

# Eagle Mountain City Planning Commission Minutes 2003

## *Dates of Planning Commission Meetings:*

- January 7, 2003
- January 14, 2003
- January 28, 2003
- February 11, 2003
- February 25, 2003
- March 5, 2003
- March 25, 2003
- April 8, 2003
- April 22, 2003
- May 6, 2003
- May 13, 2003
- May 27, 2003
- June 10, 2003
- June 24, 2003
- July 22, 2003
- August 12, 2003
- August 20, 2003
- August 26, 2003
- September 9, 2003
- October 14, 2003
- November 25, 2003
- December 16, 2003

**MINUTES OF THE PLANNING COMMISSION MEETING**  
**EAGLE MOUNTAIN, UTAH**  
**Eagle Mountain City Offices**  
**1680 E. Heritage Dr**  
**Eagle Mountain, UT 84043**  
**January 7, 2003**

Chair Tom Maher called the meeting to order at 6:32

**Roll Call:**

Commissioners present: Tom Maher, Chris Kemp, Diane Jacobs, Jeff Love, Richard Steinkopf.  
Jennifer Rawlings came in at 6:34.

**Others Present:**

Amy Twitty, The Ranches

**City Staff:**

City Planner: Shawn Warnke  
City Engineer: Korey Walker  
Planning Assistant: Angela Cox

**1. Pledge of Allegiance:**

Tom Maher led the Commission and audience in the Pledge of Allegiance.

**2. Identification of Voting Commissioners:**

Tom Maher, Jeff Love, Chris Kemp, and Richard Steinkopf.

**3. Declaration of Conflicts of Interest:**

None.

**4. Report from City Council Member:**

None.

**5. Agenda Items**

**A. North Smith Ranch Road Church Plat A (R6 S1) Final Plat, - Action Item**

Shawn Warnke explained that the planning commission had reviewed Smith Ranch Road Church in the previous planning commission meeting.

Discussion ensued on the churches entrances and the facing of the steeple.

**MOTION:** *Richard Steinkopf moved that the Planning Commission recommend approval of North Smith Ranch Road Church Plat A (R6 S1) final plat subject to the following conditions:*

- 1. That the section of Smith Ranch Road from Pony Express to Saddleback Plat A be recorded.**
- 2. That the applicant deeds over the remaining R6 S1 property as open space to the City as discussed during previous reviews.**

- 3. *That any asphalt cuts needed for stubbing service laterals into the parcel be done prior to the Smith Ranch Road overlay.*
- 4. *That the City Council approves The Ranches Master Development Plan Amendment (rezoning of the property).*  
*Chris Kemp seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

6. **General Discussion/Questions:**

Mr. Warnke told the Commissioners that the Daily Herald has requested their personal contact information. He then asked the commissioners if they wanted the Planning department to release that information. The Planning Commission stated that they wanted the Planning department to be the source of contact.

7. **Adjournment:**

**MOTION** *Tom Maher moved to adjourn the meeting at 6:44 p.m.*

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
**Chairman Tom Maher**

**MINUTES OF THE PLANNING COMMISSION MEETING**  
**EAGLE MOUNTAIN, UTAH**  
**Eagle Mountain City Offices**  
**1680 E. Heritage Dr**  
**Eagle Mountain, UT 84043**  
**January 14, 2003**

Chair Tom Maher called the meeting to order at 6:00 p.m.

**Roll Call:**

Commissioners present: Chair Tom Maher, Diane Jacob, Chris Kemp, Jeff Love, Richard Steinkopf and Jennifer Rawlings. Wendy Smith arrived at 6:05 p.m.

**Others Present:**

Mike Wren, Eagle Mountain Properties (EMP); Garry Himes, Hubble Homes

**City Staff:**

City Planner	Shawn Warnke
City Engineer	Korey Walker was excused
Recording Secretary	Fionnuala Kofoed

**1. Pledge of Allegiance:**

Tom Maher led the Commission and audience in the Pledge of Allegiance.

**2. Identification of Voting Commissioners:**

Tom Maher, Chris Kemp, Jeff Love, Jennifer Rawlings, Richard Steinkopf and Wendy Smith were identified as Voting Commissioners.

**3. Declaration of Conflicts of Interest:**

None.

**4. Report from City Council Member:**

Diane Jacob stated that the City Council discussed the following planning issues at the previous City Council Meeting:

- Final Plat Approval Freemont Springs
- Smith Ranch Church Approval

**5. Agenda Items**

**A. Appointment of Chair and Vice Chair**

**MOTION**      *Chris Kemp moved to approve the Appointment of Tom Maher as the Planning Commission Chair. Jeff Love seconded the motion. Ayes: 6, Nays: 0. Motion passed.*

**MOTION**      *Jeff Love moved to approve the Appointment of Chris Kemp as the Planning Commission Chair Pro Tempore. Jennifer Rawlings seconded the motion. Ayes: 6, Nays: 0. Motion passed.*

**6. Approval of Minutes**

**September 24, 2002  
October 22, 2002  
November 12, 2002  
December 10, 2002  
January 7, 2002**

**MOTION**      *Jeff love moved to approve the minutes of September 24, 2002; October 22, 2002; November 12, 2002; December 10, 2002 and January 7, 2002 as amended. Richard Steinkopf seconded the motion. Ayes: 6, Nays: 0. Motion passed.*

**7. Agenda Items**

**A. Pioneer Addition, Concept Plan – Discussion Item**

The proposed project is a 220.75-acre parcel located north of Mountain View and The Landing Subdivisions. The Pioneer Addition also surrounds the Cedar Trails Villages, Phase 1.

Gary Himes presented the project to the Planning Commission noting that the lots would range from 5000 to 6000 square feet in size. The frontages would be staggered and adequate street widths would accommodate visitor parking. Set backs in the rear of the property would also allow for additional parking. Lots that fronted the courtyard would be assessed a \$45 per month Homeowners Association fee. The remaining lots would be charged \$25 per month. Landscaping, snow removal and street maintenance would be managed by a Homeowners Association.

Discussion ensued regarding the width of the roundabouts within the subdivision and whether they would be large enough for trucks and heavy equipment to navigate. Mr. Himes assured the Commission that the roundabouts would be sufficient to handle all traffic through the project.

The Planning Commission was pleased with the trail system that traversed the development and the overall layout that was presented.

**8. Adjournment:**

**MOTION**      *Richard Steinkopf moved to adjourn the meeting at 7:40 p.m.*

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
                  **Chairman Tom Maher**

**MINUTES OF THE PLANNING COMMISSION MEETING**  
**EAGLE MOUNTAIN, UTAH**  
**Eagle Mountain City Offices**  
**1680 E. Heritage Dr**  
**Eagle Mountain, UT 84043**  
**January 28, 2003**

Chair Tom Maher called the meeting to order at 6:02

**Roll Call:**

Commissioners present: Tom Maher, Leslie Montgomery, Jeff Love, Jennifer Rawlings, and Richard Steinkopf.

**Others Present:**

Debbie Hooge, resident.

**City Staff:**

City Planner: Shawn Warnke  
Planning Assistant: Angela Cox

**1. Pledge of Allegiance:**

Tom Maher led the Commission and audience in the Pledge of Allegiance.

**2. Identification of Voting Commissioners:**

Tom Maher, Leslie Montgomery, Jeff Love, Jennifer Rawlings, and Richard Steinkopf.

**3. Declaration of Conflicts of Interest:**

None.

**4. Report from City Council Member:**

None.

**5. Approval of Minutes**

- A. August 13, 2002
- B. August 27, 2002
- C. January 14, 2003

**MOTION:** *Richard Steinkopf moved to approve the minutes for August 13, 2002, August 27, 2002, and January 14, 2002.*  
*Jennifer Rawlings seconded the motion. Ayes: 5, Nays: 0. Motion passed.*

**6. Agenda Items**

**A. Review of General Plan - Discussion Item**

Shawn Warnke presented the Planning Commission with the proposed, updated General Plan. He explained that the two major components of the General Plan are future land use, and transportation corridors.

Planning Commission Chair, Tom Maher asked Mr. Warnke to explain the purpose and goals of the General Plan to the Planning Commission. Mr. Warnke explained that the General Plan is a projection of where the city plans to go with zoning and development. Long range planning assists the City in working with the developers in obtaining right of ways as property is developed along identified transportation corridors. He also explained that the General Plan should be reviewed every five (5) years.

The Planning Commission discussed density and preserving some areas of the city for middle and higher end homes to allow for a variety of housing product.

Debbie Hooge, resident expressed concern on a proposed commercial site behind Cedar Pass Ranch. She explained that those residents were promised that they wouldn't have those kinds of land uses in that area. Discussion ensued on how much and what kind of commercial businesses the City would need to be profitable.

The Planning Commission recommended that the commercial site behind Cedar Pass Ranch along State Road be changed to rural residential; however they agreed with the rest of the General Plan.

7. **General Discussion/Questions:**

8. **Adjournment:**

**MOTION** *Richard Steinkopf moved to adjourn the meeting at 7:29.*

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Chairman Tom Maher

**MINUTES OF THE AIRPORT PLANNING COMMISSION MEETING**  
**EAGLE MOUNTAIN, UTAH**  
**Eagle Mountain City Offices**  
**1680 E. Heritage Dr**  
**Eagle Mountain, UT 84043**  
**February 11, 2003**

Co - Chair Chris Kemp called the meeting to order at 6:04

**Roll Call:**

Commissioners present: Chris Kemp, Diane Jacobs, Jeff Love, Leslie Montgomery, Rick Pierce, Richard Steinkopf and Tom Maher arrived at 6:08.

**Others Present:**

Brandy Johnson, resident, Debbie Hoogie, New Utah, Gunnar VanDeberg, Emlar Construction LLC, Isaac Patterson, Eagle Village Condos, Mark Madsen, City Council, Nate Shipp, Development Associates, Rodger Hurst, Trademark Construction, Scot Hazard, Parkway Crossings, Wendy Smith, former Planning Commissioner.

**City Staff:**

City Planner: Shawn Warnke  
City Engineer: Mike Jensen  
Planning Assistant: Angela Cox

**1. Pledge of Allegiance:**

Chris Kemp led the Commission and audience in the Pledge of Allegiance.

**2. Identification of Voting Commissioners:**

Tom Maher, Chris Kemp, Jeff Love, Leslie Montgomery, Rick Pierce, and Richard Steinkopf.

**3. Declaration of Conflicts of Interest:**

None.

**4. Report from City Council Member:**

On February 4, 2003 City Council reviewed Pioneer Addition Concept plan and had the following concerns: 1) Lot widths and 2) Side yard setbacks.

**5. Presentation of Plaque**

**A.** Tom Maher presented Wendy Smith, former Planning Commissioner, with a plaque to express appreciation for her service on the Planning Commission.

**6. Approval of Minutes**

- A. September 25, 2001
- B. October 23, 2001
- C. November 27, 2001
- D. January 8, 2002

**MOTION:** *Richard Steinkopf moved to approve the minutes for September 25, 2001, October 23, 2001, November 27, 2001, and January 8, 2002. Jeff Love seconded the motion. Ayes: 6, Nays: 0. Motion passed.*

**7. Agenda Items**

**A. Parkway Crossroads, Site Plan & Conditional Use Permit, Public Hearing – Action Item**

The Parkway Crossroads project is located at the southeast corner of The Ranches Parkway and Pony Express Parkway.

Shawn Warnke explained to the Planning Commission that the property is zoned Village Core. The Grocery store, and apartments are permitted uses in Village Core, but the gas pumps are not; therefore, they would need to be approved as a conditional use.

Richard Steinkopf expressed concerns with the back of the building being visually appealing along Ranches Parkway and Pony Express Parkway. Scot Hazard explained the different features the building will have and the berming to enhance the buildings appearance. Mr. Steinkopf also expressed concerns with traffic issues in the future. Mike Jensen stated that the City Engineer, Korey Walker, has reviewed the traffic issues and the applicant has submitted a traffic study and Mr. Walker had concerns but felt that the exits/entrances would meet the Cities needs.

Chair Tom Maher opened the public hearing @ 6:42p.m. There were no questions or comments from the audience and the hearing was subsequently closed.

**MOTION:** *Jeff Love moved that the Planning Commission recommend approval of the site plan (grocery market, apartments, and gas pumps) to the City Council and approve the conditional use permit (gas pumps) for the Parkway Crossroads, Phase 1 subject to the following conditions:*

1. *That berming be constructed around the perimeter of all parking areas that fronts onto the Ranches and Pony Express Parkway.*
2. *That the storm water calculations be updated with a coefficient of .95 for impervious areas and .35 pervious areas.*
3. *That the excavation permits and bonding is required for asphalt cuts (this note should be contained in the General Notes for civil and dry utilities plans). Accordingly, engineers estimate should be submitted for the work.*
4. *That split duct conduits should be shown on the plan and installed over existing gas lines at the entrance.*
5. *That a utility easement for the entire project in the form of a legal document to be recorded should be submitted.*
6. *That the City Engineer approves the access off Pony Express Parkway.*
7. *That the elevations for the dumpster enclosure be approved by The Ranches Design Review Committee.*
8. *That the landscaping legend has symbols added.*

*Rick Pierce seconded the motion. Ayes: 6, Nays: 0. Motion passed.*

**B. Eagle Village Condos, Preliminary Plat and Site Plan, Public Hearing – Action Item**

The Eagle Village Condo is located on the eastside of the south leg of Sweetwater Road. Specifically, the project is located on the north and south side of Harvest Road.

Shawn Warnke explained to the Planning Commission that the Eagle Village Condo project is a 16.27 acre parcel and would consist of 138 units. The density would be 8.5 dwelling units per acre. The total open space would be 6.73 acres with a 1 acre center park.

Chair Tom Maher opened the public hearing @ 7:08 p.m. There were no questions or comments from the audience and the hearing was subsequently closed.

**MOTION:** *Chris Kemp moved that the Planning Commission recommend approval of the site plan to the City Council and approve the preliminary plat for the Eagle Village Condo subject to the following conditions:*

1. *That the City Engineer approves the accesses onto Sweetwater Road (that there is only one access off Sweetwater Road due to the City's standards regarding adequate intersection separation on collector roads).*
2. *That the easements along Sweetwater Road and storm water easements along the south side of the project are verified.*
3. *That the plat has utility easement for the private drives.*
4. *That the applicant submits dry utility plans.*
5. *That an additional storm water pond is constructed on site.*
6. *That the park area be constructed at 50 percent of the building permits being issued.*
7. *That privacy fencing is constructed along Sweetwater Road.*
8. *That the park meets the City standards for size and equipment.*
9. *That the developer and homeowner be responsible for leaks on the water manifold.*
10. *That there be the hot tap for the water line be 24" from the elbow or 45 degree joint.*
11. *That there is a park strip next to the 8' trail.*

*Jeff Love seconded the motion. Ayes: 6, Nays: 0. Motion passed.*

*Commissioner Love wanted the record to reflect that he is generally in favor of the proposed project; though it is his opinion that there should be two accesses (Harvest Road and Dove Way) into the project off Sweetwater Road (a collector road).*

**C. Bonus Density– Discussion Item**

Shawn Warnke did a presentation on the proposed bonus density system. He explained to the Planning Commission that there would be a future public hearing regarding this system.

**8. General Discussion/Questions:**

None.

9. **Adjournment:**

***MOTION: Chris Kemp moved to adjourn the meeting at 8:02.***

**Approved:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Chairman Tom Maher**

**MINUTES OF THE PLANNING COMMISSION MEETING**  
**EAGLE MOUNTAIN, UTAH**  
**Eagle Mountain City Offices**  
**1680 E. Heritage Dr**  
**Eagle Mountain, UT 84043**  
**February 25, 2003**

Chair Tom Maher called the meeting to order at 6:03.

**Roll Call:**

Commissioners present: Tom Maher, Chris Kemp, Jeff Love, Leslie Montgomery, and Richard Steinkopf. Diane Jacob was in attendance as the City Council Liaison. Chris Kemp was excused at 7:53.

**Others Present:**

Kyle Burdette, Troop 1026, Trevor Diamond, Troop 1026, Jared Komoroki, Troop 1026, Troy Hooper, Troop 1026, Chris Topham, Troop 1026, Devan Diawoud, Troop 1026: Robert DeKorver, Eagle Mountain Fire Department; Scott Kirkland, The Ranches; Marcie Taylor, resident; Nate Shipp, Development Associates; Mark Madsen, City Council; Grant Gifford, Sundance Homes; Dave Loper, resident; Harry Bakkam, resident.

**City Staff:**

City Planner: Shawn Warnke  
Planning Assistant: Angela Cox  
City Attorney: Jerry Kinghorn

**1. Pledge of Allegiance:**

Tom Maher led the Commission and audience in the Pledge of Allegiance.

**2. Identification of Voting Commissioners:**

Tom Maher, Chris Kemp, Jeff Love, Leslie Montgomery, and Richard Steinkopf.

**3. Declaration of Conflicts of Interest:**

None.

**4. Report from City Council Member:**

None.

**6. Approval of Minutes**

- A. January 28, 2003
- B. February 11, 2003

**MOTION:** *Richard Steinkopf moved to approve the minutes for January 28, 2003 and February 11, 2003.*  
*Jeff Love seconded the motion. Ayes: 5, Nays: 0. Motion passed.*

**7. Agenda Items**

**A. Sweetwater Ranch, Concept Plan- Discussion Item**

Shawn Warnke explained that Sweetwater Ranch is located west of The Ranches Parkway and prior to Friday Station. It is proposed to consist of approximately 152 – 154 units. The total acreage is 27.6 acres, and the density is proposed at 5.5 units per acre. The Ranches Master Development Plan vests the applicant with the entitlements of Sweetwater Ranch (R1 N19) 138 dwelling units, 13.8 acres, and 10 dwelling units per acre, and Sweetwater Ranch (R1 N18) 83 dwelling units, 13.8 acres, and 6 dwelling units. In sum these parcels are vested with 221 dwelling units.

The applicant, Monte Kingston is proposing a single family subdivision with building lots averaging approximately .17 acres. The parcel is vested with densities that are consistent with the town home development. The applicant is proposing a single family subdivision with larger homes. Due to the shape (width of the parcel) the applicant is requesting the City to consider several items with the development of this project which include (1) monolithic sidewalks (without park strips) and (2) the potential acquisition of public property (the landscape buffer which is part of the ROW) of The Ranches Boulevard.

Mr. Kingston is proposing a monolithic sidewalk to give the residents more front yard space. The applicant would like to see curb cuts and modified curb. The Planning Commission felt that this would be a workable proposal.

Mr. Kingston is requesting a 6' strip along the Ranches Parkway. Mr. Warnke explained to the Planning Commission that changing of a right of way should go before the City Council as the legislative body.

**B. Parks & Open Space- Discussion Item**

Scott Kirkland discussed the origin of the Eagle Gate Open Space (as identified in The Ranches Master Development Plan) and presented the dedication of the Bud Evans Trailway as a proposed exchange. Mr. Kirkland is intending to dedicate the Bud Evans Trailway as open space regardless of any consideration of exchange. However, Mr. Kirkland would like the Planning Commission to evaluate all of the open space that has been already planned, improved, and dedicated as open space. The Planning Commission asked Mr. Warnke's opinion regarding the Eagle's Gate Open Space. Mr. Warnke thought that the open space is isolated by Tickville Wash (from the south) and the power lines (on the north and west) and the adjacent parcel to the east is outside of the City limits; consequently, public access to this open space difficult.

**C. Plum Creek, Concept Plan – Discussion Item**

Shawn Warnke explained that Plum Creek is located east of Fire Station No. 2 on the north side of Pony Express Parkway. This project is proposing several different housing products including town homes and 12-plex units. The total project would consist of 108 dwelling units; 24 units with in the 12-plex and rest in town homes.

Mr. Warnke explained that this development is proposing that the Eagle Gate Open Space be converted to developable property through an amendment to The Ranches Master Development Plan. In the near future the City Council and the Planning Commission will review this amendment. Mr. Warnke feels that the Eagle Gate Open Space parcel maybe better used as a phase of this development so long as a more suitable parcel is dedicated to the City as open space.

Grant Gifford, the developer explained the town houses would be 1250-1280 square feet, have 3 bedrooms 2 ½ baths. Park improvements would include tot lots, barbeque area, sand lots and volleyball pits.

**D. Parks & Open Space- Discussion Item**

Scott Kirkland presented the Planning Commission and City Staff with a memo titled, Conversion of Open Space in Plum Creek and Kiowa Valley to Developable Property. This memo is included in the record as an exhibit.

Mr. Kirkland explained that The Ranches is proposing a conversion of the Eagle's Gate Open Space, 3.5 acres, to residential. This would allow Sundance Homes to build a combination of town homes and condominiums to equate to a density of 9.64 units per acre (that is the density would decrease with this project by increasing the overall parcel's acreage).

Mr. Kirkland feels that The Ranches dedicating the Bud Evans Trailway in exchange for converting dedicated public open space in Kiowa Valley and the Eagle Gate Open Space shown on the master development plan is equitable for the residents.

**E. General Plan, Public Hearing – Action Item**

Mr. Warnke explained that municipalities create a General Plan as a visionary document for growth and development. This General Plan consists of land use and Transportation corridors. The General Plan is the Planning Commission's tool for planning land uses. Previously, the Planning Commission recommended that the 40 acre parcel, located directly above Cedar Pass Ranch, on the Future Land Use Map be changed to rural residential.

The Public Hearing opened at 7:31p.m.

David Loper, Chairman of the Arts Council, stated that he feels good with the land use portion of the General Plan; however, he would like to see verbiage on cultural events and activities. Specifically, including that the development of an amphitheater as a ten to fifteen year goal.

Harry Bakkam, resident, stated that he feels citizens of the community have the right to have certain items addressed in the General Plan. He feels the residents may be left behind if their ideas are not included at this time.

Mr. Warnke reminded everyone that this General Plan relates to the land use and transportation element this is what should be reviewed and discussed at this time.

Tom Maher stated that he feels it would be beneficial to add such items as discussed at a later time.

The Public Hearing closed at 7:51 p.m.

Jeff Love expressed his concern that the General Plan reads that the City embraces agricultural; however there is such a small portion of land that is defined as Agricultural Protection. The Planning Commission discussed the rights of private property owners.

**MOTION:**        *Jeff Love moved to recommend approval of the General Plan to the City Council. Leslie Montgomery seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

**F. Development Code, Public Hearing – Action Item**

Mark Madsen did a presentation on the Development Code explaining the definition and how the Code is proposed to work.

Scott Kirkland discussed creating compatibility with existing developments. Tom Maher questioned whether incompatible could be approved. Mr. Madsen stated that if the development did not create a nuisance to adjacent properties and has met all the qualifications then the City is bound by the Constitution to approve it.

Jerry Kinghorn explained that the bonus density is not that much different than what the City currently requires on dense developments.

Mr. Madsen states that the green space being raised to 40% would match industry standards.

Mr. Kirkland stated that as he had suggested several standards to encourage developers to do larger lot subdivisions and bigger parks. The goal was to have a mix of housing.

Jerry Kinghorn suggested requiring traffic studies to support public safety and also the level of service.

The Public Hearing was opened at 9:09 p.m.

He feels it would be beneficial to raise the architectural design guidelines to protect property owners. He would recommend the minimum open space be 10-15% with 5% as developable flat land.

Discussion ensued pertaining to open space.

The Planning Commission felt they needed to table the Development Code so that they could take some additional time to review the draft.

**MOTION:** *Tom Maher moved to table the Development Code until Wednesday March 5, 2003. Richard Steinkopf seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

**8. General Discussion/Questions:**

None.

**9. Adjournment:**

**MOTION:** *Richard Steinkopf moved to adjourn the meeting at 9:18.*

**Approved:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Chairman Tom Maher**

**MINUTES OF THE PLANNING COMMISSION MEETING**  
**EAGLE MOUNTAIN, UTAH**  
**Eagle Mountain City Offices**  
**1680 E. Heritage Dr**  
**Eagle Mountain, UT 84043**  
**March 5, 2003**

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Tom Maher called the meeting to order at 6:06 p.m.

**Roll Call:**

Commissioners present: Tom Maher, Jennifer Rawlings, Leslie Montgomery, and Richard Steinkopf. Diane Jacob attended the meeting as the City Council Liaison.

**Others Present:**

Mark Madsen, City Council; Nate Shipp, Development Associates; Brian Haskell, The Ranches; Debbie Hooge, New Utah; Bill Chipman, Resident; Dr. Watson, Resident;

**City Staff:**

City Planner: Shawn Warnke  
Planning Assistant: Angela Cox

**1. Pledge of Allegiance:**

Tom Maher led the Commission and audience in the Pledge of Allegiance.

