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**City of Saratoga Springs  
City Council Meeting  
February 17, 2015**

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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**Work Session Minutes**

10 **Present:**

11 Mayor: Jim Miller

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

13 Staff: Kimber Gabryszak, Kyle Spencer, Owen Jackson, Kevin Thurman, Jeremy Lapin, Nicolette Fike,  
14 Mark Edwards, Chelese Rawlings,

15 Others: Chris Porter, Sandra Steele, Stan Steele, Mike Hansen, Krisel Travis, Greg Haws, Boyd Martin, Nate  
16 Shipp, Bryan Flamm, Dan Deene, BA Martin, Bryan Chapman, Robert Gurney, Cory Marsh, Thane  
17 Smith, Jeff Shumway, Mary Shumway, Ian Conrad

18  
19 **Call to Order – 5:30 p.m.**

20  
21 **1. Discussion of the Secondary Water Rate Study with Zions Bank.**

22 Matt Millis gave a presentation about the Secondary Water. Most residents now have a meter. They would  
23 like tonight to seek input on how to encourage conservation and help users understand their use patterns.  
24 They want to consider revenue stability, bill predictability and consistency, and currently incomplete  
25 billing/demand data. He discussed that the average needed use was 15 gallons per sq.ft. of lot size.  
26 History indicates 60% of users are using above that amount. They need to educate users for a period to  
27 allow them to adjust their usage to then be able to tailor in a rate structure that makes sense. Revenues  
28 may increase slightly at first as users become accustomed to the rates and then lower consumption. Any  
29 additional revenue will be used to fix system deficiencies or enhance system resiliency.

30 Jeremy Lapin said the 15 gallons is really the maximum of what people should be using, that is not a  
31 conservation level.

32 Matt Millis said they need to establish a clear target usage for customers according to the size of their lots.

33 We want to make sure that whatever rate we put in is revenue neutral. In the transition period you could  
34 cap rates to send them a message but not have excessive billing. The more you transition from a base fee  
35 to a consumption based fee the more risk you start taking and volatility in revenue, because they don't  
36 know what the patterns are or ought to be. We could transition over a 3 year time to have better data to  
37 be confident in the ability to collect a stable source of revenue.

38 Councilwoman Call does not want to wait several years to move to the system. She could see a transition for  
39 a few months but would like to turn the system on this year. We calculate the cost of infrastructure, the  
40 fixed costs, and that becomes the base rate, then charge for usage after that.

41 Spencer Kyle said we need a way for us to collect the data and get it right. Perhaps we could do an 80% base  
42 20% consumption so we can get data and get it right. It helps us get data to fine tune it over a few years.

43 We don't have any date for after they are being billed for what they will use.

44 Councilwoman Call said there are no penalties now, we like the pay for what you use system. We can get the  
45 word out and the faster we can get on the system the more people will begin to reduce their use to the  
46 faster people will pay for their own use and the low users not supplement the high water users.

47 Mayor Miller we know what the cost for infrastructure and the system is, if we can put in a base cap over 12  
48 months that is set. If we know it costs us a dollar per gallon to pump it than the rate should be \$1 per  
49 gallon.

50 Spencer Kyle, we may end up with a very high base rate and low usage rate which doesn't give us a  
51 conservation mentality. That may end up being 80/20% user rate.

