



**Planning Commission Meeting**  
**Thursday, May 28, 2015**  
**Meeting held at the Saratoga Springs City Offices**  
**1307 North Commerce Drive, Suite 200, Saratoga Springs**

**AGENDA**

**One or more members of the Commission may participate electronically in this meeting.**

***PLEASE NOTE: THE ORDER OF THE FOLLOWING ITEMS MAY BE SUBJECT TO CHANGE WITH THE ORDER OF THE MAYOR.***

**Regular Session commencing at 6:30 P.M.**

1. Pledge of Allegiance.
2. Roll Call.
3. Public Input – Time has been set aside for any person to express ideas, concerns, comments, questions or issues that are not listed on the agenda. Comments are limited to three minutes.
4. Public Hearing and Possible Action: Conditional Use Permit for Little Caterpillars Preschool located at 543 Marie Way, Stefanie Lance, applicant. Presented by Scott Langford.
5. Public Hearing and Possible Action: Minor Subdivision for Cahill Chapel located at 163 West Ring Road, EA Architecture, applicant. Presented by Sarah Carroll.
6. Public Hearing and Possible Recommendation: Rezone, General Plan Amendment and Concept Plan for Cahill Chapel located at 163 West Ring Road, LDS Church, applicant. Presented by Sarah Carroll.
7. Approval of Minutes:
  1. April 9, 2015.
  2. May 14, 2015.
8. Reports of Action.
9. Commission Comments.
10. Director's Report:
  - Council Actions
  - Applications and Approval
  - Upcoming Agendas
  - Other
11. Motion to enter into closed session for the purchase, exchange, or lease of property, pending or reasonably imminent litigation, the character, professional competence, the deployment of security personnel, devices or systems or the physical or mental health of an individual.
12. Adjourn.

\*Public comments are limited to three minutes. Please limit repetitive comments.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Recorder at 766-9793 at least one day prior to the meeting.



**Home Occupation**  
**Little Caterpillars Bilingual Preschool**  
**May 28, 2015**  
**Public Hearing**

Report Date:	May 21, 2015
Applicant:	Stephanie Lance
Owner:	Stephanie Lance
Location:	543 Marie Way
Major Street Access:	800 West
Parcel Number(s) & Size:	66:202:0229, 0.227 acres
General Plan Designation:	Low Density Residential
Parcel Zoning:	R-3
Adjacent Zoning:	R-3
Current Use of Parcel:	Residential
Adjacent Uses:	Residential
Type of Action:	Administrative
Land Use Authority:	Planning Commission
Future Routing:	None
Author:	Scott Langford, Senior Planner

---

**A. Executive Summary:**

The applicants, Stephanie Lance, are requesting approval of a preschool for children ages 3-5 in the basement of the home at 543 Marie Way. The preschool is proposed to operate from 9:00 A.M. until 3:15 P.M., Monday through Friday. The applicant has proposed a maximum of 8 children per class, which a maximum of 2 classes per day.

**Recommendation:**

**Staff recommends that the Planning Commission conduct a public hearing, take public comment, discuss the application, and choose from the options in Section G of this report.** Options include approval, continuance, or denial.

**B. Background & Request:**

The application is for a preschool, proposed as follows:

- Hours of operation from 9:00 A.M. – 3:15 P.M.; Monday-Friday

- Class #1: 9:00 A.M. – 11:30 A.M.; Class #2: 12:30 P.M. – 3:15 P.M.
- Maximum of 8 children per class; 2 classes per day
- Preschool to occur in the basement
- 2 car garage with space in driveway for 2 cars; on-street parking is available on the north and east side of the home to accommodate pickup and drop off.
- No outside employees (except for possibly one emergency substitute that is a related to owner)
- Home is ~3,200 sq.ft, amount of home used by daycare is ~900 sq.ft. or 28% of the square footage of the home.

**C. Process:**

The process and standards for a Home Occupation are found in Section 19.08 of the Code. Minor home occupations are approved administratively by Staff; however, if the proposal will include more than five patrons or customers per day, the approval body becomes the Planning Commission, which is required to hold a public hearing.

As the proposal is for 8 children per class, twice a day; therefore this home occupation must be reviewed by the Planning Commission as part of a public hearing.

**D. Community Review:**

This item has been noticed as a public hearing in *The Daily Herald*, and notice mailed to all property owners within 300 feet of the property. As of the date of this report, no public comment has been received.

**E. Code Criteria:**

Section 19.08.02 of the Code outlines the standards for home occupations:

**19.08.02. Performance Standards.**

Proposed Home Occupations must be in compliance with the following performance standards to ensure that adverse impacts to others are minimized and that the residential characteristics are preserved. Home Occupations are to be clearly incidental and secondary to the residential use of the property. All Home Occupations may be allowed if approved and in compliance with the terms of this Chapter and may be revoked if these performance standards are not maintained. Performance standards include:

1. **Floor Area.** A Home Occupation may be located in any single family dwelling, or an accessory building to such a dwelling, but shall not occupy or use more than one-third of the finished square footage of the dwelling in any 24 hour period.

*Staff analysis: complies. The business occupies the ~900 sq.ft. of the 3,200 sq.ft. house (28%).*

2. **Building and Fire Codes.** A Home Occupation, including Home Occupations located in accessory buildings, shall comply with all applicable building and fire codes. For example, if a Home Occupation is located in a garage, approval for occupancy must be given by the Building Official and Fire Marshall.

*Staff analysis: complies. The Fire Department has inspected the home and found everything to be in compliance.*

3. **Employees.** Home Occupations may have no more than two on-premise employees who are not members of the resident family or household.

*Staff analysis: complies. The applicant will not employ and additional staff. There will be an emergency substitute teacher if the applicant is unable to teach.*

4. **Parking.** Home Occupations shall provide adequate off-street parking as required by Chapter 19.09. Vehicles used in the occupation, other than passenger cars, may not be parked on site, unless parked in the home's garage or other solid structure to shield the vehicles from view. Further, Home Occupations may not be located in required parking spaces (whether covered or uncovered) per Chapter 19.09.

*Staff analysis: complies. 19.09.11 states that parking requirements for home occupations are not identified, and are to be determined by the Planning Commission. The Home has a two-car garage, and stacking space outside the garage for 2 more cars (without encumbering the sidewalk). The standard for a commercial preschool is 1 stall per staff member, plus one stall per 5 children present. This would result in a requirement for 2.6 spaces. The property currently has 4 spaces; per Section 19.09.05, the Commission is to determine the need for parking based on:*

- *the intensity of the proposed use;*
- *times of operation and use;*
- *whether the hours or days of operation are staggered thereby reducing the need for the full amount of required parking;*
- *whether there is a shared parking agreement...;*
- *the number of employees;*
- *the number of customers and patrons;*
- *trip generation; and*
- *peak demands.*

5. **Outdoor Storage.** Outdoor storage associated with a Home Occupation shall be subject to the same performance standards governing other outdoor storage on residential lots.

*Staff analysis: complies. No outdoor storage is proposed.*

6. **Outdoor Activity.** Outdoor activity may occur for a Home Occupation so long as the activity takes place in a fenced area and does not create an unreasonable disturbance to neighboring properties.

*Staff analysis: complies. The proposal does not include outdoor activities, and the entirety of the activities will take place indoors (basement).*

7. **Signs.** A Home Occupation may display a nameplate sign attached to the home not exceeding four square feet solely for the purpose of identifying the occupation. The design and placement of a proposed sign must receive approval from the Planning Commission or City Staff. Signs that in any manner are electronic, electric, lighted, or back-lit are strictly prohibited.

*Staff analysis: **complies.** The applicant has not indicated that there will be signage.*

8. **Hours of Operation.** Home Occupations that receive customers, clients, or students shall operate only between 7:00 A.M. and 10:00 P.M., except for pre-schools or day care which may operate from 6:00 a.m. to 10:00 p.m.

*Staff analysis: complies. The proposed hours of operation are from 8:30am-3:15pm. The two classes per day are separated by 1 hour, which should limit a traffic impacts to the neighborhood.*

9. **Hazardous Materials.** No Home Occupation shall generate hazardous wastes or materials that increase the danger of fire or cause fumes or odors that may be objectionable to neighboring residents.

*Staff analysis: complies. No hazardous wastes or materials will be generated.*

10. **Exterior Appearance.** No Home Occupation shall alter the exterior of the home to differ from the colors, materials, construction, or lighting of the home before it was used as a Home Occupation.

*Staff analysis: complies. The home will continue to look like a typical home.*

11. **Retail Sales.** Service related Home Occupation may conduct incidental retail sales provided that the sales do not increase traffic or violate any other performance standard.

*Staff analysis: complies. The proposal does not include retail sales.*

12. **Traffic and Utilities Use.** The Home Occupation shall not generate traffic or increase the demand for utilities that exceeds those normally associated with residential uses.

*Staff analysis: complies. The hour of class separation will mitigate traffic impact to the neighborhood.*

13. **Business License.** A business license is required for all Home Occupations.

*Staff analysis: complies. A business license will be required prior to operation.*

14. **Additional Home Occupations.** More than one Home Occupation is allowed for each lot or parcel if the combined Home Occupations meet all requirements of this Chapter as if all were one Home Occupation.

*Staff analysis: complies. Only one home occupation will operate at this address.*

#### **F. Recommendation and Alternatives:**

Staff recommends that the Planning Commission conduct a public hearing, take public comment, discuss the application, and choose from the options below.

##### **Option 1 – approval**

"I move to **approve** the Home Occupation for the Little Caterpillars Bilingual Preschool, located at 543 Marie Way, with the findings and conditions below:

##### **Findings:**

1. As articulated in Section E of this report, the proposal complies with the requirements in Section 19.08.02 of the Code
2. The proposal complies with Section 19.08.02, subsection 12, Traffic or Utilities Use, through a drop-off and pick-up schedule that prevents congestion by limiting the number of cars present at any one time and/or a reduction in the number of students.

##### **Conditions:**

1. A business license shall be obtained prior to operation, and maintained throughout operation.

2. All requirements of the Fire Department shall be met, and Fire Department approval shall be obtained prior to business license issuance.
3. The number of on-site parking stalls required shall be 3.
4. The approved hours of operation are 8:30am through 3:15pm, Monday thru Friday.
5. No on-street parking expressly for the home occupation is permitted.
6. No outdoor activities are approved.
7. No signage is approved with this home occupation; any signage requested in the future shall obtain a permit and comply with the standards in the Code at the time of sign application.
8. The maximum number of students per day shall be 16.
9. Any other conditions required by the Planning Commission:

**Option 2 – continuance**

"I move to **continue** the Home Occupation for the Little Caterpillars Bilingual Preschool, located at 543 Marie Way, until the \_\_\_\_\_ meeting, with specific direction to the applicants on information needed to render a decision as articulated below:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

**Option 3 – denial**

"I move to **deny** the Home Occupation for the Little Caterpillars Bilingual Preschool, located at 543 Marie Way, with the findings below:

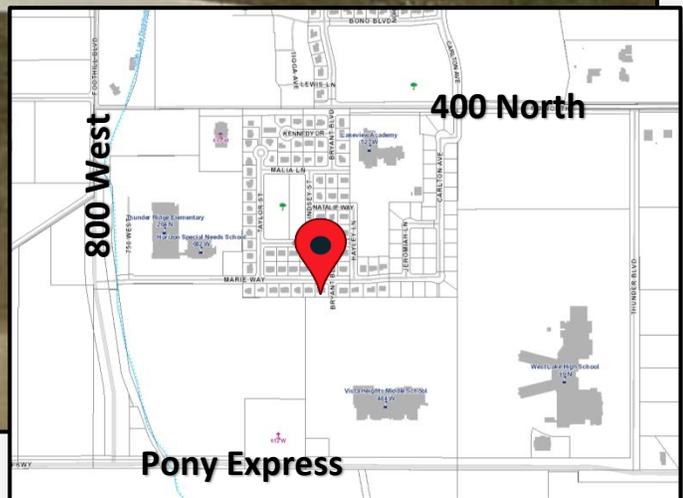
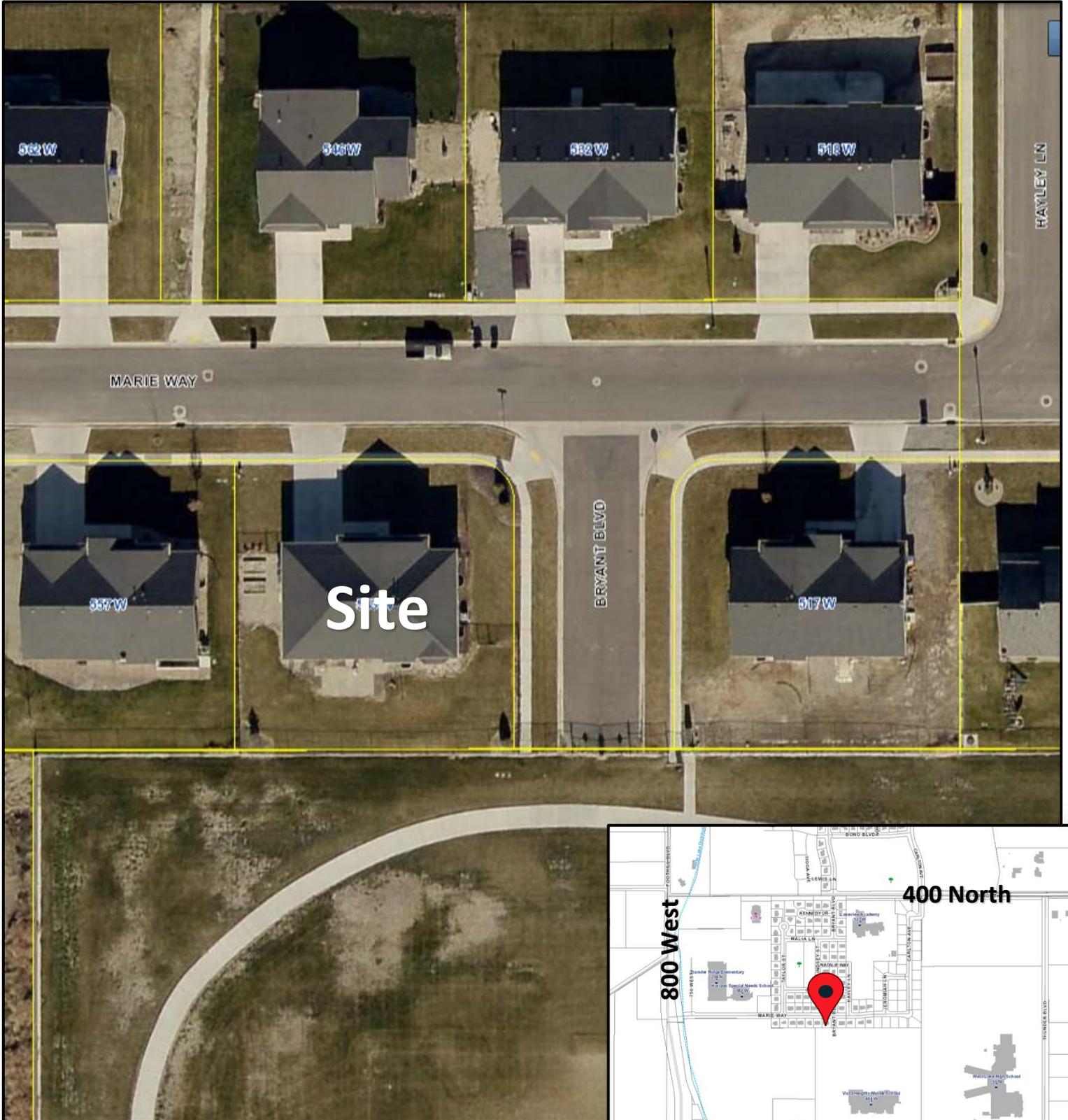
**Findings:**

