



Planning Commission Meeting
Thursday, January 22, 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.

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. Election of a Planning Commission Chair and Vice Chair.
5. Work Session Item: Discussion of The Springs Annexation Master Plan located west of the Wildflower project, approximately 1000 North 1000 West, adjacent to the south border of Camp Williams, Western Ventures, applicant.
6. Approval of Minutes:
 1. December 11, 2014.
 2. January 8, 2015.
7. Commission Comments.
8. Director's Report.
9. 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.

Planning Commission Memorandum

Author: Kimber Gabryszak, AICP
Memo Date: Thursday, January 15, 2015
Meeting Date: Thursday, January 22, 2015
Re: The Springs Concept Plan – MDA

Background

The applicant, Western Ventures, are requesting review and comment on the master plan for The Springs development, to demonstrate the layout and unit types for the densities approved as part of the pre-annexation agreement. The Council reviewed the pre-annexation agreement on December 9, 2014, and voted to approve the agreement with a density range of 1799-2000 units on the ~480 acre Springs property.

Process

The official annexation is still going through the finalization process; as part of the annexation, zoning designations must be given to the property. The applicant has submitted a conceptual plan to be formalized in a Master Development Agreement, which will accompany the final approval of the annexation.

Request

The pre-annexation agreement permitted 1799-2200 units. As currently proposed the concept plan contains 1770 units, and contains an Equivalent Residential Unit (ERU) conversion to convert residential density into non-residential uses for anticipated school and church sites. This ERU conversion would potentially reduce the number of residential units to 1632.

To accommodate the permitted units, and also provide 23% open space (109.57 acres), the applicants are proposing the following zoning districts:

Zone	Acres	Units	Avg. Units per Acre
R-14:	92.2	940	10.20
R-10:	52.01	260	5.00
R-6:	56.4	243	4.30
R-5:	29	96	3.30
R-3:	57.22	150	2.63
R-2:	46.23	81	1.75
A:	109.57	0	n/a
Roads:	36.49	0	n/a
Totals:	479.10	1770	n/a

In most zone districts, the amount of density requested is below the maximum permitted in that zone. The applicants have requested these higher zone districts in order to provide flexibility in terms of lot size, setbacks, height, frontages and lot widths, and other Code requirements. *(Note: staff has requested a modification to one of the R-14 zones to bring it into compliance with current City zones. It is likely that the apartments will change to R-18, with a request for a height change to the R-18 zone district.)*

Additionally, regardless of the maximum density permitted in each zone, the project is still limited the 1799-2200 limit approved in the pre-annexation agreement.

Additional information on housing type, institutional uses, road acreage, and zoning can be found in the Site Summary document in Attachment D.

Other Input

The owners of three other parcels (HADCO, aka JD V and JD VI) included in the annexation have provided input on the zoning that they would like to see for their property. They have requested Industrial to enable continued mining expansion, and have also requested a buffer between the mining operations and the proposed residential development on Western Venture's property. This information has been provided to the applicants, and is included for the Planning Commission's input. will be provided to the City Council during the process; as zoning decisions are legislative, the Council has significant discretion in whether or not to consider these request.

Recommendation

Staff recommends that the Planning Commission review the proposed concept master development plan, and give staff and the applicant feedback on the proposal in preparation for a public hearing to be held on February 12, 2015.

Attachments

- A. Concept Plan (page 3)
- B. Context Map (page 4)
- C. Proposed Zoning (page 5)
- D. Park Concept (page 6)
- E. Site Summary (pages 7-8)
- F. JD V and JD VI Letter and Proposal (pages 9-14)

The Springs Site Summary, Saratoga Springs, Utah, Western States Ventures

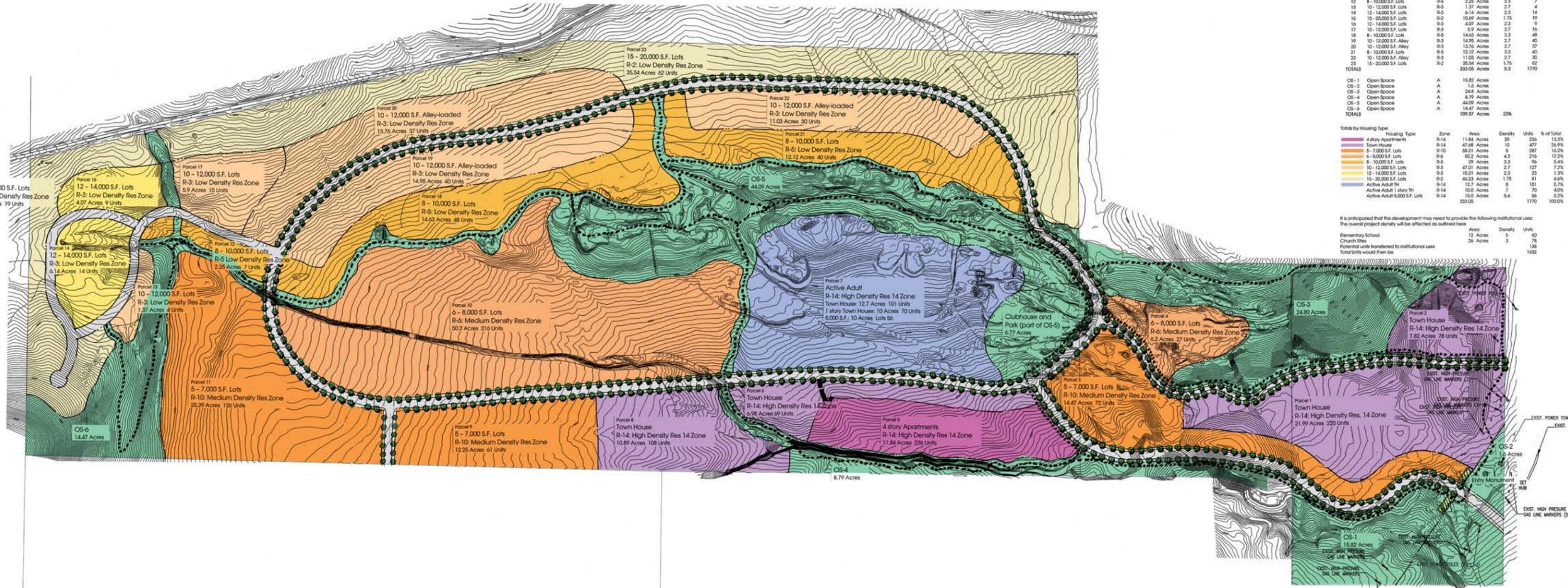
Site 77 n. Colocator Street 472.11 Acres
56 n. Local Streets as shown 28.47 Acres
8.02 Acres

Parcel	Housing Type	Zone	Area	Density	Units
1	Town House	R-14	21.99 Acres	10	220
2	Town House	R-14	7.82 Acres	10	78
3	5 - 7,000 S.F. Lots	R-10	14.47 Acres	5	72
4	6 - 8,000 S.F. Lots	R-6	6.2 Acres	4.3	27
5	4 story Apartments	R-14	11.84 Acres	20	236
6	Town House	R-14	6.98 Acres	10	70
7	Active Adult Town House	R-14	12.7 Acres	8	101
8	1 story TH 8,000 S.F. Lots	R-14	10.0 Acres	5.6	56
9	Town House	R-14	10.89 Acres	10	109
10	5 - 7,000 S.F. Lots	R-10	12.25 Acres	5	61
11	6 - 8,000 S.F. Lots	R-6	90.2 Acres	4.3	216
12	5 - 7,000 S.F. Lots	R-10	25.29 Acres	5	126
13	8 - 10,000 S.F. Lots	R-8	2.25 Acres	3.3	7
14	10 - 12,000 S.F. Lots	R-3	1.37 Acres	2.7	4
15	12 - 14,000 S.F. Lots	R-3	4.14 Acres	2.3	14
16	15 - 20,000 S.F. Lots	R-2	10.69 Acres	1.75	19
17	10 - 12,000 S.F. Lots	R-3	4.07 Acres	2.3	9
18	8 - 10,000 S.F. Lots	R-8	5.9 Acres	2.7	16
19	10 - 12,000 S.F. Lots	R-3	14.95 Acres	2.7	42
20	10 - 12,000 S.F. Lots	R-3	13.76 Acres	2.7	37
21	6 - 10,000 S.F. Lots	R-6	12.12 Acres	3.3	40
22	10 - 12,000 S.F. Lots	R-3	11.03 Acres	2.7	30
23	15 - 20,000 S.F. Lots	R-2	35.54 Acres	1.75	62
TOTALS			333.05 Acres	5.3	1770
OS-1	Open Space	A	15.82 Acres		
OS-2	Open Space	A	1.6 Acres		
OS-3	Open Space	A	24.8 Acres		
OS-4	Open Space	A	8.79 Acres		
OS-5	Open Space	A	44.09 Acres		
OS-6	Open Space	A	14.47 Acres		
TOTALS			109.57 Acres	23%	