52 Jeremy Lapin confirmed that Council would still like to keep the 12 month base rate.

53 Councilwoman Baertsch said base rate needs to be adjusted for lot size.

54 Mayor Miller said we talked about tiering, so that could be the base rate, then after that there is the cost for  
55 what you purchased for your lot then on top of that is a penalty.  
56 Jeremy Lapin asked if they were in favor of a time frame for a cap. What would be an appropriate cap?  
57 Councilwoman Call suggested 3 months.  
58 Councilman McOmber would like it to be capped based on acreage.  
59 Councilwoman Call thought they could do April, May, and June with a note on their bill what their cost  
60 would be based on usage.  
61 Councilman Willden thought to give them through July; they may not water in April.  
62 Councilwoman Call summarized that they thought they should calculate what they are entitled to based on  
63 lot size, what their acquisition of water right was, then cap it at 150% of that.  
64 Spencer Kyle said so the goal is to get them down to 100% but cap it at 150% for the first few months. They  
65 need to look at how utility billing would look.  
66 Jeremy Lapin feels that is a different discussion. Staff feels we need to taper the change in over time, every  
67 month we expect some drastic changes. How do you feel about a sliding timeline?  
68 Councilwoman Call noted we had done rate adjustments for the last 3 years.  
69 Councilman Willden if we are too aggressive and under collect than we are going to violate some bond  
70 covenants. He would go as soon as we can but within reasons, he recommends two seasons.  
71 Spencer Kyle noted we have zero data on what people will use once they get billed by usage, which is a risk  
72 for us and the residents.  
73 Jeremy Lapin confirmed that the consensus was that real punitive should start when they exceed the 15  
74 gallons, once the cap expires.  
75 Councilman Poduska wondered if once we analyze the cost and can say the base this month is based on a  
76 consumption of 15 gallons per sq. ft. and then if you don't use that much a certain portion could be  
77 credited. With over consumption you could face a penalty.  
78 Jeremy Lapin responded that credits are a billing nightmare and tricky to implement. He said they had looked  
79 at an option that maybe over the first few months you don't charge for use but charge a flat penalty for  
80 using over a certain amount.  
81 Councilman Poduska commented that we didn't expect this kind of winter, we don't know what kind of  
82 summer it will be and people may not need to water, we should start with what our costs are and make  
83 sure those are met and be able by the second year to know more what the consumption should be based  
84 on that data. We are just looking at what our costs are going to be this summer,  
85 Spencer Kyle said that is what they are generally trying to do. Right now the flat rate covers our costs so they  
86 don't want to set the base rate on that and charge for usage over that. We would like to reduce the base  
87 rate and add the usage. We want to be revenue neutral. What are the fixed costs and put that in the base  
88 rate, what are the variable costs and put that in the usage.  
89 Councilman McOmber commented that if no one uses any water we still have to pay for our system, we  
90 don't want to not have enough revenue to do that so that is what the base fee needs to be, usage should  
91 be purely the cost, we know what it costs to pump the water. Then at the 15 gallon mark we have a  
92 penalty saying you are impacting the system by over usage. We need to make sure there are some  
93 protections in place after they switch over for incidences like broken lines and anomalies, written in.  
94 Jeremy Lapin noted the consensus is that the base rate covers fixed costs, tiers cover cost of pumping and a  
95 punitive level above that.  
96 Councilwoman Baertsch noted the base covers a certain number of gallons allowed according to lot size,  
97 remembering that when larger lots come in, they buy more water rights and that needs to be taken into  
98 account.  
99 Spencer Kyle said there will be a multiplier for each lot.  
100 Jeremy Lapin said that staff will digest this information and bring back the next step at another work session.  
101

## 102 2. Discussion of Shay Park/Train.

103 Mark Edwards introduced Mike Hansen from Utah Live Steamers train club. He showed two different  
104 options for phasing. They would like to keep the train away from pedestrians but they like the idea of using  
105 the overpass. Option B avoids pedestrians more.

06 Mike Hansen noted this would be the first train themed park in Utah County with a small ride on train  
07 running. He noted that the noise level was comparable to a lawn mower. He had a presentation that  
08 showed examples of trains and tracks. A railroad in South Weber averages about 500 riders on a  
09 Saturday. He thinks it could be that high here or more. They plan to run once a month to start up.  
10 Councilman McOmber noted some of the amenities the parks committee had discussed. They have the  
11 possibility of museum trains for display. With funds from the ride we can help maintain the train and  
12 caboose. The main item today is to approve the pavilion.  
13 Councilman Poduska sees this as a tremendous economic development to the city and will bring in more than  
14 it costs us.  
15 Councilwoman Baertsch said the club wants to help take care of the tracks and things and have materials  
16 donated.  
17 Mike Hansen noted that they have already found some track to be donated if the City Council is willing to go  
18 to this extent. He has gone as far as he can go on this until he gets council approval. He has talked to  
19 Union Pacific for grant money and he is starting to stockpile equipment. Geneva Rock is looking to do  
20 community projects and Council could go to them to donate the road-base and concrete. They need to  
21 know it's going to happen to make all the commitments.  
22 Council members all wanted the concept and would be voting officially on it in a few weeks.  
23 Councilwoman Call is concerned about the parking with this added amenity. The drive isles are not wide  
24 enough.  
25 Mark Edwards noted they don't think the budget will give them all the improvements, do we want to set  
26 aside money for the railroad now?  
27 Councilwoman Baertsch indicated that we need to get the track bed in now so it doesn't destroy landscaping  
28 later.  
29 Mark Edwards noted the railroad has curbing along it and that will cost more.  
30 Councilman McOmber thinks when we come back for the approval in a few weeks we need to come back  
31 with all the costs per phase.  
32 Councilwoman Call noted that we have been told by developers that they can do things cheaper than we can  
33 as a city, could we approach some of those developers and see if they would like to sponsor some  
34 amenities.  
35 Spencer Kyle noted that since it is public funds it has to go out to bidding.  
36 Mike Hansen thinks it would be good to have a plaque noting the donors for the train.  
37

38 **3. Discussion of the Preliminary Plat and Final Plat for Legacy Farms Village Plan 1, Plat 1A-1E.**

39 Kimber Gabryszak gave a brief background for the plats; it will include plat 1F when it comes back for  
40 approval. It transitions in density from south to north. Total units are 256.

41 Krisel Travis gave a presentation reviewing the plats. Plat 1A includes the Clubhouse. She reviewed the  
42 product types in each plat. They will be adding some play features to the small pocket parks. They have  
43 broken off of plat 1E a new plat 1F.

