

Eagle Mountain City Planning Commission Minutes 2009

Dates of Planning Commission Meetings:

- January 13, 2009
- February 10, 2009
- February 24, 2009
- March 10, 2009
- April 14, 2009
- April 28, 2009
- May 12, 2009
- May 26, 2009
- July 14, 2009
- July 28, 2009
- September 8, 2009
- September 29, 2009
- October 27, 2009
- November 10, 2009

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, JANUARY 13, 2009 AT 6:00 P.M.

Eagle Mountain City Council Chambers, 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

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

Roll Call

Tom Maher, John Linton, Karleen Bechtel, Preston Dean, Bonnie ElHalta

Staff Present

Steve Mumford, Planning Director

Mike Hadley, Senior Planner

Lianne Pengra, Planning Coordinator

Others Present

Nate Shipp, DAI

Ron Slocum, White Hills

Tiffany Ulmer, 1320 Harrier Street

1. Pledge of Allegiance

Commissioner Maher led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Planning Commission Chair and Vice Chair Appointments – Action Item

MOTION: *Commissioner Linton moved that Tom Maher be appointed as Planning Commission Chairman. Commissioner Maher accepted. Ayes: 4, Nays: 0. Motion Passed.*

MOTION: *Commissioner Maher moved that John Linton be appointed as Planning Commission Vice Chairman. Commissioner Linton accepted. Ayes: 4, Nays: 0. Motion Passed.*

4. Status Report from City Council

- Eagle Point Chapel Vacation and Re-plat

Mr. Steve Mumford said that the city attorney informed staff that there was a legal formality needed in order to make this re-plat legal with the county. He said property owners within 600 feet needed to be noticed ten days before the City Council Meeting. He said the city received no complaints nor input from surrounding neighbors. He explained that this will be a formality that will be used in the future.

- Scenic Mountain General Plan Amendment

Mr. Mumford said this was also a housekeeping item as this property wasn't in the city before and now it is; it needed to be noted on the General Plan.

- Transportation Summit

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Mr. Mumford explained that this summit had representation from several government offices and cities. He said that funding and processes were discussed for transportation in this area. He explained that it was very detailed and now there is a little better understanding of where Eagle Mountain stands and what the city needs to do for funding. He said that it was made very clear that the Pony Express is our top priority for roads; he explained that it is a priority for Saratoga Springs, as well. He said that staff was told that the more the city does, the easier it is to get funding. He said that the city needs to get on the state's STIP (State Transportation Improvement Plan) list; UDOT asks the state about this list when making decisions.

Commissioner Maher asked if there was agreement between the entities. Mr. Mumford said that there was; it was mainly informational, however. He explained that Mayor Jackson made it clear that the entities needed to work together.

Commissioner Maher asked about disaster evacuation and SR-73. Mr. Mumford said that the four-lane expansion is on the schedule from the Redwood Road/SR-73 crossroads to the Saratoga Springs/Eagle Mountain city line.

Commissioner ElHalt asked if the Saratoga Springs Wal-Mart opening will help pressure UDOT to complete SR-73's build-out. Mr. Mumford said that the Pioneer Crossing (10th South in Lehi) is in the works currently. He said that he can have more details regarding these projects at the next meeting.

Commissioner Linton asked for the status on the Ark of Eagle Mountain. Mr. Mumford said that late last week, a response was turned in to the city. He explained that there is a meeting planned for next week between the applicant, Mr. Mumford, and Mr. Kinghorn. Mr. Mumford said that the applicant is pushing for the 1/27/09 meeting but that staff would like it to come to the first Planning Commission Meeting in February.

Commissioner Maher asked what the logic was with the applicant's response; at the last Planning Commission Meeting the applicant attended, it was said that they would not accept any conditions. Mr. Mumford said that the applicant's response shows conditions already addressed in their policies and procedures and other conditions they would be willing to include. They are pushing to have the home a permitted use, rather than a conditional use.

Commissioner Linton said that he would be hesitant to be less stringent than Orem as Orem has had much experience with similar situations.

5. Approval of Minutes

A. April 8, 2008 Planning Commission Meeting Minutes

MOTION: *Commissioner Linton moved that the Planning Commission approve the April 8, 2008 Planning Commission Meeting minutes.*

Commissioner Dean seconded the motion. Ayes: 5, Nays: 0. Motion Passed.

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B. April 22, 2008 Planning Commission Meeting Minutes

MOTION: *Commissioner Linton moved that the Planning Commission approve the April 22, 2008 Planning Commission Meeting minutes.*

Commissioner Dean seconded the motion. Ayes: 5, Nays: 0. Motion Passed.

C. May 13, 2008 Planning Commission Meeting Minutes

MOTION: *Commissioner Linton moved that the Planning Commission approve the May 13, 2008 Planning Commission Meeting minutes.*

Commissioner Dean seconded the motion. Ayes: 5, Nays: 0. Motion Passed.

D. December 9, 2008 Planning Commission Meeting Minutes

MOTION: *Commissioner Linton moved that the Planning Commission approve the December 9, 2008 Planning Commission Meeting minutes.*

Commissioner ElHalta seconded the motion. Ayes: 5, Nays: 0. Motion Passed.

6. Development Items

A. Annexation Policy Plan Amendment – Public Hearing, Action Item

Mr. Mumford explained that the Annexation Policy Plan is a state-required document along with a map that shows potential annexation areas. He showed a copy of the boundary map. Mr. Mumford explained that this amendment was spurred by the possibility of annexing the Pole Canyon area. The Pole Canyon Annexation applicant had requested an amendment to the city's plan in order to apply for annexation.

Mr. Mumford said that in addition to the Pole Canyon area, an area in the northeast corner is being added. He explained that any property that is incorporated within another city cannot be in our Annexation Boundary line, so there are two areas which are annexed into Fairfield and Saratoga Springs which will be removed from our boundary.

Mr. Mumford said that this plan does not guarantee that these properties will be annexed into the city; this boundary allows the City Council to review annexation petitions in more detail.

Mr. Mumford explained that the plan is long-term, which is why the boundaries are so far out. He said that if any area wants to be annexed into the city and is not included on this map, the boundary map would need to be updated.

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Mr. Mumford said that Saratoga Springs submitted a letter that requested the property south of SilverLake (owned by SITLA) be removed from the city's annexation boundary. He said that Saratoga Springs plans on having a business park and open space in that location. Mr. Mumford said that the city administration feels it would be in the city's best interests to keep this area on our map as it abuts residential areas. He said that Eagle Mountain City also has a road stub there and we would not want that residential road to attach to a large industrial roadway.

Mr. Mumford said that they have had discussions with residents of the Pole Canyon area. He said that if the Pole Canyon area is annexed into the city, White Hills and White Hills County Estates would be part of Eagle Mountain City. He explained that the specifics of those areas are for the actual annexation petition meeting; the specific annexation is not on the agenda to be discussed this evening. He explained that the Recorder's office stated the earliest the annexation petition can be on the City Council agenda is February 17, 2009.

Mr. Mumford said that staff is recommending approval of the amendment as proposed.

Commissioner Maher asked Mr. Mumford to explain the logic from a planning standpoint. Mr. Mumford said that it might not be the best idea if the plan is to keep the boundaries in straight lines, but there are benefits to how it is planned. He explained that land adjacent to Camp Williams can be protected.

Commissioner Maher asked if the Pole Canyon area is just part of Utah County. Mr. Mumford said it is and that he does not have anything in writing, but from what he has heard, the county would like the area to incorporate into a city. He said that he has heard that Cedar Fort feels they do not have the staff or utilities to service the Pole Canyon area. Commissioner Linton asked where Fairfield stood. Mr. Mumford said that he thinks they are in the same position as Cedar Fort, but the applicant for the annexation petition is better informed to answer that question.

Mr. Mumford explained that benefits to the city include additional access to SR-73, business parks, industrial areas, increase in jobs, and diversification in water system. He explained that there is a large water tank and associated water rights in the White Hills. He said that drawbacks include the fact that the property is a long way from the Eagle Mountain City Fire Station, a connecting roadway would need to be constructed, and potentially an additional fire station. Mr. Mumford said that the city may need to upgrade the utilities in that area as well. He explained that all of the details will be worked out during that specific annexation application review.

Mr. Mumford explained that including these areas in the boundaries does not mean that the city needs to annex them.

Commissioner Maher asked how many people are in the Pole Canyon area. Mr. Mumford said that there are 120-125 residences, so possibly 300-500 people.

Mr. Nate Shipp, DAI. He said that they are the instigator of the annexation boundary map amendment. He said that they have been researching this area for about two years. He said that they've spoken with the surrounding cities and with the current residents. He explained that the

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Cedar Valley needs jobs and a job base needs to be created in the valley; a business park in that area would help bring jobs in.

Mr. Shipp explained that from a utility standpoint, neither Cedar Fort nor Fairfield have the capabilities to service this area the way that Eagle Mountain City does. He explained that the state has said they will require this area to hook into Eagle Mountain City's sewer system. He said Pole Canyon will bring a lot of water to the city as well. He has spoken with staff about taking some of the water rights on the eastern side of the city and transferring them into new points of diversion and well sources on the west side of the city. He said that the water quality is better on this side of the city and that allows us to blend the two together. He said that the city also won't have to build such a large pipe to physically deliver water to the west side of the city; it will be done through new points of diversion.

Mr. Shipp said that they do not want to burden the Eagle Mountain City residents with cost of annexing the Pole Canyon area; they intend to pay for their way into the city.

Commissioner Maher asked what street frontage this area has with SR-73. Mr. Shipp said that he isn't certain.

Mr. Shipp said that it will be several years before this property is developed. They want to put the plan in place to develop the area properly. Commissioner Maher asked if an industrial park is the plan for all 3,000 acres. Mr. Shipp said that is not the intent; they will bring a plan forward with commercial, residential, industrial areas, mixed-use, and a possible rodeo ground.

Commissioner ElHalta asked if there will be a cost analysis associated with this. Commissioner Maher said there would be.

Commissioner Maher opened the public hearing at 6:32 p.m.

Ron Slocum, White Hills area. He said that 98% of the people in the area signed a petition stating that they do not want to be part of Eagle Mountain City. Commissioner Maher explained that the county wants the areas incorporated into cities so that they don't carry the burden for those areas. Mr. Slocum said that they don't want to pay additional taxes that will come with annexing into Eagle Mountain City.

Tiffany Ulmer, 1320 Harrier. She said that they should ask the residents to see if they want to be part of the city. She is also concerned about the arsenic that comes out of the mountain. She doesn't want to deal with the flooding that happens in White Hills; she doesn't want to take on a bad project that they city has to fix.

Commissioner Maher closed the public hearing at 6:35 p.m.

Commissioner Dean said that he feels if there are legitimate interests of people who want to be considered, the city should give them that opportunity. He said that he is in favor of changing the boundary line.

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Commissioner Linton said that this is strictly policy and does not relate to any specific area's annexation; therefore, he sees no problem moving forward.

Commissioner Bechtel agreed with Commissioner Linton.

MOTION: *Commissioner John Linton recommended approval to the City Council of the Annexation Policy Plan Amendment.*

Commissioner Dean seconded. Ayes: 5, Nays: 0. Motion Passed.

6. Other Items

A. Master Parks and Trails Public Open House.

Mr. Mumford said an open house is scheduled for January 21, 2009 from 6:00pm to 8:00pm in the Council Chambers. He said this is a time for all residents to give input.

Commissioner Maher asked how this plan affects the Planning Commission. Mr. Mumford said that the City Council is the final authority in approval of the plan; he is not sure if the Planning Commission is involved in the decision process, but it will be presented to them as a discussion item.

Mr. Mumford said that staff will use the plan in code amendments, land development, and the city's own open spaces.

Commissioner ElHalta asked if there are any conflicts with anything approved now versus what will be required in the future. Mr. Mumford said they are using what the city is looking at for the plan in their reviews of developments, but they are not basing any decisions on the plan until it is finalized.

7. Adjournment

Commissioner Maher adjourned the meeting at 6:40 p.m.

**EAGLE MOUNTAIN CITY
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TUESDAY, FEBRUARY 10, 2009 AT 6:00 P.M.

Eagle Mountain City Council Chambers, 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

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

Roll Call

Tom Maher, John Linton, Karleen Bechtel, Preston Dean, Bonnie ElHalta

Staff Present

Steve Mumford, Planning Director

Mike Hadley, Senior Planner

Lianne Pengra, Planning Coordinator

1. Pledge of Allegiance

Commissioner Maher led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

- Annexation Policy Plan Amendment

Mr. Mumford said that an area was added onto the Annexation Boundary Map above the northwest part of the city, as well as the Pole Canyon area. Two areas in Fairfield and Saratoga Springs were removed from the map.

Mr. Mumford said they are still working on the Pole Canyon annexation petition. Commissioner Maher asked if the Commissioners will have information ahead of time in regards to the citizens in the Pole Canyon area. Mr. Mumford said that the White Hills residents filed a protest with the City Recorder's office. There are about 115 homes in the area and seven residents were undecided and eight were in support of the annexation. Commissioner Maher asked if that was due to misinformation. Mr. Mumford said that some of it may be. He said a petition that went around could have been biased and may have had misinformation.

Commissioner Maher asked about the due diligence in regards to the residents' concerns. Mr. Mumford said that they have asked the applicant to provide any notes from Cottage Meetings and to provide how resident concerns have or have not been addressed. Commissioner Maher said that the residents should have their 2007 tax notices and should be able to get concrete information on what they would pay in Eagle Mountain City.

Mr. Mumford said that the residents do not want to lose the type of lifestyle they currently have with few neighbors and away from political issues.

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Mr. Mumford said they will still be meeting with the developer; and the city attorney will be meeting with Utah County Commissioners to discuss issues and Eagle Mountain will meet with Fairfield to discuss boundary lines. He said that they don't expect the annexation to come to any meetings until late March, but it may take longer. He said that the applicant has submitted a Master Development Plan. The Development Code requires a Concept Plan to be turned in before a Master Development Plan, so when that is submitted, it will come before the Planning Commissioners.

Mr. Mumford said that they have also been meeting with the Ark of Eagle Mountain. He said that he and Mr. Hadley visited the site in Sandy this week. Commissioner ElHalta asked if it was the same situation as the Ark of Eagle Mountain as far as the neighborhood goes. Mr. Mumford said it was also in a residential area, but was on a five-acre lot. He explained that he and Mr. Kinghorn met with the Department of Human Services and with the applicants today. He said that it may come to the February 24th Planning Commission Meeting at the earliest. Commissioner Maher said that Mr. Kinghorn would need to be at the meeting when it does come back.

4. Approval of Minutes

The following four sets of minutes were previously approved by the then-sitting Planning Commissions. The minutes were lost through a computer issue and were recomplected with only the actions taken, at the recommendation of the city attorney.

A. May 11, 2004 Planning Commission Meeting Minutes

MOTION: *Commissioner Linton moved that the Planning Commission approve the May 11, 2004 Planning Commission Meeting Minutes.*

Commissioner Dean seconded. Ayes: 5, Nays: 0. Motion Passed.

B. November 30, 2004 Planning Commission Meeting Minutes

MOTION: *Commissioner Linton moved that the Planning Commission approve the November 30, 2004 Planning Commission Meeting Minutes.*

Commissioner Bechtel seconded. Ayes: 5, Nays: 0. Motion Passed.

C. January 25, 2005 Planning Commission Meeting Minutes

MOTION: *Commissioner Linton moved that the Planning Commission approve the January 25, 2005 Planning Commission Meeting Minutes.*

Commissioner ElHalta seconded. Ayes: 5, Nays: 0. Motion Passed.

D. May 10, 2005 Planning Commission Meeting Minutes

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TUESDAY, FEBRUARY 10, 2009 AT 6:00 P.M.

Eagle Mountain City Council Chambers, 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

MOTION: Commissioner Linton moved that the Planning Commission approve the May 10, 2005 Planning Commission Meeting Minutes.

Commissioner Dean seconded. Ayes: 5, Nays: 0. Motion Passed.

E. January 13, 2009 Planning Commission Meeting Minutes

MOTION: Commissioner Linton moved that the Planning Commission approve the January 13, 2009 Planning Commission Meeting Minutes.

Commissioner ElHalta seconded. Ayes: 5, Nays: 0. Motion Passed.

5. Development Items

A. Public Land Disposal Ordinance – Action Item

Mr. Mumford said that this was discussed with the City Council last week and the City Council recommended that the Planning Commission give their recommendation on the ordinance. Commissioner Linton asked who proposed the change. Mr. Mumford said it was a combined effort with the Recorder's Office, the Planning Department, and Mr. Kinghorn.

Commissioner Linton asked why city parks were on the disposal maps. Mr. Mumford said that Mr. Kinghorn wanted all city-owned property to be put on the map. Mr. Mumford said that parks are classified as "Significant" so they cannot be disposed of.

Mr. Mumford said that the existing maps show "Potentially disposable" and "Non-disposable" and the ordinance states land is "Insignificant" and "Significant" which makes for a confusing process. He said that anyone wanting to dispose of land had to go before the Planning Commission and City Council, even if the land is obviously insignificant such as the small triangle pieces at the corners of lots in City Center.

Commissioner Dean asked how the city obtains land they don't want. Mr. Mumford said that some of it is poor planning. Commissioner Maher said that it is no longer allowed. Mr. Mumford said that when some of the plats were approved in City Center back in 1998 to 2000, it is hard to tell if the land was required open space or if the applicant was supposed to improve the land. He said with the current development reviews, land pieces like these would not show up.

Mr. Mumford said the proposed process is to designate land as "Significant" or "Insignificant" on the maps according to the criteria listed in the ordinance. He said then the adjacent property owners would submit the application for land disposal and if the land is Insignificant, it would go through the Recorder's Office. Commissioner Maher asked if the Planning Department would be involved. Mr. Mumford said they would when the Recorder's Office checked with the department heads when an application is received.

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Mr. Mumford said that if Significant land is applied for, the application would be taken to the department heads, Planning Commission, and City Council.

Commissioner Maher asked how to keep the price of the property under control. Mr. Mumford said the ordinance states the land will be based on fair market value. He explained that was how the price was figured out with the last few. He believes they get the latest appraisal for vacant land in the area and use that price. Commissioner Linton said that it should be the administrative costs only; the applicant is doing the city a favor by taking over the land and cleaning it up.

Discussion ensued regarding cost of land.

Mr. Mumford showed the locations of Insignificant land on the maps and also showed photos of the areas.

MOTION: Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the Public Land Disposal Ordinance Amendment with the following changes:

1. Valuation of the land be readdressed.
2. That a way for people to appeal denied applications be provided and that this appeal process be handled in a timely manner.

Commissioner ElHalta seconded. Ayes: 5, Nays: 0. Motion Passed.

B. Development Code Amendments – Discussion Item

Expiration Dates on Approvals

Mr. Mumford said that almost every city has an expiration date on approvals. Commissioner Maher said that as long as there is the year renewal, it is a good idea. Commissioner Linton said that there are areas such as Hidden Canyon where the Planning Commission spent many hours on and they would like to see that project built out. He said he feels the expiration can be a bad thing for places like Hidden Canyon and a good thing for other projects which were approved in the past.

Mr. Mumford explained that with the Master Development Plans, as soon as a Development Agreement is signed, the Master Development Plan will not expire. He said that the Sage projects have development agreements in the works now, but Equestrian Estates, Cedar Ridge and others have no development agreements but do have approved Master Development Plans. Commissioner Linton said that some of those developers have disappeared.

Commissioner Linton said that in moderate times, it can take more than two years to begin building on Master Development Plans and he feels those well thought out designs should not be put in the same category as Final Plats which were approved years ago and the developer has left town.

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Mr. Mumford said that the proposed expiration periods are generally a one-year period with a one-year extension to be approved administratively. He said that with Master Development Plans could be longer. Commissioner Linton said that he would like the developer or applicant actually present himself in the city offices when applying for an extension.

Mr. Mumford said that this cannot be applied to projects which have already been approved.

Accessory Apartment/Second Kitchen Permits

Mr. Hadley said that there has been an increase in Accessory Apartment applications. He said that many times the applicant only wants to have a second kitchen for an entertainment room, or they want an in-law suite for family. He said that they have come up with a proposed Second Kitchen Agreement. He said that the Second Kitchen Agreement would allow the owner to have the second kitchen; they would sign a document which would be recorded with Utah County Recorder's Office which states the space cannot be rented out.

Mr. Hadley said the Second Kitchen Agreement would remove some requirements that currently go along with Accessory Apartments: second mailbox, second address, additional off-street parking, and secondary entrance.

Commissioner Dean asked where in the Development Code it states a second kitchen requires an Accessory Apartment. Mr. Hadley said that the only way the code can address second kitchens is through an Accessory Apartment Permit. Commissioner Dean asked why second kitchens need to be addressed. Mr. Mumford said that the city can't know when someone is going to rent out his or her basement and the only way to catch it is when a second kitchen is built. He said that the practice has been that if a full kitchen is in the basement along with a second entrance, an Accessory Apartment Permit is required. He said that the problem is that with every second kitchen going in, an Accessory Apartment Permit has been required.

Commissioner Dean said that Provo and Draper have these types of agreements but they don't enforce them. He asked why a Second Kitchen Agreement was even necessary.