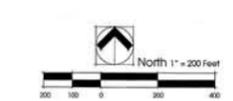
Totals by Housing Type	Housing Type	Zone	Area	Density	Units	% of Total
Active Adult	Active Adult	R-14	11.84 Acres	20	236	13.3%
Town House	Town House	R-14	47.88 Acres	10	477	26.9%
5 - 7,000 S.F. Lots	5 - 7,000 S.F. Lots	R-10	58.21 Acres	5	287	16.2%
6 - 8,000 S.F. Lots	6 - 8,000 S.F. Lots	R-6	96.2 Acres	4.3	414	23.3%
8 - 10,000 S.F. Lots	8 - 10,000 S.F. Lots	R-8	29 Acres	3.3	96	5.4%
10 - 12,000 S.F. Lots	10 - 12,000 S.F. Lots	R-3	47.01 Acres	2.7	127	7.2%
12 - 14,000 S.F. Lots	12 - 14,000 S.F. Lots	R-3	10.21 Acres	2.3	23	1.3%
15 - 20,000 S.F. Lots	15 - 20,000 S.F. Lots	R-2	46.23 Acres	1.75	81	4.6%
Active Adult TH	Active Adult TH	R-14	12.7 Acres	8	101	5.7%
Active Adult 1 story TH	Active Adult 1 story TH	R-14	10.0 Acres	7	70	4.0%
Active Adult 5,000 S.F. Lots	Active Adult 5,000 S.F. Lots	R-14	33.05 Acres	5.6	56	3.2%
TOTALS			333.05		1770	100.0%

If it anticipated that this development may need to provide the following institutional uses:
The overall project density will be affected as outlined here:

Elementary School	Area	Density	Units
Church Sites	12 Acres	5	60
Potential units transferred to institutional uses	26 Acres	3	78
Total units would then be			1032



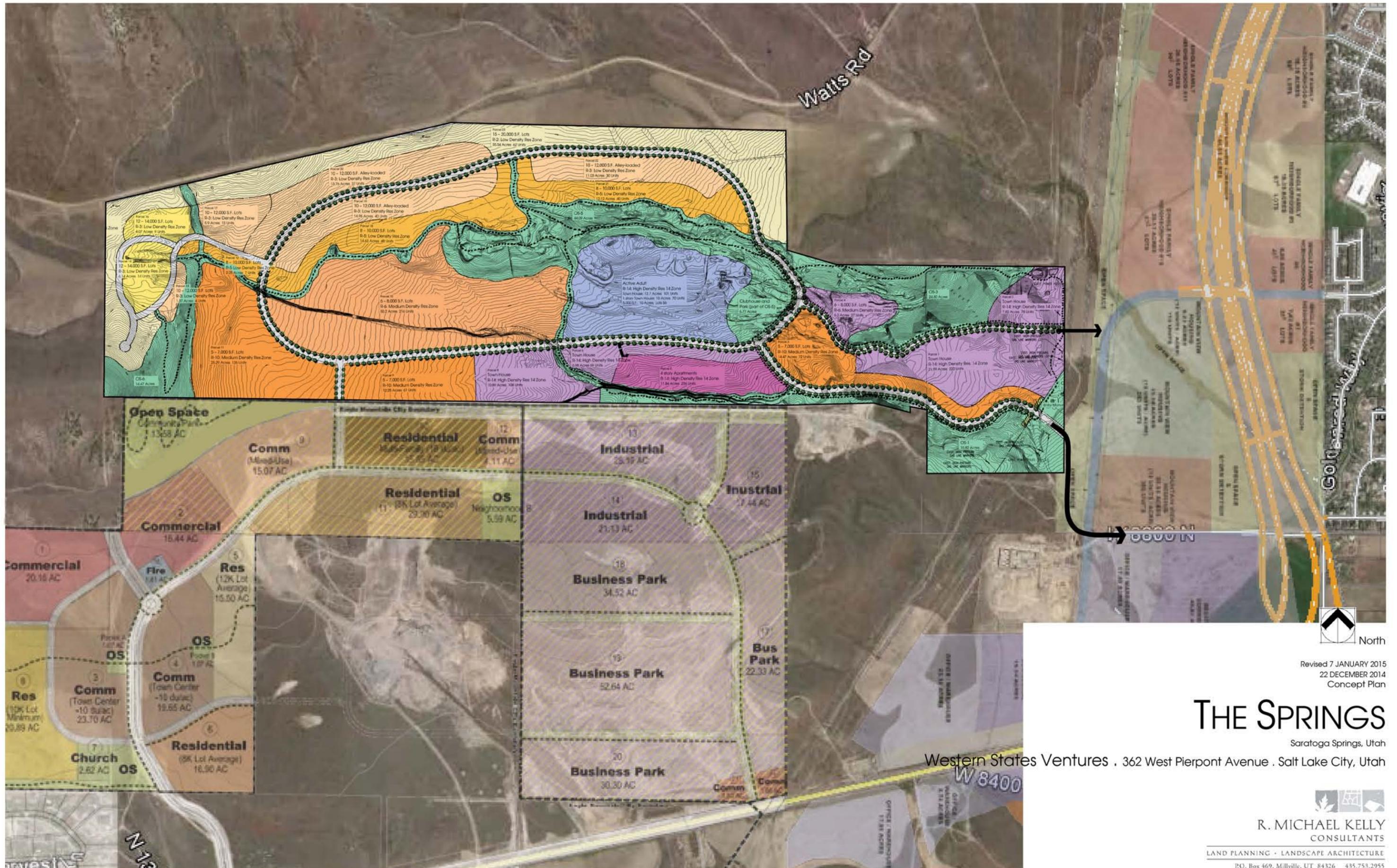
THIS PLAN represents a Conceptual Design only and is subject to changes prior to the preparation of Final Plans.



Revised 06 JANUARY 2015
02 JANUARY 2015
Concept Plan

THE SPRINGS
Saratoga Springs, Utah

Western States Ventures . 362 West Pierpont Avenue . Salt Lake City, Utah



North

Revised 7 JANUARY 2015
22 DECEMBER 2014
Concept Plan

THE SPRINGS

Saratoga Springs, Utah

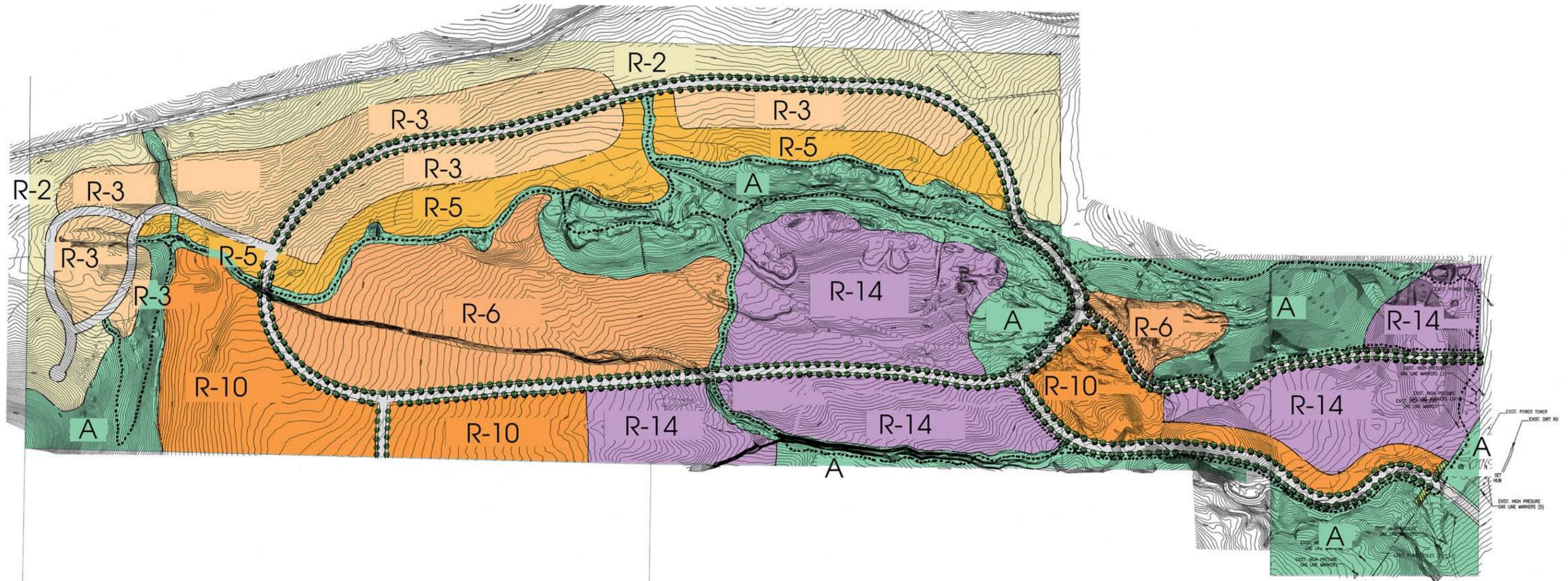
Western States Ventures , 362 West Pierpont Avenue . Salt Lake City, Utah



