



MINUTES – Planning Commission

Thursday, March 14, 2024

City of Saratoga Springs City Offices

1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

PLANNING COMMISSION MEETING MINUTES

CALL TO ORDER - 6:00 p.m. by Chairman Reed Ryan

1. **Pledge of Allegiance** - led by Commissioner Virginia Rae Mann

2. **Roll Call** – A quorum was present

Present:

Commission Members: Scott A. Hill, Ken Kilgore, Jack K. Mangum, Virginia Rae Mann, Reed Ryan, Rachel Sprosty Burns, Doug Willden.

Staff: Sarah Carroll, Planning Director; Ken Young, Community Development Director; Owen Jackson, Assistant City Manager; Austin Roy, Senior Planner; Dan McRae, Assistant City Engineer; Nicolette Fike, City Recorder; Wendy Wells, Deputy Recorder.

Others: Tim Ryan, City Council Member Audrey Barton

3. **Public Input** - No public comment was given.

PUBLIC HEARINGS

1. **Amendments to Title 19 Land Development Code of the City of Saratoga Springs, Chapters 19.02 – Definitions, and 19.04 - Establishment of Land Use Zones. City Initiated.**

Planning Director Sarah Carroll presented the Amendment. The proposed change would more clearly define bar as a use that includes a full menu; and remove uses from the definition that do not include a full menu. It would also add a definition for Tavern in order to prohibit this use in any zones.

Public Hearing Open by Chairman Ryan. Receiving no public comment, the public hearing was closed by the Chair.

Commissioner Mangum inquired about the age limit of employees at a Bar since no one under 21 can be employed at a Tavern.

Community Development Director Young clarified that the serving of alcohol is regulated by State Code, no one under 21 can serve alcohol.

Commissioner Kilgore found the terminology confusing. His understanding was that a Tavern is more of an establishment that serves food, and asked if the terms were state defined. He also inquired how a business determines which category they would fall under.

Planning Director Carroll verified the terms are State defined and went on to explain that the State has criteria to help determine if an establishment is a Bar or Tavern based on the percentage of alcohol and food sales.

Commissioner Kilgore asked why we are banning Taverns and wondered if the concern was more about behavior or the establishment.

Planning Director Carroll explained that based on feedback from City Council, the City is okay with establishments like a sports bar that have a food menu, but not the definition that includes Taverns, night clubs and private clubs.

Commissioner Hill shared that he thinks it is appropriate to clean up language in Code so there is no ambiguity. He appreciates the Planning Department working to accomplish this.

Commissioner Sprosty Burns shared the definition of Tavern she found in State Code: "Taverns are defined as beer bars, parlors, lounges, cabarets and night clubs". She is concerned that some of the verbiage in the proposed amendment is problematic. She asked if the definition change would affect Bout Time.

Planning Director Carroll related that the City can have definitions that differ from State definitions. She clarified that the business Bout Time would not be affected by the proposed change, and advised that the definition change is being proposed in conjunction with the Bar-to Bar distance change that is in discussion with the City Council at this time.

Commissioner Mann asked what the percentage was for food vs alcohol served that is allowable. She inquired what would happen if the allowed percentage fluctuated and how it would be monitored to maintain Code Compliance. She also questioned what constitutes a full menu vs. a limited menu.

Planning Director Carroll specified that the percentage of food vs alcohol served is close to 50 %. She advised that Code Compliance is monitored by State Licensing. She explained that an offering of a full meal rather than just appetizers would be considered a full menu.

Commissioner Mangum said he is for free choice, but wonders if we are using the word Tavern to limit specific actions.

Commissioner Kilgore asked what the City is trying to regulate and wonders what the point is to change the definition since the State does not ban Taverns.

Commissioner Willden commented that he is in favor of the Amendment because he feels the City Council is attempting to strike a good balance between allowing a restaurant with a bar and going past the tipping point of allowing businesses that would create an environment that is not family friendly. He noted that the City's General Plan is filled with family friendly neighborhoods, and he feels the proposed Amendment would help maintain and balance that.

Commissioner Mann said in her experience Tavern style establishments typically stay open later than bars that serve food which could potentially cause concerns with safety on the roads with people driving late at night who have been drinking. She mentioned there are many Tavern style businesses in Salt Lake City, but is not sure we should be the same type of City.

Commissioner Kilgore wondered why adding a full menu would control behavior or make a business more family friendly. He suggested that the City could create an Ordinance to mandate business hours.

