



# MINUTES – Planning Commission

Thursday, May 24, 2018

City of Saratoga Springs City Offices

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

## PLANNING COMMISSION MEETING MINUTES

**Call to Order - 6:00 p.m.** by Chairman Kirk Wilkins

**Present:** Commission Members: Kirk Wilkins, Bryan Chapman, Christopher Carn, Troy Cunningham, Ken Kilgore, Sandra Steele

**Staff:** Dave Stroud, Planning Director; Sarah Carroll, Senior Planner; Nora Shepard, Senior Planner; Jenna Albers, Planner I; Kevin Thurman, City Attorney; Gordon Miner, City Engineer; Nicolette Fike, Deputy Recorder

**Others:** Nate Shipp, Tyler Allen, Garrett Seely, Courtney Hathaway, Don Whetton

10 1. **Pledge of Allegiance** - led by Commissioner Cunningham

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

15 3. **Public Input**

**Public Input Open** by Chairman Kirk Wilkins

No public input was given.

**Public Input Closed** by Chairman Kirk Wilkins

20 4. **Public Hearing: Class 3 Home Occupation/Conditional Use Permit for Nate Anderson Production LLC. Located at 246 W. Rocky Creek Way. Nate Anderson applicant.**

Planner I Jenna Albers presented the application. The applicant seeks approval for a Class 3 Home Occupation to teach music lessons. He proposes a maximum of four classes per day, with no more than eight students per class. Hours are proposed as 3:30 pm to 8:30 pm approximately three to five days a week.

25 **Public Hearing Open** by Chairman Kirk Wilkins  
No public comment was given.

**Public Hearing Closed** by Chairman Kirk Wilkins

30 Commissioner Steele

- Asked if the Fire Marshal had already approved the application? Nate Anderson responded that he understood the Fire Marshal reviews and comes out if he deems it necessary. He has not been informed of a visit yet.

- Has he talked to the neighbor? Nate Anderson responded that the neighbor was in favor of the studio.

- Suggested that some styrofoam in the window made for quick release would help with sound if necessary.

35 Commissioner Kilgore

- Total square feet. He asked if there was a bathroom available to students, the application did not include that. He noted a previous application where those footages were counted toward the total sq. ft. Nate Anderson responded that he did have one available. Planning Director Dave Stroud advised that they aren't counting the entryway or hall, only the studio room. Commissioner Wilkins felt the used space should be counted towards the sq. ft. It would not put them over the limit. The applicant would be fine if they needed to include that extra footage.

40 - Was there a problem with the layout plan showing reversed? Planning Director Dave Stroud responded that it was not an issue.

45 - Parking did not seem to be a problem as most students would not be parking, but dropped off. There would not need to be interaction with parents while they are parked for payment.

- Signs. Mr. Anderson had looked at the allowable signage and would like a small sign as allowed by code.

50 Commissioner Chapman

- Appreciated him coming to the City and following code with his studio.

Commissioner Carn

- 55 - Noted that there wasn't a sign in the application, wanted to make sure the sign would fit with the code.  
Planning Director Dave Stroud advised on the signage allowed for a Home Occupation in the City Code.

Commissioner Wilkins

- Commented it was great he was going through the correct channels for a Home Occupation business.

60 **Motion made by Commissioner Chapman that The Planning Commission hereby approves the Nate Anderson Production LLC Class 3 Home Occupation at 246 West Rocky Creek Way, with the Findings and Conditions in the Staff Report dated May 4, 2018. Seconded by Commissioner Cunningham.**

- 65 Commissioner Kilgore would like to add the condition about including the sq. ft. of the hallway and bathroom. We have required it of other applicants. Planning Director Dave Stroud advised that it probably wasn't needed. After discussion **Commissioner Chapman amended the motion to allow the condition that the sq. ft. of the Commissioner Cunningham seconded the amendment.**

70 **Aye: Bryan Chapman, Christopher Carn, Troy Cunningham, Ken Kilgore, Sandra Steele, Kirk Wilkins. Motion passed 6 - 0.**

5. **Public Hearing: Plat Amendment for Fox Hollow N2, Lot 2548, Located at 3072 S. Red Pine Dr. Garrett Seely, applicant.**

- 75 Senior Planner Sarah Carroll presented the plat. This is a request for a plat amendment for lot 2548 to amend the side yard setback and Public Utility Easement (PUE) from ten feet to five feet, and to amend the front setback from 22 feet to 20 feet. This setback will not be staggered as it relates to the immediately adjacent lot. This will allow for a home similar to those found within Neighborhood 2. The requested setbacks are similar to other lots within Neighborhood 2. The subject lot is narrower at the back than other lots within the plat, resulting in the proposed request. Garrett Seely with Woodside homes was present to answer any questions.

