

Eagle Mountain City Planning Commission Minutes 2012

Dates of Planning Commission Meetings:

- January 17, 2012
- February 28, 2012
- March 27, 2012
- April 24, 2012
- May 22, 2012
- June 12, 2012
- July 10, 2012
- August 14, 2012
- September 11, 2012
- September 25, 2012
- October 9, 2012
- October 23, 2012
- December 11, 2012

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, JANUARY 17, 2012 AT 6:00 P.M.

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

6:00 P.M. - Eagle Mountain City Planning Commission Policy Session

COMMISSION MEMBERS PRESENT: Scott Langford, Preston Dean, John Linton and Tom Maher

CITY STAFF PRESENT: Steve Mumford, Mike Hadley, Janalyn Washburn, Deputy Dutton and Johna Rose

ELECTED OFFICIAL PRESENT: Ryan Ireland

1. Pledge of Allegiance

Tom Maher led the Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes – November 22, 2011

A. November 22, 2011 Planning Commission Meeting Minutes

MOTION: *John Linton moved to approve the September 22, 2011, meeting minutes. Preston Dean seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton and Tom Maher. The motion passed with a unanimous vote*

4. Approval of 2012 Planning Commission Meeting Schedule

MOTION: *No motion was made*

5. Election of 2012 Planning Commission Chair and Vice-Chair

MOTION: *John Linton moved to appoint Tom Maher as Planning Commission Chair for the 2012 year. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton and Tom Maher. The motion passed with a unanimous vote.*

MOTION: *Tom Maher moved to appoint John Linton as Planning Commission Vice Chair for the 2012 year. Preston Dean seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton and Tom Maher. The motion passed with a unanimous vote.*

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6. Development Items

A. Conditional Use Permit – Hobby Breeder License: Action Item, Public Hearing.

A hobby breeder license is being requested by the applicant, located at 7707 N. Grant Street. The license allows more than four dogs at a residence, with certain restrictions.

Mike Hadley explained that the applicant, William Devlin, proposed to have eight dogs for shows and breeding. He would also be housing other owners' dogs for shows or shipping his dog off around the country for shows and he would possibly have one litter of puppies a year. The type of dog is an American Staffordshire Terrier.

The hobby breeder's license requirements and conditions:

1. All dogs be licensed with Utah County.
2. Proof of rabies certificate required.
3. Dogs are registered with a national registry.
4. Approval is granted by all regulatory authorities.
5. Adequate dog runs.
6. The holder of the permit may keep one litter intact until the dogs reach six month sold; one animal from the litter may be kept until it reaches 12 months old. At no time may there be more than nine dogs over six months of age or more than eight dogs over one year of age.

The Applicant has not complied with all conditions and requirements due to cost, but will comply once approved for the hobby breeders license.

Commissioner Maher asked how much a dog license costs.

Mike Hadley responded \$15.00 for a neutered or spayed dog, \$35 for a dog that is not spayed or neutered. That is through the County, but the license can be purchased at the City Offices.

Mike Hadley explained the four conditions of approval:

1. All dogs need to be licensed with Utah County.
2. Applicant is required to obtain a City business license.
3. Adequate dog run in the back yard.
4. Dogs are registered with a national registry.

Commissioner Dean asked if there were issues related to the conditional list. For example, is there a nuisance issue, etc.?

Mike Hadley responded that none have come up, but that may be added to the list of conditions.

Commissioner Langford questioned how this was brought to the City's attention. He asked if this had come to light due to a complaint.

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Mike Hadley responded that the applicant had come in August and applied for the hobby breeder license and to his knowledge there was one complaint.

Commissioner Langford asked if all single dwelling homes required a minimum of two parking stalls, how would the requirement be met if kennels are placed in the garage?

Commissioner Dean responded he doesn't believe the City has enforced the requirement that residents use their garage for parking.

Mike Hadley said from the pictures supplied by the applicant, he has one van that is parked in the driveway and only half of the garage would be used for dog kennels.

Steve Mumford said there have been specific projects that this code has affected. For example, the City had a resident that proposed a dance studio in the garage. This application was denied. The Building Department has enforced the code when residents are wanting to convert the garage into living space. Otherwise, we don't make people clean out their garage to provide two spaces.

Commissioner Dean stated that you could not make permanent changes to the garage.

Applicant William Devlin, 7707 N. Grant Street. explained that he does not breed dogs for a business or a profitable gain. He is a dog show handler of 14 years and has lived peacefully in the community for the past two years. This was brought to the City's attention in August when he applied for the hobby breeder's license. To his knowledge there was one complaint in that he had too many dogs. He believes it was more of a concern than a complaint. He knows without the hobby breeder's license he can't pay to have more than two dogs licensed through the County. He explained that one side of the garage is set up for parking and the other has enough space for an 8x8 kennel run plus an additional space for carrier kennels.

Commissioner Maher asked if all the conditions make sense, would he be able to meet the conditions? How long would it take to comply with all conditions?

Applicant William Devlin responded that he is more than happy to comply with the conditions of approval. The City licensing and business licensing should not take much time, The exercise run would take a little bit more time because he is planning on fencing a third of the back yard with chain link that would be inside the wood fence. He explained that it would be an exercise run and not a kennel to keep dogs, that all dogs outside would be supervised at all times. The condition that would be hard to meet would be registering all the dogs with the national registry. Some of the older dogs that are spayed or neutered have had multiple owners and are retired show dogs. He does not have legal rights to the those dogs' paper work due to being only a co-owner of the dog.

Deputy Dutson, Utah County Sheriff's Office Animal Control Division, explained how this was brought to the City's attention. He responded to an anonymous call of too many dogs at the Devlin residence. He explained that the City has adopted the Utah County Animal Control ordinance, which states that residents can only have four animals per residence

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(example 2 cats and 2 dog or 4 dogs etc.). He advised the applicant to come in and get a breeder's license if he could meet all the requirements. When meeting with Mr. Devlin, he was able to walk through the garage and observe the dogs. He found the garage very clean, the dogs had adequate water and food, they were well behaved dogs and there was no smell.

Commissioner Linton asked if the visit was announced or unannounced.

Deputy Dutson explained that the first time he just showed up and no one was home. He left information and a notice to call him. They arranged an appointment, but Mr. Devlin was not aware at that time he was going to observe the dogs. With a hobby breeders license the county law allows surprise visits and the applicant has to allow the inspection, for the well being of the dogs.

Commissioner Maher asked about the dogs that could not be papered under the national registry.

Deputy Dutson responded that Mr. Devlin's dogs are registered through the AKC (American Kennel Club). He is looking into the codes and laws about the older dogs that have co-ownership. Some of the dogs' papers are private information.

Commissioner Maher asked Deputy Dutson to get with Steve Mumford or Mike Hadley once he finds out on the registry.

Commissioner Maher opened the public hearing at 6:27 p.m.

Nick Srogus, 3501 E. Golden Eagle Rd, expressed concern that where the type of dog is a pit bull, the owner should have the proper business insurance. Mr. Devlin is not the property owner of the home, and the owner does not have the proper space for the dogs in the garage.

Daren Edwards, 7733 N. Grant St, was concerned with living in a very populated neighborhood with the majority of the population being small children and then breeding a vicious type of dog in the area.

Tracie Merinos, Rush Valley was concerned with the breed of the dog. She stated that according to the United Kennel Club, the American Staffordshire Terrier is the same dog as the American Pit Bull. She believed that because the homes are so close in the neighborhood and there are so many small children in the area, that this type of business does not belong in this type of neighborhood.

Robert Mortenson, 772 Rose St, shared the same concerns as the other residents. He stated that most of the neighbors are afraid to complain because Mr. Devlin has a very strong personality. There is a yellow lab at the neighbors' home and Mr. Devlin's dogs are always fighting at the fence with the lab, He has seen Mr. Devlin and the neighbor arguing about their dogs many times. He also stated that at night he can hear the dogs barking in the garage

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and there is a smell from the dogs. Another concern is trying to sell his home when a pit bull breeder's business licensed home is next door.

Holly Thomas, 3708 E. Blackhawk Rd, was concerned that there have been too many loose dogs in the neighborhood. Putting this type of dangerous dog in the neighborhood adds to the problem.

Patrick Hyde, owner of the home, stated that he has two daughters that play with these dogs and has never had a concern with the dogs in the two years Mr. Devlin has lived in the home. They are very well trained dog's and Mr. Devlin always has the dogs on a leash when walking. He believed any dog can attack, no matter the breed, especially if the dog is not trained.

Burgandy Keel, 7708 N. Grant St, was concerned with the number of dogs in a small area, the noise that pit bulls make when breeding, the fact that a pit bull will jump a 6 ft fence if he can smell a female dog in heat, the barking of the dogs, and she also does not believe that small space is best for the welfare of the dogs.

Wendy Francis, 7762 N. Grant St was concerned with the same issues as the other residents that spoke, and will make sure she calls law enforcement with issues to avoid confrontations.

Michelle Pixton, 7691 N Rose St, was also concerned with the same issues about having a hobby breeder in the neighborhood.

Gail Johnson, 7785 N. Grant, explained that she has called animal control and was told they would come out and drive around. She was also told the dogs would have to be barking when the officer was in the area. She felt that this was not a high priority for Animal Control. She wanted the dog run to be concreted in to prevent the dogs from digging under the chain link fence.

Travis Gividen, 7688 Rose St, stated that safety is his main concern. Four dogs on a lot that size is plenty, and a hobby breeder should be on a larger lot.

Teresa Edwards, 7733 N. Grant St, and board member of The Ranches Master HOA explained that they had received a number of calls expressing concern about this hobby breeder's license. She also wanted to let the Planning Commissioners know that a daycare is located directly behind the house in question.

Commissioner Maher closed the public hearing at 6:48p.m.

Commissioner Maher questioned Deputy Dutson about the garage space being used for the kennel and asked if a hobby breeder needs special insurance.

Deputy Dutson explained that by County law the hobby breeder needs adequate ventilation, windows, and the kennel has to be big enough for the dog . The kennel size requirement is

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measured by the dog. The dog's nose has to be 6 inches away from the kennel and the dog has to be able to turn himself around. There is a checklist of requirements that animal control goes through for a kennel license. By law if a dog does any damage to a person or property the dog owner is responsible, but he is not aware of any special insurance a hobby breeder needs.

Commissioner Maher asked Deputy Dutson to explain the safety issues and the requirements for fencing.

Deputy Dutson stated that the number one concern is public safety. He received several calls about this hobby breeder license. The main concern was the breed of the dog. Researching the breed, the dog is a family dog, calm and loves to be around people, but it's very protective and is known for a strong bite. The fence requirements are, if the shoulder length of a dog is 15 inches or smaller a 4 foot fence is required, if the shoulders of the dog are 15 inches or higher the requirement is a 6 foot fence. There are no requirements for having a chain link fence concreted in, or about dogs digging under the fence. When an inspection is done and there is evidence that a dog is digging, the County can have the owner fix the problem. By law nothing can be done until the dog gets out.

Commissioner Dean asked if requirements on the size of the dog are determined by breed.

Deputy Dutson said there are no requirements against a particular breed. There is a public nuisance law which addresses smell, barking, whining, howling, etc. Utah County receives an extremely high volume of calls on barking dogs. The County Animal Control Officer would drive around and check out the dog, but the dog would have to be barking at that time. He would call the owner of the dog and let them know what's going on and that they could be issued a citation.

Commissioner Dean asked if they could revoke the hobby breeder license.

Deputy Dutson responded the license could be revoked on complaints or if the breeder is in violation of any laws. The violation would be brought to the attention of the City to revoke the hobby breeder license.

Commissioner Maher asked if there were issues with the applicant being a renter.

Deputy Dutson responded that would be up to the property owner.

Deputy Dutson wanted to let the residents know that Animal Control response time is slow. Eagle Mountain City only has Animal Control for 6 hours a day out of their 12 hour shift. The other 6 hours is spent in the north end of Utah County. They will still respond if they are out of Eagle Mountain City.

Commissioner Maher asked Mike Hadley to explain the approval of the lot size and the approval of the number of dogs for the hobby breeders license.

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Mike Hadley explained that there is a difference between a kennel license and a hobby breeders license. There is no lot size restriction for a hobby breeder's license, But a kennel license requires 40 acres of ground. They are two different licenses.

William Devlin felt that the number of dogs was not an issue. The majority of the time the dogs live inside the home, his dogs are always attended while outside, there has never been an issue with one of his dogs in the two years, and the dogs are very well trained.

Commissioner Langford asked how many spayed or neutered dog the applicant has.

William Devlin explained that there were two dogs currently spayed and he would have another female up for spaying once she is retired.

Mike Hadley explained that the applicant has not met all the standards for a hobby breeder license, but the Planning Commission can approve the license as is or add special conditions of approval.

MOTION:

John Linton moved to deny the hobby breeder license because all conditions have not been met. Tom Maher seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton and Tom Maher. The motion passed with a unanimous vote (4-0).

B. Preliminary & Final Plat – Mid-Valley Road Phase 1: Action Item, Public Hearing.

This subdivision plat includes the section of Mid-Valley Road that has been constructed, and one building lot located west of Pony Express Parkway along Mid-Valley Road.

Mike Hadley explained that the Mid-Valley Road Phase 1 is a preliminary and final plat that includes a road dedication for a portion of Mid-Valley Road and a 25 acre lot for the building of a middle school. For the first portion of this project, SITLA has been working with the City to install a portion of Mid-Valley Road. On our General Plan Mid-Valley road is a five lane Major Arterial that will run from Hidden Valley to Cedar Valley Freeway on the west side of the City boundary line. The portion of Mid-Valley Road that was required for access to the school site has been constructed and is nearing completion. The swale, street lighting and landscaping will be completed along with the middle school improvements. All the utilities have been extended to the middle school site. Additional asphalt improvements will be made at the intersection of Pony Express Pkwy and Mid-Valley Road to accommodate school bus entrance onto Mid-Valley Road.

Commissioner Langford asked if the road approval includes connection to the sidewalk and trails.

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Steve Mumford explained that the trail does connect.

Elise Erler with SITLA explained that there is a trail on the north side on Mid-Valley Road and it does connect to Pony Express. The only trail that has not been completed is located on the east side of Pony Express. Also a three way stop will be added where Mid-Valley Road meets Pony Express Parkway, but that will not go in until the school year. Then later on it will turn into a roundabout. SITLA is still working on a punch list from the City. That will have to wait until the weather warms up.

Commissioner Maher opened the public hearing at 7:27 p.m.

No public comment was made.

Commissioner Maher closed the public hearing at 7:27 p.m.

MOTION: *John Linton moved to approve the preliminary plat and recommend approval to the City Council for the Mid-Valley Road Phase 1 Final Plat. Preston Dean seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton and Tom Maher. The motion passed with a unanimous vote (4-0).*

C. Site Plan – Eagle Mountain Middle School: Action Item, Public Hearing.

This is a site plan application for Alpine School District's middle school, to be located along the new Mid-Valley Road.

Mike Hadley explained that the application is for a Site Plan for the Eagle Mountain middle school. The school district is exempt from most of the City's regulations and is not required to go through the approval process, but they asked to follow the City's Site Plan approval process. City staff have been working with the school district concerning utilities, roads, access, etc, and will continue to iron out the details to provide a safe and efficient project. One of the items in discussion is the access on the west side of the middle school to potentially combine with that of the high school.

The Eagle Mountain Middle School will be similar to the Vista Heights Middle School in Saratoga Springs. A high school is also planned to the west of this site. This type of layout allows for a large number of playing and practice fields to be utilized by both the Middle School and the High School with less land and cost to the school district. There is no time line for a High School. The middle school is scheduled to begin construction in March and be open for the 2013-2014 school year. The exact school boundaries have not yet been determined, but the school will serve Eagle Mountain, Cedar Fort and Fairfield.

Commissioner Linton felt that the setback at the junior high school in Saratoga Springs works well for a busy road, and hoped that the middle school out here uses the same plan.

Steve Mumford said he doesn't believe there will be much difference from Vista Heights Middle School except for access to the school.

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Commissioner Maher asked how the School District and the City are going to accommodate the kids that walk to school.

Steve Mumford explained that the City will meet with the School District and determine the number of crossings.

Commissioner Maher opened the public hearing at 7:35 p.m.

No public comment was made.

Commissioner Maher closed the public hearing at 7:35 p.m.

MOTION: *John Linton moved to recommend approval to the City Council for Eagle Mountain Middle School Site Plan. Preston Dean seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton and Tom Maher. The motion passed with a unanimous vote (4-0).*

D. Animal Management Plan & Appeal of an Administrative Decision; Action Item; Public Hearing.

The applicant is appealing an interpretation of the Municipal Code concerning animal rights and barbed wire fencing, and has presented a grazing plan for several properties in the City Center.

Steve Mumford stated that there are three questions that need to be answered in this meeting.

1. Are livestock allowed on vacant residential or commercially zoned land?
2. Is the proposed grazing plan acceptable?
3. If approved, are there any conditions that should be placed on the use to protect health and safety of residents?

Steve Mumford explained that the applicants have proposed a grazing plan for seven properties located in the City Center, the details of which are included in the submitted letter, table, and map. The intent of the grazing is stated by the applicants as a method of reducing weed growth, and in order to achieve greenbelt tax status on the properties in order to reduce the owners' tax burdens. The cattle would be placed on the properties for no more than 60 days per year during the winter or spring months. The purpose of the barbed wire fencing is to keep the cattle on the properties, and also to restrict access for liability purposes. The fences have been set back from easements, trails, and roads to avoid conflicts with pedestrians, etc. The applicant has offered a written grazing plan at the City's request. City staff contacted Utah County and the State concerning the formulas used for assessing property as greenbelt, as well as the type of feed located in this area and the number of cattle appropriate for these types of properties, etc. The Farm Land Assessment Act Standards of Practice was researched, and the Grazing AUM's (Animal Unit Months) for the parcels in question were determined using the State and County formula. This formula determines the number of cows that can graze on a certain sized parcel for a month at a time. This research,

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along with discussions with these groups and others involved with cattle grazing, leads the City to question how 12 cattle will survive off of the type of vegetation that is native to Eagle Mountain for two months on some of the properties without requiring additional feed to be brought in.

The Code Enforcement Officer received about 25 calls from residents about concerns with barbed wire fencing, cows next to their home, smells, etc.

Steve Mumford introduced the three options for approval:

Approval Option 1

I move that the Planning Commission approve the Monte Vista Ranch Grazing Plan and Appeal with the following conditions;

1. The owner shall return to the Planning Commission for any amendments to the grazing plan, including the number of cattle, the number of days of grazing, the months of grazing, the water delivery method, the feed method, and the properties to be grazed.
2. The owner must respond quickly to valid nuisance complaints.
3. Colored streamers or flags shall be placed on the barbed wire fencing in locations that have historically been used by pedestrians or vehicles.

Approval Option 2

I move that the Planning Commission approve the Appeal and Grazing Plan with no conditions, with the following finding of fact:

1. The grazing of livestock on vacant residential or commercial property is permitted according to the Monte Vista Ranch and Eagle Mountain Properties Master Development Agreement, with a maximum of 12 cattle per property.

Denial Option

I move that the Planning Commission deny the Monte Vista Ranch Grazing Plan and Appeal, and require that the barbed wire fencing be removed from the properties, with the following findings of fact:

1. The grazing of livestock on vacant commercial property is not permitted by the Municipal Code.
2. Barbed wire fencing is only permitted in conjunction with approved animal uses.

Commissioner Maher asked, if they applied under their own code, why is the answer not number two?

