

**City of Saratoga Springs  
Planning Commission Meeting  
December 11, 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: Jeff Cochran, Kirk Wilkins, Sandra Steele, Hayden Williamson

Staff: Kimber Gabryszak, Lori Yates, Nicolette Fike, Scott Langford, Kevin Thurman, Jeremy Lapin

Others: Nancy and JC Hart, Ken Warton, Nathan Campton, BA Martin, Jim Parker, Krisel Travis, Angelina S  
Doyle, Thane Smith, Neil Infanger, Heather Williamson, Camden Williamson

**Excused:** Jarred Henline, Kara North

**Call to Order** - 6:36 p.m. by Jeff Cochran

**Pledge of Allegiance** - led by Nancy Hart

**Roll Call** – Quorum was present

**Public Input Open** by Jeff Cochran

No Public input.

**Public Input Closed** by Jeff Cochran

**4. Public Hearing and Possible Recommendation: Conditional Use Permit for Angelina's Daycare located at 4123 Captains Street, Christian Doyle, applicant.**

Scott Langford presented the information pertaining to the permit application. There were a few changes to the conditions. The yard has been fully fenced and they have installed a play structure, so condition 7 may be stricken.

Angelina Doyle, applicant, noted that the neighbors have all supported them in having a daycare.

**Public Hearing Open** by Jeff Cochran

No input.

**Public Hearing Closed** by Jeff Cochran

Kirk Wilkins asked about the turnaround area for cars.

Scott Langford noted that it was pretty standard size and there weren't any red flags.

Kirk Wilkins was concerned that there may be exposed wires in the partially finished basement. He thanked them for complying with the other conditions.

Angelina Doyle said that had been taken care of. The City inspector had also been by and indicated everything was safe.

Hayden Williamson noted it looks like it is meeting code. He asked about the arrival and pick up times and possibility of lots of cars at once.

Angelina Doyle didn't think there would be any traffic problems. The kids won't all be coming at the same time.

Sandra Steele thanked her for going through the licensing process. She asked if the applicant planned on having any children under the age of two. (yes) Sandra noted the Fire Marshall did not think she was going to have younger children and if she is going to keep children under two in the basement she needs a basement exit besides just a window. If the applicant wants to have children less than two years she cannot approve it at this time. The applicant could see if they can get an approved stairway in a larger window well. The Fire Code is the way it is and that cannot be changed. If there was space upstairs they could swap for the basement than it may work. Perhaps the best answer was to say all children under two would have to stay upstairs. She is also concerned with the extra traffic on the dead end street.

Jeff Cochran thanked the applicant for going through the process, many people don't. He reviewed the options for the Fire Code problem. He thought 16 children seemed a lot; he received clarification from staff on the allowed number. (With two caregivers it was 8 kids per caregiver.)

**Motion made by Kirk Wilkins to approve the Home Occupation for the Angelina's Lil Angels Daycare, located at 4123 South Captains Street, with the findings and conditions found in the staff report with the exception of striking condition 7 and adding the condition that children under two not be allowed in the basement. Second from Hayden Williamson.**

Kevin Thurman read the Fire Code and it read "below first level and above first level" so they should say no child anywhere else besides the main floor.

Kirk Wilkins amended the motion to say **that all other circumstances would follow code, that a child under two could not go downstairs into the basement or above to the upstairs;**

Kimber Gabryszak suggested adding a friendly amendment to say **unless appropriate egress is provided that meets the adopted Fire Code.**

Kirk Wilkins and Hayden Williamson **accepted** the previous amendments.

Jeff Cochran asked him to address swapping the square footage from the upstairs.

Kirk Wilkins added an additional **condition that square footage, in the event that they have a child under two, be swapped from the basement to the upstairs, including any greater square footage above.**

**Aye: Sandra Steele, Hayden Williamson, Jeffrey Cochran, Kirk Wilkins, Motion passed unanimously.**

**5. Public Hearing and Possible Recommendation: Preliminary Plat and Site Plan for Jordan View Landing (previously River Heights and Sunset Acres) located between Crossroads Blvd and 400 East, Ivory Development, LLC, applicant.**

Kimber Gabryszak presented the plans. She reviewed changes that have been made since the Concept plan. She reviewed suggestions from the UDC.

Ken Watson, applicant, noted he had been working with Kimber Gabryszak. He thought their landscaping was probably pretty good. They are adding landscaping between units to break up the wall of garages. They don't have a problem with wrapping the buildings with brick. They are opposed to having a gate between them and other communities, simply for security purposes. He doesn't think there are any trails coming from anywhere else. He noted where if they were to flip units to front loaded, that it would have to decrease from a two car garage to only one. They would like to do the two car garages. The can go with the semi-private fence along 400 E. He noted there are 3 different color options.

