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City of Saratoga Springs
City Council Meeting - Work Session
November 18, 2014

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

Work Session Minutes

Present: Mayor: Jim Miller

Council Members: Shellie Baertsch, Stephen Willden, Bud Poduska

Staff: Scott Langford, Mark Christensen, Kimber Gabryszak, Kyle Spencer, Owen Jackson, Kevin Thurman,
Jeremy Lapin, Nicolette Fike

Others: Kent Loosle, Steve Larsen, Laura Ault, Cari Krejci, Bob Krejci, Chris Porter, Barbara Poduska

Excused: Councilman McOmber, Councilwoman Call

Call to Order - 5:34 p.m.

1. Update from Kent Loosle regarding the IASIS Hospital.

Kent said they would be completed with the new facility in May. He wanted to update us and they are looking to start hiring. They have a website; mountainpointmedicalcenter.com and they are also setting up a facebook page. They want people to know of the services provided, among which includes a full service hospital with 14 bay emergency department with trauma rooms. It will be a STEMI center and stroke receiving center. It will have inpatient and intensive care and an OB unit. It will also have a full range of imaging services. They will probably have an open house in May.

2. Discussion of Heron Hills Park.

Steve Larsen presented a concept plan of phases for the park. Ken Berg, Civil Engineer, and Laura Ault with Division of Sovereign lands were present also. Plan A extending into sovereign lands would need a lease with the state for 30 years with 2 term renewals. The plan would give them a berm to create a safe harbor surrounding an access point and they could deepen the lake bed in that area.

Laura Ault gave input on the state ownership. There were some questions on the El Nautica ownership of berm. The state owns the property under the berm, the berm is an improvement. The public access is a little in question. Laura needs to double check the lease.

Mark Christensen noted that if public access is allowed we would want the access.

Steve Larsen continued with the options. They are looking at options for the cost. Their proposal for the wetlands would be to enhance them. They are looking at creating a sandy beach depending on what the Corps would allow them to do. The cost in replacing wetlands may be a deterrent.

Mark Christensen noted that when they did the wetlands delineation study last spring they got some good ideas of what is going on in these areas and hopefully that would help streamline this process.

Jeremy Lapin asked if this would require the city to sign the agreement and maintain the enhancements in perpetuity.

Steve Larsen said they want to partner with the state to maintain it with the city.

Mark Christensen asked if we would be happy to have the access and maybe the berm is too much at this time, it's something that they could come back and look at. He thinks the access is important right now.

Councilman Poduska commented that without a berm things would be eroded.

Steve Larsen noted that they could replace the excavation but the only way to make it more water is to make it deeper. They only way to protect that is with a berm. They were considering if it was worth it. Option C. would be if they enhanced the wetlands, cleaned up the mess, do what they can to retain access, but concentrate their funds on the park and grass.

Three options summarized: A. would be a berm, and the bulk of funds would create access to the lake. B. would be create access, clean up shoreline as much as they can without added expense of a berm and

3 leftover funds would be towards upper area. C. would disregard beach front, they would leave it in the
4 current messy state and concentrate funds on the parking lot and grass.

5 Councilman Poduska thought access for citizens would require a parking lot or space and after that far it's a
6 matter of getting down to the lake. He asked if the parking lot was the most expensive.

7 Ken Berg replied it depends on if they want to build it in phases. They need a list from the city of a hierarchy
8 of what is important so they can get a better view of budget numbers.

9 Mayor Miller thought lake access was the most important.

0 Mark Christensen thought that having the good transition and path is important. He would love to have the
1 berms but doesn't know that it's the first priority and maybe the most expensive. Strategically, 100 years
2 from now they may get more access from a neighboring property, but fundamentally what do they want
3 the park to look like, and cleaning it up, and access is important and that is the starting point. We could
4 forgo the berm and avoid the expense altogether.

5 Jeremy Lapin noted they want it to result in a functioning facility, not have money invested in something that
6 can't be used.

7 Steve Larsen said there is an order of approach, if they improve the park too much they may have to take it
8 apart to do other things later.

9 Councilman Poduska thought with limited funds they could start with a gravel parking lot and clean up the
0 beach for access.

1 Mayor Miller asked about the need of a pavilion.

2 Mark Christensen noted that they are used but one up high wouldn't get used as much as one closer to the
3 beach. Having access is important but we don't need gold plated sand. Access is important, park stuff is
4 lower. Most people here are going to be hanging out around the beach.

5 Councilwoman Baertsch thinks if they bring sand down and don't put in a berm it will be washed away.

6 Mark Christensen thinks the access down is critically important, when we tried to do Neptune park without a
7 paved surface they got blasted.

8 Sarah Carroll wanted thoughts on what improvement is going to benefit the city the most.

9 Mark Christensen most of our park contain play area of some sort. Basic amenities are probably needed.

0 Councilman Poduska thought a large part of the use would be or non-motorized boats and windsurfing. That
1 would require a berm and dredging. People need a place to park and unload their cars to get their things
2 to the lake. If we look at non-motor boating as one of the top uses we need to get them to the water
3 without too much trouble. He asked if it would be cost effective to put a wooden walkway through the
4 wetlands.