Steve Mumford explained that the 1997 code was unclear and different interpretations were made on the code.

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Mike Wren, a resident working with Monte Vista Ranch, explained that there are three different grazing companies with lease agreements. They have lived in Cedar Valley all their lives, they know what the land can support, and when the cattle will graze on the land. There are six thousand acres in these seven properties, and each property can be divided into more parcels if needed. The applicants did not apply under the 1997 code at first. The current code says anything that can be on residential property can also be on commercial property. For tax purposes, they are trying to meet the minimum for the green belt.

Commissioner Linton asked how many years ago properties 2-6 were grazed on.

Mike Wren responded that it's been about ten years.

Commissioner Linton was concerned about the barbed wire being next to residential property.

Mike Wren responded that they pulled the fence back 20 to 50 feet from the property lines and there are no trails along the boundaries. The issue is these properties have been offered to grocery stores at no cost and there have been no offers. During the time these properties have been out of greenbelt the taxes have been over \$500,000. The owner would love to sell the property for commercial use. The owner is hoping this will be just for a short time, because if he can get anyone to buy or if commercial makes a comeback, the cows will be out of there.

Commissioner Maher opened the public hearing at 8:06 p.m.

No public comment was made.

Commissioner Maher closed the public hearing at 8:06 p.m.

Commissioner Langford felt that once a property was not grazed on for a year the land has been abandoned for that purpose.

Commissioner Dean was concerned that other property owners will come in and try to put their land back into greenbelt for tax purposes.

Commissioner Linton felt property remains the same for years, He didn't believe that each parcel needs to have a house on it to be able to have twelve head of cattle.

Commissioners felt that the City should go back and clarify vacant land use.

MOTION:

John Linton moved to approve Option 2 of the Monte Vista Ranch Grazing Plan and recommend approval to the City Council. Preston Dean seconded the motion. Those voting aye: Preston Dean, John Linton and Tom Maher. Those voting no: Scott Langford. The motion passed with a three to one vote.

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7. Discussion Items

A. City Council Action Update

- Wake park was approved, but the applicants are working with the County Health Department. The concession agreement was tabled.
- Guiding principles for the City Council were reviewed.
- Spring Run was discussed, but no action taken.
- New business park zone was approved.
- Home business license code amendments were approved and changed.

B. The General Plan & Development Code Amendments: Discussion Item

Discussion concerning updates to the General Plan document, and potential amendments to the Development Code.

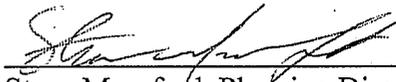
- Put together some health and safety strategies, provided for the Commission's review.
- Review small breed goats in residential areas.

C. Other City Business

8. Adjournment

The meeting was adjourned at 8:43 p.m.

APPROVED BY THE PLANNING COMMISSION ON FEBRUARY 28, 2012.



Steve Mumford, Planning Director

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

6:00 P.M. - Eagle Mountain City Planning Commission Policy Session

1. COMMISSION MEMBERS PRESENT: Scott Langford, Preston Dean, John Linton, Daniela Camacho and Tom Maher

CITY STAFF PRESENT: Steve Mumford, Mike Hadley, and Johna Rose

ELECTED OFFICIAL PRESENT: Ryan Ireland

1. Pledge of Allegiance

Tom Maher led the Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

City Recorder Fionnuala Kofoed administered the oath of office to Daniela Camacho.

3. Approval of Meeting Minutes – January 17, 2012

MOTION: *John Linton moved to approve the January 17, 2012, meeting minutes. Preston Dean seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, Daniela Camacho and Tom Maher. The motion passed with a unanimous vote*

4. City Council Action Update

Steve Mumford reported that

- The final plat for Valley View North A was divided into 3 plats. Valley View North A1 was approved.
- Development Code amendments for ladder signs and home business signs were approved by City Council.
- Mid Valley Road and the Middle School site plan were approved by City Council.

5. Development Items

A. Final Plat – Eagle Point Townhomes Plat A and Vacation of Condominium Record of Survey; Action Item.

This subdivision plat changes the 1st phase of the approved Eagle Point Condominiums project to townhomes rather than condominiums, and includes six townhome buildings

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and a total of 42 residential units. It is located south of "The Landing" subdivision across Eagle Mountain Boulevard.

Mike Hadley Explained that the Eagle Point Condominium Plat A was approved in November, 1998 and was subsequently recorded with the County Recorder's office. This plat consisted of 84 condominium units on 8.22 acre parcel. The current application is proposing two new plats Eagle Point Townhomes plats A & B. The proposed final plats only contain very minor changes, including changing the subdivision of the units from "condominiums" to "townhomes". It is currently very difficult to obtain funding for condominiums. The building footprints are the same as the originals, with some improvements on the exterior materials and design of the buildings. All foundations for the buildings are currently installed. Most of the infrastructure and utilities have been installed and the applicant is working with City departments to fix and upgrade the foundations, infrastructure and utilities to meet current standards. The original approvals for the preliminary plat and site plan are still valid for this project. The project was approved before the City had implemented expiration dates for approvals. The applicant has addressed all of the current issues and continues to work towards completion of staff requirements. The applicant needs to submit a building phasing plan to the City Planning and Building departments. Included with the application is a plat for the dedication of road to Eagle Mountain City. The dedication includes Moon Drive which accesses onto Eagle Mountain Blvd, Cosmos Drive connecting to Fall Street in the Eagle Point A subdivision, and a portion of Skyline Drive on the west side of the development which dead ends at this time. The road dedication plat totals 3.15 acres of land. Cosmos Drive will have partial improvements of sidewalk, curb and gutter installed. The applicant has agreed to provide additional park amenities and landscaping than what was originally approved for the project. The applicant will provide a clubhouse which will be built when the permits for the last building in Plat A are issued, and will also build a playground for the project. Street trees need to be installed along Skyline Drive and Cosmos Drive and the applicant needs to provide a detailed list for the trees used in the development. On the landscape plan the applicant needs to replace the native seed mix with turf grass.

Mr. Mumford explained that the applicant phase plan would be two townhome buildings a year. The clubhouse would be three years out.

Scott Langford asked if it was normal to put the amenities at the back end of the project.

Mr. Hadley explained that the City code allows amenities to go in at 50% of completion on a multi-family project.

Steve Sobey, representative of Patterson Construction, explained that the market is moving and Patterson is wanting to get started on the townhomes. The plan is to finish the first building by November 2012. The phase plan is to move east to west on the buildings. The road will be all asphalt at one time and landscaping will be building by building.

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TUESDAY, FEBRUARY 28, 2012 AT 6:00 P.M.
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John Linton asked if the townhomes would have a homeowners association.

Mr. Sobey confirmed that there will be a homeowners association.

MOTION: *John Linton moved that the Planning Commission recommend to the City Council approval of the Eagle Point Townhomes Plat A Final Plat. Preston Dean seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, Daniela Camacho and Tom Maher. The motion passed with a unanimous vote*

B. Final Plat – Eagle Point Townhomes Plat B and Vacation of Condominium Record of Survey; Action Item.

This subdivision plat changes the 2nd phase of the Eagle Point Condominiums project to townhomes rather than condominiums, and includes six townhome buildings and a total of 42 residential units. It is located south of “The Landing” subdivision across Eagle Mountain Boulevard.

MOTION: *Linton moved that the Planning Commission recommend to the City Council approval of the Eagle Point Townhomes Plat B Final Plat. Preston Dean seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, Daniela Camacho and Tom Maher. The motion passed with a unanimous vote*

C. Final Plat – Eagle Point Road Dedication Plat; Action Item.

This plat dedicates a road to the City within the Eagle Point Townhomes project.

MOTION: *Linton moved that the Planning Commission recommend to the City Council approval of the Eagle Point Road Dedication Plat. Preston Dean seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, Daniela Camacho and Tom Maher. The motion passed with a unanimous vote*

6. The Planning Commission adjourned to a Work Session at 6:36 pm

Eagle Mountain City Planning Commission Work Session – Immediately Following Policy Session

7. Development Code Amendments Discussion

- Commissioners reviewed changes to the animal right ordinance.

8. General Plan Update (Future Land Use and Transportation Corridors Map) Discussion

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Items Reviewed:

- Future "Downtown" - where should it be, how should it be configured, what do you envision for Eagle Mountain's downtown?
- Economic Development - should commercial, industrial, or business park areas be moved, reduced, or added in specific areas?
- Transportation - should any major roads be realigned, removed, or added?
- Other changes - should there be any other changes to the land uses on the map?

9. Planning Commission Training

Planning Commission Training was rescheduled for next Planning Commission - March 27, 2012.

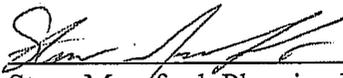
10. Meeting Information:

- a. March 13, 2012 Meeting cancelled - Democratic Caucus
- b. Next Scheduled Meeting - March 27, 2012

11. Adjournment

The meeting was adjourned at 8:45 p.m.

APPROVED BY THE PLANNING COMMISSION ON MARCH 27, 2012.



Steve Mumford, Planning Director

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, MARCH 27, 2012 AT 6:00 P.M.
Eagle Mountain City Conference Room
1650 E. Stagecoach Run, Eagle Mountain, UT 84005

6:00 P.M. - Eagle Mountain City Planning Commission Policy Session

COMMISSION MEMBERS PRESENT: Scott Langford, Preston Dean, John Linton, Daniela Camacho and Tom Maher

CITY STAFF PRESENT: Steve Mumford, Mike Hadley, and Johna Rose

ELECTED OFFICIAL PRESENT: Ryan Ireland

1. Declaration of Conflicts of Interest

None

2. Approval of Meeting Minutes – February 28, 2012

Commission Daniela Camacho stated that there was a conflict in the minutes, and the clubhouse would not be built until the end of plat A.

MOTION: *John Linton moved to approve the February 28, 2012, meeting minutes with a change to the minutes to remove the statement that the clubhouse would be in at 50% of plat A. Preston Dean seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, Daniela Camacho and Tom Maher. The motion passed with a unanimous vote*

3. City Council Action Update

Steve Mumford reported that Saratoga Springs was reconsidering the May 2010 City Boundary agreement between the cities.

4. Planning Commission Training

Mr. Mumford explained the function, the responsibility, the ethics, and the qualifications of a Planning Commissioner.

5. Meeting Information:

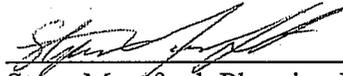
- a. Next Scheduled Meeting – April 10, 2012

6. Adjournment

The meeting was adjourned at 6:37 p.m.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, MARCH 27, 2012 AT 6:00 P.M.
Eagle Mountain City Conference Room
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APPROVED BY THE PLANNING COMMISSION ON APRIL 24, 2012.



Steve Mumford, Planning Director

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, APRIL 24, 2012 AT 6:00 P.M.
Eagle Mountain City Council Chambers; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

6:00 P.M. - Eagle Mountain City Planning Commission Policy Session

COMMISSION MEMBERS PRESENT: Daniela Camacho, John Linton and Tom Maher

CITY STAFF PRESENT: Steve Mumford, Mike Hadley, and Johna Rose

ELECTED OFFICIAL PRESENT: Ryan Ireland and Donna Burnham

1. Pledge of Allegiance

Tom Maher led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes – March 27, 2012

MOTION: *John Linton moved to approve the March 27, 2012, meeting minutes. Daniela Camacho seconded the motion. Those voting aye: John Linton, Daniela Camacho and Tom Maher. The motion passed with a unanimous vote.*

City Council Action Update

Steve Mumford reported that

- Ordinance was approved for OHV use on city streets beginning July 1, 2012.
- Ladder sign concessionary agreement was approved by City Council for Lehi Area Chamber of Commerce to improve and manage the ladder signs.

4. Development Items

A. Development Code Amendment – Ch. 17.55 Extractive Industries Overlay Zone: Action Item, Public Hearing

This new overlay zone will allow earth products extraction and asphalt and concrete production, along with other ancillary uses. This overlay zone may be applied to property on a case by case basis upon approval by the City Council.

Steve Mumford explained that this would create a new overlay zone. The intent of this overlay is to provide locational control over extractive uses, as well as asphalt and concrete production, to promote the reclamation of these sites and to provide proper buffering and protection for neighboring development and uses.

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This overlay zone specifically permits earth products extraction (mining) and asphalt and concrete production. Concrete batch plants have previously been approved through a conditional use permit process for a temporary time period. Mining and extraction have been approved through a grading and excavation permit for properties that have received some level of subdivision, site plan, or conceptual approval. Grading and excavation will still be permitted through that same process, but larger mining operations with processing or production equipment will be restricted to properties that contain this overlay zone. This not only provides the property owners with additional protection, but provides neighboring property owners with notice of potential mining/excavating activities.

The following are some key points from the proposed overlay zone:

- Minimum lot area is ten (10) acres;
- 1,000' buffer from residential development;
- Quarter mile (1,320 feet) buffer for rock crushers, shredders, batch plants, and other noisy equipment;
- Berming and/or landscaping may be required to buffer equipment from neighboring properties or public roads;
- Lights must be directed to limit light pollution onto adjoining properties;
- A reclamation plan must be submitted for approval by Planning Director and City Engineer.

Commissioner Maher asked who would take care of the issue with the final grading and how would the final grade be approved. He was concerned about who would be responsible for the grading if the project was abandoned.

Mr. Mumford explained that when the developer submits a reclamation plan they are required to submit a grading plan that would show a final grade. The developer would apply for a grading and excavation permit that would be approved and processed by the Public Works Department.

Commissioner Linton asked about bonding for the project.

Mr. Mumford explained that a form of financial security with the Division of Oil, Gas and Mining would have to be in place. That State agency would reclaim the site and bring it back to a finished grade if the project was abandoned. For those projects not regulated by the Division of Oil, Gas and Mining, the City would require a financial bond be in place through the city.

Commissioner Linton asked if we are exceeding the DOGM standards.

Mr. Mumford explained the only difference is that we require a traffic study. The City could restate that and require a traffic study for all operations.

Commissioner Linton questioned why the slope analysis was removed.

Mr. Mumford stated that it was determined by the City Engineer that a starting slope is not necessary to review, but the end slope should be required.

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Commissioner Maher opened the public hearing at 6:17 p.m.

Jennifer Konold, 9467 N. Sunset Dr, was concerned that Planning meetings were not being recorded, and details were not getting into writing or into the motions. She was also concerned that they were not getting notified in time for meetings. She stated that she has been to many meetings and fought for or against projects that were not approved, but those projects and regulations are going on now and have been for many years.

Mr. Mumford stated that the notice is only required to go out 10 days before the hearing. The notices were sent out in the proper timeframe for this meeting.

Elise Erler with SITLA explained that DOGM (Division of Oil, Gas and Mining) regulates and manages all mining in the state except for sand, gravel, and aggregated rock (the only minerals not regulated by DOGM are minerals that can be moved in their natural form). The mining operator already submits so much information to DOGM, the City should look at that State agency for their expertise. She stated that SITLA's overall concern is with the existing projects being grandfathered in. Depending on this project, they will be looking for other sites in the future for mining in Eagle Mountain.

Andy Bedingfield with SITLA explained that standing gravel is regulated by the City or County, and normally the bond amount is comparable to DOGM.

Clay Peck with Peck Rock Products, lessor of the property for Staker Parson, was concerned with the annexation. They would prefer to stay with the County, and if changed they hope to be grandfathered in. He hoped that the City Planners and Planning Commissioners look closely at the security of the businesses and not allow encroachment on the existing business, for safety reasons. He was also concerned that they were not notified of this meeting.

Shawn Pierson, 2603 E. Patriot Dr, was concerned that they have not been properly notified as property owners.

David Konold, 9467 N. Sunset Dr, was concerned about the Meadow Ranch community and his neighbors not being heard, being encroached on, and not getting the proper notification.

Commissioner Maher closed the public hearing at 6:36 p.m.

Commissioner Maher and Mr. Mumford explained that Staker Parson has been operating since 1997 and it is in unincorporated County land, so the City has no authority over that gravel pit.

Mr. Mumford explained City Code notification requirements.

- The creation of the Extractive Industries Overlay Zone is a City-wide notification. The code requires publishing in the newspaper seven days before, posting on the state and city web sites 24 hours before the meeting, and there is no notification by mail.

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- Amendments to Master Development Plans require a mailed notification to everyone in a 600-ft buffer zone around the property line ten days prior. If there are not 25 people to notify in that 600 ft then the buffer will expand until 25 people are notified. The land information comes directly from the Utah County Recorder's Office / Land Records. The proper notices were sent on time for this meeting.

Commissioner Maher and Mr. Mumford explained that the Cedar Valley Highway is on the Mountainland Association of Governments 2040 plan, with the projected population for Cedar Valley being over 113,000 people. Cedar Valley Highway, SR73, and a road to the south area of Cedar Valley are currently being studied by UDOT and Mountainland Association of Governments for future transportation.

Mr. Mumford explained that the City is currently updating the City's General Plan and Future Land Use and Transportation Corridors Map, and will hold a public open house, and the public at that time can come and express their opinions and ideas on the future land use map. He explained that residents could get notification through Eagle Mountain's City Twitter account, web page, and Facebook page. They can also get notification of upcoming meetings or public hearings through the State's Public Notice Website (pmn.utah.gov).

Commissioner Maher asked Mr. Mumford to explain to the Peck brothers how this would affect their company.

Mr. Mumford explained that the City believes that the Extractive Industries Overlay Zone would help protect the gravel pit operations even more. It would simply allow those operations to be permitted uses in the Overlay Zone.

MOTION: *John Linton moved to recommend approval to the City Council for Ch. 17.55 Extractive Industries Overlay Zone, as presented in the staff report, with the change that on 17.55.060 item 3 be deleted (slope analysis) and in its place a statement that the reclamation shall be completed in a reasonable time following cessation of the extraction, and if a reclamation plan is not submitted through the Utah Division of Oil, Gas and Mining, they would need to carry a security bond through the City. Daniela Camacho seconded the motion. Those voting aye: John Linton, Daniela Camacho and Tom Maher. The motion passed with a unanimous vote (3-0).*

B. Development Code Amendment – Ch. 17.10.030 Definitions: Action Item, Public Hearing
This proposal includes the addition of definitions for “asphalt and concrete production” and “earth products extraction.”

MOTION: *John Linton moved to recommend approval to the City Council for the Development Code Amendment - Ch. 17.10.030 Definitions as proposed in the staff report. Daniela Camacho seconded the motion. Those*

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voting aye: John Linton, Daniela Camacho and Tom Maher. The motion passed with a unanimous vote(3-0).

C. Master Development Plan Amendment– Spring Run: Action Item, Public Hearing

This master plan is north of SR73 and east of Meadow Ranch, consisting of 520 total acres and provides a mix of residential densities, a town center area, commercial/ mixed-use areas, a business park, and industrial land. This proposal modifies the land uses in the approved plan, reducing the residential units, designating more land as Industrial (the northeast portion of the project), and adding the proposed Extractive Industries Overlay Zone to a portion of the project. An annexation petition is still being considered for the eastern 240 acres.

Mr. Mumford explained that this amendment is proposed by the applicants for the Spring Run Master Development Plan. The Master Development Plan Land Use Element was approved by the City Council July 19, 2011. The City Council is considering annexation of 240 acres (Staker Parson Pit and the land to the north of Staker Parson) of the total 520 acres. Also the Master Development & Annexation Agreement is nearing its completion.

The Commissioners and Mr. Mumford explained that the County is in favor of giving away property to cities. The County has rules and regulation on the creation of islands and peninsulas. There are safety hazards that are created due to islands and peninsulas left in the County.

