

**City of Saratoga Springs  
Planning Commission Meeting  
June 26, 2014**

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

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**Planning Commission Minutes**

**Present:**

Commission Members: Eric Reese, Jarred Henline, Kirk Wilkins, Sandra Steele, Hayden Williamson, Kara North

Staff: Sarah Carroll, Scott Langford, Kimber Gabryszak, Nicolette Fike, Mark Christensen, Jeremy Lapin, Kevin Thurman

Others: Krisel Travis, Sue Alexander, Shelley Rollins, Tanya Parker, Will Scott, Jason Harris

**Call to Order** – 6:32 p.m. by Eric Reese, Acting Chairman

**Pledge of Allegiance** – led by Kirk Wilkins

**Roll Call** – Quorum was present

**Public Input Open** by Eric Reese

No input at this time.

**Public Input Closed** by Eric Reese

**4. Public Hearing and Possible Action: Home Occupation for a Dance Studio located at 3349 South Hawk Drive, Shelley Rollins, applicant.**

Scott Langford presented the application. He noted class time hours and up to 10 students per class.

Applicant was present to answer questions.

**Public Hearing Open** by Eric Reese

No input at this time.

**Public Hearing Closed** by Eric Reese

Jarred Henline likes the application, but would like to see a condition for a window of 10-15 minutes between classes to allow for traffic pick up and drop off.

Kara North would like the class times a little more offset for the same reason.

Kirk Wilkins thanked the applicant for doing due diligence and bringing arts to the city.

Hayden Williamson had no concerns.

Sandra Steele worried that the 5:00 class was overlapping work hour traffic. She did not want parking from a mini recital to conflict with the neighbors.

Shelley Rollins-applicant, replied that she did not have plans for mini recitals and that she would be willing to change the time.

Eric Reese asked when classes would be held in the year and how the kids would be picked up, at the front door or let out.

Shelley Rollins indicated that her normal classes would be Sept. through May and maybe a few fun classes in the summer. For pickup they would all wait at the front door for parents.

**Motion by Kara North that Based upon the evidence and the explanations received today and the findings listed in the staff report, I move that the Planning Commission approve a conditional use permit to allow for a home occupation of the La Belle Dance Studio on property located at 3349 South Hawk Drive, subject to the following conditions: 1. A business license must be obtained prior to operation. 2. The home occupation shall comply with all of the standards listed in Section 19.08.02 of the Land Development Code. 3. No more than 10 children may attend any one class. And the additional condition that the afternoon classes scheduled to begin after 3p.m. have a 15 min window after the conclusion before the next class begins. Seconded by Hayden Williamson.**

Sandra Steele asked that they add the condition that they would **have no mini recitals on site.**  
Kara North and Hayden Williamson **accepted** that additional condition.

Sandra Steele also wanted class time changed to 5:30 to allow for traffic.  
Kara North did not accept that condition. She felt the 15 minute window was sufficient and that not everyone comes home from work at the same time.  
Jarred Henline would prefer a 10 – 15 minute window between all classes.  
Kara North **accepted that condition, sticking with 15 minutes.** Hayden Williamson as well.

**Aye: Sandra Steele, Hayden Williamson, Eric Reese, Kirk Wilkins, Kara North, Jarred Henline.**  
**Motion passed unanimously.**

**5. Continued Public Hearing and Possible Recommendation: Preliminary Plat and Public Hearing and Possible Recommendation: Amended Site Plan, both for Hillcrest Condominiums Phase 3 located at 1900 North Crest Road, Nate Hutchinson, Flagship Homes, applicant.**

Sarah Carroll presented the plat and site plan. She review staff recommendations with a change to 5.i. a basketball court instead of a tot lot.

**Public Hearing Open** by Eric Reese

No input at this time.

**Public Hearing Closed** by Eric Reese

Sandra Steele noticed that there could be some pedestrian and handicap accessibility issues.  
Dave Hutchinson-applicant has spoken with Sarah Carroll about that concern and accessibility issues will be taken care of.

Hayden Williamson had no additional comments.

Kirk Wilkins had no comments.

Kara North had no comments.

Jarred Henline had no additional comments.

Eric Reese wondered if the HOA had any opinions on this.

Sarah Carroll said she had not heard from the HOA, it was generally the same plan they had seen before.