Commissioner Ryan appreciated the robust discussion. He expressed concern that creating a distinction between Bar and Tavern could have unintended consequences. He feels the proposed Amendment is not the right way to go about creating the distinction, and there may be a better way to accomplish the City's goals.

Motion made by Commissioner Rachel Sprosty Burns, based on evidence and explanation received, to forward a Negative recommendation to the City Council for the proposed amendments to Title 19, based on the following findings: That the verbiage is not right. Seconded by Commissioner Jack Mangum

Yes: Ken Kilgore, Jack K. Mangum, Reed Ryan, Rachel Sprosty Burns

No: Scott Hill, Virginia Rae Mann, Doug Willden

Absent: None.

Motion passed 4 - 3.

Chairman Ryan asked if any Commissioners had any comments regarding their votes. The following comments were given:

Commissioner Mangum stated he is in favor of everything but is confused by the word Tavern, and the amendment does not accomplish what he thinks the City wants to accomplish.

Commissioner Willden feels the City tried to align with State Code and this may be as close as we could get to accomplishing that. He expressed that City Staff did a good job in a difficult situation.

Commissioner Hill felt it was a good discussion and is in support of the recommendations of City Staff.

BUSINESS ITEMS

1. City Hall & Library Site Plan located at 319 S. Saratoga Road. City Initiated.

Senior Planner Austin Roy presented the item. Construction of the new City Hall and Library is set to begin in 2024, with a projected completion date of November 2025. The Site Plan is the formal review of the site layout, landscaping, utilities and zoning standards.

Commissioner Hill asked if City Staff feels confident the City can comply to all items in the Staff Report, and wanted to know when the groundbreaking will be held.

Senior Planner Roy clarified that Staff does feel confident the City can comply to all items. He informed Commissioners that the ground breaking will be held on Monday, March 18th at 4 pm. He advised that there will be some Community Engagement Events coming up.

Commissioner Kilgore received clarification that the Code Amendment for building height and Screening in the loading area have both already come through Planning Commission and are pending Ordinance.

Commissioner Kilgore asked if we anticipated any parking issues with the parking plan or landscape items in the parking lot. In addition, he requested more information on the Hydraulic Storm Drain reports.

Planning Director Carroll verified that with Patriot Park's extra parking lots, parking at the City Hall is not a concern.

Assistant City Engineer McRae communicated that we have gone through many reviews on the storm drains, and there is no concern. There is a new Storm Drain Outfall that will cross Saratoga Road and go out to the Lake. There is also a new treatment device that will treat storm water near Inlet Park and the City will maintain that device.

Commissioner Kilgore received clarification that the gates and signage will meet City Code.

Commissioner Sprosty Burns asked if any of building will be leased out and if we have control over who would lease the space. She asked specifically if WIC may be a future tenant. She is concerned about parking and wonders if the 169 planned parking stalls will be adequate if other government entities will be leasing space. She has seen times when the Patriot Park parking lot is full, which she feels could be a problem. She expressed concern that we hold businesses to a higher standard than what we are holding the City to.

Assistant City Manager Jackson related that there has been discussion with the County to have another government entity lease the extra space in the new building, but there is no contract in place at this time. He further mentioned that some of the possible future tenants could be County Health, WIC, or County Assessors. Discussions are underway to determine those details.

Senior Planner Roy explained that Civic Uses do not have a parking requirement in City Code. He mentioned that parking at Patriot Park was also designed to be used by City Hall.

Assistant City Manager Jackson advised that much of the parking North of the Court and Police facility is intended for the future City Hall, along with the current Patriot Park stalls and future expansion of Patriot Park will provide additional parking.

Assistant City Engineer McRae addressed the concern about Parking and advised that there will not likely be an overlap in peak parking hours between Patriot Park and City Hall.

In response to Commissioner Ryan's question about providing an estimate of the number of stalls at Patriot Park and the Police facility, Senior Planner Roy responded that we could count the lots and provide a number of lots if needed. He said that City Code does allow for shared parking and shared parking agreements can be put into place as well. He also reiterated that Patriot Park will be expanded with additional parking at a future date.

Commissioner Mangum asked if the City had ever changed code regarding Height for another business or private citizen. He inquired about the Men's bathrooms and wondered if there should be a urinal installed.

Planning Director Carroll stated that there is a precedence for changing Code for height if it is warranted. She mentioned that this had recently happened with the Fat Cats Cell Tower. She appreciated the feedback about adding a urinal to the Men's Bathrooms in the future City Hall.