80 **Public Hearing Open** by Chairman Kirk Wilkins

No public comment was given.

**Public Hearing Closed** by Chairman Kirk Wilkins

85 Commissioner Steele

- Asked if this had gone to a variance hearing. Senior Planner Sarah Carroll advised that originally they had advised a variance but found it could be handled with a plat amendment.
- Why does this have a 10' easement? Senior Planner Sarah Carroll advised that when it originally came in they didn't know there would be a lot on the other side, with the adjacent lot a 5' PUE will be fine.
- 90 - Option for a fireplace should not be available so it doesn't hang over the easement. Garrett Seely commented that there would not be footings in the easement, it should be allowed per Code. Commissioner Steele noted that might be allowed for a setback but perhaps not for a PUE. The overhang would not leave space for heavy equipment. City Engineer Gordon Miner advised that as this is a plat, the Utility companies will have the opportunity to sign off on the plat for their approval.
- 95 - She noted that this would need to be put on the standard plat format of the City.

Commissioner Kilgore

- 100 - Confirmed with staff that approval of this plat wouldn't change the original plat conditions of approval of staggering. Senior Planner Sarah Carroll responded that was correct, she noted the original reasoning was for aesthetics not engineering.

Commissioner Cunningham.

- Confirmed with staff that the setback would not create any safety or parking issues. It would not.

105 Commissioner Chapman

- Verified that Woodside homes was still the owner of the plat.
- Perhaps they could list Commissioner Steele's concerns as conditions.

Commissioner Carn

- 110 - Asked if it would comply with the CCR's for the neighborhood. Senior Planner Sarah Carroll advised it would. The CCR's for this neighborhood don't have setbacks.

Commissioner Wilkins.



- 115 - Asked about plat standards. Senior Planner Sarah Carroll noted that the changes wouldn't change what they are seeing in the report, as the entire plat is not shown, but it will change items on the overall plat form.
- 120 - He is ok with the setback as long as the space is sufficient to access, install, and maintain utilities and would like to instruct staff to review the PUE code for fireplace overhang. City Engineer Gordon Miner advised to leave the PUE there and if the utility companies have a concern they will express that. There may not be a need for the PUE. Commissioner Steele noted that the footprint of the building will not be on the plat for the utility companies to see. She suggested that on this lot they just not allow the option for a fireplace. Garrett Seely noted that this is not unusual, the building department allows the overhang.

125 **Motion made by Commissioner Carn that the Planning Commission approve the plat amendment Fox Hollow Neighborhood 2 Lot 2548, located at 3072 South Red Pine Drive as shown in the exhibits, with the Findings and Conditions in the Staff Report dated May 24, 2018. With the addition of removing the PUE. Seconded by Commissioner Chapman.**

Senior Planner Sarah Carroll asked that they specify which side for the removal of the PUE.

130 **Commissioner Carn noted it was the side with the fireplace; the west side.**

Commissioner Steele noted that the attorney advised that they include that condition, that the standard plat format be used. She does not think we have the right to just remove a PUE. Planning Director Dave Stroud noted whenever they have done an amendment to remove a PUE in other plats the utility companies are notified and this is following standard procedure.

135 **Commissioner Carn also added the condition that standard City plat form be used.**

**Aye: Bryan Chapman, Christopher Carn, Troy Cunningham, Ken Kilgore, Kirk Wilkins.**

140 **Nay: Sandra Steele. Motion passed 5-1.**

6. **Public Hearing: Preliminary Plat for Wildflower B-4, located West of Harvest Hills. Nate Shipp, DAI, applicant.**

145 Senior Planner Nora Shepard presented the item. The application is consistent with the guiding standards in The Wildflower Community Plan. Specifically, the density, unity types, block types, thoroughfares, and other standards are expressly as contained in the Community Plan. Nate Shipp, DAI, applicant was present to answer any questions.

**Public Hearing Open** by Chairman Kirk Wilkins

150 Courtney Hathaway, Harvest Hills, had some concerns about the dirt that has been brought in behind the existing homes and the differences in height with existing neighborhood.

