



# MINUTES – CITY COUNCIL

**Tuesday, July 2, 2019**

City of Saratoga Springs City Offices

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

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**Call to Order:** Mayor Jim Miller called the Meeting to order at 6:01 p.m.

**Roll Call:**

**Present** Mayor Jim Miller, Council Members Ryan Poduska, Michael McOmber, Chris Porter, and Shellie Baertsch. Council Member Stephen Willden was excused.

**Staff Present** City Attorney Kevin Thurman, Assistant City Manager Owen Jackson, Economic Development and Public Relations Director David Johnson, City Engineer Gordon Miner, Planning Director David Stroud, Fire Chief Jess Campbell, Police Chief Andrew Burton, and City Recorder Cindy LoPiccolo.

**City Council Policy Meeting**

Invocation by Council Member Poduska.

Pledge of Allegiance by Council Member Porter.

**Public Input:** None

**REPORTS:**

Economic Development and Public Relations Director David Johnson reported Playworld Systems, Inc. the manufacturer of the Patriot Park playground equipment would like to feature Patriot Park in their national publication and as part of that have requested the park be closed for a couple of hours for photography.

**PUBLIC HEARING:**

1) **Rushton (Canton Ridge) Annexation, Proposed Zoning, and Fieldstone Canton Ridge Parks LLC and Rushton Annexation and Development Agreement, Jason Harris Fieldstone Homes / Rushton Family Partnership Applicant, ~800 West Meadowside Drive, Ordinance 19-22 (7-2-19).** *(Continued from 2-19-19)* Planning Director Dave Stroud presented the staff report. The application requests annexation of approximately 166.14 acres of land (58:041:0020) into the City, proposing zoning of R1-10 for the developable portion of the annexation, Agriculture zone for the future UDOT Foothill Boulevard Right-of-Way (ROW) corridor, and approval of the annexation and development agreement.

In response to Council Members Baertsch and Porter, Director Stroud reviewed the acreage for annexation. City Attorney Thurman advised the annexation agreement addresses how the land swap will be done and agreed Exhibit 3 needs to be struck as is not applicable to the annexation. City Attorney Thurman further advised with respect to the open space along Foothill Boulevard the annexation agreement allows the Developer to use of some area for regional trail to meet open space obligations and receive credit, the maintenance responsibility is yet to be determined and staff would like to negotiate this with the Applicant and dependent upon the connection with City parks and regionally.

City Attorney Thurman noted there should also be clarification in the agreement in regard to the ROW trail corridor open space cross section. City Engineer Miner reviewed the requirement and intent for the typical section. Director Stroud noted the Applicant seeks credit for what is going on the future UDOT ROW.

Jason Harris, Fieldstone, commented they are selling to UDOT, if there is an additional 15' ROW this may be an impact to them and they would need clarification. He is okay with determination made with preliminary plat and that negotiated clarification will be in the agreement. City Attorney Thurman noted staff can work ROW maintenance and specifications out with the Applicant.

Mayor Miller opened the public hearing on this matter and invited public comment.

Floyd S. Rushton, West Valley City, representing The Rushton Family, commented in support of the annexation and project.

There being no further comment, Mayor Miller closed the public hearing.

Council Member McOmber expressed appreciation for looking at the City vision and area and returning with a product that fits existing neighborhood.

Council Member Porter commented he is happy a mutual agreement was made, thanked Fieldstone and Rushton Family Partnership for working with the City for preservation of the ROW, and getting the second access in the south end of the City.

Council Member Poduska concurred, thanked Mr. Harris and the Rushton Family for working with staff and submittal of a proposal superior to what was seen in the past. In response to Council Member Poduska, Applicant Harris responded he believes they will be able to figure out something to make the ROW work. City Attorney Thurman recommended the issue be delegated to staff and believes there is opportunity to work this out in concert with the land trade. Director Stroud noted the open space and ROW requirement must be met and as the City is giving open space credit he does not believe there will a negative effect on the Applicant and the matter will be worked out.

Motion by Council Member Baertsch to approve the Rushton (Canton Ridge) Annexation, Proposed Zoning, and Fieldstone Canton Ridge Parks, LLC and Rushton Annexation and Development Agreement, Ordinance 19-22 (7-2-19), including removing Exhibit 3, changing ROW from thirty feet (30') to thirty-two feet (32'), and delegate staff to work out the ROW issues with the land trade, was seconded by Council Member Poduska  
Vote: Council Members Poduska, McOmber, Porter, and Baertsch – Aye  
Motion carried 4-0, Council Member Willden excused.