**Motion by Hayden Williamson to recommend approval to the City Council of the Preliminary Plat and Site Plan Amendment for Hillcrest Condominiums, Phase 3, located at approximately 1900 North Crest Road, based upon the findings and conditions listed in the staff report with the exception of item 5.i. in which the applicant has offered to do a half-court basketball court in lieu of the tot lot and also including the accessibility recommendations conditions. Seconded by Kirk Wilkins.**

Kirk Wilkins would like it specified that **the half court would have to be completed.**

Hayden Williamson **accepted** that.

Kara North asked if accessibility was included.

Hayden Williamson said it was intended to.

**Aye: Sandra Steele, Hayden Williamson, Eric Reese, Kirk Wilkins, Kara North, Jarred Henline.**  
**Motion passed unanimously.**

**6. Public Hearing and Possible Recommendation: Rezone and Concept Plan for Harvest Heights located between Redwood Road and Springhill Drive, Fieldstone Utah Investors, applicant.**

Kimber Gabryszak presented the Rezone and Concept Plan. She reviewed staff recommendations. She reminded Commission that the Rezone was a public hearing but the Concept Plan was not.

Jason Harris, applicant brought a PowerPoint for more clarification. He wanted to point out that part of the reason they proposed the zone change was that the surrounding property was already zoned RC, and the uses that go along with that make sense for the corner lot. They took the approach that they propose it be single family R6 along the corridor partly because of the slope of the terrain and there would be a transitional buffer between the zones. They will carry the trail through the project and provide connectivity. They felt it was a better product for this location.

**Public Hearing Open** by Eric Reese

No input was given at this time

**Public Hearing Closed** by Eric Reese

Jarred Henline asked if it was feasible to build it the way it's planned.

Jason Harris indicated that he thought that they could keep the slope more as it currently exists.

Jarred Henline thought they should go towards the staff's second option recommendation to keep intact the city plans.

Kara North is not totally opposed to the proposed changes at this time after hearing the presentation.

Kirk Wilkins felt in general rezones are difficult especially when it changes their general plan. He would support it if it was more in line with what was surrounding.

Hayden Williamson is in favor of doing some rezoning here and feels the commercial in the corner makes more sense. The residential on the hill would make more sense than commercial there. He is uncomfortable with R6 and would maybe be more comfortable with R4. He thought it may be better to put larger lots up front.

Sandra Steele asked staff if the slopes were such that they could be built upon.

Both Staff and Applicant were unsure of the exact slope. 30% could not be disturbed and any they created would have to be within 4-1. They would have to comply with code.

Sandra Steele is against Regional Commercial on that corner, it was changed originally because they didn't want the normal Redwood Road type corner development. Nearby residents have had aversion to automotive uses. She would only support Neighborhood Commercial. She would like to see better traffic flow in the project and asked if they were going to bridge the canals.

Jason Harris replied that there were two bridges. (box culverts)

Sandra Steele said if it was left at R4 and NC. She would rather see the neighborhood commercial go uphill because of the noise. She is concerned about the slopes and would like to see a slope analysis and see the rezone contingent upon receiving that.

Kara North asked applicant what lot sizes in his nearby subdivision (Silver Lake) were. And perhaps some perspective on pricing

Jason Harris said there were Cluster lots on alleys and exterior 5500-6000 sq. ft. lots. That was a little smaller than what they were proposing here. They sell for about \$250 – 275,000 these will be around \$275-300,000 range. Also he knows there is a major road and a buffer is needed, there is some varied use around and they are trying to transition from one type to the other.

Eric Reese liked what Commissioner Williamson said about something nicer more viewable to the main road. He would like to see some justification why an R6 as opposed to R3. As for the commercial, he doesn't have an issue with taking it to a RC but sees the thoughts behind an NC.

Sandra Steele had question for staff how we could be protected about the slopes. What if we rezone it and find out it can't be developed.

Kimber Gabryszak responded that code already takes care of some of that as far as what could be built upon with sensitive lands and slope impacts. Studies would be required before Preliminary Plat review. She noted that a rezone doesn't guarantee density. If an area is sensitive lands it cannot be built on. A concept plan does not guarantee that layout or the number of units.

Hayden Williamson asked what has typically been done in the past.

Kimber Gabryszak answered that it could be done a few different ways. It's likely it will all be finalized at the time of preliminary plat.