Mr. Mumford explained that the proposed amendments will be removing 51.43 acres of Commercial land, 8.03 acres of Commercial Mixed-Use land, 9.48 acres of Residential land (41 units/lots), and 4.47 acres of neighborhood parks. The proposed amendment will also be adding 6.18 acres of Business Park, 63.76 acres of Industrial, Extractive industries Overlay Zone, Mining Operation Buffer (on the map to show the phase plans), and roads. They will be moving the 1.61 acre Fire Station and the Highway connection to the Mountain View Corridor. The Planning Department recommendation to the Planning Commission is that they recommend to the City Council approval of the Spring Run Master Development Plan Amendment with the 11 conditions of approval listed in the staff report.

Jim Allred, 557 Walnut Brook Dr, Murray, representing Spring Run Development, explained that they want to be good neighbors, and work with the Planning staff, the neighbors, and SITLA. He wanted everyone to keep in mind that this project is more like a 50 year plan. He would like to get the zoning in place so the City could identify this in the future as a business park, once the mining of materials is complete.

Commissioner Maher asked how long they projected the mining of materials to last.

Cole Peck with Peck Rock Products stated that they have the property leased until 2032 and the lease automatically renews as long as they perform. The mining could last 20 to 40 years depending on the economy. The hillside needs to be addressed. The County required it for a buffer and there are about a million tons of material in the hillside that would need to be mined at

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the end. He stated that problems always come up when people build next to a gravel pit. He would like the Commissioners to put on the record the letter from Staker Parson.

Mr. Allred explained that they changed the Commercial zoning to Industrial for legal issues to protect Hadco's rights. He believed the best zoning for the property is Commercial once the mining is complete.

Mr. Mumford explained Industrial zones are areas of the city that are suitable for industrial parks and warehouses, research and development uses, manufacturing, corporate offices or campuses, and similar uses. Industrial areas should generally locate along major transportation corridors and must be separated or buffered from residential development. Housing should not be considered in these areas.

Commissioner Camacho asked what the difference was between Industrial or Commercial with the overlay zone, and why did Hadco feel that it should be zoned Industrial.

Mr. Mumford explained that the City felt that the property was better zoned Industrial due to the proximity of the Utah Data Center and because it is adjacent to the business park. Hadco wanted all the protection they could get on their property. Hadco didn't want to start the asphalt business and be shut down by the City in the future. The Overlay Zone was created to give the landowners and business owners additional protection.

Commissioner Camacho asked how the City could address the concern of businesses being built before the mining is complete.

Mr. Mumford explained that property owners have property rights and the City can't just eliminate or prohibit all development. The developer would have to propose a development, submit a site plan, and go through a subdivision process. He hoped at that time the City could work out something between all parties involved. But if the influence of the gravel pit or the mining operation would simply not allow the development, the City Council and Planning Commission would decide on an action at that time. One option would be to put some standards or general phasing and expectations in the Master Development Plan.

Mr. Allred explained that he has been a land planner for over 30 years and he has developed around mining operations before. They have made some of the best developments. The mining is taking place to the back of the property away from the development area.

Scott Hazard, 9258 Deerfield Cir, stated that he is one of the neighboring land owners and he is in support of the development. He is currently in negotiations with about a half dozen businesses to develop the southwest quadrant of his property. Those business owners are aware of what is going on around the property. He is also in support of the gravel pits. His gravel pit is on the back side of his property and is a distance away from the development area. He can't wait until the mining gets done because that will be a great development.

Commissioner Maher opened the public hearing at 7:39 p.m.

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Andy Bedingfield, SITLA, was concerned that the buffer hillside has about a million tons of material to mine and they will not be able to abstract that material. They will lose revenue for the schools if they cannot recover that material from that hillside. He stated that Staker Parson and the Pecks have approved the mining plan from the Division of Oil, Gas, and Mining and the City will be going against that agency.

Commissioner Maher asked about the approved plan from the Division of Oil, Gas and Mining and through the County.

Mr. Mumford stated that if they need to, the Commissioners and Planners could look at expanding the buffer zone or the overlay zone, include the buffer, rethink the buffer, or remove the buffer.

Commissioner Linton was concerned that Staker Parson has a preexisting right to mine that property.

Clay Peck stated that mineral rights supersede surface rights, and that they have leased those mineral rights from SITLA. They just want to have their rights protected.

Mr. Mumford pointed out that the City does have a copy of their lease and has reviewed that lease with Jim Allred and the attorneys. This proposal is simply zoning the property as Business Park, it does not prohibit the rights they already have, it does not prohibit them from removing the buffer hillside. The Extractive Industries Overlay Zone gives Staker Parson added protection. Staker Parson will be grandfathered in and included in the master development with language that keeps their rights intact.

Mr. Allred explained that he hopes they would leave the buffer as long as they are mining the mountain for protection, but once they're done they can remove the buffer. He is just requesting to use the flat spot off of SR73. He knows that it is at his own risk, and that they will not be mining under the grade of SR73. He has been working with SITLA on the buffer.

Mr. Bedingfield stated that it's not safe to be blasting that close to a building. It's not good on the windows or the foundation of a building. SITLA just wants to protect the minerals in the ground that can be removed.

Mr. Mumford stated that there is an option to remove the buffer and show the Extractive Industries Overlay over the whole property. That does not prohibit development or mining, that is for the private property owners and the lessees to work out.

Cole Peck was concerned about who will take responsibility years down the line when this has caused so many problems. Mr. Allred said that he would build at his own risk, so will he be supplying the dust control or be fixing the broken foundation. He agrees someday this will be a great place in the future for development. But that flat spot we're talking about is 5 ft from the

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buffer. How could you blast and drill that close to a building? Even though the buffer was required by the County, he wanted to know if they should take down the buffer now.

Jim McNulty, City of Saratoga Spring Planning Director, explained that the City of Saratoga Springs has had an annexation petition submitted by Interpace Holding, and that they are currently going through amending their Annexation plan and Annexation expansion area. They are also looking at the 2010 boundary agreement between the cities. They also oppose the alignment of the Cedar Valley Freeway in this area.

Lara Hicks, 9549 N. Shiloh Way, was concerned about the residential area on the plat, that the 53 homes planned for that development is comparable to about 15 Meadow Ranch homes. Be considerate of the preexisting homes and move them to another area to help eliminate complaints in the future (most home owners don't like living next to the smell of horses or the noise of heavy machinery).

Commissioner Maher closed the public hearing at 8:02p.m.

Commissioner Maher asked about how they would come up with the additional acres for the park.

Mr. Allred stated that he would add the 4.47 acres and move it to a new location.

MOTION: *John Linton moved to recommend approval to the City Council for the Master Development Plan amendment-Spring Run proposed in the staff report with the conditions that item 10 be added, item 2 be deleted, and item 1 be completed with 4.47 acres of additional park land. Daniela Camacho seconded the motion. Those voting aye: John Linton, Daniela Camacho and Tom Maher. The motion passed with a unanimous vote.*

D. Amendment to the General Plan Map 2 – Future Land Use and Transportation Corridors Map: Action Item, Public Hearing.

This proposal amends the land uses and roads in accordance with the proposed amendment to the Spring Run Master Development Plan.

Mr. Mumford explained that the City has various master development plans throughout the City with different zonings. Those plans act as the zoning for those properties. The developer or land owners would have to comply with the land uses on the Future Land Use Map. If the map shows Industrial and the developer would like to build residential homes, that developer would have to apply to change the Future Land Use Map. The General Plan Amendment is proposed so that the Spring Run Master Development Plan is consistent with the City's General Plan, as is required for a rezone approval.

The area of this plan that is currently within the City boundaries is designated as Mixed Use Residential, with a strip abutting Meadow Ranch as Rural Residential. The City's current General Plan map does not designate any land uses for land outside of the current city boundary.

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Descriptions of the Future Land Use categories as stated in the General Plan:

- **Mixed Use Residential:** This category will allow a mix of residential densities and small-scale commercial such as restaurants, retail shops, professional services and entertainment. The Planning Commission will recommend and the City Council may approve the commercial uses that are deemed appropriate for this category.
- **Mixed Use Commercial:** This category is for areas where retail and office development occurs at traditionally desirable locations including the intersections of major streets, appropriate neighborhood activity centers or adjacent to other compatible land uses. Appropriate industrial uses will be considered for compatibility with surrounding developments. It is anticipated that development will primarily be nonresidential; however, mixed-use developments that incorporate medium and high-density housing types may be recommended by the Planning Commission and approved by the City Council during the zoning process.
- **Rural Residential:** This category is for larger lots and may be developed with rural infrastructure improvements. Rural Residential properties, because of their location and character, are generally to be developed with lower densities.
- **Industrial:** This category is for areas of the city that are suitable for industrial parks and warehouses, research and development uses, manufacturing, corporate offices or campuses, and similar uses. Industrial areas should generally locate along major transportation corridors and must be separated or buffered from residential development. Housing should not be considered in these areas.

The area proposed as a Community Park is included as Rural Residential, due to the current lack of a park or open space land use designation in the General Plan. The Town Center area is shown as Mixed Use Residential. This designation still allows for some commercial development, as well as churches, schools, recreation centers, etc.

Additional collector roads have been added to the General Plan map to provide for proper circulation through the Spring Run properties, as well as the other industrial property. The owner of that property is aware of these changes and has been involved in several meetings with the City and the Spring Run developers.

The City General Plan document states that the City “encourages a combination of land uses that are integrated into master-planned communities.”

As you know, we are in the midst of the General Plan update process, which includes updating and amending the Future Land Use and Transportation Corridors Map. Additional changes to the map may be proposed throughout the City in coming months as a result of that process.

Commissioner Maher opened the public hearing at 8:13 p.m.

Jim McNulty, City of Saratoga Spring Planning Director, was concerned with the alignment of the Cedar Valley Highway that impacts both properties especially Interpace’s property to the north.

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Commissioner Maher closed the public hearing at 6:36 p.m.

MOTION: *John Linton moved to recommend approval to the City Council of the General Plan Map 2-Future Land Use and Transportation Corridors Map. Daniela Camacho seconded the motion. Those voting aye: John Linton, Daniela Camacho and Tom Maher. The motion passed with a unanimous vote (3-0).*

5. Discussion Items

Commissioner Maher requested that we go through the discussion items when all the Commissioners are present.

A. Development Code Amendments Discussion
Discussion of potential amendments to the Development Code for beekeeping.

6. Meeting Information:

A. Next Scheduled Meetings – May 8, May 22, June 12

7. Adjournment

The meeting was adjourned at 8:28 p.m.

APPROVED BY THE PLANNING COMMISSION ON MAY 22, 2012.



Steve Mumford, Planning Director

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PLANNING COMMISSION MEETING MINUTES

TUESDAY, MAY 22, 2012 AT 6:00 P.M.

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

6:00 P.M. - Eagle Mountain City Planning Commission Policy Session

COMMISSION MEMBERS PRESENT: Daniela Camacho, Scott Langford, Preston Dean, John Linton and Tom Maher

CITY STAFF PRESENT: Steve Mumford, Mike Hadley, Deputy Garrett Dutson, and Johna Rose

ELECTED OFFICIALS PRESENT: Ryan Ireland and Donna Burnham

1. Pledge of Allegiance

Tom Maher led the Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes – April 24, 2012

MOTION: *John Linton moved to approve the April 24, 2012, meeting minutes. Preston Dean seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton and Tom Maher. The motion passed with a unanimous vote (4-0).*

4. City Council Action Update

- City Council approved the Spring Run Annexation, the Master Development plan, the code amendment for the Extractive Industries Overlay Zone, and the General Plan amendment for that area.

Commissioner Camacho arrived at 6:06 pm

5. Discussion Items

A. Significant Land Disposal – Discussion Item.

Disposal of City-owned property that is deemed “significant” requires review by the Planning Commission and a public hearing with the City Council. This proposal includes the disposal of approximately 2,135 square feet of property to the owners of 2216 and 2206 E. Frontier Street.

Mike Hadley explained that two residents in Pioneer Addition have requested to purchase significant property behind their property. The residents have requested about 0.05 acres to square off their current property. The residents’ application would need to go through a review by City department heads, the City Administrator and the Planning Commission. Once the initial

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review has been completed, the City Council may consider disposing of the property after holding a public hearing on the application.

Commissioner Maher felt that the more residents that could take care of this type of property, the more it would benefit the City. He expected that the Planning Commissioners would see more land disposals in the future especially in City Center.

Commissioner Maher asked if any Commissioner had any issues with this land disposal.

The Commissioners all agreed that there are no issues with this land disposal.

B. Concept Plan – Jacob’s Well Plat D; Discussion Item.

This is a concept review of a proposed subdivision plat that replaces a portion of the recorded Jacob’s Well Plat C.

Mr. Hadley explained that the proposed Jacob’s Well Plat D consists of 2.49 acres and is located just south of Golden Eagle Road and east of the Mountain Ranch bike park. Jacob’s Well plat D replaces a portion of the current Jacob’s Well plat C. The plat D proposal takes lots 1 & 2 from plat C and gives them to the City. In return the City gives some City owned open space between lots 3 & 4 in plat C to the developer. The reason for this proposal is the City purchased an easement in December of 2007 for a 138kV power corridor easement that ran through portions of lots 1 and 2. Jacob’s Well plat C was approved for final plat in April of 2006 and was never recorded until June 2010. The approved final plat did not show the recorded easement. The recorded easement makes lot 1 unbuildable. There is not enough area for a building pad without encroaching on the easement. The square footage of the trade is not an equal trade, however, as the applicant would be picking up approximately 4500 sq ft on the proposed lots.

Commissioner Maher stated that it would be nice to know how much the City paid for the easement. It makes sense to recover the easement and it sounded to him that the builder would be getting two lots that are more buildable.

Commissioner Langford stated that the City should look for a fairer swap; that the City should look out for the best interest of the City’s resources and for the tax payers.

Commissioner Dean stated that in principle it makes sense, but the City would need to work out the details.

C. Presentation & Discussion – Utah County Beekeepers Association

Neil Shelley, Utah County Beekeepers Association, recommended three hives or less for under a half acre and five hives or more for over a half acre. The hives should be placed in a fenced area or concealed from view, be off the ground, and the beekeeper should provide adequate water for the hives. If conditions are met it will control flight patterns, prevent vandalism of the hives, rodents from getting into the hives, and will prevent neighbor issues. He suggested a minimum

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of two hives per lot, so you could recover a bee colony by splitting the hive and the beekeeper would not have the economic impact of a collapsed hive.

Deputy Dutson suggested that the City not allow beehives on less than a half an acre because of his experience with swarms and complaints in the past with Eagle Mountain City residents with beehives on the smaller lots.

Boyd Curtis, 4091 N. Mountain View, explained that he is a current beekeeper and has been one for years in Eagle Mountain City Center. He is on a lot less than a half an acre and he would like the City to allow beekeeping on the smaller lots. He believed that it would benefit the City's neighborhoods to allow beekeeping on the smaller lots.

Stephen Briles, 9194 E. Deerfield Cir, explained that it is not the density of a property but the beekeeper's mismanagement of a hive when swarms occur. He informed the Commission that there should be a place in the City Code that allows beehives on agricultural lots.

Kathryn Bitter, 1326 E. Falcon Lane, believed that it should be the responsibility of the beekeepers or the residents to manage their beehives correctly.

Tiffany Ulmer, 1320 E. Harrier St, asked if the City will make the beekeeper liable for problems their beehives create and asked how the City is going to regulate beehives.

Mr. Briles explained that honeybees are natural enemies to wasps and hornets, and if you have a beehive in the area it will cut down on the number of wasps and hornets in the area.

Commissioners suggested that the City allow or require:

- two beehives on lots less than half acre
- three to five beehives on lots larger than half acre
- five or more beehives on lots one acre and above
- no limit of beehives on agricultural lands
- no beehives on side property with less than a 10ft set back
- a beekeeper restriction to catch all nuisance violators with beehives.

D. Development Code Amendments – Discussion Item.

Discussion of potential amendments to the Development Code, including animals, beekeeping, and others.

Mr. Mumford reviewed four key points of the draft development code amendments:

- Existing animal uses – if lawful prior to this ordinance, use may be continued as a nonconforming use, unless discontinued for one year or more.
- Household pets and hobby animals – table regulating animals by lot size, requiring living area, and setbacks.
- No significant changes to residential livestock requirements.
- Livestock grazing for greenbelt tax status permitted on vacant commercial land of greater than 5 acres, but prohibited in June, July, August.

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Mr. Mumford explained the proposed ordinances for dogs, cats, chickens, small breed goats, miniature horses, rabbits, and pigeons.

Wendy Komoroski, 3135 E. Tinamous Dr, DRC member of the Ranches HOA, stated that the Ranches HOA requires a 6 foot privacy fence for chickens.

Tiffany Ulmer, 1320 E. Harrier St, asked how the City would address turkeys in the neighborhoods. She questioned what would happen to the previous dog and cat owners that would not be in compliance with the new amendments. She asked what the City could do about the barking dogs in the neighborhoods.

Deputy Dutson answered that a citation would be issued to the dog owner and then the judge could make the call if there are numerous citations. The majority of the time, an owner will take care of the issue with the first citation.

Kathryn Bitter, 1326 E. Falcon Lane, suggested that the City write the code so the residents could police themselves and be responsible for their animals. She stated if your neighbor can handle 50 chickens then why not allow them to have 50 chickens.

The Commissioners suggested:

- Removing the setback for the animal runs and applying it to the structure that holds the animal.
- Research turkeys and geese for an ordinance. Allow two turkeys for an acre.

E. General Plan Update Discussion

A discussion concerning the process of updating the City's General Plan document and the Future Land Use and Transportation Corridors Map.

City Planners and Commissioners reviewed generated example maps based on the feedback from the recent workshops.

The Commissioner's suggestions:

- having pros and cons for each map
- come up with the best draft and present one map
- get a draft from SITLA, MAG, and UDOT before the Public Open House
- they wanted to know what the City's goals for growth are from the City Planner's view.

5. Meeting Information:

A. Next Scheduled Meeting – June 12

6. Other Business

No other business was discussed.

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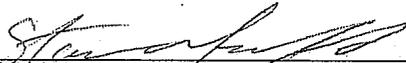
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7. Adjournment

The meeting was adjourned at 8:17 p.m.

APPROVED BY THE PLANNING COMMISSION ON JUNE 12, 2012.



Steve Mumford, Planning Director

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PLANNING COMMISSION MEETING MINUTES

TUESDAY, JUNE 12, 2012 AT 6:00 P.M.

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

6:00 P.M. - Eagle Mountain City Planning Commission Policy Session

COMMISSION MEMBERS PRESENT: Daniela Camacho, Scott Langford, Preston Dean, John Linton and Tom Maher

CITY STAFF PRESENT: Steve Mumford, Mike Hadley, Deputy Garrett Dutson, Sergeant Eldon Packer and Johna Rose

ELECTED OFFICIALS PRESENT: Ryan Ireland and Donna Burnham

1. Pledge of Allegiance

Tom Maher led the Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes – May 22, 2012

MOTION:

John Linton moved to approve the May 22, 2012, meeting minutes. Preston Dean seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, Daniela Camacho and Tom Maher. The motion passed with a unanimous vote.

4. City Council Action Update

Steve Mumford stated that a joint meeting with Saratoga Springs and Eagle Mountain will be held June 13, 2012 at Saratoga Springs City Office. They will be discussing a boundary adjustment, the CWP water line extension project and the Pony Express Parkway trail extension.

