

Eagle Mountain City Planning Commission Minutes 2013

Dates of Planning Commission Meetings:

- February 12, 2013
- February 26, 2013
 - March 12, 2013
 - March 26, 2013
 - April 23, 2013
 - May 14, 2013
 - June 11, 2013
 - June 25, 2013
 - July 30, 2013
 - August 6, 2013
 - August 27, 2013
- September 10, 2013
- September 24, 2013
 - October 22, 2013
 - November 12, 2013
 - December 10, 2013

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, FEBRUARY 12, 2013 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, Bonnie ElHalta (arrived 6:23 pm), Wendy Komoroski, and John Linton.

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

ELECTED OFFICIALS PRESENT: Donna Burnham

1. Pledge of Allegiance

John Linton led the Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes

A. October 23, 2012

B. December 11, 2012

MOTION:

Preston Dean moved to approve the October 23, 2012 and the December 11, 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. Development Items

A. Valley View Ranch Equine Overlay Zone – Rezone; Public Hearing, Action Item

The Equine Overlay Zone is being proposed for the Valley View Ranch North plats A-1, A-2, A-3, and B. This would allow the lots between ½ acre and 1 acre to have equine animal rights.

Mike Hadley explained that L&T Construction has requested that Valley View Ranch North Plat A-1, A-2, A-3, and B be included in the Equine Overlay Zone. The City recommended that the item be tabled until all residents in Valley View Ranch Development are notified, and that the Equine Overlay Zone be put over the entire Valley View Ranch Development.

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

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

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TUESDAY, FEBRUARY 12, 2013 AT 6:00 P.M.

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

MOTION:

Preston Dean moved that the Planning Commission table the Valley View Ranch Equine Overlay Zone, and move the item and the public hearing to the next meeting, in order to include all Valley View Ranch Development properties and to notify all Valley View Ranch owners. 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. Jacob's Well Plat D – Preliminary & Final Plat; Public Hearing, Action Item

This plat replaces a portion of Jacob's Well Plat C, exchanging property with the City due to the 138kV power line location.

Mr. Hadley explained that Jacob's Well Plat C was approved in April, 2006. Jacob's Well Plat C consisted of 23 lots on 10.36 acres with an average lot size of 15,000 sq. ft. The original owner of the project was Ranches, LC. The plat was recorded in 2010. Between the time of plat approval and the time the plat was recorded, the City purchased a utility easement and constructed a 138kV power line which crossed through the back portion of lots 1 & 2. When the applicant came to the City to record the plat, a new plat was not submitted and the original plat that was filed with the City was recorded at the County Recorder's office. The original plat failed to show the utility easement that the City had purchased between the time of plat approval and the time the plat was recorded. Since then, the ownership of the property has changed. Since the utility easement was not on the plat, and the easement was missed on the title report, the new owner was unaware that there was a utility easement on lots 1 & 2. When this error came to the City and land owner's attention, the owner proposed to swap City-owned natural open space (located adjacent to the approved subdivision lots), for the two lots that were unbuildable due to the power line construction. A 3rd-party appraisal of the property concludes that the value of the two lots and open space is comparable; in other words, it would be an even trade. This proposal is for a preliminary and final plat for Jacob's Well Plat D, which reflects this exchange of property. The City Council will consider approval of the land exchange along with the final plat.

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

Stephen Sowby, the developer's Engineer, thanked the Planning Commission for considering Jacob's Well Plat D Preliminary and Final Plat. He explained that the developer is willing to take on the cost of stubbing in the power, gas, sewer, and water lines.

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

MOTION:

Preston Dean moved that the Planning Commission approve the Jacob's Well Plat D Preliminary & Final Plat and recommend the Jacob's Well Plat D Preliminary & Final Plat to the City Council. Scott Langford seconded the motion. Those voting aye:

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Scott Langford, Preston Dean, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.

5. Other Business

A. Update - Transportation Plan

- The Commission reviewed some potential draft changes to the Transportation Master Plan.
- The Commission discussed ideas for the Downtown Master Plan area.

B. Update – Development Projects

- Council has approved the Amended & restated SilverLake Master Development Agreement and Master Plan.
- The Planning Commission should be seeing the LoneTree West plan, the Evans Ranch Plan, and SilverLake plat 8 soon.
- Ridley's Market is moving forward and we should see plans soon.

Commissioner Linton welcomed Councilmember Donna Burnham as the new Planning Commission liaison.

6. Adjournment

The meeting was adjourned at 6:43 p.m.

APPROVED BY THE PLANNING COMMISSION ON MARCH 12, 2013.



Steve Mumford, Planning Director

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, FEBRUARY 26, 2013 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: John Linton.

CITY STAFF PRESENT: Mike Hadley, and Johna Rose

ELECTED OFFICIALS PRESENT: Donna Burnham

VISITORS FROM ALPINE SCHOOL DISTRICT: Chuck Pierce, Vern Lathem, and Randal Vickers

NO QUORUM WAS PRESENT, NO MINUTES WERE REQUIRED.

1. Pledge of Allegiance

John Linton led the Pledge of Allegiance

2. Declaration of Conflicts of Interest

3. Approval of Meeting Minutes
A. February 12, 2013

4. Development Items

A. Valley View Ranch Equine Overlay Zone – Rezone; Public Hearing, Action Item

The Equine Overlay Zone is being proposed for the Valley View Ranch master development plan, including existing lots and vacant property. This would allow the lots between ½ acre and 1 acre to have equine animal rights.

B. New Eagle Mountain Elementary School; Presentation & Discussion Item

The Alpine School District is building a new elementary school north of SR73 on the east side of Sunset Drive.

Alpine School District reviewed the new elementary school plan for Meadow Ranch.

5. Other Business

A. Updates

6. Adjournment

The meeting was adjourned at 6:27 p.m

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PLANNING COMMISSION MEETING MINUTES

TUESDAY, MARCH 12, 2013 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, Bonnie ElHalta (arrived 6:15 pm), Wendy Komoroski, and John Linton.

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

ELECTED OFFICIALS PRESENT: Donna Burnham

1. Pledge of Allegiance

John Linton led the Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes

A. February 12, 2013

MOTION: *Preston Dean moved to approve the February 12, 2013 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. Development Items

A. Valley View Ranch Equine Overlay Zone – Rezone; Public Hearing; Action Item

The equine overlay zone is being proposed for the Valley View Ranch Master Development Plan, including existing lots and vacant property. This would allow the lots between ½ acre and 1 acre to have equine animal rights. This item was tabled from the last meeting.

Mike Hadley explained that the equine overlay was tabled at Planning Commission meeting on February 12, 2013 to allow the City to notify all the landowners in Valley View Ranch Development of the equine overlay zone. The overlay zone would allow lots between ½ acre to 1 acre to have equine animal rights.

Commissioner Linton opened the public hearing at 6:07 p.m.

Sharron Rushton, owner of Valley View lot 11, was concerned that ½ acre lots are too small for large animals. She said that she had similar issues in another city, with large animals being allowed on ½ acre lots. She explained that there were odors and flies that came along with these large animals.

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Randy Howard, 2598 Horizon Drive, expressed his support for the equine overlay zone. He stated that it helps to create a community relationship. He said that it's the landowners' and animal owners' responsibility to maintain their property and animals.

Commissioner Linton closed the public hearing at 6:13 p.m.

Commissioner Dean asked what other developments around the area are zoned with the equine overlay zone.

Mr. Hadley responded that Sage Valley is the only development in the area that is covered by the equine overlay zone. Valley View Ranch is surrounded by North Ranch, Cedar Pass Ranch and Meadow Ranch, which are zoned for horse property.

Steve Mumford explained that there are strict standards and codes required in the equine overlay zone. The Code Enforcement Officer would cite residents who violate the code.

MOTION: *Preston Dean moved that the Planning Commission recommend the Valley View Ranch equine overlay zone to the City Council. 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. SilverLake Plat 8 – Preliminary Plat & Final Plat; Public Hearing. Action Items

This proposed subdivision plat includes 77 residential lots in the northeastern corner of the SilverLake Master Development Plan, adjacent to Pony Express Parkway and the City boundary.

Mr. Mumford explained the SilverLake Master Development Plan was updated recently, and the amended master development agreement was approved on January 15, 2013. This will be the first subdivision plat to be reviewed since those changes.

Residential Lots

The western portion of this project is within Area 'A' of the SilverLake Master Development Plan. This area only allows single-family lots that have a lot frontage of greater than 55 feet. All of the proposed lots in this area comply with these standards.

The eastern portion of the project is located in Area 'B' of the master plan, which is a mixed area allowing single-family homes, patio homes, garden court homes, cluster homes, and multi-family homes (no stacked apartments or condominiums). These small-lot homes may have a lot frontage of less than 55 feet, and are to be designed with parks, courtyards, or open space as an integral part of the neighborhood. They also cannot be clustered together in groups of more than 65 lots. As we understand it, the developer is amending the plans to increase the lot frontage on several lots (on the north side of Red River Drive) so there are no lots with less than 55 feet of frontage.

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on this side of the road. All 50-foot wide lots, or cluster lots, are located in the center area adjacent to the park.

Lot 34 contains 1,280 feet of space that cannot contain structures, since it contains a sewer easement. This makes the lot quite difficult to build on. Other lots overlap the easement as well, but they are not impacted to the degree that this lot would be. Staff recommends that either a lot be eliminated on this row, or that the lots are adjusted so that only a small portion of the lot is located within the easement. A note will have to be added to the plat to limit construction on the sewer easement.

The City Code requires that a site plan application be submitted and approved for any cluster home, cottage home, or patio home development. The standard setbacks for these lots were approved with the master development agreement. Staff is comfortable recommending approval of the lots, with the requirement that a site plan application be approved prior to any of the cluster lots receiving a building permit. That is, any lot with less than 55 feet of frontage will have to be included in an approved site plan. This is mostly to verify that the proposed homes meet the architectural standards approved in the development agreement, as well as the setbacks.

Building envelopes must be shown on each lot on the plat. This will help staff determine if homes will fit appropriately on each lot.

The regular Tier 2 setbacks apply to all lots with greater than 55-foot-wide frontages. The setback exhibits must be changed on the plans to reflect this appropriately. Interior side setbacks for these lots must be a combination of 15 feet, with no less than 5 feet on any side. The rear setback is 20 feet.

Fencing

Six-foot-high privacy fencing is required to be installed along the rear lot lines of all homes that back up to a collector or arterial road – or Pony Express Parkway and Woodhaven Boulevard. This fencing must be installed along with the infrastructure for the subdivision, prior to any building permits being issued on these lots.

Roads

Due to the hillside, the construction of Pony Express Parkway resulted in the road being built in the northern portion of the right-of-way, leaving a lot of future right-of-way on the south side. The developer has included the appropriate amount of property to dedicate for right-of-way, and will be improving are with curb and gutter, trail, and landscaping. This way the edge of the future roadway will be clearly defined. The remaining area will be left for future right-of-way improvement according to the timing of the Capital Improvements Plan.

Woodhaven Boulevard is a minor collector road, and is planned as a 75-foot right-of-way. This road will contain an 8-foot-wide trail on each side. As was required by the master development agreement, a 24-foot-wide road will also be constructed to connect this new section of Woodhaven Boulevard to the existing Woodhaven Boulevard at Brookwood Drive. This road will be built along with the infrastructure for this development.

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The cluster home driveways are required by the Fire Marshal to be designed and constructed as fire access roads, not as residential driveways. A 28-foot turn radius is required at the entry and "no parking" signs installed along these roads. The developer will be required to meet all Fire Department requirements.

The city already has a Cassidy Drive. This name needs to be changed.

Landscaping

The landscape plan is currently being modified, and a new plan is expected to be submitted with changes on Monday. The development agreement requires that a fee be paid with each building permit for street trees on neighborhood roads. Upon completion of 80% of the homes in an area, including irrigation systems to the park strips, the City will bid out the project for tree installation. The City has no responsibility for installing irrigation systems or grass in any of the park strips. The plan will be modified to include street trees. Staff suggests that the trail on the east side of Woodhaven Boulevard curve to the east rather than the west to avoid the power poles. This will require a dedication of additional ROW or an easement to the City. The City Parks Foreman recommends that the landscaping along Pony Express Parkway match existing areas to the west, including grass in between the street and the path, and irrigated native grasses between the trail and the properties. All changes to the landscape plan must be approved by the Parks Foreman and Planning Director.

Section 16.35.105 in the City Code addresses requirements for development of pocket parks. The plan provides for 1.45 acres of park space. According to the Code this park must provide amenities according to Table 16.35.130 equaling 101.5 points. The park must also include shady seating areas with benches or tables including a shade structure or grove of trees, tot lots or other play structures, a variety of landscaping, and an appropriate number of garbage receptacles and barbecues with park elements. Staff recommends that the plan include the following items and points:

- Benches with shade trees – 4 (2 points each) = 8
- Trees – at least 31 (currently shown) (3 points per 5 trees) = 18
- Parking – 6 stalls (30 points per 5 stalls) = 36
- Playground Equipment – a 20 or 30-point playground structure
- Swings (4+ swings) = 8
- Bike rack (4+ bikes) = 2
- Shade structure = 4
- Drinking fountain = 4
- Total = 100 – 110 points

The plan will have to be approved by the Parks Foreman and Planning Director, including the playground structure, as its point value is based on size, cost, style, elements/features, and creativity. The park must be improved prior to 40% of the building permits being issued in this plat. The subdivision entrance sign design must be approved by the Planning Director prior to construction.

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Amphitheater Expansion Area

The master development agreement requires that a 6.42-acre area be preserved adjacent to the existing amphitheater for plaza and park space, and also to provide some permanent and temporary parking for events. This area must be deeded to the City along with the first subdivision plat. As the City is still working with the developer to determine the proper design of this property, staff recommends that the property owner deed the expansion area to the City prior to recording this subdivision plat.

Building Elevations/Design Standards

The homes must meet the standards required by the master development agreement. Each home will be reviewed at building permit application for compliance with these standards. The cluster home elevations will be reviewed in the required site plan application.

Water Rights

The applicant has requested that the water rights for this project be deducted from the water that is already banked with the City.

Utilities

The power circuit in this area has reached capacity. No building permits will be permitted until the Porter's Crossing electrical circuit has been extended and upgraded. The developer is aware of this issue and will be working with the Energy Director to resolve it.

Recommended conditions of approval:

1. Porter's Crossing electrical circuit
2. No structures to be built over easements
3. Change the name of Cassidy Drive
4. Water model
5. Landscaping and irrigation plans
6. Amphitheater expansion area
7. Subdivision entrance sign
8. Cluster home driveways to be fire access roads
9. Final plat easements, building envelopes, etc.
10. Lot 834 easement
11. Site plan
12. Permission for construction in easements from Rocky Mountain Power and others
13. Woodhaven Boulevard as dedicated right-of-way
14. Compliance with all redlines
15. Fence standard

Commissioner Linton opened the public hearing at 7:11 p.m.

Ernie Ellingsworth, 7886 Brookwood Dr., wanted to know what the City has planned for the property next to the amphitheater. He was also concerned with what was going to happen to the natural drainage ditch behind the homes. He wanted to know what trails would be finished around the area.

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Mr. Mumford explained that the City has not determined what will be done with the property next to the amphitheater. The developer will need to deal with the natural drainage ditch by leaving it open and maintaining the natural drain or piping the drain. The developer is only required to add a trail in the front of the development, so there would be a gap that the City would have to look into finishing.

Commissioner Linton closed the public hearing at 7:20 p.m.

Commissioner Linton was concerned with the fencing requirements along Pony Express Parkway.

MOTION: *Preston Dean moved that the Planning Commission approve the SilverLake Plat 8 Preliminary Plat with the following Conditions of Approval.*

- 1. No building permits will be permitted until the Porter's Crossing electrical circuit has been completed.*
- 2. A note shall be included on the plat that no structures are to be built over the sewer and storm drain easements, and the plat shall list all lots that the easement runs through.*
- 3. There is already a Cassidy Drive in the city. This name must be changed.*
- 4. A water model will be required for the subdivision per state requirements.*
- 5. The landscaping and irrigation plans must be revised and approved by the Parks Foreman and Planning Director prior to receiving building permits.*
- 6. The amphitheater expansion area must be deeded to the City prior to recording this plat.*
- 7. The subdivision entrance sign design must be approved by the Planning Director prior to its construction.*
- 8. The driveways to the cluster homes must be designed as fire access roads, with the proper radius. Plans must be approved by the Fire Marshal prior to recording.*
- 9. The final plat must include building envelopes, plat calculations, all easements (including the power line easement), proper lot numbering, proper setbacks, and all other information required by City Code.*
- 10. Lot 834 and adjoining lots shall be modified to reduce the amount of the lot that crosses the easement.*
- 11. A site plan approval is required prior to obtaining any building permits for the cluster homes, or lots with less than 55 feet of frontage.*
- 12. Prior to recording the plat, Developer shall obtain and provide the City with approval for construction in easements from all easement owners.*

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13. The 24-foot wide Woodhaven Boulevard shall be added to the plat as dedicated right-of-way.

14. Developer shall comply with all redlines on construction drawings.

15. The 6-foot privacy fencing along Pony Express Parkway shall be built of cedar and painted to match the fencing in the Ranches.

Bonnie ElHalta seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, Bonnie ElHalta, and Wendy Komoroski. The motion passed with a unanimous vote.

MOTION:

Preston Dean moved that the Planning Commission recommend the SilverLake Plat 8 Final Plat to the City Council with the following conditions.

- 1. No building permits will be permitted until the Porter's Crossing electrical circuit has been completed.*
- 2. A note shall be included on the plat that no structures are to be built over the sewer and storm drain easements, and the plat shall list all lots that the easement runs through.*
- 3. There is already a Cassidy Drive in the city. This name must be changed.*
- 4. A water model will be required for the subdivision per state requirements.*
- 5. The landscaping and irrigation plans must be revised and approved by the Parks Foreman and Planning Director prior to receiving building permits.*
- 6. The amphitheater expansion area must be deeded to the City prior to recording this plat.*
- 7. The subdivision entrance sign design must be approved by the Planning Director prior to its construction.*
- 8. The driveways to the cluster homes must be designed as fire access roads, with the proper radius. Plans must be approved by the Fire Marshal prior to recording.*
- 9. The final plat must include building envelopes, plat calculations, all easements (including the power line easement), proper lot numbering, proper setbacks, and all other information required by City Code.*
- 10. Lot 834 and adjoining lots shall be modified to reduce the amount of the lot that crosses the easement.*
- 11. A site plan approval is required prior to obtaining any building permits for the cluster homes, or lots with less than 55 feet of frontage.*
- 12. Prior to recording the plat, Developer shall obtain and provide the City with approval for construction in easements from all easement owners.*
- 13. The 24-foot wide Woodhaven Boulevard shall be added to the plat as dedicated right-of-way.*

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14. Developer shall comply with all redlines on construction drawings.

15. The 6-foot privacy fencing along Pony Express Parkway shall be built of cedar and painted to match the fencing in the Ranches.

Bonnie ElHalta seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, Bonnie ElHalta, and Wendy Komoroski. The motion passed with a unanimous vote.

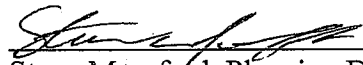
5. Other Business

A. Updates

6. Adjournment

The meeting was adjourned at 7:32 p.m.

APPROVED BY THE PLANNING COMMISSION ON MARCH 26, 2013.



Steve Mumford, Planning Director

EAGLE MOUNTAIN CITY
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TUESDAY, MARCH 26, 2013 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, Bonnie ElHalta, Wendy Komoroski, and John Linton.

CITY STAFF PRESENT: Steve Mumford, Planning Director; Mike Hadley, City Planner; Linda Peterson, Public Information Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; and Johna Rose, Deputy Recorder.

ELECTED OFFICIAL PRESENT: Donna Burnham

1. Pledge of Allegiance

Commissioner Linton led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes

A. March 12, 2013

MOTION: *Preston Dean moved to approve the March 12, 2013 meeting minutes. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, Bonnie ElHalta, and Wendy Komoroski. The motion passed with a unanimous vote.*

4. Development Items

A. Porter's Crossing Town Center – Site Plan & Final Plat; Public Hearing. Action Items

A proposed 20.148-acre, 9-lot commercial subdivision, and a site plan for Ridley's Market and Ace Hardware, located northwest of the intersection of Pony Express Parkway and Porter's Crossing Road.

Steve Mumford explained that the applications were originally approved by the City Council on May 3, 2011, along with a master site plan and preliminary plat. Since that time the anchor tenant of the development has changed, and both the site plan and final plat approvals have expired. The approved master site plan is still valid, however, so this site plan proposal is for the Ridley's Market portion of the project, including road, parking, and landscaping improvements.

This final plat contains 9 lots on 16.902 acres, and includes approximately 3.2 acres in roads (Porter's Crossing and Smith Ranch Road). The only change from the previously approved plat includes a very slight modification to the property line between Lot 5 and Lot 1. No other modifications have been made.

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A site plan application is required for Lot 5 and a portion of Lot 1 (Retail A & associated access and parking), and it has been reviewed and compared to the approved master site plan.

Buildings & Commercial Design Standards

The Ridley's Market and Ace Hardware building is shown at 54,960 square feet in size. Since this is larger than the building in the previous plan, it has taken up additional space to the west, just cutting into the landscaping. The building contains a pharmacy drive-through on the west side. The grocery store has been separated from Retail A, with sufficient space for a good walkway in between the buildings.

Building elevations and renderings have been submitted for the Ridley's Market grocery store. Staff has no concerns with these elevations. Minor deviations from these elevations, still in compliance with the Design Standards, require approval by the Planning Director.

Parking

The biggest change to the parking lot is that the accessible (handicap) parking stalls have been moved and are now in front of the Ace Hardware portion of the building, rather than in the closest parking row. This could impact the functionality of the parking lot, but it may also have the result of slowing down vehicles. Required parking is 1 stall per 200 square feet of the grocery store and hardware store, plus 1 per 250 for Retail A. The plan provides the required number of parking stalls.

Landscaping

The applicants have designed the site according to our standards, including parking lot landscape islands with trees, pedestrian walkways, etc. No street trees were included in the park strips, however, on Porter's Crossing and Smith Ranch Road. These are required. 3 ½-foot high landscape berms are also required between sidewalks and parking areas, when adjacent to streets. These must be noted on the landscape plans. Due to the nature of this commercial area and the potential for occasional large truck traffic, the landscape median islands in Porter's Crossing and Smith Ranch Road were removed. If the Planning Commission desires to have landscaped entryway medians, similar to other roads in the Ranches, they should be placed far enough back to allow for proper truck turning radii, and have a mountable curb on the nose. The applicants have provided entrance features similar to those found in other areas of The Ranches. The landscaping along Pony Express Parkway has also been designed to match existing areas of the road. More deciduous trees would be beneficial along this right-of-way, especially between the street and the path.

Tickville Wash

Care should be taken near the Tickville Wash when developing Lots 7-9. The applicant's plan is probably to pipe the wash in this location, depending on the uses for those lots. Building restrictions will apply to these areas.

Lighting

The previous lighting plan was found to be sufficient for this project. All lights must be shielded downward and the light source may not be visible from surrounding properties.

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Signs

A signage plan showing the planned locations of combined monument signs and individual monument signs has been submitted and reviewed. Staff has no concerns with this plan, as long as the signs meet the standards found in the City Code. Sign permits are required prior to any construction.

Commissioner ElHalta was concerned that there was not enough space for delivery trucks accessing the parking lot.

Mr. Mumford explained that the islands along Porter's Crossing and Smith Ranch Road would be removed to allow the trucks adequate access.

Trevor Hull represented SK Hart; he explained that Ridley's will be ready to start digging May 1st and are hoping to be opened for business October 1st. That date would include the Ace Hardware store. SK Hart has no issues with the recommended conditions of approval.

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

Lewis Sturgeon 8074 Clear Water Road, stated that Smith Ranch road is only 25 ft away from homes in Plum Creek development. The residents in Plum Creek development would like to request that a concrete wall be put up to help separate the development. Residents in Plum Creek are also concerned with the amount of foot traffic.

Commissioner Linton closed the public hearing at 6:17p.m.

Mr. Hull explained that the intersection dictated where Smith Ranch Rd would follow.

MOTION: *Preston Dean moved that the Planning Commission recommend the Porter's Crossing Town Center Site Plan to the City Council with the recommended conditions stated in the staff report. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, Bonnie ElHalta, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

MOTION: *Preston Dean moved that the Planning Commission recommend the Porter's Crossing Town Center Final Plat to the City Council with the recommended conditions stated in the staff report. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, Bonnie ElHalta, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

- B. Arcadia Residential Center – Conditional Use Permit; Public Hearing. Action Item
A proposed residential rehabilitation and treatment facility for adults with disabilities, specifically those suffering with a substance abuse use disorder or a co-occurring mental

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health disorder with a substance abuse use disorder. Arcadia is proposed to be located at 4682 E. Foxwood Drive, within the SilverLake neighborhood.

Steve Mumford explained the Planning Department received a Conditional Use Application for the Arcadia Residential Center, a residential rehabilitation and treatment facility for adults with disabilities. The facility, or group home, would be located at 4682 E. Foxwood Drive, within the SilverLake neighborhood. The property is approximately 7,013 square feet in size, and the house is approximately 4,159 square feet, of which 1,498 square feet is an unfinished basement. A building permit to finish the basement was recently issued by the City Building Department.

The proposed Arcadia Residential Center will specifically treat adults that are either suffering singularly with a substance abuse use disorder or a co-occurring mental health disorder alongside a substance abuse use disorder. The treatment program is designed to be a 30, 60, or 90 day inpatient facility for either adult males or adult females only (but never on a co-ed basis). The applicant is requesting a maximum of eight (8) unrelated adult residents/patients. The residents/patients will be able to come and go as they please; there will be no lockdown. The Center would have 1 to 2 staff members on duty at all times.

The Federal Fair Housing Act prohibits a broad range of practices that discriminate against individuals on the basis of race, color, religion, sex, national origin, familial status, and disability. The act prohibits local government entities from making zoning or land use decisions or implementing land use policies that exclude or otherwise discriminate against protected persons, including individuals with disabilities. Persons with disabilities are individuals with mental or physical impairments which substantially limit one or more major life activities. The term "mental or physical impairment" includes, among others, people with drug addiction, alcoholism, and mental illness. "Persons with a disability" does not, however, include persons diagnosed with kleptomania, pyromania, pedophilia, exhibitionism or voyeurism, or any history of sexual or physical assault, not resulting from physical impairments or other disorders.

Current users of illegal controlled substances, persons convicted for illegal manufacture or distribution of a controlled substance, sex offenders, and juvenile offenders, are also not considered disabled under the Fair Housing Act. It also affords no protections to individuals with or without disabilities who present a direct threat to the persons or property of others. Determining whether someone poses such a direct threat must be made on an individualized basis, however, and cannot be based on general assumptions or speculation about the nature of a disability.

He explained that with the Federal Fair Housing Act, any applicant is able to ask for reasonable accommodations and government agencies are required to grant reasonable accommodations in certain cases. In order to house more than three unrelated adults at the home, the applicant is requesting that "reasonable accommodations" be made and approved by the City. The Fair Housing Act makes it unlawful to refuse to make "reasonable accommodations" in land use and zoning policies and procedures where such accommodations may be necessary to afford persons or groups of persons with disabilities an equal opportunity to use and enjoy housing. Reasonable accommodations are determined on a case-by-case basis. Not all requested modifications of rules or policies are reasonable. An accommodation is "reasonable" under the Fair Housing Act

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unless it imposes an undue financial and administrative burden on the City or requires a fundamental alteration in the City's land use and zoning scheme.

Eagle Mountain City Code defines "family" to mean:

- Persons related by blood, marriage, adoption, guardianship, or under foster care arrangements;
- Or up to three unrelated persons;
- Or up to two unrelated persons and their children, living together as a single housekeeping unit.

The following are some requirements or items of note or concern for this proposal:

- Neighborhood Character – This home is on a 7,000 square-foot lot in the middle of a neighborhood with similar-sized lots. The home sits approximately twelve feet away from the homes to each side, and the backyard is only about 20 feet deep.

There are approximately 167 homes currently within a 1/4 mile of this property, with future planned neighborhoods to the east and south. In comparison, there are approximately 54 homes within a 1/4 mile of The Ark of Eagle Mountain, or Utah Addiction Center, located in Westview Heights.

- Nuisances & Danger - Any and all nuisances and potential threats of danger to persons or property must be completely controlled. A thorough screening process is required so that no person who may be a danger to neighbors will be accepted into the home. The definition of a nuisance will vary, but nine to ten adults in a small yard at one time could result in nuisance complaints, depending on their actions while outside, or while being heard from inside the home.
- Parking – Two sections of the City Code address parking for this type of facility. *Table 17.55.120(c) Required Parking by Land Use* requires the following: Residential Facility is 1 stall per patient bed.

Likewise, Section 17.75.060-C-7 of the City Code requires a minimum of one parking stall for each resident of the group home in order to properly provide for staff and visitor parking. The proposed facility has only three stalls (parking in driveways behind garages is not considered a stall for purposes of the City Code) and therefore does not comply with this requirement.

The applicant has requested a "reasonable accommodation" in order to obtain approval for a reduced number of parking stalls. The applicant plans to place three vehicles in the garage, and has room for up to four vehicles in the driveway (parking stalls are 9'x20'; the driveway is approximately 36' wide). According to the applicant's submitted materials, the residents of the home would not have vehicles. The vehicles would include staff member vehicles, a transport van or vehicle for outings, and visitor vehicles for family therapy.

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- Supervision - The residents have to be properly supervised and monitored on a 24-hour basis. What is considered "proper supervision" would be up for debate, since a majority of each day there will only be one staff member for all eight residents.
- Violations - Conditions violated that are not enforced by DHS may lead to violation notices and fines by the City, and eventual revocation of the business license and conditional use permit. 1st violation = violation notice; 2nd violation w/in 18-month period = \$500.00 fine; 3rd violation w/in 18-month period = \$2,000 fine; 4th violation w/in 18-month period = revocation of conditional use permit and license.
- No Neighborhood Contact - No resident of the group home shall initiate any contact of any kind with residents of the neighborhood except: (1) in the case of notice or prevention of an emergency which may cause personal injury, death or substantial property damage; (2) residents who are cleared by staff to attend local worship services.
- Number of Residents - The applicant is requesting up to eight residents in the home, in addition to staff members. This means that nine to ten adults will be living in this home on a 24-hr basis.

The State limits the number of occupants by the square footage of the bedrooms. The state requires 60 sq ft. per person per bedroom. The City reviewed the building permit plan.

- Master bedroom -169 sq ft., allows 2 patients/residents
 - Upstairs bedroom #1 - 118 sq ft., allows 1 patient/resident (depending on how the state measures the bedroom)
 - Upstairs bedroom #2 - 156 sq ft., allows 2 patients/resident
 - Basement bedroom (when finished) - 123 sq ft., allows 2 patients/resident
- Staff Concerns - The "Ark of Eagle Mountain" was approved with eight residents, but the facility is located on a 1-acre lot and is surrounded by 5-acre, 1-acre, and 1/2-acre lots. Staff's primary concern is that due to the small lot size, small backyard and proximity of neighboring houses, any and/or all discussions or activities that occur in the yard or in the house with windows open will be heard or seen by neighbors, and having nine to ten adults in one house may therefore fundamentally alter the land use and zoning scheme in this area.
- Resident Background - The facility is not allowed to house anyone with a history of sexual or physical assault, voyeurism, felony crimes of possession with intent to distribute a controlled substance, distribution of a controlled substance, a crime involving the use of a weapon, firearm or violence, burglary, unlawful entry, or sexual crimes.
- DHS - The applicant must comply with all requirements, regulations, and standards of the Utah State Department of Human Services. Prior to obtaining a business license the applicant will have to obtain a license from DHS for the facility. DHS will perform an

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annual review of the facility, as well as unannounced inspections based upon complaints and/or issues. Noncompliance may result in fines, probation, and revocation of the license.