Mr. Mumford said that parking is the biggest issue. He said that people put in accessory apartments without applying for the permit, so they aren't meeting the city's requirements. Mr. Hadley said that they are looking to the future, too. He said that people will put in second kitchens with the intent to not rent it out, but they may sell the home later and the next owner does rent out the area.

Mr. Hadley said that they have someone now who is building a mother-in-law suite in the basement with a second entrance, water heater, separate laundry, etc., but they are not going to rent it out. They will be using it for their mother-in-law. This is an instance where the Second Kitchen Agreement would be useful.

Commissioner Dean said that he doesn't feel a Second Kitchen Agreement is necessary.

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Mr. Hadley said that if someone comes in with an application such as the one just discussed, the city is bound to make them put in all requirements for an Accessory Apartment.

Commissioner Linton said there will be more homes coming in with second kitchens but they may not intend to rent out the space. Commissioner Dean said if someone wants to hide the Accessory Apartment, they will hide it regardless.

Mr. Mumford said this is exactly what they are trying to address. He said those homes with the second kitchen for entertainment purposes wouldn't intend to rent out that space anyway. He said if someone is putting in an Accessory Apartment and trying to hide it, this is where the city could catch them. When they come in with their plans, the city can have them sign the agreement that they will not be renting out that space.

Commissioner Maher said that they want a tight code for Accessory Apartments, but they don't want any Second Kitchen Agreements.

6. Other Items

7. Adjournment

Commissioner Maher adjourned the meeting at 7:05p.m.

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TUESDAY, FEBRUARY 24, 2009 AT 6:00 P.M.

Eagle Mountain City Council Chambers, 1650 E Stagecoach Run, Eagle Mountain, Utah 84005

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

Roll Call

Tom Maher, John Linton, Karleen Bechtel, Preston Dean,

Staff Present

Steve Mumford, Planning Director

Mike Hadley, Senior Planner

Lianne Pengra, Planning Coordinator

Others Present

Mike Wren, 4109 N Major Street

Ryan Kent, Sage Communities

Nate Shipp, DAI, Pole Canyon

Jared Westoff, DAI, Pole Canyon

1. Pledge of Allegiance

Commissioner Maher led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Minutes

A. February 10, 2009 Planning Commission Meeting Minutes

MOTION: Commissioner Linton moved that the Planning Commission approve the February 10, 2009 Planning Commission Meeting Minutes.

Commissioner Dean seconded. Ayes: 4, Nays: 0. Motion passed.

The following sets of minutes were previously approved by the then-sitting Planning Commissions. The minutes were lost through a computer issue and were recompleted with only the actions taken, at the recommendation of the city attorney.

MOTION: Commissioner Linton moved that the Planning Commission approve the minutes from the following Planning Commission Meetings: 10/9/07, 10/23/07, 6/14/05, 6/28/05, 7/12/05, 8/23/05, 3/14/06, 3/28/06, 4/11/06, 5/30/06, 7/25/06, 9/12/06, 9/26/06, 10/24/06, 11/7/06, 3/13/07, 3/27/07, 4/10/07, 4/24/07, 5/8/07, 5/22/07, 6/12/07, 6/26/07, 7/10/07, 8/14/07, 8/28/07, 9/12/07, and 9/25/07.

Commissioner Bechtel seconded. Ayes: 4, Nays: 0. Motion Passed.

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TUESDAY, FEBRUARY 24, 2009 AT 6:00 P.M.

Eagle Mountain City Council Chambers, 1650 E Stagecoach Run, Eagle Mountain, Utah 84005

4. Development Items

A. Development Code Amendment – Public Hearing, Action Item

Mr. Mumford said he discussed this amendment with the city attorney today; the recommendation is to hold the public hearing today, but table the item for a later meeting. Mr. Mumford said that there are issues with Final Plats and the bonds for those plats. He said that if a Final Plat and Development Agreement are approved with a bond posted but doesn't record the plat, the bond amount is no longer correct. He said that they need to add something that allows the bond amount to be recalculated every six months or so. He explained that most of the issues were with bonding. He said the changes weren't going to change the major points of the amendment, but would be beneficial to add.

Commissioner Maher asked what other cities do as far as expiration periods. Mr. Mumford explained that out of Lehi, Saratoga Springs, American Fork, Spanish Fork, Provo, Orem, Herriman, and Logan, all except American Fork have expiration dates on at least Preliminary Plats, Final Plats, Site Plans and Conditional Use Permits. Commissioner Maher asked how those cities deal with the bond issue. Mr. Mumford said that since this issue was brought up today, they haven't contacted other cities regarding this issue, yet. He said that he would like to get the developers' comments tonight, as well. He said that the time periods staff has proposed are mainly based on other cities' expiration periods and what we thought to be reasonable.

Mr. Mumford said that problems can occur if expiration periods are not imposed. He said that it is hard ~~to build~~ when the economy is slow ~~to build~~; ~~there are~~ many preliminary and final plats ~~that~~ are just sitting. When they come to record, there is a lot of time spent researching what codes they were approved under. He said that codes and standards change, and if nothing is being done with the project, staff would like to be able to bring the project up to current standards.

Mr. Mumford explained the proposed time periods for expirations of approval. The Master Development Plan would expire two years from the City Council approval if the Master Development Agreement is not approved by the City Council. The Master Development Agreement would expire six months from City Council approval to get the owner/applicant signature.

Commissioner Maher asked why there is a period at all on Master Development Agreements. He asked why there would be an agreement on file if it isn't signed.

Commissioner Dean asked if the Master Development Agreement is a document that is present at the City Council meeting for approval. Mr. Mumford said that it was.

Mr. Mumford said that he agrees with what the Commissioners were stating and that at least having an expiration time would encourage the applicants to sign the agreement quickly. Commissioner Maher said to look into having the agreement sign within ten days, rather than six

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months. Mr. Hadley said sometimes there are conditions of approval that are still being taken care of, as well.

Mr. Mumford said the Preliminary Plats [would](#) have a two-year expiration period. He said that Saratoga Springs just increased their expiration to two years on most of their applications and he felt that was appropriate for the Preliminary Plats. He said the Final Plat has a one-year expiration, if not recorded. He said the Development Agreement, like the Master Development Agreement, is six months if not signed. The Master Site Plan is two years if the Site Plan application is not submitted and the Site Plan is one year.

Mr. Mumford said that a one-year extension is available administratively through the Planning Department if the applicant can prove that it is applicable according to criteria set in the proposal. He explained that the applicant can appeal if the extension is denied.

Mr. Mumford said that staff recommends getting feedback and tabling the item.

Commissioner Maher opened the Public Hearing at 6:14 p.m.

Mike Wren, 4109 N Major Street. Mr. Wren said that he agrees that if the Development Agreement is not signed it shouldn't be valid, but he doesn't feel that is a good enough reason to make the code more strict for those who do sign them. He said that he is concerned with the time periods of the expirations. He said that having approved development is good for the community to know what the subdivisions will be around them, rather than have the approvals lapse. He said that no development is happening now, so they are using this time to get the large projects done so they can have them approved and on the shelf so that when the market does turn around, they are ready to go. He said that the bonding costs are lower now, and asked if the new code will allow developers to reduce the bond.

Commissioner Maher said that is an item for staff to research.

Commissioner Maher closed the Public Hearing at 6:18 p.m.

Commissioner Dean said that he agrees that people should know what is going to be built around them and he feels the General Plan meets that need. He said that they have had many changes to the code in the last year that cannot be applied to old developments. He said that is a concern to him and he would like to keep the development consistent by applying these codes across the board.

Commissioner Linton asked if the changes the attorney recommended are material changes. Mr. Mumford said that it would be to add a few more items that are related to what has been presented tonight. Commissioner Linton said that they can continue the item, rather than table it.

Commissioner Bechtel said that expiration dates are necessary.

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MOTION: *Commissioner Linton moved that the Planning Commission continue Development Code Amendment – Expiration Periods on Approvals to the March 24, 2009 Planning Commission Meeting.*

Commissioner Dean seconded. Ayes: 4, Nays: 0. Motion passed.

B. Upper Hidden Valley Concept Plan – Discussion Item

Mr. Mumford said the Upper Hidden Valley is located southeast of the Hidden Valley Master Development Plan. He explained that it is 140 acres and about half of the plan is buildable. He showed a chart that listed 57 acres of residential development with a net density of 2.8 du/ac. He said there is a lot of native open space due to the steep hillsides and that specific parks have been designated.

He showed the slope map and examples of possible parks, an entryway and amenity features.

Mr. Mumford said that the slopes create issues. He said that they can leave the planning areas with the steep slopes and address them at site plan stages, or remove them from the developable land map. He said that one area is out of the city boundaries and the applicant will apply for annexation into the city for that 20-acre area.

Ryan Kent, Sage Communities. He said that Nuszer Kopatz is designing this area, as they did with Hidden Valley. He explained that they expect both areas to have similar aspects and this will probably fall under the Hidden Valley HOA, as well as the Hidden Valley design guidelines.

Commissioner Linton asked about the long cul-de-sacs. Mr. Kent said that most don't exceed 500 feet or 15 homes length. He said that there are steep slopes and the intent of the cul-de-sacs is to create a fire lane that would also serve as a trail way.

Commissioner Linton asked if the pedestrian portal/guardhouse noted on the parks concept page was requested by the developer, or was something Nuszer Kopatz added. Mr. Kent said that was purely from Nuszer Kopatz. He said that a gated community was discussed and they haven't decided one way or another.

Commissioner Maher asked about the annexation. Mr. Kent said this project is five to ten years out and they do plan on submitting the annexation. He explained that they don't own the property; they are representing the bank who owns the property.

Mr. Kent said they will come back with pictures and elevations showing how they plan on effectively building on this land.

Commissioner Maher said that they have the opportunity to add trails and create a unique experience for Eagle Mountain in this area.

C. Pole Canyon Concept Plan – Discussion Item

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Mr. Mumford said this same group presented this to the City Council. He said they will focus more on the land use plan than annexation issues.

Mr. Shipp said that the annexation area is about 3,000 acres. He explained that with the lull in the economy, they have the opportunity to look to the future and identify where land uses will be in the next 10-30 years. They have taken that information and created their top four priorities which are economic development of Cedar Valley, improvement to the existing infrastructure, expansion of the transportation corridors and providing amenities to enhance lifestyle in Cedar Valley.

Mr. Shipp further explained how the Pole Canyon area will apply those four priorities to increase transportation access to Eagle Mountain, add amenities to the valley, and create a possible 5,000 jobs through light industrial parks and other commercial development.

Mr. Shipp explained that this area will be built out and he would like to do it correctly. He gave examples of the level of interest state-wide on developing this area.

He explained that they want to address all concerns of residents in the Pole Canyon area as well as the concerns of residents of Eagle Mountain. He explained that the County has insisted that the White Hills and White Hills Estates areas are included in the Pole Canyon annexation. He said that the County will be sending a letter to those residents explaining the County's position on the annexation and the benefits of annexing with Eagle Mountain City.

Mr. Shipp presented maps of the land use plan and discussed different types of development throughout the area and the different Neighborhood Planning Areas and density hubs.

Mr. Shipp explained an SAA for the Pole Canyon area which allows the land owners to pay for the infrastructure upgrades and explained the advantages to Eagle Mountain of the utilities in the area.

Discussion regarding informing White Hills residents of the separate aspects of the annexation ensued. Mr. Westoff explained that the residents have some animosity towards them due to water rates being raised. He also said that they have attempted to inform the White Hills residents that annexing to Eagle Mountain would result in lower property taxes. He said they have provided as much information to the residents as possible and will continue to do so.

5. Other Items

6. Adjournment

Commissioner Maher adjourned the meeting at 7:23 p.m.

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5:00 P.M. CLOSED SESSION – ADMINISTRATIVE CONFERENCE ROOM

The Planning Commission conducted a Closed Executive Session for the purpose of discussing reasonably imminent litigation pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

Roll Call

Tom Maher, John Linton, Karleen Bechtel, Preston Dean

Staff Present

Steve Mumford, Planning Director
Mike Hadley, Senior Planner
Jerry Kinghorn, City Attorney
Lianne Pengra, Planning Coordinator

6:00 P.M. POLICY SESSION – COUNCIL CHAMBERS

Commissioner Tom Maher called the meeting to order at 6:05p.m.

Roll Call

Tom Maher, John Linton, Karleen Bechtel

Staff Present

Steve Mumford, Planning Director
Mike Hadley, Senior Planner
Jerry Kinghorn, City Attorney
Lianne Pengra, Planning Coordinator

Others Present

Darren Boberg, The Ark of Eagle Mountain
Gary Petersen, Lot 10 Cedar Pass Ranch
Kent Price, Eagle Mountain Resident
Joel Clark, Neighbor of The Ark of Eagle Mountain
David Landon, 4682 E Silver Creek Way

1. Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

- Public Land Disposal Ordinance
- The Woods Subdivision

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Mr. Mumford said that the Public Land Disposal Ordinance was tabled at the last City Council Meeting to allow staff to develop a more detailed appeals process. Mr. Mumford said that Mr. Kinghorn is currently working on this.

Commissioner Linton asked Mr. Kinghorn why the parks were on the disposal map. Mr. Kinghorn said that it needed to be noted as city property but not disposable. He explained that the ordinance will offer a clear statement that certain land is not disposable and a simplified process regarding disposable land.

Mr. Mumford said that the Woods subdivision was the other item to update. Mr. Tom Wood requested that some requirements of improvements for his subdivision be reduced or deleted from the Development Agreement. His request included removing a six-foot fence along the back of the properties along Overland Trails and The Woods, and removing the 8-foot asphalt trail between Overland Trails and The Woods. The last request was to reduce the 8-foot sidewalk that connects to Waddell Street to a 4-foot sidewalk.

Mr. Mumford said that the City Council denied the request to remove the fence and trail requirements but did allow the applicant to lower the 8-foot sidewalk to a 4-foot sidewalk. He explained that this request did make sense as the sidewalks in that subdivision are four feet, not eight.

Mr. Mumford said that the City Council thought that if the Planning Commission and City Council approve a Development Agreement, an applicant can appeal immediately. They did not want people to come back years later after residents are living in the homes and request a change.

Commissioner Maher asked if a time-period for appeals or changes was set with the City Council. Mr. Kinghorn said that as long as the applicant submits the application and pays the fee, staff has to review it in good faith.

4. Approval of Minutes

A. February 24, 2009 Planning Commission Meeting Minutes

MOTION: *Commissioner Linton moved that the Planning Commission approve the February 24, 2009 Planning Commission Meeting Minutes.*

Commissioner Bechtel seconded. Ayes: 3, Nays: 0. Motion Passed

5. Development Items

A. Ark of Eagle Mountain Group Home Conditional Use Permit & Business License – Public Hearing, Action Item

Mr. Mumford said that the Planning Commission met on this item on November 25, 2008. It was tabled at that time so the applicants could review the proposed conditions with their legal

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counsel and discuss them with City staff. Mr. Mumford said that staff has spent a lot of time developing an understanding of the process of licensing the facility, and that staff met a few times with the Department of Human Services, who licenses the facility on the state level.

Mr. Mumford said that the final conditions presented tonight have been agreed upon by the applicant and they provide a reasonable accommodation for the use in the area.

Mr. Mumford showed maps of the existing homes in the subdivision, a site plan of the lot, as well as a parking plan and floor plans. He explained the layout of the home and said that males and females must be separated in living quarters.

Mr. Mumford went over the permitted uses in the Residential zone and how the City's Development Code defines Small Residential Group Homes.

Mr. Mumford said the applicant is proposing eight clients/residents in the home to be treated for mental health, behavior, and chemical addictions. The residents will be professionals over the age of eighteen. He went over some of the focuses of the group home and what professionals will be on staff.

Mr. Mumford said that on a legal side, the home falls under the protection of the Fair Housing Act and the Americans with Disabilities Act, as well as the Utah Municipal Land Use Act. He explained the type of person who is protected under these acts and those not protected. He said that the Conditional Use Permit process is needed to authorize this group home.

Mr. Mumford explained that the reasoning for the changes in the conditions from the previous Planning Commission Meeting include more information provided by the applicant, more research done on the part of City staff, the existing facility in Sandy was toured and discussions took place with the Sandy facility staff and neighbors.

Mr. Mumford said another issue was with federal and state confidentiality rights; all patient resident records will be property of the Utah Department of Human Services and they can review the records at any time. This includes the drug tests.

Mr. Mumford said that residents are not allowed to leave the premises unless approved for church services or unless they have a pass approved by the group home staff. Mr. Mumford said that the state requirements for drug testing were sufficient as the residents are in the home, supervised, for the majority of the week.

Mr. Mumford explained the role of the Utah Department of Human Services (DHS) in licensing and enforcing regulations for residential group homes. He explained that they will enforce the Ark's Policies and Procedures Manual, so City staff worked with the applicant to get as many of the City's conditions as possible written into the Ark's Policies and Procedures Manual. He explained that this relieves the City of part of the enforcement of the conditions and places it back with the DHS.

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Mr. Mumford explained the Department of Human Services' licensing process. They issue a 90-day probationary license and if the group home is still in compliance after that probationary period, they are issued a license for the remainder of the year. He explained that the group home would go through a re-licensing process every year with the state.

Mr. Mumford explained the criteria of approval as written in the City's code: it shall not create a nuisance or pose a threat, it shall receive approval of appropriate state agency, it shall provide required parking spaces onsite, and a site shall have a 60-foot frontage on the lot.

Mr. Mumford said that staff is recommending the Planning Commission approve the parking plan on a trial basis. Staff's recommendation is that after the home has all eight residents for 90 days, staff looks at the parking plan again to decide if more parking is needed. He explained that this is due to not knowing how many family members or visitors will be coming to the home, how many residents are from out of state, and other similar issues.

Mr. Mumford said that in the proposed schedule the Ark provided, visitation was noted on Wednesdays from 7:00p.m. to 8:00p.m. as a family support group, Thursdays 6:00p.m. to 9:00p.m. as a family therapy group, and visiting hours on Saturdays from 10:00a.m. to 2:30p.m. He said that another page from the Ark showed visiting hours on Thursdays from 1:00p.m. to 8:00p.m. He said that they were requesting clarification on visiting hours this evening.

Mr. Mumford said that all residences are allowed a two-square-foot name plate/address sign and the Ark would be allowed the same sign; no additional signage would be allowed.

Mr. Mumford said that the original condition required residents to not have used controlled substances for thirty days prior to entering the facility. He said that when that condition was created, staff had a different idea of what the facility would be. He explained that most residential group homes treat those who are just coming off of the substances and the state requires the residents to be medically stable and cleared for treatment; this is the condition staff included in the current list of conditions.

Mr. Mumford said that no sex offenders would be allowed in the facility. He explained that the DHS monitors what people are in the home and enforces the rules on who is and is not allowed to live there.

Mr. Mumford said that residents will not be allowed to contact people in the neighborhood except in cases of emergency or if they are cleared to attend local worship services.

Mr. Mumford said that the urinalysis testing was reduced to the state requirement of three tests per month with daily testing using other methods such as visual tests. He explained that the staff onsite at the Ark are trained in detecting substance and alcohol use.

Mr. Mumford said that staff recommends the Conditional Use Permit be revoked if the DHS license is ever revoked.

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Mr. Kinghorn said that the major shift in the conditions is due to the discovery that the DHS will be monitoring and enforcing the Policies and Procedures and their own rules and regulations for residential group homes. He said that the version of the Policies and Procedures Manual that the Ark provided to staff is much more detailed than the original version.

Mr. Darren Boberg, The Ark of Eagle Mountain. In regards to the visitor hours, Mr. Boberg said that they do a Family Group on Wednesday evenings from 6:00p.m. to 9:00p.m. He said that the current facility in Sandy has many more people than the Eagle Mountain facility will have. The Sandy facility has a 1:00p.m. to 5:00p.m. group for education and a 6:00p.m. to 9:00p.m. group for mental health workshops. He said that he doesn't think the Ark of Eagle Mountain will have that much going on since the size is so much smaller. He said that he believes it will just be a 6:00p.m. to 9:00p.m. group; he didn't want to commit to that as of now.

Commissioner Maher asked how many residents are expected to be from out of state. Mr. Boberg said that he couldn't answer that. His marketing will be through attorneys, DOPL, and the internet. He said that the Sandy facility houses approximately 50% out-of-state residents.

Mr. Boberg said that he feels staff is being more than fair with the parking plan.

Commissioner Maher asked when Mr. Boberg intended the facility to open. Mr. Bobeg said he hoped for as soon as possible, possibly April 1.

Commissioner Maher asked for clarification on the onsite security. Mr. Boberg said that during the day, two to three mental health therapists will be onsite; the psychiatrists and doctors wouldn't be onsite 24 hours a day. He said that at night, there is an employee awake and working through the night. He said that the security cameras will be onsite, but not necessarily for the protection of the citizens, but for the protection of the staff and residents. He explained situations with the Sandy site where citizens would call DHS to report issues and the Ark would provide footage to disprove the reported issue. He said that they do have alarms on the doors and other standard security systems.

Commissioner Maher opened the Public Hearing at 6:50p.m.

