



# MINUTES – Planning Commission

Thursday, March 28, 2024

City of Saratoga Springs City Offices

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

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## PLANNING COMMISSION MEETING MINUTES

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

1. **Pledge of Allegiance** - led by Commissioner Doug Willden.

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

**Present:**

Commission Members: Ken Kilgore, Jack K. Mangum, Virginia Rae Mann, Reed Ryan, Doug Willden.

Staff: Sarah Carroll, Planning Director; Ken Young, Community Development Director; Doug Meldrum, Economic Development Director; Kendal Black, Planner I; Austin Roy, Senior Planner; Gina Grandpre, Senior Planner; Kent Page, Senior Planner; Rulon Hopkins, Assistant City Attorney; Scott Petrik, Engineer; Jeff Pearson, Engineer; Wendy Wells, Deputy Recorder; Jeremy Lapin, Public Works Director/City Engineer (participated via Zoom).

Others: Keith Lindstrom, Larry Lindstrom, Jill Dusek, Amber Santy, Teresa Anderson, Eric Wolf, Mark Johnson, Julie Smith, Devin Hatch.

**Excused:** Scott A. Hill, Rachel Sprosty Burns.

3. **Public Input Open** by Chairman Ryan.

Jill Dusek of Saratoga Springs shared that she was concerned about the high grading of the Steel Ridge Plaza project and was worried her backyard would no longer have privacy because the development is at fence level. She is concerned that her neighbors with homes along the fence line would have privacy issues also.

**Public Input Closed** by Chairman Ryan.

4. **Presentation:** Downtown Plan Update.

Economic Development Director Doug Meldrum Presented the update. He explained that we don't currently have a Downtown, and there were guiding principles used to create the Downtown Plan. He said the area is planned to be about 200 acres and is located West of Pioneer Crossing and East of Mountain View Corridor. There will be pedestrian zones, parking that is planned for the periphery, and the plan may incorporate some future office space. He explained that data had been researched showing there is a trend back towards retail shopping, and they had studied some local shopping areas to be certain they have criteria set into place to create a successful, vibrant Downtown area.

### PUBLIC HEARINGS

1. **Cliff Lake Master Development Agreement, located approximately at SW corner of Pioneer Crossing and Saratoga Road. Keith Lindstrom as applicant.**

Senior Planner Kent Page presented the item. The application is for a MDA, which is a comprehensive agreement often addressing multi-phase developments, all aspects of planning, construction, and long-term management.

Applicants Keith Lindstrom of Leisure Villas and Larry Lindstrom of Lehi were both in attendance to answer questions. Keith said that he had tried to make the plan simple and transparent.

**Public Hearing Open** by Chairman Ryan.

Sue Alexander sent an email expressing concern about parking at Cliff Lake. She said that she lives in the Leisure Villas at Legacy Farms and she recounted her experiences with parking there and her feelings that there is not enough parking for guests or gatherings.

**Public Hearing Closed** by Chairman Ryan.

Commissioner Kilgore asked for Staff or Applicant response to the email sent from Sue Alexander.

Applicant Keith Lindstrom said that he was surprised to hear of parking issues at Leisure Villas and that he felt there could be parking issues with any development during the holidays when there are extra guests.

Commissioner Kilgore received clarification that parking would meet Code, but had changed due to a change in the City Code. He also asked to see the Buffer Zone recommended by Staff in the Commercial Zone referred to in the Staff Report.

Senior Planner Kent Page presented the Neighborhood Plan and explained an adequate landscape buffer would need to be provided.

Planning Director Sarah Carroll explained that City Code requires 10 feet of landscaping around the rear and side perimeter of parking lots. She told the Commissioners that if they wanted to make a recommendation for something in addition to the requirement, they could put that in the motion. She mentioned that the Applicant's preference would be that nothing is added in addition to Code. She said that there are many unknowns as to what the future uses would be so it is hard to say what the buffering needs could be.