- Separation - The City's one-mile separation radius from another existing group home has been met with this proposal. The only other group home in the city is the Utah Addiction Center (previously known as Intervention and the Ark of Eagle Mountain) in the Westview Heights neighborhood.
- Addictive Substances - All residents in the home must completely abstain from using alcohol and controlled substances during the period that they are residents in the group home. The house rules for this facility prohibit any use of tobacco and caffeine as well.

Commissioner Dean asked what City Code allows for limiting parking on the street. How is it notified on the property that no parking is allowed?

Mr. Mumford explained that the City did limit the Ark of Eagle Mountain's parking. There is no notification around the center to notify that no parking is allowed on the street. The residents around the Ark of Eagle Mountain have notified the City of any violations and the City has been able to take care of any issues.

Commissioner Dean asked if the Ark of Eagle Mountain houses 8 residents, what is the difference in square footage between the Ark of Eagle Mountain home and the Arcadia Residential Center.

Mr. Mumford said that the Ark of Eagle Mountain house is 5,129 sq. ft.

Commissioner Langford asked if a care provider would be occupying one of the bedrooms.

Commissioner ElHalta asked if there were plans for a security or surveillance system for the home.

Matthew Jacobson, Executive Director for the Arcadia Residential Center, explained that Arcadia Residential Center is a home based treatment center. Their program consists of clients that range from the age of 18 to 65 that battle substance abuse, alcohol abuse, and co-occurring disorders. To help overcome these addictions the program utilizes basic gospel principles, a 12 step program and other evidence based treatment methods. To help provide safety to clients and Eagle Mountain residents, the center will not be co-ed, and does not provide service to sex-offenders, and/or a person that has been convicted of a violent or domestic crime. Their clients do suffer from addiction, but do not currently use illegal substances. That classifies their clients as disabled and therefore they are Federally protected.

He explained that this type of center does not require 2 staff members on duty at all times. That is not found in Federal law, State law or Municipal Code. He stated that, according to the Federal Fair Housing Act, the great majority of these types of centers are subject to State law and not City Code. He said that a State licensing agent by the name of John Ortiz stated that the State

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handles all safety issues and what is considered proper supervision. He stated that John Ortiz also stated that the State requirement is a 1 staff member to 8 client ratio and that there is no restriction or set rule with supervision regarding substance abuse residential treatment programs. The State does not require a surveillance system for the Arcadia Residential Center.

They are aware of the Municipal Code restricting parking and have requested reasonable accommodations. He explained that they are able to park 3 cars in the garage and 4 cars on the driveway.

He explained that the Municipal Code states that a group home is not to be construed to mean a family. They are requesting reasonable accommodations from the City to allow 8 clients in the group home.

He discussed the concern about the quarter mile ratio and the amount of homes and citizens in that radius. Federal Fair Housing Act states it is their object to integrate persons with disabilities into the community; however, it is not their objective to restrict them as to which community they could be a part of, regardless of community size or density. He stated that Arcadia Residential Center lives up to all Federal, State, and Municipal Codes. Their goal is to work alongside all local agencies and citizens.

Commissioner Linton opened the public hearing at 6:49 p.m.

Jeremy Johnson, SilverLake HOA Attorney, made it clear that his clients and the SilverLake HOA are not opposed to having individuals with drug addiction or alcohol addiction disabilities in the neighborhood. His clients are very concerned that the Arcadia Residential Center has 8 individual clients in too little space, with few bedrooms, and in too short of time. He stated that Utah Administrative Code 501-19-5 subsection F states a minimum of two staff on duty and, a staff ratio of no less than one staff to every four consumers shall exist at all times, except nighttime sleeping hours when staff may be reduced. He stated that local government believes that they are required to provide reasonable accommodation. He cited the court case *Swarovski v. Treasure Island* citing the Seventh District court Judge Posner, who explained that while Congress intended for discrimination laws like DADA and FHA, to apply to the zoning ordinance, they do not pre-empt or abolish a municipality's power to regulate land use and pass zoning laws. He explained that the City could absolutely enforce City zoning laws and the City can impose conditions on the permit, which will preserve the residential character of the neighborhood.

He stated that there is a difference in what the City has permitted in the past and what the City is being asked now. He compared the proposed Arcadia Residential Center to the Utah Addiction Center (UAC). The proposed home is only a sixth of the size of the UAC and is requesting the same accommodations. He believes the Arcadia Residential Center facility is too small, and cannot safely and healthily house the same number of patients compared to a dramatically larger facility. The home's proximity to other homes is creating problems with privacy and limiting the amount for each individual's space. He requested that the Planning Commission table the item so that his clients and others would be able to look into the concerns and be able to address them at

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a later date. He also requested that a condition be added that all clients are required to stay for at least a 100-day period so the home does not become a transient place.

Matthew Rouanzion, 4807 Levi Lane, asked the Planning Commission not to accept the reasonable accommodation for parking, and to use the Municipal Code that allows one client per parking stall. He also requested that all clients have a third party background check.

Matthew Robertson, 7493 Campbell Circle, asked if the clients would be integrated into the community. He felt that the reasonable accommodation for parking was being used to crank up the number of residents in the home for profit.

Ryan Huston, 4674 Foxwood Drive, asked the Planning Commission to look at the staffing code for the Utah Administrative Code (501-19-5. Staffing). In the code, if there is an unlicensed staff member being used, they shall be supervised by a licensed staff member. He explained that he and his wife have been going through the State approval process to become foster parents, and with this home next door, the State will have to better look at the age and condition of the kids that could be placed into their home.

Danna Ridge, 4692 Foxwood Drive, requested that the Planning Commission impose conditions requiring the client's stay be no less than 6 months, and that a surveillance system be installed for the safety of the residents and the clients of the Arcadia Residential Center.

Jessica Anderson, 7528 Levi Lane, explained that she is a nurse and advocate for the patients and children. She explained that individuals with drug addiction are one of the most vulnerable groups and children are right up there with that vulnerability. She stated that Silver Lake is one of the densest populations of children in the state. With both groups together in such a dense area the City is in uncharted territory. She felt that this was not a good situation for those groups.

Francine Jones, 4689 Foxwood Drive, wanted to support the efforts of the Arcadia Residential Center. She explained that her daughter has a drug addiction disability. Because of financial issues they were not able to keep her in a rehab home, and she relapsed and had a stroke. She felt that the community should educate themselves and have an open mind about the Arcadia Residential Center.

Lynn Manning, 4787 Addison Ave, explained that with her personal experience with drug and alcohol abuse in the past, she was unpredictable and did things that required more supervision in her vulnerable state. She requested that the Planning Commission look at the supervision and safety of the residents and clients. She explained that with her treatment she needed space and activities. She felt that the home in question does not have space that is sufficient to handle the needs of their clients.

Monica Ririe, 4669 Campbell Circle, was concerned that privacy will be hard to provide with the proximity of the lot. The neighbors' homes are so close together. She also felt that the home is not adequate for those recovering to have space for onsite activities for therapeutic reasons, compared to other state residential treatment centers.

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Becca Jensen 4619 Campbell Circle, explained that she is a recovered addict with personal experience living in a treatment center. She explained her recovery required peace and quiet, open space, and outdoor activities. The proximity of neighboring homes and the nature of the current residents do not lend themselves to be a very conducive healing environment.

Bryce Matthews, 4426 Bridal Way Rd, explained that there are many open space areas in the neighborhood where children play. He explained that 40 to 60 percent of drug addicts relapse. That means that three to five clients out of eight clients will relapse. He does not want those clients to be relapsing in places the children play.

Matthew Stegeman Sr., 7707 Silver Ranch Rd, wanted to know the statistics and ratio of children that live around these types of group homes. He felt that SilverLake subdivision is not the place for this type of home.

Edward Bradley 4701 Decrescendo Drive, was concerned with the parking qualification not adding up to what is required. He was concerned with safety of the children in the area.

Nathan Ochsenhirt, 8956 N. Mt. Airey Drive, stated that this is not an appropriate home based business. A home based business should not negatively impact the neighborhood, by lowering property values, or impact the safety of the general public.

Commissioner Linton closed the public hearing at 7:31 p.m.

Benjamin Jones, 4682 E. Foxwood Drive, explained that the Arcadia Residential Center has not broken any Federal, State, or Municipal Codes. He stated that the Federal Fair Housing Act clearly states that density shall not be a factor. He explained that the one to four ratio is only applied to youth or child residential treatment programs. He asked the Planning Commission to only consider the facts that are based on laws.

Commissioner Elhalta asked if their clients would be volunteers, or commissioned.

Mr. Jones explained that he is a licensed clinical social worker and would be the main employee that would take care of their clients. He explained in the application he would not hire somebody without a bachelor's degree. He stated that the majority of their clients would be volunteers.

Commissioner Dean stated that he would feel more comfortable with knowing what the actual State requirements are for staff.

Jeremy Cook, City Attorney, stated that the Utah Administrative Code 501-19-05 only required one staff member on duty for this type of treatment center. The State is responsible for the center to meet all state licensing requirements. The staffing issues would fall under state requirements; the City could make a condition that the licensee meets all State requirements.

Commissioner Dean asked Mr. Mumford to review conditional uses, and prohibited uses in the area.

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Mr. Mumford explained that the following conditional uses and such uses as the Planning Director and Planning Commission may recommend as similar and consistent with the scale, character and impact of the area will be considered:

- Multifamily dwellings
- Cluster homes, patio homes, garden courts, and other detached housing
- Tier III and Tier IV development
- Religious or cultural meeting halls
- Public/private schools
- Radio, microwave or other transmission towers
- Accessory apartments in accordance with the standards contained in this title
- Commercial development is also a conditional use in the residential zone, but it may not be the predominant use of the development. This development is allowed to offer convenience and service to residential uses, but commercial uses will only be approved if they do not inhibit the full use and enjoyment of the predominant residential uses. This definition includes mixed-use commercial and residential developments.

The following are prohibited uses and such uses as the Planning Director and Planning Commission determine to be similar or consistent with the prohibited use:

- Sexually oriented businesses
- Industrial uses

Mr. Cook stated that the City Code (17.75.060) states that a residential facility for persons with a disability is a conditional use in any zoning district where residential dwellings are allowed. The Code is also consistent with Utah Code 10-985-20.

Commissioner Dean was concerned with the request for reasonable accommodations on parking.

Mr. Cook explained that the Planning Commission needs to look at the reasonable accommodations on parking, on a case-by-case basis. In this case, is it a reasonable request by the applicant?

Commissioner Komoroski asked if there were regulations on group space or living space other than the bedrooms.

Mr. Cook explained that group space is regulated by the State and would be enforced by a State agency.

Commissioner Langford asked how the applicant felt about the conditions in the staff report.

Mr. Jacobson stated the following conditions:

- a. A maximum of 2 vehicles may be allowed in the driveway at any time. No vehicles may park on the street.
- b. Therapy sessions may not take place outside.

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- c. A reduction in maximum number of residents.
- d. The applicant must allow DHS and/or the City access to the facility for inspections, when warranted by complaints or suspicion of noncompliance of the City Code.
- e. The basement must be completed and a Certificate of Occupancy given prior to obtaining a business license for more than six residents.

He explained that the Arcadia Residential Center has reviewed the conditions. They have already touched on parking and maximum number of residents earlier in the meeting. He stated that therapy sessions will not be conducted outside, because of client confidentiality. He explained that the main floor and the upstairs can hold up to eight clients. The house has four bedrooms between the main floor and upstairs floor. They would not need to use the basement floor for bedroom space. It was their choice to finish the basement to give their clients activity space. He stated that the State would require access to the facility for inspection at any time.

Commissioner Dean recommended that the City allow the State to take care of the maximum number of residents in the home.

Commissioner Langford recommended that, based on current code a maximum of 2 vehicles may be allowed in the driveway at any time. That would allow the applicant to have five parking spaces and it would also maintain the character of the neighborhood. That would also limit the number of clients to five.

Mr. Jones stated that their clients would not have vehicles, that the parking would be used by staff. He believes that is the reason it's a reasonable accommodation. He explained that the reason they are fighting the issues is because of their rights; he does not believe they will need to use all of the parking spaces.

Commissioner Langford explained that the home would also have family therapy days and visitors. He does not believe there is any justification for allowing more, and that allowing five cars is more than fair.

Commissioner Linton explained that he voted in favor of the Ark of Eagle Mountain because he was able to see things at that home that would benefit their clients and that home did not require many reasonable accommodations. But he feels that the Arcadia Residential Center has more reasonable accommodations stacked on more reasonable accommodations to make the home benefit their clients and try to fit into the neighborhood. How many reasonable accommodations do you make before it becomes an unreasonable accommodation?

MOTION: *Preston Dean moved that the Planning Commission approve a Conditional Use Permit for the Arcadia Residential Center, subject to the following conditions*

- a. A maximum of 2 vehicles may be allowed in the driveway at any time. No vehicles may park on the street.*
- b. Therapy sessions may not take place outside.*
- c. A maximum number of five residents.*

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- d. The applicant must allow DHS and/or the City access to the facility for inspections, when warranted by complaints or suspicion of noncompliance with City Code.*
- e. Security surveillance must be installed monitoring the front entrance of the home, also be provided with a 30 day loop and maintained for access for security reasons.*

Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, and Wendy Komoroski. Those voting nay: Bonnie ElHalta and John Linton. The motion passed with a 3 to 2 vote.

- 5. Other Business
 - A. Updates

- 6. Adjournment

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

APPROVED BY THE PLANNING COMMISSION ON APRIL 23, 2013.



Steve Mumford, Planning Director

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

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

CITY STAFF PRESENT: Steve Mumford, Planning Director and Mike Hadley, City Planner

ELECTED OFFICIAL PRESENT: Donna Burnham

1. Pledge of Allegiance

Commissioner Linton led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

Commissioner Komoroski declared a conflict of interest with the Autumn Valley/Talon Cove Rezone.

3. Approval of Meeting Minutes
A. March 26, 2013

MOTION: *Preston Dean moved to approve the March 26, 2013 meeting minutes. Wendy Komoroski seconded the motion. Those voting aye: Preston Dean, John Linton, Bonnie ElHalta, and Wendy Komoroski. The motion passed with a unanimous vote.*

4. Development Items

A. Lone Tree West – Preliminary Plat; Public Hearing, Action Item

A proposal for a subdivision of 189 single-family lots on 66.13 acres, located west of the existing Lone Tree neighborhood.

Mike Hadley explained that the Lone Tree West preliminary plat is located west of the existing Lone Tree subdivision and consists of 189 single family lots on 66.13 acres for an overall density of 2.86 units per acre. The lot sizes range from 7,000 sq ft to 15,300 sq ft with an average lot size of 9,500 sq ft. On January 16, 2007 Lone Tree West was presented to the Planning Commission as a concept plan, consisting of single-family lots and multi-family units. The new applicant has removed the multi-family element of the plan and chosen to do only single-family lots.

This development will be accessed by extending Lone Tree Pkwy, a collector road, and Red Oak Road, an existing neighborhood road, from Lone Tree development. The City Code does not allow for direct access from lots facing a collector road. The Lone Tree West preliminary plat has lot 55, lots 152 to 156, and lots 186 to 189 that access onto Lone Tree Pkwy. These lots will

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need circular driveways or a similar alternative for access. The road names have been approved by staff and there are no conflicts with other names.

The required improved open space for the Lone Tree West development is 5.10 acres. The applicant has provided 6.01 acres of improved open space. The City Code definition of improved open space means area that has been improved and landscaped as approved by the City. This area may include trails, parks, and other amenities. In Tiers I and II of the residential zone, improved open space is calculated as a percentage of a project's buildable land. Lone Tree West is a Tier II development. The following chart represents the improved open space that has been submitted and what is required:

Proposed open space	Total points	Required open space	Possible additional features
Trail 8' asphalt	72		Pavilion 15 to 20 pts
½ Basketball Court	15		Bicycle Racks 4+ 2 pts
Tot Lot	10 to 40		Swings 4+ 8 pts
Parking 7 Stalls	42		Shade structure 4 pts
Trees	30		Drinking fountain 4 pts
Benches	6		Extra irrigated space
Extra irrigated space	? (272)		
Total points	205 (477)	Required points 357	

The applicant has proposed improved open space which includes a large portion of irrigated native seed mix. The question is whether the irrigated native seed on the hillside counts towards the improved open space. Typically, plans that included proposed native seed as improved open space have not been allowed to be counted, but previous plans have also not included irrigating the native open space. Staff recommends that the native seed and trail be counted for a portion of the improved open space (half of calculated?), but not the full amount of credit. When the irrigated open space is calculated, the proposed plan exceeds the required point total for this project (total in parenthesis). The landscape plan shows the basketball court, tot lot, parking stalls, and benches being located in the detention basin. The City Code defines detention basins as "unbuildable." City staff feels that the detention basins can be considered as usable improved open space, but the amenities must be placed outside of the detention basins. Staff recommends that more usable improved open space should be provided within the project; this could be a pocket park or more land adjacent to the existing proposed parks outside of the detention basin.

Lone Tree West is a Tier II development and the overall gross density is 2.86 units per acre. The applicant needs to decide which optional improvements under the Tier II bonus density entitlements they will provide for this project.

This development is also required to fund or construct community improvements/amenities equal to \$2,000 per acre of buildable land. This could be paid for along with each final plat that is approved and recorded.

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The applicant has requested that the water rights for this project be deducted from the water that is already banked with the City.

The power circuit in this area has not reached capacity and the City will design the utilities as the applicant comes in for final plat approvals.

This project contains a strip of land running along the eastern border of the existing Lone Tree development and the proposed Lone Tree West. The county parcel number is 58:046:0067. This strip of land is not in the applicant's ownership. Before any final plat approvals, the ownership of this parcel needs to be obtained.

Recommended Conditions of Approval

1. A revised landscape and open space plan must be provided with the updated amenities requirements and calculations on improved open space.
2. Ownership affidavit of the property.
3. A water model is required.
4. Fire flow report.
5. Offsite Sewer and storm drainage required for Phase.1.
6. Demonstrate that lots 169-182 are buildable.
7. Detailed legend of trees, shrubs and irrigation.
8. Need full coverage irrigation for all open spaces/native areas.
9. No sump pumps in the detention area.
10. No direct access onto Lone Tree Parkway, unless a circular drive or other approved access is provided.

Commissioner Linton opened the public hearing at 6:13 p.m.

Chester Bailey, 7649 N. Bristlecone Road, asked the Planning Commission to explain number 10 on the recommended conditions. He was also concerned that the proper infrastructure be in place, for the safety of the children while the development is being constructed.

Mr. Hadley explained that new lots on Lone Tree Parkway will not be allowed to back out of their driveways onto Lone Tree Parkway.

Bill Weyer, 7671 Bristlecone Road, said that the development will bring in another 500 residents, and wants to know how the City plans to provide utilities to the 500 residents. He asked about the residents whose lots back up to the development that have access to the back.

Steve Mumford explained that the developer is responsible to pay for and install all utility lines. The City will design the dry utility lines for the developer. The City will receive utility revenue for the new homes. This number of homes does not require the City to purchase more power or gas utility. The City does not anticipate the utility rates going up for this size of development.

Mr. Weyer asked about the residents whose lots back up to the development that have been accessing their back yards from the developer's property. He said that he has been living there

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and using that access for four years. He will be looking into the law about property access being used for a year.

Mr. Mumford explained that the property in the back of their homes is private property, and using that property for access could be considered trespassing. He explained that the development would back up to the property line.

Matthew Traynor, 1976 E. Red Oak Road, was concerned that traffic would increase on Red Oak Road.

Nate Shipp, representing the developer of Lone Tree West, explained that the original approved concept approved plan was townhomes on smaller lots. The developer evaluated Lone Tree Subdivision, and decided that larger lots with single family homes are a better design for the area. The developer is aware the residents have concerns about construction traffic. The developer will do his best to help maintain the construction traffic as best as he can by working with local law enforcement and making their subcontractors aware of the safety issues. He said that the developer does not have any problems with the recommended conditions of approval.

Michelle King, 7563 N. Bristlecone Road, was concerned that the proposed development will not have the proper access into the development and that it will be a high density neighborhood. She was also concerned that the airport would be too close to the development. She suggested that the developer and the City find a way to access the development from S.R. 73.

Racquel Dastrup, 7749 N. Bristlecone Road, was concerned that the proposed development would not be a part of the Ranches HOA. She was also concerned that the construction traffic in Lone Tree would cause damage to the landscape, the roads and the danger it causes for the children in Lone Tree.

Commissioner Linton closed the public hearing at 6:56 p.m.

Mr. Mumford explained that every subdivision proposal plan submitted to the City is sent out to be reviewed by the Fire Marshal, the City Engineer, Public Works Director, Energy Director, Building Official and others. He explained that the Fire Marshal reviews road access to the development, and it has to comply with all State Fire Codes, National Fire Codes and the International Fire Code. Fire Codes require that no more than 30 homes can access off of one road or access point. City Code only allows 15 homes off of one road or access point. The developer is also required to submit a traffic study of the subdivision to the City Engineer for review. The City Engineer will review the study and check if it applies with the National Traffic Standards, International Traffic Standards and City Codes. Roads are required to meet certain requirements such as sizes and traffic ratings (A.B.C. Scale and daily trips per vehicles). Lone Tree Parkway is wider than a regular residential road and acts as a minor collector road with less access onto the road. The traffic study is required to be performed by a third party Traffic Engineer that specializes in road studies. The traffic study consists of current and future development and traffic counts and makes recommendations. The review of the traffic study showed no issues or concerns with the Lone Tree West development. The future Lone Tree

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Parkway (minor collector road) is planned to curve down to the airport road, which in future will become a five lane road.

He explained that Utah is a property rights state and there is only so much the City can do to restrict property rights from the landowner or developer. The City has worked with the City Council and the Planning Commission to help create codes that regulate how development can be improved. The City has in place a bonus density system that requires more amenities with more density. He stated that the existing Lone Tree subdivision is denser than the proposed development. The square footage of the proposed lots backing up to the current Lone Tree subdivision lots are larger or similar in size.

Commission Dean requested and urged that item number one in the recommendations includes this concept or idea. City staff feels that the detention basins can be considered as useable improved open space, but the amenities must be placed outside of the detention basins. Staff recommends that more useable improved open space should be provided within the project; this could be a pocket park or more land adjacent to the existing proposed parks outside of the detention basin.

MOTION: *Preston Dean moved that the Planning Commission recommend the Lone Tree West Preliminary Plat to the City Council with the recommended conditions stated in the staff report. Bonnie ElHalta seconded the motion. Those voting aye: Preston Dean, Bonnie ElHalta, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

B. Autumn Valley/Talon Cove—Rezone; Public Hearing, Action Item

An applicant-proposed rezone of property northwest of SR 73 & Mt. Airey Drive. The proposal rezones approximately 24 acres to Commercial, approx. 5 acres to Commercial Storage, and adds the Extractive Industries Overlay Zone to approximately 95 acres (over the current extraction operation).

Mr. Mumford explained that the land being considered for this rezone is located northwest of SR 73 and Mt. Airey Drive. The properties have been referred to in the past as Talon Cove and the Smith Sisters properties. The southern 21 acres (approximately) are currently zoned Agricultural, while the northern 158 acres are zoned Industrial. The applicant is proposing to rezone approximately 24 acres to the Commercial Zone, approximately 5 acres to the Commercial Storage Zone, and add the Extractive Industries Overlay Zone to approximately 95 acres of the northern properties.

These properties are bordered on the south by SR 73, on the west by vacant commercial property and on the west, north, and east by the Spring Run Master Development Plan, which includes residential property to the west and north, and industrial and commercial property to the east.

The purpose of the Commercial zone is to provide for commercial businesses, professional offices, and shopping centers that will serve neighborhood, communitywide, and regional

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shopping demand, along with other commercial opportunities, which are reasonably separated or buffered from residential development. Mixed-use residential developments are allowed as a conditional use within the Commercial zone.

The purpose of the Commercial Storage zone is to provide for nonretail commercial sites for storage of vehicle, equipment, and inventory, and associated offices.

The purpose of the Extractive Industries Overlay Zone is to provide location control over extractive uses, to promote the reclamation of these sites, and to provide proper buffering and protection for neighboring development and uses.

The zoning must be reasonably compatible with adjacent land uses. Since the area proposed for commercial zoning is surrounded by commercial and industrial land, and is adjacent to SR 73, the proposed zoning is compatible with adjacent land uses. The extractive industries area is also fairly compatible with adjacent land uses (extractive operations to the east and northeast, and vacant land to the north and west). This proposed overlay would simply include the land that is currently involved in mass grading, extraction, and gravel pit operations. The designation of this overlay zone on the property would provide more notice to potential developers, businesses, and homeowners of the current uses of that property.

The Commercial Storage Zone would be surrounded by commercial and potential multi-family uses, very similar to that in neighboring communities, including the storage unit facility in Saratoga Springs (north of Walmart). Since storage units are not always the most attractive uses, nor neighbors, the commercial land provides an excellent buffer to this use.

Commissioner Linton opened the public hearing at 7:14 p.m.

Commissioner Linton closed the public hearing at 7:14 p.m.

MOTION: *Preston Dean moved that the Planning Commission recommend the Autumn Valley/Talon Cove rezone application to the City Council. Bonnie ElHalta seconded the motion. Those voting aye: Preston Dean, Bonnie ElHalta, and John Linton. Those abstaining: Wendy Komoroski. The motion passed with three "aye" votes and one abstention.*

C. Antelope Springs – Concept Plan; Discussion Item

A concept review of a proposal for 33 lots on 41.246 acres, located west of Pony Express Parkway, between the Eagle Park neighborhood and Mid Valley Park. All lots are a minimum of 1 acre in size.

Antelope Springs is a 33-lot subdivision on 41.246 acres, located west of Pony Express Parkway, north of the City Center area.

This property does not currently front onto a City street, so easements are necessary through SITLA's property to the east. The plans show a 35-foot access easement on the southeast,

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and a 25-foot access easement on the northeast. These easements will contain a portion of the roadway, a water line, and dry utilities. Twenty-four feet of asphalt will be required on both of those accesses.

The sewer for the project is being proposed to be handled in septic tanks for each lot. SITLA installed a sewer line on the east side of Pony Express Parkway up to Mid Valley Road last year. The applicant has approached SITLA concerning a sewer easement, in order to connect sewer to that line for this project. SITLA has been opposed to granting those easements due to concerns of future capacity. SITLA has scheduled a meeting with the City to discuss this issue. The City Public Works Director's strong recommendation is that this subdivision be connected to the City sewer system rather than contain septic tanks.

This is a Tier 1 subdivision, which requires 4% improved open space for the project, or 1.65 acres of improved open space. Pocket parks and neighborhood parks are only required for projects with a lot size average of less than ½ acre. This project averages greater than 1 acre in size, and is instead required to dedicate park space for a community and/or regional park. The proposed plan includes 1.512 acres of open space to be dedicated to the City, including the retention basin (Parcels A, B, and C), and also including a meandering trail. This open space fronts the collector road on the south of the project.

The City has several options when considering this open space:

1. Accept the proposed open space layout, and improve the property at some future date.
2. Require a fee-in-lieu of the 1.65 acres of land, instead using those funds to improve MidValley Park.
3. The Developer can propose to use the funds for the 1.65 acres of land towards some other community or regional park amenity, or possibly trails.

The property is currently zoned Agricultural, and would have to be rezoned to Residential. The properties to the north and west are zoned Agricultural, and the property to the east and south are within the SITLA Master Development Plan, and are zoned Town Core (2.88 units per acre).

Dan Ford, 1868 Valley View Lane, explained that SITLA is concerned about granting a sewer easement to the developer because of sewer capacity. The developer has applied for septic tank approval for the development at this time.

Commissioners were concerned about the fee-in-lieu and would rather have the improvements.

5. Other Business
 - A. Updates

Next Planning Commission meeting May 14, 2013.

6. Adjournment

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The meeting was adjourned at 7:47 p.m.

APPROVED BY THE PLANNING COMMISSION ON MAY 14, 2013.



Steve Mumford, Planning Director

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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, Planning Director; Mike Hadley, City Planner; and Johna Rose, Deputy Recorder.

ELECTED OFFICIAL PRESENT: Donna Burnham

1. Pledge of Allegiance

Commissioner Linton led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes

A. April 23, 2013

MOTION: *Preston Dean moved to approve the April 23, 2013 meeting minutes. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, and John Linton. The motion passed with a unanimous vote.*

4. Development Items

A. Antelope Springs—Rezone; Public Hearing. Action Item; Recommendation to City Council

An applicant-proposed rezone of a 41.3-acre property from Agriculture to Residential, located west of Pony Express Parkway, north of the City Center area (Serial: 59:033:0008).

Steve Mumford explained that the 41.246-acre property being considered for this rezone from Agriculture to Residential is located west of Pony Express Parkway, north of the Eagle Park subdivision.

Rezone proposals are evaluated using the following criteria:

A. Compliance with Future Land Use Plan. The property is designated as Mixed Use Residential in the City's Future Land Use Plan, as are the surrounding properties.

B. Compatibility Determination. The zoning must be reasonably compatible with adjacent land uses. The Residential Zone is compatible with the zoning to the east and south. The current zoning to the north and west is Agriculture. While a majority of

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these properties are not cultivated or farmed, the Residential zoning is compatible with low-impact agricultural uses of these properties.

- C. Buffering of Incompatible Uses. There are no existing incompatible uses in this area, and the surrounding zoning does not imply any future incompatible uses.

In the City's opinion the proposed rezone meets the rezone criteria for approval.

Commissioner Linton opened the public hearing at 6:09 p.m.

McKay Edwards, SITLA, believed that the one acre lots development is compatible with the planned development. He is concerned that the one acre lot development could be incompatible with the development to the east. The development to the east could be high density lots.

Commissioner Linton closed the public hearing at 6:13 p.m.

Mr. Mumford explained that the land STLA is concerned about is zoned Town Core Residential.

MOTION: *Preston Dean moved that the Planning Commission recommend the Antelope Springs Rezone application to the City Council. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, and John Linton. The motion passed with a unanimous vote.*

B. Antelope Springs – Preliminary Plat; Public Hearing, Action Item

A proposed 33-lot single-family subdivision on 41.246 acres, located west of Pony Express Parkway, north of the City Center area (Serial: 59:033:0008). All proposed lots are a minimum of 1 acre in size.

Mr. Mumford explained that the proposed Antelope Springs is a 33-lot subdivision on 41.246 acres, located west of Pony Express Parkway, north of the City Center area.

Tabulations

Total Acreage – 41.246 AC

Total Acreage in Lots – 34.327 AC

Total Open Space – 1.512 AC

Total Acreage in Streets – 5.407 AC

Average Lot Size – 1.040 AC, 45,312 SF

Smallest Lot Size – 1.00 AC

Overall Density - 0.80 DU/AC

Total Number of Lots – 33

Access

This property does not currently front onto a City street, so it will require access to Pony Express Parkway through SITLA's property to the east. The plans show the following proposed accesses:

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1. A 25-foot wide access easement connecting to Palomino Way. This road is designed in the proposed project with a rural residential cross-section. This cross-section allows an 8-foot trail on the north side, a 7.5-foot swale, and 27 feet of asphalt, with a 7.5-foot swale on the south side. The access through the SITLA property needs to be a dedicated right-of-way, including 39.5 feet, plus a ten-foot public utility easement for the dry utilities. Alternatively, the road in this section may be designed as a standard residential road with curb and gutter, park strip, and sidewalk/trail. If this is the case, a transition would have to occur at some point to tie in appropriately with the rural street cross-section.
2. A 38-foot half ROW on the south of the project, plus a 35-foot wide easement through the SITLA property. This road is a minor collector, with a total right-of-way width of 77 feet. This southern right-of-way will require 42.5-feet of right-of-way (includes 24 feet of asphalt, 2.5-feet curb and gutter, an 8-foot park strip, and an 8-foot trail). The plans should be modified to reflect this change. The access through SITLA's property must be a dedicated right-of-way, including the 42.5-feet plus a ten-foot public utility easement for dry utilities.

