



CITY OF SARATOGA SPRINGS

Joint City Council and Planning Commission Meeting

Thursday, April 30, 2013

**Meeting held at the Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs**

MINUTES

Work Session 6:05 P.M.

Present:

Council Members: Councilman McOmber, Councilman Miller, Councilman Poduska, Councilwoman Baertsch, Councilwoman Call

Absent Council Members: Mayor Love

Commission Members: Sandra Steele, Earl Halvas, Eric Reese, Jeff Cochran, Kristen Hood, Jarred Henline

Staff: Lori Yates, Mark Christensen, Jim McNulty, Sarah Carroll, Kevin Thurman, Spencer Kyle, Owen Jackson

Others: Mike Stewart, Curtis Wolthius, Ryan Poduska

Councilman McOmber called the meeting to order.

Invocation was given by Councilwoman Call

Pledge of Allegiance was led by Planning Commissioner Sandra Steele

1. Resolution R13-11 (4-30-13): A resolution of the City Council of Saratoga Springs, Utah approving the Villages at Saratoga Springs Second Master Development Plan and Agreement located on the west side of Redwood Road from 2800 South to 3600 South, Mike Stewart, applicant.

Councilwoman Call asked staff what is the Council's ability and the requirements of the sensitive lands in the current agreement along with what is being proposed in the amended agreement. She also asked if the City has the ability to zone the areas as Low Density. She also asked if the City could rezone the higher density parcels whose owners have made clear that they would be bringing in a lower intense development to the zone that corresponded to that lower use. Mark Christensen stated that Exhibit D within the amended agreement it provides those open space totals which are slightly more than 30 percent of the requirement. Mark stated that this development meets the open space requirements. Councilwoman Call asked if the sensitive lands are also being considered in the open space requirements. Mark Christensen stated that they are. Councilwoman Call stated that she is concerned with the higher density that is being proposed for Neighborhood 10. Mark Christensen stated that the Council has the ability to make changes when an application is received by the applicant on this neighborhood.

Councilwoman Call asked if the trail is required to be completed sooner than later. Mark Christensen stated that we can direct how and when the trail should be completed. Councilwoman Call expressed that the portion of this development in which a trail is planned is currently being used by runners along Redwood Road with little to zero shoulder. She feels that this is a safety concern with no shoulder on Redwood and no trail and would like to see this portion of the trail completed sooner rather than later. Mark Christensen stated that the easements will be dedicated to the City and under the direction of Council this portion of the trail could be completed. Staff and Council discussed the possibilities of funding the trail completion.

Councilman Miller asked if the drainage and flood issues are addressed in the agreement. Staff indicated that those improvements must be met as per approved agreement.

Councilman Poduska stated that he is fine with proposed agreement.

Councilwoman Baertsch stated that she would like to see that the density in Neighborhood 10 be addressed. She also stated that she has spoken to Ryan Poduska, HOA President of Fox Hollow, about the clubhouse and he had indicated to her that a clubhouse would be built.

A motion was made by Councilman Poduska and seconded by Councilwoman Call to approve Resolution R13-11 (4-30-13): A resolution of the City Council of Saratoga Springs, Utah approving the Villages at Saratoga Springs Second Master Development Plan and Agreement including the staff's findings and conditions dated in the staff report from April 30, 2013 also including that the staff work with property owners to lower the density in Neighborhood 10. Aye: Councilman Poduska, Councilwoman Call, Councilwoman Baertsch, Councilman Miller and Councilman McOmber.

2. Discussion of the Title 19, Land Development Code.

Kevin Thurman introduced the policy changes that have been revised in Title 19 of the Land Development Code. He provided the changes he would like to address in this meeting tonight. Staff began with 19.01.14 Administrative Reviews, Certificates, and permits.

Councilwoman Call suggested to staff that the Council address the entire City Code and adopt those changes rather than revising section by section.

Mark Christensen suggested that the Council provide policy direction to staff.

Councilman McOmber stated that possibly tonight we give policy direction to staff but would also like to see Council revise the proposed changed by staff.

Councilman Miller agreed with Councilwoman Call and would like to start from the beginning of the City Code.

Jeff Cochran agreed with revising the outlined changes provided by the City Attorney but agrees that starting from the beginning of the City Code would be wise.

Kristen Hood agreed that we need to go through the entire City Code but would like to address the changes that have been proved by Kevin Thurman, City Attorney.

Jarred Henline agreed with addressing the revisions that have been provided by City staff.

Earl Halvas stated that he would like to review the changes that have been provided by staff but would also agree that the City Code needs to be addressed as well.

Councilman Poduska stated that he trusts the City's legal counsel and staff with the proposed changes.

Councilwoman Baertsch stated that she too agrees that we need to address the entire City Code.

Eric Reese agreed with going through the three pages that have been provided by the City Attorney.

Sandra Steele asked why staff wants to changes this section. Staff stated that the Planning Director doesn't review the plan and that is why the Building Official is being added to this section of Code. (Section 19.01.14)

The Council and Planning Commission members were fine with the changes to Section 19.01.14.

The Council and Planning Commission had a discussion of possible clustering options and suggested staff research this and bring this back to the Council and Planning Commission for further review.

The City Council asked that Planned Unit Development be removed from the City Code.