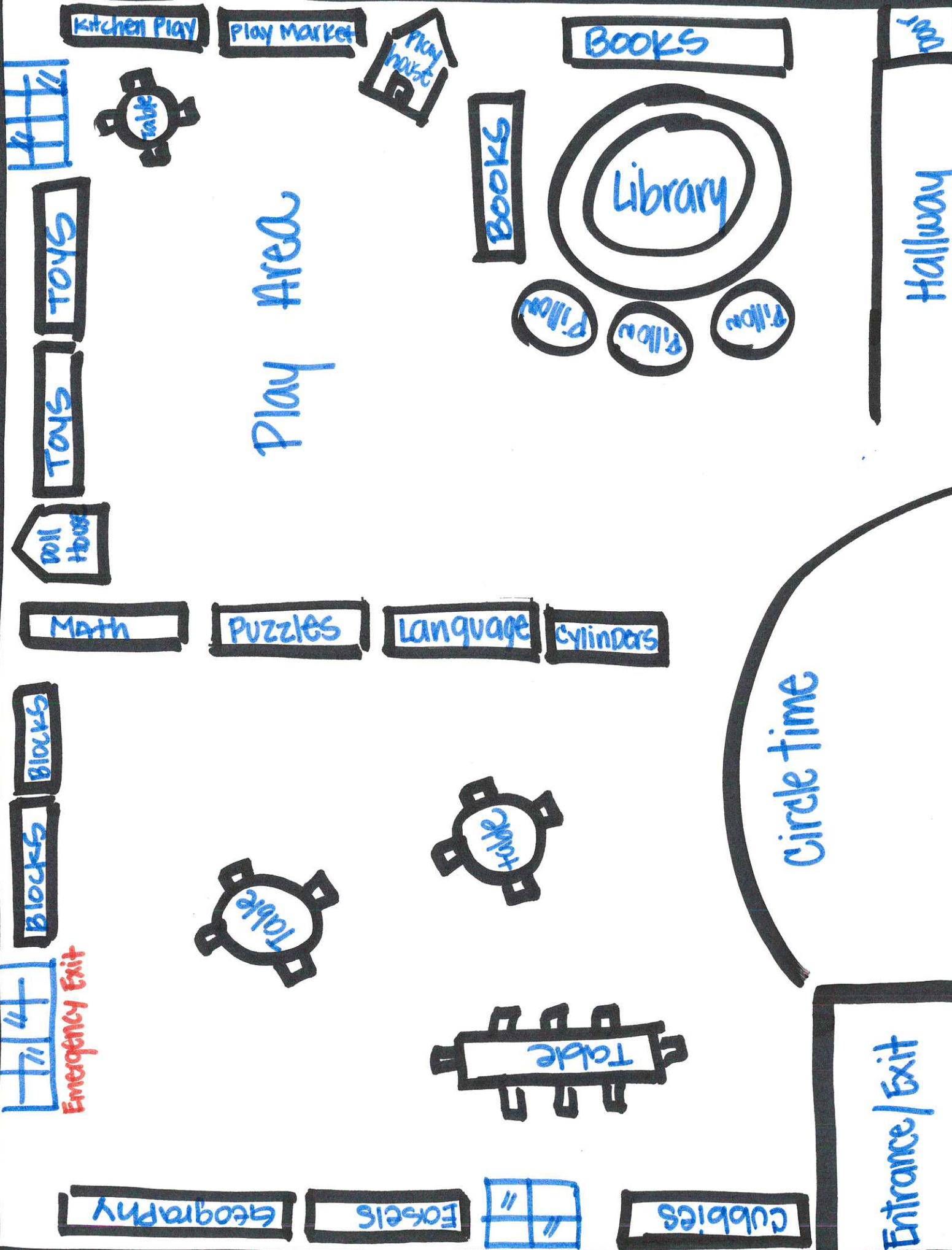
1. The proposal does not comply with the requirements in Section 19.08.02 of the Code, particularly subsection(s) \_\_\_\_\_  
*(as articulated by the Commission).*
2. The proposal does not comply with Section 19.08.02, subsection 12, through a significant increase in traffic to the neighborhood.

**H. Exhibits:**

1. Location & Aerial Photo
2. Applicant packet & Floor Plan

# AERIAL AND LOCATION MAP







## Planning Commission Staff Report

---

### **Cahill Church Subdivision Minor Subdivision - Public Hearing May 28, 2015**

Report Date:	May 21, 2014
Applicant/Owner:	Evans and Associates Architecture, Chad Spencer
Location:	~163 West Ring Road
Major Street Access:	Redwood Road
Parcel Number(s) & Size:	59:002:0135, ~8.27 acres
Parcel Zoning:	RC
Adjacent Zoning:	RC, R-3
Current Use of Parcel:	Undeveloped
Adjacent Uses:	Residential, Fire Station, Undeveloped Property
Previous Meetings:	None
Previous Approvals:	None
Land Use Authority:	Planning Commission
Future Routing:	None
Author:	Sarah Carroll, Senior Planner

---

#### **A. Executive Summary:**

This is a request for review of a two lot minor subdivision. The applicant owns approximately 8.27 acres in the RC zone and would like to subdivide his property into two lots. Under a separate application the applicant is requesting the NC zone for the 5.172 acre parcel shown on the plan.

#### **Recommendation:**

**Staff recommends that the Planning Commission conduct a public hearing, take public comment, and/or discuss the proposed minor subdivision at their discretion, and choose from the options in Section "H" of this report.** Options include approval with conditions, continuing the application, or denial.

#### **B. Background:**

The purpose of the requested minor subdivision is to subdivide an existing parcel into two lots. The applicant desires to construct an LDS church on the larger lot and leave the smaller lot undeveloped at this time. Under a separate application they will request to rezone the larger lot from RC to NC. Churches are not allowed in the RC zone, but are conditional uses in the NC zone. The current zone is RC; thus, this request has been reviewed under the RC zone. However, the lots comply with the requirements of the NC zone as well.

**C. Specific Request:**

Two lots are being requested. Both lots meet the size and frontage requirements for lots in the RC zone. No subdivision improvements will be installed with this request and will be required with future site plan applications.

**D. Process:**

Section 19.12.07 outlines the process for minor subdivisions. This section was amended on March 25, 2014 to allow a maximum of four parcels to be created through this process. Two lots are requested with the application. Minor subdivisions require a public hearing and final approval by the Planning Commission.

**E. Community Review:**

Prior to the Planning Commission review of the Preliminary Plat, this item was noticed as a public hearing in the *Daily Herald*, and notices were mailed to all property owners within 300 feet of the subject property. As of the date of this report, public input has not yet been received.

**F. General Plan:**

The General Plan designates this area for "Regional Commercial". Under a separate application the applicant is requesting the Neighborhood Commercial designation for the larger lot.

**Finding: consistent.** The proposed lots comply with the size requirements for both the Regional Commercial and Neighborhood Commercial zones. The minor subdivision application is a request to subdivide the land. Land uses are not being proposed with this application. Specific uses will be proposed under separate applications and must comply with the land use designation in place at that time.

**G. Code Criteria:**

Section 19.12.03 of the City Code states, "All subdivisions are subject to the provisions of Chapter 19.13, Development Review Process". The Minor Subdivision process is outlined in Section 19.12.07 and requirements for lots in the RA-5 zone are in Section 19.04.09. Pertinent requirements from these sections are reviewed below.

**19.12.07. Minor Subdivision Criteria:**

**1. Limitations.**

1. A Minor Subdivision is a one-time process. To ensure adequate infrastructure, lots contained in an existing recorded subdivision plat are not eligible to apply for an additional Minor Subdivision.
2. The minimum lot size for lots created through a Minor Subdivision shall be one acre, or the minimum allowed by the zone, whichever is greater.
3. Lots created through a Minor Subdivision may not be buildable until all other applicable State and local requirements are met.

**Finding: complies.** This is the first request for a minor subdivision for the subject property. The proposed lots are all larger than one acre in size. The proposed lots may not be buildable until all other applicable State and local requirements are met.

**19.04.09, RC Zone Review:**

**Permitted or Conditional Uses: can comply.** Section 19.04.09 (2 & 3) lists all of the permitted and conditional uses allowed in the RC zone. No land uses are proposed with this request.

**Minimum Lot Sizes: complies.** 19.04.09(4) states that the minimum lot size in the RC zone is 20,000 square feet. The proposed lots are 135,000+ square feet.

**Setbacks and Yard Requirements: can comply.** Section 19.04.09(5) outlines the setbacks required by the RC zone. No structures are proposed with this request.

**H. Recommendation and Alternatives:**

Staff recommends that the Planning Commission review the proposed Minor Subdivision, discuss any public input received at their discretion, and make the following motion:

**Recommended Motion:**

I move to approve the Cahill Church Subdivision, located at approximately 163 West Ring Road, based on the findings and conditions listed below:

**Findings:**

1. The Minor Subdivision is consistent with the General Plan as explained in the findings in Section "F" of this report, which findings are incorporated herein by this reference.
2. The Minor Subdivision meets or can conditionally meet all the requirements in the Land Development Code as explained in the findings in Section "G" of this report, which findings are incorporated herein by this reference.

**Conditions:**

1. That all requirements of the City Engineer be met, including those listed in the attached staff report.
2. That all requirements of the Fire Chief be met.
3. That these lots receive a City address at the time of recordation.
4. That the proposed lots may not be developable until all applicable requirements for development have been met. A note to this affect shall be recorded on the plat.

**Alternative Motions:**

**Alternative Motion A**

"I move to **continue** the item to another meeting, with direction to the applicant and Staff on information and / or changes needed to render a decision, as follows:

---

---

---

**Alternative Motion B**

"Based upon the analysis discussed at the meeting and information received from the public, I move to deny the proposed Minor Subdivision, located at approximately 163 West Ring Road, based on the findings below: "

List findings for denial:

---

---

---

**H. Exhibits:**

1. Engineering Staff Report
2. Zoning / Location map
3. Proposed Minor Subdivision

# City Council Staff Report

**Author:** Jeremy D. Lapin, City Engineer  
**Subject:** Cahill Chapel – Concept Plan and Minor Subdivision  
**Date:** May 14, 2015  
**Type of Item:** Concept Plan Review and Minor Subdivision



## **Description:**

**A. Topic:** The applicant has submitted a concept plan application. Staff has reviewed the submittal and provides the following recommendations.

## **B. Background:**

*Applicant:* Evans and Associates Architecture - Chad Spencer  
*Request:* Concept Plan  
*Location:* 163 West Ring Road  
*Acreage:* Minor Sub 8.27 Ac – 2 lots; Concept Plan (for Rezone) 5.25 Ac

**C. Recommendation:** Staff recommends approval of the Minor Subdivision and that the applicant address and incorporate the following items for consideration into the development of their project and construction drawings.

## **D. Conditions for Minor Subdivision:**

- A. Meet all engineering conditions and requirements in the preparation and recording of the plat.
- B. All review comments and redlines provided by the City Engineer are to be complied with and implemented into the Minor Subdivision Plat.
- C. Provide easements for all City Utilities located in the Plat Boundary if not within the ROW.
- D. Provide PUE's as required by City and State Code.
- E. Lot addressing shall be approved by the City's GIS department.

