



# MINUTES – CITY COUNCIL

**Tuesday, August 7, 2018**

City of Saratoga Springs City Offices

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

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## City Council Policy Meeting

**Call to Order:** Mayor Jim Miller called the Policy Meeting to order at 7:05 p.m.

### **Roll Call:**

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

**Staff Present** City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager Owen Jackson, Public Relations and Economic Development Manager David Johnson, City Engineer Gordon Miner, Planning Director David Stroud, Senior Planner Sarah Carroll, Deputy City Recorder Kayla Moss.

Invocation by Council Member Porter.

Pledge of Allegiance led by Bryson Briggs of Troop 1821.

### **Public Input:**

Mayor Miller opened public input at 7:07 p.m. There were no comments so public input was closed.

### **REPORTS:**

Mayor Miller had a meeting with MAG and funding went through for future roads. Some new development has caused dirt to go into people's back yards. Public Works responded very quickly very late at night. He and Council Member Willden asked that George Leatham be recognized for his diligence.

Council Member Baertsch reported that a letter was received from the Lake Commission. They will be treating some parcels chemically before the winter. Two of the elementary schools have decided to get rid of the DARE program in the City. She wants to follow up with the Principal's to see why that is. The Maverik Grand Opening is on August 16<sup>th</sup>.

Council Member McOmber advised that Camp Williams hosted the midyear Council retreat. It was great of them to host. It helped save cost so that the Council could get out of the City and be in a different environment to have a very productive meeting.

### **BUSINESS ITEMS:**

1) **Police and Court Facility RFP Award for Construction Management; Resolution R18-42 (8-7-18).**

Assistant City Manager Owen Jackson presented the staff report and recommendation to award contract to SIRQ Construction for Construction Manager as Constructor (CMC) services.

Motion by Council Member Porter to award contract to SIRQ Construction for Police and Court Facility Construction Manager as Constructor (CMC) services in the amount of \$10,000 for pre-construction

49 services and 3.5% of the construction cost for the construction phase Resolution R18-42 (8-7-18), was  
50 seconded by Council Member Poduska.

51 Vote: Council Members McOmber, Baertsch, Willden, Porter, and Poduska – Aye  
52 Motion carried unanimously.

53  
54 2) **Saratoga Dignity Senior Community Concept Plan, Development Plan, Rezone ~1.33 acres from**  
55 **Agriculture (A) to Rural Residential (RR) located at ~1538 N. Foothill Boulevard; Rezone ~5.1 acres from Rural**  
56 **Residential (RR) and Agriculture (A) to Low Density Residential (R1-9) and General Plan Amendment for a**  
57 **portion of this property from Rural Residential to Low Density, located at ~1590 N. Cozy Lane; Rezone ~16.29**  
58 **acres from Agriculture (A), Rural Residential (RR), and Regional Commercial (RC) to Medium Density**  
59 **Residential (MF-10) and General Plan Amendment from Rural Residential and Low Density Residential to High**  
60 **Density Residential, located at ~700 West 1400 North; Mark Hampton Applicant; Ordinance 18-24 (8-7-18).**

61 Senior Planner Carroll presented the staff report and recommendation concerning the request for approval  
62 of the Saratoga Dignity Senior Community Concept Plan, Development Plan, and Rezone. The Applicant is  
63 requesting a concept plan review along with rezones and general plan amendments to allow for single  
64 family lots and a senior community. The concept plan includes two lots for existing homes that are 1+ acres  
65 in size, 16 single family residential lots that are 9,000 square feet minimum, and a senior community with  
66 92 units and an assisted living facility with 12 beds. One of the existing homes is currently zoned RR while  
67 the other is zoned A. For the one that is zoned A the RR zone is requested in order to allow for a 1 acre  
68 minimum lot size. The area indicated for 16 single family lots is proposed to be rezoned to R1-9. The area  
69 indicated for 92 units and an assisted living facility is proposed to be rezoned to MF-10. Associated General  
70 Plan Amendments are requested as outlined in the staff report.

71  
72 Mark Hampton advised that the reason for the curb and sidewalk design is to reduce the potential trip  
73 hazards. He requested to have the City Council Members tour some of their other neighborhoods to see  
74 how their designs work in other places.

75  
76 Council Member Baertsch feels that this may be adding too dense of a residential use into the City. She is  
77 also concerned about the design of the curb and sidewalk and the road cross section. The landlocked homes  
78 that this development would create is concerning to her as well.

