

Eagle Mountain City Planning Commission Minutes 2018, Part 2

Dates of Planning Commission Meetings:

- June 12, 2018
- July 10, 2018
- August 14, 2018
- August 28, 2018
- September 11, 2018
- October 23, 2018
- November 13, 2018
- December 11, 2018



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

June 12th 2018 6:00 p.m.

Eagle Mountain City Hall Council Chambers

1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

COMMISSION MEMBERS PRESENT: Rich Wood, DeLin Anderson, Brett Wright, Jared Gray, and Matthew Everett.

OFFICIALS PRESENT: Donna Burnham and Melissa Clark.

CITY STAFF PRESENT: Tayler Jensen, Planner; Mike Hadley, Senior Planner; and Johna Rose, Deputy Recorder.

Commissioner Everett opened the meeting at 6:02 p.m.

1. Pledge of Allegiance

Commissioner Everett led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes

A. May 8, 2018

B. May 22, 2018

MOTION: *Rich Wood moved to approve the May 8, 2018 and May 22, 2018 meeting minutes with the following change:*

1. That Commissioner Wright opened the meeting for May 22, 2018.

DeLin Anderson seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.

4. Action and Advisory Items

A. Development Code Amendments, Chapters 16.20, 16.25, 16.30, & 16.35, Parks and Open Space, Landscaping Plans, Public Hearing; Action Item:

Staff proposed Code amendments intended to reduce the complexity of the City's current parks & open space requirements, and to improve the consistency of the implementation of those requirements across all developments.

Tayler Jensen said that this Code amendment would do the following:

- Clean up some of the requirements for preliminary plat and final plat landscape plan submittals.
- Simplify the calculation of the guarantee for parks and improved open spaces. Developers are required to improve parks and open spaces prior to recording the first plat, or they can pay cash to the City to be held in escrow at the rate of \$3,750 per lot. That amount was calculated at the rate of \$2.00/sq. ft. for the base level improvements, plus \$500/sq. ft. for labor, multiplied by 150%. One lot would require 1,000 square feet of open space. $(1,000 \times \$2.00 + \$500) \times 1.5 = \$3,750$. This number was compared with bond amounts and park costs for recent park projects in the city, and found to be very comparable.
- Eliminating small common areas in multi-family projects from qualifying as improved open space.
- Allowing storm water basins to count as improved open space at a rate of 75%, if improved with sod and other improvements.
- Changing the parks and open space fee-in-lieu from \$5.75/sq. ft. to \$3.75/sq. ft. plus the appraised value of the land.

Commissioner Wright asked what kind of improvements will be required for storm water basins. Mr. Jensen explained that developers would get credit for sod and sprinklers in the storm water basins at the approval authority discretion (Planning Commission's and City Council's discretion). The City would like to see the developers improve the storm water basins instead of leaving them to dirt and weed patches. City staff is called out on a regular bases to fix or maintain unimproved storm water basins in neighborhoods.

Commissioner Wood asked if there should be some kind of standard for different types of storm water basins (10 year, 100 year, or 1000 year flood area) improvements that developers could follow in the Municipal Code. Commissioner Everett felt that the 75% should be required for 100 year storm water basins, but the percentage should be lower for any storm water basin under the 100 year.

Commissioners were concerned about dropping the fee-in-lieu from \$5.75 to \$3.75. Mr. Jensen said that with the appraisal value of the property and the \$3.75 fee the fee-in-lieu could be higher for some developments depending on market value.

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

None

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

MOTION:

Rich Wood moved to recommend approval of the Development Code amendments of Chapters 16.20, 16.25, 16.30, & 16.35 Parks, Open Space, and Landscaping Plans to the City Council with the following language change to Section 16.35.105 (A)(8) as follows: Improved open space credit may be awarded up to a maximum rate of 75% for improved storm water basins, at the approval authority's discretion.

Brett Wright seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.

B. Development Code Amendments, Chapters 17.10, 17.38, 17.40, Moving and Storage Facilities, Public Hearing; Action Item:

Mr. Jensen explained that staff has proposed Code amendments to create standards for moving and storage facilities, and to allow for the consistent, safe, and fair establishment of moving and storage Facilities including but not limited to U-Haul rentals. The proposed amendment would:

- Create a definition for moving and storage facilities.
- Allow for moving and storage facilities as Conditional Uses within the Commercial Storage and Industrial Zones.
- Create development standards for moving and storage facilities.

Commissioner Wood asked if rental trucks would be allowed to park in Ridley's parking lot. Mr. Jensen said that this Code would prevent rental trucks in Ridley's parking lot.

Commissioners suggested changing the definition name to Moving, Storage Facilities and Business.

Commissioner Wright questioned if a 6 foot private fence is sufficient for this type of business. Mr. Jensen said that the minimum fence requirement is a 6-foot fence and the maximum is an 8-foot fence in the Industrial and Commercial Storage areas. Commissioner Gray suggested changing the wording in the Municipal Code to state a minimum 6-foot fence.

Commissioner Everett opened the public hearing at 6:54 p.m.

None

Commissioner Everett closed the public hearing at 6:54 p.m.

MOTION:

Rich Wood moved to recommend approval of the Development Code Amendments of Chapters 17.10, 17.38, and 17.40 Moving and Storage Facilities to the City Council with the following changes:

- 1. The definition wording is as follows: "Moving and Storage Facilities" means a facility or business engaged in the moving of household or office furniture, appliances, and equipment from one location to another, including the parking of moving vehicles.*
- 2. 17.38.090 (E.) wording be changed to: A maximum of three (3) moving vehicles may be displayed outside of a building or in front of a minimum six foot (6') privacy fence or wall. All vehicles must be parked upon an improved parking area within designated parking stalls. Up to ten (10) additional rental vehicles may be placed inside a structure or behind a minimum six foot (6') privacy fence or wall.*

Jared Gray seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.

C. Development Code Amendment, Chapter 17.60.120, General Fencing Provisions, Public Hearing; Action Item:

Mr. Jensen explained that staff has proposed a change to the General Fencing Provisions referencing that retaining walls must comply with the Hillside Site Development Standards.

Commissioner Everett opened the public hearing at 7:01 p.m.

None

Commissioner Everett closed the public hearing at 7:02 p.m.

MOTION: *Rich Wood moved to recommend approval of the Development Code Amendments of Chapters 17.60.120 General Fencing Provisions to the City Council. Jared Gray seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.*

D. Harvest Pavilion Variance Request, Public Hearing; Action Item:

Mr. Jensen said that the applicant is requesting a variance to allow for the construction of an open pavilion within the front yard of their home located at 3387 East Harvest Lane.

Commissioner Gray was concerned that future owners would turn the pavilion into a barn or garage. He stated that this would create a prescriptive easement.

Larry Diamond, representing the land owner Glen Allred, stated that there is no place for residents to gather in the older part of Meadow Ranch. All residents of Eagle Mountain would be able to use the private park. The land owner would maintain the park. The residents have already paid for an installation of an extra water meter and to have a power pole moved on the property. They have already installed a sprinkler system on the property. The hardship of this property is the slope of the property, the house is built on the back of the property so the only yard is in the front, and the sprinkler system is already installed.

Commissioner Wright felt that this would not qualify as a hardship.

Mr. Jensen suggested that the pavilion be placed on the adjacent property. The other property would not require a variance.

Commissioner Everett opened the public hearing at 7:29 p.m.

Aaron Allred, resident, felt that it would be a hardship because it would be a great expense to the residents to move the sprinklers. Commissioner Everett explained that the hardship could not be self-imposed as per State Code.

Commissioner Everett closed the public hearing at 7:34 p.m.

Commissioners suggested to the applicant that they post a private park sign on the property so that it would not turn into a prescriptive easement.

MOTION: *Rich Wood moved to deny the Harvest Pavilion variance. Brett Wright seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.*

E. SilverLake South Monument Sign, Action Item:

Mike Hadley explained that the applicant has proposed a community entrance sign within the right-of-way for the southern portion of the SilverLake development.

Commissioner Everett was concerned that the applicant did not attend the Planning Commission meeting. He questioned why the sign stated SilverLake South if it had the same HOA as all residents in SilverLake.

Commissioner Wood was concerned about the SilverLake HOA paying to maintain a sign that was unnecessary to the development.

Commissioner Everett also questioned why there were three different types of monument signs for SilverLake. He was also concerned about the scale of the proposed sign.

Commissioner Wright requested that there be some kind of continuity in the design of new development signs and that a moniker be added that could tie the City together.

MOTION: *Matthew Everett moved to table the SilverLake South monument sign. Brett Wright seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.*

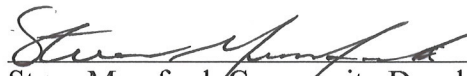
Commissioner Everett requested that the applicant attend the Planning Commission or at least send a representative to answer the Planning Commissioners' questions.

5. Next scheduled meeting: July 10, 2018

6. Adjournment

MOTION: *Jared Gray moved to adjourn the meeting at 8:14 p.m. Brett Wright seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.*

APPROVED BY THE PLANNING COMMISSION ON JULY 10, 2018


Steve Mumford, Community Development Director



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

July 10th 2018 6:00 p.m.

Eagle Mountain City Hall Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

COMMISSION MEMBERS PRESENT: Rich Wood, DeLin Anderson, Brett Wright, Jared Gray, and Matthew Everett.

OFFICIALS PRESENT: Donna Burnham and Melissa Clark.

CITY STAFF PRESENT: Steve Mumford, Community Development Director; Tayler Jensen, Planner; and Johna Rose, Deputy Recorder.

Commissioner Everett opened the meeting at 6:01 p.m.

1. Pledge of Allegiance

Commissioner Everett led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes

A. June 12, 2018

MOTION: *Rich Wood moved to approve the June 12, 2018 meeting minutes. DeLin Anderson seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, Brett Wright, and Rich Wood. The motion passed with a unanimous vote.*

4. Action and Advisory Items

A. Dublin Farms, Conditional Use, Site Plan, and Preliminary Plat, Public Hearing; Action Item:

Tayler Jensen explained that the proposal was for a 128-unit townhome development located on 9.39 acres within the Porter's Crossing Town Center Master Development Plan (MDP) located on Pods 3b and 4 of the Porter's Crossing Town Center MDP.

James Doolin, applicant, said that they would like to build the park while building the townhome units. He requested that the City allow him to pull the building permits for the units and then finish the park before 80% of the Certificates of Occupancy are issued for the townhomes.

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

Kimberly Thomas, resident, asked if the units would be owned or leased. She felt that the park should be geared towards children ages 3 through 5. She stated that townhome demographics are usually younger families.

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

Mr. Doolin stated that these units would be for lease. He said that the park was geared towards children ages 5 through 12. He also stated that the demographics are usually younger families and that the developer could change the park layout.

Commissioner Wood was concerned about the architectural design of the buildings. He suggested some alteration and variety to the front elevation of the buildings that would be more pleasing to the eye. He also suggested a clubhouse with a gathering room and kitchenette.

Commissioners discussed the percentage of Certificates of Occupancy that could be issued before the developer was required to finish building the park. Commissioner Wood felt that the park should be built before 50 percent of the Certificates of Occupancy are issued.

MOTION: *Rich Wood moved to approve the Dublin Farms Conditional Use Permit. Jared Gray seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.*

MOTION: *Rich Wood moved to recommend approval of the Dublin Farms site plan and preliminary plat to the City Council with the following conditions:*

- 1. Additional features be added to the side elevations for the seven (7) side facades that are adjacent to public rights-of-way and/or improved open spaces*
- 2. Additional architectural features be provided on the rear elevations of the "Payton" to be approved by staff*
- 3. Park property shall be dedicated to the City along with the first recorded subdivision plat for this project*
- 4. The park in-lieu fee of \$697,496.00 shall be paid to the city prior to recording any plats within this development.*
- 5. Park includes a tot lot for ages 2 through 5.*
- 6. Architectural features be provided on the front elevations of the "Steve" similar to the "Delinda" elevation.*
- 7. The park shall be complete before 50% of the units Certificates of Occupancy are issued.*

Jared Gray seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.

B. Eagle Mountain (Jeppson) Auto, Conditional Use, Site Plan, and Preliminary Plat, Public Hearing;
Action Item:

Mr. Jensen said that the proposal was for a .73 acre, 1 lot preliminary plat, site plan, and conditional use permit for an auto body shop located at the intersection of Eagle Mountain Boulevard and Pony Express Parkway just south of the gas station.

Commissioner Wright was concerned about employee parking. He wanted to make sure that parking is used for business purposes only and not used for personal storage.

Commissioner Gray was concerned about the connected access road to the other surrounding business in the area and how this business could encroach on those businesses. He was also concerned about the business not having enough parking stalls for this type of use.

Bryan Jeppson, applicant, explained that he has a mobile auto mechanic business in Eagle Mountain City and is needing to expand. Currently he has six employees including himself and is looking to hire about two more employees. He stated that this building will have large bays and the majority of the work would be fast turnaround jobs. He has about 35 parking stalls and his employees would only utilize about 5 stalls, plus 2 stalls will be designated for mobile service vans. Hours of operation will be from 8:00 a.m. to 6:00 p.m. Monday through Friday.

Commissioners were concerned about this type of business needing more parking stalls than what was required in the City Municipal Code. They were also concerned about the business expansion and how it could become an eyesore with the amount of cars on the property at one time. They requested that the applicant find a way to increase the number of parking stalls. They discussed if a 6 foot privacy fence was efficient for this type of business. They realized that the Municipal Code only allows for a 6 foot privacy fence in the Commercial Zone.

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

None

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

MOTION: *Jared Gray moved to approve the Eagle Mountain (Jeppson) Auto Conditional Use Permit. Rich Wood seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.*

MOTION: *Jared Gray moved to recommend approval of the Eagle Mountain (Jeppson) Auto site plan and preliminary plat to the City Council with the following conditions:*

- 1. Applicant should find a way to increase the number of parking stalls.*
- 2. No vehicles should be parked longer than 48 hours in the front parking lot.*

DeLin Anderson seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.

C. SilverLake South Monument Sign, Action Item:

Mr. Jensen said that the proposal was for a community entrance sign within the right-of-way for the southern portion of the SilverLake development.

Bronson Tatton, applicant, explained that there will be a different sub-HOA for the south area of SilverLake. Commissioner Wood was concerned about segregating the north and south area of the development. He suggested that the developer create a new master HOA for the south area of SilverLake. Mr. Tatton said that the SilverLake Master HOA is doing a great job maintaining SilverLake. The developer does not feel it is necessary to create a new master HOA for the south area. He said that the south area will require a sub-HOA with the clubhouse.

Commissioner Wood stated that he is against a sign that would segregate the subdivision. He felt that signs should be at the entrances of the development and not in the middle of the subdivision. He suggested that all of the signs in SilverLake have continuity and be similar in design.

Mr. Tatton said that only the south area residents will have access to the clubhouse and pool. This sign will differentiate between the residents that will have access to those amenities. He stated that they could have the south sub HOA maintain and pay for the sign.

Commissioner Wood suggested making the sign smaller, moving it to the entrance of the townhomes and changing the name on the sign.

Commissioner Wright did not like the inconsistency of all the monument signs in SilverLake.

Commissioner Everett was concerned about the size of the sign.

Commissioner Wood had no problem with the south SilverLake sign if it had its own master HOA. He would consider it a new development and not a part of the current SilverLake development.

Commissioner Gray suggested adding the Eagle Mountain City logo to the sign.

MOTION: *Rich Wood moved to table the SilverLake South Monument sign. Jared Gray seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.*

5. Next scheduled meeting: August 14, 2018

6. Adjournment

MOTION: *Jared Gray moved to adjourn the meeting at 8:31 p.m. Rich Wood seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.*

APPROVED BY THE PLANNING COMMISSION ON AUGUST 14, 2018



Mike Hadley, Planning Manager



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

August 14, 2018 6:00 p.m.

Eagle Mountain City Hall Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

COMMISSION MEMBERS PRESENT: Rich Wood, Brett Wright, Jared Gray, and Matthew Everett.
EXCUSED: DeLin Anderson.

OFFICIALS PRESENT: Donna Burnham and Melissa Clark.

CITY STAFF PRESENT: Steve Mumford, Community Development Director; Mike Hadley, Planning Manager; Tayler Jensen, Planner; and Johna Rose, Deputy Recorder.