Commissioner Kilgore referred to the Public Input made earlier in the meeting and said that there might be heavy commercial areas butting up against residential areas that could cause some privacy concerns, and wondered where appropriate areas would be to put buffers.

Planning Director Sarah Carroll related that the motion could include the addition of requiring "screen walls be used to screen loading areas". She clarified that Staff wanted the Planning Commission to be aware of the 10-foot landscaping requirement and that they could add something in addition if they chose to.

Applicant Keith Lindstrom feels the 10-foot buffer that is listed in City Code in the Neighborhood Plan is adequate and he does not want to be burdened with something that is not Code.

Chairman Ryan asked for clarification of what the material would be for the 10-foot landscaping buffer. He expressed concern that the material used would be able to provide an adequate buffer. He asked if installing a berm would be an option.

Planning Director Sarah Carroll informed the Commissioners that berms are not required in all situations.

Senior Planner Gina Grandpre explained that a 6-foot fence is required to separate Heavy Commercial and Residential areas when they were lot line to lot line; however, in this situation there is a road between uses which changes the requirement.

Commissioner Kilgore asked if the buffer would provide adequate buffering for a future neighborhood.

Senior Planner Kent Page advised that we did not have a Site Plan to know which way the parking lot will be facing so it is hard to say if the planned buffer would be adequate.

Commissioner Mangum clarified the conditions in the Staff Report and verified with Planning Director Carroll that Condition # 4 should be removed and Condition # 5 should be kept in regard to the Parking Requirement.

Commissioner Willden said the City could place additional restrictions at this point because we don't typically place Heavy Commercial next to Residential. He feels we need to make sure we are protecting residents from lighting and trucking issues, and screening is only part of those concerns. He wanted to be sure the burden is not placed on the residents who live next to a Heavy Commercial area.

In response to public request Commissioner Ryan asked if the others were amenable to opening public comments again.

**Motion made by Commissioner Kilgore to Re-open the Public Hearing. Seconded by Commissioner Willden.**

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

**No: None.**

**Absent: Scott A. Hill, Rachel Sprosty Burns.**

**Motion passed 5 - 0.**

**Public Hearing Re-Opened** by Chairman Ryan.

Amber Santy of Saratoga Springs said her home on Bridgewater backs up to the fence. She is concerned about the usability of her back yard, and did not know about a porta potty that had been delivered to the area.

Planning Director Sarah Carroll clarified that Ms. Santy's comment should be directed to the Steel Ridge Plaza item and not Cliff Lake, and explained that the Public Comment would better be addressed with that item.

**Public Hearing Re- Closed** by Chairman Ryan.

Chairman Ryan appreciated the good discussion and reiterated Commissioner Willden's comments about planning ahead for future residents.

Planning Director Sarah Carroll advised on a few sections in Code related to buffering. She explained that the Lighting Code is pretty detailed and includes several requirements to ensure lighting would not be a problem.

Commissioner Willden received clarification that there are no "hours of operation" set in Code to regulate trucks coming and going. He also said that Planning Director Carroll's comments about lighting did help alleviate some concerns.

Assistant City Attorney Rulon Hopkins advised he would need to do further research to see if the City could add hours of operation in the Code.

Planning Director Sarah Carroll informed the Planning Commission that there are a few things in Code that can help provide further restrictions, if needed, when the City gets to the Site Plan.

Commissioner Mangum said wants to follow Code, without adding additional burdens for the Applicant.

Commissioner Mann commented she was in agreement with Commissioners Kilgore and Willden and she feels we need a very sufficient buffer zone. She thinks we have an obligation to our residents to provide a beautiful area and need to err on the side of protecting them.

Applicant Larry Lindstrom of Lehi said he has done several office warehouse buildings previously, and does not foresee heavy usage here. He likes nice facades on the buildings, with good street appeal and plans to have traffic in the back. He would like to build something pretty the City can be proud of. The usage he envisions would be local people-based businesses. He said he understood the concerns that had been brought up.

Chairman Ryan expressed that he was grateful for the direction from Planning Director Carroll that more can be decided when the Site Plan is presented. He appreciated the Applicant's comments as well, but wondered if the "definition of pretty" might differ between people.

