



**Planning Commission Meeting**  
**Thursday, August 13, 2015**  
**Meeting held at the Saratoga Springs City Offices**  
**1307 North Commerce Drive, Suite 200, Saratoga Springs**

**AGENDA**

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

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

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

1. Pledge of Allegiance.
2. Roll Call.
3. Public Input – Time has been set aside for any person to express ideas, concerns, comments, questions or issues that are not listed on the agenda. Comments are limited to three minutes.
4. Public Hearing: Rezone for 400 North Redwood Road, Mike Carlton, applicant. **Continued to September 10, 2015.**
5. Work Session: Discussion of Code Amendments for the City of Saratoga Springs Land Development including Mixed Lakeshore, fencing, development review process, and others. Presented by Kimber Gabryszak.
6. Approval of Minutes:
  1. July 30, 2015.
7. Reports of Action.
8. Commission Comments.
9. Director's Report:
  - Council Actions
  - Applications and Approval
  - Upcoming Agendas
  - Other
10. Motion to enter into closed session for the purchase, exchange, or lease of property, pending or reasonably imminent litigation, the character, professional competence, the deployment of security personnel, devices or systems or the physical or mental health of an individual.
11. Adjourn.

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

**Posted: 6<sup>th</sup> day of August, 2015. /s/ Lori Yates, City Recorder**

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, August 6, 2015  
**Meeting Date:** Thursday, August 13, 2015  
**Re:** Work Session on Code Amendments

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### Background:

The Planning Commission held a work session on June 11, 2015 to discuss numerous amendments, and a public hearing on June 25, 2015 to recommend several items to the City Council. Further work session discussion was requested by the Commission on the remaining sections and additional sections, below.

### Potential Amendments

- 19.02, Yard Definition – cleaning up definition to avoid confusion, and replacing graphics
- Multiple sections, Gateway – removing the Gateway definition and references from Code, as the defined Gateway is no longer the primary entrance into the City
- 19.05, multiple –
  - Standards for Auto Sales and Large Parking Lots and Vehicle Storage
    - *The Commission requested a graphic to accompany the 30' landscaped buffer – attached*
    - *The Commission requested separate criteria for vehicle storage – already in Code*
    - *The Commission requested information on which zones permit vehicle storage: only the Industrial Zone*
- 19.06, multiple –
  - Discussion of location where fencing should drop to 3' height for corner lots
    - *Subcommittee has recommended allowing 6' fencing up to the property line, with the requirement that fencing be set back 15' from the intersection of driveway and sidewalk.*
  - Discussion of planting standards for trees not in ROW
    - *Subcommittee has recommended applying the Engineering planting standards to commonly and HOA owned open space and landscaping.*
- General Plan and 19.04 – Mixed Lakeshore
  - Change name to Mixed Waterfront, add clarifications, and modify standards.
- 19.13 – Process
  - Discuss potential delegation of approvals to streamline processes

### Recommendation

Staff recommends that the Planning Commission discuss the proposed Code amendments, and give feedback on the amendments in preparation for future public hearing(s).

