

Eagle Mountain City Planning Commission Minutes 2004

Dates of Planning Commission Meetings:

- January 13, 2004
- February 10, 2004
- March 23, 2004
- April 13, 2004
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- May 11, 2004
- May 25, 2004
- June 8, 2004
- June 24, 2004
- July 13, 2004
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- October 12, 2004
- October 26, 2004
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- December 14, 2004

MINUTES OF THE PLANNING COMMISSION MEETING
Eagle Mountain City Offices 1680 E. Heritage Drive, Eagle Mountain, UT 84043
Tuesday, January 13, 2004

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

Roll Call:

Commissioners present: Rich Steinkopf, Tom Maher, Brian B. Olsen, Chris Kemp, Ken Hixson, and Brigham Morgan.

Others Present:

Greg & Becky Kehl, residents; Ken Berg, Sowby & Berg; Rick Pierce; Jeramie and Niesha Thompson; Todd Panter; Ryan Russell; Spencer Richins; Marisa Rogers

City Staff:

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

1. Pledge of Allegiance:

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

2. Identification of Voting Commissioners:

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

3. Declaration of Conflicts of Interest:

None

4. Election of Chair and Co-Chair:

None

5. Report from City Council Member:

Shawn Warnke gave a brief update on the status of the General Plan.

6. Action Items

A. Silver Lake Village (R9 N5a), Concept Plan- Discussion Item

Shawn Warnke stated that the Developer wants to make changes to their proposal and requested to have this item removed from the agenda.

B. Sage Ridge Estates (Approved Sage Valley Plat B), Concept Plan- Discussion Item

Shawn Warnke explained that the proposed Sage Ridge Estates is located south of SR 73 and is directly west of Cedar Pass Ranch and directly east of Sage Valley Plat A. He continued in explaining that the proposed Concept Plan is amending the approved Sage Valley Plat B subdivision. Sage Valley was approved as its own master development plan with a density ceiling of up to 67 dwelling units. Sage Valley Plat A has recorded 21 dwelling units. Sage Valley Plat B is eligible for 46 dwelling units under its current master development plan approval. The application materials for Sage Valley Plat A & B show a shared park with the

following amenities: parking area, pavilion, trails, and playground. Sage Valley Plat A, which is recorded, has bonded for irrigated landscaping (\$38,250) and park amenities (\$35,000). There is also approximately \$37,000 bonded for trail improvements in Plat A and an estimated \$32,000 that will be bonded for when/if the approved Sage Valley Plat B is recorded. There are two issues related to increasing the density that should be considered with this application. First, the Cedar Valley Airport is directly south of this project and the open space that divides Sage Valley Plat A from this project is configured to allow for a clear approach. The Cedar Valley Airport is a non-conforming land use (approved by Utah County before the City incorporated) and has the ability to continue airport operation but may not expand the airport use. Airport operations are incompatible with residential uses. Increasing residential dwelling units surrounding an operating airport is not recommended. Prior to increasing the density of this project the City Council should receive a technical recommendation from the Airport Board.

Secondly, the parcel of ground was originally planned and approved in conjunction with Sage Valley Plat A. The access to this project is through Sage Valley Plat A. The proposed amendments will slightly increase traffic through Sage Valley Plat A; the roads through this subdivision should be able to accommodate the increased traffic, but it is not favorable to the existing residents of Sage Valley Plat A.

Mr. Warnke continued in explaining the lot sizes transitioning away from five acre lots in Cedar Pass Ranch is a significant issue. On the east side of Cedar Pass Ranch, The Ranches Master Development Plan approval required that lot sizes abutting the five acre Cedar Pass Ranch transition from 3 acres down to half acres. It would be recommended that any amendments to the approved Sage Valley Plat B incorporate this lot transitioning. That is Sage Ridge Estates should have 3 acre lots along its border with Cedar Pass Ranch and then transition into half acre lots.