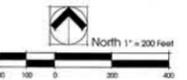
R. MICHAEL KELLY
CONSULTANTS

LAND PLANNING · LANDSCAPE ARCHITECTURE

P.O. Box 469, Millville, UT 84326 435.753.2955



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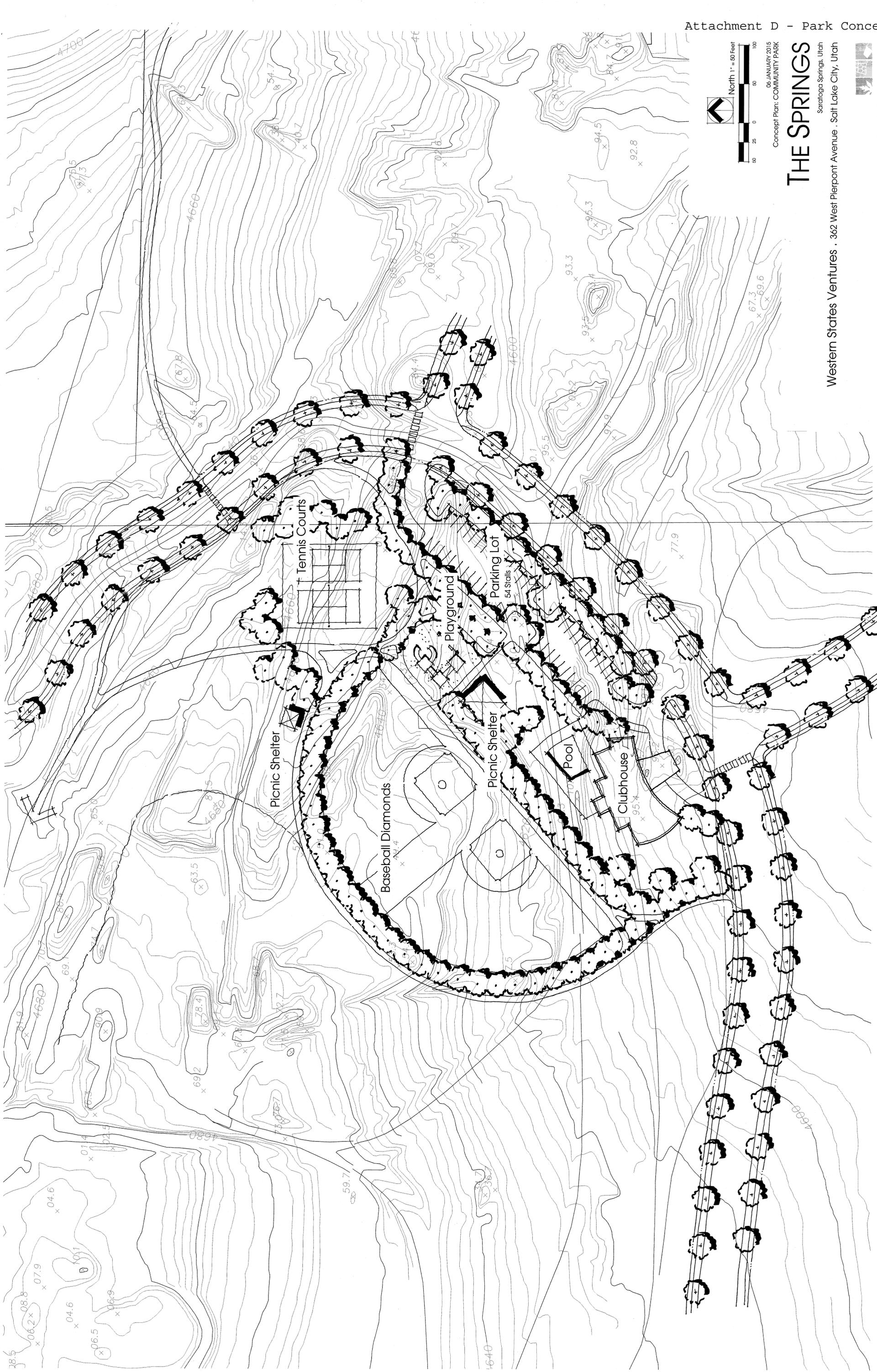


Revised 06 JANUARY 2015
02 JANUARY 2015
PROPOSED ZONING

THE SPRINGS

Saratoga Springs, Utah

Western States Ventures . 362 West Pierpont Avenue . Salt Lake City, Utah



06 JANUARY 2015
 Concept Plan: COMMUNITY PARK

THE SPRINGS

Saratoga Springs, Utah
 Western States Ventures · 362 West Pierpoint Avenue · Salt Lake City, Utah

R. MICHAEL KELLY
 CONSULTANTS
 LAND PLANNING · LANDSCAPE ARCHITECTURE
 P.O. Box 469, Millville, UT 84526 435.753.2955

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The Springs . Site Summary . Saratoga Springs, Utah . Western States Ventures.

Site	479.11 Acres
77 ft. Collector Streets	28.47 Acres
56 ft. Local Streets as shown	8.02 Acres

Parcel	Housing Type	Zone	Area	Density	Units
1	Town House	R-14	21.99 Acres	10	220
2	Town House	R-14	7.82 Acres	10	78
3	5 - 7,000 S.F. Lots	R-10	14.47 Acres	5	72
4	6 - 8,000 S.F. Lots	R-6	6.2 Acres	4.3	27
5	4 story Apartments	R-14	11.84 Acres	20	236
6	Town House	R-14	6.98 Acres	10	70
7	Active Adult Town House 1 story TH 5,000 S.F. Lots	R-14	12.7 Acres 10.0 Acres 10.0 Acres	8 7 5.6	101 70 56
8	Town House	R-14	10.89 Acres	10	109
9	5 - 7,000 S.F. Lots	R-10	12.25 Acres	5	61
10	6 - 8,000 S.F. Lots	R-6	50.2 Acres	4.3	216
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TOTALS			109.57 Acres	23%	

Totals by Housing Type

Housing Type	Zone	Area	Density	Units	% of Total
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		333.05		1770	100.0%

It is anticipated that this development may need to provide the following institutional uses:
 The overall project density will be affected as outlined here

	Area	Density	Units
Elementary School	12 Acres	5	60
Church Sites	26 Acres	3	78
Potential units transferred to institutional uses			138
Total Units would then be			1632

Property Owners: JD VI and JD V (John Hadfield - Owner)

Re: Issues and concerns with current proposed Saratoga Springs annexation and Western States Proposed Master Plan

Date: 12/18/2014

Dear Saratoga Springs Representatives,

Two weeks ago, the above listed property owner was made aware of Saratoga Springs desire to annex a portion (three parcels) of the owner's property located within the Utah County property limits. In addition, the Owner was also made aware of Saratoga Springs' master plan discussions with Western States Ventures, which owns the property along the northern boundary of the Owner's properties. Although the Owners are interested in being good neighbors and partners with the city and adjacent landowners, they see a definite need to have an candid dialog regarding some significant potential issues and concerns that ought to be resolved before these proposals progress. Below are a few of the issues that the Owner is seeking to address with the city.

Saratoga Springs proposed Annexation of Utah County Property

1. The Owner's property contains an active, legally permitted industrial mining operation residing in the Utah County designated "Mining and Grazing" zone. This property has contained active mining operations for the past 50+ years. Any proposed annexation of this property by Saratoga Springs from Utah County would need to be zoned "Industrial" in order to preserve the Owner's existing legal mining and light industrial rights.
2. In addition, any potential master planning in the current Utah County properties should provide for the continuation of ingress and egress of heavy haul transport from all of the Owner's properties.

Western States Venture (WSV) Master Planned proposal

The Owner is very concerned about the proposed master plan currently put forward by Western States Ventures (WSV) in December 2014. In its current form, the proposed master plan represents a potentially significant safety concern which needs to be addressed.

1. The December 2014 WSV master plan shows proposed residences running directly up to the property line along the entire south border of the WSV Property. It is worth noting that this property is currently zoned for "Mining and Grazing" with Utah County. The Owners concern is that Saratoga Springs is being asked to change the current zoning from "mining and grazing" to "residential or multiuse" resulting in residential homeowners being located within 2000 ft from the Owner's property line. Allowing residences within 2000 ft of the property line will result in the future home owners and tenants being inside of the "blasting shock wave zone" resulting from the current mining operations. The Owner is formally requesting that Saratoga Springs have WSV revise their current master plan proposal to provide for an adequate buffer zone to ensure the safety of any future residents and structures.
2. The current December 2014 WSV proposal does not incorporate the existing road along the southern boundary of the property. This road is not just established, it also already contains both a large diameter Questar gas line along Rocky Mountain Power electrical lines. The WSV

master plan should be revised to reflect the roadway running along the southern WSV property line. Doing so will also prevent heavy haul traffic from traveling through the center of the proposed neighborhoods which provides a safety plan for the future Saratoga Springs residences.

The Owner is very interested in seeking a mutually amicable solution which allows for the preservation of their existing legal property rights, the continuation of their long established mining operations, and safety of all future residence in close proximity to the Owner's property.

We look forward to working together with Saratoga Springs planners and city council in working out a timely resolution.

If you have any questions regarding the above correspondence, please contact us at 801-766-7611. We would be more than happy to meet with any interested city representatives to review the issues at your convenience.