Commissioner Everett opened the meeting at 6:01 p.m.

1. Pledge of Allegiance

Commissioner Everett led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes

A. July 10, 2018

MOTION: *Jared Gray moved to approve the July 10, 2018 meeting minutes. Rich Wood seconded the motion. Those voting aye: Jared Gray, Matthew Everett, Brett Wright, and Rich Wood. The motion passed with a unanimous vote.*

4. Action and Advisory Items

A. Eagle Mountain Storage & RV – Penske Conditional Use Permit, Public Hearing; Action Item:

A proposed CUP for a moving and storage facility and business at the Eagle Mountain Storage & RV site located at 9469 N Mt. Airey Drive.

Mike Hadley said that the applicant had proposed parking six moving trucks in front of the privacy wall.

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

None

Commissioner Everett closed the public hearing at 6:05 p.m.

MOTION:

Brett Wright moved to approve the Eagle Mountain Storage & RV--Penske Conditional Use Permit with the following conditions:

- 1. Vehicles must be parked in an improved parking area within designated parking stalls.***
- 2. Vehicles shall be located in a manner so as to not obstruct drive aisles, doors, or pedestrian pathways.***
- 3. No more than six (6) moving trucks may be parked in front of the privacy wall.***

Jared Gray seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.

B. Sunset Storage & RV – U-Haul’s Conditional Use Permit, Public Hearing; Action Item:

A proposed CUP for a Moving and Storage Facility and Business at the Sunset Storage & RV site located at 9361 Sunset Drive.

Taylor Jensen said that the applicant had proposed parking six moving trucks in front of the privacy wall and six moving trucks behind the wall.

Commissioner Wright was concerned about the parking lot being too small to park six moving trucks in front of the privacy wall.

David Hall, applicant, said that the parking lot has plenty of room to park six moving trucks. Trucks will be located in a manner not to obstruct drive aisles, doors, or pedestrian pathways.

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

None

Commissioner Everett closed the public hearing at 6:09 p.m.

MOTION:

Brett Wright moved to approve the Sunset Storage & RV—U-Haul’s Conditional Use Permit with the following conditions:

- 1. Vehicles must be parked in an improved parking area within designated parking stalls.***
- 2. Vehicles shall be located in a manner so as to not obstruct drive aisles, doors, or pedestrian pathways.***
- 3. No more than six (6) moving trucks may be parked in front of the privacy wall.***

Rich Wood seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.

C. Hidden Hollow Phase B Preliminary Plat, Public Hearing; Action Item:

Mr. Hadley said that the proposal is for a preliminary plat for 71 units (17 single family, 54 townhomes) on 16.59 acres (4.27 DU/AC) located on Hidden Valley Parkway, south of Hidden Hollow Elementary School.

The applicant is proposing an alternative open space plan. This alternative proposal includes the applicant's willingness to enter into an agreement that runs with the land that guarantees access to the Upper Hidden Valley trail system, guarantees rerouting of trails that are impacted by development, and developing 0.35 acres of improved open space in the next phase of development.

Items the Planning Commissioners had to consider were as follows:

- Only 30 units may be built until the extension of Hidden Valley Parkway is completed.
- Collector road fencing will be required for lots that back or side against Hidden Valley Parkway.
- Townhomes must comply with Commercial and Multifamily Design Standards.
- Slopes that average 25% or greater are unbuildable.

Commissioner Wood was concerned about the slope of the property and felt that most of the property was unbuildable.

Commissioner Gray was concerned about putting multi-family housing in a development with one access road.

Ryan Bybee, applicant, explained that this project was vested with 660 units and was part of The Ranches Master Development Agreement. The Alpine School District took 2/3 of the project, which brought the project down to 230 units. The developer had planned to put in single family units, but with the open space requirements and the cost of the amenities the developer had to come up with a different plan. The multi-family units balanced out the vested rights with the City requirements.

The grade of the property has had a certified stamp plan and study done by an engineer. The plan of the townhomes will be complementary to the slope of the property. The first level of the townhomes will have the garage and the front entrance. The second level will allow for an exit out into the back yard.

Commissioner Wright requested that the applicant add more architectural features to the townhomes.

Commissioner Wood suggested that the builder break up the units with different materials and colors. He was concerned that the property location was not appropriate for townhomes.

Commissioner Everett was concerned about the garage being a prominent feature on the front elevation of the townhomes.

Commissioner Wood questioned if the mountain bike trail system was an amenity to the residents living in this development. He also questioned how the City would protect the bike trail from being developed.

Mr. Bybee stated that with this phase of the development all the amenities for the mountain bike trailhead will be built. The developer was willing to enter into an agreement to preserve the bike trails.

Commissioner Everett opened the public hearing at 7:07 p.m.

None

Commissioner Everett closed the public hearing at 7:08 p.m.

MOTION:

Jared Gray moved to recommend approval of the Hidden Hollow Phase B preliminary plat to the City Council with the following conditions:

- 1. Applicant shall comply with the open space plan presented in the packet.***
- 2. The plat shall show the building footprint for any steep lots.***
- 3. Applicant shall enter into an agreement to preserve the mountain bike trails.***
- 4. The garages should not be the most prominent feature of the townhomes.***
- 5. Buildings shall have a variety of architectural designs and structures to help break up patterns and colors on the townhomes.***
- 6. No blasting shall be allowed.***
- 7 Applicant shall submit the certified engineer slope study.***
- 8. White garage doors are discouraged.***

Rich Wood seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.

D. Monte Vista Ranch Extractive Industries Overlay Zone, Rezone, Public Hearing; Action Item:

Mr. Jensen explained that the Extractive Industries Overlay Zone proposal is to provide materials necessary for the construction of the Facebook development. The applicant is proposing to have the Extractive Industries Overlay zone added to 111.23 acres of property (parcel 59:020:0008). The parcel is designated as Mixed-Use Residential/Commercial within the Eagle Mountain Properties Master Development Plan and Agreement. The property is located approximately 1 mile south of Eagle Mountain Boulevard and 1/3 mile east of Lake Mountain Road. The owner of the property plans on bringing in a larger rezone proposal which will include a master grading plan to prepare the parcel for future residential development after the mining is complete.

Commissioner Wood asked if there would be a time frame when this property rezone would convert back to residential. Mr. Jensen stated that the applicant will have to obtain a mass grading permit from the City Engineer and the Utah State Division of Mining. The State will also require a reclamation plan for the property. Those permits will allow the applicant to mine down to the approved level and then reclaim the property back to an approved standard after mining is complete. He said that the Planning Commission could put a time frame condition on the overlay zone.

Commissioner Wood was concerned about leaving the mountain scarred.

Drew Downs, Ames Construction, stated that there is pit on BLM land next to the property that could be mined. He said that this is a unique opportunity to mine the materials needed 2 miles from the project.

He has an agreement with Tiffany Walden to use alternative routes to haul dump truck loads to the project. This would keep dump truck loads of gravel and sand off of City roads. There will be no blasting on the property. The operation will be a temporary gravel and sand pit so no State permit would be required. The Utah State Division of Oil, Gas, and Mining will be supplying a letter to the City stating that a mining permit will not be required.

Ames Construction has a contract with the property owner to grade the property for residential use once the operation of the pit is complete. The contractor will have access to a well that will help with dust control. The City will benefit from sales tax on the sale of the gravel and sand.

Commissioner Gray questioned if the City would get the sale tax on the royalty price or the retail price of the gravel.

Commissioner Wood wanted to make sure that the pit is only used for the Facebook project.

Commissioner Gray felt that this should be an agreement with the City instead of an overlay zone. He was concerned that the property would remain an Extractive Industries Overlay Zone after the project was complete. Steve Mumford stated that the property has to be zoned Extractive Industries Overlay Zone so the applicant can extract the materials from the property. He will follow up with the City Attorney about putting a repeal date on the zone and a sunset clause on the project.

Commissioner Everett opened the public hearing at 8:21 p.m.

Bob Noxon, potential buyer of the property adjacent to this parcel, was concerned that the road and the well would have a prescribed easement on the property he was looking at purchasing.

Commissioner Everett closed the public hearing at 8:28 p.m.

MOTION:

Rich Wood moved to recommend denial of the Monte Vista Ranch Extractive Industries Overlay Zone rezone for parcel 59:020:0008 to the City Council for the following reasons:

- 1. Lack of a reclamation plan.***
- 2. Lack of exact volume of the material that will be extracted for the Facebook project.***
- 3. Lack of assurance that the pit will only be used for the Facebook project.***
- 4. Lack of a sunset clause or a restrictive agreement with the City.***
- 5. Lack of information regarding sales tax and whether it will be based on royalties or retail value of the gravel.***

Brett Wright seconded the motion. Those voting aye: Brett Wright, Rich Wood, and Jared Gray. Those voting nay: Matthew Everett. The motion passed with a vote of 3 ayes and 1 nay.

E. Pony Express Estates, Rezone, Preliminary Plat, Public Hearing; Action Item:

Mr. Jensen said that the proposal is for a rezone of 72.05 acres from Agriculture to Residential and a preliminary plat for 213 single family lots, for a total density of 2.96 DU/AC. The property is located east of Sage Park, west of the high school and Pacific Springs, and south of Cory Wride Park.

The applicant is required to provide a minimum of 4.89 acres of improved open space and 489 amenity points. The applicant is proposing: 3.87 acres of improved open space, with an additional 1.04 acres of space within 100 year detention basins and .9 acres within 10 year detention basins for a total of 5.81 acres. According to Code up to 75% of detention basins may be counted as open space (if approved by the Planning Commission and City Council) for a total 1.455 acres. Thus, as long as at least 1.02 acres of basins are approved by the Planning Commission and City Council as open space the project will comply with open space standards.

The applicant is proposing a total of 700 amenity points including 413 amenity points for amenities other than trails. By Code, a minimum of 66% of the required amenities must be something other than trails, so 66% of 489 for a 323 the applicant is exceeding minimum amenity requirements.

The Pony Express Trail cuts through the center of the project, as such the applicant will be providing nearly 1,700 feet of equestrian trails and over 1,800 feet of 10' wide pedestrian trails for the Pony Express Trail. The Pony Express Trail is designated as regional trail.

Aviator Avenue is shown on the southern edge of this property, and it is currently shown as a Minor Collector which includes a 77' right-of-way. City administration has indicated that it is desired that the classification for Aviator Avenue be increased to a Major Collector which requires a 94' right-of-way. As such it is likely that some of the additional 17' of right-of-way will need to be taken from the southern edge of the development. While it is not anticipated that any lots will be made unbuildable by this change, staff requested that the Planning Commission recommend that the applicant be able to work with staff to facilitate the wider right-of-way during the final plat process.

Commissioner Gray was concerned about removing the preexisting historical Pony Express trail road and making it a trail.

Woody Woodruff, representative of the applicant, felt that the community and the City would benefit from the trail amenities and the trail upgrades. He went through the amenities and the connectivity of the trail in the open space proposal plan.

Commissioner Gray suggested a hitching post station and tie rail along the trail system.

Commissioner Everett opened the public hearing at 9:28 p.m.

Jeff Ruth, resident, suggested installing something along the horse trail to discourage OHV or ATV riders.

Commissioner Everett closed the public hearing at 9:28 p.m.

MOTION: ***Rich Wood moved to recommend approval of the Pony Express Estates preliminary plat and rezone to the City Council with the following conditions:***
 1. The applicant work with staff to facilitate a wider ROW for Aviator Avenue.

2. The connection point to Pacific Springs be finalized.

Jared Gray seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.

F. Carson Crossing, Rezone, Public Hearing; Action Item:

Mr. Jensen explained that the proposal is to rezone 6.38 acres from Town Core Residential to Commercial. The property is located on the southwest corner of Pony Express Parkway and Porter's Crossing

Commissioner Everett opened the public hearing at 9:40 p.m.

None

Commissioner Everett closed the public hearing at 9:40 p.m.

MOTION: ***Brett Wright moved to recommend approval of the Carson Crossing rezone to the City Council. Jared Gray seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.***

G. Home Business Code, Development Code Amendment, Public Hearing, Action Item:

Mr. Jensen explained that staff had proposed a Code amendment making changes to the home Business code which would allow long-term storage within permitted structures in the Agriculture and Base Density Residential zones.

Commissioner Wright was concerned about putting this in the Municipal Code, because residents with large lots could rent out their barns or sheds.

Commissioner Everett opened the public hearing at 9:46 p.m.

None

Commissioner Everett closed the public hearing at 9:46 p.m.

MOTION: ***Matthew Everett moved to recommend approval of the Home Business Municipal Code amendment to the City Council with the following change: Section 17.65.60 (N) stating "d. The Community Development Director or his/her designee may limit hours of operation and/or total number of clients if necessary to protect the character of the neighborhood. Rich Wood seconded the motion. Those voting aye: Matthew Everett, , Rich Wood, and Jared Gray. Those voting nay: Brett Wright. The motion passed with a vote of 3 ayes and 1 nay.***

5. Discussion Items

A. Eagle Village Concept Plan, Discussion Item:

An applicant is seeking feedback on a conceptual plan for the Eagle Village subdivision located on 14.1582 acres east of Pony Express Parkway, south of the City Center roundabout.

Commissioners requested that the side setbacks be 5 ft. on one side and 10 ft. on the other side for each house.

Commissioner Wood suggested a larger pavilion and that the larger lots be placed adjacent to Pony Express Parkway.

6. Next scheduled meeting: August 28, 2018

7. Adjournment

Commissioner Gray asked to be excused from the August 28, 2018 meeting.

MOTION: *Matthew Everett moved to adjourn the meeting at 10:09 p.m. Rich Wood seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.*

APPROVED BY THE PLANNING COMMISSION ON AUGUST 28, 2018


Steve Mumford, Community Development Director



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

August 28, 2018 6:00 p.m.

Eagle Mountain City Hall Council Chambers

1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

COMMISSION MEMBERS PRESENT: Rich Wood, Brett Wright, DeLin Anderson, and Matthew Everett. EXCUSED: Jared Gray.

OFFICIAL PRESENT: Melissa Clark.

CITY STAFF PRESENT: Mike Hadley, Planning Manager; Tayler Jensen, Planner; and Johna Rose, Deputy Recorder.

Commissioner Everett opened the meeting at 6:00 p.m.

1. Pledge of Allegiance

Commissioner Everett led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes

A. August 14, 2018

MOTION: *Rich Wood moved to approve the August 14, 2018 meeting minutes. DeLin Anderson seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, Brett Wright, and Rich Wood. The motion passed with a unanimous vote.*

4. Action and Advisory Items

A. Hidden Hollow - Site Plan, Public Hearing; Action Item:

A proposed site plan for the Hidden Hollow Ph. B preliminary plat located just south of the current Hidden Hollow development.

Mike Hadley stated that this site plan was discussed along with the preliminary plat at the August 14, 2018 Planning Commission meeting. There were no changes with the site plan. The only change made was to remove condition #6 stating "no blasting" from the conditions in the staff report. The applicant received an approved blasting permit from the City Council prior to this meeting.

Commissioner Wood suggested adding texture and materials to condition #5 in the staff report.

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

None

Commissioner Everett closed the public hearing at 6:05 p.m.

MOTION: *Rich Wood moved to recommend approval of the Hidden Hollow site plan to the City Council with the following conditions:*

- 1. Applicant shall comply with the open space plan presented in the packet.*
- 2. Applicant should show the building footprint on the plat for any steep lots.*
- 3. Applicant shall enter into an agreement to preserve the mountain bike trails.*
- 4. The garages must not be the most prominent feature of the townhomes.*
- 5. Buildings shall have a variety of architectural designs, textures, materials, and structures to break up patterns and colors on the townhomes.*
- 7. Applicant shall submit the certified engineer slope study.*
- 8. White garage doors are discouraged.*

Brett Wright seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, Rich Wood, and Brett Wright. The motion passed with a unanimous vote.

B. Ridley's – U-Haul's Conditional Use Permit, Public Hearing; Action Item:

Taylor Jensen explained that this a proposal for a Conditional Use Permit for a moving facility business at Ridley's Market located in the Porter's Crossing Town Center commercial development. Moving Facility Uses are only allowed uses in the Industrial and Commercial Storage zones. Ridley's Market is located in the Commercial zone which is not a designated use zone for moving facilities. The applicant plans to park the moving trucks behind the store in the loading area adjacent to The Village at Porter's Crossing residential project.