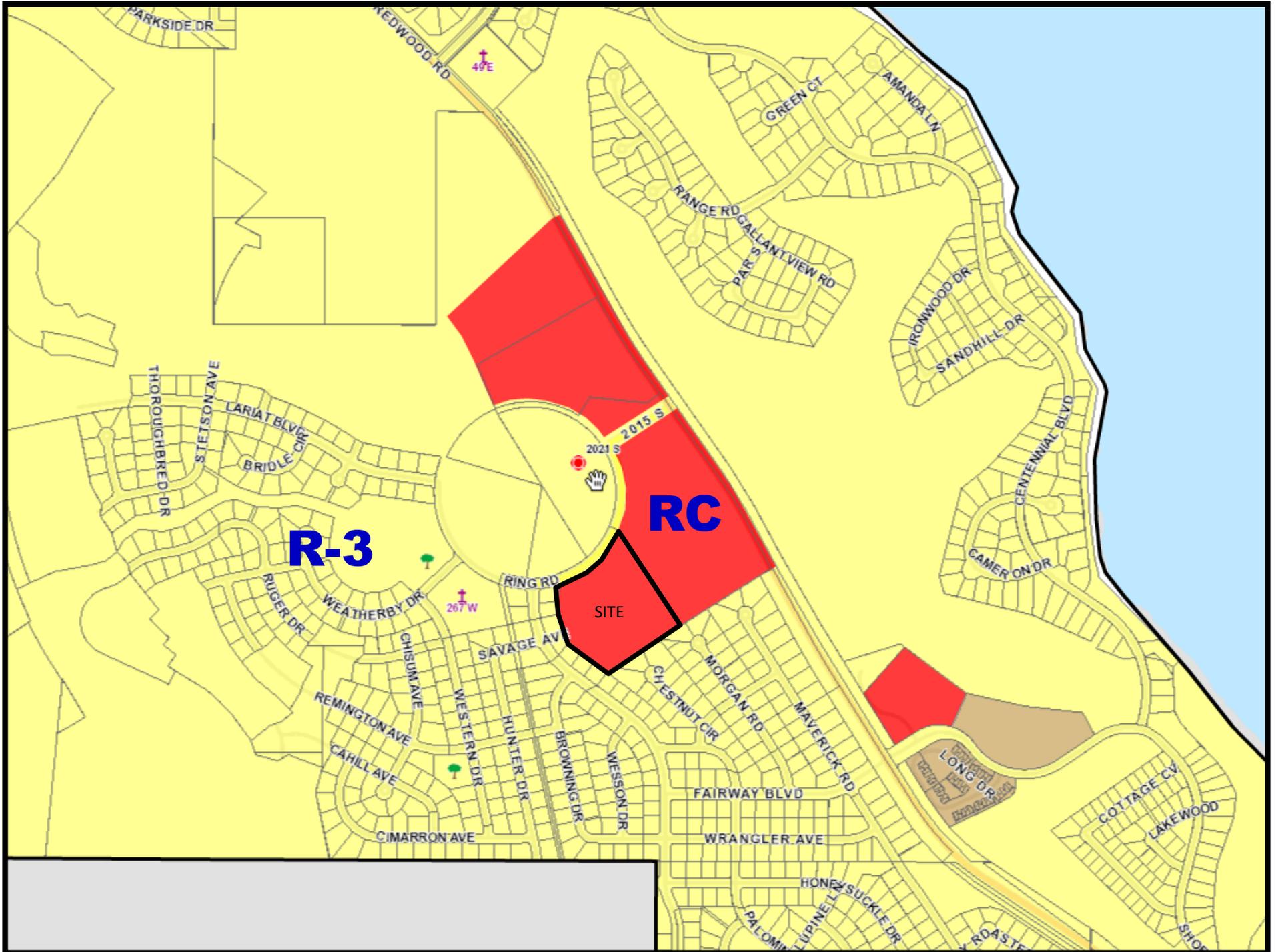
## **E. Proposed Items for Consideration for future development of property:**

- A. Prepare construction drawings as outlined in the City's standards and specifications and receive approval from the City Engineer on those drawings

prior to receiving Final approval from the City Council.

- B. Consider and accommodate existing utilities, drainage systems, detention systems, and water storage systems into the project design. Access to existing facilities shall be maintained throughout the project.
- C. Comply with the Land Development Codes regarding the disturbance of 30%+ slopes.
- D. Incorporate a grading and drainage design that protects homes from upland flows.
- E. Project must meet the City Ordinance for Storm Water release (0.2 cfs/acre for all developed property) and all UPDES and NPDES project construction requirements.
- F. Developer shall meet all applicable city ordinances and engineering conditions and requirements in the preparation of the Construction Drawings.
- G. Project bonding must be completed as approved by the City Engineer prior to recordation of plats.
- H. All review comments and redlines provided by the City Engineer are to be complied with and implemented into the construction drawings.
- I. All work to conform to the City of Saratoga Springs Standard Technical Specifications, most recent edition.
- J. Developer shall prepare and record easements to the City for all public utilities not located in a public right-of-way.
- K. Developer is required to ensure that there are no adverse effects to adjacent property owners and future homeowners due to the grading and construction practices employed during completion of this project.
- L. A benchmark for the project shall be provided.
- M. All features such as road cuts and existing utilities shall be shown on the utility plan.

# ZONING / LOCATION MAP



# CAHILL CHURCH SUBDIVISION

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 2,  
AND THE SOUTHWEST QUARTER OF SECTION 1,  
TOWNSHIP 6 SOUTH, RANGE 1 WEST,  
SALT LAKE BASE AND MERIDIAN

## SURVEYOR'S CERTIFICATE

In accordance with Section 10-9A-603 of the Utah Code, I, Nathan B. Weber, do hereby certify that I am a Professional Land Surveyor holding license number 5152762 in accordance with Title 58, Chapter 22 of the Professional Engineers and Professional Land Surveyors Licensing Act. I further certify that on behalf of Diamond Land Surveying, LLC, I have completed a survey of the property described on the plat in accordance with Section 17-23-17 of Utah Code, and have verified all measurements, and have placed monuments as represented on the plat.

## BOUNDARY DESCRIPTION

A parcel of land located in the Southeast quarter of Section 2, Township 6 South, Range 1 West, Salt Lake Base and Meridian and the Southwest quarter of Section 1, Township 6 South, Range 1 West, Salt Lake Base and Meridian more particularly described as follows;

Commencing South 00°12'20" West 1191.00 feet and East 138.02 feet from the East One-quarter corner of Section 2, Township 6 South, Range 1 West, Salt Lake Base and Meridian; thence South 57°43'32" West 530.86 feet; thence North 53°14'31" West 300.00 feet; thence North 19°55'30" West 187.56 feet; thence North 03°15'42" East 182.06 feet; thence along the arc of a 594.74 foot radius curve to the left, the chord bears North 47°51'40" East 500.00 feet; thence South 32°14'08" East 697.19 feet to the point of beginning.

Parcel contains 360,367 Sq. Ft. or 8.272 Acres.

## OWNER'S DEDICATION

Know all men by these presents that \_\_\_\_\_, the \_\_\_\_\_undersigned owners of the above described tract of land having caused same to be subdivided into lots and streets to be known as

### HARBOR BAY CHURCH SUBDIVISION

do hereby dedicate for the perpetual use of the public and/or City all parcels of land, easements, right-of-way, and public amenities shown on this plat is intended for public and/or City use. The owner(s) voluntarily defend, indemnify, and save harmless the City against any easements or other encumbrance on a dedicated street which will interfere with the City's use, maintenance, and operation of the street. The owner(s) voluntarily defend, indemnify, and hold harmless the City from any damage claimed by persons within or without this subdivision to have been caused by alterations of the ground surface, vegetation, drainage, or surface or sub-surface water flows within this subdivision or by establishment or construction of the roads within this subdivision. In witness whereof \_\_\_\_\_ have hereunto set this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

## ACKNOWLEDGMENT

STATE OF UTAH )  
COUNTY OF SALT LAKE ) S.S.

On the \_\_\_\_\_ day of \_\_\_\_\_, a.d. 2015, personally appeared before me, the undersigned Notary Public, in and for the County of Utah in said State of Utah, the signer(s) of the above Owner's Dedication, \_\_\_\_\_ in number, who duly acknowledged to me that \_\_\_\_\_ signed it freely and voluntarily and for the uses and purposes therein mentioned.

My commission expires: \_\_\_\_\_ Notary Public residing at \_\_\_\_\_

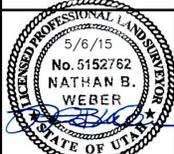
## APPROVAL BY LEGISLATIVE BODY

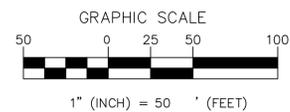
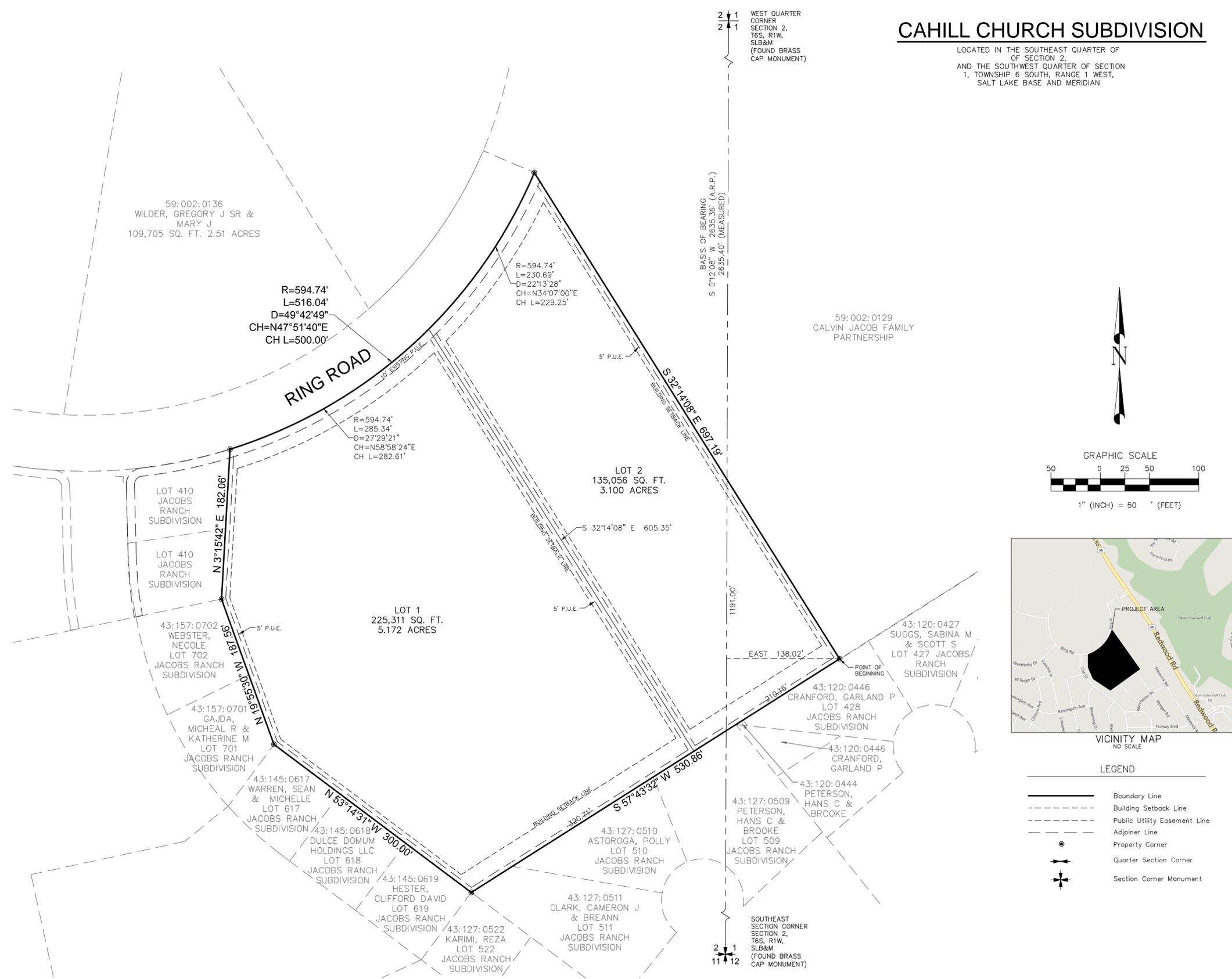
The City Council of the City of Saratoga Springs, County of Utah, approves this subdivision subject to the conditions and restrictions stated hereon, and hereby accepts the Dedication of all streets, easements, and other parcels of land intended for the public of the perpetual use of the public. This \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2015.

City Mayor \_\_\_\_\_ Attest \_\_\_\_\_  
City Recorder  
(See Seal Below)

## CAHILL CHURCH SUBDIVISION

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 2,  
AND THE SOUTHWEST QUARTER OF SECTION 1,  
TOWNSHIP 6 SOUTH, RANGE 1 WEST,  
SALT LAKE BASE AND MERIDIAN

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CIVIL ENGINEERS SEAL	CLERK-RECORDER SEAL
			



- LEGEND
- Boundary Line
  - - - Building Setback Line
  - - - Public Utility Easement Line
  - - - Adjoiner Line
  - Property Corner
  - ⊕ Quarter Section Corner
  - ⊕ Section Corner Monument

QUESTAR APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PRIVATE UTILITY EASEMENTS. QUESTAR MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT QUESTAR'S RIGHT-OF-WAY DEPARTMENT AT 1-800-366-8532.