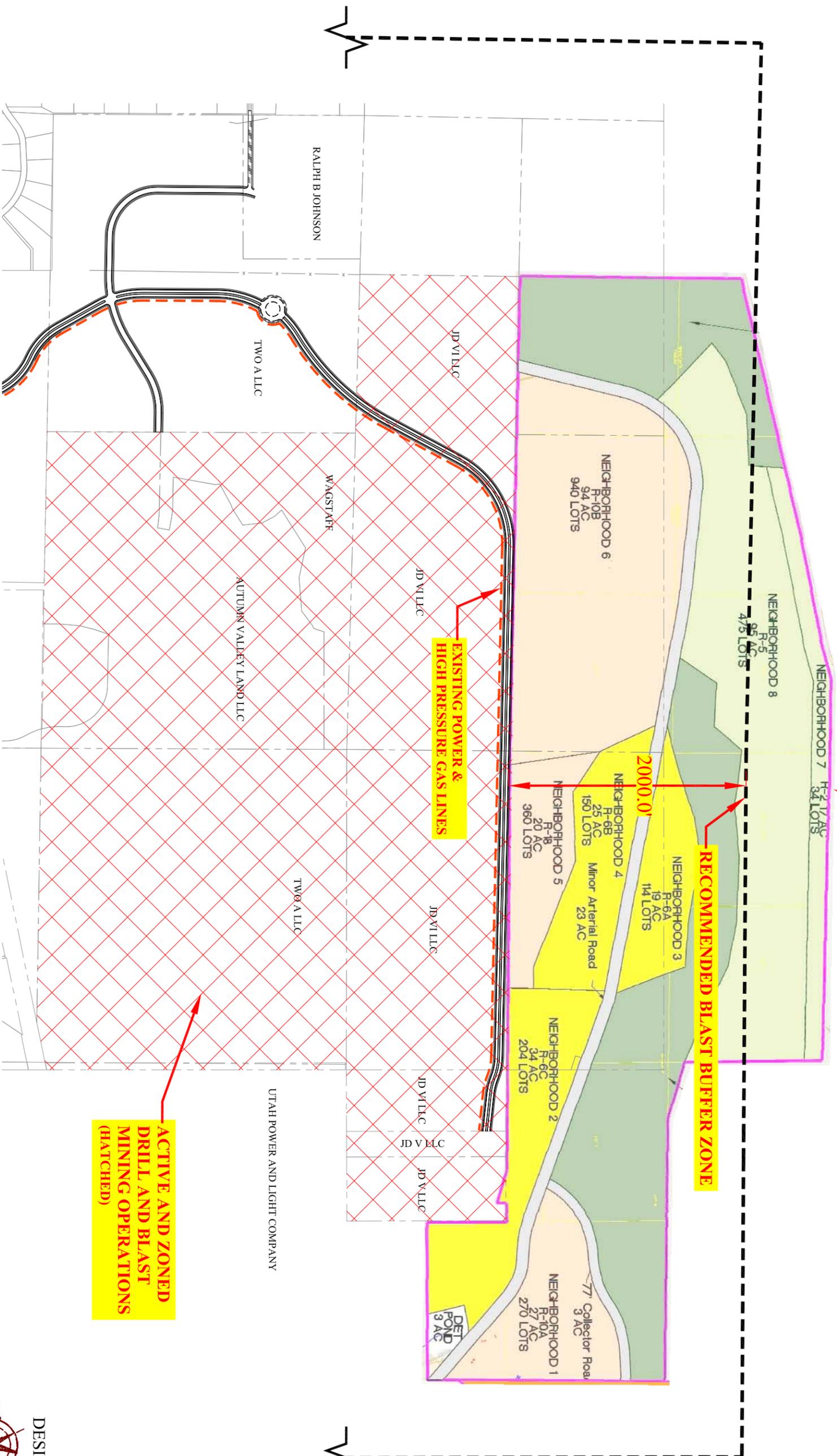
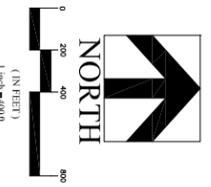
Thank you for your time and consideration.

Respectfully,

Steve Herman

John Hadfield (Property Owner)





NOTE: THIS AREA IS CURRENTLY ZONED FOR MINING AND GRAZING

RECOMMENDED BLAST BUFFER ZONE

EXISTING HIGH PRESSURE POWER & GAS LINES

ACTIVE AND ZONED DRILL AND BLAST MINING OPERATIONS (HATCHED)

UTAH POWER AND LIGHT COMPANY

GENERAL NOTE:
 INFORMATION PROVIDED ON THIS PLAN IS BASED ON THE BEST AVAILABLE DATA AT THE TIME OF PREPARATION AND MAY CHANGE AT ANYTIME FOR ANY REASON. THIS PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY.

DESIGNED BY:



Subject: RE: Saratoga Springs proposed annexation
Date: Tuesday, January 6, 2015 at 4:30:59 PM Mountain Standard Time
From: Steve Herman
To: Kimber Gabryszak
CC: John Hadfield

Hi Kimber,

Not sure what level of detail your are needing. I have attached below both the questions and responses that you had from our initial conversation.

- the current use of the property and length use has occurred: [The current use of the property is for mining and other construction material uses \(such as an asphalt plant\)](#)
-
- intended term of current use: [The intended term of use for mining and industrial production \(as mentioned above\) is in perpetuity.](#)
-
- any County approvals with copies of the terms [The property has been in mining for 40+ years and has been in the "mining" zone during that time. I will have to research to see what county documents we have to accompany the operations. We are in the middle of an office expansion, with some files being moved around, so it may take a bit to track down some records. However, I have added an additional map overlaid on Google Earth so that it is very easy to see the active mining areas in relationship to the Western States Properties.](#)
-
- desired use going forward, and [The future use of the property is for mining and other construction material uses \(such as ready mix concrete plant, asphalt plant, trucking operations and offices\)](#)
-
- desired zone district if you have one in mind. [From our discussions with you earlier, it seems that an "industrial zone" was going to be the only zone option in Saratoga Springs that would work for both the current and future uses of the property.](#)

Hope this helped. Please call me with any questions.

Thanks,

Steve Herman, PE
Cell 801-915-0422

From: Kimber Gabryszak [mailto:KGabryszak@saratogaspringscity.com]
Sent: Monday, January 5, 2015 4:58 PM
To: Steve Herman
Cc: John Hadfield
Subject: Re: Saratoga Springs proposed annexation

Hi Steve,

Thanks for the drawing. We will include it as part of the packet that goes to the Planning Commission and City Council. The zoning decisions will be made by the City Council and are legislative decisions with significant discretion

We are also anticipating a drawing and background information for your property, including background and zones and intended uses. Will those be coming shortly?

Thanks,

Kimber Gabryszak, AICP

City of Saratoga Springs
Planning Director
(801)766-9793 x107

"Life's Just Better Here..."

From: Steve Herman <sherman@hadcoconstruction.com>
Date: Tuesday, December 30, 2014 at 2:19 PM
To: Kimber Gabryszak <kgabryszak@saratogaspringscity.com>
Cc: John Hadfield <jdhadfield@hadcoconstruction.com>
Subject: RE: Saratoga Springs proposed annexation

Good afternoon Kimber,

Got the sketch back sooner than expected...

I have attached two documents in response to our meeting a couple of weeks ago, regarding the proposed annexation of the County property as well as the proposed master plan submittal for the property adjacent (to the north) to John's property JD V and JD VI. As we discussed in our meeting, we have some significant concerns about the city annexing the property to the north and then changing that property's zoning from "Mining and Grazing" to a residential use. The primary concern is that the proposed change would place residential property too close to existing, and legally zoned, mining operations, not allowing enough buffer zone for a safe residential community.

The first document is a brief letter outlining our concerns. The second document is a sketch showing the proposed master plan development in proximity to the existing mining operations. It also shows the recommended buffer zone which should be in place to allow adequate spacing between mining and residential properties. We hope that this information is helpful and would welcome the opportunity to expand upon it further if needed and would be happy to answer any questions you may have.

Thank you for your time and assistance,

Best regards,

STEVE HERMAN, PE

Cell 801-915-0422

City of Saratoga Springs
Planning Commission Meeting
December 11, 2014

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, Kirk Wilkins, Sandra Steele, Hayden Williamson

Staff: Kimber Gabryszak, Lori Yates, Nicolette Fike, Scott Langford, Kevin Thurman, Jeremy Lapin

Others: Nancy and JC Hart, Ken Warton, Nathan Campton, BA Martin, Jim Parker, Krisel Travis, Angelina S
Doyle, Thane Smith, Neil Infanger, Heather Williamson, Camden Williamson

Excused: Jarred Henline, Kara North

Call to Order - 6:36 p.m. by Jeff Cochran

Pledge of Allegiance - led by Nancy Hart

Roll Call – Quorum was present

Public Input Open by Jeff Cochran

No Public input.

Public Input Closed by Jeff Cochran

4. Public Hearing and Possible Recommendation: Conditional Use Permit for Angelina’s Daycare located at 4123 Captains Street, Christian Doyle, applicant.

Scott Langford presented the information pertaining to the permit application. There were a few changes to the conditions. The yard has been fully fenced and they have installed a play structure, so condition 7 may be stricken.

Angelina Doyle, applicant, noted that the neighbors have all supported them in having a daycare.

Public Hearing Open by Jeff Cochran

No input.

Public Hearing Closed by Jeff Cochran

Kirk Wilkins asked about the turnaround area for cars.

Scott Langford noted that it was pretty standard size and there weren’t any red flags.

Kirk Wilkins was concerned that there may be exposed wires in the partially finished basement. He thanked them for complying with the other conditions.

Angelina Doyle said that had been taken care of. The City inspector had also been by and indicated everything was safe.

Hayden Williamson noted it looks like it is meeting code. He asked about the arrival and pick up times and possibility of lots of cars at once.

Angelina Doyle didn’t think there would be any traffic problems. The kids won’t all be coming at the same time.

Sandra Steele thanked her for going through the licensing process. She asked if the applicant planned on having any children under the age of two. (yes) Sandra noted the Fire Marshall did not think she was going to have younger children and if she is going to keep children under two in the basement she needs a basement exit besides just a window. If the applicant wants to have children less than two years she cannot approve it at this time. The applicant could see if they can get an approved stairway in a larger window well. The Fire Code is the way it is and that cannot be changed. If there was space upstairs they could swap for the basement than it may work. Perhaps the best answer was to say all children under two would have to stay upstairs. She is also concerned with the extra traffic on the dead end street.