**2. Identification of Voting Commissioners:**

Tom Maher, Jennifer Rawlings, Leslie Montgomery, and Richard Steinkopf.

**3. Declaration of Conflicts of Interest:**

None.

**4. Report from City Council Member:**

None.

**5. Agenda Items**

**A. General Plan– Action Item**

The Planning Commission discussed the following issues.

1. That additional elements of the General Plan are prepared in the near future: specifically, that an arts element be added to the General Plan. That the Planning Department prepares a list of common elements of a General Plan for the Planning Commission's review.
2. That the future Land Use and Transportation Plan Map be amended removing the small islands of agricultural land to a mixed use residential in the Hidden Valley area.
3. That a Historic Zone/Use be applied to preserve the Pony Express Corridor.
4. That a comprehensive trail is included in the General Plan.

**MOTION:** *Richard Steinkopf moved that the Planning Commission recommend approval of the General Plan with conditions 1 – 4 **noted above**. Jennifer Rawlings seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

**B. Development Code– Action Item**

The Planning Commission discussed the following issues.

1. **Agricultural Zone (Title 1)- Section 3.7 Farm Animals; Residential Zones (Title 1)- Section 4.7 Farm Animals.** That the City and Utah County Health Ordinances (specifically the nuisance definition) are reviewed to ensure that there is and enforceable standard relating to impact of farm animals.
2. **Bonus Density (Title 1)- Section 5.7.1 Open Space; Development Standards for Required Public Facilities (Title 2) Section 7.11 Neighborhood Parks.** That projects requesting Tier 1 bonus density be required to give five percent open space to the City and that subdivisions containing lots that are 14,374 square feet or less be required to develop a neighborhood park in accordance to Table 7.3.
3. **Residential Zone (Title 1)- 4.11.9 Open Space and Trail Requirements ; General Requirements For All Subdivisions (Title 2)- Section 6.4.7 Sidewalk and Trails; Development Standards For Required Public Facilities Sections 7.10- 7.10.2 Sidewalk, Trails, and Paths.** That these sections state that trails connecting subdivisions and open spaces are a required improvement.
4. **Bonus Density (Title 1) Section 5.8.1 Architectural & Landscape Design Guidelines, Covenants, Conditions, and Restrictions, and Design Review Committee (and all sub-sections).** That this section states plainly that the Planning Commission and City Council must approve of the specific architectural elements totaling a minimum sum of \$2000 of upgrades in order for bonus density to be granted. That the Planning Commission or City Council may not accept the proposed architectural elements and consequently not award bonus density.
5. **Bonus Density (Title 1) 5.6 Bonus Density Criteria (or another appropriate section).** That the requirement of the updating the costs (dollar amounts) associated with granting the bonus density be updated annually.
6. **Bonus Density (Title 1) 5.11 Bonus Density Entitlement For Multi-Family (Optional).** That the bonus density entitlements awarded for the multi-family project are reduced and that the costs (dollar amounts) are identified for these amenities.
7. **Bonus Density (Title 1) 5.6 Bonus Density Criteria (or another appropriate section).** That language is added to this section or another section as appropriate that states that bonus density may be denied when a site cannot be developed due to engineering concerns (traffic, utilities, etc.); health, safety, and welfare; or that the project is in conflict with the character of the adjacent neighborhood.
8. **Accessory Apartment (Title 1) Section 13.5.2 Planning Commission Approval.** That language is added that states that the approval of an Accessory Apartment expires when the property is sold. That the permit is not transferable and does not run with the property and that this standard is recorded at the County Recorders Office.
9. **Building Permits (Title 2).** That language be added to this chapter that states that building inspections may be suspended if the construction site and surrounding street are not maintained in a clean state. Contractors shall prevent and or remove the dirt or mud tracked into the streets from their construction site.
10. **Agricultural Zone (Title 1)- Section 3.4.4.1 Permitted Accessory Uses and Structures.** That there is only one windmill permitted on an agricultural parcel.
11. **Residential Zones (Title 1)- Section 4.5 Permitted Accessory Uses and Structures.** That windmills are not a permitted use but a prohibited use in a residential zone.

- 12. **Commercial/Industrial Zone (Title 1) Section 7.3.6 Permitted Uses.** That section 7.3.6 "Research and development uses including medical or electronic assembly and manufacturing" be placed in section 7.4 Conditional Uses.
- 13. **Residential Zone (Title 1) 5.6.6 Conditional Uses.** That industrial use is removed from this section (industrial use is a prohibited use in this zone).
- 14. That Architectural Requirements are required for all project especially projects that are developed at the base density 0.8.

**MOTION:** *Richard Steinkopf moved that the Planning Commission recommend approval of the Development Code with conditions 1 – 14 noted above.  
Leslie Montgomery seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

6. **General Discussion/Questions:**

None.

7. **Adjournment:**

**MOTION:** *Richard Steinkopf moved to adjourn the meeting at 9:08 p.m.*

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Chairman Tom Maher

**MINUTES OF THE PLANNING COMMISSION MEETING**  
**EAGLE MOUNTAIN, UTAH**  
**Eagle Mountain City Offices**  
**1680 E. Heritage Dr**  
**Eagle Mountain, UT 84043**  
**March 25, 2003**

Chair Tom Maher called the meeting to order at 6:02 p.m.

**Roll Call:**

Commissioners present: Tom Maher, Chris Kemp, Jennifer Rawlings, Jeff Love, Leslie Montgomery, and Richard Steinkopf. Diane Jacob was in attendance as the City Council Liaison.

**Others Present:**

Jody Hooley, resident; Marcy Taylor, resident; James Taylor, resident.

**City Staff:**

City Planner: Shawn Warnke  
City Engineer: Korey Walker  
Planning Assistant: Angela Cox

**1. Pledge of Allegiance:**

Tom Maher led the Commission and audience in the Pledge of Allegiance.

**2. Identification of Voting Commissioners:**

Tom Maher, Chris Kemp, Jennifer Rawlings, Jeff Love, Leslie Montgomery, and Richard Steinkopf.

**3. Declaration of Conflicts of Interest:**

None.

**4. Report from City Council Member:**

None.

**6. Approval of Minutes**

- A. February 25, 2003
- B. March 5, 2003
- C. June 12, 2001
- D. May 28, 2002

**MOTION:** *Richard Steinkopf moved to approve the minutes for March 5, 2003, June 12, 2001, May 28, 2002 and to table the minutes for February 25, 2003.*  
*Jeff Love seconded the motion. Ayes: 5, Nays: 0. Motion passed.*

**7. Agenda Items**

**A. Pioneer Addition, Preliminary Plat & Final Plat, Public Hearing- Action Item**

Shawn Warnke explained the proposed project is 220.75 acre in size and is north of Mt. View and The Landing subdivisions and surrounds Cedar Trails Villages Phase 1.

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Mr. Warnke continued to explain that one urban design feature that is being proposed in this project is the courtyard concept. He stated that his planning opinion is that the courtyard concept will be a positive housing product in this project for several reasons. First, this is a new housing product that will give potential buyers another option for a home purchase. Second, the courtyards will add diversity to the subdivision. Thirdly, the courtyards will consolidate what would be smaller landscape areas into a larger area (these areas will be maintained by a homeowners association).

Urban design principles would suggest that these courtyards (landscaped areas) would have a greater presence in the neighborhood if they were oriented towards "T" intersections. Streetscapes are improved when travel corridors terminate with a prominent feature. The landscape courtyards will be a prominent element in the Pioneer Addition and should be oriented towards "T" intersections.

Gary Himes discussed setbacks and the size of the homes that they are proposing for this subdivision.

Mr. Warnke explained that the applicant is proposing alternate design guidelines for this project.

Chris Kemp questioned the colors of homes and the landscape features that they are proposing. Mr. Himes said that they plan to use pastels and earth tones. He also stated that the lots would have sod for when the people moved in along with two trees. The project would have theme fencing around the perimeter of the project and along the micro paths. The fencing would be either brown vinyl or wood.

The public hearing was opened at 6:43 p.m.

Jody Hooley, resident on Lake Mountain Road, expressed her concerns with entry level homes, the density and the proposed lot sizes. She also had concerns on side load garages and the porches as it applies to the Development Code.

Mr. Himes explained that Pioneer Addition was proposing alternate design guidelines.

Ms. Hooley explained that she did not feel that this project was compatible with the developments in the area where it is proposed. Ms. Hooley feels that there should be a gradual decrease in lot size she feels that this development is to close to the five acre lots.

Mr. Himes explained that east of the project is a natural separation where the power line corridor is.

Mike Wren explained that this is identical to the master plan.

James Taylor, resident on Lake Mountain Road, expressed his concern with these neighborhoods revolving into a "poor neighborhood".

Marci Taylor, resident on Lake Mountain Road, stated that in a recent appraisal on their home they have lost \$30,000 and she feels that it is due to City's development. Mrs. Taylor explained that she feels that she has the right to sue if this development is approved. She is concerned with the future of the City and threatened to stage war against the City if the development is approved.

Josh Elledge was not able to attend this meeting but wanted it known that he was in favor of this development.

Public hearing closed at 7:00 p.m.

Shawn Warnke invited anyone who was interested in density as it applies to the proposed Development Code to attend the City Council meeting tomorrow.

~~Ms. Hooley feels that there should be a gradual decrease in lot size she feels that this development is to close to the five acre lots.~~

Leslie Montgomery stated that she feels the landscaping is a positive feature in this project.

Mr. Himes stated that the landscape will be done when the model opens.

Chris Kemp expressed his appreciation on the sensitivity the developer has shown towards the neighboring subdivisions.

Richard Steinkopf questioned whether the ~~round~~round-about is wide enough for large trucks and trailers to drive around. Mr. Walker answered that the round about is wide enough for large trucks and trailers to make it around with out driving over the top of it; however that doesn't mean that people will not drive over the top of it. Mr. Steinkopf also stated that he does not feel that small lots constitute building small homes. He would like to see the project include home options with side entry garages.

**MOTION:** *Richard Steinkopf moved that the Planning Commission approve the Preliminary Plat for the entire project and recommend approval of the Final Plat, Phase 1 subject to the following conditions:*

**Final Plat**

1. That the e-file is ~~emailed to mjensen@epicengineeringpc.com~~ for the final plat ~~is submitted.~~ (Need e-~~file of recently submitted final plat~~ that includes the turnarounds.)
2. That the correct address for John Walden is shown on the Plat (1668 East not 1668 North).

**Construction Plans**

1. That the e-file of the utility plans is ~~submitted~~emailed to ~~mjensen@epicengineeringpc.com~~.
2. That the phase lines are shown on the drawing and how the phases will be constructed with respect to the utility systems. (Sheet 11 – So. Independence Way is called out as Phase 5 and these improvements should be constructed with Phase 1, however they are not identified this way.)
3. That the water and sewer laterals be shown on the construction drawings. Sewer lateral needs to be shown for lot 62. Also sewer and water services need to be installed 2' beyond the P.U.E.
4. That the City Engineer approve of the traffic engineer impact report.
5. That the geo-tech report for roadway design be upgraded to reflect the construction traffic in this subdivision and future phases.
6. That street lights be added at the intersections.
7. That the sewer system manholes number 4 & 5 need to be called out at 5' diameter, also all storm drain manholes need to be 5' diameter.
8. That the construction notes # 6 on sheets refers to high back curb and gutter (should this be called out as modified).
9. That ADA ramps are installed on both sides of the street at trail locations, also ADA ramps need to be shown at all intersections.
10. That the storm water pond be updated with outlet structure discussed in meeting (a.k.a. Farmer's Box).
11. That sewer to next manhole on Revere Way at Stat. 19+33.72 ~~is~~be installed, since sewer services are located between these manholes for Phase I.

**Landscape Plan**

1. That the maintenance responsibility be placed on the landscape plan.

2. That drip irrigation system is used for pine trees.
3. That the trees be spaced appropriate according to size of canopy.
4. That the irrigation system be used to establish the wildflower.
5. That there is a discussion on the how the park requirements will be satisfied.

**Preliminary Plat**

1. That the professional engineer and state of Utah registration number and stamp ~~is~~**be** included.
2. That the adjacent properties have ~~the county~~**County** book and page number ~~be~~ identified.
3. That the preliminary storm water calculations be submitted for pipe sizing and detention area sizing.
4. That the geo-tech report for roadway design be upgraded to reflect the construction traffic in this subdivision and future phases.
5. That the proposed utility pipe (storm water, sewer, and water) sizes are shown.
6. That only connecting street have the same name.
7. That the utilities be stubbed out to Wren Blvd.
8. That utilities ~~are~~**be** constructed in Bobby Wren Way.
9. That a recommendation regarding the roundabout with the legs of the alleyways be provided.
10. That the storm drain lines are not constructed under concrete. Lines shall be relocated in ~~the~~ **the** road pavement areas.

Jennifer Rawlings seconded the motion. Ayes: 6, Nay: 0. Motion passed.

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**B. Colonial Park, Preliminary Plat & Final Plat, Public Hearing- Action Item**

Shawn Warnke explained that the proposed project is 16.77 acres in size and is north of The Landing and south of Cedar Trails Villages Phase 1.

The Colonial Park development is part of Eagle Mountain Properties (EMP) Master Development Plan and is zoned for a residential. EMP's master development plan is entitled to approximately 22,000 dwelling units over their entire project (7610 acres) and does not detail individual parcel's density.

Mr. Warnke continued to explain that ~~one~~**One** urban design feature that is being proposed in this project is the courtyard concept. ~~He~~ **Mr. Warnke** stated that his planning opinion is that the courtyard concept will be a positive housing product in this project for several reasons. First, this is a new housing product that will give potential buyers another option for a home purchase. Second, the courtyards will add diversity to the subdivision. Thirdly, the courtyards will ~~provide and~~ consolidate ~~what would be smaller~~ landscape areas ~~into a larger area~~ (these areas will be maintained by a homeowners association).

Gary Himes stated that the roundabout improvements will be landscaped at the model homes occupancy permit and that no parking signs will be installed by Hubble Homes.

The applicant is proposing a right in right out entry to the subdivision. The Planning Commission discussed this issue and felt that it would be beneficial to consult the Fire Chief and Sheriff's department.

Jeff Love discussed some issues that may create concerns with the Fire Department maneuvering a fire truck through this development.

The Planning Commission liked the 8' driveways and the proposed garage setbacks.

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The Public Hearing opened at 8:21 p.m. There were no comments and subsequently the public hearing closed.

**MOTION:** *Richard Steinkopf moved that the Planning Commission approve the Preliminary Plat for the entire project and Final Plat for Phase 1 subject to the following conditions:*

**Landscape Plan**

1. *That the pine trees have drip lines irrigated.*

**Final Plat**

1. *That parcel identification of all adjacent (ownership and parcel number) and county book and page. (Lacking county book and page number for Trailhead Access Road Plat.)*
2. *That the typical to show PUE and setbacks- Remove the 5' front PUE due to zero lot lines on front of house.*
3. *That the e-file is submittedemailed to mjensen@epicengineeringpc.com for the final plat.*
4. *That street names be given for the streets.*
5. *That the position of the survey monument shown on the existing roundround-about landscape area over to the easterly side near the median curb. Include ties to this monument.*

**Construction Plan**

1. *That the e-file is submittedemailed to mjensen@epicengineeringpc.com for the construction and utility layout. (Update with any changes made from these comments).*
2. *That the sewer and water stubs for future Phase 2 is extended beyond asphalt to be installed with phase 1 (Alley 1 and 2).*
3. *That the water valve typical has a 12" outer diameter ring.*
4. *That there are not utility conflicts regarding the depth. Include cross sections in profile views (Sheets 6-8).*
5. *That water laterals be installed to the landscape open areas. Concern with an 8" main called out on plans as it is believe that a 2" max service be sufficient. Additionally, concerns about how the 8" lateral is metered near the road way within easement areas. It is not shown how water will be run to the small island on American Way. Include~~include~~ water service or chase on plans).*
6. *That the elevations of the utility crossing be shown for the storm drain. (Include cross sections in profile views Sheets 6-8).*
7. *That the new construction drawings be submitted for the portion of Heritage Drive is constructed. (Update numbers in engineers estimate need to be submitted for this area.)*
8. *That the speed limit signs, one-ways, and do not enters be posted on alleys.*
9. *That the storm water pond location and method for discharge be identified. That the update with outlet structure discussed in meeting (a.k.a. Farmer's Box) be shown. Construction drawings for the pond need to be included.*
10. *That the excavation permits be obtained to cut into the existing asphalt and that the areas for excavate and reconstruct be shown.*
11. *That changes to utilities as called out in the preliminary comments.*
12. *That the locations on profile view of where the fire hydrants will be installed at the stationing be shown.*
13. *That the flow line invert and finish grade elevations to be called out along storm drain lines located in common areas at approximately 50' intervals.*
14. *That the call out to begin water line at stationing 10+50 on Sheet 5 be verified.*
15. *That the sewer system manhole 3 and 5 should be called out as 5' diameter manholes. Also all storm drain manholes should be called out as 5' diameter minimum.*

**Preliminary Plat**

1. That the professional engineer and state of Utah registration number and stamp is \_\_\_\_\_ included on the plan.
2. That the adjacent property ownership with the countyCounty book and page number be \_\_\_\_\_ included. (Lacking county book and page number for Trailhead Access Road Plat.)
3. That the proposed street grades and flow lines be included.
4. That the City Engineer approve the traffic impact report.
5. That the geo-tech report for roadway design be upgraded to reflect the construction \_\_\_\_\_ traffic in this subdivision and future phases.
6. That the proposed utilities are shown on the preliminary plat.
7. That the storm inlet grates and boxes are missing in Phases 2 & 3.
8. That the dashed line thru lot 76-82, 103, 119, etc is removed.
9. That type-over on lots 84-88 be corrected.
10. That the temporary 18" ADS pipe needs to be called out as "well marked with 6 inch \_\_\_\_\_ minimum cover".
11. That the survey monument located in the center of the Heritage Drive round-about be \_\_\_\_\_ relocated.
12. That the addition of pond outlet structure (a.k.a. Farmer's Box) and storm drain lines with \_\_\_\_\_ the installation of this box (detail sent by e-mail to MCM) be shown.

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Jeff Love seconded the motion. Ayes: 6, Nays: 0. Motion passed.

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**C. Mountain View, Phase 3, Final Plat- Action Item**

Shawn Warnke explained that the proposed project is 16.97 acres in size and is north of Eagle Point Plat A and west of the Landing subdivisions. The total acreage of the proposed subdivision is 16.97 and consists of 60 lots with an overall density of 3.53 dwelling units per acre and .79 acres of open space.

The applicant is proposing that the park improvements be located adjacent to Mt. View in a centralized park area that will serve the Landing, Mt. View, and Pioneer Addition. The applicant will be required to bond for the park improvements for Mt. View with the approval of the subdivision and the City can construct these improvements in the open space of the Mt. View subdivision if the centralized park is not constructed within one year of recordation of the Mt. View SubdivisionSubdivion.

The applicant has modified the subdivision layout slightly since its original approval. Specifically, these changes included the elimination of alleyways and changing a cul-de-sac to knuckle. The City Attorney has determined that these changes are significant to alter the preliminary plat approval.

The Planning Commission agreed with the subdivision proposal.

**MOTION:** Jeff Love moved that the Planning Commission recommend approval of the Final Plat for Mountain View Phase 3 subject to the following conditions:

**Final Plat**

1. That parcel identification of all adjacent (ownership and parcel number) and county book and page on recorded subdivisions is identified (lacks Cedar Trail Access Plat).
2. That the e-file is submittedemailed to mjensen@epicengineeringpc.com (lacks the dry utility e-file).
3. That the portion of plat that was recorded with the Cedar Trail Access Plat be excluded from overall legal description.

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4. *That the total plat acreage in table matches the acreage called out in the boundary description.*
5. *That Lodge Pole Drive also in C35 and C34 area of plat is labeled.*
6. *That the correct address for John Walden (1668 E. not N.) be shown on the plat.*

**Construction Plan**

1. *That all service laterals be shown on the plan (sewer lateral needs to be shown lot 62). Also sewer and water services need to be installed 2' beyond the P.U.E.*
2. *That the centralized park that will serve Mt. View, the Landing, and Pioneer Addition be constructed no later than one year after recording Mt. View Phase 3 plat.*
3. *That the hatching is removed for Lot 75 and 76 knuckle was not recorded with the Cedar Trails Access Plat.*
4. *That the hatched statement state the underground utilities have been installed in this area. Existing statement is confusing as to building the road structure, raising manholes, valve boxes to grade with concrete collars, and installing inlet grates.*
5. *That the ADA ramp and sidewalk near Lot 48 needs to be shown as constructed.*
6. *That the existing storm drain line along the recorded access easement will be constructed under curb and gutter. The line is presently incomplete and has floated. It will need to be reinstalled. This section of storm drain line should be redesigned to be moved from under the curb and gutter as part of the reinstallation. (Stat. 13+00 to 14+50).*

*Chris Kemp seconded the motion. Ayes: 6, Nays: 0. Motion passed.*

**D. Eagle Mountain Properties Master Signage Plan, Master Signage Plan Amendment, Action Item**

Shawn Warnke explained that signage can be a divisive planning issue for any community. One such reason includes the significant visual impact that signs can have on a community. Signs that are large tend to be obtrusive; however, it is the recognition of a sign that increases the effectiveness of that sign. Advertising or directional signage can have a tremendous influence on a local business.

The current sign ordinance includes a master signage plan provision, which grants the Planning Commission the discretion to approve directional off premise signs.

Section 19.10.1.2 of the Development Code states directional off premises signage shall be allowed intended to direct traffic to the subdivision. Such signs display no advertising, but may bear a logo of the project with which it is associated. Such name or logo shall not exceed more than fifty (50) percent of sign area.

Section 19.6.1 states one (1) on-premise project sign that shall not exceed eight (8) feet in \_\_\_\_\_height and sixty-four (64) square feet of sign copy per side if double faced. This sign shall be \_\_\_\_\_allowed until the development is complete or within one year whichever occurs first.

Gary Himes, Hubble Homes Vice-President of Planning and Development, has submitted a \_\_\_\_\_request for seven signs to be approved. The proposed signs are described as:

Sign 1<sup>≐</sup> Off-premise advertising sign located at the intersection of SR 73 and Eagle Mountain Boulevard.

Sign 2<sup>≐</sup> Shoulder ladder sign located half-way between SR 73 and the City Center.

Sign 3<sup>≐</sup> Directional ladder sign located at the intersection of Russell Road and Eagle Mountain \_\_\_\_\_Boulevard.

Sign 4<sup>≐</sup> Shoulder ladder sign along Eagle Mountain Boulevard.

Sign 5<sup>≐</sup> Directional ladder sign located in the roundabout of Sweetwater Road and Eagle \_\_\_\_\_Mountain Boulevard.

Sign 6<sup>≐</sup> Project sign located at the entry of the Eagle Park Subdivision.

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Sign 7<sup>3E</sup> Directional ladder sign located at the intersection of Sweetwater and the Trailhead Access.

**MOTION:** *Chris Kemp moved that the Planning Commission approve Eagle Mountain Properties Master Signage Plan Amendment subject to the following conditions:*

1. *That the applicant receives permission from UDOT for sign number 1 prior to the City's approval. Additionally, the Eagle Mountain Properties bringbrings their existing signs into compliance with federal regulations for signage on federally assisted highways.*
2. *That the directional ladder sign (sign number 3, 5, and 7) be located in the center of medians only (excluding the center of roundabouts).*
3. *That the directional ladder sign be constructed to the following specifications: ladder signs height 120" and that the sign copy is 7" by 54".*
4. *That the shoulder ladder sign be constructed to the following specifications: ladder signs height 120" and that the sign copy is 16" by 64".*
5. *That the directional and shoulder ladder signs be dedicated to the City and that there is a reimbursement agreement approved for the applicant.*
6. *That the ladder sign post be an earth tone color (not purple).*
7. *That the top portion of the City's marketing logo follows the same curvature (same shape) as the sign.*
8. *That sign number 6 have posts that match the ladder sign and the size of the sign not exceed eight (8) feet in height and sixty-four (64) square feet of sign copy.*

*Jeff Love seconded the motion. Ayes: 6, Nays: 0. Motion passed.*

**E. Kirk Flora Home Business Sign, Home Business Signage, Action Item**

Shawn Warnke explained Kirk Flora's Taekwondo Institute is located in the Chimney Rock Subdivision at 7442 Castle Rock Road.