44 Councilman Poduska was impressed with the detail and the transition from low to moderate density. He likes  
45 the variety of the dwellings.  
46

47 Mayor Miller noted the time and adjourned the work session to continue this item in our policy session.  
48

49 **4. Agenda Review:** - Not covered in Work session

50 **5. Reports:** - Not covered in Work Session

51 **Adjourn to Policy Session 6:55 p.m.**  
52

53  
54  
55  
56  
57 March 3, 2015  
58 Date of Approval



Lori Yates  
Lori Yates, City Recorder

59 Policy Session Minutes

60  
61 **Present:**

62 Mayor: Jim Miller

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

64 Staff: Mark Christensen, Kimber Gabryszak, Kyle Spencer, Owen Jackson, Kevin Thurman, Jeremy Lapin,  
65 Sarah Carroll, Chelese Rawlings, Jess Campbell, Nicolette Fike

66 Others: Chris Porter, Sandra Steele, Stan Steele, Krisel Travis, Greg Haws, Boyd Martin, Nate Shipp, Brian  
67 Flamm, Josh Romney, Mindi Tate

68  
69 **Call to Order** 7:04 p.m.

70 **Roll Call** - Quorum was present

71 **Invocation / Reverence** - Given by Councilman McOmber

72 **Pledge of Allegiance** - led by Councilman Willden

73  
74 **Public Input – Opened** by Mayor Miller

75 Brian Chapman was here concerning Mountain View Corridor (MVC). He feels the various maps don't  
76 match up. They have reached out to UDOT and they are still trying to make sense of it. They sent a letter  
77 directed to Council. They thought it would be nice if the citizens could find maps regarding issues in the  
78 community, especially where MVC would connect to the city and neighborhoods.

79 Mayor Miller directed him to work with Owen Jackson.

80 **Public Input - Closed** by Mayor Miller

81  
82 **Work Session Continuation – Legacy Farms**

83 Councilwoman Call appreciated having this in a work session. She noted on the southern side the lots near  
84 the existing neighborhood and that those lots were large and that they have listened to the neighbors. She  
85 likes the entry features and pocket park features and that they would be an amenity to the city as a whole.  
86 She noted a few items, in the break down it appeared that there were 0ft. lot lines. She wanted to make  
87 sure that 16' driveways were not acceptable and to have them noted correctly on the plats. She asked if  
88 we had a resolution on the placement of the direction of the school.

89 Councilman McOmber had reached out to the school board and they are in favor currently of facing the  
90 school to the south.

91 Councilwoman Call noted the Planned Community zone requires 30% open space and asked if there were a  
92 reason this application meets code at less than 30%.

93 Kimber Gabryszak indicated the standard requirement in the Planned Community zone is 30% however in  
94 the District Area Plan which governs the PC the required range was below 30% so they are compliant  
95 with both.

96 Councilwoman Call wanted to share her appreciation of the work done on this and the decrease in density.

97 Councilman Willden appreciated the lower density coming in. He appreciates the feathering of density and  
98 the open space.

99 Councilwoman Baertsch loves that the Clubhouse is coming in with the first phase. She noted Council did  
100 not yet have the corrected final plans they approved in July and subsequently. She reminded them to  
101 wrap the treatment around corner lots. She would like designation on the lots as to which way the house  
102 will face. She noted a cul-de-sac lot that needed to face the road because of setback sizes on the lot. She  
103 said the map and the verbiage had a discrepancy on the ERUs. They need to remove any mention of the  
104 T5 concept. Plat 1B had lots that showed block type 2 but they don't match the definitions. She asked  
105 about the Rocky Mt. easement along the school under the sidewalk. In plat 1D some lots show 5' PUE's  
106 and also a Use easement, she does not agree with the Use easements and will vote no on the whole  
107 project based on that. Note 10 recommends item to be listed on the plat, yet they are not on the entire  
108 development look at the site triangles and be careful on the landscaping with those. She doesn't see  
109 anything on the 400 North improvements. On pg. 20 townhomes had hatched areas on them; she was not  
110 sure what that noted. Look at tables and T-zones that have a lot of mismatched information that needs to  
111 be cleaned up. Remove references to urban townhomes.

12 Krisel Travis said they would take those comments into consideration and would be coming in with their  
13 plats this week.

14 Councilman McOmber appreciated the project and thinks the entry features would be a great addition to the  
15 Redwood Road corridor. He likes the view corridor. He did not want a huge directional marketing sign  
16 blocking the park and view. He appreciates the pocket parks but would like them to consider saving  
17 some of the amenities for the larger parks. In terms of the setbacks, they have had some plotting issues  
18 where houses were built on the line or on utilities and he would be willing to look at fines for such.

19 Krisel Travis noted part of their process is to do a lot analysis on their lots to make sure they are situated the  
20 best.

21 Councilman McOmber would suggest they strongly look into the shared lot line issue. He thinks they have  
22 done a great job overall and they will sell well. He feels it's a natural transition from Saratoga Springs  
23 Development.

## 24 Policy Items

### 25 **1. Quarterly Update from the Finance Department.**

26  
27 Chelese Rawlings noted they have received the majority of the property taxes (98%) so things are looking  
28 nicer. Revenue is exceeding their expenses so far this year. The revenues are coming in better with the  
29 exception of energy taxes due to the warm weather. There were some one time expenditures early this  
30 year. She answered a few questions from Council to clarify the document.