Commissioner Kilgore asked about a future amphitheater and received a response from Assistant City Manager Jackson that there is no specific plan for an amphitheater, but we would have to make plans and provide parking if that happens down the road.

Commissioner Mann shared that she lives next to Patriot Park and walks there almost every day, her perception is that 90% of the time Patriot Park parking lots are empty.

Commissioner Sprosty Burns mentioned that if WIC were a possible tenant, they are open until 7:00 p.m.

Commissioner Ryan received clarification from Assistant City Manager Jackson regarding current parking in the current City Hall. He explained many city vehicles are gone during the day and staff is encouraged to park on the fringes and most parking is left for our constituents. He specified that his comments were anecdotal based on his observations.

Motion made by Commissioner Scott Hill to forward a recommendation for Approval of the requested Site Plan for City Hall and the Library, located at 319 S. Saratoga Road, with the Findings and Conditions in the Staff Report. Seconded By Commissioner Ken Kilgore.

Yes: Scott A. Hill, Ken Kilgore, Jack K. Mangum, Virginia Rae Mann, Reed Ryan, Doug Willden

No: Rachel Sprosty Burns

Absent: None.

Motion passed 6 - 1.

Commissioner Sprosty Burns indicated that she voted No because she feels the City should hold to a higher standard on parking.

2. Bout Time Pub & Grub Site Plan, located at 1422 N. Redwood Road. Tim Ryan as applicant.

Planning Director Sarah Carroll presented the item. The applicant is proposing a site plan for the Bout Time Pub & Grub on an existing 0.91 Acre lot within the Regional Commercial (RC) zone. This is a standalone structure for a bar use, which is an allowed use in the RC zone.

Tim Ryan of Bout Time Pub & Grub was in attendance to answer any questions.

Commissioner Kilgore asked if there are any issues expected with grading, drainage, secondary water systems, and water shares and if Applicant can comply with City Code.

Applicant Tim Ryan said he does not expect any issues with water shares or any other item, and will comply with City Code.

Motion made by Commissioner Rachel Sprosty Burns that the Planning Commission forward a recommendation for approval of the requested Site Plan for Bout Time Pub & Grub, located at 1422 N Redwood Rd, with the Findings and Conditions in the Staff Report. Seconded By Virginia Rae Mann

Yes: Scott A. Hill, Ken Kilgore, Jack K. Mangum, Virginia Rae Mann, Reed Ryan, Rachel Sprosty Burns, Doug Willden

No: None.

Absent: None.

Motion passed 7 - 0.

3. Approval of Minutes: February 22, 2024.

Motion made by Commissioner Ken Kilgore to approve the minutes of February 22, 2024. Seconded by Commissioner Rachel Sprosty Burns.

Yes: Scott A. Hill, Ken Kilgore, Jack K. Mangum, Virginia Rae Mann, Reed Ryan, Rachel Sprosty Burns, Doug Willden.

No: None.

Absent: None.

Motion passed 7 - 0.

REPORTS

1. Commissioner's Comments.

Commissioner Hill reported on a meeting hosted by MAG held March 4th that he and Commissioner Mann attended. The meeting was about transportation. The intent was to have reps from UTA and UDOT talk about concerns with growth. He mentioned that City Manager Mark Christensen did a great job of explaining our future population growth and concerns.

Commissioner Mann agreed with Commissioner Hill and said the meeting was very beneficial. She also reported that City Manager Mark Christensen did a fabulous job representing our future growth and needs.

Assistant City Engineer McRae advised that we are working with UTA on a future Park and ride. It will be North of the new city hall.

Planning Director Carroll clarified that the City's concerns are being heard and prioritized regarding future growth.

Commissioner Ryan expressed thanks to Commissioner Kilgore for substituting for him at the last Planning Commission meeting.

2. Director's Report.

Planning Director Carroll reviewed items that were approved and denied in City Council Meeting on March 12th. She also reminded Commissioners that next Planning Commission meeting will be March 28th.

Community Development Director Young reminded the Planning Commissioners of the Breakfast with Planners on March 21st.

CLOSED SESSION - No closed session was held.

ADJOURNMENT - Meeting Adjourned Without Objection at 7:22 p.m. by Chairman Reed Ryan.

3/28/2024

Date of Approval

Reed Ryan
Deputy City Recorder



Reed Ryan

Planning Commission Chair