The current City's Development Code allows for home businesses to have signage in accordance with the provisions in section 27.2.6 which states:

A home business may display a nameplate sign attached to the home and not exceeding three square feet solely for the purpose of identifying the business. The design of a proposed sign must receive Planning Commission approval.

The Planning Commission recommended that the sign be of earth tones, not red and blue.

**MOTION:** *Richard Steinkopf moved that the Planning Commission recommend approval of the Home Business Sign for Kirk Flora's Taekwondo Institute subject to the following conditions:*

1. *That the sign is not larger than three square feet and that it is solely for the purpose of identifying the business.*
2. *That the sign be attached to the residence and be of earth tones, not red and blue.*
3. *That there is no lighting on the sign.*
4. *That the sign be earth tone colors as required by The Ranches Design Review Committee.*

*Jeff Love seconded the motion. Ayes: 6, Nays: 0. Motion passed.*

**F. Park Standards Presentation**

Shawn Warnke presented and discussed on the proposed Development Code's rules relating parks and open spaces. As a whole the Planning Commission felt this would be a positivepausitive aspect in the Development Code.

8. **General Discussion/Questions:**

None.

9. **Adjournment:**

***MOTION:*** *Richard Steinkopf moved to adjourn the meeting at 9:17 p.m.*

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Chairman Tom Maher

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**MINUTES OF THE PLANNING COMMISSION MEETING**  
**EAGLE MOUNTAIN, UTAH**  
**Eagle Mountain City Offices**  
**1680 E. Heritage Dr**  
**Eagle Mountain, UT 84043**  
**April 8, 2003**

Tom Maher called the meeting to order at 6:02 p.m.

**Roll Call:**

Commissioners present: Tom Maher, Chris Kemp, Jeff Love, Leslie Montgomery, and Richard Steinkopf. Diane Jacob was also in attendance as the City Council Liaison.

**Others Present:**

Angie Coats, resident; Debbie Hooge, New Utah; Grant Gifford, Sundance Homes; Steve Sowby, Sowby & Berg; Melanie Holland, resident; Linda Zagors, resident; Zale Adams, resident; McKay Edwards, SITLA; Jody Hooley, resident; Marcie Taylor, resident; Scot Hazard, Parkway Crossroads.

**City Staff:**

City Planner: Shawn Warnke  
City Engineer: Korey Walker  
Planning Assistant: Angela Cox

**1. Pledge of Allegiance:**

Tom Maher led the Commission and audience in the Pledge of Allegiance.

**2. Identification of Voting Commissioners:**

Tom Maher, Chris Kemp, Jeff Love, Leslie Montgomery, and Richard Steinkopf.

**3. Declaration of Conflicts of Interest:**

Diane Jacob stated that she had a conflict of interest on Eagle's Gate Plat C, agenda item A, in that her husband sold water rights to the developer.

**4. Report from City Council Member:**

Diane Jacob stated that the applicants on Colonial Park and Pioneer Addition removed themselves from the City Council agenda on April 1, 2003. She also stated that Mtn. View received final approval.

**5. Agenda Items**

**A. Eagle Gate Plat C, Final Plat, Action Item**

Shawn Warnke explained that the proposed Eagle's Gate subdivision is located off the Ranches Parkway and is south of the Mt. Airey and east of Friday's Station. Eagle's Gate Plat C proposes 40 building lots averaging 6,850 square feet in size. It contains the neighborhood park for this development which will be maintained by the HOA.

The Planning Commission had no questions on this project.

**MOTION:**        **Richard Steinkopf moved that the Planning Commission recommend approval of the Final Plat for Eagle's Gate Plat C subject to the following conditions:**

- 1.    That an updated engineer's estimate for the looping of the water line, secondary access, and storm drain line connecting to Royal Troon Drive be submitted.**
- 2.    That the final storm water calculations are submitted (spread into the road and curb and inlet capacities- for the ten year storm).**

**Leslie Montgomery seconded the motion. Ayes: 5, Nays: 0. Motion passed.**

**B. Amendments to Meadow Ranch, Phase 4- Discussion Item**

Jessa Gagnon presented the Planning Commission with possible amendments to Meadow Ranch Phase 4. She stated that The Ranches is going to be putting in a water tank to increase water pressure and they will also be putting sewer into these lots which has increased the cost to develop this property. To offset the costs The Ranches is proposing increasing the number of lots (decreasing lot size). Originally the plat was approved to have 29 one acre lots; they would like to increase it to 44 lots with the average lot size being 33,500 sq. ft.

The Planning Commission questioned whether these lots would have animal rights. Scott Kirkland stated that they would not allow animal rights for these lots.

Overall the Planning Commission felt that this amendment would be positive to the Meadow Ranch subdivision.

**C. Open Space Discussion**

Scott Kirkland, The Ranches presented the Planning Commission with a concept to encourage developers within The Ranches to pay a fee in lieu for the developing of the neighborhood parks as allowed by section 9.19 of the Eagle Mountain Development Code. The developer would still construct a tot lot park for the subdivision which would be maintained by the Home Owners Association. The balance of the improvements between the required neighborhood park and the tot lots would be paid to the City as a fee in lieu. This fee would then be used by the City for off site parks and recreation improvement of dedicated open spaces.

The Planning Commission was in favor of this idea.

**D. Plum Creek, Preliminary Plat, Public Hearing- Action Item**

Shawn Warnke explained that Plum Creek is located east of Fire Station No. 2 on the north side of Pony Express Parkway. The Ranches Master Development Plan shows the R1 N30 parcel with the following entitlements: 108 units over 7.7 acres for a density of 14 units per acre. The applicant has proposed a Preliminary Plat that does not utilize all of the 108 dwelling units assigned to this parcel. The Ranches have submitted a Master Development Plan Amendment that proposes zoning the parcel north (Eagle Gate Open Space) of Tickville Wash as developable property for Phase 2 of this project. The Master Development Plan Amendment is scheduled for the April 22, 2003 Planning Commission meeting. The developer has elected to process this Preliminary Plat configuration at their own risk (not knowing the outcomes of The Ranches Master Development Plan Amendment).

Korey Walker expressed his concern with the access to the Plum Creek project and having fire trucks making the turn and not damaging the traffic island. Steve Sowby the engineer on this project said that the fire trucks would be able to drive over the traffic island and that that would not create any concerns or problems with the traffic island.

Korey Walker also stated that the project would need a second access. Grant Gifford said that there would be a gravel road that would go through the Rock Creek Condos and that it could be used as a second access.

The applicant requested to workout the sewer easement issue that would be affecting building C and N and a later date.

The Planning Commission was concerned with the horizontal siding on the of the building they would like to see the exterior appearance altered to have stucco, instead of horizontal siding.

Public Hearing opened: 7:03 p.m.

Angie Coats, resident on Navajo Drive, explained her concerns with the Plum Creek development. As she understood the area where the Plum Creek Condos are proposed to be constructed was planned to be a park or open space. She also was concerned with home values dropping and wanted to state that she was personally opposed to this project. Tom Maher explained that the City cannot guarantee home values, and that the density they are proposing is in fact less than what the property is entitled to. Scott Kirkland, The Ranches, stated that the parcel was originally zoned to be open space, but that the Master Development Plan was rezoned and the density was approved. Ms. Coats explained that her concern was with crowding in the area, and questioned if submitting a petition would make a difference. Tom Maher explained the difference between Planning Commission's roles and duties and the roles and duties of the City Council. Mr. Warnke explained the process of approval.

Zale Adams, Rush Valley resident, explained his concerns with crowding and the high density. He was also concerned with the project depreciating over the years and his homes value decreasing. Mr. Kirkland expressed his appreciation for the comments made; however, the density was approved. Previously a public hearing was conducted for the rezone of the property. The Ranches concept has always been to have commercial and density around the area of Ranches Parkway and Pony Express Parkway.

Melanie Holland questioned when the density was changed. Mr. Kirkland was not positive but believed it to be in the fall of 2002. Ms. Holland stated that her complaint was that when she moved in she believed it to be single family homes. She also submitted a letter stating her concerns.

Jody Hooley, Lake Mountain Road, expressed her concern that the previous rezone was not properly noticed. She does not feel this development is compatible with the surrounding developments. She stated that she felt this development was to dense to be as close to the City's borders as it was in that she thought the City's plan was to have the density decrease as it gets closer to the City's boundaries.

Linda Zagous, resident on Smith Ranch Road, was also told that the property was going to be a park. She expressed concerns with the increase in traffic and how that would affect community safety.

Public Hearing closed: 7:24 p.m.

Shawn Warnke explained that the Public Notice is posted in the newspaper and also sent out as a direct mail notice. Mr. Kirkland explained that this property was not originally in The Ranches Master Development Plan. That it was approved with 156 dwelling units and the builder is proposing only 108. Korey Walker explained that a traffic analysis is done by an outside traffic engineer then submitted to the City for approval.

**MOTION:** *Chris Kemp moved that the Planning Commission approve the Preliminary Plat of Phase 1 and recommend approval of the Site Plan for Plum Creek Phase 1 subject to the following conditions:*

1. *That the one hundred (100) foot flood plain boundaries are shown on the plat.*
2. *That the water line, gas line, and Rock Creek Road be looped (not just dead end line at the Plum Creek subdivision boundary) into the existing infrastructure of the Rock Creek Subdivision.*
3. *That the dry utility plan is approved by the Public Works and Telecommunication Departments.*
4. *That the landscaping improvements along Pony Express Parkway be completed.*
5. *That the access entrance to Plum Creek receives approval from the Fire Department and City Engineer.*
6. *That the trail connects to the side walk on the south side of the project.*

*Jeff Love seconded the motion. Ayes: 5, Nays: 0.*

#### **E. Parkway Crossroad, Phase 2, Site Plan and Conditional, Public Hearing- Action Item**

Shawn Warnke explained Parkway Crossroads is located at the southeast corner of The Ranches Parkway and Pony Express Parkway. The Ranches Master Development Plan identifies this parcel's zoning as Village Core. The zoning ordinance states that appropriate (not necessarily permitted uses) Village Core uses include day care facilities, delicatessens, cafes, professional offices, clinics, and convenience markets. It has been determined that the daycare, restaurant, car wash, and retail centers are conditional uses within the Village Core Zone.

Korey Walker discussed parking and explained evening and noon day peaks. He felt that the parking would be sufficient for the evening peak; however the noon day peak would be short three spots.

Scot Hazard asked for the Planning Commission's feelings on landscaping behind the building. The options he presented were either berming or open rail fence with trees. Mr. Warnke recommended berming, native vegetation, trees, and fencing. The Planning Commission felt the open rail fence with trees would be the best option.

**MOTION:** *Leslie Montgomery moved that the Planning Commission recommend approval of the Site Plan to the City Council and approve the Conditional Use Permit (car wash, restaurant, daycare, and general retail) for the Parkway Crossroads, Phase 2 subject to the following conditions:*

1. *That an easement from property owner and Kern River for the service road and landscaping be submitted.*
2. *That a major tree located every 50 lineal feet (with an irrigation system) and open spaces according to The Ranches Design Guidelines is constructed on the entire east side of the project and along the service road as required by section 22.1.4.*
3. *That an access manhole in the radius of the pipe channel be included.*
4. *That engineering profiles for the piped drainage channel be submitted.*
5. *That improvements be added at the outlet of the piped drainage channel and that a manhole or junction box be added at the existing 15" pipe connection.*
6. *That the entry monument for the project, building elevations, dumpster enclosures, and landscape plans be reviewed and approved by The Ranches Design Review Committee.*
7. *That a utility easement for the entire project in the form of a legal document to be recorded should be submitted.*

8. ***That a 200 pair phone line and fiber duct is installed for telecommunication purposes.***

***Chris Kemp seconded the motion. Ayes: 5, Nays: 0. Motion passed.***

#### **F. Eagle Village Condo, Revised Preliminary Plat & Site Plan Review, Action Item**

Shawn Warnke explained The Eagle Village Condo is located on the east side of the south leg of Sweetwater Road. Specifically, the project is located on the north and south side of Harvest Road.

Korey Walker explained that there was a traffic concern in the separation between the access to Eagle Point Plat B and the access to Eagle Village Condos. To solve this problem the project was altered making the access a right in right out only access. The other issue is curbing and gutter and that it is required to control storm water. Also the applicant is going to improve the detention basin by adding vegetation.

The Public Hearing was opened at 8:36 p.m.

Jody Hooley questioned the location of the project. Jeff Love explained that the project is located west of Eagle Point Plat B.

Tom Maher questioned buffering surrounding this project. Shawn Warnke explained that there is going to be a privacy fence along Sweetwater Road.

The Planning Commission along with staff discussed trail corridors and public easements.

Jody Hooley questioned zoning and expressed her concern of compatibility.

Shawn Warnke explained that the Planning Commission's duties are to make a decision based on finding of facts and to utilize good planning principles.

Public Hearing Closed at 8:47 p.m.

The Planning Commission was pleased with the second access and felt that it would be a positive addition to have a privacy fence along the east side of the project.

Steve Sowby, the projects engineer said they would bring a color drawing of the project to present with the final plat.

**MOTION: *Jeff Love moved that the Planning Commission recommend approval of the Site Plan to the City Council and approve the Preliminary Plat for the Eagle Village Condo subject to the following conditions:***

1. ***That the easements along Sweetwater Road and storm water easements along the south side of the project are verified.***
2. ***That the plat has utility easement for the private drives.***
3. ***That the applicant submits dry utility plans.***
4. ***That the park area be constructed at 50 percent of the building permits being issued.***
5. ***That privacy fencing is constructed along Sweetwater Road.***
6. ***That the park meets the City standards for size and equipment.***
7. ***That the developer and homeowner be responsible for leaks on the water manifold.***
8. ***That there be the hot tap for the water line be 24" from the elbow or 45 degree joint.***
9. ***That there is a park strip next to the 8' trail.***

**10. That a privacy fence be installed along the East border of the Eagle Village Condo project.**

**Chris Kemp seconded the motion. Ayes: 5, Nays: 0. Motion passed.**

**G. The Links, Concept Plan, Discussion Item**

Shawn Warnke explained The Links is located directly west of the Overland Trails Phase 1 & 2.

Kent Burningham, The applicant explained that the intent of this project is to build a portion of the homes themselves, but to put a number of the lots on the market for individual buyers to purchase. The lots that abut Overland Trails would be 14,000 sq. ft.

Korey Walker stated that his concerns with the project would be compatibility and connectivity. Mr. Walker explained that this project would be using a rural road in Overland Trails to tie in to the subdivision and he felt that could create problems on a long term basis.

Jeff Love expressed his concerns with the lot sizes pertaining to lot 69 and 70 as they are near larger lots in Overland Trails and he would like to see larger lots in that area.

Richard Steinkopf questioned whether the lots would have animal rights. The applicant said that was not the intent.

Chris Kemp said he would like to see the lots in phase 2 larger.

The Planning Commission recommended that lots one through seven merge to get wider lots. They also said that the issue of access to the subdivision would need to be resolved.

**6. General Discussion/Questions:**

None.

**7. Adjournment:**

**MOTION: Jeff Love moved to adjourn the meeting at 9:40 p.m.**

**Approved:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Chairman Tom Maher**

**MINUTES OF THE PLANNING COMMISSION MEETING  
TOWN OF EAGLE MOUNTAIN, UTAH  
Eagle Mountain City Hall  
1680 E. Heritage Dr  
Eagle Mountain, UT 84043  
April 22, 2003**

Chair Tom Maher called the meeting to order @ 6:08 p.m.

**Roll Call:**

Commissioners present: Chair Tom Maher, Council Member Diane Jacob, Chris Kemp, Jeff Love, Leslie Montgomery, Rick Pierce and Richard Steinkopf.

**Town Staff:**

Town Engineer: Korey Walker  
Town Planner: Shawn Warnke  
Recording Secretary: Fionnuala Kofoed

Others present: McKay Edwards, State of Utah, School and Institutional Trust Lands (SITLA); Gary Himes, Hubble Homes; Jessa Gagnon, The Ranches; Keith Johnson, Cedar Valley Fur Farm; Christine Ross, resident; Michelle LeBaron, resident; Jay Thompson, resident; Jared Brown, resident; Mark Rain, resident.

**1. Pledge of Allegiance:**

Tom Maher the led the Pledge of Allegiance.

**2. Identification of Voting Commission**

Chair Tom Maher, Chris Kemp, Jeff Love, Leslie Montgomery, and Richard Steinkopf were identified as voting commissioners.

**3. Declaration of Conflicts of Interest**

Diane Jacob stated a conflict of interest with item 5C as her husband sells water rights to the developers within Eagle Mountain.

**4. Status Report:**

**A. City Council**

Diane Jacob noted that Colonial Park, Phase 1 and Pioneer Addition, Phase 1 were approved at the previous City Council Meeting.

**5. Agenda Items**

**A. Mid-Valley and Pony Express Master Development Plan, Master Development Plan, Public Hearing- Action Item**

Mckay Edwards, SITLA, presented the Mid-Valley and Pony Express Master Development Plan.

The Pony Express Parcel is located directly east of Overland Trails, Phase 1 Subdivision, which is part of Eagle Mountain Properties Master Development Plan and south of the Pony Express Regional Park. This development is comprised of larger lots and has a density of approximately of 0.6 dwelling units per acre. The Master Development Plan is proposing a density of 3.8 dwelling units per acre with land uses that include a school site, residential, landscape buffer, high density, and commercial zoning. The land use plan utilizes a landscape buffer to transition between the two residential land uses.

The Mid-Valley parcel is approximately 1,200 acres and connects the two existing master developments of Eagle Mountain Properties and The Ranches. There are several important transportation corridors that dissect this parcel which should be used to separate different land uses and density in this area of the City. Mr. Edwards stated that as soon as the first home was built off Sweet Water Road in their project they would construct Walker Road.

Overland Trails residents Christine Ross, Michelle LeBaron, Jay Thompson and Jared Brown commented on the proposed density for the Pony Express parcel and expressed their concerns with what they believed to be a lack of compatibility.

Mark Rain, Mountain View resident, stated that the City needed to follow the original Development Code and vision of the City while considering the proposed projects.

The Commission discussed the proposal and commented on the buffering issues and lot sizes that SITLA had included in the concept plan. Shawn Warnke noted that there were no buffering requirements from residential to residential zones and that the Planning Commission was approving the rezone of the property. The Planning Commission considered the DRC's recommendation and amended it accordingly.

**MOTION**        *Jeff love moved to approve the Mid-Valley and Pony Express Master Development Plan subject to the following conditions:*

- 1. That all lots that have frontage along Lake Mountain Road (to the west) be no less than 3 acres with a minimum lot depth of 300 feet. That all lots east of Lake Mountain Road be 3 acres.*
  - 2. That all lots within the quadrant formed by Airport Road and Sweetwater Road and the east section line 36 have lots no less than 1 acre. That lots within 400 feet of the east section line 36 be 2 acres.*
  - 3. That SITLA's north boundary (the north section line of 36) has one row of lots that are the same lot sizes as those developed in the parcel referred to as R4 N4 of the Ranches MDP. Currently, the R4 N4 is approved as 1 acre lots. SITLA would be required to match these 1 acre lots with a minimum depth of 200 feet. If the Ranches MDP is amended in the future SITLA would be required to match the lot sizes for one row.*
  - 4. That there is a 3 acre park (300 feet east to west by 650 feet north to south) located on the east side of the Pony Express Parcel abutting the Overland Trails Subdivision. That within 600 feet of the platted Overland Trails Phases 1 & 2, lots be no less than 85' x 180'.*
  - 5. That SITLA complies with the architectural requirements in the City Development Code or proposes and has approved alternative design guidelines.*
  - 6. That there is no high density and commercial land uses in the Pony Express Parcel.*
  - 7. That the gross density be lowered from 3.2 to 3.0 dwelling units per acre for the Pony Express and Mid-Valley Parcels.*
  - 8. That the Master Development Plan meets the neighborhood park requirements at the time of development.*
  - 9. That all single family detached homes have a 60' minimum lot frontage.*
- Rich Steinkopf seconded the motion. Ayes: 5, Nays: 0. Motion passed.*

**B. The Ranches Master Development Plan Amendment, Master Development Plan Amendment Application, Public Hearing- Action Item**

Shawn Warnke commented on the Ranches Master Development Plan Amendment and noted that the proposed parcels to be amended are located within The Ranches Master Development Plan. They include: the reallocation of densities; amendments to open space; and re-labeling of several parcels.

The Public Hearing opened and closed without any public comments or questions.

The Planning Commission reviewed the Master Development Plan Amendments and recommended approval of the application to the City Council.

**MOTION**            ***Richard Steinkopf moved to recommend approval of The Ranches Master Development Plan Amendment to the City Council subject to the following conditions:***

- 1. That the Paul Evans Trailway South be deeded to the City upon the amendment being approved. The North segment is already deeded to the City with the Chimney Rock Subdivision.***
- 2. That the applicant provides evidence that they are the owner of the property for which the amendments are being proposed or have authorization to make the amendments.***
- 3. That the applicant and staff develop a way to best report dwelling units for the commercial parcels in the tabulation table.***

***Jeff Love seconded the motion. Ayes: 5, Nays: 0. Motion passed***

**C. Horseshoe Station, Revised Preliminary and Final Plat Applications, Public Hearing-Action Item**

On May 18, 1999, the City Council approved the Final Plat for Horseshoe Station Plat A, located directly east of Cedar Pass Ranch and south of SR 73. The Ranches has since amended their master plan and rezoned a portion of Horseshoe Station Plat A as a Satellite Commercial Zone. Consequently, the Ranches is amending the Preliminary Plat and eliminating the lots that would have been located in the Satellite Commercial Zone. The lots that border Cedar Pass Ranch will be 3 acres in size with the other lots ranging from 13,215 to 40,325 square feet in size with an average lot size of approximately 16,000 square feet. One additional change is the removal of a small area from the plat that was constructed as part of the golf course. Removal of this area from the plat, originally noted as open space, will eliminate any confusion.

The Public Hearing was opened and closed without any public comments or questions.

The Planning Commission considered the Revised Preliminary and Final Plat Applications for Horseshoe Station and recommended approval to the City Council.

**MOTION**            ***Richard Steinkopf moved to recommend approval of the Revised Preliminary and Final Plat Applications for Horseshoe Station to the City Council subject to the following conditions:***

- 1. That the updated e-file for plat, construction drawings, and engineer's estimates be submitted.***
- 2. That a water service lateral be added to the landscape island at Appaloosa Way and Ranches Parkway.***
- 3. That Appaloosa Court has a 60' radius.***
- 4. That the landscaping plan shows the sidewalk on the correct side of the road.***
- 5. That the City Attorney determines if Dapple Lane is a ROW or an easement.***
- 6. That the developer pays the fee in lieu of constructing a park. The fee will be calculated based upon 34 lots only.***

***Chris Kemp seconded the motion. Ayes: 5, Nays: 0. Motion passed.***

**D. South Pass, Preliminary Plat Application, Public Hearing- Discussion Item**

The Planning Commission conducted a public hearing and give comments regarding the proposed South Pass subdivision. The Ranches Master Development Plan was in the process of being amended

to transfer additional density to this parcel. The processing and the public hearings for the Master Development Plan Amendment and the Preliminary Plat were conducted concurrently; however, the Master Development Plan Amendment will not be finalized until action is taken by the City Council. Based upon this information, the Commission tabled the application.

The public hearing opened and closed without any comments or concerns.

**MOTION**        *Richard Steinkopf moved to table the Preliminary Plat for the South Pass Subdivision until The Ranches Master Development Plan has the appropriate number of dwelling units allotted to the R7 N1 parcel. Jeff Love seconded the motion. Ayes: 5, Nays: 0. Motion passed.*

**E. Jonsson Agricultural Protection Area, Agriculture Protection Area Application, Action Item**

On March 14, 2003, Keith Jonsson submitted an application for three contiguous parcels to be placed in an Agricultural Protection Area. Specifically, the tax identification number for these parcels are 59 055 0005, 59 055 0004, and 59 055 0016. The property is located directly east of the Jake Garn Airport.

At the time the Airpark was established the Jonsson property was used primarily for growing crops. The applicant identified the following improvements were in place upon submittal of the application: cleared ground, fencing, planted areas, well, water lines, irrigation well, shop, and unoccupied mink sheds. Also proposed to be added in the future are additional mink sheds, shop, and a residence.

Mr. Jonsson addressed the Commission and discussed the application. It was his opinion that upon annexation into Eagle Mountain Mr. Jonsson's property would be granted an Agricultural Protection. Without this protection, Mr. Jonsson believed that his mink operation would eventually be encroached upon.

The Planning Commission considered the application and recommended that it be referred to the City Council for clarification.