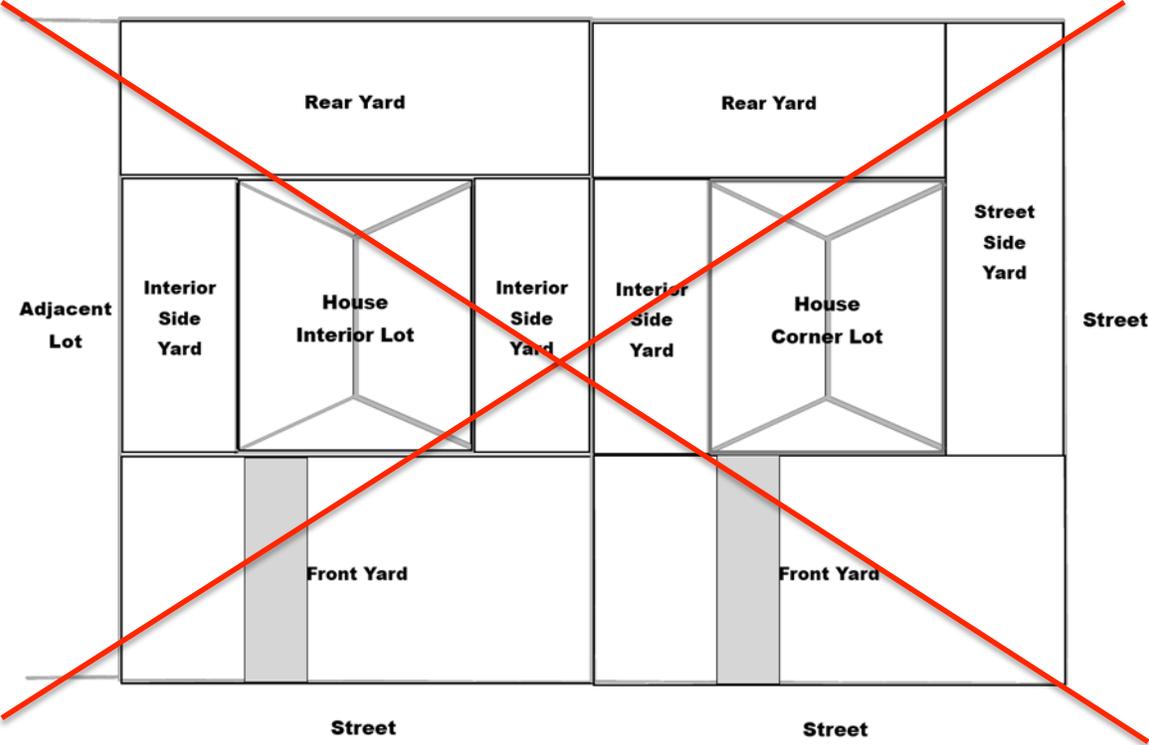
### Exhibits

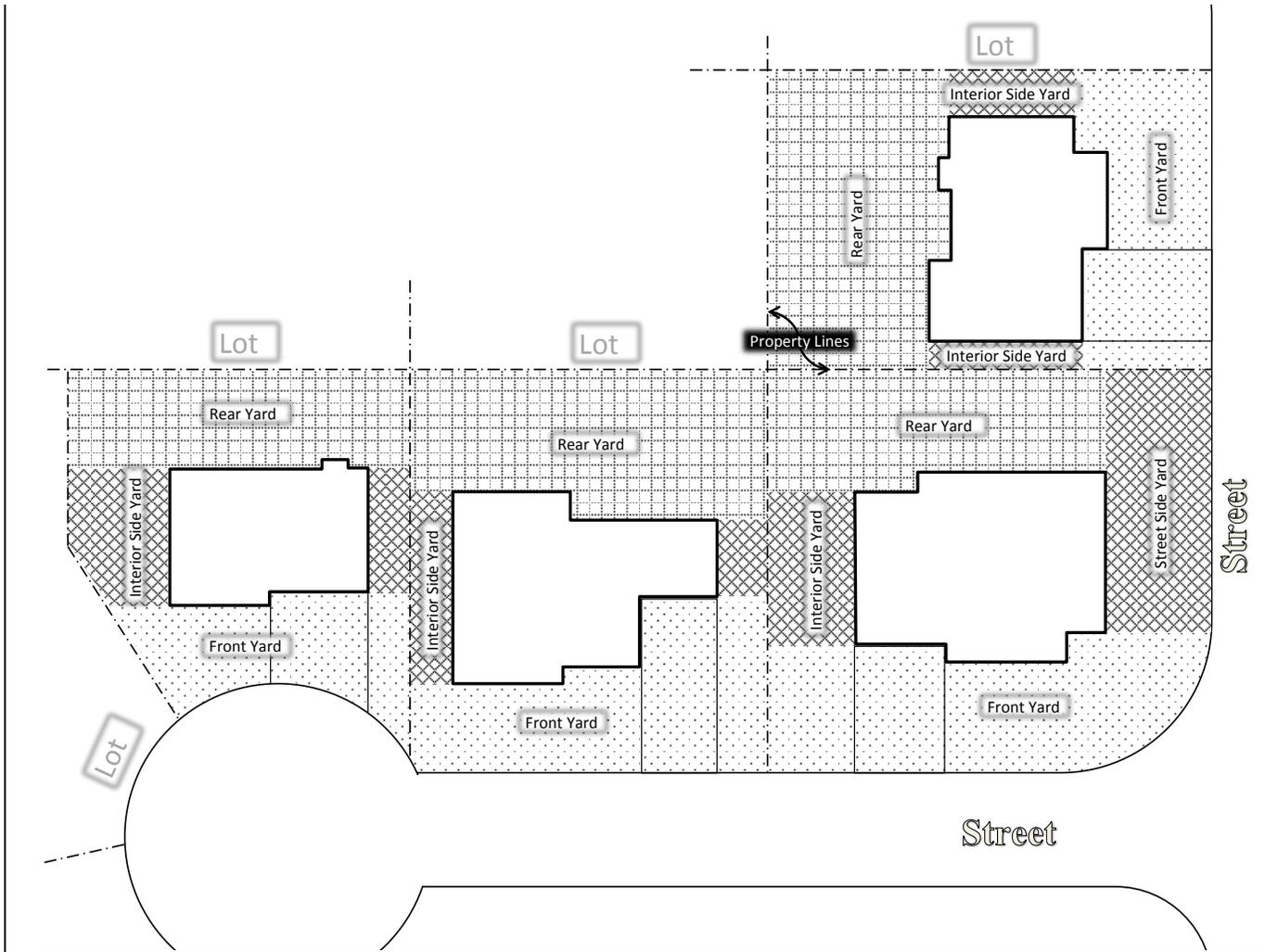
1. 19.02 – Yard Definition
2. Multiple Sections – Gateway Removal
3. 19.05 – Vehicle Sales
4. 19.06 – Fencing and Planting
5. 19.13 – Process Delegation
6. General Plan and 19.04 – Mixed Lakeshore

#TBD. “Yard, side”

- a. Interior ~~lot~~side yard: means a yard between the interior side lot line and the side facade of a main building, extending from the front yard to the rear yard, and
- b. ~~Corner lot~~Street side yard: a yard between the street side lot line and the side façade of a main building on a corner lot, extending from the front yard to the rear lot line, as illustrated in Drawing 1 below.

Drawing 1, Interior and Corner Lot Yards





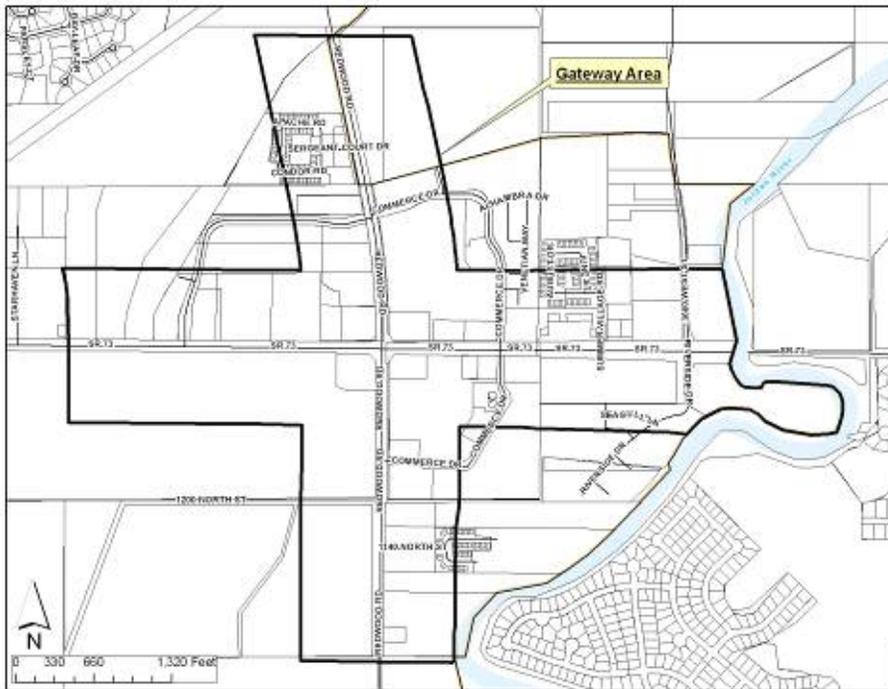
**Exhibit 2 – Multiple Sections, Gateway Removal**

**GATEWAY Sections 19.02, 19.04, 19.15, 19.18, 19.23**

**19.02.02. Definitions.**

**117. “Gateway Area”** means the following areas, as also shown on the exhibit below, which is subject to certain land-use restrictions in the Regional Commercial (RC) Zone as identified in Section 19.04.18:

- a. **North and south of the intersection of Redwood Road and SR 73:** The area of land that is located within 600 feet of the edge of right of way along State Route 68 (Redwood Road) and a distance of 2,640 feet north and south of the intersection of the centerlines of State Routes 68 and 73.
- b. **West of the intersection of Redwood Road and SR 73:** The area of land that is located within 600 feet of the edge of right of way along SR 73 and a distance of 2,640 feet west of the intersection of the centerlines of State Routes 68 and 73.
- c. **East of the intersection of Redwood Road and SR 73:** The area of land within 600 feet of the edge of right of way between the west bank of the Jordan River and the intersection of the centerlines of State Routes 68 and 73.



**19.04.07.2 Permitted and Conditional Uses by Zone – Commercial**

	NC	MU	RC*	OW	I	ML	BP	IC	PSBL
Automobile Repair, Minor			C**	C	C		CE		
Automobile Sales			C**		C				
Automobile, Boat, All-Terrain Vehicle (ATV),			C**	C	P				

Motorcycle, Recreation Vehicle, Sales & Service									
Building Material Sales (with outdoor storage)			C**	C	P				
Car Wash (self service)			C**	C	C				
Convenience Store/Fast Food Combination			C**				CE		
Recreational Vehicle Sales			C**						

~~\*\* The noted uses shall only be allowed in the listed zones at locations that are outside the Gateway Area.~~

**19.04.22. Regional Commercial (RC).**

1. **Purpose.** The purpose of the Regional Commercial Land Use Zone is to allow, in appropriate areas, commercial businesses and shopping centers of a scale that will serve neighborhood, community-wide, and regional shopping needs. These regulations should preserve the existing quality and livability of the City while still assuring maximum efficiency of traffic circulation and convenience.
2. **Permitted Uses.** The uses identified in 19.04.07.3 as Permitted Uses in the Regional Commercial (RC) Zone.
3. **Conditional Uses.** The uses identified in the table in 19.04.07.3 as Conditional Uses in the Regional Commercial (RC) ~~Zone allows the Conditional Uses with some uses as identified in the table only permitted outside the Gateway Area.~~

**19.15.06. Special Standards and Considerations Governing Particular Uses.**

In addition to the general standards and considerations set forth in 19.15.08, the following special standards shall be considered in relation to an application for a Conditional Use permit for any of the following uses:

1. **Automobile refueling stations and car wash operations.** As Conditional Uses, automobile refueling stations and car wash (self-serve) operations may be permitted under the following conditions:
  - a. The proposed location of the Conditional Use is in accord with the Land Use Ordinance and land use zone in which the site is located.
  - b. They do not break up contiguity for pedestrians of retail store frontage.
  - c. They will not be a nuisance to residences and other surrounding uses.
  - d. They will not cause traffic hazards or undue traffic congestion.
  - e. For automobile refueling stations or free standing car washes, the lot frontage, if located on a major street, shall not be less than 125 feet.
  - f. For automobile refueling stations or car wash operations with gasoline, diesel, or natural gas pumps shall have buildings of the type of construction as required in applicable building codes, and are to be located at a distance of not less than twenty-five feet from property or building setback lines, whichever is greater.