Jeff Cochran thanked the applicant for going through the process, many people don't. He reviewed the options for the Fire Code problem. He thought 16 children seemed a lot; he received clarification from staff on the allowed number. (With two caregivers it was 8 kids per caregiver.)

Motion made by Kirk Wilkins to approve the Home Occupation for the Angelina's Lil Angels Daycare, located at 4123 South Captains Street, with the findings and conditions found in the staff report with the exception of striking condition 7 and adding the condition that children under two not be allowed in the basement. Second from Hayden Williamson.

Kevin Thurman read the Fire Code and it read "below first level and above first level" so they should say no child anywhere else besides the main floor.

Kirk Wilkins amended the motion to say **that all other circumstances would follow code, that a child under two could not go downstairs into the basement or above to the upstairs;**

Kimber Gabryszak suggested adding a friendly amendment to say **unless appropriate egress is provided that meets the adopted Fire Code.**

Kirk Wilkins and Hayden Williamson **accepted** the previous amendments.

Jeff Cochran asked him to address swapping the square footage from the upstairs.

Kirk Wilkins added an additional **condition that square footage, in the event that they have a child under two, be swapped from the basement to the upstairs, including any greater square footage above.**

Aye: Sandra Steele, Hayden Williamson, Jeffrey Cochran, Kirk Wilkins, Motion passed unanimously.

5. Public Hearing and Possible Recommendation: Preliminary Plat and Site Plan for Jordan View Landing (previously River Heights and Sunset Acres) located between Crossroads Blvd and 400 East, Ivory Development, LLC, applicant.

Kimber Gabryszak presented the plans. She reviewed changes that have been made since the Concept plan. She reviewed suggestions from the UDC.

Ken Watson, applicant, noted he had been working with Kimber Gabryszak. He thought their landscaping was probably pretty good. They are adding landscaping between units to break up the wall of garages. They don't have a problem with wrapping the buildings with brick. They are opposed to having a gate between them and other communities, simply for security purposes. He doesn't think there are any trails coming from anywhere else. He noted where if they were to flip units to front loaded, that it would have to decrease from a two car garage to only one. They would like to do the two car garages. The can go with the semi-private fence along 400 E. He noted there are 3 different color options.

Public Hearing Open by Jeff Cochran

No input at this time.

Public Hearing Closed by Jeff Cochran

Sandra Steele was disappointed that the elevations, floor plans and renderings in the packet do not seem to match. She wanted to know if they were the elevations they would actually get.

Ken Watson noted that there were three stories in the floor plans. He couldn't make a rendering for every little situation. These were shelf plans from Ivory homes and the units here were what we would see. They may see a side entry on the end units. If he does have side units on there, perhaps they could fence in the individual's back yards if they had to flip the units and have a single car garage.

Sandra Steele sees that parking is more important than having a front loaded unit. They need to keep as much parking as they can. She would like to see 4 color palettes.

Ken Watson said he could do that.

Sandra Steele thought that the Code defined that there should be pedestrian connectivity.

Kimber Gabryszak noted that they are providing sidewalks along the collector and pedestrian walks within the development and they are providing connectivity with their trails and easement for potential future roads.

Ken Watson said they are meeting those requirements.

Sandra Steele didn't have more concerns with connectivity. She thinks before it goes to council it should have the finalized color palettes and elevations and everything so they know what they are sending forward.

Ken Watson feels they have provided those.

Sandra Steele would like to see what they come forward with, if they come up with more stone or brick for instance. She has concerns with approving something when they are not exactly sure what they are getting.

Hayden Williamson feels they meet code, there are some good suggestions made but he doesn't have to sell the product. Ivory Homes has a good reputation. He thinks the product and layout look good and doesn't have any concerns.

Kirk Wilkins asked why there was a suggestion to flip the units.

Kimber Gabryszak replied that there a concern that they would be facing back yards.

Ken Watson noted that there was a solid vinyl fence and a grade change and a remote chance that would be able to see into neighbors back yards.

Kirk Wilkins would rather see the Dual car garage. He reviewed some of the UDC comments.

Ken Watson responded that he was fine with wrapping brick, opposed to flipping units, and semi-private fence on 400 E. was fine. He is fine with colors submitted and can submit another, and they don't want gates.

There was still some disagreement whether the elevations in the packet matched the product that would be built here.

Kirk Wilkins said he would like to see the plans be consistent and correct.

Jeff Cochran thanked the applicant for being here tonight. He clarified with staff that the Code doesn't prohibit the direction of the units. The UDC tries to ensure quality without micro-managing. He is opposed to the units not facing the street. He suggested that they could flip those units and keep the two car garage by sacrificing a few of the units. He asked if there was parking by the basketball court. He noted that parking is a problem in dense developments.

Kimber Gabryszak noted that they are meeting their parking requirement and along the basketball court was a City road and they don't typically allow parking along there.

Jeff Cochran asked about the elevations and suggested staggering units to break up the garage wall.

Ken Watson said architecturally that was not possible.

Kevin Thurman noted that we don't have architectural standards for residential units; the Code is more about quality materials. We cannot require things in a condition that are not part of the Land Development Code.

Jeff Cochran said for the most part they do meet Code requirements. He does agree with an additional color palette needed.

Discussion was held as to what direction the Planning Commission would like to take with a recommendation.

Motion made by Hayden Williamson to forward a positive recommendation to the City Council for the Jordan View Landing Preliminary Plat/Site Plan on parcels 58:032:0102, 58:032:0100, and 58:032:0101 as located in Exhibit 2 and detailed in Exhibits 5 and 6, with the Findings and Conditions in the staff report; with the additional conditions that floor plans and elevations match and be consistent prior to City Council meeting, and color palettes be consistent prior to City Council meeting. In addition, brick treatment shall be added to rear elevations, to ensure consistency of all elevations; Side elevations facing streets shall be treated similarly to the front elevations; the fencing along 400 E. shall be semi-private; and Four total color palettes shall be provided. Second from Kirk Wilkins.

Aye: Hayden Williamson, Jeffrey Cochran, Kirk Wilkins. Nay: Sandra Steele Motion passed 3-1.

Sandra Steele voted no because the renderings they had been given have never been what they were supposed to get, never been correct.

6. Public Hearing and Possible Recommendation: Legacy Farms Village Plans 2, 3, 4 and 5 located at approximately 400 South and Redwood Road, DR Horton, applicant.

Kimber Gabryszak presented the Village Plans for Legacy Farms. She reviewed the staff report and recommendations and conditions. Village Plan 1 was approved in July this year. She noted the maximum

density total exceeds the approved 1055 ERUs to allow for flexibility within each Village Plan to build up to or less than the maximum to meet market demands. However; once they reach 1055 units they are done. They have removed conditions 6, 7, 8, 11 and 12 4, 5, and 9.

Krisel Travis went over the time frame they hoped could happen for this project. She showed the current plan for Tickville wash pipe and noted it had taken some extra time. They home to have approvals by March. Greg Haws went over several changes that were just recently sent to the Planning Commission in response to City comments, including language regarding the extension in all the plans.

Public Hearing Open by Jeff Cochran

Nancy Hart was concerned with lot sizes of 3800 and 3400 sq.ft. with 0-5' setbacks. She noted that the traffic outlet to Redwood Road was not to have a light until 2020. She thought the issue with Tickville wash was still not resolved and asked if they had met with Laura Ault from the Utah Lake. She wondered about community gardens where no green space was shown for it on the plan. She felt VP 2 and 4 had a mish mash of styles and it didn't feel like a neighborhood. Large and smaller lots mixed together. She noted the gravel in the VP 4 drainage ditch and it was no longer having grass. She noticed the revised plan was presented to the commission but not to the public ahead of time. There is not picture or plan of what is going to go into Leisure Villas, whether it's multiple levels or twin homes etc. She assumes there are two club houses and pool. She mentioned the school district has not committed to a school yet. The same issues seem to be there still from before. She does not like some of the street names.

Jim Parker asked what the plan on 400 South was, if it was to be widened or how it would handle the traffic. He asked about the 12' driveways to twin homes and thought it was too narrow.

Public Hearing Closed by Jeff Cochran

Jeremy Lapin responded that they had a plan on 400 S. to widen it to three lanes. D.R. Horton will provide ingress and egress and the city will coordinate to finish missing segments. The developer will be doing curb & gutter on the south side. They will install a light at the 400 S. Redwood Road. intersection when the traffic warrants it. Tickville drainage has conditions in the staff report that they will not be allowed to build in the flood plain until the FEMA maps are amended. There are portions not in the flood plain that are not affected on that. He noted they are also building Riverside drive between 400 S. and Pioneer crossing in the near future that will take away some congestion going to Redwood road.

Krisel Travis addressed the small lots and transitions, the lots were actually 4000 to 4500 sq.ft. They comply with the community plan. The Community gardens are not required to be shown, they could be put it into an open space if the product around that wanted to have that. The bigger detail will come with the individual plats. The 0 lot lines were removed, everything has a 5' setback now. The school district has been presented with the contract for the school. They want to orient it to the west and they would like to be open in the fall of 2017. The 12' driveways in the past have not had any problems. The Fire Chief did not express any concern. The gravel drainage in the landscape area; the grass makes a mucky area and breeding ground for mosquitoes the gravel allows it to drain better. The final plats will have more details and we will be able to address those things better at that time.