**MOTION**        *Richard Steinkopf moved to refer the Agricultural Protection Area Application to the City Council for clarification. Chris Kemp seconded the motion. Aye: 5, Nays: 0. Motion passed.*

**F. Archery Golf, Temporary Archery Range Application, Action Item**

The last several years The Ranches has hosted a temporary archery range for a NFAA event. DATUS once again requested that the Planning Commission approve their application for the event scheduled for April 26 & 27, 2003.

The Planning Commission considered the application and recommended approval of the event.

**MOTION**        *Richard Steinkopf moved to recommendation approval of the temporary archery range to the City Council subject to the following conditions:*

- 1) That the temporary archery range be permitted for April 26 & 27, 2003 and May 10 & 11, 2003.*
- 2) That the applicant obtains special burn permits for any campfires and comply with all requirements outlined by the Fire Chief.*
- 3) That the site be returned to its precondition state following the event.*
- 4) That if the special event creates an increase in the demands for public safety services that those services shall be provided by the applicant.*
- 5) That the archery range complies with safety standards for Utah County Sheriff's Office and the National Field Archer's Association (NFAA) and that the applicant provides security to monitor the perimeter of the archery range to prohibit non-participants from accessing the range.*

- 6) *That road base or gravel is used at the connection of dirt roads and paved roads as required by the City Engineer.*
  - 7) *That there be sufficient public facilities such as restrooms.*
  - 8) *That the City Recorder and City Attorney ensure that all of the insurance forms and the permission of the property owners have been submitted.*
- Leslie Montgomery seconded the motion. Ayes: 5, Nays: 0. Motion passed.*

**G. Mt. View, Phase 3, Alternative Design Guidelines Application, Action Item**

Hubble Homes, Mountain View Phase 3 builder, requested that the alternative design guidelines approved for Pioneer Addition also be applied to the Mountain View Subdivision. The primary concern was the orientation of the garages in conjunction with the approved lot widths. Mountain View is located directly east of The Landing.

**MOTION** *Jeff Love moved to recommend approval of the Alternative Design Guidelines for Mountain View Phase 3 to the City Council subject to the following Conditions:*

- 1. *That 57 percent (34 of the 60 lots) of the homes be constructed with side or rear loaded garages. That front load garages be allowed only on the following lots: 49-53, 56- 59, 62, 63, 67, 70, 71, 77, 80, 81, 84, 85, 88-90, 93, 94.*
  - 2. *That the plat depicts surface easements for all shared driveways.*
  - 3. *That front yard landscaping is installed by the builder on all homes in the subdivision.*
  - 4. *That the builder install perimeter fencing in the subdivision.*
- Chris Kemp seconded the motion. Ayes: 5, Nays: 0. Motion passed*

**H. Cedar Pass Ranch 5 LDS Church, Landscaping Plan Amendment Application, Action Item**

On June 18, 2002, the City Council approved the Cedar Pass Ranch 5 LDS Church. At that time, the approval process for the Landscape Plans did not specify the exact xeriscaping requirements for the median located in the Porter’s Crossing Parkway. The Applicant is now requesting a landscape change in the median of Porter’s Crossing Parkway.

The Planning Commission considered the application and recommended approval of the Landscaping Plan Amendment.

**MOTION** *Richard Steinkopf moved that the Planning Commission approve the Landscape Plan Amendment for the Cedar Pass Ranch 5 LDS Chapel. Jeff Love seconded the motion. Ayes: 5, Nay: 0. Motion passed.*

6. **Adjournment:**

**MOTION** *Jeff Love moved to adjourn the meeting @ 10:20 p.m. Chris Kemp seconded the motion.*

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Chairman Tom Maher

**MINUTES OF THE PLANNING COMMISSION MEETING**  
**EAGLE MOUNTAIN, UTAH**  
**Eagle Mountain City Offices**  
**1680 E. Heritage Dr**  
**Eagle Mountain, UT 84043**  
**May 6, 2003**

Tom Maher called the meeting to order at 6:00 p.m.

**Roll Call:**

Commissioners present: Tom Maher, Chris Kemp, Jennifer Rawlings, Leslie Montgomery, and Richard Steinkopf.

**Others Present:**

Nate Shipp, Milt Shipp, Steve Young, Development Associates; Bryan Haskell, The Ranches; Debbie Hooge, New Utah; Monte Kingston, Eagle Mountain Links.

**City Staff:**

City Planner: Shawn Warnke  
Planning Assistant: Angela Cox

**1. Pledge of Allegiance:**

Tom Maher led the Commission and audience in the Pledge of Allegiance.

**2. Identification of Voting Commissioners:**

Tom Maher, Chris Kemp, Jennifer Rawlings, Leslie Montgomery, and Richard Steinkopf.

**3. Declaration of Conflicts of Interest:**

None.

**4. Report from City Council Member:**

None.

**5. Agenda Items**

**A. Silver Lake Ranch (Formerly known as Evans Ranch), Revised Master Development Plan – Action Item- Public Hearing**

Shawn Warnke explained that Silver Lake is located east of Smith Ranch on the South Side of Pony Express Parkway (as it is extended). He explained to the Planning Commission that there are currently no standards by which to review this application by. The Planning Commission has been asked to review this application and make a recommendation on the land use plan, specifically the distribution of density offset by the amenities proposed. The density the applicant is proposing is 4.3 dwelling units per acre which if approved would be the highest density approved by the City at this time. Mr. Warnke explained the amenities they are offering to offset the density. He continued to explain that is what the Planning Commission will need to review at this time. They are also proposing a detailed land use plan; Nuzar Kopatz has done this work and will continue to do so.

Mr. Warnke explained the single family amenities that are being proposed. First there would be a several thousand dollar check written to the City for a well, a pressure reducer valve and a debris basin in Tickville Wash. The applicant will maintain a 7500 sq ft average lot size and a minimum of 6000 sq ft 60 foot frontage. A 15 acre community park will be donated to the City with an amphitheater. These amenities will be going in the first phase of the development.

Silver Lake will be following The Ranches Architecture Design Guidelines; which includes landscape guidelines, monument signage and the planting of street trees. The subdivisions will have a six foot park strip. Each multi-family building permit will be contributing \$300 to the City's Urban Force Fund. The Multi family dwellings will also provide a club house, buffering transitions between single family subdivisions, 60 square foot storage units, porches and decks. The buildings would be constructed of 100% masonry materials, and have one covered parking stall per unit.

Mr. Warnke continued in explaining to the Planning Commission that good planning principles encourage a variety of housing types and lot sizes to meet the needs of different segments of the population and market. Silver Lake is proposing a variety of housing types; however a variety of lot sizes is not necessarily a component of this Master Development Plan proposal. The objectives of the developer should be to use sound land use planning principles during the design phase to create neighborhoods that are safe, pleasing and that function within the entire community.

Development Associates has made the commitment that the project will use the following standards for single-family lot requirements: a minimum lot size of 6,000 square feet; an average lot size of 7,500 square feet; and have lot frontage no less than 60 feet. The staff has reservations that the project can maintain the aforementioned standards and still be developed with subdivisions that range from 3.7 to 5.7 dwelling units per acre. The proposed standards offered by the applicant should be enforced as absolute and supercede the approved density vesting. In addition to these proposed standards the applicant will also record CC&R's that will have different allowed housing products, house sizes and architectural requirements. The housing product should be an important discussion item during the review and approval of this project.

Mr. Warnke stated that the Master Development Plan for Silver Lake Development is well planned. The Land Use Planner has located different intensities of land uses in an appropriate location. For example, the higher density development is located in areas were there is a physical buffer such as a gulch, power line, school site, and roads. Additionally, the open spaces are located next to the more dense development. There appears to be good traffic circulation through the project.

The Planning Department has evaluated the Silver Lake Master Plan and believes that generally the locations are suitable for higher densities. A more detailed evaluation of the density of projects occurs during the subdivision and site plan application process. The City Attorney has stated that there is latitude for the City during the subdivision and site plan review to redirect densities to a more suitable area. This latitude is not to be exercised in a capricious manner and requires the Planning Commission and City Council to redirect densities based upon findings of fact.

The applicant is proposing a gross density (the total acreage of the project, including undevelopable property, divided by the total number of units) of 4.3 dwelling units per acre for the Silver Lake Development. The proposed gross density of the Silver Lake Development, if approved, will be the highest density granted to date.

There are several capital facilities improvements that the applicant is responsible for with the development of the Silver Lake Ranch totaling no less than \$700,000 which will be transferred to the City with the recordation of the first phase. The funds will be used to construct a new City well, pressure reducing valve station, and a debris basin in Tickville Wash.

Mr. Warnke stated that it is his professional opinion that one of the most important elements of The Ranches Master Development Plan is the Ranches Design Guidelines. It is this governing document that dictates urban design which includes the landscaping, architecture, and streetscape

amenities. These design guidelines depart from homogenous developments found in other suburban communities. It is also his opinion that The Ranches is starting to have a homogenous appearance due to similar housing products.

The applicant has expressed willingness to voluntarily donate a 12 acre school site to the City as the project is being developed. The City will have the land to sell to the Alpine School District, augment the regional park, or develop according to the highest public good. It is speculated that the school site value could be worth a half of a million dollars into the future. Regardless of the speculated dollar amounts the land will be a valuable asset to the residents of Eagle Mountain.

The applicant is proposing that an amphitheater be constructed and dedicated to the City with this development. Some of the improvements for the amphitheater include: a performance area, wiring, boon, parking area, and landscape area.

Milt Shipp presented the Planning Commission with the plans for the proposed Silver Lake project.

Nate Shipp explained to the Planning Commission that the multi-family homes would be constructed of 100% masonry. He continued to explain the specifics on single family homes. Each home in Silver Lake will be improved approximately \$2000 and comply with The Ranches Design Guidelines. The Silver Lake project will use Eagle Mountain City Utilities.

Richard Steinkopf expressed his strong concern with the small lot sizes.

Tom Maher opened the public hearing at 7:02. There were no comments and subsequently the public hearing was closed.

Mr. Warnke explained his recommendation to the Planning Commission.

Nate Shipp told the Planning Commission that 75% of the homes in Silver Lake Ranches would be entry level with 25% first time move up. He also asked the Planning Commission to focus on the product of Silver Lake Ranch rather than the density.

**MOTION:** *Jennifer Rawlings moved that the Planning Commission recommend approval of the Revised Master Development Plan for the Silver Lake Ranch property subject to the following Conditions of Approval and Findings of Fact:*

***Conditions of Approval***

- 1. R9 S1 Parcel. That the voluntary donation of the R9 S1 is deeded without restrictions relating to land uses so that the property can be developed according to the highest public good at the time of development including but not limited to a School Site, Open Space, Civic Center, and a Mixed Use Development. That the land use designation is labeled as School Site or Open Space and all other land uses would be subject to the rezoning process.***
- 2. Engineering Issues. That the development and phasing of development meets the City Engineer's and City standard/requirements for utilities, looping of utilities, and vehicle access. That the most eastern access into the project from Pony Express Parkway is positioned in a location approved by the City Engineer.***
- 3. Density Ceilings. That the approved densities for the SilverLake Development are density ceilings, that is the project must be limited and developed according to the following standards for single family detached (not including R9 N5a):***
  - a. a minimum lot size of 6,000 square feet; an average lot size of 7,500;***
  - b. lot frontage no less than 60 feet, and other standards required by the Development Code.***
  - c. Multi-family will have a minimum of 35 percent green space and meet other requirements in the Development Code (e.g. parking).***

***This condition is not meant to limit density only insure that the standards (the aforementioned minimums) that the applicant has agreed to and requirements of the Development Code to will apply. Master Development Plan Amendments to approve density entitlements are requested by the developer, Planning Commission, and City Council (see the section entitled Density Distribution).***

- 4. Driveways. That all single-family housing has a driveway length of 20 feet.***
- 5. Tickville Gulch. That Tickville Gulch is dedicated with minimum recreational improvements such as Frisbee Golf. Additionally, that there is sufficient land or an easement granted for a trailway to be constructed adjacent to the gulch.***
- 6. Amphitheater. That an engineer's estimate identifying the specific improvement for the development of the amphitheater is included in the agreement and that the construction of the theater is completed by June 1, 2004.***
- 7. Percentage of Housing Products. Silver Lake is subject to The Ranches Community Design Guidelines which classify single family detached housing into the various housing products that require a certain house size and architectural requirement through the recordation of Covenants, Conditions, and Restrictions. The applicant needs to specify the housing product (entry level, first time move up, second time move up, and custom homes) that will be recorded with the subdivision and included in each subdivision development agreement.***
- 8. Community Park. That the land (15 acres) and the water rights (estimated to be no less than 31.65 acre feet) for a Community Park be dedicated with the recordation of the first subdivision plat.***
- 9. Master Development Plan. That the applicant and staff (City Attorney and Planner) complete the formatting of the tabulation table for each zone density consistent with the approval of the rezoning.***
- 10. Multi-Family. That all multi-family projects (R9 N5b, R9 N8, R9 N12) be constructed in accordance to the following standards:***
  - a. That the exterior materials on all structures are constructed out of masonry materials including but not limited to stucco, brick, rock, and hardy-plank (concrete siding).***
  - b. That each unit has a storage area of 60 square feet.***
  - c. That all units have a porch that meets the Ranches Design Guidelines. The use of a patio would have the same requirements for a porch.***
  - d. That a furnished clubhouse that is 1,200 square feet in size is required for a multi-family projects that has 1- 150 units. That a swimming pool that has a minimum area of 1,000 square feet is required for a multi-family project that has 151 to 300 units. The requirements for a clubhouse and swimming pool are cyclical for (clubhouse: 301 to 450- clubhouse and swimming pool: 451- 600).***
- 11. That 25% of the homes in Silver Lake Ranch be first time move up homes and 75% entry level homes.***

***Findings of Fact:***

***The following findings of fact established cause for the Planning Commission's recommendation of approval and the City Council approval of the rezone application. These findings of fact are not an exhaustive list of the basis for approval but identify some of the most compelling facts in support of the rezoning action.***

- 1. Amphitheater. The construction and dedication of a public civic arts and recreation place will allow residents to participate in the arts or enjoy passive leisure activities.***
- 2. Upgraded Exterior Materials for Multi-Family Projects. The use of 100 percent masonry materials on the exterior of multi-family buildings will improve long term property values, reduce maintenance and reduce the tendency of the buildings falling into disrepair thereby reducing neighborhood blight in the future.***
- 3. Enlarged Park Strips and Street Trees. The dedication of enlarged park strips increases the property typically required by the City for a right of way and opens up the public streetscape. An enlarged park strip better accommodates street trees and reduces damage to the public infrastructure. The applicant will pay a fee to the City in the***

**amount of \$300 per unit to the City's urban forest fund to purchase and install trees in appropriate places in the developer's project. Creating an urban forest mitigates winds and heat.**

- 4. Amenities for Multi-Family Projects. The densest developments will construct amenities such as storage areas, porches and patios, clubhouses, and swimming pools. These amenities will mitigate the crowding effect of people living in close proximity by giving spaces for storage of personal belongings and creating places for leisure and recreation in private owned or commonly owned area.**
- 5. R9 S1 Parcel. This voluntary donation will give the City property to either sell to construct public improvements such as augmenting the community park.**

**Jennifer Rawlings seconded the motion. Ayes: 4, Nays: 1. Motion passed.**

**6. General Discussion/Questions:**

None.

**7. Adjournment:**

**MOTION: Richard Steinkopf moved to adjourn the meeting at 7:24 p.m.**

**Approved: \_\_\_\_\_ Date: \_\_\_\_\_**  
**Chairman Tom Maher**

**MINUTES OF THE PLANNING COMMISSION MEETING  
EAGLE MOUNTAIN, UTAH  
Eagle Mountain City Offices  
1680 E. Heritage Dr  
Eagle Mountain, UT 84043  
May 13, 2003**

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Chair Tom Maher called the meeting to order at 6:00 p.m.

**Roll Call:**

Commissioners present: Tom Maher, Chris Kemp, Leslie Montgomery, and Richard Steinkopf

**Others Present:**

Gary Himes, Hubble Homes; Mike Wren, Eagle Mountain Properties; Grant Gifford, Sundance Homes; Amy Twitty, and Scott Kirkland, The Ranches.

**City Staff:**

City Planner: Shawn Warnke  
City Engineer: Corey Walker  
Planning Assistant: Angela Cox

**1. Pledge of Allegiance:**

Tom Maher led the Commission and audience in the Pledge of Allegiance.

**2. Identification of Voting Commissioners:**

Tom Maher, Chris Kemp, Leslie Montgomery, and Richard Steinkopf

**3. Declaration of Conflicts of Interest:**

None.

**4. Report from City Council Member:**

None.

**6. Approval of Minutes**

A. April 8, 2003

**MOTION:** *Richard Steinkopf moved to approve the minutes for April 8, 2003.  
Chris Kemp seconded the motion. Ayes: 5, Nays: 0. Motion passed.*

**7. Agenda Items**

**A. Rezone of parcels 58:047:0035 and 58:047:0036, Rezoning, Action Item- Public Hearing**

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Shawn Warnke explained that the two parcels are located on the east and west side of the intersection of Eagle Mountain Boulevard and State Road 73. The proposed application rezones the property from Agriculture to Satellite Commercial. All land that is outside of the Master Development Plan is zoned Agriculture. The proposed zoning is Satellite Commercial which will allow for intense commercial uses. Due to the lack of infrastructure, currently, in this location it is anticipated that intense commercial development will not occur in the near future. The property is presently being rezoned to allow for a temporary sales trailer.

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Korey Walker explained utilities in this area.

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The public hearing opened at 6:08 p.m.. There were no comments; subsequently the public hearing was closed.

**MOTION:** *Leslie Montgomery moved that the Planning Commission recommends the rezoning of parcels 58:047:0035 and 58:047:0036 to the City Council from Agriculture to Satellite Commercial subject to the following conditions:*

*That improvements to Eagle Mountain Boulevards be made to off-set any traffic generation by the Satellite Commercial Zone (now and in the future).*

*Richard Steinkopf seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

#### **B. Temporary Sales Office, Conditional Use Application, Action Item- Public Hearing**

Shawn Warnke explained that a marketing trailer is being proposed at the intersection of SR 73 and Eagle Mountain Boulevard for 12 months. After the expiration of the twelve month period the Planning Commission could review and extend the permit for up to five years annually.

Gary Himes explained that this trailer would be a temporary marketing ~~trailer~~trailer and that this approval would be re-reviewed in twelve months.

Public Hearing opened at 6:23. There were no comments; subsequently the public hearing was closed.

The Planning Commission expressed concern with landscaping. Discussion ensued.

**MOTION:** *Richard Steinkopf moved that the Planning Commission approve the Conditional Use Application for a temporary sales trailer subject to the following conditions:*

- 1. That the City Council rezones the property to the Satellite Commercial Zone.*
- 2. That the conditional use is a temporary permit which expires in 12 months from the date that a certificate of occupancy is granted; renewable annually for 5 years.*
- 3. That an escrow bond be placed for site restoration.*
- 4. That the utility demands and connection details be provided.*
- 5. That a stop sign and no left turns be installed at the access into the site.*
- 6. That a culvert be placed at the access into the site.*
- 7. That an additional 10 foot road base shoulder width (on both sides) be added to Eagle Mountain Boulevard at the end of the island to accommodate u-turns.*
- 8. That the landscaping water issue be resolved.*
- 9. That a handicapped stall, access ramp, and hard surface be provided.*
- 10. That a street light be added and building lights with motion detectors.*
- 11. That the concerns with location and upkeep of the portable toilet be resolved.*

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**12. That question regarding garbage collection, perimeter landscaping, and other builders wanting to participate in the sales trailer be answered.**

**13. That an asphalt turn pocket and turn around be installed.**

~~13. That a gravel turnoff lane will be put in at...~~

**Chris Kemp seconded the motion. Ayes: 4, Nays: 0. Motion passed.**

### C. Plum Creek (R1 N30), Final Plat, Action Item

Shawn Warnke explained that Plum Creek is located east of Fire Station No. 2 on the north side of Pony Express Parkway. Regardless of a second phase being constructed, Plum Creek Phase 1 can be developed independently; that is Phase 1 will not rely upon any future improvements of Phase 2.

Grant Gifford presented the Planning Commission with the elevations for the proposed Plum Creek condos. The three elevations: ~~were~~ one consisting of all stucco; ~~one~~ of all siding; and ~~the final~~ one with a stucco top and vertical siding bottom.

The Planning Commission and applicant discussed the elevation options. Discussion ensued.

**MOTION:** **Richard Steinkopf moved that the Planning Commission recommend approval of the Final Plat to the City Council subject to the following conditions:**

- 1. That minimum landscaping improvement along the entryway for Pony Express Parkway and the subdivision is completed. The Ranches will need to approve of the landscaping design.**
- 2. That the improvements for the off-sites are added into the engineer's estimate (breakout separately).**
- 3. That the e-files for the plat, construction drawings, and utilities be submitted.**
- 4. That minor changes be made to the plat including: correct owner's dedication; ownership for adjacent parcels is shown on the plat with book and page numbers for the property to the north; the 60' ROW is added to the plat. That a tabulation table is located on the plat for: the total acreage; total acreage in lots/units; average lot size; total acreage in streets; and total ~~—~~acreage of open space.**
- 5. That minor changes to the construction drawings: no storm drain be located under the curb; benchmark elevation is included; and that the improvements for the pond outlets into Tickville Wash for erosion control are added (flared ends).**
- 6. That a deed for the Rock Creek Road is submitted for Rock Creek Road along with an addition 10' PUE on both sides of the road (for gas and electrical). ~~The legal description for this deed has been submitted to the Engineering Department for verification.~~**
- 7. That the Ranches Design Review Committee review and approve the fence, entry monument, and landscaping plan. ~~The applicant has already submitted an approval letter for the project elevations.~~**
- 8. That the elevations on the perimeter of the project be full stucco and the interior of the project be an equal mix of vertical siding bottom top stucco and vertical siding bottom and horizontal siding top.**

**Leslie Montgomery seconded the motion. Ayes: 4, Nays: 0. Motion passed.**

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#### D. South Pass, Preliminary Plat, Action Item

Shawn Warnke explained that South Pass is a 20 acre parcel located directly south of Kiowa Valley Plat B. The proposed subdivision would consist of a total acreage of 20.45 and 84 lots. The ~~density~~ ~~desity~~ would be 4.11 and have an average lot size of 7,556 ~~square feet~~.ft.

The Ranches Master Development Plan had entitled the R7 N5 parcel to 83 dwelling units. The South Pass Preliminary Plat proposes 84 dwelling units over the 20 acres. The Ranches have submitted a Master Development Plan Amendment that would transfer an additional dwelling unit to the R7 N5. On May 6, 2003, the City Council approved The Ranches Master Development Plan Amendment.

**MOTION:** *Richard Steinkopf moved that the Planning Commission approves of the Preliminary Plat —for the South Pass subject to the following conditions:*

1. *That easements are provided for the temporary turnarounds and drainage swells.*
2. *That a sedimentation control for storm water runoff is added at the ROW.*
3. *That there is a park strip along Cherokee Street with a trail.*
4. *That the development agreement states that the applicant pays the fee in lieu for the parks requirements and that the open space is identified for the project.*
5. *That a stop sign is located on Comanche Street at the intersection of Comanche and Cherokee Street. That the placement for the driveway for lot 39 on the south side of the lot.*
6. *That the General Notes state the requirement for a fog coating, slurry seal, or chip seal is required at the end of the warranty period.*
7. *That there is concerns with the cuts on lots 59, 60, and 79 (approximately a 10 foot cut).*
8. *That there are concerns with the storm water connection in the manhole by lot 39.*
9. *That an east west trail be included from Kiowa Parkway to Cherokee Street.*

*Leslie Montgomery seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

#### E. Home Business Ordinance Amendment, Action Item

Shawn Warnke explained that the proposed amendments to the Home Business Ordinance would allow daycares and home office in multi-family buildings. That greenhouse type home business is permitted when the lot size will accommodate parking.

The Planning Commission discussed buffering and landscaping for greenhouse type businesses.