79  
80 Council Member McOmber is concerned about the cross section of the roads in the development. He is  
81 also concerned about the increase of density in these zone changes. He would like to see a limit on number  
82 of units and beds in the development agreement. This development can work but he feels there are  
83 fundamental problems with it. He feels better about approving the current request knowing there will be  
84 a development agreement made.

85  
86 Council Member Poduska thanked the applicant for his interest in coming to the City. He agreed that the  
87 change of zoning needs to be attached to the development agreement. Since the two lots have worked  
88 with UDOT to obtain access to roads still he is not as concerned about them being landlocked.

89  
90 Council Member Porter feels like the two parcels are destined to become undevelopable land but he won't  
91 make it an issue because the property owners have their rights. He feels that although this area would be  
92 very visible to people driving down the road it wouldn't have very good access as a commercial area. He  
93 isn't concerned about getting rid of commercial property because of that but he doesn't want to see it  
94 become too dense of a development. He is worried about the width of the road cross section especially  
95 with the potential of having a higher than normal amount of emergency vehicle traffic. He is a little more  
96 amenable to the change in the sidewalk and gutter.

97  
98 Council Member Willden advised that he lives fairly close to this development. People are excited to see  
99 this type of development in the area. They would much rather have this than commercial. He is comfortable



100 with the density because this isn't creating a truly high density product. The development agreement can  
 101 limit the amount of units that can be built. He is willing to work with them on the sidewalk and storm drain  
 102 issues.

103  
 104 Amended Motion by Council Member Baertsch to approve the Saratoga Dignity Senior Community Concept  
 105 Plan, Development Plan, Rezone, and Ordinance 18-24 (8-7-18) and limiting the number of units to 92 and  
 106 12 beds in the assisted living and removing condition H, was seconded by Council Member Willden.

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

108 Motion carried unanimously.

109  
 110 **4) North Saratoga Center Preliminary Plat, Tony Trane Applicant, ~2160 North Redwood Road.**

111 Senior Planner Carroll presented the staff report and recommendation concerning the request for approval  
 112 of the North Saratoga Center Preliminary Plat to create four commercial lots in the Regional Commercial  
 113 zone, ~4.29 acres.

114  
 115 Motion by Council Member Porter to approve the North Saratoga Center Preliminary Plat including staff  
 116 findings and conditions was seconded by Council Member McOmber.

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

118 Motion carried unanimously.

119  
 120 **3) Jordan Promenade Community Plan, Matthew Idema Oakwood Homes Applicant, Pioneer Crossing**  
 121 **to 400 South and Redwood Road to the Jordan River; Ordinance 18-25 (8-7-18).**

122 Senior Planner Shepard presented the staff report and recommendation concerning the request for  
 123 approval of the Jordan Promenade Community Plan. The Jordan Promenade Community Plan (revised July  
 124 3, 2018) proposal is for 1500-1800 residential units and up to 46 ERUs of commercial use. There 2 areas  
 125 designated for commercial/mixed use that will be further defined through the Village Plan process. The  
 126 plan also includes 1 school site and 4 meetinghouse sites.

127 Density- The proposed build-out allocation by phase is as follows:

128

RESIDENTIAL BUILD-OUT ALLOCATION SUMMARY				
DEVELOPMENT TYPE	PHASE 1	PHASE 2	PHASE 3	TOTALS
TOWN HOMES	140 - 170 D.U.	100 - 130 D.U.	100 - 130 D.U.	340 - 430 D.U.
SFD - CLUSTER	160 - 190 D.U.	90 - 120 D.U.	190 - 220 D.U.	440 - 530 D.U.
SFD - SMALL LOT (40/50x100)	130 - 160 D.U.	100 - 130 D.U.	170 - 200 D.U.	400 - 490 D.U.
SFD - MEDIUM LOT (50/60x110)	110 - 130 D.U.	70 - 90 D.U.	80 - 110 D.U.	260 - 330 D.U.
SFD - LARGE LOT (70x110 LOT)	30 - 50 D.U.	0 - 20 D.U.	30 - 50 D.U.	60 - 120 D.U.
RESIDENTIAL D.U. RANGE	570 - 700 D.U.	360 - 490 D.U.	570 - 710 D.U.	1,500 - 1,900 D.U.
RESIDENTIAL AREA	109 AC.	67 AC.	131 AC.	307 AC.
RESIDENTIAL DENSITY RANGE	5.2 - 6.4 D.U./AC.	5.3 - 7.3 D.U./AC.	4.3 - 5.4 D.U./AC.	4.8 - 6.2 D.U./AC.
OPEN SPACE AREA RANGE	19.0 - 24.0 AC.	7.0 - 10.0 AC.	30.0 - 41.0	56.0 - 75.0
COMMERCIAL AREA = 23 AC./1,001,880 SF COMMERCIAL ERUs = 46 MEETING HOUSE ERUs = 12 SCHOOL ERUs = 10 RESIDENTIAL ERUs = 1,449 TOTAL = 1,517 ERUs				
NOTE: CHANGES TO THE SIZE AND CONFIGURATION OF RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT AREAS MAY OCCUR DURING THE VILLAGE PLAN PROCESS AND DO NOT REQUIRE AN AMENDMENT TO THE COMMUNITY PLAN.				