**Public Hearing Open** by Jeff Cochran

No input at this time.

**Public Hearing Closed** by Jeff Cochran

Sandra Steele was disappointed that the elevations, floor plans and renderings in the packet do not seem to match. She wanted to know if they were the elevations they would actually get.

Ken Watson noted that there were three stories in the floor plans. He couldn't make a rendering for every little situation. These were shelf plans from Ivory homes and the units here were what we would see. They may see a side entry on the end units. If he does have side units on there, perhaps they could fence in the individual's back yards if they had to flip the units and have a single car garage.

Sandra Steele sees that parking is more important than having a front loaded unit. They need to keep as much parking as they can. She would like to see 4 color palettes.

Ken Watson said he could do that.

Sandra Steele thought that the Code defined that there should be pedestrian connectivity.

Kimber Gabryszak noted that they are providing sidewalks along the collector and pedestrian walks within the development and they are providing connectivity with their trails and easement for potential future roads.

Ken Watson said they are meeting those requirements.

Sandra Steele didn't have more concerns with connectivity. She thinks before it goes to council it should have the finalized color palettes and elevations and everything so they know what they are sending forward.

Ken Watson feels they have provided those.

Sandra Steele would like to see what they come forward with, if they come up with more stone or brick for instance. She has concerns with approving something when they are not exactly sure what they are getting.

Hayden Williamson feels they meet code, there are some good suggestions made but he doesn't have to sell the product. Ivory Homes has a good reputation. He thinks the product and layout look good and doesn't have any concerns.

Kirk Wilkins asked why there was a suggestion to flip the units.

Kimber Gabryszak replied that there is a concern that they would be facing back yards.

Ken Watson noted that there was a solid vinyl fence and a grade change and a remote chance that would be able to see into neighbors back yards.

Kirk Wilkins would rather see the Dual car garage. He reviewed some of the UDC comments.

Ken Watson responded that he was fine with wrapping brick, opposed to flipping units, and semi-private fence on 400 E. was fine. He is fine with colors submitted and can submit another, and they don't want gates.

There was still some disagreement whether the elevations in the packet matched the product that would be built here.

Kirk Wilkins said he would like to see the plans be consistent and correct.

Jeff Cochran thanked the applicant for being here tonight. He clarified with staff that the Code doesn't prohibit the direction of the units. The UDC tries to ensure quality without micro-managing. He is opposed to the units not facing the street. He suggested that they could flip those units and keep the two car garage by sacrificing a few of the units. He asked if there was parking by the basketball court. He noted that parking is a problem in dense developments.

Kimber Gabryszak noted that they are meeting their parking requirement and along the basketball court was a City road and they don't typically allow parking along there.

Jeff Cochran asked about the elevations and suggested staggering units to break up the garage wall.

Ken Watson said architecturally that was not possible.

Kevin Thurman noted that we don't have architectural standards for residential units; the Code is more about quality materials. We cannot require things in a condition that are not part of the Land Development Code.

Jeff Cochran said for the most part they do meet Code requirements. He does agree with an additional color palette needed.

Discussion was held as to what direction the Planning Commission would like to take with a recommendation.

**Motion made by Hayden Williamson to forward a positive recommendation to the City Council for the Jordan View Landing Preliminary Plat/Site Plan on parcels 58:032:0102, 58:032:0100, and 58:032:0101 as located in Exhibit 2 and detailed in Exhibits 5 and 6, with the Findings and Conditions in the staff report; with the additional conditions that floor plans and elevations match and be consistent prior to City Council meeting, and color palettes be consistent prior to City Council meeting. In addition, brick treatment shall be added to rear elevations, to ensure consistency of all elevations; Side elevations facing streets shall be treated similarly to the front elevations; the fencing along 400 E. shall be semi-private; and Four total color palettes shall be provided. Second from Kirk Wilkins.**

**Aye: Hayden Williamson, Jeffrey Cochran, Kirk Wilkins. Nay: Sandra Steele Motion passed 3-1.**

Sandra Steele voted no because the renderings they had been given have never been what they were supposed to get, never been correct.

**6. Public Hearing and Possible Recommendation: Legacy Farms Village Plans 2, 3, 4 and 5 located at approximately 400 South and Redwood Road, DR Horton, applicant.**

Kimber Gabryszak presented the Village Plans for Legacy Farms. She reviewed the staff report and recommendations and conditions. Village Plan 1 was approved in July this year. She noted the maximum

density total exceeds the approved 1055 ERUs to allow for flexibility within each Village Plan to build up to or less than the maximum to meet market demands. However; once they reach 1055 units they are done. They have removed conditions 6, 7, 8, 11 and 12 4, 5, and 9.