Sandra Steele didn't like getting new information walking in the door, she feels it's only fair that they and the public get that information ahead of time so that the public can come and comment on it if they need to. She started with concerns on VP 5 and was concerned about the elevations and thinks it may end up a patchwork quilt. She wonders if we need to look at it closer and have them stick to the same standards. She likes what they have done in Lehi where they are all the same.

Krisel Travis said they have said they can't have the same product right across or right next door, but they could on the corners.

Sandra Steele asked about a trail going through the village area and the safety issues, it needs some sort of fencing.

Krisel Travis said they want to make it secured but they like the open feel, more than likely there would be a fence but maybe some pass-throughs.

Sandra Steele asked about parking near the clubhouse; she feels the safety of that needs to be looked at when it comes to the plat process. She asked about the length of the driveways, her concern is maneuverability but with two together, 36', it seems ok. She would like to see a minimum of 24'. Her concern with all of these Village Plans is that they have the flexibility to amend their plans but the city doesn't have the same flexibility. She would like to see what does and doesn't work with the first plan and see if something needs to be tweaked with the next plan. She feels that has been taken away from the city. She knows things can change and she is uncomfortable approving anything past what they did in plan 1. Until the Tickville wash CLOMAR is in their hand things will still change. She questions the rush and would like to see us slow it down and look through it more carefully. She feels especially VP 5 will likely change. She asked about the twin house elevations and the around the corner setting and if they were all like that.

Krisel Travis said there are only 3 cases where it's not that way.

Sandra Steele complimented that on village 4 the snow stacking doesn't seem to be a problem. On Village 2, if the school isn't ready than that plan may be premature as well.

Krisel Travis noted that the Village plan doesn't need to note orientation now, that is detail that would come with the final plats.

Sandra Steele is still concerned about snow stacking where it is, she would like to see how it actually works.

Krisel Travis said the snow stacking areas would be additional parking, not part of the required and they would not allow parking from Nov. to March. They will be marked on the final plats.

Sandra Steele clarified that she was concerned about snow piling up and blocking maneuverability and people getting stuck. She asked on the rear loaded townhomes, if they were still there on Victoria Ln. in VP 2.

Krisel Travis said they have a 20' two car drive and 12' travel lane to back out on to.

Sandra Steele asked on the cottage lots.

Krisel Travis said it's only in village plan 1, the other plans are shown only as an option.

Sandra Steele asked about the 5' fencing and where you would place things like air conditioning units. They can be too close, especially so emergency crews cannot get past them. She asked them to consider putting the fences just in the back and not the side.

Krisel Travis noted where in the plan it noted the fence layout and noted Commissioner Steele's suggestion.

Sandra Steele asked if they have met with the Utah lake Commission.

Krisel Travis said they have and they have coordinated with them for what is required for discharge.

Jeremy Lapin said they will have to get a permit from FFSL and they only would need it from the Army Corps if it was within their jurisdiction.

Sandra Steele asked about the detention basin, if the bottom was left in gravel, what would be the depth that the water would be there for great periods of time.

Krisel Travis said the pond is being designed to hold about 1.8 ac./ft.

Sandra Steele is wondering if there could be a compromise with some grass.

Krisel Travis said that would be in the plats when they come. For the most part they will be grass.

Jeremy Lapin said they have several detention ponds throughout the city where the sod is not an issue but sometimes if it happens it's more of a workmanship issue.

Sandra Steele would like Jeremy Lapin to work with D.R. Horton to get the best product.

Hayden Williamson agrees that the detention basin was expected to be more green space from previous discussions.

Krisel Travis said the gravel would be minimal; most of it would still have grass and trees. It has always been a detention basin in the plans. Those plans will come forward with final plats. They understand it's a sensitive issue

Hayden Williamson said he was impressed with a previous plan for meandering trails and rock walls. He asked what the difference was between townhomes or senior living ERU's. (none.) He thought that lower impact there would be advisable. He asked about a trail on the south west side and if there was a fence between the trail and the community.

Krisel Travis said there would be gated connections with semi-private fences.

Kirk Wilkins asked about the underground pipes and the safety to block people from getting in.

Krisel Travis said FEMA conditions are that it needs to be open with manholes for maintenance. The trail will be widened in a section to help vehicles get to areas for maintenance.

Jeremy Lapin said it's inaccessible unless someone was climbing a fence, on the west side it's 150 ft. off of the road, the access road will have a gate. They have taken reasonable precautions to keep people out. They also don't anticipate flooding issues due to the large capacity.

Kirk Wilkins asked about the code for the double fencing.

Kimber Gabryszak responded that they drafted an amendment but it was tabled so there is nothing prohibiting that.

Kirk Wilkins asked what the benefit was to approve plan 5 now.

Krisel Travis said it gives the ability and confidence to proceed with the Church and purchasing, if not it would delay the process and take away entitlements.

Kirk Wilkins asked if the gravel would change the greenspace requirement.

Krisel Travis said no, it did not.

Jeff Cochran said the project is overwhelming. They are looking at 1200-1500 units tonight, why the rush to approve all these plans tonight. He sees that they have done a thorough job and it looks great, the products look good, but it's a ton of information, why so much so quick?

Krisel Travis they approved a community plan that they couldn't do more than 1000 units, the lotting concepts have not changed from the Community Plan. The same verbiage in Village Plan 1 is the same as these Village plans except for the few small changes they highlighted tonight. She wished the process allowed them more time to review it, but its 856 lots, that hasn't changed. The reason for the rush is to get the project going in the city and give them the entitlements to close with the Church. Village plan 1 does not give them enough entitlements to purchase the plan. They have to have at least the village plans approves to vest their densities.

Jeff Cochran asked why the new changes were not included in the packet.

Kimber Gabryszak said they weren't done until this week.

Jeff Cochran asked how FEMA affected the village plans and if there was any reason that it would restrict them from approving the plans tonight.

Jeremy Lapin said there are several restrictions where they could build. The worst case scenario is they would lose those areas to develop. His understanding was that these layouts would be locked unless they brought a new plan. If they had so many units and some of the area was unbuildable they could transfer a little but it would need an amendment for bigger changes.

Kimber Gabryszak said there are some provisions for transfer of density out of the flood plain, but without an amendment they could not shift very much. Anything more than a minor shift would require an amendment.

Jeff Cochran asked if next to single family homes, are those densities locked in?

Kimber Gabryszak said in some areas the lot types are locked in.

Jeff Cochran asked if we could lock the density in some of the areas.

Kimber Gabryszak said there still is a requirement to transfer some density away from existing neighborhoods.

You could possibly recommend that there not be a density transfer allowed in a specific block.

Krisel Travis said as long as it gives them the same product ranges in Block type they are fine with that. She thinks it's pretty tight and already restricted. It would be pretty impossible.

Kirk Wilkins asked how close they were to the maximum.

Krisel Travis said they are pretty close to the maximum now.

Jeff Cochran thought it would be nice to have a condition there.

Kimber Gabryszak thought it might already be covered.

Jeff Cochran thought the church sites were small

Krisel Travis said that came from the church, she said they had even increased them a bit.

Sandra Steele said their density is already written in stone with the community plan. She is not sure that we need to be worried about it. She feels they are rushing us along where we don't feel comfortable.

Krisel Travis indicated that by passing the plans tonight it gives us the confidence to go forward with the purchase. It lays out the roadways and infrastructure. She apologized for the uncomfortableness of the speed at which they felt they needed to move. She appreciated their efforts in Village Plan 1 and the Community Plan. She is not asking them to approve the final plats those still have to come in later. This is just the view of what this could look like.

Sandra Steele asked if they could change the shared lanes during the plat process

Kimber Gabryszak said no, unless there was a health and safety issue that came along that superseded it like from the Fire Chief.

Hayden Williamson said given that they can't move forward and purchase the property until they get this plan he would like to move forward.

Kirk Wilkins did feel like they were rushing this along, it gives them certainty but it does take away our flexibility. Jeff Cochran understands the need to move forward but feels they are in a difficult situation tonight.

Sandra Steele thinks they need to table it so that the public has a chance to look over what they have been given tonight.

Kevin Thurman said they could take comment from the public if they so choose. He doesn't recommend that they open public hearing again but just take public comment at a future point. If they continue this there needs to be some sort of code finding that they say they need additional information to see if it's met.

Boyd Martin said he knew it was hard with a lot of information at this time. There is still a lot of detail to come with the final plats. He doesn't want to spend millions of dollars and then go through this process with every single Village Plan. He feels they are good to go on this and he wants to close. He needs some level of comfort that he can move forward with these conceptual Village Plans.

Motion from Kirk Wilkins to forward a positive recommendation to the City Council for the Legacy Farms Village Plan [2, 3, 4, 5] with the Findings and Conditions in the Staff Report; with the additional condition that there be combined minimum of 24 ft. (driveways) backing space; and that they remove conditions 4, 5, 6, 7, 8, and 9 and that density does not transfer into block type 1. Second from Hayden Williamson.

Hayden Williamson thought they determined that they didn't need the condition of the density transfer.

Kimber Gabryszak thought it was still necessary but they didn't need to identify the density because it's already called out. Also on the combined minimum 24', could they change that to backing space because it's not the driveway, and could it be just village plan 5?

Sandra Steele thought it was a concern everywhere.

Kirk Wilkins revised the condition of the Motion that **with the 24'** driveway that it is with **backing space**.