5. Development Items

A. Development Code Amendment – Chapter 17.85 Animal Regulations; Action Item, Public Hearing.

This proposal significantly amends Chapter 17.85, regulating pet and hobby animals and livestock according to lot size. Beekeeping regulations are also included.

Steve Mumford explained the reasons we're changing the animal ordinance are because of resident complaints with animals, the desire of residents to keep certain types of animals, and the Planning Commission requested a review of the ordinance. The four main areas of concern are hobby breeding, small breed goats, beekeeping, and chickens. Generally a City will only tackle one animal issue at a time, but the City is rewriting its entire animal ordinance. The existing animal uses that are compliant with the current code may be continued as a nonconforming use,

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unless it is discontinued for a year or more. The animal control chapter remains intact, prohibiting situations that may cause a public nuisance. A new table was created for household pets and hobby animals to regulate animals by lot size, required living area, and setbacks. The majority of cities in Utah County allow only two dogs per household. One change in the animal ordinance is that a conditional use permit will be required for additional dogs for the purposes of breeding, showing, racing, and service rather than a "hobby breeder permit."

Commissioner Maher asked if a resident can have every animal on the table vertically and if so how will the City be maintaining the amount of animals per lot.

Commissioner Langford explained that in West Jordan domestic types of animals are capped similar to this table and livestock animals are based on a point system per lot size.

Mr. Mumford explained and reviewed the proposed code amendment:

- Existing animal uses that are compliant with the current code may be continued as a nonconforming use, unless they are discontinued for a year or more.
- A table was created for hobby animals, including dogs and cats, regulating the number of animals based on lot size. The table also includes a minimum living area per animal, and a setback from the property line for shelters and structures only (not corrals, pens, etc.).
 - The "large dogs" and "small dogs" categories were combined into one "dogs" category on the table, and the numbers were modified slightly.
 - A combination of dogs and cats may not exceed 2 on a multi-family lot, or 4 on any other sized lot.
 - Turkeys and geese were added to the table, allowing 2 on ½ acre – 1 acre, and 2 additional per ½ acre.
- An alternative animal management plan may be approved by the Planning Commission through the conditional use permit process to allow exceptions to the table.
- The number of dogs available for breeding, showing, racing, or service, above and beyond the amount allowed by the table, is specified by lot size in the proposal.
- Chickens are regulated by lot size and the regulations are listed in the proposal.
- Small-breed goats are permitted on ¼ acre – ½ acre lots according to regulations listed in the proposal.
- Livestock grazing is permitted for greenbelt tax status on vacant land (commercial, industrial, airport) of greater than 5 acres, but prohibited in June, July, and August.
- Residential zone livestock table was modified, changing the setback to be for shelters and structures only, from the property line rather than the neighboring buildings.
- Beekeeping regulations are included, allowing 2 beehives on less than ½ acre, 3-5 beehives on ½ acre – 1 acre, and 5+ hives on lots greater than one acre in size. Beehives are restricted in side yards under 10 feet. Other regulations are detailed in the proposal.
- The animal control chapter of the Municipal Code remains intact, which prohibits situations that may cause a public nuisance, all detailed specifically. The section deals mostly with dogs, but also includes animals in general.

Commissioners Linton and Maher asked if we could add buffalos back into the table.

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Commissioner Linton asked about the elk ranch in Cedar Pass Ranch and explained that the owner only keeps elk at certain times and that it is necessary for the owners business.

Mr. Mumford explained that the owner would be grandfathered in unless he removes the elk from the property for over a year, and then he would need to come in and get a conditional use permit.

Commissioner Maher opened the public hearing at 6:29 p.m.

Deputy Dutson explained that he had a meeting with the other animal control officers that work with other cities in Utah County. The majority of city are limiting the number of dogs and cats to two each. Cities have found that it's the best way to regulate dogs in the city, it helps control dogs at large, dog odors, dog bites, and barking dogs. He said the simpler you make the animal ordinance the easier it will be to enforce.

Commissioner Camacho asked if the majority of animal issues come from dogs. What is the percent of issues that come from the amount of dogs?

Deputy Dutson answered about five percent of dog issues come from the amount of dogs.

Deputy Dutson explained that the other issue that he was concerned with is grandfathering in, grandfathering goes with the lot and not the person. He suggested that maybe they have residents come in and sign an agreement.

Commissioner Linton asked if the conditional use permit is based on a corporation or person, not the property. (Example: an orthodontist in North Ranch could sell his house to another orthodontist and continue the same business on that lot.)

Mr. Mumford explained that the conditional use permit does go with the property rights.

Sergeant Eldon Packer explained that grandfathering in typically goes under property rights legally. He explained that when enforcing the code per lot size it becomes cumbersome.

Commissioner Camacho asked if the City could put something in the code to put the responsibility on the resident to prove the lot size.

Commissioner Maher closed the public hearing at 6:45 p.m.

Commissioners recommended or suggested to City Council:

- Only two dogs and two cats per residence.
- Grandfathering falls on the residents to show proof.
- Research the conditional use permit and the grandfathering in going with the property rights.

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MOTION:

John Linton moved to approve and recommend the adoption of Code Amendment – Chapter 17.85 Animal Regulation with the changes discussed in this meeting. Preston Dean seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, Daniela Camacho and Tom Maher. The motion passed with a unanimous vote.

B. Concept Plan – Clearview Estates; Discussion Item.

This plan includes 287 acres, 244 of which are currently outside of the City boundaries (west of North Ranch, north of SR73). A petition has been submitted for annexation into the City, and a master development plan will be required for the property.

Mike Hadley explained that the proposed Clearview Estates Master Development Plan site is located just west of North Ranch subdivision and north of SR 73. It is a total of 287 acres; 43 acres are currently located within Eagle Mountain City boundaries and 244 acres are being proposed for annexation. The Master Development Plan will consist of 346 total units for an overall density of 1.2 units per acre. This falls under the Tier 1 residential development standards in the City's development code. The City Recorder's office is processing the proposed annexation of the property currently outside City boundaries.

Road access: Current City code requires that the minimum distance between accesses onto a highway (SR73) be 1,000 feet (600 ft for right turn only). An existing county road accesses SR73 immediately to the west of the first lot in North Ranch. This road access has been moved to the west approximately 200 feet in the proposed plan, but still remains less than 600 feet apart from Canyon Wash Drive; both roads would allow full access, not restricting any traffic movements. This road continues through the project, eventually providing access to the Wasatch Wing and Clay shooting range. Maintaining this road through the project creates a number of double-frontage lots, as well as some triple frontage "corner lots." In order to provide for safer conditions, staff recommends that the access be moved west in order to maintain at least 1,000 feet between the road and Canyon Wash Drive. The applicant will be required to obtain written approval from UDOT for all roads accessing SR73. Staff also recommends that the subdivision be revised to provide access to the county road on the west side of the project, but not creating the double frontage lots. The project includes the minor arterial road shown on the City's Future Land Use and Transportation Corridors Map, and provides good access to neighboring properties with local road stubs. Various trailhead parking areas are shown throughout the project. The parking area shown along the minor arterial road could present some safety issues, with people backing out onto an arterial road. The current City Code does not allow for driveways to access directly onto arterial or collector roads. Staff recommends that this trailhead location be moved.

The application proposes the following parks and open space:

Natural Open Space 41.9 ac

Improved Open Space

(Including Trailhead Access) 2.3 ac

Storm Drain Pond (Improved) 8.3 ac

Total Improved Open Space 10.6 ac

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Storm Drain Pond (Unimproved) 7.6 ac

Total Storm Drain Pond 15.9 ac

The Bonus Density requirements in the City code require 4% of buildable land be dedicated to improved open space. Based on this formula this project requires 9.81 acres. The proposal includes 10.6 acres of improved open space with 8.3 acres of the improved open space listed as "storm drain pond (improved)."

In the past, storm drain detention/retention ponds were never included in improved open space calculations. The applicant has combined park amenities with storm drain ponds in order to make better use of the ponds. It is up to the Planning Commission to determine whether or not this alternative plan is appropriate. Developments that have an average lot size of greater than ½ acre are not required by the City Code to provide pocket parks or small neighborhood parks. All developments, however, are required to provide community and regional park space or a fee-in-lieu. Staff recommends that the applicant combine parks in order to provide a community park. While the entire park would be dedicated to the City, a portion could remain unimproved, to be improved in the future through fees-in-lieu from other nearby developments and/or from impact fees.

The Development Code requires community improvements, or \$2,000 per buildable acre, in the form of public buildings/facilities or regional parks. The developer has proposed to dedicate 40+ acres of natural open space land to the City for a "regional park." The proposed natural open space and rock outcrop areas provide a unique amenity with the trails and trailheads but they cannot be considered a regional park. The Planning Commission and City Council will have to decide if the trails and natural open space fulfill the community improvements requirement.

UTILITIES

Water

The applicant would like to tap into the current water system within the City. If the City determines that the Valley View water tank does not have enough capacity to supply the project then the developer will be required to install a water tank in the project, the location for which is shown on the master development plan map.

Sewer

All lots within the development will be served by small individual underground wastewater disposal systems (septic systems). The County Health Department will be responsible for review and approval of these systems.

Electric

This development will require a new electrical feeder line to be extended from Ranches Parkway to the site. See section 13 in the proposed plan for details.

Storm Drainage

The developer's plan is to include various small storm drain ponds throughout the development to handle storm water runoff. The City Engineer has suggested that many of these be combined together for ease of maintenance and to make better use of the basins for recreation.

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Steve Sowby, Engineer of Clearview Estates, explained that he and his clients are trying to preserve the rural nature of the property and the open space for all City residents to enjoy. He said the City staff suggested that they use some of the storm drain ponds for parks, so they provided three to five acres in the lower right side of the development for parks and to preserve some of the storm drain ponds. Another issue is the twenty storm drain ponds, he has found in his 40 years of experience that cities do not want to collect all the water, pipe it, channel to a location and be forced to deal with that amount of water. He believes taking care of the storm water at the point where it falls would be the best option. He designed the twenty storm drains to be three to four times the City's standards so that they will release at 0.05 CSF per acre instead of a release rate of 0.27 CSF per acre. The owner does not object to moving the entrance of the development.

Commissioner Langford asked what would be the benefits of the annexation for the property owner.

Mr. Sowby stated that the benefit to the owner is that the City could provide water, natural gas, and electricity.

Commissioner Langford asked who would be maintaining the open space, would they have an HOA or would it be dedicated to the City?

Mr. Sowby stated that the intent is to dedicate the open space to the City for a regional park.

Commissioner Langford suggested that they consolidate the storm drain ponds, integrate the development into North Ranch and North Canyon with the unique land topography, have a road layout ready, have four to five acres for a church, look at some of the lots that have extreme slopes, driveways should never be on arterial roads, and use islands on collector roads preventing cars from pulling directly onto a collector road. Another idea would be to use the natural grade for a natural amphitheater.

Mr. Sowby stated that on the collector road the lots will require forward motion driveways or circular driveways.

Commissioner Dean encouraged the developer to combine the smaller storm drain parks into a larger park, because smaller parks are not used by the residents. He felt that the park would not be accessible to the whole city.

Commissioner Linton suggested a larger, more desirable park for the residents on the north side of SR73.

Mr. Mumford explained that our Parks and Open Space Master Plan does show a great need for a regional or larger community park in the northern area.

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Commissioner Maher suggested a more destination type park that is finished, and that the developer should look at two church sites in the development.

6. Discussion Items

A. Development Code Amendments – Discussion Item.

Discussion of potential amendments to the Development Code.

The Commissioners and the City Planners reviewed and discussed business signs, billboard signs, and directional signs.

7. Meeting Information:

A. Next Scheduled Meeting – July 10

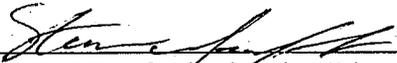
8. Other Business

A. Commissioner Maher was presented with a plaque and recognized for his eleven years of outstanding service on the Commission.

9. Adjournment

The meeting was adjourned at 7:48 p.m.

APPROVED BY THE PLANNING COMMISSION ON JULY 10, 2012.



Steve Mumford, Planning Director

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TUESDAY, JULY 10, 2012 AT 6:00 P.M.

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

6:00 P.M. - Eagle Mountain City Planning Commission Policy Session

COMMISSION MEMBERS PRESENT: Scott Langford, Preston Dean, John Linton and Wendy Komoroski

CITY STAFF PRESENT: Steve Mumford, Mike Hadley, Steve Olsen, Adam Ferre and Johna Rose

ELECTED OFFICIAL PRESENT: Ryan Ireland

1. Pledge of Allegiance

John Linton led the Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes – June 12, 2012

MOTION: *Preston Dean moved to approve the June 12, 2012, meeting minutes. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton and Wendy Komoroski. The motion passed with a unanimous vote.*

4. City Council Action Update

Steve Mumford reported the following City Council action:

- That the 2013 fiscal year Budget was approved.
- Clearview Estates annexation was accepted for further review.
- Eagle Point Townhomes Agreement was approved, with a time line for improvement of open space amenities.

5. Development Items

A. Site Plan – Meadow Ranch Self Storage; Action Item, Public Hearing.

This project is a portion of the Meadow Ranch Business Center, which received site plan and conditional use approval in 2001. It is located on the west side of Sunset Drive, north of SR73.

Steve Mumford explained that the Meadow Ranch Business Center (Phase 6) received site plan and conditional use approval in August and September, 2001. The Business Center included five office buildings, self-storage units, open boat and recreational vehicle storage, and two buildings listed as office/retail. The zoning for this site was identified by the City

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Attorney at the time as Satellite Commercial, which allowed office and retail as permitted uses and recreational vehicle, open boat, and self-storage as conditional uses. A development agreement was also approved for the project, with specific exhibits and timing requirements for improvements. This approval remains valid, as approvals prior to October 5, 2010 (the date when expirations of approvals were added to the Development Code) do not expire. The Meadow Ranch Business Center development agreement required the following: "The developer is required by this agreement and the terms of approval of the developer's project by the City Council to submit a site plan application and receive specific site plan approval for the development of each commercial site within the overall business center."

The proposed self-storage project will be located in the northwest corner of the overall project, north of SR73 and west of Sunset Drive, taking up approximately 9.51 acres. The project includes eight single story self-storage buildings, a two-story office/residence, a future single-story storage building, a large temporary gravel area for open boat and RV storage, a temporary gravel area for RV valet staging, and a storm drainage retention area.

The applicant has gone through the Development Review Committee (DRC) process, and has been receptive to staff's comments and concerns, making changes to the plans. The following are some of the items of interest or concern in the proposed project:

Building Elevations & Site Design

Building practices and architecture have changed somewhat since this project was approved in 2001, as well as fire codes. The storage buildings, for instance, were approved with a pitched asphalt shingle roof. This style of roofing creates potential hazards for fire protection, adding combustible construction to the buildings. Storage buildings are nearly always built with a flat roof in order to avoid that potential fire danger. The proposed building elevations are different than those that were approved in 2001, but the Planning Commission and City Council will have to determine if the proposed elevations are improved over the previously approved buildings; City Staff recommends that the proposed elevations are an improvement in color, style, and construction.

The site was designed to be identical, or as close as possible, to the approved site plan from 2001. The buildings are placed around the perimeter of the site with the center area open for temporary open boat and RV storage. The only significant changes on the site plan include the following:

- 1) The two-story climate controlled storage building is now being shown as future single-story building "I." The developer has indicated that this could be a storage building with interior hallways, but may not be climate-controlled. Elevations for this building would have to return for an approval in the future.
- 2) The property boundaries have changed since 2001, so the southwest portion of the site is part of this property rather than the property to the south. This area is being planned as a temporary gravel area for RV valet staging along with a storm drainage retention area, as recommended by the City Public Works Director and Engineer. The previous plan showed this area as including drive aisles and parking for the project to the south. The plan also contained a communal storm drain pond

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for the entire project along the highway. City Staff required the applicant to retain storm drainage on site.

Landscaping & Fencing

The approved plan included a white steel picket fence with beige split-faced CMU barrier walls between Sunset Drive and the project. The new plan includes a six-foot high pre-cast decorative wall. This wall will "hide" the storage buildings and open storage better, and result in a better appearance from the street. The pre-cast decorative wall will actually surround the project along the east and south property lines. The backs of the buildings on the north and west will act as a solid wall, and a solid masonry wall will be placed in between the buildings. Sliding gates are included in a couple of locations for security purposes.

The landscaping has been modified somewhat from the original plan, including less trees surrounding the project, no berming surrounding the buildings, and a different setup along the street. The original meandering trail along Sunset Drive was straightened at Staff's request, so the tree placement was made more standardized in the park strip. The City's Parks Foreman has some concerns over the types of trees shown on the plan. We recommend that the plan be reviewed with the Parks Foreman and revised if necessary. The berming was excluded specifically for storm drainage purposes, in order to avoid creating flooding and water damage issues to the buildings and the site.

Timing of Improvements

Phasing plans were included as Exhibit 4 of the original development agreement for the overall project, specifying the completion of landscaping throughout the project. Section 2.8.3 of the development agreement states the following: "...the entry landscaping shall be completed...no later than the first phase of construction together with all landscaping, trails, and other improvements on both sides of Sunset Drive as depicted more specifically in the phasing plan Exhibits for the self-storage Phase I phase identified in the Exhibits." The properties, however, are now separately owned, and the only portion of the project that is being proposed for development is the self-storage site. The applicant is requesting to not be held to the requirement of installing the entryway landscaping on neighboring properties. Staff believes this request is reasonable.

The phasing within the self-storage site is somewhat consistent with the original plan, including temporary gravel open boat and RV storage areas that may eventually be replaced with storage buildings. Again, the climate controlled storage building is shown now as a future building. The temporary RV and boat storage is much needed for the community, as the City Code Enforcement Officer and other City Staff receive numerous requests and complaints concerning the lack of areas for this type of storage in the city.

DRC Comments

A majority of the DRC comments have been resolved. Any remaining issues must be resolved with staff prior to the issuance of building permits, including storm drainage calculations and addressing storm drainage on Sunset Drive, fire hydrant locations, turning

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radii within the site, building concerns, water rights, lighting fixtures, and dry utility plans, among others.

The following are the recommended conditions of approval:

1. The landscaping plans must be approved by the City Parks Foreman prior to receiving building permits.
2. All DRC comments must be addressed appropriately prior to receiving building permits (see DRC Comments section above).
3. Documentation for the appropriate amount of water rights must be submitted prior to City Council review.

Commissioner Langford asked if the applicant would need to provide improvements to the right of ways and to Sunset Drive going out to SR73. He suggested that the developer stick to the pitched roofs, due to the view from the hillside homes.

Ken Menlove, the applicant, explained that the storage buildings are constructed out of block and steel, because of the Building Code and the fire rating of the buildings. The majority of storage units are constructed with metal flat roofs due to combustibility.

Commissioner Langford asked the applicant to explain the living quarters building.

Mr. Menlove explained that this type of business this size requires a live-in quarters. Proposed is a two story commercial look building, with the living quarters upstairs and the office area down stairs. The living quarters are designed for an older couple or a newlywed couple, with two bedrooms one master bedroom and a guest bedroom. The facility will have a security gate, security cameras, a live-in caretaker and downward wall pack lighting.

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

Karen Kast, 2327 E. Coyote St, stated that she wished that this development would not be built in their neighborhood. She was concerned with the development being too close to the trails and the north west park. She suggested that the City require the developer to add a continues trail along Sunset Drive.

