



MINUTES – CITY COUNCIL MEETING

Tuesday, February 15, 2022

City of Saratoga Springs

City of Saratoga Springs City Offices

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

City Council Policy Meeting

Call to Order: Mayor Jim Miller called the meeting to order at 6:00 p.m.

Roll Call:

Pursuant to the COVID-19 Federal Guidelines, this Meeting will be conducted with some members participating electronically.

Present Mayor Jim Miller, Council Members Stephen Willden, Ryan Poduska, Michael McOmber, Christopher Carn, and Chris Porter

Staff Present City Manager Mark Christensen, Assistant City Manager Owen Jackson, Assistant City Attorney Fred Donaldson, Community Development Director Ken Young, Planning Director Dave Stroud, Senior Planner Gina Grandpre, Planner David Rodgers, Police Chief Andrew Burton, and Deputy City Recorder Kayla Moss

Invocation: Council Member Porter

Pledge of Allegiance: Council Member Poduska

Public Input: Chad Waite, Mt. Saratoga Resident, advised that he has been working with Edge Homes to build a house. The sales people at Edge gave them the assurances that there would be no further development behind them for 3 or 4 years. They were also told that they wouldn't have high density homes. He feels they were very misled by Edge Homes. His conversations with Edge Homes have not been fruitful.

Nate Sanders, Mt. Saratoga Resident, echoed what Chad said. Over the last couple weeks they have had several conversations with Edge Homes. He is also concerned about the information he was given before his home was built. He chose to move where he did because the other development had high density housing around it.

Gabriel Johnson, Mt. Saratoga Resident, was also under the impression that single family homes would back their property line. She is concerned about the misrepresentation Edge Homes gave them when building their home. Edge Homes has not treated her neighbors down the street very well in regards to their issues with townhomes.

Laurett Beck, Resident, thinks that it behooves the City Council to protect the residents of the City. She thinks that the issues at the legislature concerning the lake are very concerning. The Utah Lake Authority is being discussed at the legislature right now. They are talking about dredging the lake and creating islands that homes would be built on. She is greatly concerned about the state legislature and private developers making decisions that will greatly affect the City. She knows restoration of the lake is needed but the plan being proposed is not ideal.

Rich Foggio, Resident, advised that two things have happened recently. The army corps gave the go ahead for dredging of the lake. Neighboring cities have drafted resolutions and issued them to the legislature. He mentioned that he emailed materials to Owen and Cindy. The lake commission is completing projects that are working and the lake is on the road to recovery. The legislature thinks these are inadequate pilot programs. Research and science that he is aware of does not support this theory. He believes the lake is improving.

Penny Climenson, Resident, commented that HB232 is premature and not enough research has been done. She urged the Council to sign the resolution to present to the legislature.

Alberto Santoya, Mt. Saratoga Resident, advised he was misguided and it has been a very poor display from Edge when they brought up the concerns. They are treating them like everything is about numbers to them but to the residents it's their homes. They have not communicated with them regarding their concerns at the high density housing that is behind their lots.

Presentation: Police Promotion Ceremony – Officer Tom Potts, Corporal. Chief Burton presented Officer Potts to the City Council. Police Department staff is aware of and appreciates the support from the Mayor and Council. There is a very arduous testing process for the officers in the police department. Detective Potts is an 8 year veteran of the police department. He serves on the SWAT team and the major accidents team. Chief Burton presented the certificate of promotion to Officer Potts and Officer Potts wife pinned his badge to his uniform.

REPORTS:

Council Member Carn mentioned that they can't approve a resolution tonight regarding Utah Lake because it was not noticed on the agenda. He also asked about the layout of Foothill Boulevard from Pony Express to Lariat Boulevard.

City Manager Christensen advised there was always plan for Foothill Boulevard along the benches. When it was first proposed it would have been immediately behind fence lines. The residents raised concerns about the location and they worked with UDOT to push Foothill Boulevard more West. The clay pits and mining operations have made the ground unstable and going further west than that there are elevation issues. If you go too far west the City would get much less benefit from the road. UDOT came up with an alignment that would best serve the City. It will be a state road at some point but will not be widened for several years.

Council Member Carn advised that he will encourage residents to watch this on YouTube. This is about a \$16 million stretch of road. The road will not be completely built out for many years. It will be widened at some point but that is not for a few years. The City has been planning for this and preserving future right-of-way with developers for about 10 years so they wouldn't have to come back and renegotiate for that land.