Aye Kirk Wilkins, Hayden Williamson. Nay: Sandra Steele, Jeff Cochran. Motion tied.

7. Approval of Reports of Action.

Kimber Gabryszak went over the reports of Action for Legacy Farms. It moved forward with a negative recommendation with a tie vote.

Motion by Sandra Steele to approve the Report of Action and have our Chair sign it. Second from Hayden Williamson. Aye Kirk Wilkins, Hayden Williamson, Sandra Steele, Jeff Cochran. Motion passed.

Kimber Gabryszak reviewed the Jordan View Landing Report. It received a positive recommendation.

Motion made by Hayden Williamson to approve the Report of Action for Jordan View Landing. Second made by Kirk Wilkins. Aye Kirk Wilkins, Hayden Williamson, Sandra Steele, Jeff Cochran. Motion passed.

8. Approval of Minutes:

1. November 13, 2014.

Motion by Sandra Steele to accept the minutes as corrected. Seconded by Hayden Williamson

9. Commission Comments.

No comments.

10. Director's Report.

Kimber Gabryszak reviewed what happened at the last City Council Meetings.

Meeting adjourned without objection by Chairman Jeff Cochran

Adjourn 10:25 pm

Date of Approval

Planning Commission Chair
Jeff Cochran

Lori Yates, City Recorder

**City of Saratoga Springs
Planning Commission Meeting
January 8, 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, Sandra Steele, Kara North

Staff: Kimber Gabryszak, Sarah Carroll, Kevin Thurman, Jeremy Lapin, Nicolette Fike

Others: Charlie Hammond, Alan & Laurie Johnson, Rachel McKenzie, Blaine Hales, Dr. Brian McCune

Excused: Kirk Wilkins, Hayden Williamson

Call to Order - 6:30 p.m. by Jeff Cochran

Sandra Steele indicated that we needed to elect a new chairman tonight.
Because it was not on the agenda they would elect a chairman pro-tem.

**Sandra Steele Nominated Jeff Cochran as Chairman Pro-tem. Seconded by Kara North
Aye: Sandra Steele, Kara North, Jarred Henline. Nay: Jeffrey Cochran.
Nomination accepted and Elected as Chairman pro-tem.**

Pledge of Allegiance – led by Jarred Henline

Roll Call – Quorum was present

Public Input Open by Jeff Cochran

No input.

Public Input Closed by Jeff Cochran

4. Approval of the Planning Commission meeting schedule for 2015.

**Motion made by Kara North to approve the Planning Commission meeting schedule for 2015. Seconded
by Sandra Steele Aye: Sandra Steele, Jeffrey Cochran, Kara North, Jarred Henline. Motion passed
unanimously.**

**5. Public Hearing and Possible Recommendation: Revisions to the Land Development Code, Section
19.09.11, Required Parking.**

Sarah Carroll presented the revisions. The applicant is requesting an amendment to reduce the required number of parking spaces for fitness centers. There was comparison to other cities the business was located in; they were all 5 per 1000 sq.ft. or less.

Charlie Hammond representing the developer commented that their peak business hours were different than peak hours for many other businesses, early morning and right after work, not generally a lunch or dinner time.

Public Hearing Open by Jeff Cochran

No input at this time.

Public Hearing Closed by Jeff Cochran

Jarred Henline had no issues with the code change.

Kara North appreciated having the comparisons to the other cities. She could see that 5 is not uncommon and would not be opposed.

Sandra Steele said she was opposed to it as it also includes the smaller fitness centers which don't have enough parking at this time. She asked the applicant if he was planning on putting in an elevator, if not it may be resolved.

Charlie Hammond answered that they had a mezzanine and were required to have an elevator.

Sandra Steele commented that they had discussed the needs of parking for businesses a few years ago and they found that fitness centers had the highest impact on parking. She thinks they are making a mistake to change it. If it had on-street parking or apt. buildings where people would be walking it may be different, but the majority of people would be driving and they will pull from Lehi, Eagle Mountain, and Bluffdale and they will need more parking.

Jeff Cochran did not really know how much parking was needed and appreciated staffs research. He asked if there was a concern that if another applicant took over the building, would they be under parked.

Sarah Carroll replied that it would depend on what would be proposed.

Kimber Gabryszak noted that they have spent a lot of time considering this and they recently put in place a change of use permit where if they didn't meet the requirement for parking they would have to find a way to meet the parking before approval.

Jeff Cochran asked the applicant if there were neighboring business they have contacted for shared stalls possibility.

Charlie Hammond responded that had and the restaurants are not in favor of it and Walmart has not responded. They have never seen that many stalls required in any other city they have developed in.

Jeff Cochran indicated that because of the work staff has done and shown tonight he is not opposed to the change.

Motion from Kara North, Based upon the evidence and explanations received today, I move to forward a positive recommendation to the City Council for the proposed amendment to Section 19.09.11 "Required Parking" to reduce the parking requirement for fitness centers from 6 stalls per 1,000 square feet to 5 stalls per 1,000 square feet, with the Findings and condition contained in the Staff Report. Seconded by Jarred Henline.

Aye: Jeffrey Cochran, Kara North, Jarred Henline. Nay: Sandra Steele. Motion carried 3-1.

6. Concept Plan for Vasa Fitness located at 1523 North Redwood Road, Charlie Hammond, applicant.

Sarah Carroll presented the Concept plan. They are requesting a setback reduction on the west side of the building. In this case there is a detention basin to the west that is a landscaped area. They are proposing a conceptual rear elevation which will be the entrance.

Sandra Steele asked the applicant what the distance from the lowest parapet to the roof was because they require all rooftop equipment be screened. She wanted to make him aware of it

Charlie Hammond said they put the roof on a slope with RTU's on the backside, so they are not visible from the street.

Sandra Steele asked if roof top equipment has an access from the inside. (Yes.) She asked that when he brings in the elevations that they show the percentage of each building material and give the lengths of the longer portions of each material to make sure they don't exceed the requirements. She thought the sign might exceed the height limit but won't know till they get the preliminary plat. She also noted that they need to have equal architectural treatment on all sides.

Kara North asked Sarah Carroll to explain the detention basin issue again to fully understand how the detention basin contributed to the setback reduction.

Sarah Carroll pulled up an aerial photo that showed the current detention basin with sod and trees, there will not be another building put within 20-40 feet of this property line.

Kara North noted setback reductions are not generally favored and thanked her for the clarification. She said generally she is impressed how they have made the transition from Gold's Gym to Vasa, she likes their facades and hopefully it will be an attractive benefit to our city.

Jarred Henline asked about the size of the facility.

Rachel McKenzie said this isn't an express version but it doesn't have pool or racquetball but has basic cardio and workout spaces. They are planning on opening as soon as they can.

Jarred Henline appreciated Commissioner Steele and Commissioner North's comments. Hopefully when they come back it will have everything they need to move forward.

Jeff Cochran asked staff about the detention basin on the plan, could those be combined with the larger current basin to perhaps increase parking.

Jeremy Lapin hadn't done much research on it but he thought the Walmart pond might not be down-stream enough to handle and also cleaning was sized to the one site and if they combined it might be hard. He said not to the west but possibly to the south or underground.

Jeff Cochran challenged the applicant to look at the parking again and see if they could possibly add a few more stalls.

Rachel McKenzie replied that the most efficient way to get more parking would be to have less drive, if they look at landscape as percentage wise, and eliminate some of the landscaping on the edge it might, but when they look into how to break it up they have more drives and lose more stall.

Jeff Cochran said as they come back he would encourage them to follow code to make the process easier. We are anxious to have a place like this in the community. We look forward to having you back.

7. Public Hearing and Possible Recommendation: Conditional Use and Site Plan for Riverbend Medical located at 41 East 1140 North, west of Riverbend Development, Blaine Hales, applicant.

Kimber Gabryszak presented the Site plan. She noted the elevations on the plan were situated in the direction you were looking at, not the direction they faced. She reviewed code compliance. She noted the condition that they work with Riverbend HOA to finalize a maintenance agreement. Kimber would recommend that they add a condition about the fence.

Public Hearing Open by Jeff Cochran

Lori Johnson said when they first started this they were talking about putting a fence right above the leaning wall, that has disappeared from the plans. She is concerned that a car may accidentally go off the wall or lights would shine in the buildings. She is concerned about the condition that it comes to an HOA agreement to take care of the road. They don't have much money sitting in the HOA.

Public Hearing Closed by Jeff Cochran

Blaine Hales responded that originally they had discussed putting a fence, then just a hedge along that side and the city told them they had to have a fence, they do have a fence now on the plans. The new plan including a fence was resubmitted recently. The engineer told him that the parking lot would slope away from the adjoining property so water will run away from the fence and if a car rolled it would roll back into the parking lot. They are concerned about the fencing because the neighbors have a rock wall along the property line and he is worried that putting a fence up would mess with the unstable wall. Also if they put a fence inside the property line they are worried that they would need some kind of agreement with the adjacent owners to avoid any legal issues with boundaries in the future.

Sandra Steele noted that compatibility is important; it is mentioned in the Code many times. She was hoping to see a color board which was not brought in tonight. She has seen rock in nearby buildings that she thinks they could incorporate easily to be more compatible. All building sides need to have equal treatment and she doesn't think they meet that. She reviewed the architectural standards. Since the building materials have not been provided and they did not give any dimensions on the buildings they cannot decide if they meet requirements. She noted that she can see 5 colors but only 4 major colors are allowed.