**Public Hearing Closed** by Chairman Kirk Wilkins

155 Nate Shipp responded to public input. He sympathized and understands the question. They are climbing up the mountain, they have to tie into two access points they need to build up to. They spent a year coming to terms with a contract with UDOT that required them to meet the existing elevations. They had plans ready to go, then UDOT told them they would be raising the elevations of the frontage roads by 14 ft. So they have had to raise up the road elevations and utilities according to City standards to meet the frontage roads at great expense to them. There will be some space between them and the neighbors. The current dirt will be pulled back and they are creating a drainage ditch that will catch any water from the back of these lots.

160 In response to questions from commissioners Nate Shipp advised that they hope they will be done by the end of the year. It would be a slope, not a retaining wall. It will have best storm water practices. Final grade would be about 7% on the back of lots.

165 Commissioner Kilgore asked if the applicant was willing to comply with all the Conditions. Mr. Shipp responded that he was.

Commissioner Chapman

170 - Asked how Mountain View Corridor factored into their open space requirement. Senior Planner Nora Shepard advised that every development has its own character and amenity plans which dictates what makes the most sense. She noted planned parks in the diagram. They also have some mountain amenities with trails and things planned. Each little plat doesn't necessarily need its own little park. They have submitted a Village Plan for 3A which is on the other side of Mountain View Corridor which will have some open space development. Nate Shipp advised on the Mountain View Corridor open space plan. As they did the calculations it showed everything in the Community Plan area. It showed the trails UDOT is proposing. It equated to over 30% open

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space. Just their plan without the corridor is more than what is required by the existing plan. Senior Planner Nora Shepard noted that each Community Plan is a little different. When Village Plan 1 was recorded they had to dedicate that land to the HOA. The 6.08% is the UDOT trails.

- Asked about changes on the road of Harvest Hills Blvd. and Redwood Road. City Engineer Gordon Miner advised that UDOT will make those as warranted.
- Seems that there is a lack of usable amenities in this plat. Senior Planner Nora Shepard advised there is a large park planned that will serve Village Plan 1.

Commissioner Cunningham

- Curious about the bike park and when those would be made. Senior Planner Nora Shepard advised that they will get a revised Community Plan which may show more on that. It will be an evolving theme.

Commissioner Kilgore

- Connections between East and West. Nate Shipp noted they had been allocated 4 connections, two overpasses on the north, one at grade on Harvest Hills, and the south one would be an underpass. Where UDOT connects to 2100 it will come in at 80ft. below ground.

Commissioner Carn

- Appreciates the additional open space.

**Motion made by Commissioner Steele to forward a positive recommendation to the City Council on Wildflower Plat B-4 with the Findings and Conditions in the Staff Report dated May 16, 2018. Seconded by Commissioner Kilgore. Aye: Bryan Chapman, Christopher Carn, Troy Cunningham, Ken Kilgore, Sandra Steele, Kirk Wilkins. Motion passed 6 - 0.**

7. **Approval of Minutes:**

- a. **May 10, 2018**

Commissioner Carn noted an error on those in attendance.

Commissioner Steele noted an error in her comments on the general plan.

**Motion made by Commissioner Chapman to approve the minutes, as amended, of May 10, 2018. Seconded by Commissioner Cunningham. Aye: Bryan Chapman, Christopher Carn, Troy Cunningham, Ken Kilgore, Sandra Steele. Abstain: Kirk Wilkins.**

8. **Reports of Action.** – No Reports were needed.

9. **Commission Comments.**

Commissioner Cunningham noted he would be gone on the first meeting of June and Commissioners Chapman and Carn will be absent the second.

Commissioner Steele commented on political signs on property where it is not allowed.

10. **Director's Report.** – Planning Director Dave Stroud advised that the door signs at Smiths will be coming into compliance. The items on top of Tractor supply are to keep the pigeons away. He is waiting for further feedback from Commissioners for the General Plan.

11. **Possible motion to enter into closed session** – No closed session was held.

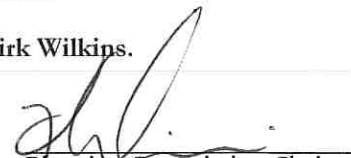
12. **Meeting Adjourned Without Objection at 7:25 p.m. by Chairman Kirk Wilkins.**

14 June 2018

Date of Approval

  
Deputy City Recorder



  
Planning Commission Chair  
Kirk Wilkins