- g. Gasoline pumps and pump islands for car wash operations or automobile refueling stations shall have a canopy and the setback, measured from the edge of the canopy, shall be not less than twenty-five feet from any property lines or shall be in conformity with the building setback lines of the zone, whichever is greater.
- h. Driveway design and spacing for automobile refueling stations or car wash operations shall be reviewed by the City Engineer, whose recommendation will be forwarded to the Planning Commission.
- i. The minimum closest distance from the automobile refueling stations or car wash with gas pumps site to an existing school, park, playground, museum, or place of public assembly shall not be less than 500 feet.
- j. No outdoor storage of rental trucks or trailers, stacks of tires, or other merchandise will be provided by the automobile refueling stations or car wash operation except when such equipment or merchandise is screened by an approved fence not less than six feet in height.
- ~~k. In the Regional Commercial (RC) Land Use Zone, these land uses will not be allowed within the Gateway Area.~~

**19.18.04. Signs not requiring a permit.**

- 9.d. Two off-premise development identification signs may be allowed to guide traffic to a site.
  - i. These signs are limited to thirty-two square feet in area and eight feet in height.
  - ii. These signs must be placed entirely upon private property.
  - iii. These signs must have written permission of the property owner and be presented to the Planning Director for approval before they are erected.
  - iv. The duration of display shall be the same as On-Premise development identification signs.
  - ~~v. These off-premise signs are prohibited in the City's "Gateway Area" as defined within this Code, unless the development is specifically accessed from within the Gateway.~~

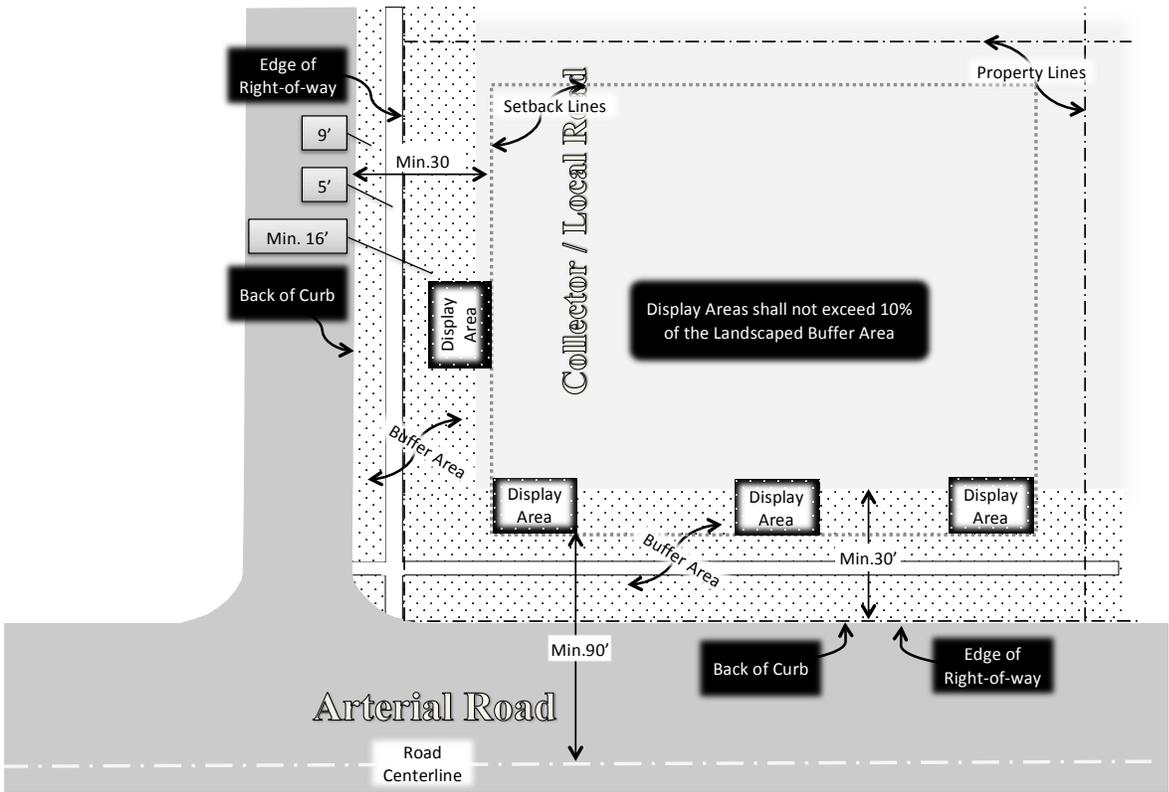
**19.23.03. Permitted Locations and Restrictions.**

Sexually oriented businesses shall only be permitted in areas zoned Industrial, as defined in the Saratoga Springs Land Development Code, Section 19.04.20. Sexually oriented businesses are subject to the following additional restrictions:

- 1. No sexually oriented business shall be located within a 1,000 foot radius of any church, park, school, or residential zone, as measured by a straight line without regard to intervening structures. The distance is measured from the property line of the church, park, school, or residential zone nearest the sexually oriented business and the property line of the sexually oriented business nearest the church, park, school, or residential zone.
- ~~2. No sexually oriented business shall be permitted within the Gateway area or within 1,000 feet of the Gateway area.~~

**19.05.14. Vehicle Sales.**

1. Uses identified as any type of outdoor vehicle sales shall meet the additional standards below.
  - a. Landscaped buffer. Parking and sales lots shall be separated from adjacent roadways by a minimum 30-foot wide landscaped buffer area, as measured from back of curb. The buffer area may include required setbacks, ROW, walkways, **sidewalks**, and park strips.
  - b. ~~Screening. Parking lots and large doors shall be (screened from view from the adjacent arterial or collector road, through the use of) placed behind a landscaped berm or screen wall in with a minimum height of 3 feet installed in the landscaped buffer.~~
  - c. Vehicle Display Areas. Vehicles may be displayed in the landscaped buffer area, subject to the following restrictions:
    - i. Display may only occur in areas outside the ROW, walkways, **sidewalks**, and park strips on locations designated for such display through the site plan approval process.
    - ii. Display areas shall be a minimum of ten feet from the back of sidewalk.**
    - iii. Display areas shall comply with clear view triangle setbacks.
    - iv. Display areas shall not exceed 10% of the landscaped buffer area.
    - v. For arterial roads, display areas shall also be set back a minimum of 90 feet from the centerline of the road.