Open Space

The development is less than 0.81 DU/AC which put the development into the Base Density Zone. The developer is not required to put in 4% open space or community improvements. They will be required to install the storm drainage area which will be dedicated to the City.

Utilities

The sewer for the project is being proposed to be handled in septic tanks for each lot. SITLA installed a sewer line on the east side of Pony Express Parkway up to Mid-Valley Road last year, and that sewer line is now owned by the City. In order to provide sewer for this property, however, the applicant would have to cross through SITLA property to connect to this existing line. The applicant's property is located 470 feet from the existing sewer line in Pony Express Parkway. Several sections of the City Code address septic tanks with some ambiguity and contradiction. In general, if a property is within 300 feet of a sewer line, it must connect to the sewer system. Historically, the City has approved subdivisions with septic, including North Ranch, Cedar Pass Ranch, Meadow Ranch, Sage Valley, and the Clearview Estates Master Plan.

The City Public Works Director's recommendation is that this subdivision be connected to the City sewer system rather than contain septic tanks, if possible. Unfortunately, SITLA is concerned about the capacity of the sewer line in Pony Express Parkway, and will not be allowing access through their property for sewer lines. Since it is impossible or cost prohibitive to this property owner to develop the property with sewer, and since we do not have any documentation showing that 1-acre lots will cause problems to our water system or the health of the residents, septic tanks may be appropriate for this subdivision.

Commissioner Linton opened the public hearing at 6:22 p.m.

Dan Ford, 1868 Valley View Lane, asked for approval subject to a resolution or agreement with SITLA for the right-of-ways and easements. Because they are not required to put in open space, they have not yet decided if they will be enlarging the three lots or dedicating a portion to the

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City for the detention pound. He explained that the southern road will be a collector road and the north has not yet been decided. The developer has no problem putting in the 8 foot trails to Pony Express Parkway.

Commissioner Linton closed the public hearing at 6:28 p.m.

Commissioner Dean asked if SITLA will be responsible for the buffering around the development.

Mr. Mumford explained that the City does not have any detail from SITLA how they plan to develop the land. There is potential buffering or transition issues that SITLA will need to deal with when developing the eastern area.

Commissioner Langford was concerned that the City is kicking the can down the road with the sewer. The sewer infrastructure should be expanding with new development. The City is allowing subdivisions to go in and not requiring them to connect to sewer. He was concerned that the cost would be passed down to the taxpayers or developers to update the sewer infrastructure.

- MOTION:** *Preston Dean moved that the Planning Commission approve the Antelope Springs Preliminary Plat with the recommended conditions:*
- 1. The 5000 North right-of-way must be modified to include 42.5 feet, including 24 feet of asphalt.*
 - 2. A public right-of-way must be dedicated to the City connecting 5000 North to Pony Express Parkway, including 42.5 feet of right-of-way (24 feet of asphalt) and a 10-foot public utility easement.*
 - 3. A public right-of-way must be dedicated to the City connecting Palomino Way to Pony Express Parkway, including at least 39.5 feet of right-of-way (24 feet of asphalt) and a 10-foot public utility easement.*
 - 4. 8-foot wide asphalt trails must be connected to the Pony Express Parkway trail along both 5000 North and Palomino Way.*
 - 5. Plans must be amended to address all redline comments from the City Development Review Committee (DRC).*
 - 6. Plans must reflect required turnarounds on stub roads for emergency vehicles, to be approved by the Fire Marshal.*
- Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, and John Linton. The motion passed with a unanimous vote.*

C. The Village at Simpson Springs Plat A Second Amendment– Final Plat; Action Item: Recommendation to City Council

The second proposed amendment to a twin-home subdivision, separating the twin-home lots to detached single-family lots in a PUD-style development, with no significant changes to other aspects of the development; located west of the Willow Springs Condominiums in the Ranches.

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Mike Hadley explained that the Village at Simpson Springs Condominium Plat A was approved in September, 2001 and was recorded in July 2007. This plat consisted of 22 twin home units with an average unit size of 1337 sq. ft. for density 6.76 units per acre. In July 2010 the amended plat was approved with twin homes. Three homes were built the developers were not able to market and sell the units. The proposed final plat, The Village at Simpson Springs Plat A, a second amendment, contains very minor changes, including changing the twin homes to a PUD-style development with single family detached lots designated. The building footprints are very similar to the originals, with some improvements on the exterior materials and design of the buildings. The elevations of the previously approved buildings and a rendering of the proposed buildings are provided with this report. The public infrastructure has already been installed at the project and the applicant is working with the Public Works department to fix and upgrade the items on the punch list from the previous approvals. As this project was previously approved and is simply modifying the subdivision structure, no additional requirements are being enforced. The applicant has addressed all of the current issues and continues to work towards completion of staff requirements.

City staff requested that the applicant submit a drainage plan due to the amount of hard surface for run-off in the project. There have been problems with drainage in similar projects within the City. The plan shows drainage at the surface level, and it is the opinion of staff that the applicant should install underground drainage pipes to accommodate the drainage for the project.

Troy Gabler, Fieldstone Homes, explained that their company felt that single family home designs fit the area better. The developer is planning for an HOA.

Commissioner Linton suggested that the developer contact the Ranches Master HOA, for help with the development's HOA.

Commissioner Linton opened the public hearing at 6:40 p.m.

Mr. Gabler explained that the CC&R for the development call for attached or detached units. The building envelopes are 37 ft wide. Their plan is to extend the depth to 44 ft deep, still keeping 10 ft between the homes. The largest house plan for the development is 38 ft wide which will allow about 12 to 14 ft between homes.

Nikki Wickman, 2756 Fort Hill Road, was concerned about the development being accessed by Half Mile road. She asked if the City has plans to maintain the road or to pave the walking trail alongside the road.

Commissioner Linton explained that the development is far south of Half Mile road, and that the development would most like be accessed by Pony Express Parkway.

Commissioner Linton closed the public hearing at 6:44 p.m.

Mr. Hadley explained that the project does not require amenities but a landscape fee will be required.

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MOTION: *Preston Dean moved that the Planning Commission recommend The Village at Simpson Springs Plat A Second Amendment to the City Council, subject to the condition that a master drainage plan showing the drainage proposal be provided. 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. Updates

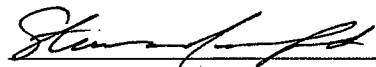
- City Council approved the rezone for Autumn Valley/Talon Cove.
- Ridley's Market development agreement is going to City Council on May 21, 2013.
- City is widening Pony Express Parkway in front of Ridley's Market; work will start around July 1, 2013.
- The canal around Maverick and the Charter School is being constructed.
- The Saratoga Springs trail down to Redwood Road was approved.
- Steve Mumford is preparing review checklist that will be attached to the Planning Commission packets.
- Commissioners talked about a roundabout for the Pony Express and Ranches Parkway intersection.

Next meeting will be June 11, 2013.

6. Adjournment

The meeting was adjourned at 7:09 p.m.

APPROVED BY THE PLANNING COMMISSION ON JUNE 11, 2013.



Steve Mumford, Planning Director

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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: Preston Dean, Bonnie ElHalta, Wendy Komoroski, and John Linton.

CITY STAFF PRESENT: Steve Mumford, Tippe Morlan, and Johna Rose

ELECTED OFFICIAL PRESENT: Donna Burnham and Ryan Ireland

Commissioner Linton called the meeting to order at 6:11 p.m.

1. Pledge of Allegiance

None

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes

A. May 14, 2013

MOTION: *Preston Dean moved to approve the May 14, 2013 meeting minutes. Bonnie ElHalta seconded the motion. Those voting aye: Preston Dean, John Linton, Bonnie ElHalta, and Wendy Komoroski. The motion passed with a unanimous vote.*

4. Discussion Items

A. Scot Hazard Annexation Concept Plan—Discussion Item

A proposed 223-acre project that includes 199 single-family lots at an overall density of 0.89 units/acre, located north of Clearview Estates and west of North Ranch.

Steve Mumford explained that the applicant has submitted an annexation petition to the City for 223 acres of property located north of the Clearview Estates project (recently approved), and west of the North Ranch neighborhood. It is bounded on the north by Camp Williams. The proposal includes the following:

- Property: 223 Acres
- Single Family Lots: 199
- Total Density: 0.89 Units/Acre
- Open Space: 10.8 Acres (4.8%)

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The property will be annexed with Agricultural Zoning. A master development plan will be required for this project, which will include a General Plan amendment to Rural Residential as well.

The City Development Review Committee has reviewed this concept plan with the applicant. The following are some of the items of concern with this project that are noteworthy:

Access & Transportation

The International Fire Code requires that no more than 30 lots be accessed off of a single fire access road. The first phase of this development (less than 30 lots) will gain access off of Lakeview Lane in the North Ranch neighborhood. Any additional lots or phases of development would require a second access, which would come from SR 73 through the Clearview Estates property. The project could really use an additional east-west connection in the middle of the project to improve connectivity and visibility for the park. Two stub roads are needed on the west side of the project, connecting to a planned road in the Clearview Estates development as well as providing for future connectivity to property to the northwest.

A traffic study will be required with the master development plan application, which will provide us with more detail of the potential impact of this project on the intersections and roadways.

Utilities

Electrical capacity may be sufficient for only the first phase of development. The City will be extending or upgrading a power line along SR 73 to the southern end of North Ranch. Pending more in depth analysis with the master plan, additional off-site power improvements may be necessary for any additional phases.

The upper pressure zone (the northern half or two-thirds of the project may require a water tank. A water model and more analysis will help with this determination. A storm detention basin will be required with this project. All lots in this project will have to be serviced with septic tanks, as there is no sewer availability near this area. As was required with Clearview Estates, at the Preliminary Plat stage each lot will require full testing for septic suitability. The minimum lot size is ½ acre, and a majority of the lots are greater than 1 acre in size.

Open Space

This is a Tier 1 Subdivision, which requires 4% improved open space for the project, or 8.92 acres. Open space on slopes above 15% will not be accepted for the required improved open space. A park is planned in the center of the project, with connecting trail corridors. It appears that additional open space will be required, since the Open Space B and C hillsides will not qualify.

Scott Hazard asked for feedback about base density. The base density plan for his development is .88 acre per unit which requires 4 % open space. The development plan is under the .8 acre per unit, the development would not require 4% open space.

Commissioners discussed potential church sites, open space requirements, trail requirements, fee-in-lieu and special improvements. Commissioners asked if the City could include the 12 ft. of the 25 ft. easement into the open space.

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B. Future Land Use and Transportation Plan – Discussion Item

A draft of the Transportation Master Plan map has been completed and will be presented to the Commission for review and discussion prior to discussions with stakeholders, City Council, and the residents.

Mr. Mumford explained the draft changes to the Transportation Master Plan made by the subcommittee. The subcommittee consists of Chris Trusty; City Engineer and Public Works Director; Planning Department, John Painter, City Councilman; and Scott Langford, Planning Commissioner. He explained the changes to each road and area.

C. Potential Development Code Amendments– Discussion Item

Several potential amendments to Chapter 17 of the Eagle Mountain Municipal Code will be presented for discussion.

Tippe Morlan explained that City Code only allows 15 homes in a cul-de-sac, and fire code allows 30 homes on a one-access area/road.

Commissioners reviewed and discussed the differences between a cul-de-sac and a one-access road. Commissioners also discussed the possibility of changing and clarifying the City Development Code.

Ms. Morlan explained that another concern is minimum house size. The City has had a number of requests from developers for cluster homes. Currently the Code seems to allow cluster home development as a conditional use.

Commissioners reviewed and discussed the minimum dwelling size standards in base density, tier I, and tier II developments. Commissioners discussed modifying the total minimum finished square footage.

Ms. Morlan explained the problem the City is having with driveway slopes on hillside lots.

Commissioners discussed solutions and requirements for site plans, building permits, and inspections.

Ms. Morlan asked the Commissioners' opinion about time limits on model homes.

Commissioners discussed time limits in subdivision areas for the model home.

5. Other Business

A. Updates

6. Adjournment

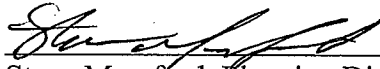
The meeting was adjourned at 8:13 p.m.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MINUTES

TUESDAY, JUNE 11, 2013 AT 6:00 P.M.

Eagle Mountain City Conference Room; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

APPROVED BY THE PLANNING COMMISSION ON JUNE 25, 2013.



Steve Mumford, Planning Director

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA

TUESDAY, JUNE 25, 2013 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, Bonnie ElHalta (arrived 6:05 pm), and John Linton.

CITY STAFF PRESENT: Mike Hadley, Senior Planner; Tippe Morlan, Planning Intern; and Johna Rose, Deputy Recorder.

ELECTED OFFICIAL PRESENT: Donna Burnham

Commissioner Linton called the meeting to order at 6:01 p.m.

1. Pledge of Allegiance

Commissioner Linton led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes

A. June 11, 2013

MOTION: *Preston Dean moved to approve the June 11, 2013 meeting minutes. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, and John Linton. The motion passed with a unanimous vote.*

4. Development Items

A. Porters Crossing Church Lot—Preliminary Plat & Final Plat; Public Hearing, Action Item

A proposed preliminary and final plat containing one 3.325-acre parcel, located north of the planned Porters Crossing Town Center subdivision.

Mike Hadley explained that the proposed plat consists of a 3.325-acre lot and Porters Crossing Road, extending from the end of the Porter's Crossing Town Center subdivision to the northern end of this property. This lot is intended to be used for a church site. This subdivision is part of the approved Porter's Crossing Town Center Master Development Plan. A master development agreement, however, has not yet been approved, finalizing the zoning for the property. Modifications to the plan and agreement are being drafted, and the Commission will likely see these in an upcoming meeting in the near future. Whether the property is zoned agricultural or residential, a conditional use permit and site plan are required for the church development.

Commissioner Linton opened the public hearing at 6:04 p.m.

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Commissioner Linton closed the public hearing at 6:04 p.m.

MOTION: *Preston Dean moved that the Planning Commission approve the Porter's Crossing Church Lot Preliminary Plat and recommend the Porter's Crossing Church Lot Final Plat to City Council with the following conditions:*

- 1) 5-foot public utility easement shall be added around the side and rear property lines.*
- 2) An easement or property dedication shall be required for the detention basin and storm drain pipe to the basin. If an easement, the property shall be dedicated to the City along with future adjacent development.*
- 3) Soils report required.*
- 4) Signed and dated certificate of consent in which all mortgagors, lien holders, and other parties with any real property interest, including the holder of mineral rights, in the property consent to its subdivision.*
- 5) Modify plans to include two water line stubs into the site for fire hydrants.*
- 6) Modify plans to meet all DRC comments.*

Scott Langford seconded the motion. Those voting aye: Preston Dean, Scott Langford, and John Linton. The motion passed with a unanimous vote.

B. Cedar Pass Ranch J Amended – Preliminary Plat & Final Plat; Public Hearing, Action Item

Cedar Pass Ranch Plat J was a two lot subdivision plat recorded with Utah County in 1996. The proposed amended subdivision plat consists of three lots ranging in size from 5.30 ac, 5.37 ac to 7.00 ac. This proposal splits lot 35 into two separate parcels.

Mr. Hadley explained that Cedar Pass Ranch Plat J is a two lot subdivision plat recorded with Utah County in 1996. Lot 34 consists of 7.11 ac and lot 35 10.56 ac. The proposed amended subdivision plat consists of three lots ranging in size from 5.30 ac, 5.37 ac and 7.00 ac. This proposal splits lot 35 into two separate parcels. The original lot 35 did not meet the City's lot frontage requirements of 150 ft on lots equal to or greater than one acre in size so lot 34 was included in the plat. The owners of lot 34 sold a small piece of land to the applicant which allows the new lots to comply with the City's code. The applicant has gone through the Cedar Pass Ranch HOA and obtained approval to file an amended plat J with the City and Utah County. The applicant was required by the HOA to notice and obtain a vote of approval from the current property owners within the Cedar Pass Ranch development. The proposal was approved by the homeowners.

There are current existing utilities for the recorded lots. City staff has requested that the applicant submit a utilities plan showing the existing and proposed utilities for water and sewer. Also the applicant will need to verify the locations of the utility stubs/meters in

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relation to the property lines. The applicant can work with the Public Works Department on what to submit.

Recommended Conditions of Approval

1. Utility plan showing existing and proposed (water and sewer connections).
2. Culvert under driveways.
3. Verify locations of utility stubs/meters in relation to property lines.
4. Water rights required before recordation of the plat.
5. Every portion of the house has to be within 150 ft of the road or an additional access road would be required to the house.
6. Engineers estimates for the development agreement.

Commissioner Langford requested that the City amend the recommended requirement for sewer connection. Cedar Pass Ranches has only septic tanks in their development.

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

John Warner, 3211 Cedar Pass Road, explained that the Cedar Pass Ranch HOA vote to split the lots was not properly done according to Cedar Pass Ranch CC&Rs. He was also concerned that splitting the lots would affect the value of his home.

Mr. Warner read a letter from Robert and Jennifer Richards which is attached to the end of the minutes.

Bob Clegg, 3706 Royal Troon, owner of the lot, explained that he would love to move forward. He has complied and would comply with all City and HOA requirements.

Dan Ford, 1868 Valley View Lane, lot realtor, explained that to the west of the lot a road was planned to go through to Horse Shoe Station development but the project was vacated.

Nikki Wickman, 2766 E. Fort Hill Road, spoke on behalf of Courtney Rogers, owner of lot 51. He is very concerned that splitting the lot would cause other residents in Cedar Pass Ranch to consider splitting their lot and allow a family member to build a house onto a split lot. The lots proposed are narrow and the City should also consider putting a road between the lots.

Commissioner Linton closed the public hearing at 6:22 p.m.

Mr. Hadley explained that when Stonebridge subdivision was being built, the road between the lots was vacated by the City, because there was no need to connect Cedar Pass Ranch to Stonebridge.

Commissioner Dean explained that the City Code would not allow a resident to divide their lot and have a resident move in behind the current house, because there would not be the proper frontage.

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Commissioner Linton explained that the Planning Commission is governed by City guidelines, requirements and Codes and not governed by the HOA or CC&Rs.

MOTION: *Preston Dean moved that the Planning Commission approve the Cedar Pass Ranch J amended Preliminary Plat and recommend the Cedar Pass Ranch J amended Final Plat to City Council with the following conditions:*

- 1. Utility plan showing existing and proposed water connection.*
- 2. Culvert under driveways.*
- 3. Verify locations of utility stubs/meters in relation to property line.*
- 4. Water rights required before recordation of the plat.*
- 5. Every portion of the house has to be within 150 ft of the road or an additional access road would be required to the house.*
- 6. Engineers' estimates for the development agreement.*

Scott Langford seconded the motion. Those voting aye: Preston Dean, Scott Langford, John Linton, and Bonnie ElHalta. The motion passed with a unanimous vote.

C. Hidden Hollow Final Plat– Action Item

This proposal is for 35 total lots with a density of 2.98 lots per acre. The average lot size is 11,103 sq ft. This project is located next to the Hidden Hollow Elementary School.

Mr. Hadley explained that the proposal for the Cedar Valley Plat A development agreement was approved on March 20, 2007 by the City Council. The approved plat was never recorded with Utah County. The applicant entered into negotiations with Alpine School District for the property to build the Hidden Hollow Elementary School. A new proposal has been submitted with fewer of lots due to the school being built. The original proposal consisted of 54 total lots with a density of 4.10 lots per acre. The average lot size was 8,236 sq ft. The new proposal is for 35 total lots with a density of 2.98 lots per acre the average lot size is 11,103 sq ft. The applicant met with the Development Review Committee on March 20 2013. Since that meeting the applicant has addressed the comments/redlines from that meeting.

With the original approval there was an approved landscape plan. The approval stated that the park had to be completed before the 66th building permit between plats A and B. With the new submittal there are fewer lots in Plat A so the completion time frame will need to be revised to 50% of the total lots between plats A and B. The park improvements that are required for Plat A will need to be bonded for or the money placed into an escrow account with the City and used by the developer for the construction of the park at a later date. City staff and the applicant will need new cost estimates to figure the total cost of the improvements for Plat A. The applicant will also need to improve the frontage property along Pony Express Pkwy.

MOTION: *Preston Dean moved that the Planning Commission recommend to City Council the Hidden Hollow Final Plat. Bonnie ElHalta seconded the motion. Those voting aye: Preston Dean, Scott Langford, John Linton, and Bonnie ElHalta. The motion passed with a unanimous vote.*

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D. Development Code Amendments – Public Hearing, Action Item

Three proposed amendments to Chapters 16 and 17 of the Eagle Mountain Municipal Code relating to the development standards for one-access roads, minimum dwelling size standards, and the duration of model homes as sales offices.

Tippe Morlan explained that the proposal to amend Chapter 16.35.070 Development Standards for Required Public Facilities is to clarify the number of residential lots or units in a one-access residential development in accordance with the International Fire Code. In the current code, Chapter 16.35.070 Development Standards for Required Public Facilities: Streets and Street Systems, the only mention of the number of units allowed on a one-access road is under the cul-de-sacs section, which states:

- In no case shall a cul-de-sac street have a length that exceeds 500 feet measured to the center of the circle or serve more than 15 homes or generate greater than 150 average daily vehicle trips, unless a waiver is granted by the Planning Commission.

While the existing code also does adopt sections of the International Fire Code in Chapter 15.95.020 International Fire Code Appendices, it does not specify development standards for one-access roads and the number of dwelling units allowed. In order to expand the code to address all one-access developments, not just cul-de-sacs, the proposal is to include the following development standards adopting language to reflect Section D107.1 Fire Apparatus Access Road: One- or Two-Family Residential Developments from the International Fire Code:

- One-Access Roads. The number of dwelling units on a single fire apparatus access road shall not exceed 30. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with separate and approved fire apparatus access roads.

Ms. Morlan explained that the proposal to amend Chapter 17.25 Residential Zone is to modify the minimum dwelling size standards under the Base Density, Tier I, and Tier II development standards to include a total minimum finished square footage. In all three sections, the minimum dwelling size standards currently state separate square footages for the base floor and any second floors. Changing these standards to reflect a total square footage in place of separate floor requirements would provide flexibility among types of housing developments allowed without permitting smaller homes overall, retaining the feel of the City. The proposal is to replace language in Chapter 17.25.110 Base Density Residential Development Standards, Chapter 17.25.120 Tier I Residential Development Standards, and Chapter 17.25.130 Tier II Residential Development Standards, which currently identifies the minimum dwelling size standards as the following:

- Two-story dwellings shall be 800 square feet on the main floor, 200 square feet on the second floor and a 400-square-foot garage.

The proposed new language will say:

- Two-story dwellings shall be a total of 1,600 finished square feet and a 400-square-foot garage.

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Commissioner Dean asked why the City Code should require 600 more square feet. He was concerned that the City Code would be too restrictive.

Ms. Morlan explained that dividing the 1600 sq. ft up would give an equal amount to each floor. She explained that the cluster homes that brought this to the City's attention were not under 1600 sq. ft. not including the garage. She explained that the current City Code is 1000 sq. ft. base density.

Ms. Morlan explained that the proposal to amend Chapter 17.75 Standards for Special Uses is to include a time limit on the duration of model homes. While model homes may contain sales offices, having a temporary use in a permanent building may have unintended consequences for nearby residential communities. The recommendation is to include a provision within Chapter 17.75 Standards for Special Uses, under 17.75.040 Temporary Subdivision Sales Offices, to institute a limit on the amount of time a model home can function for business purposes per the following language:

- A subdivision may have multiple model homes which contain sales offices. The temporary sales office must be removed from a model home when the subdivision is more than eighty (80) percent developed or has been occupied as a temporary sales office for three (3) years, whichever occurs first. Time extensions may be considered by the Planning Director on a case-by-case basis, depending on the impact on existing dwellings in the development, the suitability of the office in a residential area, and traffic flow generated by the temporary sales office. A temporary sales office or model home may not be used as a general real estate office, a construction management office, or an off-site sales office.

Commissioner Linton opened the public hearing at 6:44 p.m.

Commissioner Linton closed the public hearing at 6:44 p.m.

MOTION: *Preston Dean moved that the Planning Commission recommend the Development Code amendment as proposed to City Council:*

- *Chapter 16.35.070 Development Standards for Required Public Facilities*
- *Chapter 17.25 Residential Zone*
- *Chapter 17.75 Standards for Special Uses*

Scott Langford seconded the motion. Those voting aye: Preston Dean, Scott Langford, John Linton, and Bonnie ElHalta. The motion passed with a unanimous vote.

5. Other Business

A. Updates

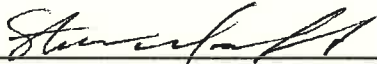
B. Next Scheduled Meeting: July 9

6. Adjournment

EAGLE MOUNTAIN CITY
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7. The meeting was adjourned at 6:54 p.m.
- 8.
9. APPROVED BY THE PLANNING COMMISSION ON JULY 30, 2013.
- 10.
- 11.
12. 

13. Steve Mumford, Planning Director

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, JULY 30, 2013 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, Wendy Komoroski, and John Linton.

CITY STAFF PRESENT: Mike Hadley, Senior Planner; Tippe Morlan, Planning Intern; and Steve Mumford, Planning Director

ELECTED OFFICIAL PRESENT: Donna Burnham

Commissioner Linton called the meeting to order at 6:01 p.m.

1. Pledge of Allegiance

Commissioner Linton led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes

A. June 25, 2013

MOTION: *Preston Dean moved to approve the June 25, 2013 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. Development Items

A. Porter's Crossing Town Center MDP Amendment – Public Hearing, Action Item

The applicant has requested that this item be continued or tabled until the next Planning Commission meeting to provide more time for changes to the plan. Public comments may be allowed, but a full review will not take place.

Steve Mumford reviewed the concept site plan that was approved a couple of years ago and he reviewed photographs of the area to orient the Planning Commission to the location of the subject property and some of the surrounding developments. The developer is contemplating changes to the plan. Mr. Mumford reviewed the existing land use plan, highlighting commercial areas, potential office areas, a higher density residential area that is compatible with the residential area to the west, and several other residential areas in the back of the development. The latest draft staff has seen includes a church site and the subdivision plat for that aspect of the development was considered by the Planning Commission recently. There are also plans to expand the residential area to the north and include an additional row of homes adjacent to the church. Staff has not had a sufficient amount of time to meet with the developer and discuss the

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proposed changes to the plan and, therefore, staff recommends tabling the action item until the next Planning Commission meeting. The Planning Commission may hold the public hearing and receive comments from any wishing to speak on this matter, and the applicant is present this evening as well.

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

Eric Duclos, 6837 Yakima Way, stated he spoke to a Planning Commissioner about this project earlier today and they confirmed to him that from Pony Express to the area where the well house is on Porter's property, there will be single family residential development and from the well house going south into the Kiowa Valley area there will be high density housing. He asked if his understanding is correct before he makes further comments. Mr. Mumford stated he believes Mr. Duclos is referring to the Evans Ranch project, which will be addressed later in the meeting.

Trevor Hull, 558 Pumpkin Patch Drive, stated he is representing the applicant and he noted he is still working with staff to create some buffer areas; there are portions of the project originally designed for office space that will be changed to high density housing and it is necessary to create buffers for that use.

A resident, no name or address given, asked if Eagle Mountain plans to annex the entire Cedar Valley. Mr. Mumford answered no, but listed some of the annexations that have taken place at the request of property owners and developers. The City has an annexation plan that designates areas that could be considered for annexation in the future and Mr. Mumford provided a brief description of areas that could be annexed in the future.

At 6:09 p.m., Commissioner Linton asked for a motion to continue the public hearing until the next regularly scheduled Planning Commission meeting.

MOTION: *Preston Dean moved to Table The Porter's Crossing Town Center MDP Amendment and continue the Public Hearing to the August 27, 2013 Planning Commission meeting. 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. Parkside Phase A Plat 1, Preliminary & Final Plat – Action Item

The Parkside Phase A Plat 1 preliminary and final plat was originally submitted as the Porter's Crossing Residential Plat 1 (stated in the public notice). This proposal includes 61 residential lots on 13.782 acres located at the northern extensions of Porter's Crossing and Smith Ranch Road, north of the Ridley's Family Market that is currently under construction.

Mr. Mumford provided a brief description of the application and reviewed a plat of the area to identify the location of the subject property. He noted the smallest lot in the development is 6,000 square feet and the largest lot is 11,374 square feet; there are 61 lot totals and the average

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lot size is 6,826 square feet. The subject property abuts several utility easements that will be preserved, and they are completely excluded from this project. Mr. Mumford reviewed the recommended conditions of approval as follows:

- 1) This approval is contingent upon the approval of the Porter's Crossing Master Development Plan amendment and Master Development Agreement.
- 2) The development agreement for this subdivision must include details of park improvement and timing, and must be consistent with the Master Development Agreement. The plat cannot be recorded until this development agreement is complete.
- 3) Landscaping plans shall be submitted for review by the Parks Foreman and Planning Director, including street trees.
- 4) Bonus density requirements must be completed according to the Master Development Agreement, and must be included in the Parkside development agreement.
- 5) No lot may obtain direct access to Porter's Crossing Road and must front onto residential roads.
- 6) Submit a master drainage plan to be reviewed by the Public Works Director and Building Official.
- 7) Comply with all DRC redlines and comments.

Commissioner Langford asked if the park improvements include the trails listed on the master plan that weave through the utility easements. Mr. Mumford referenced the trails and open space easements that are planned for the area and stated it is his hope that it will be possible to construct the park and some of the main trails. Commissioner Langford asked Mr. Mumford when he anticipates Porters Crossing connecting to the north and joining the Eagle's Gate community. Mr. Mumford asked the applicant to address that question.

Applicant Trevor Hull, 558 Pumpkin Patch Drive, stated the intent is to make the connection at one of two points: either at the Hall Office behind the Ridley Market or at the east commercial subdivision portion along Pony Express Drive. He stated that according to traffic studies, those are the areas where a connection would be warranted; the residents may not want to hear that because commercial development will drive the connection. He stated the viability of developing the residential property directly east of the park, between the gas and power lines, is not high; development of the property would be very expensive. He then noted the storm drain work has been completed and rather than constructing small detention ponds he will construct a regional detention pond to serve the development.

Mr. Mumford added that once the connection of Porters Crossing is made the residents in the area will have much better access to the commercial developments in the area, but it will also increase 'cut-through' traffic in the residential areas.

Commissioner Linton opened the public hearing at 6:19 p.m. There were no persons appearing to be heard and the public hearing was closed.

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PLANNING COMMISSION MEETING MINUTES

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MOTION: *Preston Dean moved to approve the Parkside Phase A Plat 1 Preliminary Plat and recommend approval of the Final Plat to City Council with the recommendation stated in the staff report. Wendy Komoroski seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

C. Evans Ranch Master Development Plan – Public Hearing, Action Item

This plan proposes the development of 249 single-family lots and 263 townhouse units on 120.45 acres. The average lot size is 9,282 square feet. This proposed development is located east of Porter's Crossing Road, beginning at the intersection of Porter's Crossing and Clark Street.