5 Laura Ault said if you are going to invest in sand you are potentially going to lose it to ice flow.

6 Sarah Carroll noted they get complaints now from the marina for the sand.

7 Jeremy Lapin asked what they were planning to do with that area to change it.

8 Steve Larsen said they are hoping to get enough credits for their enhancements to not have to replace so
9 much wetland. So they can fill it.

0 Jeremy Lapin said whether it's sand or not the goal would be to do enhancements to fill and dry to get to the
1 lake. We don't have to add sand now, the permit could be to fill a certain area and set an elevation so
2 future phases don't need to get permits for certain areas. That may require enhancing ten times the area.

3 Laura Ault is concerned that you can't get a permanent permit; you only have so much time to get the job
4 done. She doesn't want to invest a lot of money in sand and have it washed away.

5 Steve Larsen hoped that the berm could be dredged material and a little more of additional if the Corps
6 would allow that.

7 Laura Ault finds they have to bring in a lot of clean fill even if you take it from the lake.

8 Steve Larsen said if they are going to do a fill of berm, if they go in at a low season like now it would be
9 easier and more reasonable costs. But we don't want to chase down that road if that is not what you
0 really want.

1 Most were in agreement that they wanted access and parking.

2 Mark Christensen thought there were grants for enhancements through lake states and parks and wildlife.

3 Laura Ault said they exist but are getting harder to obtain.

4 Spencer Kyle said it sounds like we want lake access, parking and cleaning.

5 Mark Christensen thought they could lessen impact and gain access another way around that would not
5 disturb wetlands so much.

7 Steve Larsen noted that with the lake bed it is a little more forgiving in what they can do than if it was just
3 wetlands. To sum up, access is priority, parking lot secondary, his guess is that by the time they do those
9 and do them right way there wouldn't be much money left for too much more improvement.

1 2. Discussion of the Storm Water Permitting Code.

2 Jeremy Lapin put a draft copy in the drop box. It's in compliance with MS4 obligation, where all
3 construction activities would have to get a permit. It covers permits and also violations with more
4 enforcement authority.

5 Councilman Poduska asked what sort of problems they have run up against

5 Jeremy Lapin said they don't have an ordinance that allows them to enforce state laws right now. When they
7 are in violation on tracking mud for example, right now they can only really notify the party. With this
3 ordinance they have to apply for our permit in addition to state so they are accountable to us also. One of
9 the obligations of the permit a year ago was that we would enforce on a local level compliance with the
1 state requirements. About 2/3 of the ordinance covers permitting, the other covers non construction
2 activities. It also defines what discharge is. He still needs to go over it with Kevin Thurman to make sure
3 it's compliant with existing laws. Violations can be a wide variety.

4 Councilman Willden doesn't want to leave some ambiguity so that e.g. a high school car wash gets in
5 trouble.

5 Spencer Kyle said we will need some criteria to see if it's on the low end or the high end of the spectrum.

5 Jeremy Lapin asked if they have specific concerns to let him know.

3 3. Discussion of the Dispatch Building Agreement.

9 Mark Christensen said our share is about \$247,000. He has the dispatch working on that number now of how
0 we break out calls for High School and Jr. High. The number might change a little bit.

1 Councilwoman Baertsch said technically we have Eagle Mountain residents in our high school and Jr. High
2 and we have students attending Willowcreek and other schools. We might have a little give and take
3 there between the cities.

4 Mark Christensen said that if the was clearly calls for service for events in Eagle Mountain they have broken
5 out those calls.

5 Councilwoman Baertsch said it just has to be a percentage of the population.

7 Mark Christensen said it locks us largely into it. The district has 1.8 million dollars put into this. We think
3 we can do build it easily. We would budget for it but we have some residual. They want us to commit to
9 whatever we decide to do. If we do want to pay over 10 years there may be some carrying cost, cash may
0 be the way to go.

1 Councilman Poduska said there is no sense in paying interest if we don't have too. The need has been there.

2 Mark Christensen said the County is willing to enter into a lease with us. At the end of that they would have
3 the building. The intent is to keep prices down as much as they can.

4 Spencer Kyle asked is there a caveat that this is in effect as long as the other cities pay so much.

5 Mark Christensen said if the other cities drop out we may not need the extra space. Our current space is
6 based on the number of people in the district.

7 Spencer Kyle asked does this give us enough of a separation from county Sheriffs

3 Mark Christensen this is a separate facility, it gives us more separation. 50 years seems adequate for our
9 build out needs. It's a good opportunity for us and the county is being a good partner with us. It's an
0 advantage for us.

1 5. Agenda Review:

3 a. Discussion of current City Council agenda staff questions.

4 Lexon will need to be pulled from consent calendar. Language changes were made.

5 Councilwoman Baertsch noted on the site plat amendments, some of the wording needs switched to
6 make it correct. (Kimber took note of this.) She asked what we want to do on setbacks for Riverbend
7 Medical. They have a different zone than properties next to them. Variance instead of what they are

asking? The variance may be cleaner but the difference here is that they have a different zone than what is next to them.

Kevin Thurman thought it was worded 'similarly situated properties' so it may still work to give a variance.