Gary Petersen, Lot 10, Cedar Pass Ranch. He said that he lived in Cedar Fort with boys' ranches and he experienced many problems. He said that he doesn't feel it is a good fit for the neighborhood.

Joel Clark, N/E neighbor. Mr. Clark asked how the code can state that types of people cannot live in the group home and then the group home will have those types of people. He said that since there is not a local police force, response times are long. He said that he had people dumping onto his property and it took a long time for the sheriff to arrive. He asked who enforces this site.

Mr. Mumford said that as far as the substance abuse, the city code is overruled by federal and state law as well as the Fair Housing Act and Americans with Disabilities Act. He said that with

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regards to enforcement, the Utah County Sheriffs would enforce any legal issues such as cars being broken into.

Mr. Kinghorn said that under federal fair housing rules and the Americans with Disabilities Act, the city cannot enforce the rules regarding those with substance abuse problems in residential group homes. He said that courts have ruled that people with substance abuse problems are considered persons with a disability and the city has to accommodate them.

Mr. Kinghorn said that in regards to law enforcement, there is a dedicated group of Utah County Sheriffs who have a station in Eagle Mountain and are here all the time. He said that the response rate would depend on the gravity of the reported offense; if a call comes in that someone is breaking into a home, a sheriff would arrive within a few minutes versus a call coming in about someone dumping on private property.

Mr. Clark said that it takes ten minutes to get from The Ranches to City Center. Mr. Kinghorn said that the officers do patrol the city; they aren't just sitting at the station. He said that they don't get complaints on the officers' response times.

Mr. Clark said that it is a bad fit for the neighborhood. He said that he has seen firsthand that they don't work. Mr. Kinghorn said that this facility is for professionals over eighteen. He said that no sentenced felony offender can be in the facility. He explained that it won't be like the Utah Boys' Ranch or places like that; it is not that type of facility. He said that if they find out that the facility is taking incorrect types of people, they can have DHS investigate and shut down the facility.

Commissioner Maher said that a professional has to do an assessment of the individual to recommend them for this kind of treatment. He said that it is a very specific list of who can write the assessment and it must be done before the resident moves into the home.

Kent Price, Eagle Mountain Resident. Mr. Price said that in the CC&Rs of the HOA he was previously the president of, there was a rule regarding non-related people living together. He asked if they could enforce the rule of non-related people living in a house. Mr. Kinghorn said that the CC&Rs are contractual and are different from the city code. He said that he is mainly conversant regarding the Fair Housing Act and the Americans with Disabilities Act. He explained that those don't apply to HOAs; they apply to governmental entities. He said that if there was a specific covenant or restriction prohibiting this type of facility, there would be stronger case. Mr. Price asked if Westview Heights has an HOA. Mr. Kinghorn said that he did not believe so.

Inaudible comments from the audience.

Mr. Kinghorn said that if a person purchases a piece of property knowing that there is a restriction on the type of program that he/she wishes to do, and it is contractual like CC&Rs, it is a different situation than a city trying to enforce its rules.

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Mr. Petersen asked how many Commissioners would like this next to their home. Commissioner Maher said that wasn't the issue; the facility is protected by federal law.

Mr. Petersen asked what percent of people who make it through the program don't come back.

Mr. Boberg explained that they measure success differently. A person who successfully graduates their program is considered a success after one year. He said that person may relapse through the year. Mr. Petersen asked how many people come back to the program. Mr. Boberg said that 2 out of 420 approximately. Mr. Petersen said that he knows someone with a child in rehab who said that 50% to 60% of the people return to the rehab. Mr. Boberg said that it is not children being treated at the home. He explained that the residents have to want to be at the home, where kids don't necessarily have the desire or mental capacity to work through the programs and issues that are there. He said that the older people have a much better chance.

David Landon, 4682 E Silver Creek Way. Mr. Landon asked if the residents drive, and if so, how do they fit all of the cars. Commissioner Maher clarified that the parking is for staff and visitors.

Mr. Landon asked how eight people were going to fit in four bedrooms and one group room; he didn't think they would all fit. Mr. Boberg said that the residents will have three groups a day plus homework and will be spending an inordinate amount of time together. He said that they will have one person per bedroom, so before the basement is finished, they will have only four residents.

Commissioner Maher closed the Public Hearing at 7:07p.m.

Commissioner Linton said that they are bound by superior law so they need to ensure the conditions fit with that law and proceed.

MOTION: Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the Ark of Eagle Mountain Group Home Conditional Use Permit, subject to the following conditions:

1. The Group Home which shall be located at 2950 Prairie View Drive, Eagle Mountain City, Utah, shall conform to all applicable standards and requirements of the Utah State Department of Human Services and the owner/operator ("the Licensee") shall obtain all licenses required by the State to operate the Group Home. Prior to occupancy of the Group Home or its use by the Licensee, a parking plan and improvement schedule shall be submitted to the Planning Director for approval. The plan shall include a minimum of six (6) off-street parking stalls, landscaping or fencing to screen the parking areas, and a schedule for completion of the additional parking & landscaping. Visiting and group schedules will detail visiting hours and visiting times for invited visitors as described in the Policy and Procedure Manual of the Licensee. The proposed plan shall demonstrate that traffic and parking will be managed to minimize traffic impacts.

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2. The Group Home shall conform to all State and local building, safety, health and zoning requirements applicable to similar structures. The only outdoor signage permitted is a nameplate and address sign no larger than 2 square feet, and property control signs (no parking, no trespassing, etc.).
3. The Group Home shall be occupied by no more than eight (8) residents who meet the criteria set forth below and paid, professional staff members. Occupancy by any staff member shall only be allowed if such occupancy is primarily for the purpose of serving the residents and not primarily a benefit of employment to the staff member.
4. All staff members shall be over the age of 18. The Group Home shall be occupied only by individuals over the age of 18 who meet the following criteria as individuals who are disabled or handicapped; having a physical or mental impairment that substantially limits one or more of a person's major life activities. Admission criteria may also include but is not limited to the following:
 - a. Individuals who have been diagnosed with an addiction to alcohol or a controlled substance (as defined in Utah Code Section 58-37-2, as amended) who are not currently using controlled substances and are medically stable;
 - b. Individuals who are unable to abstain from the use of alcohol or a controlled substance without the structured supportive setting offered by a Group Home; and
 - c. Individuals who have completely and voluntarily abstained from the use of alcohol and all controlled substances and are medically clear for treatment.
 - d. Persons with a disability does not include persons diagnosed with kleptomania, pyromania, transvestism, pedophilia, exhibitionism or voyeurism, or any history of sexual or physical assault, not resulting from physical impairments or other disorders.
5. The Licensee shall not allow any person to become a resident of the Group Home until the Licensee has verified compliance with the requirements of Paragraph 4 above. For purposes of verifying compliance with subsections 4a and 4b, the Licensee shall obtain written certification from a Medical Doctor (MD), Licensed Clinical Social Worker (LCSW), Licensed Professional Counselor (LPC), Licensed Psychologist, Licensed Psychiatrist, Licensed Substance Abuse Counselor (LSAC) or Nurse Practitioner (APRN) certified in mental health and substance abuse counseling, that the proposed resident meets the criteria of those subsections. For purposes of verifying compliance with subsection 4c, the Licensee shall keep current statistics, census records, clinical records and documentation of medical stability. Statistic and census records that are not protected by confidentiality may be viewed by licensing entities upon request.

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6. All residents in the home must completely abstain from using alcohol and controlled substances during the period that they are residents in the Group Home. Any resident of the Group Home who uses alcohol or a controlled substance, whether on or off the premises, shall be immediately expelled from the home and shall not be readmitted without meeting the screening criteria in Paragraph 4 above. However, nothing contained herein shall be construed to prohibit a resident from taking a prescription drug for which a resident has a valid and current prescription.
7. No, alcohol, unprescribed controlled substances or drug paraphernalia shall be allowed on the premises of the Group Home. Firearms may be carried only by private security or uniformed peace officers that hold legal permits to carry. No resident of the Group Home shall initiate any contact of any kind with residents of the neighborhood except:
 - a. In the case of notice or prevention of an emergency which may cause personal injury, death or substantial property damage.
 - b. Residents who are cleared by staff to attend local worship services will come in contact with neighbors; this is unavoidable. Spirituality and faith are major components of the Ark's recovery philosophy.
8. The Licensee (or designee) shall maintain compliance with the requirements of all conditions under their licensure (including Conditional Use Permit Conditions). In addition, upon receipt of notice of a possible violation, the Licensee (or designee) shall immediately investigate whether a violation has occurred and take appropriate enforcement action. The Licensee must comply with and assist the Utah Department of Human Services, Office of Licensing and/or the City in investigating complaints or licensing violations.
9. In order to verify ongoing abstinence from drugs and alcohol, each resident shall submit to at least three random urinalysis tests per month that test for the presence of alcohol and controlled substances. Any resident testing positive for alcohol or non-prescribed drugs, or who refuses to submit to a test, shall be immediately expelled from the Group Home. The Licensee shall maintain records of urinalysis test results. Such records are available to the Utah Department of Human Services, Office of Licensing for inspection upon request. At least one substance abuse or alcohol testing method must occur daily, including one of the following: urinalysis, blood, hair follicle, breathalyzer, visual. The Licensee tracks statistics on race, gender, relapse, and many other verifiable conditions that may be made available upon request.
10. Residency in the Group Home shall be on a strictly voluntary basis; although, forms of coercion may be used to encourage a person into treatment (employer requests, court orders, DOPL requirements, spouse ultimatums, and self-admissions). Residents seeking admission into treatment will be required to demonstrate their desire for admission through established intake screenings and assessments. As a

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measure to verify appropriate resident admissions, each resident must remain in compliance and follow through with assigned work and obey house rules. Residents found to be habitually in compliant and unmotivated will be expelled from the program. Licensee must also document house rules as found in Policies and Procedures. Such rules shall be made available for inspection upon request to the Utah Department of Human Services, Office of Licensing. Persons subject to a commitment order from a court will not be admitted.

11. The Group Home shall not be made available to or occupied by any individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in physical damage to the property of others. An individualized written assessment of each person who is proposed to become a resident of the Group Home shall be performed to determine if such person would constitute a direct threat prior to allowing occupancy of the Group Home by such person. The assessment shall be performed and certified by an independent Medical Doctor (MD), Licensed Clinical Social Worker (LCSW), Licensed Professional Counselor (LPC), Licensed Psychologist, Licensed Psychiatrist, Licensed Substance Abuse Counselor (LSAC) or Nurse Practitioner (APRN) that is licensed and approved by the Utah Department of Professional Licensing (or other equivalent licensing board of another state) and certified in mental health and substance abuse counseling. Licensee shall not admit any person who has a history of sexual or physical violence or who may be a threat to themselves or someone else. The Licensee shall provide documentation to the Utah Department of Human Services, Office of Licensing that an individualized assessment has been performed for each resident, and no person will or does reside in the facility whose tenancy would likely constitute a direct threat to the health or safety of other individuals or whose tenancy would result in physical damage to the property of others.
12. The Group Home shall be used as a Group Home without structural or landscaping alterations that would change the structure's residential character. Landscaping shall be established and well maintained in a manner consistent with the standard of maintenance for yards and landscaping of other homes in the immediate neighborhood. Security measures will be enforced 24/7 via staff, 24-hour recorded audio and video surveillance and an active alarm system.
13. No person sentenced for a felony crime of possession with intent to distribute a controlled substance, distribution of a controlled substance, a crime involving the use of a weapon, firearm or violence, burglary, unlawful entry, or sexual crimes shall be an occupant or staff member in the Group Home.
14. The Licensee shall maintain and provide sufficient documentation and other evidence reasonably required by the Utah Department of Human Services, Office of Licensing and will be available for inspection upon request to establish compliance with the requirements of these conditions for use of the premises as a Group Home.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, MARCH 10, 2009

CLOSED SESSION AT 5:00 P.M. – POLICY SESSION AT 6:00 P.M.

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Appropriate authorities and licensing entities shall have the right to inspect appropriate documentation upon request to verify compliance.

15. No professional counseling, therapy or other treatment shall be provided in the Group Home for any person other than a resident or invited guest of the resident of the Group Home.
16. Failure of the Licensee to comply with or to enforce any of the conditions herein shall result in a review of non-compliance by the Utah Department of Human Services, Office of Licensing which may result in fines, probation, and revocation of licensure. If the Utah Department of Human Services, Office of Licensing, revokes the license for this location, this Conditional Use Permit automatically expires. Conditions violated that are not enforced by the Utah Department of Human Services, Office of Licensing, may lead to violation notices and fines by the City, and eventual revocation of the business license and conditional use permit. A first violation shall result in a violation notice. A second violation occurring within any eighteen month period shall result in a fine of five hundred dollars to the Licensee. A third violation occurring within any eighteen month period shall result in a fine of two thousand dollars to the Licensee. The fines set for violation as provided herein shall be paid within ten days of receipt of the notice of the imposition of the fine. A fourth violation occurring within any eighteen month period shall result in the revocation of the license to operate the Group Home and no license shall be reissued to the Licensee, the principals of the Licensee if the Licensee is an entity, or any alter ego of the Licensee for a period of at least two years following such revocation. Eagle Mountain City shall have the right to deny a permit to any individual or entity (or their principals or alter ego) that has had more than one revocation of a permit to operate a Group Home.
17. The Licensee shall at a minimum provide the following information and shall notify the City whenever any of the following information changes:
 - a. The name, address, and telephone number of the Licensee or applicant;
 - b. The name, address, and telephone number of each person who has an interest in the ownership or operation of the Group Home whether personally or through a partnership, corporation, trust or other entity.
 - c. Any changes to the Ark of Eagle Mountain Policies and Procedures Manual (including House Rules).

Other information requested is always available through the Utah Department of Human Services, Office of Licensing.

18. The City may deny the issuance of a License to operate the Group living home to a person (including any entity) if the City reasonably finds that issuance of a License or

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permit to such person would likely create a threat to the health or safety of other individuals or would likely result in physical damage to the property of others. The City may also deny the issuance of a permit if the applicant or any person described in compliance with Paragraph 18 above has a history or has been found guilty of operating a similar facility in violation of state or local law.

19. If the Licensee incurs a penalty for a violation of the conditions herein the Licensee shall have the right to appeal such action to the City Administrator or his designee at an informal hearing to be held no later than twenty (20) business days following the City's receipt of the Licensee's notice of appeal. The notice of appeal shall be in writing and shall be delivered to the City Recorder either in person or by certified U.S. mail within ten (10) business days of the Licensee's receipt of notice of the imposition of the penalty. The notice of appeal shall identify the appellant, set forth the nature of the action that is being appealed, and state the grounds for appeal. Within ten (10) business days of the hearing, the City Administrator or a designee shall issue a decision either affirming or reversing the imposition of the penalty. Any person who is aggrieved by the City Administrator's decision may file for relief in any court of competent jurisdiction within thirty (30) days of the City Administrator's decision.
20. Rules for Residential Treatment Programs are in place Under the Utah Department of Human Services, Office of Licensing, Rule 501-19. Prior to licensing, a facility must show compliance and be verified by licensing inspectors. These inspectors check compliance by inspecting all files and records, interviewing staff, visiting with clients and their family members. Licensing Inspectors respond instantly to complaints and determine corrective measures if needed. By state law, DHS has open access to all patient records and business documentation without having to have consent of Ark residents to bypass HIPPA or CFR 42. The Ark will be open 24/7 to inspectors from this office without notice. DHS will inform Eagle Mountain if the Executive Manor at the Ark of Eagle Mountain is non-compliant. If a treatment facility is found non-compliant there are varying degrees for corrective measures from a written warning, \$10,000 fine or loss of license to operate the group home.
21. The permit and license issued pursuant to the conditions set forth herein shall be nontransferable and shall terminate if the structure is devoted to a use other than a Group Home or the structure or use fails to comply with all conditions, building, safety, health and zoning requirements of the Eagle Mountain City Code applicable to similar structures.
22. Nuisance/Threat. It shall not create a nuisance or pose a threat of danger to persons or property on existing or proposed land uses within the vicinity.
23. State Recommendation. It shall receive and maintain the approval of the appropriate Utah state agency.

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24. **Parking.** It shall provide required parking spaces on the site and an adequate pickup and delivery area. The Traffic Plan to be approved on a trial basis to be reviewed by Planning Staff 90 days after the Ark is fully staffed. The Ark will advise the City when they are fully staffed.
25. **Frontage.** The site shall have frontage on a street with an existing or proposed right-of-way of 60 feet or greater.
26. All conditions subject to the Fire Department and Building Department inspections.

Commissioner Bechtel seconded. Ayes: 3, Nays: 0. Motion Passed

6. Other Business

Mr. Mumford said that the item that was on schedule for the meeting in two weeks will most likely be requested by city administration to be tabled and reviewed more fully by city staff.

7. Adjournment

Commissioner Maher adjourned the meeting at 7:10p.m.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, APRIL 14, 2009, AT 6:00 P.M.
Eagle Mountain City, 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

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

Roll Call

Tom Maher, John Linton, Karleen Bechtel, Preston Dean, Bonnie ElHalta

Staff Present

Steve Mumford, Planning Director

Mike Hadley, Senior Planner

Lianne Pengra, Planning Coordinator

Others Present

Jennifer Baker, Epic Engineering

Clay Johnson, Alpine School District

1. Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

A. The Ark of Eagle Mountain Group Home

Mr. Mumford said that the Ark of Eagle Mountain Group Home went to the City Council twice since the last Planning Commission meeting; it was tabled at the first meeting in order to research a few items and for the applicant to bring in a professionally prepared landscape plan. He said that it went back to the City Council last week and both sides had representation. The City Council approved the group home with an additional condition to allow staff and residents to park on the street for no more than twenty minutes at a time. The applicant added an additional parking space and turned in the landscape plan. The front side landscaping and parking is required to be completed within six months.

4. Approval of Minutes

A. March 10, 2009 Planning Commission Meeting Minutes

MOTION: *Commissioner Linton moved that the Planning Commission approve the March 10, 2009 Planning Commission Meeting Minutes.*

Commissioner Dean seconded. Ayes: 5, Nays: 0. Motion Passed

5. Development Items

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, APRIL 14, 2009, AT 6:00 P.M.
Eagle Mountain City, 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

A. Simpson Springs Final Plat and Recorded Plat Amendment – Public Hearing, Action Item

Mr. Hadley said that this is essentially a housekeeping item. He explained that when the Site Plan was approved in 2006, the lots should have been combined.

Commissioner Maher asked how to prevent this from happening in the future. Mr. Hadley said that now when Site Plans are submitted, a condition is to ensure the property is combined into one lot. Mr. Mumford said that it will be similar to the Antelope Meadows and Eagle Point I churches.

Commissioner Maher opened the public hearing at 6:11p.m. and closed it due to lack of comments.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the Simpson Springs Road Church Final Plat and Recorded Plat Amendment.*

Commissioner Bechtel seconded. Ayes: 5, Nays: 0. Motion Passed

B. Development Code Amendment – Public Hearing, Action Item

Mr. Mumford read from the American Planning Association Policy Guide on Community Residences and explained that the general consensus is that when group homes cluster together, there is adverse impact on residential neighborhoods and the effectiveness of the group homes.

Mr. Mumford said that the differences in residential densities make it difficult to set a specific distance between group homes. He said that if a distance completely excludes a neighborhood from having a group home, the code may not stand up in court. He then showed different cities' distance guidelines.

Mr. Mumford showed a map with a 1-mile buffer, ½-mile buffer, and 1000-foot buffer around the current group home. He also showed maps with the same buffers around homes in Overland Trails and in Point Lookout.

Mr. Mumford said that St. Paul, Minnesota's city buffer is 1/4 mile and it held up in court. Commissioner ElHalta asked how cities had two numbers in their buffering distances. Mr. Mumford said it is based on the number of residents in the group homes, or on licensed versus unlicensed homes. He said that he feels there should be one buffering standard no matter how many residents are in the home.

Commissioner ElHalta said she would like to see the distance based on density. Commissioner Dean said the density-based distance makes more sense than a distance based on the number of residents in the group home.

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Commissioner Linton said that he would like to have a code as strong as possible to deter people from opening the homes here; he would like to see them go somewhere where it is easier.

Mr. Mumford went over options on buffering such as separate distances for different densities or a set number of homes within a certain distance. He said that staff's recommendation is that no group home be allowed within a one-mile distance of another existing group home.

Commissioner Maher opened the public hearing at 6:29p.m. and closed it due to lack of comments.

MOTION: Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the amendment to the Eagle Mountain Municipal Code Section 17.75.060, that no residential group home may be located within one mile distance of another existing group home, measured in a straight line from property line to property line.

Commissioner Bechtel seconded. Ayes: 5, Nays: 0. Motion Passed

C. Eagle Mountain Elementary School – Discussion Item

Mr. Mumford said that this is a discussion item; the applicant requested to show the Planning Commission what they are proposing. He explained the location of the school and showed the proposed site plan. He explained that the applicant is working with city staff on utility locations and which roads to improve. He said it is his understanding that the applicant will improve Spring Water Road and Wood Road.

Jennifer Baker, Epic Engineering. Ms. Baker said they would like to get the Planning Commission's feel on the layout of the site plan. She said that the top drop-off is for busses, the second is for parents, and the bottom is for kindergarten only. She said that many small children and cars will be in and out of this area and they have found this layout to be very effective. She explained that they are also preparing a traffic study.