Mr. Mumford provided a brief explanation of the application and reviewed the plat map of the area to identify the location of the subject property. He noted the current border of the City runs along the south edge of the property and heads south to include Kiowa Valley and Sunrise at Kiowa. He reviewed an aerial photograph of the area and highlighted some of the topographical features. He also reviewed the City's future land use and transportation corridors plan and stated Porters Crossing is a minor collector road, though it acts more like a major collector road. He added Pony Express is a major arterial road with the extension of the road planned as a minor arterial road. He explained staff has been working on changes to the plan, though those changes have not yet been finalized; there is focus on some of the areas around Silver Lake and one of the most recent changes included the removal of the minor arterial and instead sending Golden Eagle Road straight through as a minor collector road. He stated after discussion the decision was made to continue Pony Express as a major arterial road and continuing Golden Eagle through to the Silver Lake development as a residential-width, or minor collector, road. Mr. Mumford then summarized the project, stating 246 single-family lots are being proposed and 263 townhome units are being proposed for a total of 509 dwelling units. He stated the overall density is 4.25 dwelling units per acre, which is very similar to many other areas of the City, including the Silver Lake and Kiowa Valley areas. The average lot size for a single-family lot in the subdivision is 9,198 square feet. He then reviewed the design plan as well as provided a brief summary of the landscape and detention plans. He noted the roads are somewhat "wild and snaky", but they provide for one positive aspect, which is a lot of connecting trails and open space.

Commissioner Linton asked if all lots in the subdivision must have a frontage of 55 feet or wider. Mr. Mumford answered no and stated the applicant will address that issue in his presentation. He added lot frontages are measured at the property line on the street and staff found a majority of cities in Utah do the same. That measurement often differs from the measurement taken at the 15-foot setback. He then stated the applicant is also requesting narrower side setbacks and staff is suggesting that the code requiring 15 feet of combined setbacks be followed. He then added there is a lot of open space in the development, but it is somewhat deceiving because some of the open space has a fairly steep grade; however, there will be an improved trail as well as fitness stations on the trail. There will be some pocket parks, but there is a larger detention basin in the area and staff has discussed with the applicant the possibility of redesigning the area to provide a larger park. He reviewed a park concept plan for the area and referenced how the trails and the

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development will connect to the park ground. He stated the required open space for the development is 11.12 acres; just over six acres is required for community or regional parks and five acres is pocket or neighborhood parks. He stated the developer has provided 6.08 acres of pocket parks and 6.22 acres for community parks. The native open space will be 9.35 acres in size and the improved open space will be just over six acres in size. He added there will be additional open space in the townhome area; there will be 15 percent open space in that area of the project, which translates to 15 or 16 acres of improved open space. Mr. Mumford then reviewed some concerns the staff have regarding the project include small lot frontages, smaller side-lot setbacks, and the townhome aspect of the project. He noted the townhomes take up more than 50 percent of the units – not the area – in the project and there have been discussions about reducing or moving the townhomes as staff feels the best place for townhomes is adjacent to commercial areas or intersections with higher traffic; they are also a good buffer between commercial and single-family developments. He stated staff feels the more appropriate place for the townhomes would be closer to Pony Express Parkway. He added that it is a larger concentration of townhomes in one area, especially when compared to other developments in the area. He stated multi-family projects can be done well and there can be a benefit to have a larger concentration of townhomes in one location. He then referenced the park plan and stated there have been recent changes made by the developer; those changes will be included in the master development agreement. He also explained there are four lots on the northern end of the development with no access; the applicant is working with the property owner to the north to gain access to the property and that can be addressed in the master development agreement as well. He stated there are yet to be many details worked out in the master development agreement and that is fairly standard.

Applicant Nate Shipp, no address given, stated he started working on this development in 2006 and he noted the Planning Commission packet includes a concept plan that received preliminary approval at that time. He stated when he began working on the project again this year he did not like the idea of having another master planned community that was a mixture of 6,000 square foot lots and some townhomes. He wanted to take a different approach and created a list of objectives for the project, and he briefly reviewed the list. He explained he reviewed the topography of the area as well as the transportation corridors and he referenced the debate between Eagle Mountain and Saratoga Springs regarding the size of the road that will connect the two communities. He added he has spent a lot of time designing the park in the project and that includes a community park that will accommodate two soccer fields. He stated he also wanted to provide interconnectivity of the parks via a trail system. He reviewed the lot layout for the project and explained how the current proposal differs from the proposal that was made in 2006. He stated 25 percent of the roads included in the 2006 proposal have been eliminated, which helped to increase open space. He stated the lots will not be uniform and they might be unusual in shape. He stated this design is different than the type of grid design typically used in Utah, but it requires him to request a variance to the City's ordinance regarding the required width of the lot frontages. He added he has worked very closely to include an LDS Church building at the project. He concluded that since submitting the initial plan in 2006, he has gone from a 6,000 square foot lot average to a 9,000 square foot lot average, increased the total amount of open space from eight acres to 32 acres, and included a church building on the site.

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He stated he is committed to build out the subdivision rather than sell to other developers and he will work with staff to resolve the issues and concerns they have regarding the development.

Commissioner Langford asked who will maintain the open space at the development. Mr. Shipp stated he will propose that the open space become part of the Smithfield Community Park and that it be open space; he has no plans to create a homeowners association (HOA) for the community. He stated he can change that if necessary.

Commissioner Linton stated this development would be located between two other HOA communities. Mr. Shipp stated that is correct.

Commissioner Dean asked staff to review the slide regarding the transportation corridors in the area of the proposed development. He asked for findings relative to what land uses would be allowed in those areas not currently part of Eagle Mountain. Mr. Shipp stated there is complete development flexibility; there could be developments for light industrial uses, manufacturing uses, or very high density uses. He stated Saratoga Springs wants the road in the area to be a major road and there will be some intense uses along that corridor that Eagle Mountain will want to buffer against. He then stated if the Planning Commission wants to provide input regarding the multi-family aspect of the development, he would like specificity in those suggestions, such as the number of multi-family units the Planning Commission would like his proposal reduced to. Mr. Mumford added the property immediately south of the project is owned by the LDS Church that was not included in the overall master plan in Saratoga Springs, and that is because at the time the two cities were working out a boundary agreement for future annexations into the City; the property was left in the County and was not annexed into Saratoga Springs. He stated they will not be stopped from annexing it into either city in the future. He added there is another piece of property owned by SITLA that remains in the unincorporated County, and there are plans for the Hidden Valley Corridor to run right through that property. He stated he simply wanted to mention there are a couple of piece of property approximately 200 to 300 acres in size near this development that are still in the County.

Commissioner Linton asked Mr. Shipp if he has counted the number of parcels that would have less than the 55 foot frontage. Mr. Shipp answered no and stated that is because he measured the setback differently than where staff measured it from. Commissioner Linton asked for an educated guess on the number of lots. Mr. Shipp stated he believes 40 percent of the lots would have a frontage of less than 55 feet.

Commissioner Komoroski inquired as to the approximate width of those lots that have a frontage less than 55 feet. Mr. Shipp stated the narrowest frontage would be 45 feet in width. Mr. Mumford stated he also cannot provide an exact number of lots that would have a frontage less than 55 feet and he added that some of the lots located in circles or cul-de-sacs have a frontage of approximately 20 to 25 feet, but that is allowed by code. He reiterated there are several windy roads in the development and many of the areas could be considered circles. Mr. Mumford stated that as a professional planner he can appreciate 'out of the box' designs for developments, but his main concern about narrow lot frontages is the all anyone will see from the road is a corridor of garages and driveways. He added he understands that could potentially be mitigated

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with correct design and it would be nice for Mr. Shipp to provide examples of the design that will be used as well as other example developments that are similar to this proposed development. Mr. Shipp stated this item will be presented to the Planning Commission again and he will provide three-dimensional modeling of the project to display how the homes will be placed on the lots. He stated he did not feel that kind of detail would be appropriate at this stage of the process according to the City's own code.

Commissioner Dean stated he does not disagree with many of Mr. Shipp's objectives and goals from a planning standpoint, but the Planning Commission must review the project while keeping the City's development standards in mind. He added he agrees with Mr. Mumford's comments about the lack of detail; if the Planning Commission is being asked to consider variances to the City Code, they need more compelling information to justify those variances. He stated he has concerns about narrow lots that will require longer driveways and deeper setbacks and about the request to allow five foot side yard setbacks. He then referenced the multi-family aspect of the project and stated that including the number of units in a townhome style of development will result in the loss of diversity of the buildings because they will all be connected. He stated he would like to see actual examples of what Mr. Shipp is proposing. Mr. Shipp inquired as to the number of townhome units the Planning Commission would be comfortable with. Commissioner Dean said for him it is not a number, but rather how the townhomes are designed and developed.

Commissioner Linton stated he likes the design of the roads, but there will be 500 units dumping vehicles on the rounded roads in a very condensed area and those two things seem to be incompatible to him, especially at certain times of the day.

Commissioner Linton opened the public hearing at 7:04 p.m.

Amy Plott, 4134 Sioux Street, stated she was present when this development was initially proposed in 2006. She does not have a lot of faith in the developer because prior to the 2006 meeting, he talked to her and asked her what he could do to persuade her not to object to the development. She stated that was really shocking to her. She added so many people came to Eagle Mountain because of the open spaces; they bought their homes near vacant properties knowing they may someday be developed, but they understood the property was owned by the LDS Church and they thought they knew how it would be developed. She stated she thought she would be able to look out over the beautiful area, which is one of the few that provides a view to the lake. She stated for that area to be filled in with townhomes in a development without an HOA is a little scary to her. She added that the property was originally zoned for agricultural use, and she asked if the zoning of the property has already been changed. She stated she does not understand why the developer has chosen the area he selected for townhomes when even Mr. Shipp said there is another area of the development that would be more appropriate. She stated it is her understanding that the City Code calls for like housing to be located near like housing unless there is a buffer between two different housing uses; in this plan there is no buffer. She added that the developer promised to build many parks in Silver Lakes, but there is currently just one park in the front and she is nervous to think that similar things will occur on the open space at this new proposed development. She stated this is her property, her home, and the place she

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has lived and loved with her children and to have it change that drastically is frightening. She is worried about her kids riding their bikes on a road that will be so much busier as a result of this development. She stated she wants to stay in Eagle Mountain and for the open spaces to be maintained; there is a master plan to keep these kinds of things from happening just so someone can make more money on a development. She stated Eagle Mountain is unique and it will not be unique any longer if these types of developments are allowed and the City ends up looking like all other cities in the state.

Eric Duclos, 6837 Yakima Lane, stated he is concerned about the request for a variance to the 55 foot frontage regulation. He noted that if the Planning Commission grants that variance, they could be opening up the City to receive that same type of request for other developments because a precedent will have been set. He stated that he also has a concern with the location of the townhomes; Mr. Mumford stated it would be more appropriate to build the townhomes closer to Pony Express and that would comply more closely with the City's master plan. He stated the reason that he has an objection to high density is that he lives in that area. He stated he has spoken with police officers from three different cities and he asked them about the highest crime areas in their cities; they stated there are two different areas that generate high crime rates and they are neighborhoods where there are really old homes that are located very close to one another or high density housing developments. He stated there will be more car theft, burglary, and drug activity. He explained he lived in Pleasant Grove many years ago and there is an area with a lot of four- and six-plex condominiums, and he had the same objection to that development because he was concerned about it lowering property values. He stated he was guaranteed by the Pleasant Grove that they would put in very tight covenants and restrictions for the development, but within five years it became the highest crime area in Pleasant Grove. He stated that he just moved to Eagle Mountain in December. He built a nice beautiful home on the hill and he is very happy with he lives, but knowing that there is a high density development proposed for a block and a half away from where he lives is a very big concern.

Cameron Hodges, 7386 Sioux Street, stated he has lived in his home for seven years and his main concerns are related to safety. He stated his back yard abuts Porters Crossing and the buffer between the road and his house is 10 to 15 feet maximum. He stated the number of cars travelling on the roads increasing as a result of this development makes him concerned for his kids and his neighbors kids who like to enjoy their time in their backyard. He stated that for a major arterial road like Pony Express, there is a 75 to 100 foot buffer between the street and private property, which give those owners a better sense of safety and security. He stated the second concern he would like to share is related to kids walking to and from school at Pony Express Elementary. He stated one of the main reasons the City decided to push out Porters Crossing to connect to Pony Express was to divert the traffic that was going in front of the elementary school for the safety of the children. Once traffic is increased on the road, there will be additional safety concerns for the kids walking to and from the school. He added he is also concerned about the discussion of park space in the development. He stated that when he hears the word park he thinks of green space with facilities like a pavilion, playgrounds, etc., but the plan calls open green space a park. He stated it is nice that there will be a trail system connecting the different open spaces in the community, but in looking at the demographic of the community it is made up of young families and there are not many kids that will go on a run –

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they want to climb and run around a park. He stated that he pays fees to an HOA and the kids at the proposed development will come across the street to play in his park, which will decrease his opportunity to use the park that he is paying a fee to maintain. He stated he is concerned there will not be an HOA at the development and it will be necessary to use City taxes to pay to maintain the facilities there. He stated he will essentially be paying for the maintenance of the subdivision.

Don Plott, 2134 E. Sioux Street, stated there is already a church next to his property and there is a proposal for another one in this development that will be right in his back yard. He stated he understands there are many churches close to each other, but that is very close. He added he loves having the church as his neighbor, but he does not love having the parking lot. He stated he feels no thought has gone into the location of the church. He added there has been discussion about what could be built on the vacant property south of the townhomes that is currently located in Saratoga Springs, but decisions should not be made based on what could be. He stated it also does not make sense for the City to change its policies or rules for one development.

Bruce Bond, 4146 Cherokee Drive, stated there is a very large drainage ditch in the side of the hill to assist in flooding situations, and if the ditch were to ever fill up it would empty out right where the townhomes are slated to be constructed. He added about a year ago there was an evacuation for fires and if that happened again the townhomes would be the most difficult to defend; they are taller and more dense, and it would be better to have them closer to Pony Express Parkway. He stated the townhomes will increase traffic levels in the area and that will increase the amount of confusion on Porters Crossing. Right now he travels down that street every day and he prays that no child runs into the street from a location where he cannot see them because of all the vegetation down the middle of the road. He stated he assumes someday there will be an accident on that road, especially if traffic is increased.

Angela Duke, 7534 Ofallons Way, stated she is one of the few houses that would face directly towards the subject property and her view will be completely obstructed. She added she is in one of the houses that has suffered flood damage from the City's sewer system twice in the last year. One of her concerns is how this development will impact the sewer system and if the sewer will be reconfigured to run down the hill so it does not continue to flood homes in the area. She stated that if the development will help solve that problem, she may actually be in favor of it. She stated another concern she has is that the construction in the area will create a lot of critters such as mice, voles, and snakes coming into her yard; she does not want to find rattlesnakes on her front doorstep because of construction being conducted across the street from her house. She then stated that if the road in front of her house will be widened to be a major thoroughfare, the noise will be a problem as well.

Brittany Long, 3993 Sioux Street, stated she shares many of the concerns that have already been mentioned, and she has a question about the next step in the process and the timetable for the development. Mr. Mumford stated the property is currently zoned for agriculture use, but there is a future land use plan that designates the property for mixed-use residential development; the use of the property is appropriate for residential use. The action being considered tonight is a master development plan proposal, which rezones the property and vests the property owner or

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developer with density for the property so the number of townhome and other residential units as well as the major road layout will be set. The next step is for the plan to be considered by the City Council, and they will also hold a public hearing regarding the proposal. If they approve the project, the City will negotiate a master development agreement that will address the timing of all improvements associated with the project. He provided some examples of details that could be included in the master development agreement and noted it is not a public document or one that is considered by the Planning Commission. Instead, it is provided to the City Council, and following their approval of the agreement, the project would proceed through the City's subdivision approval process. Ms. Long asked if the plan that is being considered tonight could be changed or stopped and she asked if the residents could do anything to recommend a different plan for the property. Commissioner Linton stated the residents could buy the property and propose a new plan. Ms. Long stated she is not opposed to developing the entire property, but she is concerned about some aspects of the project. She stated she simply wanted to understand the process and if there would be other opportunities for the residents' voices to be heard. She added she did not receive notification of this meeting. Mr. Mumford explained the noticing rules relative to who the City is required to notice of these types of applications.

Paul Sims, 502 W. 500 S., Midway, Utah, stated he works for an engineering firm in Lehi and he is not affiliated with this development, but as he has listened to the discussion to this point he feels it appropriate to share two comments: one is that as curved streets are added to a development, that will decrease speeds on those roads and it will add character to the streets. He stated his second comment is that alternating setbacks for the homes in the development are a good thing because it adds character and reduces speed. He stated he does not know if the setback variance would set a precedent because the City already likely has different setback requirements for cul-de-sacs in the City. He added another thing he likes about the development is that the streets will eliminate a lot of intersections, and when it is possible to eliminate intersections that will also reduce traffic accidents. He stated he also likes the trail system and if it is possible to keep kids off the streets, that will help to reduce accidents. He stated he likes the proposal to develop smaller lots. He noted people are getting lazy and if there is the ability to develop smaller lots people may actually maintain them. He stated those people that have smaller lots are more likely to maintain them.

Commissioner Dean stated he does not disagree with anything Mr. Sims said, but he did not hear a compelling argument for five foot setbacks or a frontage that is less than 55 feet in width. Mr. Sims stated those things will prevent a tunnel type of road or a road that is similar to a racetrack. If builders are allowed setbacks that alternate throughout the development adds texture and interest and interest keeps people from driving fast because their eyes are distracted; they will be watching the road, but they will also be paying attention to other things that keep them from driving fast. Commissioner Linton stated Mr. Sims lives in Midway and he asked what drew him to this meeting tonight. Mr. Sims stated he is an engineer working in Lehi and he tries to keep an eye on master development plans and annexations and that is why he is present this evening.

Noelle Pace, 7378 Lewis Street, stated the walkway in the ditch will not keep kids off the streets and the kids from the townhomes will be coming to the park in her HOA because it is very nice.

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She added she personally would be afraid to buy a home on a curved street because she would be afraid her children could get hit by a car coming around the curve that does not see them. She stated she is concerned about all the change and rapid growth. Of course change is inevitable and can be a good thing, but too much in one small amount of time makes it hard to predict how the small neighborhoods will be impacted. She stated she owns property in Saratoga Springs and she chooses not to live there because she loves her neighborhood and the area so much because it is a safe place and a great place to raise her kids. She stated if the townhomes are built she will be afraid for her daughter; she is going into kindergarten this year and she does not know if she can safely walk down Pony Express Parkway to get to the school.

Candy Dodson, 7062 Cherokee Street, stated she bought her house in 2005 after moving here from a big city. She stated she bought her house because of the beauty of the area and how nice the people are. She stated she has worked in property management for over 15 years and she has managed townhomes. She knows townhomes draw crime and problems to an area, and there is a trailhead in the area that will be located right across the street from the townhomes. She stated the development will impact the beauty of the area and the habitat for the wildlife.

Lisa Shelly, 7287 Ute Drive, stated she lives right across the street from one church and this development plan includes construction of another one nearby. She stated when she moved to her home in 2004 she had the beautiful view of the area. She stated she agrees with the concerns about critters coming from the vacant property into her property once the development begins. She added another concern is the increased traffic in the area. She stated she likes growth and is in favor of it, but she thinks the focus is on the wrong thing; she believes business development is most important so sales taxes are increased to pay for things that need to be paid for in the City. She stated there are many other open areas and many existing homes for sale and it is not necessary to build new homes right now. There are subdivisions that are not yet finished and opportunities for people to build a new home there.

Erik Sewell, 7906 Brookwood Drive, stated he is present because his son is working on his Citizenship in the Community merit badge, but he has also noticed that every time he comes to one of these meetings the Planning Commission is talking to developers with notions of grand park expectations, and that thought sells so many community members on the development. He wondered if there is a way to make the developers have more skin in the game as far as a phased or percentage approach to developing the park rather than the idea of the park. He stated that where he lives he backs up to the amphitheater and he is wondering if there is a way to help developers understand that the selling point of a park is a great opportunity to sell more lots, but it would be better to develop a phased approach. He asked if that has been talked about in the City. Mr. Mumford stated the staff has contemplated changing the City Code regarding this issue, but it currently states that in a development with a preliminary plat, once 50 percent of the lots are developed, the park must be completed. He stated that with master development agreements, the City tries to put in place additional restrictions to try to figure out how to get the park constructed earlier, and he offered some examples of what has happened in other master plan developments. Mr. Sewell stated he thinks consistency is important.

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Marcy Jones, 3997 Comanche Street, stated since fire safety was brought up she wanted to mention that she has family that works in fire protection, and the size of the lots in the development is concerning to her because a 15 foot side yard is the minimum that is considered safe for fire defense; anything closer can increase the risk of adjacent homes catching fire as well. She added that she appreciates the consideration for the religious majority by construction a church in the development, but she thinks it would be nice to see a developer have consideration for the number of children in the area and work with the Alpine School District to construct a new school in the development. She added there have been many comments made about the parks in the development, and she noted that where she lives in Kiowa Valley there is a park that was started by the developer, but the developer went bankrupt and so now the residents have a really nice, but unmaintained parking lot that does absolutely no good for anyone. She added the developer also mentioned that some of the open space would be natural and to her that means a lot with weeds that will eventually make their way into her yard. Mr. Mumford added the City will be discussing some changes to the park that Ms. Jones mentioned in the Kiowa Valley area.

Commissioner Linton closed the public hearing at 7:40 p.m.

Commissioner Dean stated he still has the same concerns and he would not recommend a side setback less than 15 feet for the reasons that have been shared tonight as well as in the past. He added there have also been discussions in the past about narrow lot frontages and he is not in favor of providing the variance because he has not heard a reason to justify that request. He stated he would also like to see more information about what the developer proposes relative to the townhome aspect of the development.

Commissioner Komoroski stated there are many residents that would like to park 'toys' in their side yards and a setback of less than 15 feet would not allow that. She added she is also concerned that the narrow lot frontages would cause many lots to have more concrete in their front yard than grass and she would not be in favor of that.

Commissioner Langford stated Mr. Mumford mentioned that the property is master planned for mixed use residential development and he asked if there is a certain density range assigned to the property. Mr. Mumford stated the designation is pretty flexible and there is a bonus density tier system so that the more density a developer proposes the more amenities and open space they are required to provide. He added that if the number of townhomes is reduced, the amount of open space could also be reduced. Commissioner Langford asked if the number of units could change based on that bonus density system. Mr. Mumford answered yes. He also reiterated this is a rezone and there are criteria that must be considered when making the legislative decision regarding that part of the application.

Commissioner Langford stated that when considering rezoning property it is important to look at the design of the project, but it is also critical to look at the context, and the comments that have been received by residents have helped to put the context into focus in his mind. He stated some of the comments about maintaining open space, future transportation issues, and commercial development were made. He stated the Planning Commission received an email from resident

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Adam Olsen today and he said that it makes sense to put the townhomes on the north end of the property closer to Pony Express Parkway. Higher density next to traffic corridors is preferred and there are the beginnings of a commercial center at Ridley's as well as a park, existing elementary school, and the church, and it makes sense to put the townhomes on the northern portion of the property if they are allowed in the first place. He stated if there is more open space on the north end, it makes sense to leverage it and maximize the use with higher density development. He referenced other townhome developments in the area and stated density higher than the density in those developments can really start to impact the character of the neighborhood. He stated that when people bought their homes in the neighborhood the property was zoned agricultural and the residents have made investments based on their expectations for how the property would be used. He stated that to dramatically change that and try to construct 263 townhomes on the property could dramatically impact the character of the neighborhood. He stated he would recommend dramatically reducing the number of townhome units and move them to the northern area of the property to reduce the overall impact to the community. He added, however, that he is not sure if he is comfortable moving forward at all due to the lack of detail in the application.

Commissioner Linton stated the only view that any person has every purchased is the one straight up, and that is the only one they are entitled to. Time after time as the City has developed, people's views have been taken from them and that is life. He stated he had the most gorgeous view of Utah Lake one could ever hope for until his daughter and son-in-law built their home. He stated he has no view of Utah Lake now, but he did not buy that view – he bought a plot of ground to build his home on. He stated that comment will not impact the outcome of this public hearing or any public hearing regarding this matter. He stated he is concerned about safety and issues relative to the reduced side yard setbacks; he would like to see more access around the homes. He stated that the first 30 years of his career was spent in Los Angeles and when there are discussions about large quantities of townhomes it smacks to him of public housing, which is not a thing of beauty. He would rather see pods of multi-family housing in a couple of different locations than packed in one area so tightly with so many units, the residents of which will be forced to drive through existing residential areas to get out of the community. He stated the City cannot count on what Saratoga Springs may do with their property or transportation corridors in the future. All development is driven by markets and the most favorable return on investment, and no one has any idea what will come next; approvals should not be based on what could happen in the city next door. He stated he is concerned about the fact that no one wants to live in an HOA, but everyone wants to live next to one because they do a lot of good things and require the tax, maintenance, and upkeep is spread over a broader area. He stated there are some things that interest him about the development, but there are so many other compelling issues that he is concerned about that he would like to see the action tabled and brought back to the Planning Commission after more thought and consideration.

MOTION: *Preston Dean moved to table the Evans Ranch proposed master development plan until further information is available regarding the issues that have been discussed. Wendy Komoroski seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

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D. Arrival at North Ranch Master Development Plan & General Plan Amendment – Public Hearing, Action Item

This plan consists of 178 residential lots on 223.36 acres. The minimum lot size proposed is a ½ acre, with a majority of the lots proposed being over 1 acre in size. This project will be located north of the Clearview Estates development, west of the North Ranch neighborhood, and south of Camp Williams. This property was recently annexed by the City Council on July 16, 2013.

Mr. Mumford explained this is an application for a master development plan and general plan amendment and he reviewed the plat map for the area to identify the location of the subject property. The property was annexed into the City recently and is still zoned for agricultural use until further proposals for using the property are approved. He highlighted the natural topography of the area and noted storm water that will flow through the Tickville Wash is much less than what would be seen in the Evans Ranch area, but it is still a major natural channel through the City. He noted the site is 223 acres and the plan consists of 178 residential lots that take up 190 acres; there will be 3.3 improved acres of open space as well. The overall density is 0.8 units per acre and this is one of the least dense developments that has been proposed in the City for a long time; 0.8 units per acre is the lowest density residential tier available and anything above 0.8 units per acre would require four percent improved open space in the development. The Planning Commission was presented a concept plan for the development approximately one month ago and at that time there were more units proposed, but the developer has reduced the number of units while still providing a park in the middle of the development, as well as a trail system that would connect throughout the development. All of those aspects of the development would be included in the master development agreement so that residents can rely upon those amenities being included in the development even though they are not required. He added there are plans to include a LDS Church building in the development as well and he briefly reviewed the process undertaken by the Church to approve the construction of the building. He stated there are storm drainage detention basins along the wash on the east side of the project as well as an access point for a future water tank. Mr. Mumford then reviewed staff concerns that arose after being contacted by residents who are worried about traffic issues the development may cause for the nearby North Ranch development. There are no sidewalks in North Ranch so there are people walking or riding bikes in the street. He reviewed some access issues and noted a traffic study has been conducted by a third-party engineer and reviewed by the City Engineer, who is still looking into the specific impact this development would have on North Ranch. For the most part, the general recommendation of the traffic study is that no major improvements must be made to any of the intersections in the area in order for this development to proceed. Staff has talked with the applicant about conducting an erosion study relative to the Tickville Wash; a geotechnical engineer would determine how far back from the banks of the wash there is potential for erosion and how erosion issues can be mitigated. He added that the lots in the development will be served by septic systems because the closest sewer lines are quite a distance away and the City cannot require the developer to connect to the sewer system unless it is within 300 feet. That was a concern the City Council had, but those concerns were resolved and the Council is now interested in seeing the master development plan in more detail. He noted the

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staff report includes some recommended findings for the application and he briefly reviewed those findings.

Applicant Scot Hazard referenced the concerns raised by staff and addressed each one of them briefly, noting he will conduct a study and soil exploration to determine if each lot qualifies to be serviced by a septic system. He added that relative to the water system, he believes half of the project is serviceable with the current pressure zone, but that is yet to be determined with surety. He stated he believes the first 28 lots that will be included on the first plat for the project will be serviceable without the need to introduce a new water tank. He stated that his geotechnical engineer will conduct an analysis to address the stability of the Tickville Wash embankment. He spoke with the soils engineer today and his preliminary assessment is that there is a lot more sand than gravel and a lot less silt and clay than hydro-collapsible, and that should bode well for the septic systems. But if there is any kind of major water event coming through the Tickville Wash, the area will not experience too much erosion. There are a couple of lots in the area where there has been some erosion and those will be addressed in the study. He added that relative to the traffic through North Ranch, he agrees that is a legitimate concern and he is not sure how to address it at this point. The traffic impact study is pretty clear that it is not too big of an issue, but his concern is that North Ranch is deficient in addressing pedestrian traffic and the only way to fix that is to create a special improvement district. He stated the issue is external to his project, but it is a concern. He stated the concerns will be present with or without his project.

Commissioner Linton opened the public hearing at 8:11 p.m.

Commissioner Linton stated he would like included in the minutes comments that were provided by six different residents; he wants those comments to be visible to anyone reviewing the minutes of this meeting.

Charlotte Ducos, 9328 N. Deerfield Circle, stated she actually likes this development, but her concern is relative to the traffic issues in the area. She stated she briefly reviewed the traffic study and it did not address the traffic on Canyon Wash Drive; it did address the intersection of State Road 73 and Canyon Wash Drive, but it did not address the intersection of Canyon Wash Drive and Lakeview, which is going to be a huge problem. She added that the study also did not address traffic coming from Valley View. She suggested those two areas be studied as well and she added the road coming through Valley View has a higher speed limit and the homes on Lakeview and Canyon Wash will be directly impacted and any students walking to school must walk along Canyon Wash and Lakeview. She agreed with the applicant that the traffic issues are present regardless of whether this development is approved and how to address it is yet to be determined. She stated she hopes the issue will be addressed by the Alpine School District upon the opening of the new school and she noted her neighborhood is just under the required distance for students to be bussed. She stated she is also concerned about construction traffic while the development is underway, but all in all she thinks this is a good plan. Commissioner Linton stated he hopes Ms. Ducos and the other residents will lobby Alpine School District for the students living in that area to be bussed to the new school. Ms. Ducos stated she definitely will.

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David Asay, 9383 Canyon Wash Drive, stated he would like to commend the developer on his proposal as it seems to meet the needs of the community. He stated he also concerns about traffic issues in the area and he noted the entire north end of the development will likely use Canyon Wash Drive and he would like that issue to be studied in order to determine if there is any way to mitigate that. He suggested speed dips be installed on the road. He added he is also concerned about construction traffic in the area because the roads in the subdivision are deteriorating and increased heavy truck traffic will accelerate that process. He stated he would like the developer to continue with the work he is doing and he appreciates what he has done to this point.

Thomas Weidauer, 9121 N. Canyon Wash Drive, stated he is president of the HOA for his development and he thanked the members of the HOA that are present tonight to express their concerns. He stated he is pro-development, but he would also like to see additional traffic access points in the area to allow motorists access to SR 73. He stated traffic in that area is very heavy and he anticipates someone will be injured as a result of a traffic accident in that area someday. He added the wash area that drains into the basin has created flooding of homes in the past and what will happen in the new development will impact North Ranch to the Tickville Gulch. He stated 10 to 12 years ago there were no sewers and gutters to drain the water and the water flooded homes and he hopes anything that must be done to drain water from this new development will be considered. He added he does not know the relationship between the developer and the Clear View development, but he suggested allowing access from the new development to Clear View to assist in mitigating traffic issues on Canyon Wash Drive. He stated people drive fast in the area because it is a straight line. He added he likes the idea of additional homes in the area, but he is concerned about the use of water because it is a commodity that everyone needs to appreciate. He stated he would like to see the trail system as well, and his HOA is currently working to resolve issues such as who is responsible to maintain those trails. He added plenty of other municipalities construct parks that are not well maintained just a few years after they are constructed; he likes park systems and green space, but he also likes low maintenance things. He stated he wished the City would have sent a notice to everyone living near this development because the only way he was informed of this application was because he saw a sign posted near the subject property.