Commissioner Willden expressed concern that if the Developer sold the property and the usage were to become more Heavy Commercial usage, some residents may be upset. He feels we need to recommend putting additional measures in the motion to protect the residents.

**Motion made by Commissioner Kilgore based upon the evidence and explanations received today, that the Planning Commission forward a recommendation to the City Council to approve the Cliff Lake Master Development Agreement, located at approximately 900 E. Pioneer Crossing, with the**

Findings and Conditions in the Staff report, with an addition to remove Condition #4 and request that Staff work with the Applicant to ensure buffering in Heavy Commercial and Regional Commercial areas to protect the Residential Neighborhood. Seconded by Commissioner Mangum. Yes: Ken Kilgore, Jack K. Mangum, Virginia Rae Mann, Reed Ryan, Doug Willden. No: None. Absent: Scott A. Hill, Rachel Sprosty Burns. Motion passed 5 - 0.

## BUSINESS ITEMS

1. **Drift 2 Sail Class III Home Occupancy, located at 628 N. Fox Circle. Teresa Anderson as applicant.** Planner I Kendal Black presented the item. The applicant is requesting approval for the Drift 2 Sail swimming school. The operating hours will be Monday to Friday from 7:30 a.m.-5:00 p.m. There will be ten classes a day with one to four students per class, and up to 25 students per day.

Applicant Teresa Anderson of Saratoga Springs was in attendance to answer questions.

Commissioner Kilgore asked the Applicant if she would agree to all Conditions, and what safety precautions were being undertaken.

Applicant Teresa Anderson said she agrees to all Conditions. The safety measures include: buoys, ropes, insurance and signage in the backyard. She explained that she has over 20 years of experience.

Commissioner Mann thinks it is wonderful this service is being provided to our City and supports this home-based business.

Motion made by Commissioner Kilgore based upon the evidence and explanations received today, that the Planning Commission approve the requested Class III Home Occupation Permit for Drift 2 Sail, located at 628 North Fox Circle, with the Findings and Conditions in the Staff Report. Seconded By Commissioner Mann. Yes: Ken Kilgore, Jack K. Mangum, Virginia Rae Mann, Reed Ryan, Doug Willden. No: None. Absent: Scott A. Hill, Rachel Sprosty Burns. Motion passed 5 - 0.

2. **Saratoga Dignity Plat Amendment, located at 675 West Utah Cottage Drive. Adam Lambert as applicant.**

Planner I Kendal Black presented the item. This is an amendment to change the orientation of the buildings of the Dignity Care Neighborhood Plat. The change would affect configuration of the common area open space which is designated as a blanket utility easement for the City of Saratoga Springs.

Julie Smith of Orem was in attendance on behalf of the applicant to answer any questions.

Commissioner Willden asked how the open space had changed.

Planner I Kendal Black clarified that the only thing that would change is the pathway going in.

Commissioner Kilgore asked about the original orientation and why a change was being made now.

Julie Smith explained she does not know the reason for the change, and she said she thought it was an architectural change and she was there to facilitate the change.

Motion made by Commissioner Willden that the Planning Commission approve the requested Plat Amendment for Dignity Care Neighborhood Amended, located at 651 West, 652 West, and 674 West Utah Cottage Drive, with the Findings and Conditions in the Staff Report. Seconded by Commissioner Mangum. Yes: Ken Kilgore, Jack K. Mangum, Virginia Rae Mann, Reed Ryan, Doug Willden. No: None. Absent: Scott A. Hill Commissioner Sprosty Burns.

Motion passed 5-0.

3. **Steel Ridge Plaza Lot 3 Site Plan, located at 369 E Crossroads Blvd. Eric Wolf as applicant.**

Senior Planner Austin Roy presented the item. This is a request for Site Plan approval of the site improvements and building elevations. The project is 4.58 acres, will include 35,970 square feet of retail space and 6,000 square feet of restaurant space, and incorporates 23.33% landscaping on the site to meet the Title 19 requirements.

