

**City of Saratoga Springs  
Planning Commission Meeting  
March 12, 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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**Planning Commission Minutes**

**Present:**

Commission Members: Jarred Henline, Kirk Wilkins, Sandra Steele, Hayden Williamson, Kara North, David Funk

Staff: Kimber Gabryszak, Kevin Thurman, Mark Christensen, Nicolette Fike

Others: Neil Infanger, Nancy Hart, BA Martin, Dan Dewey, Teri S. Gary Peaske

**Excused:** Jeff Cochran

**Call to Order** - 6:30 p.m. by Vice Chairman Kara North

**Pledge of Allegiance** - led by Gage Wendell

**Roll Call** – Quorum was present

**Public Input Open** by Vice Chairman Kara North

No comment at this time.

**Public Input Closed** by Vice Chairman Kara North

**4. Public Hearing and Possible Recommendation: Preliminary Plats for Legacy Farms Plan Plats 1A-1F, located at approximately 400 South and Redwood Road, DR Horton, applicant.**

Kimber Gabryszak reviewed the plats for Legacy Farms. They contain a total of 256 single family and multi-family units. It is below the maximum of 341 units. She went over some report updates: that VPs 2-5 had also been approved, that on Plat 1A it was 5 OS parcels and not 3, that on T4 the 14' setback distance is in the rear, that RMP easement is pending, they asked for a change to the standard plat for owner's dedication, Flood plain clarification, and some engineering items were still pending. She reviewed the changes they have made and some outstanding requirements. There were some modifications in the conditions.

Krisel Travis was present for applicant. She had a presentation showing concepts for houses, landscaping, clubhouse, Plaza Park, pocket parks, and trails.

**Public Hearing Open** by Vice Chairman Kara North

Neil Infanger had questions about the timeline, and which road would be first and the scheduling of the Tickville pipeline.

**Public Hearing Closed** by Vice Chairman Kara North

Krisel Travis addressed public comment; they planned on making improvements along Redwood road and plat A, B, C, and D at the same time with one or two contractors. A separate contractor will be working with Tickville wash and start with Redwood road to get that out of the way then work from the bottom to the top. Schoolhouse entrance and the main entrance will both be under construction by separate contractors; the main entrance will need to wait until Tickville is completed in the area. They are still waiting for FEMA comments to begin construction. Widening of 400 S. will happen with plat F, they hope to delay that recording so that all the roads are not under construction at the same time. Transition of Tickville will happen when there is not any water and they get certification from FEMA.

Kara North asked what the timeline with FEMA was.

Krisel Travis said they got the first comments back sooner than they thought they would and they have resubmitted and they expect it within 30-40 days.

Sandra Steele asked who would own the shared lanes.

Krisel Travis replied that they are privately owned and maintained by the HOA. Roads were called out as private or public.

Sandra Steele asked which direction the school would face.

Krisel Travis said the school district has not decided that yet. There is a meeting with ASD on the 26<sup>th</sup> of this month.

Mark Christensen noted they will ask the district to face the optimal direction but it is their ultimate decision.

The City does not have the authority to decide or make that a condition.

Sandra Steele noted that roads needed to have a turn lane in place before a school goes in.

Krisel Travis showed the typical layout of the roads and that there was enough width to restripe for a turn lane when needed.

Sandra Steele noted they would need a disabled space in the parking lot that backed onto Highpoint Rd.

Krisel Travis said that would come in with the site plan.

Sandra Steele noted the clear site triangles were not shown on the plat map.

Krisel Travis noted they have been working on that and it is being corrected and it should be in compliance.

Sandra Steele was concerned that 12' setbacks were called out and they approved the plans based on that. She thought was meant to be, not a typo. In the plan online, why did they remove the note about fencing on pg. 98.

Krisel Travis wasn't aware of removing it, but indicated they had added clarifying language but she would re-look at that. The graphic showed the perimeter fence all around.

David Funk had no comments at this time.

Hayden Williamson asked about the floodplain on the first plat and which plats it impacted

Krisel Travis replied it was E and F and they would do A, B, C, and D at once and wait for FEMA to start on E and F as soon as they issue the CLOMR.

Hayden Williamson asked about the pocket parks and trails and where they were located. He noted that kids still like to play in parks even if they have a larger yard.