Susie Basset, 9454 Canyon Wash Drive, stated her main concern is the fact that a new water tank will not be added to the development until half of the lots are developed. She stated she lives at the very top of Canyon Wash Drive and there is not enough water pressure to run her irrigation system so she is concerned that more houses will be using the water pressure that is already lacking so much. She stated she is also concerned about the traffic issues that have been raised by other residents.

Amy Asay, 9323 Canyon Wash Drive, stated she is also concerned about water pressure because most residents in her development have very low pressure. She added she is also concerned about traffic issues because she lives at the bottom of the hill and she cannot see cars coming over the hill. She stated she is very worried about her kids crossing the street and it only takes one car to kill a child. She added she was on the news recently because her house got flooded and the City has been great to work with, but she thinks the Planning Commission should know

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that the 100-year wash is now flowing and it flows during every rainstorm so the erosion issue is a big concern for her that needs to be addressed as well.

Leeann Bateman, 9905 N. Timpview Drive, stated she is also concerned about the traffic and she wants to make sure that the Planning Commission is aware that there are not just traffic problems associated with the school, and instead there are traffic problems all day long, especially in the evening when kids are outside playing. She stated lobbying for bus service to the school is a good idea, but that is not the only time traffic is a problem. She stated she also did not hear anything about this proposed development until two nights ago and she feels like she does not have enough information about the application at this point. She stated the wash runs behind her house and she has had flooding in her yard as well and she would like more information about the study regarding erosion in the area.

Dan Ford, 1868 Valley View Lane, stated he is excited about this project and the density that has been proposed. He stated that he is hopeful that this will help with some of the problems in the area relative to flooding because the development includes retention ponds that have been designed to address some of the erosion issues. He stated he is hopeful the City moves forward with the development.

Steve Young, 9761 N. Timpview Dr, stated he lives in North Ranch and the main thoroughfare of his neighborhood backs the Tickville Wash, and the main thing that concerns him is that there are so many proposals for new development in the town but there may not be enough water to serve them. He stated everyone needs to get by with the water coming out of the ground; the aquifer likely has plenty of water, but there are many other areas in the State that are dealing with water shortages and he anticipates Eagle Mountain will be facing those same issues in the future. He stated he hopes the City considers whether there will be enough water for all the homes and residents because 'we live in a desert.'

Commissioner Linton closed the public hearing at 8:30 p.m.

Mr. Mumford addressed the concerns regarding water and explained Eagle Mountain has contracts with the State of Utah to access water from the Central Utah Water Conservancy District. They recently installed a giant water line through Utah County and into Saratoga Springs and on SR 73 there is currently construction underway for a huge reservoir and that is part of the new water infrastructure improvements. He stated the City has a contract to purchase and take down a certain number of water rights every year and the City also has contracts with developers that require them to purchase water rights to serve their development. He stated the City's contract is for 15,000 acre feet, which will supply at least 60,000 residents so for the time being there is plenty of water to sell to developers. Commissioner Linton stated the bottom line is that the City will not approve development if there is not enough water to serve it. Mr. Mumford stated that is correct. He then addressed the applicant and stated that the future road that will directly access SR 73 will need to cross a different piece of property and he asked the applicant if he has control of that property. Mr. Hazard stated he does not have control of that property, but he would like to. He added the International Fire Code will limit him to 30 units on the development until that second access is constructed. He stated that in conversations with the

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developer for Clearview Estates he understands they will move forward with additional construction in the near future and he will wait for that development to occur before he develops more than 30 lots. He stated the road going to the south goes the right direction and will give motorists the best option for heading east on SR 73.

Mr. Mumford stated the applicant has worked with the developer of the Clearview Estates development to ensure that the roads in his development will line up with the roads in their development and provide connection to all three stub roads in Clearview Estates.

Commissioner Dean asked if those performing a traffic study take into consideration the condition of existing roads. Mr. Mumford stated he does not think that is taken into consideration; traffic engineers consider level of service and assign a grade according to that level of service.

MOTION: *Preston Dean moved to recommend for approval to the City Council the Arrival at North Ranch Master Development Plan and General Plan Amendment subject to conditions one through six listed in the staff report. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

A short discussion regarding the noticing requirements relative to a proposed development ensued with Commissioner Linton expressing his concern that residents impacted by a proposed development do not receive official notice due to the current requirements. He asked that an item be added to a future agenda to further discuss the issue.

E. Silverlake 9 – Preliminary Plat & Final Plat; Public Hearing, Action Item

This proposal is for 52 residential lots with a density of 4.7 lots per acre. It is located just east of the existing Silverlake development and south of Silverlake 8 and Pony Express Pkwy.

Mr. Mumford reviewed the proposed application and reviewed a plat map for the area to identify the subject property. He stated phase eight of the development is currently under construction and noted phase nine is fairly standard and straightforward. He stated the subject property is 11.07 acres, and the average lot size in the development will be 6,027 square feet with 52 lots. He added there will 0.95 acres of open space in the phase with a trail planned along the power corridor. He then reviewed the recommended conditions for approval as listed in the staff report.

Commissioner Linton opened the public hearing at 8:46 p.m. There were no persons appearing to be heard and the public hearing was closed.

Tony Trane, Engineer for the developer, approached to answer any questions regarding the application.

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Commissioner Linton asked Mr. Trane if he has reviewed the conditions listed in the staff report. Mr. Trane stated he has reviewed all conditions with the exception of the condition added today and stated he feels the developer and the City have the same philosophy regarding the setback issue, but he and the developer will review the condition more closely and address it.

Commissioner Linton asked Mr. Trane if the developer can comply with all conditions. Mr. Trane reiterated he would need to review the conditions more closely, but he felt there are two options for addressing the setback condition in the cul-de-sacs. He then addressed the open space included in the development, noting there is not an opportunity to install a playground structure or plant trees because the open space is located within the power corridor.

Commissioner Linton stated his understanding is that the balance of the phases in the Silverlake development is governed by an HOA and he asked if that is correct. Mr. Mumford answered yes. Commissioner Linton asked if this phase will be governed by the HOA as well. Grant Gifford answered yes, with the exception of some townhomes included in the development that will be a sub of the HOA.

MOTION: *Preston Dean moved to approve the Silverlake Preliminary Plat and recommend to the City Council approval of the Silverlake 9 Final Plat with the conditions listed in the staff report as well as those presented that vary from the staff report. Wendy Komoroski seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

- F. Rockwell Seminary Building Conditional Use Permit – Public Hearing, Action Item
This proposal is to approve a Conditional Use Permit for the Rockwell Temporary LDS Seminary Building. The building is located just east of Rockwell High School in the Saddle Junction subdivision and consists of 0.537 acres in total. It was originally approved as a conditional use for two years by the City Council on June 17, 2008 and extended for two additional years.

Mike Hadley reviewed the proposed application and he reviewed a plat map of the area to identify the location of the subject property. He also provided a brief history of this project noting that the initial conditional use permit (CUP) approval, and extensions of that approval have expired. The applicant has some unpaid fees relative to this project, and one condition of approval is that those fees be paid prior to final approval.

Commissioner Linton opened the public hearing at 8:53 p.m. There were no persons appearing to be heard and the public hearing was closed.

Paul Evans, ER Architecture, 11576 S. State Street, Draper, Utah, stated that he is present this evening to represent the applicant, the LDS Church.

Commissioner Linton stated this project has been approved for some time with no movement and he can understand concerns surrounding that fact. He stated the subject property is located in an

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area that is seen first by people entering the City. The citizens in that area have spent a lot of money to create a more pleasant appearance to welcome people into the community, and a trailer being used for a seminary building is incompatible with that kind of view. He added the City has been patiently awaiting the commencement of the project and is now being asked to wait an additional two years. He asked how the applicant would feel about a one year extension rather than a two year extension. Mr. Evans stated he is sure the LDS Church would accept that extension, but their options are somewhat limited until there is a specific justification for a building to be built. He added the Church does own the property, and it is not as though they do not intend to build a seminary building there, but growth of other schools in the area has impacted this project. Commissioner Linton asked if the attendance during the past school year was high enough to qualify for a permanent structure. Mr. Evans stated he does not know the answer to that question.

Commissioner Dean stated that the middle school does not have property for a seminary building, and they will be bussing kids to a church in the City center for that purpose so that is an option for this location as well. Mr. Evans stated he has heard that as well. There are two options: one is to bus to a church, and the other is to conduct early morning seminary.

Commissioner Linton stated he understands the quandary, but the question is how long the applicant should be allowed to leave a trailer on his property at the entrance to the City.

Commissioner Langford stated he thinks it is fair to reduce the extension period from two years to one year, but he is curious if there has been any announcement regarding the future high school. Mr. Mumford stated that in the last discussion the City had with the superintendent of the Alpine School District, he reported his plan is to construct that school using bond proceeds from the 2016 or 2017 school bond; it will take two years to construct the school. He stated he can understand the LDS Church's predicament, but it is the staff and Planning Commission's responsibility to look out for the best interests of the City. He stated he would be interested to hear an answer to Commissioner Linton's question regarding enrollment and that information may help the Planning Commission make a more informed decision.

Commissioner Dean stated there are many unknown factors, and it is concerning that there is not a compelling enough reason to build a building now, especially when the City and the school district is growing.

A brief discussion regarding enrollment at different schools throughout the area then ensued.

Commissioner Linton reopened the public hearing at 9:01 p.m.

Nate Shipp stated he owns the 4.5 acres around the subject property and he has done his best to market it, but he would very much like for the seminary building to continue in that area because he has faith that the Porter Rockwell School is going to expand. As a commercial property owner, he would like to have the trailer there. He recommended the extension of two years be granted.

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Commissioner Linton closed the public hearing at 9:02 p.m.

Commissioner Linton stated he believes that if the Porter Rockwell School does not succeed, it will be occupied by another educational user. He stated his inclination is that the Planning Commission should grant a one year extension period and before that extension can be renewed again the applicant will provide attendance information and the trigger point at which the school will qualify for a permanent structure. He stated he feels that is very generous.

MOTION: *Preston Dean moved to recommend to the City Council approval of the Rockwell Seminary Site Plan and approve the Conditional Use Permit extension for one year, and that if another extension is necessary the applicant will provide enrollment information and the trigger point at which the school will qualify for a permanent seminary structure. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

G. Lone Tree West Plat A Final Plat – Action Item

This is the first phase of the Lone Tree West preliminary plat. The proposal consists of 24 lots for a density of 3.33 lots per acre. It is located adjacent to and west of the existing Lone Tree development.

Mr. Hadley provided a brief summary of the application as well as a brief history of the project to date. He reviewed the plat map of the area to identify the location of the subject property, noting there will be 24 lots with the average lot size being 9,355 square feet and with a density of 3.33 units per acre. He then briefly reviewed the recommended conditions of approval as listed in the staff report.

Applicant Nate Shipp approached and stated he would be happy to answer any questions regarding the application.

Commissioner Linton stated Lone Tree is part of an HOA and he is proposing that if the applicant chooses not create an HOA for Lone Tree West that the name of the development be changed to something other than Lone Tree West so there is less confusion about which developments the Lone Tree HOA controls. Mr. Shipp stated he understands Commissioner Linton's concerns, but noted there are many potential homebuyers that prefer to live in a development that is not governed by an HOA. He stated the amenities that he will provide in this development are better than amenities that are provided in many HOAs throughout the City, and he does not understand why it would not be in the best interest of the City to make those amenities public and allow the City to maintain them. Commissioner Linton stated that this development is so close to an existing development that is governed by an HOA, and if this development is not governed by an HOA the amenities will be 'lesser' because the City's requirements are much less strict. Mr. Shipp stated that the homes built in this development will be finished to a higher standard than those in Lone Tree East, and ultimately there will be tighter

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controls. Commissioner Linton stated that if that is the case he suggests the name of the development definitely be changed.

Commissioner Dean stated he is not pro- or anti-HOA, but having two developments so close to each other that are not both governed in the same manner can create some confusion among the residents because they may not know who is responsible for what if they both appear to be a part of the same project. Mr. Shipp agreed it may be to his benefit to rename the development, but he asked Mr. Mumford for clarification regarding the City's sign ordinance relative to signage for his development. Mr. Mumford stated that he would need to work with the Chamber of Commerce regarding an application for a ladder sign in the area of this development.

Mr. Shipp then stated he will take the Commission's comments and suggestions under advisement regarding the name of the development.

MOTION: *Scott Langford moved to recommend to the City Council approval of the Lone Tree West Final Plat subject to the conditions presented in the staff report, and the additional condition that the development be renamed to avoid confusion with the existing Lone Tree development. Preston Dean seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

H. Meadow Ranch V Phase 1 Final Plat– Action Item

This proposal is for 13 total lots with a density of 0.94 lots per acre. The average lot size is 33,183 square feet. This project is located at the north end of the Meadow Ranch development next to Camp Williams (north) and Valley View (west).

Mr. Mumford reviewed the proposed application and a plat map to identify the location of the subject property. He noted the majority of the lots in the development are located on the outskirts of the project and are just over 0.5 acres in size. There are 13 lots total, and the average lot size is 33,183 square feet. He stated there are 0.22 acres of open space in the proposed development, and rather than provide money for a park, the developer will contribute to the existing City park in the vicinity of the development to complete improvements. He noted this transaction is detailed in the staff report, and he provided a brief overview of the amenities that will be included in the park space. Mr. Mumford then reviewed the recommended conditions of approval as included in the staff report.

Applicant Monte Kingston asked a question from a timing standpoint; he stated he is working to get the project online quickly as it is not cost effective to do small scale projects. He stated he is trying as hard as possible to get phase two approved so that he can complete both projects at the same time. He stated he tried to get that application on the agenda for tonight, but there was an issue with noticing the application, and he asked if the Planning Commission can convene a meeting in August to consider his application for phase two. Mr. Mumford noted the Planning Commission meeting for August 13 is being cancelled due to municipal primary elections, and the City Council will meet on other Tuesdays during the month of August. He stated this is a

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final plat, so there is no need to notify neighboring property owners. The Commission reviewed their schedules to determine when it would be possible to hold a meeting in August. A decision was made to convene a special meeting on August 6 at 6:00 p.m. to consider phase two.

Thomas Weidauer, 9121 N. Canyon Wash Drive, stated he is a citizen and he asked about the commitment to provide parks and other obligations in developments that the City will ultimately assume responsibility for. He stated those things will ultimately cost the City and the citizens a lot of money in the future. He stated he likes parks and is not against to them, but wanted to make sure that everyone understands that the commitments may continue to escalate. He wondered if all of the parks are actually being used, and he provided an example of how the kids in his neighborhood use the parks. He stated he simply does not want to see the City require amenities and facilities that will be difficult to maintain in the future.

MOTION: *Preston Dean moved to recommend to the City Council approval of the Meadow Ranch V Phase 1 Final Plat subject to the conditions stated in the meeting as changed from the staff report. Wendy Komoroski seconded the motion. Those voting aye: Scott Langford, Preston Dean, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

5. Other Business
 A. Updates


Mr. Mumford stated a resident made a comment earlier in the meeting regarding the Kiowa Valley Park, but she was actually referring to the Skyline Ridge Park, and it is up the hill from Kiowa Valley. The property has been dedicated to the City with phase 1A of Skyline Ridge, and he identified the location of the subject property with a brief explanation of the status of the development. A brief discussion about the Skyline Ridge Park and its relationship to the Kiowa Valley development ensued, with Commissioner Linton stated he is supportive of staffs ideas regarding the park in order to provide the amenities to the residents of Kiowa Valley.

 B. Next Scheduled Meeting: August 27

6. Adjournment

The meeting was adjourned at 9:42 p.m.

APPROVED BY THE PLANNING COMMISSION ON SEPTEMBER 24, 2013



Steve Mumford, Planning Director

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

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

CITY STAFF PRESENT: Mike Hadley, Senior Planner; Tippe Morlan, Planning Intern; and Steve Mumford, Planning Director

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

1. Declaration of Conflicts of Interest

None

2. Development Items

A. Meadow Ranch V Plat 2 Final Plat– Action Item

This proposal is for 19 single-family lots with an average lot size of 29,431 square feet or 0.67 acres. The lots are all greater than ½ acre in size. This project is located at the north end of the Meadow Ranch development next to Camp Williams (north) and Valley View (west).

Steve Mumford explained that the final plat will include open space areas for the horse trails that will connect to trails in plat 1, existing trail ways in Meadow Ranch IV, and the City open space / park. The open space between lots 30 and 31 provides access to the hillside for horseback riding, and also will contain a sewer line from a cul-de-sac lot. This open space will be widened to 20 feet rather than 12.

The utility plans have been reviewed by Public Works and Energy departments, and the applicant will have to comply with all City requirements and comments pertaining to utilities. A 30-foot space is designated on the hillside above the lots as an urban wildland interface zone, where certain restrictions exist for vegetation and construction, according to the Utah Urban Wildland Interface Code. Also, since several lots drain to the rear of the lots, the developer will be installing a storm drain rock-lined swale on the backs of lots 14-17. A note will be placed on the plat and in the CC&Rs requiring maintenance of this swale by the homeowners. A bench drain will be required along the hillside above the lots, especially above lot 31. The water above lot 31 will be directed into the open space area.

Monte Kingston explained that access to the sewer and drainage system behind the lots would go through the open spaces and that there will be a manhole in the vicinity. He explained that Dave Norman has some concerns with access and the weight of his truck, so they are trying to resolve this issue by potentially including an all-weather road. Otherwise they will have to put injector pumps in three houses at the top of the hill, which is not desirable. Mr. Kingston assured the commission that they are working with the City Engineering Department to work out the problem so this will be resolved, and they will do whatever they need to do to fix it.

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Mr. Mumford explained that money from this plat will be going into an existing City park to the southeast of the project. The preliminary plat is required to provide 0.976 acres of improved open space, and the developer has proposed to improve portions of the existing City park as an alternative to dedicating additional property for a new park.

Commissioner Linton asked whether the park will be completed with Plats 1 and 2 of this development. Mr. Kingston responded that it is likely. He tried to phase it into two phases so the first set of improvements would be implemented with Plats 1 and 2 and the second phase would be implemented before they do Plats 3 and 4. However, with the way the park is designed it is problematic to do a phase since they will be doing a trail system that will encompass all the turf area. Once you do that, the problem becomes how to access it without tearing up, so we may end up doing it all in just one phase. Mr. Mumford explained that it is not technically required to be done until the 36th building permit, which would be after both of these plats, at the beginning of Plat 3. Commissioner Linton said Mr. Kingston sounded very gracious in offering the park in the first two plats when he stood before the commission a week ago, so the commissioner would really like to see that come to pass if it is possible. Mr. Kingston responded that it will either be substantially done or it will be completed with Plat 3, and he has yet to resolve the details with his boss. Typically they would do it all at once.

Mr. Mumford mentioned that the City Council is discussing the creation of a Special Assessment Area tonight which would extend Ranches Parkway and utilities into the existing stub road to the east and improve access and traffic flow for the Meadow Ranch development.

MOTION: *Preston Dean moved that the Planning Commission recommend the approval of the Meadow Ranch V Plat 2 Final Plat to the City Council. Wendy Komoroski seconded the motion. Those voting aye: Preston Dean, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

3. Work Session / Discussion Items

A. Evan's Ranch Concept Plan

This proposed development is located east of Porter's Crossing Road, south of Pony Express Parkway. This is a chance for the Planning Commission to obtain more information and provide recommendations and suggestions for the improvement of the development proposal.

Commissioner Linton explained that when the Evan's Ranch Master Development Plan came before the commission last week, there were enough unique features and enough concerns and much more testimony that anyone expected to hear that it may have clouded a clear digestion of what we were looking at. He proposed that the developer, Nate Shipp, come back tonight so they could take a second look at the project.

Mr. Shipp explained that he would like to walk through the project in a little more detail and get feedback on the positives and negatives the commission sees in the project proceeding in this

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way. He discussed the original 2006 concept which reflects the existing style of street and home layouts and the discussions he had with residents and community members who expressed interest in having something different in Eagle Mountain. He introduced Brian Flamm from Candlelight Homes who introduced the concept of curvilinear design into the project. Mr. Shipp presented a comparison of lot sizes and road coverage between the original and curvilinear designs. He discussed that the curvilinear design creates wedge shaped lots which do not meet the frontage standards in the city code.

Mr. Flamm explained that the code does have a separate standard for lots on cul-de-sacs, but interpreted the code to mean that it is really it is for wedge-shaped lots. He said that in this project, just like on cul-de-sac lots, the idea is to push the homes further back on the lots to get the proper width.

Commissioner Dean expressed concern that you could have driveway next to driveway next to driveway next to driveway with no lawn on a cul-de-sac. Mr. Flamm explained that that is not what they expect here since the driveways will become narrower the closer they get to the street. Mr. Shipp added that this will be a part of the CC&Rs and they will identify where the driveways will go.

Commissioner Linton asked if they are going to build all these homes and control where the driveways are poured. Mr. Flamm said yes, that is what they anticipate. They will control the drainage, the driveways, and the orientation.

Commissioner Komoroski asked who controls where the house sits on the lot, because the houses have to be so far back. Mr. Flamm said it has to be determined upfront as a part of the overall subdivision approval, and that it is their decision. Commissioner Komoroski added that her concern is that she doesn't see people wanting to spend extra money on driveways when they are building a home because they are going to want upgrades inside the house. She said they would probably try to build as close to the build line as they can. Mr. Flamm clarified that the clients won't control that. He said that the cost of the driveways will be averaged into the cost of all the houses rather than charging each lot for their individual driveways. Mr. Shipp said it will be these are the models and these are the lots that those specific homes can fit on, and here's the pricing for that model. Regardless of where you are set, it is going to be the same price. Mr. Flamm clarified that he has several models that can fit on different lots. Commissioner Linton asked for clarification that the home you choose dictates the lot, or the lot you choose dictates the home. Mr. Flamm said yes, there is a very specific lot fit matrix.

Commissioner Dean asked what happens when they are building it out and they are left with the least desirable product. Mr. Flamm explained that it doesn't end up that way because they control it through lot premiums.

Mr. Shipp explained that they would like to include a requirement for specific plot plan layouts in the development agreement, fully engineered. Commissioner Dean asked if we don't require that already. Mr. Flamm said most cities do not but they do it everywhere as a builder.

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Commissioner Dean asked how they deal with homeowners landscaping their yards. Mr. Flamm said they landscape to the back corner of the house so they can set the grade and make sure it is done correctly. He said they also anticipate landscaping front yards as well. Commissioner Linton asked if they were doing this to match grade because it would cost homeowners too much to do anything different. Mr. Flamm said that typically if they install it, homeowners are not going to tear it out. He said they don't typically try to do backyards because people like to do unique things, but side yards are not a big deal and front yards are done to control the look and feel of the community. Commissioner Linton asked if they could assure the commission that they would do the front and side yards. Mr. Shipp said yes, they intend to include that in the development agreement.

Commissioner Dean said he thinks that the code currently says that window wells cannot be lined up next to each other, but when permits are being pulled one at a time there is no way to know that. Mr. Shipp responded that with the plot plan layouts, they would be able to pull existing plans from the file and when a new plan comes they can lay plans next to each other to check for that. Mr. Flamm added that since the lots are wedged, the window wells will be set back and further from the neighboring lots.

Commissioner Komoroski said she loves the looks of this project, and somehow she totally missed the looks of the narrowing driveways before. But with the setbacks, she still has concerns about the parking of RVs, trailers, and boats. She said that is the number one issue they struggle with with the HOAs out here; people don't have the room and they haven't got their pads in yet and there's no place to put them. They can't be on the street and they can't be in the driveway; they have to be behind a fence, and there's really no place to put anything like that.

Commissioner Dean added that he still thinks there are issues with people parking on the streets and it gets worse when you have a narrow driveway because people don't want to park in their driveway because you have to move that car out to move the car in the garage out. Mr. Shipp said he has a driveway like this and people end up stacking cars where the driveway is wider. Commissioner Komoroski asked what the distance of a typical driveway is. Mr. Shipp said it's typically going to be more than about twenty feet because you have to have enough room for cars.

Commissioner Linton asked the developer to address the issue of where to park motor homes and trailers. Mr. Shipp said that on-street parking is what you would find in a typical subdivision. One side of the street may have less space to park, but the other will have more space. However, he does not have an answer for the question of where to park an RV yet. Mr. Flamm added that there are around 25% of lots that do fit third car garages which could be RV pads instead. Commissioner Linton asked them to state that somewhere in the back of the townhome area they are going to dedicate something like 3 or 4 acres of land to RV storage. He also stated that in the Ranches, they allow people to be on the street with their RVs or trailers for 24 hours as they pack or clean them out and that has been working for them.

Mr. Shipp went on to explain that he listened to the complaints at the last Planning Commission meeting and has decided to cut down on the number of townhomes and put in a potential

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elementary school site. Commissioner Linton said he appreciates the appropriate buffer between single-family and townhomes with this addition.

Mr. Shipp presented samples of the model homes he wants to build in this development. Commissioner Komoroski asked if they have garages and Mr. Flamm said they do each have two-car garages. Commissioner Komoroski said that is what we are lacking out here: empty-nester townhome multi-family products.

Commissioner Linton asked them to address the issue of increased traffic with the reduction in the amount of roads proposed within the development. Mr. Flamm responded that the only area where there would be back up is at the entry and exit to the collector roads, which would be the case anyway.

Mr. Shipp explained that they decided to include a separate HOA for this development.

Commissioner Linton explained that it is his desire that this project is unique enough and different enough that he would like to get this project in front of the City Council. He said this gives us a fresh look at something uniquely different. Nobody has lived in it yet, so we don't know if there are any downsides or what the feel of it will be. But there are enough pluses in it that sets it apart in this setting that he would like to give it an opportunity to see if it could flourish.

Commissioner Dean mentioned that we would not normally look at the details like this at this stage in development. From what we are technically looking at, he said there really is no reason to not pass it on as the requirements of the master development have been met.

There was a short discussion on whether the planning department wants to consider this subdivision under cul-de-sac street guidelines as an exception or change the code altogether. Commissioner Linton said he would like to consider this to be a test of extending the rulings of a cul-de-sac to a neighborhood. Commissioner Dean said this could be a slippery slope here, so we have to be very detailed in the conditions and intent. Commissioner Komoroski said maybe it could be tied to lot size.

Mr. Shipp requested that this project be placed on the agenda for another public hearing at the next Planning Commission meeting.

4. Adjournment

The meeting was adjourned at 7:07 p.m.

APPROVED BY THE PLANNING COMMISSION ON AUGUST 27, 2013.



Steve Mumford, Planning Director

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

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

CITY STAFF PRESENT: Mike Hadley, Senior Planner; Tippe Morlan, Planning Intern; Steve Mumford, Planning Director; and Johna Rose, Deputy Recorder.

ELECTED OFFICIAL PRESENT: Donna Burnham

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

1. Pledge of Allegiance

Commissioner Linton led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes

A. August 6, 2013

MOTION: *Preston Dean moved to approve the August 6, 2013 meeting minutes. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, Bonnie ElHalta, and John Linton. The motion passed with a unanimous vote.*

4. Development Items

A. Evans Ranch Master Development Plan – Public Hearing, Action Item

This plan proposes the development of 298 single-family lots and 163 townhouse units on 120.45 acres with a potential 11.55 acre school site. The average lot size is 9,198 square feet. This proposed development is located east of Porter's Crossing, beginning at the intersection of Porter's Crossing and Clark Street.

Steve Mumford explained that the Evans Ranch project is located east of Porter's Crossing Road, beginning just north of Smith Ranch Road and ending south of Golden Eagle Road. This item was presented and discussed as a public hearing at a previous Planning Commission meeting on July 30, 2013 and was tabled for additional review and discussion. He explained that the applicant has modified the plan, and the significant changes to that plan include a reduction of 100 townhome units. The previous Master Development Plan indicated 263 townhome units while this updated plan indicates 163. There has also been the addition of an 11.5 acre school site in place of the 100 townhome units which have been removed from the plan. The Alpine School District has expressed an interest in acquiring (at

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some point in the future) a 10-12 acre school site in this southwest region of the development. However, if the school district does not choose to eventually build a school in that location, 56 single-family lots have been proposed. The project contains 120.45 acres, and now includes 298 single family lots (242 planned lots and 56 potential lots), 163 townhome units, and a potential 11.55 acre school site.

He explained that the proposed lots are larger than the average existing lots. The density in the single-family portion of this project is less than that of the neighborhoods to the west and Silver Lake to the northeast. Most lots in this proposal area average about 9,198 square feet. The average size of the existing surrounding lots is about 6,000 square feet.

City Concerns:

1. The project follows a “coving” philosophy, where lots contain small frontages and house build-to lines are provided, to create “coves” of open space and more variety on the streets. The applicant is proposing that the Commission and Council approve the project with smaller lot frontages.
2. Some of the lots are oddly shaped, resulting in building pads that may work, but a very small and somewhat unusable back yard.
3. The applicant is proposing smaller side setbacks than current code allows – 5 feet on each side. The current code requires 15-foot combined side setbacks. The DRC is concerned with the 5-foot setbacks, especially for drainage purposes with storm events, as we have had issues with this in other parts of the city.
4. This area may not be appropriate for a large development of townhomes.
5. The park system planning needs to be more thoroughly reviewed with updated plans.

Recommended Conditions of Approval:

1. The master development agreement must contain language limiting the number of homes that can be within 10 feet of another, along with an example setback exhibit.
2. An addendum to the traffic study shall be required with the changes to Porter’s Crossing and Golden Eagle Road, as well as changes to the number and type of units. The plan shall be subject to further review and possible changes as a result of the traffic study recommendations.
3. The master development agreement shall specify the chosen bonus density improvements, the intention for the community improvement requirements, architectural examples for the townhomes, details of timing for open space and trail improvements, and timing and details of utility improvements.
4. A home owners’ association is required to be formed along with the recording of the first subdivision plat.
5. An erosion study from a geotechnical engineer is required to study erosion potential and recommended mitigation for the Tickville Wash. Applicant shall be required to complete any recommended mitigation along with subdivision infrastructure if adjacent to the wash.
6. A driveway location shall be included on every lot on each final plat. Driveways shall be limited to no more than 12 feet wide at the street for lots with a garage that is placed more than 30 feet from the property line.

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Commissioner Langford asked if the proposed plan addresses the fencing backing the open space area (space between the lots and park areas). He stated that uniformity of the fencing would go a long way with keeping the area looking decent.

Mr. Mumford explained that the City Code requires the developer to fence the lots along Porter's Crossing. The fencing between the open space and private lots has not been addressed.

Commissioner Langford asked if the HOA will maintain the open space area.

Mr. Mumford explained that the Planning Commission and the City will have to decide which open space areas will be owned and maintained by the City and which areas will be owned and maintained by the HOA. There could be reasons why the City would prefer to own the property. (Example: if the developer or the HOA dissolves, the City could take control of the property and maintain the property without any hassles.)

Commissioner ElHalta was concerned about the 5 foot setback between lots.

Mr. Mumford explained that there would be at least 10 feet between homes, and hopefully more.

Nate Shipp, representing Evans Ranch, explained that he would comply with City fencing codes. There would be an HOA and CC&Rs that would require uniformity.

Commissioner Linton asked if the developer was willing to work with City staff to arrange responsibility for the care and maintenance of the parks and open space.