Councilwoman Baertsch said we want to give more leeway but we don't have definite parameters for when we give those so we may want to include those.

Councilman Poduska thought if a variance is simpler to do than we can do that.

Kevin Thurman there is a chance the variance could be turned down. It can't be self-imposed and can't be economic.

Kimber Gabryszak thought it would be safer to do the zone change she is not fully comfortable in saying they meet all the criteria for a variance.

Kevin Thurman didn't have an issue in changing the zone. But in changing land use ordinance we need to look at it benefitting the whole city and not one property.

Jeremy Lapin would concur in arterials it's in the general welfare.

Spencer Kyle said there were changes on the personnel manual. He asked if they were comfortable adopting it with the changes Councilwoman Baertsch proposed and his responses.

b. Discussion of future City Council policy and work session agenda items.

Councilman Willden asked if Chelese could speak to the resolutions of the significant deficiencies in her next update.

6. Reports:

a. Mayor.

b. City Council.

Councilman Willden attended the lake commission. It was good information; they are doing a lot to clean it up.

Councilman Poduska and Councilwoman Baertsch went to League of Cities and Towns legislative meeting, they brought up Utah Transportation Coalition in which cities are asked to participate and educate citizens about a possible ¼ cent increase in gas tax distributed among cities. It would be flexible money.

Councilwoman Baertsch said it gives us the option to enact or not. The nice thing is it would be \$500 to join that gets us access to websites and data and getting info to people.

Mark Christensen said the coalition is designed to go through this spring; it's being funded by a lot of private businesses. Each city is based on population size for contribution.

Councilman Poduska asked if it would follow similar distribution as for sales tax.

Mark Christensen if the Main Street Act passes than the city should consider how the distribution looks.

We are trying to keep the issues separate.

Councilwoman Baertsch they want a resolution for this soon.

c. Administration communication with Council.

Mark Christensen informed the Council that there would be many residents here tonight to urge the council to prioritize the ball fields as the next park.

Adjourn to Policy Session 6:50 p.m.

Policy Session Minutes

Present:

Mayor: Jim Miller

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

Staff: Scott Langford, Mark Christensen, Kimber Gabryszak, Kyle Spencer, Owen Jackson, Kevin Thurman, Jeremy Lapin, Sarah Carroll, Chelese Rawlings, Jess Campbell, Andrew Burton, Nicolette Fike

Excused: Councilman McOmber

Others: Cari Krejci, Bob Krejci, Barbara Poduska, Chris Porter, Jake Trainer, Daniel Bush, Matthew Robins, David Parry, Sue Alexander, Katrina DeKarver, Nick Jackson, Emma Cluff, Robin DePalma, Marilyn Sandord, Jada Whitmore, Joe DePalma, Dick Sanford, Daniel Gunnell, Garrett Sealy, Timothy Jeanes, Brandon Mackay, Brady Wycherly, Jeff Grover, Paul Watson, Paul Linford, Derek Sorensen, Ben Jensen, Logan Cordner, Jennifer Klingonsmith, Pete Evans, Laurie Johnson, Lavy Whiting, Ryan Smith, John Perry, Nancy Hart, Abigail McConkie, Wycherly Family, Aric Jensen, Tanya Parker

Call to Order - 7:01 p.m.

Roll Call - Quorum was present

Invocation/Reverence - Given by Councilman Willden

Pledge of Allegiance - led by Sarah Carroll

Public Input - Opened by Mayor Miller

Daniel Gunnell with the Alpine Conservation District is talking about a project starting soon. Out by the Clay Pit, there are going to be three pastures where a local rancher will put cattle to help control the cheat grass. The project should be starting around April for a few weeks. He is requesting help so when they get calls from residents they can answer why they are there. The District will also be sending out fliers. If there are additional lands the city wants included, they can include that later.

Mayor Miller conveyed a request from the Council for Owen Jackson to work with him as needed.

Brady Wycherly on behalf of youth sports, he is the president of Utah Surf soccer club. With all the sports clubs in the city, they are challenged to find land to play on and they find there is a shortage. Soccer, rugby, lacrosse, football, etc. The governing body for competition soccer in Utah has identified field space as their number one concern. He asks that as they look at putting in plans for developments that they look at putting in areas for playing fields.

Brandon Mackay suggested for future planning that they look at ways to add more for youth sports to keep residents here. They pay premiums to other cities for their kids to play there and to commerce in those cities. They would love to keep those funds in the city. It's very hard to get field time for the youth sports in the city.

Chris Porter is asking them to vote no on item 1. i. He thinks it too broad and unnecessary and it's arisen too quickly. He encourages them to vote no or to table it indefinitely. If they move forward he encourages them to put it on the regular agenda for public input and discussion. It is not the type of item that should be on a consent calendar. His critique is on the ordinance and not on any city employee. The item appeared on the agenda yesterday with only a title and not the text of the changes. That is not enough time for citizens or council to properly look at it. It grants extraordinary powers to city manager or designee and provides no opportunity for citizen input or appeal. He doesn't think the burden should be put on the City Manager alone. He understands the need to provide safety but doesn't think this ordinance is needed for that. There are current traffic laws, trespassing and other laws that cover crowd control and public safety and noise ordinances already in place. He thinks that it is not in their authority to dictate when and where people express themselves.