Krisel Travis went over the time frame they hoped could happen for this project. She showed the current plan for Tickville wash pipe and noted it had taken some extra time. They hope to have approvals by March.

Greg Haws went over several changes that were just recently sent to the Planning Commission in response to City comments, including language regarding the extension in all the plans.

#### **Public Hearing Open by Jeff Cochran**

Nancy Hart was concerned with lot sizes of 3800 and 3400 sq.ft. with 0-5' setbacks. She noted that the traffic outlet to Redwood Road was not to have a light until 2020. She thought the issue with Tickville wash was still not resolved and asked if they had met with Laura Ault from the Utah Lake. She wondered about community gardens where no green space was shown for it on the plan. She felt VP 2 and 4 had a mish mash of styles and it didn't feel like a neighborhood. Large and smaller lots mixed together. She noted the gravel in the VP 4 drainage ditch and it was no longer having grass. She noticed the revised plan was presented to the commission but not to the public ahead of time. There is not picture or plan of what is going to go into Leisure Villas, whether it's multiple levels or twin homes etc. She assumes there are two club houses and pool. She mentioned the school district has not committed to a school yet. The same issues seem to be there still from before. She does not like some of the street names.

Jim Parker asked what the plan on 400 so. was, if it was to be widened or how it would handle the traffic.

He asked about the 12' driveways to twin homes and thought it was too narrow.

#### **Public Hearing Closed by Jeff Cochran**

Jeremy Lapin responded that they had a plan on 400 S. to widen it to three lanes. D.R. Horton will provide ingress and egress and the city will coordinate to finish missing segments. The developer will be doing curb & gutter on the south side. They will install a light at the 400 S. Redwood Road intersection when the traffic warrants it. Tickville drainage has conditions in the staff report that they will not be allowed to build in the flood plain until the FEMA maps are amended. There are portions not in the flood plain that are not affected on that. He noted they are also building Riverside drive between 400 S. and Pioneer crossing in the near future that will take away some congestion going to Redwood road.

Krisel Travis addressed the small lots and transitions, the lots were actually 4000 to 4500 sq.ft. They comply with the community plan. The Community gardens are not required to be shown, they could be put it into an open space if the product around that wanted to have that. The bigger detail will come with the individual plats. The 0 lot lines were removed, everything has a 5' setback now. The school district has been presented with the contract for the school. They want to orient it to the west and they would like to be open in the fall of 2017. The 12' driveways in the past have not had any problems. The Fire Chief did not express any concern. The gravel drainage in the landscape area; the grass makes a mucky area and breeding ground for mosquitoes the gravel allows it to drain better. The final plats will have more details and we will be able to address those things better at that time.

Sandra Steele didn't like getting new information walking in the door, she feels it's only fair that they and the public get that information ahead of time so that the public can come and comment on it if they need to.

She started with concerns on VP 5 and was concerned about the elevations and thinks it may end up a patchwork quilt. She wonders if we need to look at it closer and have them stick to the same standards.

She likes what they have done in Lehi where they are all the same.

Krisel Travis said they have said they can't have the same product right across or right next door, but they could on the corners.

Sandra Steele asked about a trail going through the village area and the safety issues, it needs some sort of fencing.

Krisel Travis said they want to make it secured but they like the open feel, more than likely there would be a fence but maybe some pass-throughs.

Sandra Steele asked about parking near the clubhouse; she feels the safety of that needs to be looked at when it comes to the plat process. She asked about the length of the driveways, her concern is maneuverability but with two together, 36', it seems ok. She would like to see a minimum of 24'. Her concern with all of these Village Plans is that they have the flexibility to amend their plans but the city doesn't have the same flexibility. She would like to see what does and doesn't work with the first plan and see if something needs to be tweaked with the next plan. She feels that has been taken away from the city. She knows things can change and she is uncomfortable approving anything past what they did in plan 1. Until the Tickville wash CLOMAR is in their hand things will still change. She questions the rush and would like to see us slow it down and look through it more carefully. She feels especially VP 5 will likely change. She asked about the twin house elevations and the around the corner setting and if they were all like that.

Krisel Travis said there are only 3 cases where it's not that way.

Sandra Steele complimented that on village 4 the snow stacking doesn't seem to be a problem. On Village 2, if the school isn't ready then that plan may be premature as well.

Krisel Travis noted that the Village plan doesn't need to note orientation now, that is detail that would come with the final plats.