Lynn Harley, applicant, stated that many of their Ace Hardware stores are associated with U-Haul. It's a benefit to the community to have a couple of U-Haul services in Eagle Mountain. Each location or U-Haul business is limited to a certain number of moving trucks.

Commissioner Everett opened the public hearing at 6:10 p.m.

David Hall, business owner of Sunset Storage RV, stated that Ridley's Market has taken about half of his moving truck business. He was worried that other businesses in the Commercial zone would also request a Conditional Use Permit for a moving truck facility. His understanding was that the Commercial zone was not designated for moving truck services and that only another storage facility would be allowed to have a moving truck service. He said that Saratoga Springs has shut down many moving truck businesses that were not in the correct zones. He was concerned that this location was too close to residential townhomes. Many residents drop off trucks late in the evening or early in the morning. He has witnessed many times residents unloading moving trucks in the middle of the night.

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

Commissioner Wood felt that this would provide a great service to residents, so they would not have to go outside of Eagle Mountain City.

Mr. Jensen explained that Conditional Use Permit for moving trucks facilities are a prohibited use in the Commercial zone. The Commissioners would have to give an exception to the Municipal Code for this business. The Code should be amended to allow moving truck facilities in the Commercial zone before giving a Conditional Use Permit. Standards for this type of use will need to be outlined in the Commercial zone.

Commissioner Wright was concerned about Ridley's Market not being an appropriate location for this type of use. He did not feel that this property was designed for a moving truck business. There need to be appropriate and safe designated parking stalls for customers to pick up moving trucks. There should be a fence between residential housing and the moving truck business.

Mr. Harley said that the majority of the time employees will bring the moving truck around to the front for clients to pick up. If the employee is not able to bring the truck around to the front of the store then that employee will escort the customer to the truck. Ridley's Market plans on only having 6 trucks on site at a time.

Commissioner Everett was concerned about setting a precedent for these types of business not being in the proper zone. He explained that the applicant can appeal to the City Council if the Conditional Use Permit is denied.

MOTION: *Matthew Everett moved to deny the Ridley's - U-Haul Conditional Use Permit for the following reason:*

1. Moving and storage businesses are not permitted within the Commercial zone.

Rich Wood seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, Brett Wright, and Rich Wood. The motion passed with a unanimous vote.

C. Juniper Springs - Preliminary Plat, Public Hearing; Action Item:

Mr. Hadley explained that the proposal was for a preliminary plat for 84 townhome units on 11.58 acres (7.25 DU/AC). The project is located on Hidden Valley Parkway, east of Hidden Hollow Elementary School. This project is part of the Hidden Valley North preliminary plat and is vested with up to 100 units.

Commissioner Wood was concerned about the entrance to the development. He felt that the proximity was too close to the Pony Express Parkway intersection and the school.

Commissioner Anderson was concerned about overflow parking for the school adjacent to the development.

Travis Taylor, applicant, said that these are 6-plex units with large courtyards. The developers have reduced the number of units and have increased and widened the open space.

Commissioner Everett opened the public hearing at 7:00 p.m.

None

Commissioner Everett closed the public hearing at 7:00 p.m.

Commissioner Wright suggested adding some architectural design elements to the side elevations of the units adjacent to the public rights-of-way.

MOTION: *Brett Wright moved to approve Juniper Springs Conditional Use Permit. Matthew Everett seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, Brett Wright, and Rich Wood. The motion passed with a unanimous vote.*

MOTION: *Brett Wright moved to recommend approval of the Juniper Springs preliminary plat and site plan to the City Council with the following conditions:*

- 1. Additional features should be added to the side elevations for the facades that are adjacent to public rights-of-way.*
- 2. The asphalt trails shall connect to Pony Express Parkway.*
- 3. An entry monument should be submitted for approval by staff, shown at one of the two accesses to the project.*

DeLin Anderson seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, and Brett Wright. Those voting nay: Rich Wood. The motion passed with 3 ayes and 1 nay vote.

D. Quick Quack Car Wash Site Plan, Public Hearing; Action Item:

Mr. Hadley said that this proposal was for a site plan located in the Porter's Crossing Town Center development on lot 4 and is approximately 1.14 ac in size. This proposed project is for a Quick Quack car wash facility.

Commissioner Anderson was concerned about the noise generated by the car wash.

Joseph Earnest, applicant, handed out a presentation booklet to all Commissioners (which was added to the Planning Commission Packet online and the Public Notice web page). He went through the layout of the project and the site plan. He explained that the dryer is the loudest part of the car wash at about 80 decibels. Traffic along Pony Express Parkway is louder than the dryer. Hours of operation will be from 7:00 a.m. to 7:00 p.m. in the winter and 7:00 a.m. to 9:00 p.m. in the summer.

Commissioner Everett opened the public hearing at 7:54 p.m.

None

Commissioner Everett closed the public hearing at 7:54 p.m.

MOTION: *Rich Wood moved to approve the Quick Quack Car Wash Conditional Use Permit. Brett Wright seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, Brett Wright, and Rich Wood. The motion passed with a unanimous vote.*

MOTION: *Rich Wood moved to recommend approval of the Quick Quack Car Wash site plan to the City Council with the following conditions:*

1. The applicant adds rock building materials to the entrance around the yellow and to the exit around the yellow of the building.

Brett Wright seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, Rich Wood, and Brett Wright. The motion passed with a unanimous vote.

5. Discussion Items

6. Next scheduled meeting: September 11, 2018

Commissioner Wood suggested adding architectural standards for multi-family units in the Municipal Code.

7. Adjournment

MOTION: *Brett Wright moved to adjourn the meeting at 8:11 p.m. Rich Wood seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and DeLin Anderson. The motion passed with a unanimous vote.*

APPROVED BY THE PLANNING COMMISSION ON OCTOBER 23, 2018



Steve Mumford, Community Development Director



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

September 11, 2018 6:00 p.m.

Eagle Mountain City Hall Council Chambers

1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

COMMISSION MEMBERS PRESENT: Rich Wood, Brett Wright, Matthew Everett (arrived at 6:40 p.m.) and DeLin Anderson.

COMMISSION MEMBERS EXCUSED: Jared Gray.

OFFICIALS PRESENT: Melissa Clark and Donna Burnham.

CITY STAFF PRESENT: Steve Mumford, Community Development Director; Mike Hadley, Planning Manager; Tayler Jensen, Planner; and Johna Rose, Deputy Recorder.

Commissioner Wood opened the meeting at 6:00 p.m.

1. Pledge of Allegiance

Commissioner Wood led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Action and Advisory Items

A. Sage Park A-3 - Revised Preliminary Plat, Public Hearing; Action Item:

Tayler Jensen stated that this was a revised preliminary plat, which would create five (5) new residential lots and increase the right-of-way of Aviator Avenue. The City Administration has indicated a desire to expand Aviator Avenue to a 94' Minor Arterial right-of-way, which will require additional right-of-way through the Sage Park development. The applicant has agreed to provide the additional property and build the right-of-way through Sage Park development, in exchange for five additional building lots in Phase A-3 of the development.

With the addition of these 5 units, the Sage Park development would have a total of 400 residential units, which under current code requires 9.18 acres of improved open space. 918 amenity points (at least 606) must be something other than trail or parking. The applicant has indicated the overall Sage Park development provides a total of 9.18 acres of improved open space (the previously approved preliminary plat shows 13.12 acres of open space including basins). The applicant has indicated that they have removed the additional right-of-way, some of the space located within detention basins, and the property the five additional lots are located on from their open space calculation which is the

reason for the different acreage numbers. The applicant had provided an improved open space worksheet which showed 627 total amenity points, which represents a shortage of 291 amenity points.

Items for the Planning Commissioners to consider:

- The two open space plans provided by the applicant have significantly more amenities than the current approved preliminary plat.
- This plan and the proposal for five additional building lots is coming forward because the City asked for an additional right-of-way. The applicant is entitled to the value of the right-of-way through additional units or purchase.
- While the preferred plan doesn't meet current code it should be considered, as it represents a significant investment by the applicant.
- No open space plans would be changed if the City purchased the additional right-of-way.
- Under the new plan the City would gain an additional right-of-way and a better park. This plan almost doubles the amenities from the previous plans.

Scott Dunn, applicant, said that Patterson Construction was reluctant to move forward with this proposal to expand Aviator Avenue in Sage Park development because it would cause a delay in their development. They already had approval and wanted to move the project along to the next phase. They understood that this was something the City wanted. However the developer was willing to pay and build the additional right-of-way in exchange for an additional 5 building lots.

The current approved open space plan for the development did not meet the existing code. The developer had submitted a preferred open space plan that would give the development more amenities, but still did not meet the current code. He stated that with the cost difference this plan would not be viable for Patterson. They cannot meet the 918 open space requirement points.

Commissioner Wood opened the public hearing at 6:11 p.m.

None

Commissioner Wood closed the public hearing at 6:11 p.m.

Commissioner Anderson asked how adding three lots to the retention basin would affect the proposed basin. Mr. Jensen stated that the proposed basin would be adequate for this development. This new proposed open space plan calls for grass in the retention basin, where the old plan was to leave the basin native with no improvements.

MOTION: *DeLin Anderson moved to recommend approval of the Sage Park A-3 revised preliminary plat to the City Council with the preferred park proposal. Brett Wright seconded the motion. Those voting aye: DeLin Anderson, Rich Wood, and Brett Wright. The motion passed with a unanimous vote.*

B. Scenic Mountain Phase B - Preliminary Plat, Public Hearing: Action Item:

Mr. Jensen explained that the proposal was for a 40 townhome unit preliminary plat located on 4.16 acres within the Scenic Mountain Master Development Plan. The master development plan is vested with 40 units outside of the UDOT area for a density of 8.23 du/ac. UDOT purchased more property

than the applicant anticipated, leaving the applicant with 40 units on 4.16 acres which is 9.61 du/ac. With 4.16 acres at 8.23 du/ac there would only be 34 units. The master development agreement states "Developer may modify the planning areas to accommodate a relatively similar mix of uses...Property shall not exceed an average of 10.15 units per buildable acre."

Commissioner Wood felt that this was an incomplete application. He wanted to see a site plan and the townhome elevations before approving a development that is at the entrance to the City.

Dylan Young, applicant, stated that this is a preliminary plat application only. The City Council and City Attorney gave flexibility in the units and density with the master development plan and master development agreement, because they were unaware of what UDOT had planned for the future improvement to SR 73. UDOT has only approved one access road onto SR 73 for this development.

Commissioner Wright suggested that the applicant submit a complete plan. Mr. Young stated that it would be feasible to submit a complete plan for this project, except for the flex use area. He will have to show that at the vested rights stated in the master development plan, which would be at the highest density.

Commissioner Anderson was concerned about the property adjacent to SR 73 being presentable after the developer leaves and before UDOT builds the future improvements to SR 73.

Commissioner Wood opened the public hearing at 6:52 p.m.

Dean Britton, resident, requested that the City hold the applicant accountable for the look of the development.

Jim Palmiter, resident, wanted to make sure the applicants would be accountable for the development. He was concerned about urban sprawl in the City.

Jeff Ruth, resident, was concerned about the blasting for this development. He said that there has been so much dust in the area from blasting that SR 73 was shut down for a day.

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

Commissioner Wood suggested a "Welcome to Eagle Mountain" monument sign and a fence similar to those in The Ranches.

Commissioner Everett abstained from the motion because he arrived late to the meeting.

MOTION: *Brett Wright moved to table the Scenic Mountain Phase B preliminary plat until the following items have been submitted:*

- 1. Site Plan application.*
- 2. Conditional Use Permit application.*
- 3. A plan showing that all buildable areas will not exceed 10.15 du/ac.*
- 4. An updated traffic study.*
- 5. Townhome elevations.*

Rich Wood seconded the motion. Those voting aye: DeLin Anderson, Rich Wood, and Brett Wright. The motion passed with a unanimous vote.

C. Brylee Estates, - Preliminary Plat, Public Hearing; Action Item:

Mike Hadley explained that the proposal was for approximately 68.92 acres of land with 155 single family residential lots, ranging in size from 4,250 sq. ft. to 11,797 sq. ft. The average lot size is 5,293 sq. ft. for a density of 4.99 units per acre. The Tier 3 residential proposal is for townhomes with a maximum density of 180 total units on 15.02 acres. The final portion of this preliminary plat is a commercial development on 22.03 acres. The property is located adjacent to Eagle Mountain Boulevard and west of Sage Park. Staff recommends removing the Tier III and Commercial portions of the project until the applicant can provide more details.

Dylan Young, applicant, said that they have looked at centralizing the neighborhood park, but the developer prefers it at the entrance to the development. These homes are defined in the Code as cluster homes or patio homes, which is why the lot frontages are reduced. These homes would back up to open space.

Commissioner Wood suggested connecting tot lots with the walking trail in the development.

Commissioner Everett opened the public hearing at 7:24 p.m.

Jeff Ruth, resident, asked the City to enforce the 5 ft. and 10 ft. side setbacks. He suggested reducing the number of access roads onto Eagle Mountain Boulevard.

Commissioner Everett closed the public hearing at 7:26 p.m.

Commissioner Wood was concerned about the park being at the entrance. For safety reasons, he felt that the park should be moved away from the subdivision entrance.

Commissioner Wright was concerned that not all the lots met the 55 ft. frontage. He felt that some lots should be removed to make sure all lots in the development meet the required 55 ft. frontage. Mr. Young said that he could remove four lots from the proposal and get the required 55 ft. frontage.

MOTION: *Rich Wood moved to recommend approval of the Brylee Estates preliminary plat to the City Council with the following conditions:*

- 1. Tier III and Commercial portions be removed from the plat until the applicant can provide details.*
- 2. All lots shall meet the minimum 55 ft. frontage.*

DeLin Anderson seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, Rich Wood, and Brett Wright. The motion passed with a unanimous vote.

D. Golf Course – Preliminary Plat, Public Hearing; Action Item:

Mr. Jensen explained that the proposal is for a preliminary plat for 23 single family residential lots and two duplexes, located within The Ranches Golf Course.

Items for the Planning Commissioners to consider were as follows:

- Single Story Requirement: The applicant is requesting that they be allowed to build two (2) story homes. Staff requests that the Planning Commission take the applicants request into consideration and include that recommendation in the conditions to the City Council.
- Desert Canyon Drive: The applicant is proposing to remove the one unit on Desert Canyon Road and add it to the south side of Royal Dornoch Drive.

Mark Whetzel, applicant, stated that they will meet the open space parks requirement or pay a fee-in-lieu. They would love to build an 18-hole miniature golf course (with real grass) between the clubhouse and driving range on the golf course. They wanted to count that towards the open space requirement.

Commissioner Everett was concerned how residents would know this 18-hole miniature golf course was public open space. The City would not be able to maintain this type of amenity and the golf course would have to maintain the 18-hole miniature golf course. This would be a cost to the golf course.

Commissioner Wright stated that the golf course would have to regulate the residential entrance to this type of amenity.

Mr. Whetzel said that maybe they could charge everyone except for Eagle Mountain residents an entry fee.

Commissioner Anderson was concerned about how this public amenity would impact the parking at the golf course. He stated that public and private amenities don't mix well together. If the golf course rented out the course for a tournament or event and the parking lot was full of the public using the 18-hole miniature golf course, that could require more parking or cause issues.

Commissioner Wood suggested that the applicant pay the fee-in-lieu and make the 18-hole miniature golf course a part of the golf course. He stated that if it's a public amenity then it should be opened to the public.

Kristen Whetzel, applicant, explained that the City Council requested that single-family lots be placed on half-circle roads. Their engineer is requesting two story homes because of the smaller house envelopes, the smaller lot frontages, and the longer lot shapes caused by the half-circle roads. The builder will need to build two story homes to give their home owners usable yard space and a comparable size house to the surrounding neighborhoods. These lots will have longer driveways, smaller homes, and unusable backyards if the builder is required to build a rambler home.

Commissioner Wright asked about the size of the ramblers on these lots. Mrs. Whetzel said that the engineer told her it would be about a 1200 sq. ft. home. The engineer did not feel that they could build a rambler house with a two car garage on these lots. They have had complaints by residents that if these smaller homes were built that it could decrease the home values in the neighborhood.

