

**City of Saratoga Springs
Planning Commission Meeting
January 22, 2015**

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

Planning Commission Minutes

Present:

Commission Members: Jarred Henline, Kirk Wilkins, Sandra Steele, Hayden Williamson,
Staff: Kimber Gabryszak, Eric Lundell, Kevin Thurman, Nicolette Fike
Others: Bruce Baird, Troy Herod, Paul Linford, Andrea Allred, Mike Kelly, Nathan Brockbank

Excused: Jeff Cochran, Kara North

Sandra Steele nominated Kirk Wilkins to act as Chairman pro-tem. Seconded by Hayden Williamson. Aye: Sandra Steele, Hayden Williamson, Kirk Wilkins, Jarred Henline. Motion passed unanimously.

Call to Order - 6:36 p.m.

Roll Call - Quorum was present

Pledge of Allegiance - led by Hayden Williamson

Public Input Open by Kirk Wilkins

No input at this time.

Public Input Closed by Kirk Wilkins

4. Election of a Planning Commission Chair and Vice Chair.

Sandra Steele nominated Jeff Cochran as Planning Commission Chair for 2015. Seconded by Hayden Williamson. Aye: Sandra Steele, Hayden Williamson, Kirk Wilkins, Jarred Henline. Jeff Cochran was elected unanimously.

Jared Henline nominated Kara North as Vice Chairman. Seconded by Sandra Steele. Aye: Sandra Steele, Hayden Williamson, Kirk Wilkins, Jarred Henline. Kara North was elected unanimously.

5. Work Session Item: Discussion of The Springs Annexation Master Plan located west of the Wildflower project, approximately 1000 North 1000 West, adjacent to the south border of Camp Williams, Western Ventures, applicant.

Kimber Gabryszak presented the annexation proposal. The Annexation request is going through certification and noticing currently. This annexation includes other parcels so there are no unincorporated islands. The concept plan contains 1770 units, due to surrounding uses and utilities infrastructure access the density has been feathered from higher to lower. It is likely that the apartments will change to R-18, with a request for a height change to the R-18 zone district. Maximum density is below the number that was granted. The owners of three other parcels (HADCO) have requested Industrial zoning to enable continued mining expansion, and have also requested a buffer between the mining operations and the proposed residential development on Western Venture's property.

Mike Kelly, with applicant, noted the unique land features in the area that they have preserved as open space. The space would be connected clear throughout the development with trails and a central park area. They think they have a good mix of high and low density.

Bruce Baird, council for the project, wanted to discuss the buffer zone that was proposed. He didn't feel it was fair or necessary for 80-90% of the project to be limited. He wanted to point out that their density numbers are below what was granted.

Sandra Steele asked if the mining company had representatives here. (There were not) She wanted to know where did the buffer number come from, was it an engineer? She would like to know how that figure was determined before they make decisions. They don't want to put citizens in harm's way or damage homes. She asked how much of the open space was sensitive lands.

Kimber Gabryszak was not sure right now; there would be statement in the MDA that would say how the open space would work. The overall open space requirement will be met.

Sandra Steele wanted to make sure the open space was easily accessible for all the zones, that it wasn't all concentrated in one space.

Paul Linford responded that all the sensitive land was 30% slopes, no wetlands, but he didn't know how much of the green space was sensitive lands at this time.

Sandra Steele wanted to know about a military road that HADCO wanted preserved.

Kevin Thurman said an issue was a lot of residential traffic using the road, at some point the parties need to get together and figure out where they will put the heavy truck traffic, there should be an alternate route. There have been some preliminary discussions with some parties but all the parties need to be involved. Right now it's showing residential traffic would be on the same road. The plan doesn't quite follow the current alignment of the road and the city would have to vacate the road at some point. There is debate that it is a public road.

Sandra Steele hoped we could get more clarification by the next meeting. She feels access is a big issue. She asked what zone the federally owned parcel was coming in under, and was it BLM.

Staff replied that it was proposed to be agricultural and the ownership just indicates United States of America.

Paul Linford noted that just south of the entrance on the south area was in fact BLM and below that was Utah Power and Light.

Sandra Steele asked if they still wanted a change in the height limitation for the R18, she is hesitant with the asking for height extension for the Code, with 4 stories they would need an elevator and she is also concerned that it's where people would see it.

Kimber Gabryszak noted we will see what comes back officially.

Sandra Steele asked if they are planning on actively mining the portion that is coming in the city.

Kimber Gabryszak noted HADCO is planning on actively mining it. The City has asked them for any permits from the County and historical records of their activity. The Council can choose to zone it industrial or agricultural or something else but if HADCO can prove they have been using it for that purpose they can be grandfathered in.

Sandra Steele feels it is a little unfair if an owner has purchased land for a particular use and for no fault of their own they are annexed in and that right can be taken away from them.

Kimber Gabryszak noted it was something to be discussed as part of the process. The Council has the option to give the zone that was requested.

Hayden Williamson agrees with Sandra Steele on the last point. Will there be conditions in place to lock zones to particular density?

Kimber Gabryszak said we wouldn't lock each particular pod to a zone or density, but they are capped to the range in the pre-annexation agreement. There is some flexibility but we aren't locking them into a strict plan.

Bruce Baird said there would be a central range of numbers with a little flexibility to move some density around but they can't exceed the total cap. Each pod will have a sub cap within it. You can't move it too far in any pod or cap it out. Any developers in the future would purchase those pods with that in place.

Hayden Williamson asked what the timeline on this project was.