31 Councilmembers thanked Chelese for her time and the work of her team. The document continues to be  
32 easier to read each year and it looks very nice.

33 Councilman Willden would like to point out that we are \$800,000 under budget year to date.

34 Councilman McOmber noted we do always come in under budget and we have a very conservative budget to  
35 begin with and it's a great testament to Chelese and her team.

### 36 **2. Consent Calendar:**

- 37  
38 **a. Consideration and Possible Approval of the Final Plat for Sierra Estates Plat E located at**  
39 **approximately 600 West 400 North, Patterson Homes, applicant.**  
40  
41 **b. Resolution R15-6 (2-17-15): Addendum to resolution of the City of Saratoga Springs pertaining to**  
42 **the City Street Lighting Special Improvement District to include additional subdivision lots.**  
43 **(Sierra Estates Plat E)**  
44  
45 **c. Resolution R15-7 (2-17-15): A Resolution of the City Council of the City of Saratoga Springs, Utah,**  
46 **regarding the Temporary Appointment of Justice Court Judges.**  
47  
48 **d. Consideration and Possible Approval of Water Right Purchase Agreement with Paul Johnson.**  
49  
50 **e. Consideration and Possible Approval of Waldo Water Right Purchase Agreement.**  
51  
52 **f. Consideration and Possible Approval of a Pavilion for Shay Park.**  
53  
54 **g. Minutes:**  
55  
56 **i. February 3, 2015.**

57 Councilwoman Baertsch noted that changes were emailed in for the minutes. She noted that Item c.  
58 needed to be removed.

59 Kevin Thurman indicated that the prior resolution didn't allow them to go out of Utah County to appoint  
60 substitute judges; they will bring an update to that resolution that will allow them to bring judges  
61 from Salt Lake County. They will see this on the 3<sup>rd</sup>.

62 Councilwoman Baertsch would like to add conditions in item a. Condition 5. To put notification of  
63 agricultural items nearby, it's very near the lighted arena. And condition 6. To note on the plat to be  
64 aware of Mountain View Corridor.

65 Councilwoman Call would like to request that driveways be fronted on the less intense street so they  
66 don't have backing issues on item a. On the Waldo Water right purchase she is uncomfortable with  
67 the phrasing that the city agrees to pay \$3500 or the highest price within 5 years.

68 Jeremy Lapin said he called and he agreed to amend it to say an average of the three highest prices.

69 Councilwoman Call is comfortable with that.

55  
56 **Motion made by Councilwoman Baertsch to approve the Consent Calendar including all staff findings**  
57 **and conditions for item a. Consideration and Approval of the Final Plat for Sierra Estates Plat E**  
58 **located at approximately 600 West 400 North, Patterson Homes, applicant adding condition 5 to**  
59 **place a notification on plat of nearby agricultural operations, adding condition 6 to place a**  
60 **notification on the plat for future Mountain View Corridor; Resolution R15-6 (2-17-15);**  
61 **Addendum to resolution of the City of Saratoga Springs pertaining to the City Street Lighting**  
62 **Special Improvement District to include additional subdivision lots. (Sierra Estates Plat E);**  
63 **Tabling Resolution R15-7 (2-17-15), until March 3<sup>rd</sup> 2015; The approval and purchase of Water**  
64 **Right Purchase Agreement with Paul Johnson in the amount of \$241,321.44; The approval of**  
65 **purchase of Waldo Water Right Purchase Agreement in the amount of \$147,654.50, amending**  
66 **language to say the purchase price on future acquisition shall be on the average price of the previous**  
67 **three years; The approval of purchase of a pavilion for Shay Park in the amount of \$65,388; And**  
68 **the minutes of February 3<sup>rd</sup> with changes emailed by Councilwoman Call, Councilwoman**  
69 **Baertsch and Councilman Willden. Seconded by Councilwoman Call.**

31 Kevin Thurman clarified that the motion on item e. should be **the average of the highest three**  
32 **purchase prices within the last 5 years.**

33 Amendment accepted.

34 **Ave: Councilman Willden, Councilwoman Baertsch, Councilman McOmber, Councilwoman Call,**  
35 **Councilman Poduska. Motion passed unanimously.**

36  
37 **3. Public Hearing: Consideration and Possible Vacation of a Sewer line Easement to Lot 7 of the**  
38 **Ironwood at Saratoga Subdivision Plat 1 development (also known as Plat 17 of the Saratoga Springs**  
39 **Development).**

40 **a. Ordinance 15-5 (2-17-15): An Ordinance of the City of Saratoga Springs, Utah vacating a sewer**  
41 **line easement in Lot 7 of the Ironwood at Saratoga Subdivision Plat 1.**

42 Jeremy Lapin explained that the developer of Ironwood (Plat 17 in SSD) relocated a section of existing  
43 Sewer Main within their project to align with a proposed lot line (Lot 6) as opposed to running  
44 diagonally across the lot and likely being located under a future home. A new easement was recorded  
45 with the plat and a portion of the existing easement needs to be vacated as it no longer contains the sewer  
46 line.