Senior Planner Austin Roy said Staff is aware of some concerns that residents have. Staff had received a few emails from residents concerned about lighting, sound, drainage, and security. He explained City Staff had met with the Developer onsite to share the concerns of the residents.

Planning Director Sarah Carroll presented a photo of the fenced area backing the Steel Ridge development and explained how headlights could shine in windows due to the grading.

The Developer has been working with the City and plans to implement the following:

- A photometric light plan created that will meet requirements.
- A berm installed to deal with drainage issues, and proper drainage that has been engineered for the future.
- A fence and wall to provide screening to help with the lighting and sound concerns.
- Speaker boxes of drive-throughs to face away from homes to help with sound issues.
- A sloped grade to be placed in a buffer zone to help alleviate a security concern.
- Screening to be installed to help address concerns with headlights.

Applicant Eric Wolf of Draper and Devin Hatch of Lehi were both present to answer any questions.

Commissioner Kilgore said he appreciated the clean application and asked if they would abide by the conditions in the staff Report. He referred to the photo that Planning Director Carroll had shown earlier, and asked for clarification of where the fence and wall would be placed.

Applicant Devin Hatch said they would follow the conditions in the Staff Report and agreed with the concerns expressed by residents. They came up with the idea of moving the wall up to the fence, and a barrier will be placed at the highest point to create a true 6-foot fence that would help with lighting and sound concerns. He clarified they will maintain the wall as well.

Chairman Ryan appreciated the Developer trying their best to work with residents. He also wanted to understand why the grade had been raised.

Applicant Devin Hatch responded that the lot slopes quite a bit. The portion that was raised was the lowest portion of the slope. He said the photo presented showed a grade that was quite high due to a berm that had been made to control some water. He also shared they have some very pretty landscaping planned as well that will be more than just a grass area.

Senior Planner Austin Roy clarified the fence material had not been specified, but the Applicant had submitted a proposal for a vinyl fence that would be 6 feet tall with a 3-foot 11 inch retaining wall near the property line.

Commissioner Mangum asked what the grading concerns were at the South end of the Site.

Applicant Devin Hatch explained that once the storm drains are in place, it will take care of the concerns that occurred due to the slope of the lot coupled with some heavy rains.

Commissioner Kilgore shared he appreciated the Applicant trying to mitigate concerns.

**Motion made by Commissioner Mangum that the Planning Commission forward a recommendation for approval of the requested Site Plan for Steele Ridge Plaza Lot 3, located at 369 East Crossroads Boulevard, with the Findings and Conditions in the Staff Report. Seconded by Commissioner Mann. Yes: Ken Kilgore, Jack K. Mangum, Virginia Rae Mann, Reed Ryan, Doug Willden. No: None. Absent: Scott A. Hill, Rachel Sprosty Burns.**

Motion passed 5 - 0.

4. **Westport Business Park Preliminary Plat, located approximately at 2000 North and Redwood Road. Mark Johnson and Parker Johnson as applicants.**

Senior Planner Gina Grandpre presented the item. The total acreage of the proposed development is on 18.30 acres, will include 5 lots ranging in size from .813 acres to 5.646 acres. The Master Planned Canal Trail east of the proposed development will require additional easement permissions from adjacent property owners. The Preliminary Plat includes plans to install the Redwood Road trail along the frontage of the development and within the UDOT easement.

Engineer Scott Petrik said the main concern had been easements, and he could not identify if the land had changed ownership. The trail being proposed appeared to be outside the right of way, but the Canal Company claimed they do not hold ownership, but have operated through easements.

Senior Planner Gina Grandpre advised that Legal had recommended the City put in place the Conditions in the Staff Report.

Applicant Mark Johnson with Mustang Design and Larry Lindstrom owner of Villa Finance were in attendance to answer questions.