## Exhibit 4 – 19.06, Planting and Fencing

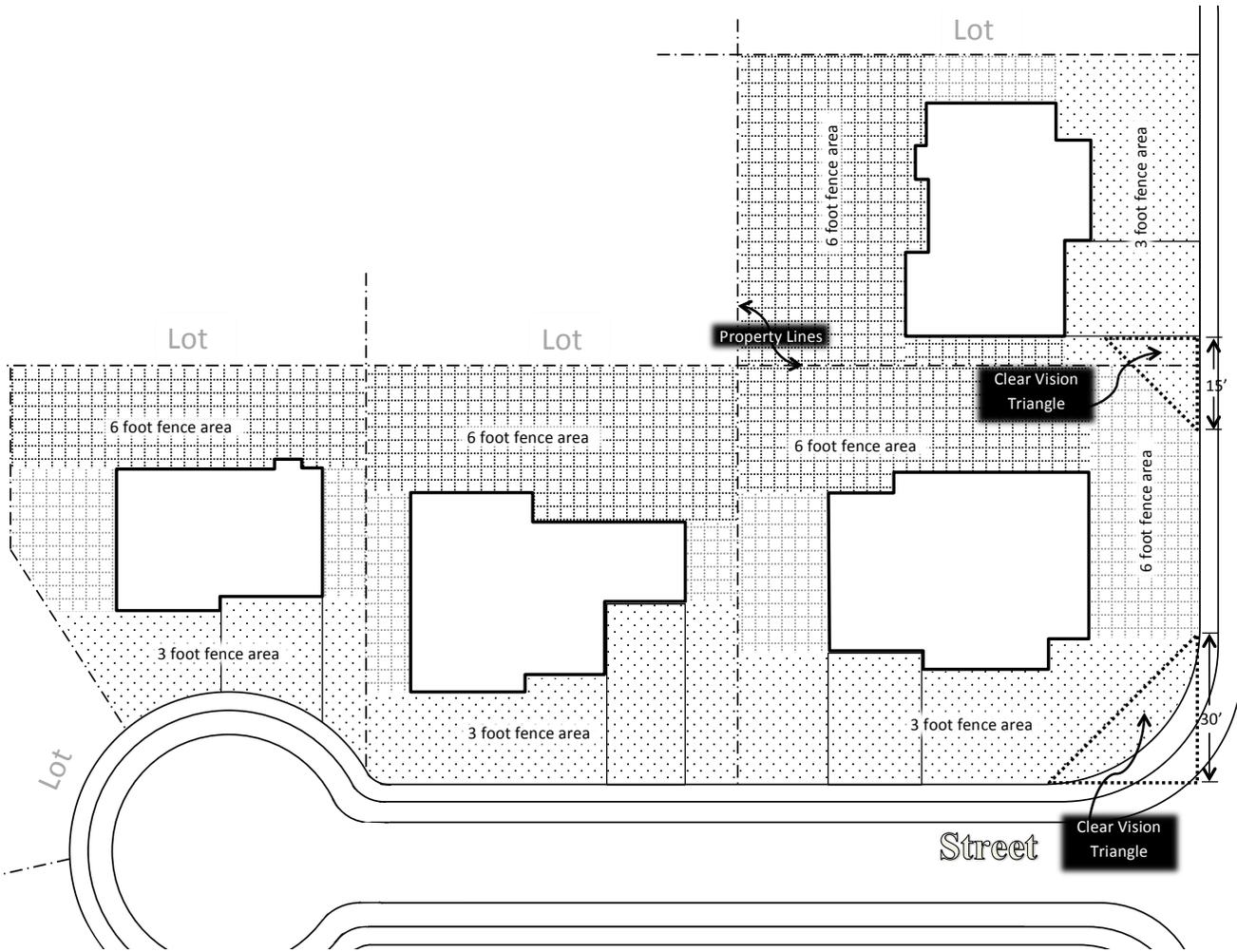
### **19.06.06. Planting Standards and Design Requirements.**

1. The planting standards are the minimum standards of landscaping that the City will accept towards meeting the landscaping required in this Chapter. Design requirements identify specific standards as they pertain to landscaping. The planting standards and design requirements shall be used in evaluation of any landscaping plan by the City Council.
2. The following are planting standards for required landscaping that shall be followed for all new development, with all caliper sizes measured at the diameter at breast height (DBH):
  - a. All required trees in commonly owned or HOA owned open space shall be planted according to the public planting standards outlined in the City Standard Technical Specifications and Drawings. Required trees are also subject to the following standards:
  - b. *[See previous amendments for requirements]*

### **19.06.09. Screening and Fencing Requirements and Restrictions.**

This Section outlines provisions that govern the heights of screening and fencing.

1. **Front yards:** fences exceeding three feet in height shall not be erected in any front yard space, or street side yard space that abuts a neighboring front yard, space of any residential lot.
- 1.2. **Street side yards:** fencing in street side yards adjacent to a driveway shall not exceed three feet for a distance of fifteen feet back from the intersection of driveway and sidewalk, or driveway and ROW where no sidewalk exists as shown in the drawing below. Fencing shall also comply with all other clear sight triangle requirements as stated in 19.06.



**Exhibit 5 – Process Delegation**

Process and Land Use Authority →	Planning Director Approval	Planning Commission Public Hearing	Planning Commission Recommendation	Planning Commission Approval	City Council Approval	Subcommittee Comments
<b>Development Type ↓</b>						
Change of Use Permit**	X					
Concept Plan	X - Informal review only					Already done; only table needs edits.
Conditional Use – New Construction		X	X	X	X	No - site plan still goes to CC so CUP tracks with it.
Conditional Use – Existing Building or Site**	X					
Development Agreement (DA)					X	
DA or MDA Amendment – Minor	X					
DA or MDA Amendment – Major					X	
Home Occupation*	X					
Lot Line Adjustment	X					
Master Development Agreement (MDA)		X	X	X	X	
Minor Subdivision	X	X		X		Ok
Planned Unit Development		X	X		X	
Plat, Amendment**	X					
Plat, Condominium and Final	X				X	Ok if NO deviations from prelim. OR only deviations are to meet approval conditions.
Plat, Preliminary		X	X	X	X	No, keep with CC to enable Final delegation.
Site Plan		X	X	X	X	No, keep with CC to enable Final delegation.
Site Plan Amendment - Minor	X	X		X		
Site Plan Amendment - Major		X	X	X	X	Ok, unless requesting exception beyond original approval (e.g. shared parking goes to Council)
Temporary Use	X					

**Key:** Proposed change

**GENERAL PLAN**

h. **Mixed ~~Lakeshore~~Waterfront**. The Mixed ~~Lakeshore~~Waterfront designation guides development patterns at key locations along the Utah Lake shoreline ~~and Jordan River~~. This designation accommodates a wide range of land-uses so long as those land-uses are combined and arranged to create destination-oriented developments that take full advantage of the scenic and recreational opportunities that their lakeshore ~~and riverfront~~ locations provide. Appropriate mixtures of land-uses would include retail, residential, and/or resort properties. Low Density Residential, Medium Density Residential, and Neighborhood Commercial land uses would be considered appropriate for this land use designation. A mix of 80% residential and 20% commercial use in the Mixed ~~Lakeshore~~Waterfront designation is the goal. The City will review each proposal on an individual basis to determine an acceptable ratio for the residential and commercial components.

Given the broad range of land-uses that will be included in this area, a sense of consistency, place and arrival will be established with the integration of stylized architecture and proper site design. Developments in the Mixed ~~Lakeshore~~Waterfront area will be required to maintain and enhance public access to the lakeshore and ~~riverfront and~~ associated facilities (trails, beaches, boardwalks).

Developments in these areas shall contain landscaping and recreational features as per the City's Parks, Recreation, Trails, and Open Space Element of the General Plan. In this land use designation, it is estimated that a typical acre of land may contain ~~3-10~~ equivalent residential units (ERU's).

**CODE**

**19.04.25. Mixed ~~Lakeshore~~Waterfront (MLMW).**

**1. Purpose and Intent.**

- a. The purpose of the Mixed ~~Lakeshore~~Waterfront (MLMW) Land Use Zone is to allow for a wide range of land uses so long as those land uses are combined and arranged to create destination-oriented developments that take full advantage of the scenic and recreational opportunities that their lakeshore ~~and riverside~~ locations provide. Appropriate mixtures of land uses include retail, residential, and resort properties.
- b. Low Density Residential, Medium Density Residential, and Neighborhood Commercial land uses, as listed in the tables in Section 19.04.07, are considered appropriate uses for this zone. The goal is to accomplish a mix of 80% residential uses and 20% commercial uses in this zone. The City will review each proposal on an individual basis to determine an acceptable ratio for the residential and commercial components.
- c. This land use zone recognizes that in order for the City to be a well-rounded community, many different housing styles, types, and sizes should be permitted. Residential densities in this zone shall not exceed ~~6-14~~ ERUs per acre.
- d. Other important characteristics that must be addressed in this land use zone include neighborhood services and facilities, social gathering places, attractive landscaping, convenient access to public areas along the lakeshore, appropriately-placed parking, a sense of personal safety, well-maintained housing, and attractive parks.
- e. Certain land uses have been identified as either ancillary uses or edge uses only.