**Motion by Kara North to forward positive recommendation to the City Council for the rezone of the 27.658 acre parcel 58:023:0112 from Agriculture to R-4, R-6, and Neighborhood Commercial for the area identified as RC as located in Exhibit 1 and outlined in Exhibit 2, with the Findings and Conditions identified in the Report. Seconded by Jarred Henline**

Hayden Williamson asked would they consider taking the R6 out so just from agriculture to R4 and Neighborhood Commercial.

Kara North was not in favor of that.

**Aye: Jarred Henline, Kara North. Nay: Kirk Wilkins, Eric Reese, Hayden Williamson, Sandra Steele. Motion Failed.**

**Motion by Sandra Steele to forward positive recommendation to the City Council for the rezone of the 27.658 acre parcel 58:023:0112 from Agriculture to R-4, and Neighborhood Commercial for the area identified as RC as located in Exhibit 1 and outlined in Exhibit 2, with the Findings and Conditions identified in the Staff Report. Seconded by Hayden Williamson. Aye: Sandra Steele, Hayden Williamson, Eric Reese, Kirk Wilkins. Nay: Jarred Henline Kara North. Motion passed 4 – 2.**

7. **Public Hearing and Possible Recommendation: Site Plan Amendment to Westgate Shops B (Lot 8 of the Saratoga Wal-Mart Subdivision) for Café Rio located at 1513 North Redwood Road, Bill Gaskill, applicant.**

Sarah Carroll presented the Site Plan Amendment. She also went over parking requirements and noted that additional parking was required.

**Public Hearing Open** by Eric Reese

No input at this time

**Public Hearing Closed** by Eric Reese

Sandra Steele feels the signs and elevations are fine, with the addition to the parking lot she feels she can support it.

Hayden Williamson said it looks great.

Kirk Wilkins welcomed applicant to Saratoga Springs.

Kara North said her concern was parking and hoped the conditions staff listed would take care of that.

Jarred Henline had a concern with the extra lot for parking and hoped it couldn't be moved too far away.

Sarah Carroll noted that it was a possibility due to future building location it would be subject to site plan approval.

Jeremy Lapin thought there was a code about how far it could be from the building.

Eric Reese was concerned about the parking but thought whatever needed to happen to bring Café Rio in would happen.

Sandra Steele thought that there was concern that they be allowed to work concurrently with construction drawings and tenant improvements to open sooner.

Jeremy Lapin thought they could request that they allow approval of building plan prior to site plan approval.

Sandra Steele wanted to add that all improvements be made prior to occupancy.

**Motion by Sandra Steele that based on the evidence and explanations received today I move that the Planning Commission forward a positive recommendation to the City Council for the approval of Westgate Shops B Site Plan Amendment, for Café Rio, with the finding and conditions below. With the addition of : Code requirements shall be met for parking and the final review of engineered plans, landscape plans, and other parking items shall be delegated to staff. A lot line adjustment shall be done to include the additional parking across the drive aisle in the overall site. A tenant improvement permit may be granted but certificate of occupancy shall not be issued until completion of site improvements. Seconded by Jarred Henline. Aye: Sandra Steele, Hayden Williamson, Eric Reese, Kirk Wilkins, Kara North, Jarred Henline. Motion passed unanimously.**

8. **Concept Plan for Saratoga Springs South Stake Center located at 3300 South Village Parkway, Evans and Associates Architecture, applicant.**

Sarah Carroll presented the Concept Plan. It is to be located in Fox Hollow. They are requesting 15% sod in exchange for a higher plant count. Staff is recommending that at least the required number of trees be a 2 ½ in. caliper.

Jarred Henline would recommend approval with added that at least 40 2 ½ inch trees and they comply with city lighting standards.

Kara North had the same comments as Commissioner Henline.

Kirk Wilkins had same as lighting comments and he is ok with landscaping and higher caliper trees.

Hayden Williamson seconded Commissioner Wilkins comments.

Sandra Steele would also recommend lighting to city standards. She asked where accessible entrance was and where it led into the building.

Chad Spencer-for applicant, replied that their entrance was in to the main foyer, but the spaces were further away to meet grading requirements.

Sandra Steele asked if spacing in driveways was sufficient as per engineering.

Jeremy Lapin recommended that the one entrance that lined up with the intersection did not change but the other could be moved if it needed.

Sandra Steele would like to see more turf but understands that the Church does not like more than 35%. She did appreciate the additional trees.

Chad Spencer responded that this site was particularly challenging because of slopes, they are limited as to where they can put turf.