Mayor Miller noted to public that the item was already asked to be pulled during work session by the Council members.

Sue Alexander speaking in regards for a sports complex. They don't have anywhere in the city, especially for baseball to play. We have heard tonight about soccer and we have heard in other meeting about lacrosse and other sports. There is talk about a sports complex and an arts arena and she feels that the sports complex would meet more needs in the city than arts at this time. The few of us that have addressed this

are not the only ones here to support this and if you are here to support a need for a sports complex would you please stand. (A majority of the audience stood, including Council members.)

Robin Depalma added about the sports complex, if we consider something similar to Spanish Fork that has baseball, soccer, tennis, football. If we considered something of that type of complex, we could take monies that are for our smaller parks and put that into our maintenance that would all be confined to that one area instead of people going to several smaller parks. That is something to consider fiscally.

Timothy Jeanes, regarding Fox Hollow flagship homes plan. The design seems to be a cluster of homes in a small area. He doesn't see a need for high density but specifically this design seems to be the first of this kind out here. He is hoping we can ask developers to revisit the plan.

Jennifer Klingonsmith wants to speak on the upcoming Wildflower Planned community she attended Planning Commission meeting. Her issue in general is with the planned community zone, she saw the frustration with Legacy Farms and perhaps the zoning needs more work, the pattern will sell one thing and turn around and give us another. The developer wants the density swapped for MVC, she thinks he can get fair market value for the road, if anything she thinks the city should grant them for ERU's so what goes in there is preserved. She believes the developer wants 5 ft. side yards which indicate smaller homes. It makes the neighborhood small and tight and parking would be more of an issue. She thinks front setbacks need to be determined and put in stone. He does want a pocket of high density. That is a lot, especially in that area. It may be a better fit to feather light industrial where it already exists and feather it in to commercial where it is. His claim was that all the other lots were R3 but it's not really R3 with 6000 or less per lot. R3 is really 10,000ft. a lot. Give it careful consideration.

Public Input - Closed by Mayor Miller

Policy Items

1. Consent Calendar:

- a. **Contract Amendment for the Secondary Water Rate Study.**
- b. **Acceptance of the City of Saratoga Springs Fiscal Year 2014 Audit and Comprehensive Annual Financial Report.**
- c. **Amending the Planning Fees in the City of Saratoga Springs Consolidated Fee Schedule.**
 - i. **Resolution R14-47 (11-18-14): A resolution amending the City of Saratoga Springs Consolidated Fee Schedule.**
- d. **Amendments to the Personnel Policy and Procedures Manual.**
 - i. **Resolution R14-48 (11-18-14): A resolution amending the City of Saratoga Springs Personnel Policy and Procedures Manual.**
- e. **Settlement Agreement with Lexon Insurance Company and Rindlesbach Construction Profit Sharing Plan Pertaining to District Court Case No. 110402838 re: Benches Plat 8 Landscaping and Open Space Improvements.**
- f. **Consideration and Possible Adoption of Administrative Code Enforcement Policies and Procedures Manual.**
- g. **Franchise Agreement with Syringa Networks, LLC.**
 - i. **Consideration of Ordinance 14-25 (11-18-14): granting Syringa Networks, LLC ("Syringa") a nonexclusive franchise to operate an internet services network in the City of Saratoga Springs, Utah pursuant to a franchise agreement specifying Syringa's rights and duties.**
- h. **Ordinance 14-26 (11-18-14): An Ordinance enacting Chapter 8.03 of the Saratoga Springs City Code Pertaining to City Public Utilities including the Requirement to Connect to City Utilities and Restricting Public Utilities to City Residents.**
- i. **Ordinance 14-29 (11-18-14): An Ordinance of the Saratoga Springs City Council enacting City Code Chapter 10.11 allowing for the creation of free speech zones; establishing the procedure for creating free speech zone and setting restrictions; describing when sound amplification devices may be used; setting penalties for unlawful protest; and establishing an effective date.**
- j. **Approval of Minutes:**
 - i. **October 21, 2014.**

Councilwoman Baertsch requested to pull item e. and item i. off the consent. Also to change in Item c, changes mentioned earlier to Kimber Gabryszak to switch wording around. As well as changes to personnel previously discussed.

Councilwoman Call had a minutes change to change Principals to "School Principals."

Motion made by Councilwoman Baertsch to approve Consent Calendar items a. b. c.- including the switches to residential and non-residential numbers in the site plan amendment fees, d. f. g. h. and j.- including minutes changes by Councilwoman Call and also the personnel items d. the policy changes discussed. Second Councilwoman Call. Aye: Councilman Willden, Councilwoman Baertsch, Councilwoman Call, Councilman Poduska Motion passed unanimously.

Mark Christensen noted the updated settlement agreement is now in their dropbox. This is a settlement of a development agreement. Council took a little time to look at the changes. No discussion.