Mr. Mumford explained that the developer would be providing a trail in front of their property, but the road in front of the property to the south is not a dedicated road to the City.

Mrs. Kast was concerned that the downward facing lights would be too bright for their neighborhood. She requested that background checks be done on the caretakers and if there are no lights in the storage units, business could close earlier than 10:00 p.m.

Mr. Menlove stated that the lights would be set on a timer. The majority of the time the lights in the summer would be shut off by about 10:00 p.m. and the lights in the winter would be on between 6:00 p.m. to 10:00 p.m. due to the power bill. He stated if the lights become a problem there could be a shut-off requirement. The lights would be mounted 7 feet off the ground, placed

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on buildings about every 40 feet, and the lights are wall pack low shielded lighting, only providing customers with a secure passage to their storage unit at night.

Linda Bright, 9303 N. Hawk Lane, believed that Sunset Drive will need to be improved if this type of business is going into the neighborhood. She is concerned that the landscape will become an eyesore, and she requested that the City expand their notice area for bigger lot neighborhoods.

Dean Thornton, 9250 N. Hawk Lane, was concerned that the weeds between the back of the property and the path will not be maintained by the City, and become a fire hazard.

Commissioner Langford reported that the plan shows 20 foot pole lights in the RV area and 12 foot lights on the wall areas.

Mr. Menlove said that he could modify the lighting plan to remove the pole lights from the RV area, and mount the wall pack lights a maximum of 8ft.

Rod Allred, representative of property owners of 70 acres on the south side of SR73, was concerned that the developer and the City are operating on approval from 11 years ago. He and the owners have been deciding how to develop their 70 acres of property. Most likely they will develop their property for residential homes. Because their 70 acres of property are on a hillside, the residential development views will be 10 acres of storage units. He believed that the storage units should not be built in this type of residential area.

Commissioner Linton closed the public hearing at 6:58 p.m.

MOTION:

Preston Dean moved to approve and recommend the Meadow Ranch Self Storage site plan to City Council as in the staff report with limiting the wall pack lights to 8 feet and removing the pole lights. Wendy Komoroski seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton and Wendy Komoroski. The motion passed with a unanimous vote.

B. Site Plan – Eagle Mountain City Energy Building; Action Item, Public Hearing.

The City is proposing a new building to house the Energy Department, to be located immediately north of the Public Works building along Pony Express Parkway.

Mr. Mumford explained that the City's Public Works building has been insufficient for the needs of both the Public Works and Energy Departments for some time, not only for office space and associated needs, but for proper indoor storage of equipment and vehicles. The City recently purchased property immediately north of the Public Works property and budgeted sufficient funds to construct a new Energy building, specifically to house the Energy Department and their associated equipment. The Public Works Building will then house only the Public Works Department.

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Some of the City's goals for this project are:

1. Tie this project in with the existing Public Works Building, including vehicular access and pedestrian connection between the sites.
2. Plan a building that is of appropriate size and layout for the Energy Department's office and storage needs.
3. Provide for sufficient paved vehicular access and parking for the department's vehicles and equipment.
4. Construct an attractive building that is energy efficient, provides a good example of some water-wise landscaping, and contains a room that educates the public (residents and contractors) of energy-efficient fixtures and materials.
5. Provide sufficient space south of the building and access road for power poles and facilities that would provide power for a power generation site to the southwest.

Building Elevations & Site Design

The site is laid out very similar to the Public Works site with customer parking in the front and the main entrance facing the street. The building elevations have been included as an attachment to this report. A rendering was prepared and attached as well. City staff and Administration are pleased with the outcome of the design.

Landscaping & Fencing

The trees shown on the site plan are not accurate – the landscape plan provides the location of trees, shrubs, etc. The landscaping includes berming between the street and the parking, as required in the Development Code as a "headlight screen," as well as some trees and xeriscaping. Pony Express Parkway is planned as a 122-foot minor arterial in this area, which includes curb and gutter, and an 8-foot multiuse path. The plan does not provide for the curb and gutter, since it will be quite some time before the road needs to be widened to include the additional lanes. The path is not included as well, since there will be no pedestrian traffic in this area for a long time, since it is located more than a mile away from the nearest subdivision. These will have to be future improvements, when appropriate.

Section 17.60.130C of the Municipal Code states the following concerning industrial chain link fencing: "Chain link fencing in industrial areas shall not exceed eight feet in height, and shall be permissible no closer than the front wall of the building (or in the case of a corner lot, the side wall of the building). Where chain link fencing is visible from the street or parking, additional landscaping shall be established." The fencing on the plan extends about twenty-five (25) feet in front of the building on the south side. This should be pushed back to be in line with the building and the area replaced with additional landscaping.

Other

The access road shown on the south side of the project will be improved with asphalt until the west end of the sidewalk, and then with road base beyond that point. The road is sized appropriately for a local road in the case that properties to the west will need a road through this area in the future. In the meantime, it will be used solely to provide access to the two City sites.

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Some areas of the Public Works site are intended to be improved along with this project, expanding the parking area and providing pedestrian and vehicular access to the north.

The site plan shows “existing property line to be removed” and “new property line.” The property line will not be moved, and thus these references should be removed from the plans.

Adam Ferre stated that the City wants this Energy building to be a real gem, and set an example for new developments. He explained that they would love to use this building for educating the public on energy efficiency.

Commissioner Dean asked if the building will be LEED certified, and suggested that the City pursue that if they intend to be an example of energy efficiency.

Mr. Ferre stated that although the City has not submitted this project for LEED certification, it does meet many of the LEED standards.

Commissioner Linton asked what the life use of this building will be, so how long will this building be able to house the Energy Department?

Mr. Ferre explained that with the six acres there is room for an identical Energy Building behind this building. He stated a least 10 to 15 years this should hold the Energy Department. They need a building that can house their expensive equipment and help them take care of that equipment.

Steve Olsen explained that to the west of the garage bays they will be installing a knock out wall for expansion of future bays, and that there are areas also for office space to be expanded.

Commissioner Linton opened the public hearing at 7:27 p.m.

Commissioner Linton closed the public hearing at 7:27 p.m.

MOTION:

Preston Dean moved to recommend approval of the Eagle Mountain City Energy Building site plan to City Council with the conditions 1) The chain link fencing be moved to be in line with the front of the building. The removed parking should be replaced with landscaping 2) The property line references must be removed from the plans, as well as the new property line. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton and Wendy Komoroski. The motion passed with a unanimous vote.

6. Discussion Items

A. Development Code Amendments – Discussion Item.

Discussion of potential amendments to the Development Code.

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Mr. Mumford explained and reviewed:

- Water right requirements for developers and the change that developers could purchase water rights from the City.
- That the City is currently undergoing a detailed analysis of all development application fees.
- That driveway slopes are to be at 12% and builders are abusing that Building Code. That the City is working on setting up a new policy to help with regulating driveway slopes.
- The setup of Committees for General Plan Element reviews, and which Commissioner and Councilmember would be a part of each committee.

7. Other Business

A. Election of Planning Commission Chair and Vice-Chair

MOTION: *Preston Dean moved to appoint John Linton as Planning Commission Chair for the 2012 year. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton and Wendy Komoroski. The motion passed with a unanimous vote.*

MOTION: *Scott Langford moved to appoint Preston Dean as Planning Commission Vice Chair for the 2012 year. Wendy Komoroski seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton and Wendy Komoroski. The motion passed with a unanimous vote.*

B. Discussion of packets & Dropbox

Mr. Mumford explained that the City is becoming more technologically savvy, and hopes that Dropbox will reduce paper copies, travel, and time to deliver packets in the future. Commissioner Langford requested that City maps and other information be provided on Dropbox as well as the packets.

8. Meeting Information:

A. Next Scheduled Meeting – August 14

9. Adjournment

The meeting was adjourned at 7:58 p.m.

APPROVED BY THE PLANNING COMMISSION ON AUGUST 14, 2012.



Steve Mumford, Planning Director

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6:00 P.M. - Eagle Mountain City Planning Commission Policy Session

COMMISSION MEMBERS PRESENT: Scott Langford, Preston Dean, John Linton, Daniela Camacho, and Wendy Komoroski

CITY STAFF PRESENT: Steve Mumford, Mike Hadley, and Johna Rose

1. Pledge of Allegiance

John Linton led the Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes – July 10, 2012

MOTION: *Preston Dean moved to approve the July 10, 2012, meeting minutes. Daniela Camacho seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, Daniela Camacho and Wendy Komoroski. The motion passed with a unanimous vote.*

4. City Council Action Update

- City Council appointed Jeremy Cook with Parsons Kinghorn Harris as the City Attorney on July 17, 2012.
- City Council held a public hearing on the animal ordinance, requesting feedback from the City residents, no motion or action was made.
- City Energy Building site plan was approved by City Council.
- City Council reviewed the Clearview Estates Annexation and Master Development Plan in a work session.

5. Development Items

- A. Amendment to the General Plan – Clearview Estates; Action Item, Public Hearing.
The proposed amendment to the General Plan Map 2 (Future Land Use and Transportation Corridors Map) is to designate the 287 acres involved in the Clearview Estates Master Development Plan proposal as “Rural Residential,” contingent upon the annexation being approved by the City Council at a future meeting.

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Mike Hadley explained that the General Plan Amendment is proposed so that the Clearview Estates Master Development Plan is consistent with the City's General Plan, which is required for a rezone approval.

The Clearview Estates Master Development Plan consists of 287 acres; 43 acres are currently within the City boundaries and designated as Mixed Use Commercial and 244 acres are being proposed for annexation. The Master Development Plan will consist of 342 total units for a density of 1.2 units per acre making it a Tier I residential development. All the lots will be ½ acre with the exception of three lots abutting the North Ranch subdivision; those lots are 1 acre which complies with the City's buffering requirements. The City's current General Plan map does not designate any land uses for land outside of the current city boundary.

The proposed Clearview Estates General Plan Amendment Land Use designation is Rural Residential. This is consistent with the surrounding properties' land use designation. This designation still allows for churches, schools and home businesses, etc. There is a major arterial road currently shown on the General Plan map that goes through the property.

Commissioner Linton opened the public hearing at 6:08 p.m.

Thomas Weidauer, 9121 Canyon Wash Drive, he was concerned with Clearview Estates lot size being half an acre, making it a high density neighborhood. He believed that the lots should be around two to three acres because it is adjacent to North Ranch. He questioned why the City is annexing the property in to develop more housing. He believed that the City already had enough housing developments. He was also concerned what would happen to the gun range, and that the houses were in the path of the airport.

Steve Sowby, developer of Clearview Estates, stated that they want this General Plan amendment.

Commissioner Linton closed the public hearing at 6:15 p.m.

Steve Mumford explained that the landowner is requesting annexation, and that it is the landowner that plans the master plan of the property. The City is not seeking out annexation of this property and it's not the City making the master plan.

Commissioner Dean stated that the Planning Commission is not making a decision on the Clearview Estates annexation.

Commissioner Linton understood that Utah County was encouraging cities to annex property adjacent to their city.

Mr. Mumford stated that Utah County does encourage cities to annex properties with subdivisions, because of the responsibility for fire protection, utilities, and road maintenance. While this property does not contain existing development, the County generally is in favor of property being transferred to cities.

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Commissioner Camacho asked if Section A lots would remain Mixed Use Commercial, and what type of business will that allow?

Mr. Hadley stated that all of Clearview Estates would change to Rural Residential and only home based businesses will be allowed.

Mr. Mumford stated that section A was currently zoned Mixed Use Commercial. The previous 2007 master plan for this property included commercial along that corridor, so North Ranch would have been adjacent to commercial instead of rural residential lots.

MOTION: *Preston Dean moved to recommend approval to City Council of the Amendment to the General Plan – Clearview Estates. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, Daniela Camacho and Wendy Komoroski. The motion passed with a unanimous vote.*

B. Master Development Plan – Clearview Estates; Action Item, Public Hearing.

This plan includes 287 acres, 244 of which are currently outside of the City boundaries (west of North Ranch, north of SR73). An annexation petition has been submitted for review by the City Council. The project proposes 342 rural ½-acre lots.

Mr. Hadley explained that the project consists of 287 acres of land; 43 acres of the project is located currently in Eagle Mountain City limits and 244 acres is being proposed for annexation. Total units are 342, overall density is 1.2 units per acre with a minimum of a half-acre per lot, except for one acre lots that border North Ranch. This is a master development plan so the developer could come back and propose the number of lots differently later in the development process.

The parks and open space for this project proposed are 42.4 acres for natural open space, 9.8 acres improved open space (including trailhead access, amphitheater, and S.E. park), and 9.4 acres for a storm drain pond (unimproved).

The City's concerns are:

- Clearview Estates Master Development lacks a community park
- The City's engineer suggested they combine the storm drain ponds for the ease of maintenance, and that they make the basins better for recreation.
- The Development Code requires community improvements, or \$2,000 per buildable acre, in the form of public buildings/facilities or regional parks. Do the trails and natural open space fulfill this requirement?

Recommended conditions of approval by the City:

1. Update to the City Master Water Plan and a study to decide if the water system looping and storage/pressure design will be adequate for the project. If not adequate, a water tank must be included for the project.

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2. Traffic plan mitigation requirements need to be implemented prior to issuing building permits.
3. Master drainage plan must be submitted and approved.
4. A plan for the parking areas, trailheads, trails (type and materials).
5. County approval for the septic systems for each lot.
6. Approval contingent upon annexation & master development agreement approval.
7. Water rights and where they will be coming from.

Commissioner Linton asked if the City is selling water that the City does not own.

Mr. Mumford explained that the State Engineer did allow the City to utilize a certain number of water rights that the City does not yet have, basically what the City has in our wells would count for the CWP water that will be replaced once the City can pump in the water. The City recently made a large payment to access an additional 250 acre feet, and then beyond that the City will need to wait until the water is actually in the city system.

Commissioner Linton asked if that was contingent on the pumping station being constructed. He asked if there would be anything that would prevent the construction of the pumping station.

Mr. Mumford explained that the pump station would need to go in to obtain the actual water. The only thing that he could see that could prevent the pump station would be if the City Council decided to not fund the pumping station or the water. He explained that the City Engineer is currently working on that project, so that the pump station and the pipe would go in next spring along with a trail running alongside of Pony Express Parkway.

Mr. Mumford explained how Clearview Estates would impact our utilities:

Water

The applicant would like to tap into the current water system within the City. If the City determines that the Valley View water tank does not have enough capacity or the current line sizes are not adequate to supply the project, then the developer will be required to install a water tank in the project.

Sewer

All lots within the development will be served by small individual underground wastewater disposal systems (septic systems). The County Health Department will be responsible for review and approval of these systems.

Electric

This development will require a new electrical feeder line to be extended from Ranches Parkway to the site.

Storm Drainage

The developer's plan is to include various small storm drain ponds throughout the development to handle storm water runoff. The City Engineer has suggested that many of these be combined together for ease of maintenance and to make better use of the basins for recreation.

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Commissioner Langford asked about septic tanks and he wanted to know what other lots in that area were using.

Mr. Mumford explained that all of North Ranch, and Sage Valley are on septic tanks. The amount of money to pump and lift the sewage to the existing sewer pipe would be costly.

Commissioner Camacho asked if the biggest concern for the City was that Clearview Estates lacked a community park, and that the drainage ponds should be combined. She asked if there were any other concerns that the City staff had.

Mr. Hadley stated that those are two of the biggest issues with Clearview Estates.

Mr. Mumford explained that there is a mistake on the Parks and Open Space Master Plan for this area. It shows that there is an existing community park in North Ranch that expands over into Clearview Estates. The North Ranch park is less than two acres in size and is considered a neighborhood park and not a community park.

Commissioner Dean asked what are the distinctions between a community park and a regional park.

Mr. Mumford explained that the distinction between parks is mostly size and the use of the park. The Parks and Open Space Master Plan is flexible. A community park would have one or more recreational fields plus other uses that a neighborhood or pocket park will not meet. A regional park would be a mix of natural and improved open space, with more fields for the purpose of activities, sports, and recreation. He does not believe the natural out cropping land in Clearview Estates meets the qualification for a regional or community park, but it is a unique park and it does provide for some trail system. But the City views a regional or community park as providing more space for sports and recreational uses.

Commissioner Dean asked if the development code is requiring Clearview Estates Master Plan to include a community park or a regional park?

Mr. Mumford stated that in the City code its closer to a regional park or public facility building. In the past some other master plans have been allowed for some of the community improvements to be used towards a trail system.

Commissioner Dean asked if it is \$2,000 per buildable acre requirement. That would equal just over a half a million dollars for the 287 acres, but is that 287 acres buildable?

Mr. Mumford explained that he did not believe some of the rock area is buildable and the Planning Commission and the City Council will have to determine at a later time in the master development agreement in detail on how the money would be spent.

Commissioner Linton opened the public hearing at 6:37 p.m.

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Steve Sowby stated that he had listened to all the recommendations from the Planning Commission and considered all the recommendations except for one. He explained that he had provided an amphitheater, provided access with parking and improvements to the regional outcrop park, he combined smaller pocket parks into a large community park that could be used for a destination park, he combined more of the storm drain ponds, he removed all the lots fronting the arterial road, and he provided access to the North Ranch trail.

He stated that in the City's development code it says, a developer may contribute the value toward community amenities by constructing the amenity or providing an element toward the completion of an amenity, by dedicating land or water rights to the City for such amenities at fair market value or by contributing a fee of \$2,000 per acre of buildable land. He explained that the developer is asking the City to consider and accept all the land. The land would be dedicated to the City for fair market value, and at that time if there is more need, then the developer would fund, construct, or pay the \$2,000 per acre for the amenities.

He explained that the southern part of Clearview Estates water can be served by the existing water system with no improvements. But in the north area of Clearview Estates the developer would need to hook up to the North Ranch tank or build a new tank.

He explained that he had reviewed the Camp Williams Joint Land Use Study and there are minimal effects on the development. The Development is in one flight path, but not in the fire hazard area, and not in the light path.

Commissioner Dean asked what the phase qualifications are for a regional park.

Mr. Mumford explained that land for community and regional park is first dedicated to the City and then the City will develop those parks as needed with the City's timeline, using impact fees and other funds.

Commissioner Dean asked at what time in the development process does the developer deed the land over and when does the appraisal for the land take place?

Mr. Hadley explained that they deed the land over with the first subdivision plat.

Mr. Mumford explained that the appraisal could be done prior to approval, before the first development plat, or conditions could be added to their Master Development Agreement. The City could start developing the park as soon as the land is dedicated to the City.

Commissioner Dean asked at what time will the road be constructed to access the parks.

Mr. Sowby explained that if the developer develops as needed the lower area would be developed first and the City would require the developer to deed 4% or a fair portion of the lower park space.

Commissioner Linton closed the public hearing at 6:53 p.m.

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Commissioner Linton asked about the development being in the flight path.

Mr. Sowby explained that there are requirements on flight paths, for how far it flares out and how high the glide ratio is. The requirements for the flight path in Sage Valley are that planes would have to be 150 ft high. Clearview Estates is across SR 73 and the planes would be 160 ft high, so there would be no restriction for the development, and there is no horizontal restriction.

Commissioner Linton asked if the Utah County Health Department requires septic tank approval for each lot or do they approve the whole development?

Mr. Hadley stated that septic tanks are approved by lot.

Commissioner Langford asked about the 122 ft arterial road and what that entails.

Mr. Mumford explained that entails a 13ft median, 20ft planter strips with 8ft trails, and a four lane road, including the turn lane.

Commissioner Langford asked if the developer could look at moving one of the church sites to the arterial road, because of traffic issues.