Commissioner ElHalta asked where the playground area is. Ms. Baker explained the locations of the different playground areas.

Commissioner Maher asked how large the site is. Ms. Baker said it is just over ten acres.

Commissioner Linton asked about the one-ways in the parent and bussing areas versus the two-way in the kindergarten area. Ms. Baker explained the traffic flow and the placing of the drop off areas for children. She explained that the flow and direction of traffic may be changed based on their traffic study.

Commissioner ElHalta asked what intersections they are studying in the traffic study. Ms. Baker said that Ira Hodges/Wood Road is the largest intersection they are focusing on. She said that Ira Hodges will not be completed through to the proposed Harmony subdivision.

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Mr. Mumford said that many of the lots shown on the site plan aren't approved yet; they are conceptual for the Harmony plan.

Commissioner ElHalta asked how the school fits in with the rural feel of Overland Trails. She said that it is concerning to her that a school with sidewalks and lights will be directly behind a subdivision with no sidewalks or lights. Ms. Baker said they have a lighting plan to light just the school area, and a sidewalk is proposed along Wood Road. She said there is a trail easement along Ira Hodges that another sidewalk would connect to. She explained that they understand that they have kids walking to the school, so they are planning for that.

Commissioner Maher asked if there is any significant difference between this school and the other elementary schools in the area.

Clay Johnson, Alpine School District. Mr. Johnson said it will be like Saratoga Shores and Harvest Elementary. He said that this is about the thirteenth school they have built like this with the oldest being eight years ago; it is a well-proven design.

Commissioner Maher asked what the start date is. Mr. Johnson said it will go out to bid on April 28, 2009 with the building time being twelve months.

Mr. Johnson asked about the pipeline sizes for sewer and water and if the city would reimburse the school district if a larger size than the school needs is required. Mr. Mumford said that the most common way to handle that is through a reimbursement agreement. He said that would need to go through the Public Works Director during the DRC process.

Ms. Baker asked about the timeline to approval for the project. Mr. Mumford said that they will need to go through the DRC process. He said they could go to Planning Commission for approval, if the school district so chooses.

6. Other Business

A. Master Parks and Trails Plan

Mr. Mumford said that the Parks and Recreation board have reviewed the plan and it will be coming to the Planning Commission soon. He said that he and the Public Works Director met with Horrocks Engineering and Design Workshop to find a way to connect the Master Parks and Trails Plan to the Capital Facilities Plan.

Mr. Mumford said that they hope to have this plan completed and approved soon in order to apply the requirements to new subdivisions coming in.

He explained that the maps within the plan won't show specific locations of parks, but will show a standard of how many of each type of park should be required and what should be in each park.

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Mr. Mumford said that one important aspect of the plan is that it affects the Eagle Mountain Properties Master Development Plan.

Commissioner Linton asked if the plan was realistic in its expectations. Mr. Mumford said that they are making it clear on the maps that the bubbles showing types of parks throughout the city aren't specific locations.

Commissioner Maher asked how this plan would have an impact on Eagle Mountain Properties. Mr. Mumford said that according to their Master Development Agreement, they are required to follow the City's Master Parks and Trail Plan.

Commissioner ElHalta asked how the park in Overland Trails would be sufficient with the new school going in. Commissioner Maher explained that the next development going in would be required to add open space and parks.

Commissioner Dean asked if the City was allowing developers to turn over open space to the City. Mr. Mumford said that they are; Design Workshop is recommending that the small pocket parks, neighborhood parks, community gardens, etc. be developer-improved and maintained by the HOA.

7. Adjournment

Commissioner Maher adjourned the meeting at 7:04p.m.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
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Eagle Mountain City, 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

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

Roll Call

Tom Maher, John Linton, Karleen Bechtel

Staff Present

Mike Hadley, Senior Planner

Lianne Pengra, Planning Coordinator

Others Present

Jim McNulty, Saratoga Springs Planning Director

Jim Allred, Spring Run

Ralph Johnson, Spring Run

1. Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

A. Group Home Distance Code Amendment

Mr. Hadley said that at the City Council meeting last week, the code amendment regarding group home distances was approved with a one-mile distance.

B. Simpson Springs Road LDS Church

Mr. Hadley said this item passed, as well.

2. Approval of Minutes

A. April 14, 2009 Planning Commission Meeting Minutes

MOTION: *Commissioner Linton moved that the Planning Commission approve the April 14, 2009 Planning Commission Meeting Minutes.*

Commissioner Bechtel seconded. Ayes: 3, Nays: 0. Motion passed.

3. Development Items

A. Annexation Policy Plan Amendment – Public Meeting

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Mr. Hadley explained the location of the proposed addition to the policy plan map and said that it is approximately 800 acres. He said that at this time, no annexation petitions have been submitted, but a land owner has approached the city to discuss the possibility of annexation. He explained this process does not add the land to the city, but allows this area to be annexed at a later date.

Mr. Hadley said one of the reasons the City is interested in adding this area is that a private master plan has been developed which shows the potential Mountain View Corridor continuing through this area. He explained that the city would like to have input in the use of the property adjacent to the Corridor.

Mr. Hadley said that another reason the City is interested in adding this area is that a developer has approached the City about a possible annexation, and if this area is not part of our policy plan map, the application cannot be considered.

He said that another reason to add this area is that the City has a main sewer trunk line that runs along there and Pony Express will eventually extend to Redwood Road. He said that the City does have infrastructure in the area to service people there.

Mr. Hadley explained that there is a canal on the east side of the proposed area which would provide a natural barrier for a city boundary.

Commissioner Maher clarified that adding this land to the policy plan map does not annex the land into the City; it only allows petitions to be considered in the future. Mr. Hadley said that it is ultimately up to the land developer as to which city he/she would like to annex into.

Mr. Jim McNulty, Saratoga Springs Planning Director. Mr. McNulty asked if the developer who has approached Eagle Mountain is LaVar Christensen. Mr. Hadley confirmed it is. Mr. McNulty said that Mr. Christensen has had discussions with Saratoga Springs and Utah County about potentially developing his property.

Mr. McNulty showed the property being discussed and locations of Saratoga Springs' transportation map. He then read a letter from Saratoga Springs to Mr. Mumford requesting the City not add this to the policy plan map [see attached].

Mr. McNulty said that the Saratoga Springs City Council would like to sit down with the Eagle Mountain City Council to discuss adjusting boundaries. He said that as Saratoga Springs is a long linear city, there is not much room to grow, as opposed to Eagle Mountain.

Commissioner Maher asked how large Mr. Christensen's land is. Mr. Hadley said it is about 80 acres. He explained that there are different owners in the discussed area and Mr. Christensen is acting as the spokesman for the group.

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Commissioner Maher asked what was meant by “leapfrogging” in the letter. Mr. McNulty explained that the land is contiguous, but Saratoga Springs is concerned that if one area is added to Eagle Mountain, others will be as well.

Mr. McNulty showed another area of concern for Saratoga Springs and explained what they have planned for that section, including a technology park and junior college. He also described a lifestyle center that Property Reserve Inc. is considering on their property, which is currently unincorporated.

Commissioner Linton asked if any of the proposed area is being considered for light industrial, manufacturing, warehouses, etc. Mr. McNulty said it is not planned at this time, but it is being discussed. He said that their general plan shows the area as agricultural, low density (1/3-acre lots) residential, and the corner section is regional commercial.

Commissioner Maher said that it makes sense to have the two City Councils meet. Mr. Hadley said that is in the works. He said that this will come back to the next Planning Commission meeting for the public hearing. Commissioner Maher asked why it comes back. Mr. Hadley explained the process according to Utah State code.

B. Spring Run Concept Plan – Discussion Item

Mr. Hadley said this came in before under the name 12 Horse Ranch. He said this is back with a new concept plan with the applicant’s interpretations on the City’s transitioning and buffering codes. He said that the lots and distribution are virtually the same as the original plan. He said it consists of 280 acres with 536 residential lots and 15 acres of commercial/town center. He said the applicant is proposing a 100-foot buffer of open space between Meadow Ranch and their first row of 10,000 to 12,000 square foot lots.

Jim Allred, Spring Run. Mr. Allred said that 12 Horse Ranch is the developer for this property. He showed the first phase of Spring Run and other properties in the area he owns. He explained the layout of the plan and what they are conceptually planning in each area. He said that they have met with the neighbors to get an understanding of what is important to them. He said that they originally planned to have a manicured development with less open space, but the neighbors would prefer the open spaces.

Mr. Allred handed a graphic out to show pictorially how an acre lot would look versus the 100-foot buffer with a smaller lot. Commissioner Maher asked if the Meadow Ranch residents would rather have flat open space instead of a landscaped buffer. Mr. Allred said that they prefer one-acre lots, rather than manicured smaller lots.

Commissioner Linton asked what was planned with the 100-foot buffer. Mr. Allred said that it would have trail systems, pocket parks, and other ideas from staff and the neighbors in Meadow Ranch. He said that he was not sure how much would be undeveloped, but the neighbors would like to see more undeveloped than not.

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Mr. Allred said that their vision is to do a top-notch master planned development with a mixed use of various products. He said that they may have town homes or stacked flats in the commercial town center area. He said they plan to have 10,000 to 12,000 square foot lots with large homes up on the hill.

Ralph Johnson, Spring Run. Mr. Johnson said that they met with the neighbors regarding buffering and explained the applicants' thoughts on how to buffer to maintain privacy, values, and lifestyle. He said that the neighbors were not interested in that type of buffering, they were interested in the distance; they want the homes built on one-acre lots to keep them further away. Mr. Johnson said that their proposal meets the goals of the neighbors as far as keeping the homes away.

Mr. Johnson discussed how he feels this application fits into the City's code and referenced a memo written to the Planning Department [attached].

Mr. Johnson said that the ordinance regarding buffering around Camp Williams is for the purpose of fire protection. He said that he would like to bring back a plan for buffering this area modeled after California's fire protection concepts.

Mr. Hadley said that back in 2007, the Planning staff brought an amendment to the City Council that requested a 150-foot buffer in the transitioning code; this was not approved.

Commissioner Linton said that he feels this application follows the spirit of the transitioning code.

Commissioner Maher said that he thinks this plan will look good and he also likes the idea of the fence to separate the two areas.

6. Other Business

A. Master Parks and Trails Plan

Mr. Hadley said that this project will likely be at the next Planning Commission. He said that Design Workshop will present the final plan for the Planning Commission's recommendation.

Commissioner Maher wanted to make sure the presenters know that the Planning Commission has seen the plan before; he would like to go over the macro issues only.

7. Adjournment

Commissioner Maher adjourned the meeting at 7:17p.m.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, May 12, 2009, AT 6:00 P.M.
Eagle Mountain City, 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

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

Roll Call

Tom Maher, John Linton, Karleen Bechtel, Bonnie ElHalta, Preston Dean

Staff Present

Steve Mumford, Planning Director

Mike Hadley, Senior Planner

Lianne Pengra, Planning Coordinator

Others Present

Terrell Budge, Design Workshop

Sergeant Eric McDowell, Utah County Sheriff

Deputy Dutson, Utah County Sheriff

Jennifer Edwards, Lake Mountain Road

Kathy Nuttal, West Jordan

Marcy Taylor, Lake Mountain Road

Roland Hooley, Lake Mountain Road

Jennifer Morse, West Jordan

Greg Jeppson, 5134 Lake Mountain Road

Kim O'Donnell, Friends in Need

Karen O'Donnell, Friends in Need

1. Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Approval of Minutes

A. April 28, 2009 Planning Commission Meeting Minutes

MOTION: *Commissioner Linton moved that the Planning Commission approve the April 28, 2009 Planning Commission Meeting Minutes.*

Commissioner Dean seconded. Ayes: 5, Nays: 0. Motion passed.

4. Development Items

A. Parks and Open Space Master Plan - Action Item

Mr. Mumford said that the Parks and Open Space Master Plan is combined with the City's General Plan to guide overall parks and open space development throughout the City.

EAGLE MOUNTAIN CITY OFFICES, 1650 EAST STAGECOACH RUN, EAGLE MOUNTAIN, UTAH 84005

EAGLE MOUNTAIN CITY
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Terrell Budge, Design Workshop. Mr. Budge said that this plan has been in the works for about a year.

Mr. Budge explained that the Planning Context section of the plan shows the geography and demographics of Eagle Mountain, as well as the process that has been used to create this plan. He said the second section explains existing conditions and facilities, and what facilities will be needed in the future at a presumed build out. He said that the presumed build out of Eagle Mountain is 190,000 people.

Mr. Budge showed a chart of each classification of park and went over what they entail and what organization builds and maintains them. He explained the necessity of having each type of park.

Mr. Budge discussed trail classifications and the descriptions and uses.

Mr. Budge said the plan then discusses how many of each type of park will be needed at build out and at what population increment new parks are needed. Commissioner Maher asked if the Planning Department will track this. Mr. Mumford said that they would. Commissioner Maher explained to the audience that developments are required to either put in parks, or pay a fee in lieu for the City to install parks at a later date. Mr. Mumford said that impact fees are also used to fund parks.

Mr. Budge explained that the plan will need ongoing reevaluation as the city grows to ensure the facilities that are used are built, rather than outdated ones.

Mr. Budge said that the plan also addresses the location of the parks, as well as the number of each park. He showed the locations of the additional recommended regional parks. He showed the plan that shows the general locations of the other types of parks. He explained that they are conceptual, not specific recommended locations.

Mr. Budge showed the existing trails in the City and what the plan recommends adding.

Commissioner Maher asked what the planned additions of parks based on population increments was based on. Mr. Budge said it is based on national standards and on Eagle Mountain City's development patterns. He said that the national standards are planning standards and are based on larger cities. He explained that this will leave the City low on parks, so they used a mixture of other master planned cities' master parks plans as well.

Mr. Budge said that the plan goes over what plants can survive in Eagle Mountain City's conditions.

Commissioner ElHalta asked about funding for irrigation. Mr. Mumford said they get water rights as development is put in. Mr. Budge said that the plan suggests the only irrigated turf

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areas are in places that are heavily used in order to minimize water use. He said that the plan recommends native plants.

Mr. Budge said the plan goes over the costs of parks per square foot in today's dollar value and ways to fund parks. He said that maintenance is also discussed.

MOTION: *Commissioner Linton moved that the Planning Commission table the Master Parks and Open Space Plan to get hard copies of the plan.*

Commissioner Bechtel seconded. Ayes: 5, Nays: 0. Motion passed.

B. Friends in Need Conditional Use Permit Amendment – Public Hearing

Mr. Mumford said that the Friends In Need is located at 5555 Lake Mountain Road. He said that this was originally approved on February 10, 2004 by the Planning Commission and was appealed to the City Council and approved with 21 conditions on May 18, 2004.

Mr. Mumford said that due to complaints, staff met with the applicants and discussed the original conditions. He said that the applicant was given the options to fully comply with all conditions, have the permit revoked, or bring the application back to the Planning Commission to amend the approval conditions.

Mr. Mumford showed the original site plan from 2004 with the then-current locations of buildings and planned future facilities.

Mr. Mumford said that the first condition the applicant requested to be changed is the number of dogs allowed in the facility. He said they are requesting fifteen dogs, rather than nine to be allowed currently, with thirty dogs total once the planned facilities are built. He explained that staff's recommendation earlier was to only allow nine dogs unless the applicant supplied information that warranted the change to fifteen dogs, but they are changing that recommendation to allow for fifteen dogs based on a kennel inspection done by the Utah County Sheriffs. The sheriff who did the inspection told Planning Staff that he feels the facility could hold fifteen dogs as it stands now, so staff's recommendation is to allow the fifteen dogs.

Mr. Mumford explained that the applicant's requested changes to condition number five removed a statement that additional conditions could be applied and clarified that the Planning Commission may review the Conditional Use Permit, but didn't necessarily have to.

Mr. Mumford explained that condition number six was basically in regards to the new buildings; this was to use construction techniques to mitigate the barking. He explained that the applicant added that the noise must comply with the current city ordinance on noise levels. He said that staff recommends removing "excessive and constant" from the condition, as it is up for too much interpretation.

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Commissioner Linton said that constant barking, below the noise ordinance level, can still be a cause for concern. Mr. Mumford said that the sheriff's office goes out on nuisance barking complaints and if the situation becomes a consistent problem, staff will start the notices and violations.

Commissioner Dean asked if the nuisance ordinance restricts the times of day, as well as the noise level. Commissioner Linton said that the construction noise ordinance has a set time of day, but he could not find anything regarding time of day on the nuisance ordinance. Mr. Mumford said that the time restrictions are for construction noises.

Mr. Mumford said that condition number eight currently restricts the number of dogs in the exercise yard to six and the applicant is requesting nine be allowed. He said that since the dogs have different temperaments, not all of the dogs are outside at the same time. He explained that staff recommends removing this condition all together since the noise levels will be monitored though other conditions.

Mr. Mumford said that condition number ten required the fence to be vinyl and the applicant would like to change that to be a privacy fence, rather than vinyl. He said that the privacy fence the applicant has proposed fits will in the area and staff recommends changing the condition as proposed.

Mr. Mumford said that the proposed change to number twelve is to add "as necessary" to the landscaping, berming and adding of trees to mitigate noise. He explained that there are trees onsite currently, and if it proves necessary, more could be added.

Commissioner Dean asked if any of the noise complaints have shown that the kennel is out of compliance according to the noise ordinance. Mr. Mumford said that they have not.

Mr. Mumford said that condition number thirteen requested the removal of "attracting wild animals" to the kennel being a cause for license revocation. He explained that staff agreed with that change.

Mr. Mumford said that condition number sixteen was in regards to a PowerPoint presentation given at the previous meetings. He said that the presentation is in the file; staff feels the presentation has been included in the conditions.

Mr. Mumford said that condition number seventeen has been changed to remove the use of bark collars, and instead use training to mitigate barking. He explained that dogs will bark at times, and if it leads to nuisance barking, the sheriff's office will be called and the nuisance barking conditions will be enforced.

Mr. Mumford said that the requested change to condition eighteen is to remove the stipulation that dogs must be removed from the property by motor vehicle to leave the property. He said that this has been interesting to interpret and enforce and is unclear. He said that staff added that

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each person walking dogs on city streets may only walk one dog at a time and staff feels this addresses the safety issues.

Commissioner ElHalta asked if every concern brought to the Planning Department should be addressed by the Planning Commission. Mr. Mumford said that the condition states the Planning Commission may review the application, but the intent of the condition is that not every complaint that applies to the conditions is brought back; only when an issue is unresolved will the application come back to the Planning Commission.

Commissioner ElHalta asked how the privacy perimeter fence will be built as far as aesthetics and the view from the street is concerned. Mr. Mumford said that the fence that is currently under construction is adjacent to the road.

Commissioner ElHalta asked if there is a radius limitation similar to the group home code, and if not, should one be considered. Mr. Mumford said that the city code was modified after the original approval to allow for kennels this size on lots of 40 acres or more.

Sergeant Eric McDowell, Utah County Sheriff, said that Deputy Dutson conducted the recent kennel inspection. Deputy Dutson said that he and Deputy Nez did the inspection based on the Utah County standards. He said they checked to ensure the license is and all animal records are current. He said that everything was organized and up to date. He said that they checked each dog and kennel for sanitation, food and water. He said that they make sure there are areas for the dogs to run inside and outside. He said that they also check the cages to ensure they are well built. He said that basement is open for dogs and there are three kennels in the garage. He said that the large open space outside was clean and free of feces; there was one pile that was to be disposed of, as they had just cleaned out another area. He said that they check to ensure the food and water are fresh and that there is sufficient ventilation. He said that one thing they needed to return for was that emergency numbers need to be posted by the front door and in the home. He said they returned the next day and the numbers were posted.

Commissioner Linton asked when the applicant was made aware of the inspection. Deputy Dutson said that the inspections are surprise inspections.

Deputy said that there are thirteen dogs onsite; the County license does not limit the number of dogs allowed. He said that they just make sure the dogs are not overcrowded.

Commissioner Linton asked if there were other farm animals. Deputy Dutson said that there are other animals and all are well taken care of.

Commissioner Maher asked for clarification on the number of dogs allowed. Deputy Dutson said that the kennels at this location fit two dogs per kennel; it is an available facility issue, not an Animal Kennel issue. He said that he does feel this facility can accommodate fifteen dogs as it currently stands.

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Sergeant McDowell clarified that nuisance barking can happen any time during the day; it isn't exclusively enforced at night. He said it is a subjective standard. If the officer is there and hears that the barking is continual and is causing a disruption in the neighborhood, customarily, the owner will be verbally warned and then be progressively disciplined.

Commissioner Linton asked if the County can take position over the City in the issue of noise. Sergeant McDowell said that is correct. He said that they have received complaints regarding violations of the Conditional Use Permit, but since there is not a State or County statute to back up the permit, the sheriffs can't cite for those issues. He said that the City currently is not set up through the court process to issue citations.

Commissioner Maher opened the public hearing at 7:21p.m.