Krisel Travis noted the spots they were located on the maps. She noted the pocket parks were located where more intense needs were, where the homes didn't have larger yards. The park and clubhouse will be completed during the first phase and everyone will have access to those.

Kirk Wilkins thanked DR Horton and Staff for a thorough job. His questions had been reviewed. He wanted to go over the changes in the conditions.

Kimber Gabryszak noted 1, 2, 3, 4, and 5 would stay the same. On 6 remove c. and d. On g. add "unless alternative agreement reached with the City Engineer." Remove h., i., j., k. On m., change "corner" to "cul-de-sac. Add:

p. Re label "side (street)" as "front secondary."

q. Increase side setbacks in T3-R r to 12' unless amendment to permit 5' setbacks is approved by City Council.

r. Building: lot numbering edited to reflect appropriate phase or plat.

Discussion was held on what they would like to include in a motion.

Kimber Gabryszak noted that with q. it puts in a requirement that if the council doesn't modify the setback then the plat has to be modified.

Sandra Steele doesn't think 5' setbacks are appropriate in a transition area.

Kimber Gabryszak noted the T3-R is a transitional zone moving from a 12' to a 5' setback and it could have been overlooked or may have been a typo but she is uncomfortable approving it as a minor amendment because it does modify the intensity and impact of the development by having smaller setbacks. But it's up to Council to review and decide.

Mark Christensen said it was something that is on their radar and doesn't think it will go unnoticed.

Hayden Williamson clarified that it had to be changed to 12' setbacks unless otherwise approved by Council.

**Motion made by Kirk Wilkins to forward a positive recommendation to the City Council for the Legacy Farms plats 1A, 1B, 1C, 1D, 1E, and 1F with the conditions and findings in the staff report. With the following changes: that we remove conditions 6. c, d, h, i, j, k, and add p. Re**

**label “side (street)” as “front secondary.”; q. Increase side setbacks in T3-R r to 12’ unless amendment to permit 5’ setbacks is approved by City Council.; r. Building: lot numbering edited to reflect appropriate phase or plat. And adjusting 6. m. label tangent line for lot width measurement on Cul-de-sac lots. Seconded by David Funk.**

Kimber Gabryszak noted that they needed to add the **change on g. Remove PUE from City ROW, unless alternative agreement reached with City Engineer.**

Kirk Wilkins and David Funk **accepted the amendment.**

**Aye: Sandra Steele, David Funk, Hayden Williamson, Kirk Wilkins, Kara North, Jarred Henline. Motion passed unanimously.**

#### **5. Work Session: Discussion of Code Amendments.**

Kimber explained the changes they have discussed and are bring forward for amendment. There are changes in the following sections:

A. Measuring building height

- Clarifying method to ensure consistency and avoid violations; measure from newly defined “established grade” and require identification of established grade at plat or site plan

B. Accessory Buildings reformat / clarification

- Clarify that items such as appearance apply to all accessory buildings, not only those that have a setback exception

C. Fencing along arterial trail corridors

- Allow privacy fencing along limited trail corridors

D. Park strip landscaping

- Clarify that the 30% vegetation requirement applies to each parkstrip, not each lot

E. Driveways & Corner Lots

- Allow gravel driveways in some zones, and state that driveways in other zones are hard surface
- Clarify that minimum size requirements for corner lots are based off standard minimum sizes, not off on reduced lot sizes

F. Application Requirements

- Add “shapefile” and “established grade” to applications

G. Plat Amendment Process

- Allow additional plat amendments to be approved administratively

H. PC zone Clarifications

- Several miscellaneous clarifications to avoid misunderstandings

Kirk Wilkins asked about the parkstrip and if an owner wanted to put an RV on the side of the house and if they backed straight out, could they put hardscape there?

Kimber Gabryszak they could still put hardscape and have the city cut the curb so it’s not damaged. Then 1/3 of the parkstrip needs to have landscape in it.

Sandra Steele indicated that if an accessory building does not need a building permit but they stay away from the setback line, they still don’t have a height limitation. She thinks there should be something to define that.

Kimber Gabryszak in all most zones it says no accessory may be taller than the main structure.

Mark Christensen thought it would probably be a rare instance because it would be less than 200 sq. ft.

Sandra Steele might suggest somewhere between 12’ and 15’.

Hayden Williamson thought we did have a limit, although quite loose, and that and HOA’s could have their own limitations.