47 Kevin Thurman noted this is the same process as when we need to vacate a road.

48  
49 **Public Hearing – Opened by Mayor Miller**

50 No input at this time.

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

52  
53 Kevin Thurman noted that they have modified the language in the document to note we are vacating only a  
54 portion not the entire sewer line.

55 Councilwoman Baertsch asked if they are removing the sewer line.

56 Jeremy Lapin replied they are removing it, he believes it has already been done.

57  
58 **Motion made by Councilman Willden to approve Ordinance 15-5 (2-17-15): An Ordinance of the City**  
59 **of Saratoga Springs, Utah vacating a sewer line easement in Lot 7 of the Ironwood at Saratoga**  
60 **Subdivision Plat 1 with the amendments to the documentation as presented by staff today.**  
61 **Seconded by Councilman McOmber. Ave: Councilman Willden, Councilwoman Baertsch,**  
62 **Councilman McOmber, Councilwoman Call, Councilman Poduska. Motion passed unanimously.**

63  
64 **4. Public Hearing: Consideration and Possible Adoption of a General Plan Amendment to the Mixed**  
65 **Lakeshore Designation.**

66 **a. Ordinance 15-6 (2-17-15): An Ordinance of the City of Saratoga Springs, Utah, adopting**  
67 **amendments to the Saratoga Springs General Plan pertaining to the Mixed Lakeshore designation.**

18 Kimber Gabryszak noted that this is a zone that anticipates taking advantage of the lakeshore for  
19 developments that would be of benefit to the whole city with small café's or rental shops as well as  
20 densities that small businesses there would need. Developments have mostly just pursued low density  
21 residential. This was discussed at the Council retreat. She addressed the concern at Planning Commission  
22 that it may take away property rights. She noted that they could apply for a rezone but it also allows for  
23 higher density and add commercial that can add value.

24  
25 **Public Hearing - Opened** by Mayor Miller

26 No input at this time.

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

28  
29 Councilman Willden has gained appreciation working on the Code subcommittee panel and thought there  
30 were some good things coming.

31 Councilman McOmber noted they are specifying trailheads and he would like to direct staff to see that our  
32 trailheads get some signs directing them to the trailheads from the main roads.

33 Councilwoman Call thanked staff for the work.  
34

35 **Motion made by Councilwoman Call that we approve Ordinance 15-6 (2-17-15): An Ordinance of the**  
36 **City of Saratoga Springs, Utah, adopting amendments to the Saratoga Springs General Plan**  
37 **pertaining to the Mixed Lakeshore designation. Seconded by Councilman Poduska. Aye:**  
38 **Councilman Willden, Councilwoman Baertsch, Councilman McOmber, Councilwoman Call,**  
39 **Councilman Poduska. Motion passed unanimously.**  
40

41 **5. Public Hearing: Consideration and Possible Adoption of Code Amendments to the Land Development**  
42 **Code Section 19.13 (Concept Plan process)**

43 **a. Ordinance 15-7 (2-17-15): An Ordinance of the City of Saratoga Springs, Utah adopting**  
44 **amendments to the Section 19.13 of the Saratoga Springs Land Development Code (Concept Plan**  
45 **Process) and establishing an effective date.**

46 Kimber Gabryszak reviewed the code amendment; the current process requires an informal application  
47 review before both the Planning Commission and City Council prior to submittal of an official  
48 development application, which lengthens the process considerably. It has been recommended that the  
49 Concept review be removed from Planning Commission and City Council. They are in the process of  
50 revising the Development Review Committee process and develop comment review meetings with the  
51 developers. They have done this already a couple weeks ago and the developers are in favor of this  
52 change. There are still instances where it would go before Council such as with a rezone and with or for  
53 a Master Development Agreement.  
54

55 **Public Hearing - Opened** by Mayor Miller

56 Chris Porter thinks this can increase efficiency but does not think it will help with transparency. He  
57 thinks at the concept plan phase is when residents start to hear about developments and need to be  
58 aware of changes and can offer feedback. He is worried that the first time residents will hear about it  
59 is at the preliminary plat stage.

50 **Public Hearing - Closed** by Mayor Miller  
51

52 Councilwoman Baertsch said we are working to make sure we are more efficient so she is not as concerned  
53 with transparency in this case because they often see the applicant with several different concepts before  
54 the full application. Also the plans will still go up on the website when the applications come in.

55 Kimber Gabryszak noted that yes the applications would be on the website and added that while the concept  
56 phase has gone before the Council and Commission it did not allow for public input at those meetings.

57 Councilwoman Baertsch feels it would clean up the process.

58 Kevin Thurman noted we do a notice but is the 24 hour and 300 ft. notice.

59 Councilman Willden noted also that we don't take public comment at meeting during the concept plan

70 review. He thinks this is being responsive to feedback they have had from businesses and developers.