Commissioner Wood was very concerned about how this size and type of lots were approved and how much more golf course property was being used compared to the previous plan.

Mr. Mumford stated that a 1,400 to 1,600 sq. ft. rambler home could fit inside the building envelope.

Commissioner Everett opened the public hearing at 8:21 p.m.

Boyd White, resident, was concerned about cars being parked along the roads.

Julia Shelton, resident, was very excited about the changes being made to the golf course. She would love to see a better sign for the golf course at the entrance to Mount Airey Drive. She was concerned that the City was not maintaining The Ranches sign that had waterfalls. She wanted to know when the City would clean up the property off of Inverness Lane that was just acquired by the City.

Ashley Pitcher, resident, stated that she has worked with the City Council in getting these lots to what works best for the residents. She felt that the rambler home sizes would be comparable to the surrounding neighborhood homes.

Dean Britton, resident, stated that he did not feel the City Council listened to all the residents. He was concerned about adding a mini golf course because it would increase the amount of traffic on Barton Creek Drive. He stated as a golfer he did not like the idea of a miniature golf course. He did not want more houses built around the golf course.

Brendon Stoner, resident, was concerned about small lots being approved around the golf course. He was upset with how many high density housing projects were being approved in The Ranches. He was also concerned about children's safety with the homes built right next to Ranches Parkway and felt it would create a blind spot for traffic. He did not like how these homes were detached from the other neighborhoods in the area. He suggested reducing the number of lots approved in this development and building them closer to current development.

Jim Palmiter, resident, felt that there should be a mitigation plan approved along with this agreement requiring that the golf course has to realign all the golf holes and golf cart trails, and install netting between residential housing and the golf course.

Krista Kelly, resident, requested that the Desert Canyon Road lot not be moved to Royal Dornoch Drive. She questioned why the twin homes were proposed with one story and the single homes were being proposed as two story. She stated that those half-circle roads are never plowed in the winter.

Don Sasser, resident, felt that the plan proposed was the best plan for the residents in Eagle's Gate subdivision. He stated that two story homes would make more sense in these neighborhoods. He requested a combination of rambler homes and two story homes be built.

Janelle Grumbly, resident, felt that the City Council listened to the residents. She felt that the proposal was a good compromise for the residents and the golf course. She was concerned about parking for the homes adjacent to the Heatherwood neighborhood. She stated that Heatherwood already has parking issues and she has to hurry home to get a parking spot. She has had to work out parking arrangements with her neighbors so she will have a place to park. Mr. Jensen explained that those homes will require 10 parking stalls. The City is still working out the parking details.

Commissioner Everett closed the public hearing at 8:47 p.m.

Mr. Jensen stated that the house footprint would be around 1,500 sq. ft. which could be about a 2,600 to 3,000 sq. ft. house, including the basement and garage. Mrs. Whetzel stated that basement square footages are smaller than the footprint of a home.

Commissioner Wood explained that the City needs to be cautious about telling property owners or residents what type of house they could build on their lot. The City has to protect the rights of all property owners and residents not just the people living in close proximity to the lots. He was concerned about the type and look of the homes that could be built on those lots. Owners would have to build a long driveway and an odd shaped rambler home to fit the shape of the lot. The front view of the houses would be a garage and a small front door. There is no room to access a garage from the side of the house. He felt that these houses should be comparable in shape and size to the surrounding neighborhoods. He did not have a problem building two story homes on these lots, as long as they are similar to the surrounding neighborhood homes.

Mrs. Whetzel stated that this project needs to have enough value to sell to a developer. These lots will have to be premium lots to sell to a developer so the golf course could make enough money to build the event barn.

Mr. Jensen explained that the applicant's engineer felt that moving the unit from Desert Canyon Road to Royal Dornoch Drive would reduce the impact to the surrounding neighborhoods and golf course.

Mr. Whetzel said that they are not planning to build all two story homes. They need to build houses that would match each lot's configuration. He suggested a combination of two story and single story homes.

A certified golf course engineer and architect will make this course a PGA certified golf course. This will be a safer golf course for golfers and home owners adjacent to the course.

Mrs. Whetzel is willing to work with the City on improving The Ranches signs to the golf course.

MOTION:

Rich Wood moved to recommend approval of the golf course preliminary plat to the City Council with the following conditions:

- 1. An events barn shall be added to the existing agreement between Eagle Mountain City and Vanguard, or a new development agreement shall be approved by the City Council along with this preliminary plat.*
- 2. Single family lots should be allowed to build two story homes.*
- 3. Applicant shall provide evidence/documentation that the course will remain certified as an 18-hole golf course.*
- 4. The applicant should pay a fee-in-lieu for open space.*
- 5. The Desert Canyon lot should be moved to Royal Dornoch Drive.*

Brett Wright seconded the motion. Those voting aye: DeLin Anderson, Matthew Everett, Rich Wood, and Brett Wright. The motion passed with a unanimous vote.

4. Discussion Items

A. Ranches Crossing – Concept Plan, Public Hearing; Action Item:

The proposed concept plan is for a mixed use residential/commercial development, adjacent to the Rock Creek development. The vacant property is on the northeast corner of Ranches Parkway and Pony Express Parkway. The property is currently zoned as Village Core in The Ranches Master Development Plan, which means that it is zoned Commercial.

Travis Taylor, applicant, wanted to build 35 townhomes and a credit union on the property.

The Commissioners felt strongly that this property should remain Commercially zoned.

5. Next scheduled meeting: September 25, 2018

6. Adjournment

MOTION: *Rich Wood moved to adjourn the meeting at 10:08 p.m. Brett Wright seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and DeLin Anderson. The motion passed with a unanimous vote.*

APPROVED BY THE PLANNING COMMISSION ON OCTOBER 23, 2018


Steve Mumford, Community Development Director



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

October 23, 2018 6:00 p.m.

Eagle Mountain City Hall Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

COMMISSION MEMBERS PRESENT: Matthew Everett, Rich Wood and DeLin Anderson. Brett Wright and Jared Gray were excused.

OFFICIALS PRESENT: Councilmembers Melissa Clark and Donna Burnham

CITY STAFF PRESENT: Steve Mumford, Community Development Director; Mike Hadley, Planning Manager; Tayler Jensen, Planner; and Lianne Pengra, Recording Secretary.

Commissioner Everett opened the meeting at 6:00 p.m.

1. Pledge of Allegiance

Commissioner Everett led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None.

3. Approval of Meeting Minutes

- A. August 28, 2018
- B. September 11, 2018

MOTION: *DeLin Anderson moved to approve the August 28, 2018 meeting minutes. Matthew Everett seconded the motion. Those voting aye: Matthew Everett, Rich Wood, and DeLin Anderson. The motion passed with a unanimous vote.*

MOTION: *DeLin Anderson moved to approve the September 11, 2018 meeting minutes. Rich Wood seconded the motion. Those voting aye: Matthew Everett, Rich Wood, and DeLin Anderson. The motion passed with a unanimous vote.*

4. Action and Advisory Items

A. Hatch, Hobby Breeder Permit, Public Hearing; Action Item:

This item was discussed after item 4C.

Planner Tayler Jensen explained the application is for a hobby breeder permit to house up to eight Saint Bernard dogs at a property located at 1138 E. Russell Road. The applicants received a single complaint about their dogs, and while the initial cause for the complaint was rectified by

the applicant, it was discovered that due to the number of animals on the property, a hobby breeder license is required. They have since received another neighbor complaint.

Commissioner Wood said that breed is large and the size of the lot may not accommodate eight animals of that size. He expressed concerns with allowing eight 240-pound dogs that can be up to 36 inches tall at shoulder height.

The applicant, Valerie Hatch, clarified that the largest dog they have is 160 pounds. She said the sizes listed by Commissioner Wood are incredibly large and rare.

Applicant Booker Hatch said the dogs are low energy animals. He said they are using bark collars and fencing to mitigate concerns with the neighbor. He explained one of the dogs is deaf and it has been challenging to teach her to not bark as much.

Commissioner Wood asked how the applicant would mitigate odor and if the applicant has the distances from neighboring properties required by Municipal Code.

Ms. Hatch explained they put up a solid wood fence after the initial complaint. She said they have over 36 feet from the dogs' fence to the neighboring properties.

In regard to odor, Mr. Hatch said they have put in six inches of gravel, and the area is cleaned up at least every other day. He explained the dogs eat six to seven cups of food a day, and do not have large volumes of feces, as they do not require the calories of a more active dog.

Commissioner Wood asked how many animals are part of the applicant's breeding program. Ms. Hutch said they have three dozen show animals co-owned throughout the county, but have six to eight at their home.

Commissioner Anderson asked how often they will breed the dogs. Ms. Hutch said they will have two litters per year at the most, and there are five to seven dogs in a litter.

Discussion ensued on Municipal Code allowances for specific dog breeds and number of animals allowed.

Commissioner Everett opened the public hearing at 7:32 p.m.

Scott Hawkins, 1057 E. Russell Road, expressed his approval of the conditional use permit. He owns a 115-pound Hatch Saint Bernard, and expressed support of animal rights in his area.

Josh Hugentobler, 1120 E. Russell Road, said he is the neighbor who has complained. He expressed concerns regarding the barking.

Commissioner Everett closed the public hearing at 7:37 p.m.

Mr. Jensen clarified the approval process of conditional use permits, and when the hobby breeder permits are required.

In regard to sound mitigation, Mr. Hatch explained the kennel is 30 to 40 feet away from the fence line, but since the dogs are still able to see the neighbor, he is considering a taller screen

around the kennel. He said they will ensure the bark collars are in operation, and they are raising funds to install a vinyl fence.

Discussion ensued regarding keeping the animals inside and what a reasonable time frame may be. Ms. Hatch said she likes to keep the dogs outside during daylight hours, but if required to bring them in at sundown, they will need to be allowed to go outside to use the bathroom at night.

Mr. Hugentobler said he put up a tarp to fix an issue with a dog barking at a neighboring horse. He does not want the dogs locked up during set hours. He explained the biggest problem with the dogs is that they can see him. He said putting up a tarp and closing the gaps in the fence should mitigate the issue.

Commissioner Wood said they are setting precedent and setting specific hours is important. Commissioner Everett said the applicant can be required to follow the nuisance ordinance.

Commissioner Everett appreciates the applicant's desire to be in compliance and their collaboration with the neighbors. He explained he likes the idea of quiet hours, but with the understanding that it would not mean the dogs are to stay indoors during those hours.

- MOTION:** ***Rich Wood moved to approve the Hatch hobby breeder/kennel license application with the following conditions:***
- 1. The applicant shall receive and maintain a valid business license.***
 - 2. The applicant shall be allowed up to eight dogs (a single litter may be kept for up to six months, and one puppy may be kept for up to twelve months).***
 - 3. The applicant shall provide proof of rabies certificates and registration with a national registry for all dogs; and***
 - 4. The applicant will/shall maintain quiet hours between 9:00 p.m. and 6:00 a.m.***
- DeLin Anderson seconded the motion.***

Commissioner Everett said if additional complaints are received, the permit can be withdrawn.

Those voting aye: Matthew Everett, Rich Wood, and DeLin Anderson. The motion passed with a unanimous vote.

B. Sunset Flats, Preliminary Plat, Public Hearing: Action Item:

Mr. Hadley said this proposed preliminary plat is for 384 single family units on approximately 206.65 acres, previously approved as a master development plan.

On September 5, 2017, the City Council reviewed the Sunset Flats master development plan and denied the application. The applicant revised the plan and on October 17, 2017, the City Council received and approved a request to resubmit the Sunset Flats master development plan.

The applicant removed the multi-family units, substantially reducing the overall number of units, removed the commercial storage component, included a connection to the road serving the high school, and reduced and combined the amount of improved open space. The original submittal proposed 688 lots/units. The original proposal had an overall density of 3.3 units per acre and consisted of a mixture of Tier I, Tier II, and Tier III, and included a Commercial Storage

component. He said City Council approved the updated master development plan on January 2, 2018.

Mr. Hadley said the park plan submitted complies with all Municipal Code requirements.

Commissioner Wood expressed appreciation that the applicant redesigned the project based on concerns from the Planning Commission and City Council.

Mike Carlton with Wilding Engineering was asked which phase would be the first section developed. He said it will be Phase A.

Commissioner Everett opened the public hearing at 8:02 p.m.

John Bilton said he works with a group that owns the property directly to the north of the application area. He wanted to know the plan for the road between the developments, and which entity would be required to pay for the road. Mr. Hadley explained that the road will be a minor collector. He said he does not know if this road has been discussed yet; the land will be dedicated with the plat. Mr. Bilton said they have started the process of a master development agreement and would like to know what their requirements would be, as well as what is required from Sunset Flats. He also would like to know if sewer will be available. Mr. Hadley said the sewer systems will be tied together.

Rachel Frost said she lives in a lot adjacent to the application area. She asked if the development will have an HOA, if the homes will be built to suit, and if more parks will be built than are shown on the plan. Mr. Hadley said they will not have an HOA and the applicant will be required to provide home design options. Commissioner Everett said the application contains all planned parks.

Commissioner Everett closed the public hearing at 8:07 p.m.

MOTION: *DeLin Anderson moved to recommend approval of the Sunset Flats preliminary plat to the City Council with the following condition:*

1. The applicant shall work with staff to finalize the park plan for the seven-acre park located in the southwest corner of the project;

Rich Wood seconded the motion. Those voting aye: Matthew Everett, Rich Wood, and DeLin Anderson. The motion passed with a unanimous vote.

C. Glenmar Ranches Phase B, Preliminary Plat, Public Hearing; Action Item:

This item was discussed before item 4A.

Planning Manager Mike Hadley explained that on February 6, 2018, the Eagle Mountain City Council rezoned approximately 126.25 acres from Agriculture to Single Family Residential. The applicants has have refined their proposal and has have submitted a preliminary plat for a portion of the approved rezone. The applicants are proposing a total of 45 single-family residential lots on 56.84 acres of buildable land for a density of 0.79 lots per acre. The rezone was approved for lots from 10,000 square feet to 1-acre minimum lots. This proposal consists of lots from 1 to 2 acres.

Mr. Hadley noted that with a density of 0.79 dwelling units per acre, this proposal is a Base Density residential development, and falls under 17.25.110 Base Density Residential Development Standards; there are no minimum open space requirements for this proposal.

Mr. Hadley said the applicant would like to have septic systems rather than connect to the City sewer system, but the project is within 1,320 feet of an existing sewer line. Projects located within 1,320 feet of existing sewer lines are required to connect to City sewer, according to the Municipal Code.

Commissioner Wood asked if it was unreasonable for the applicant to connect to the sewer line. Mr. Hadley said it would require the applicant to construct the line through other properties. The connection would also potentially require a lift station. He explained the City does not typically utilize lift stations unless they serve a wide range of properties. Commissioner Wood asked if the lift station would be temporary. Mr. Hadley clarified that when a sewer line comes within 300 feet of the development, the applicant would connect to the City sewer.

Commissioner Wood said Elise Erler with SITLA submitted a comment via email. In that email, Ms. Erler mentioned that neither SITLA nor Ivory Homes had been contacted by the applicant regarding sewer connections on their properties.

Mr. Hadley said the City's General Plan/Future Transportation Map has a collector road running through this development. The road runs from the lower Hidden Valley area west to Pony Express Parkway. The applicant is requesting that the road be realigned, as there is an existing home directly in the path of the approved road. Mr. Hadley said that City Engineer Chris Trusty and Community Development Director Steve Mumford went to the project site and viewed the road options. They found that it was plausible to move the alignment based on grades and slopes of the land, and would not change the nature of the land. Mr. Hadley explained the applicant would need a variance to move the road.

Commissioner Everett said the new alignment works well as there is already an intersection with the Oquirrh LDS church building. Mr. Hadley clarified that the City Transportation Plan's connection with the approved road to Pony Express Parkway is not exact at this time.

Mr. Mumford said he and Mr. Trusty went to the top of the project and looked at both options. He said the original road location is better if the purpose is connectivity from Hidden Valley to City Center; if the purpose of the road is connectivity to the north or west, the proposed change may be better. He clarified that it is unclear where the original road location will connect with the Ivory development on Pony Express Parkway. He said based on hills and slopes, both options could work.