Jennifer Edwards, Lake Mountain Road. Ms. Edwards said that she is requesting no conditions be modified. She said that they are not in compliance with bark collars, with walking the dogs off the property, and with having large animals on the property. She said that they have been told about their violations but have not corrected them. She also said that it is a safety issue because she has almost been attacked by the dogs.

Kathy Nuttle, West Jordan. Ms. Nuttle said that the conditional use permit allows the dogs to be removed off the property by a motor vehicle, so they are in compliance when walking the dogs on City streets. She said that bark collars are controversial and she doesn't see anyone else walking dogs with bark collars. She doesn't think it should be an issue. She said that she trains high school-aged students to be veterinary technicians and they volunteer at the Friend in Need Animal Rescue; if the dogs were aggressive or violent, she wouldn't allow her students to volunteer here. She said that the dog running to Ms. Edwards' family was actually running to see someone he recognized and was excited to see a familiar face. She said the farm animals are rescue animals being taken care of at the facility.

Marcy Taylor, Lake Mountain Road. She said that they were very worried when this came to the Planning Commission previously. She said that they have been very good neighbors. She said that she does hear dogs bark, but they are not the Friends in Need dogs. She said that she and her husband are okay with what has been proposed. She said that she likes to be able to walk her dogs and she doesn't believe it would be harmful if they walked their dogs. She said that she also believes they should be allowed to have their farm animals. She said that they have a good program to learn how to take care of animals.

Roland Hooley, Lake Mountain Road. He said that he has had more trouble with the dogs across the street than he has had with the dogs at the Friends in Need kennel. He said that he has never seen one of the shelter dogs growl at his family when walking on City streets. He said that they take their grandkids to the center to see the animals. He said that there are many other people who come from other areas of the City who take the dogs to Lake Mountain Road to run off leashes.

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Jennifer Morse, West Jordan. Ms. Morse said that the dog that ran after Ms. Edwards lived in the O'Donnell's home with the previous owners before the O'Donnells moved in. She said that she has a young child and is completely comfortable with him around the animals. She said that the Friends in Need shelter is a perfect center for children with special needs to help with the farm animals. She said when volunteers come to walk the dogs, they check the leashes before going out.

Greg Jeppson, 5134 Lake Mountain Road. Mr. Jeppson said that he had a problem when this first came to the Planning Commission. He had concerns that they would hear dogs barking at all hours and for his six children as well. He said that he sees the volunteers come in and sees the animals that they are taking care of and likes the facility. He said that his six- and seven-year-olds go over there and he is completely comfortable with that. He said that they don't allow people to go in with the new animals; they are completely safe. He said that dogs bark, but nothing lasts more than five minutes and he is the closest neighbor to the center. He appreciates having them there. Commissioner Linton asked if Mr. Jeppson knew how many dogs were on the premises. He said that he's never seen more than a few dogs outside at one time.

Kim O'Donnell, Friends in Need Animal Rescue, said that they appreciate the support shown. He said that they try to do good things and they feel they are offering a public service. He said it is not just about the animals; they help special needs children, eagle scouts and children doing community service. He said that what they do now is easy to manage; they won't have a large facility at this location. He said that they want to leave the area as a livable home in case they want to move eventually. He said that the dog, named Gage, which the Edwards family thought was attacking them, lived with the previous owner and was excited to see the Edwards family; Gage tried to go visit them. He said that they also would like to offer animal control services to the County once they build their new facility.

Commissioner Maher asked what farm animals are on the property. Mr. O'Donnell said that all of the animals are rescue animals, not for adoption. He said they have two emus, ten horses, turkeys, chickens, goats, rabbits, and pigs. He said that every animal is fixed and are personal animals. They are only used for education purposes.

Commissioner Maher asked how people find Friends in Need. Karen O'Donnell said it is mainly through word of mouth.

Commissioner Bechtel asked if the dogs are out at night. Mr. O'Donnell said that the dogs sleep inside; the barking at night is not from their dogs.

Commissioner ElHalta asked about the perimeter fence. Mr. O'Donnell said that the fence is a vinyl fence through a chain link fence. It is an industrial fence designed specifically for animal use. Mrs. O'Donnell showed the location of the fences and where the dog runs are located.

Commissioner Maher closed the Public Hearing at 7:48p.m.

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Commissioner Maher asked about the number of dogs allowed. Mr. Mumford said that if the Utah County Sheriffs and Animal Control feel that they have enough room for fifteen dogs, he feels it would be okay to have fifteen rather than nine.

Commissioner Maher said that the bark collar does not seem practical. Mr. Mumford agreed.

Commissioner Maher asked if the farm animals are part of the kennel. Mr. Mumford said that the farm animals are not part of the kennel and that the applicant complies with the animal section of the zoning code.

Commissioner Dean said that the conditions that address landscaping and berming to mitigate barking and noise are redundant because there is an ordinance in City code to address nuisance barking. Commissioner Maher agreed and said that they will strike condition number twelve.

MOTION: *Commissioner Linton moved that the Planning Commission approve the Friends in Need Animal Rescue and Sanctuary Conditional Use Permit, subject to the following conditions:*

1. That the facilities meet all the requirements of the Utah County Animal Control Department for a kennel license.
2. The number of dogs permitted in the existing facility is limited to a total of fifteen, including rescue dogs and personal dogs. When the proposed facility is completed, no more than 30 dogs will be allowed or such lesser number as may be housed in the completed proposed facility in the opinion of the Utah County Animal Control Department.
3. That the application fee is paid and that the business license is renewed annually.
4. That the animal excrement is properly disposed of in covered containers daily and not buried on the premise.
5. That all conditions of approval be applied to the project as long as the Conditional Use Permit is in operation. If the Planning Department receives a complaint which expresses a legitimate concern as to compliance with these conditions, the Planning Commission may review the Conditional Use Permit at a hearing as provided for in Section 17.95.090 of the Eagle Mountain Municipal Code. Failure to comply with these conditions may result in violation notices, fines and/or the Conditional Use Permit being revoked.
6. That excessive and constant barking, whining and other noise from the operation are mitigated by construction techniques as proposed by the applicant. The proposed facility shall include: double paned windows, double studded walls, cork insulation, and sound reducing paint. Noise levels must at all times comply with the requirements of Chapter 8.15 of the Eagle Mountain Municipal Code.

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7. Only horses owned by the applicant are allowed to be kept on the property. No horse boarding is allowed. The number of all farm animals shall be in compliance with current City standards.
8. That sani-kennel septic tank is installed (separate from the residential septic tank) and that this improvement is approved by the County.
9. That a privacy fence is installed around the perimeter of the property to screen the kennel.
10. That proof of funding to complete the kennel is provided before a building permit can be issued.
11. That dogs escaping the kennel will cause a review and possible revocation.
12. The limit of liability insurance shall be set in an amount determined by the City to be comparable to similar facilities in other areas. Evidence of liability insurance shall be provided within thirty (30) days.
13. That the Planning Department be authorized to work with applicant to carry out the conditions of approval.
14. That the applicant train all dogs so as to prevent nuisance barking. Noise levels must at all times comply with the requirements of Chapter 8.15 of the Eagle Mountain Municipal Code.
15. All dogs outside the existing fenced area (including the public street) shall be kept on a leash under the control of a person twelve (12) years of age or older capable of controlling the dog on a leash. No one person may control/walk more than one dog at a time.
16. All future construction on the property, including fencing, shall be submitted to the Eagle Mountain City Planning Department for architectural review to retain the existing residential character of the property.
17. The applicant shall obtain a kennel license from Eagle Mountain City within ten (10) days after kennel licenses are available from the City; the license will contain a prohibition on the burial of dogs on the property.
18. All of the conditions and restrictions applicable to security, leashed animals, the use of fencing apply to dogs that are owned by persons living on the property as well as rescue dogs because it is not practical to distinguish between personally owned dogs and rescue dogs when dogs are barking or being walked outside the security fencing on the property. The conditions applied to personal dogs would not normally be required of property

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owners not operating a kennel where the unique circumstances present here require conditions to assure compatibility of the applicant's use with surrounding properties.

Commissioner ElHalta seconded. Ayes: 5, Nays: 0. Motion passed.

C. Annexation Policy Plan Amendment -- *THIS ITEM HAS BEEN REMOVED FROM THE AGENDA AT THE APPLICANT'S REQUEST*

5. Other Items

Commissioner Linton and Commissioner Maher said that the buffering memo from the last meeting should be considered as it is a thoughtful argument. Mr. Hadley said that the buffering memo was sent to Mr. Kinghorn for review.

Commissioner ElHalta asked when the Planning Commissioners would have the Parks and Open Space Master Plan. Discussion ensued on what the Commissioners would like included. Mr. Mumford said they would have the plans this week.

6. Adjournment

Commissioner Maher adjourned the meeting at 8:20p.m.

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

Roll Call

Tom Maher, John Linton, Karleen Bechtel, Bonnie ElHalta, Preston Dean

Staff Present

Steve Mumford, Planning Director

Mike Hadley, Senior Planner

Lianne Pengra, Planning Coordinator

Others Present

Larry Oldham, Architectural Nexus

1. Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Approval of Minutes

A. May 12, 2009 Planning Commission Meeting Minutes -- *This item was removed from the agenda.*

4. Development Items

A. Antelope Meadows Church Site Plan - Action Item

Mr. Hadley said that the re-submitted application called this item the Eagle Mountain 5 Ward; the City is requiring the name to remain "Antelope Meadows LDS Church" as was on the original application. He said that the original site plan was approved September 2008. He explained that the LDS church is standardizing the development of the church buildings based on geographic area. He said that this design allows for future expansion.

Mr. Hadley said that they did reduce the amount of parking, but they still meet the parking requirements. He said that the landscape has been changed and the pavilion will be put in at a later date. He said that pedestrian accesses were added as well. He said that they have also added a lot more landscaping to the plan.

Larry Oldham, Architectural Nexus. He said that this is one of two newly-designed meetinghouse prototypes. He explained that this would be considered a regular size meetinghouse with a smaller gym and a stage. He said that it does not have a baptismal font, but one can be added later. He explained that the owner is trying to get the congregation closer to the speaker.

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Commissioner ElHalta asked what the size of the building will be. Mr. Oldham said if areas do not need stake center, the buildings will be 20,000 square feet and if the area does need a stake center, the building will be 23,000 square feet.

Commissioner Dean asked if the elevations are similar to the existing approved elevations. Mr. Oldham said they are similar with a few changes. The entire building will be brick now and the steeple that used to sit on top of the building is now part of the front of the building. He said that this is still called a Heritage building.

Commissioner ElHalta asked where the other prototype is. Mr. Oldham said that it is in Farmington in the same stages as the one in Eagle Mountain.

Commissioner Linton asked if a new church building coming to Eagle Mountain would be this design. Mr. Oldham said that he isn't sure. He explained that the prototypes they are building will be completed over the next year. He said that if the new building is started beyond a year from now, it could be this design.

Commissioner Dean asked where the gate noted on the plan leads to, and whether or not it is permanent. Mr. Oldham said that it is permanent; it leads to a cul-de-sac and was part of the original conditions.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the Eagle Mountain 5 Site Plan, subject to the following conditions:*

Engineering:

1. STORM DRAIN. The calculation for the storm drain are provided and approved by engineering.
2. LATERALS. 4" cleanouts are required for all laterals.

Fire:

1. FIRE HYDRANTS. Move the fire hydrant to the island across from the FDC.
2. LOCK BOX. A key lock box is provided and the riser and entrances keyed the same. The lockbox is fastened to the building next to the sprinkler riser room.
3. REVIEW. A 3rd party review of the sprinkler and alarm plans.
4. ALARM PANEL. The alarm panel is located next to the riser room.

Planning:

1. TRAIL. The 8' asphalt trail needs to be located at the top of the berm closer to the lot, trees to be placed between the street and the path
2. LANDSCAPING. The landscaping along Eagle Mountain Blvd will be installed by the site plan applicant and remain consistent with the approved Autumn Ridge III landscape plan.

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3. CHURCH NAME. The LDS church maintains the name Antelope Meadows instead of Eagle Mountain 5 Ward.

Commissioner ElHalta seconded. Ayes: 5. Nays: 0. Motion passed.

B. Eagle Mountain Parks and Open Space Master Plan - Action Item

This item was discussed after Item 4C.

Mr. Mumford said that this is scheduled for the City Council meeting next week. He said that the council meeting is scheduled to be held at Nolan Park in conjunction with the Health and Safety Fair for Pony Express Days.

Commissioner Linton asked if the plan will result in higher building permit fees. Mr. Mumford said that currently only regional parks are included in impact fees; community parks are required to be installed by the developers. He said that he believes this plan may reduce the requirement placed on developers and increase the building permit fees slightly.

Mr. Mumford said that some builders have said the impact fees are high. Commissioner Linton said that since the City owns its own utilities, builders are paying all fees to one entity, rather than dividing them up to the municipality, gas company, and electric company. Mr. Mumford said that he believes the Building Department has compared Eagle Mountain's impact fees to other cities which do not own their own utilities. He said that the total fees paid in both situations are comparable.

Commissioner Bechtel asked how the trail and park land will be set aside before development comes in. Mr. Mumford said that the maps on the plan note that the park locations are general locations; nothing specific is tied down as far as location. He explained that what is set is the amount and type of park required and the fact that it needs to be located within the radius on the map.

Commissioner Maher said that the trails are specific for connectivity. Mr. Mumford said that the City may have to purchase the land for the major trails.

Commissioner Linton said that there can be more than one developer within each circle on the map. He asked who is responsible for the park and how the City ensures it gets what is required. Mr. Mumford said that it will need to be addressed in Development Code changes. He said that each development is required to have a certain amount of improved open space and they can address each project individually to ensure the correct amount and type of park is provided.

Commissioner ElHalta asked how the security, safety, and maintenance would be covered, financially. Mr. Mumford said that the lighting was brought up and that regional parks would definitely need lighting. He explained that there are time limits on the community and regional parks and that some trails may have lights, depending on the type of trail. Commissioner ElHalta

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asked if there was an extra liability to the City. Mr. Mumford said that there probably is; he said he is unsure of how the City's liability insurance is set. He said that some of the financing of the regional and community parks is being considered in the Capital Facilities Plan, which is currently being updated.

Commissioner Linton said that the more homes that are sold, the more tax base the City will have to be able to provide these parks, and the parks will be provided as need dictates with the home sales.

Commissioner Maher said that the section on pocket parks should clearly state the equipment required. He said that he would also like great care to be taken when adjusting the code to be in line with this plan.

Commissioner Maher said that getting the land for the major trails could be an issue. Mr. Mumford said that it is similar to a Master Transportation Plan that shows future roads with no current right-of-ways.

Commissioner Maher asked if parks can be encouraged adjacent to schools. Mr. Mumford said that they discussed this with Design Workshop and he will see if they can note it in the narrative.

Commissioner ElHalta asked if the City could dictate exactly what needs to be included in pocket parks. Commissioner Linton said that they tried that with tennis courts and again with sand volleyball courts, but that they are not used. He said that what is currently used today, may not be used five years down the line; he thinks current usage should determine what is included in parks.

Mr. Mumford said the code requires certain amenities and developers can propose to use the estimated costs of those amenities to provide something different. He said that staff can look at requiring a minimum in amenities while allowing the developer to be creative in the design process.

MOTION: Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the Parks and Open Space Master Plan.

Commissioner Bechtel seconded. Ayes: 5. Nays: 0. Motion passed.

C. Temporary Signage Ordinance - Action Item

This item was discussed before Item 4B.

Mr. Mumford said that with economic conditions what they are, developers and builders are asking for assistance. He said that staff has had meetings with the local builders, realtors, and developers and have come up with this proposal. Mr. Mumford said that the builders and developers don't necessarily want large signs; they want a few additional directional signs. He

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said that builders don't feel the ladder signs are working as well since the number of builders and model homes are diminishing.

Mr. Mumford discussed a few signs which are currently out of compliance in Eagle Mountain.

Mr. Mumford said that the current ordinance allows for one on-premise sign up to 32 square feet for model homes and subdivisions. He said that model homes are allowed six flags not to exceed fifteen square feet each on poles not to exceed twenty feet in height. He said that the only off-premise signs allowed are the ladder signs, and no moveable, free standing, snipe, bootleg, or vehicular signs are permitted.

Mr. Mumford said that the proposed sign ordinance allows for two A-frame or temporary directional signs per builder per subdivision. He said that they proposed to allow these signs in the park strip adjacent to the model home and another in the park strip of the nearest major street corner. He said that these would only be allowed during model home hours and must be removed each evening and can be replaced in the morning at the opening of the model home. He said that these signs must be directional and cannot contain advertising.

Mr. Mumford said that the location and times of when signs are allowed were discussed heavily with the affected businesses and it was decided that the signs are best utilized when the model homes are actually open and staffed.

Mr. Mumford said that they propose one temporary sign be allowed in the park strip of the nearest street corner for real estate open houses. He said that the signs can be put up no more than thirty minutes prior to the open house and must be removed within an hour after the open house. He said that they would not allow more than one open house sign on a corner at a time.

Commissioner ElHalta asked how many additional signs this ordinance would equate to. Mr. Mumford said that the number of builders still in town with model homes open is less than it has been. He said that the open house signs could lead to quite a few signs. He said that they can't think of a better option to limit the number of signs, short of not allowing them at all.

Commissioner Bechtel asked for clarification on the duration of the ordinance. Mr. Mumford said that staff originally proposed three months and the developers and builders wanted six, so they are proposing four months -- through the end of September 2009.

Commissioner Bechtel asked how this was going to be enforced. Mr. Mumford said that there is a provision in the code for removal of signs, so when the ordinance expires in October, it will fall back to the current ordinance and the process is already in place. Commissioner Maher asked how it will be enforced during the temporary ordinance. Mr. Mumford said that there is only one Code Enforcer who currently pulls illegal signs and he will be the one to enforce this as well, so it may be difficult.

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Commissioner Linton said that The Ranches HOA pays for the yard care within The Ranches and those mowing will have to stop mowing, remove the sign, mow the area, and replace the sign; this will add to the cost of landscape maintenance. Mr. Mumford said that they can restrict the signs to be permitted just on corners on private property.

Commissioner Linton said that he wishes the builders would get together and build a kiosk in City Center and one in The Ranches on which to post maps, floor plans, etc. He said that this would solve the sign problem.

Commissioner ElHalt asked what will stop people from putting up illegal signs anyway, even with this temporary ordinance, since there isn't a really strong enforcement. Commissioner Linton said the different HOAs may pull the signs. He said that the HOA rules may be more stringent than the City's ordinance and may not allow the signs at all.

Commissioner Dean asked if the builders and developers have seen the proposal. Mr. Mumford said that they have seen it and he has received two responses: one was positive, one was mixed. He said that they sent a copy to Brian Haskell at The Ranches HOA, as well.

Commissioner Bechtel said that she is empathetic, but there are problems with allowing the signs on public property. Commissioner Maher said that he likes the idea of the signs being on private property.

Commissioner ElHalt said that she would prefer the negatives of signs for four months over the damages that come from having a vacant neighborhood.

Commissioner Linton asked what would happen if they decide to go with private property. Mr. Mumford said that the enforcement and removal would be more difficult on private property.

Commissioner Linton asked if there would be as many signs on private property. Mr. Mumford said that there probably would not be. He said that the builders would still want to push the issue on Ranches Parkway.

Mr. Mumford said that they also discussed allowing one off-premise sign for developers currently selling lots in subdivisions, not for the specific homebuilders.

Commissioner ElHalt asked what happens at the end of the four months. Commissioner Maher said that it reverts back to the current code. Mr. Mumford said that in meetings with developers and builders, they discussed the fact that the signs will need to come down as of October 1, 2009.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the Exhibit A, Temporary Regulation Permitting the Display and Placement of Temporary Signs [see attached].*

Commissioner Dean seconded. Ayes: 5. Nays: 0. Motion passed.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, May 26, 2009, AT 6:00 P.M.
Eagle Mountain City, 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

5. Other Items

A. Community Gardens

Mr. Mumford said that they have been approached by residents in the City to either install community gardens, or to allow personal gardens to stretch onto City property. He said that they are trying to put together a policy to allow City property to be leased for community gardens.

Discussion ensued regarding regulations on the community gardens and how to enforce regulations.

Commissioner Maher asked staff to speak with cities that currently have well-run community gardens to see how they do it.

B. Capital Facilities Plan Update

Mr. Mumford said the Capital Facilities Plan discusses the current needs of the City and what the City will need and the costs up to twenty years out. He said that the transportation plan is a twenty-year plan. He said this plan will be coming soon and will be used to base impact fees on as will be used as the basis for future decisions on bonding, funding and right-of-way acquisitions.

6. Adjournment

Commissioner Maher adjourned the meeting at 7:43p.m.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, May 26, 2009, AT 6:00 P.M.
Eagle Mountain City, 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

Exhibit “A”

Temporary Regulation Permitting the Display and Placement of Temporary Signs

Purpose: The purpose of this regulation/ordinance is to allow for temporary signs of size and type as defined below for a 4-month period to assist homebuilders, homeowners, and developers in selling homes and lots during this difficult economic time. This regulation is intended to temporarily supersede the regulations that apply to this type of signage found in Chapter 17.80 Sign Regulations of the Eagle Mountain Municipal Code for a 4-month period.