**MOTION:** *Richard Steinkopf moved that the Planning Commission recommend to the City Council that the Home -Business ordinance be amended to allow the following:*

1. *That residents in the multi-family dwelling be allowed to conduct a home business for office type uses and day cares (not pre-schools) subject to the following conditions:*
  - a. *That the applicant owns the property to which they plan to conduct business, or that they obtain written permission from the property owner.*
  - b. *That the applicant receives written permission from the Home Owners Association to operate a home business in their unit.*

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- c. That the applicant receives State child care licensing which regulates the number of children allowed in the home day care based upon square footage of the home to which the day care business will be conducted.*
- 2. That the Planning Commission may allow greenhouse type home businesses that result in retail sales of products to the public if the Planning Commission determines that the property has sufficient acreage to accommodate the greenhouse type business and off street parking for patrons and includes buffered landscaping and/or berms or fencing as the Planning Commission deems appropriate to the Home Business.**

**Chris Kemp seconded the motion. Ayes: 4, Nays: 0. Motion passed.**

**8. General Discussion/Questions:**

**A. School Site, Concept Plan, Discussion Item**

Shawn Warnke explained that the school site is located east of the Eagle Park Subdivision and west of Cedar Trail Villages Phase 1.

The minor development process does not require the Planning Commission or City Council to review or take formal action. Minor development applications are reviewed and approved by the Development Review Committee (DRC). Currently, the DRC is working with Alpine School District on the traffic circulation pattern, dedication of water rights, connection to the City's utilities, storm water, and connection fees. Once the building of the school commences, Alpine School District has offered to provide reports to Kent Partridge, the Building Official, as to the construction of the facility (the Building Department does not have inspection authority with the construction of schools). Robert DeKorver, the Fire Chief, will walk through the elementary school once the facility is completed.

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**B. Pony Express Parcel, Master Development Plan, Discussion Item (No written report in packet)**

Shawn Warnke explained transitioning changes made to the proposed plan that is different from the Planning Commission's recommendation to the City Council. The proposed transitioning changes would increase the lot sizes on the west side of Overland Trails.

**C. Planning Commission Business (No written report in packet)**

Shawn Warnke asked the Planning Commission to verify that the Planning Department has all of their correct contact information and to make any necessary changes.

Mr. Warnke also asked the Commissioners if they would prefer to have staff reports emailed rather than hand delivered. The Planning Commission stated that they prefer the hand delivered staff reports.

**9. Adjournment:**

**MOTION: Richard Steinkopf moved to adjourn the meeting at 7:50p.m.**

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Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Chairman Tom Maher

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**MINUTES OF THE PLANNING COMMISSION MEETING**  
**EAGLE MOUNTAIN, UTAH**  
**Eagle Mountain City Offices**  
**1680 E. Heritage Dr**  
**Eagle Mountain, UT 84043**  
**May 27, 2003**

Chair Tom Maher called the meeting to order at 6:00 p.m.

**Roll Call:**

Commissioners present: Tom Maher, Chris Kemp, Jeff Love, and Leslie Montgomery. Diane Jacob was in attendance as the City Council Liaison.

**Others Present:**

Brian Haskell, Scott Kirkland, Amy Twitty, The Ranches; Kathy Nuttal, resident; Ken Hixson, resident; Sherrie Hixson, resident; Carma Scott, resident; Lacey Shaheen, resident; Elsie Hussey, resident; Roger Condor, resident.

**City Staff:**

City Planner: Shawn Warnke  
City Engineer: Korey Walker  
Planning Assistant: Angela Cox

**1. Pledge of Allegiance:**

Tom Maher led the Commission and audience in the Pledge of Allegiance.

**2. Identification of Voting Commissioners:**

Tom Maher, Chris Kemp, Jeff Love, and Leslie Montgomery.

**3. Declaration of Conflicts of Interest:**

Diane Jacob stated a conflict of interest on agenda items C, D, and E. Leslie Montgomery stated a conflict of interest on agenda item B and asked to be excused from the room for this item.

**4. Report from City Council Member:**

Mrs. Jacob stated that at the City Council meeting on May 20, 2003 the following actions took place:

- 1) SITLA including the Pony Express Parcel and the Mid – Valley parcel added architectural standards that called for 100% masonry on multi-family dwellings and 50% masonry on single family residential;
- 2) Mountain View, Pioneer Addition, and Colonial Park Development Agreements were approved;
- 3) Plum Creek, and Horseshoe Station were approved;
- 4) The rezone on SR 73 was approved.
- 5) Mr. Jonnsson's Agricultural Protection Application was denied.

**7. Agenda Items**

**A. Criteria for an Ordinance Addressing the Disposal of Public Property, Action Item**

Shawn Warnke explained to the Commission the background on the disposal of Public Open Space. One of the guidelines established in the last State Legislative session was for municipalities to establish their own criteria for the disposal of Public Property. Some of the guidelines in this criteria was for cities to decide what is considered significant and what is not significant.

In this draft ordinance there is essentially two processes. The first is the determination if it is significant or insignificant.

The Planning Commission recommended that insignificant land be taken to City Council but they felt that it wasn't necessary to have a Public Hearing. They also felt that significant open space should have a Public Hearing held at the Planning Commission. The reason for this is that the Planning Commission felt that the public may have some view points that the Planning Commission did not see and this would bring a broader view to their outlook and could have an affect on their recommendation to City Council. Tom Maher expressed concern in this ordinance being used against the City if there is not a plan for the property. Mr. Warnke suggested combing two aspects of the plan under Property that is no longer considered significant City property; the two aspects are "The City has no plans for improving the Parcel" and "The parcel no longer serves a public purpose or the purpose that was originally intended for the land.

- MOTION:** *Chris Kemp moved to recommend approval of the Ordinance Addressing the Disposal of Public Property with the following recommendations;*
- 1. That when the Open Space is determined significant that the Planning Commission and City Council both hold a Public Hearing.*
  - 2. That if the property is determined insignificant that no public hearing is required by the Planning Commission or City Council.*
  - 3. That the criteria of: The City has no plans for improving the parcel; and The parcel no longer serves a public purpose or the purpose what was originally intended for the land; be combined into one criterion.*
- Jeff Love seconded the motion. Ayes: 4, Nay: 0. Motion passed*

**B. Meadow Ranch Phase 4, Plat Amendment, Action Item**

Brian Haskell asked to have Meadow Ranch Phase 4, Plat Amendment removed from the agenda. He stated that they would like more time to meet with residents and to address their concerns.

Ken Hixson expressed his concern in this area not having a Master Development Plan and in not knowing what is to come in the future.

**C. Kiowa Valley Subdivision, Plat A, Plat Amendment- Action Item**

Agenda items C, D, and E were discussed concurrently.

Shawn Warnke explained that Kiowa Valley is located south of the Freemont Springs Subdivision. He went on to explain that there are two unique elements that are connected with the processing of this application that the Planning Commission should be aware of during the review. First, Plat Amendments should be evaluated and considered in the following order: what is in the best interest of the property owner in and surrounding the plat and good planning principles. Second, this Plat Amendment proposes the elimination of open space. The State Code was amended to require that cities adopt an ordinance that defines criteria of when a city will consider the disposal of public land.

In this proposal 5 lots would be added along Cherokee Street. A large majority of the proposed open space would be in the storm detention pond, which would meet all of the open space requirements in the Development Code. Seventeen thousand dollars would be contributed for the City's regional park for Smith Ranch.

Tom Maher questioned if the value of the property would be met in this proposal.

Korey Walker responded that he felt it would be fair for the land improvements and water rights.

Tom Maher opened the Public Hearing at 7:18 p.m. to receive comments on Kiowa Valley Plats B and C. There were no comments and subsequently the Public Hearing was closed.

**MOTION:** *Jeff Love moved that the Planning Commission recommend approval of the Kiowa Valley (R7 N4) Plat A, Plat Amendment subject to the following conditions:*

- 1. That Cherokee Street right of way is adjusted to accommodate a 4' park strip and an 8' trail.*
- 2. That the City Council approves an ordinance and this application complies with the criteria of the ordinance.*
- 3. That the addresses be added to the plat including the park.*
- 4. That the plat dedication and acknowledgement use the approved language.*
- 5. That the correct ownership be shown on the plat.*
- 6. That the park requirement is satisfied through the payment of the fee in lieu which is \$17,244 or as determined by the City Engineer is paid to the City with the recordation of Plat B.*

*Chris Kemp seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

**D. Kiowa Valley Subdivision, Plat B, Revised Preliminary and Final Plats- Public Hearing- Action Item**

**MOTION:** *Chris Kemp moved that the Planning Commission approves the revised preliminary plat and recommends approval of the revised final plat applications for Kiowa Valley (R7 N4) Plat B subject to the following conditions:*

- 1. That the project meets The Ranches Design Review Committees requirements for fencing and EAR requirement set by The Ranches Design Review Committee.*
- 2. That the park requirement be satisfied through the payment of the fee in lieu which is \$17,244 or as determined by the City Engineer.*
- 3. That Cherokee Street right of way is adjusted to accommodate a 4' park strip and an 8' trail.*
- 4. That the application complies with engineering requirements;*
  - A) That the street addresses are verified by the City Engineer.*
  - B) That the plat dedication and acknowledgement use the approved language.*
  - C) That the County Book and Page and ownership be labeled on the plat.*

*Leslie Montgomery seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

**E. Kiowa Valley Subdivision, Plat C, Preliminary and Final Plats- Public Hearing- Discussion Item**

**9. Adjournment:**

**MOTION:** *Tom Maher moved to adjourn the meeting at 7:35.*

**Approved:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Chairman Tom Maher**



**MINUTES OF THE PLANNING COMMISSION MEETING**  
**EAGLE MOUNTAIN, UTAH**  
**Eagle Mountain City Offices**  
**1680 E. Heritage Dr**  
**Eagle Mountain, UT 84043**  
**June 10, 2003**

Chairman Tom Maher called the meeting to order at 6:00

**Roll Call:**

Commissioners present: Tom Maher, Chris Kemp, Jeff Love, Leslie Montgomery, Jennifer Rawlings, and Dallas Bullock.

**Others Present:**

Monte Kingston, Eagle Mountain Links.

**City Staff:**

City Planner: Shawn Warnke  
City Engineer: Korey Walker  
Planning Assistant: Angela Cox

**1. Pledge of Allegiance:**

Tom Maher led the Commission and audience in the Pledge of Allegiance.

**2. Identification of Voting Commissioners:**

Tom Maher, Chris Kemp, Leslie Montgomery, Jeff Love, and Richard Steinkopf.

**3. Declaration of Conflicts of Interest:**

None.

**4. Report from City Council Member:**

Diane Jacob reported that in the City Council meeting on June 3, 2003 the Open Space Ordinance was tabled and on Kiowa Valley Plat A, the motion failed.

**7. Agenda Items**

**A. Anthem (R1 N18, N19), (Formerly known as Sweetwater Ranch), Preliminary Plat and Final Plat for Phase 1, Action Item- Public Hearing**

Shawn Warnke explained that The Anthem subdivision is located on the Westside of The Ranches Parkway directly north of Friday's Station. The Preliminary Plat consists of 151 total units, 32.26 acres, and a total density of 4.7 dwelling units per acre. The Final Plat consist of 68 total units, 14.39 acres, a total density of 4.7 dwelling units per acre, and 15,062 square feet of private open space. In summary, these parcels (R1 N18, N19) are vested with 221 dwelling units. The application is proposing that there be 151 dwelling units, which is 69 dwelling units below the density ceiling of the Master Development Plan.

The Anthem (R1 N18, N19) parcel width is approximately 450' at its narrowest point. Though the project is vested with town home density, the applicant is proposing a single-family subdivision. Due to the R1 N18, N19 being narrow the applicant is trying to acquire additional property and trying to conserve property by using monolithic sidewalks to increase the lot size.

The applicant is requesting that the City Council consider the vacation and sell of 6' of The Ranches Parkway along The Anthem frontage. The recorded plat of The Ranches Parkway shows the right of way width ranges from 180' to 206' along the frontage of The Anthem. The applicant is trying to acquire 6' in order to increase the lot size. In addition to this request, the applicant has also decreased a small portion of their constructed golf course in order to add property to lots.

The applicant is proposing the use of monolithic sidewalks. The Planning Commission discussed this scenario during the Concept Plan review. The Commission recommended that landscape features (that are maintained by the HOA) be constructed at the end of travel corridors to enhance the streetscape. The Applicant has incorporated these landscape features into this plan.

Monte Kingston, the developer, explained phasing and the proposed amenities for The Anthem subdivision. The proposed amenities include a 20 X 50 foot private pool and spa with restrooms and picnic pavilion. The minimum lot width is 55 feet with every third lot having a 65 foot lot width to encourage 3 car garages. He went on to explain that all the homes around the perimeter of the property would be full masonry and the interior homes would allow 75% siding.

The Planning Commission said they felt that a kiddie pool would have better use than a spa. They also felt that the homes that surround the community center should be full masonry as they are around a community gathering place. The Planning Commission suggested a headlight screen for the community center parking. Discussion ensued on parking at community center.

The Planning Commission felt that golf course approved rod iron fencing should be installed along golf course lots for liability and beautification reasons. They would also like to see the median on Ranches Parkway eliminate the turn pocket that does not coincide with an entry way.

**MOTION: *I move that the Planning Commission approve the Preliminary Plat and recommend approval of the Final Plat, Phase 1 for the Anthem Subdivision subject to the following conditions:***

- 1. That the City Attorney approves the:***
  - A. Owner Dedication (due to the private park and landscape features).***
  - B. Golf course notice and liability – Assumption of Risk and Indemnification.***
  - C. Water rights.***
- 2. That revised construction plans are submitted meeting the Engineering Requirements.***
- 3. That the looping of utilities is addressed.***
- 4. That lots 5-9 and 115 have adequate fire protection.***
- 5. That lots 54, 64-65 that surround the Community Center be full masonry.***
- 6. That a rod iron fence (according to The Ranches Design Guidelines) border the subdivision along the golf course.***
- 7. That the median in The Ranches Parkway be altered to eliminate a turn pocket (extend the median and landscaping improvements to eliminate the turn pocket) that does not coincide with an entryway.***
- 8. That this approval for the preliminary plat allows for the addition or elimination of 6' of property on the east side of the subdivision. The acquisition of the 6' requires the Plat Amendment of The Ranches Parkway Plat and as such is not known if this approval will be granted in the future.***

***Jeff Love seconded the motion. Ayes: 4, Nays: 0. Motion Passed.***

**8. General Discussion/Questions:**

Mr. Warnke explained to the Commission that the University of Utah was proposing a condensed Citizen Planner Seminar for the local Planning Commissions and he questioned if they would be interested in attending. The Planning Commission expressed an interest in participating and would like more details as they become available.

**9. Adjournment:**

***MOTION: Richard Steinkopf moved to adjourn the meeting at.***

**Approved:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Chairman Tom Maher**

**MINUTES OF THE PLANNING COMMISSION MEETING**  
**EAGLE MOUNTAIN, UTAH**  
**Eagle Mountain City Offices**  
**1680 E. Heritage Dr**  
**Eagle Mountain, UT 84043**  
**June 24, 2003**

Chair Tom Maher called the meeting to order at 6:00

**Roll Call:**

Commissioners present: Tom Maher, Chris Kemp, Dallas Bullock, Leslie Montgomery, and Richard Steinkopf. Diane Jacob was also in attendance as the City Council liaison.

**Others Present:**

Aaron Evans and Mary Ellen Evans, Property owner; Dean Schilk, LDS Church; Terri Hymas and Kelly Hymas, Cedar Pass Ranch residents; DeNae Anderson, Cedar Pass Ranch residents; Kathy and Larry Nuttall, The Hanging Gardens; Ann Watson, resident; Sean Stephens, Wild West Tree Farm; Autumn Montoya, Nextel Communications; Kenneth Call, Cedar Pass Ranch Home Owners Association; Aaron Bleak, Butler and Evans Architects; Nate Shipp, Development Associates; John Jacob, Developer.

**City Staff:**

City Planner: Shawn Warnke  
Planning Assistant: Angela Cox

**1. Pledge of Allegiance:**

Tom Maher led the Commission and audience in the Pledge of Allegiance.

**2. Identification of Voting Commissioners:**

Tom Maher, Chris Kemp, Dallas Bullock, Leslie Montgomery, and Richard Steinkopf.

**3. Declaration of Conflicts of Interest:**

None.

**4. Report from City Council Member:**

On June 17, 2003 the City Council approved the Anthem subdivision final plat. Kiowa Valley Plat A amended was also approved.

**7. Agenda Items**

**A. The Hanging Garden, Home Business Application, Public Hearing- Action Item**

Shawn Warnke explained that this Home Business has been previously reviewed. At which time the Planning Commission recommended changing the Ordinance to allow for greenhouse businesses. Kathy Nuttall, the applicant explained that her business is the growing and selling of hanging baskets, patio pots, and 4 inch pots. Her greenhouse is approximately 2880 sq. ft. and 13ft. tall. She has planned to build a second greenhouse that she is not certain she will build. Mr. Warnke stated that currently in the Development Code there are no restrictions on the size of accessory buildings; however, in the future that may change and could have an impact on Mrs. Nuttall's proposed second green house.

Discussion ensued on the conditions of approval for The Hanging Gardens Home Business. Mrs. Nuttall explained the landscaping she would be doing around her greenhouses and the parking area of thirteen stalls. The Planning Commission felt that the landscape and parking would be sufficient.

Mr. Warnke stated that Home Businesses are a Conditional Use and can be approved according to certain conditions.

**MOTION:** *Richard Steinkopf moved that the Planning Commission approve of the Hanging Gardens subject to the following conditions:*

- 1. PARKING. That there are sufficient parking areas to accommodate the peak times of the business.*
- 2. COMPLAINTS. That the license may be reviewed upon complaints from surrounding property owners*
- 3. LANDSCAPING. That there is landscaping that surrounds the perimeter of the greenhouse.*

*Leslie Montgomery seconded the motion. Ayes: 5, Nays: 0. Motion passed.*

#### **B. Wild West Tree Farm, Home Business Application, Public Hearing- Action Item**

Shawn Warnke presented the Planning Commission and audience with the lot layout for the proposed Home Business.

Sean Stephens explained that the purpose of his proposed home business is to grow and sell trees that would prosper in this area. He also stated that a drip line from his well will water the trees and that his home is on City Water. The trees will be planted in buckets to be sold. He is going to plant trees around his property approximately every ten feet as a landscape buffer. The only equipment he would have for Business use would be a backhoe. He does not feel that parking will be a problem and stated that he has a sufficient parking area.

The Public Hearing was opened at 6:24 p.m.

Mary Ellen Evans stated that the State Division of Water Resources has specific regulations on well usage and she recommended that this be checked into prior to approving this application.

John Jacob explained the State's regulations. Discussion ensued on this issue.

Kenneth Call, Member of the Board of Trustees for the Cedar Pass Ranch Home Owners Association, stated that the Cedar Pass Ranch CC&R's specifically forbids Home Businesses, Signage, and additional lighting. He feels it is an easy decision for the Planning Commission to make, either to support a whole subdivision and the Home Owners Association or one member of it.

Mr. Warnke stated that CC&R's are handled and enforced civilly.

The Public Hearing was closed at 6:34 p.m.

**MOTION:** *Richard Steinkopf moved that the Planning Commission approve of the Wild West Tree Farm subject to the following conditions:*

- 1. PARKING. That there are sufficient parking areas to accommodate the peak times of the business.*
- 2. COMPLAINTS. That the license may be reviewed upon complaints from surrounding property owners*
- 3. WATER RIGHTS. That sufficient water rights are provided.*
- 4. HOA APPROVAL. That the applicant receives written approval form the Cedar Pass Ranch Home Owners Association.*

*Chris Kemp seconded the motion. Ayes: 5, Nays: 0. Motion passed.*

**C. Eagle Gate, Plat D, Final Plat Application- Action Item**

Shawn Warnke explained that the proposed Eagle's Gate Plat D subdivision is located off The Ranches Parkway and is south of the Mt. Airey and east of Friday's Station. The preliminary plat application for Eagle's Gate Plats B- D Subdivision comprised of 185 lots. Eagle's Gate Plat D Final Plat application has 67 lots. The park for this development is contained in Plat C. Since this phase will be constructed prior the development of Plat C. The Applicant is required to bond for the improvements and deed the park area with the approval of this application.

Scott Kirkland, The Ranches explained the issue of a buried electrical easement that would affect 19 lots in the entire subdivision. He is concerned that the buried electrical easement may create a problem with the affected lots meeting the set back requirements and in turn lower the value of the property. He asked the City to compensate him for whatever loss of value may be perceived by the builder. Discussion ensued.

Richard Steinkopf expressed concern with homeowners installing privacy fencing and not having uniformity. Discussion ensued on fencing and The Ranches Design Guidelines. Scott Kirkland stated that a privacy fence would be installed along the lots that abut Tickville Wash for safety purposes.

**MOTION:**

***Leslie Montgomery moved that the Planning Commission recommend approval of the Final Plat for Eagle Gate Plat D subject to the following conditions:***

- 1. LOOPING. That the off site section of Royal Aberdeen Road be recorded as a ROW and that the road be improved with a fire hydrant, water lines, and temporary all weather road be constructed. That a temporary cul-de-sac be placed on the end of Royal Troon Drive on the construction drawings.***
- 2. PARK. That improvements are bonded and property is deeded for a park with this phase.***
- 3. DRIVEWAY ACCESS. That all lots that have frontage on vest pocket parks have their driveway access from the vest pocket park.***
- 4. ENGINEERING REQUIREMENTS. That the construction plans and plat meets all the engineering requirements.***
- 5. ELECTRICAL EASMENT. That a satisfactory solution be resolved for the electrical easement affecting lots 441-446 before City Council approval.***

***Chris Kemp seconded the motion. Ayes: 5; Nays: 0. Motion passed.***

**G. Nextel Cellular Site, Conditional Use Permit, Public Hearing- Action Item (This item was moved up from the original posted agenda)**

Shawn Warnke explained that the Nextel Cellular Site is on the west side of Ruby Valley and east of Lone Tree. The site is also located near the City's new water tank. The proposed accessed to the site is off the dirt road portion of Pony Express Parkway. On May 28, 2003, Nextel submitted an application for a wireless telecommunication facility. The proposed facility will be comprised of a 100' steel tower, two shelters, and a fence. The following give a brief explanation of the proposed facility:

The applicant is proposing a tower that is 100' that in height this will allow an additional carrier to co-locate on the tower reducing the number of towers. The tower is comprised of steel. The use of steel versus a wood pole reduces the thickness of the tower and minimizes the impact along the skyline. The proposed shelters are comprised of hardy plank and will have a hipped or gable roof. The proposed fencing is comprised of wood according to The Ranches Design Guidelines. The size of the site is 40' by 60' for a total square foot area of 2,400. The proposed development of the site will bring power and telephone lines to the site. The extension of these utilities will benefit the City's water tank which will be monitored with a SCADA system (this will allow the City to monitor the water levels of the tank from the Public Works Building). The Applicant is waiting for approval of the site prior to expending monies to have the utilities designed for this specific location.

Prior to the submission of the application the Development Review Committee, comprised of the City Engineer, Public Works Director, and City Planner visited the site. The Development Review Committee concluded that this site appeared to be a suitable location from the City's perspective for the facility. The Fire Chief has informed the DRC that the Fire Department can access the site with the brush truck.

Mr. Warnke explained that a Conditional Use can be reviewed annually to insure that all conditions are met.

Autumn Montoya, the applicant stated that Nextel is willing to comply with all the conditions.

The Public Hearing was opened at 7:12

Scott Kirkland identified himself as a member of the Board of Trustees on the Home Owners Association and stated that he has no vested interest and does not own the land which the tower would be located. Mr. Kirkland stated that he would not have issues approving the height of the pole because it has moved down the hill so it visually does not appear higher than originally approve.

Terrie Hymas, resident, stated that she is concerned that if the road is improved it will encourage increased traffic. She was told by The Ranches that nothing would be built in that area and that nothing would obstruct the skyline view. She feels it will lower her homes value.

DaNae Anderson, resident, stated she is concerned with the height of the tower in that she feels it could be a safety hazard. She is concerned that lightening will strike the tower and cause a fire that could burn in the direction of her home. Ms. Anderson stated that she feels there is a need for this cell tower but would like to see it on another hill that is not near developed property.

Mr. Kirkland stated that at the transfer of ownership other locations were looked into; however, there is not another hill that would provide the cell coverage removed from residential areas.

Ms. Montoya addressed the issues at hand. She explained that lightening is not an issue, to protect there investment they are proposing a steel pole; everything is grounded within the compound, also rock/gravel through the compound. The road base would be to repave the road after digging to run the utilities through that area and would be the same as it currently is.

Mary Ellen Evans stated that she feels safer having a Cell Tower on her property because it is likely to attract lightening and put it back into the ground rather than striking something that would start a fire.

