road is dangerous and narrow and is shared with cyclists. He wondered if
166 there were plans for a bike trail.

167 Aimee Walker said that half of the development will be using Hawks Drive; it's a drastic curve and snow removal is minimal.
168 The boat launch in Pelican Bay has a direct launch; the proposed launch in this plan is not direct so people will have to drive
169 through the subdivision and there is no parking.
170

171 Mavor Miller closed the Public Hearing
172

173 Steve Larson said they had worked carefully and looked at the traffic issues. They don't own the road and have done what they
174 can.

175 Mark Christensen said this will provide trail connectivity from the south end to the north end of the city and address the cyclist
176 concerns.
177

178 Councilwoman Call this project has come a long way and is a great benefit to the community. The access onto Redwood Road
179 will be addressed by UDOT because it's a state road. There is a need for another access into this development. Suggested that the
180 street names be changed along with the name of the development, liked the previous development name "Heron Hills." Likes the
181 look and use of the wetlands which will be a benefit for the community. Community docks is moving forward but however the

182 property owners will need to apply for those permits. Construction traffic is a concern through the neighborhood. Likes the
183 proposed beach design. The Utah Lake Commission working to restore the ecosystem of the lake by removing the carp fish and
184 phragmite. Snow removal will be a priority in this development. Recommended the developer work with adjacent property owner
185 regarding fencing and water. She feels that the property doesn't need to be rezoned and keep at an R-3 zone. Likes the Concept
186 Plan.

187 **Councilman Poduska** likes the concept plan. Utah Lake is one of the great aspects of Saratoga Springs. This development
188 provides beach access and public access. Allowing 70 foot frontage removes the need for a zoning change. Redwood Road is a
189 state road but the development in the area is going to require UDOT to expand the road. Option 3 with a split detention pond is
190 very good. He supported having the developer work with Kathy McGregor for a uniform fence.

191 **Councilman McOmber** said the HOA should have uniform fencing standards. He said he would like to find a solution for water
192 for Kathy McGregor that would also benefit other lots. He asked Jeremy Lapin to work on this. He said there is beach parking.
193 He really likes the concepts. The name of the development needs to be changed along with street names for public safety
194 reasons. The driveways backing out onto the roads for those particular lots near Redwood Road are a safety concern.

195 **Councilwoman Baertsch** said the original development name of "heron Hills" is good. The focus should be on the lake which
196 Heron Hills does. The street names need to be change. She likes the overall project but wants to leave the zone as R3. She
197 agreed that there are safety concerns with Wildlife Blvd. The fencing requirements should be worked into the CC&R's.

198 **Councilman Willden** appreciates the work done to improve this project. He favors keeping the R3 zone with the variances. The
199 wetlands options are nice. Secondary road access is needed for Hawks Landing. He agrees with the Heron Hills name.

200 **Mayor Miller** suggested little turnoffs for the lots that back the road.

201
202 **Councilwoman Call moved to deny Ordinance 14-5 (3-25-14): amending the City of Saratoga Springs official zoning map.**
203 **Councilwoman Baertsch seconded. Aye: Councilman Willden, Councilwoman Baertsch, Councilman McOmber,**
204 **Councilwoman Call, Councilman Poduska. MOTION PASSED.**

205
206 **5. Preliminary Plat for Heron Hills located at approximately 3250 South Redwood Road, Steve Larson, applicant.**

207
208 **Councilwoman Call moved to approve the preliminary plat for Heron Hills located at approximately 3250 South Redwood**
209 **Road with all findings and conditions including the lot size reduction, option #3 for the detention basin and directing the**
210 **developer to work on the reallocation of the garages. Councilman Baertsch seconded. Aye: Councilman Willden,**
211 **Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman Poduska. MOTION PASSED.**

212
213 **6. Public Hearing: Amendment to Sierra Estates Master Development Plan located between 350-600 West and 400 North,**
214 **Stephen Sowby, applicant.**

215
216 **Sarah Carroll** noted that the MDA is close to expiring. The developer is asking to extend the agreement. One change is the
217 city's request of 1.2 acres for the future Mountain View Corridor alignment. The developer is asking for a lot size reduction.

218
219 **Steve Sowbie**, applicant, said they strictly complied with the code in every case and have complied with the city's request for the
220 Mountain View Corridor. They have worked with staff and will cooperate with the neighbors regarding agricultural concerns.
221 There some slight errors and typos in the MDA and he asked the staff to work with them on correcting those.

222
223 **Mayor Miller opened the Public Hearing.**

224
225 **Paula Heaton** reminded them of agricultural use and rights that were grandfathered in. She asked them to let those coming in
226 know about this.

227
228 **Mayor Miller closed the Public Hearing.**

229
230 **Sarah Carroll** noted that there are minor changes to the MDA. They have complied with all zoning and will dedicate land to the
231 Mountain View Corridor but prefer to do that when the MVC actually comes through.

232 **Ross Welch** explained the reason for retaining ownership at this time is because of what happened with Pioneer Crossing. They
233 had a piece dedicated to that and the Pioneer plans changed. If the MVC plans change, they want to retain ownership of their
234 land.