Effective Dates of Temporary Ordinance: Temporary signs displayed under this section shall be allowed to be erected starting on Wednesday, June 3, 2009 and must be removed by October 3, 2009.

Type, Placement, Size, and Height of Temporary Signs: The following signs shall be temporarily permitted with associated restrictions as stated below:

1. Model Home Signs
 - a. Two A-frame or temporary directional signs of no more than four (4) square feet are permitted per builder per subdivision.
 - b. One sign may be located in the park strip adjacent to the model home and another may be located in the park strip of the nearest major street corner.
 - c. These signs are allowed only during model home hours – they must be removed each evening and may be replaced in the morning at opening.
 - d. The signage shall be directional only, and shall not contain other advertising.
2. Real Estate Open House Signs
 - a. One A-frame or temporary directional sign of no more than four (4) square feet may be permitted in the park strip of the nearest street corner for real estate open houses (for individual home sales) during the hours of the open house.
 - b. Open houses are limited to one day per week, and the sign may be posted no more than one hour prior to the open house and must be removed within one hour after the open house.
 - c. No more than one open house sign may be placed on a corner at a time.
 - d. Balloons, streamers, and other attention-getting devices are prohibited.
3. Subdivision Project Sign
 - a. One off-premise project sign (only for subdivisions selling lots) may be located off-site on private property within 500 feet of the subdivision.
 - b. This sign shall be no larger than 32 square feet and 8 feet maximum height.

Enforcement: All signs that are not removed by the deadline above shall be enforced according to chapter 17.80.130 of the Eagle Mountain Municipal Code.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
Tuesday, July 14, 2009, AT 6:00 P.M.
Eagle Mountain City, 1650 E Stagecoach Run, Eagle Mountain, UT 84005

Commissioner John Linton called the meeting to order at 6:00p.m.

Roll Call

John Linton, Karleen Bechtel, Bonnie ElHalta, Preston Dean

Staff Present

Steve Mumford, Planning Director

Lianne Pengra, Planning Coordinator

Others Present

Lester Van Nosedol, Van Nosedol and Associates

Kevin Kirkland, Sage Communities

Scott Kirkland, Sage Communities

1. Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

A. Eagle Mountain Parks and Open Space Master Plan

Mr. Mumford said that this plan was approved by the City Council and is being fine tuned as far as grammar and other minor issues go. He said that the library will have a paper copy on hand and the electronic version is on the City's website. He said that the recommended plant list is also online on the Planning page. He explained that they are now working on getting the plan added into the Development Code. Commissioner Linton said that it would be helpful to direct people to the planting list, either through a utility handout or in the newsletter.

B. Temporary Signage Ordinance

Mr. Mumford said this was approved with no changes. He said that it started in June and runs until October 3, 2009.

4. Approval of Minutes

A. May 12, 2009 Planning Commission Meeting Minutes

MOTION: *Commissioner Bechtel moved that the Planning Commission approve the May 12, 2009 Planning Commission Meeting Minutes.*

Commissioner Dean seconded. Ayes: 4, Nays: 0. Motion passed.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
Tuesday, July 14, 2009, AT 6:00 P.M.
Eagle Mountain City, 1650 E Stagecoach Run, Eagle Mountain, UT 84005

B. May 26, 2009 Planning Commission Meeting Minutes

MOTION: *Commissioner Bechtel moved that the Planning Commission approve the May 26, 2009 Planning Commission Meeting Minutes.*

Commissioner ElHalta seconded. Ayes: 4, Nays: 0. Motion passed.

5. Development Items

- A. Scenic Mountain LDS Church Preliminary Plat - Public Hearing, Action Item**
- B. Scenic Mountain LDS Church Final Plat - Action Item**
- C. Scenic Mountain LDS Church Conditional Use Permit - Public Hearing, Action Item**
- D. Scenic Mountain LDS Church Site Plan - Public Hearing, Action Item**

Mr. Mumford the Scenic Mountain Master Development Plan went through the Planning Commission in November 2008. He showed the location of the plan and surrounding developments.

Mr. Mumford showed the Concept Plan for Scenic Mountain and explained that a portion of the multi-family homes would be removed for the church site. He explained that the 69 removed units are not transferrable to other areas of the plan.

Mr. Mumford explained that this is a 3-lot subdivision; lot 1 is 4.205 acres and is the church site, lot 2 is future multi-family just north of the church, and lot 3 is a retention pond for the roadway. He explained that a landscape plan is required for lot 3.

Mr. Mumford said that the preliminary and final plat approvals would be contingent on the Scenic Mountain Master Development Agreement being completed.

Mr. Mumford said that the emergency access is sufficient. He explained that for more than fifteen units, a secondary access is required. He said that the Fire Chief hadn't encountered a situation like this, with the church having one access through Inverness Lane. He explained that the Fire Chief felt that since the church has a sprinkler system inside, it was adequate, but before more than fifteen units are built anywhere in the project, secondary access must be provided.

Mr. Mumford said that the plan for the church is the Heritage plan. He said that it is not the new plan that was presented recently, but the older standard plan currently being used. He explained that 44% of the site contains landscaping which complies with code requirements. He said that the offsite roundabout will need to be enlarged to accommodate emergency access; this is due to there being no secondary access.

Mr. Mumford explained that City code requires pedestrian lighting along any sidewalk or path. He said that since there are two sidewalks that lead from the church site to the street, lighting would be required.

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PLANNING COMMISSION MEETING MINUTES
Tuesday, July 14, 2009, AT 6:00 P.M.
Eagle Mountain City, 1650 E Stagecoach Run, Eagle Mountain, UT 84005

Mr. Mumford said that 202 parking stalls have been provided; 166 stalls are required. He said that the code requires one landscape island with a tree and ground cover every twelve parking spaces. He said that the plans show pedestrian walkways with pavers or sidewalk, so the City would require landscaping around the pedestrian walkways, replacing the walkways with landscaping, or provide an additional landscape island.

Mr. Mumford explained that the northern property line will have a three-foot vinyl fence and the other property lines will have 6-foot vinyl fences. He explained that with the landscaping in the area, tan or beige is recommended, rather than white. Commissioner Linton asked if HOA considerations were made. Mr. Mumford said that they were, but this site is not within The Ranches Master Plan, so those HOA requirements do not apply. He explained that the new HOA requirements will apply, but they are not complete. He said that this plan and Oquirrh Mountain Ranch are separate from The Ranches.

Mr. Mumford said that the Conditional Use Permit is required for the church site and that the church fits the City's requirements.

Mr. Mumford said that the main issues with these applications are the fencing, the landscaping in the parking area, and the lighting along the pedestrian access points. He said that the most important condition from the staff report would be that the Master Development Agreement be finalized. He explained that without that finalization, the zoning is not changed from Agricultural and the uses discussed this evening are not permitted.

Commissioner Dean asked if the roundabout discussed is an actual roundabout. Mr. Mumford said that it will actually be a cul-de-sac, as shown on the plans. Commissioner Dean said that the Master Development Plan shows a roundabout, which has a much larger diameter requirement than a cul-de-sac. Mr. Mumford said that it may be the case that a roundabout will be installed in the future, so the radius requirement may be met now.

Commissioner Dean asked who would own the accesses onto the church lot. Mr. Mumford said that they would be owned by the church, similar to two driveways. Commissioner Dean asked if the multifamily development would need to have an agreement with the church to use them. Mr. Mumford said that the plat shows access easements along the two driveways for lot 102. Commissioner Dean asked if an agreement is required to be in place. Mr. Mumford said that since it is on the plat, no additional requirement was added.

Commissioner Linton opened the Public Hearing at 6:26 p.m.

Mr. Lester Van Nosedol, Raymond Van Nosedol and Associates. Mr. Van Nosedol said that they have no problems with any of the requirements discussed.

Commissioner ElHalta confirmed that this design is not the prototype chapel. Mr. Van Nosedol said that currently it is not. Commissioner Linton asked for clarification on the "currently" statement.

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Mr. Van Nosedol said that the building will not be built until the development starts to grow. He said that they are building the prototypes now and are monitoring them; it could happen that the prototype would be built on this site later.

Mr. Kevin Kirkland, Sage Communities. Mr. Kirkland said that the HOA requirements for this area will be equal to or greater than The Ranches HOA requirements.

Mr. Scott Kirkland, Sage Communities. Mr. Kirkland said that he is not sure if he will retain this property, but the other partners also feel that the requirements should match or be better than The Ranches design guidelines. He said that without the agreement finalized, he can't hold Scenic Mountain to anything, so he requested that the condition be that the fencing comply with The Ranches design guidelines or greater, unless the Scenic Mountain Development Agreement changes that.

Mr. Kirkland said that on the south and on the east sides of the church, open rail -- rather than privacy fencing -- will be the only thing necessary. He said that to the south of the church is a planned park and to the east is a planned trail.

Mr. Mumford said that he agrees with the statement about split-rail fencing, but understands that if privacy fencing is not installed, people may park in the church parking lot to use the park.

Mr. Scott Kirkland asked what was intended for the east side. Mr. Van Nosedol said that privacy fence was intended, as the church likes to contain their sites.

Commissioner Bechtel asked if the church would have a problem with wood fencing versus vinyl. Mr. Van Nosedol said that he doesn't believe they would. Commissioner Dean said that he would have a hard time binding this site to something that the rest of the development will not be required to do.

Commissioner Linton closed the Public Hearing at 6:41p.m.

MOTION: Commissioner Dean moved that the Planning Commission approve the Scenic Mountain Preliminary Plat, subject to the below Final Plat conditions. Commissioner ElHalta seconded. Ayes: 4, Nays: 0. Motion passed.

MOTION: Commissioner Dean moved that the Planning Commission recommend approval to the City Council of the Scenic Mountain Final Plat, subject to the following conditions:

1. The Scenic Mountain Master Development Agreement must be approved for these plat approvals to be valid. The Final Plat may not be approved by the City Council until the agreement has been approved.
2. Address must be in place at all times throughout project with permanent address in place prior to final inspection.

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Tuesday, July 14, 2009, AT 6:00 P.M.
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3. Install (5) five fire hydrants one as marked on the plans Cornwall Way and Inverness Lane and church lot. IFC requires fire hydrants every 450 feet.
4. Cul-de-sac shall be 96 feet in diameter as described in the IFC.
5. Meet all requirements in the 2006 IFC and IBC, state adopted codes.
6. Water meter location must be specified on site plan and approved by City Engineer.
7. Secondary exit off Inverness Lane prior to constructing 15th residential space.
8. A landscape plan shall be submitted for approval containing appropriate landscaping for Lot 103, the retention pond. This must receive staff approval prior to plat recordation.

Commissioner ElHalta seconded. Ayes: 4, Nays: 0. Motion passed.

MOTION: Commissioner ElHalta moved that the Planning Commission approve the Scenic Mountain Conditional Use Permit, subject to the below Site Plan conditions. Commissioner Dean seconded. Ayes: 4, Nays: 0. Motion passed.

MOTION: Commissioner ElHalta moved that the Planning Commission recommend approval to the City Council of the Scenic Mountain Site Plan, subject to the following conditions:

1. The Scenic Mountain Master Development Agreement must be approved prior to issuance of a building permit.
2. Address must be in place at all times throughout project with permanent address in place prior to final inspection.
3. Install (5) five fire hydrants one as marked on the plans Cornwall Way and Inverness Lane and church lot. IFC requires fire hydrants every 450 feet.
4. Cul-de-sac shall be 96 feet in diameter as described in the IFC.
5. Meet all requirements in the 2006 IFC and IBC, state adopted codes.
6. Water meter location must be specified on site plan and approved by City Engineer.
7. The fencing be equal to or greater than the requirements in The Ranches design guidelines.
8. Lighting be installed on all pedestrian trails and sidewalks.
9. Islands in the parking lot be enlarged to meet City standards.

Commissioner Bechtel seconded. Ayes: 4, Nays: 0. Motion passed.

6. Other Items

Mr. Mumford let the Planning Commissioners know that next week a proposal is going to the City Council to change some of the development application and business license fees. He said that they reviewed the current fees and compared them to Saratoga Springs, Herriman, Lehi, Draper, South Jordan, and Riverton since these cities contain similar applications. He said that the suggested fees are justifiable based on the work it takes to process each application.

7. Adjournment

Commissioner Linton adjourned the meeting at 6:53p.m.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, JULY 28, 2009 AT 6:00 P.M.

Eagle Mountain City Council Chambers, 1650 E Stagecoach Run, Eagle Mountain, UT 84005

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

Roll Call

Tom Maher, John Linton, Karleen Bechtel, Preston Dean, Bonnie ElHalta

Staff Present

Steve Mumford, Planning Director

Mike Hadley, Senior Planner

Lianne Pengra, Planning Coordinator

Others Present

[Name Inaudible], Eagle Park Resident

Tiffany Ulmer, 1320 Harrier Street

Wendy Bagley, 1457 Hawk Way

Mickey Glass, Harrier Street

Melanie Johansen 1458 Falcon Way

Jerry Thero, 1423 Hawk Way

Mr. Jared Westoff, Pole Canyon Development Group

1. Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

A. Consolidated Fee Schedule Amendments

Mr. Mumford said that the City Council approved changes to the Consolidated Fee Schedule which included changes to fees to three development applications. He explained the changes and the justifications behind them.

Mr. Mumford said that the City Council did not approve a change to the business license fees. He said that the Council wanted a letter sent to the business owners explaining the changes. This item will return to the next City Council meeting.

B. Ranches Golf Course

Mr. Mumford said that The Ranches Golf Course is now owned by the City and is being managed by Vanguard Management.

4. Development Items

A. Erickson Hobby Breeder License – Public Hearing, Action Item

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, JULY 28, 2009 AT 6:00 P.M.

Eagle Mountain City Council Chambers, 1650 E Stagecoach Run, Eagle Mountain, UT 84005

Mr. Hadley showed the location of the requested hobby breeder license site. He said that the applicant currently has four dogs and would like to add two additional dogs. He explained that they would mostly use the dogs for show, but would like to have the opportunity to breed them, as well.

Mr. Hadley explained that the Planning staff did an inspection and found the home to be very clean and the yard to be well kept. He said that the lot is 0.39 acres and showed pictures of the yard, including dog runs and play areas.

Mr. Hadley said that the applicant has met all of the City's requirements. He said that staff recommends approval of the license with two conditions: the applicant needs to obtain a business license, and a yearly inspection must be completed to renew the license.

Commissioner Maher opened the Public Hearing at 6:10p.m.

[Name inaudible], Eagle Park Resident. She said that she does not like dogs barking. She said that her neighborhood is zoned for a certain amount of dogs and she would not like that zoning changed. She has spoken with neighbors -- the Neilsons -- who also do not want this permit approved.

Mr. Hadley said that in the current code, this is an allowed use. The city is not changing or amending the code. Commissioner Maher explained that nothing is being changed; the applicant is conforming to the current code. He clarified to the audience that animal rights are not being discussed; that is a separate section of the code. Mr. Mumford said that the limit on dogs is four in residential zones, but with a conditional use permit, they can have more. Commissioner Maher explained that staff is recommending approval due to the site visit that showed the home owner was equipped to handle six dogs.

Tiffany Ulmer, 1320 Harrier Street. Ms. Ulmer said she has lived around the Ericksons for eight years. She said that they are good dog owners. She said that there has only been one time period when barking was an issue. She said it was due to a puppy being at the home. She said that she does want the Ericksons to have the permit, but with something in place to keep the barking down while training puppies.

Mr. Mumford said that if a person is bothered by a dog barking anywhere in the City, not just at a location with a Hobby Breeder Permit, he or she should call the Sheriff's office to make a nuisance complaint. Commissioner Maher explained that once it is called in, the Sheriffs assess the situation, and, if warranted, will issue a warning.

Mr. Mumford said that in the Hobby Breeder License section of the code, an inspection is required once a year. He explained that one of the things they inspect for is that measures are being taken to control noise.

Commissioner Dean asked if staff is aware of any nuisance calls at this property. Mr. Mumford said that he is not aware of any, but that staff did not call the Sheriff's office to see if any have been made.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, JULY 28, 2009 AT 6:00 P.M.

Eagle Mountain City Council Chambers, 1650 E Stagecoach Run, Eagle Mountain, UT 84005

Wendy Bagley, 1457 Hawk Way. Ms. Bagley said that they are not bothered by barking. She said that she is impressed by the process that the Ericksons have gone through to get this permit. She said that she sees Ms. Erickson walking the dogs and they are well-behaved. She recommends this permit be allowed.

Mickey Glass, Harrier Street. Ms. Glass said that she does not have a problem with the dogs; she is only concerned that there are so many dogs in Eagle Mountain. She said that not everyone is a responsible dog owner and asked if this would set a precedent. Commissioner Maher said that the approval is given based on the inspection of the individual home owner and property; not everyone is given permission.

Melanie Johansen 1458 Falcon Way. Ms. Johansen said that she is not a dog person, and she does have a problem with noise. She felt she should come to the meeting before and say that four dogs are enough before calling the sheriff to complain about noise.

Jerry Thero, 1423 Hawk Way. Mr. Thero said that he has lived next to the Ericksons for two years and did not know they had dogs. He said that he has pure-bred corgis and understands breeding to improve blood lines of dogs. He said that the Planning Commission should approve the permit.

Commissioner Maher closed the Public Hearing at 6:22p.m.

Commissioner Dean said that the requirements have been met for this permit. He said that one dog can make as much noise as six and the noise ordinance is for everyone, not just hobby breeder permit holders.

Commissioner ElHalta said that the hobby breeder license is in good order and that the noise issue is another matter. She said that the public needs to know how to deal with the noise of barking dogs in general and that it shouldn't have anything to do with the Conditional Use Permit.

Commissioner Linton said that the Conditional Use Permit is reviewed and the applicant is subject to inspections that those with four dogs are not subject to. He said that the regulations are put in place to protect neighbors from nuisance.

Commissioner Bechtel said that she empathizes with the neighbors and hopefully now that it is called to the attention of the applicant, things will be done to mitigate the barking of the puppies.

Commissioner Maher said that a yearly inspection will be completed, but if noise complaints are called in, they will be dealt with at that time.

MOTION: Commissioner Linton moved that the Planning Commission approve the Erickson's Hobby Breeder License, subject to the following conditions:

1. Applicant will need to obtain a home-based business license with the City.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

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2. A yearly inspection must be completed to renew the permit.

Commissioner Dean seconded. Ayes: 5, Nays: 0. Motion passed.

B. Pole Canyon Master Development Plan -- Discussion Item

Mr. Jared Westoff, Pole Canyon Development Group. Mr. Westoff said they have four project priorities for Pole Canyon: economic development, transportation, infrastructure, and amenities. He said that they have planned for the streets on the Future Land Use and Transportation Corridors map with a few minor changes.

Mr. Westoff said that they have met with White Hills residents at twelve meetings and have solved many issues with them.

He said that Eagle Mountain has staff to help with the process, as opposed to Cedar Fort and Fairfield, which is one reason they have decided to attempt to annex into Eagle Mountain.

Mr. Westoff showed locations of possible commercial, residential, and industrial areas. He described different Neighborhood Planning Areas, which are 80-160 acres in size with density hubs. He explained that the technical and design guidelines have been developed to create a nice community.

Mr. Westoff said that the industrial park has four qualified companies looking at the site. He said a study has shown that an estimated 11,000 jobs could be created with the development of this site.

Mr. Westoff showed locations of possible amenities and parks. He said that they have 39 miles of planned pedestrian, equestrian, and ATV trails and many regional parks. He said that their parks and trails plan is very close to Eagle Mountain's recently approved Master Parks and Open Space Plan.

Mr. Westoff explained that the next step in the approval process is to have a Planning Commission recommendation to the City Council on the land use issues. Mr. Mumford said that the annexation is currently being worked on and the Master Development Plan can come forward soon. He said that the City Council can approve a Master Development Plan before the annexation is completed, but the Master Development Plan can't be applied until the site is actually part of Eagle Mountain, through the annexation. Mr. Mumford said that the large issues are the water system, the sewer system, the roads, and public safety. He said that the Planning Commission will mainly review the land use, parks and trails, transportation, and compatibility. He said that it is possible to have an approval on the Master Development Plan prior to the annexation.

Commissioner Maher asked where the other cities stood with the annexation. Mr. Westoff said that land was de-annexed out of Cedar Fort and Fairfield. He said that Fairfield was somewhat concerned about the issues with White Hills, and the same fears could have been in Cedar Fort.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, JULY 28, 2009 AT 6:00 P.M.

Eagle Mountain City Council Chambers, 1650 E Stagecoach Run, Eagle Mountain, UT 84005

Mr. Mumford said that Eagle Mountain wasn't necessarily excited to take on White Hills, which is why so much work is going into ensuring the issues are resolved with the annexation.

Discussion ensued on transportation corridors and locations of different types of roads.

Commissioner Maher asked if City staff was okay with the Neighborhood Planning Areas. Mr. Mumford said that staff is still reviewing those plans.

Commissioner Linton asked if the White Hills residents were noticed for this meeting. Mr. Westoff said that the agenda is posted, but direct mail notices were not sent to residents as it was a discussion item, not a public hearing. Mr. Mumford said that the item was more like a concept plan that is not noticed directly to residents or in the newspapers.

