

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51

City of Saratoga Springs
City Council Meeting
February 24, 2015

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

Policy Session Minutes

Present:

Mayor: Jim Miller

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

Staff: Mark Christensen, Kimber Gabryszak, Kevin Thurman, Spencer Kyle, Nicolette Fike, Jeremy Lapin

Others: Nate Shipp, Mindi Tate, Chris Porter, Jennifer Klingonsmith, Rob & Stefani Bailey, Troy Herold,
Milt Shipp

Call to Order 6:00 p.m.

Roll Call - Quorum was present

Invocation / Reverence - Given by Councilwoman Baertsch

Pledge of Allegiance - led by Councilman Willden

Public Input – Opened by Mayor Miller

No input at this time.

Public Input - Closed by Mayor Miller

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

Kimber Gabryszak gave a review of the changes since the last meeting. The dedication of open space will not be called out ahead of time in the Community Plan or MDA but when they come in for plats it could be considered. There is no guarantee of impact fee credits mentioned, one reference to it. There is a conceptual open space base level; they will need to comply with the development code.

Jeremy Lapin commented that he thinks it should be changed so it doesn't limit us for reimbursement options, it should not specify how we are participating but make it broader.

Kevin Thurman agreed, it won't always be adding something for system improvement; it could have impact fee credits for other things as well.

Councilwoman Baertsch said the upper example (open space base level) was not what they would normally accept for the city.

Kevin Thurman thought you could add additional language to reference the codes, 19.26.

Kimber Gabryszak noted that there is a clear statement that it is conceptual. She continued with the updates and changes. The developer is not improving the UDOT detention basin at the request of the city. There were notes concerning limitation of temporary development signage, water tank name change and they removed primarily from references to single family and strike out recreational needs on page 12.

Councilwoman Baertsch noted many of her comments have been addressed in the changes. She asked if they wanted to include the pit/mine in their notifications.

Nate Shipp commented that they would much rather have adequate noting than not. He will reference existing mining and blasting operations.

Councilwoman Baertsch would like more clarification on pg. 46 about which evergreens they would be willing to accept, and note that shade trees can be used in other areas. They may need an evergreen table.

Kimber Gabryszak suggested they could address that at the Village Plan level.

Nate Shipp said they can add it.

Councilwoman Call was concerned with not having a table added now.

52 Kevin Thurman said they could just refer back to the code so that it is not too specific in the Community
53 Plan.

54 Councilwoman Baertsch suggested leaving “shade trees shall be used in public right of ways” and removing
55 pg 47 and 48 from the Community Plan so they could be addressed in the Village Plans.

56 Nate Shipp noted a tank that was misnumbered. The tank closest to Redwood road should be tank 5.

57 Councilwoman Baertsch had concerns about wording on the open space and making sure we are not tying
58 ourselves prematurely into some of those amenities.

59 Councilwoman Call asked how they would deal with the acreage being deeded to UDOT if it wasn't the
60 exact acreages called out.

61 Kevin Thurman said if it's only a few acres that would be covered, as things were conceptual in nature, but if
62 it was a large change that is where they would want to amend the Community Plan.

63 Councilwoman Call was concerned with Planned Community Zone and she didn't want to confuse the
64 definition, it may be too specific. On the open space plan, she wants to make sure that we are not just
65 saying our open space is only a network of trails. It needs to add that it is not limited to trails, and
66 includes parks, open space and a trail network. She asked if they wanted to call out Camp Williams
67 specifically in the dark sky initiative.

68 Kimber Gabryszak thought it was covered in 19.11

69 Councilwoman Call they don't establish all the parameters for buffering for Camp Williams and MVC and
70 all the things, it's kind of piece meal, is there a way to bring it all together in the buffering area. She
71 thinks ERUs could be referenced differently in the table on pg. 14. On pg. 21 she notes it doesn't say
72 when the density transfer may happen, that needs to be included.