<p><u>QUESTAR GAS</u></p> <p>APPROVED THIS _____ DAY OF _____ A.D., 20____.</p> <p>QUESTAR GAS</p> <p><b>DIAMOND LAND SURVEYING, LLC</b> 5243 South Green Pine Drive Murray, Utah 84123 office@diamondlandsurveying.com Phone (801) 266-5099 Fax 266-5032</p>	<p><u>CENTURYLINK</u></p> <p>APPROVED THIS _____ DAY OF _____ A.D., 20____.</p> <p>CENTURYLINK</p> <p><u>FIRE CHIEF APPROVAL</u></p> <p>APPROVED BY THE FIRE CHIEF ON THIS _____ DAY OF _____ A.D., 20____.</p> <p>CITY FIRE CHIEF</p>	<p><u>ROCKY MOUNTAIN POWER</u></p> <p>APPROVAL AS TO FORM THIS _____ DAY OF _____ A.D., 20____.</p> <p>ROCKY MOUNTAIN POWER</p> <p><u>SARATOGA SPRING ENGINEER APPROVAL</u></p> <p>APPROVED BY THE CITY ENGINEER ON THIS _____ DAY OF _____ A.D., 20____.</p> <p>CITY ENGINEER</p>	<p><u>COMCAST</u></p> <p>APPROVAL AS TO FORM THIS _____ DAY OF _____ A.D., 20____.</p> <p>COMCAST</p> <p><u>SARATOGA SPRINGS ATTORNEY</u></p> <p>APPROVED BY SARATOGA SPRINGS ATTORNEY ON THIS _____ DAY OF _____ A.D., 20____.</p> <p>SARATOGA SPRINGS ATTORNEY</p>	<p><u>PLANNING COMMISSION REVIEW</u></p> <p>APPROVED BY THE PLANNING COMMISSION ON THIS _____ DAY OF _____ A.D., 20____.</p> <p>CHAIRMAN, PLANNING COMMISSION</p> <p><u>LEHI POST OFFICE</u></p> <p>APPROVED BY POST OFFICE REPRESENTATIVE ON THIS _____ DAY OF _____ A.D., 20____.</p> <p>LEHI POST OFFICE REPRESENTATIVE</p>
---	--	--	--	--



## Planning Commission Staff Report

---

### **Cahill LDS Church General Plan Amendment and Rezone - Public Hearing Concept Plan - Informal Review May 28, 2015**

Report Date:	May 21, 2015
Applicant:	Evans and Associates Architecture, Chad Spencer
Owner (if different):	Corporation of the Presiding Bishopric of the LDS Church
Location:	163 West Ring Road
Major Street Access:	Redwood Road
Parcel Number(s) and size:	a portion of 59:002:0135, ~5.17 acres
General Plan Designation:	Regional Commercial
Proposed General Plan Designation:	Neighborhood Commercial
Zone:	Regional Commercial
Proposed Zone:	Neighborhood Commercial
Adjacent Zoning:	R-3, RC
Current Use:	Undeveloped
Adjacent Uses:	Residential, future commercial
Previous Meetings:	None
Land Use Authority:	City Council
Future Routing:	City Council
Type of Action:	Legislative
Planner:	Sarah Carroll

---

#### **A. Executive Summary:**

The applicant is requesting a General Plan (GP) amendment and Rezone for 5.17 acres of property located at approximately 163 West Ring Road in order to submit applications for a new church in this location. The request is to change the land use designation and zone from Regional Commercial (RC) to Neighborhood Commercial (NC). Churches are Conditional uses in the NC zone, but are not allowed in the RC zone.

#### **Staff Recommendation:**

Staff recommends that the Planning Commission conduct a public hearing and take public comment on the Rezone and GP Amendment applications, give the applicant feedback on the concept plan, and consider making a recommendation on the Rezone and GP applications to the City Council. Options for the Rezone and GP amendments include a positive recommendation, negative recommendation, or continuance, and are outlined in *Section H* of this report.

**B. BACKGROUND:** The subject site is zoned Regional Commercial (RC). The RC zone does not permit churches. The applicant is in need of a new church in this vicinity and would like to request a zone that allows a church. Staff recommends the Neighborhood Commercial zone rather than a residential zone to preserve the Commercial intent in this area. Also, if the site were to be re-developed at some point in the future, neighborhood commercial zoning would still be in place and would provide a transition from Residential zoning to Regional Commercial zoning. Staff does not recommend residential zoning in this location and recommends that the commercial zones be retained for future commercial needs of the City. The requested changes would allow the applicant to move forward with applications for a new LDS church in this location; churches are a conditional use in the NC zone.

**C. SPECIFIC REQUEST:**

The applicant owns an 8.27 acre parcel and is requesting to rezone ~5.17 acres along with a minor subdivision of the property (separate application). The rezone and general plan amendment request is to change the designation from RC to NC and is specific to the 5.17 acres needed for a new church. The attached concept plans indicate the proposed site layout for the church building which is proposed to face Ring Road with two access points onto Ring Road. A retaining wall, landscaping, and fencing on the west side of the site will create a buffer between the existing residential lots and the proposed church parking lot.

**D. PROCESS**

**General Plan Amendment and Rezone**

Section 19.17.03 of the City Code outlines the requirements for a Rezone and General Plan amendment, requiring all rezone applications to be reviewed by the City Council after receiving a formal recommendation from the Planning Commission. An application for a rezone request shall follow the approved City format. Rezones are subject to the provisions of Chapter 19.13, Development Review Processes.

The development review process for rezone approval involves a formal review of the request by the Planning Commission in a public hearing, with a formal recommendation forwarded to the City Council. The City Council will then hold a public hearing and formally approve or deny the rezone request.

**Concept Plan**

Section 19.17.02 of the Code also states *"Petitions for changes to the City's Zoning Map to all land use zones shall be accompanied by an application for Concept Plan Review or Master Development Agreement approval pursuant to Chapter 19.13 of this Code."*

The applicants have submitted a Concept Plan application for the previously referenced commercial development. Per Section 19.13 of the Code, the process for a Concept Plan includes informal review of the plan by both the Planning Commission and the City Council. No public hearing is held, and a recommendation is not required.

**E. COMMUNITY REVIEW:**

The rezone and GP portions of this application have been noticed as a public hearing in the *Daily Herald*, and mailed notice sent to all property owners within 300 feet of the subject property at least 10 days prior to this meeting. As of the date of this report, no public input has been received. The Concept Plan does not require a public hearing.

**F. GENERAL PLAN:**

The site is designated as Regional Commercial on the adopted Future Land Use Map. The applicant is requesting to change ~5.17 acres from the Regional Commercial designation to the Neighborhood Commercial Designation. This change will allow the applicant to proceed with an application for an LDS church at this location and will provide a transition between residential development and future Regional Commercial development in this area. The Neighborhood Commercial designation is defined by the General Plan in the following manner:

**“Neighborhood Commercial.** The Neighborhood Commercial designation is intended to identify locations where small-scale neighborhood oriented commercial developments are to be located. These commercial developments are to provide goods and services that are used on a daily basis by the surrounding residents.

Commercial structures in these areas shall be limited to 15,000 square feet. Neighborhood Commercial developments should be large enough to accommodate functioning traffic patterns but should not exceed 10 acres in size.

Parcels considered for this designation should be located in close proximity to residential areas where pedestrian activity between residents and the development is likely to occur. Improvements such as trails, seating and lighting that would help create gathering spaces and promote pedestrian activity are expected and shall be considered an essential part of developments in the Neighborhood Commercial areas.

Developments in these areas shall contain landscaping and recreational features as per the City’s Parks, Recreation, Trails, and Open Space Element of the General Plan. In this land use designation, it is estimated that a typical acre of land may contain 4 equivalent residential units (ERU’s).”

The applicant has submitted a Concept Plan to show justification of their request to amend the General Plan and rezone the property. While the proposed use is a church rather than commercial development, churches are conditional uses in the NC zone and are anticipated by the list of uses allowed in the NC zone.

**G. CODE CRITERIA:**

Rezoning and General Plan amendments are legislative decisions; therefore the Council has significant discretion when making a decision on such requests.

The Code criteria below are provided as guidelines, however are not binding requirements.

**Rezoning and General Plan Amendments**

Section 19.17.04 outlines the requirements for both a rezoning and a General Plan amendment, and states:

The Planning Commission and City Council shall consider, but not be bound by, the following criteria when deciding whether to recommend or grant a general plan, ordinance, or zoning map amendment:

1. the proposed change will conform to the Land Use Element and other provisions of the General Plan;

**Consistent.** *The application (Rezone) conforms to the Neighborhood Commercial category identified in the General Plan. Staff recommends that the General Plan Land Use Element be amended to allow a transition between the abutting residential and regional commercial zones. Such amendment will be consistent with the provisions of the*  
the General Plan.

2. the proposed change will not decrease nor otherwise adversely affect the health, safety, convenience, morals, or general welfare of the public;

**Consistent.** *The proposed change will allow the placement of the neighborhood commercial zone between existing residential homes and property that is currently zoned Regional Commercial. Allowing the neighborhood commercial zone in this location will allow for a transition between zones while still leaving approximately 19 acres of RC zoning abutting the subject site. Retention of commercial zoning in this location is important for the future needs of the City.*

3. the proposed change will more fully carry out the general purposes and intent of this Title and any other ordinance of the City; and

**Consistent.** *The applications do not negatively impact development of the site; the proposed use will provide an appropriate transition between residential and commercial uses.*

4. in balancing the interest of the petitioner with the interest of the public, community interests will be better served by making the proposed change.

**Consistent.** *As the residential population of this community continues to grow, additional church sites will be needed throughout the City. The proposed site will serve the public by providing a new church site in this location to address current demand and will provide a transition between residential and commercial uses.*

### **Concept Plan - Code**

- 19.04, Land Use Zones (reviewed according to NC zone) – **Complies**
  - Use – Church (Conditional Use in NC zone) – **Complies**
  - Minimum Lot Size – 20,000 square feet – **Complies**
  - Setbacks – front/rear/sides: 25 feet each – **Complies**
  - Minimum Lot width: 100 feet – **Complies**
  - Minimum Lot Frontage: 100 feet – **Complies**
  - Maximum Height of Structures: 35 feet – **Complies**
  - Maximum Lot Coverage: 50% - **Complies**
  - Maximum Building Size: 15,000 square feet for commercial buildings. This is not a commercial building – **Complies**
  - Landscaping Requirements: 25% of the project area shall be used for landscaping, sensitive lands shall be protected – **Complies**
  - Trash Storage: shall comply with Section 19.14.04(4) which requires materials that match the building and a solid gate – **Can Comply** (to be reviewed with site plan application)

- Sensitive Lands: Sensitive lands shall not be included in the base acreage when determining number of ERUs permitted – **Not applicable**
- 19.06, Landscaping and Fencing – **Can Comply** (more information needed)
  - General Provisions
    - Automatic irrigation required
    - Sight triangles must be protected
    - All refuse areas (including dumpsters) must be screened
  - Landscaping Plan – TBD through site plan process
  - Planting Standards & Design – to be provided at a later date (Site Plan)
  - Amount – TBD through site plan process
  - Fencing & Screening – TBD through site plan process (No Chain-link)
- 19.09, Off Street Parking – **Can Comply**
  - Parking Requirements / Design – TBD through site plan
    - Lighting - TBD
  - Dimensions - **complies** (9' x 18')
  - Accessible – **complies**
    - Provided
  - Landscaping - **complies**
    - One island for every 10 parking stalls
    - Min. 8' boundary strip required along perimeter of all parking areas
  - Pedestrian Walkways & Accesses – **complies**
  - Minimum Requirements – **complies**
    - Church Requirements:
      - 1 stall per 3 seats\*\*
        - \*\* Exception – the minimum for these uses may be exceeded by more than 25%.
      - There will be 242 seats in the chapel requiring 81 stalls: 271 stalls are shown
- Section 19.13, Process
  - General Considerations: General Plan, Natural Features, Community & Public Facilities
    - GP amendment is requested, use is contemplated in NC zone
    - No natural features are impacted
  - Notice / Land Use Authority
    - Concept to PC and CC
    - Rezone / GP requires public hearings with PC and CC, and notice to 300'.
    - Site Plan / Subdivision will require public hearings with PC and public meeting with CC, and notice to 300'.
- 19.14, Site Plans.
  - Will be reviewed at time of Site Plan submittal.
  - Initial concept comments:
    - Screening between commercial and residential areas will be required.
- 19.15, Conditional Use Permit.
  - Will be reviewed at time of site plan submittal.

- 19.18, Signs.
  - Will be reviewed at time of site plan submittal.

**H. Recommendation and Alternatives:**

Staff recommends that the Planning Commission give the applicant informal feedback and direction on the Concept Plan.

Staff also recommends that the Commission conduct a public hearing on the rezone and general plan amendment, take public comment, discuss the rezone and general plan amendment, and then choose from the options outlined below:

**Recommended Motion:**

"I move to forward a positive recommendation to the City Council for the General Plan Amendment and Rezone of approximately 5.17 acres from Regional Commercial to Neighborhood Commercial, for property located at approximately 163 West Ring Road, with the Findings and Conditions below:"

**Findings**

1. The General Plan amendment will not result in a decrease in public health, safety, and welfare as outlined in Section G of this report, which section is hereby incorporated by reference, as the neighborhood commercial use will provide a transition between residential homes and future commercial development.
2. The rezone is consistent with Section 19.17.04 of the Code, as articulated in Section G of this report, which section is hereby incorporated by reference. Specifically:
  - a. The rezone will conform to the amended Land Use Element and other provisions of the General Plan as it meets the Neighborhood Commercial category identified in the General Plan. The proposed use is a Conditional Use in the NC zone.
  - b. the proposed zone change will not decrease nor otherwise adversely affect the health, safety, convenience, morals, or general welfare of the public as it creates a transition between residential and regional commercial zones.
  - c. the proposed zone change will not negatively impact the general purposes and intent of this Title and any other ordinance of the City.
  - d. community interests will remain unaffected by the proposed change.

**Conditions:**

1. All requirements of the City Engineer shall be met.
2. Any conditions added by the Planning Commission: \_\_\_\_\_  
\_\_\_\_\_

**Concept Plan Review Comments:**

- All requirements of the City Engineer shall be met, including those listed in the attached staff report
- All requirements of the Fire Chief shall be met.
- Three feet of landscaping is required between dumpster enclosures and parking stalls.
- Any other comments stated by the Planning Commission: \_\_\_\_\_  
\_\_\_\_\_

**Option 2, Continuance**

"I move to **continue** the Rezone and General Plan amendment to another meeting, with direction to the applicant and Staff on information and / or changes needed to render a decision, as follows:

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_

**Option 3, Negative Recommendation**

"I move to forward a negative recommendation to the City Council for the Rezone and General Plan Amendment of approximately 5.17 acres from Regional Commercial to Neighborhood Commercial, for property located at approximately 163 West Ring Road, with the Findings below:

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_

**I. Exhibits:**

- 1. City Engineer's Staff Report
- 2. Zoning / Location Map
- 3. Concept Plan

# City Council Staff Report

**Author:** Jeremy D. Lapin, City Engineer  
**Subject:** Cahill Chapel – Concept Plan and Minor Subdivision  
**Date:** May 14, 2015  
**Type of Item:** Concept Plan Review and Minor Subdivision



## Description:

**A. Topic:** The applicant has submitted a concept plan application. Staff has reviewed the submittal and provides the following recommendations.