Don Shively, AT&T wireless, stated that they have seen a need for a cell tower to meet the demands of the community and that they would like to work with Nextel. Cell Towers are regulated by the government to identify the location of those calling 911 (if someone is using a cell phone they can triangulate it and know which tower they are at). They have seen the demise of property values in having a cell tower; in fact properties where these are located see increased property values. Unfortunately, the properties that look at it do not get that benefit. Lightening issues have been addressed, these towers are grounded and have large investments to protect and it acts as a lightening rod saving other properties around it.

Ms. Montoya stated that Nextel would paint the pole brown as requested.

The Public Hearing was closed at 7:42 p.m.

Ms. Montoya explained that the tower was originally approved at sixty feet. It is now proposed at 100' to accommodate Nextel and AT&T Wireless. The positioning of the pole is proposed to be at a lower elevation to not appear much higher. Lighting would not be needed.

**MOTION:**

***Richard Steinkopf moved that the Planning Commission review and approve the Conditional Use Application for Nextel Cellular Tower subject to the following conditions:***

- 1. PERMISSION. That the applicants submit evidence that the property owner is in agreement with the application.***
- 2. UTILITY PLAN. That a utility plan (phone and power) and usage demands be submitted.***
- 3. E-FILE. That the e-file for the easements and site be submitted for verification and addressing of the site.***
- 4. CO-LACATION. That the City be allowed to co-locate at this facility without charge.***
- 5. ADDITIONAL CARRIER. That an additional carrier (besides the City) be allowed to located at this facility as shown on the plans.***
- 6. STORM WATER. That documentation be submitted showing the ability to detain storm water and not increase storm water discharge from the site.***
- 7. ACCESS ROAD. That the road is restored with road base and drainage swales.***
- 8. BALLOON TEST. That a balloon test is conducted and The Ranches Home Owners Association and the DRC are notified.***
- 9. LIGHTING. That no lighting be put on the tower unless required by the FAA (Federal Aviation Association).***

***Dallas Bullock seconded the motion. Ayes: 5, Nays: 0. Motion passed.***

**D. Classification of City Owned Property Formerly Comprised as Public Open Space in Kiowa Valley Plat A, Action Item**

Shawn Warnke explained that Kiowa Valley Plat A is located south of the Freemont Springs subdivision and north of South Pass. On June 17, 2003 the City Council voted to amend Kiowa Valley Plat A removing a portion of property platted as open space. The proposed Kiowa Valley Plat C re-plats the amended portion of Kiowa Valley Plat A as residential building lots. Though Kiowa Valley Plat A was amended the amended portion of the plat is owned by the City. The City Attorney is permitting the processing of the Kiowa Valley Plat C prior to the Applicant acquiring the property with the condition that any Planning Commission approval is valid only upon The Ranches obtaining the property from the City. The process in which public property is disposed of is regulated in Ordinance Number O 11-2003. Ordinance Number O 11-2003 requires the City Planner and Planning Commission to evaluate publicly owned property that is being proposed for disposal as "significant" or "insignificant".

**MOTION:**

***Richard Steinkopf move that the Planning Commission recommend to the City Council that the amended potion of Kiowa Valley Plat A that is now being proposed as Kiowa Valley Plat C is classified as insignificant as required by Ordinance Number O 11-2003 for the purpose of disposing of property owned by the City based upon the criteria contained in section 1.4.***

***Chris Kemp seconded the motion. Ayes: 5, Nays: 0***

**E. Kiowa Valley, Plat C, Preliminary and Final Plat Applications, Action Item**

Shawn Warnke explained that Kiowa Valley is located south of the Freemont Springs subdivision and north of South Pass. It consists of .89 acres, 5 lots and an average lot size of 7500 sq. ft. and no open space. The Planning Commission was comfortable with the project.

**MOTION:**

**Leslie Montgomery moved that the Planning Commission recommend approval of the Preliminary and Final Plat Applications for Kiowa Valley Plat C subject to the following conditions:**

- 1. ADA RAMP. That the driveway approach for lot 156 that is positioned between the ADA ramp and the storm drain inlet box be moved.**
- 2. PROPERTY ACQUISITION. That the approval is contingent upon The Ranches acquiring the property.**
- 3. UTILTY PLAN. That the utility plans are approved.**
- 4. ENGINEERING REQUIREMENT. That the application complies with engineering requirements.**
- 5. ROW. That Cherokee Street right of way is adjusted to accommodate a 4' park strip and an 8' trail.**
- 6. DRC APPROVAL. That the project meets The Ranches Design Review Committees requirements for fencing and EAR.**

**Richard Steinkopf seconded the motion. Ayes: 5, Nays: 0. Motion passed.**

**F. Smith North Ranch Church, Conditional Use Permit and Site Plan, Public Hearing- Action Item**

Shawn Warnke explained that the proposed church would be constructed north of the school and before the intersection of Pony Express and Smith Ranch Road.

The Applicant is proposing that a church be constructed on the 3.46 acres lot which was subdivided for this intent. Originally, this parcel was zone for a school and park on The Ranches Master Development Plan. The City Council approved an amendment to The Ranches Master Development Plan that essentially changed the zoning from school and park to a Country Residential Zone to accommodate a church site.

**MOTION:**

**Chris Kemp moved that the Planning Commission approves the Conditional Use Application and recommend approval of the Site Plan to the City Council subject to the following conditions:**

- 1. FINAL PLAT CODITIONS. That the North Smith Ranch Plat be recorded subject to the conditions of the Final Plat approval.**
- 2. SITE SURVEY. That the site survey ROW boundary be adjusted to accurately establish the ROW at the intersection of Smith Ranch Road and the entrance of Pony Express Parkway.**
- 3. DRC APPROVAL. That The Ranches Design Review Committee review and approve shed landscaping plan, dumpster enclosure, and elevations.**
- 4. PRV. That a pressure reducer valve be installed with the construction of the building.**
- 5. EASEMENTS. That the following easements be provided: a 10' minimum utility easements around the perimeter of the lot; surface easement be provided for the 4' of additional sidewalk; and a main storm drain line easement.**

**Leslie Montgomery seconded the motion. Ayes: 5, Nays: 0. Motion passed.**

**H. Silver Lake, Preliminary Plat Application, Public Hearing- Action Item**

Shawn Warnke explained that Silver Lake is located east of Smith Ranch on the South Side of Pony Express Parkway (as it is extended). This Master Development Plan has approved 348 units as a density ceiling; the applicant is proposing 333 dwelling units for these parcels. Development Associates made the commitment that the project will use the following standards for single-family lot requirements: a minimum lot size of 6,000 square feet; an average lot size of 7,500 square feet; and have lot frontage no less than 60 feet. The developer has complied with these standards.

Nate Shipp stated once 300 building permits are pulled Development Associates will improve Pony Express Parkway to the edge of the project.

The Public Hearing opened 8:32

Aaron Evans stated his concerns with the Pony Express extension showing the road at 100' and only having a 56' deeded right of way. He also stated that he is concerned that people will travel east rather than going west on Pony Express Parkway creating increased traffic.

Mary Ellen Evans stated that she feels the increased traffic that the Silver Lake subdivision may generate would be a safety hazard because a section of the road, which is out of Eagle Mountain's boundaries, would not be improved. She also is concerned that as Pony Express Parkway is extended it will encroach on her property.

The Public Hearing closed at 9:00 p.m.

Nate Shipp asked the Planning Commission for suggestions on parking. The DRC proposed a grass area for parking; however, Mr. Shipp proposed gravel surrounded by trees. In the temporary road coming out of the parking area would have road base to minimize the gravel having affects on the City's roads.

**MOTION:**

***Richard Steinkopf moved that the Planning Commission recommend approve the Preliminary Plat for Silver Lake Phase 1 subject to the following conditions:***

- 1. TEMPORARY TURNAROUNDS. That lots 179 and 180 are not eligible for building permits until the road is extended over Tickville Wash since a temporary turnaround cannot be constructed.***
  - 2. DRIVEWAYS. That there is no driveways access from Silver Lake Parkway. That all single-family housing has a driveway length of 20 feet.***
  - 3. FLOOD PLAIN. That the 100 year flood plan is depicted on the plans.***
  - 4. 25 PERCENT SLOPES. That residential lots are not approved on portions of the Preliminary Plat that have 25 percent slopes that do not have a sufficient building pad that meets the setbacks requirements without grading (grading is not allowed on lots that are in excess of 25 percent) . It that there may not be a sufficient building pad for lots: 105- 106; 139- 141; 161; 174- 180; 184- 185; 292; 281- 288; and 295- 298.***
  - 5. AMPHITHEATHER. That an engineer's estimate is submitted that identifies the specific improvement for the development of the amphitheater. This is a requirement of the Master Development Plan approval.***
  - 6. GRADES OF ROADS. That the Silver Lake Parkway grade intersecting with the Pony Express Parkway 4 percent or less. That the PUE are maintained at 3:1 slope.***
  - 7. NEIGHBORHOOD PARK REQUIREMENTS. That the applicant demonstrates how the neighborhood park requirements are satisfied.***
  - 8. LANDSCAPING PLAN. That the landscaping plans meet the requirements of the Development Code.***
  - 9. TRAILS. That certain cross sections of the trail be permitted to be reduced to 6' and that the park strips be reduced to 5' in these areas. The trail is to meander when possible in these areas. The remainder of the trail shall be 8'.***
  - 10. RIGHT OF WAY. That the applicant works with the adjacent property owner (the Evans) to resolve encroachment onto their property with the extension of the Pony Express Parkway.***
  - 11. PARKING. That the Development Review Committee works with the applicant to determine adequate parking for the amphitheater.***
- Chris Kemp seconded the motion. Ayes: 5, Nays: 0. Motion passed.***

**8. General Discussion/Questions:**

None.

**9. Adjournment:**

**MOTION:** *Richard Steinkopf moved to adjourn the meeting at 9:03.*

**Approved:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Chairman Tom Maher**

**MINUTES OF THE PLANNING COMMISSION MEETING  
EAGLE MOUNTAIN, UTAH  
Eagle Mountain City Offices  
1680 E. Heritage Dr  
Eagle Mountain, UT 84043  
July 22, 2003**

Co - Chair Chris Kemp called the meeting to order at 6:04 p.m.

**Roll Call:**

Commissioners present: Chris Kemp, Leslie Montgomery, and Richard Steinkopf. Jeff Love arrived at 6:10 p.m. Diane Jacob was also in attendance as the City Council liaison.

**Others Present:**

Wendy Minks, resident; Doug McDougal, Eagle Top LLC; Roberta Catmill, resident; Debbie Thurbeer, resident; Mike Wren, Eagle Mountain Properties; Kent Burningham, Spectrum Development; Jason Clawson and Steve Young, Development Associates; Rex and Lisa Amendola, resident; Christine Ross, resident.

**City Staff:**

City Planner: Shawn Warnke  
City Engineer: Korey Walker  
Planning Assistant: Angela Cox

**1. Pledge of Allegiance:**

Chris Kemp led the Commission and audience in the Pledge of Allegiance.

**2. Identification of Voting Commissioners:**

Chris Kemp, Jeff Love, Leslie Montgomery, and Richard Steinkopf.

**3. Declaration of Conflicts of Interest:**

None.

**4. Report from City Council Member:**

Diane Jacob reported that the City Council discussed the proposed Annexation Policy Plan on July 15, 2003.

**5. Approval of Minutes**

- A. February 25, 2003
- B. April 22, 2003
- C. June 10, 2003
- D. June 24, 2003

**MOTION:** *Richard Steinkopf moved to approve the minutes for February 25, 2003, April 22, 2003, June 10, 2003, and June 24, 2003.  
Leslie Montgomery seconded the motion. Ayes: 3 , Nays: 0. Motion passed.*

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6. **Agenda Items**

**A. The Woods (Formerly know as The Links), Preliminary Plat, Action Item- Public Hearing**

Shawn Warnke explained that the Woods is located directly southwest of the Overland Trails Phase 1 & 2. The applicant is proposing to construct 15 lots with an average lot size of 10,000 square feet during the first phase. The City's development standards require that the streetlights be installed with subdivisions.

The Public Hearing opened at 6:29 p.m.

Lisa Amendola questioned the lot sizes within this subdivision. Mr. Burningham responded. Ms. Amendola also expressed her concern with the traffic that this subdivision would create.

Debbie Thurbeer explained her concern that the original master developers had told Overland Trails residents that this property would be an equestrian center and now it was being proposed to build a small lot subdivision.

Mike Wren responded by explaining that on the original master plan there was transitions from equestrian to residential subdivisions. Eagle Mountain Properties feels that this subdivision is compatible in the proposed area and provides the proper buffering.

Ms. Amendola questioned whether The Woods would have CC&R's.

Mr. Burningham stated that this subdivision would have CC&R's and a Home Owners Association.

Clint Chidaster expressed his appreciation on the information provided to inform residents. He stated his concern with the amount of buffering in that he felt it was inadequate between the different uses. He also stated that he would feel more comfortable with this subdivision if it had animal rights. He is concerned that animal rights may eventually be taken away from residents in Overland Trails.

Mr. Warnke suggested putting potential home owners in The Woods subdivision on notice that Overland Trails is an equestrian subdivision.

Mr. Chidaster also expressed his concern with traffic and the amount of children in the subdivisions. He stated that he is not aware of any signage on speed limits, or child at play/slow type signage.

Mr. Walker stated that this issue would need to be brought to the Public Works Department.

Rex Amidolla stated that he would like to see the lots that abut Overland Trails have small animal rights.

Mr. Wren stated that he feels it is very important to maintain Overland Trails as an equestrian subdivision. He also feels that language needs to be recorded to put future home owners, of properties surrounding Overland Trails on notice that Overland Trails is an equestrian subdivision.

Mr. Chidaster questioned if there was a master plan that The Woods would be a part of. Mr. Burningham responded.

The Public Hearing closed at 7:04 p.m.

Leslie Montgomery explained her concerns with transitioning. She stated that she was not comfortable with the lot size.

Richard Steinkopf questioned if there was street lights in Overland Trails and what the City requires. Mr. Walker explained. Discussion ensued.

Mr. Steinkopf also questioned four way stops in the Overland Trails subdivision. Mr. Walker stated that a warrant study would need to be done to change the signage.

Jeff Love stated that he is not concerned with the transitioning.

Mr. Walker asked Mr. Burningham if they plan to do a large Preliminary Plat for the remainder of property to be developed in the future. Mr. Burningham stated that they would do a Preliminary Plat for the remainder of the property with the next phase.

**MOTION:** *Richard Steinkopf moved that the Planning Commission approve the Preliminary Plat for The Woods development subject to the following conditions:*

1. **NOTICE ON PLAT.** *That the plat contain a note that puts property owners on notice that The Woods is adjacent to a subdivision that has approved equestrian uses.*
2. **ANIMAL RIGHTS.** *That there are no animal rights associated with this subdivision. This restriction should be contained in the CC&R's.*
3. **PHASE TWO.** *That the Preliminary Plat for second phase of this project contains the remaining 20 acres in which the Applicant has an option to purchase.*
4. **PRIVACY FENCING.** *That privacy fencing is constructed adjacent to the equestrian trail.*
5. **WARRANT STUDY.** *That a warrant study be performed for crosswalks and signage to mitigate potential impacts of the traffic.*
6. **ROW IMPROVEMENTS.** *That the ROW and street improvements (half width plus 10') be constructed to the southerly boundary of lot 8.*
7. **STREET NAMES.** *That the proposed street names be added to the plat.*
8. **COUNTY BOOK & PAGE.** *That the adjacent ownership be identified with the county book and page. Also that the county book and page be added for Overland Trails Phase 2.*
9. **EASEMENT.** *That a PUE easement be provided for the south easterly road (for off site dry utilities).*
10. **TABULATION TABLE.** *That the tabulation table lacks: average lot size, total street acreage, and total acreage of parks and open space.*
11. **VICINTY MAP.** *That a vicinity map be added to the plat.*
12. **CONSTRUCTION FENCE.** *That a construction fence be added with the final drawings*
13. **CAPACITY.** *That the preliminary dry utility plans verify capacity in the systems.*
14. **EASEMENT.** *That an easement be given for the storm drain pond and an agreement for the overflow.*
15. **MANHOLE SIZING.** *That the manhole be upsized to a five foot to accommodate the proposed three lines that connect to the manhole near lot 4.*
16. **STORM DRAIN PIPING.** *That storm drain piping ~~is~~be concrete pipe in roadways with option of HDPE outside of ROW.*
17. **WATER VALVES.** *That water valves be added to the T intersections.*
18. **FEE IN LIEU.** *That the developer pays a fee in lieu for neighborhood park requirements.*
19. **BLOW OFF VALVE.** *That a blow off valve is needed near lot 7 with additional valves at the T.*
20. **LOOPING.** *That the gas system is looped.*
21. **PLAT.** *That the correct ownership and acknowledgement be used on the plat.*

**Jeff Love seconded the motion. Ayes: 4, Nays: 0. Motion passed.**

Diane Jacob stated that she would like The Woods Preliminary Plat -application to be reviewed by the City Council.

**B. Eagle Top, Preliminary Plat and Final Plat, Public Hearing- Action Item**

Shawn Warnke explained that the proposed subdivision is located directly south of the constructed Porter's Crossing Subdivision and north of the approved Kiowa Valley Subdivision. Additionally, this parcel is west of the Freemont Springs [Subdivision](#).

The applicant is proposing that this subdivision be subject to The Ranches Design Guidelines rather than the City's Architectural Standards. This will allow the developer to construct homes that have front entry garages. For architectural continuity it is also reasonable that this parcel which is an island in The Ranches Master Development be subject to the architectural standards of the surrounding subdivisions. The applicant needs to work with The Ranches to complete the administrative issues of becoming apart of The Ranches Homeowners Association. Additionally, this development will be subject to The Ranches Design Review Committee approval for the subdivision and house plans.

Eagle Top [Subdivision](#) needs to provide another right of way (ROW) into the southern portion of the subdivision for the looping of utilities and a secondary access. The Applicant has discussed with the developer of Kiowa Valley the purchase of lot 4 to provide this access. The City Council's approval of Kiowa Valley required the developer to hold the sell of lot 4 until November 4, 2003. The original developer committed to the City Council to work in good faith to accommodate the secondary ROW into the Eagle Top [Subdivision](#).

Mr. Warnke explained that this subdivision has some issues with topography. Discussion ensued.

The applicant, Doug McDougal explained that they are proposing that the trail be natural cut. Discussion ensued on the trails.

The Public Hearing opened at 7:43 p.m. There were no comments and subsequently the public hearing closed.

The Commission, Staff, and applicant discussed grading.

**MOTION:** *Jeff Love moved that the Planning Commission approve the Preliminary Plat and recommend approval of the Final Plat to the City Council for Eagle Top Subdivision subject to the following conditions:*

1. **BUY IN COSTS.** *The applicant works with the City Engineer to identify the "buy in cost" for the capital facilities.*
2. ~~**GOLDEN EAGLE ROAD.** *That the Golden Eagle Road improvements are extended to the Eagle Top Court with the same ROW cross section including the 8' concrete trail and high back curb etc.*~~
3. ~~2. **PARK FEE.** *That the required park improvements are satisfied with the payment of a fee in lieu.*~~
4. ~~3. **HOA.** *That the applicant works with The Ranches to complete the administrative issues of becoming apart of The Ranches Homeowners Association.*~~
5. ~~4. **DESIGN REVIEW COMMITTEE.** *That The Ranches Design Review Committee approves the subdivision and house plans for this development.*~~
6. ~~5. **DRIVEWAYS.** *That all driveways in this subdivision not exceed 12 percent.*~~

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- ~~7.6. FILL EASEMENTS. That lots 5-8 with the potential fill easements are shown on the plat and that there are adjustments to the PUE slopes.~~
- ~~8.7. STORM DRAIN CALCULATIONS. That the storm water calculations show the spread analysis. Calculations show that Clark Circle is unable to maintain a 10 foot travel lanes in both directions.~~
- ~~9.8. DRY UTILITY PLANS. That the dry utility plans are: approved; that a streetlight is added at the intersection of Golden Eagle Road and Eagle Court; that there is no conflict with the trail and the dry utility locations on lots; and the lot number match the civil plans.~~
- ~~10. TRAIL CORRIDOR. That the trail corridor is 8 feet in width and meets The Ranches Design Guidelines.~~
- ~~11.9. ENGINEERING REQUIREMENTS. That the City Engineer approves of the remaining engineering requirements upon submittal.~~
- ~~12.10. BUILDING PAD. That each lot has a building pad sufficient to construct a dwelling according to the required setbacks and dwelling size.~~
- ~~13.11. FIRE ACCESS. That the Fire Chief approves of an adequate brush truck access to the open space.~~
- ~~14.12. SECONDARY ACCESS. That the secondary access through Kiowa Valley be eliminated. Utility systems are still required to be looped.~~
- ~~15.13. TRAIL. That the trail through the open space be constructed with a weed barrier and rock surface.~~

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*Leslie Montgomery seconded the motion. Ayes: 4, Nay: 0. Motion passed.*

**C. Silver Lake Ranch, Final Plat of Phase 1, Action Item**

Diane Jacob requested herself for this item.

Silver Lake is located east of Smith Ranch on the South Side of Pony Express Parkway (as it is extended).

This Master Development Plan has approved 348 units as a density ceiling; the applicant is proposing 333 dwelling units for this plat.

Development Associates made the commitment that the project will use the following standards for single-family lot requirements: a minimum lot size of 6,000 square feet; an average lot size of 7,500 square feet; and have lot frontage no less than 60 feet. The developer has complied with these standards (one small exception to trivial to be concerned with).

Steve Young stated that there is a mound located in the ~~south~~south-west corner of the plat. Development Associates is requesting permission to level that area. The Silver Lake Development would be constructing lots and a road where the mound is. The Planning Commission felt that having this mound leveled would not have an adverse impact on the characteristic of the area.

The Planning Commission and the applicant discussed the need of ~~the Pavilion area to have a restroom~~ ~~and pavilion area for the Amphitheater Park.~~ The applicant did not know if this would be something they would be able to do; however they will look into the cost.

**MOTION:** *Leslie Montgomery moved that the Planning Commission recommend approval of the Final Plat for Silver Lake Phase 1 subject to the following conditions:*

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1. **TEMPORARY TURNAROUNDS.** *That lots 179 and 180 are not eligible for building permits until the road is extended over Tickville Wash since a temporary turnaround cannot be constructed.*
2. **DRIVEWAYS.** *That there is no driveway entrances from Silver Lake Parkway. That all single-family housing has a driveway length of 20 feet.*
3. **NEIGHBORHOOD PARK REQUIREMENTS.** *That the applicant demonstrates how the neighborhood park requirements are satisfied.*
4. **LANDSCAPING PLAN.** *That the landscaping plans meet the requirements of the Development Code.*
5. **CONSTRUCTION PLAN.** *That the construction plans meet the requirements of the Development Code.*
6. **PLAT.** *That the plat meets the requirements of the Development Code.*
7. **TRAILS.** *That certain cross sections of the trail is permitted to be reduced to 6' and that the park strips be reduced to 5' in these areas. The trail is to meander when possible in these areas. The remainder of the trail shall be 8'.*

**Jeff Love seconded the motion. Ayes: 4, Nays: 0. Motion passed.**

**D. Jacob's Well (R-6 N-3), Final Plats A & B- Action Item**

Shawn Warnke explained that the proposed Jacob's Well Subdivision subdivision is located in Smith Ranch south of the approved Liberty Farms Subdivision subdivision and west of the O'Fallon's Bluff Subdivision subdivision.

There remains special consideration that must exist with the approval of this subdivision. Specifically, these considerations include the driveways and grading plans. The following is a brief explanation of the aforementioned considerations:

The City Development Code restricts the grades of driveways to a maximum grade of 8 percent. (See Section 23.5.2.) In conversations with members of the DRC (Building Official, City Engineer, and City Planner) it has been determined that this standard is too restrictive. For this reason it is recommended that driveways regardless of the subdivision not exceed 12 percent. This recommendation was embodied in the proposed amendment to the Development Code. The I believe that the Planning Commission can recommend approval of this standard for this specific subdivision under the provisions of the alternate design guidelines allowed in the Development Code which is also done for setbacks that vary from the City's standard in the Development Code.

The subdivision will be approved with a detailed grading plan. Notes on the plats notify contractors of the approved grading plans. If the property owners desire to grade their lot differently then the approved plan they must submit submitted a revised grading plan for approval. It should be anticipated that there will be several property owners that will likely revise their grading plan or will need to find a house plan to fit the topography.

It will be the responsibility of the Building Department to work with individual property owners at the building permit stage to ensure that the special considerations are met. On July 2, 2003, the Building Official and Applicant met on site to discuss the driveways and grading plan. With the measures that are being proposed the Building Official feels comfortable ensuring that the special considerations will be satisfied.