2. **Permitted Uses.** The uses identified in 19.04.07.3 as Permitted Uses in the Mixed ~~Lakeshore Waterfront~~ Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.3 as Conditional Uses in the Mixed ~~Lakeshore Waterfront (MLMW)~~ Zone, with some uses identified in that section limited to edge or ancillary use only.

4. **Minimum Development Size and Lot Sizes.**

a. The minimum size requirement for development in this zone is ~~40,000-square-foot~~one acre.

b. Lots within a ~~40,000-square-foot~~one acre or larger development may be created based upon an approved Master Development Plan contained in a Master Development Agreement.

c. All developments in this zone are required to develop a Master Development Plan that includes maps and descriptions of how the entire property is anticipated to develop (see Chapters 19.12, 19.13, and 19.14) and to enter into a Master Development Agreement.

d. The minimum lot size for single family dwellings is 5,000 square feet. For multi-family structures where each unit is separately owned, the minimum lot size shall be based on each building rather than each individual unit.

~~e.~~e. Home Occupations may require a minimum lot size greater than 5,000 square feet based on the requirements of Chapter 19.08. Each Home Occupation will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use.

~~e.f.~~f. ~~The minimum lot size for any non-residential use in this zone is one acre.~~ Schools, churches or other uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. The City Council shall use the following criteria in determining whether the minimum lot size shall be greater than one acre:

1. the maximum number individuals using the building at one time;
2. the number of required off-street parking required in this Title;
3. traffic and transportation concerns;
4. compatibility with adjacent uses;
5. adverse impacts on adjacent uses; and
6. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc).

~~f.g.~~g. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in Title 19, including Chapters 19.13, 19.14, and 19.15, as the basis for setting site-by-site requirements.

5. **Setbacks and Yard Requirements.**

a. Setbacks and yard requirements describe the amount of space required between buildings and property lines.

b. All primary buildings in this zone, ~~including accessory buildings~~, are required to maintain minimum setbacks as follows:

- i. Front: Twenty-five feet.

1. For single family structures or multi-family structures, the front plane of the home may encroach by up to ten feet into the required setback, if the garage is set back an increased distance from the required setback in an equal amount to the front plane's encroachment. For example, if the setback for the front plane is 20 feet, the setback for the garage must be 30 feet. Likewise, if the setback for the front plane is 22 feet, the setback of the garage must be at least 28 feet.
2. An unenclosed front entry or porch may encroach up to five feet into the twenty-five-foot front setback. This encroachment may be combined with a reduced setback for the front plane (accompanied by an increased setback to the garage) but in no case shall the front plane and porch combined be set back less than 20 feet.

ii. Sides:

1. single family structures: 5/10 feet (minimum/combined);
2. multi-family and non-residential structures: 5 feet to property line or 10 feet between structures, whichever is greater.

iii. Rear: 15 feet

c. Corner Lots:

i. There shall be a minimum setback on corner lots as follows:

1. Front: 20 feet
2. Side abutting street: 15 feet

ii. The front setback and the side setback abutting the street can be reversed, but in no case shall the two setbacks be less than 20 and 15 feet.

~~d.~~ All accessory structures in this zone are required to subject to the standards identified in Section 19.05.

~~d.e.~~ Accessory structures requiring a building permit shall be set back a minimum of 5 feet from rear and interior side property lines, and shall not be placed within any front or street-side yard area. maintain at least five feet of distance from all sides of the accessory structure to any other structure.

~~e.f.~~ There shall be a five foot minimum separation between all sides of the accessory buildings and dwelling units any other structure in this zone.

6. **Minimum Lot Width.** For single family homes, the minimum lot width shall be no less than ~~50~~40 feet. For multi-family structures where each unit is separately owned, the minimum lot width shall be based on each building rather than each individual unit.
7. **Minimum Lot Frontage.** For single family homes, the minimum lot frontage shall be no less than 35 feet. All other uses in this zone shall have at least 100 feet of frontage along a public or private street. For multi-family structures where each dwelling is separately owned, the minimum lot frontage shall be based on each building rather than each individual unit.
8. **Maximum Height of Structures.** No structure in this zone shall exceed 40 feet in height.

9. **Maximum Lot Coverage.** The maximum lot coverage in this zone is 50%. For multi-family units where each dwelling is separately owned, the maximum lot coverage shall be based on each building rather than each individual unit.

10. **Minimum Dwelling Size.** Every dwelling unit in this zone shall contain a minimum of 1,000 square feet of living space above grade.

11. **Development Standards.** The following development standards shall apply to this zone:

a. **Architectural Review.** The Urban Design Committee shall review the Site Plan and building elevations and offer recommendations for architectural design of buildings and structures to assure compatibility with adjacent development and the vision of the Land Use Element of the General Plan and with the City's policies and regulations concerning architecture and design.

b. **Landscaping Buffers.** For multi-family and non-residential structures, Front yards and other yard areas facing a public street shall have a landscaped area of not less than 15 linear feet. There shall be a minimum of 10 feet of landscaping between parking areas and side and rear property lines adjacent to agricultural and residential land uses. (See Chapter 19.09, Off-street Parking Requirements.)

c. **Commercial Uses.** No commercial use may be placed within 200 feet of single family development existing at the time of commercial development.

b-d. **Density Transition.** Where development abuts existing single-family development, similar low densities shall be placed adjacent to the existing development, which may then transition to higher densities as distance from existing development increases.

12. **Open Space and Landscaping Requirement.** There shall be a minimum requirement of 25% of the total residential project area to be installed as open space for either public or common space not reserved in individual lots, and a minimum requirement of 25% of the total commercial project area to be installed as landscaping. Such Open space shall meet the definition in Section 19.02.02. If the open space is common space, the developer shall record a public access easement at plat recordation. Credit towards meeting minimum open space requirements may be given for sensitive lands as provided for in subsection (13) below.

13. **Sensitive Lands.**

a. Sensitive lands shall not be included in the base acreage when calculating the number of units permitted in any development, and no however only 25% development credit shall be given for sensitive lands.

b. All sensitive lands shall be placed in protected open space.

c. Sensitive lands may be used for credit towards meeting the minimum open space requirements. However, no more than fifty percent of the required open space area shall be comprised of sensitive lands.

14. **Timing of Open Space and Landscaping Installation.** All open space and landscaping shall be completed in accordance with the approved Site Plan or Plat Approval and shall be installed prior to the issuance of a Certificate of Occupancy for any building. A Performance and Warranty Bond will be required in accordance with Section 19.12.05. The Planning Director may approve exceptions where weather conditions prohibit the completion of approved and required landscaping

improvements in accordance with Section 19.06.05. . It shall be the responsibility of the property owner to maintain all approved open space and landscaping in accordance with the approved Site Plan and in compliance with the requirements of Chapter 19.06, Landscaping and Fencing.

15. **Trash Storage.** All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference.

(Ord. 14-13)

***ALSO DO WORD SEARCH AND CHANGE NAME / REFERENCES THROUGHOUT DOCUMENTS***



**City of Saratoga Springs**  
**Planning Commission Meeting**  
**July 30, 2015**

Regular Session held at the City of Saratoga Springs City Offices  
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

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**Planning Commission Minutes**

**Present:**

Commission Members: Jeff Cochran, Kirk Wilkins, Sandra Steele, Hayden Williamson, Ken Kilgore  
Staff: Kimber Gabryszak, Mark Christensen, Sarah Carroll, Scott Langford, Kevin Thurman, Nicolette Fike  
Others: Wade Williams, Scott Verhaaren, Wes Baker, Randy Rindlisbacher, Ian Bucker, Chad Spencer, Jeff Durfey

**Excused:** Jarred Henline, David Funk

**Call to Order** - 6:33 p.m. by Chairman Jeff Cochran

**Pledge of Allegiance** – led by Ken Kilgore

**Roll Call** – A quorum was present

**Public Input Open** by Chairman Jeff Cochran

No input at this time.