73 Kimber Gabryszak said most likely it would be at Village Plan time.

74 Kevin Thurman noted in the Village Plan section of the code it notes it needs to have detailed transfer density
75 of non-residential sq. ft. provisions.

76 Councilwoman Call continued pg. 25 Regional Commercial should reference exhibit 2. On pg. 25 she had
77 concerns with wording about ERUs, change to within the allowable ERUs. pg. 26 she was concerned that
78 accessory structures should all be required to meet the City Code. Remove “not requiring a building
79 permit.” Pg. 29 change higher density use to medium density use. On pg. 30, add on setback met at
80 Village Plan “per Section 19.26.” She would like more parking than .25 spaces for guest parking. Pg. 35
81 we don't need to see the WDRC internal process. Remove the single family home approval process. Pg.
82 37, thanks for the note about housing styles, could we carry that over to each plan, it's just on the
83 Contemporary page now. Pg. 45 Landscape Philosophy, she would like something that talks about parks.

84 Kimber Gabryszak said this page was discussed quite a bit, it was originally confused between landscaping
85 and open space; we would like them to be separate and reference the appropriate sections of code. We
86 don't want them blurred together too much. She suggested removing the last paragraph and rewording
87 the first sentence to read “landscaping and open space” and then reference “19.06 and 19.26
88 respectively.”

89 Councilwoman Call also wanted the last paragraph just be put in the CCR's. On pg. 46 she shared the
90 concern with the shade and ornamental evergreens. On pg. 51 she appreciated removing the note about
91 city accepting trails and that it's conceptual. Pg. 52, if there was a way to encompass all of the buffer
92 concerns, it appears it should. Community plan is required to identify and dictate what buffering will be
93 but it doesn't say that it is going to be. Call out buffering from Camp Williams. Pg. 53 Park Standards
94 put in something that it will “meet recreational needs as per section 19.26.” Pg. 54 also include “meet
95 recreational needs” and also on pg. 55. On pg. 56 if the area is subject to credit for open space, she
96 doesn't want it to be counted now only to have it be widened later into a road. Define as counting as
97 open space only if it's outside the right of way. Pg. 57 it says regional trails need to meet city standards,
98 but all trails need to comply.

99 Kimber Gabryszak noted that some of the trails would not be given to the city but they may meet their needs
100 as an HOA.

101 Councilwoman Call does not want 3ft. trails. They do not meet code

102 Councilwoman Baertsch we need to plan for the future and plan as if we have to take them over someday (if
103 an HOA fails) We need to make sure they meet the needs down the road.