Mr. Warnke discussed the importance for trail segments to be connected. One such connection that needs to occur is the connection from Porter's Crossing Parkway to the Grant Smith Trailway. This connection has already been started with the development of Kiowa Valley and the 8' trail along Golden Eagle Road (which has an upsized ROW of 70').

Accordingly, the City is trying to work with developers in connecting this trail on Golden Eagle Road and recommends that there be an 8' trail along the entire frontage of Jacob's Well.

**MOTION:** *Leslie Montgomery moved that the Planning Commission recommend approval to the City Council for the Final Plat for Jacob's Well Plats A & B subject to the following conditions:*

- 1) **PARK FEE.** *That the applicant pays a fee in lieu for the parks requirements.*
- 2) **TRAIL.** *That a construction detail for the trail way be submitted.*
- 3) **DRIVEWAYS.** *That driveways in these subdivisions not exceed 12 percent.*
- 4) **GRADING PLAN.** *That if property owners are desirous to alter the approved grading plan then they will be required to have an individual grading plan approved for their lot.*
- 5) **ENGINEERING REQUIREMENTS.** *That the City Engineer approves of the remaining engineering requirements upon submittal.*

*Jeff Love seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

**7. General Discussion/Questions:**

Shawn Warnke explained the [State's states](#) requirements on annexations and Eagle Mountains proposed [Annexation Policy Plan](#) ~~annexation policy plan~~ and asked for comments from the Commissioners.

The Planning Commission ~~did not have any comments on~~ [agreed with](#) the proposed [Annexation Policy Plan at the present time](#) ~~annexation policy plan~~.

**8. Adjournment:**

**MOTION:** *Richard Steinkopf moved to adjourn the meeting at 9:03 p.m.*

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Chairman Tom Maher

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**MINUTES OF THE PLANNING COMMISSION MEETING**  
**EAGLE MOUNTAIN, UTAH**  
**Eagle Mountain City Offices**  
**1680 E. Heritage Dr**  
**Eagle Mountain, UT 84043**  
**August 12, 2003**

Co - Chair Chris Kemp called the meeting to order at 6:00 p.m.

**Roll Call:**

Commissioners present: Chris Kemp, Dallas Bullock, and Richard Steinkopf. Diane Jacob was also in attendance as the City Council Liaison.

**Others Present:**

Brad Morgan, resident; Monte Kingston, Ames Construction; Steve Peterson, Hidden Valley LLC; Ken Berg, Sowby & Berg; Harlow Clark, New Utah.

**City Staff:**

City Planner: Shawn Warnke  
City Engineer: Korey Walker  
Planning Assistant: Angela Cox

**1. Pledge of Allegiance:**

Chris Kemp led the Commission and audience in the Pledge of Allegiance.

**2. Identification of Voting Commissioners:**

Chris Kemp, Dallas Bullock, and Richard Steinkopf.

**3. Declaration of Conflicts of Interest:**

None.

**4. Report from City Council Member:**

Diane Jacob reported that on August 5, 2003 the City Council that The Woods was denied based upon the fact that there were too many conditions listed and they wanted the Planning Commission to get more feed back from the residents in Overland Trails. Jacob's Well was approved.

**5. Agenda Items**

**A. The Anthem at The Ranches, Acquisition of City Owned Property - Action Item**

Items A and B were discussed concurrently.

Shawn Warnke explained that the Anthem at The Ranches is located on the westside of The Ranches Parkway directly north of Friday's Station. The open space is on the eastern border of the subdivision along The Ranches Parkway. Ordinance Number O 11-2003 requires that the Planning Commission review and recommend a classification of "insignificant" or "significant" for publicly owned property that is being proposed for disposal. The Planning Commission should review the criteria and make a recommendation based upon findings of facts and the Planning Commission should state the reasons of the classification.

The Anthem Subdivision parcel width is approximately 450' at its narrowest point. Though The Ranches Master Development Plan vested this parcel with town home density, the owner proposed a single-family subdivision. Due to the parcels narrow width the applicant is trying to acquire additional property in an effort to increase the lot size.

The Planning Commission felt that this property was insignificant and would be a positive addition to The Anthem at The Ranches.

**MOTION:** *Richard Steinkopf moved that the Planning Commission recommend to the City Council that a 6' strip of The Ranches Parkway Pony Express Parkway Road Dedication Plat is classified as "insignificant" as required by Ordinance Number O 11-2003 for the purpose of disposing of property owned by the City based upon the following findings of facts:*

- 1. The strip is isolated parcel because of the original right of way width of The Ranches Parkway and was not received originally as view-shed, required buffer or required open space.*
- 2. The City has no plans for improving the parcel.*
- 3. The parcel is not defined as having cultural or ecological significance.*
- 4. The disposal of the land will not cause a violation of the standards in the Development Code by surrounding or adjacent lands.*

*Dallas Bullock seconded the motion. Ayes: 3, Nay: 0. Motion passed.*

**MOTION:** *Richard Steinkopf moved that the Planning Commission recommend the disposal of a 6' strip of City owned property deed to the City as apart of The Ranches Parkway Pony Express Parkway Road Dedication Plat subject to the following conditions:*

- 1. That the land is subject to the SID as developable property and that these assessments are paid.*
- 2. That the City Council and Applicant agree to purchase, or otherwise negotiate an acceptable agreement for the compensation of disposal of the City owned property.*

*Dallas Bullock seconded the motion. Ayes: 3, Nay: 0. Motion passed.*

**B. The Anthem at The Ranches, Revised Final Plat Phase 1- Action Item**

**MOTION:** *Richard Steinkopf moved that the Planning Commission recommend to the City Council the approval of the Revised Final Plat for the Anthem at The Ranches subject to the following conditions:*

- 1. That the City Council approves the disposal of the City owned property.*

*Dallas Bullock seconded the motion. Ayes: 3, Nays: 0. Motion passed.*

**C. Kirk Flora's Taekwondo Institute, Home Business Request to Increase the Number of Students and Business Hours- Action Item**

Shawn Warnke explained Kirk Flora's Taekwondo Institute is located in the Chimney Rock Subdivision at 7442 Castle Rock Road. Section 27.1 of the Development Code states that home businesses are permitted in single-family dwellings, only if the proposed use does not adversely impact surrounding residents or affect the residential characteristics of the neighborhood.

Section 27.2.11 states that the home business shall not generate traffic or increase the demand for utilities that exceeds those normally associated with residential uses. The Applicant has stated that the increase number of students will not generate additional vehicle traffic as the students walk or ride bicycles to the business. If it is determined that the increase number of students constitutes a nuisance then the Planning Commission can revisit the approval.

Section 27.2.7 states that home businesses that receive customers, clients, or students shall operate only between 7:00 A.M. and 7:00 P.M., unless the operator of such a business provides evidence that all other residents living within 300 feet have no objection to modified hours. Approval for such hours may be rescinded by administrative action of the Mayor or Administrator if nearby property owners come to consider operation at such hours to constitute a nuisance. ~~The motion clearly states that the modified hours may be revoked.~~

The Planning Commission was concerned as to whether the home was equipped to safely facilitate the increased number of students. They requested to have a more detailed plan of the home is submitted and the Fire Chief and Building Inspector inspects the home or reviews plans to ensure the increased number of students do not create any safety concerns.

They also had concerns with the hours of operation. Kirk Flora represented that his students typically walk to ride bikes to his classes. The Planning Commission was concerned with students walking on icy winter roads in the dark, or driving during the winter months.

The Planning Commission requested that written documentation is submitted that all ~~residents~~resident within 300' are aware and agree with the hours of operation, as that is a requirement in the Development Code. Also, that those residents are noticed and a public hearing is held on the next Planning Commission meeting August 26, 2003.

Overall the Planning Commission felt they needed more information and asked to have the applicant, representative, or authorized agent to be available to answer questions at the next meeting.

**MOTION:** *Richard Steinkopf moved to table Kirk Flora's Taekwondo Institute, Home Business request to increase the number of students and business hours until August 26, 2003 and have the following concerns addressed:*

- 1. That the applicant, representative, or authorized agent in attendance to address concerns.*
- 2. That more detailed drawings of the home are provided.*
- 3. That the Fire Chief and the Building Inspector address all fire and safety concerns.*
- 4. That any potential traffic concerns are addressed.*
- 5. That written documentation is provided that all residents within 300' are aware and agree with the hours of operation.*
- 6. That all neighbors within 300' are notified and a Public Hearing is held at the Planning Commission meeting August 26, 2003.*

*Dallas Bullock seconded the motion. Ayes: 3, Nays:0. Motion passed.*

**D. Spring Valley (R1 N32), Concept Plan- Discussion Item**

This item was removed from the agenda at the applicant's request.

**E. Hidden Canyon (R2 N4), Concept Plan- Discussion Item**

Shawn Warnke explained that Hidden Canyon is located off the Pony Express Parkway and is south of Rockwell Village and Ruby Valley. The Ranches Master Development Plan had entitled the R2 N4 parcel to 134 dwelling units. The Concept Plan proposes 182 dwelling units

over the 16.4 acres. The Ranches will need to sponsor a Master Development Plan Amendment that would transfer an additional dwelling unit to the R2 N4. The Applicant owns additional property in which the dwelling units will be transferred from. The Planning Commission and City Council review all Master Development Plan Amendments.

Mr. Warnke explained the DRC's comments including parking and storm drainage.

Korey Walker discussed potential problems with the parking and traffic patterns; he stated that a traffic study would identify problems. He also stated that the project would need neighborhood parks and would need to include buffering along Pony Express Parkway and along residential homes.

Steve Peterson, Hidden Valley LLC explained that this would be the first phase in the Master Development and the density would be transferred from the Eagle Mountain Ranch parcel which they plan to develop into the future.

Dallas Bullock questioned the applicant as to whether they would be bringing the Master Plan at Preliminary Plat.

Mr. Peterson explained that the Master Plan would consist of a small portion of commercial, condos, town homes and single family residential and that the Master Plan would be completed sometime after the completion of the Hidden Canyon project.

Richard Steinkopf stated his concerns with this project being presented as a portion of a larger Master Plan. He also has concerns with there being too many condominiums in The Ranches. He feels that the parking needs to be covered and not along the roads and he is not in favor of the increased density. Mr. Steinkopf stated his concerns with the traffic connecting in a residential area and all the three story condos looking redundant through The Ranches. He felt that brick ~~and motor~~-exterior and covered parking would be beneficial. He was concerned with the 25% slope abutting the condos. He questioned how the applicant was planning to build the pavilion with out damaging the hill side.

Mr. Bullock stated that he was concerned with the project as it extends in the Master Plan becoming a condominium project.

Chris Kemp stated that he feels that this a beautiful area and he is concerned with the density and too many condominiums within the City.

**6. General Discussion/Questions:**

Shawn Warnke asked the Planning Commission how the staff reports could be changed to better inform the Planning Commission or of any additional items they would want to have included. Discussion ensued.

Mr. Warnke told the Planning Commission of an upcoming Citizen Planner seminar and told them if they would like to attend they would need to fill out the form enclosed in the packets and get it to the Planning Department.

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7. **Adjournment:**

**MOTION:** *Richard Steinkopf moved to adjourn the meeting at 8:12 p.m.*

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Chairman Tom Maher

**MINUTES OF THE PUBLIC MEETING  
EAGLE MOUNTAIN, UTAH  
Eagle Mountain City Offices  
1680 E. Heritage Dr  
Eagle Mountain, UT 84043  
August 20, 2003**

Planning Director Shawn Warnke called the meeting to order at ~~p.m.~~-6:00 p.m.-

**1. 6:00 Presentation Proposed Annexation Policy Plan**

Shawn Warnke explained the State statutes on the annexation policy plan. He explained the boundaries of Eagle Mountain City's proposed annexation policy plan and the intention of the City.

**2. Public Comments Accepted**

Cedar Fort's Mayor Jaenine Cook questioned the intention of Eagle Mountain in that they may never annex this property in the proposed annexation policy plan. She stated that if this annexation policy plan is approved property owners currently in the county included in Eagle Mountain's annexation policy plan could not develop in the County with out receiving permission from Eagle Mountain. Mayor Cook stated that Eagle Mountain was aware of Cedar Fort's intention to annex the property on their southeastern boundary. The two communities (Eagle Mountain and Cedar Fort) have different community characteristics and Cedar Fort would like to protect their rural ~~environment~~environment.

Mayor Cook stated that Cedar Fort is just as capable of providing services to the property between Eagle Mountain and Cedar Fort. Mayor Cook stated that previously when Eagle Mountain's and Cedar Fort's ~~attorneys~~attorney's met to discuss Cedar Fort's previous annexation they decided that they would leave a buffer between the two ~~Cities~~City's. The property owners in this area wanted to stay in the County. Mayor Cook stated that ~~Fairfield~~Fairfield had already stated their intention to include the sinks when they incorporate. She feels the ~~states~~ statutes are unclear on overlapping ~~boundaries~~boundary's and when an annexation policy plan is approved and another municipality proposes an annexation policy plan that has overlapping boundaries of the previously approved plan the second one will most likely not be approved. Mayor Cook stated that Eagle Mountain should back off the area between the two Cities in the understanding that a buffer would be left between the two Cities. She also stated that she feels Eagle Mountain is overstepping its boundaries.

**3. Adjournment**

Meeting adjourned at 6:34 p.m.

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**MINUTES OF THE PLANNING COMMISSION MEETING**  
**EAGLE MOUNTAIN, UTAH**  
**Eagle Mountain City Offices**  
**1680 E. Heritage Dr**  
**Eagle Mountain, UT 84043**  
**August 26, 2003**

Chair Tom Maher called the meeting to order at ~~p.m.~~-6:00 p.m.-

**Roll Call:**

Commissioners present: Tom Maher, Chris Kemp, Dallas Bullock, Jeff Love, Leslie Montgomery, and Richard Steinkopf. Diane Jacob was also in attendance as the City Council Liaison.

**Others Present:**

Tara Flora, Kirk Flora's Taekwondo Institute; Larry Myers, Pony Express.

**City Staff:**

City Engineer:           Korey Walker  
Planning Assistant:     Angela Cox

1. **Pledge of Allegiance:**

Tom Maher led the Commission and audience in the Pledge of Allegiance.

2. **Identification of Voting Commissioners:**

Tom Maher, Chris Kemp, Dallas Bullock, Jeff Love, Leslie Montgomery, and Richard Steinkopf.

3. **Declaration of Conflicts of Interest:**

None.

4. **Report from City Council Member:**

None.

5. **Approval of Minutes:**

- A. July 22, 2003
- B. August 12, 2003

**MOTION:**       *Richard Steinkopf moved to approve the minutes for July 22, 2003 and August 12, 2003. Jeff Love seconded the motion. Ayes: 6, Nays: 0. Motion passed.*

**65. Agenda Items**

**A. Kirk Flora's Taekwondo Institute, Home Business Request to Increase the Number of Students and Business Hours, Public Hearing- Action Item**

Angela Cox explained that Kirk Flora's Taekwondo Institute request to increase the number of students was reviewed at the Planning Commission meeting on August 12, 2003. The Planning Commission tabled the item wanting further clarification. Their general concerns were the hours of operation (having children walking home on winter nights), transportation impacts on the neighborhood, ensuring that all fire and safety concerns are addressed by the Fire Chief and Building Inspector, that a more detail plan of the home is provided, that written documentation is

provided that all residents within 300' are aware and agree with the hours of operation, and all neighbors within 300' are noticed and a public hearing is held at the Planning Commission meeting August 26, 2003. Mrs. Cox stated that the Fire Chief and the Building Inspector have approved the home for the increased number of students.

Richard Steinkopf recommended that the applicants keep their driveway and walkways clear of snow to minimize potential dangers.

Tara Flora submitted a copy of the traffic plan that will be given to all students. She also submitted a statement that the next door neighbors have signed stating they are aware of the extended hours. Mrs. Flora stated that they would submit the remainder of the homeowner's signatures.

**MOTION:** *Richard Steinkopf moved that the Planning Commission approve the increased number of students not to exceed twelve students per class session for three classes per night for two nights a week so long as the increase number of students does not create a traffic problem or constitute a nuisance. This approval may be revoked by the Planning Commission based upon surrounding property owners filing a complaint that the increase number of students is adversely impacting the residential characteristics of the neighborhood. Based upon a filed complaint the Planning Department will perform an investigation and place the item on the Planning Commission's agenda for review.*  
*The applicant shall also provide evidence that all residents living within 300 feet have no objection to the modified hours. The hours may also be rescinded if nearby property owners come to consider operation at such hours a nuisance.*  
*Jeff Love seconded the motion. Ayes: 6, Nays: 0. Motion passed.*

**76. General Discussion/Questions:**

None.

**87. Adjournment:**

**MOTION:** *Richard Steinkopf moved to adjourn the meeting at 6:15 p.m.*

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Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Chairman Tom Maher

**MINUTES OF THE PLANNING COMMISSION MEETING**  
**EAGLE MOUNTAIN, UTAH**  
**Eagle Mountain City Offices**  
**1680 E. Heritage Dr**  
**Eagle Mountain, UT 84043**  
**September 9, 2003**

Chair Tom Maher called the meeting to order at 6:00 p.m.

**Roll Call:**

Commissioners present: Tom Maher, Dallas Bullock, Leslie Montgomery, and Richard Steinkopf. Diane Jacob was also in attendance as the City Council liaison.

**Others Present:**

Mike Wren, Eagle Mountain Properties; Mayor Jaenine Cook, Town of Cedar Fort; Rick Pierce, resident; David Blackburn, resident

**City Staff:**

City Planner: Shawn Warnke  
Planning Assistant: Angela Cox

**1. Pledge of Allegiance:**

Tom Maher led the Commission and audience in the Pledge of Allegiance.

**2. Identification of Voting Commissioners:**

Tom Maher, Dallas Bullock, Leslie Montgomery, and Richard Steinkopf

**3. Declaration of Conflicts of Interest:**

None.

**4. Report from City Council Member:**

Diane Jacob stated that at the City Council meeting on September 2, 2003 the six feet of open space along Ranches Parkway that The Anthem was trying to acquire was deemed to be insignificant and was deeded to Eagle Mountain Links, LLC. Jacob's Well Plats A & B Development Agreements were approved and all of the Silver Lake Plats Development Agreements were also approved.

**5. Approval of Minutes:**

- A. March 25, 2003
- B. May 13, 2003
- C. August 12, 2003
- D. August 26, 2003

**MOTION:** *Richard Steinkopf moved to approve the minutes for March 25, 2003, May 13, 2003, August 12, 2003, and August 26, 2003.*  
*Leslie Montgomery seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

**6. Agenda Items**

**A. Colonial Park, Alternate Design Guideline- Action Item**

Shawn Warnke explained that the developer for the Colonial Park subdivision has requested an alternative design guideline for front porches, which would be at a minimum of five feet deep and seven feet wide (35 square feet). The current standard is eight feet deep.

Rick Pierce stated that in April 1999 his home that was being built was red tagged for having a six foot deep porch, the standard at that time was eight foot. Wayne Patterson requested the City Council make an exception on this item which was denied. Mr. Pierce stated that he had to pay \$2000 to rectify the situation. He does not feel that any exception should be granted. He requested that the Planning Commission deny this request because of the small homes. He stated that his house value will decrease because of this subdivision. Mr. Pierce stated that he would personally vote against this and that he is concerned with where the City is going. He said that the City needs to stick with its design guidelines.

Mike Wren stated that the smallest home in this project is 1650 sq. ft. The concept of courtyard homes is new urbanism. The front yard commons area is intended to bring neighbors out to socialize with one another. The style of the home is meant to have small porches. Mr. Wren stated that he feels that this project will be a "star" in Eagle Mountain City.

Leslie Montgomery stated that she likes the Courtyard concept; but that she is disappointed with the smaller front porches and that she feels the porches are not usable.

Mr. Wren stated that the porch is an architectural feature and the yard is meant to be the usable space. This is a unique project unlike anything currently in Eagle Mountain.

Dallas Bullock questioned variations in home styles.

Mr. Wren stated that there would be three styles of homes with different colors, windows and slight variations on the elevations.

Richard Steinkopf stated that he feels the porches should be comfortable and usable. He believes that there would be enough space on the lots to have eight foot front porches and still maintain the required set backs. Mr. Steinkopf stated that he is not in favor of the porch size.

The Planning Commission felt that no less than a five foot porch would be more reasonable than the proposed four foot. They also decided to allow this exception only in phase 1 and to have the developer come back with a proposal for the future phases.

**MOTION:** *Richard Steinkopf moved that the Planning Commission recommend approval of the Alternative Design Guideline for Colonial Park subdivision Phase 1 allowing front porches to be no less than five feet deep. Dallas Bullock seconded the motion. Ayes: 4, Nays: 0.*

**B. Eagle Mountain City Annexation Policy Plan, Public Hearing- Action Item**

Shawn Warnke explained that the Utah Municipal Code requires that municipalities adopt an annexation policy plan prior to annexing additional land into their city after December 31, 2002. This plan identifies proposed expansion areas, not necessarily what will be annexed. Municipalities are supposed to work with affected entities when creating an annexation policy plan. The areas in an annexation policy plan are to be areas that are serviceable and the

municipality could provide infrastructure. Mr. Warnke stated that the primary role of municipalities is to provide services. He continued to explain growth projections and stated that the City's Current Development Code requires every annexation to go through the Master Development Plan process and the Capital Facilities Plan process.

Tom Maher opened the Public Hearing at 7:26 p.m.

Mayor Jaenine Cook from the Town of Cedar Fort stated that she feels that Eagle Mountain and Cedar Fort can coexist and have their boundaries about with out having major impacts on either City. She explained her concern in that Cedar Fort gets all of their irrigation water from the northwest corner of the Eagle Mountain City's proposed expansion boundaries. Mayor Cook informed the Planning Commission that Cedar Fort intends to include this area in their annexation policy plan and that this property is included in their Master Plan. Mayor Cook stated that she is also concerned with the area in the southern portion of the annexation policy plan referred to as the sinks. If Fairfield incorporates they intend to include this area. Currently Fairfield uses this as their main drainage area and it could be a potential water source for them in the future.

Mr. Maher closed the Public Hearing at 7:35 p.m.

The Planning Commission discussed the two areas Mayor Cook stated that she was concerned with. They felt that omitting sections 15-16 and 21 would not have an impact on Eagle Mountain City; however, they did feel that the southern area referred to as the sinks would be beneficial to Eagle Mountain City.

Mayor Cook stated that she hoped that the two cities would work together and listen to land owners if Eagle Mountain and Cedar Fort's Annexation Policy Plans overlap in the area of the sinks.

Mr. Maher questioned how often this Annexation Policy Plan would be reviewed. Mr. Warnke stated that it should be reviewed every five years.

Mr. Maher stated that he felt that the Annexation Policy Plan was well written and that it was a good representation of the City.

**MOTION:** *Richard Steinkopf moved that the Planning Commission recommend approval of the Eagle Mountain City Annexation Policy Plan subject to the following conditions:*

- 1. That Part 5 of Section 2- Requirements for Acceptance of Annexation Petitions be amended to allow the City Council to consider potential tax breaks for certain developments (most likely commercial development) and that the figure for the median price home be evaluated (and adjusted).*
- 2. That the north west corner of the City's proposed expansion area is squared omitting sections 15-16, and 21 of Township 5 South Range 2 west.*

*Leslie Montgomery seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

**7. Training:**

Shawn Warnke reminded the Planning Commission of the Citizen Planner Seminar condensed training on Saturday September 20, 2003. He encouraged all of the Commissioners to attend.

**8. General Discussion/Questions:**

None.

9. **Adjournment:**

*MOTION: Richard Steinkopf moved to adjourn the meeting at 7:54 p.m.*

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Chairman Tom Maher

**MINUTES OF THE PLANNING COMMISSION MEETING**  
**EAGLE MOUNTAIN, UTAH**  
**Eagle Mountain City Offices**  
**1680 E. Heritage Dr**  
**Eagle Mountain, UT 84043**  
**October 14, 2003**

**6:00 Site Visitation Session**

Chair Tom Maher called the meeting to order at 6:12 p.m.

**1. Hidden Canyon, Concept Plan Review- Discussion Item**

Hidden Canyon is located off the Pony Express Parkway and is south of Rockwell Village and Ruby Valley. The Planning Commission discussed several items including: slopes, drainage and transitioning between housing products. On site the project boundaries, placement of the buildings, and slopes over 25 percent were staked. The Planning Commission reiterated that improvements could not be placed on slopes in excess of 25 percent. Another related item to slopes includes drainage for the hillside. The Commissioners discussed the need to ensure that the drainage from the hillside was controlled and that special design consideration is given to the natural channels that drain from the hillside. The Planning Commission felt that transitioning considerations were important due to the existing single family detached subdivisions of: Rockwell Village and the proposed Point Lookout.