71 Councilman McOmber noted that they had feedback from developers and this was an area they thought was  
72 onerous. Also it takes away the ambiguity; often people in the audience were confused during meetings  
73 when council gave feedback thinking it was binding. He would like to continue to have staff and  
74 committees look at more opportunities to reduce impact on developers and still maintain the integrity of  
75 the City.

76 Councilwoman Call commented that when the concept plans come forward they can change many times  
77 before they actually come for approval. She feels staff knows what the Council wants and that it can  
78 increase transparency and will help to not overburden developers and businesses.

79 Councilman Poduska thinks it is an excellent idea. He thinks this will help clarify things better right from the  
80 start.

81 Mayor Miller thinks it is great and thanked the developers and business that took the time to give input. This  
82 is the first of changes they have discussed to help streamline the process and make things better  
83

84 **Motion made by Councilman Poduska that based upon the evidence and explanations received today, I**  
85 **move to approve the proposed amendments to Section 19.13.05, with the Findings and Conditions**  
86 **listed in the staff report. Seconded by Councilman McOmber.**

87 Councilman McOmber noted also **Ordinance 15-7.**

88 **Aye: Councilman Willden, Councilwoman Baertsch, Councilman McOmber, Councilwoman Call,**  
89 **Councilman Poduska. Motion passed unanimously**  
90

91 **6. Consideration and Possible approval of the Preliminary Plat and Site Plan for Jordan View Landing**  
92 **located between Crossroads Boulevard and 400 East , Ivory Development LLC, applicant.**  
93

94 Ken Watson wanted to thank Council for being open to developers with the last ordinance, it will make  
95 things easier.  
96

97 Kimber Gabryszak reviewed the plan; she noted the original concept plan and the changes to date. There has  
98 been a change to native grass in some locations and they are compliant with sod in the development. She  
99 reviewed Planning Commission comments and conditions. The Urban Design Committee has reviewed  
00 and given support for the modified elevations. It complies with the Code review. There may be a  
01 problem with street names.

02 Ken Watson had no problem with the conditions.

03 Councilman McOmber asked why they are putting a fence on 400 east.

04 Ken Watson replied the main reason was to give lot security, it would be a wrought iron style fence, probably  
05 5' high, and they should be able to see over the top as it will sit down the hill.

06 Councilman McOmber has no problem with the natural grasses, if the people decide they don't like it later,  
07 they can go to the HOA.

08 Ken Watson noted the natural grass is really a hay grass.

09 Councilman McOmber appreciated that he had listened and took suggestions from the Council.

10 Councilwoman Baertsch appreciated everything he has done and the long driveways. Working with the GIS  
11 department they can decide if the street names and lot numbers will be a problem. Condition #1 needs to  
12 add "maximum" number of units. The elevations are good, she wishes there was more relief on the rear.

13 Councilman Willden thanked him for coming back and working with staff and City Council. He thinks this  
14 is something good for the city

15 Councilwoman Call appreciates him incorporating many of the suggestions from Council, especially the two  
16 car garages. She also feels some articulation on the rear elevations would be good. She is not a fan of the  
17 native grasses; they tend to get replaced as they can become a weed patch.

18 Ken Watson indicated he would take the suggestions under advisement.

19 Councilman Poduska thought it was a tremendous improvement from where it started. He agreed with the  
20 other Council members and felt it would be a good addition to the city.  
21

22 **Motion made by Councilwoman Baertsch to approve the Jordan View Landing Preliminary Plat/Site**  
23 **Plan on parcels 58:032:0102, 58:032:0100, and 58:032:0101 as located in Exhibit 2 and detailed in**

24 Exhibits 5 and 6, with the Findings and Conditions in the staff report. Adding the word  
25 “maximum” to condition #1. Seconded by Councilman McOmber. Aye: Councilman Willden,  
26 Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman Poduska.  
27 Motion passed unanimously  
28

29 7. **Continued discussion and possible approval of the Rezone, General Plan Amendment, Master**  
30 **Development Agreement and Community Plan for the Wildflower development located 1 mile west of**  
31 **Redwood Road, west of Harvest Hills, DAI/Nathan Shipp, applicant.**

32 Kimber Gabryszak gave a brief review of the plan. She reviewed previous actions taken on the plan. The  
33 applicant is requesting approval of a General Plan Amendment and Rezone to change the designations of  
34 the property to Planned Community (PC), and also a Community Plan (CP) and Master Development  
35 Agreement (MDA). She reviewed staff recommendations and went over the revised plan.

36 Kevin Thurman noted that they had a version on the MDA that went through several revisions, and so they  
37 went back to the original agreement. So now there are more minor changes to address issues with the  
38 Collins Brothers property and commercial property. They would like to be vested with Chapter 19.26 as  
39 far as open space is concerned. Staff feels it would be beneficial to the city; it locks them into the 30%. It  
40 also notes what the Collins Brothers obligations are.