Motion by Councilwoman Baertsch to approve Settlement Agreement with Lexon Insurance Company and Rindlesbach Construction Profit Sharing Plan Pertaining to District Court Case No. 110402838 re: Benches Plat 8 Landscaping and Open Space Improvements with the changes that Kevin sent to us updated. Second Councilman Poduska Aye: Councilman Willden, Councilwoman Baertsch, Councilwoman Call, Councilman Poduska Motion passed unanimously.

2. Preliminary Plat and Development Agreement for Beacon Point located at approximately 4300 South Redwood Road, Paul Watson/Mendenhall, applicant.

Scott Langford reviewed the Preliminary Plat. They have been working with UDOT to provide access to Redwood road right at the beginning. Fencing, the current code shows it needs to be semi-private. They are proposing a mix of fencing along Redwood Road. If the council does amend the code between now and when they get approval they can have the option to change it. Open space does meet requirements, they have increased what was once all native to turf areas and included a tot lot and playground equipment and some benches along the trails. There are two important trails that run through this neighborhood. This development solves a lot of drainage needs. Staff feels that this green space should be maintained by the city.

Paul Watson, developer was here to answer questions.

Councilwoman Call thanked the developer for being here and his changes. She feels they had done a good job and suggested they could also exchange workout stations along the trail for other equipment. On the second, lower access to Redwood Road, is that going to be finished in phase 1 or 2.

Paul Watson said it would be part of phase two and it was granted by UDOT.

Councilman Poduska approves of the plans and likes the shared access roads on the arteries. He likes what they have done with the open space. They have had a large job with the drainage basins and they have done a good job of planning ahead.

Councilman Willden appreciates them working with the city and working to solve future problems. His questions have been addressed since Planning Commission.

Councilwoman Baertsch thanked him for his work and appreciates that he has come in and complied with code. With the fencing, if the city takes that over it needs to be semi-private. She asked if we need an easement for shared access written on the titles of those lots that will share a driveway?

Scott Langford said it will be noted on the final plat.

Councilwoman Baertsch said because we are taking the open space than they are not doing an HOA and because we are taking care of the streets it needs to be noted that it is the owner's responsibility to plow the shared drive because the plows don't fit. There need to be some street name changes, Belmont drive, Fairfield drive and two cul-de-sacs that have the same name. With shared drives there is only one lot with access on the main road and if its driveway could be as far away from Redwood Road as possible.

Paul Watson added that they are working with staff on getting secondary irrigation water up and running, the sooner they can get it the better.

2 **Motion by Councilman Poduska to approve the Preliminary Plat and Development Agreement for**
3 **Beacon Point located at approximately 4300 South Redwood Road, Paul Watson/Mendenhall,**
4 **applicant, with the conditions in the staff report. Seconded by Councilwoman Call. Aye:**
5 **Councilman Willden, Councilwoman Baertsch, Councilwoman Call, Councilman Poduska Motion**
6 **passed unanimously.**
7

3 **3. Concept Plan for Lakeside Plat 25, 26, and 27 located between 2600 South Shorewood Drive to 2800**
4 **South Redwood Road, Woodside Homes, applicant.**

5 Sarah Carrol presented the concept plan. The plan includes 209 lots. Staff recommends they revisit a few
6 odd shaped lots.

7 Garrett Seely for applicant was present to answer questions.

8 Councilman Poduska notes it's an extension of Lakeside and that has been successful. He does not have any
9 major concerns.

10 Councilman Willden thinks it looks great. He does agree with staff to increase the 5' setbacks. He agrees
11 with the notes that doing plat 27 first for Redwood Road access would be best.

12 Councilwoman Baertsch thanked them for the connectivity through the project. She is concerned about the
13 setbacks, 5' is not appropriate. She would rather see the full 8/20' they usually do. If staff is willing to do 8'
14 and 8' she would be ok with that. Most certainly not the 5' on the corners. She wonders about comments
15 Commissioners made about the cul-de-sac on the north corner.

16 Garrett Seely noted they cannot shorten it, it's a weird angle.

17 Councilwoman Call is also not in favor of 5' setbacks. It's too hard to get around. She explained the 8/20'
18 requirement is that one lot has to be a min. of 8 ft. the other could go as low as 12 ft. It looks like they have
19 come to an agreement on the Lakeside Trail. The City's goal is to be able to have all people access the lake
20 trail as a public amenity.

21 **4. Plat Amendment for Fox Hollow Neighborhood 2 located between Willow Creek Drive and Red Pine**
22 **Drive, Flagship Homes, applicant.**

23 Sarah Carroll presented the Plat Amendment. Right now it is approved for townhomes, 250 units. This new
24 plan is for fewer units, 199 single-family detached dwellings on small lots. Staff met with the HOA after
25 the Planning Commission meeting and came to a compromise that if the homes face village parkway for
26 aesthetics and open feel that a two rail fence will be installed to discourage visitors from approaching the
27 homes from that way and parking on the main road. As you drive through the project all the homes on
28 internal roads now face the road. This is an improvement from staff's perspective. They are proposing
29 several amenities in the open space and the HOA has requested they add an additional playground for a
30 different age group. The elevations have been reviewed and the HOA has given a letter that they are
31 conceptually accepting them but none of them meet their point system. The HOA has requested an
32 exchange of trees that do better in that area. Sarah went through the list of proposed conditions.