Mr. Shipp explained that the parks in the development would be private and would be maintained by the HOA. He would like to leave the option open to the City to consider the space that would tie into the regional parks for public space.

Mr. Shipp explained that they have reduced the townhomes by 100 and added the school site. He cannot commit the Alpine School District to the site. He explained that with the wedge shaped lots that the developer has increased the side yard setbacks.

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

Cameron Hodges, 7386 N. Lewis Street, felt that nothing has changed since the last meeting, the side and front yard setbacks, the townhomes placements, and the traffic flow along Porter Crossing have not been addressed with the developer's updates. The townhomes are pushed in the back not helping to creating a buffer between light industry and residential. He felt that the setbacks did not comply with City Code. The increased traffic flow would cause safety issues for the homes that back up to Porter's Crossing and the children that would be walking to school.

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Susan Bylerly, 7072 Cherokee Street, was concerned about the traffic and the yard setback. She felt that the homes would be too close together and cause problems with fires and floods. The potential school site could cause traffic problems and even be a nightmare for school busses coming in and out of the site. She suggested that the town homes be moved closer to the highway and be changed to a senior community. Also Porter's Crossing should be widened and sidewalk added alongside Porter's Crossing. She felt that the issues have not been addressed from the last meeting.

Noelle Pace, 7378 Lewis Street, was concerned that the development would have evacuation problems with the tight curves and suggested that a straight line subdivision would help with those issues. She explained how scary it was a couple of years ago when their subdivision was evacuated and how traffic became a problem. She stated that in the future, the subdivision would bring parked RV's and cars along the sides of the roads causing more of a traffic problem. She was also concerned with the visibility of the traffic around the bend of the park in the subdivision. She called Alpine School District and they explained that the district has no plans for a school at this time in the area. She was also concerned that the park space area in the development did not meet City Code.

Mr. Mumford explained the City Code for improved open space requires that the developer put in 8% of total buildable residential area, and for townhomes anything above 5.2 units per acre would be 10% and could go up to 12% by the density of the project.

John Barkley, no address provided, suggested that the developer move the townhomes north along Pony Express Parkway and that the fencing along the back of the property along the trail provide some kind of visibility.

Matthew Everett, 7844 Cedar Crest, was concerned that SilverLake has one entrance and exit in and out of the subdivision, and to dump another subdivision into the neighborhood would cause traffic and evacuation problems.

Donald Plott, 4134 E. Sioux St, stated that with a church located next to a school located next to another church that the development looks like a light industrial area. He is also concerned about how close the park is located next to the wash; he stated that the wash has a 30 foot drop off. He asked if fencing would be required along the park and the wash for the kids' safety. He was also concerned that the one way road would not be able to handle the traffic flow, and asked if the traffic study included the potential school site.

Sara Evens, 4119 E. Sioux Street was concerned that this development is being squeezed into an area that is too small, with no consideration for the children in the subdivision and/or the school district system. She was also concerned with evacuation of the subdivision.

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Cameron Hodges, 7386 N. Lewis Street, asked if the developer had pictures or documents of the development back east that showed the flow of the neighborhood and how it worked.

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

Mr. Mumford explained that Saratoga Springs' Master Plan calls for larger roads to the south and southeast of SilverLake subdivision that would help give residents another access point in and out of the City. SilverLake will tie into Golden Eagle to give residents more options for exiting and entering the subdivision. He explained that a third party traffic engineer prepares the traffic study. Their findings are a recommendation based on the current developer's plan. The study is done on all intersections at the current level of service during the p.m. weekday hours, which are considered peak hours. The projected additional traffic requires no mitigation measures. He stated that the developer would have to provide pocket left-hand turn lanes along Porter's Crossing. The significant amount of growth along Pony Express Parkway has been projected in the traffic study.

Commissioner ElHalta asked if someone could address the concern about evacuations.

Mr. Mumford explained that, on a development level no more than 30 residential units or homes can be built with only one access road. The Fire Marshal reviews every development before approval.

Commissioner Langford was concerned that the open space is located in unbuildable areas. He was concerned about the placement of the townhomes, and believed that they should be placed on the north side of the development. If the townhomes were built to the north area of the development, it would lessen the impact to the residential homes. They would act as a buffer between commercial and residential areas, and it would bring them closer to future bus routes.

Commissioner Dean requested that the first recommended condition state that the setback be between 10 and 15 feet and require that a certain percentage of the length of the home have a larger side setback. He also felt that the townhome location caused no problems.

Commissioner Linton stated that with more townhomes and condominiums being pushed up to the freeways our City would start looking like a town of condos.

MOTION: *Preston Dean moved that the Planning Commission recommend approval of the Evans Ranch Master Development Plan to the City Council with the following recommended conditions:*

- 1. The master development agreement must contain language limiting the amount of home that can be between 10 and 15 feet of another, along with an example setback exhibit, and no more than 50% of the length of the home can be closer than 15 feet to another.*

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- 2. An addendum to the traffic study shall be required with the changes to Porter's Crossing and Golden Eagle Road, as well as changes to the number and type of units. The plan shall be subject to further review and possible changes as a result of the traffic study recommendations.*
- 3. The master development agreement shall specify the chosen bonus density improvements, the intention for the community improvement requirements, architectural examples for the townhomes, details of timing for open space and trail improvements, and timing and details of utility improvements.*
- 4. A home owners' association is required to be formed along with the recording of the first subdivision plat.*
- 5. An erosion study from a geotechnical engineer is required to study erosion potential and recommended mitigation for the Tickville Wash. Applicant shall be required to complete any recommended mitigation along with subdivision infrastructure if adjacent to the wash.*
- 6. A driveway location shall be included on every lot on each final plat. Driveways shall be limited to no more than 12 feet wide at the street for lots with a garage that is placed more than 30 feet from the property line.*

Bonnie ElHalta seconded the motion. Those voting aye: Bonnie ElHalta, Preston Dean, and John Linton. Those voting nay: Scott Langford. The motion passed with a 3 to 1 vote.

B. Porter's Crossing Town Center MDP Amendment – Public Hearing, Action Item

This item was continued from the July 30, 2013 Planning Commission meeting. This proposal amends the land use element of the Porter's Crossing Town Center Master Development Plan to account for additional single-family lots and a church site.

Mr. Mumford explained that the Ridley's Market site was approved years ago. This 145-acre project is located north of Pony Express Parkway and east of the Plum Creek development in the Ranches. The proposal amends the land use element of the Porter's Crossing Town Center Master Development Plan to account for additional single-family lots, a church site, and to recommend that 0.26 acres of additional improved open space be required.

Trevor Hull, representing SK Hart, explained that they have put a hold on the townhomes / multi-use option for the development at this time.

Commissioner Linton opened the public hearing at 7:16 p.m.

Commissioner Linton closed the public hearing at 7:16 p.m.

MOTION: *Preston Dean moved that the Planning Commission recommend to the City Council the Porter's Crossing Town Center Master Development Plan*

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Amendment with the recommended condition that 0.26 acres of additional improved open space be added to the plan. Scott Langford seconded the motion. Those voting aye: Preston Dean, Scott Langford, John Linton, and Bonnie ElHalta. The motion passed with a unanimous vote.

C. Arrival Phase A Plat 1, Preliminary & Final Plat – Public Hearing, Action Item

The Arrival Phase A Plat 1 preliminary and final plat was originally submitted as the Arrival at North Ranch Phase A Plat 1 (stated in the public notice). This proposal consists of 28 residential lots on 33.22 acres located west of the North Ranch neighborhood and northwest of the North Ranch Park. The smallest lot proposed is 0.53 acres. This is the first plat of the larger Arrival Master Development Plan.

Mr. Mumford explained that the City Council has approved the Arrival Master Development Plan. A master development agreement is still required to be approved by the City Council prior to any development occurring. This agreement is currently being drafted, and will be presented to the City Council in an upcoming meeting for approval. Any approval of this proposed preliminary and final plat would be contingent upon the master development agreement being approved by the City Council and signed by both the Mayor and the owner. The project is located in the north area of the City and is west of the North Ranch neighborhood and north of the future Clearview Estates development. The City Council changed the plan to require a stubbed in road be moved to the west, helping to guide people down to Clearview Estates in the future. These 28 lots will gain access from Lake View Lane, through the existing North Ranch neighborhood.

This proposed plat contains 28 single-family lots, with the majority of the lots over one acre. This project contains a density of less than 0.8 units per acre, and is within the Base Density Residential Tier. No improved open space is required for Base Density developments. A 20-foot trail easement has been shown on the east and south boundary of this plat. The developer will be building an 8-foot wide asphalt trail within that easement, with the remainder intended for equestrian trail use. The section of asphalt trail included in this plat should be improved.

City Council and City Concerns:

- Traffic & Road Layout
- Construction Traffic
- Water System (problems for later in the project- the north portion would require a water tank, and the development would require additional water lines to assist with water pressure)
- Septic System

The Council also wanted to guide construction traffic up Mustang Drive, through the Valley View subdivision, to Lake View Lane. This would be done with an "Arrival Construction Entrance" sign at the intersection of Mustang and SR 73, and possibly a sign at Canyon Wash and SR 73 stating "No Construction Vehicles Allowed."

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The lots in this plat will include septic tanks. The City has received a letter from the Utah County Health Department, giving approval of the proposed subdivision, assuring the City that the necessary procedures have been conducted to ensure that use of onsite septic systems will be feasible on this property, and that the water source will be acceptable. A percolation test and soil exploration pit have been completed on each of the 28 lots. These tests will be repeated later for building permits.

Recommended conditions:

- 1) Provide a completed water model. Applicant must comply with any Public Works Department requirements as a result of water model findings.
- 2) This approval is contingent upon the Arrival Master Development Agreement being completed. Developer must comply with all requirements in that agreement, including any traffic calming or mitigation measures.

Scot Hazard, the Developer, explained that the reason he has the smaller lots closer to the middle of the project is to help diversify the development.

Commissioner Dean asked what language is being added to each plat to make sure that the 20 foot easement is being maintained by the homeowner.

Mr. Hazard explained that he was not concerned about the easement for this subdivision, because the asphalt trail will go down when the subdivision is built.

Mr. Hazard explained that talking with residents of North Ranch and hearing a suggestion made by Councilmember Ireland to move the stubbed-in road, making it a straight-shot road would help relieve traffic concerns for North Ranch residents. The only issue is that the last one acre lot would not meet the frontage requirement; he requested that the City treat the lot like a cul-de-sac lot. He is willing to make the changes if the City feels that it would be beneficial to the subdivision.

Commissioner Linton opened the public hearing at 7:36 p.m.

Doug Woodruff, 9171 Canyon Wash Drive, explained that as a resident of North Ranch he is concerned about the traffic and the safety. He felt that with Scot Hazard's request for the straight through road, most of his concerns would be relieved.

Rick Nielson, 9093 Canyon Wash Drive, said he liked the idea of the road adjustment to help relieve traffic concerns. He also requested that the City look at the hill by the community park on Canyon Wash road. The kids in the neighborhood like to play on that hill, and he would hate to see homes being built on the hill.

David Asay, 9383 Canyon Wash Drive, felt that the developer has listened to North Ranch residents' concerns, and with the changes made to the road, it would help relieve some of North Ranch residents' concerns.

Commissioner Linton closed the public hearing at 7:42 p.m.

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Mr. Mumford explained that cul-de-sac lots require that one acre lots have a 60 foot frontage and half-acre lots require a 40 foot frontage. He explained that it will have to be an interpretation of what a cul-de-sac or circle is, and whether the developer is willing to add a knuckle bump out or a turn. He believes that the 60 feet frontage could be obtained by moving the lot line.

Mr. Hazard was willing to make any changes required.

MOTION: *Preston Dean moved that the Planning Commission approve the Arrival Phase A Plat 1 Preliminary Plat and recommend to the City Council the Arrival Phase A Plat 1 Final Plat with the following recommended conditions:*

- 1. Provide a completed water model. Applicant must comply with any Public Works Department requirements as a result of water model findings.*
- 2. That Lake View Lane between Abigail Lane and Harmony Way is removed and lot 107 and 108 be adjusted to provide the minimum frontage according to the cul-de-sac requirement set by City Code, and that the portion of Lake View Lane is replaced with a trail system.*
- 3. This approval is contingent upon the Arrival Master Development Agreement being completed. Developer must comply with all requirements in that agreement, including any traffic calming or mitigation measures.*

Bonnie ElHalta seconded the motion. Those voting aye: Bonnie ElHalta, Preston Dean, Scott Langford, and John Linton. The motion passed with a unanimous vote.

D. Gateway Phase A Preliminary Plat – Public Hearing, Action Item

This proposal includes 84 residential lots on 42.55 acres, and is a part of the Lower Hidden Valley Master Development Plan. This project will be located southeast of the existing Lone Tree subdivision, across Pony Express Parkway.

Mr. Mumford explained that this development will be located southeast of the existing Lone Tree subdivision, across from Pony Express Parkway. The project will consist of 84 lots on 42.55 acres.

The main road in this proposed plat (Antelope Ridge Road) is shown in the City's Future Land Use and Transportation Corridors Map as a "major collector," which would be a 3-lane 94-foot right-of-way. The City Council approved an alternative roadway hierarchy for this project, however, since it contained a lot of hillsides and difficult terrain. The roadways hierarchy plan for this Antelope Ridge Road shows a "3-lane community entry collector" (96 feet wide) at the entrance from Pony Express Parkway, and a "2-lane community collector class 1" (60 feet wide).

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The total right-of-way for Antelope Ridge Road is 83 feet at the entrance (but includes additional open space on one side) and 60 feet for the remainder. The City feel that it complies with the approved roadway hierarchy plan.

The owners of this property have already paid for the existing lanes on Pony Express Parkway with their SID (special improvement district) payments over the years, so an additional lane of asphalt should be paid for through impact fees according to the City's Capital Facilities Plan schedule.

The City is concerned that the sidewalk along the west side of Antelope Ridge Road ends at every combined driveway/road. These should be connected through the landscape islands to form a continuous sidewalk.

City Concern and topics:

- Parks, trails, and petroglyphs
 - The petroglyphs should be preserved as a public amenity.
 - Two pocket parks which would equal 1.3 acres in required improved open space, in addition to trails.
 - 91 points will be required for parks
- Switchgear boxes and natural gas regular shed
 - There are large electrical switchgears at some of the intersections at Pony Express Parkway. The developer will have to work with the Energy Department to make sure that these do not pose a site distance / vision problem and are provided appropriate clear distances. There is also a natural gas regulator station in a shed/building at the southern entrance to Pony Express. The developers hope to improve the exterior of the regulator shed.
- Hillside flooding potential

Community Improvement:

In conjunction with Chapter 17.30 of the Municipal Code, the Developer must contribute \$2,000 per buildable acre of land within the Project to fund construction of community wide improvements (regional parks or public buildings that will benefit the residents of this development). Credit may be given to the Developer for some trails and outlook structures constructed on Porter's Lookout and for certain improvements at the petroglyph park, if determined to provide benefits above and beyond those required. This will be determined along with each subdivision plat approval. Necessary agreements will be executed by the Developer to secure public use of these areas. The Developer agrees that prior to recording each subdivision plat, they shall either place into a community improvement escrow fund for the Project (the "Improvement Fund") established with the City sufficient funds to meet the required community improvements, or demonstrate that a sufficient amount of community improvements have been constructed to meet the requirement. For example, if the first subdivision plat is for 10 acres, the Developer will place \$20,000 in the Improvement Fund or demonstrate that \$20,000 of community improvements have been constructed to meet the requirements.

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Recommended Conditions of Approval:

1. Provide building pads on lots (especially lots with steep slopes).
2. Propose a plan for petroglyph preservation prior to, or along with, the approval of the first final plat.
3. No parking on one side of the road near the trailhead pocket park.
4. Change street names so they do not reflect existing subdivisions in the city.
5. Changes to the natural gas regulator shed/building must be presented for approval prior to or along with the first final plat.

Commissioner Langford asked if the developer would be required to bury the overhead utilities.

Mr. Mumford explained that they would not be required to bury the overhead utilities because they are owned by Rocky Mountain Power. The City cannot require the developer to bury them, but the City is looking into the matter.

Scott Kirkland, of Sage Communities, stated that this is a challenging piece of land and they are trying to make it work with a development. He explained that 260 multifamily units could have helped more than the 84 single family homes. He has to talk to Rocky Mountain Power about burying the power lines. It will be very expensive. He has had a hard time receiving an answer from Rocky Mountain Power. The utility issues are also a challenge for this property. He has no problems with staff recommendations. He explained that the developer has no plans for the petroglyph area at this time; they have many ideas and suggestions.

Commissioner Linton opened the public hearing at 8:09 p.m.

Arthur Mendinhall, 7402 Red Pine Road, said he is concerned that there will be traffic issues with the south entrance.

Marianne Smith, 6104 Lake Mountain Road, was concerned about homes on the hill and new residents complaining about an air strip that was approved by the County and is a SITLA approved use of the property. She was also concerned with the turn off lanes on Pony Express Parkway onto Lake Mountain Road.

Mr. Kirkland explained that the developer plans to widen Pony Express Parkway coming into the project and out of the project.

Commissioner Linton closed the public hearing at 8:15 p.m.

MOTION: ***Preston Dean moved that the Planning Commission approve the Gateway Preliminary Plat with the following recommended conditions:***

- 1. Provide building pads on lots (especially lots with steep slopes).***
- 2. Propose a plan for petroglyph preservation prior to, or along with, the approval of the first final plat.***

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, AUGUST 27, 2013 AT 6:00 P.M.

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

3. *No parking on one side of the road near the trailhead pocket park.*
4. *Change street names so they do not reflect existing subdivisions in the city.*
5. *Changes to the natural gas regulator shed/building must be presented for approval prior to or along with the first final plat.*

Scott Langford seconded the motion. Those voting aye: Bonnie ElHalta, Preston Dean, Scott Langford, and John Linton. The motion passed with a unanimous vote.

5. Other Business
 - A. Updates
 - a. Future mailing notices to be posted online
 - B. Next Scheduled Meeting: September 10

6. Adjournment

The meeting was adjourned at 8:19 p.m.

APPROVED BY THE PLANNING COMMISSION ON SEPTEMBER 10, 2013.



Steve Mumford, Planning Director

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA

TUESDAY, SEPTEMBER 10, 2013 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, Bonnie ElHalta, Wendy Komoroski, and John Linton.

CITY STAFF PRESENT: Steve Mumford, Planning Director; Mike Hadley, City Planner; Tippe Morlan, Planning Intern; and Johna Rose, Deputy Recorder.

Commissioner Linton called the meeting to order at 6:01 p.m.

1. Pledge of Allegiance

Commissioner Linton led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes
A. August 27, 2013

MOTION: *Preston Dean moved to approve the August 27, 2013 meeting minutes. Bonnie ElHalta seconded the motion. Those voting aye: Preston Dean, Bonnie ElHalta, and John Linton. Wendy Komoroski abstained. The motion passed with 3 ayes and 1 abstention.*

4. Development Items

A. Pole Canyon Phase A Plat 1, Preliminary & Final Plat – Public Hearing, Action Item

This proposal consists of 22 residential lots on 5.475 acres located north and west of the existing White Hills subdivision, west of SR-73, and south of Cedar Fort. All proposed lots are larger than 10,000 square feet.

Steve Mumford explained that the applicant has requested that Pole Canyon Phase A Plat 1 be tabled at this time.

Commissioner Linton opened the public hearing at 6:03 p.m.

Josh Haddenham, 3687 N. Eisenhower Street, was concerned about the utilities and the road access into the subdivision.

Commissioner Linton continued the public hearing to a future date that would be set.

MOTION: *Preston Dean moved that the Planning Commission table Pole Canyon Phase A Plat 1, Preliminary & Final Plat as requested by the applicant.*

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA

TUESDAY, SEPTEMBER 10, 2013 AT 6:00 P.M.

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Bonnie ElHalta seconded the motion. Those voting aye: Preston Dean, Bonnie ElHalta, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.

B. SilverLake Plat 10, Preliminary & Final Plat – Public Hearing, Action Item

This proposal includes 71 residential lots on 18.12 acres, and is a part of the SilverLake Master Development Plan. This project will be located south of Pony Express Parkway, west of Woodhaven Boulevard, north of the SilverLake Plat 7 subdivision, and south of the planned SilverLake Plat 9 subdivision.

Mr. Mumford explained that the project is located next to a wash, known as Evans Wash. The proposed site includes 71 total lots just over 18 acres, the average lot size is 5819 sq. feet, and there are 3 ½ acres that are reserved for a church site.

A portion of Woodhaven Boulevard is included in this plat. It is 75 feet wide and includes 8-foot park strips and an 8-foot trail on the east side. In the SilverLake 8 approval, a minimum of 24 feet of asphalt was required to be improved for Woodhaven Boulevard from SilverLake 8 to the existing section of Woodhaven at Brookwood Drive, south of this project. The developer will be required to complete at least the west side of this right-of-way.

The SilverLake Master Development Agreement required that an improved trail system be included in the development. This trail system runs along the wash on the west and south side of this plat. A landscape plan would have to include an asphalt trail in this area, connected from Woodhaven Boulevard to the northern tip of Brookwood Drive. The Planning Department proposed that the trail count towards the developers required open space and parks.

The SilverLake Master Development Agreement states the development must provide a variety of lot sizes in each neighborhood.

Recommended conditions:

- 1) A water model must be completed, and developer shall comply with all recommendations and redlines from the Public Works or Engineering Department.
- 2) A landscape plan is required from a licensed landscape architect to be reviewed for approval by the Planning Director and Parks Foreman. Plans shall include the asphalt trail (“improved trail”) in the wash open space area as shown on the master development plan exhibit. It shall be included in the bond and improved along with the infrastructure. Plans shall also include landscaping improvements along the wash and trail, street trees, and the trail within the cul-de-sac leading to the amphitheater. These two trails shall connect near the northern dead-end of Brookwood Drive.
- 3) Prior to recording this plat, Woodhaven Boulevard (24 feet wide) must be completed from Pony Express Parkway to Brookwood Drive.
- 4) Lots with more than a 2 to 1 slope shall be retained by the developer prior to issuing the building permit.
- 5) A street tree fee of \$475 shall be paid with each building permit.

EAGLE MOUNTAIN CITY
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TUESDAY, SEPTEMBER 10, 2013 AT 6:00 P.M.
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Commissioner Linton opened the public hearing at 6:17 p.m.

Grant Gifford, representing the developer, was comfortable with the recommended conditions stated in the staff report.

Commissioner Linton closed the public hearing at 6:19 p.m.

MOTION: *Preston Dean moved that the Planning Commission approve the SilverLake Plat 10 Preliminary Plat and recommend the SilverLake Plat 10 Final Plat to the City Council with the following recommended conditions:*

- 1. A water model must be completed, and developer shall comply with all recommendations and redlines from the Public Works or Engineering Department.*
- 2. A landscape plan is required from a licensed landscape architect to be reviewed for approval by the Planning Director and Parks Foreman. Plans shall include the asphalt trail ("improved trail") in the wash open space area as shown on the master development plan exhibit. It shall be included in the bond and improved along with the infrastructure. Plans shall also include landscaping improvements along the wash and trail, street trees, and the trail within the cul-de-sac leading to the amphitheater. These two trails shall connect near the northern dead-end of Brookwood Drive.*
- 3. Prior to recording this plat, Woodhaven Boulevard (24 feet wide) must be completed from Pony Express Parkway to Brookwood Drive.*
- 4. Lots with more than a 2 to 1 slope shall be retained by the developer prior to issuing the building permit.*
- 5. A street tree fee of \$475 shall be paid with each building permit.*

Wendy Komoroski seconded the motion. Those voting aye: Preston Dean, Bonnie ElHalta, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote

C. Arrival Phase A Plat 1 Preliminary & Final Plat (Amended) – Action Item

This proposed subdivision, located west of North Ranch and north of the Clearview Estates master plan, includes 30 lots (previously approved with 28) and changes to the lot and street configuration as a result of the Planning Commission's recommended conditions of approval on 8/27/13.

Mr. Mumford explained that the project developer amended the plan to include a trail rather than a road in the location between Abigail Lane and Harmony Way. He also adjusted many of the lot lines to create more useable lots and fix some lot frontage issues. The number of lots increased to 30 lots. No other roadways have been altered. The

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applicant has contacted and updated the residents in North Ranch to let them know of changes.

MOTION: *Preston Dean moved that the Planning Commission approve the Arrival Phase A Plat 1 Preliminary plat and recommend the Arrival Phase A Plat 1 Final Plat Amended to the City Council with the following recommended conditions:*

- 1. Provide a completed water model. Applicant must comply with any Public Works Department requirements as a result of water model findings.*
- 2. This approval is contingent upon the Arrival Master Development Agreement being completed. Developer must comply with all requirements in that agreement, including any traffic calming or mitigation measures.*

Bonnie ElHalta seconded the motion. Those voting aye: Preston Dean, Bonnie ElHalta, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote

5. Other Business

A. Discussion of Potential Code Amendments

Mr. Mumford explained that many developers, builders, and business have contacted the City requesting larger project signs.

Tippe Morlan reviewed other City sign codes and code wording. She requested that Eagle Mountain City update the sign code to be more clear and readable (adding pictures and tables).

Commissioner ElHalta requested a time limit and maintenance requirements on project signs.

Commissioners did not feel that the size requirement for signs needs to change in the City code. They did feel that adding pictures and tables to the City sign code for more readability was a good idea.

B. Next Scheduled Meeting: September 24

6. Adjournment

The meeting was adjourned at 6:44 p.m.

APPROVED BY THE PLANNING COMMISSION ON SEPTEMBER 24, 2013.



Steve Mumford, Planning Director

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, SEPTEMBER 24, 2013 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, Bonnie ElHalta, Wendy Komoroski, and Matthew Everett.

CITY STAFF PRESENT: Steve Mumford, Planning Director; Mike Hadley, City Planner; Tippe Morlan, Planning Intern; and Johna Rose, Deputy Recorder.

ELECTED OFFICIAL PRESENT: Donna Burnham

Commissioner Dean welcomed everyone to the meeting at 6:00 p.m.

1. Pledge of Allegiance

Commissioner Dean led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes

A. July 30, 2013

B. September 10, 2013

MOTION:

Wendy Komoroski moved to approve the July 30, 2013 and the September 10, 2013 meeting minutes. Bonnie ElHalta seconded the motion. Those voting aye: Matthew Everett, Preston Dean, Bonnie ElHalta, and Wendy Komoroski. The motion passed with a unanimous vote.

4. Development Items

A. Clearview Ranch Phase A, Preliminary Plat – Public Hearing. Action Item

This is the first phase of the approved Clearview Estates master development plan.

Steve Mumford explained that the majority of Clearview Estates property was annexed into the City this last year. The Clearview Ranch Phase A Preliminary Plat is the first phase of the Clearview Estates Master Development Plan which was approved by the City Council on October 16, 2012. The proposal consists of 54 lots on 38.74 acres and includes “future right-of-way” property to be preserved for future purchase by UDOT, a couple of neighborhood parks, and some storm detention basins.

This phase of development contains two access roads from SR 73 (Clearview Drive and 8000 North). The existing gravel road access will remain and is only intended for use by the City for storm detention basin maintenance. 8000 North will continue to provide access to

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Wasatch Wing and Clay. This road is planned as a 66-foot collector road that has controlled access (all lots along this street must have a circular drive or hammerhead to allow for front-motion out of the driveway). This road will contain 41 feet of asphalt, 4-foot sidewalks, and street trees. The other residential roads follow a modified rural street cross-section, with 5-foot planters and curb and gutter, rather than the drainage swales.

The applicant has submitted plans for approval of the two SR 73 accesses to UDOT for their review and approval. The developer is proposing to provide a deceleration lane (right-turn) for each access, as recommended by the project traffic study. However, staff is concerned that no middle left-turn lane is being provided for either access, as they are not “technically” warranted until a future phase of development. Both accesses need a middle turn lane and an acceleration lane for safety reasons, so City staff recommends that the turn lanes be a condition of approval. They were also required in the Clearview Estates Master Development Agreement.

This plan contains the required amount of improved open space according to the City Code (4% of the buildable acreage = 1.55 acres). This has been split into two parks, which were approved as part of the master development plan. The attached park plan details the amenities provided and the required point values. The Planning Commission will have to decide if the proposed amenities are appropriate for these parks. The plan also includes a split-rail fence along the edge of the 0.48-acre park as a buffer from the wash and SR 73. A fence should be included along the southern edge of the larger park as well. Also, a future trail has been shown along SR 73. Nothing has been specified as to the timing of installation of the trail. Entryway monuments have also been proposed (as required by City Code). The locations are designated on the attached plans. The two city parks should be completed along with each final plat, but prior to receiving building permits for the second plat.

Recommendation:

- 1) A revised water model for the entire subdivision is required that demonstrates the effect to existing residents.
- 2) A stream alteration permit from the State is required for changes to West Wash.
- 3) Complete septic feasibility testing for each lot and submit paperwork from the County Health Department.
- 4) Include a split rail fence (3 rail) on the south side of the 1.10-acre park.
- 5) Build acceleration lanes and left-hand turn lanes on SR 73, as required in the Master Development Agreement.

Commissioner Dean asked if the acceleration lane and left-hand turn lane were approved and agreed to in the Clearview Estates Master Development Plan. Because of the traffic study the developer has decided not to install the lanes.

Commissioner ElHalta asked if the City is waiting for UDOT recommendation or if the lanes required in the Clearview Estates Master Development Agreement.

Commissioner Dean asked Steve Sowby, the Clearview Estates Engineer, what would happen to the two temporary storm drains when UDOT takes over that area? Mr. Sowby

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replied that when and if that area is taken over by UDOT, the storm drains will be relocated to other locations. The developer at this time would give the City an easement for the storm drains that would not be dedicated land.

Mr. Sowby stated that in the Clearview Estates Master Development Agreement section 7B reads:

- Developer agrees to construct roadway intersection connections and associated acceleration and deceleration lanes at both of the locations on SR 73 in conformance with UDOT requirements.

Mr. Sowby explained that the agreement does not say all the left-turn and right-turn lanes and the deceleration and the acceleration lanes are required. He said that the developer is intended to meet the requirements of the agreement; the time frame is unclear at this time. He stated that this project is only a fifth or sixth percent of the development so those lanes are not required at this time.

Commissioner Dean asked what time frame the developer expected from UDOT. Mr. Sowby stated that UDOT should give them an answer in a week or two.

Mr. Mumford believed that the City could require the left-turn lane for safety reasons and then allow UDOT to make a decision on the acceleration lanes. He reviewed Saratoga Spring's entrances into developments, noting whether they had acceleration lanes and left-turn lanes.

Commissioner Dean stated that he would like to see consistency with the left-turn lanes and acceleration lanes along SR 73.

Commissioner Dean opened the public hearing at 6:25 p.m.

No Comments

Commissioner Dean closed the public hearing at 6:25 p.m.

Commissioner Everett asked Mr. Sowby if it would be possible to add playground equipment to the bigger park. He explained that during soccer games playground equipment in the same area with a soccer field would give families with other children a place to play. Mr. Sowby explained that the developer has far exceeded the points required. He is requesting a deduction in the park amenities instead of adding more amenities.

Commissioner Dean asked Mr. Sowby what kind of deduction they are requesting. Mr. Sowby replied that they would rather not build the pavilion and just build a swing and a bench which would cover the amount of points required.

Mr. Mumford explained one option for the developer could be to reduce the parking for this portion of park; there is a dead end road that will allow parking. He explained that when the Park and Open Space Master Plan was done the City involved a consultant in the process. He

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explained that the number one amenity or item in parks that residents wanted was shade – shaded seating areas or pavilions. There is a swing set in the park to the west of this park that is proposed. The City was thinking that the future phase of the park would provide a playground; this park would provide a grassy area and a pavilion.