Kara North asked if there was a limit that Hayden Williamson would find acceptable.

Hayden Williamson thought the way it was, was sufficient, he would like to leave it with local control when possible, we shouldn’t have to govern it all

Kevin Thurman suggested that they draft some language and they could give the Commission some options.

Kirk Wilkins agrees with Commissioner Williamson and we haven't really seen this problem in the city yet. Jarred Henline thinks we don't have the knowledge tonight to make the solution, he likes Kevin's suggestion and we could get some comparisons from other cities. It only takes one person to make it an issue.

Sandra Steele said when you build something tall it has a chance of being a safety issue.

Kimber Gabryszak noted they are recommending removing the language "may be placed on a slab but shall have no footings" the building dept. says it contradicts with building code. They still have to comply with the other standards.

Kara North liked the change on fencing.

Kimber Gabryszak noted they had attempted to draft language to prohibit parallel fencing.

Jarred Henline thought it looked like it said no parallel fencing unless it's enclosing chickens.

Kimber Gabryszak said they could reword it to say as otherwise specifically permitted by code.

Jarred Henline would prefer that change.

Kirk Wilkins commented that in other places that protect against certain behaviors, we have not included code to prohibit; if someone did put the clippings over the fence in non-HOA it could be deemed as litter, he suggests for those who are not in an HOA, why restrict them from having privacy fencing.

Mark Christensen explained that they experience this along trail corridors now and the privacy fences just lend themselves to those illegal things happening (garbage over the fence) in the first place. He thinks this is a good compromise so far. This is still in progress.

Kevin Thurman asked Commissioner Wilkins if he was asking to make an additional change; this now is only along trail corridors.

Kirk Wilkins understands that trail corridors in non-HOA would require semi-privacy fencing and not allow privacy; and this change is allowing privacy in HOAs, but not for non HOA properties. He said even in the non-HOAs they feel strongly about having privacy because they don't want to have to see strange people or have them see in.

Sandra Steele said the citizens do not need to have another code enforcement issued that the city would have to do more work for, because they all have to pay for it.

Kara North clarified that this change is allowing more people to have privacy than previously.

Kimber Gabryszak indicated yes. This is trail corridors only along Redwood road at this time.

Mark Christensen reminded them if they would like to make a different recommendation they could.

Kirk Wilkins thinks it's a step in the right direction but would like to see it go further, more discussion was needed.

Sandra Steele liked it the change as it stands.

Hayden Williamson felt it was a good baby step in the right direction. He would like to discuss it further. We are trying to solve, code enforcement and safety.

Jarred Henline liked the change.

David Funk didn't feel that we should regulate the citizens that live in an HOA differently than the citizens that live outside an HOA.

There were no issues brought forward with any of the remaining sections.

## 6. Approval of Minutes:

### 1. February 26, 2015

Sandra Steele noted one typo.

**Motion made by Sandra Steele to accept the Minutes from February 26, 2015 as amended. Seconded by Kirk Wilkins. Aye: Sandra Steele, Haden Williamson, Kara North, Kirk Wilkins, David Funk. Abstain: Jarred Henline. Motion Passed.**

## 7. Commission Comments.

No comments at this time.

## 8. Director's Report:

### • Council Actions

They continued discussion for Inlet Park, they approved the Road dedication for Swainson and Wildlife, they continued The Springs and they approved the rezone for Wildflower.

- **Applications and Approvals**

- **Upcoming Agendas**

We are cancelling the meeting on the 26<sup>th</sup> and replacing it with a land use training held jointly with City Council on March 31<sup>st</sup>. (Hayden Williamson will be out of town.) It will be at 5:45p.m., after which Council will resume their policy session.

There are two open houses for parks coming up.

- **Other**

Mark Christensen had a meeting with Allied Waste and they did not have a problem servicing the neighborhoods Commissioner Steele was concerned with.

Kimber Gabryszak noted that the meeting on April 9<sup>th</sup> was during the School District Spring Break week and asked if it was going to need to be rescheduled. A few commissioners thought they would be gone. Mark would like for other staff members to be able to take the break if needed. The meeting was not rescheduled at this time.

**Meeting adjourned** by Vice Chairman Kara North

**Adjourn 7:55 p.m.**

April 9, 2015  
Date of Approval

Lori Yates  
Lori Yates, City Recorder