#### **BUSINESS ITEMS:**

1) **Riverside Crossing General Plan Amendment and Rezone, and Development Agreement, Zach Olson Thrive Corporation Applicant, Northeast Corner of Pioneer Crossing and Redwood Road, Ordinance 19-23 (7-2-19).** Planning Director Stroud presented the staff report. The applicant requests the City amend the General Plan land use map from Community Commercial to Regional Commercial and Office and Rezone property from Mixed Use to Business Park, Community Commercial, and Regional Commercial. The request affects approximately 18.31 acres. The Business Park zone is proposed for construction of a fifty-foot (50') medical office building and a second medical building is proposed in the Community Commercial zone allowing for more flexible sign options and a maximum building height of forty-feet (40'). The Regional Commercial zone would be located along Pioneer Crossing.

In response to question from Council Member Porter on the need for more than just the business zone, Planning Director Dave Stroud and Economic Development Director David Johnson advised that for the Community Commercial there was a need for more signage for the additional tenants, which wasn't allowed in the office/business zone. The Business Park also allowed for the taller building.

Council Member Porter commented that he would like more office space throughout the city to provide more business and job centers. He would like to include the whole parcel as Business/Office. He understands the need for additional signage in the community commercial area, but likes having the area more unified rather than 3 zones.

Council Member McOmber asked whether an auto-related use was planned in this area. He was concerned especially with it being the first business at the entrance to the City. He felt the uses might not be enough to feather from residential to Regional Commercial. He believes it will create much more traffic. He felt it should stay more low intensity uses which were originally planned for.

Economic Development Director David Johnson advised that in the southeast corner an automotive business with minor repair was interested, no overnight parking. He had shared City Council concerns with potential developers, including a minimum of 300 ft. from residential, lot line to lot line, must be met. He advised that from an economic perspective, having the Regional Commercial on the edge makes it more viable to develop, which they have seen from interest generated.

Council Member Poduska echoed the concern about the entrance to the city and which business might be located on the edge. He gave feedback about the concept and received clarification on the road widths and intersections from City Engineer Gordon Miner.

Council Member Baertsch commented that much of her feelings have already been shared. She noted there are some uses they don't want at the entrance to the City. Business Park included most of the uses the developer wanted. She mentioned in Community Commercial dwellings might be allowed above commercial units. She is not in favor of Regional Commercial, the standards are not what they want for this area. She noted they could work with the extra signage.

Chaz Johnson, applicant with Thrive Development, noted that at this point there has been discussion about a tire shop but nothing has been purchased by a tire store at this time. He had a concern about going Business Park in the entirety noting the need for the allowed signage, e.g. combined business and food uses. Timing is an issue, if they would be allowed the needed signage in the Business Park area that would solve some issues.

Motion by Council Member Porter to approve the Riverside Crossing General Plan Amendment and Rezone, Development Agreement, Zach Olson Thrive Corporation Applicant, Northeast Corner of Pioneer Crossing and Redwood Road, Ordinance 19-23 (7-2-19), with all staff findings and conditions; with modification to remove the area shown as Regional Commercial and leaving current zoning and land use; and having it brought back for consideration at a later date, was seconded by Council Member McOmber.

Vote: Council Members Poduska, McOmber, Baertsch, and Porter – Aye.

Motion carried 4-0, Council Member Willden excused.

#### **MINUTES:**

1. June 18, 2019.

Motion by Council Member Porter to approve the Minutes of June 18, 2019, with the submitted and posted changes, was seconded by Council Member Poduska

Vote: Council Members Poduska, McOmber, Porter, and Baertsch – Aye  
Motion carried 4-0; Council Member Willden excused.

Break: 7:04 p.m. to 7:10 p.m.

**CLOSED SESSION:**

Motion by Council Member Baertsch to enter into closed session for the purchase, exchange, or lease of property, discussion regarding deployment of security personnel, devices, or systems; pending or reasonably imminent litigation, the character, professional competence, or physical or mental health of an individual, was seconded by Council Member Poduska

Motion carried Council Members unanimously In Favor

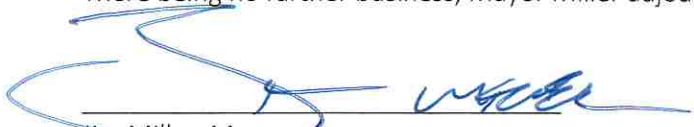
The meeting moved to closed session at 7:10 p.m.

Present: Mayor Miller, Council Members Baertsch, McOmber, and Porter, City Attorney Kevin Thurman, Assistant City Manager Owen Jackson, and City Recorder Cindy LoPiccolo.

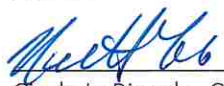
Closed Session adjourned at 7:20 p.m.

**ADJOURNMENT:**

There being no further business, Mayor Miller adjourned the meeting at 7:20 p.m.

  
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Jim Miller, Mayor

Attest:

  
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Cindy LoPiccolo, City Recorder  
*Deputy*

Approved: *7-16-19*