## B. Background:

*Applicant:* Evans and Associates Architecture - Chad Spencer  
*Request:* Concept Plan  
*Location:* 163 West Ring Road  
*Acreage:* Minor Sub 8.27 Ac – 2 lots; Concept Plan (for Rezone) 5.25 Ac

**C. Recommendation:** Staff recommends approval of the Minor Subdivision and that the applicant address and incorporate the following items for consideration into the development of their project and construction drawings.

## D. Conditions for Minor Subdivision:

- A. Meet all engineering conditions and requirements in the preparation and recording of the plat.
- B. All review comments and redlines provided by the City Engineer are to be complied with and implemented into the Minor Subdivision Plat.
- C. Provide easements for all City Utilities located in the Plat Boundary if not within the ROW.
- D. Provide PUE's as required by City and State Code.
- E. Lot addressing shall be approved by the City's GIS department.

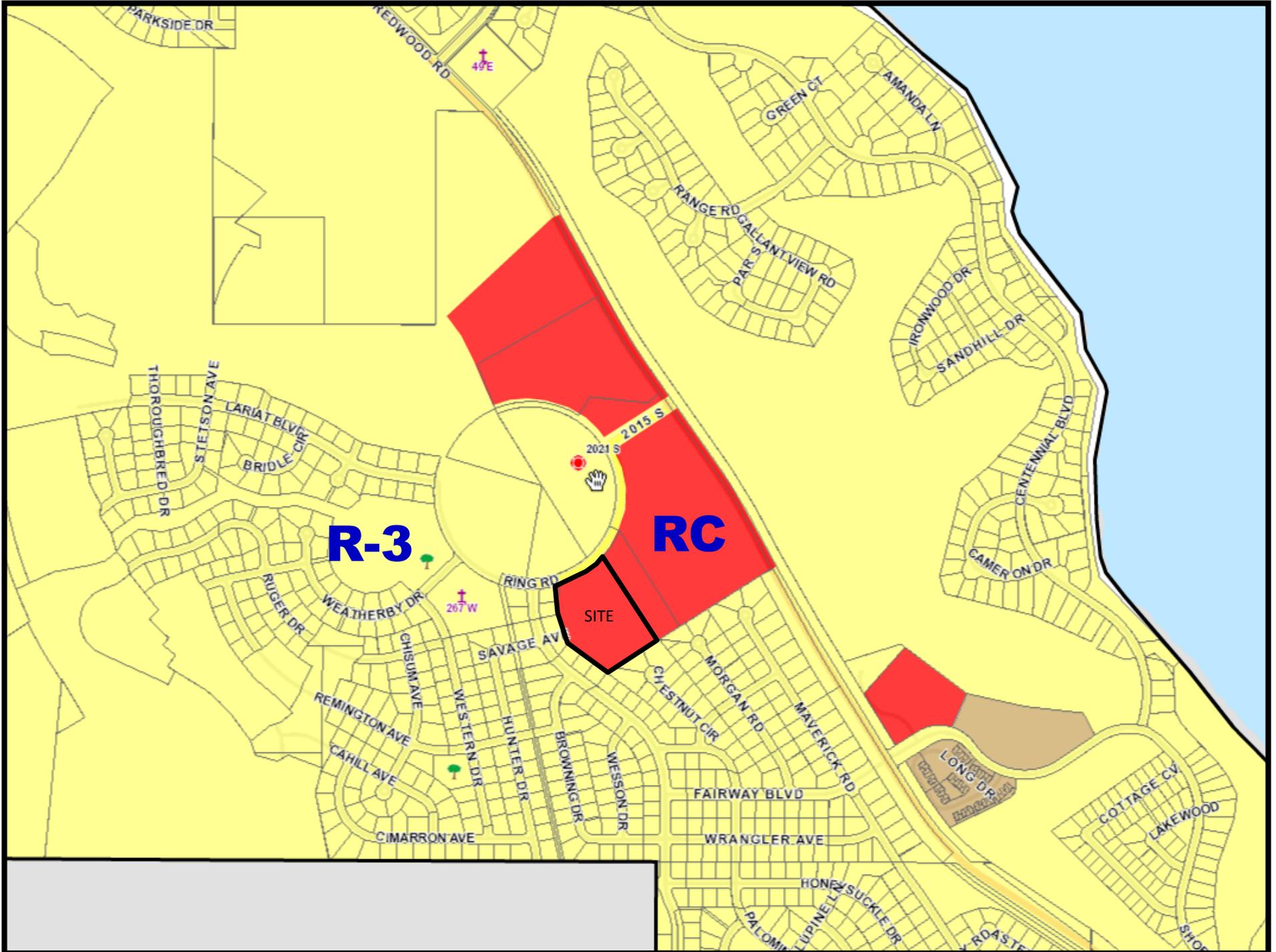
## E. Proposed Items for Consideration for future development of property:

- A. Prepare construction drawings as outlined in the City's standards and specifications and receive approval from the City Engineer on those drawings

prior to receiving Final approval from the City Council.

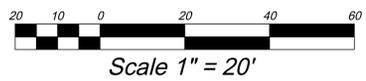
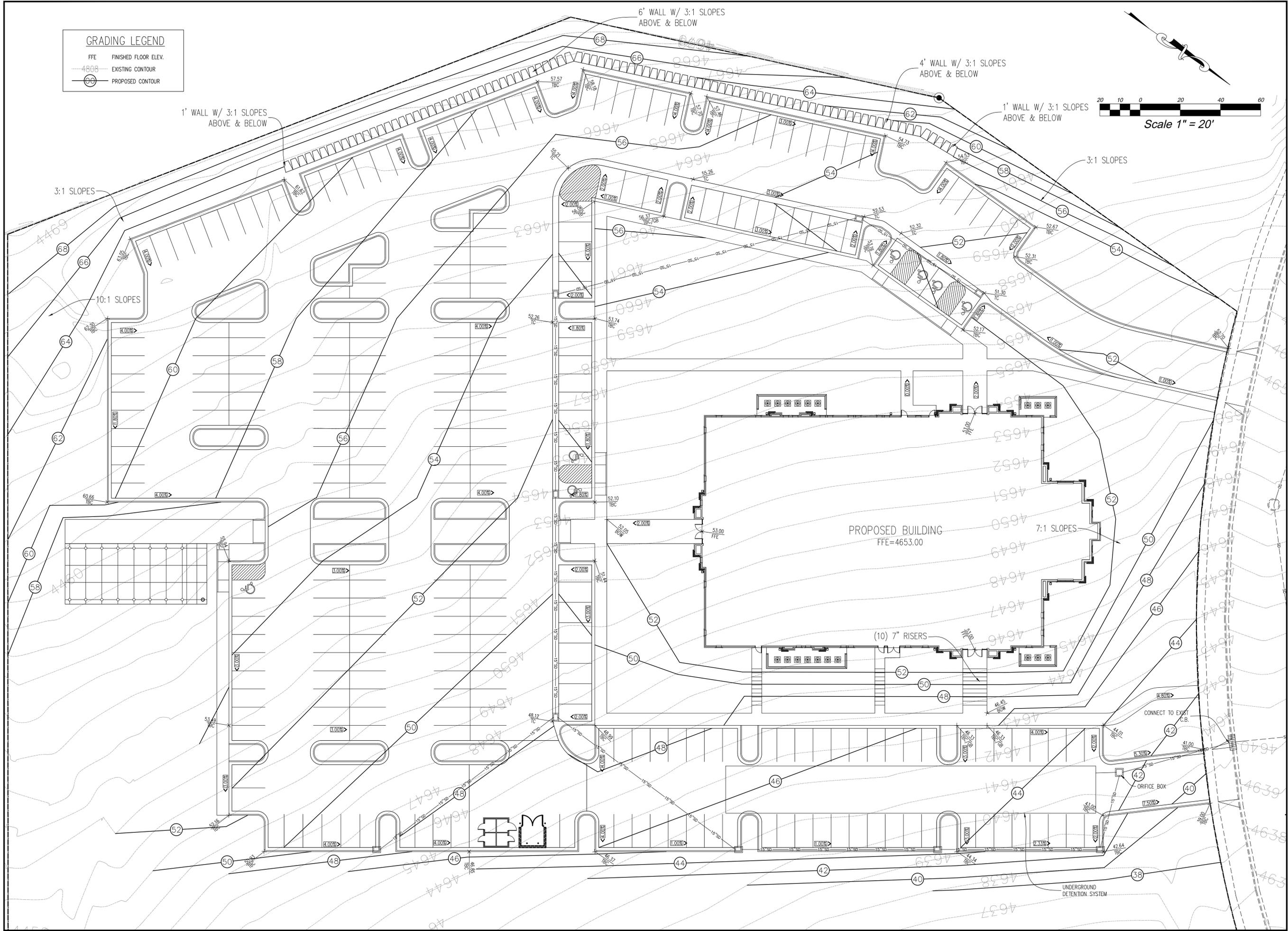
- B. Consider and accommodate existing utilities, drainage systems, detention systems, and water storage systems into the project design. Access to existing facilities shall be maintained throughout the project.
- C. Comply with the Land Development Codes regarding the disturbance of 30%+ slopes.
- D. Incorporate a grading and drainage design that protects homes from upland flows.
- E. Project must meet the City Ordinance for Storm Water release (0.2 cfs/acre for all developed property) and all UPDES and NPDES project construction requirements.
- F. Developer shall meet all applicable city ordinances and engineering conditions and requirements in the preparation of the Construction Drawings.
- G. Project bonding must be completed as approved by the City Engineer prior to recordation of plats.
- H. All review comments and redlines provided by the City Engineer are to be complied with and implemented into the construction drawings.
- I. All work to conform to the City of Saratoga Springs Standard Technical Specifications, most recent edition.
- J. Developer shall prepare and record easements to the City for all public utilities not located in a public right-of-way.
- K. Developer is required to ensure that there are no adverse effects to adjacent property owners and future homeowners due to the grading and construction practices employed during completion of this project.
- L. A benchmark for the project shall be provided.
- M. All features such as road cuts and existing utilities shall be shown on the utility plan.

# ZONING / LOCATION MAP





GRADING LEGEND	
FFE	FINISHED FLOOR ELEV.
4808	EXISTING CONTOUR
30	PROPOSED CONTOUR



**evans + associates architecture**  
 11576 south 5500 east, suite 103b, arapahoe, utah 84070  
 phone 801-933-9421 fax 801-933-9423

Stamp

A New Meetinghouse for:  
**Cahill Ward**  
**Saratoga Springs UT Israel Canyon Stake**  
 Ring Road  
 Saratoga Springs, Utah

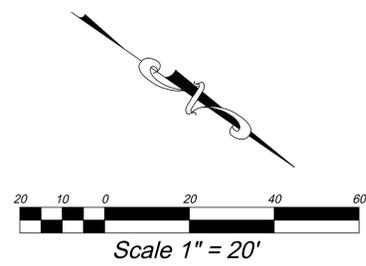
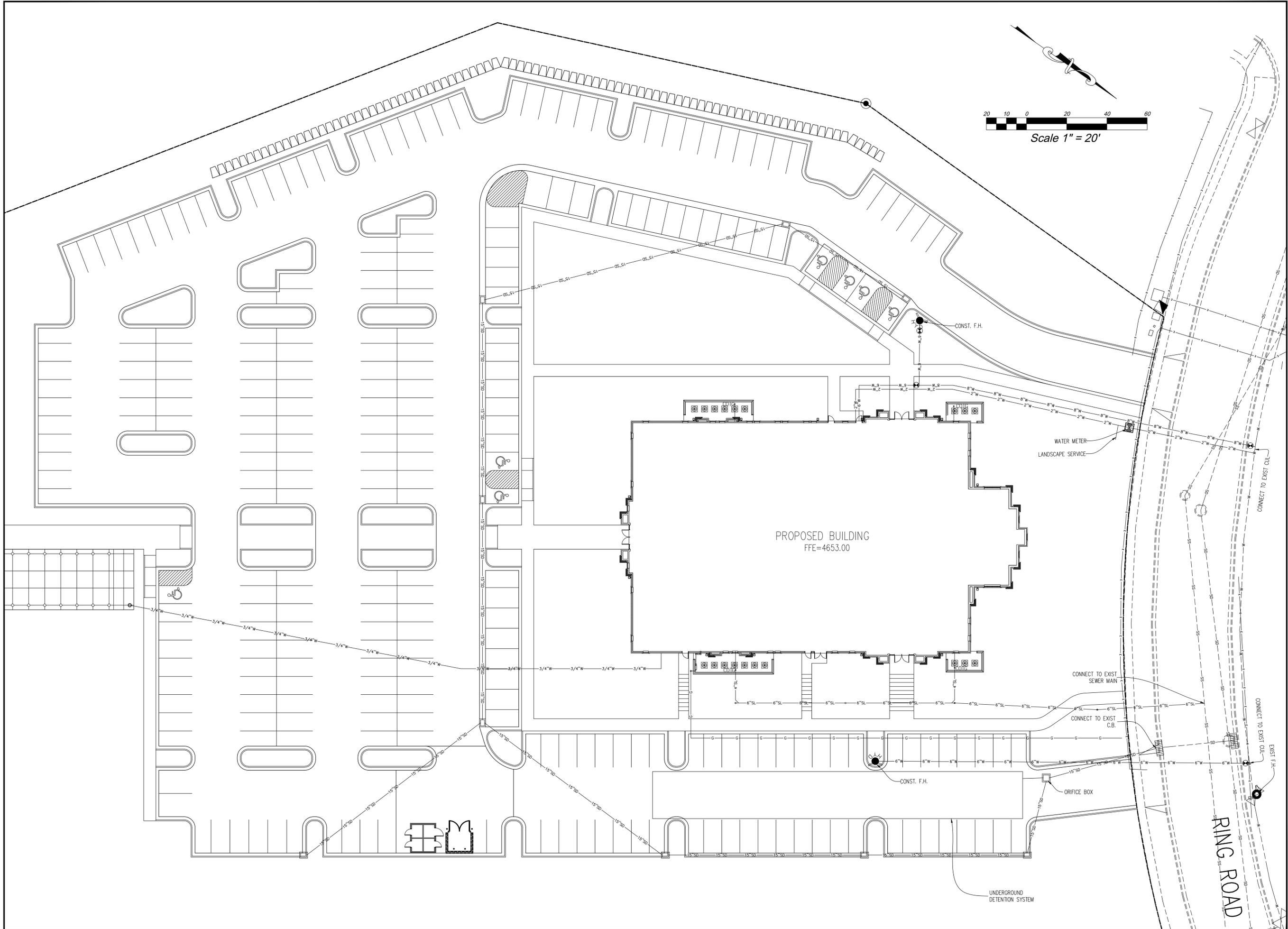
Project for:  
**THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS**