Commissioner ElHalta said that with an industrial park, she wonders if transportation will be an issue, similar to 2100 South in Salt Lake City. Mr. Westoff said that the industrial site was chosen due to its proximity to the Cedar Valley Highway. He said that he would suggest charging impact fees because UDOT will move projects to a higher priority if the city has the right of way and money set aside.

Commissioner Linton asked what the timing is on developing the residential and industrial sites. Mr. Westoff said that the industrial park area is where the focus is now. He said that they are planning to have this be the first preliminary plat that will be submitted.

Commissioner Linton asked about the lack of a paved road to Pole Canyon from Eagle Mountain. Mr. Westoff said that is one of the details they are working on with staff. He said that they are working on an agreement with property owners to the east to build a connecting road.

5. Other Items

Mr. Mumford said that the next meeting will take place when the Pole Canyon Master Development Plan is ready. He said that he anticipates it will be within the next few meetings. He said that there is one other application that has been turned in, but it is not ready for the meeting scheduled in two weeks, so that meeting may be cancelled.

6. Adjournment

Commissioner Maher adjourned the meeting at 7:11p.m.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, SEPTEMBER 8, 2009 AT 6:00 P.M.

Eagle Mountain City Council Chambers, 1650 E Stagecoach Run, Eagle Mountain, UT 84005

Commissioner Tom Maher called the meeting to order at 6:11pm.

Roll Call

Tom Maher, John Linton, Karleen Bechtel, Preston Dean

Staff Present

Steve Mumford, Planning Director

Lianne Pengra, Planning Coordinator

Others Present

Jerry Seamons, 1094 E Russell Road

Betty Carlson, 1095 E Russell Road

1. Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

A. Scenic Mountain Master Development Agreement

B. Scenic Mountain 1 Final Plat

C. Scenic Mountain LDS Church Site Plan

Mr. Mumford said that these items were on the past two City Council agendas. He said they were removed from the agenda at the first meeting in August due to the property around the home where the community center will be located not being controlled by the developer. He said that staff wanted it clear that the developer controlled that portion of the land, or that some other plan was approved by the City before any of the residential plats or site plans are approved. He said that these three items were approved by the City Council at the second meeting in August.

4. Approval of Minutes

A. July 14, 2009 Planning Commission Meeting Minutes

MOTION: *Commissioner Linton moved that the Planning Commission approve the July 14, 2009 Planning Commission Meeting Minutes.*

Commissioner Dean seconded. Ayes: 4, Nays: 0. Motion passed.

B. July 28, 2009 Planning Commission Meeting Minutes

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, SEPTEMBER 8, 2009 AT 6:00 P.M.

Eagle Mountain City Council Chambers, 1650 E Stagecoach Run, Eagle Mountain, UT 84005

MOTION: *Commissioner Linton moved that the Planning Commission approve the July 28, 2009 Planning Commission Meeting Minutes.*

Commissioner Bechtel seconded. Ayes: 4, Nays: 0. Motion passed.

5. Development Items

A. Carlson Hobby Breeder License – Public Hearing, Action Item

Mr. Mumford said that the applicant is proposing to house eight dogs at 1095 E Russell Road. He explained that she races the dogs and the racing requires eight dogs; even though she will not breed them, she does require the Hobby Breeder License to have more than four dogs.

Mr. Mumford said that there is a 1,300 square foot barn and two fenced dog runs with 6-foot high fencing.

Mr. Mumford said that staff is recommending waiving the requirement to register the dogs. He explained that the registration condition is more specific to breeding. He said that there will be yearly inspections which will cover the housing, food, water, sanitation and health of the animals.

Mr. Mumford showed pictures of the home, barn and dog runs. He explained that the barn and dog runs are open to each other so the dogs can go between them at will. He said that staff did an inspection of the property and that there is plenty of room on the two-acre lot for the requested number of animals.

Commissioner Maher asked if the number would be capped at eight dogs. Mr. Mumford said that the Hobby Breeder license only allows up to eight, so it does not need to be an added condition.

Commissioner Maher opened the Public Hearing at 6:18pm.

Jerry Seamons, 1094 E Russell Road. Mr. Seamons said that he feels the animals are well taken care of and recommends approval.

Commissioner Maher closed the Public Hearing at 6:19pm.

Commissioner Linton asked if the dogs have access outside at night.

Betty Carlson, 1095 E Russell Road. Ms. Carlson said that it is left open, but the dogs have not barked at night in the three weeks that she has lived at this address. She said that she had a hobby permit in Sandy for years and that the dogs did not bark at night there.

MOTION: *Commissioner Linton moved that the Planning Commission approve the Carlson Hobby Breeder License.*

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, SEPTEMBER 8, 2009 AT 6:00 P.M.

Eagle Mountain City Council Chambers, 1650 E Stagecoach Run, Eagle Mountain, UT 84005

Commissioner Dean seconded. Ayes: 4, Nays: 0. Motion passed.

B. Development Code Amendments and Policies – Discussion Item

Mr. Mumford said that these amendments have not gone through the City staff yet, but he would like to have the Planning Commission's feedback.

Mr. Mumford explained that the first amendment is regarding small wind and solar energy conversion systems. He said the purpose would be to promote the use of renewable energy and to include requirements for safety and aesthetics. He said that in the current code, a one-acre or greater residential lot can have a windmill up to 50 feet high and agricultural lots can have windmills as tall as City staff permits.

Mr. Mumford showed a map of the one-acre or greater lots which would allow windmills under the current code. Commissioner Maher asked where the existing windmills are located. Mr. Mumford said there are three in Meadow Ranch.

Mr. Mumford said that they are proposing to allow windmills on lots less than one acre as long as setbacks equal to the height of the windmill are met. He explained the proposed height restriction is 45 feet on lots 1-5 acres and 65 feet and on lots over five acres. He said according to his research, windmills less than 65 feet have decreased productivity but the 45 foot windmills are selling around the state. Commissioner Maher said that an engineer in North Ranch found that Eagle Mountain does not have enough wind for these to be cost effective.

Mr. Mumford said that the proposed code also includes regulations on access, clearance from blades, and sound. It also requires Building Department approval, which is regulated by the National Electrical Code and the International Building Code, Planning Department approval, and Energy Department approval.

Commissioner Dean asked if there is a special requirement for installers who set the windmills up to feed back into the City's energy grid. Mr. Mumford said the Building Department will need to have a policy in place that addresses that.

Commissioner Linton asked if residents will be notified to check with the HOA before purchasing windmills, and what has happened with the existing windmills that have gone up without Building Department approval. Mr. Mumford said that the Building Department has worked extensively with the property owners. He explained that one of the properties was under construction, so the Building Inspector was able to inform the property owners that the City needed to inspect and approve the windmills. He said that building permit applications have been submitted now for all three.

Mr. Mumford said that he looked at local codes as well as the Sustainable Community Development Code which is put out by Rocky Mountain Land Use Institute in creating the proposed code.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, SEPTEMBER 8, 2009 AT 6:00 P.M.

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Commissioner Linton said that even though the noise from the windmills may be acceptable under the noise ordinance, it would be bothersome to neighbors. Mr. Mumford said that when he drove through an area of three-acre lots with windmills and little to no traffic, he couldn't hear any noise from the windmills.

Commissioner Dean asked if the number of windmills was addressed. Mr. Mumford said that it isn't, but that the setbacks would restrict how many could fit on a lot. He said that they have measured existing lots to see where windmills would fit under the proposed code. He said that they would fit on the majority of half-acre lots, but he could not find smaller lots where a 45-foot windmill would fit.

Mr. Mumford said that there is a delicate balance between promoting renewable energy and protecting property rights and visual aspects of the City.

Mr. Mumford said that there are a few solar panels in the City. He said that the proposed code is mainly to add safety measures. He said they would be permitted in any zone, no higher than the roof ridge line and no higher than five feet above a flat commercial or industrial roof. He explained that they would also require measurements to minimize sun glare into neighboring properties and would require blending with the roof for aesthetics.

Mr. Mumford said that in regards to Group Homes in the code, more work is needed on the proposed draft. He said that staff was able to fully research the drug rehab group homes, but that more is needed for other kinds of group homes. Commissioner Linton said that the distance requirement for group homes should not be changed, regardless of the type of group home. Mr. Mumford said that he believes the distance is for all types, but he will check.

Mr. Mumford said that the City has been looking into the possibility of having community gardens. He said that the City would provide the site and water and would pursue donations for other items. He explained that they would recommend garden boxes rather than plots due to the soils in the area. He said that residents would lease the garden box to cover the costs of water and other expenses.

Mr. Mumford said that each garden would have a volunteer garden manager. He showed two possible locations: one in the Ranches and one in City Center. He explained the benefits of each location.

Commissioner Linton said that who manages the garden will be very important as well as adequate parking and financial benefit to the gardeners. He said that he would recommend a 4x20 size garden box.

Commissioner Maher said that staff should consult with the managers of existing, well functioning gardens on the layout and management of the garden.

6. Other Items

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, SEPTEMBER 8, 2009 AT 6:00 P.M.

Eagle Mountain City Council Chambers, 1650 E Stagecoach Run, Eagle Mountain, UT 84005

A. Next meeting: September 29, 2009

Mr. Mumford said that a Concept Plan for Harmony will be on this agenda. He said that Pole Canyon Master Development Plan may be on this agenda, but he is unsure.

7. Adjournment

Commissioner Maher adjourned the meeting at 7:15pm.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, SEPTEMBER 29, 2009 AT 6:00 P.M.

Eagle Mountain City Council Chambers, 1650 E Stagecoach Run, Eagle Mountain, UT 84005

Commissioner Tom Maher called the meeting to order at 6:00pm.

Roll Call

Tom Maher, John Linton, Karleen Bechtel, Preston Dean

Staff Present

Steve Mumford, Planning Director

Mike Hadley, Senior Planner

Others Present

Mike Wren, Eagle Mountain Properties

1. Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

A. SR-73 Road Widening Project

Mr. Mumford said that the project was nearing completion with only one eastbound lane. He said that the mayor, city staff, and residents called UDOT and MAG to request a second eastbound lane. He said that UDOT has agreed to add the lane within the right of way and asphalt they already have.

B. Water Supply Agreement - Central Utah Water Conservancy District

Mr. Mumford said that the City Council agreed to purchase 16,500 acre feet of water at \$6,200 per acre foot. He said the City now has water shares to sell to developers as development comes in.

4. Development Items

A. Harmony Concept Plan – Discussion Item

Mr. Mumford said that this plan has been in review for quite some time and that the applicant would like feedback now from the Planning Commission. He showed the location of the plan and the layout of the plan. He explained it is 772 acres with 2,515 single-family lots, 92 acres of future multi-family with a potential of 1,935 units, 27 acres of future commercial, 34 acres of improved open space, six churches, and a junior high site. He explained that the applicant has said it is a 25-year plan.

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PLANNING COMMISSION MEETING MINUTES**

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Mr. Mumford showed the City's Future Land Use and Transportation Plan and showed where the major arterial road was planned and explained that the Harmony plan included that as Pole Canyon Parkway.

Mr. Mumford explained that the Eagle Mountain Properties Master Development Plan allows for a majority of uses as permitted uses in the zoning. He said that it contains a maximum number of dwelling units which can be placed throughout their plan at various densities and that it allows for submittal under standards of the 1997 Interim Development Code. He explained the differences in the 1997 code and the current Development Code. Mr. Mumford said that there have been subdivisions approved using a hybrid of the 1997 and current codes with 40-foot wide lots, no architectural standards, and the 1997 code parks requirements being used. He said that this resulted in very little variation in lot size and building type, homes that are not required to meet any architectural standards, pedestrian/vehicle conflict points every 30-40 feet (driveways crossing sidewalks), and garage-dominated streetscapes.

Mr. Mumford said that the intent of the 1997 code and the City's General Plan is to have a high standard for design and a wide variety of housing.

Mr. Mumford explained that the City Attorney's recommendation is to use either the 1997 code or the current code, but not a hybrid of the two.

Mr. Mumford said that staff recommends that all lots with less than 55 feet of frontage be redesigned with rear driveway access, side access, or with the garage set back 75 feet, that the applicant submit design standards or examples of architecture for the project that would be equal to or better than the standards in the 1997 code, and a Development Agreement be approved along with the Preliminary Plat, including road construction timing/payment, phasing of project, park/open space phasing, and how to deal with the church and school sites.

Mr. Mumford said that the City Attorney recommends a special assessment area be created to assess the properties benefitted by the alleys for the cost of snowplowing and other maintenance. He explained that the City Engineer also feels alleys should be required for lots with less than 55 feet of frontage.

Mr. Mumford then showed examples of alternatives to 40-foot lots such as green courts and paseos. He showed examples of different types of alleys, shared driveways, long driveways, and side access garages.

Mr. Mumford said that the plans show church sites and a junior high and if either entity decided not to build in those exact locations, a preliminary plat amendment would be required, and the church or school would have to be replaced with odd-shaped lots; also the density would increase if the church or school does not relocate somewhere else in the Harmony development.

Mr. Mumford said that the 1997 code requires 2.5 acres per 400 dwelling units. He said this would be almost 16 acres for the single family homes and 12 acres required for the multifamily homes. He said the Parks and Trails Master Plan would require a total of 78 acres; 28 acres

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would be neighborhood parks and 8 acres would be pocket parks. He said those 36 acres would be the amount to be built and funded by the developer. He said they show 34 acres in their plan and have developed 13.5 acres more than required in past subdivisions. He said an argument that they have done more than required could be made by the applicant.

Mike Wren, Eagle Mountain Properties. Mr. Wren said that they have created what they thought was a great plan. He said that they have 10 miles of trails and have exceeded the 1997 code park requirements. He said that all of the parks are interconnected by trails.

Mr. Wren said that they did not want to over plan in regards to church sites; they have planned for a 65-85% LDS church membership for this area. He said they have planned the school site with Alpine School District. He said they requested the junior high site next to the existing elementary school site.

Mr. Wren said that one third of the lots are small like the Sweetwater lots. He said that the alleys in Colonial Parkway are maintained by the HOA and are nicer than alleys in the city not maintained by an HOA, such as in The Landing. He said that they would prefer to have the HOA maintain the alleys in Harmony, rather than having a special assessment to maintain them.

Mr. Wren said that his son lives in Pioneer Addition 7 on a forty foot lot and has a nice backyard. He said that if there was an alley there, the backyard would be much smaller. He said that alleys work with courtyard plans.

Mr. Wren said that they have medians in Harmony to break up the street to improve the streetscape. He said that in the future, the demand will be for a smaller lot, versus a multifamily or large lot. He said that the larger lots in Autumn Ridge and Pioneer Addition are not selling like those in Colonial Park and Sweetwater.

Commissioner Maher asked how much the homes are selling for on the smaller lots now. Mr. Wren said that in Colonial Park, they are selling for \$139,000, and Sweetwater homes are selling for \$149,000.

Commissioner Linton said that the applicant has stated this plan is a 25-year plan, but that the plan doesn't seem to take into account that there will be an upward swing of the market again when buyers will want the large lots or that as people age, they tend to purchase larger lots.

Mr. Wren showed the different areas of low, medium, and high density homes based around transportation corridors.

Commissioner Bechtel asked how much the plan would be affected if they were to meet the current Development Code standards. Mr. Wren said that it would be huge. He said that they have had developments in the past with standards from the 1997 code as well as the then-current code. He explained that they designed Harmony with the same standard of a hybrid review in mind. He said that they have spent \$173,000 on the plan. He would like to not change the road layout; that would save a lot of money.

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PLANNING COMMISSION MEETING MINUTES**

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Commissioner Maher asked if the plan consisted of high density in half of the residential areas. Mr. Wren said that they think the market will require the higher density which is why they designed a third of the single family lots to have forty foot frontages.

Mr. Wren said that if the price of building goes down in the future, they could come back and reduce the density, if that is what is selling. He said that he wouldn't be able to add forty-foot lots later if the market was leaning that way.

Mr. Wren said that they have such a large plan so that people can know what is going to be built in the future. He explained that they didn't put alleys in because at one point he was told by the city to not use alleys. He said if the city wants alleys now, they will put alleys in. Commissioner Maher said that they don't like forty foot lots. He said that in the current environment, HOAs are not doing very well, so the idea of HOAs maintaining alleys is not promising. Mr. Wren said that he is on the board of three HOAs in City Center and they are functioning well. Commissioner Maher asked what the HOA fees would be per home per year. Mr. Wren said that in Pioneer Addition, it is \$240 a year. He said that they have a master HOA as well to overlook the smaller HOAs.

Commissioner Linton said that they are looking for variety. He said that they didn't see the variety in the Harmony plan. Mr. Wren showed the locations of different size lots on the plan.

Commissioner Linton asked if Mr. Wren was sure of the order of development as far as what area will be built first. Mr. Wren confirmed that the area with services and current roads will be where they build first.

Commissioner Maher said that the Sage Communities multifamily homes had the mansion-style look. He said that he would like to see more attractive products with more visual variety.

Mr. Wren said that he does want to do a responsible plan.

Commissioner Maher asked about reviewing the plan with a hybrid of the codes. Mr. Mumford said that the City Attorney will most likely continue to recommend that only one code be used. Commissioner Linton asked why it was allowed in the past. Mr. Mumford said that the City Attorney feels that some of the subdivisions in the past were mistakenly approved. He said that they have tried to have the applicant work under the current code, but that forty foot lots wouldn't be allowed, which are selling. He explained that the consensus now is to use a hybrid, but not like in the past. He said that they will meet the intent of the 1997 code. He repeated the staff recommendation of any lot under 55 feet have an alley, side facing garage, or other creative design. Mr. Wren said that if the rule is to create alleys on lots 55 feet or less, they will do more 40-foot lots. Commissioner Maher said that both parties need to work together to bring a balance.

Commissioner Dean said that he lives in Pioneer Addition and he doesn't dislike the forty-foot lots but there needs to be variety. He said that a problem he has noticed is with drainage. Mr.

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Wren said that problem has been fixed with the Harmony plan. Commissioner Dean said another issue is with walkability. He said that there needs to be somewhere to walk to. Mr. Wren showed a map and said that the lots are within around 1000 feet of neighborhood parks.

Mr. Wren said that he will return with alleys. Commissioner Maher said that they need alleys with green space to give the residents somewhere to walk to.

Mr. Wren said that it is hard to do an architectural style that will still be relevant 25 years later. He said he may be able to change the more dense areas to add the creativity.

Commissioner Dean said that even though there is not a market for the large lots right now, buyers still want options. Mr. Wren said that he agreed.

Commissioner Maher asked what the timeline was with allowing a hybrid of the codes for review. Commissioner Dean asked if the green space would count towards the open space requirement. Mr. Mumford said that he does not want the green courts and alleys to be added and then the current planned parks to be reduced. Mr. Wren said that they won't reduce any park space. Commissioner Linton said that if a hybrid is used, it needs to be a fair balance in order to enhance the community.

Mr. Mumford said that the only way he could recommend forty foot lots is with the creative design options or with architectural standards.

Commissioner Dean asked if Pioneer Addition was supposed to have staggered homes. Mr. Wren said that they added the medians to break up the look and to push the homes on either side out. He said that he won't bring back a forty-foot lot with garages in the front.

Mr. Mumford asked Commissioner Dean what he wanted for walking in the long blocks of lots. Commissioner Dean said that there just needs to be something to walk to, not just walkability. He said that Sage had a variety of parks for options.

5. Other Items

A. Optional Training Session: Effective Land Use Decision Making, Santaquin, September 30, 2009

Mr. Mumford said that there is a training in late October for Land Use Law that he will check into. He said that he will look at training options for the Planning Commissioners.

6. Adjournment

Commissioner Maher adjourned the meeting at 7:48pm.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, OCTOBER 27, 2009 AT 6:00 P.M.

Eagle Mountain City Council Chambers, 1650 E Stagecoach Run, Eagle Mountain, UT 84005

Commissioner Tom Maher called the meeting to order at 6:00pm.

Roll Call

Tom Maher, John Linton, Karleen Bechtel, Preston Dean, Bonnie ElHalta

Staff Present

Steve Mumford, Planning Director

Mike Hadley, Senior Planner

Others Present

Scott Brandner, LP SmartSiding

Ryan Ireland

1. Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

A. The Ark of Eagle Mountain Extension of Time

Mr. Mumford said this extension of time to complete the landscaping and parking was approved by the City Council. He explained that the request was due to the fact that the Ark was in legal proceedings with the neighbors and was issued a cease and desist order which prohibited them from adding additional residents. He said that the extension is through June 1, 2010. He explained that the parking conditions still apply.

B. Scenic Mountain Development Agreement

Mr. Mumford said the Development Agreement was approved by the City Council.

C. Land Disposal Ordinance

Mr. Mumford said the Land Disposal Ordinance was modified to change the designation of three properties in the city; one was in Pioneer Addition, one was in Mt. Airey, and the last was next to Fire Station #2. The Pioneer Addition parcel was changed to significant and the other two were changed to insignificant.

D. City Center Open Space Completion Plan

Mr. Mumford said this plan was presented to the City Council for comments. He explained that it outlines the plan for improving the open space in City Center and lays out the priority and cost

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of each type of open space. He said that the Parks and Recreation Board have looked at it and the next step is to get resident input at an open house in November.