Applicant Mark Johnson said there had been two deeds affiliated with this property recorded in 1983 and 2002. He thought there might be an error in the later deed. The original deed was a description of the canal, and was deeded to the Utah Lake Distribution Company (Canal Company). He said the deed listed an easement of 30 feet right of the legal description and 20 feet left, and that anything not specified is in control of the Utah Lake Distribution Company. He said the surveyor thinks there was a misunderstanding in what left and right meant on the deeds. The Applicant's concern is construction of the trail, and their understanding is that the City would obtain the right for the developer to build the trail.

Public Works Director Jeremy Lapin related that the existing storm drain line and sewer are not within the Canal Company's easement. He explained that if the land is owned by the Canal Company, then they have to grant permission, if it is not owned by them then no permission would be required.

Applicant Mark Johnson felt if the city would ensure they wouldn't be building the trail on the Canal Company easement they would accept that as permission, they want to be absolved of any liability.

City Staff was concerned about the parcel of land which currently was not showing any vested ownership with the County.

Public Works Director Jeremy Lapin would like the applicant to provide a legal description of the proposed trail location, outside of the 30-foot offset; he felt confident the Canal Company would agree that was outside of their easement.

Applicant Mark Johnson said he would be open to any analysis from a land surveyor.

Engineer Scott Petrik noted there had been a verbal response from Vince, who is the Engineer for the Canal Company, that it was not within their easement, but that the easement was 16.5 ft on the West side based on the notice of intent and he was not considering the easement on the other side.

Public Works Director Jeremy Lapin noted our pipelines were approved outside the Canal Company easement, so if the trail followed the pipelines, it should be outside the easement also.

Applicants Larry Lindstrom and Mark Johnson felt their Development Agreement said what was needed to resolve the easement issue, and both noted they got an updated Staff Report they felt went against the original Development Agreement regarding roads.

Chairman Ryan received direction from staff that solving the easement issue was not under their purview for this item but that they may add a condition that the question be resolved or executed.

Public Works Director Jeremy Lapin noted there may not be any permission needed from the Canal Company, and clarified they weren't requiring any (road) widening beyond what UDOT may require. He also clarified the Staff Report didn't mention anything regarding compensation.

Commissioner Kilgore received further clarification about deceleration lanes in Staff recommendations. The applicant noted they were already in design, which has exceeded the recommendation.

Chairman Ryan recognized the Applicant had frustrations and he felt there was sufficient direction from Staff and the Applicant to move forward with a motion.

**Motion made by Commissioner Kilgore that the Planning Commission forward a recommendation for approval to the City Council for the requested Preliminary Plat for Westport Business Park, located at approximately 2000 North and Redwood Road, with the Findings and Conditions in the Staff Report, with the addition of a condition that the City and Applicant agree to move forward based on the mutually agreed upon legal description of the easement with approval from the Canal Company in writing.**

**Seconded by Commissioner Mangum.**

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

**No: None.**

**Absent: Scott A. Hill, Rachel Sprosty Burns.**

**Motion passed 5 - 0.**

5. **Approval of Minutes: March 14, 2024.**

**Motion made by Commissioner Kilgore to approve the minutes of March 14, 2024. Seconded by Commissioner Willden**

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

**No: None.**

**Absent: Scott A. Hill, Rachel Sprosty Burns**

**Motion passed 5 - 0.**

## REPORTS

1. **Commissioner's Comments.**

Commissioner Willden thanked Commissioner Kilgore for making some difficult motions during the meeting.

Chairman Ryan commented on some of the difficult conversations, and thanked Staff for all their hard work.

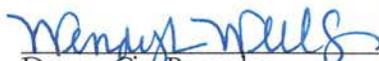
2. **Director's Report.**

Planning Director Sarah Carroll reviewed items that had been approved at the last City Council meeting. She mentioned the calendar changes for Planning Commission Meetings that would be coming up.

CLOSED SESSION - No closed session was held.

ADJOURNMENT - Meeting Adjourned Without Objection at 8:30 p.m. by Chairman Reed Ryan.

4/11/2024  
Date of Approval

  
Deputy City Recorder



  
Planning Commission Chair