Revisions	Description
Mark	Date
	5/1/2015
	Concept Plan Submittal

Project Number: 14-58  
 Plan Series: HET-SDS-09-05 (Style D)  
 Property Number: 501-0932  
 Date: April 15, 2015

Sheet Title  
**CONCEPT GRADING & DRAINAGE PLAN**

Sheet  
**C201**



evans + associates architecture  
 11576 south lake street, suite 103b, frimley, utah 84070  
 phone 801-933-9612 fax 801-933-9613

Stamp

A New Meetinghouse for:  
**Cahill Ward**  
**Saratoga Springs UT Israel Canyon Stake**  
 Ring Road  
 Saratoga Springs, Utah

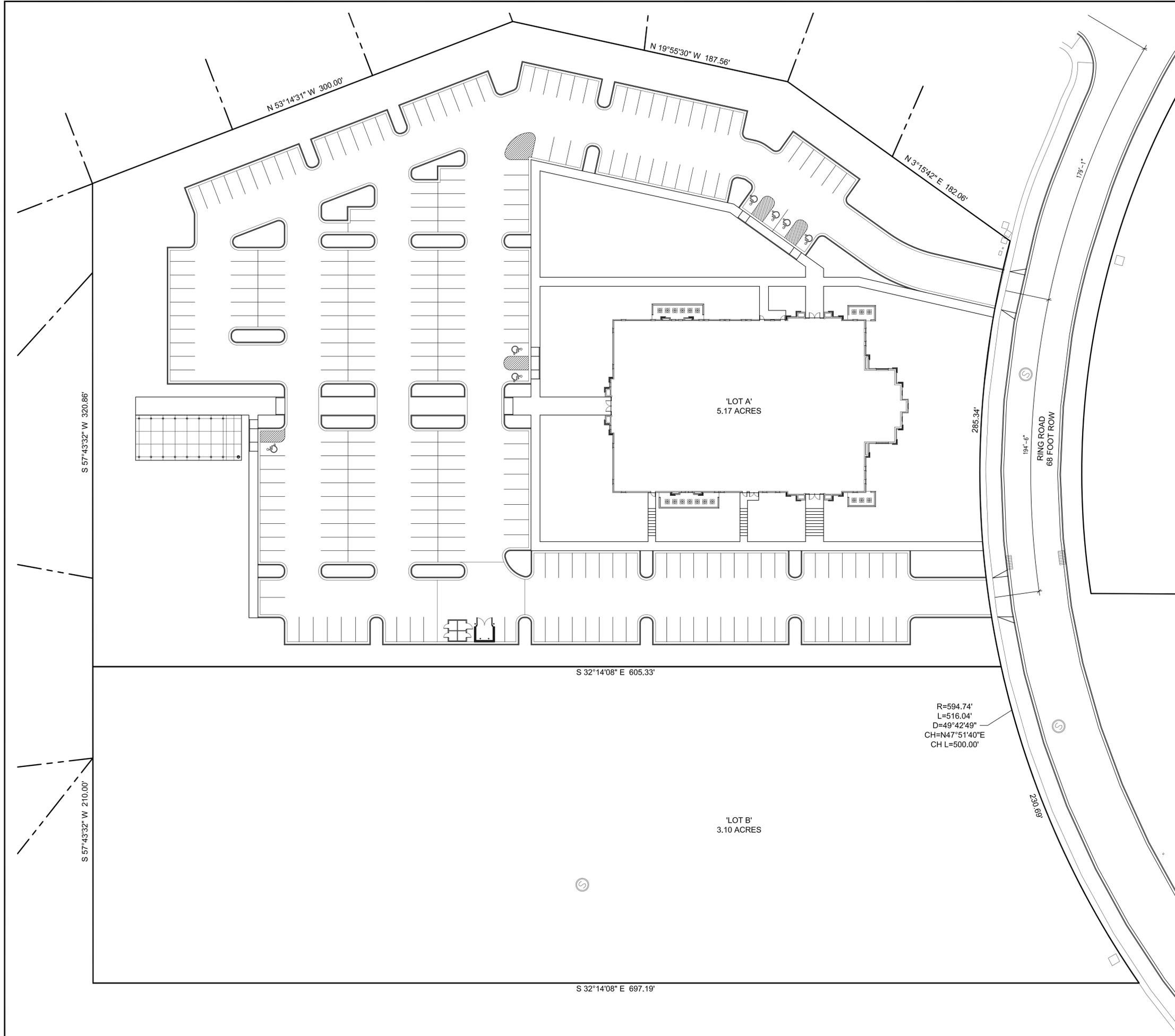
Project for:  
**THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS**

Revisions	Mark	Date	Description
		5/1/2015	Concept Plan Submittal

Project Number: 14-68  
 Plan Series: HET-SDS-09-05 (Style D)  
 Property Number: 501-0932  
 Date: April 15, 2015

Sheet Title  
**CONCEPT UTILITY PLAN**

Sheet  
**C202**



- ### KEYED NOTES
- CATCH BASIN - SEE SITE GRADING AND DRAINAGE PLAN AND C5.13
  - CLEANOUT BOX - SEE SITE GRADING AND DRAINAGE PLAN AND A/C5.13 SIMILAR
  - VORTSENTRY HYDRAULIC TREATMENT SYSTEM - SEE SITE GRADING AND DRAINAGE PLAN
  - CONCRETE WALK - SEE D/C5.12
  - COMBINATION CONCRETE SIDEWALK-CURB AND GUTTER - SEE B/C5.11 AND C/C5.11
  - CONCRETE CURB AND GUTTER - SEE E/C5.11 AND F/C5.11
  - CONCRETE CURB AND GUTTER PER SARATOGA SPRINGS CITY STANDARDS
  - CLEAN OUT TO GRADE - SEE E/C5.12 AND GRADING AND DRAINAGE PLAN - PROVIDE A 1'-0" WIDE CONCRETE COLLAR AROUND CLEAN OUTS LOCATED IN ASPHALT PARKING LOT
  - ASPHALT PAVEMENT - SEE C/C5.12
  - 4" WIDE PAINTED PARKING STRIPS - TYPICAL
  - PROPERTY LINE
  - 6'-0" TALL VINYL PRIVACY FENCE WITH CONCRETE MOW STRIP - SEE J/C5.12
  - CONCRETE SIDEWALK PER SARATOGA SPRINGS CITY STANDARDS
  - TAPER CONCRETE CURB TO ASPHALT LEVEL AT DRIVE ENTRANCES - SEE F/C5.13
  - LIGHT POLE - SEE ELECTRICAL
  - YARD DRAIN - SEE D/C5.13 AND GRADING AND DRAINAGE PLAN
  - FIRE HYDRANT - SEE UTILITY PLAN
  - TRANSFORMER - SEE ELECTRICAL
  - CT CABINET - SEE ELECTRICAL
  - REDI-ROCK RETAINING WALL - SEE GRADING AND DRAINAGE PLAN AND H/C5.21
  - BICYCLE RACK WITH AN 8'-0" x 8'-0" CONCRETE PAD - SEE K/C5.12
  - DOWNSPOUT CATCH BASIN - SEE K/C5.13 AND GRADING AND DRAINAGE PLAN
  - MECHANICAL ENCLOSURE - SEE B/C5.21
  - 3'-0" TALL VINYL PRIVACY FENCE WITH CONCRETE MOW STRIP EXTEND FROM SIDEWALK TO 30'-0" FROM THE RIGHT OF WAY
  - CONCRETE DRIVE APPROACH - SEE ST-4/C5.11

- ### GENERAL NOTES
- CONCRETE RADII ARE 4'-0" UNLESS NOTED OTHERWISE
  - COORDINATE ALL SITE WORK WITH ALL OTHER CONTRACT DOCUMENTS
  - ALL APPLICABLE ELEMENTS OF THE AMERICAN'S WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES WILL BE ADHERED TO
  - PARKING STALLS ARE 9'-0" x 18'-0" UNLESS NOTED OTHERWISE.
  - ALL NOTED ITEMS ARE NEW UNLESS NOTED OTHERWISE.

### SITE INFORMATION

	SQ. FT.	ACRES	
TOTAL PARCEL AREA - TOTAL	360,243	8.27	100%
TOTAL PARCEL AREA - LOT A	225,195	5.17	100%
TOTAL PARCEL AREA - LOT B	135,048	3.10	100%

ON SITE IMPROVEMENTS - LOT A

BUILDING AREAS	
CHAPEL	21,043
STORAGE BUILDING	190
PAVILION	1,800

IMPERVIOUS AREAS			
CONCRETE - WALKS, PADS, APRONS	17,670		
CONCRETE CURB & GUTTER (LF)	4,020		
ASPHALT	88,404		
TOTAL LANDSCAPE AREA	90,038	2.06	39.84%

TOTAL PARKING SPACES PROVIDED	
REGULAR	264 STALLS
ACCESSIBLE	5 STALLS
VAN ACCESSIBLE	2 STALLS
TOTAL SPACES PROVIDED	271 STALLS



Stamp

A New Meetinghouse for:  
**Cahill**  
**Saratoga Springs UT Israel Canyon Stake**  
 Ring Road  
 Saratoga Springs, Utah

Project for:  
**THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS**

Revisions	Description	Date	Mark
	Concept Plan Submittal	5/1/2015	

Project Number  
14-68  
 Plan Series  
HET-SDS-09-05 (Style D)  
 Property Number  
501-0932  
 Date  
April 15, 2015

Sheet Title  
**ARCHITECTURAL SITE PLAN**

Sheet  
**C4.11**

**ARCHITECTURAL SITE PLAN**  
 SCALE: 1" = 30'-0"

**City of Saratoga Springs**  
**Planning Commission Meeting**  
**April 9, 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: Kirk Wilkins, Sandra Steele, Kara North, David Funk

Staff: Kimber Gabryszak, Kevin Thurman, Nicolette Fike

Others: Kerry Winn, Paul Watson

**Excused:** Jeff Cochran, Jarred Henline, Hayden Williamson

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

**Pledge of Allegiance** - led by Kirk Wilkins

**Roll Call** – Quorum was present

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

No input at this time.

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

**4. Public Hearing and Possible Recommendation: Preliminary Plat for Fox Hollow Neighborhood 11 located at 3400 South Wildlife Boulevard, Kerry Winn, applicant.**

Kimber Gabryszak presented the plat. She noted some additional conditions that were recommended. Once this is approved by the Council the applicant will not be able to construct until the City Engineer approves that the MDA conditions will be met.

Kerry Winn, applicant, was present to answer questions.

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

No input at this time.

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

Sandra Steele agreed with Urban Design that the rock above the garages and some of the windows was a little heavy and the money may be better used elsewhere.

Kerry Winn assured her that there would be some design tweaking and they would meet the design standards for the HOA.

Sandra Steele asked the Engineer if they had moved the detention basin.

Paul Watson clarified about the detention basin.

David Funk recommended that they do put something in the conditions about signage if they needed that. He felt staff recommendations were appropriate.

Kirk Wilkins asked about the lot sizes and if it was part of the recommendation tonight to allow for a lower lot size.

Kimber Gabryszak noted R3 zone typically allows 10,000 sq. ft. but this is an R3 PUD and so they are allowed for within the MDA and the PUD overlay.

Kirk Wilkins asked to clarify the signage suggestion.

Kimber Gabryszak replied that the HOA is asking them to finish the neighborhood sign, the design guidelines say that each development is required to have a coordinating entrance sign.

Kirk Wilkins asked the applicant what his thoughts were.

Kerry Winn indicated he would be open to the condition.

Kimber Gabryszak suggested wording that the applicant shall work with the HOA to complete the neighborhood sign per the MDA design standards.

Kara North also had the questions about the lot sizes and felt those questions were addressed. Sandra Steele asked about the driveways with a minimum of 20ft. and the front setbacks are 8ft. She doesn't want to see cars hanging into the roads.

Kimber Gabryszak replied that when they pull the permit if the home is 8 ft. then the driveway will have to be pulled back another 12ft. to 20 ft. total.

Paul Watson spoke about the detention stuff and wanted to make sure we had the current drawings because certain things have changed over the last 7 years.

Kimber Gabryszak noted that in the engineering conditions it required the current plans.

**Motion made by Sandra Steele to recommend approval to the City Council of the Preliminary Plat for The Village of Fox Hollow Neighborhood 11 (The Preserve), Phases 2-5, located at approximately 3400 South Wildlife Boulevard, based on the findings and conditions listed in the staff report with the additional condition that the applicant work with the HOA to complete the entrance signage per the MDA design standards. Seconded by David Funk. Aye: Sandra Steele, David Funk, Kirk Wilkins, Kara North. Motion passed 4-0.**

#### **5. Public Hearing and Possible Recommendation: Code Amendments to the City of Saratoga Springs Land Development Code.**

Kimber Gabryszak noted these had been discussed in a previous work session and these are largely unchanged.