33 Pete Evans for flagship homes commented that this project is unique because it is already approved and
34 recorded; they are coming back and reducing the density. They sympathize with resident who expressed
35 the concern earlier and reiterated that they are reducing what is currently approved by 20%. the
36 important point is that while it may not be what the city would choose if they were to start all over, it is
37 better than currently. They like the alternate on condition #11 better. They anticipate that some people
38 will only have one car and they would like them to be able to use their garage for storage. He thinks they
39 should make it clear to residents that guest parking is only for guest parking. In their design they have 7-
40 9' apron setback which is better than the current 0' setback. On #16, where builder is required to install
41 landscaping they ask for accommodations for seasonality. On #22, they don't have problems with
42 enhanced elevations on side homes he feels they won't see much of that anyway and he asks that they be
43 able to work it out with the HOA. He thinks the architects can meet the point system on any project.

44 Mayor Miller had a comment on the lots next to the church; the numbering is awkward and needs corrected.

45 Councilman Willden thanked them for being here and they need to celebrate that they have come in with
46 lower density. It sounds like the HOA is generally ok with the concept. As for the parking, he would
47 support the alternative on the condition 11.

4 Councilwoman Baertsch echoed the comments on reduced density. She can't help but feeling it will still feel
5 closed off, but she feels that is what the HOA is working with and is willing to go with them. On the
6 homes with no fenced yard, she asked if there was something in their footprint that was their own private
7 space for a patio or garden that would be good.

3 Pete Evans noted that each of the homes would have something like that in their yards. There will be a
4 certain amount of people that will not want to maintain anything, but there is a certain amount behind
5 each house that is sort of de facto theirs.

1 Councilwoman Baertsch is going to be opposed to facing the homes on Village Parkway. They should have
2 the side architectural details, because it will encourage people to park along Village Parkway and it
3 would be dangerous. They should face the shared driveway and they should have increased side
4 architectural details including windows.

5 Pete Evans noted that the idea was to have the enhanced elevations, fronts, face Village parkway and to
6 discourage parking they were to put the rail fence up.

7 Councilwoman Baertsch thinks it doesn't make sense for the residents.

3 Pete Evans noted that they are sort of indifferent on which way they face. They are happy to rotate it if that is
4 what Council wants.

1 Councilwoman Baertsch said having houses face the other roads makes sense. She wants to make sure there
2 is not a double fence, for privacy fence come to out and then have a semi-privacy fence. Staff could work
3 with them and the HOA on that. She is ok with the alternative on the parking issues.

4 Councilwoman Call echoes the sentiments about reduced density. She thinks they have done a good job with
5 taking what they have and working with it. So long as the HOA enforces the no parking she is ok with it,
6 but knows that lots of types of cars just don't fit into garages.

7 Pete Evans noted that they have built this product in other communities and it has been successful because of
8 HOA's that have high expectations. He feels that is the best solution to make sure they really police that
9 parking.

1 Councilwoman Call agrees that the second tot lot is a good idea. The pavilion looks like a good size. She
2 thinks we let the HOA do their job as far as architecture and policing parking and storage. With the plats
3 amended in phases, she would rather do it all at once.

4 Pete Evans stated they had planned on recording all the plats at once, if they wanted to make that a condition
5 that is fine.

6 Councilwoman Call would leave yards to HOA. She appreciates homes fronting on Willowcreek and
7 Redpine and echoes Councilwoman Baertsch's comments of frontages on Village Parkway, they should
8 not front. She doesn't want people confused on how they get to those homes. She appreciates the
9 suggestions for plants that will survive and thought they could add more variation in plants for color.

3 Councilman Poduska agrees with the Seasonal landscaping. He was on the Urban Design Committee and
4 noted at first they disapproved of them and this is a better change. He suggested a possibility to look at
5 the parking, that they could consider dividing the garage in half and have one side with a garage door and
6 the other side extend half way in order to park on and behind that would be a storage area for the home.

7 It would allow at least one space and room to park on the parking pad.

8 Pete Evans thinks it's important to set the right expectation on how this community will look, they are small
9 lots. There is only so much you can do; he feels that a two car garage is the best. If the goal is variation,
1 this has much more than the existing plan.

2 Sarah Carroll noted if Council is changing #9 you need to discuss #10 because they are related.

3 Councilwoman Baertsch asked where the fence lines go, on the set back or on the property line.

4 Staff responded on the property line.

5 Councilwoman Call said split rail is wood and this said vinyl.

6 Staff found a vinyl product that has the same look as split rail wood.

7 Councilwoman Call would like the split rail run all along Village parkway.

8 Pete Evens clarified solid fence along the back yard and then split rail.

4 **Motion by Councilwoman Baertsch to approve the Plat Amendment for Fox Hollow Neighborhood 2**
5 **located between Willow Creek Drive and Red Pine Drive, Flagship Homes, applicant, including all**
6 **staff findings and conditions. Noting that the landscaping can be done with seasonal flexibility,**

