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7 Councilwoman Baertsch commented that there was only one resolution and the term should be amended  
3 to **Items a. and b.**  
9 Amendment was accepted.

1 **Aye: Councilman Willden, Councilwoman Baertsch, Councilman McOmber, Councilwoman Call,**  
2 **Councilman Poduska. Motion passed unanimously.**

- 4 **2. Site Plan for Café Rio located at 1513 North Redwood Road, Amsource Development, applicant.**  
5 Sarah Carroll presented the site plan. She reviewed the signage and additional parking and Staff  
5 recommendations.

7 Councilman Willden is happy to have Café Rio in the city and is fine with the signs and parking adjustments  
3 being delegated to staff and asked the applicant if they had any concerns.

9 Bill Gaskell, Amsource Developments, said he had worked with the Staff to make the necessary code  
1 requirements. They feel they can work things out with staff. They originally proposed temporary stalls  
2 but would like to do permanent stalls and meet the code. He thinks staff understands what they need.

3 Councilwoman Baertsch is glad to have Café Rio come into the city, she thinks they will do very well. She  
4 is in favor of letting staff take care of signs, including the reductions to meet code, and parking. She  
5 asked about lighting in the parking area.

5 Sarah Carroll said that will be covered with the condition that they meet all engineering standards.

7 Councilman McOmber does not have problems with staff taking care of signs and would like condition #4 be  
3 changed from temporary to permanent as a long term solution. He is fine with the additional conditions  
9 and is excited about the business coming to the city.

1 Councilwoman Call expressed appreciation for the applicant patience. She then explained that due to the  
2 young nature of the city, no process was in place for a tenant improvement or remodel of a commercial  
3 building other than a new site plan application and associated fee, and again expressed appreciation that  
4 the tenant and developer pointed out the issue and asked staff and the council for a possible new process.  
5 Regarding parking, she wondered if conditions 3 needed to be modified due to the proposed plan. She  
6 requested that the tenant entertain over parking the restaurant beyond what code requires due to the  
7 amount of business. Saratoga Springs businesses, and especially a Café Rio in Saratoga, receive. She  
8 also agreed with staff in meeting code regarding signage and looked to the developer for agreement.

3 Sarah Carroll indicated that it was probably fine the way it was stated to cover those intents. 18 additional  
9 were needed, they had 10 of those.

1 Councilman Poduska appreciated the effort to enhance the appearance on the front and back of building. We  
2 are looking forward to this business in the city.

3 Mayor Miller welcomed them and was glad to see it finally come through.

4 **Motion by Councilwoman Baertsch to approve Site Plan for Café Rio located at 1513 North Redwood**  
5 **Road, Amsource Development, applicant, including all staff modified conditions and findings.**  
6 **Seconded by Councilwoman Call. Aye: Councilman Willden, Councilwoman Baertsch,**  
7 **Councilman McOmber, Councilwoman Call, Councilman Poduska. Motion passed unanimously.**

- 3 **3. Preliminary Plat for Talus Ridge located at approximately 550 North 800 West, Edge Homes,**  
9 **applicant.**

1 Sarah Carroll presented the preliminary Plat and the staff recommendations. She reviewed items discussed in  
2 Planning Commission.

4 Councilwoman Baertsch thought it was a great project. She asked if the proportionate open spacing was  
5 worked out yet. As far as the 9000 square foot lots, she is willing to do that because of the large  
6 investment in infrastructure they are putting in that will benefit future development.

7 Sarah Carroll said they are working on the open spacing.

3 Councilman McOmber has been impressed with Edge homes and their work in the city. He has received  
9 some positive emails about them. He is appreciative of the nicer roads and infrastructure. He is good  
1 with the preliminary plat and conditions.

1 Councilwoman Call thanked Edge Homes for being a good partner with the city, calling out their work on the  
2 Habitat for Humanity blitz house recently built in the south end of the city. She noted lot 93 in regards to  
3 the staff report. She appreciated the applicant working with staff in preserving open space and bringing  
4 oversized infrastructure into the city. She also thanked Ray from Edge Homes for donating his time to  
5 serve on the city's Urban Design Committee.

6 Councilman Poduska mentioned that Utah is a 'fenced-in' state and that obligation to fence something out is  
7 not placed on the developer. He asked if the second access came in on an earlier phase.

8 Sarah Carroll said there wouldn't be an issue with the roads.

9 Mayor Miller thanked them for the lower density, and thanked them for the work in Lakeview Terrace and  
0 on the Park on Rocky Ridge.