Commissioner Dean asked Mr. Mumford to explain the language in the Code that addresses diversity and appropriate for parks and open space. Mr. Mumford explained that this park would be a large neighborhood park in the future, and that this 1.1 acre park is part of another larger park. The Code reads that the park should comply with the regular standards of a neighborhood park:

1. Neighborhood parks shall ideally be between three and five acres in size (which this park will be in the future).
2. No lot/unit should be more than one-half mile from a neighborhood park, if possible.
3. Each neighborhood park must have access along a public road.
4. Neighborhood parks shall be effectively integrated into residential developments and connected with homes, other neighborhood parks, and open space areas via sidewalks or trails.
5. Parks shall be designed with a mixture of enhanced native plantings, ornamental plantings, and grass areas. The landscape treatments shall be designed to enhance the sense of place while remaining water-wise.
6. Parks shall be located as close as possible to the recommended neighborhood park distribution location in the parks and open space master plan.
7. Developers are encouraged to, whenever possible, consolidate neighborhood parks into larger parks that may be used by more than one neighborhood. Co-location with schools or other institutions is also encouraged.

Mr. Sowby explained that this is a huge investment project for the developer and any cost the developer can save will help reduce the homeowners' cost.

Mr. Sowby asked to adjust a couple of items in the development and also asked that the Planning Commission take note of a couple of items:

- Allow the developer to adjust a couple of the storm drain pipes in the development, with the help of the City Engineer.
- Make a motion that the developer would apply with UDOT on the deceleration and acceleration lanes.
- Consider reducing the park amenities.
- The developer disagrees with the stream alteration permit from the State for the West Wash. He explained that they are not making alterations to the wash but reinforcing the bank and filling in around the area of one of the houses.

Mr. Sowby stated that the developer does comply with the County Health Department percolation tests for septic tank approval. He stated that the developer plans to break this development into two plats.

Commissioners felt that they should require the left-turn lane and only require the stream alteration permit if the State requires the permit.

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Commissioner Dean asked Mr. Sowby if the developer agreed with the split rail fence recommendation. Mr. Sowby said that they will comply with it. Mr. Mumford explained that the City is requesting the split rail fence for safety reasons.

Mr. Mumford asked the Planning Commission if they had a preference as to what amenities they want in the parks. The Planning Commission could leave the option open for the Planning Department to work with the developer on park amenities. The Commissioners felt that the developer should work with the Planning Department to match the amenities point system.

MOTION:

Bonnie ElHalta moved that the Planning Commission approve the Clearview Ranch Phase A, Preliminary Plat with the following recommended conditions:

- 1) A revised water model for the entire subdivision is required that demonstrates the effect to existing residents.*
- 2) A stream alteration permit from the State if required for changes to West Wash.*
- 3) ~~Complete septic feasibility testing for each lot and submit paperwork from the County Health Department.~~*
- 4) Include a split rail fence (3 rail) on the south side of the 1.10-acre park.*
- 5) That a left-turn lane is required on SR 73 with this phase and that all other UDOT requirements are followed.*
- 6) That the parks follow the current City Code, which will be determined by City staff.*
- 7) Allow the adjustment to the storm drain pipe locations to be worked out with the City Engineer.*

Wendy Komoroski seconded the motion. Those voting aye: Preston Dean, Bonnie ElHalta, Matthew Everett, and Wendy Komoroski. The motion passed with a unanimous vote

B. Skyline Ridge 1D Final Plat – Action Item

This is a 4-lot subdivision that was previously included in the Skyline Ridge 1B subdivision plat. City staff requested that the applicant change the lot configuration in order to create more useable space in the adjacent city park, so this plat includes the City's property as well.

Mike Hadley explained that the Skyline Ridge development was approved by the City Council on February 6, 2007. The project was originally approved as two phases with a total of 121 lots in Phase 1 and 98 lots in Phase 2. In July of 2007 Phase 1 was divided into 3 separate plats at the request of the developer: plats 1A, 1B and 1C. The properties were foreclosed on by investors/banks. Since that time, Plat 1A has been built by different builders, and new developers/builders have purchased phases 1B and 1C. The new developers have chosen to build the plats as they were approved, so the applicants are not

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required to resubmit a new application for these plats. At the time of approval, the City Code did not include expiration dates on subdivision plat approvals.

The proposed Skyline Ridge 1D contains 4 single family lots. These four lots were originally part of Skyline Ridge Plat 1B which consisted of 38 total lots. Adjacent to plat 1B is a neighborhood park which has not been developed. It contains a large detention basin and a parking lot which was installed with the infrastructure for plat 1A. The City Code does not allow for park amenities to be placed in a detention basin. The original design of the park showed the amenities located in the detention basin. The detention basin covers most of the land next to the installed parking lot leaving no space to install any of the amenities. Some of the lots in Skyline Ridge 1B are directly next to the park. The City approached the developer with the idea of moving some of the lots to create more usable space next to the parking lot. The developer agreed. Skyline Ridge Plat 1D is the result of moving two of the lots to create more usable area. To minimize the impact to the developer the City staff designed the new layout of the park.

City staff worked together to come up with the design for the park. The amenities include a tot lot, basketball court, picnic table, walking trail around the detention basin, trees and landscaping. The developer of Plat 1B will install the required portions of the park for Plat 1B and 1C. When future phases of Skyline Ridge are developed the developers will be required to install or bond for the rest of the park and landscaping for the Skyline Ridge development.

MOTION: *Bonnie ElHalta moved that the Planning Commission recommend the approval of the Skyline Ridge 1D Final Plat to City Council with the following recommended condition:*

1) The final plat will need to include the portion of land vacated by the 2 lots that were moved.

Wendy Komoroski seconded the motion. Those voting aye: Preston Dean, Bonnie ElHalta, Matthew Everett, and Wendy Komoroski. The motion passed with a unanimous vote

5. Other Business

A. Discussion of Potential Changes to the Development Approval Process

Mr. Mumford explained that the Planning Department wants to streamline the development process and approval process. He explained that City Council and residents were frustrated with not having a say in the projects.

Commissioner Komoroski requested that the Planning Commission notices have an explanation of what the Planning Commission can and cannot do, or a reference to a web site explaining what the Planning Commission can or cannot do.

Commissioner ElHalta asked if the recommendation could come first on the notice, to help explain what the Planning Commission is trying to accomplish.

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Mr. Mumford requested that the preliminary plat and the master site plan go through Planning Commission and City Council, and the final plat be approved by staff. He reviewed development processes from other cities.

B. Next Scheduled Meeting: October 8

6. Adjournment

The meeting was adjourned at 7:37 p.m.

APPROVED BY THE PLANNING COMMISSION ON OCTOBER 22, 2013.



Steve Mumford, Planning Director

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, OCTOBER 22, 2013 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, Bonnie ElHalta, Wendy Komoroski, Matthew Everett, and John Linton.

CITY STAFF PRESENT: Steve Mumford, Planning Director; Mike Hadley, City Planner; Tippe Morlan, Planning Intern; and Johna Rose, Deputy Recorder.

ELECTED OFFICIAL PRESENT: Donna Burnham

Commissioner Linton called the meeting to order at 6:04 p.m.

1. Pledge of Allegiance

None

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes
A. September 24, 2013

MOTION: *Preston Dean moved to approve the September 24, 2013 meeting minutes. Bonnie ElHalta seconded the motion. Those voting aye: Preston Dean, Matthew Everett, Wendy Komoroski, Bonnie ElHalta, and John Linton. The motion passed with a unanimous vote.*

4. Development Items

- A. Evans Ranch Phase B Plat 1, Preliminary & Final Plat – Public Hearing, Action Item
This is the second phase of the approved Evans Ranch master development plan, and is located east of Porter's Crossing Parkway, at the intersection of Porter's Crossing and Clark Street. An application for the first phase, located on the northern end of the project, has been postponed until further notice. The proposal consists of 3 single-family residential lots on .86 acres. These 3 lots are planned as model homes for the project.

Steve Mumford explained that Evans Ranch Phase A was just approved by City Council. Due to timing the developer will not be able to finish the infrastructure for Evans Ranch phase A before winter. The developer feels that he could get all the asphalt and infrastructure for Evans Ranch Phase B Plat 1 in before winter. Phase B Plat 1 is only three model home lots that are located at the entrance to Evans Ranch along Porter's Crossing. With the approval of the area Fire Marshal, these model homes may be allowed prior to completing roads with asphalt as long as the roads are completed before any residents move into the homes. That is due to the proximity of the homes to Porter's Crossing.

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The Master Development Agreement requires that an off-site sewer pipe be installed for the project, connecting to existing pipes in the SilverLake development. This “initial phase,” however, was given the right to develop prior to completion of that sewer pipe. These three homes/lots would be the only lots in the project that will connect to the existing sewer pipe in Porter’s Crossing Parkway; the remainder will be serviced by the off-site pipe to be constructed prior to the next phase of development. There are no concerns with the other utilities.

Commissioner Linton opened the public hearing at 6:13 p.m.

None

Commissioner Linton closed the public hearing at 6:13 p.m.

MOTION:

Preston Dean moved that the Planning Commission approve the Evans Ranch Phase B Plat 1 Preliminary Plat and recommend the Evans Ranch Phase B Plat 1 Final Plat to the City Council with the following recommended conditions:

- 1. A cash bond shall be posted with the recording of the plat that equals 1.24% of the total cost of public open space improvements, and \$1,720 (\$2,000/buildable acre) for community improvements.***
- 2. The fencing for the lots shall comply with the Master Development Agreement Fencing Exhibit, and must be installed prior to obtaining building permits.***
- 3. The plat must include driveway locations for every lot. The driveways for these three lots shall be no more than 12 feet wide at the street, since the garages will be located more than 30 feet from the property line.***
- 4. Prior to obtaining any building permits, the developer must submit engineered drawings depicting the location of the driveway and utilities for each lot within the subdivision, including storm water drainage plans for areas between lots.***

Wendy Komoroski seconded the motion. Those voting aye: Preston Dean, Bonnie ElHalta, Matthew Everett, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.

5. Work Session

A. Discussion of Potential Changes to the General Plan & the Municipal Code

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, OCTOBER 22, 2013 AT 6:00 P.M.

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Mr. Mumford reviewed the growth and development of The Ranches subdivision and a brief explanation of City Center. He reviewed a new internal tracking system that would track the total number of lots that are improved with infrastructure, permitted lots, and vacant remaining lots. The tracking system also tracks the number of building permits by month and subdivision. The tracking system can help project population in the coming year.

Commissioners, residents, and City Planners addressed transportation goals, visions and issues that the City has for the General Plan.

- Access (into/out of the City)
- Transit (buses, school buses)
- Internal planning (neighborhoods, connections)
- Bike lanes (major roads)
- Trails
- Future landscaping (median)
- Lighting (maintenance, small town feel, and safety)
- Crosswalk (pedestrian safety, sight vision, and accessible)
- Parking (parks, commercial, community events, maximums, and connecting to the trail system)

Nikki Wickman, 2766 E. Fort Hill Rd., suggested that a pedestrian flashing signs be placed at Porter's Crossing. She also requested proper lighting along trails.

Donavon Largent, 8846 N. Princeville Dr., was concerned with the lack of a crosswalk on Ranches Parkway. He stated that he lives in Highlands on the Green and has two children that walk to Rockwell Charter School.

Commissioner Linton was concerned about the construction of roads, freeways, and highways after housing was in place.

Commissioner Dean asked how much control the City's future transportation plan has on future developers.

Mr. Mumford explained that would be an attorney question, but what the City is finding with SR 73, the City cannot make the developer or owner develop or not develop the land. The City can inform the developer of future plans that the City, MAG, or UDOT has for future roads. The City should look into how to reserve future right-of-ways.

Commissioners and City Planners discussed the positive and negative issues with having cul-de-sacs in the City.

Attached are the Transportation Goals and Strategies.

B. Next Scheduled Meeting: November 12

6. Adjournment

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, OCTOBER 22, 2013 AT 6:00 P.M.
Eagle Mountain City Council Chambers; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

The meeting was adjourned at 7:18 p.m.

APPROVED BY THE PLANNING COMMISSION ON NOVEMBER 12, 2013.



Steve Mumford, Planning Director

Transportation Strategies

Purpose:

The purpose of the transportation element is to facilitate efficient movement and connectivity throughout the City. Providing modes of safe and efficient transportation is critical to maintaining a basic quality of life.

Goals and Strategies:

- 1. Collaborate to provide a multi-modal transportation system locally and regionally.**
 - a. Actively participate in area transit studies.
 - b. Identify an alignment for future light rail, commuter rail, and/or dedicated bus lanes through the city, and work with developers and property owners to preserve right-of-way for these routes.
 - c. Continue to work with UTA to provide bus service to rail stations in Lehi and/or American Fork. Work with UTA and MAG to plan for bus rapid transit.
- 2. Provide for a connected street network throughout the City.**
 - a. Neighborhood roads should be stubbed to adjacent parcels of land at the developer's expense.
 - b. Plan major east-west and north-south roads every 1 mile, where possible.
 - c. Discourage the use of cul-de-sacs except where the terrain does not provide for other options.
- 3. Collaborate regionally to provide greater highway and/or freeway options to I-15 and the Mountain View Corridor.**
 - a. Actively participate on regional transportation committees.
 - b. Maintain a good relationship with UDOT, MAG, Saratoga Springs, and Lehi.
 - c. Discuss transportation with legislators and representatives when possible.
 - d. Actively participate in UDOT and MAG studies on this topic.
 - e. Work with property owners during pre-development to preserve the appropriate amount of right-of-way for expansion of SR73, and for other regional roadways.
 - f. Work with Saratoga Springs, MAG, and Utah County to obtain funds to increase capacity of Pony Express Parkway through Saratoga Springs.
- 4. Provide and maintain an extensive biking and running trail network that connects to regional trails and/or bike lanes.**
 - a. Require developments to connect to existing trails and provide trails as part of the project.
 - b. Continue to apply for grants and seek other funding to construct trails.
 - c. Follow the City Center Open Space Improvement Plan's priority list for trails; update the plan frequently.
 - d. Where possible, connect the trail network to regional trails.
 - e. Complete a Bicycle and Pedestrian Master Plan for the City.
 - f. Modify adopted street cross-sections to include bike lanes, where determined appropriate in the Bicycle and Pedestrian Master Plan.
 - g. Provide for bike parking at City parks and either require or provide incentives for bike parking at commercial establishments.

5. Provide attractive and walkable streets.

- a. Require street trees in park strips on all roadways, where possible.
- b. Limit potential conflicts between vehicles and pedestrians.
- c. Improve major roadways with landscaped medians, and landscape appropriately, avoiding site vision issues at intersections.
- d. Include trails and/or sidewalks on all city streets.
- e. Provide safe walking and biking routes to schools.

6. Preserve the viability of future roads through corridor preservation.

- a. Follow the Future Land Use and Transportation Corridors Map.
- b. Require dedication of roadways along with development. Work creatively with developers and owners, when needed, to preserve right-of-way with little to no City expense.
- c. Partner with MAG and UDOT to obtain funding to preserve right-of-way for future expansion of SR73.
- d. Collect impact fees to improve large facilities according to the Capital Improvements Plan. Update the plan regularly.

7. Maintain safe streets and intersections.

- a. Manage access points to major roads; maintain proper distances between accesses and limit the number of accesses onto major and minor arterials.
- b. All subdivisions should have two accesses into the project, unless determined adequate by the City Engineer and Fire Marshal.
- c. Construct acceleration and deceleration lanes on arterial roads, and provide left turn lanes with adequate queuing distances along arterial and collector roads.
- d. Restrict direct access onto arterial or collector roads for residential lots. The number of curb cuts for commercial development shall be determined by the City Engineer.
- e. Require traffic impact studies by a transportation planner for traffic generation of subdivision and site plan applications.
- f. Focus on intersection improvements to sustain appropriate levels of service, including considering roundabouts to improve safety and efficiency.

8. Maintain adequate traffic flow and circulation throughout the city.

- a. Provide a street system which maintains a quality level of service and efficient circulation and movement of traffic.
- b. Monitor future traffic conditions closely and update projections for traffic growth, volume, and conditions regularly.
- c. Reduce commuter traffic by attracting employers and job opportunities to the city.

9. Maintain appropriate levels and quality of parking which do not overtake the visual landscape.

- a. Encourage shared parking and look into instituting parking maximums rather than minimums to preserve the natural character of the City.
- b. Ensure there are proper levels of parking for large community events.
- c. Require that developers break up large parking lots with proper landscaping techniques.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, NOVEMBER 12, 2013 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: Preston Dean, Bonnie ElHalta (arrived at 6:06), Wendy Komoroski, Matthew Everett, and John Linton.

CITY STAFF PRESENT: Steve Mumford, Planning Director; Mike Hadley, City Planner; and Johna Rose, Deputy Recorder.

ELECTED OFFICIAL PRESENT: Donna Burnham

Commissioner Linton called the meeting to order at 6:04 p.m.

1. Declaration of Conflicts of Interest

None

2. Approval of Meeting Minutes

A. October 22, 2013

MOTION: *Preston Dean moved to approve the October 22, 2013 meeting minutes. Matthew Everett seconded the motion. Those voting aye: Preston Dean, Matthew Everett, Wendy Komoroski, and John Linton. The motion passed with a unanimous vote.*

3. Development Items

A. Clearview Ranch Phase A Plats 1 & 2; Final Plats –Action Item

These are the two phases of the recently approved Clearview Ranch Preliminary Plat. Each plat contains 27 lots, with a minimum lot size of ½ acre. The project is located north of SR-73, west of the North Ranch neighborhood.

Steve Mumford explained that these two proposed phases are part of the approved Clearview Ranch Preliminary Plat. The project is located north of SR 73 and south of Arrival at North Ranch Development. Each plat contains 27 lots, with a minimum lot size of ½ acre. Lots 226, 227, and 127 have been extended to help meet the side setbacks.

The two parks have been revised to meet the required point totals for amenities, as shown on the submitted landscaping plans. Each City park must be completed prior to 50% of the building permits being issued in the respective plat. The parks will be included in the subdivision bonds as well. A split rail fence will be provided at the parks as shown on the plan as well, to separate the parks from SR 73 and from the wash/gulley. The entryway monuments shown on the plan must be improved along with the 1.10-acre park, prior to 50% of the building permits being issued.

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The applicant has submitted plans to the City and to UDOT that include the widening of SR 73 to allow for right-turn deceleration lanes and left-turn deceleration lanes, as required by the Planning Commission.

There is not enough water pressure in the north area to feed Clearview Ranch development and the existing subdivisions. The issue came up when well number two went down in July. The City found that the north area residents could not water their lawns at the same time due to the lack of water pressure. Dave Norman the Assistant Public Works Director has been working with Psomas to figure out a solution to the water pressure. There is a water pipeline that runs from Pony Express to Cedar Pass Ranch that feeds the north area that requires updates. Because that waterline is the only water line that feeds the north area, the City will be replacing it with two 12 in. waterlines that will help supply water to the north area. With the two water lines the water pressure to the north area will still be insufficient by State standards. Commissioner Linton asked if that would be the City's obligation to install the waterlines and asked when the extra waterline would be finished. Mr. Mumford explained that because it affects existing homes in the north area, that it would be the City's responsibility and the waterline should be finished by July 2014. The developer would be required to put in additional infrastructure to the Clearview Ranch development if the development requires more pressure before the project is developed.

If the Planning Commission chooses to recommend approval of this project to the City Council, the following are possible conditions of approval:

- 1) The plats may not be added to the City Council's agenda for approval until the applicant can demonstrate to the City Engineer's satisfaction that adequate water can be provided to these developments.
- 2) If required by the State, a copy of an approved stream alteration permit for changes to the West Wash must be submitted.
- 3) The SR 73 road widening improvements must be completed along with the infrastructure for the applicable plat, prior to receiving building permits.
- 4) Comply with the City Engineer's redline comments on the construction drawings and plats.

An email letter from Chuck Williams, a Stream Alteration Specialist from the Utah Division of Water Rights, was presented. The letter states that a stream alteration permit is not required for this stream (wash) but does not exempt the developer from any regulatory authority that may have authority; that could include the Army Corps of Engineers. Mr. Mumford explained that the City would have the developer work with the City Engineer to help with any requirements needed. Commissioner Dean asked if the City has any code requirements dealing with the wash. Mr. Mumford stated that the only City Code requirement that he is aware of, is that no structure should be placed within 100 ft of a wash.

Mr. Mumford explained that the letter would take care of the recommendation for item number two, that a stream alteration permit be required by the State. Commissioner ElHalta felt that the recommendation for number two should be reworded and not taken off the required

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recommendation list. She stated that the State might not require a permit but another authority could require a permit.

Steve Sowby, the engineer of the development, stated that he agrees with the recommendation generally. He felt confident that the Federal government would not require a stream permit for the wash, because the wash is not a navigated stream. He is disappointed that the water system is not up to code and explained that it's not the developer's fault. He felt that the developer should not be held up for existing City problems. The developer would like to see the issue resolved before any building permits are issued. He encouraged the Planning Commission to approve the development with conditions to the water system.

Commissioner Dean asked Mr. Mumford what the reasoning was behind not adding the plats to the City Council agenda until the water system issue is resolved. Mr. Mumford explained that once the plat is recorded the developer can sell lots. The developer can sell individual pieces to builders and individual home owners, then the City is forced to restrict individual lot owners. It would be harder to resolve the water issues. The individual builders and lot owners would have to get together and resolve the issue.

Commissioner Dean requested that the plats not be recorded until the applicant can demonstrate to the City Engineer's satisfaction that adequate water can be provided to these developments.

Mr. Sowby stated that the Planning Commissioners should go one step further and allow the development to be recorded, but not allow building permits to be issued. Commissioner Dean felt that the City had a good reason not to allow the developer to record the plats. Commissioner Linton expressed concern over selling lots that are inefficient and how irresponsible it would be of the developer and City.

MOTION:

Preston Dean moved that the Planning Commission recommend the Clearview Ranch Phase A Plats 1 & 2 Final Plats to the City Council with the following recommended conditions:

- 1) The plats cannot be recorded until the applicant can demonstrate to the City Engineer's satisfaction that adequate water can be provided to these developments.***
- 2) If required by any regulatory authority, a copy of an approved stream alteration permit for changes to the West Wash must be submitted.***
- 3) The SR 73 road widening improvements must be completed along with the infrastructure for the applicable plat, prior to receiving building permits.***
- 4) Comply with the City Engineer's redline comments on the construction drawings and plats.***

Bonnie ElHalta seconded the motion. Those voting aye: Bonnie ElHalta, Preston Dean, Wendy Komoroski and John Linton. Those voting nay: Matthew Everett. The motion passed with a 4 to 1 vote.

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B. Development Code Amendment – Infrastructure & Building Permits – Public Hearing, Action Item

This Item includes proposed amendments to Chapter 16.05.100 Compliance Required, Chapter 16.05.130 Most Restrictive Standards Apply, and Chapter 15.10.230 Building Permits. The amendments require that electrical and natural gas infrastructure be installed and functioning prior to issuing any building permits, including those for model homes.

Mr. Mumford explained that after beginning infrastructure improvements in a subdivision, developers are generally anxious to sell lots to builders, and the builders are anxious to begin construction of model homes. The builder often wants to begin the model homes before the infrastructure is completely installed. This can be problematic, especially for the dry utilities. If the dry utilities are not “energized,” or active, they cannot be “blue-staked.” The blue stakes equipment can only locate active gas and power lines. It becomes easier to hit a gas line if it has not been blue staked, which can have dire safety consequences. The City’s Energy Director has requested that the City Codes be amended to require that the dry utilities be completely installed and active prior to approval of any building permits, including model homes. Commissioner Komoroski asked what the time frame is from infrastructure to energizing the lines. Mr. Mumford explained that it could be weeks.

Commissioner Linton opened the public hearing at 6:45 p.m.

None

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

MOTION: *Preston Dean moved that the Planning Commission recommend the approval of the Development Code amendments to Chapter 16.05.100 Compliance Required, Chapter 16.05.130 Most Restrictive Standards Apply, and Chapter 15.10.230 Building Permits to the City Council with the conditions stated in the staff report. Wendy Komoroski seconded the motion. Those voting aye: Bonnie ElHalta, Preston Dean, Wendy Komoroski, Matthew Everett and John Linton. The motion passed with a unanimous vote.*

C. Development Code Amendment – Public Hearing, Land Use Authority, Appeal Authority – Public Hearing, Action Item

Includes proposed amendments to Chapter 16.05.220 Tables and Chapter 17.05.190 Tables. The proposed changes streamline some administrative development applications to the benefit of all parties (City, residents, developers).

Mr. Mumford recommended that this item be tabled. The City Attorney wants to review the proposal and LUDMA (Land Use Development Management Act) before providing feedback. He explained that, there are two different kinds of actions or decisions that the Planning Commission and City Council are involved in concerning development:

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- (1) Legislative Actions with public hearings (valid if reasonably debatable that it advances the general welfare);
- (2) Administrative or Quasi-Judicial Actions (valid if supported by substantial evidence in the record).

The State Code governs the process for legislative actions, including rezoning and amendments to the City's General Plan and Development Code. The rezoning portion of a Master Development Plan is also considered a legislative action. The City Council is the approval authority for these decisions, and public hearings must be provided. Decisions for these applications also contain the most flexibility, as a decision has to be reasonably debatable that it advances the general welfare. Citizens should be involved in these public hearings, as their "reasonably debatable" opinions can make a difference.

Administrative applications include preliminary plats, final plats, site plans, and conditional uses. Although it has been considered to be generally acceptable practice in many cities, administrative applications do not require approval by the City Council. In fact, many cities have streamlined approval processes of these applications for the following reasons (among others):

- To reduce or eliminate frustration of the City Council when they review plans. The Council can become frustrated when they cannot make substantial changes to a final plat because a preliminary plat was already approved by the Planning Commission. Changes sometimes may not be made if the proposed subdivision plat complies with the City Code.
- To reduce frustration of residents. Residents come to public hearings expecting that their voices are heard and their concerns reflected in the Planning Commission or City Council's decision, but if a subdivision plat or site plan complies with the City Code requirements, they may not be able to implement any of the residents' concerns.
- To reduce "government red tape." Each year various applications are reviewed by the Planning Commission and City Council that seem to be more of a formality than a necessary process, since the decisions are fairly "cut-and-dry."
- To free up time for the Planning Commission to focus on actual planning, rather than only subdivision review. The Planning Commission should be spending a majority of their time on the General Plan, the Future Land Use and Transportation Corridors Map, the City Code, and other planning-related items. Subdivision and site plan reviews are important, but the real planning for the City happens long before these applications are even submitted.
- To free up some time for the City staff to get more involved in future/long range planning, capital improvement projects, community development, and other important duties. A majority of the Planning Department's time is taken up with receiving & routing applications for review, reviewing plans, writing and

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preparing staff reports, putting together packets for both the Planning Commission and City Council, preparing the proper notices for public hearings, and preparing PowerPoint presentations for meetings. Any simplification of the review/approval process will be beneficial to the future planning of the city.

Commissioners felt that there should be a way to educate the residents on what the Planning Department can and cannot do. Commissioner ElHalta stated that residents think they are not being heard, at the time residents voice their concerns there is nothing the Planning Department can do. Commissioner Komoroski felt that education and information about the project should be mailed out to the resident with any notice required for land development. The education and information should contain what the Planning Commission can or cannot do and what is being proposed. She also stated that if residents know where they have a voice and where they do not have a voice it would help resolve frustrations.

Mr. Mumford reviewed the following proposed changes:

1. Preliminary Plats
 - a. Residential & non-residential plats with greater than 5 lots or a multi-family plat would be reviewed by both the Commission and the Council, with public hearings at both.
 - b. Plats with less than 5 lots would be approved by the Planning Director & City Engineer.
 - c. Major amendments to a plat would require approval by the City Council.
 - i. Major amendments include an increase in lots or units, a decrease in improved open space, or a significant change to a road or lot configuration.
 - d. Minor amendments would be approved by the Planning Director and City Engineer.
 - i. Minor amendments include changes that do not fall into the category of "major amendments."
2. Final Plats & Final Plat Amendments
 - a. Final plats would be reviewed for approval by the Planning Director and City Engineer. These plats should conform to the approved preliminary plat. If they do not (except for minor modifications), an amendment to the preliminary plat would be required prior to any approval of the final plat.
3. Site Plans & Master Site Plans
 - a. Master site plans (multi-family, non-residential > 5 acres or to be developed in phases) would still be approved by the City Council.
 - b. A site plan that is less than 5 acres would be approved by the Planning Commission.
 - c. A site plan that is a phase of an approved master site plan would be approved by the Planning Director and City Engineer.
 - d. A minor amendment to a site plan would be approved by the Planning Director and City Engineer. Major amendments would be approved by the original approval authority.

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Commissioner Linton stated the reason the Planning Commission had Item A, the Clearview Ranch plats, is because it was not addressed properly at the Preliminary Plat level. He was concerned if the City wiped out the final plat level, how could the City prevent or avoid this type of problem from happening in the future. Mr. Mumford explained that the preliminary plat should be under more scrutiny, where the final plat should just be construction drawings that are reviewed by the City Engineer and the preliminary plat conditions looked at by City staff. There would still be the option for an appeal process. The City would give their stamp of approval and if the developer felt that it was not a fair approval, then the developer could appeal it to the Planning Commission.

Commissioner Linton was concerned that the City Council was not receiving the background information behind the Planning Commissioners' recommendations and decisions. He felt that the Planning Commission has an obligation to make sure every project is up to the best quality. He does not mind having two sets of eyes for projects, but does not want to create more work for another body and/or lose work that should be reviewed by a specific body.

Mr. Mumford suggested a concept plan that would be reviewed by Planning Commission before the preliminary plat or have final plat come to Planning Commission.

Mike Hadley explained that final plat approval would not just be the Planning Department, it would be a combination of Public Works, Parks Department, Planning, and any other applicable department.

Commissioner Dean requested that future preliminary plats require more detail. Commissioner Linton requested that the Planning Department's checklist for preliminary plats be more defined with future developments. Commissioner Dean felt that the new streamlining would give the developer more security.

Commissioner Linton was concerned about public hearing notifications on larger lot developments. Mr. Mumford explained that he would be looking into the issue.

Commissioner ElHalta recommended tabling the item.

Commissioner ElHalta was excused from the meeting at 7:15 p.m.

Commissioner Dean was concerned with property that would not be in a big commercial development, like an individual smaller piece. He felt that it would have value if the City Council reviews those site plans.

Commissioner Linton opened the public hearing at 7:24 p.m.

Lee Gillenwater, 2020 Autumn, asked if there was a fallback plan when a plat is over-tweaked and at what time it should go back to City Council or Planning Commission. Mr. Mumford explained that plats would be reviewed again if the developer adds lots, changes roads, or decreases open space. He also explained that the developer would have to have a good reason

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other than financial hardship to change the development. He explained that in Logan there was a 10% rule: if the development changed 10%, that project would require a review.

Marianne Smith, 6104 Lake Mountain Road, requested that any type of approval for BLM or State land in the City area be addressed in the City Code.

Commissioner Linton closed the public hearing at 7:30 p.m.

MOTION: *Preston Dean moved that the Planning Commission table the Development Code amendments for Land Use Authority and Appeal Authority. Wendy Komoroski seconded the motion. Those voting aye: Preston Dean, Wendy Komoroski, Matthew Everett and John Linton. The motion passed with a unanimous vote.*

4. Work Session

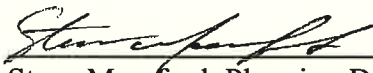
A. Discussion of Potential Changes to the General Plan & the Municipal Code

B. Next Scheduled Meeting: November 26

5. Adjournment

The meeting was adjourned at 7:35 p.m.