41 Nate Shipp wanted to acknowledge the effort of the staff to help work through this project. He said they were  
42 at a place where they need to move forward and commit with UDOT. They hope to leave tonight with  
43 enough insurance to guarantee that they can move forward and close the deal with UDOT

44 Josh Romney, with The Springs development, encouraged Council to approve the proposal tonight. They  
45 have been working with Wildflower to coordinate with their own development.

46 Paul Johnson wanted to be clear that he did not have authority to sign for Collins Brothers tonight. He  
47 appreciates the hard work of all the parties and also urges Council to move forward so reliability is in  
48 place. He responded to Councilwoman Baertsch that they think they have come up with a great solution  
49 for truck traffic; they are still working it out with everyone.

50 Josh Romney felt all the parties had that interest at heart and were working to make the best solution for that.  
51 Councilwoman Baertsch is concerned with the MDA, with the revisions just today and would like to review  
52 that more. She had some notes on the MDA, starting with the neighborhood percentages in the brackets.  
53 It doesn't make sense to see minimums that are below the brackets of the lot ranges.

54 Councilwoman Call clarified that the brackets were too large.

55 Nate Shipp noted they are trying to follow the middle ground. They can't break it into small enough pieces at  
56 this point. He isn't sure how to cross the gamut of ranges. They could perhaps just show one bubble on  
57 the east side and one on the west side. They could say residential outside Mountain View Corridor  
58 (MVC) tonight that ranges in size from 4500 sq.ft. to excess of 20,000 sq.ft.

59 Councilwoman Call would dare say a total acreage inside and outside the multifamily. She doesn't think we  
60 need to touch on lot size.

61 Bryan Flamm felt that would make them need to lot out the whole thing when that isn't their intent. They do  
62 plan on Village planning the whole east side together so he thinks that will fix it at that time.

63 Councilwoman Call asked about the changes on the MDA.

64 Bryan Flamm replied that it would help them have assurances on lot frontages. If they get an approval  
65 without assurances on frontages they may have to cut more units.

66 Kevin Thurman noted about feathering of density, they have another part of the code that requires feathering  
67 of density and this could restrict their ability when they come in with Village Plans.

68 Councilwoman Call asked could we adopt something tonight that says we are willing to work with a myriad  
69 of lot sizes throughout the plan but doesn't bind us to allow 6000 sq. ft. lots across the whole thing.

70 Kevin Thurman said the City is protected because it refers to the Community Plan but he isn't sure what the  
71 developers would need for their assurance tonight.

72 Councilwoman Call said if we can address unit numbers tonight, then we will work in good faith to  
73 accomplish it.

74 Bryan Flamm thought there could be a hybrid that they combine neighborhoods 1-7 and gave the range, it  
75 does identify that there will be some smaller and some bigger, and it will be identified further as they

76 come with Village Plans. He is struggling on how to fit what they need without hammering out the small  
77 details that really should come later.

78 Councilman McOmber Feels combining the 7 bubbles will accomplish what they would like.

79 Councilman Willden would be more comfortable with this table is there was a total maximum of units per  
30 neighborhood. It gives some flexibility to transfer some density, but protects the citizens as well.

31 Nate Shipp gave an example. The maximum is subject to the transferability. A 15% increase here would  
32 mean a 15% decrease somewhere else.

33 Councilman Willden felt the proposal as described would provide us with some assurance and protection.

34 Councilwoman Call is still uncomfortable with the way the language is written.

35 Councilman McOmber thinks the way it's written the City would have their protections. Eventually they  
36 have to have good faith. He thinks common sense will prevail.

37 Kevin Thurman suggested language in 19.04.03 they could place a similar cap on everything east of MVC.

38 Councilwoman Baertsch says there is no definition of how quickly the buffering transitions from on lot size  
39 to another lot size.

40 Bryan Flamm is concerned that in area 1 they wouldn't be able to transition quick enough from the large lots.

41 Councilman McOmber had that concern also. His suggestion is keep the east side clear and west side is  
42 where they do the adjustments for the impact of MVC. He doesn't think there is anything in the MDA  
43 that he couldn't approve. When they come back with the table they could group it so they can see the  
44 whole east side west side approach.

45 Councilwoman Baertsch says this is difficult because most of it has been worked out but, she is not  
46 completely sure on the MDA.

47 Kevin Thurman felt confident in the MDA, his concern is that Collins Brothers hasn't had the opportunity to  
48 look at it yet, we are granting a rezone without them giving up anything, and he compromised with  
49 making it subject to current code. They would be required to do an MDA as well as their own  
50 community plans. DAI is locking into uses, density and zoning and open space in the CP and PC zone.

51 Councilwoman Baertsch is still uncomfortable with not being able to review it before now.

52 Councilwoman Call feels she cannot move forward with this tonight.

53 Kimber Gabryszak suggested they could put down the language tonight that meets the needs of applicant and  
54 Council. They could add it under #7. Densities and Approved Uses. Add language that would make them  
55 comfortable.

56 Councilwoman Call would feel comfortable to pass an MDA if they keep it broad. She doesn't like page 21  
57 and pg. 27 in the Community Plan.

58 Nate Shipp said tonight they would be comfortable with moving forward with the MDA tonight and not the  
59 Community Plan as long as they have the assurances they need in that plan.