1 Councilman Willden pointed out that part of it is potentially being dedicated as an irrigation pond. He  
2 appreciated the developer working with the city.

3 Councilman McOmber remarked that they couldn't approve a subdivision if there wasn't water available and  
4 water rights that are owned. He felt many residents were using more water than necessary.

5 Jeremy Lapin wanted to clarify that they don't reserve water capacity until the plat is recorded and they pay  
6 the fees. It's first come first serve.

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9 **Motion by Councilwoman Call to approve Preliminary Plat for Talus Ridge located at approximately**  
0 **550 North 800 West, Edge Homes, applicant, with all staff findings and conditions. Seconded by**  
1 **Councilman McOmber, Aye: Councilman Willden, Councilwoman Baertsch, Councilman**  
2 **McOmber, Councilwoman Call, Councilman Poduska. Motion passed unanimously.**  
3

4 Steve Maddox thanked staff for the crazy build schedule they worked with for the Habitat Home. He would  
5 like to do that again in Saratoga Springs.

6  
7 **4. Preliminary Plat for Sierra Estates located at approximately 600 West 400 North, Scott Dunn,**  
8 **Patterson Homes, applicant.**

9 Sarah Carroll presented the preliminary Plat. She noted the lots that back the main road with a fence and  
0 they would not like to form an HOA just to take care of the park strip along that road.

1 Councilman McOmber thought that the park strip could be taken care of by the city because it's a major  
2 collector road and feels that residents wouldn't be able to take care of it as well and it may become run  
3 down. He is in favor of working with the developer and staff to work with something that will work for  
4 everyone.

5 Councilwoman Call expressed that she is a little on the fence on the park strip. She noted the change in  
6 direction regarding city pocket parks because of the expense that the city would incur in deploying to  
7 care for the small area of open space. She also does not want to force an HOA for such a small space.  
8 The only thing she sees different about this area is it is immediately adjacent to Neptune Park that the  
9 city already cares for.

0 Councilman Poduska said Sierra Estates has been good to work with and is grateful for Neptune Park. He  
1 feels that with the green strip next to Neptune Park that it would be easier to take care of.

2 Sarah Carroll noted that Staff would like to see Council direction on the park strip area.

3 Councilman McOmber would like to see them work with developer to find the solution.

4 Councilwoman Call asked who cared for the current green space to the east of Neptune Park and was told by  
5 staff the developer does and that it would be take care of by the HOA one the assisted living  
6 development developed. She asked staff and the council to consider possibly introducing a Special  
7 Improvement District to take care of code required open space like the park strip so that developers  
8 would not be required to create an HOA. She noted that the SID would spread the cost burden across  
9 those that are benefiting from it.

0 Sarah Carroll noted that they did the non HOA areas so far in the city.

1 Councilman Poduska asked staff what it would cost to have the city maintain the strip.

2 Jeremy Lapin said it's about \$5000 per an acre of turf. \$1800 of that is for localization.

3 Councilman Willden thinks the development looks great and was ok with city maintaining the park strip as it  
4 was close to Neptune Park.  
5

Councilwoman Baertsch is good with the development as a whole. For the park strip the city typically takes care of those areas along collectors in non HOA areas. She feels that the way to go is to keep with what they have been doing. She thought they city would need to be careful about an SID in this instance because the city essentially then acts as HOA management for the area. More research would need to be done before an SID option would be considered for this kind of situation.

Councilwoman Call asked staff how this development would affect 400 North.

Sarah Carroll responded that it would be improved to 77' roadway.

Jeremy Lapin noted that they didn't need to repave all the current asphalt, just the extension.

**Motion by Councilman Poduska to approve the Preliminary Plat for Sierra Estates, located at approximately 600 West 400 North, Scott Dunn, Patterson Homes, applicant, with the findings and conditions. Seconded by Councilman McOmber**

Councilman McOmber wanted **an additional condition that the City work with the developer so the city could maintain the park strip.**

Councilman Poduska **accepted** the amendment.

**Aye: Councilman Willden, Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman Poduska. Motion passed unanimously.**

**5. Concept Plan for Vista Heights Church located at approximately 600 West Pony Express Parkway, Evans and Associates Architecture, applicant.**

Sarah Carroll presented the Concept Plan. She noted the recommendations from Planning Commission. The applicant requested that they exchange 50% sod for 35.7% and extra trees.