19.02 Measuring building height - Clarified the method to measure height.

19.05 Accessory Buildings - Clarified that items such as appearance apply to all accessory buildings.

Kirk Wilkins is agreeable to the changes on this section.

Kimber Gabryszak noted this change was for outside the setbacks.

Sandra Steele liked the way this was written.

19.06 Fencing - Prior to construction of retaining walls, the Engineering Standards and Specifications shall be consulted to determine if a grading permit is also required. Added an exception for parallel fencing like a low fence around a garden or animals. And to allow privacy fencing along limited arterial trail corridors that are not City maintained.

Kirk Wilkins thought there may be another conflict with this, if there was a change in elevation of the lot for instance.

Kimber Gabryszak would look into that, it may be just a railing.

Sandra Steele wondered about putting a privacy fence along a deeper lot.

Kimber Gabryszak reiterated if you have a deeper lot if you are 20 or 30 feet away then you could put another fence? The city is concerned about that because of dead space that may not be maintained.

Sandra Steele thought that maybe a 3 foot limit would help with that.

Kimber Gabryszak noted the other discussion they had was about whether privacy should be allowed all along arterial corridors. This would still say along only trail corridors so there would be eyes on the trail. And it should only be available within a HOA maintained area.

Kirk Wilkins noted that all the people he had talked to would rather have privacy fencing.

Sandra Steele found the note that said fencing adjacent to open spaces shall be limited to open or semi-privacy fences.

Kimber Gabryszak noted that from their research the privacy fencing did not obstruct views but there may be problems from dumping over the fence. Staff would recommend leaving in the HOA limitation for now.

19.06 Park strip landscaping – This clarified that the 30% vegetation requirement applies to each park strip.

19.12 Driveways & Corner Lots - Allow gravel driveways in some zones, and state that driveways in other zones must be hard surface. And clarify that minimum size requirements for corner lots are calculated from standard minimum sizes, not from reduced lot sizes. There was language drafted that it be required to have a garage door opener requirement so they didn't sit in the drive while they went to open the garage.

Sandra Steele commented that she had seen this problem (with no garage opener) before and thought people would complain that they couldn't get through because someone was blocking the shared driveway.

Kara North thinks it is not necessary. It is standard practice these days to install a garage door opener. And she doesn't think it will inconvenience people for a couple of minutes they may have to wait.

Kirk Wilkins thinks it not necessary in the code. He supports more of a limited control.

19.12 and 19.14 Application Requirements - Add "shapefile" and "established grade" to application requirements.

19.12 Plat Amendment Process - Allows more types of plat amendments to be approved administratively.

19.26 PC Zone Clarifications – removed the word contiguous and added to meet minimum required open space.

19.04 Business Park Zone Uses - Review and modify the allowed uses in the BP Zone to ensure resultant development is appropriate for the vision of that Land Use.

Discussion was held by the Commissioners on different ideas of acceptable uses in a Business Park.

Kimber made changes as needed during the discussion. Some of the items were:

Kirk Wilkins didn't think a convenience store or gas station belonged in business parks. We want to bring in nice business areas. He compared to some really nice business areas he had seen recently.

Sandra Steele could see those uses but at a higher architecture standards and not see bays from the outside, it could work with special conditions or extra standards.

Kara North thought there may be situations where it could work as an edge use. It would be nice to drop your car off and then walk to your office.

Sandra Steele looked at Equipment sales. In this this type of setting it probably would be computer/office equipment. She thinks electronic sales and repair may go into a business park, but not large equipment sales.

Kimber Gabryszak thought that would be retail ancillary, not equipment.

David Funk thought an educational center should be allowed as a use. (added)

Sandra Steele questioned a reception center.

Kara North noted businesses may like to have a place to hold a banquet or large function. She thought a dry cleaner would be good.

Sandra Steele thought of drug store or card store,

Kimber Gabryszak thought those would fall under ancillary retail.

Sandra Steele would hate to see it opened up to retail uses that were not ancillary uses.

Kimber Gabryszak noted that ancillary uses needed to be related.

Kirk Wilkins thinks in a Business park that foot traffic and customers visiting are secondary to the business. Motor traffic should be kept down.

David Funk clarified that the businesses should be catering to the people that work there.

Kimber Gabryszak noted that for ancillary it could be no more than 20% of the land uses.

Sandra Steele thinks that is vague, it would be better to say 20% of land area or sq. footage that could be quantified. (changed to building area.)

Sandra Steele thought they could limit how many cars were onsite for an auto rental connected with a Hotel. She thinks it is something they should allow at a hotel.

David Funk thought we want to cover the main bases but they can always come in and ask for an amendment.

Sandra Steele thought it would take more time and more money for an applicant.

Commissioners felt good with the additional sections and changes added by Kimber Gabryszak.

Kimber Gabryszak summarized the discussion and added an exhibit and showed the code changes as recommended by the Commission. She added the Condition that the amendments shall be edited as directed by the commission with changes as incorporated in the report of action.

**Motion made by Kirk Wilkins - Based upon the evidence and explanations received today, I move to forward a positive recommendation to the City Council for the proposed amendments to Sections 19.02, 19.04, 19.05, 19.06, 19.12, 19.14, and 19.26 with the Findings and Conditions in the staff report. With the following condition: The amendments shall be edited as directed by the commission with changes as incorporated in the report of action. Seconded by David Funk. Aye: Sandra Steele, David Funk, Kirk Wilkins, Kara North. Motion passed 4-0.**

It was brought up that the Public Hearing had not been opened. It was then opened, closed, and the Motion was remade.

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

No input at this time.

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

**Motion made by Kirk Wilkins to keep the motion as previously stated. Seconded by David Funk. Aye: Sandra Steele, David Funk, Kirk Wilkins, Kara North. Motion passed 4-0.**

**6. Approval of Minutes:**

**1. March 12, 2015**

**Motion made by David Funk to approve the minutes for March 12, 2015. Seconded by Kirk Wilkins. Aye: Sandra Steele, David Funk, Kirk Wilkins, Kara North. Motion passed 4-0.**

**7. Commission Comments.** – none at this time.

**8. Director's Report:**

**• Reports of Action**

Fox Hollow Neighborhood 11 – Positive recommendation with conditions.

Code Amendments - Positive recommendation with conditions.

**Motion made by Kirk Wilkins to approve the Reports of Action for April 9<sup>th</sup>. Seconded by Sandra Steele. Aye: Sandra Steele, David Funk, Kirk Wilkins, Kara North. Motion passed 4-0.**

- **Council Actions** – they approved the Landrock amendment, Hillcrest M&M, Legacy farms 1A-1F, Road dedication for roads in Fox Hollow and Riverside and Market street and approved Vasa Fitness. They approved the rezone for Utah Valley Turf.

**• Applications and Approval**

- **Upcoming** – tentatively cancelling April 23<sup>rd</sup>.

**Meeting adjourned by Chairman Jeff Cochran**

**Adjourn 8:05 p.m.**

\_\_\_\_\_  
Date of Approval

\_\_\_\_\_  
Planning Commission Chair  
Jeff Cochran

\_\_\_\_\_  
Lori Yates, City Recorder

**City of Saratoga Springs**  
**Planning Commission Meeting**  
**May 14, 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: Jeff Cochran, Jarred Henline, Kirk Wilkins, Sandra Steele, Hayden Williamson, David Funk

Staff: Kimber Gabryszak, Sarah Carroll, Scott Langford, Kevin Thurman, Nicolette Fike

Others: Jacob Brueck, Thomas Davis, Colby Anderson, Krisel Travis, Mike Hoffman, Thane Smith, Dalan Sorensen

**Excused:** Kara North

**Call to Order** - 6:35 p.m. by Chairman Jeff Cochran

**Items from Commissioners**

Jeff Cochran asked the planners about the trench plates on Redwood Road, they seemed unsafe.

Scott Langford said he would ask about it.

Kirk Wilkins noted a large rock in a road that needed addressed.

Jeff Cochran asked if there was a provision in the Code for smart timers on irrigation systems for commercial.

Kimber Gabryszak didn't think we would prohibit them, they would be good, but Jeremy Lapin was not present to answer.

**Pledge of Allegiance** - led by Jacob Brueck

**Roll Call** - Quorum was present

**Public Input Open** by Chairman Jeff Cochran

No input at this time.

**Public Input Closed** by Chairman Jeff Cochran

**4. Public Hearing and Possible Recommendation: Site Plan for AutoZone located at 1536 North Redwood Road, Colby Anderson, applicant.**

Scott Langford presented the Site Plan. Staff is reviewing a lot line adjustment for the south property line. This was initiated by the Master Developer, not AutoZone. The owner to the south supports this because it supports future development. There is a 20' side setback on the east side and they are requesting a change to a 16' setback as an exception. Staff supports the request. The landscape plan meets all requirements. The detention will be under the parking lot. The applicants are also requesting approval of their sign package. There is a monument and a wall sign on each side of the building. Urban Design Committee recommended some modifications to the elevations. The applicant added some accents.

Colby Anderson, applicant, was present to answer questions.

**Public Hearing Open** by Chairman Jeff Cochran

No input at this time.

**Public Hearing Closed** by Chairman Jeff Cochran

Jared Henline asked about the improvements on the other side of the new lot line.

Scott Langford replied that the other owners are aware of the adjustment and supported it.

Jared Henline asked why they needed the setback adjustment.

Colby Anderson replied that there was a retaining wall to the west and it was hard to get good drainage and an acceptable look and grade on that side and they did not want to push it closer to that wall.

Jared Henline asked about the wall signs, was it permitted with exception, or just permitted.

Scott Langford replied that in 19.18.08 3 It said the total number of wall signs shall not exceed two unless approved. So this was their chance to approve.

Jared Henline would like to hear what the others thought on the signs and because the setback was an engineering decision he was fine with it. He would like to have something on notice for the adjacent owner that he agrees to the encroachment.

Colby Anderson said there would be a recorded cross access easement so both property owners understood it was shared.

Kirk Wilkins was in support of the setback. He asked if there would be oil recycling on the property.

Colby Anderson did not think there would be, but he would check on it.

Kirk Wilkins has noted garbage cans full of junk people are taking off cars and fluids spilled on other similar parking lots and customers that worked on cars in the parking lot and asked what would help maintain cleanliness.

Colby Anderson replied that the owners would have to comply with all the regulations and there will be posted that the customers are not supposed to be doing work on the cars in the parking lot. Any run off would be treated by the storm drain separator before it flows offsite.

Kirk Wilkins asked what we had as far as code to protect us to make sure the lot was kept clean.

Scott Langford replied that apart from the oil water separator he was not aware of any specific code for gathered fluids on the parking lot.

Kevin Thurman noted that as far as complying with federal and state laws that came later with engineering approval process and building permits.

Kirk Wilkins asked about the trash enclosures.

Scott Langford said there is a detail sheet in the packet with specs for the enclosure and it would be wrapped with stone to match the building.

Kirk Wilkins asked for the justification of the 4 signs.

Colby Anderson was not the architect but his guess was that as a retail store they wanted to be seen.

Hayden Williamson felt the previous commissioners had covered most points. He was fine with the setback reduction. He is typically in favor of allowing the business all four signs but is open to maybe three on the main traffic sides.

David Funk did not have a problem with the setback. He thought the pictures of the signage looked nice but he was not sure they needed all four signs especially with a monument sign also out front. He agrees with the signage over the front door area.

Sandra Steele did not have a problem with the setback being 16' instead of 20'. She does not think they need the two parking spaces on the lot line adjustment; the next applicant that comes in would then be tied to that parking space. She suggested taking them out and perhaps putting in landscaping. On the monument sign, and all retail monument signs, she suggests an address be added. She asked about the trees in the plan, were they in the public right of way or on the applicant property.

Scott Langford replied that UDOT has an easement that covers the sidewalk but the trees and landscaping were on the business property.

Sandra Steele asked if the monument sign had to be a certain distance behind the lot line because of utility easements.

Scott Langford said it is in the correct place and is consistent with the existing sign for a neighboring business.

Sandra Steele wanted them to make sure that they wouldn't put the sign within the utility easement.

Kimber Gabryszak replied that if they put it in the easement it's at their own risk. But it looks like their plan is compliant.

Sandra Steele stated that she couldn't support the 4 signs in addition to the monument. She noted that in the Code it states if the sign faces an undeveloped property it shouldn't be allowed, so for the east side it shouldn't be allowed. She thinks the north and south signs need it the most and the monument sign is exposure for the west side and can be seen coming from the north or south as well.

Kevin Thurman said it's up to the decision of the council to allow more than 2 but the applicant gets to determine where the allowed signs go.

Jeff Cochran is in favor of the setback reduction. He appreciates Sandra Steele's comments on the monument sign. He is not in favor of four wall signs. He noted other businesses nearby that have been given an exception to 3 signs and he would be in favor of 2 or 3 but not 4.

David Funk brought up the code 19.18.08 3 and got clarification on the code that it was one per elevation per side.

Hayden Williamson would be comfortable with 3 signs. He feels if a company wants to pay for the signs they have probably had data that shows it's valuable for them

Jared Henline had a question to clarify which side it could go on, could it face the undeveloped property

Kevin Thurman replied that it could be argued about the undeveloped property, whether it was or not.

Scott Langford noted the code says the signs must be located on elevations that face a public or private street.

To the east is a private road, so it meets that.

Kevin Thurman indicated that there was nothing to define what undeveloped really means, if it was unknown what was going in to the east then they might want to use that provision.

Kirk Wilkins said he would be ok with 3 signs.

Sandra Steele asked about the lighting of the signs if they were aware of the dark sky ordinance and they may not want them if they understand they can't be lit that long.