04 Jeremy Lapin suggested "regional trails identified on the City's master plan shall meet city standards, all
05 other trails shall meet below standards."
06 Kimber Gabryszak put that in the notes and that they would delete the 3' option and the parentheses options.
07 Councilwoman Call appreciates the note on signage she would also like pg. 59 to include the note that all
08 signage will be part of the Village Plan, or remove the page.
09 Nate Shipp would like to preserve this conceptual graphic in the plan. This monument is one exception they
10 would really like to have.
11 Councilwoman Baertsch noted the current sign height allowed is 20 feet for signs and she will stick to that
12 but it could be addressed at Village Plan.
13 Councilman Poduska doesn't understand where the objection is, he thought this was an attractive monument,
14 and wondered if there was something that denied this type of monument.
15 Kimber Gabryszak cited in Section 19.18 under Residential Uses that there shall be permitted one monument
16 sign for each major entrance to the development. It talks about materials and incorporation, then: When
17 reviewing the design of proposed entry features signs, staff shall determine whether the scale of the sign
18 is consistent with the surrounding natural and built features. There is nothing in there about height.
19 Councilwoman Baertsch said where the location is not nailed down she feels it shouldn't be included now.
20 We can leave it as concept and we will address it at Village Plan.
21 Councilman Willden agrees that it could be addressed at the later time.
22 Nate Shipp would like to have language included that allows them to go forward with the design they would
23 like, that will prevent them from doing an ordinance change later. They did do language that prohibits
24 billboards, this is conceptual now. This is just specific to the monument sign.
25 Councilman Willden suggested that City Council may consider it later.
26 Councilwoman Call likes the way the ordinance currently reads about it being contextual.
27 Nate Shipp asked could we just tie it to the code as it currently stands.
28 Councilwoman Call doesn't want to get backed into a corner because it's in the Community Plan.
29 Kimber Gabryszak noted they could reference the current code "When reviewing the design of proposed
30 entry features signs, staff shall determine whether the scale of the sign is consistent with the surrounding
31 natural and built features." There is nothing in there about height.
32 Mark Christensen thought they might want to look at the sign in a different way, where there are actual
33 words on the monument that would meet our sign code and the rest is an artistic element.
34 Councilwoman Call what would stop a developer from changing the top to a sign later.
35 Mark Christensen thought it could be considered as an architectural feature, not a sign.
36 Councilwoman Call asked if the applicant be willing to be locked into this design.
37 Nate Shipp replied it is engineered and ready to go and he would be willing to be locked into this design.
38 They think it's a beautiful aspect to the community.
39 Councilwoman Call would he be willing to put conditions in that include things like "including grading shall
40 not be above a certain height."
41 Nate Shipp asked if it could be relabeled to change the name to an entrance feature instead of sign.
42 Councilwoman Baertsch still has a hard time not knowing where it would be placed.
43 Kevin Thurman indicated we could make a condition that it's not within so many feet of residences or
44 obstruct views of existing or future residences.
45 Councilwoman Baertsch is concerned it would be high up and a beacon that would be seen too far away.
46 Nate Shipp commented that while it is a sign to let people know where they are it is mainly to set a tone for
47 the neighborhood.
48 Councilman Willden stated the developer's property is very close to existing homes. If we locked in the
49 design and height, a tower could've placed 100 ft from existing homes. Councilman Willden would not
50 support approval of a large entry monument without verifying the location so existing homes are not
51 looking at a large lighted monument from their back windows.
52 Councilman Poduska asked if they had an idea where they would like to place it.
53 Nate Shipp noted they would like to put it at the entrance off of MVC to the north and just as you come in on
54 the South past the commercial area.
55 Kimber Gabryszak noted on the map the areas they were looking at.

56 Kevin Thurman suggested they could add a note that the location of the following sign shall be determined at
57 Village Plan stage and shall be based on the following factors: distance to future and existing residential
58 homes, signs shall be located no closer than 100 ft. to existing and future homes, signs shall not
59 unreasonably restrict use of existing and future residential homes. Signs shall comply with chapter 19.11
60 of city code.

61 Council and staff discussed the merits of adding the condition. They felt since they didn't know the exact
62 location that it would be better to leave it as it is and address concerns at Village Plan.

63 Councilwoman Call noted on pg. 61 to add buffer and fencing treatments for the MVC.

64 Councilwoman Baertsch asked about them fencing the full perimeter, do they not want one consistent
65 product throughout the neighborhood; it seemed there were different fences options.

66 Nate Shipp is anticipating building different fences for different components but it should all have a
67 consistent feel. Along a collector road may be difference than along a trail. We could remove perimeter
68 of the property reference and say fencing shall be a consistent feel.

69 Kevin Thurman thought it would be fine the way it was as it was a concept.

70 Councilman Poduska had his concerns resolved earlier today after reviewing changes and meeting briefly
71 with Kimber Gabryszak.

72 Councilman Willden noted that the council is very sensitive when any development comes in that has a
73 potential of significantly impacting existing residents. The Planned Community Zone is very challenging
74 and requires special attention and detail because we are creating new code as part of the rezone. He
75 appreciates the thoroughly and detailed review from staff and the attention to detail from the other
76 council members to ensure we have a good product that protects future and current residents.