7 noting that they will work out the fencing according to code with the open along Village parkway.
8 Changing condition #9 to read “where lot lines abut the Village parkway right-of-way the homes
9 shall face the shared drives but the side elevations facing Village parkway shall be improved with
10 architectural details including windows, to be worked out with the HOA. Leaving condition #10 as
11 it is, and using the alternate for condition #11, and working out condition #22 with the HOA, and
12 that all amended plats be recorded at the same time. Seconded by Councilwoman Call. Aye:
13 Councilman Willden, Councilwoman Baertsch, Councilwoman Call, Councilman Poduska Motion
14 passed unanimously.
15

5
6
7 **5. Preliminary Plat, Site Plan and Amended Master Development Agreement for Riverbend Townhomes**
8 **located at 900 North Redwood Road, Knowlton General/Aric Jensen, applicant.**

9 Kimber Gabryszak presented the plat. She noted what was approved previously for 81 units and this is
10 reduced to 62 units. She noted some units shifted and a realignment of the road. They are well below the
11 maximum density. There is a request by the HOA to provide additional parking. They are required to
12 provide 2.25 stalls per unit, they are exceeding their requirement. The fire department has some concerns
13 on parking access and wanted a note that no parking was on the street in the shared driveways. A
14 condition was added that the trail be realigned out of the flood plain. Staff requests that they get
15 verification that this trail alignment will work with the development to the south. She reviewed Planning
Commission recommendations.

Aric Jensen was present for questions and thanked staff for their work.

Councilwoman Call liked the suggestion of the north side being completed before a certificate of occupancy.

She likes the suggestion to add parking on the side of those units. On the trail, according to Forestry Fire
and State Lands records they don't have delineation on this property and she suggests they work with the
FFSL to make sure it is all right. She is not in favor of granting the extra units on the east side unless she
hears from FFSL that it is alright. She likes the 58 units. She thinks that the boundaries with the east
owner may overlap. She agrees that trail and road alignments be verified.

Councilman Poduska also thought the maps made it appear that the flood plain was under the buildings.

Kimber Gabryszak said that was an earlier delineation and the most recent delineation shows the wetland is
different than original and a condition could be added to make sure.

Councilwoman Call wanted to reiterate that they work with the state to clarify ownership and boundary lines.

Councilman Poduska didn't have a problem going from 58 to 62. It's still in keeping with the general theme
of the development.

Councilman Willden thought more guest parking would be nice but they are meeting code and that is all they
should be held to. He appreciates the lessened density. He doesn't have any additional concerns on the
additional units. They may want a condition that the additional units are subject to working with State
land use authorities to be approved.

Councilwoman Call clarified where property line has it in the river; Forestry said that is in no way accurate.

Councilwoman Baertsch there are lots of different products like this around the city, if they are going to have
any sort of private yard that needs to be included in the footprint of the house. She wants to make sure
all have access to the trail from the wall.

Aric Jensen said it will come from the backs of the units as a gradual slope.

Councilwoman Baertsch is not in favor of the extra units. She feels it's too close to sensitive lands. They
want the area next to the trails to be open and green. She wanted to make sure the fence at the south end
didn't cut off the trail. She asked when the trailer could get moved out.

Kimber Gabryszak noted they have an active enforcement on that as well.

Councilman Poduska was looking at one of the maps showing those units and asked if there was sufficient
space between Riverside drive if there was room to move the units closer to Riverside drive and away
from the wetland concerns.

Councilwoman Call noted if they did that they wouldn't be able to do the additional parking.

Aric Jensen said they incurred some costs in redesigning the road, even though they ask for 4 additional units
in terms of what they net cost is it's only about 1 and a half units they gain because of the increased
infrastructure. In terms of revenue it's not an even shift, they were thinking of not building that last unit,
if Council is uncomfortable with it they are happy to remove it from the plat.

Councilwoman Call is not comfortable with any more than 58 until approval from FFSL.
Councilman Willden said we make it an approval subject to that instead of bringing it back?
Kevin Thurman didn't think it would be a problem.
Aric Jensen is alright with that.

Motion by Councilwoman Call to approve the amendment to the Riverbend MDA, increasing the maximum density from 58 units to 62 units, provided that proof of ownership and a settlement with FFSL be provided to staff and all meeting all setbacks. Second by Councilman Poduska, Aye: Councilman Willden, Councilwoman Call, Councilman Poduska. Nay: Councilwoman Baertsch Motion passes 3-1.

Motion by Councilman Willden to approve the Riverbend Preliminary Plat and siteplan with the findings and conditions in the Staff report, modifying condition #1 from 62 to 61 units and incorporating the previous condition that the additional units are subject to proof of ownership and also incorporating the additional conditions from the Planning Commission. Seconded by Councilwoman Call. Aye: Councilman Willden, Councilwoman Call, Councilman Poduska Nay: Councilwoman Baertsch Motion passes 3-1.

A five minute break was taken at this time.

6. Public Hearing: General Plan Amendment and Rezone for Riverbend Medical located at 41 East 1140 North, West of Redwood Road, Blaine Hales, applicant.

a. Ordinance 14-27 (11-18-14): An ordinance of the City of Saratoga Springs, Utah, adopting amendments to the City of Saratoga Springs' Official Zoning Map for certain real property (Riverbend Medical); instructing the City staff to amend the City Zoning Map and other Official Zoning records of the City; and establishing an effective date.