Councilwoman Call noted the reason for the required turf is for keeping the heat down and with the huge increase in shrubs and trees; she feels this still meets the needs of the city. She agrees that the applicant ought to comply with code on lighting and agreed that the west access ought to be moved further west.

Councilman Poduska asked if there were chain link fences currently around the site.

Sarah Carroll responded that there is a chain link around the School and around and agricultural property to the west. But anything they put in could not be chain link

Councilman Willden was fine with the landscape reduction and proposed parking. He does encourage them to meet city standards on lighting.

Councilwoman Baertsch asked if some of the trees could be in grass areas. She also noted to increase some of the trees to a 2 ½ in. caliper per code

Councilman McOmber liked the better variety of church designs. He likes the increased amount of trees and expressed desire that the drive entrances be widened.

Mayor Miller would like current city standards be met with lighting.

**6. Continued Public Hearing: Legacy Farms Community Plan and the Village Plan located at 400 South Redwood Road, DR Horton, applicant.**

Kimber Gabryszak reviewed the two plans. She gave background and requests. There have been significant changes since the hearing in February. She reviewed items discussed in Planning Commission.

Greg Haws, applicant, had a presentation. He noted the amenities they would have, pool, clubhouse, terra parks, tot lots, play fields, and community gardens. The presentation showed some changes that have taken place in the plan. He reviewed a letter to the Council asking for consideration on specific items.

Krisel Travis asked that because of the quick time frame in turning it around they would have the opportunity to include the additional traffic study information in the report.

**Public Hearing Open by Mayor Miller**

Gaila Myers asked on the maintaining of the water system, and who would be responsible for that. She asked that Council pay attention to the strip along redwood road that they have asked the city to maintain. She feels there is limited open space in the area. She doesn't see how 1000 units are going to fit in that area.

Nancy Hart asked Council if the transaction of the sale to DR Horton has been completed and if the Tickville wash mitigation had been resolved. She thought the traffic study was not current enough.

1 She was concerned with a business like a Bed and Breakfast being put in that would not have enough  
2 parking.

3 Teri Smith was concerned about the project not having enough green space. She also commented on the  
4 Fence between the neighboring parcels and recalled that at a neighborhood meeting the developer  
5 said they could have a fence they wanted.

6 Dr. Wallace Smith is concerned with the density. He hopes it doesn't increase.

7 Carol Krejci mentioned that it was not fair for their HOA to not maintain the Strip along Redwood Road  
8 and have other HOA's maintain the strips by them.

9 Public Hearing closed by Mayor Miller  
0

1 Krisel Travis noted that the proposed fencing was 42' rod iron look, and that they have proposed if the  
2 current HOA would like to work with them on the cost they would be willing to change it to 6 ft.  
3

4 Councilman Poduska commented that with a berm along the road, trees and walkway that the fence  
5 wouldn't be very visible and wondered why it would need to be private.

6 Krisel Travis responded that the main reason was privacy for the homeowners

7 Councilman Poduska asked if the space was right next to Redwood Road.

8 Councilman McOmber asked if this plan showed the full width of Redwood Road.

9 Staff responded that it was planned to the full width. And the plans were designed to the right of way  
0 currently owned.

1 Councilman Poduska commented that with this consideration of the trail and berms he has no problem  
2 with the privacy fence. He asked about the removal of the agricultural protection area.

3 Kimber Gabryszak responded that to develop they need to remove it.

4 Krisel Travis indicated that staff had asked that the Agricultural be removed on Village Plan approval but  
5 they are asking that it be removed upon Preliminary Plat approval.

6 Councilman Poduska wanted clarification of where 20' buffer would be, and where it was requested to  
7 be taken out. He asked why the Developer was asking for the city to maintain the park strip.

8 Kimber Gabryszak noted where the buffer was located.

9 Krisel Travis responded that the maintenance was mainly financial and the developer felt there were  
0 considerable tradeoffs. They thought that about 80% of the area west of Redwood Road was city  
1 maintained except SSD. The area was approximately 2 acres.

2 Councilman Willden told developer that they had a tough job trying to be a good partner in the city and  
3 make people happy and thanked them for not pushing for the maximum and making changes to work  
4 with community and city. He is in support of eliminating the buffer. He is fine with the privacy  
5 fencing. He appreciates the efforts to work with Tickville Wash. He thinks it would be better for the  
6 HOA to maintain the park strip. He is fine with removing "alongside" in item 9. He asked what  
7 they were looking for on traffic studies.