**Public Input Closed** by Chairman Jeff Cochran

**4. Public Hearing and Possible Action: Site Plan, Conditional Use and Preliminary Plat for Harbor Bay Church located at 163 East Harbor Bay Drive, EA Architecture, applicant.**

Sarah Carroll presented. The site plan includes a church building, a pavilion, a storage building, and associated parking and landscaping. The preliminary plat is a one lot subdivision to formally create the lot for the church and dedicate a portion of Harbor Bay Drive.

Chad Spencer noted that there was a change in the landscaping.

**Public Hearing Open** by Chairman Jeff Cochran

Gerald Cammerman had a question about water problems in the area and if the developer got a reduction in their landscaping.

Sarah Carroll responded that their plan is water wise.

**Public Hearing Closed** by Chairman Jeff Cochran

Hayden Williamson was happy to see that it complied with code. He noticed on the northern end there is handicap parking and if one could be adjusted to have one on each side of the sidewalk.

Sarah Carroll noted if they move one it would require an additional stall to do that.

Kirk Wilkins commented it looked like it was in progress for compliance and completion.

Ken Kilgore noted that there was an additional parking stall required in the conditions.

Chad Spencer replied to how they were making that adjustment.

Jeff Cochran commented that the sprinklers they would put in were Smart Sprinklers and some other things to help conserve water. He asked if the neighborhood meeting still needed to take place.

Sarah Carroll replied that it was held.

Jeff Cochran thought that the lots to the east looked unbuildable and if there were plans there.

Sarah Carroll said it is the Lake Cove subdivision that has been approved and are buildable.

**Motion made by Kirk Wilkins that Based upon the evidence and explanations received today, I move that the Planning Commission forward a positive recommendation to the City Council for approval of the Harbor Bay Church Site Plan, Conditional Use Permit, and Preliminary Plat, located at 168 East Harbor Bay Drive, with the findings and conditions in the staff report. Seconded by Hayden Williamson. Aye: Sandra Steele, Hayden Williamson, Jeffrey Cochran, Kirk Wilkins, Ken Kilgore. Motion passed 5 - 0.**

**5. Public Hearing and Possible Action: Site Plan and Conditional Use for Jacobs Ranch 1 & Israel Canyon Stake located 163 West Ring Road, EA Architecture, applicant.**

Sarah Carroll presented. The applicant recently was granted a rezone and general plan from Regional Commercial to Neighborhood Commercial (NC) zoning for the subject property. The site plan includes a church building, a pavilion, a storage building, and associated parking and landscaping. She showed examples of elevation and materials.

Chad Spencer was present to answer questions.

**Public Hearing Open** by Chairman Jeff Cochran

No input at this time.

**Public Hearing Closed** by Chairman Jeff Cochran

Sandra Steele had no comments.

Ken Kilgore asked about a condition to secure water rights, and had that been done.

Sarah Carroll noted that phrasing was a standard practice and when they get their building permit they will determine how much they need to purchase

Jeremy Lapin commented that they use the term secure because there are so many ways they can choose to fulfill that obligation.

Kirk Wilkins asked if there was a parkstrip and who put it in.

Sarah Carroll stated there was a parkstrip they needed to put in. It was missing from the plat. She asked if they could put that as a condition that they will be required to put the parkstrip on the plat. They may be indicating lawn but they require trees as well.

Hayden Williamson had no additional comments.

Jeff Cochran had no additional comments.

**Motion made by Hayden Williamson that Based upon the evidence and explanations received today, I move that the Planning Commission forward a positive recommendation to the City Council for approval of the Jacobs Ranch 1 and Israel Canyon Stake Church Site Plan and Conditional Use Permit, located at 163 West Ring Road, with the findings and conditions included in the staff report. With the addition that the landscaping of the parkstrip be added to the Site plan. Seconded by Ken Kilgore. Aye: Sandra Steele, Hayden Williamson, Jeffrey Cochran, Kirk Wilkins, Ken Kilgore. Motion passed 5 – 0.**

**6. Public Hearing and Possible Action: Plat Amendment for Sergeant Court located at 1675 North 95 West, Randy Rindlisbacher, applicant.**

Scott Langford presented the plat amendment. The proposed plat amendment includes the same number of units that were approved May 6, 2014, which is 41 townhomes. Phase 3 is the last phase of this development, which began in 2006. The purpose of the plat amendment is to change the building footprints and elevations to adjust to the changing market of home buyers. They have no problem complying with the Councils request to adjust the trail site. Condition 8 includes the addition of the word enclose, so fences can be place between units for a screen. The applicant is requesting to not put fencing along the short north property line.

Randy Rindlisbacher commented that when they built phase 2 they were required to put the 3 foot wainscoting along the wall. The new plan has a wainscot on the front porch on a shorter wall that returns toward the front door, not on a long flat wall. It is more masonry than the old style.

Hayden Williamson asked about the fencing in the previous phases. He would be open to not allowing them to fence the back fence portion.

Kirk Wilkins asked what the difference was in the wainscot condition.

Scott Langford said the condition is that it would be wrapped around the side. The applicant is requesting to take that side treatment and reapply it to the front porch area. Wainscots are used to improve aesthetics and durability. If you look at the site plan, there is not a lot of movement between the buildings for holes to be punched in the wall. These buildings are 10 feet apart so there is a little view between them. It seems an upgrade to include more on the front of the buildings.

Kirk Wilkins is amenable to that change. He asked about the fencing along the trail.

Scott Langford noted that along the trail is required and along other housing seems appropriate. Really the question is along the north end. There doesn't appear to be an issue with that area.

Kirk Wilkins supports that the fence along the west be consistent with City Code, he doesn't have a strong opinion at this point to the north side.

Ken Kilgore thinks the north side should be consistent with the other phases. He does have an issue with the wainscot, in a similar vein he would like to see it consistent with the other phases as well. Personally, he feels it looks better to carry the wainscot around the side as it ties it into the other phases. For the back fences he is not sure how that carries from the other phases.

Scott Langford noted where some owners in the first phases have fenced around the area behind their unit. The partial fence would allow the separation of yards but they would not be allowed to enclose them and wall off their community. The HOA would watch that.

Sandra Steele asked about the fence between the residential and agriculture, and noted that we don't have an active application for the area north. She noted that the back yards are 20 feet that are part of the open space of the project. She feels the 12 feet of fence still encroaches on the open space. She can see enclosing the patio but has problem with fences in what is supposed to be common area for everyone. It bothers her when you go along and the rock stops. She can't support not wrapping the wainscot around.

Jeff Cochran was fine to not have the north side fenced. He thinks the wainscoting wrapped looks better and would like to see that. He asked how much of the back yard is owned.

Scott Langford noted they own only the footprint of the unit.

Jeff Cochran is conflicted, as an owner he would like the private space but it is technically open space. He could see if the divider fences were up he could see people going ahead and putting the back fence up.

Hayden Williamson commented on the wainscoting, that it's not required by code.

Scott Langford commented that either wrapping or not it would be complying with code.

Hayden Williamson noted it seemed that those who want it wrapped around is only an opinion, and not required by code, but the developer believes it would be a better product and sell better without the side wrapping. The developer should be able to make that final decision.

Jeff Cochran asked if there was anything to be said about consistency between the phases that was required by code because the other phases do require that.

Scott Langford replied that it wasn't addressed, if it was in a development agreement it would be an issue but it was not.

Jeff Cochran asked if this was something we could require of him.

Scott Langford said yes, with this we are approving the building elevations and architecture. It is currently listed as a condition. It would need to be modified to add the side wainscoting.

Sandra Steele asked staff if there was something where the State allows them to regulate aesthetics.