Sandra Steele is still concerned about snow stacking where it is, she would like to see how it actually works.

Krisel Travis said the snow stacking areas would be additional parking, not part of the required and they would not allow parking from Nov. to March. They will be marked on the final plats.

Sandra Steele clarified that she was concerned about snow piling up and blocking maneuverability and people getting stuck. She asked on the rear loaded townhomes, if they were still there on Victoria Ln. in VP 2.

Krisel Travis said they have a 20' two car drive and 12' travel lane to back out on to.

Sandra Steele asked on the cottage lots.

Krisel Travis said it's only in village plan 1, the other plans are shown only as an option.

Sandra Steele asked about the 5' fencing and where you would place things like air conditioning units. They can be too close, especially so emergency crews cannot get past them. She asked them to consider putting the fences just in the back and not the side.

Krisel Travis noted where in the plan it noted the fence layout and noted Commissioner Steele's suggestion.

Sandra Steele asked if they have met with the Utah lake Commission.

Krisel Travis said they have and they have coordinated with them for what is required for discharge.

Jeremy Lapin said they will have to get a permit from FFSL and they only would need it from the Army Corps if it was within their jurisdiction.

Sandra Steele asked about the detention basin, if the bottom was left in gravel, what would be the depth that the water would be there for great periods of time.

Krisel Travis said the pond is being designed to hold about 1.8 ac./ft.

Sandra Steele is wondering if there could be a compromise with some grass.

Krisel Travis said that would be in the plats when they come. For the most part they will be grass.

Jeremy Lapin said they have several detention ponds throughout the city where the sod is not an issue but sometimes if it happens it's more of a workmanship issue.

Sandra Steele would like Jeremy Lapin to work with D.R. Horton to get the best product.

Hayden Williamson agrees that the detention basin was expected to be more green space from previous discussions.

Krisel Travis said the gravel would be minimal; most of it would still have grass and trees. It has always been a detention basin in the plans. Those plans will come forward with final plats. They understand it's a sensitive issue

Hayden Williamson said he was impressed with a previous plan for meandering trails and rock walls. He asked what the difference was between townhomes or senior living ERU's. (none.) He thought that lower impact there would be advisable. He asked about a trail on the south west side and if there was a fence between the trail and the community.

Krisel Travis said there would be gated connections with semi-private fences.

Kirk Wilkins asked about the underground pipes and the safety to block people from getting in.

Krisel Travis said FEMA conditions are that it needs to be open with manholes for maintenance. The trail will be widened in a section to help vehicles get to areas for maintenance.

Jeremy Lapin said it's inaccessible unless someone was climbing a fence, on the west side it's 150 ft. off of the road, the access road will have a gate. They have taken reasonable precautions to keep people out. They also don't anticipate flooding issues due to the large capacity.

Kirk Wilkins asked about the code for the double fencing.

Kimber Gabryszak responded that they drafted an amendment but it was tabled so there is nothing prohibiting that.

Kirk Wilkins asked what the benefit was to approve plan 5 now.

Krisel Travis said it gives the ability and confidence to proceed with the Church and purchasing, if not it would delay the process and take away entitlements.

Kirk Wilkins asked if the gravel would change the greenspace requirement.

Krisel Travis said no, it did not.

Jeff Cochran said the project is overwhelming. They are looking at 1200-1500 units tonight, why the rush to approve all these plans tonight. He sees that they have done a thorough job and it looks great, the products look good, but it's a ton of information, why so much so quick?

Krisel Travis they approved a community plan that they couldn't do more than 1000 units, the lotting concepts have not changed from the Community Plan. The same verbiage in Village Plan 1 is the same as these Village plans except for the few small changes they highlighted tonight. She wished the process allowed them more time to review it, but its 856 lots, that hasn't changed. The reason for the rush is to get the project going in the city and give them the entitlements to close with the Church. Village plan 1 does not give them enough entitlements to purchase the plan. They have to have at least the village plans approves to vest their densities.

Jeff Cochran asked why the new changes were not included in the packet.

Kimber Gabryszak said they weren't done until this week.

Jeff Cochran asked how FEMA affected the village plans and if there was any reason that it would restrict them from approving the plans tonight.

Jeremy Lapin said there are several restrictions where they could build. The worst case scenario is they would lose those areas to develop. His understanding was that these layouts would be locked unless they brought a new plan. If they had so many units and some of the area was unbuildable they could transfer a little but it would need an amendment for bigger changes.

Kimber Gabryszak said there are some provisions for transfer of density out of the flood plain, but without an amendment they could not shift very much. Anything more than a minor shift would require an amendment.