129

130

131 Senior Planner Shepard reviewed the plan's character and theme, transportation and streets, open space,  
 132 trails, landscaping, fencing, signage and site furnishings, types of residential uses, utilities, General Plan and  
 133 Code compliance.

134

135 Council Member Porter asked questions to make sure that the park that is being proposed is reasonable  
136 for the City to maintain. He wanted to make sure that if the park moves and it doesn't make sense to have  
137 the park maintained by the City that it will be maintained by the HOA.

138  
139 Council Member Baertsch advised that she cannot approve anything that includes zero lot lines. It creates  
140 potential problems for neighbors and she wants to make sure they encourage good neighbors. She has  
141 concerns about how the guest parking is configured. She also thinks that the HOA should think about  
142 allowing overnight parking for guests in their visitor parking stalls with a cap of amount of days so as to  
143 discourage overnight on street parking.

144  
145 Council Member Poduska likes the product they are bringing. He likes the cottage easements. He thinks it  
146 is a good way of thinking outside the box. The only thing that concerns him is the possibility of liability issues  
147 if something happens on that easement area.

148  
149 Council Member Willden thinks that this will be a great product for the City. He is excited about the new  
150 variety they are providing as well.

151  
152 Council Member McOmber isn't concerned about the zero lot line issue because there is an easement for  
153 the property surrounding their home. This makes it so that it isn't a true zero lot line to him. He likes the  
154 concept and is excited about the new product for the City.

155  
156 Amended Motion by Council Member Porter to approve the Jordan Promenade Community Plan, and  
157 Ordinance 18-25 (8-7-18) including all findings and conditions and that the neighborhood park be  
158 maintained by HOA if it is not contiguous with City property, work with HOA to allow overnight guest  
159 parking, keep road cross sections in the community plan subject to the approval of the fire chief, school  
160 park is permitted but not required, lights and noise notes be placed on plats and titles for sports complex  
161 and RC park, was seconded by Council Member McOmber  
162 Vote: Council Members McOmber, Willden, Porter, and Poduska – Aye Council Member Baertsch- Nay  
163 Motion carried 4-1.

164  
165 Council Member Baertsch wanted to clarify that her vote is based solely on the cottage lot shared use areas  
166 they are proposing. She thinks there is potential liability. She does not think it is a good fit for the potential  
167 residents of the City and that it is inequitable to other developers whom we have not allowed to do similar  
168 products.

169  
170 Council Member McOmber added that he voted in favor of it for the opposite reason. He likes the new  
171 product they are offering the City.

172  
173 **MINUTES:**

- 174  
175 1. July 17, 2018.

176  
177 Motion by Council Member Willden to approve the minutes of July 17, 2018 with the submitted and posted  
178 changes, was seconded by Council Member McOmber  
179 Vote: Council Members Porter, McOmber, Baertsch, Willden, and Poduska - Aye  
180 Motion carried unanimously.

181  
182 **CLOSED SESSION:**

183  
184 Motion by Council Member McOmber to enter into closed session for the purchase, exchange, or lease of  
185 property, discussion regarding deployment of security personnel, devices, or systems; pending or

186 reasonably imminent litigation, the character, professional competence, or physical or mental health of an  
187 individual, was seconded by Council Member Baertsch  
188 Council Members were unanimously In Favor

189  
190 The meeting moved to closed session at 9:47 pm.

191  
192 Present: Council Members Willden, Baertsch, Poduska, and Porter, City Manager Mark Christensen, City  
193 Attorney Thurman, Assistant City Manager Owen Jackson, Deputy City Recorder Kayla Moss.

194  
195 Closed Session adjourned at 10:55 p.m.

196  
197 **ADJOURNMENT:**

198  
199 There being no further business, Mayor Miller adjourned the meeting at 10:55 p.m.

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201 

202  
203 Jim Miller, Mayor

204  
205 Attest:

206   
207  
208 Cindy LoPiccolo, City Recorder

209  
210 Approved: *8-21-18*