Commissioner Langford requested that in the recommendation the City require the developer to combine the drainage basins in a manner that could provide space adequate for a community or regional park.

Commissioner Camacho asked if the City staff in the future could supply a project cost to help aid in making a decision.

Commissioner Linton asked if the developer has thought about an HOA that could manage and maintain the open space.

Mr. Sowby said that the developer could consider a HOA, but the developer would like to dedicate the land to the City. The open space and storm drain ponds could be maintained privately with minimal cost.

Mr. Hadley said the biggest issue is maintaining the storm drain ponds.

Mr. Sowby stated that it's cheaper to maintain the storm drain ponds than a larger drainage system.

Commissioner Langford was concerned about the trail that was tucked away behind the houses in this development. He questioned if the trail would be maintained properly and if our residents would use the trail, because the trail is out of sight and it would leave a resident vulnerable.

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MOTION:

Preston Dean moved to approve and recommend to City Council The Master Development Plan – Clearview Estates with the conditions stated in the staff report adding 6. Approval contingent upon annexation & master development agreement approval, and 7. Drainage space may be combined to meet a community park: Daniela Camacho seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton Daniela Camacho and Wendy Komoroski. The motion passed with a unanimous vote.

- C. Preliminary and Final Plat – Meadows Storage Subdivision; Action Item, Public Hearing.
This is a one-lot subdivision creating a 9.51-acre commercial lot located north of SR73 and west of Sunset Drive.

Mr. Mumford explained that the Meadows Storage Subdivision is a preliminary and final plat that includes one parcel of land consisting of 9.5 acres. It is located north of SR 73 along Sunset Dr in the Meadow Ranch subdivision. The Meadows Storage Subdivision is a portion of the previously approved Meadow Ranch Business Center which was approved in 2001. The Meadow Ranch Business Center included five office buildings, self-storage units, two office/retail buildings and open boat and recreational vehicle storage. The development agreement that was approved stated, “The developer is required by this agreement and the terms of approval of the developer’s project by the City Council to submit a site plan application and receive specific site plan approval for each individual development within the overall business center”. The Site Plan was presented to the Planning Commission on July 12, 2012 and consists of eight single story self storage buildings, a two-story office/residence, a future single-story storage building, a large temporary gravel area for open boat and RV storage, a temporary gravel area for RV valet staging and a storm drain retention area. It was recommended for approval to the City Council. After further review and before going to the City Council it was determined that in order to proceed with the final site plan approval, the applicant needed to submit for preliminary and final plat approval. When the original Meadow Ranch Business Center was approved the land was illegally subdivided through the County Recorder’s office using deeds and there was never a subdivision plat prepared and recorded. The subdivision plat process will clear up any land and title issues that might occur in the future so the site plan can continue to the City Council.

Commissioner Linton opened the public hearing at 7:22 p.m.

Commissioner Linton closed the public hearing at 7:22 p.m.

Commissioner Langford asked why the site plan did not show the public utility easements.

Mr. Mumford recommended the Planning Commission add that to the Meadows Storage Subdivision site plan, to show the public utility easements as a condition of approval and that the City Engineer and Energy Director verify that the site plan needs easements.

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Ken Melove stated that as the representative for the project he agrees with the condition of adding and verifying the public utility easements.

MOTION: *Preston Dean moved to approve the Meadow Storage Subdivision A final preliminary plat with the following condition that the City staff verify and/or add public utility easements as needed. Daniela Camacho seconded the motion. Those voting aye: Daniela Camacho, Scott Langford, Preston Dean, John Linton and Wendy Komoroski. The motion passed with a unanimous vote.*

MOTION: *Preston Dean moved to recommend approval to the City Council for the Meadow Storage Subdivision A final Plat with the following condition: that the City staff verify and/or add public utility easements as needed. Daniela Camacho seconded the motion. Those voting aye: Daniela Camacho, Scott Langford, Preston Dean, John Linton and Wendy Komoroski. The motion passed with a unanimous vote.*

D. Development Code Amendment – Water Rights Requirements; Action Item, Public Hearing.

The proposed changes include provisions for the purchase of water from the City in lieu of dedication of water rights. Affected code sections include 16.20.040D, 16.25.040At, 17.100.050G, and 16.35.040C.

Mr. Mumford explained that the City Code currently requires that water right documentation be provided along with a preliminary plat application, and that water rights or shares be dedicated to the City prior to recording a plat or obtaining a building permit. The City has purchased water from the Central Utah Water Conservancy District, and is in the process of constructing a pump station and piping to bring that water into Eagle Mountain. Even though we will not technically have access to this water until the water pump station and pipes are completed (next year), the rights to this water are available now for purchase from the City in lieu of dedication of water rights.

The following proposed amendments to the various code sections have been discussed and reviewed by the City's Public Works Director and Attorney. A public water supply agreement is being drafted and will be presented to the City Council at a future meeting. This will be a standard agreement that will be required for any purchase of water from the City. Here are the proposed changes:

Preliminary Plat

Section 16.20.040 contains the application requirements for a preliminary plat application.

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D. Water Rights. Water rights documentation showing availability of water rights sufficient to serve the development, *or acknowledgement in the form of a signed letter that developer intends and commits to purchase water from the City.*

Final Plat

Section 16.25.040A1 contains the application requirements for a final plat application.

t. Water rights conforming to the City's requirements *or a public water supply agreement* shall be submitted to the City Attorney for approval.

Development Standards for Required Public Facilities

Section 16.35.040 discusses potable water, including connection requirements to the City water system, developer's responsibilities, and residential water rights.

C. Residential Water Rights. Table 16.35.130(a), Residential Water Right Requirements, is provided in this chapter for convenience. It defines the amount of water rights that shall be dedicated to the City for detached single-family residential uses. The engineer shall calculate water rights for other uses including commercial, multi-family residential, industrial and recreational uses after a site-specific analysis is performed for the proposed use. Water rights to service detached single-family dwellings shall be dedicated to the City *or sufficient water shall be purchased from the City* prior to the recordation of the subdivision. Water rights to service commercial uses, multi-family residential uses, industrial and recreational uses shall be dedicated to the City *or sufficient water shall be purchased from the City* prior to the issuance of the building permit.

Site Plan Review

Section 17.100.050 contains the application requirements for a site plan application.

G. Dedication of Water Shares. The applicant shall comply with Chapter 13.25 EMMC and shall dedicate to the City the amount of water rights specified in that chapter *or purchase sufficient water from the City* prior to the issuance of any building permit.

Commissioners Linton and Dean asked if the developer would have to supply their own water right before purchasing City water rights.

Mr. Mumford explained that the developer does not have to supply his/her own water right prior to purchasing City water right, that the developer could keep his/her own water rights for future developments.

Commissioner Linton opened the public hearing at 7:35 p.m.

Commissioner Linton closed the public hearing at 7:35 p.m.

MOTION:

Preston Dean moved to approve and recommend to City Council the Development Code Amendment – Water Rights Requirements

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with the conditions stated in the staff report; Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton Daniela Camacho and Wendy Komoroski. The motion passed with a unanimous vote.

6. Discussion / Work Session Items

A. General Plan Update – Discussion / Work Session Item.

Discussion of the General Plan update, including the Future Land Use and Transportation Corridors Map.

Reviewed and Discussed:

Future roads, current and future traffic counts, road studies, and recommendations on current and future roads.

7. Other Business

- Discussed building and development.
- Commissioners requested a meeting between Planning Commission and City Council.

8. Meeting Information:

A. Next Scheduled Meeting – August 28

9. Adjournment

The meeting was adjourned at 8:08 p.m.

APPROVED BY THE PLANNING COMMISSION ON SEPTEMBER 11, 2012.

Steve Mumford, Planning Director

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, SEPTEMBER 11, 2012 AT 6:00 P.M.

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

6:00 P.M. - Eagle Mountain City Planning Commission Policy Session

COMMISSION MEMBERS PRESENT: Scott Langford, Preston Dean, John Linton, and Daniela Camacho.

CITY STAFF PRESENT: Steve Mumford, Mike Hadley, and Johna Rose

ELECTED OFFICIALS PRESENT: Ryan Ireland

1. Pledge of Allegiance

John Linton led the Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes – August 14, 2012

MOTION:

Preston Dean moved to approve the August 14, 2012, meeting minutes. Daniela Camacho seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, and Daniela Camacho. The motion passed with a unanimous vote.

4. City Council Action Update

- City Council approved the Development Agreement for Valley View North plats A-2 and A-3.
- City Council approved the Clearview Estates Annexation, and the Clearview Estates Master Development Plan was put on hold pending approval of the Equine Overlay Zone.
- The Meadow Ranch Storage project was tabled at the request of the City Attorney.
- City Council approved the Water Rights Code amendment.

5. Development Items

A. Master Development Plan – Clearview Estates; Action Item, Public Hearing.

This plan proposed 342 rural ½-acre lots on 287 acres, located west of North Ranch, north of SR73. The plan has already received a recommendation of approval from the Planning Commission. The applicant is now proposing to add the Equine Overlay Zone to the property.

Steve Mumford explained that the applicant is now proposing that the Equine Overlay Zone be applied to the entire Clearview master plan property, allowing up to two horses on lots between ½ acre and 1 acre, with certain regulations.

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Commissioner Linton explained that when the Equine Overlay Zone was created the City was playing catch-up with property that was allowed horses prior to code changes. He believed that this was the stage of development that this type of zoning should be looked at, so property owners know what they're buying into before building.

Mr. Mumford asked if additional horse trails should be provided between lots? If so, how should these be designed? (The Parks and Open Space Master Plan recommends a natural surface rather than asphalt or concrete). Also, if the trails are included between lots, how can the City make sure these areas are maintained and useable, and not used for simply dumping?

Commissioner Dean felt that if there is going to be an Equine Overlay Zone that it should be adequate and unique for a horse's development.

Mike Hadley explained that the applicant does show he is tying into the existing outcropping trails in North Ranch and along SR73.

Commissioner Camacho asked if there were any negative impacts to the City allowing the Equine Overlay Zone.

Mr. Mumford replied that there may be some nuisance issues and complaints. On the other hand, if all are within the overlay zone, all owners have the choice whether to have horses or not. If they choose not to have horses, they must accept the fact that their neighbors may have them.

Commissioner Linton opened the public hearing at 6:24 p.m.

Councilmember Ryan Ireland spoke as an original resident of the Overland Trails subdivision. Overland Trail was designed as a horse neighborhood with ½ to 2 acre lots, with a 20 ft right of way between back yards for riding horses around the neighborhood. The plan was to have split rail fencing for openness. He stated without an HOA there are a lot of 6ft privacy fences, and the 20 ft right-of-way between houses has become a dumping ground, a catch all for tumbleweeds and was not used properly. So with a grant the City received, an 8ft asphalt trail was put in between the houses, and now it's a public right of way. He stated that people outnumber horses in the Overland Trails neighborhood and the trail is now being used. He stated that when a new animal ordinance was adopted by the City years ago, animal rights were taken away from the ½ acre lots in Overland Trails. The Equine Overlay Zone was created to restore those rights to Overland Trails residents.

Commissioner Linton closed the public hearing at 6:29 p.m.

Commissioner Camacho asked, with the neighborhoods that have the Equine Overlay Zone, if the City could require the trails to be multi-use. How would that affect those neighborhoods?

Commissioner Dean stated that the ordinance would have to be amended.

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Mr. Mumford stated that this could be applied to this neighborhood development, but not all neighborhoods in the Equine Overlay Zone.

Commissioner Linton felt that an HOA should be part of this type of neighborhood development. He believed that dual-use trails would benefit the neighborhood, asked if an 8 ft trail is sufficient for horses.

Mr. Mumford stated that the Planning Commission could make that a condition in the development agreement as a general requirement, and when the developer comes in with each plat they would have to show where they provided that trail and how it's connected to each trail. He stated that in the Overland Trails subdivision none of the roads have trails. He stated that now the Rural Street Cross Section requires a trail on one side of the street.

Commissioner Langford asked if one of the conditions for this type of development should be open fencing (split rail, or another type of open fence). He stated that an open fence would help with the trails becoming tumbleweed collectors or dumping places for yard clippings.

Commissioner Dean asked if condition number four should state: A plan must be submitted and approved for the parking areas for the trailheads, trails, trail type, and the dual-use (type and materials).

MOTION:

Preston Dean moved to recommend to City Council the approval of the Clearview Estates Master Plan Equine Overlay Zone subject to the conditions of approval in the staff report, with the change to condition number four that dual-use of the trail be added to that condition. John Linton seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, and Daniela Camacho. The motion passed with a unanimous vote.

Discussion Items

- A. Potential Development Code Amendments.
No potential code amendments were discussed.

6. Other Business

- Commissioners reviewed the new plans for the Spring Valley / Mt. Airey Townhome development. The new owners are planning to design more affordable units. The developers will reduce where they can, but still provide a good product for the residents and the owners of the townhomes. Feedback was provided.

7. Meeting Information:

- A. Joint City Council & Planning Commission Meeting – 7:00 p.m. in the Main Conference Room.

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PLANNING COMMISSION MEETING MINUTES

TUESDAY, SEPTEMBER 11, 2012 AT 6:00 P.M.

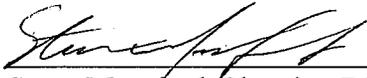
Eagle Mountain City Council Chambers; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

B. Next Regularly Scheduled Meeting – September 25

8. Adjournment

The meeting was adjourned at 6:50 p.m.

APPROVED BY THE PLANNING COMMISSION ON SEPTEMBER 25, 2012.



Steve Mumford, Planning Director

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA

TUESDAY, SEPTEMBER 25, 2012 AT 6:00 P.M.

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

allows a 35 ft. flagpole and Edge Homes is requesting a 50 ft. flagpole. The application actually shows the flagpole being proposed on property owned by the Home Owner's Association. Any approval of this application would require written approval or permission from the HOA for this flagpole. A review of flagpoles within the City on residential lots shows that there are no flagpoles over 25 ft. in height. Any flagpole that is more than 25 ft. in height in the City is located on City buildings or property and on Alpine School District property.

Commissioner Dean questioned a Conditional Use Permit over a variance.

Mr. Mumford explained that a Conditional Use Permit would give the Planning Commission more flexibility in the code.

Commissioner Linton opened the public hearing at 6:12 p.m.

Steve Maddox with Edge Homes explained that Edge Homes is a local Utah based builder. Edge Homes currently flies eight American flags throughout Utah. Edge Homes applied for the Conditional Use Permit, because that is what other cities have required. The flagpole would be 50 ft. for the size of the flag and help keep all their flags uniform, that would help maintenance of the flag. If they cannot get an agreement with the HOA, they will move the flagpole to their property.

Commissioner Linton closed the public hearing at 6:15 p.m.

Commissioner Linton explained from past Planning Commission meetings Richmond American had come in and proposed a 70 ft. flagpole and it was denied, and then Richmond American put in a 35 ft. flagpole that followed the City's code. Colonial Flags had come in and spoken extensively about flags, and one of the issues with a larger flag was it created more noise for the neighborhood.

Mr. Maddox explained that there would be two flags, one American flag and one home builder flag. Edge Homes has never had a complaint about the noise of a flag. The only complaint was when the flag was removed.

MOTION:

Preston Dean moved that the Planning Commission deny the Northmoor 148 flagpole application for Conditional Use Permit of the 50 ft. flagpole. Daniela Camacho seconded the motion. Those voting aye: Preston Dean, John Linton, Daniela Camacho and Wendy Komoroski. The motion passed with a unanimous vote.

B. Conditional Use Application – Meadow Ranch Private Recreation Facility; Action Item, Public Hearing.

This application is requesting conditional use for an exception to the permitted accessory uses and structures in a Residential Zone, located at 3375 East Autumn Lane in the Meadow Ranch neighborhood.

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Mr. Hadley explained that the applicant is applying for a Conditional Use Permit for a private recreational facility located in the Meadow Ranch subdivision at 3375 E Autumn Lane. The lot is 2.92 ac and the facility is approximately 11,172 sq. ft. in size. This application is unique because the building has already been built. The building was originally permitted through the City Building Department as a barn with limited electrical – 2 plugs and lighting. The applicant then proceeded to upgrade the building to its current status without obtaining the proper permits, paying the proper fees, or getting the required inspections. The City issued a stop work order on the building after an investigation by the Building Department. The building is now completely finished on the inside, consisting of a basketball court, stage, kitchen, numerous accessory rooms and restroom facilities. The building also contains a basement with a canning kitchen, which was not on the original permit. None of the electrical, sewer or plumbing has been inspected or permitted. All of these interior improvements are illegal, as they were completed without permits or inspections.

Conditions of approval:

- The applicant must obtain a building permit for the structure as a private recreation facility. The permit should be obtained and the proper fees paid within 30 days of approval of CUP or the building must be restored to the original building permit status (barn).
- The building must comply with current IBC code requirements.
- All applicable building, impact, infrastructure and utility system upgrade fees must be paid.
- The parking lot on the site plan must be removed, including ADA parking stalls.
- The owner must sign a document, to be recorded at the County, restricting the use of the building to private recreational use only.
- The use of the building should not result in parking on public streets.
- A notice of interest on the property must be filed with the County Recorder's office by the City.
- The building cannot be used for large assembly use.

Kent Partridge explained that a building permit was pulled November 1, 2004 for the barn located at 3375 E. Autumn Lane. The barn was complete within a year of pulling the permit. After the barn was complete, the residents of the barn started adding to the barn without a building permit. They had added a basketball court, stage, kitchen, numerous accessory rooms, and restrooms. The Building Department issued a stop work order in 2010, when the City received a call that the barn was being used improperly as a church. He stated that to his knowledge since the stop work order the residents have not used it for a church.

Commissioner Dean asked if there was a definition for private recreation facilities.

Mr. Partridge stated that it would still be classified as A-3 occupancy use which is a commercial facility. It is going to be a difficult task for the resident and the Building Department to bring this building up to code. He stated that the electrical, plumbing and mechanical were not part of the initial inspections. The structure of the building was inspected to code.

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Commissioner Linton was concerned that the building was not engineered correctly to withstand the extra weight of the finishing.

Mr. Partridge said that it could be a requirement that the engineer review the structure. But he felt that it was adequate, because the drywall would add some shear stability and it would help the structure.

Commissioner Linton opened the public hearing at 6:34 p.m.

Glenn Allred representing Hyrum Thompson, the property owner, stated that the owner understands the City's request, and is willing to work with the Building department. He stated that the owner's intentions for the building are to use it as a private recreational area.

Commissioner Linton closed the public hearing at 6:36 p.m.

Commissioner Camacho asked if it was the City's goal to work together and make the best of this situation.

Mr. Hadley explained that the City has worked on this project for the last two years. He stated that the City is willing to work with the applicant, but he believed that the City should put time restrictions on the fees, application, and the completion of this project.

Mr. Mumford explained that the building would be brought up to building and City codes. The City could not restrict residents on building a private recreational building on their property. The issue at first was that the home owner wanted to turn this building into a congregation use building. Parking space and building codes made that request impossible.

Commissioner Linton asked if the parking lot area was asphalt. He asked why the plan shows the parking lot being striped.

Mr. Hadley explained that the parking lot is a type of gravel.

Mr. Allred explained that when the building plans were submitted to the architect and the engineer, they were told the building would need a bigger parking lot, due to the square footage of the building.

Commissioner Linton asked how many parking spaces would be needed for a public meeting house of this type.