Jeff Cochran asked if next to single family homes, are those densities locked in?

Kimber Gabryszak said in some areas the lot types are locked in.

Jeff Cochran asked if we could lock the density in some of the areas.

Kimber Gabryszak said there still is a requirement to transfer some density away from existing neighborhoods.

You could possibly recommend that there not be a density transfer allowed in a specific block.

Krisel Travis said as long as it gives them the same product ranges in Block type they are fine with that. She thinks it's pretty tight and already restricted. It would be pretty impossible.

Kirk Wilkins asked how close they were to the maximum.

Krisel Travis said they are pretty close to the maximum now.

Jeff Cochran thought it would be nice to have a condition there.

Kimber Gabryszak thought it might already be covered.

Jeff Cochran thought the church sites were small

Krisel Travis said that came from the church, she said they had even increased them a bit.

Sandra Steele said their density is already written in stone with the community plan. She is not sure that we need to be worried about it. She feels they are rushing us along where we don't feel comfortable.

Krisel Travis indicated that by passing the plans tonight it gives us the confidence to go forward with the purchase. It lays out the roadways and infrastructure. She apologized for the uncomfortableness of the speed at which they felt they needed to move. She appreciated their efforts in Village Plan 1 and the Community Plan. She is not asking them to approve the final plats those still have to come in later. This is just the view of what this could look like.

Sandra Steele asked if they could change the shared lanes during the plat process

Kimber Gabryszak said no, unless there was a health and safety issue that came along that superseded it like from the Fire Chief.

Hayden Williamson said given that they can't move forward and purchase the property until they get this plan he would like to move forward.

Kirk Wilkins did feel like they were rushing this along, it gives them certainty but it does take away our flexibility. Jeff Cochran understands the need to move forward but feels they are in a difficult situation tonight.

Sandra Steele thinks they need to table it so that the public has a chance to look over what they have been given tonight.

Kevin Thurman said they could take comment from the public if they so choose. He doesn't recommend that they open public hearing again but just take public comment at a future point. If they continue this there needs to be some sort of code finding that they say they need additional information to see if it's met.

Boyd Martin said he knew it was hard with a lot of information at this time. There is still a lot of detail to come with the final plats. He doesn't want to spend millions of dollars and then go through this process with every single Village Plan. He feels they are good to go on this and he wants to close. He needs some level of comfort that he can move forward with these conceptual Village Plans.

**Motion from Kirk Wilkins to forward a positive recommendation to the City Council for the Legacy Farms Village Plan [2, 3, 4, 5] with the Findings and Conditions in the Staff Report; with the additional condition that there be combined minimum of 24 ft. (driveways) backing space; and that they remove conditions 4, 5, 6, 7, 8, and 9 and that density does not transfer into block type 1. Second from Hayden Williamson.**

Hayden Williamson thought they determined that they didn't need the condition of the density transfer. Kimber Gabryszak thought it was still necessary but they didn't need to identify the density because it's already called out. Also on the combined minimum 24', could they change that to backing space because it's not the driveway, and could it be just village plan 5?

Sandra Steele thought it was a concern everywhere.

Kirk Wilkins revised the condition of the Motion that **with the 24'** driveway that it is with **backing space**.

**Aye Kirk Wilkins, Hayden Williamson. Nay: Sandra Steele, Jeff Cochran. The vote was tied.**

#### **7. Approval of Reports of Action.**

Kimber Gabryszak went over the reports of Action for Legacy Farms. It moved forward with a negative recommendation with a tie vote.

**Motion by Sandra Steele to approve the Report of Action and have our Chair sign it. Second from Hayden Williamson. Aye Kirk Wilkins, Hayden Williamson, Sandra Steele, Jeff Cochran. Motion passed.**

Kimber Gabryszak reviewed the Jordan View Landing Report. It received a positive recommendation.

**Motion made by Hayden Williamson to approve the Report of Action for Jordan View Landing. Second made by Kirk Wilkins. Aye Kirk Wilkins, Hayden Williamson, Sandra Steele, Jeff Cochran. Motion passed.**

#### **8. Approval of Minutes:**

**1. November 13, 2014.**

Motion by Sandra Steele to accept the Minutes as corrected. Seconded by Hayden Williamson

#### **9. Commission Comments.**

No comments.

**10. Director's Report.**

Kimber Gabryszak reviewed what happened at the last City Council Meetings.

**Meeting adjourned without objection by Chairman Jeff Cochran**

**Adjourn 10:25 pm**

February 12, 2015  
Date of Approval



Lori Yates  
Lori Yates, City Recorder