Commissioner Wood asked if the intent of the current road option was to provide access south to City Center. Mr. Mumford explained that the Hidden Canyon development had a future road connection planned, so the City added the current road location. Commissioner Wood said his understanding was that the road was located there for City Center residents to travel east. Mr. Mumford said the preferred route is via Pony Express Parkway to Porters Crossing.

Commissioner Wood asked what would happen if Pony Express Parkway closed. Mr. Mumford said the proposed road would still offer an alternate route to Pony Express Parkway. He

explained there are no compelling reasons to choose one proposed route over the other, except for the removal of a home on the currently approved route.

Discussion ensued on locations of major arterial roads and potential distances to Airport Road.

Commissioner Wood asked if the road could connect to Lake Mountain Road. Mr. Mumford said Lake Mountain Road was never planned to be a collector road.

Mr. Mumford explained the reason the Planning Department has not given a firm answer to the applicant is that both options work; they will leave the decision to Planning Commission and City Council.

Steve McCleery, the applicant, stated that the proposed route does not condemn the currently existing home. He asked who would pay for the condemning of the home. He said the home location and the continuity between the first eleven lots of Glenmar Ranches and this proposal are the main reasons they prepared another route option.

Mr. McCleery said that in order to afford sewer connections, the project would need a higher density. He explained the City Council preferred larger lots, but it is not feasible financially to develop one-acre lots with sewer connections.

Applicant Marianne Smith said people prefer one-acre over two-acre lots as two is too much to handle and one acre is more affordable. One-acre lots will allow animal rights while maintaining a country feel.

Mr. McCleery explained that they did not talk to SITLA or Ivory Homes yet, because they do not want to be tied down to a specific scenario without engineering, gravity flows, access through properties, or lift station specifics. He said lift stations would increase the cost of the project to where they would need more density. They have worked with Mr. Mumford and City staff regarding well sites.

Mr. McCleery said Ms. Smith has been working with bird conservation groups and mountain bikers in order to deed open space areas for a 30- to 50-acre reserve. Ms. Smith explained the preserve will be located on the west side of the ridge; the east side would contain the well sites and mountain bike trails.

Ms. Smith explained that much testing goes into the land sites for septic systems. She said the project land has been tested and results show the location will work for septic.

Commissioner Everett opened the public hearing at 6:36 p.m. and closed it due to lack of comments.

Commissioner Wood said he can see a third option for the road on Google maps. He asked if it was not possible to build the road as planned without removing the house. Mr. McCleery said they would like to avoid the home. Commissioner Wood said the road can go around the home to the southwest. He said the purpose of the road is to connect two major parts of the City. He is in favor of building the road around the home, and does not like the option of connecting the road to the proposed site, as it does not connect the both sides of the City.

Mr. McCleery said leaving the existing home undisturbed is the most important reason for moving the road; leaving open space for the preserve is the second most important item. He explained the second option better meets the goals of the preserve.

Commissioner Anderson asked if they did not know if the road can be moved to avoid removing the home, while keeping the general location of the transportation plan. He expressed concern that the applicant did not have an answer. Mr. Mumford said staff looked at the site from the ridge just north of the home and the least expensive and least impactful option would be to go straight through the house. Mr. McCleery explained they don't have an answer on a third option, as they used staff recommendations for the proposed route.

Commissioner Wood asked if the General Plan would need to be amended if the proposed option was approved. Mr. Mumford said if the Planning Commission feels the change meets the intent of the General Plan, it can be approved as is; if they feel the proposed route changes the intent of the General Plan, the plan should be amended.

Discussion ensued on the process of updating the General Plan.

Commissioner Everett expressed his preference for the proposed road route. He said he is more concerned with the option of septic systems. He is not a fan of allowing septic tanks on one-acre lots and is concerned about what could happen if a homeowner does not maintain their septic system. He said if the septic system fails on a one-acre lot, there is not another place on a one-acre lot to install a septic tank.

Mr. McCleery clarified that there are multiple places on a one-acre lot for septic tanks, and that tanks can be repaired. He explained that they have received the geotechnical report and the land is similar to the existing eleven lots in the area, and has been approved for septic. They wanted to ensure the soils were approved for septic before moving forward with the application. Ms. Smith said the homeowner also will need to do a percolation test for the septic tank location.

Mr. Mumford explained the half-acre lots in Valley View were concerning to the Health Department. Due to the home sizes in that subdivision, the lots did not have adequate space for an additional tank location. He clarified the recent Municipal Code amendment protects lots that have existing septic tanks. He said these homeowners who are within 300 feet of a sewer line will only need to connect to the City's sewer system if the septic system fails.

Mr. Mumford said if this application is approved, the plat will contain a note that requires the homeowners to connect to the City sewer system if the sewer lines come within 300 feet of the property. The note will also stipulate that the homeowners will support a special assessment area.

Commissioner Wood asked if lift stations would be maintained by an HOA. Mr. Hadley said the City does not like to maintain and control lift stations that serve only one development; they prefer regional lift stations.

Commissioner Anderson said he is not concerned about failed septic systems. He expressed concern about requiring lift stations and sewer systems. He feels this would go against what the Planning Commission is trying to accomplish with approving larger lot subdivisions.

Commissioner Wood said he does not have a problem with septic systems, but he does not want a city full of septic systems. He expressed concern with future problems with leach fields, but does not want to hold up the application as the Planning Commission desires larger lots in the City.

Commissioners Anderson and Wood recommend sending the application to the City Council with recommendations regarding the road location. Commissioner Wood said the City Council will need to make the decision on the septic tanks versus connecting to the City sewer.

- MOTION:** *Rich Wood moved to recommend approval of the Glenmar Ranches Phase B preliminary plat to the City Council with the following conditions:*
- 1. The application complies with the intent of the General Plan, which allows the rerouting of the collector road to Hidden Valley to the north, or to follow the existing road on the General Plan while avoiding existing structures.*
 - 2. The application complies with the City's development standards.*
 - 3. An exception to the City's requirements to connect to the sewer system is warranted based upon the following reason: required lift stations make the connection to the sewer system cost prohibitive for larger lots.*
- DeLin Anderson seconded the motion. Those voting aye: Matthew Everett, Rich Wood and DeLin Anderson. The motion passed with a unanimous vote.*

D. Eagle Point Townhomes Plat C – Preliminary Plat, Conditional Use Permit, Site Plan, Public Hearing; Action Item:

Mr. Jensen said this is a proposed preliminary plat, site plan, and conditional use permit for 306 townhome units on approximately 22 acres of property located south of Eagle Mountain Boulevard and the existing Eagle Point Townhomes Plats A & B. On April 24, 2018, the Eagle Mountain Planning Commission reviewed the Eagle Point Townhomes concept plan. During the previous meeting, parking, driveways, and park amenities were discussed. The applicant has included a number of longer driveways and has clustered amenities in the center of the project, at the Planning Commission's recommendation.

Mr. Jensen said in August of 2002, Patterson Construction was given approval for a multi-family condominium project for a total of 390 condo units, which includes the existing townhomes in Eagle Point Plat A & B. Of the 390 units approved in the 2002 plan, 318 are located on the property included in this submittal.

Commissioner Wood asked about connectivity in the development, and if a traffic study was completed. Mr. Jensen said the project is surrounded by built out areas and connectivity options were limited. He said the applicant has completed an updated traffic impact study for Eagle Point G, Eagle Point J, and Eagle Point Townhomes. He said the report shows all study intersections except Pony Express Parkway & Eagle Mountain Boulevard operating at an acceptable level of service in 2040 without any mitigation. With mitigation, it shows all study intersections operating at an acceptable level of service. Mr. Jensen said staff feels the connectivity is sufficient.

Commissioner Wood asked if the applicant is following Planning Commission recommendations for the clubhouse. Scott Dunn, with Patterson Homes, said a new clubhouse is proposed next to the existing clubhouse. He explained the existing clubhouse would be converted to a fitness

center, and the new clubhouse would be a gathering area. When asked if the applicant is concerned about access points, Mr. Dunn said they understand that the access is more than adequate.

Commissioner Wood asked if the back of the Curtis Minor townhome design will have variations, and if the Ken Harris townhome design is flat. Mr. Dunn explained the Curtis Minor design has pop outs and balconies. These buildings will be side facing to Eagle Mountain Boulevard. He said the Ken Harris design has gables that pop out two feet.

Commissioner Wood asked if the applicant could break up the side view of the Curtis Minor, as it is facing Eagle Mountain Boulevard. Mr. Dunn said they are open to options. Commissioner Wood asked the applicant to bring alternative options for side elevations to City Council.

Commissioner Everett expressed concern regarding the garages on the front of the Ken Harris designs, as they do not meet Municipal Code. Mr. Dunn explained there is articulation on the buildings, and the applicant can look at articulating between unit lines. He said the fronts of the buildings have architectural movement, and the desire is to ensure the focus is not the garage door.

Commissioner Wood said this is one of the best front-loading townhome designs that he has seen, but it does not fit Municipal Code that requires back loading alley garages.

Commissioner Anderson asked the width and depth on the single-car garages. Mr. Dunn said they will be a minimum of eight feet wide, but may also have the option of nine feet wide. The garages will be 22 feet deep.

Commissioner Everett opened the public hearing at 8:27 p.m.

Jeff Ruth expressed concern regarding parking. He recommended removing units to add parking.

Julie Muhlestien expressed disapproval of the plan. She does not believe the traffic study is correct and believes there are too many units.

Julie Muhlestien read an email from Michelle Kantaris. Ms. Kantaris expressed disapproval of the plan. She is opposed to additional traffic and feels the application creates a safety issue.

Devin Smith lives in the existing townhomes. He said he recommends a change in design to open up the area. He said there may be frustrations with parking and traffic, but overall he likes the plan.

Adam Ludwig lives in the neighborhood adjacent to the project. He asked if the applicant can add an additional road.

Pat Burk lives in the existing townhomes. She expressed disapproval of the plan, and with the existing HOA.

Keith Moore lives on Summer Way and asked if it was possible to require less density.

Commissioner Wood said they cannot, but the Planning Commission is not in favor of high

density housing. Commissioner Wood explained the applicant has a vested higher density, but has proposed a plan with fewer units than allotted. Mr. Moore said he disapproves of the plan on the basis of traffic and parking.

Commissioner Everett closed the public hearing at 8:55 p.m.

Commissioner Wood expressed concern that the third egress will not be completed until the next development is built, and asked what mitigations can be offered. He asked if the road on the plan that goes into the storm detention area was included in the traffic study. Mr. Jensen said they will look the traffic study and have the City Engineer reevaluate it.

Commissioner Wood asked what the applicant would be willing to do to improve traffic flow. Mr. Dunn said they will ensure lines of sight are clear. He explained they are relying on the traffic engineers who state the plan is sufficient. He said they cannot add an additional connection to Eagle Mountain Boulevard, as it is a limited access road.

Commissioner Wood asked how the snow will be removed. Mr. Dunn said the HOA's management company will hire a snow removal company.

Discussion ensued on residents' concerns regarding the HOA and the developer. Commissioner Wood recommended residents contact the HOA or the developer with concerns.

Commissioner Wood said this is plan is an improvement from the previous plan, and stated the elevations are remarkable. He expressed concern about the access points. He asked Mr. Dunn to work with residents regarding the HOA issues.

Commissioner Wood explained as a Planning Commission, they have to follow Municipal Code. As the applicant has vested rights, the Planning Commission cannot require changes to those rights. He reiterated the applicant has put fewer units in than what is approved. He said he does not see anything in the Municipal Code preventing the approval of the application.

Commissioner Anderson said he does not see anything preventing approval of the plan. He expressed concern about the traffic study and that the Planning Commission is allowing such high densities.

Commissioner Everett said this is an improvement from what the applicant was vested with in 2002. He explained they have worked with the applicant to improve the plan. He does not see anything in the Municipal Code that would prevent the approval.

Commissioner Wood said residents can bring concerns to City Council. Mr. Jensen clarified that this item will not have a public hearing, but comments can be made during the public comment section.

MOTION: *Rich Wood moved to approve the conditional use permit for Eagle Point Townhomes Plat C. DeLin Anderson seconded the motion. Those voting aye: Matthew Everett, Rich Wood, and DeLin Anderson. The motion passed with a unanimous vote.*

MOTION: *Rich Wood moved to recommend approval of the Eagle Point Townhomes Plat C preliminary plat and site plan to the City Council with the following conditions:*

- 1. Additional articulation is provided for Ken Harris units.*
- 2. Additional architectural movement features are provided for side units adjacent to the public rights-of-way.*

DeLin Anderson seconded the motion. Those voting aye: Matthew Everett, Rich Wood, and DeLin Anderson. The motion passed with a unanimous vote.

5. Next scheduled meeting: November 13, 2018

Mr. Hadley said there are three items on the agenda, and other items may be added.

Commissioner Everett said in regard to the breeder permits, the City may need to look at guidance or clarification on the ordinance so that it takes into account the size of the property and the size of the dog.

6. Adjournment

MOTION: *Rich Wood moved to adjourn the meeting at 9:13 p.m. DeLin Anderson seconded the motion. Those voting aye: Matthew Everett, Rich Wood, and DeLin Anderson. The motion passed with a unanimous vote.*

Approved by the Planning Commission on November 13, 2018.



Steve Mumford, Community Development Director



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

November 13, 2018 6:00 p.m.

Eagle Mountain City Hall Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

COMMISSION MEMBERS PRESENT: Rich Wood, Brett Wright and Jared Gray. Matthew Everett arrived at 6:48 p.m. DeLin Anderson was excused.

OFFICIALS PRESENT: Councilmembers Melissa Clark and Donna Burnham

CITY STAFF PRESENT: Steve Mumford, Community Development Director; Michael Hadley, Planning Manager; Lianne Pengra, Recording Secretary

Commissioner Wood opened the meeting at 6:00 p.m.

1. Pledge of Allegiance

Commissioner Wood led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

Commissioner Wright stated his business has entered into an agreement with Ellis Ivory, the principal of Ivory Homes, to produce bronze sculptures for This Is The Place Heritage Park. Mr. Ivory is a member of the Board of Trustees for the park. Commissioner Wright stated he does not believe that Mr. Ivory knows Commissioner Wright's role on the Planning Commission. He also stated he will maintain objectivity regarding Item 5C.

3. Approval of Meeting Minutes

A. October 9, 2018 (Joint Session)

MOTION: *Rich Wood moved to approve the October 9, 2018, meeting minutes. Brett Wright seconded the motion. Those voting aye: Rich Wood, Brett Wright, and Jared Gray. The motion passed with a unanimous vote.*

B. October 23, 2018

This item was voted on after item 6A.

MOTION: *Rich Wood moved to approve the October 23, 2018, meeting minutes. Matthew Everett seconded the motion. Those voting aye: Matthew Everett,*

Rich Wood, Brett Wright, and Jared Gray. The motion passed with a unanimous vote.

4. Approval of 2019 Planning Commission Calendar

MOTION: ***Brett Wright moved to approve the 2019 Planning Commission Calendar. Rich Wood seconded the motion. Those voting aye: Rich Wood, Brett Wright, and Jared Gray. The motion passed with a unanimous vote.***

5. Action and Advisory Items

A. Olympus Land Project, Rezone

Senior Planner Michael Hadley stated this project contains 320.74 acres and is located directly to the east of the Stadion (Facebook) parcel, across from Pony Express Parkway. The parcels in questions are zoned Agriculture. The parcels are located within the Tech Campus neighborhood in the City's Future Land Use and Transportation Map, and are designated Business Park/Light Industry and Community Commercial.

Mr. Hadley stated the applicant is proposing to add the Regional Technology and Industry (RTI) Overlay zone to the existing Agriculture zone. The applicant plans to develop the site with solar facilities, data centers, and storage battery facilities. Mr. Hadley explained these uses are allowed within the Agriculture zone.

Mr. Hadley explained that rezone proposals are evaluated based on compliance with the City's General Plan, compatibility with neighboring properties, effect on City services, traffic generation, and effect on property values.

Commissioner Wood asked if the business types to be built on this property will be in conflict with the rural residential community. Mr. Hadley stated City staff does not anticipate this project will cause a significant increase to traffic flow in the area.

Commissioner Gray expressed concern regarding removing the Community Commercial designation on the Future Land Use Map. Mr. Hadley explained the Future Land Use Map does not include current approved zoning. He said the applicants' parcels would remain Agriculture, and property owners within the Community Commercial designation could choose to apply for a rezone from Agricultural to Commercial.