60 Councilman McOmber feels that UDOT could pull out and we need to move forward with this for them to  
61 sign a contract. If that mean you are ok with a broad MDA than that is what we need.

62 Councilman Willden is ok with the general rezone and MDA subject to the Community Plan. With the 15%  
63 limitations and modifications they have talked about he is general comfortable, but if the community  
64 plan could be a little broader so we are not prematurely locking ourselves into something we have not  
65 full vetted, he would be more comfortable.

66 Nate Shipp clarified that they would do the maximum amount of density transfer with council approval, If  
67 they combined neighborhoods 1-7 with lot ranges for 4500 to in excess of 20,000ft.

68 Councilman Willden is comfortable with the proposal as discussed; however, if the developer could be  
69 broader he could get 5 unanimous votes from the council and this would make the developers future  
70 visits easier.

71 Councilwoman Call suggests they adopt the MDA as presented with the neighborhoods 1-7 combined with  
72 densities of 4500 to in excess of 20,000 sq. ft. with the density number they have already seen included  
73 in future community plan, that density transfer 15-25% with council approval, no more than 25  
74 allowable, and take out neighborhood 3 from the exception.

75 Kimber Gabryszak showed the changes on screen for approval.

76 Page 21 of Community Plan shall be modified as follows: a. the density transfer between neighborhoods  
77 shall be modified to include a transfer of 15-25% with Council approval. No density transfer shall  
78 exceed 25%. b. The lot size exception shall be removed from neighborhood 3.

29 Page 27 of the Community Plan shall be modified as follows: a. Neighborhoods 1-7 shall be combined  
30 into one neighborhood and the ranges combined to 4500 sq. ft. to excess of 20,000 sq. ft.  
31 Nate Shipp needed to know on the smaller lots they could have the frontage requirements they needed.  
32 Councilwoman Call didn't want to reference page 21 or 27 and just say neighborhoods 1-7, minimum lot is  
33 45' and typical range is 4500 to in excess of 20,000 sq. ft.  
34 Kevin Thurman noted we will need the MDA recorded before they close with UDOT so the use runs with the  
35 land.

36  
37 **Motion by Councilwoman Baertsch that we continue this (item) to Tues. the 24<sup>th</sup> (2015) at which time**  
38 **they will be able to do the Community Plan MDA and the Zone change in total. Seconded by**  
39 **Councilwoman Call.**

40 Nate Shipp would like them to come to him (through Kimber) if they have some questions.

41 Bryan Flamm asked if they could sit down and look at lot layouts they have done so they can get  
42 comfortable with how it is coming together on the tables.

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

45  
46 Mayor noted we will meet next Tues. at 6:00 with this the only item on the agenda.

47  
48 **8. Ordinance 15-8 (2-17-15): An Ordinance appointing a member to the City of Saratoga Springs**  
49 **Planning Commission.**

50 Mayor Miller noted this is the first time in appointing Planning Committee members that they have really  
51 tried to set up a process. They received applications and they narrowed them down to four resumes. This  
52 time Stephen Willden was chosen to help interview. For the future they suggested that Mayor Pro-tem be  
53 the standing joint interviewee and include the chair from the Planning Commission so they know who is  
54 coming for those interviews. That is how they will move forward with the process. The Mayor  
55 recommended Dave Funk, he has been on the finance committee, he is very thorough and it was thought  
56 he could add some flexibility and depth to the Planning Commission.

57  
58 **Motion made by Councilman McOmber to appoint David Funk as Planning Commissioner for a 4**  
59 **year term. Seconded by Councilman Poduska**

60  
61 Councilwoman Call clarified that it was not quite 4 years as it would expire Dec 31<sup>st</sup>.

62  
63 **Aye: Councilman Willden, Councilwoman Baertsch, Councilman McOmber, Councilwoman Call,**  
64 **Councilman Poduska. Motion passed unanimously.**

65  
66 Mayor Miller addressed to staff that we need to include this new process in the bylaws.

67 Councilwoman Call said while she appreciates being more efficient she would like them to provide the  
68 information to the Council of walking through the process, i.e., these were the applicants, these ones  
69 were narrowed down.

70 Councilman McOmber noted this is under the role of the Mayor and as he takes the advice of everyone, it  
71 still needs to be his decision who to bring forward as a recommendation.

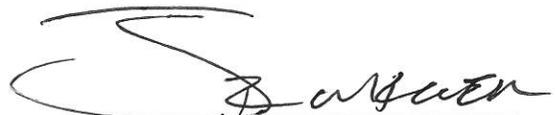
72 Councilwoman Baertsch agreed, but noted that we may not always trust a mayor as we do now. It is nice to  
73 have those names and be able to see who all the applicants are.

74 Councilman Willden thinks we should thank the Mayor for improving the process.

75  
76 **Policy Meeting Adjourn 9:55 p.m.**

77 March 3, 2015  
78 Date of Approval



79   
80 Mayor Jim Miller

31  
32  
33

  
Lori Yates, City Recorder