**2. The Ranches Master Development Amendment- Point Lookout, Concept Plan Review- Discussion Item**

Point Lookout is located off the Pony Express Parkway and is south of Rockwell Village and the proposed Hidden Canyon Project. The Planning Commission reviewed and approved a preliminary plat for this project on June 12, 2001. This concept plan proposed adding more density to this site. The approved preliminary plat showed that lots on the west side of the project were one acres in size in an effort to create a building pad that did not encroach into the non-build-able areas (land that is in excess of 25 percent in slope). The proposed concept plan has reduced these lots and the Planning Commission was concerned that there may not be adequate space to accommodate a home. Additionally, the Planning Commission discussed that the collector road through this subdivision cannot be designed to have lots access directly onto the street. The proposed density of the concept plan requires a master development plan amendment.

**7:00 Action Session**

**Roll Call:**

Commissioners present: Tom Maher, Chris Kemp, Dallas Bullock, Jeff Love, Leslie Montgomery, and Richard Steinkopf. Diane Jacob was also in attendance as the City Council liaison.

**Others Present:**

Steve Peterson, Hidden Valley; Jerry Hatch; Mike Wren, Eagle Mountain Properties; Gina Morgan, Eagle Mountain Singers; Lisa Amendola, Overland Trails; Kent Burningham, Spectrum Development; Michelle LeBaron, Overland Trails; Harry Bakken, Eagle Park; Ben Hardy, Eagle Park; Clint Chidaster, Overland Trails.

**City Staff:**

City Planner: Shawn Warnke  
Planning Assistant: Angela Cox

**1. Pledge of Allegiance:**

Tom Maher led the Commission and audience in the Pledge of Allegiance.

**2. Identification of Voting Commissioners:**

Tom Maher, Chris Kemp, Dallas Bullock, Jeff Love, Leslie Montgomery, and Richard Steinkopf.

**3. Declaration of Conflicts of Interest:**

None.

**4. Report from City Council Member:**

**5. Approval of Minutes:**

**A. July 22, 2003**

**B. September 09, 2003**

**MOTION:** *Richard Steinkopf moved to approve the minutes for July 22, 2003, and September 9, 2003.*

*Leslie Montgomery seconded the motion. Ayes: 6, Nays: 0. Motion passed.*

**6. Agenda Items**

**A. Eagle Mountain Singers, Home Business Request to Increase the Number of Students– Public Hearing- Action Item**

Shawn Warnke explained that Eagle Mountain Singers is located in the Eagle Park Subdivision at 1520 Raptor Road. Mr. Warnke continued to explain the standard on the number of patrons allowed at a home business daily and hourly. He also explained to the Commissioners the reasoning behind this standard.

Gina Morgan, the applicant, stated that most of her students would be walking or car pooling. She also said that she would be distributing a traffic plan to all of her students.

Jeff Love suggested increasing the threshold to allow 12 students per hour and 24 per day. The Planning Commission agreed with this proposal.

Tom Maher opened the public hearing at 7:36 p.m.

Harry Bakken stated that he is a neighbor of Mrs. Morgan and he didn't feel that this home business would create any problems in the neighborhood. He stated that it would be a welcome addition to the neighborhood.

Tom Maher closed the Public Hearing at 7:36 p.m.

The Planning Commission felt that this home business would not have a negative impact on the neighborhood.

**MOTION:** *Richard Steinkopf moved that the Planning Commission approve the increased number of students not to exceed twelve students per hour and 24 students per day so long as the increase number of students does not create a traffic problem or constitute a nuisance. This approval may be revoked by the Planning Commission based upon surrounding property owners filing a complaint that the increase number of students is*

***adversely impacting the residential characteristics of the neighborhood. Based up a filed complaint the Planning Department will perform an investigation and place the item on the Planning Commission's agenda for review.***

***Jeff Love seconded the motion. Ayes: 6, Nays:0. Motion passed.***

**MOTION:** ***Jeff Love moved to refer the city staff to amend the Development Code to allow home businesses to have 12 patrons per hour and 24 per day.***

***Richard Steinkopf seconded the motion. Ayes: 6, Nays: 0. Motion passed.***

**B. Eagle Top Subdivision, Preliminary and Final Plats, Public Hearing- Action Item**

Shawn Warnke explained that the proposed subdivision is located directly south of the constructed Porter's Crossing Subdivision and Kiowa Valley Subdivision. Additionally, this parcel is west of the Freemont Springs subdivision.

On October 22, 2002 and November 19, 2002 the Planning Commission and City Council conducted public hearings and rezoned the property from an Agricultural Zone to Town Core Residential with a density of 2 dwelling units per acre. This subdivision is proposing a density of 1.49 dwelling units per acre.

Mr. Warnke continued to explain that since the original approval of the Preliminary Plat the Applicant has amended their application to plat three additional lots which will eliminate what would have been a remnant parcel. The three additional lots are located within The Ranches Master Development Plan on the R7 N1 parcel. Thus, three of the total 357 dwelling units assigned to the R7 N1 parcel will be allocated and used with this subdivision.

Diane Jacob asked the engineer, Andrew Moran, if they planned to reseed the disturbed hillside after constructing of the hill. Mr. Moran stated that the trail was small and that he did not feel that the construction machinery would disturb the vegetation.

Tom Maher questioned what they where going to do for storm water run off from the hillside. Mr. Moran explained that they would be putting in a bench drain to protect the homes.

Mr. Maher opened the Public Hearing at 7:50 p.m. There were no comments from the public and subsequently the Public Hearing was closed.

Mr. Warnke told the Planning Commission that the amended plat would place residential lots in an area that is more likely to have bedrock. Constructing homes with basements may become an issue.

**MOTION:** ***Jeff Love moved that the Planning Commission approves the Preliminary Plat and recommends approval of the Final Plat to the City Council for the Eagle Top Subdivision subject to the following conditions:***

- 1. UTILITY PLANS. That the dry utility plans are: approved; that a streetlight is added at the intersection of Golden Eagle Road and Eagle Court; and the lot numbers match the civil plans. That the engineer's estimate be updated for the dry utility.***
- 2. EASEMENTS. That an off site storm water easement is provided (through the Ranches property west of lot 14). That an off site easement is provided for the looping of utilities through lots 3 and 4 of Kiowa Valley Plat A.***
- 3. GABIN BASKET. That gabin baskets are used to control storm water in the drainage swales rather than the straw bale method.***
- 4. FIRE HYDRANTS. That a fire hydrant is added along the south side of Golden Eagle Road and that a hydrant is relocated to the side yard property lines of lots***

**31 and 32. All hydrants should be located in the park strip and have a water valves.**

**Leslie Montgomery seconded the motion. Ayes: 5, Nays: 0. Motion passed.**

**C. The Woods, Preliminary Plat- Action Item**

Shawn Warnke explained that The Woods is located directly west of the Overland Trails Phase 1 & 2. The Applicant is proposing to construct 12 lots with an average lot size of 10,000 square feet during the first phase.

The traffic analysis recommends that there be off site trails constructed for this subdivision for pedestrian use. Further, the City Development Code requires trails be a requirement of developments. The Applicant has raised the issue that others projects will benefit from their required trail improvements. The Development Review Committee recommends that where the trail will be constructed adjacent to future subdivisions that half of the cost to construct the trail be reimbursed to the Applicant. This reimbursement agreement will be drafted by the City Attorney.

Mr. Warnke explained that during the Development Review Committee's review of this application most of the discussion has been focused on compatibility and conveyed his professional opinion that compatibility would increase if the proposed subdivision had larger lots.

Overland Trails Phases 1 & 2 was approved as an equestrian subdivision (larger lots with animal rights). Generally the lots sizes in Overland Trails Phases 1 & 2 range from .5 to 1 plus acres. All of the lots that abut to the proposed Woods subdivision are approximately 1 acre in size. The Applicant has tried to develop a plan that they believe is both marketable and protects the property rights of individuals in Overland Trails Phase 2. One way that the Applicant has done this is to create a sufficient distance between the homes in Overland Trails and the proposed subdivision (somewhere around 300 feet). Mr. Warnke believes that this enlarged setback is beneficial; however, the equestrian use which may be in conflict with the purely residential use of the proposed subdivision is not related to the setbacks of the homes but the use of property which is separated by an approximate 20' trail corridor.

Mr. Warnke discussed transitioning between the State Trust Land development and the Overland Trails subdivision which is a 300 foot linear park and two rows of half acre lots. He stated that he believes that there would be a better transition between subdivisions if the proposed subdivisions had larger lots. It is difficult for the Planning Commission and City Council to determine what compatible lot sizes are for adjacent subdivisions since there are no codified standard. The Applicant has tried to address the issues identified at the Concept Plan review relating to compatibility. One such provision in addition to the separation between homes is the commitment to continue an equestrian trail access in the subsequent phases of this subdivision. The Applicant also has CC&R's that they believe will aid in compatibility.

Mr. Warnke explained that a traffic impact study has been done for the 12 lots in the proposed subdivision. The engineer who did this traffic study felt that these lots would not create a noticeable difference or exceed capacity. The traffic engineer doesn't feel that informational signage works. Two pedestrian accesses have been recommended.

Chris Kemp suggested that Kent Burningham, the Applicant, work with The State Trust Lands to achieve compatibility. He also questioned if the park requirements would be met. Mr. Warnke explained that The Woods would be paying a fee in lieu to meet park requirements.

Mr. Burningham stated that the type of fencing would be decided when the first home is constructed. He felt it would probably be cedar, but not vinyl.

Clint Chidaster stated that he doesn't feel that this project fits in with the existing neighborhood. His biggest concern is transitioning.

Lisa Amindolla stated her concerns with the subdivision setting a precedence with maintaining Overland Trails' animal rights. She also stated that she doesn't feel that the transitioning is adequate, and she feels that traffic will have an impact.

Tom Maher and Chris Kemp explained that the Planning Commission is to enforce the Development Code and General Plan.

Jeff Love stated that the Planning Commission should look at the compatibility. He stated that he doesn't feel that The Woods is compatible with the existing Overland Trails subdivision. He would like to see a standard that would only allow a decrease in lot size by 50% of properties that abut another development.

Leslie Montgomery stated that she was concerned with the transitioning and stated that she would feel more comfortable if the Woods had .5 acre lots.

Richard Steinkopf stated that he understands the concerns of the residents but feels that this subdivision would increase the property values of the Overland Trails subdivision. He stated some concerns with transitioning, but felt that the strict CC&R's would be a positive feature of The Woods.

Mr. Kemp stated that he is concerned with transitioning. He likes the proposed house product and feels the CC&R's are a positive feature. He likes the concept of transitioning at 50%, he feels that ½ acre lots would be more compatible.

Dallas Bullock felt that the lots should be no less than .41 acres in size and that this would be more compatible to the existing Overland Trails lot. Discussion ensued. The Planning Commission as a whole felt that this would create a better buffer and create a more compatible project.

**MOTION:** *Richard Steinkopf moved that the Planning Commission approves the Preliminary Plat for The Woods development subject to the following conditions:*

1. **CAPACITY.** *That the preliminary dry utility plans verify capacity in the systems (need line sizes on the plans) be submitted.*
2. **EASEMENT.** *That easements from Eagle Mountain Properties be given for the storm drain pond and an agreement for the overflow, off site PUE, and turnarounds.*
3. **TRAILS.** *That a trail reimbursement be allowed for the required trails to be constructed in the open space.*
4. **TRAFFIC STUDY.** *That the City Council review the traffic study.*
5. *That lots that abut Overland Trails be no less than .41 acre is size.*

*Chris Kemp seconded the motion. Ayes: 4, Nays: 1. Motion passed.*

**D. Pioneer Addition, Phase 2, Final Plat- Action Item**  
Pioneer Addition Phase 2 is located just north of Mountain View Phase 3.

**MOTION:** *I move that the Planning Commission recommend approval of the Pioneer Addition, Final Plat Phase 2 to the City Council subject to the following conditions:*

1. **OPEN SPACE.** *That all open space be dedicated as open spaces but the open spaces regardless of maintenance. (Concerned about have legal access through trail corridors.)*
  2. **E-FILE.** *That the e-file for dry utilities is submitted.*
  3. **LOOP.** *That the water main is looped back to another main water line. A model was done that showed insufficient fire flow without the loop. This loop may require an easement and updated engineer's estimate.*
  4. **STORM DRAIN POND.** *That there is grass and landscaping improvements for the storm drain pond.*
  5. **ALTERNATIVE DESIGN GUIDELINES.** *That the same alternative design guidelines that were approved for Phase 1 also be approved for Phase 2.*
- Motion Seconded. Motion passed.*

8. **Discussion Items**

- A. General Plan Update
- B. Crime Prevention through Environmental Design (CPTED) Training

9. **Adjournment:**

**MOTION:** *Richard Steinkopf moved to adjourn the meeting at 7:54 p.m.*

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Chairman Tom Maher

**MINUTES OF THE PLANNING COMMISSION MEETING**  
**EAGLE MOUNTAIN, UTAH**  
**Eagle Mountain City Offices**  
**1680 E. Heritage Dr**  
**Eagle Mountain, UT 84043**  
**November 25, 2003**

Chair Tom Maher called the meeting to order at 6:04 p.m.

**Roll Call:**

Commissioners present: Tom Maher, Chris Kemp, Ken Hixson, Leslie Montgomery, and Richard Steinkopf.

**Others Present:**

Tiffany Ulmer, Eagle Park Improvements; Bruce Champagne, Neighborhood Watch; Wendy Minks, resident; Gordon Jones, and Joel Harris, Highland Homes; Scott Kirkland, Amy Twitty, and Fred Clark, The Ranches; Monte Kingston, Eagle Mountain Links; Keith Pennington, Mt. Airey neighborhood; Rich Kuipurs, Mt. Airey neighborhood.

**City Staff:**

City Planner: Shawn Warnke  
City Engineer: Korey Walker  
Planning Assistant: Angela Cox

**1. Pledge of Allegiance:**

Tom Maher led the Commission and audience in the Pledge of Allegiance.

**2. Identification of Voting Commissioners:**

Tom Maher, Chris Kemp, Ken Hixson, Leslie Montgomery, and Richard Steinkopf.

**3. Declaration of Conflicts of Interest:**

None.

**4. Report from City Council Member:**

Diane Jacob was not present. Shawn Warnke explained that at the City Council meeting on November 11, 2003 Eagle Top, Final Plat received final approval.

**5. Action Items**

**A. Eagle Park Commons, Park Improvements**

Shawn Warnke explained that the Eagle Park Commons is located mid block between Owl Lane and Harrier Street. The proposal is to allow residents of Eagle Park to improve this park in two phases. The Parks Division of the Public Works Department has reviewed and approved the park improvement plans.

Tiffany Ulmer explained the proposed park improvements for Eagle Park Commons and offered to answer any questions that the Commission may have.

Richard Steinkopf stated that he feels the City would benefit from a policy requiring sewer laterals to be stubbed into neighborhood parks.

The Planning Commission was concerned with insurance as the with residents constructed the improvements. They commended Ms. Ulmer for being an active citizen and working on this project.

**MOTION:** *Leslie Montgomery moved that the Planning Commission recommend approval of the Eagle Park Commons park improvement plan to the City Council as submitted. Richard Steinkopf seconded the motion. Ayes: 5, Nays: 0. Motion passed.*

**6. Discussion Items**

**A. Spring Valley, Concept Plan - Discussion Item**

Shawn Warnke explained that Spring Valley is located at the intersection of SR 73 and Mt. Airey Drive. The project is located on the City's eastern boundary and is proposing 99 units on 10 acres for a density of 9.9; as such, The Ranches will need to amend their Master Development Plan to amend their project as proposed.

Mr. Warnke continued to explain that this subdivision is at the entryway to the City; thus, it has the potential to have a great impact on the City's image. Additionally, this subdivision will abut the Mt. Airey subdivision one of the City's upscale projects. For this reason the Planning Commission should review this project carefully to ensure proper development of the subdivision with an emphasis on design.

Due to the proximity of the project to State Road 73, the homeowners will be subject to noise omitted from the volume and speeds of passing traffic. Accordingly, there should be measures taken to reduce the impacts of the noise; landscaping buffers will assist in reducing the noise. Mature landscaping should be installed to immediately mitigate the noise. Additionally, greater insulation may need to be installed on the exterior walls that abut SR 73.

Mr. Warnke stated that emphasis should be placed on the rear elevation because this portion of the project will have the greatest visibility. It is recommended that the Elevation Articulation Ratio (EAR) which is a standard within the Ranches Design Guideline should not be less than the requirements for the front elevations. Generally, backyards are used to store miscellaneous items. The CC&R's should prevent residents from storing unsightly items. The Ranches HOA will be the enforcement body for these CC&Rs. Usually, attached housing has fencing partitions between properties. Mr. Warnke recommended that privacy not be created through the use of fencing partitions but through landscape screening.

Scott Kirkland explained the proposed subdivision and the landscaping and buffers that would be a part of this subdivision. He stated that the buildings would be all rock and stucco with a one car garage and the colors would be the same as the Mt. Airey subdivision.

Joel Harris explained the floor plans and the alterations in the elevations to break up the linear look of the back elevation. He stated that they plan to use all stucco on the sides and back and use trees to break the view from State Road 73. Mr. Warnke encouraged the use of other materials such as rock or wood on the side and back of the buildings.

Ken Hixson questioned the fencing along State Road 73 and stated his concerns with the safety of having a cedar split rail fence. He recommended having a fence that would restrict children from accessing SR 73. He also questioned guest parking. Mr. Kirkland stated that guest parking will be added to the preliminary plat.

Mr. Warnke said he would like to see the buildings along SR 73 have basements to help limit exterior storage.

The Planning Commission recommended enhancing the elevations and installing a rod iron fence along the exterior of the property.

**B. Ames Pod B Subdivision, Concept Plan – Discussion Item**

Shawn Warnke explained that Ames Pod B is located south of the Mt. Airey subdivision and is surrounded by the golf course.

Ames Construction has discussed with the Development Review Committee the possibility of constructing the entry road to this subdivision prior to the recordation of the subdivision plat because the entry road crosses through part of the golf course. For this reason Ames would like to construct the road during the golf's off season to mitigate disruptions on the golf courses operations.

In order to accomplish this request the applicant will submit the construction drawings for review and approval by the Engineering Department. The applicant will then pay the inspections fees for the construction of the road. Public access on this road will be restricted until the plat is recorded and the road is dedicated to the City.

The park amenities for this subdivision will be similar to those installed in the Anthem Subdivision consisting of a pool, playground equipment, and pavilion. These park amenities will serve the R1 N23 & N24 and also the N22. The trails for this project will connect from Ranches Parkway to the park area and will connect the other neighborhoods to the park area.

Rich Kuiper a resident of the Mt. Airey subdivision stated his concerns with property values declining in the Mt. Airey subdivision. He felt that this project was a great step in improving The Ranches, but would like to see the prices starting at \$200,000. He also stated that he liked the Spring Valley concept plan.

Keith Pennington, a resident of the Mt. Airy subdivision stated that he loves living in Eagle Mountain and that he appreciates the Pod B project and the measures they are taking to make Pod B a nice project. He would like to see the road going in through the golf course completed in the winter months. He would also like construction equipment and trucks going to this project to avoid using Mt. Airey drive.

**B. General Plan Update Presentation- Discussion Item**

Shawn Warnke updated the Planning Commission on the approval process of the General Plan and invited the Planning Commission to share their ideas of items and maps to be included in the General Plan.

**C. Crime Prevention Through Environmental Design Training, Bruce Champagne**

Bruce Champagne gave a presentation on CPTED (Crime Prevention Through Environmental Design) and explained to the Planning Commission some ways they play a part in crime prevention.

**7. General Discussion/Questions:**

None.

8. **Adjournment:**

***MOTION: Richard Steinkopf moved to adjourn the meeting at 9:25 p.m.***

**Approved:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Chairman Tom Maher**

**MINUTES OF THE PLANNING COMMISSION MEETING**  
**EAGLE MOUNTAIN, UTAH**  
**Eagle Mountain City Offices**  
**1680 E. Heritage Dr**  
**Eagle Mountain, UT 84043**  
**December 16, 2003**

Co-Chair Chris Kemp called the meeting to order at 6:02 p.m.

**Roll Call:**

Commissioners present: Chris Kemp, Brad Morgan, Jeff Love, Leslie Montgomery, and Richard Steinkopf. Tom Maher assumed his position as Chair at 6:16 p.m.

**Others Present:**

Scott Kirkland, The Ranches

**City Staff:**

Planning Department: Fionnuala Kofoed  
Planning Assistant: Angela Cox

**1. Pledge of Allegiance:**

Tom Maher led the Commission and audience in the Pledge of Allegiance.

**2. Identification of Voting Commissioners:**

Tom Maher, Chris Kemp, Brad Morgan, Jeff Love, Leslie Montgomery, and Richard Steinkopf.

**3. Declaration of Conflicts of Interest:**

None.

**4. Report from City Council Member:**

None was present to comment.

**5. Action Items**

**A. South Pass, Final Plat- Action Item**

Fionnuala Kofoed explained that South Pass is located directly south of Kiowa Valley Plat B and explained some issues that may be of concern.

Scott Kirkland explained that The Ranches was unable to obtain a turnaround easement for the stub on Cherokee Street. Therefore The Ranches will be changing the layout of lots 15 and 16 to front Cherokee Street and will increase the lot sizes.

Tom Maher opened the Public Hearing at 6:18 p.m. There were no comments, subsequently the Public Hearing was closed.

**MOTION:** *Richard Steinkopf moved that the Planning Commission recommends approval to the City Council for the Final Plat at for South Pass subject to the following conditions:*

1. **VERIFICATION.** *That the property owner consent be verified. That the correct water right information is supplied for verification.*
2. **DESIGN REVIEW COMMITTEE.** *That the Ranches Design Review Committee submit a letter of approval. That the Ranches Design Review Committee ensure the continuation of street trees species from the Kiowa Valley Plat B to the South Pass Subdivision.*
3. **REDESIGN.** *That the plat be redesigned to eliminate the need for a temporary turnaround.*
4. **OFF SITE EASEMENT.** *That off site easements are provided along Cherokee Street and the back lot lines in Kiowa Subdivision.*
5. **DRY UTILITIES.** *That the dry utility plans that are submitted to be reviewed a second time for the electrical and gas. (The applicants have resubmitted a plan based upon the original redline comments.)*  
*Jeff Love seconded the motion. Ayes: 6, Nays: 0. Motion passed.*

## 6. Discussion Items

Scott Kirkland stated that The Ranches believes the market is saturated on lower end homes and now is the time to raise the bar. The Ranches is seeking builders who are innovative. Mr. Kirkland explained that they are going to be bringing in a different product than what is already in this area.

### A. **Traveler Rest (R1 N5W -Commercial Parcel) Concept Plan- Discussion Item**

Fionnuala Kofoed explained that Travelers Rest is located on the southwest intersection of Ranches Parkway and Pony Express Parkway.

Scott Kirkland explained that they plan to alternate the buildings three wide and one wide and continued to explain phasing. He told the Planning Commission that the water tower is an elevated sign and stated that Bob Lien is doing the landscape plan. He stated that the buildings would all have fire sprinklers. They intend to have a right in right out vehicle entrance along Pony \_\_\_\_\_ Express Parkway and to have a walkway on the rear of the buildings and ivy on the \_\_\_\_\_ building to \_\_\_\_\_ soften the appearance.

Jeff Love was excused from the meeting at this time; however, he submitted written comments concerning Traveler's Rest.

Richard Steinkopf questioned whether the buildings would be staggered, and he stated that he personally is not a fan of ivy. He also recommended creating walkways and stated that he likes the theme chosen for this project.

Mr. Kirkland explained the plans to extend the walkways to connect with the trails.

Mr. Kirkland explained the architecture and the design of the windows.

Mrs. Kofoed was excused from the meeting at 6:57 p.m., and Korey Walker came into the meeting at this time.

Mr. Walker discussed the fire and traffic concerns with this project.

Tom Maher stated that he is concerned with the signage on the water tower and would like to see a theme on signage within the development.

The Planning Commission discussed the project design and the look it will create with regards to the commercial project directly to the east.

7. **General Discussion/Questions:**

None.

8. **Adjournment:**

*MOTION: Tom Maher moved to adjourn the meeting at 7:14 p.m.*

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
                  Chairman Tom Maher