Kimber Gabryszak presented the Plan amendment and rezone. due to a parcel dedicated to the city that was larger than needed this property is already set back several extra feet from Redwood Road, they are requesting a reduced setback because of that. She reviewed staff recommendations. Planning Commission recommended that it be 10' exception to be consistent. She reviewed UDC comments.

Public Hearing – Opened by Mayor Miller

Jennifer Klingonsmith wanted to thank Council for working to oppose the prison in Saratoga.

Laurie Johnson had a concern from the HOA that there is a wall along the East of this property that is

leaning and they are concerned that no heavy equipment is used along this wall that will make it fall.

They are concerned what type of fence and what type of lighting will be done and if it will shine in residences.

Public Hearing - Closed by Mayor Miller

Blaine Hales said they were willing to work with the HOA and that if something happens to the wall they will take care of it. They are not sure exactly what they will do along the fence, perhaps a hedge. They are excited and they think this building is needed in the community and they're ready to go.

Councilman Poduska was on the Urban Design Committee and they all liked the plan. He doesn't have a problem changing the zoning. It seems the simplest way to fix the problem.

Councilman Willden did not have any concerns with the rezone request. As for the concept plan it looks great. He knows they would fix things, like the wall, but could we add it as a condition to help the owners. He likes the idea of a hedge.

Kimber Gabryszak noted it could be added when it came back for a site plan.

Councilwoman Baertsch appreciated that they worked with the neighbors and staff. They, as Council and staff, discussed what would be the best thing to do for this situation. They feel this is an area they can

make this change through zoning and change to the Code. She is ok with the architecture. She thinks the hedge will be a fantastic buffer. Overall, it's a good project.

Councilwoman Call agrees with everything else and thinks it's a great product.

3
4 **Motion by Councilman Willden to approve Ordinance 14-27 (11-18-14): An ordinance of the City of**
5 **Saratoga Springs, Utah, adopting amendments to the City of Saratoga Springs' Official Zoning**
6 **Map for certain real property (Riverbend Medical); instructing the City staff to amend the City**
7 **Zoning Map and other Official Zoning records of the City; and establishing an effective date**
8 **including all findings and conditions and direct staff to amend the ordinance to include the general**
9 **plan amendment. Second Councilwoman Baertsch. Aye: Councilman Willden, Councilwoman**
10 **Baertsch, Councilwoman Call, Councilman Poduska Motion passed unanimously.**

1
2 7. **Concept Plan for Riverbend Medical located at 41 East 1140 North, Blaine Hales, applicant.**
3 Discussion under item 6.

4
5 8. **Public Hearing: Revisions to the City of Saratoga Springs Land Development Code. (Section 19.04,**
6 **Neighborhood Commercial Setbacks)**

7 **a. Ordinance 14-28 (11-18-14): An Ordinance of the City of Saratoga Springs, Utah, adopting**
8 **amendments to the Saratoga Springs Land Development Code and establishing an effective date.**
9 Kimber Gabryszak said this was a request to add the exception to allow council to reduce one setback
10 requirement. She noted some recommended changes by Planning Commission and Staff.

1 **Public Hearing – Opened** by Mayor Miller – no input at this time.

2 **Public Hearing - Closed** by Mayor Miller

3
4 Motion by Councilwoman Call to approve Ordinance 14-28 (11-18-14): An Ordinance of the City of
5 Saratoga Springs, Utah, adopting amendments to the Saratoga Springs Land Development Code and
6 establishing an effective date. Second Councilman Poduska.

7
8 Councilwoman Baertsch noted to include the additional conditions Kimber Gabryszak included tonight,
9 “The setback reductions does not increase the building footprint on the site, and The setback is along
10 a collector or arterial frontage, and The setback does not abut residentially developed or zoned
property.”

1
2 Amended motion to include the conditions accepted by Councilwoman Call and Councilman Poduska.
3 Kevin Thurman had some additional concerns with the footprint that were then discussed.

4
5 **Wording was changed on the document shown on screen: iv. Exceptions: the City Council may**
6 **reduce no more than one setback requirement by up to ten feet if:**

7 **a) The setback is along a collector or arterial frontage, and**

8 **b) The setback does not abut residentially developed or zoned property.**

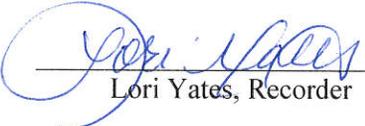
9
10 **New Motion by Councilwoman Call to approve Ordinance 14-28 (11-18-14): An Ordinance of the City**
11 **of Saratoga Springs, Utah, adopting amendments to the Saratoga Springs Land Development Code**
12 **and establishing an effective date with the findings on the screen. Seconded by Councilman**
13 **Poduska. Aye: Councilman Willden, Councilwoman Baertsch, Councilwoman Call, Councilman**
14 **Poduska Motion passed unanimously.**

15 **Policy Meeting Adjourned at 9:40p.m**

1
2 December 2, 2014
3 Date of Approval



4
5 Jim Miller
Mayor Jim Miller


Lori Yates, Recorder