8 Krisel Travis asked that it would be noted that they would like for the motion to they have those items  
9 and allow for further discussion with city on those items.

0 Councilwoman Baertsch asked staff how that would work for them.

1 Mark Christensen said that as long as staff is delegated the responsibility, that is their main concern.

2 Also the seller has ample water rights, the challenge is a three-way agreement and that however the  
3 transaction works out that it be granted to the city.

4 Jeremy Lapin recommends that they motion as written, that they are asking DR Horton to trust that they  
5 will be followed through with no intent to push any other issues. Maybe item 5 would need a little  
6 change maybe based on final analysis.

7 Kevin Thurman commented they could bring that back in the Master Development Agreement later.

8 Kimber Gabryszak said they could leave as written and that it covers complying with city standards.

9 Councilman Willden doesn't think developer should be punished for illegal actions of homeowners down  
0 the road.

1 Councilwoman Baertsch thanked them for addressing most of staff and Planning Commission concerns,  
2 and for decreased density from what they could be proposing. She also thanked them for putting the  
3 pool, clubhouse and other amenities back on the plan as promised to the residents. She asked staff  
4 about the purpose of limiting the length of cul-de-sacs.

5 Kimber Gabryszak it has to do with public safety and fire access.

Jeremy Lapin commented that it was also for way finding, if it's too long people don't understand it's a dead end.

Councilwoman Baertsch suggested another way to configure the southwest area of the plan so it's not hindering public safety and takes more driveways access points off of Sherwood.

Mark Christensen noted that one reason they did the cul-de-sac was so that the houses would not need to front on the collector road.

Kimber Gabryszak noted that fire department required a turn around every 150' and the specific plat when it came, may need to be changed.

Councilwoman Baertsch is not ok with all the 0 lot line occurrences on detached housing. It creates a situation that was not neighbor friendly where you must enter onto someone else's property in order to maintain or access the side of your home. She commented on street parking and conflict with snow removal, and guest parking. There were some diagrams that had rear porches. She commented that if they were to attach a deck there would be no setback. Staff noted that according to code they would have to meet the setback. She discussed utility placement and guest parking on different types of proposed lots.

Krisel Travis indicated that the utility plan was an issue but they can't have a plat to show people until they get all the engineering done. The rear loaded cottages have a 20 driveway.

Councilwoman Baertsch would like street lights to match city standards. She asked about trees on shared lanes and would large trucks be able to turn.

Krisel Travis said they had city standard on areas the city would maintain and on the private areas it would match city standard but there would be a height difference. Where the lighting would be has not been determined but not in the center lane sections. She said that the preliminary plats would comply with city codes.

Councilwoman Baertsch would like the trails to comply with city standards. She thinks the HOA should take care of the strip along Redwood Road, especially with privacy fences proposed. She would go along with staff on the agricultural removal timing. On Tickville wash issues with FEMA, she asked when it would be worked out. She didn't think it was wise to go forward without that nailed down.

Krisel Travis said they are working with them and would hope it would be worked out in a couple of weeks.

Mark Christensen said that the transactions going through are based on them getting certain approvals. They believe the engineering has been worked out. With the approvals then they can move on. They need to close their deal and he proposes that they address the concerns in the MDA with language that they and our attorney are comfortable with.

Councilwoman Baertsch is ok with items 1-6. She is ok with the buffer exception but with a semi-private fence.

Councilman McOmber thanked them for returning to the clubhouse and pool. He is ok with the 20' exception, and felt 40' was excessive, but with a semi-private fence. He would meet them halfway with the amendments to item 5 in the staff report as brought up by Jeremy. With parking, he is concerned that there is not enough parking for visitors. He thinks the HOA should take care of the strip along Redwood Road. That is the precedence with the city and other HOA's. He feels that even though the fences are below the berm that you can still see. With a privacy fence you tend to block yourselves off from your neighbors and that semi-private gives a better community feel. He doesn't feel it's the right thing for the community, but if they maintain the strip he may be willing to go with the privacy fence. He likes the new school placement better than along a busy road and thanked them for the trail connectivity. He referred to the transportation map and that he was disappointed in the change of some roadways. He commented that he hoped this project and its various bumps would not interfere with future projects.

Councilwoman Call thanked the applicant for bringing in a lower density than entitled. She also pointed out that the current proposed plan contains just over 900 units. She was corrected by the applicant that it was more like 856. Nothing that the entitlement on this property affects the overall density of 3000 acres, she wondered if the developer would be willing to accept an "up to" number along the lines of 900 rather than the requested 1000 units.