Mr. Hadley explained about 200 to 250, typical for a structure this size. Mr. Mumford explained that code requires one parking stall for each 20 sq. ft. of the main assembly room.

Commissioner Dean asked if the only difference from a public building and private a building would be a City agreement.

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Mr. Partridge stated that the building code does not care how the building is used. The building code only cares if the building complies with the safety requirements.

Mr. Hadley explained that the City would have the homeowner sign a City agreement and a notice of interest will be recorded with the County for that property. The City would then be notified of new ownership or conflicting interest or issues on the property.

Commissioner Linton asked if there were numerous complaints about the property or was it just the one call?

Mr. Hadley stated that the Planning Department had not received any complaints about the property.

Mr. Partridge stated that the Building Department had not received any complaints that he was aware of. He stated that he had gone out to the property on numerous Sundays, and there were cars parked everywhere. That is why the City was concerned about the assembly use and why the City needs it to be a private use. He explained that building uses change all the time, for example a B-occupancy (business) could change to A-occupancy (assembly). He explained that the owner is responsible to notify the Building Department and Fire Department of occupancy change.

MOTION:

Preston Dean moved that the Planning Commission approve the Conditional Use Permit application for the Meadow Ranch private recreation facility, subject to the conditions stated in the staff report. Daniela Camacho seconded the motion. Those voting aye: Preston Dean, John Linton, Daniela Camacho and Wendy Komoroski. The motion passed with a unanimous vote.

6. Other Business

7. Meeting Information:

A. Next Regularly Scheduled Meeting – October 9; upcoming agenda items

8. Adjournment

The meeting was adjourned at 6:58 p.m.

APPROVED BY THE PLANNING COMMISSION ON OCTOBER 9, 2012.

Steve Mumford, Planning Director

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, OCTOBER 9, 2012 AT 6:00 P.M.

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

6:00 P.M. - Eagle Mountain City Planning Commission Policy Session

COMMISSION MEMBERS PRESENT: Scott Langford, Preston Dean, John Linton, and Wendy Komoroski

CITY STAFF PRESENT: Steve Mumford, Mike Hadley, and Johna Rose

1. Pledge of Allegiance

John Linton led the Pledge of Allegiance

2. Declaration of Conflicts of Interest

Commissioner Komoroski declared that she had a conflict of interests with item C. Spring Run Business Park and D. SnugZ. She stated that she is related to the applicant Scot Hazard.

3. Approval of Meeting Minutes – September 25, 2012

MOTION: *Preston Dean moved to approve the September 25, 2012, meeting minutes. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

4. City Council Action Update

Steve Mumford reported that City Council:

- Approved the Meadow Ranch Storage site plan and plat with the following condition, that the portion of the road south of the site be dedicated to the City, and the trail to the west side of the road be built.
- Approved a resolution purchase agreement to the sale the Ranches Golf Course to Vanguard.
- Approved a resolution for annexation into the Salt Lake Valley Fire Area.

5. Development Items

A. Utah County Communications Site

Utah County is proposing to place a communications tower on the top of the Circle 5 Ranch hill, located between the Lone Tree and Ruby Valley subdivisions, north of Pony Express Parkway. This tower will improve communications for emergency personnel throughout the county.

1. Site Plan – Public Hearing, Action Item.
2. Conditional Use Permit – Public Hearing, Action Item.

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Steve Mumford explained radio communication for emergency/public safety personnel has been unreliable in some areas of the Ranches and City Center. Utah County and Utah Communications Agency Network (UCAN) determined that an additional communications tower located on the hill north of Hidden Hollow Elementary would provide these greatly needed improvements to public safety communications in the Ranches and City Center. The costs of construction for the site are being assumed by Utah County and UCAN. The County Commission has already approved the expenditure of the funds for this project.

The tower is proposed on lot 21 of the Circle 5 Ranch Preliminary Plat. The lot is 0.88 acres in size, and is located approximately 200 feet northwest of the existing Nextel communication site. The project will consist of a communications tower that is approximately 99 feet tall, a 240 square foot communications building, a propane tank, and a transformer.

This property is part of the Ranches Master Development Plan, and is zoned Country Residential. Some uses are specified in this zone, and others are noted in the City's Residential Zone in the City Code. The use category of "radio, microwave, or other transmission towers" is a conditional use in the Residential Zone.

The power for the site is proposed to be taken from the Nextel Communication site to the southwest. No other utilities are needed for this facility. The County would use the existing dirt access road that leads directly to the site. They have obtained an access and utility easement from the property owner.

The County is proposing to fence the site with chain-link fencing. Upon development of the subdivision, the County will change the fencing to something more appropriate for the neighborhood.

Commissioner Langford asked if there will be the possibility for co-location for private telecommunication on the tower.

Commissioner Komoroski asked what type of landscaping would be approved for these type of structures on a residential lot.

Commissioner Linton opened the public hearing at 6:14 p.m.

Richard Nielson, the Utah County Public Works Director, explained that the County has an agreement with the landowner that requires the County to maintain a manicured landscape for the property. He stated that there is co-location for tower facilities for Eagle Mountain City, but none for private business. Utah County will need to look at those application, for co-location on tower facilities in the future for private business.

Commissioner Langford questioned the height of the tower.

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Mr. Nielson explained that some areas in Eagle Mountain City have limited emergency communication access.

Justin Watters, Utah County Communication Director, explained that the tower needs to be higher than some of the ridgelines for in-building communication. (For example, a firefighter that goes into a basement in Eagle Mountain City Center, would have no coverage or communication device to the outside.) The need for the emergency tower came about in 2010 when the Ranches Fire Station was constructed. He stated that a temporary communication site was set up at the water tank during the Dump Fire. There were still communication difficulty along the west side of Lake Mountain Road.

Nikki Wickman, 2766 E. Fort Hill Rd, asked if this tower would give residents faster internet or phone service.

Commissioner Linton stated that the tower would be used only for emergency purposes.

Commissioner Linton closed the public hearing at 6:21 p.m.

MOTION:

Preston Dean moved that the Planning Commission approve the Conditional Use Permit application with the condition that when the subdivision begins to develop, the applicant must install new fencing and landscaping to be consistent with the surrounding neighborhood. The Planning Commission recommends approval to City Council of the site plan for the Utah County Communication site. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.

B. Granite Construction Asphalt Operation

A proposed asphalt production operation to be located in the northeast portion of the Spring Run Master Development Plan, in the Extractive Industries Overlay Zone.

1. Site Plan – Public Hearing, Action Item.

Mr. Mumford explained Granite Construction is proposing to locate an asphalt production operation to the north of the Staker Parson site, on the north side of the hill. They have partnered with Hadco to utilize the gravel products from their operation to produce asphalt. This should result in an increase in productivity for Hadco, reducing the life of their earth products extraction operation and making the site suitable for development at an earlier date.

The property that is proposed for this asphalt operation is zoned Industrial (in the Spring Run Master Development Plan), and contains an Extractive Industries Overlay. Asphalt and concrete production are permitted uses in this overlay zone. A conditional use permit, therefore, is not required for this project, but a site plan approval is required. A site plan is required for all commercial, industrial, and multi-family developments. This facility is

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proposed as a “temporary” use, meaning that when it is no longer feasible to keep it in this location, it can be moved to a new site in another city and/or county. This definition of temporary, however, could mean 10-20 years. Granite does not have a specific timeline for the project; it will just depend on the ability to obtain the materials for asphalt production. Even though it is being proposed as “temporary,” this project is still considered an industrial development.

The site will include the following facilities and operations:

- Five locations for aggregate piles where the trucks will dump the excavated material.
- The asphalt plant, which includes six 70-foot high asphalt silos, the asphalt drum, a 30-foot tall lime silo, AC storage tanks, and conveyer systems.
- Aggregate feed bins.
- A recycled asphalt plant (smaller version of the asphalt plant), with two areas for storage of this asphalt.
- The storm water will be retained on site in the northeast corner silt basin. The dirt from grading the site will be pile along the northern portion of the site to provide a visual buffer from the neighbor to the north as well as to assist in sending the storm drainage to the silt basin.

The silos are located in an area that should be completely shielded from view from the existing homes and roads in Eagle Mountain. The hillside to the south of this site is more than 70 feet higher than the location of the silos.

The property owner has submitted an application to the Bureau of Land Management requesting approval to use the existing gravel road that heads east to 800 West in Saratoga Springs. They will use the existing dirt road that leads to and from SR 73 at Mt. Airey Drive until they obtain approval by the BLM. The Hadco trucks currently use the Mt. Airey Drive access. The traffic study recommends allowing the truck traffic to use the Mt. Airey Drive access during off-peak hours (other than 4:00 to 6:00 p.m.), but that additional lanes may be required at Mt. Airey Drive/SR 73, including right-turn deceleration and acceleration lanes, and a left-turn deceleration lane. These improvements should be considered if the BLM does not provide access. Staff recommends that the truck traffic be required to use the road into Saratoga Springs Road rather than Mt. Airey Drive, as soon as approval is granted.

The site is in a good location, located adjacent to existing gravel pit operations and adjacent to vacant land that is years away from development. The project does require approval through the State Department of Environmental Quality - Division of Air Quality. This approval is required prior to beginning operation, but after receiving approval from the City. The City recommends that this simply be added as a condition of approval. The site will only contain a couple of flood lights for security purposes that will be directed downward. Other potential impacts, such as odors, dust, and noise should be mitigated by the hillside. If there are serious nuisance issues in the future, the City can address them through Code Enforcement.

This asphalt plant will have a great need for natural gas in its operation, much more than is generally provided to residential neighborhoods or commercial users. The City has been

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working closely with the developer during the review process, and is preparing to install high-capacity natural gas pipe and electrical lines to this site. The addition of this facility on the City's natural gas system will be of benefit to the City. The City will recoup the funds for these utilities through gas and electric rates over time.

Recommended Conditions:

1. The project must receive approval from the Division of Air Quality prior to operation.
2. As soon as approval is received through the BLM for use of the eastern road, the truck traffic must use that road rather than Mt. Airey Drive.
3. Applicant must obtain building permits and follow all Building Code requirements.

Commissioner Dean requested the Planning Commission add a condition to limit the traffic to Mt. Airey Drive to off-peak hours.

Commissioner Langford asked who would make the call if the applicant cannot obtain access to the BLM access road, and if Mt. Airey Drive would have to sustain the traffic.

Mr. Mumford said would need to be reviewed by the City Engineer and passed by the City Council. He stated that many business and projects could be utilizing Mt. Airey Drive at that time, and it would need to be a joint effort between the business and the City. He suggested that the Planning Commission add a condition regarding peak hours.

Commissioner Linton opened the public hearing at 6:39 p.m.

Chris Faulhaber with Granite Construction explained that typical truck traffic during peak construction time for Granite Construction is 10 to 15 additional trucks per hour. Normal truck traffic would be 5 to 10 trucks per hour depending on the day. Granite Construction Peak hours are normally between 11:00 a.m. to 1:00 p.m. and truck traffic normally gets lighter towards the end of the day, The only traffic around 4:00 p.m. to 6:00 p.m. is cleanout product traffic. Granite Construction has been trying to obtain access to the BLM since June 2012 and was told that it could take six month to a year. He stated that they are looking at getting started in Eagle Mountain in March or April, because they are still working out utility issues with the City. There are some odors that should be mitigated by the hillside, and there will be a time in the cooler weather residents would see a vapor coming off the rock as it dries.

Commissioner Langford asked what action the City could take if this site becomes a nuisance.

Mr. Mumford explained that the City code will help take care of nuisances. He explained that if it's just a little dust or odor the City will not take action. But if it impacted the residents' health the City will take action.

Chris Faulhaber explained that the site will only contain a couple of flood lights for security purposes that will be directed downward.

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Scot Hazard, property owner of the Hadco site, explained that he is not aware of any traffic restriction for Hadco. Truck traffic for Hadco is closed between 4:00 p.m. to 4:30 p.m. for clean-up time. He stated that it is impossible for Hadco's trucks to turn left onto SR 73 during 4:00 p.m. to 6:00 p.m., restricting truck traffic during that time. He stated that he applied for access to the BLM access road back in April. He stated that if the truck traffic can be diverted to the BLM road it will make his land to the south more desirable to developers.

Commissioner Linton closed the public hearing at 6:53 p.m.

MOTION:

Preston Dean moved that the Planning Commission recommend the Granite Construction Asphalt Operation Site Plan to City Council with the conditions stated in the staff report and with an additional condition, that truck traffic be restricted from 4:00p.m. to 6:00 p.m. on Mt. Airey Drive . Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.

C. Spring Run Business Park Plat A-1

This is a one-lot subdivision north of SR 73 along a north extension of Mt. Airey Drive. This plat includes Mt. Airey Drive and another road adjacent to the lot.

1. Preliminary Plat – Public Hearing, Action Item.
2. Final Plat – Action Item.

Mr. Mumford explained that this is a 9.79-acre one-lot subdivision with Mt. Airey Drive and Spring Run Boulevard as roads to be constructed and dedicated to the City. It is a pretty straightforward plat, and the layout of the roads follows the most recent amendment to the General Plan Map (Future Land Use and Transportation Corridors Map), with one exception – Mt. Airey Drive is shown as a 60-foot wide right-of-way from Mt. Airey Drive to the corner of the property, when the road is actually designated as a Minor Collector Road, which requires a 77-foot right-of-way. The City will be constructing the asphalt on this roadway from SR 73 to the corner of the site, but the construction drawings should provide the specifications for the full 77-foot right-of-way. The northern section of Mt. Airey Drive should also be shown as a 77-foot right-of-way. It is currently shown with 76 feet.

Spring Run Boulevard will be fully completed with this project, and the northern portion of Mt. Airey Drive will be constructed with 29 feet of asphalt (half-width + 10 feet), along with the park strip and sidewalk on the west side. Improvement drawings will be required for the Spring Run Boulevard as well.

Recommended Conditions:

1. The construction drawings shall reflect Mt. Airey Drive as a 77-foot right-of-way and include a cross-section and details for the construction of Spring Run Boulevard. The size of the park strip must increase to five feet on Spring Run Boulevard.

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2. The plat must conform to all standards included in the City Code and all redlines from the Development Review Committee (DRC).
3. Water right documentation must be submitted prior to City Council approval.

Commissioner Linton opened the public hearing at 7:02 p.m.

Scot Hazard explained that he would not be building a 77 ft. right of way up front, because he only owns 60 ft. wide. He stated that he will be working with the City Engineer and the other landowners in the future to develop the road.

Commissioner Linton closed the public hearing at 7:05 p.m.

MOTION:

Preston Dean moved that the Planning Commission approve the Spring Run Business Park Plat A-1 preliminary Plat and recommend the final plat to City Council with the conditions stated in the staff report. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, and John Linton. Wendy Komoroski abstained. The motion passed with a unanimous vote.

D. SnugZ

The SnugZ facility is proposed north of SR 73 along a north extension of Mt. Airey Drive. It is located within an Industrial Zone.

1. Site Plan – Public Hearing, Action Item.

Mr. Mumford explained that the SnugZ project is located north of SR 73 along the extension of Mt. Airey Drive. The project encompasses a total of 9.79 acres. SnugZ is a promotional products company that makes items such as lanyards, lip balm, some food items, and other accessories. This is a light industrial use that the City has considered a permitted use in the Industrial Zone.

The project includes a 94,757-square foot building, a 36,000 square foot future expansion area that will currently be grassed as a recreation field, a lot of parking, and some other delivery areas and landscaping. The following are areas of interest in the site plan review process:

Parking

The City Code requires 216 parking stalls for this type of facility, based on warehouse use, office use, and light manufacturing. The site plan includes 353 parking stalls. This provides extra parking for the future expansion area. Also, a lot of the processes in this facility are highly dependent on employees rather than machines, so this type of facility employs more people than another type of light manufacturing use. If this were an office or retail use, the City would probably recommend reducing the parking. Since this is an industrial use, staff has no issues with the number of proposed parking stalls.

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Landscaping

107,541 square feet of the site is landscaped. The City only has the following comments concerning the landscaping:

- All landscape islands/fingers must have a tree.
- Additional landscape islands are required in the eastern parking row, as they are required every 12 stalls.
- Berming or landscaping is required as a headlight screen between the parking and the roads. There is a significant difference in elevation in some of the areas (near the intersection of Mt. Airey Drive and Spring Run Boulevard), but the other areas will need landscaping treatments to provide that screen.
- The park strip on Spring Run Boulevard should be widened to five feet in order to meet City street standards. This park strip should include street trees (Little Leaf Lindens). The landscaping behind the sidewalk should include deciduous trees (clusters of the flowering pears and choke cherries instead of pines). This should be done along both streets.

Building

The building consists of the following areas/uses: 67,661 square feet of light manufacturing, 2,549 square feet of general office on the main floor, 23,071 square feet of general office on the second floor, and 24,547 square feet of warehouse space. The building is not required to follow our Commercial Design Standards, since it is an industrial building. The building, however, still provides a good number of windows and some architectural window details along the front of the building. There is very little horizontal articulation to the building and the building consists of only two colors. Yellow is the SnugZ signature color, thus the yellow paint.

City Involvement

The City Council has approved an incentive package for this project, so the City will be building some of the off-site infrastructure and providing other financial incentives.

Recommended Conditions:

1. The landscaping plans must be amended and approved by the City Parks Foreman and Planning Director prior to receiving building permits, and must reflect the changes discussed in this report.
2. Lighting plan must be submitted for administrative approval by the Planning Director.
3. The DRC comments must be fully addressed.
4. Water rights documentation must be submitted prior to approval by the City Council.

Commissioner Linton opened the public hearing at 7:12 p.m.

Rob Peterson with Stewart Construction stated that he had no objection to what was stated in the staff report.

Commissioner Langford was concerned about the color of the building being a bright yellow.

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Commissioner Linton closed the public hearing at 7:18 p.m.

Mr. Mumford explained that the traffic study that is projected for 2020 stated that all study intersections have acceptable levels of service with the proposed development traffic added. No significant queuing issues are anticipated.

Several auxiliary lanes may be required as identified in this report:

- Right-turn deceleration lane may be required
- Left-turn deceleration will be required but can be accommodated in existing TWLTL median
- A right-turn acceleration lane may be required

No additional mitigation measures are recommended. The intersection will not warrant signalization with only the SnugZ building constructed. While the Ranches Parkway intersection will create gaps in the eastbound traffic stream, the heavier westbound traffic stream will not have significant platooning because the nearest traffic signal is approximately 1.5 miles to the east (800 West Saratoga Springs).

Hales Engineering recommends that SnugZ consider more flexible work schedules if possible to minimize the number of employees exiting the site between 5:00 and 6:00 p.m. Traffic on SR 73 is approximately 20 percent lower before 5:00 p.m.

He explained that the City, Scot Hazard, and UDOT are working together. UDOT said that they would not put in a light until it is warranted.

MOTION:

Preston Dean moved that the Planning Commission recommend approval to City Council for the SnugZ site plan with the conditions stated in the staff report. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, and John Linton. Wendy Komoroski abstained. The motion passed with a unanimous vote.

E. Rock Creek Phase 3

This proposal continues the Rock Creek condominiums project with four additional buildings in the southeastern quadrant of the project, located northeast of the Ranches and Pony Express intersection.

1. Final Plat – Action Item

Mr. Mumford explained that the Rock Creek Preliminary Plat and Site Plan were approved in 2002. There were three phases included in these original approvals. Phase one was completed some time ago and phase two has one remaining building to be built, along with some of the open space / park area. The original phase three included eight buildings and a small park area. This current proposal includes only the northern portion of this phase, or four of the eight buildings.