The Planning Commission stated that they were fine with removing the Planned Unit Development (PUD) from the Land Development Code.

Councilwoman Call stated that restrictions should be left out of definitions and leaving it to just define what it is. Kevin Thurman stated that Councilwoman Call had a good point.

Sandra Steele stated that she would prefer that the definitions state all information.

Councilman McOmber suggested a reference to the definitions section of the Code.

Councilwoman Call stated that she would like to see the hours in the Automobile Repair, Minor section be changed.

Kristen Hood stated that the hours of service need to be taken into consideration. There may be repairs that would require more than what is allotted in the Code.

Jarred Henline stated that he doesn't have an issue with allowing the definitions to have the rule.

The Council and Planning Department stated that they don't want to see outside storage.

Councilwoman Call, Councilman McOmber, Councilman Miller and Councilwoman Baertsch would like to see the word mechanical removed from Section 19.02.02.43.

Councilman Poduska and Sandra Steele have no problem with keeping the word mechanical in the definitions.

Kevin Thurman stated that Section 19.02.118, Land Use Authority has been defined. The Council and Planning Commission stated that they approved of the language in this Section was fine but suggested providing a reference link.

Councilwoman Call stated that she would like to exclude dry clean from Section 19.02.121. The Council and Planning Commission agreed with Councilwoman Call's request.

Kevin Thurman stated that he has made a few changes to Section 19.02.166, Open Space. The Council stated that they would like to see further review and discussion of open space.

Councilwoman Call suggested that Section 19.02.167, Outdoor Seasonal Sales have two definitions that define some of the listed uses. The Council and Planning Commission agreed that a time line condition be given to each applicant at the time of approval.

The Council and Planning Commission had no concerns with Section 19.02.212, Residential facility for persons with disability.

Councilwoman Baertsch stated that she would rather not allow applicants in the RC zone, with less than 20,000 square foot lots, to no be allowed drive throughs.

Councilman Poduska stated that the parking minimum may be an issue in Section 19.02.214, Restaurant, Sit Down. Staff indicated that they are aware of this and will research this concern.

Councilwoman Baertsch asked what section Deli would fall into. Staff stated that they would look into and possibly add to Bakery.

The Council and Planning Commission stated that they would like to see the word structure rather than dwelling in Section 19.02.242, Three-family Dwelling. They also would like to see additional information added to the definition.

Councilwoman Baertsch asked for consistency wording in differentiating between a single family housing/dwelling, and multi or single family structures.

The Council and Planning Commission discussed the differences between a three- family and two-family dwelling. Staff indicated that they will bring back definitions for both dwellings.

The Council and staff discussed the option for Section 19.03.03, Gradual Transition of Uses and Density. Council directed staff to remove the matrix.

Councilwoman Call stated that she would like to see limitation on the 35 foot frontage. Councilwoman Call stated that although we allow for a reduction to 35 foot frontages where necessary due to lot restrictions, she would like to see that limited so as not to encourage 35 foot frontages.

Staff, Council and the Planning Commission discussed the requirements of park strips.

Sandra Steele would like to eliminate park strips for the reduce water conservation. Councilman McOmber stated that he would like to be transparent to the park strip.

Councilman Miller would like to see that park strip standards be met.

Councilwoman Call stated that there are reasons why park strips, sidewalks and street widths in the City Code.

Councilwoman Baertsch stated that the parkstrip are put in place for a safety issue and should stay in place.

Councilman Poduska stated that he is against private streets. He feels that public streets equal public access. He would like to see the park strips be kept in place.

Councilwoman Call stated that she has concerns with main floor being above grade which is address in Section 19.04.08 (11), Minimum Dwelling Size. Staff stated that they would research this concern and bring back to the Council.

The Council and Planning Commission stated that they are fine with the changes to Section 19.04.13, 19.04.14 19.04.15, 19.04.16, 19.04.17, 19.04.18, and 19.04, 20.

Councilwoman Call stated that she would like to see the rear setbacks for Multi-family be 25 feet instead of a 20 foot setback. The Council agreed with the proposed suggested by Councilwoman Call.

Councilwoman Call stated that she would like the setbacks for Section 19.04.17, R-14 zone be 25 feet for the rear and 15 feet for the front. The Council agreed with the request made by Councilwoman Call.

The Council agreed with the changes that have been made to Section 19.04.20, Mixed Use but would like to have staff's opinion on the lot size for Mixed-Use. Staff stated that they would research this issue and bring it back to the Council.

Councilwoman Call stated that City's Code Enforcement is unable to enforce non-chain link or non-chicken wire fencing, because this is not spelled out in the City's Code. Councilwoman Call reported that the City's Code Enforcement will not enforce non-chain link or non-chicken wire fencing, because this is not spelled out in City's Code.

The Council and Planning Commission briefly discussed Section 19.06.09, Screening and Fencing restrictions.

Councilwoman Call stated that she would ask that the snow shack and ice cream vendors be removed from Section 19.05.10, Temporary Uses.

Sandra Steele asked that all temporary uses be required to provide a paved surface on site. Staff indicated that they would review this concern.

Motion to adjourn at 9:10 p.m. was unanimous.

June 18, 2013
Date



Lori Yates
Lori Yates, City Recorder