Kimber Gabryszak replied that it does give the city the ability to regulate aesthetics, however it is not a blanket ability, and it enables us to write code to regulate aesthetics. If we don't have something in the code specifically for that item we can't regulate it. If we want to write architectural standards we have that ability.

Sandra Steele thinks since we have already approved it with wainscoting and we have a condition to continue that, we always have the option to say no, go back to the old ones.

Kimber Gabryszak said it gets a little tricky. You could deny the request in which case he would have to stick with what was approved however you would have to find code criteria for the denial other than just the aesthetic.

Jeff Cochran asked because it was required in the previous plat can we require it in this.

Kimber Gabryszak replied technically no. we do not have architectural standards for residential development, only for commercial. When the Urban Design Committee reviews these they make recommendations but they are not binding. What is binding is access, layout, orientation things like that they do have standards for.

Kirk Wilkins commented that when you put the fences there you create the vision of ownership; if they put it there the owner will think they own it and want to finish it.

Scott Langford noted in other communities if they want to achieve that feel, they could perhaps not extend it out 12 feet but keep it more 6-8 feet so it's not as tempting to wall it off.

Kirk Wilkins asked if there was any provision that said they cannot put patios or pavers in the area.

Scott Langford said there is not private space outside the footprint of the building.

Mark Christensen noted people will use it like a private area to a point. He is not sure screening gets rid of the common area and feel, but it does allow for a little privacy, it will still get used by all the kids.

Sandra Steele could go with it going out the depth of the patio, it still keeps the neighbor from looking right into your BBQ, but going further out she could not support it. As far as the wainscoting she would like to ask nicely if the developer would consider it as something that would benefit his community and the city.

Hayden Williamson asked how deep the patios were.

Randy Rindlisbacher said it varies. He hears what they are saying about consistency from phase two to phase 3, but the whole project will look different, hardy board instead of stucco and other things that will look so different that the wainscoting will not really carry a consistency. They have had good feedback from buyers and neighbors on the new product. On the fencing for the rear patios he would personally wish to enclose all of them for people to have a little private outdoor living space, he doesn't really care as a builder, but knows that people would like that private space, but they only own the footprint so they cannot legally enclose it. Most people use common sense about it. The buyers do want it.

Sandra Steele would go with the 6 feet of fencing. She saw a similar project and it jumped out at her that the rock on the homes didn't continue around the side.

Ken Kilgore has been swayed to go along with the wainscoting the developer has proposed. With the fencing he is also leaning towards what the developer would like.

Kirk Wilkins feels the same on the wainscoting with what the builder wants to do. On the fence he is for a division fence.

Hayden Williamson is in favor of letting the builder do what they want with the wainscoting and feels the fencing would be advantageous for the community.

Jeff Cochran is ok with 6-12 feet of fencing.

Randy Rindlisbacher noted by the time you go of the back porch and down some steps to the patio you are already out 5-6 feet. He would lean towards 10-12 feet of fence.

**Motion made by Hayden Williamson that Based upon the evidence and explanations received today, I move that the Planning Commission approve the minor plat amendment for Sergeant Court Phase 3 on property located at approximately 1675 North 95 West, approving the proposed building elevations, with the findings and conditions included in the staff report. With the exception of condition 6 which will align with the builder's request that the wainscoting be on the front and not wrapped around. And on condition 7 that no fence be required along the north portion. And condition 8. No enclosed fences are allowed along the back of the individual townhomes. Seconded by Kirk Wilkins.**

Sandra Steele asked if we approved the 12 foot fences in the back on the previous approval.

Scott Langford said they were not called out but were shown. He asked if they could clarify on **condition 7 that the fencing type on the south property line was a 6 foot solid vinyl.**

The **amendment was accepted** by Hayden Williamson and Kirk Wilkins.

**Aye: Hayden Williamson, Jeffrey Cochran, Kirk Wilkins, Ken Kilgore. Nay: Sandra Steele. Motion passed 4-1.**

**7. Work Session: Discussion of the Village Plan and Community Plan for The Crossing located NW corner of Pioneer Crossing and Redwood Road, Boyer, applicant.**

Scott Langford presented. "The Crossing" is a proposed 68 acre commercial development located on the northwest corner of Redwood Road and Pioneer Crossing. The property is part of the approved District Area Plan (DAP), which requires new developments to receive approval of a Community Plan and a more detailed Village Plan. This is meant as a discussion to get familiar with the project. They will be seeing it several more times as it goes through the process.

Wade Williams and Scott Verhaaren were present from the Boyer Company to talk about the project and answer questions.

Wade Williams said the purpose of the Community Plan is to set the theme and framework for the Village Plans. It's about 60 acres and will ultimately be a large regional commercial property. They have tried to follow the guidelines of the District Area Plan (DAP) as they put together this plan. Phase 1 will be part of the Village Plan. Each major intersection they are projecting to have a project sign this will be a design that will carry throughout the project.

Ken Kilgore asked about the Planned Community Zone and the landscaping that was required.

Kimber Gabryszak noted as part of the annexation there was a plan approved for the whole property that created multiple place types that has a different range and type of open space. This is Regional Retail and they get a range of 11-14%

Sandra Steele realized they are doing a blend of Code and the DAP. They normally don't require open space in commercial but they do require 20% landscaping. Her concern is that they are getting neither looking at these plans. She is hoping that they can have a negotiation to see more open space. She would actually like to see the 20% landscaping, that would be more aesthetically pleasing and appealing for those who will drive by and shop in it.

Wade Williams noted they are still formulating their landscaping plans, as they get into it they can look at each one of them. There are a couple areas they would like to talk about to facilitate the project. The first is in the setbacks and structure height. They propose nothing be larger than 50 feet with the exception of a movie theatre, with stadium seating they find that 50 feet is not tall enough, it's closer to 65 feet. They added a provision that an office building could not exceed 100 feet. He noted that Larry H. Miller wanted the height to really showcase their product, so he wanted the height, that was the issue in So. Jordan and they got the variance there for the height.

Kirk Wilkins and Hayden Williamson had questions regarding the buffer area along the main arterials.

Wade Williams noted where it showed in the packet the graphics that accompanied the setbacks and buffers.

There was some confusion on who would be taking care of the parkstrip along Pioneer. They found the city had agreed to maintain that area from the trail down to the asphalt, in their agreement with UDOT.

They were hoping to make the landscaping better and wanted to further discuss how to approach that.

Jeremy Lapin noted that the city maintains the trail, the underlying property is still owned by the property owner and there is room reserved for widening, the ditches on the side are temporary. Any landscaping they can do is subject to pipes, curb and gutter. The city didn't know what would be going in so they did a basic landscaping. The irrigation system is set up separate from the medians so they could be separated from the city.

Wade Williams does want some more discussion on what needs to be along the trail. They would like the trail to be a dividing zone between what is refined and something more rugged that can take the abuse from the busy traffic road, so it's appealing but durable. Once you cross the trail you have the feeling of entering a new area.

Sandra Steele commented that they may want to do some berm and some hedge planning. They don't want headlights shining into the Roadway.

Ken Kilgore would like to see some continuation of bike lanes in the planning designs.

Wade Williams noted this was all still conceptual. The City Code would provide the guidelines for the berms and hedges. He took notes of the suggestions.

Scott Langford noted that on Market Street it was a 9 ft. parkstrip required instead of 8 ft. that was shown.

Wade Williams noted that current code requires 20ft light poles; they are proposing 30ft. above the base. (The detail was wrong on the plans.) They have found when you do light poles on this scale of project, if you do smaller ones they have so many it looks too crowded. With the higher poles they don't clutter as much.

The light poles are there to light. They have a design for a champagne color pole that blends in better and allows the building to be seen. He encourages them to look at the poles at The District that are higher but don't take away and overpower the architecture.

Scott Verhaaren said there is a difference for what they are proposing for parking lot and pedestrian area lighting.