APPROVED BY THE PLANNING COMMISSION ON DECEMBER 10, 2013.



Steve Mumford, Planning Director

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, DECEMBER 10, 2013 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, Wendy Komoroski, Matthew Everett, and John Linton.

CITY STAFF PRESENT: Steve Mumford, Planning Director; Mike Hadley, City Planner; and Johna Rose, Deputy Recorder.

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

Pledge of Allegiance

Commissioner Linton led the Pledge of Allegiance.

1. Declaration of Conflicts of Interest

None

2. Approval of Meeting Minutes

A. November 12, 2013

MOTION: *Preston Dean moved to approve the November 12, 2013 meeting minutes. Matthew Everett seconded the motion. Those voting aye: Preston Dean, Matthew Everett, Wendy Komoroski, and John Linton. The motion passed with a unanimous vote.*

3. Approval of 2014 Meeting Schedule

Commissioner Everett was concerned about November 11, 2014 because it's Veteran Day.

Commissioners agreed to approve the 2014 Meeting Schedule.

4. Development Items

A. Monte Vista Ranch Master Development Plan Items – Public Hearing

1. Development Code Amendments – Chapters 17.26, 17.36, 17.52

The applicant is proposing that three new zoning chapters be added to Title 17 of the Municipal Code: (1) Chapter 17.26 Residential Mixed Use Development Zone; (2) Chapter 17.36 Commercial Mixed Use Development Zone; (3) Chapter 17.42 Industrial Mixed Use Development Zone.

2. Master Development Plan & Agreement Amendments

An applicant proposal to rezone the vacant properties within the master plan to the three newly proposed zones, divide the project into 5 different planning areas, and propose a maximum number of dwelling units in each area. A draft agreement is

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provided for review. The applicant's intent is for the existing agreement to be replaced with an amended agreement.

3. General Plan Amendments

The City's General Plan (Future Land Use and Transportation Corridors Map) is proposed to be amended, consistent with the master development plan changes.

Steve Mumford recommended that the Planning Commissioners review the general concepts of zoning, density, land use distribution, and the basics of the agreement. He requested that they have an open discussion with the applicant, hold a public hearing and receive feedback from the residents, provide as much feedback to the applicant as possible, and to continue the public hearing to a specific meeting date in the future. He stated that the applicant has also agreed that no action should be taken at this meeting.

Commissioner Linton asked if this item was time sensitive or is this for preparation for future development. Mr. Mumford believed that this item is in preparation for future developments.

Mr. Mumford explained that master development plans vest the land uses and densities; basically they are zone change requests. A General Plan amendment is required and processed as part of a master plan change; if the master plan does not comply with the City's Future Land Use and Transportation Corridor Map then the City will discuss that General Plan change at the same time. Approval of a master development plan does not allow development. The developer still has to obtain subdivision & development approval through the City unless given special rights in their development agreement. A development agreement identifies land uses, zoning, density per residential property, bonus density systems, phasing and much more. There are a lot of details that go into a development agreement, but the Monte Vista Ranch development agreement does not include all of those details and should be discussed.

The Code lays out the following review criteria on how the Planning Commission and the City Council review developments:

- Slope, natural hazards, storm water runoff, natural channels, flooding, and soil characteristics.
- Utilities - can the proposed uses and densities be adequately served by the City's planned municipal utilities?
- Streets – can the proposed uses and densities be adequately served by the City's planned network of major streets?
- Water rights
- Compatible densities – Will the proposed uses be reasonably compatible with existing or planned uses on adjoining lands? Internally compatible?
- Buffering incompatible uses
- Open space – is there adequate open space? Does the proposed pattern of uses and densities attempt to make effective use of open space?

Some of these items are not currently present in the Monte Vista Ranch agreement or plan.

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The original master development agreement was approved for the Monte Vista Ranch and Eagle Mountain Properties Master Development Plan in 1997. This master plan encompasses approximately 7,444 acres and is vested with a maximum of 22,930 residential units. The plan contains the following land uses (according to the 2006 Amendment, approved in June, 2007):

	LAND USE	ACRES
	RESIDENTIAL	3029
	MIXED USE RESIDENTIAL/COMMERCIAL	1518
	PARKS & OPEN SPACE	362
	AIRPARK	1412
	COMMERCIAL C-1	169
	COMMERCIAL C-2	561
	TOWN CENTER (COMMERCIAL C-3)	51
	INDUSTRIAL	274
	ROADS (EAGLE MNT. BLVD & SWEETWATER)	68
	TOTAL	7444

*** TOTAL APPROVED RESIDENTIAL UNITS = 22,930

The agreement contains a list of approved, permitted and conditional land uses allowed in each of the zoning districts, which is specific to this master development plan (i.e. not applicable to any other property owner in the city). The terms of this agreement end on October 7, 2017. Neither the City nor the property owner has been satisfied with some aspects of the agreement, which we assume is the reason for the applicant submitting an amended agreement.

The applicant is proposing to include three new zoning district chapters in the Municipal Code:

- 17.26 Residential Mixed Use Development Zone
 - Differences from the City's current Residential Zone:
 - Many more permitted land uses
 - No minimum lot frontages (width of the lot along a public street)
 - No building height limitations
 - Some landscape standards as can be found in other sections of the current Code
 - Reduced setbacks for densities above 5.3 dwelling units per acre
 - Different open space standards
 - No time limits for the expiration of preliminary or final subdivision plats
 - Exempt from the Residential Zone Bonus Density Entitlements (Chapter 17.30)
 - Exempt from site plan development standards, parking standards, fencing and other landscaping standards, home businesses, accessory apartments, commercial and multi-family design standards, animal regulations, sign regulations, and standards for special uses.
- 17.36 Commercial Mixed Use Development Zone
 - Differences from the City's current Commercial Zone:
 - Many more permitted land uses
 - No required setbacks, except as required by fire or building codes

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- No height requirements, except as required by state or federal regulations near airports
 - No time limits for the expiration of preliminary or final subdivision plats
 - Exempt from site plan development standards, parking standards, fencing and landscaping standards, home businesses, accessory apartments, commercial and multi-family design standards, animal regulations, sign regulations, and standards for special uses.
 - No architectural review of site plan or building elevations by the Planning Commission.
- 17.42 Industrial Mixed Use Development Zone
 - Differences from the City's current Industrial Zone:
 - Many more permitted land uses
 - No required setbacks, except as required by fire or building codes
 - No height requirements, except as required by state or federal regulations near airports
 - No time limits for the expiration of preliminary or final subdivision plats
 - Exempt from site plan development standards, parking standards, fencing and landscaping standards, home businesses, accessory apartments, commercial and multi-family design standards, animal regulations, sign regulations, and standards for special uses.
 - No architectural review of site plan or building elevations by the Planning Commission.

The applicant is proposing to rezone all of the vacant properties within the master plan to the three newly proposed mixed use development zones, with some properties being zoned to two of the zones. Please see the attached map exhibits (the 2006 Amendment map and the proposed master plan map). The amended map also divides the property up into planning areas.

Master Development Agreement Monte Vista Ranch, LC				
<u>Planning Area</u>	<u>Zone</u>	<u>Acres</u>	<u>Allowed Dwelling Units</u>	<u>Density (Units/Acre)</u>
Harmony	Mixed Use Residential	1210	7260	6.0
	Mixed Use Commercial/Industrial	225	525	2.3
East Bench	Mixed Use Residential	1630	4075	2.5
South End	Mixed Use Residential	970	1940	2.0
Economic Development	Mixed Use Commercial/Industrial	1780	1780	1.0
Town Center	Mixed Use Commercial	155	52	0.3
Regional Parks and Open Space	Regional Parks and Open Space	155	0	0.0
Totals		6125	15632	2.6

1.1

Remaining Dwelling Units Allowed Under 1997 MDA	20680
Number of Dwelling Units Reduced Under New MDA	5048

The applicant proposes to amend the City's General Plan Map so that the properties are designated with the Mixed Use Residential, Mixed Use Commercial, and Industrial future land

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use designations. This is processed along with a master development plan application, if necessary. In this case, it would be required.

The applicant is proposing a development agreement that replaces the 1997 agreement. The draft agreement that has been provided along with this report is the applicant's first complete draft, and is not supported by the City staff. Negotiation and discussion continues between the applicant and staff, and the agreement will no doubt be modified prior to a proposal for approval.

Item/Issue	1997 Agreement	2013 Proposed Amendment
Terms of Agreement	20 Years (Ends October 2017)	No Expiration
Applicable Development Code	Can be selected by EMP between current code and 1997 Interim Development Code	2013 Code, but with many exemptions
Lot Frontages	No minimum lot frontages (1997 code), if designed with a rear-loaded alley	No minimum lot frontages
Design & Architectural Standards	1997 Interim Code design standards	Design standards to be set by property owner at his discretion; exempt from City's design standards; Reduced industrial standards near the wastewater treatment facility
Parking Standards	1997 Interim Code standards	No parking standards
Landscaping Standards	1997 Interim Code standards	Minimal landscaping standards in residential zones, no standards in others
Setbacks	1997 Interim Code standards (Residential = 15' front, 20' rear, 4' sides)	Residential setbacks similar to 2013 code, reduced for densities greater than 5.3/acre, no setbacks for commercial or industrial uses
Height	1997 Interim Code standards	No height limits (except state or federal requirements near an airport)
Lighting	1997 Interim Code standards	No lighting standards
Additional approvals	Subdivision plat approvals, site plan approvals	Planning area master plan approval by City staff, subdivision plat approvals
Land Uses	Wide range of permitted and conditional land uses specific to the master planned property	Wide range of permitted and conditional land uses included in newly proposed mixed use zones; City not allowed to amend permitted or conditional uses in the future
Development Approval Process	Time limits for processing development applications that are faster than the City Code; if not complied with...application is deemed approved	Time limits for processing development applications that are faster than the City Code; if not complied with...application is deemed approved
Approval Expirations	1997 Code - 1 year; Other City codes did not require expirations	No expirations; Once approved they are valid forever
Utilities	1997 Code	The right to develop private rather than public utilities at the property owner's discretion
Home Construction Commitment	None	500 homes within first 7 years
Public Area Beautification Fund	None	\$750/building permit for open space improvements in existing neighborhoods that were within the master plan
Industrial Commitment	None	Providing free land or committing to build a 20,000-square-foot spec industrial building
Residential Units/Lots	Remaining # of Units/Lots = 20,680	Remaining # of Units/Lots = 15,632

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Possible Options

- 1) Wait until 2017 for the MDP & MDA to expire.
- 2) Negotiate to a middle ground, with some give and take on both sides. Offer specific feedback.
- 3) Recommend individual master plans for each area to be approved by Planning Commission and/or City Council rather than a 6,200 acre master plan.
- 4) Negotiate to an approval similar to other master plans in the City, with similar rights as other property owners/developers.

Matthew Godfrey, working for Monte Vista Ranch LC, said he was handed a development agreement about four months ago and felt that the developer has made significant improvements. The developer feels the agreement has been worked through and is trying to bring it in line with current agreements. Mr. Godfrey was there to gather input from the residents and Planning Commissioners. He explained that the property owner he works for is very much a property rights person, and that the property owner believes very strongly about his ability to own and develop property in response to the market. The property owner is looking to balance for existing property owners, future property owners and the city. He explained that there has to be a better balance than the 1997 agreement, something that would help preserve property rights and investments.

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

Christopher Pengra, 1134 Searle Lane, stated that he is concerned that the proposed development is three times the size of the current city, with about 15000 housing units. He is aware that the process of this development could take thirty years. He is also concerned that this agreement is side stepping all the development codes and the proper processing requirements, and that it's turning the full authority over to the developer. He is also concerned about changing the Development Code and how it could affect other developers. He believes in the rights of property owners and believes that they should be responsible in the way they develop the land. He stated that he looks forward to working with the developer and the property owner in the future.

Lee Gillenwater, 2020 Autumn St, asked if John Walden was threatening the City with another lawsuit. Mr. Mumford explained that the City does not agree with everything that is being proposed for the Monte Vista Ranch master development plan. He stated that there is no lawsuit related to this project and all the negotiations have been between Mr. Godfrey and City staff.

Elise Erler, SITLA, stated that SITLA is always trying to preserve the open space trail system. She would like the City to look at the area where the Pony Express trail crosses into the Harmony area of the plan, she questioned if the area should be residential or commercial/industrial. She also liked the idea of the public area beautification fund for the City Center. She noticed that the Code changes proposed text did not match the titles.

Fred Peeples, 7572 Kidwelly Court, felt the City should not allow unlimited time, that a development should be reviewed periodically and updated to the current City standards.

Tom Westmoreland, 3308 Golden Eagle Rd, asked if Mr. Godfrey would explain the property owners' goals and perspective for the development to help the public understand.

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Commissioner Dean asked Mr. Godfrey if he could explain the aspect of the current City Code that would require the code changes. Mr. Godfrey explained that the property owners are very much for his property rights and how he can protect those property rights. He explained that his clients are at the point in their lives where they are deciding what to do with this project. He explained that the owner want not to worry or work on this project as much because they are getting to the age where they are ready to slow down. They are trying to decide if they want to invest millions of dollars into the project. The clients are also worried about lawsuits or putting infrastructure in and being denied by an elected official in the future. He stated that the clients have swung to one extreme side and want complete control of the project. He believes that there should be a balance between the City and the property owner that would protect the property owners, the current homeowners, and the City.

Commissioner Komoroski asked why the property owner is requesting all the exemptions that are required City standards for every developer. Mr. Godfrey explained that the client does not want to be a part of the political pond; for example, he does not want to put lighting in the development and then be told later that it is not approved lighting. He stated that the clients stated that they are willing to design the project with higher CC&Rs and standards. He hopes that the City and the owner can come to a middle ground.

Commissioner Everett asked why the owner has written in the agreement that they have the right to develop private utilities rather than public utilities. Mr. Godfrey believed that the utility item is just a precaution and would not be a sticking point in the agreement.

Commissioner Dean explained that every time there is a need to amend the City Code, the Commissioners and City make sure it works with the existing framework, that there is a need to update the code, and that there are no redundancies or conflicts within the Code. He reviewed the purpose of the Zoning Code.

17.05.030 Purpose

The purposes of this title are:

- A. To protect property rights and resources and to coordinate development;
- B. To promote and expand economic development of the city in order to create jobs in the city, to make success and products available in the city, and to expand and diversify the city's revenue sources and tax base;
- C. To foster the industries and other nonresidential land uses that will be conducive to the creation of a balanced mixture of land uses and an appropriate level of urban and nonurban development;
- D. To promote the development of a safe and serviceable city resulting from an orderly development pattern and effective use of resources;
- E. To encourage and facilitate orderly growth and development of the city that will result in efficient urban development, reduced public infrastructure and conservation of manmade and natural resources;
- F. To provide adequate open space to prevent overburdening of the land, and to lessen congestion in the streets;
- G. To regulate future growth and development within the city in accordance with the general plan and to provide for the efficient and orderly growth of the city;

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H. To provide for adequate safety from fire, flood or other dangers, and to prevent overburdening of the land and undue congestion of population;

I. To provide for coordinated development of the city and to assure sites suitable for building purposes and human habitation.

He stated that with considering or amending the Development Code, he could not in good conscience accept what is being proposed. To give up the opportunity and responsibility as Commissioners or as a City in administering the Code was not acceptable.

Commissioner Everett asked if the three Code changes take place, would they be open to all developers? Mr. Mumford responded that once the Code is codified, other developers could rezone their properties. Commissioner Komoroski stated that once they codify the Code all developers could be exempt from the standards if they rezone their property.

Commissioner Komoroski was concerned about the unlimited time frame. She explained that as a real-estate agent she has seen developments change over the years and she felt that developments should be reviewed periodically.

Commissioner Dean explained that Mixed Use Residential is a localized district that has more requirements than the surrounding zones, Mixed Use is a zone that has to accommodate different land uses in the same space, which requires stricter standards. Mr. Mumford explained that form based codes could be developed for Mixed Use zoning, which means more flexibility in land use requirements but more standard in the way of parking, building structure, floor sizes, lighting, and more. He stated that if the City is to give more flexibility with land use, then the City should be receiving more standards or insurance. Commissioner Linton stated that Mixed Use is a unique development, and he felt that this agreement was turning Mixed Use into a general development.

Commissioner Dean stated that the City should make sure that the Development Code is applied equally to the developers and land owners.

Commissioner Linton felt that this agreement is far reaching, it affects a number of peoples' lives, the agreement is incomplete and for that reason they should give each party sufficient time to negotiate and put in writing a complete document. He asked if February 25th would be sufficient timing with getting everything ready. Mr. Godfrey asked if they could continue the Public Hearing to the January meeting for at least feedback. Mr. Mumford explained that by the end of January the Commissioners could get a good update but the project agreement would likely not be complete.

MOTION: *Preston Dean moved to continue the public hearing of the Monte Vista Ranch Master Development Plan Items to the January 28, 2014 meeting. Wendy Komoroski seconded the motion. Those voting aye: Preston Dean, Matthew Everett, Wendy Komoroski, and John Linton. The motion passed with a unanimous vote.*

B. SilverLake 11-13 Preliminary Plat – Public Hearing, Action Item

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An applicant proposal for the next three phases of SilverLake, located south of SilverLake Plat 8 and east of Woodhaven Boulevard. The proposal is for 137 residential lots on 25.4 acres at a density of 5.4 units/acre. This density was approved in the master development plan, and the specifics of the lot and road layout, open space locations and improvements, etc. will be reviewed.

Mr. Mumford explained that the SilverLake Master Development Plan was updated recently, and the master development agreement was approved on January 15, 2013. Final plats for SilverLake 8, 9, and 10 were all approved this year. This preliminary plat sits southeast of those plats. The SilverLake Master Development Plan was approved for 400 units in the area that includes plats 11-13 and the eastern portion of plat 8 (east of Woodhaven Boulevard), including a potential mix of single-family lots, cluster homes, and townhomes. This portion of Plat 8 contains 43 lots, and the proposed Plats 11-13 contain 137 lots, for a total of 180. The reduction in density is a welcome change.

A fee of \$475 per lot will be required with each building permit for street trees on neighborhood roads. Upon completion of 80% of the homes in an area, including irrigation systems to the park strips, the City will bid out the project for tree installation. The City has no responsibility for installing irrigation systems or grass in any of the park strips.

He reviewed some noteworthy items:

Cluster Homes

Chapter 17.10 in the Municipal Code defines cluster homes as follows:

“Cluster home” means a detached home that is generally located on a small lot or clustered near other detached homes with common open space between the homes. A cluster homes development will generally include a park, courtyard, or additional improved open space within the development. These are sometimes referred to as patio homes.

Paragraph 4 of the SilverLake Master Development Agreement states the following:

Patio/Garden Court/Cluster Home Development. *In addition to the requirements set forth in paragraph 2, the Developer shall have the option to develop and construct patio/garden court/cluster homes within the SilverLake Development in locations identified on Exhibit A1 and fundamentally consistent with the renderings in Exhibit C-1. These homes are generally located on a small lot or clustered near other detached homes, and generally include a park, courtyard, or additional improved open space within the immediate neighborhood. These are not just small single-family lots; they are to be designed with parks, courtyards, or open space as an integral part of the neighborhood.*

The City Code requires a minimum lot frontage (lot width along a public street) of 55 feet. Many of the lots in this plat have less than the required 55 feet. The applicant desires that these lots be classified as “cluster homes.”

Lot Distribution

Paragraph 4 section “a” of the SilverLake Master Development Agreement states the following:

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PGC (patio, garden court, cluster) homes must be distributed in areas identified on the master plan map, Exhibit A1. PGC (lots under 5,500 square feet or with a lot frontage of less than 55 feet) shall not be clustered together in groups of more than 65 lots.

Although the density is reduced in this area, there are more than 65 cluster homes in one area. Commissioners will have to decide if the intent of the master development agreement language is met with this proposal, or if the configuration should be modified.

Setbacks

The setbacks for the cluster homes were approved with the master development agreement, and are as shown in these figures:

Each cluster home “block” is required to have a site plan approved, which contains more detail of the homes in relation to the lots, open space, and roads, including drainage swales and other necessary improvements. These site plans are reviewed for approval by the Planning Director, Building Official, and City Engineer.

Tony Trane represented the applicant. He asked if the Commissioners had any concerns. Commissioner Linton was concerned about the parking for the park areas. Mr. Trane explained that the park that he was concerned about is made up of walking trails and is designed for the local residents that live in the area.

Troy Gabler, builder, explained that he has built the same development in Bluffdale and Herriman City and those developments have worked very well. This development is an updated model of those developments with larger driveways, lots and setback for parking. He stated that collectively it will provide a different product and a different layout which will meet the needs of a townhome buyer that does not want to or cannot afford to move up to a traditional lot. He explained that a cluster home to Fieldstone is no different than a traditional home, the only difference is the lot size and setbacks.

Commissioner Komoroski stated that there is a market for empty nesters in a cluster home environment with rambler homes. Mr. Gabler stated that there are no rambler homes in this development, because of garage space they require. Grant Gifford stated that in phases 9 and 10 there are lot sizes that could accommodate rambler homes. Commissioner Komoroski stated that they should research empty nester home floor plans. She explained that empty nesters want smaller yards, but open space they could get to easily (for example when their grandkids visit).

Mr. Trane explained and reviewed why some lots that face certain area were considered.

Reasons:

- they can run the water system through the back of areas that would help loop their water system.
- Saratoga Spring plan for the area is a high density development that borders the this development.
- Patio homes could back up to park space.

He also stated that they prefer the park not to have parking, but if the City requires parking they could install a quiver by the trail that could give access back to the park. Commissioner Dean

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asked if the open space was planned for all grass. Mr. Train explained that along the wash the park would be a native seed mix and everything else would be Kentucky blue grass. He explained that Lehi City has done a study, and that study showed that the number one request for parks are walking trails. The developer has connected trails throughout the development. Some of the trails lead to the community park, connect to other parks and to the wash for biking.

Mr. Mumford reviewed what the developer is providing for pocket and neighborhood parks in the development: basically they are providing trails, extra open space, and a bench with shade trees. He read the City Pocket & Neighborhood Park Requirements code:

16.35.105 Pocket park requirements.

B. The design of the pocket parks shall be largely at the discretion of the builder/developer. At least seven points per 0.1 acre or 70 points per acre are required in the design of a pocket park, according to Table 16.35.130(c), Pocket and Neighborhood Park Elements. The following minimum programming is required for each pocket park:

1. Grass area large enough for children's play.
2. Shady seating area with benches or tables provided by a shade structure or grove of trees.
3. Parking on adjacent street.
4. Additional uses, such as tot lots or other play structures, depending on the needs of the surrounding neighborhood and proximity to other play structures.
5. Must be connected to the neighborhood by sidewalks or trails.
6. A variety of landscaping, including trees, shrubs, ornamental grasses, etc.
7. An appropriate number of garbage receptacles and barbeques with park elements, including pavilions, picnic tables, playground equipment, splash pad, benches, etc.

He stated those are the minimum requirements for pocket parks and then the rest would be up to the developer. He stated that he pointed out to Tony Trane the locations of the park areas and the safety concerns. The one park is tucked back behind and not along a public street. He is concerned with the lack of visibility and would prefer it to be open for safety. The middle park is wide and then narrows out, which makes it unusable for a park. It would just be an open space area. The SilverLake Master Development Plan Parks and Open Space exhibit shows a cluster or neighborhood park in this area. This plat also contains open space that is within the power line corridor, which can count towards the required pocket and neighborhood park open space calculations for the overall master plan. The park, however, must meet all of the standards in the City Code, including the appropriate amenities according to the point values.

Commissioner Dean asked if there was a fence along the trails open space. Mr. Mumford explained that the fence would be a six foot privacy fence that would be placed on the property line and would be installed by the developer. Mr. Gabriel explained that the development would be under the SilverLake Master Development.

Commissioner Everett was concerned about the future of the roads in the development and worried that future assessments would be put into effect. He was also concerned about the smaller clustering and high density. He stated that SilverLakes current build out is on 127 acres with about 556 units. The development being proposed is 400 units on 46 acres. Mr. Gabriel stated that it's more like three hundred and something. He explained that the cluster home is the whole idea of this type of development. The development would have a variety of homes

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including single family and townhomes. He also explained that what Mr. Mumford explained about the park safety, the developer has removed a lot and opened the park up a little more, but the whole idea behind the park is for a walking destination park. Mr. Gifford explained that the Master Development allows for 1800 lots where the developer is planning for about 1500 lots. He also stated that Fieldstone Homes is experienced in this type of cluster home development.

Commissioner Linton opened the public hearing at 8:07p.m.

Fred Peebles, 7572 Kidwelly Court, explained that for Thanksgiving this year he had five extra cars show up to his home. He asked where visitors would park in this development. Mr. Train explained that a single family home has four stalls with one on the street. The proposed development homes has the same spaces available because there is an extra space between the units parking spaces. He also explained that the development has double the City requirements for parking. Commissioner Komoroski explained that there are more parking spaces in this development than a townhome. She also explained that there is a need for this type of development, and stated that this is a step up from townhomes.

Commissioner Linton closed the public hearing at 8:12 p.m.

Commissioner Dean stated that with a cluster home development residents give up a yard for a common open space near the home which makes the resident feel they have ownership of that open space. Looking at this development, some homes are not very close or nearby common or open spaces. Mr. Train explained that they did not want what happened in the SilverLake Village to happen in this development. The developer wants the residents of this development to feel that they have ownership of their own lot with property lines but remove the common space between the lots. The development gives the feel that one can walk to the open spaces with the trails. Commissioner Dean was concerned that more developers would come in requesting cluster homes with less frontage.

Commissioner Linton asked the developer about the trail in the power line corridor. He stated that the plans don't show a trail but the agreement states there is a trail in the corridor. He also asked what type of material would be used for the trail. Mr. Gabriel explained that the City would be installing that trail but the original agreement stated that it would be a naturally trail. Mr. Mumford explained that the developer and Planning Depart talked to Chris Trusty and Dave Norman about access into the corridor area.

Commissioner Dean felt that the cluster home project homes are similar to the surrounding development which makes him feel comfortable with approving the project. Commissioner Linton was concerned about what happened in SilverLake Village and that is why the Planning Commission has been concerned with this project. But as a whole he has no problem with the project and thinks it should be approved.

MOTION: *Preston Dean moved to approve the SilverLake 11-13 Preliminary Plat. Matthew Everett seconded the motion. Those voting aye: Preston Dean, Matthew Everett, Wendy Komoroski, and John Linton. The motion passed with a unanimous vote.*

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C. Gateway Phase A Plat 1 Final Plat – Action Item

Mr. Mumford explained that this is the applicant-proposal for the first phase of the Gateway project, which received preliminary plat approval in August. The project is located southeast of the Lone Tree development, across Pony Express Parkway. The proposal is for 19 lots on 7.21 acres, for a density of 2.63 units/acre. The preliminary plat represents a 69% reduction in density from the approved densities for these properties.

Providing access to four lots is a road or alley that would be maintained by the HOA. The Gateway development will be a part of the Ranches Master HOA. Commissioner Linton explained that in the Ranches there are current issues with privately owned roads. He felt that all roads should meet City standards and be dedicated to the City. Mr. Mumford stated that could be a condition of approval, that all roads should meet City and Fire Marshal standards and be dedicated to the City. He stated that the road would have to be a minimum of 20 ft. to meet City standards.

There are bench drains or cut-off ditches that are required along the backs of the hillside lots, on the eastern portion of the project, to protect the homes from storm water runoff from the hillside. The Public Works Department will work with the developer to ensure that the drains are installed correctly. There is also a large electrical switchgear and a natural gas regulator shed that the developer wants to change the look of, but at this time the developer is not ready to change the shed. The City's only concern is having access into or out of the shed. There was also a requirement in the preliminary plat that no parking be allowed along one side of the road near the trailhead pocket park. Also the Commissioner and developer need to work out how the developer is going to use the community improvement project fund and how the petroglyph rock art will be preserved. He explained that the developer and the City have no idea what to do with the petroglyph rock art at this time. A single rock containing significant rock art is located within this general area of the Lower Hidden Valley master plan. The preliminary plat approval included a condition that the applicant proposes a plan for petroglyph preservation prior to, or along with, the approval of the first final plat. The Planning Department has met with representatives of URARA (Utah Rock Art Research Association), as well as with the developer and some interested city residents, and have been documenting the rock art in this general area. There are varying opinions on the preservation issue, but the fact remains that as long as the rock art remains in private ownership, the City may not be able to obtain funds for preservation, nor establish fines for vandalism. The applicant would thus like to deed to the City the petroglyph rock, its immediate surrounding area, and a trail connection to Pony Express Parkway.

Commissioner Linton felt that the project of making the shed look more desirable could be approved at a City staff level.

Scott Kirkland, Sage Communities, explained that there is one petroglyph rock art in this area. He had mentioned to the URARA (Utah Rock Art Research Association) about moving the petroglyph rock to an area that could help preserve the art. The URARA was not found of the idea, because it would be removed from its original place. The URARA suggested that the City and the developer put a fence around the rock and have a caretaker or volunteer that takes care of it around the clock. He stated that he could not see that happening. He would rather have the art in a place where it

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could be preserved and not vandalized and where people could enjoy the petroglyph rock art. He stated that he could dedicate it to the City because the whole area is open space. He does not know if the City wants that responsibility right now. Commissioner Linton asked what type of problem the City would have with relocating that rock art. Mr. Mumford explained that one down side is the rock art is a very large flat rock that could be damaged in the move. Mr. Kirkland requested that the City refer this to another phase until the landowner or the City could figure out what to do with the petroglyph rock art. He stated that he would love to do something wonderful with the petroglyph rock art area, like put it in a park. But the URARA is saying that we should not draw too much attention to the rock art without being able to protect the art from vandalism.

Mr. Kirkland said that his group has done a water pressure study and has determined that they could only build 32 lots within two phase, with the water pressure. Then a water line would be required that would go back into Hidden Valley that would be very expensive to install. He stated that he would like to use the \$14,420 (\$2,000 x 7.21 acres) community improvement dollars to be used for future improvement of the hillside trails and for the lookout tower on the hill, or equate this to the value of the petroglyph property that will be deeded to the City.

MOTION: *Preston Dean moved to recommend the approval of the Gateway Phase A Plat 1 Final Plat to City Council with the following recommended conditions.*

- 1) Community improvement dollars be escrowed as per the applicant desires to use this money in the future for improvement of the hillside trails and for the lookout tower on the hill, or equate this to the value of the petroglyph property that will be deeded to the City.*
- 2) Propose a plan for petroglyph preservation prior to, or along with, the approval of the phase 2 plat.*
- 3) No parking on one side of the road near the trailhead pocket park.*
- 4) Change street names to not reflect existing subdivisions in the city.*
- 5) Changes to natural gas regulator shed/building must be presented for approval by the Planning Department staff prior to making changes to the shed building and that they maintain access to the building.*
- 6) All streets are to be designed to meet all City standards for roads or alleys, to be approved by the Fire Marshal, and to be dedicated to the City.*

Wendy Komoroski seconded the motion. Those voting aye: Preston Dean, Matthew Everett, Wendy Komoroski, and John Linton. The motion passed with a unanimous vote.

5. Work Session

- A. Discussion of Potential Development Code Amendments
- B. Next Scheduled Meeting: January 14

6. Adjournment

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

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, DECEMBER 10, 2013 AT 6:00 P.M.
Eagle Mountain City Council Chambers; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

The meeting was adjourned at 9:26 p.m.

APPROVED BY THE PLANNING COMMISSION ON JANUARY 28, 2014.



Steve Mumford, Planning Director