**Motion made by Hayden Williamson that Based upon the evidence and explanations received today, I move that the Planning Commission forward a positive recommendation to the City Council for approval of the AutoZone Site Plan on property located at 1536 N. Redwood Road, with the findings and conditions included in the Staff Report. With the exception of condition 3 which shall be amended to only a third wall sign be approved. Seconded by Kirk Wilkins. Aye: Sandra Steele, David Funk, Hayden Williamson, Jeffrey Cochran, Kirk Wilkins, Jarred Henline. Motion passed 6 - 0.**

David Funk wanted to make sure there was no question on the lot line adjustment.

Sandra felt that staff could take their comments about the matter into consideration.

**5. Public Hearing and Possible Recommendation: Preliminary Plat for Crossroads Ranchettes located at 1547 North Redwood Road, Thomas Davis, applicant.**

Scott Langford presented the Plat. He noted that the previous request did not include a strip that ran between the lot and the street. They have now acquired that area. The proposed plat subdivides the existing Lot 1-A into two new lots. They have tried to contact the owners of lot 2 of the Bank of American Fork area to adjust the lot lines for the remnant in front of their lot but have not been able to contact them as yet.

Proposed Lot 1 will contain the entirety of the existing Towne Storage self-storage facility. There is no specific use proposed for Lot 2.

Tom Davis commented that the City personnel have been cooperative but they were disappointed that their previous plat was withdrawn. He wanted them to know that they have spent \$83,000 on requirements imposed by the City. When they were asked to acquire the strip the owners weren't interested but eventually they charged a large sum of \$50,000. The idea of the protection strip being a pile of weeds for years now evolves into being required to maintain and landscape the whole thing. He doesn't see the logic of that imposition. He asked "what changed."

**Public Hearing Open** by Chairman Jeff Cochran

No input at this time.

**Public Hearing Closed** by Chairman Jeff Cochran

Sandra Steele asked where the fence was on lot 1.

Scott Langford replied that it was along the east side of the 20' setback of lot 1.

Sandra Steele was worried that the area in-between the fence and lot 2 would become a "no-man's-land" and would not be taken care of. Because it was a new plat could we require them to move the fence so it would be taken care of?

Scott Langford said there was not requirement about fences between commercial lots but they could reduce the setback, which wouldn't get rid of the no-man's-land but may reduce the size of it.

Sandra Steele asked Tom Davis what his solution would be.

Tom Davis said the fence along the side is a concern. It is basically an area to push snow. But they would take care of the landscaping.

Sandra Steele asked about the foot path that has been being used.

Scott Langford noted immediately north was phase 3 of Sargent Court and they would be extending their fencing along this boundary. And there is a trail along the south portion of the school. As things get built out they will look at it further.

Sandra Steele asked if this parcel will need a fence to separate it from the residential.

Scott Langford replied that Sargent Court has a fence approved but it comes down to who puts it in first.

Sandra Steele asked if any consideration had been given to changing the name to something that didn't sound so residential.

Scott Langford replied they have been tracking it as Crossroads Ranchettes but lately it has been called Towne Storage, they will continue to work on it.

David Funk asked about the cell tower and if it would cause any problems.

Scott Langford didn't know the full history of the tower. It was allowed with a conditional use permit and will probably sit for some time. There will be an access easement included in the new plat to allow maintenance.

David Funk thought it would be logical for the extra strip on the south east to be owned by the neighboring development that it fronts.

Hayden Williamson appreciated the willingness of the applicant to do all that was needed to comply. He asked if they foresaw any issues with the extra piece if the other developer did not take ownership.

Scott Langford noted the other parcel had the access they needed. It's just an extra piece they will need to maintain. There are no unforeseen issues with that.

Kirk Wilkins asked if we could address the applicants "what changed?" question.

Scott Langford noted the property was needed in order to allow legal access to lot 2, and so they then need to comply with Code to improve and maintain it.

Kimber Gabryszak responded that not every application is straight forward when it comes in the door. This came up during the review process and this solves their issue of being landlocked and complying with code.

Scott Langford commented that they did suggest getting and easement access instead but apparently Amsource would not go the easement route, they chose to sell.

Kirk Wilkins asked if there weren't laws that require access to keep it from being landlocked.

Kevin Thurman replied that it was not our place to determine that. It's up to the developer to prove that they have legal access to their property.

Kirk Wilkins asked what the legal non-conforming use meant.

Scott Langford replied that the storage is not currently allowed in this area so they couldn't expand now but the existing storage was approved prior to the new zoning.

Jared Henline did not have anything to add at this time.

Jeff Cochran appreciated the work that the applicant has done. He has no concerns with what has been presented this evening.

**Motion made by Sandra Steele to recommend approval to the City Council of the Crossroads Ranchettes Lot 1-A Preliminary Plat, located at approximately 1547 North Redwood Road, based on the findings and conditions listed (below) in the Staff Report. Second by Hayden Williamson.**

Kirk Wilkins reminded commissioners that they discussed reducing the setback by the no-man's land and if they wanted to include that.

Sandra Steele did not want to include that in the motion.

Kevin Thurman wanted to be clear that she meant findings and conditions in the staff report.

**Aye: Sandra Steele, David Funk, Hayden Williamson, Jeffrey Cochran, Kirk Wilkins, Jarred Henline.**  
**Motion passed 6 - 0.**

**6. Public Hearing and Possible Recommendation: Amendments to the Community Plan for Legacy Farms located at approximately 400 South and Redwood Road, DR Horton, applicant.**

Kimber Gabryszak presented the Community Plan amendments. The applicants want to modify the repetition rule to work with 5 architectural styles; the current language requires 6 while the Community Plan only created 5 styles. It is set up to have quite a bit of variety as different colors, materials, and floor plans would break it up. They wanted to change the shared Lane materials from permeable to asphalt. And they wanted to modify the trail standards to allow asphalt instead of concrete for regional trails, mainly along Redwood Road; there is a provision that would allow asphalt on the Tickville trail. Staff recommends approval of all except the exchange of asphalt from concrete.

Krisel Travis said they and staff had gone over all the elevation options and there were a lot of options. She didn't foresee a problem. She had a presentation to review the pros for having asphalt instead of concrete. They felt their PC zone gave them the opportunities to submit changes, they feel like throughout the process and plans that have been presented that they have indicated they would have asphalt or concrete trails and through the processes they have gotten more specific. Now they are to the point that they feel they need to put forth an asphalt trail. They feel like they are in compliance.

**Public Hearing Open** by Chairman Jeff Cochran

Michael Hoffman wanted to give more information in regards to the trail along Redwood Road. From the edge of Saratoga Springs Development (SSD) to where the trail ends in the south there are only 375 linear feet of concrete, everything else is asphalt. The wrong place to change the material is in front of Legacy Farms if they want to change then it should be north over 400 South. Implement the new standard for all concrete across a road that is a natural boundary.

**Public Hearing Closed** by Chairman Jeff Cochran

Sandra Steele said there are specific pages for walkways that call out concrete, will they continue to be concrete or do they want to change those.

Krisel Travis noted that if it's a sidewalk it would be concrete. If it was a trail it had either asphalt or concrete called out. What Sandra Steele is referring to is a pathway that they define in the Village Plan as a pervious material which is gravel or crushed stone, but it doesn't exclude the use of concrete.

Sandra Steele understands the concerns, but for the last 7 years new developments have been required to do concrete so she would support keeping it concrete. On the repetition she has some concerns with saying they could put the same floorplan three in a row. She asked how many floor plans there were for each style.

Krisel Travis noted that there are 20 floor plans, then times 5 elevations, so there are hundreds of choices. Sandra Steele wondered if they have that many floor plans then why are they requesting that they be able to have three in a row.

Krisel Travis said it's a customer demand; some floorplans are more popular than others. They can have the same floor plan, but not the same style and materials. It does look different with the diversity of styles they offer.

Sandra Steele feels that you can tell they are the same floor plan easily and she has a problem with that change.

She brought up the shared lanes and that they are still calling out pervious hardscape in the planter areas.

Krisel Travis noted that was in just the planter areas, the actual tree well area, so they can still receive the water.

Sandra Steele clarified that they are counting the drive aisles as a walkway and that will be concrete.

Krisel Travis replied it must have been an oversight on their part as they were planning on asphalt but it has to be concrete.

David Funk had a problem with 3 of the same floor plans in a row. He thinks the trail along Redwood Road should be concrete.

Hayden Williamson received clarification as to the same floor plan but different style. He spoke regarding the trail. He recognized that the trail currently in front of SSD is asphalt and in regard to that he would like to see the continuity. But with the City maintaining the trail surface he is torn on that.

Kirk Wilkins asked how many miles of trail would be asphalt in total.

Krisel Travis said it's about 7600 lineal feet.

Kirk Wilkins calculated that it would be about \$94,000 on the total trail. He asked what the criteria were that they could decide between asphalt and concrete.

Kimber Gabryszak replied that as it's a Planned Community zone and in these sections it did mention asphalt or concrete but it was unclear and where it is unclear it defaults to the City Code. You have the discretion to approve their PC code over the City Code.

Kirk Wilkins is leaning towards the concrete for many reasons, longevity, look, snow removal among others. He is lenient to allowing the three in a row with the different styles available.

Jared Henline feels the shared lanes has been taken care of and is fine with the repetition. He asked about when we started requiring the concrete.

Kimber Gabryszak replied that it's been about 7 years but the new subdivisions have been required to do the concrete.

Jared Henline is a fan of the asphalt but as the code defaults to concrete he would recommend the concrete.

Jeff Cochran had the preference for not the same floor plans in a row but asked staff what they felt.

Kimber Gabryszak said the original request would have opened the door to the same style through the development but Staff was not open to accepting that so they sat down and went through the concerns.

They don't feel three in a row will be a big deal and overall staff is amenable to the change. The applicant would like the same feel at the entry of the development.

Jeff Cochran asked Krisel if they recommended it be changed to two in a row, do they have an opinion on that.

Krisel Travis replied that she hesitated because Boyd was not present. She felt the chances of them building three in a row were very slim anyway. She said 3 were consistent with other rules and she can't predict what buyers will want. It would be tracked.

Jeff Cochran wondered if they could say that if there were 3 in a row that one be flipped.

Krisel Travis feels that will happen with utility placements and drive approaches anyway but that would be ok.

Jeff Cochran feels staff has put a lot of effort into this and is ok with it because they have probably done a lot of work to make sure it was good. He asked why we made the change 7 years ago to concrete.

Kimber Gabryszak noted that at the time the cost was comparable and the concrete was more durable.

Krisel Travis felt the community feel would be better conserved by keeping the asphalt. And the cost is a factor also. They hope the city can support the asphalt.

Jeff Cochran knows from working in the industry that concrete is more durable and that it would be a better choice for the city.

Jared Henline was fine with the repetition but could go stricter and preferred concrete.

Kirk Wilkins wanted the concrete but preferred the more strict repetition with the one be flipped.

Jeff Cochran felt the same as Commissioner Wilkins.

Jared Henline agreed with the same.

David Funk likes the compromise and agrees with the concrete

Sandra Steele would go ahead with the compromise with the flipping, and wanted the concrete.

**Motion made by Kirk Wilkins to forward a positive recommendation to the City Council for the proposed amendments to the Legacy Farms Community Plan with the Findings and Conditions in the Staff Report. With the condition 2 that materials for regional trails along Redwood Road be concrete. And that the new condition 3 the Community Plan shall be edited as directed by the Commission: if three units of the same floor plan are placed in a row one floor plan must be flipped. Seconded by Hayden Williamson. Aye: Sandra Steele, David Funk, Hayden Williamson, Jeffrey Cochran, Kirk Wilkins, Jarred Henline. Motion passed 6 - 0.**

Krisel Travis updated the Commission that they applied for a grading permit today. FEMA had some turn over with an expired contract and a new consultant took over. They did get caught up in that confusion but they are confident they will get approval. They hit a snag with the Army Corps who has now claimed

jurisdiction over Tickville wash and they are working through that. They feel they are on a good time line and feel they are going to have the new pipe in the ground by the end of November.

**A short break was taken at this time.**

**7. Approval of Minutes:**

**1. April 9, 2015.**

This item was moved to the next meeting

**8. Reports of Action.**

**Site Plan for AutoZone** – Positive recommendation with conditions.

**Motion by Hayden Williamson to approve the Report of Action for AutoZone. Seconded by David Funk.**

**Aye: Sandra Steele, David Funk, Hayden Williamson, Jeffrey Cochran, Kirk Wilkins, Jarred Henline. Motion passed 6 - 0.**

**Preliminary Plat for Crossroads Ranchettes** - Positive recommendation with conditions.

**Motion made by Kirk Wilkins for the Report of Action for Preliminary Plat for Crossroads Ranchettes.**

**Seconded by Hayden Williamson. Aye: Sandra Steele, David Funk, Hayden Williamson, Jeffrey Cochran, Kirk Wilkins, Jarred Henline. Motion passed 6 - 0.**

**Amendments to the Community Plan for Legacy Farms** - Positive recommendation with conditions

**Motion made by Hayden Williamson to approve the Report of Action for Amendments to the**

**Community Plan for Legacy Farms. Seconded by David Funk. Aye: Sandra Steele, David Funk, Hayden Williamson, Jeffrey Cochran, Kirk Wilkins, Jarred Henline. Motion passed 6 - 0.**

**9. Commission Comments.**

No comments.

**10. Director's Report:**

- Council Actions
  - They approved The Springs annexation and Rezone General Plan amendment and MDA.
  - Code amendments, they added a few uses for business park zone and the garage door openers.
  - They approved final plats for Legacy Farms 1A-1E.
- Applications and Approval
- Upcoming Agendas
  - Conditional use for preschool.
  - Church in the Jacobs Ranch area.
- Other
  - She had the Policy statement and acknowledge form for the personnel manual four members needed to sign.

**Meeting adjourned by Chairman Jeff Cochran**

**Adjourn 8:55 p.m.**

---

Date of Approval

---

Planning Commission Chair  
Jeff Cochran

---

Lori Yates, City Recorder