Sandra Steele has some concern in this area. Her thinking is that 30 feet lights are a lot of light and may interfere with the dark sky ordinance.

Wade Williams said the height will not make a difference in the amount of light, the light and shielding will be exactly the same. Less but taller poles will provide the same amount of light as more, shorter poles, and all will be dark sky approved. More poles are more clutter in the parking lot.

Sandra Steele feels when you are looking at this area from another area you will see a large glow. She feels the lights should stay at a bell shape. The shoebox type does not match the city standard.

Wade Williams noted it was different than a typical shoebox type. It is state of the art LED. They would look at designs that the city would like them too. This design/color really helps make the architecture pop more. He encouraged them to look at some of their other designs.

Mark Christensen noted that with the DAP they do have the right to request changes and propose their own code. Largely they will be following Title 19. He recommends that it is good to listen to their suggestions as they are experienced they know what they are doing. He believes the lights he is talking about really do not show up as much as a typical black pole.

Sandra Steele asked if he would be willing to go with the dark sky ordinance that half the lights go down at night.

Scott Verhaaren replied that would be an operational issue they would have to discuss with the tenants. He noted they would have some challenges with some businesses like a movie theatre and some restaurants. They have a vested right to want to turn down lights because it saves them money but with some tenants it would depend on how late they were open. They want to put safety first.

Kirk Wilkins noticed the berm with the landscaping to the north side of the Gas Station and it looked like it would be hard to turn around there. He hoped it could be planed for the large amount of volume (citing how busy Smiths is) and that they might think of a way for people to get in and out of there better.

Wade Williams said this is a 9 MPD, and that was a great comment for them to look closer at.

Sandra Steele mentioned because so many people do fill up on the weekend with boats and trailers they could think about a certain amount of oversized parking spaces that may help with traffic.

Mark Christensen pointed out that part of the agreement with Smiths and Boyer is that each pad site is required to fully park their own uses. They are not anticipating a sharing or parking across businesses.

Wade Williams said they really try to focus on the tenants needs; every business has a different model so they try to create a property that will blend all those models together and still make their model work. Every once in a while they get a business that is on the far end of the spectrum like Café Rio so they are sensitive to that. He mentioned the walkways and how it is tricky to do a pedestrian walkway that works with shopping carts. He pointed out the proposed landscape materials that can handle the wind and soil conditions.

Scott Langford noted the 10' for walkways includes walkway and landscaping. This is how it is in the Store in West Jordan and this plan works great. He said the parks dept. has looked at these and agreed with it.

Wade Williams noted the Community Guiding Development Standards. They find on the large scale projects, what works best is to come up with design guidelines and operating controls let the staff handle with the minutia. They have done that with several areas and it has worked well.

Mark Christensen made the observation how they recently saw how some sites were pad ready still had multiple reviews, how cumbersome it could be. They have had some conversations, and from a staff perspective these guidelines are beneficial and a positive step. Pad sites shouldn't be as time consuming as they have in the past.

Sandra Steele asked how we were on getting water to the center of the larger buildings for fires and where we were on a ladder truck.

Mark Christensen said we have access through mutual agreements to ladder trucks. We cannot require developers to purchase a ladder truck and sprinkler systems really retard the effects of a fire.

Hayden Williamson wondered about tall business buildings.

Mark Christensen the DAP is titled City Center and includes these types of things. It is our downtown commercial core. The height now seems odd but looking down the road it is possible to have 4 or 5 story buildings that will meet that requirement.

Wade Williams looked closer at the Village Plan. They will come back with concepts for each individual pad. Scott Verhaaren noted the building design guidelines that helps them, they still need to allow tenants their branding but this shows them what they can build and what their flexibility is.

Sandra Steele noted the DAP called out street facing architecture and other architectural features. She thought if the arterial buildings backed the streets that screened the parking and provided a street image would be better.

Scott Verhaaren noted they had to do a balancing act with anchor tenants that have restrictions in place so the people can see back to the anchor tenants from the street.

Wade Williams said those building will have four sided architecture. They think orienting to Market Street will be more comfortable.

Mark Christensen said they had looked at examples with windows and in a neighborhood that looks good but most tenants had blacked out those windows so they could have the shelf space.

Wade Williams said there is a challenge with the four sided architecture where you still have to have a back of the house. They need to make sure deliveries and garbage can still be taken care of.

Sandra Steele commented they do have a good reputation and she is confident they can make a good product.

Wade Williams noted the design features that will help brand the area and some landscaping plans. He noted how storm water is a big issue on areas of this size and right now they are proposing underground detention system that will tie to the new storm drain being installed with Market Street. He noted their signage plan. He showed the new elevation plans for Smiths Marketplace.

Jeff Cochran thanked them for being well prepared and spending time with them He noted that this will become an entrance product to the city and if there were plans to help highlight that.

Scott Langford said they had talked about that.

Sandra Steele asked what they would do about snow storage and removal.

Scott Verhaaren said they have areas designated as storage spots as far away from the front of the buildings as possible. They either handle the snow removal themselves or contract with a company to take care of it.

Sandra Steele she is concerned that they will use handicapped spaces for snow removal, she asked them to make that a concern in their plans.

Wade Williams noted that the large parking lot would lend itself to pushing it further away on its natural slope. It is a big issue on all of their centers.

Sandra Steele asked about the elevations and they need spaces for garbage and loading, it looks like you will be able to see the back on the road behind it.

Wade Williams said there will be a berm and a fence on top of the berm on the back of the Smiths store with additional commercial behind there and they want it screened from those businesses as well.

Scott Verhaaren noted behind Smiths the road was really a service road and the berm would be behind that.

Sandra Steele also wondered if there was anything they could do to screen the south and north with trellis work or something to break up the long expanse of wall. She thinks some of the roof top equipment is too exposed.

Staff felt it may be a good idea to have a one on one meeting for up to three commissioners for more detailed questions.

Kimber Gabryszak noted they would be bringing some of the different aspects at the same time. They will be trying to work quickly.

Mark Christensen wants to make sure they have a process in place so they can move smoothly.

## 8. Approval of Minutes:

1. July 9, 2015.

Sandra Steele sent a couple changes to Lori Yates.

**Motion made by Hayden Williamson to approve the minutes of July 9, 2015 with the changes emailed by Sandra Steele. Seconded by Sandra Steele. Aye: Sandra Steele, Hayden Williamson, Jeffrey Cochran, Kirk Wilkins, Ken Kilgore. Motion passed 5 - 0.**

9. Reports of Action. - No Reports of Action tonight.

10. Commission Comments.

Jeff Cochran thanked Staff for all the time they take to help them.

Kirk Wilkins asked about neighbors planting trees in front of other residents' views.

Kimber Gabryszak said they can talk about it but in this state views are not considered a property right and protected so there is little they can do.

Ken Kilgore noted he would have voted against the change in the wainscoting if they were able to do that as far as aesthetics and if there was a way they could do that.

Kimber Gabryszak noted they have standards for commercial products but not residential. They didn't want to tell people what they could do or not. On townhomes they have it on the list but they haven't gotten to it yet.

Scott Langford remarked that he has accepted an offer to be the Planning Director in West Jordan and he expressed his gratitude for working with them for the last few years and thanked them for their service and dedication to the community.

Ken Kilgore asked if there was a potential for a tenant in the old Smiths.

Kimber Gabryszak replied not yet, they will try to find a new tenant as part of their lease.

11. Director's Report:

- Council Actions
- Applications and Approval
- Upcoming Agendas
  - Code amendments, and Rezone on 400 N and Redwood Road. Swim school and preliminary plat and site plan for Tractor Supply
- Other
  - Jared Henline has tendered his resignation. They will be advertising for his spot starting Monday.

13. **Motion to enter into closed session.** No closed session tonight.

**Meeting adjourned by Chairman Jeff Cochran**

**Adjourn 9:23 p.m.**

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

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

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