Leeza Evensen with Enyo Energy stated the plan is to develop the site with solar facilities, data storage centers, and storage battery facilities. She explained these uses are approved uses in the Agricultural zone.

Ms. Evensen stated the proposal is only for the overlay, and not for developing specific businesses. She stated the preliminary plan is to develop clean industry businesses. She said the project will attract new employers to the City. The use complies with the City's General Plan, will not generate additional traffic, will not burden the City services, and

will increase property values in the area. She stated they will work with City staff to dedicate a road to the City, which will be discussed during the concept plan process.

Commissioner Wood asked if the power generated by the solar field would be used for the on-site facility only. Ms. Evensen said the solar field will be connected to a substation and will feed into Rocky Mountain Power's system.

Commissioner Gray asked why the applicant is not requesting a rezoning. Ms. Evensen said the planned use fits in the Agricultural zone, and a rezone other than the overlay is not necessary. Mr. Hadley explained the RTI Overlay is a rezone.

Community Development Director Steve Mumford explained the overlay was created as an economic development tool to attract large, clean industrial and technology businesses. He said there are specific uses allowed within the overlay zone. He explained if a user completes over 100,000 square feet of building floor space in a first phase of development, or provides one hundred or more permanent jobs after construction, the user can follow the streamlined review process allowed with the RTI Overlay.

Commissioner Wright asked if the overlay encouraged the applicant to look at Eagle Mountain City. Ms. Evensen said the RTI Overlay made the area very attractive. She said it helps the City bring quality businesses.

Mr. Mumford clarified that if commercial businesses want to build in the Community Commercial neighborhood, the land owner would need to apply for a rezone to change the zoning from Agriculture to Commercial. He reiterated the RTI Overlay is the only requirement for the proposed use; there is no need to rezone the property from Agriculture to any other designation, as the overlay allows the applicant's proposed uses. He stated if the applicant rezoned the property to Industrial, incompatible uses such as dirty industry could be allowed uses.

Commissioner Wood and Commissioner Gray asked if the Community Commercial area on the General Plan would need to be re-designated to another area to service the Tech Campus. Commissioner Wood expressed concern that the owners within the remaining Community Commercial area will request the RTI Overlay and not develop commercial businesses.

Ms. Evensen explained if the areas designated Community Commercial on the Future Land Use Map are not rezoned, the parcels will remain Agricultural; there is no approved Commercial zone. Commissioner Wood asked if the applicant would consider removing a building from the pending concept plan and add commercial businesses in its place. Ms. Evensen said the plans are preliminary and still need to go through the DRC review process.

Commissioner Wood asked if the Planning Commission can require commercial within the rezone. Mr. Mumford stated the Planning Commission could approve a modified rezone.

Commissioner Wood opened the public hearing at 6:29 p.m. As there were no comments, he closed the hearing.

Commissioner Wood expressed concern that the Planning Commission may be setting a precedent allowing other landowners to develop in ways other than listed on the General Plan.

Commissioner Wright said commercial areas in the City are not being developed at this time. He said he believes the proposed use is reasonable, as it is adjacent to the Facebook campus. He said the RTI Overlay is valuable and should be applied in this area.

MOTION: *Jared Gray moved to recommend approval of the Olympus Land Development Rezone to the City Council, with the following recommendation:*
 1. City Council will consider retaining the Community Commercial property designation, as noted in the General Plan.
 Brett Wright seconded the motion.

Mr. Mumford clarified the parcel in question will remain Agriculture until a property owner applies for a rezone.

Those voting aye: Rich Wood, Brett Wright, and Jared Gray. The motion passed with a unanimous vote.

B. Eagle Vision, Site Plan, Preliminary Plat

Mr. Hadley said this proposal is for one building with a future second building on approximately 0.83 acres. The site is located south of Pony Express Parkway adjacent to the SilverLake LDS chapel, and next to the Oak Hollow residential development.

Mr. Hadley said the building square footage is approximately 6,560 square feet. He stated the building design complies with the City's Commercial Design Standards.

Mr. Hadley said the project is providing 33 parking stalls and 2 ADA stalls for a total of 35. The required number of parking stalls for this project is 33.

Mr. Hadley explained the Municipal Code requires a 20-foot buffer between commercial and single-family dwellings. He said the project proposes a 10-foot buffer area on the south end of the property. He said the Oak Hollow housing development has installed a six-foot high masonry fence on the border between the single-family homes and the commercial lot.

Mr. Hadley said a ten-foot buffer is required on the east property line. The parking lot on the east side of the property does not meet that buffer requirement. A chapel is adjacent to the proposed parking area, and a fence separates the two properties. Mr. Hadley said that the applicants are proposing two parking stalls more than the City's requirement, and the applicants could remove the additional stalls to comply with the buffering requirement.

Mr. Hadley said the applicants have worked with the City Engineer and agreed to dedicate a 43-foot right-of-way in the front of the lot to be used to widen Pony Express Parkway in the future. He explained the land dedication made it difficult for the applicants to meet the southern buffering requirements. He said the original proposal did meet the buffering requirements.

Commissioner Wood asked how the land dedication would be used, as the terrain and existing church property do not allow for road expansion. Mr. Hadley said the specific design has not been planned. Commissioner Wood said he does not see the benefit to the dedication, as he does not believe it can be used as a right-of-way. He expressed concern that the business structure is too close to home sites on the south end.

Commissioner Wright stated he believes the City is requesting the land dedication for a reason, and he trusts City staff and the City Engineer.

Mr. Mumford explained the land dedication has been requested in order to complete the 150-foot right-of-way required for a major arterial road. He said the 43-foot dedication area will be on the southern edge of the 150-foot right-of-way and will contain a possible trail and landscaping. He said the right-of-way could be used for future transit, possible bike lane extensions, or other transportation needs. Mr. Hadley explained it is beneficial for the City to receive this land dedication at this time so the City does not have to remove structures to obtain and use the right-of-way at a later date.

Discussion ensued regarding the adjacent property owners' knowledge of the current Commercial zone designation of the application area.

Dan Ford, representative for Larry Carson, one of the applicants, said the applicants previously owned the Fieldstone Homes property. He explained Fieldstone Homes is aware of the Commercial zone designation of this property. Mr. Ford asked when the 43-foot right-of-way would be developed. He said the land dedication represents 17.5% of the total lot.

Mr. Ford stated the applicants intend to have multiple businesses located in the initial building. He said once demand dictates the need, the second structure will be built. He said the applicants want to attract retail businesses, but most of the interest so far has been from medical businesses.

Commissioner Gray asked if the land in the future building site will be landscaped or paved. Kristen Barney, one of the applicants, said they do not have a current plan. She

said they may use gravel, sod, or landscaping, and will maintain a professional appearance throughout the entire lot.

Commissioner Gray said the majority of the parking stalls are proposed to be placed away from the initial building, and asked if Municipal Code allowed the distance in the plan. Mr. Mumford said the Chevron in City Center has a similar parking layout with a vacant future building site within the lot. He said the future building site on the Chevron lot contains native landscaping. He said the Municipal Code does not require a specific covering for vacant land.

Commissioner Wood asked if the parking stalls could be relocated to the future building site. Ms. Barney said the parking area is shown in its proposed location to avoid building a structure directly adjacent to the home sites south of the lot. She said they felt a parking lot is less invasive than a potential two-story structure on that section of the lot.

Commissioner Wood expressed concern that the parking lot lights and headlights will shine into adjacent homes. Mr. Mumford said the existing masonry wall will block headlights shining into homes, and the applicants will be required to install Dark Sky Ordinance-compliant parking lot lighting.

Discussion ensued on buffering requirements for different types of zones and uses.

Commissioner Wood opened the public hearing at 6:55 p.m. and closed it due to lack of comments.

Commissioner Wright said although the east side does not meet buffering standards and he does not prefer to approve items that do not meet Municipal Code requirements, he believes the extra parking stalls have value. He said he believes the masonry wall and the rise of the property will mitigate concerns regarding buffering on the south side of the property. He said he likes the building design and feels it will be a great addition to the City. He appreciates the applicant working with City staff on the right-of-way dedication.

Commissioner Wood said he likes the building design. He expressed concern for future homeowners to the south of the property. He said he believes the parking lot will mitigate resident concerns and is a better option than the future building for that area of the property.

Commissioner Everett stated the building and parking lot placements are appropriate. He said the additional parking on the east side of the property warrants a buffering variance, as the adjacent property will have a parking lot along the border.

Commissioner Gray said he wanted to ensure the land designated as the future building site is maintained.

MOTION: ***Jared Gray moved to recommend approval of the Eagle Vision preliminary plat and site plan to the City Council, as presented by City staff. Brett Wright seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, and Jared Gray. The motion passed with a unanimous vote.***

C. Overland Phase C, Preliminary Plat

Mr. Hadley said the applicants are proposing 196 units on 46.15 acres within Village 1 of the Overland Master Development Plan. He said there is an overall density of 4.25 dwelling units per acre. Overland Phase C is located west of Overland Phase A, Overland Phase B, and Frontier Middle School, north of Mid-Valley Road.

Mr. Hadley explained Municipal Code states lots must have a minimum frontage of 55 feet, and 20% of all lots shall have a minimum lot frontage of 60 feet along a public right-of-way. He said that Overland Phase C exceeds the requirement that at least 20% of lots provide at least 60 feet of frontage, but there are three lots with frontages less than 55 feet. He said these lots must have the frontage increased to at least 55 feet.

Mr. Hadley said the applicants have provided a right-of-way width table within their submittal, but it is incorrect. He said the table shows Boulter Peak Lane with a 77-foot right-of-way, when in actuality it is a standard 53-foot local road. Long Ridge is also shown as a 53-foot local road, but should be dedicated as a 63-foot right-of-way. He informed the Planning Commission that the applicants are conducting a traffic study to see if the wider rights-of-way are necessary.

Mr. Hadley said the applicants are required to provide an updated Trails Master Plan to the City.

Mr. Hadley said Municipal Code states no residential lot shall have its primary access onto a collector or arterial street. He said lots C145 through C154 have their primary access onto Mid Valley Road, which is an arterial road.

Mr. Hadley offered possible motions to the Planning Commission. He stated if the Planning Commission decides to recommend approval to the City Council, staff recommends the following conditions:

1. The minimum lot frontage shall be 55 feet on all lots;
2. Long Ridge shall be shown as a 63-foot right-of-way and Parcel B shall be removed from the plat;
3. The applicants shall provide an amended Trails Master Plan that shows how the trails will connect throughout Village 1 and to neighboring villages;
4. The applicant shall provide a detailed park plan to be approved by the City Council; and
5. The plat shall be redesigned so that no lots front Mid Valley Road.

Mr. Hadley said if the Planning Commission decides to table the application, staff recommends the applicants redesign the plat so that all required frontage standards are met, no lots have primary access to Mid Valley Road, and Long Ridge is shown as a 63-foot right-of-way.

Commissioner Wood asked why the applicants presented a plan that did not meet Municipal Code. He asked if they were unable to come to an agreement with staff. Mr. Hadley said the applicant is currently working on updates to the project.

Commissioner Wright asked if the lot square footage would be changed if the applicants redesign the plat to the required right-of-way widths. Mr. Hadley said the lots would need to be redesigned to fit the required rights-of-way, but the applicants are in the middle of a traffic study to determine if the larger rights-of-way are needed.

Matthew Wangsgaard, with Focus Engineering and applicant Bryon Prince's representative, said they changed the 77-foot right-of-way to a 53-foot right-of-way, as the City's Master Plan did not require the wider right-of-way. He said the plans will be addressed to ensure the roads all meet the 53-foot right-of-way standard.

Mr. Wangsgaard stated Phase A contains 80 units, not 137 units, and he clarified the applicants have 212 remaining units, not 155 units as listed in the staff report. He said the unit totals were discussed with staff before the meeting.

Mr. Wangsgaard said the applicants have discussed adding a connection to the west of the project for future development. He said they are currently working on master plans for trails and parks, which they will submit to staff prior to the City Council meeting.

Mr. Wangsgaard said they are redesigning the plan to ensure no lots have access onto Mid Valley Road. He said this will remove ten to twelve lots, and the acreage from the removed lots will be added to adjacent lots in the plan. He said they have removed Parcel B and redesigned the adjacent road to a 63-foot right-of-way.

Commissioner Wright said the north end of the concept plan showed larger estate lots which are not on the current application. He asked if the applicants intend to add larger lots elsewhere in the project.

Mr. Wangsgaard said the plat was redesigned to adjust the park area, and because a waterline study showed a pressure reducing valve may have been required if the preliminary plat was designed to the concept plan specifications. He explained the applicants have received feedback from buyers in Overland Plat A that the lots are too large. He said market research showed their customers prefer large homes with large backyards, but not large lots overall. He said the large lots were cost-prohibitive to buyers due to landscaping and water costs.

Commissioner Wright asked what the lot sizes will be after the plan is redesigned. Mr. Wangsgaard said redesigning the plan to exclude lots with frontages on Mid Valley Road will create 12,000 sq. ft. estate lots.

Discussion ensued on the number of units approved for each phase, and in Village 1 overall.

Commissioner Everett opened the public hearing at 7:19 p.m. As there were no comments, he closed the hearing.

Commissioner Wood said he needs more information before approving or denying the application. He said he needs updated plans showing changes in the rights-of-way, changes increasing all lots to the minimum required frontages, and the redesign showing no lots with primary access on Mid Valley Road.

Commissioner Everett said he would like to see a finished product before sending the application to City Council. He disagreed with the applicants' market research and said he believes homeowners do desire large lots.

MOTION: *Rich Wood moved to table the Overland Phase C preliminary plat until the following items are addressed:*

- 1. The plat shall be redesigned so no lots have primary access off Mid Valley Road;*
- 2. The plat shall comply with lot frontage standards; and*
- 3. Long Ridge Road shall be shown as a 63-foot right-of-way.*

Brett Wright seconded the motion.

Commissioner Everett asked if the motion should note an appropriate time frame for the redesigned project to return. Mr. Mumford said the applicants will be ready to present the updated plan at the December 11, 2018, meeting. Commissioner Wood added condition number four to the motion.

- 4. The applicants shall present the updated plan at the December 11, 2018, Planning Commission meeting.*

Those voting aye: Matthew Everett, Rich Wood, Brett Wright, and Jared Gray. The motion passed with a unanimous vote.

6. Discussion Items

A. Cedar Development, Concept Plan; Discussion Item

Mr. Hadley said the project is approximately 13.12 acres and is located along Wride Memorial Highway, north of the Northmoor subdivision and east of Mt. Airey Village. The project is a multi-use development with commercial, senior assisted living, and townhome components.

Commissioner Wood asked if the current transitioning requirements have been met between the project and the existing townhomes.

Commissioner Everett asked if the future widening of Cory Wride Memorial Highway was taken into account in this plan. Mr. Mumford said the applicant is aware of the Utah Department of Transportation right-of-way requirements, and those details will be handled in negotiations between the applicant and the Utah Department of Transportation.

Commissioner Gray asked about setback requirements along freeways, and if a sound wall will be required. Mr. Mumford said the project will be along a frontage road, rather than a freeway, and the setbacks will be the same as in Commercial zones. He said a sidewalk or trail will be installed between the frontage road and any structures in the project. Mr. Mumford said the only existing property along the entire highway that qualifies for a sound wall is the section of townhomes to the west of this project. He said the Utah Department of Transportation will consider sound walls once a certain percentage of residents in a qualifying area want the wall.

The owner of the property, Mike Geddes, said the project was originally approved and zoned for 135 townhomes. He said he has been working with City staff to update the plan. He said he understands City staff desire more commercial areas, and the proposed concept plan is a good compromise.

Commissioner Wood said the applicant will receive pushback from current residents in the adjacent homes. He said he would like the first line of townhomes along Inverness to be changed to single-family homes. Mr. Geddes said the property was vested with townhome rights before Northmoor and Southmoor were developed.

Mr. Geddes said the concept design is not set and the sizes of the residential and commercial areas can be adjusted. He explained the senior assisted living would offer all levels of service. Mr. Geddes said he would prefer to see retail businesses in the commercial portion, versus office space.