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Building Placement. Building S has been moved to the south, and situated north-south instead of east-west, in order to avoid building on top of the City utility easement for underground power lines. This building is trading places with the sports court and park area. This seems appropriate, especially if it results in the avoidance of any impact to the City power line. No open space is diminished or reduced by this change.

Easements. A 12.5-foot easement exists on the property, and has been shown on the plat and utility plans. In addition, a 7.5-foot easement is being provided to the City immediately to the west of the 12.5-foot easement. This easement is shown on the utility plans, but must also be included on the subdivision plat.

Existing Roads. Both Rock Creek Road and Clear Rock Road are already improved along the frontage of this phase of the project. This project does include the construction of sidewalk along these roads, as well as park strips with street trees.

Landscaping. The landscape plan that was approved with the Preliminary Plat and Site Plan in 2002 include a ½ basketball court and sand volleyball court for this portion of the project. Sand volleyball courts are no longer required nor accepted by the City. A landscaping plan has been submitted, including similar landscaping to the existing buildings in phase 2, and a ½ basketball court. The question is whether the Planning Commission feels like a different amenity should be provided in place of the sand volleyball court. Staff recommends that the applicant propose an alternate amenity in place of the volleyball court. This change must be approved by the Planning Director and Parks Foreman prior to receiving building permits. The dumpster enclosures must be designed with similar materials and look as the buildings. The landscape island in the double-stacked parking requires additional trees. An irrigation plan is required as well. The landscape and irrigation plans must be approved by the Parks Foreman prior to any installation or building permits.

Building Elevations/Design Standards. The elevations and design standards are consistent and will remain similar to the existing buildings in phase 2. Minor variations to building elevations may be appropriate, and will require administrative approval by the Planning Director or designee.

Water Rights. The applicant will be purchasing water from the City for this project. A public water supply agreement must be completed and executed prior to recordation of the plat.

Commissioner Linton opened the public hearing at 7:33 p.m.

Nathan Hutchison with Flagship Homes stated that he had talked to the residents and they are excited about getting a half basketball court. He stated that the tot lot and the clubhouse are underutilized for this development. The development has a good mix of residents living in there with retired families living on the bottom level and with younger families that live on the top

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levels. He was concerned about the recommendation 2, that the City is requiring an additional 7.5 ft. for the easement.

Mr. Mumford explained that when the applicant was building in Phase 2 for building O that a feeder line for City Center was found slightly outside of the easement. The City, Flagship Homes, the title company, and a surveyor are working together to figure out where the power line lies and how to address the easement appropriately. The additional 7.5 ft. would not affect Phase 3, because the power line will run under a garbage enclosure and concrete. The additional 7.5 ft. could continue into Phase 4 and potentially affect a building in that plat.

Commissioner Linton stated that the Planning Commission recommends that the power line be located before recordation of the plat. He suggested that a full basketball court be constructed in lieu of the volleyball court.

Commissioner Linton closed the public hearing at 7:48 p.m.

MOTION:

Preston Dean moved that the Planning Commission recommend approval to City Council for the Rock Creek Phase 3 final plat with the conditions stated in the staff report, with a change to conditions: 2. Require changes to the final plat must be made prior to recordation and prior to recordation the determination of the actual location of the power line be found, and stated on the final plat drawing. Condition added: 5. That a full basketball court be required, in lieu of the sand volleyball court. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.

6. Other Business

- A. "Downtown" Master Plan Proposal
- B. Next Regularly Scheduled Meeting – October 23; upcoming agenda items

7. Adjournment

The meeting was adjourned at 7:59 p.m.

APPROVED BY THE PLANNING COMMISSION ON OCTOBER 23, 2012.

Steve Mumford, Planning Director

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TUESDAY, OCTOBER 23, 2012 AT 6:00 P.M.

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

6:00 P.M. - Eagle Mountain City Planning Commission Policy Session

COMMISSION MEMBERS PRESENT: Preston Dean, Scott Langford, and John Linton

CITY STAFF PRESENT: Steve Mumford, Mike Hadley, and Melanie Lahman

ELECTED OFFICIALS PRESENT: Ryan Ireland

1. Pledge of Allegiance

John Linton led the Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes – October 9, 2012

MOTION:

Preston Dean moved to approve the October 9, 2012, meeting minutes. Scott Langford seconded the motion. Those voting aye: Preston Dean, John Linton, and Scott Langford. The motion passed with a unanimous vote.

4. Development Items

A. Pony Express Townhomes

This proposed 46-unit townhome project is to be located at approximately 4400 East Pony Express Parkway, or the furthest east parcel on the north side of Pony Express Parkway northwest of the SilverLake development. This proposal includes several different applications.

1. Rezone – Public Hearing, Action Item

Mike Hadley explained that currently the land is zoned Agricultural. The proposed rezone would change the zoning to Residential, which is consistent with the City's General Plan Map 2. The property located to the west is part of the Porter's Crossing Town Center Master Development Plan. The area of that plan adjacent to this property includes future office and retail buildings. Townhomes are a good use next to this type of development. The property to the east is part of Saratoga Springs and is proposed to be a mixed-use residential development.

Commissioner Linton opened the public hearing at 6:05 p.m.

Commissioner Linton closed the public hearing at 6:06 p.m.

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MOTION:

Preston Dean moved that the Planning Commission recommend to City Council the approval of the rezone of the Pony Express Townhomes property, from Agricultural to Residential. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, and John Linton. The motion passed with a unanimous vote.

2. Conditional Use Permit – Public Hearing, Action Item.
3. Master Site Plan – Public Hearing, Action Item.
4. Preliminary & Final Plat – Public Hearing, Action Item.

Mr. Hadley explained that the City development code requires all multi-family dwellings to obtain a conditional use permit for final approval. If the Planning Commission decides that additional conditions need to be placed on this project, it may add those conditions in the motion for approval. This project requires .45 acres of improved open space based on the buildable land. Based on the improved open space the pocket park standard of 32 points is to be chosen from the elements table 16.35.130(c).

Tig Brown, Pony Express Partners LLC, explained that when the developer proposed the project, one of the challenges was that the Fire Marshal required two access roads into the development. The developer had created two roads out of one road to meet the requirement, by widening the road and creating three small dividers. He explained that the developer is allowed fifteen units on a regular road, so only the front of the project was developed with the double access. They left the back of the project's road smaller with more open space. Another addition to the project was creating shared driveways between units, to help limit the amount of cars backing out onto the main road. All units will have a two car garage with a two car driveway, to help limited street parking.

Steve Mumford explained that a traffic study was not required by the City Engineer. A traffic study would show how the development would affect Pony Express Parkway.

Commissioner Langford asked the developer what fencing was planned for this development.

Mr. Brown stated that fencing was not a requirement for the development.

Mr. Mumford explained that the City's bonus density code requires decorative fencing be included around open space and parks. The City recommended that the park be fenced along the street and wash.

Mr. Brown stated that if fencing is required, the developer will add the required fence.

Mr. Mumford explained that the elevation for the buildings are unique, and are not completely in line with the City's recommendation for multi-family dwellings design standards.

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The following are the recommended conditions of approval for the Master Site Plan, Conditional Use, and Plat applications:

1. Applicant will be required to dedicate land for the right-of-way for Pony Express Pkwy according to the Future Land Use and Transportation Corridors Map.
2. The applicant shall improve the right-of-way to provide a left turn lane on Pony Express Pkwy, or provide a traffic study showing that a left turn lane is not needed.
3. The development agreement shall include a provision for a transportation fee-in-lieu for Pony Express Pkwy improvements.
4. The asphalt shall taper out on Pony Express Pkwy on both sides of development.
5. The owner shall submit plans to the City for approval if there are going to be any modifications to the natural wash at any time.
6. A monument sign at the entrance is required for the project.
7. An easement for the future water line and asphalt trail along the entrance to the project is required.
8. Fencing along the open space areas and the wash are required.
9. The final landscape plan shall be reviewed for approval by the City Parks Foreman.
10. The applicant shall submit the appropriate number of water shares or a letter to the City to purchase water.
12. The asphalt trail along the frontage needs to be shown on the plans.

Commissioner Linton opened the public hearing at 6:43 p.m.

Nikki Wickman, 2756 Fort Hill Rd, was concerned that Pony Express Parkway is too narrow for the current amount of traffic and future traffic. The portion of road in front of the High School in Saratoga Springs needs a turn lane.

Mr. Mumford explained that the number one project for the City is to widen Pony Express Parkway. The City is collecting impact fees to widen a portion of Pony Express Parkway. Eagle Mountain City and the City of Saratoga Springs have applied for the transportation improvement program through MAG, for widening Pony Express Parkway in front of the middle school and high school in Saratoga Springs. The plan is to widen that portion of road in 2015 to a three lane road, adding the turn lane in front of the school.

Commissioner Linton closed the public hearing at 6:47 p.m.

Commissioner Langford was concerned with the main road into the development being widened for a temporary fix.

The following are the approved conditions of approval for the Master Site Plan, Conditional Use, and Plat applications:

1. ***Applicant will be required to dedicate land for the right-of-way for Pony Express Pkwy according to the Future Land Use and Transportation Corridors Map.***
2. ***The applicant shall improve the right-of-way to provide a left turn lane on Pony Express Pkwy, or provide a traffic study showing that a left turn lane is not needed.***

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3. *The development agreement shall include a provision for a transportation fee-in-lieu for Pony Express Pkwy improvements.*
4. *The asphalt shall taper out on Pony Express Pkwy on both sides of development.*
5. *The owner shall submit plans to the City for approval if there are going to be any modifications to the natural wash at any time.*
6. *A monument sign at the entrance is required for the project.*
7. *An easement for the future water line and asphalt trail along the entrance to the project is required.*
8. *Fencing along the open space areas and the wash are required.*
9. *The final landscape plan shall be reviewed for approval by the City Parks Foreman.*
10. *The applicant shall submit the appropriate number of water shares or a letter to the City to purchase water.*
12. *The asphalt trail along the frontage needs to be shown on the plans.*

MOTION: *Preston Dean moved that the Planning Commission approve the Conditional Use for the Pony Express Townhomes with the conditions stated with in this meeting. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, and John Linton. The motion passed with a unanimous vote.*

MOTION: *Preston Dean moved that the Planning Commission recommend to the City Council approval of the Master Site Plan for the Pony Express Townhomes with the condition stated with in this meeting. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, and John Linton. The motion passed with a unanimous vote.*

MOTION: *Preston Dean moved that the Planning Commission approve the Preliminary Plat for the Pony Express Townhomes. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, and John Linton. The motion passed with a unanimous vote.*

MOTION: *Preston Dean moved that the Planning Commission recommend approval to the City Council for the Final Plat for the Pony Express Townhomes. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, and John Linton. The motion passed with a unanimous vote.*

5. Other Business

A. City Council Action Update

- Clearview Estates Master Development Plan and the General Plan amendment were approved by City Council.
- City Council approved the asphalt operation, SnugZ Site Plan, SnugZ Subdivision, Utah County communications tower, and Rock Creek Condos Phase 3.

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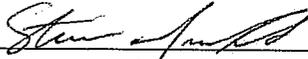
Eagle Mountain City Council Chambers; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

B. Next Regularly Scheduled Meeting – November 13; upcoming agenda items

6. Adjournment

The meeting was adjourned at 7:05 p.m.

APPROVED BY THE PLANNING COMMISSION ON FEBRUARY 12, 2013.



Steve Mumford, Planning Director

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, DECEMBER 11, 2012 AT 6:00 P.M.

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

6:00 P.M. - Eagle Mountain City Planning Commission Policy Session

COMMISSION MEMBERS PRESENT: Bonnie ElHalta, Wendy Komoroski, and John Linton

CITY STAFF PRESENT: Steve Mumford, Mike Hadley, and Johna Rose

1. Pledge of Allegiance

Commissioner Linton led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes – October 23, 2012

Commissioner Linton requested that the approval of the minutes wait until next Planning Commission.

4. Approval of 2013 Planning Commission Meeting Schedule

MOTION:

Bonnie ElHalta moved to approve the 2013 Planning Commission Meeting Schedule. Wendy Komoroski seconded the motion. Those voting aye: Bonnie ElHalta, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote (3-0).

5. Development Items

A. SilverLake – Master Development Plan Amendment; Public Hearing, Action Item

This proposed amendment includes changes to the open space, residential building types, planned street layout, and potential church and school locations.

Steve Mumford explained that the developers are asking to take action tonight. The SilverLake Master Development Plan was amended on June 21, 2011 by the City Council. That plan added 255 dwelling units to the project for a total of 1,800 undeveloped units. It also removed the 583 multi-family units from the plan and replaced them with a mixture of regular single-family lots, cluster homes, and cottage homes, all with improved exterior architecture. The amended master development agreement, although approved by the City Council, was never signed and executed. Technically, until the master development agreement is amended, the changes to the master plan map are not valid. In this case, the 2008 master development plan and agreement would still be valid.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, DECEMBER 11, 2012 AT 6:00 P.M.

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

Since that time the property has changed ownership, and the previous developer is no longer involved in the project. WPI, the new developer, now desires to further amend the master plan and the master development agreement to provide some clarification and also to fit with their development plans for the property.

The developer is proposing no change to the maximum number of dwelling units (1,800) in the plan. The proposed changes, in general, include the addition of multi-family units (not apartments or stacked condominiums), some changes to the planned park locations, a new school site (at Alpine School District's request), and the addition of a potential church site.

Along with the changes to the Master Development Plan map, the Master Development Agreement is being amended as well. While the Planning Commission is not involved in the approval of the development agreement, various aspects of this agreement are important to the proposed changes to the master plan map. The proposed agreement, which was amended from the 2011 approved agreement, has been included in the packet and is discussed in this report.

The maximum number of residential units, 1800, has not changed from the 2011 approved MDP (master development plan). The proposed map contains Areas A-E, each with a maximum number of units. Areas A and E are designated as single-family areas and Areas B, C, and D are designated as mixed areas, which may include single-family detached, patio, cluster, green court, and multi-family neighborhoods.

This proposed plan adds back in approximately 365 multi-family units, or a maximum of 20% of the total development density. Stacked apartments or condominiums are not permitted in this development. The developer's justification for this addition is that it reduces the number of cluster homes that would be built and increases the number of regular single-family lots. It also adds more variety into the project. As you can see from the proposed plan, the single-family areas have been located adjacent to existing development. A natural drainage wash also separates the existing neighborhoods from these undeveloped areas.

The Alpine School District, when asked to review the proposed plan, stated their desire to move the school site away from the power line corridor. A 10-acre potential school site has been proposed to be located at the corner of a collector road and neighborhood road in Area 'D'. The District has expressed interest in needing a school in this area in the future, and is agreeable to this site as a potential future site. Three potential church sites are also proposed in this plan, spread throughout the project. If these facilities are built, the total number of units for that area will be reduced by the approved area density.

The street system on the proposed map follows the City's current Future Land Use and Transportation Corridors Map. We are currently in the process of updating the City's General Plan, and have begun holding sub-committee meetings to discuss the transportation element of the plan, including the Future Land Use and Transportation Corridors Map. We have also met recently with the Planner and Engineer for the City of Saratoga Springs to

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coordinate the road system in the SilverLake area. While the proposed SilverLake plan meets the City's current map, this map will likely be amended in coming months. We will discuss this at the meeting where we are able to review the two cities' maps and a proposed alternative road alignment.

The development agreement requires that development of the project proceed in appropriate phasing which provides for a second connection between Pony Express Parkway and SilverLake Parkway as soon as possible. All development phases must contain at least two points of access.

The required open space for this project includes the following:

- Pocket & Neighborhood Parks = 14.541 acres (to be improved by developers)
- Community & Regional Parks = 17.77 acres (to be deeded to the City and improved by the City according to timing of the City)
- Natural drainage washes

The proposed master plan provides the required 17.77 acres of community and regional park space in the following form: 11.35 acres adjacent to the Tickville Wash in the eastern portion of the plan; and 6.42 acres of amphitheater expansion area that will provide property for the City to develop as parking for amphitheater events or other park uses. The agreement requires the developer to remove material on the hillside and leave the property at no more than a 6% grade.

Five potential neighborhood/pocket park locations have been identified on the proposed open space map. These areas will total 14.54 acres of improved park space, and will be designed along with each appropriate subdivision plat.

The proposal also includes improved trail corridors to be improved by the developer along with each adjacent subdivision plat. The natural trails area is also shown on the plan to be developed according to the timeline of the City. 18.69 acres will also be dedicated to the City in the Tickville and Evans washes. The developer is proposing to make some adjustments to the washes, reducing the overall width, providing better drainage/flow capabilities, and making the slope more gradual. This will result in additional buildable property for the developer, but also a safer and more useable wash for recreational purposes, such as natural bike trails.

Recommended conditions for the SilverLake project:

1. The maximum number of residential units must not exceed 1800 with the multi-family housing at 20% of the total.
2. The setback exhibit shall be modified to require a 22-foot garage setback and a minimum 15-foot street-side setback.
3. A collector road shall be added to the plan, continuing Brookwood Drive to the eastern boundary of the project.
4. Developer shall work together with all interested parties to plan appropriately for regional transportation needs, and modify plans to meet those needs, if applicable.

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Commissioner Linton opened the public hearing at 6:39 p.m.

Greg Strong, 4676 Campbell Circle, was concerned with what was going to be built under the power line, and that more traffic would filter onto the collector road by the 2nd roundabout.

Mr. Mumford explained that a trail system with open space was planned for the land under the power lines. The collector road would be used heavily for now but there are plans for more roads in the future to the east and south in the development.

Nathan Hatch, 7775 Brookwood Dr., asked if Brookwood Drive would extend into other areas of the development.

Mr. Mumford explained that the developer planned to connect Woodhaven Road to Brookwood Drive in the first phase of development.

Richard Mendenhall, WPI, explained that this is not a new project; that the 2008 development agreement stands, but there was some amendment to this project in 2011 from their predecessors. The 2011 amendment was not fully executed due to some outstanding fees and a water bond that was collateral under Zion's Bank. The developer's goal is to resolve the issues and work on achieving 1800 units. The developer is willing to work with the City staff and transportation networks to work out a solution for this project.

Commissioner Linton asked if the developer would address the setback requirements and agree to the 22-foot garage setback and the 15-foot street-side setback.

Mr. Mendenhall stated that setbacks are a problematic issue, and that City Council agreed on the 2011 project design standards. He asked if the City would allow them to build 1800 units or to build to the optimal number, the developer would try to meet the required setbacks.

Commissioner Linton explained that one area that was troublesome in the SilverLake development was the size and condition of the roads, and the Planning Commission vowed that they would not allow that to happen again. He recommended that the setback be as follows: 22-foot garage setback and the 15-foot street side setback.

Commissioner Linton closed the public hearing at 7:03 p.m.

Commissioner ElHalta stated that quality, standards, and safety should take precedence over number of units.

MOTION:

Bonnie ElHalta moved to recommend approval of the SilverLake Master Development Plan Amendment to City Council with the conditions stated in the staff report. Wendy Komoroski seconded the motion. Those voting aye: Bonnie ElHalta, John Linton,

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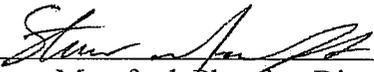
and Wendy Komoroski. The motion passed with a unanimous vote.

6. Other Business
 - A. City Council Action Update

7. Adjournment

The meeting was adjourned at 7:13 p.m.

APPROVED BY THE PLANNING COMMISSION ON FEBRUARY 12, 2013.



Steve Mumford, Planning Director