Council Member McOmber agreed that the City has been working on Foothill Boulevard for a long time. He also volunteered himself to talk to Edge Homes regarding the high density housing behind the Mt. Saratoga development. He also mentioned that the City has limited ability on what they can change or accomplish with Edge Homes but he wants to make sure they are good stewards in the City. He also mentioned that he never thought the proposed lake project would ever be something they considered. He also thanked the City for cleaning up some right-of-way that was looking disheveled.

Council Member Porter also mentioned that they could not approve the resolution tonight. He is opposed to the lake project. He thinks a resolution is warranted for this issue. He has been involved in the issues at the legislature this session. He mentioned some of the bills they have been following closely right now.

Mayor Miller advised that he has spent many hours on zoom calls with mayors concerning the lake authority. He mentioned he was able to go to a chamber of commerce luncheon and they recognized Les Schwab tires for their support of local school teams and local clubs.

City Council Work Session

1. Saratoga Town Center. Ashley Hadfield on behalf of the Saratoga Town Center presented the plan to the City Council. A copy of this presentation is included in the City Council Packet posted to the City Website.

Council Member Poduska asked how the 1,200-1,500 demand correlates to the 5,000-10,000 square feet. He also mentioned that the Legends Boxing building is going for \$32/square foot and that is really pricey. People that are looking right now are looking for \$16/square foot.

Council Member McOmber asked how many spaces can be combined if a larger retailer wanted to come in to this space. It was decided that they would allow for it but the idea is to create space for “the dreamers”. He is concerned about having a distribution center in this area. It is a very big intersection and he doesn’t think it could accommodate the truck traffic for that in this area. He also mentioned that they want multiple centers for commercial. They don’t want it to be only concentrated by the new Smith’s building. He would like to see it continue as is and the market will demand what it demands.

Council Member Carn mentioned this is a work session which accommodates for feedback. No decisions are being made during the meeting regarding this property. He is also concerned about a distribution center ending up in this area. He would also like to see commercial space spread out throughout the City. It is currently zoned as Regional Commercial. This would have to be rezoned to Office Warehouse with what is being proposed.

Council Member Porter appreciates the comments from the other Council Members. He agrees with the concern with a single large user in the area. The city needs Regional Commercial uses that are slightly bigger than the 1,000 square foot building that is currently available. He thinks some of the concerns could be addressed with zoning changes. If the developer is willing to pull some of the uses such as a distribution center off of the table with a development agreement it could address the concerns. He agrees that the small business incubator space is needed. He is interested in looking at what possibilities are out there for the space proposed. He is also concerned about the traffic in the area. It would not accommodate truck traffic.

Council Member Willden mentioned he had a preview of this before. He would like to have staff look at having a zone conducive to a small business incubator when they are reworking the code for office/warehouse. He thinks something like what is proposed would be good for the City, as long as it stays the way they are suggesting with small businesses being kept in mind.

2. Review and Direction on Proposed Amendments to the Internal Accessory Dwelling Units (IADU) Map. Community Development Director Ken Young showed the amendments to the IADU map that were requested. Instead of calling the areas IADU’s aren’t allowed as exempted they are changing the term to prohibited so it is more obvious what the intent is. He advised this is just a draft and they can move forward with approving the proposed map if it is what the Council would like to. The prohibited

parcels is currently at about 17%. He mentioned that the states allows for about 25% of land in cities to be exempted from allowing IADU's after current legislation that was passed. They decided to include all developed areas in the City to be exempted from allowing IADU's because the process of contacting HOA's was in question.

Council Member McOmber thanked staff for the map that was presented to them. He thinks this is superior to what they dealt with a couple months ago.

Council Member Porter is concerned about making legislation for the residents that don't have an HOA because they don't have a good way to exempt his neighborhood from prohibiting IADU's.

City Manager Christensen advised that Council Member Porter had a great point. He thinks that they could have a requirement of having a block of houses or a percentage of neighbors that request to allow IADU's.

Council Member Porter doesn't think residents purchase a home with the expectation to not have IADU's allowed next to them. He thinks people buy property with the intent to be able to do with it what they want and need to do. He mentioned that he purposely bought outside of an HOA and he feels like his rights are being taken away with the prohibition.

Mayor Miller mentioned that when you buy a single-family home you are agreeing to a single-family home area. You could have bought in a duplex but that's not what occurred.