4. Development Items

A. Development Code Amendment - 17.30 Residential Zone Bonus Density Entitlements (Masonry Materials)

Mr. Mumford explained that this is an applicant-proposed amendment to the Development Code. He said that the current definition for masonry materials includes rock, stucco, and brick. He said that if 75% of the buildings in a development are masonry materials, bonus density is given. He explained that the request is to change “masonry” to “upgraded” and to add cement siding as an option.

Mr. Mumford said the applicant represents LP SmartSiding. He said that this product has been used in Eagle’s Gate and the Spring Valley townhomes. He said that the applicant requested to add text requiring testing standards but that the Building Official said the products meet those standards so the additional requirement is not necessary. He explained that the product is very durable and architecturally is better than stucco in many cases.

Commissioner Linton said that he likes the product but does not like the word “upgraded” in the text. Commissioner Dean said that many cities would not include stucco as an upgrade and he does not feel that a home with 100% stucco should be considered an upgrade. Mr. Mumford said that with the code change, the Planning Commissioners can recommend additional changes. Commissioner Dean said that if bonus density is given, it is assumed that the material is an upgrade. He suggested listing the materials that meet the requirements of the bonus density, rather than calling them upgraded.

Commissioner Dean asked what the implications would be if they were to remove stucco from the upgraded materials. Mr. Mumford said that they could also add language limiting the amount of stucco or the number of materials required. He said that the multifamily design standards have a restricted amount of stucco allowed.

Scott Brandner, LP SmartSiding. Mr. Brandner said the product has been around since 1997. He said it is treated with a wood preservative and showed pictures of their product versus untreated wood. He said that the product has a fifty-year warranty. He explained that the product is sold primed and is painted onsite and that some places will sell it aftermarket pre-painted. He explained that it is impact resistant, as well.

Commissioner Maher asked how it is applied. Mr. Brander said it is installed like normal wood siding.

Commissioner Dean asked how the texture is put on the wood. Mr. Brander said it is a mold and you don’t see a repeated pattern as you do with cultured stone. He said the presses are eight feet wide and sixteen feet long with a lot of variation in the texture.

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PLANNING COMMISSION MEETING MINUTES**

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Commissioner Linton asked if any other municipality requires a two-coat finish. Mr. Brander said that Lehi requires a 25-year warranty.

Commissioner Dean asked how the price of SmartSiding compares to that of other materials. Mr. Brander said it is a bit more than stucco, but in the same range as most other materials.

MOTION: *Commissioner Linton moved to recommend approval to the City Council of the proposed development code amendment Chapter 17.30 as proposed by the applicant and as amended by staff with the following additions:*

- 1. Stucco be removed from the upgraded materials.*
- 2. The siding be pre-coated or coated at the time of installation with a 25-year warranty coating.*

Commissioner Dean seconded. Ayes: 5. Nays: 0. Motion passed.

B. Development Code Amendment - 17.75 Standards for Special Uses (Residential Group Homes) and 17.10 Definitions

Mr. Mumford explained that three sections would replace the existing section regarding residential group homes. He said those three sections would be Residential Facilities for Persons with a Disability, Rehabilitation and Treatment Facilities, and Juvenile Group Homes. He said it also changes the final approval authority to the Planning Commission, as is the case with other Conditional Use Permits.

Mr. Mumford said that they took most of the conditions from the Ark of Eagle Mountain approval and added those into the amendment.

Commissioner ElHalta asked if these three categories cover all types of group homes. Mr. Mumford said that it doesn't specifically address elderly group homes, but that they can add that at a later time, if necessary. He said they would typically fit into the first category.

Commissioner Linton said that one of the conditions has "The Ark of Eagle Mountain" noted and he'd like that removed.

Commissioner Maher opened the public hearing at 6:55pm and closed it for lack of comments.

MOTION: *Commissioner Linton moved to recommend approval to the City Council of the proposed development code amendment Chapter 17.75 and Chapter 17.10.*

Commissioner Dean seconded. Ayes: 5. Nays: 0. Motion passed.

C. Development Code Amendment - 17.80 Sign Regulations and 17.10 Definitions

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, OCTOBER 27, 2009 AT 6:00 P.M.

Eagle Mountain City Council Chambers, 1650 E Stagecoach Run, Eagle Mountain, UT 84005

Mr. Mumford said that the City Council recommended changes to the temporary sign ordinances. He said that in the amendment, he specifically exempted city even signage. He said that the current code was drafted more for smaller event signs. He said this amendment is for special event signs such as business grand openings. He explained the approved locations for the signs and the time frame is for a maximum of ten consecutive days. Commissioner Linton said that the Parade of Homes goes for three weeks, so the ten days would not work for them. Mr. Mumford said this section is not for yard sales and garage sales.

Mr. Mumford said there would be a nominal fee for administrative costs. Commissioner Maher asked what the fee would be and what other cities charge. Mr. Mumford said that he hadn't checked with other cities to see what their fees are. Commissioner ElHalt said that the sign fees in California are incredibly high and the applications have to be in thirty days in advance.

Commissioner Maher asked if the fee charged would be per sign, or for the entire permit. Mr. Mumford said his intention was to have a single fee for each applicant.

Discussion ensued regarding charging a deposit and the renewal options.

Commissioner Maher opened the public hearing at 7:10pm.

Mr. Ryan Ireland said that there is not an additional cost to the city to pick up unauthorized signs as there is a Code Enforcement Officer already out looking for them. He said he also does not want the citizens who follow the rules to pay for those who don't. Commissioner Linton asked if Mr. Ireland thinks there should be a cost. Mr. Ireland said the cost should be for the office time to create a sticker.

Commissioner Maher closed the public hearing at 7:16pm.

MOTION: Commissioner Linton moved to recommend approval to the City Council of the proposed development code amendment Chapter 17.80 with the following additions:

- 1. An appropriate administrative cost be applied***
- 2. Deposit be charged and refunded to the applicant once the sign is removed***

Commissioner ElHalt seconded. Ayes: 5. Nays: 0. Motion passed.

5. Other Items

A. Open House for the City Center Open Space Completion Plan

Mr. Mumford said this is on November 19, 2009, from 6:00pm to 8:00pm.

6. Adjournment

Commissioner Maher adjourned the meeting at 7:21pm.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA**

TUESDAY, NOVEMBER 10, 2009 AT 6:00 P.M.

Eagle Mountain City Council Chambers, 1650 E Stagecoach Run, Eagle Mountain, UT 84005

Roll Call

Tom Maher, John Linton, Karleen Bechtel, Preston Dean, Bonnie ElHalta

Staff Present

Steve Mumford, Planning Director

Mike Hadley, Senior Planner

Jerry Kinghorn, City Attorney

Lianne Pengra, Planning Coordinator

Others Present

Mr. Gardner, 2019 E Spring Street

Lindsay Curtis, 2051 Spring Street

Mr. Daryl Cook, Cedar Fort Landowner

Ms. Nikki Wickman, 2756 Fort Hill Road

Mr. Todd MacFarlane, Pole Canyon

Mr. Nate Shipp, DAI

Ms. Romney, White Hills Resident

Howard, American Fork Resident

Commissioner Maher called the meeting to order at 5:54p.m.

1. Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Approval of Minutes

A. September 8, 2009 Planning Commission Meeting Minutes

MOTION: *Commissioner Linton moved that the Planning Commission approve the September 8, 2009 Planning Commission Meeting Minutes.*

Commissioner Bechtel seconded. Ayes: 5, Nays: 0. Motion passed.

B. September 29, 2009 Planning Commission Meeting Minutes

MOTION: *Commissioner Linton moved that the Planning Commission approve the September 29, 2009 Planning Commission Meeting Minutes.*

Commissioner Dean seconded. Ayes: 5, Nays: 0. Motion passed.

C. October 27, 2009 Planning Commission Meeting Minutes

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA**

TUESDAY, NOVEMBER 10, 2009 AT 6:00 P.M.

Eagle Mountain City Council Chambers, 1650 E Stagecoach Run, Eagle Mountain, UT 84005

MOTION: *Commissioner Linton moved that the Planning Commission approve the October 27, 2009 Planning Commission Meeting Minutes.*

Commissioner Bechtel seconded. Ayes: 5, Nays: 0. Motion passed.

4. Development Items

A. Ultra Carbon Fiber Business License Denial Appeal -- Public Hearing, Action Item

Mrs. Pengra explained the location of the home-based business and that the business manufactures carbon fiber jewelry. She explained that the license was denied based on the number of employees the applicant has; the code only allows for one non-family member employee. She explained that the city does not want to stifle home-based businesses, but that the code required the application to be denied. She said that the Building and Fire Departments have done their inspections and both passed the home based on their respective standards.

Mr. Mumford said that the two employees are only part-time and do not exceed the hours of a single full-time employee. He explained that they walk to work, but the problem could lie in having multiple employees drive to the home, creating a traffic or parking issue.

Commissioner Maher opened the Public Hearing at 5:58p.m.

Mr. Gardner, 2019 E Spring Street. Mr. Gardner said that he lives across the street and would not know they have a business if he hadn't been told. He said that it is very quiet and there is not a traffic or parking problem there. He explained that he feels in the current economy, the City should not take away the second set of hands the applicant needs to conduct business.

Lindsay Curtis, 2051 Spring Street. Mr. Curtis said that he agrees with everything Mr. Gardner said.

Commissioner Maher closed the Public Hearing at 6:02p.m.

Discussion ensued regarding the Home-based Business Standards and possible changes to the approval process.

MOTION: *Commissioner Linton moved that the Planning Commission approve the home-based business license for Ultra Carbon Fiber and to allow City staff to review and approve the renewal of the business license annually.*

Commissioner Bechtel seconded. Ayes: 5, Nays: 0. Motion passed.

B. Pole Canyon Master Development Plan & Amendments to the Eagle Mountain City General Plan -- Public Hearing, Action Item

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Mr. Mumford showed the vicinity of Pole Canyon annexation areas. He explained that there are two annexation petitions to be considered by the City Council. He said that items to be considered by the City Council with the annexation petitions will be the White Hills infrastructure, and surrounding infrastructure and development issues. He said that an agreement is currently being worked on for the annexations.

Mr. Mumford explained that the master development plan serves as a General Plan amendment as well. He showed the proposed land uses and explained that the Industrial designation is a new designation being proposed for the plan. He said that with the annexations, the parcels not included in the master development plan will also need to be added to the General Plan. He explained the designations for those parcels.

Mr. Mumford showed the changes to the transportation corridors on the Future Land Use and Transportation Corridors map. He said that the roads on the current plan were based on a grid system and the proposed modifications line up the master development plan's major roads with future corridors.

Mr. Mumford explained the new Industrial designation and the appropriate areas for this designation.

Mr. Mumford said that 9,659 residential units are being planned in the proposed master development plan. He said that the residential density average is 4.47 units per acre in the residential areas only. He said 3.68 units per acre is the overall density. Mr. Mumford showed each Planning Area and the densities for each. He said the higher density areas are away from the existing development. He explained that one commercial area includes residential units as it is planned for a mixed-use site. He said the density here is 9.83 units per acre.

Mr. Mumford said that the plan doesn't designate a tier for each location. He explained that the development agreement will state that each NPA (neighborhood planning area) will need to have Master Development Plan approval. He explained that as each NPA does that, the tiers will be noted and more detail will show how the density is distributed.

Mr. Mumford showed the Density Allocation map with the different density hubs. He said that having density hubs is good planning and that the higher density areas are placed well.

Mr. Mumford said that density transfer has been proposed for this plan. He said that each NPA is allowed a set percentage of density transfer, with most NPA's cap set at 20%. He explained that units would need to be removed from an NPA to add any to another; the total units allowed will never be exceeded.

Mr. Mumford said that the phasing is not based on the numbers of the NPAs. He said that the developer's intent is to develop the industrial areas first. He said that the first areas of residential development will likely be near the White Hills subdivision, along SR-73, and along Pole Canyon Blvd.

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Mr. Mumford said that the current City standards for road cross sections will be used in this development. He said that a transportation study provided by the applicant stated that upon the development of 800 homes and 51 acres of industrial development, Pole Canyon Blvd will need to be built; SR-73's capacity will be reached. He said that the applicant is dedicating 150 feet of right-of-way as half-width for the future Cedar Valley Freeway.

Mr. Mumford said that SITLA has been in contact with the applicant regarding land they own adjacent to the project. They would like to ensure major and/or minor connectors are available to access their property. He explained a condition regarding access that was proposed by SITLA.

Mr. Mumford showed the Traffic Circulation plan and explained the location of different road designations. He also showed a plan with the general locations of major monument signs throughout the project.

Mr. Mumford said that the project is required to have 178 acres of improved open space. He explained that in the past they have allowed off-road trails to count towards the parks requirement. He said that about 6.5 acres of off-road trails are in this project and have been allowed to count towards their open space requirement; he said the trails will be well used and will be a benefit to the community.

Mr. Mumford showed the Parks and Open Space map for the project and explained the open space throughout the area. He said that the developer is willing to put a park adjacent to the existing White Hills development in the first phase of development.

Mr. Mumford showed drawings of the proposed rodeo arena and described the proposed amenities. He said the rodeo grounds would be dedicated to the city and would most likely be funded publically through the Pole Canyon local district.

Mr. Mumford said that the intent of the equestrian and ATV trails is to provide access to BLM land and Five Mile Pass. He said that the proposed trails fit into the City's Parks and Open Space Master Plan guidelines.

Mr. Mumford said that the applicant would like the entire project to have animal rights. He explained that with each NPA, an Equine Overlay Zone can be requested.

Mr. Mumford explained that public safety has been taken into account, such as the fire station and road construction timing. He said these details will be in the development agreement and will be approved by the City Council with the annexation.

Mr. Mumford said that Technical Guidelines have been created and a design review committee is included in those guidelines. He said that those guidelines don't override the City's standards and codes.

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Mr. Mumford said that there is one area with 25% slopes that is unbuildable. He said that each NPA will have more detailed studies on soils, drainage, and grading with each site plan and plat.

Mr. Mumford said that the White Hills Water Company will be transferred to the City, once it has been brought up to City standards. He said that the sewer district and sewer lagoons will also be transferred to the City, once brought up to appropriate standards. He said that Rocky Mountain Power currently services the existing homes and an agreement is being worked out for the City to purchase those facilities.

Mr. Mumford said that the zoning has been set up well to offer buffering between the different uses.

Commissioner Maher asked Mr. Mumford to explain to those in attendance what the Planning Commission's role is in the Master Development Plan, versus the Annexation Petition.

Mr. Mumford said that the meeting item is not about the annexation. He explained that the review is on if the densities, buffering, transportation, and land uses are to code. He said that the utilities and timing of improvements will be reviewed with the annexation petition at the City Council meeting.

Mr. Nate Shipp, DAI. Mr. Shipp said he is representing the applicant and can answer any questions.

Commissioner Maher opened the Public Hearing at 6:41p.m.

Mr. Daryl Cook, Cedar Fort Landowner. Mr. Cook asked where the SITLA road will go and what the timing will be on it. Mr. Mumford showed possible minor collector road locations. He said that he is not sure what SITLA will do with their plan. Mr. Cook asked if SITLA was planning on developing the land. Mr. Mumford said that it was likely, but he was not sure of any time frame. Commissioner Maher asked how large the SITLA property is.

Mr. Todd MacFarlane, Pole Canyon. Mr. McFarlane said that it is roughly 320 acres and is located in Cedar Fort.

Mr. Shipp said that their plans for development are to focus development in the industrial sections of the project for the next three to five years. He said that once residential development begins, they intend to develop NPA 1, then NPA 2, and follow west of the highway and White Hills. He said that they have committed to build the White Hills park as soon as the market allows.

Nikki Wickman, 2756 Fort Hill Road. Ms. Wickman said that there is not much development going on right now. She asked what the cost is to Eagle Mountain if this is annexed and no development happens. Mr. Mumford said that they are looking at that in great detail. He said there is an independent firm doing a financing plan to show whether the City will lose or make

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money, and where those thresholds are. Mr. Mumford said that as soon as any development in the industrial area happens, the project overall is positive as far as funds for the City.

Mr. Kinghorn said that the water and sewer utilities will not be brought on at an expense to the City. He said that those utilities will raise service charges to cover the expense of bringing the systems up to City standards; the addition of those utilities to the City is neutral. He explained that the services we do provide now are emergency responses. He said that is a current obligation which will not change with the annexation. He said that the City is reimbursed by the County per emergency call in the current state, but if the area is annexed, the City then has property tax revenue available. He said that the master development agreement will allow for special assessment areas to develop the revenues to maintain the project. He said that as the developers need services and infrastructure, the developers will need to build them; the City will not fund those.

Commissioner Dean asked if the access connecting the City to Pole Canyon Blvd would be funded by the developer. Mr. Kinghorn said that the City may be able to collect impact fee funds to help pay for it, but the developer will most likely need to pay the majority of the cost of it. He said it will depend on where development goes and on a capital facilities plan.

Mr. Shipp said that they were not planning on bringing a project that wasn't going to benefit all parties involved. He explained that companies are looking into developing this land and development will benefit Eagle Mountain as well as White Hills residents. He said that more detail will be provided as each NPA comes to the City for approval.

Howard, American Fork Resident. Howard asked if his two 80-acre parcels were included in the annexation. Mr. Mumford said they are not included.

Ms. Romney, White Hills Resident. Ms. Romney asked if industrial was going to be developed and then NPA 1. Commissioner Maher said that is the intent, but it depends on the market. Ms. Romney asked if White Hills residents will have the opportunity to purchase the lands adjacent to their lots. Mr. Shipp said they would be able to; he explained that they will have a website up with information. Mr. Kinghorn clarified that the City will not have any role in the private property transactions.

Commissioner Maher closed the Public Hearing at 7:07p.m.

Commissioner ElHalta said she feels good about the proposal as it has been under review for quite a while.

Commissioner Dean said that he also likes the plan. He said that he wishes it was five miles to the east. His experience shows that developers are often times not in a position to provide off-site improvements. Mr. Mumford said that once the capacity has been met and Pole Canyon Blvd needs to be built, according to the traffic study, building permits are stopped and no other development occurs until the road is completed. Mr. Kinghorn said that it won't be a pay-as-

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you-go scenario; someone will need to pay for it upfront and be reimbursed over a period of time.

Discussion ensued on financing and the applicants' investments.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval of the Pole Canyon Master Development Plan and Amendments to the Eagle Mountain City General Plan, subject to the ten conditions listed in the staff report, as well as the additional condition proposed by SITLA (all listed below):*

1. **Aerial Photos.** The applicant shall provide recent aerial photographs of the entire Pole Canyon area as soon as possible, and prior to any construction/development. These must be in a digital format that is compatible with ESRI / GIS.
2. **Infrastructure Details.** Details for the transfer of utilities to the City, agreements with Rocky Mountain Power and Questar, timing and financing of improvement of water system facilities, decommissioning of sewer ponds, road construction timing, etc. must be enumerated in the development agreement.
3. **Park Improvement Timing.** Timing of improvement of the White Hills park, the Rodeo Grounds, and the Regional Park must be enumerated in the development agreement.
4. **Fire Station Construction.** The Fire Station must be constructed prior to any development, with details for maintenance and employee salaries to be enumerated in the development agreement.
5. **Community Parks.** The two southern community park locations should be relocated to be more accessible by future residents.
6. **Regional Park.** The future regional park on the sewer lagoons property to be relocated near the Rodeo Grounds.
7. **Phasing.** The first phase of development must occur in the Industrial area, the percentage / acreage of which should be included in the development agreement. No residential development may occur until this first phase of industrial development is complete.
8. **NPA Master Planning.** Each NPA shall go through the Master Development Plan approval process.
9. **Density Transfer.** An NPA may not receive additional density after it receives master plan approval.
10. **Parks.** Park designs shall be creative and unique, while still meeting the City standards.
11. **SITLA-requested Condition.** That Pole Canyon (DAI and EGI) prior to submitting the Master Development Plan for either NPA-1 or NPA-8, or prior to City Council review of the Petitions, provide plans for road connectivity from either Pole Canyon Loop or the Major Collector traversing NPA-1 to the north boundary of the Pole Canyon Annexation Area between SR-73 to the east and a point located approximately 3,900 feet along the north boundary to the west. Such access may be a Major Collector or some combination of Minor Collectors and Local Streets as may be agreed with the neighboring land owner. Such additional access will not be deemed a change in the approved Master Development Plan. Pole Canyon (DAI and EGI) will not be required to improve the connecting road, but will agree to preserve access and allow the neighboring owner to install improvements to City specifications for the agreed road classification.

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Commissioner Bechtel seconded. Ayes: 5, Nays: 0. Motion passed.

5. Other Items

A. Nov. 19 Open House - City Center Open Space Completion Plan; 6pm-8pm

Mr. Mumford said that an open house is scheduled for November 19 at City Hall to discuss completing the open space areas in the City Center. He explained that it will explain prioritization and timelines for parks, trails, corridors, and streetscapes and will get community input.

Mr. Mumford said that in regards to the itemized list given by the business license applicant, the majority of the money spent was on building improvements to meet building and fire codes.

6. Adjournment

Commissioner Maher adjourned the meeting at 7:21p.m.