Krisel Travis noted that within a short time they should have locked in numbers.

Councilwoman Call is fine with the 20' buffer exception. She wants the HOA to maintain along Redwood Road. Her issue with privacy fence is that she sees a trail along a main road different than

1 a trail more hidden. She recommends working with staff on Sherwood drive. She thinks the 0 lot  
2 line can be addressed at Preliminary Plat. She feels guest parking is an issue. She thinks that they  
3 could clarify that nothing could be done until FEMA is approved.

4 Krisel Travis clarified that they should be able to work on areas not in flood plain.

5 Councilwoman Call also expressed that she is fine with the 20' buffer exception. She thinks the HOA  
6 should maintain the green space along Redwood Road. Councilwoman Call expressed that she sees a  
7 trail corridor along a major roadway differently than a trail corridor and is more willing to consider  
8 privacy fences along main roads than trail corridors. She recommends working with staff on the  
9 configuration and driveways along Sherwood Drive. She does not like the zero lot lines but believes  
0 that may be addressed at preliminary plat. She stated that parking within the development is an issue,  
1 especially during the winter. She also believes that staff should clarify that nothing can be done until  
2 the FEMA plan has been approved.

3 Mayor Miller did not have anything more at this point.

4 Councilwoman Baertsch asked if Sherwood drive being a collector was part of the Village plan or  
5 Community plan and asked about access and turn lanes, especially in regards to the school area.  
6 Staff responded that it was Community. They are suggesting that the asphalt be wide enough that stripes  
7 could be adjusted later, instead of requiring a turn lane now that it be able to be adjusted at  
8 preliminary plat. They are trying to balance the walkable lane and provide what is needed for the  
9 traffic.

0 Councilwoman Call thanked developer that they have been able to have a little bit of say in this. She  
1 asked again if they would be willing to adjust to up to 900 units from 1000.

2 Krisel Travis asked would council be willing to accept that Village plans will come forward in a few  
3 months and locked in and they be able to adjust lots up until village plans get approved. At this time  
4 it is 740 units by DR Horton and 116 by Leisure Village. They have no intension to deviate from  
5 plans once the Village plan is there, but they want to be flexible in a changing market.

6  
7 **Motion by Councilman Willden to approve The Legacy Farms Community Plan with findings and**  
8 **conditions listed in the staff report. Modifying condition # 9 to delete the word "alongside."**  
9 **Modifying condition #5 to include verbiage conditional on final or amended traffic study. And**  
0 **having HOA maintain along Redwood Road. Seconded by Councilwoman Call**

1 Councilwoman Call would Councilman Willden consider **that item 22 include direction to work**  
2 **with staff?**

3 Councilman Willden doesn't think the amendment impacts it so he would accept that amendment so  
4 he would **accept it.**

5 Councilwoman Call asked if this included buffer and fencing?

6 Councilman Willden no, it's what is presented in the current plan. (removing buffer)

7 Kimber Gabryszak clarified that it's called out in the findings.

8 Councilwoman Call asked if this was for Semi-private along Redwood Road?

9 Mark Christensen responded that what is called out currently is for private fencing.

0 Councilman McOmber asked what about the fencing along trails?

1 Kimber Gabryszak the proposal is privacy for the majority.

2 Councilwoman Call would like to see the southern area where there are no eyes on the trail as semi-  
3 private.

4 Councilman McOmber would be good with Private along public roads but semi-private along trails.

5 Kimber Gabryszak suggested the wording **that Fencing along trail corridor shall be semi-private**  
6 **wherever the trail is not adjacent to a roadway.**

7 Councilwoman call noted that, **Except for where they are doing aluminum type and split rail**  
8 **type fence, as per plans.**

9 Councilman Willden will accept the amendment because he feels if it was private it would not go  
0 through. **Amendment accepted.**

1 Councilwoman Baertsch asked about the agricultural protection, do we need to add that the  
2 amendment was denied?

3 Kevin Thurman said we don't have a say, we have to remove it if they apply at any time.

4 Kimber Gabryszak said she will **strike that (agricultural protection) condition.**  
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**Closed Session Adjourned at 11:26 p.m.**

**Policy Meeting Adjourned at 11:27p.m**

July 15, 2014

Date of Approval



Jim Miller, Mayor



Lori Yates

Lori Yates, City Recorder