Council Member Carn would like staff to look at the unvested properties in the City and require wider roads and have more sewer capacity to accommodate IADU's. This makes development more expensive which is the opposite of what was trying to be achieved but they need to make sure problems aren't occurring in the future because of this.

Council Member Willden advised he needs to make sure the letter from Fox Hollow is legitimate. He wants to see the vote before they are taken out of the prohibited area or signed by the entire board. He also mentioned there are older areas with smaller roads. If there are smaller standards than there is today he doesn't want them to be able to opt out because it would become a safety issue with emergency vehicles gaining access to homes.

Council Member Carn mentioned that you can't have a neighborhood with 100 homes only have 17 opt out because enforcement would become impossible.

Assistant City Attorney Fredric Donaldson mentioned that this is a legislative decision. They are going to be given a lot of deference and they have full authority to decide what is done.

City Manager Christensen mentioned they have the ability to require safe off-street parking and they are limited in how wide they can require the roads to be.

Council Member Poduska thinks that people living in an HOA area should also be able to go through the same process as Non-HOA's outside of their boards because the decision they come to may be different than what the board decides. He thinks any neighborhood that is opting out needs to meet all infrastructure needs, water, sewer, etc.

City Council Policy Meeting

CONSENT ITEMS:

- 1) **Foothill Boulevard Extension Project Contract Amendment No. 3 with Avenue Consultants; Resolution No. R22-7 (2-15-22).**
- 3) **North Lake Meadow Preliminary Plat and Reimbursement Agreement, Keaton Morton Applicant, 145 North and 1700 West; Resolution R22-8 (2-15-22).**
- 4) **City Council Meeting Minutes: February 1, 2022.**

Motion by Council Member Carn to approve the consent items removing item 2 from the vote with all findings and conditions was seconded by Council Member Willden.

Vote: Council Members Carn, McOmber, Poduska, Porter, and Willden - Aye

Motion carried unanimously.

- 2) **Canton Ridge West (Brixton Park Phase 1) Preliminary Plat, Julie Smith and Larry Myler Applicants, West of Future Foothill Boulevard.**

Council Member Willden mentioned that he is not in favor of accepting the proposed park into the City at this time.

Motion by Council Member Willden to approve the Canton Ridge West (Brixton Park Phase 1) Preliminary Plat, Julie Smith and Larry Myler Applicants, West of Future Foothill Boulevard with the understanding that park would be HOA managed and not dedicated to the City with all findings and conditions was seconded by Council Member Carn.

Vote: Council Members Carn, McOmber, Poduska, Porter, and Willden - Aye

Motion carried unanimously.

BUSINESS ITEMS:

1. **Northshore Phase 3 A-3, B-3, C-3 Plat Amendment, D.R. Horton, Inc. Applicant, Saratoga Road and Lazaret Avenue.**

City Manager Christensen advised this is cleaning up some property along the edge of 2300.

Motion by Council Member Porter to approve the Northshore Phase 3 A-3, B-3, C-3 Plat Amendment, D.R. Horton, Inc. Applicant, Saratoga Road and Lazaret Avenue with all findings and conditions was seconded by Council Member McOmber.

Vote: Council Members Carn, McOmber, Poduska, Porter, and Willden - Aye

Motion carried unanimously.

2. **Intermountain Saratoga Plat Amendment, Rick Frerichs Applicant, 316 West Medical Drive.**

Planning Director Stroud mentioned this is to dedicate a portion of Exchange Drive to the City. They just approved drawings for the IHC building today.

They hope to schedule the preconstruction meeting tomorrow. The project has been bid and approved. The road will take a year start to finish.

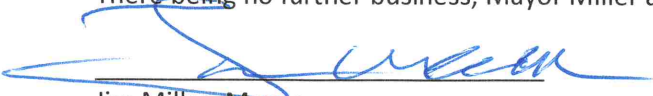
Motion by Council Member McOmber to approve the Intermountain Saratoga Plat Amendment, Rick Frerichs Applicant, 316 West Medical Drive with all findings and conditions was seconded by Council Member Carn.

Vote: Council Members Carn, McOmber, Poduska, Porter, and Willden - Aye

Motion carried unanimously.

ADJOURNMENT:

There being no further business, Mayor Miller adjourned the meeting at 7:50 p.m.



Jim Miller, Mayor

Attest:



Cindy LoPiccolo, City Recorder

Approved: 3-1-22