Commissioner Gray asked about the current vesting. Mr. Mumford said the land is vested with 140 units and is listed as Village Core in the Ranches Master Development Plan. He said City staff would like to see commercial businesses.

Commissioner Wright asked if assisted senior living facilities would be considered Residential. He said he would like to see more commercial developed in the project. Mr. Geddes expressed the market will drive the development. He said affordable housing is needed in Utah.

Commissioner Gray said there are thousands of affordable housing units approved but not yet built within the City. He said he does not see the need for additional affordable housing, and he prefers to see single-family homes along Inverness Road.

Commissioner Wood said he would like to see an over 55 years and older cluster home area. Mr. Geddes said they have considered that option, but it is difficult to enforce the age requirements.

Commissioner Everett said he likes the idea of senior living in this location. He said adding this number of townhomes creates a concern regarding traffic. He said the current plan does not meet Municipal Code, as the garages are located on the front of the townhomes. He said the garages need to be a rear-loading, or are required to open onto an alley.

Discussion ensued regarding front-loading versus back-loading garages on townhomes, to include buyer preference.

Mr. Mumford clarified the Municipal Code states that if garages are placed on the front façade of a building, they shall be staggered and set back so as to minimize their appearance from the street; and garages shall never dominate the street-facing façade of a building. He said it is possible to have front-loading garages, as long as the garage is not the focal point.

Mr. Geddes asked if the Planning Commission would prefer to see a wall along Inverness Road in order to mitigate traffic. Mr. Mumford said Inverness Road functions as a collector road. He said it could be beneficial from a transportation standpoint, but could cause negative issues for residents along Inverness Road within the applicant's project.

Commissioner Wood asked if a clubhouse will be required. Mr. Mumford said a clubhouse is required for any multifamily project, and a pool is required for multifamily projects with more than 150 units.

B. Code Amendment Progress Report, Information Item

i. Residential Zone

Mr. Mumford said City staff hopes to have the Residential zone update on the December 11, 2018, Planning Commission meeting. Commissioner Wood asked if senior living areas could be addressed in the zone update.

ii. Medical Cannabis Dispensary Restrictions

Mr. Mumford said a City Council member asked staff to write Municipal Code designating where medical cannabis dispensaries can be located. He said it will likely restrict the facilities to certain zones. Commissioner Everett said the State Legislature may address the allowed locations of dispensaries in the upcoming Special Session.

iii. Alley Addressing

Mr. Mumford said the Fire Marshall requested Municipal Code referencing addressing of townhomes with private road entrances, in order to provide emergency services in a timely manner.

iv. Street Trees

Mr. Mumford said a code amendment was started regarding street trees a year ago. He said staff is determining separation distances from street signage and intersections, as well as other street tree restrictions.

Commissioner Wood asked if Municipal Codes related to speed limits and speed deterrents are in discussion. Mr. Mumford said those are items the City Engineer and the Utah County Sheriff's Office can look into.

7. Next scheduled meeting: December 11, 2018

8. Adjournment

MOTION: *Jared Gray moved adjourn the meeting at 8:25 p.m. Rich Wood seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, and Jared Gray. The motion passed with a unanimous vote.*

Approved by the Planning Commission on December 11, 2018.


Steve Mumford, Community Development Director



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

December 11, 2018, 6:00 p.m.

Eagle Mountain City Hall Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

COMMISSION MEMBERS PRESENT: Matthew Everett, Rich Wood, Brett Wright, Jared Gray, and DeLin Anderson.

OFFICIALS PRESENT: Councilmembers Melissa Clark and Donna Burnham

CITY STAFF PRESENT: Steve Mumford, Community Development Director; Michael Hadley, Planning Manager; Tayler Jensen, Planner; Lianne Pengra, Recording Secretary

Commissioner Everett opened the meeting at 6:00 p.m.

1. Pledge of Allegiance

Commissioner Everett led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None.

3. Approval of Meeting Minutes

A. November 13, 2018

MOTION: *Rich Wood moved to approve the November 13, 2018, meeting minutes. Jared Gray seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, Jared Gray, and DeLin Anderson. The motion passed with a unanimous vote.*

4. Election of Planning Commission Chair and Vice-Chair

MOTION: *Rich Wood moved to elect Matthew Everett as Planning Commission Chair. Brett Wright seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, Jared Gray, and DeLin Anderson. The motion passed with a unanimous vote.*

MOTION: *Jared Gray moved to elect Rich Wood as Planning Commission Vice-Chair. Matthew Everett seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, Jared Gray, and DeLin Anderson. The motion passed with a unanimous vote.*

5. Action and Advisory Items

A. Clark Hobby Breeder/Kennel License, Public Hearing; Action Item:

Planner Tayler Jensen presented an application for a kennel license to allow Brittany Clark to board dogs in her home. She currently has three dogs and is requesting approval to board five additional dogs in her home. Her request also includes exceptions to the required outdoor dog runs, and required national registry documentation.

Mr. Jensen said the Municipal Code states kennels are defined as any lot wherein five or more dogs over 4 months of age are kept or maintained for any purpose including boarding, breeding, buying, grooming, letting for hire, training for fee, or selling, and are only allowed within the Agriculture Zone. He stated hobby breeder licenses are permitted in residential neighborhoods and allow up to eight dogs on the property. He explained the application does not fit precisely in either the hobby breeder or kennel definition.

Mr. Jensen explained the proposed five-day limitation is an arbitrary number and the Commissioners can update that number as they see fit. Commissioner Wood stated that as long as the dogs have a controlled environment with ample room, the length of stay is not important. Commissioner Wright expressed concerns regarding enforcement of that condition.

Mr. Jensen stated the hobby breeder portion of the license requires outdoor dog runs to allow the animals to exercise individually. As the applicant is not breeding dogs, she is requesting an exception to that requirement.

Commissioner Wood asked how the application was noticed to the public. Mr. Jensen said 99 notices were mailed, which covers all properties within 600 feet of the applicant's home. The Planning Department did not receive any comments for or against the license application.

Ms. Clark explained that she has watched dogs while their owners are on vacation, and applied for the license to continue, once she realized it was required. She stated she watches a variety of breeds for \$10 per day, per dog. The dogs have separate kennels and are fed in their kennels to avoid food aggression. They are exercised outdoors with supervision, although in the winter, the dogs do not spend much time outdoors; Ms. Clark plays and interacts with the dogs inside for exercise. She has spoken with her neighbors and has not received any negative feedback. She stated she requires dog owners to provide proof that all state-required vaccinations are up to date.

Ms. Clark said she has had a maximum of nine dogs at one time, and she determined that was too high a number for the available space, which is the reason for the requested eight dog limit. She stated she averages one to two dogs every month. Commissioner Everett asked if limiting the number to eight dogs is a small enough limitation. Ms. Clark said she limits the number of dogs based on the breeds she watches. If they have a large, high-energy dog such as a Great Dane, she would not allow the full amount of eight dogs during that period.

Commissioner Everett asked Ms. Clark if the time limit of five days was agreeable. She stated most dog owners will leave for up to two weeks, and would prefer a limit of fourteen days. She has not had any requests for dog boarding for more than two weeks.

Commissioner Wood asked how much time the dogs spend in their kennels, how she prevents the spread of disease, and how she mitigates noise. He also expressed concerns regarding the use of travel-size kennels. Ms. Clark clarified that the dogs rarely come with travel-size kennels, and stated the dogs do not spend more than three hours at a time in kennels during the day. The dogs

are only in kennels during daytime hours if she needs to leave the home for an errand. She explained the dog owners bring kennels, food, and dishes, which negates the possibility of any cross contamination. Regarding noise, the dogs are rarely outdoors alone, and if they bark, she brings them inside.

Commissioner Everett opened the public hearing at 6:30 p.m. As there were no comments, he closed the hearing.

Commissioner Wood stated Municipal Code standards for the hobby breeder permit should be used for this application until a better code is in place. He expressed concerns regarding the size of the home, the sizes and breeds of the dogs on the property, and the use of travel-size kennels. He explained he believes seven dogs would be disruptive to neighbors and would cause unsanitary conditions in the home. He stated the dogs need to have a designated area, versus being allowed throughout the home, and expressed concerns regarding setting a precedent in allowing this number of dogs in small lots. He said Agricultural zones are more conducive to this use.

Commissioner Wright expressed concerns regarding the space available, and if it would allow for separation of the dogs, as well as space for them to relax and exercise. He does not think this property is large enough.

Commissioner Wood said he is not opposed to approving this application, even though it is not in the Agriculture zone, but stated that guidelines need to be in place.

Commissioner Gray said as the Municipal Code currently stands, the Planning Commission can discuss each application individually. He stated a maximum of seven dogs is reasonable, and limits can be set on the size of the dogs. He stated he would prefer conditions based on the size and breed of dogs.

Commissioner Wood asked if approving this specific application would set precedent for future applications. Mr. Jensen said that is not likely. He explained a hobby breeder license, which allows the applicant to own up to eight dogs, would be permitted on this property. He stated a kennel license allows the homeowner to board five or more dogs, but does not have a cap.

Discussion ensued on potential conditions that specifically spoke to size and breeds of dogs.

Commissioner Everett stated any conditions that the Planning Commission places are only enforceable if complaints are made. He said not having any comments after sending out 99 notices is telling, and he appreciated the applicant coming to the Planning Commission of her own volition. He stated he is comfortable with limiting the total dogs on property to seven, and said a time limit of two weeks is appropriate. He agreed that the dogs should have up-to-date vaccines, per State law, to protect the animals and ensure a safe environment.

Commissioner Gray stated he is comfortable approving this application as long as staff updates Municipal Code to define dog sizes and breeds. He asked for staff's opinion on the time limit condition. Mr. Jensen said staff is working on this section of the Code, and the City intends for this license to allow for short-term stays. The Commissioners agreed that fourteen days is reasonable, as there is not a set definition for short-term stays.

Commissioner Wood asked if the applicant is subject to the hobby breeder permit portion of the Municipal Code. Mr. Jensen confirmed the applicant is subject to the Code, and explained that staff reviewed the application based on the hobby breeder permit portion of the Code.

MOTION: *Rich Wood moved to approve the Clark hobby breeder/kennel license, with the following conditions:*

- 1. The applicant receives and maintains a valid business license;*
- 2. The applicant shall not own more than four dogs;*
- 3. At no time may more than seven dogs (including those owned by the applicant) be located on the property;*
- 4. No dog may be watched for more than 14 days at a time;*
- 5. The applicant shall ensure owners of all dogs watched provide proof of rabies certificates and all State-required vaccines; and*
- 6. No external dog runs are required.*

Brett Wright seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, Jared Gray, and DeLin Anderson. The motion passed with a unanimous vote.

B. Development Code Amendment (17.38) , Code Amendment, Public Hearing; Action Item:

Mr. Jensen presented the applicant-proposed request to amend the Commercial Storage Zone to allow for additional moving trucks in front of walls at moving and storage facilities and businesses. The proposed amendment removes the limit of six moving vehicles, and instead states the number of allowed vehicles is only limited by the design of the facility and available space. The amendment also states the parking plans must be approved by the Planning Director or their assignee.

Commissioner Gray asked who determines if the design of the facility warrants additional vehicles. Mr. Jensen said a conditional use permit would still be required, so the Planning Commission would review all applications.

Commissioner Wood asked if "design of facility" needs to be defined. Mr. Jensen said that staff did not draft the amendment, and stated applications should still require Planning Commission approval.

Dave Hall with Sunset Storage said his property is located in the Industrial zone and the denied application for moving vehicle parking in the Ridley's parking lot was located in a Commercial zone. He explained there is a 1700-square foot area to park the moving trailers, and there is adequate room to park and move vehicles as needed without blocking traffic flow.

Mr. Hall stated the moving trailers are rented out 24 hours a day. As such, customers drop off moving trailers at night, and staff is not on the premises to ensure trailers are placed correctly. Customers also need to pick up moving trailers when the business is closed, so having vehicles placed in the front of the storage lot is more convenient. He explained the layout of the parking area and the location of curbs and asphalt. He said his property would meet Municipal Code if a wall was built, but he prefers to not build a wall, as customers would likely back in to it.

Commissioner Wright asked what the property setbacks are. Mr. Jensen said adjoining Commercial properties have a maximum setback; there are no minimum setbacks or buffers. Mr. Jensen clarified that the property in question is Commercial, not Industrial. Staff considers the

property to be zoned Commercial Storage, as the Commercial zone does not allow storage facilities; this facility was grandfathered in through past approvals.

Commissioner Everett asked how many trailers would fit at the location, if no restrictions were in place. Mr. Hall said fourteen would fit, and that most people who drop off trailers at night will park in the designated spots.

Commissioner Wright asked staff what the purpose of the current reading of the Municipal Code is. He stated the proposed amendment does not address a problem that exists for the Planning Commission; it addresses a problem that exists for the applicant. Mr. Jensen said the wording is in place for visual preference and to keep properties orderly.

Commissioner Wood said the applicant is not meeting the current or proposed Municipal Code, as the property does not have designated parking stalls.

Commissioner Gray expressed concerns regarding visibility, and stated he prefers to limit parking to twenty feet from the entrance. He does not want to allow moving trucks to park along sidewalks, as that can offer dark spaces for people to hide.

Mr. Jensen clarified that the clear vision triangle of 30 feet applies to all vehicle parking and fences, City-wide. Nothing over three feet high is allowed within that triangle. He stated the Planning Commission should consider the amendment outside of the site under discussion, but did inform the Commissioners the approved landscaping plan for the site shows the current parking area as grass, and also shows a future connection to the property to the south, which is not there currently.

Discussion ensued regarding businesses renting out parking stalls to moving companies for trailer storage. Mr. Jensen confirmed that only six trailers total, regardless of the moving company brand, are allowed on the Ridley's parking lot.

Commissioner Everett opened the public hearing at 7:20 p.m. As there were no comments, he closed the hearing.

Commissioner Wright said limiting the number of allowed trailers to six keeps the City clean. He stated the property under discussion can store additional trailers behind fencing; the purpose of allowing the six trailers is to advertise and display vehicles, not to park the entire fleet. He does not see a need for the amendment.

Commissioner Wood agreed that the amendment is not necessary, since the applicant is not following the current or proposed Municipal Code. He said the parking stalls are not marked and expressed doubt that the Code would be followed if the amendment is approved.

Commissioner Gray said the amendment allows the Planning Commission to determine the appropriate number of vehicles on a case-by-case basis. The Commission could limit a business to a lesser number, if six is too high.

Commissioner Everett said the proposed language is too ambiguous, and asked if the Planning Commission should differentiate between motorized and non-motorized vehicles.

Discussion ensued regarding the applicant's approved site plan, and the fact that the current parking does not meet the Municipal Code.

Commissioner Wright said the current wording of the Municipal Code is to allow companies to advertise. He said it is not to allow for picking up and dropping off moving vehicles. Commissioner Wood disagreed and stated his belief that the wording is to allow companies to receive vehicles. He said "display" may need to be changed to "park," and his biggest concern is that vehicles need to be parked in designated parking stalls.

The Commissioners discussed the need for the amendment and if it addresses a current problem within the City as a whole, versus a problem for the applicant.

Commissioner Gray said he likes the amendment, as it allows the Planning Commission to determine the appropriate number of vehicles for individual properties. Commissioner Everett stated he preferred to recommend denial to the City Council, as the amendment does not address a current problem within the City.

MOTION: *Brett Wright moved to recommend denial of Development Code Amendment 17.38 to the City Council. Matthew Everett seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, and DeLin Anderson. Those voting nay: Jared Gray. The motion passed with a vote of 4:1.*

C. Scenic Mountain Phase B, Preliminary Plat, Site Plan, Conditional Use Permit, Public Hearing; Action Item:

Mr. Jensen presented the preliminary plat, site plan, and conditional use permit for Scenic Mountain Phase B. He said the proposal is for forty townhomes in the Townhome Pod of the master development plan. He said the item was tabled on September 11, 2018, until the applicant provided applications for a site plan and a conditional use permit, a plan showing buildable areas, an updated traffic study, and updated elevations. All of those items have been submitted.