Eric Reese asked who maintained the ownership of the landscaping after it was built. For instance; if a tree dies. He is fine with the landscape change.  
Chad said within a year it's the contractors job to replace trees etc. after that there is a facilities manager.

**9. Continued Discussion and Possible Recommendation for Legacy Farm Community Plan and Village Plan located at 400 South Redwood Road, DR Horton, applicant. Presented by Kimber Gabryszak.**  
Kimber Gabryszak reviewed the Plans for Legacy Farms and items discussed from the last meeting.

Sandra Steele commented that she is not pleased with some of the changes made and some that weren't made. She feels it's time to decide on a recommendation.

Hayden Williamson asked about the size of the fence next to existing townhomes and that the residents wanted something different and felt they were promised something else.

Krisel Travis felt that what they proposed was sufficient for their needs, the fence was fairly close to new homes and thought 6' would feel to enclosed. She noted that if the HOA would participate with them in the costs they would be willing to go with something more. They are trying to make compromises.

Hayden Williamson encouraged applicant to conform to current residents wishes and expressed a wish that it be a condition of approval.

Kirk Wilkins thanked applicant for addressing issues and also mentioned that the fence issue was something he has asked about before. He felt it was time to move on and break ground.

Kara North got some clarification on the fence issue.

Jarred Henline felt there was some clear misinformation between the developer and current neighbors but that they couldn't push a certain fence on their private property. He felt that it was time to go with staff recommendations and forward a positive recommendation.

Eric Reese felt that if there were some compromises than its time to move on.

Hayden Williamson asked staff if it would be appropriate to put a condition about the fence.

Kimber Gabryszak said they could but there is nothing in current city code about that fence being required to match but in this case the development is creating a new code and things could be modified as needed.

**Motion by Jarred Henline Based on the information and discussion in the staff report and memorandum and discussion received tonight, I move to forward a positive recommendation to the City Council for the Legacy Farms Community Plan with the Findings and Conditions as outlined in the Report. Seconded by Kirk Wilkins Aye: Jarred Henline, Kara North, Kirk Wilkins, Eric Reese. Nay: Sandra Steele, Hayden Williamson. Motion Passed 4 – 2.**

Hayden Williamson voted no because of the fence issue.

**Motion by Kirk Wilkins Based on the information and discussion in the staff reports received tonight, I also move to forward a positive recommendation to the City Council for the Legacy Farms Village Plan 1 with the Findings and Conditions in the Staff Report. Seconded by Hayden Williamson, Aye: Hayden Williamson, Eric Reese, Kirk Wilkins, Kara North, Jarred Henline. Nay: Sandra Steele. Passes 5-1**

Sandra Steele voted Nay based on significant safety issues the applicant ignored. Also she felt there was not a descent to working with neighbors on the rod-iron fence. She feels this is causing issues. This is why she is voting no on both items.

A recess was taken at this time. Meeting resumed at 8:25 p.m.

**10. Approval of Reports of Action.**

Kimber Gabryszak reviewed the Reports of Action with the Commissioners.

Café Rio – positive recommendation with conditions.

Legacy Farms – positive recommendation on both items.

**Motion by Jarred Henline to Approve the Reports of Action and authorize the Acting Chair to sign and forward to the City Council. Seconded by Kara North. Aye: Sandra Steele, Hayden Williamson, Eric Reese, Kirk Wilkins, Kara North, Jarred Henline. Motion passed unanimously.**

**11. Approval of Minutes:**

1. June 12, 2014.

**Motion by Sandra Steele to accept the minutes. Seconded by Jarred Henline Aye: Sandra Steele, Hayden Williamson, Eric Reese, Kirk Wilkins, Kara North, Jarred Henline. Motion passed unanimously.**

**12. Commission Comments.**

There were no Commission Comments.

**13. Director's Report.**

Kimber Gabryszak reviewed actions taken at City Council meeting. She noted upcoming agendas. Mark Christensen, City Manager wanted Planning Commission to know that as a city they are starting to provide citywide training for all full time regular staff and a 4 hour seminar for part time staff. It provides them with a way of how they communicate and offer customer service. They are looking at how they can improve client interaction and customer service. He is inviting Commission.

**Meeting adjourned by Eric Reese.**

**Adjourn 8:36 p.m.**

July 10, 2014  
Date of Approved

Lori Yates  
Lori Yates, City Recorder