Blaine Hales said he has brought all these things into an engineer and feels that they have everything they asked for.

There may have been some breakdown in communication, Kimber had the most recent digital information and had not seen what was brought in.

Sandra Steele noted 19.14.06, several of those were met and she noted they needed to consider compliance to City Architectural standards. 19.18.08 iii - She also noted the monument sign needed the street number. She asked what the dimension from the shortest parapet to the roof would be and if they had an interior access. (Yes.) It looked like some were higher than others and she is concerned that the rooftop equipment won't be screened from view.

Kara North thought it was previously said that they would work with the HOA to shore up the wall.

Blaine Hales recalled that they had said they would work to not disturb it.

Kara North thought the staff had done a great job and agreed with the conditions in the report. She agreed with the majority of the comments Sandra Steele made but she does like what they have as far as the elevations are concerned. She would say an additional condition be added that the finalization of the HOA be in place before a Certificate of Occupation is given.

Jarred Henline clarified that Sandra Steele was saying they couldn't even make a decision tonight because they hadn't been given the appropriate information.

Kimber Gabryszak said they do comply with the height, she has measured it. There is side that is not in compliance and would need to add an architectural treatment.

Blaine Hales commented that it was one of the conditions that they do more rock treatment on the rear because it shows up on the other sides, the architect says he is planning on doing that and they will make sure it's not an issue.

Jarred Henline asked if they could put a condition on that they comply with that before it heads to Council. also there needs to be a condition that there is a privacy fence in there, that there needs to be an agreement with HOA prior to certificate of occupancy, that a façade shift or additional articulation needs to be added to the South wall, and that the percentage of the design materials match and meet the compliance of the City. With those he would be ok with forwarding it.

Jeff Cochran appreciates the comments, he felt there was information lacking but it sounds like it was provided in some sort. Most of his questions were answered but he is asking whose property the existing wall is on.

Blaine Hales replied that it's on both, some places on theirs and some on ours.

Jeff Cochran said where it's a wall in poor condition how do they protect it and not cause further problems.

Blaine Hales said they are willing to do something to find a good answer, he isn't sure what the answer is but he doesn't feel they should bear all the cost for it.

Jeff Cochran hates to sweep this issue under the rug but doesn't know how to best mitigate it.

Kara North thought they could potential add a condition that they meet with the HOA to discuss option for a joint resolution.

Kimber Gabryszak would recommend more of a determination based on whose property the wall is on.

Kevin Thurman says it's a Conditional Use permit and if this creates adverse impacts on neighboring properties then they can place a Reasonable Condition on the Conditional Use. The law does say reasonable and talks about that the impacts have to be detrimental. You could make it a condition that they address it before it comes to the Council stage.

Jeff Cochran thought that they could put a condition on it that the applicant determines who owns the fence and a potential mitigation based on findings.

Kevin Thurman said yes they could do that but it sounds like a lot of it will be addressed by the engineering standards.

Jeremy Lapin commented that his use does not affect the wall, the wall is inconvenient but he isn't causing it to be a worse condition. They are not allowed to discharge water on the neighboring parcel and they have a landscape buffer.

Further discussion was held on design standards and additional conditions to cover concerns Commission Steele addressed earlier.

Motion from Kara North to Forward a positive recommendation to the City Council for the Riverbend Medical Site Plan and Conditional Use Permit, located on the approximately 1.63 acres of parcel 51:508:0004, as identified in Exhibit 1 and proposed in Exhibits 4, 5, 6, and 7, with the Findings and Conditions contained in the staff report as well as the additional conditions with the addition to number 5 that the applicant shall work with the Riverbend HOA to finalize a maintenance agreement for the shared road prior to issuance of any certificates of occupancy. And the additional conditions: that all mechanical equipment shall be screened; that address shall be added to the monument sign; that a façade shift or additional materials shall be added to the south façade in compliance with the design standards; Percentages of building materials on each elevation shall be provided to the Council in compliance with the design standards, page 3.6 prior to the Council meeting; Location of the existing rock wall shall be determined; if the wall is on the Riverbend commercial property it shall be stabilized. Second from Jarred Henline.

Kimber Gabryszak did not write a condition to address the colors so she suggested adding that. "The percentages of building materials and **number of colors** on each elevation shall be provided to the Council. . ."

Kara North **accepted the amendment**

Jarred Henline **accepted the amendment**

Sandra Steele noted that nothing was said about the elevation to the west looking like a primary entrance.

Aye: Jeffrey Cochran, Kara North, Jarred Henline. Nay: Sandra Steele. Motion carried 3-1.

8. Public Hearing and Possible Decision: Plat Amendment for Lot 37 in the Aspen Hills subdivision located at 1641 North Lyndi Lane, Kevin Tenney, applicant.

Kimber Gabryszak presented the plat amendment. She noted they had seen a code amendment related to this. She reviewed code criteria and staff recommendation. They added a condition that a signature block for each utility shall be added to the plat, and signed prior to recordation.

Public Hearing Open by Jeff Cochran

No public input at this time.

Public Hearing Closed by Jeff Cochran

Jarred Henline wondered how they know what utility companies are really there.

Kimber Gabryszak said it's really only the ones we know about.

Kevin Thurman said there are no utilities where they have dug the swimming pool, the only ones we know about are in the 5' and it is the City that owns the public utility easement, we don't need the utility company's permission, but we could add their signature line to the plat if they would like to play it safe.

Jarred Henline commented that if we know there is nothing there and they don't own it than why would we need to require the signature blocks.

Kimber Gabryszak said it was because of some issues with release letters but since we know there aren't utilities in the area if they come later they will see the new plat with 5' utility easements.

Kevin Thurman thought it would be safer to leave it. They should be ok to not require it though, the hole has been dug and we know there is nothing there.

Jarred Henline would say to take off condition number 4 if it's not really needed.

Kara North does not have issues with it and is indifferent to condition 4.

Sandra Steele is uncomfortable with the way the letters are written, what would they do if they needed to come in with a bulldozer?

Jeremy Lapin commented that if they were bringing in large equipment, even with a 10' easement that would require fences be torn down. But a 5' pue is not uncommon to have. Is the concern that they won't sign it? Could they change it to an attempt to have them sign it?

Sandra Steele is concerned for potential owners, the signatures add a little bit of comfort.

Jeremy Lapin noted you could change it to show a 5' encroachment area and notify future homeowners that the area is at potential future risk.

Jeff Cochran thinks the utilities won't sign it and waive their right if given the option. The companies would need to do due diligence and find the most recent plat if they needed to come in.

Kevin Thurman says they don't have to sign the plat but we have to notify them. We are taking a bit of risk but not a huge one, we know there aren't any utilities there, they don't have veto power over a subdivision plat and we could send them a notification.

Jarred Henline thought we could send a notification that if they object they need to send notice in 14 days or something. If there is no opposition then it could be recorded. If there is opposition the homeowners could work on it.

Kevin Thurman noted on a plat there is an owner's dedication which dedicates the pue's to the City not the public utilities, other companies have to have franchise agreements to use them. Our franchise agreements require them to give owners notice before working in pue's, written and telephone.

Jeff Cochran can see the utility's coming back and saying no if given the option and that would be his concern. If you take out the 14 days you probably won't see it again. He would recommend that. This isn't along a major corridor; it's someone's back yard. Just give them notice that the easement has changed.

Motion by Sandra Steele to approve the Aspen Hills Lot 37 Amendment as located in Exhibit 1 and proposed in Exhibit 3 with the Findings and Conditions in the Staff report. With the additional condition that the City shall send a notification letter to known public utilities with a 14-day period to provide comments. The plat may be recorded if no opposition is received. Seconded by Kara North.

Aye: Jeffrey Cochran, Kara North, Jarred Henline, Sandra Steele. Motion approved unanimously.

9. Approval of Reports of Action.

Kimber Gabryszak reviewed the reports of action

Item 5, Code Amendment:

Motion by Jarred Henline to approve the Report of Action as presented for the Code Amendment to Parking. Seconded by Kara North. Aye: Jeffrey Cochran, Kara North, Jarred Henline, Sandra Steele. Motion approved unanimously.

Item 7, Riverbend

Motion by Jarred Henline to approve the Report of Action as presented for the Riverbend Medical Conditional Use permit and Site plan. Seconded by Kara North. Aye: Jeffrey Cochran, Kara North, Jarred Henline, Sandra Steele. Motion approved unanimously.

10. Approval of Minutes:

1. December 11, 2014.

Approval held until commissioners that were absent could be present.

11. Commission Comments.

Sandra Steele thought that they should think about going back and looking at the Design guidelines with the Planning Director and City Attorney to make sure it's not ambiguous, so it's more enforceable.

Jeff Cochran is concerned with becoming too restrictive and not giving license to be creative, generally when you give an applicant the chance to make something great they will often do something better. He sees value in the suggestion but doesn't want to be too restricting.

Kimber Gabryszak said they have a lot of code amendments in the future and questions that need to be answered. How do they make things predictable and fair? They have some priorities first, the residential design guidelines are on the list but not immediate.

Sandra Steele said if we are going to have rules lets enforce them if we aren't then let's throw them out.

12. Director's Report.

Kimber Gabryszak reported on the last City Council meeting and upcoming agendas.

Meeting adjourned without objection by Jeff Cochran

Adjourn 8:30 pm

Date of Approval

Planning Commission Chair
Jeff Cochran

Lori Yates, City Recorder