Mr. Jensen stated density is an item of consideration for the Planning Commission. He explained the original master development plan allowed for a maximum density of 8.23 dwelling units per acre. The applicant sold more land to UDOT than they anticipated, so in order to include the forty townhomes originally approved, the density has been raised to 9.38 dwelling units per acre in that pod. The master development plan included up to 94 single-family units, but only 80 units are platted. With the additional five units in the townhome pod, the overall total number of units is nine fewer than what was approved. He explained the master development agreement states the developer may modify the planning areas to accommodate a relatively similar mix of uses, and the property shall not exceed an average of 10.15 dwelling units per acre; staff feels the proposed plan meets the spirit of the master development agreement. He explained the location is along a freeway, and an additional five units will not be detrimental to the character of the area.

Mr. Jensen presented the proposed elevations of the townhomes, as well as the clubhouse. He stated staff likes the elevations, but additional pop-outs or bay windows would be appropriate on side elevations facing the public right of way. The proposed clubhouse is a two-story structure with a pool, and has Hardie board and rock all around.

Commissioner Gray asked if additional high density would be added later in the project, and if the Mount Saratoga project borders Scenic Mountain. Mr. Jensen stated additional units might be built in the Flex Use pod, but staff is requesting office or commercial use be placed there. Staff is working with Saratoga Springs on a potential road connection between the projects.

Community Development Director Steve Mumford said the Mount Saratoga plan shows a potential or possible future connection in that area. He explained there is also a potential connection in the north end of the Porter's Crossing project.

Commissioner Gray expressed concerns regarding traffic if a connection is made from Mount Saratoga to Scenic Mountain. Commissioner Everett said the traffic study shows a performance level D in the morning hours. He said a connection could potentially relieve some traffic leaving the area. Mr. Mumford said a traffic study will be completed before a road is put in. The intent is to not draw Saratoga Springs traffic into Eagle Mountain.

Commissioner Wood asked if the road connecting to Wride Memorial Highway will have a continuous right turn. Mr. Mumford said the applicant can speak to that, as they are working with UDOT.

Dylan Young with Fieldstone Homes explained the updated traffic study was in response to the plan's change to one access, instead of two right-in, right-out accesses onto Wride Memorial Highway. He said the access permit from UDOT requires a deceleration lane heading east with an extended barrier to prevent left turns. The acceleration lane is 1500 feet long. He said once the freeway is in place, the road will be a frontage road. The on-ramp will be located at Mt. Airey Drive.

Mr. Young said the plans show the possible road connection to Mount Saratoga as open space that will not be landscaped, so residents do not have other expectations for that piece of land. He stated his belief that the connection onto Wride Memorial Highway will relieve traffic on Mt. Airey Drive.

Commissioner Gray expressed concerns regarding the number of homes in the project area. He stated he is opposed to the additional five townhomes. He said UDOT purchased the additional 7.5 acres of land; Fieldstone Homes did not give the land away. He stated that it is not the Planning Commission's responsibility to allow for additional density, due to Fieldstone not utilizing the approved density in other areas.

Mr. Young said the master development plan designated what would be built before any development happened, and UDOT purchased 0.35 acres more than was planned for.

Commissioner Wright asked if the proposal fits the intent of the master development plan, and if the City is obligated to approve the plan. Mr. Jensen said staff feels it meets the intent. He explained the additional density is going in by a freeway, and is being concentrated away from single-family homes.

Commissioner Wood said the City has to allow an overall density up to 10.15 dwelling units per acre throughout the whole plan.

Mr. Young explained the master development agreement was written to allow for potential changes such as this. He said the changes are within the parameters of the master development agreement, as they are well under the 10.15 dwelling units per acre within the project.

Commissioner Gray said the proposed location is appropriate for high-density, but he believes regarding the specific parcel under discussion, 8.23 dwelling units per acre is the maximum density allowed, not the 9.38 dwelling units per acre requested. Mr. Jensen explained the applicants are decreasing the density of Planning Area 1 and increasing the density in Planning Area 2. The applicants feel they are within the rights given to them in the master development agreement, as the changes are minor. Mr. Young said flex in density is specifically addressed in the master development agreement.

Commissioner Gray said residents do not want more density; he stated his obligation is to support the residents.

Commissioner Wright stated the building facades facing Wride Memorial Highway need to have more architectural interest. Commissioner Wood said adding something as simple as an awning over the rear door can make it look like a front door, instead of a flat wall. He said he does not want these townhomes to look like the Pony Express Townhomes.

Mr. Young said the buildings will not look similar to those on Pony Express, as they are not using stucco around all sides, and the buildings are staggered. He explained the elevation presented is the base plan, and upgrades that buyers can add include pop-outs, a shed roof on the porch, and an enlarged porch. Commissioner Wood stated the units that would look awful if some units had upgrades that others did not. He said the builder should make the decision on the exterior options, not the home buyers. Mr. Young explained it is standard to offer these upgrades to individual buyers.

Mr. Young asked if the design meets Municipal Code. Commissioner Wright said the proposed elevations do not; they need architectural details.

Mr. Young said they are allowed to use vinyl siding or stucco throughout, but they are using stone and other upgraded building products. They have stepped the units in order to avoid having the driveways all on the same plane. He said they can require the upgrade of pop-outs on two of the units along Wride Memorial Highway. Commissioner Wood said the builder needs to make the decision regarding the units' exteriors that face Wride Memorial Highway, because the buyer won't make the correct decision.

Commissioner Anderson said he is concerned that options will be available for buyers and some may choose to upgrade, and others may not. Commissioner Wood said if they do not update the elevation, the applicants will have the same reputation as the Pony Express Townhomes builder.

Commissioner Everett opened the public hearing at 8:19 p.m. As there were no comments, he closed the hearing.

Commissioner Wood asked why condition number two, which requires Hurstbourne Drive to connect to Vernham Lane prior to issuing building permits, was in place. He also asked for the reasoning behind condition number four, which requires accesses onto Wride Memorial Highway to have shoulders and center turn lanes. Mr. Jensen explained the road connection condition was included because a second access is required in order to meet Fire Code. He

clarified that the condition pertaining to Wride Memorial Highway should state the applicant comply with the requirements within the UDOT traffic permit.

Commissioner Wood asked if the Commissioners are compelled under Municipal Code to approve the preliminary plat. He said he does not want to recommend approval, but believes the master development agreement allows the requested change. Commissioner Gray stated the preliminary plat complies with the verbiage of the master development agreement, but it exceeds the allowed density.

Commissioner Wright said he feels it would be best to allow 35 units. Commissioner Gray stated the consensus of residents City-wide is to not approve higher density.

MOTION: *Rich Wood moved to approve the Scenic Mountain Phase B conditional use permit. Jared Gray seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, Jared Gray, and DeLin Anderson. The motion passed with a unanimous vote.*

MOTION: *Rich Wood moved to recommend approval of the Scenic Mountain Phase B preliminary plat to the City Council with the following conditions:*

- 1. The site plan and conditional use permit must be approved prior to any building permits being issued;*
- 2. Hurstbourne Drive must connect to Vernham Lane prior to any building permits being issued;*
- 3. The sewer lift station must be maintained by the HOA;*
- 4. The plans must comply with all requirements within UDOT's traffic permit;*
- 5. The townhome elevations must provide additional features such as a pop-out, bay window, or awning on side and rear elevations facing a public ROW;*
- 6. The applicant shall provide model numbers of playground equipment to the Parks and Recreation Director; and*
- 7. The maximum density allowed is 8.23 dwelling units per acre, with a maximum number of 35 units.*

Jared Gray seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, Jared Gray, and DeLin Anderson. The motion passed with a unanimous vote.

D. Cold Springs, Amended Site Plan, Public Hearing; Action Item:

Mr. Jensen presented the amended site plan for the Cold Springs subdivision. He explained the applicant is proposing to amend the approved site plan to remove three existing parking stalls and replace them with a dumpster enclosure. The Municipal Code requires 2.33 parking stalls per unit, for a total of 273 stalls. Currently, there are 290 stalls in the development. Each residence has two dedicated parking stalls, and if the amended site plan is approved, that would not change.

Commissioner Wood asked if the proposal is due to a lack of trash receptacles. Mr. Jensen explained that a resident was upset that his parking stalls were being used for dumpsters, and filed a complaint with the City. Staff informed the HOA that parking stalls could not be removed without an amended site plan approval.

Commissioner Wood stated he is opposed to approving the plan as it currently stands, as it does not fully enclose the dumpster.

Commissioner Everett opened the public hearing at 8:32 p.m. As there were no comments, he closed the hearing.

Commissioner Everett explained he does not have any concerns with adding a dumpster to the area, but does not like the location, as it is in the middle of a line of parking stalls.

Commissioner Gray stated the Commissioners can approve the proposal with the condition that it is located at the end of the line of parking stalls, and is enclosed with a fence or gate.

Commissioner Everett said without the applicant in attendance, tabling the item makes sense to allow the Commissioners to discuss concerns with the applicant at a later meeting.

MOTION: *Rich Wood moved to table the Cold Springs amended site plan to allow the applicant to be in attendance to address Planning Commission concerns. Jared Gray seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, Jared Gray, and DeLin Anderson. The motion passed with a unanimous vote.*

E. Development Code Amendment (17.72), Code Amendment, Public Hearing; Action Item:

Mr. Jensen stated the amendment was drafted at the request of the Fire Marshal, in order to assist in emergency response times. He explained the proposed code requires service drives to meet all fire access requirements, and requires units accessed via a rear service drive have a man door on the garage side of the unit. It also requires the unit to be addressed off the service drive.

Commissioner Everett opened the public hearing at 8:37 p.m. As there were no comments, he closed the hearing.

Commissioner Wood asked if existing homes could be required to place numbers. Mr. Jensen said the City can request existing homeowners to place numbers, but the amendment only applies to new development.

MOTION: *Brett Wright moved to recommend approval of Development Code Amendment 17.72, as written in the staff report. Rich Wood seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, Jared Gray, and DeLin Anderson. The motion passed with a unanimous vote.*

F. Development Code Amendment (17.10), Code Amendment, Public Hearing; Action Item:

Mr. Jensen presented the staff-proposed change to Municipal Code definitions which will clarify that “kitchen” and “wet bar” are different. The definition of “kitchen” is any room and/or other place used, or intended or designed to be used, for cooking or the preparation of food that is at a minimum comprised of a set of fixed cooking facilities other than hot plates or other portable cooking units; includes kitchenettes. The definition of “wet bar” is a bar or serving counter, as in a recreation room, equipped with running water and sink.

Commissioner Everett opened the public hearing at 8:41 p.m. As there were no comments, he closed the hearing.

MOTION: *Jared Gray moved to recommend approval of Development Code Amendment 17.10, as written in the staff report. Brett Wright seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, Jared Gray, and DeLin Anderson. The motion passed with a unanimous vote.*

G. Development Code Amendments (17.25 & 17.30), Code Amendment, Public Hearing; Action Items:

Mr. Mumford stated staff has been working on a proposal to amend the Residential zone to comply with the newly adopted General Plan. He explained future land uses are not zones. The proposed zone names more closely match the future land use categories in the General Plan.

Mr. Mumford said he will research to see if current Residential zones can be automatically rezoned to comparable new zones with the approval of the Development Code amendment. If that is determined to not be legal, the properties will need to be rezoned through the City's process.

Mr. Mumford said the current zoning contains one Residential zone with a bonus density incentive system. The proposed amendment breaks the single zone into more options; developers will need to rezone property to obtain higher density. Residential buffering and transitioning will still be required.

The Rural Residential 1 zone has a minimum lot size of 2.5 acres. Rural Residential 2 has a minimum lot size of 0.5 acres and requires 1,000 square feet per lot to be provided as improved open space.

Commissioner Gray stated that if a 2.5-acre lot is the minimum size allowed, developers will not build larger lots. He said he wants to ensure 5-acre lots are still available within the City. He explained he would like to have a zone that requires larger lots, or require an average lot size and a set percentage of lots being more than 3 acres within the Rural Residential 1 zone. Mr. Mumford said staff did not propose a 5-acre residential zone because Agricultural zones allow that lot size. He explained the General Plan shows Rural Residential 1 with a minimum lot size of 2.5 acres.

Commissioner Wood said he would like variety of lot sizes within the zones. Mr. Mumford said the variety of lot sizes within the rural zones was not as important in staff's opinion, as it is difficult to tell the difference between a 2.5- and 3-acre lot.

Mr. Mumford asked if there is a specific lot size larger than 2.5 acres that is desirable to the Commissioners. Commissioner Gray said he does not prefer a set lot size; he wants variation in the developments. Mr. Mumford said curbs, roads, and corners will provide variation within the developments.

Discussion ensued on curb and gutter in rural areas. Mr. Mumford stated staff prefers all developments have curb and gutter, especially in areas with hillsides.

Commissioner Wood requested the word "sidewalk" be removed from the Rural Residential 1 possible exemptions, in order to allow the City to continue requiring pathways.

Commissioner Wood expressed concerns regarding the ¼-acre minimum lot size in the Foothill Residential zone. He stated the minimum lot size should be 1/3-acre, as that zone contains the City's showcase lots. Commissioner Gray explained that for every ¼-acre lot developed, a ¾-acre lot will need to be developed in order to comply with the required average of ½-acre. He said he does not think many ¼-acre lots will be developed. Commissioners Anderson and Wright stated their preference for 1/3-acre lot minimums.

Mr. Mumford explained that said Neighborhood Residential 1 zone has larger lots than Neighborhood Residential 2. He stated the Neighborhood Residential 2 zone would contain the typical standard residential lots, and that development will mainly be within the Neighborhood Residential 1 zone. Commissioner Gray said he believes the Neighborhood Residential 2 zone will be the most developed, and he would like to change the minimum lot size to 8,000 square feet in that zone.

Commissioner Wood asked if it would be better to set specific lot sizes that do not overlap between zones. He stated that the Neighborhood Residential 1 zone should allow three to six dwelling units per acre, and Neighborhood Residential 2 should have a minimum lot size of 0.15 acres with all multifamily development prohibited. He expressed concerns with allowing multifamily units in single-family home developments. He stated having both types of homes in an area causes many problems.

Commissioner Gray stated he would like an additional zone added specifically for attached multifamily homes only.

Mr. Mumford explained having flexibility within zones is a good planning practice, as is allowing both attached and detached homes within an area.

Commissioner Wood stated that requiring the Planning Commission to approve items only if supported by findings of fact would be a legal precedence. He said this would require the City Attorney to come to all Planning Commission meetings. Mr. Mumford explained all administrative items that the Commissioners decide on are based on findings of fact.

Discussion ensued regarding when the Municipal Code requires pools to be built in multifamily projects, and how to ensure the pools are built. Commissioner Wright expressed concerns that developers would build fewer than 150 units at a time, in order to avoid the pool requirement. Mr. Mumford said staff will research ways to prohibit that, but he does not believe that situation has happened within the City.

Commissioner Wood asked if the amendment should include design standards, and if the City has a process to require a minimum number of home designs within projects. Mr. Mumford explained multifamily home design standards are currently included, and the Municipal Code has requirements on differing colors and styles of homes within developments.

Commissioner Wood asked if the amendment can prohibit designs similar to what is currently along Bridleway Road in Oak Hollow. He stated the development is tunnel-like in appearance and is too uniform.

Commissioner Wood requested larger side setbacks, and that the side setbacks be increased as lot sizes increase. Mr. Mumford said each zone will include setbacks, and the setbacks do increase as the lot sizes increase.

Commissioner Gray stated he would approve the Rural Residential 1 zone, as long as wording is added that addresses average lot size requirements and a percentage of lots greater than a specific size. He said the Rural Residential 2 zone needs wording that would address lot size variation; he would like 15% of the lots to be larger than 1 acre.

Commissioner Everett opened the public hearing at 9:55 p.m. As there were no comments, he closed the hearing.

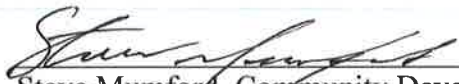
MOTION: *Matthew Everett moved to table Development Code Amendments 17.25 and 17.30. Brett Wright seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, Jared Gray, and DeLin Anderson. The motion passed with a unanimous vote.*

6. Next scheduled meeting: January 8, 2019

7. Adjournment

MOTION: *Rich Wood moved to adjourn the meeting at 9:57 p.m. Jared Gray seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, and Jared Gray. The motion passed with a unanimous vote.*

Approved by the Planning Commission on January 22, 2019.


Steve Mumford, Community Development Director