77 Kevin Thurman noted the change to the MDA about billboards will run with the land and be binding on
78 UDOT as well. Also under the mining area the language is less restrictive; it will allow them to grade
79 and process and sell products off site.

80 Councilwoman Baertsch asked the developer to define the grading that will need to happen.

81 Nate Shipp said there are some steep areas they will probably need to be left alone. Most of it will be
82 smoothed out. The majority of what they will be cutting will be on the west side. Long term it will help
83 fix drainage issues and alleviate flooding concerns.

84 Councilwoman Call noted a few corrections that needed to be made on the MDA. She wanted to include
85 "dedicate in some cases with approval from city council" in 10.a. She also wanted in b. to add
86 "subsequent approved Village Plans." In 11. private trails, she wondered if they would be keeping
87 private trails that public was not allowed on.

88 Nate Shipp replied that if the HOA was maintaining the trails then they should be private, if the public was
89 using them then the public should upkeep it.

90 Councilwoman Call noted there were trails in the city that were HOA maintained but the public did use them.

91 Kevin Thurman noted this was the same language that was used in the Legacy Farms MDA. HOA's may not
92 be stopping people from using their trails, but it is a pet-peeve of theirs. Are we going too far, we are
93 requiring them to install and maintain in perpetuity, yet grant public access, it could be interpreted as an
94 illegal action.

95 Councilwoman Call thought maybe they could get Open Space credit or something; she doesn't want people
96 being kicked off the trails like kids walking home from school. Where there is this much acreage and
97 developments on both sides she doesn't want to prohibit transportation through that except on trails
98 deeded to the city.

99 Kevin Thurman said we would have to see our code for parks and trails and see if that is prohibitive. If it's
100 on our master plan, than that is going to be a public trail.

101 Councilwoman Call on page 14 there is no east west connection on public trails if she is reading that
102 correctly. If we could entertain a public right-of-way easement or public accessibility at Village Plan
103 than she is ok.

104 Nate Shipp said that is how they anticipated it.

105 Jeremy Lapin indicated that on the extension of Providence they only had a sidewalk on one side. He wanted
106 to make sure they were ok with that. There is a rule that there should be a walk on both sides.

107 Kimber Gabryszak noted that they didn't finalize the change to the language for open space on 51.

108 Jeremy Lapin replied to say "subject to city for participation" and delete inclusion of parks and trails.

09 Councilwoman Baertsch said she would like to see two sidewalks.
10 Nate Shipp thinks it would give some continuity between Harvest Hills and Wildflower to keep the one.
11 Councilman Willden states that the one side walk is an annoyance to residents; therefore, he would support
12 two sidewalks.

13 Nate Shipp clarified it would be a 5' sidewalk within the 9' park strip.

14 Jeremy Lapin said it would be helpful to have a title other than just a right-of-way.
15

16 Kimber Gabryszak reviewed the Report of Action with the Council members. She reviewed changes made
17 by council and staff and made changes as needed. The Condition changes to the Community Plan were:

- 18 2. The Community Plan shall be edited as follows:
 - 19 a. Page 9 – add “parks and open space” before trails
 - 20 b. Page 10 – add disclosures for mining blasting.
 - 21 c. Page 12 – “appropriate...as appropriate”, remove one “appropriate”
 - 22 d. Page 14 – reformat table to put ERUs at the top, and just numbers in the table without repetitive
23 ERUs
 - 24 e. Page 21 – state that density transfers will be settled at time of Village Plan approval
 - 25 f. Page 22 – after “Master Plan” under Commercial add “see Exhibit 2”
 - 26 g. Page 25 – “as long as number of ERUs”, change to “within the allowable ERUs”
 - 27 h. Page 26 – remove “not requiring a building permit” from footnote
 - 28 i. Page 29 – change “higher density” to “medium density”
 - 29 j. Page 30 – when stating that setbacks for townhomes are approved at Village plan, add “per Section
30 19.26”
 - 31 k. Pages 34-35 – remove the Single-Family WDRC process specifics, keep the first two paragraphs
 - 32 l. Housing style pages – add “final housing styles to be determined by WDRC and approved at each
33 Village Plan” to top of each page
 - 34 m. Page 45 – remove last paragraph and reword first sentence to read “landscaping and open space” and
35 then reference “19.06 and 19.26 respectively”
 - 36 n. Page 46 – remove second sentence completely from second bullet point
 - 37 o. Pages 47 and 48 – remove entire pages
 - 38 p. Page 51 – change 19.09 to 19.26, and clarify open space statement to read “subject to City
39 participation” instead of inclusion in the Impact Facilities Plan. Also delete last sentence in the
40 statement.
 - 41 q. Page 52 – call out buffering from Camp Williams and mining operations.
 - 42 r. Page 53 – add “meet the recreational needs of residents” somewhere
 - 43 s. Page 54 – pocket park section, add “meet the recreational needs”
 - 44 t. Page 55 – neighborhood park section, add “meet the recreational needs”
 - 45 u. Page 56 – define parkway as only counting as open space if outside of the full pavement build out
46 width
 - 47 v. Page 57 – clarify note to read “trails identified on the City’s master plan shall comply with City
48 standards, and all other trails shall comply with the standards below”, and remove the 3’ width
49 option from the private trails as well as the items in parentheses.
 - 50 w. Page 61 – add fencing and buffering standards for MVC
 - 51 x. Page 73 – re-label eastern tank 4 to tank 5
 - 52 y. Open space in the Mountain View Housing shall be defined at time of Village Plan to ensure that
53 such open space is useable.
 - 54 z. Second access requirements shall be met and addressed through phasing, so that no more than 50 lots
55 may be constructed on any existing road until a second access is provided per Section 19.12.
- 56 3. A request to amend the Transportation Plan to reflect the proposed road layout shall be submitted and
57 approved, prior to Village Plan approval(s).
- 58 4. No Village Plan approval shall be granted until the MVC property is transferred to UDOT, and
59 verification received from UDOT.
- 50 5. Staff may edit the Community Plan for typos based on the changes required by these conditions.
51

52 Motion made by Councilwoman Call that based on the information and discussion tonight I move to
53 approve the General Plan Amendment and Rezone of the Wildflower property from Low Density
54 Residential and R-3 to Planned Community, as identified in Exhibit 1, of the staff report dated
55 February 17, 2015 with the Findings and Conditions in the staff report as listed on the screen.
56 Seconded by Councilman Poduska. Aye: Councilman Willden, Councilwoman Baertsch,
57 Councilwoman Call, Councilman Poduska. Motion passed unanimously.
58

59 Motion made by Councilwoman Call to approve the Wildflower MDA with the Findings and
60 Conditions as specified on the screen. Seconded by Councilwoman Baertsch. Aye: Councilman
61 Willden, Councilwoman Baertsch, Councilwoman Call, Councilman Poduska. Motion passed
62 unanimously.
63

64 Motion made by Councilwoman Call to approve the Wildflower Community Plan with the Findings
65 and Conditions on the screen including all the changes made tonight and by staff prior to the
66 meeting. Seconded by Councilman Willden. Aye: Councilman Willden, Councilwoman Baertsch,
67 Councilwoman Call, Councilman Poduska. Motion passed unanimously.
68

69 Motion by Councilman Willden to approve the report of action as presented. Seconded by
70 Councilwoman Baertsch. Aye: Councilman Willden, Councilwoman Baertsch, Councilwoman
71 Call, Councilman Poduska. Motion passed unanimously.
72

- 73
74
75
76
77
78
79
80
81
82
83
2. Motion to enter into closed session.
This item was not addressed tonight.

Policy Meeting Adjourn 8:15 p.m.

March 3, 2015
Date of Approval




Mayor Jim Miller


Lori Yates, City Recorder