235 **Councilman McOmber** said he loves Neptune Park and appreciates the change. He likes the age-in-place senior community.
236 Having three entrances is helpful. He noted that the bungalows located nearest 400 North will be the last to sell because of the
237 noise. He suggested reallocating the bungalows. We need to be sure the needs of the city are being met. He would like to see the
238 MDA tied to the senior living community in the R6 zone and that if the senior community does not happen, it reverts back to R3.

239 **Councilwoman Baertsch** is okay with the MDA extension and also wants clear language that if not a senior community, it goes
240 back to R3. She has concerns about all the entrances on 400 North and being across from the bus yard. She would like something
241 that notifies buyers about the ag zone and that the Mountain View Corridor will be going right behind their houses.

242 **Councilman Willden** is fine with R6 being tied to the MDA.

243 Councilman Poduska is also concerned with the traffic. He likes the concept and the city needs something for the senior
244 community.
245 Councilwoman Call would like to see that the parking stalls are located along the facility. Possibly flipping the driveways which
246 is a safety concern at this time.
247

248 *Councilwoman Baertsch moved to approve Amendment to Sierra Estates Master Development Plan located between 350-600*
249 *West and 400 North, Stephen Sowby, applicant, with the amendment that if it isn't assisted living it reverts back to R3 and*
250 *notifications about ag use and the Mountain View Corridor be on the title and that staff approved changes to the MDA be*
251 *included and that the property for the Mountain View Corridor does not need to be dedicated to the city at this time and with*
252 *all finding and conditions. Councilman McOmber seconded. Aye: Councilman Willden, Councilwoman Baertsch,*
253 *Councilman McOmber, Councilwoman Call, Councilman Poduska. MOTION PASSED*
254

255 Ross Welch explained that visibility is very important for assisted living.
256

257 **7. Public Hearing: Revisions to the City of Saratoga Springs Land Development Code. (Sections 19.01 – General**
258 **Provisions, 19.02 – Definitions, 19.03 – Powers and Duties, 19.04 – Land Use Zones, 19.05 – Supplementary, 19.08 – Home**
259 **Occupations, 19.09 – Off Street Parking, 19.12 – Subdivisions, 19.13 – Development Review Process, 19.14 – Site Plan**
260 **Review, 19.15 – Conditional Uses, 19.17 – General Plan, Ordinances, or Zoning Map Amendments, 19.18 – Signs, 19.26 –**
261 **Planned Community Zone.**
262

263 Kimber Gabryszak presented the proposed code changes and the reasons for the changes.
264 Councilman McOmber felt that 19.18 should be pulled and reviewed further by the council.
265 Councilwoman Baertsch wanted to be sure that current businesses with sign applications would not be negatively impacted by
266 delaying 19.18.

267 Kimber Gabryszak said those would be covered by existing code. Staff does need some direction. Staff can come back with
268 something based on the earlier work session.
269

270 **Mayor Miller opened the Public Hearing.**
271

272 Karalyn Becraft asked for an easy way to find notifications of code changes. Researching the code and the minutes needs to be
273 easier.

274 Kelsey Dean said Kimber has done great job. She is concerned about how much power is granted to the Planning Commission
275 since they aren't elected.

276 LeAnn Galloway said they are about to open doors to Young Family Dental. They applied for the signs in January and were
277 hoping for approval by tonight.
278

279 **Mayor Miller closed the Public Hearing.**
280

281 Kimber Gabryszak said that notifications are posted on the web site and the newspaper. They are working to make the site
282 clearer. She is working with the city attorney to get indexes. The Planning Commission would only make smaller impact
283 decisions. Young Family Dental will go to the next Planning Commission meeting and they are subject to the current code.
284

285 Councilman Willden is fine with all but 19.18. He prefers option #1.

286 Councilman Poduska prefers option #1 and pull out 19.18.

287 Councilwoman Call fine with the changes, but asked that 19.18 be pulled at this time.

288 Councilman McOmber agreed to pull 19.18. He appreciates the sub-committee that has worked on this.

289 Councilwoman Baertsch had question regarding the seasonal sales language. She questioned temporary residential use
290 language.

291 Kimber Gabryszak explained the reasoning and that the standards are still there.

292 Councilwoman Baertsch asked that direction be given to the two businesses coming with sign requests.

293 Kimber Gabryszak suggested creating a sign ordinance for medical buildings.

294 Mayor Miller said to pull 19.18.
295

296 *Councilwoman Baertsch moved to approve Ordinance 14-6 (3-25-14): adopting amendments to the City of Saratoga Springs*
297 *Land Development Code with the changes made tonight and taking out Section 19.18 for further discussion. Councilwoman*
298 *Call seconded. Aye: Councilman Willden, Councilwoman Baertsch, Councilman McOmber, Councilwoman Call,*
299 *Councilman Poduska. MOTION PASSED.*
300

301 **9. Resolution R14-16 (3-25-14): appointing an alternate representative to the Utah Valley Dispatch Special Services.**
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303 Mark Christensen presented the resolution. He explained that this person had to be an elected official.
304 Councilman Willden would like to be nominated.

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Councilwoman Baertsch nominated Councilman Willden. Councilwoman Call seconded. Aye: Councilman Willden, Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman Poduska. MOTION PASSED.

Policy Session was adjourned at 10:40 p.m.

June 17, 2014
Date of Approval

Jim Miller
Mayor, Jim Miller



Lori Yates
Lori Yates, City Recorder