The Applicants noted a couple years. They would hope to get started this season, to get some roads started on.

Hayden Williamson asked if we know how long HADCO is planning on mining.

Kimber Gabryszak they have approval for a certain cubic tonnage for removal, they spoke with Eagle Mountain and it could be 10-20 or more years, at least for the foreseeable future. They will start

transitioning to some of those other uses. They have put in some infrastructure in for future use but they may or not be applying it to their own development.

Jared Henline asked about the blast zone and if they had a legal right to ask for that blast zone outside of their own property.

Kevin Thurman responded that they have the right to request it. As long as they are complying with state law there shouldn't be an issue. They have to comply with state law. We will require a geo-technical report for this property.

Jared Henline didn't think that the City should get into the dispute between the land owners.

Sandra Steele understands that the area is zoned grazing and mining right now and currently neither property is affecting the other, but now with putting houses that close she feels there is a danger depending on where they are mining. Her concern is that homeowners may have a problem with it. If we don't put the buffer in then we need a plaque with notification.

Bruce Baird understands that they have legal rights but they don't know the extent of those. They have litigated these things before and there are a whole range of issues. They won't be in the position to construct until they know all the details. They won't build anything that is unsafe. If the mining is done legally than they aren't going to do anything that will cause their homeowners to have a problem. It is between the two landowners. He does think it's a little bit hypocritical of the adjacent owners to ask for the large buffer zone. They are trying to stop us from doing anything on 2000 ft. of our property.

Kevin Thurman indicated that when it comes to zoning decisions the question is whether it's reasonably debatable and that it could promote the general welfare. Keep in mind there is a pre-annexation agreement that vests them to a certain number of units. They can make recommendation as to where the zones go. We need to keep in mind how it affects the pre-annexation agreement and the general welfare. We have discretion in where we choose to place the zones.

Hayden Williamson thought that along Camp Williams it seems that there is a greater impact to those butting up against the mining than to those up against Camp Williams.

Kimber Gabryszak responded yes, that Camp Williams is more worried about complaints from property owners. The JLUS study was to come to an agreement as to desirable development patterns around Camp Williams to minimize the potential to have to relocate due to controversy.

Hayden Williamson could see the concern where they are doing low density along camp Williams to minimize complaints but high density next to HADCO mining.

Nathan Brockbank responded that two reasons are because HADCO had high density there in the future, and he put an asphalt plant 10 feet from their property line. HADCO is also driving over their property and he feels there are issues that HADCO hasn't given the city.

Jared Henline thinks our roll tonight is just to talk about our thoughts, we aren't making any recommendations. He thinks the economic hand will take care of some of the issues. He does think HADCO has some rights being there and as long as they comply legally they will work with them. He would recommend to staff to make that area industrial. He thinks two entrances to the area are not enough.

The Applicants indicated there were two entrances on the east.

Kevin Thurman showed where HADCO's road was in comparison to what the County showed as Old Military road. What is debatable is what is public road and if it's established with 10 years of continuous use.

Jared Henline worried about water pressure in the area with all the new homes going in

Bruce Baird noted that they don't get approval until they satisfy the city engineer that they have adequate water and all engineering standards.

Kirk Wilkins asked about the mining operation, was it their request to annex?

Kimber Gabryszak said it was not their request but they were required by state law to be included.

Kevin Thurman said the actual petition has to be signed by owners that have a majority of the land value and property acreage. The state doesn't want the little unincorporated islands so you can force people to annex into the city.

Kirk Wilkins suggests that they inform buyers of the noise pollution from the mining operations and Camp Williams. He hopes they can resolve the blast zone issues. He does echo the sentiments about water resources and asked the city what the plans were.

Eric Lundell said he would work with their engineer and make sure the Master Plan matched and that they meet all the requirements. There will need to be connection made for water and other utilities.

Kirk Wilkins was also concerned for access during construction and keeping the lower height limitation in the city. He asked when they would get the geo-technical report (with the plats).

Eric Lundell noted that a lot of this was in higher zones than Harvest Hills and they would need new infrastructure for these areas.

Kirk Wilkins asked if the industrial zone allowed the mining operation (yes).

Kevin Thurman noted they don't have a current mining operation, they have a right but he is not sure they are actually mining, at least not a whole lot.

Kirk Wilkins is hoping that however the property owners work it out that it doesn't affect the future residents. Sandra Steele asked when we bring in the BLM land, we don't allow shooting, so she is wondering if they are aware that they are being annexed

Kimber Gabryszak said they are aware of the annexation but she is not sure if they are aware of the shooting there.

Bruce Baird noted that they may be coming back to say they don't want the text change for height.

Sandra Steele had one concern that as a city they don't have a ladder truck, she thanked them for considering that.

6. Approval of Minutes:

1. December 11, 2014.
2. January 8, 2015.

Motion made by Jared Henline to continue this item until the next meeting on February 12th. Seconded by Hayden Williamson. Aye: Sandra Steele, Hayden Williamson, Kirk Wilkins, Jarred Henline. Motion passed unanimously.

7. Commission Comments.

Jared Henline commented that the water pressure seemed to be going down.

8. Director's Report.

Kimber Gabryszak noted what happened in the last Council meeting. There will be a policy session next week to approve a Wildflower agreement. She noted upcoming items for Planning Commission. They hope to have a new Planning Commissioner appointed by mid-February.

Meeting adjourned without objection by Kirk Wilkins

Adjourn 7:55 pm

February 12, 2015
Date of Approval




Lori Yates, City Recorder