Mr. Warnke stated that the Development Code requires sidewalks with this proposed density; however, the Code does allow for an exception. Specifically, Section 9.16.1 of the Development Code states:

Sidewalks shall not be provided along alleys, as defined in Chapter 23. Sidewalks, curbs, and gutters are not required in subdivisions in which 50% or more of the lots are one acre or more in size. Notwithstanding other provisions of this code, the Town Council may determine in the development agreement that sidewalks will not be required on one or both sides of the street. Such determination may be made if lot sizes, traffic patterns, wider roads or other related design factors support a more flexible approach. If sidewalks are not required, the Town Council may specify the completion of other public facilities in lieu of sidewalks. A development agreement may permit phased final platting, based on phased installation of the required improvements, as provided in Chapter 4.

The Engineering and Planning Departments will give a technical recommendation regarding the sidewalks if a revised subdivision plat is submitted.

Korey Walker stated that he has contacted Utah County to discuss the viability of having septic tanks on ½ acre lots. He also stated that the protection area for the City's third well does extend into this area and that there may be concerns of having an increased number of septic tanks in that area; and some lots may not be conducive to build on as there is an existing navigation easement. He stated that the increased density will not increase traffic to a problematic level; however there is concerns that need to be addressed as far as the effects this will have on existing residents.

Isaac Patterson stated that they have had many citizens express a desire for ½ acre lots in the City. He stated that the County has given preliminary approval to have septic tanks on ½ acre lots, and explained that that is something usually dictated by the City. They plan to put sidewalks in on one side of the road, and cedar fencing to give this subdivision a more rural feel.

Jeff Love presented an email sent to the Commissioners from the Sage Valley residents and gave it to Angela Cox to be a part of the record. He stated that he is concerned with setting a precedence of allowing increased density. He also stated that he agrees with the residents comments.

Brian Olsen questioned how lots 21-22 will be serviced.

Mr. Patterson stated that they plan to put a bridge over the ravine to service those lots.

Todd Pantor, a resident in Sage Valley stated that the wash is an average of 6' wide and 12' deep.

Chris Kemp stated that he favors the original Sage Valley Plat B over this Sage Ridge proposal.

Greg Kehl resident of Cedar Pass Ranch stated that he appreciates the Planning Commission taking residents comments on this proposal. He stated that the placement of his home was determined due to the City telling him nothing would be behind his property. He stated concerns of increasing density through a flight zone, the increased traffic, and the protection zone for well number three as water is a valuable commodity. He also expressed concerns with the detention pond. He requested that the Planning Commission deny this request right now in the concept plan.

Spence Richins, a resident of Sage Valley plat A thanked the Planning Commission for listening to their comments. He stated that he is a home builder and developer and he understands density and profit margin. He moved into this subdivision because he bought into the original plat. He continued in stating that he is a horse owner and that the horse trail will be going through an area that does not have animal rights. He also stated that the letter sent to the Commissioners was not to be negative, but to make a point.

The Planning Commission as a whole is not in favor of the increased density.

Mr. Warnke stated that the Concept plan is a time for the Planning Commission to express concerns and to comment on a project, but it doesn't disallow the applicant from moving forward with the public process.

C. Eagle Point Village, Final Plats A- G, Action Item

Shawn Warnke explained that the Eagle Village Condo is located on the east side of the south leg of Sweetwater Road. Specifically, the project is located on the north and south side of Harvest Road. He explained that there is a number of issues that need to be resolved and that the applicant would like some direction from the Planning Commission on some of the items and will come back to the Planning Commission on the next meeting with the issues addressed.

The Fire Department has approved the fire hydrant layout for the development. The Fire Code requires that fire access into lots 18-20, 46-48, and 116- 118 be at least 20 feet wide. The proposed street cross section of this road will be 24 feet, for this reason no on street parking will be allowed in these areas.

Mr. Warnke explained the Sweetwater Median. That the median that restricts traffic movements onto Sweetwater Road be the typical island width with xeriscaping improvements.

As there was a concern regarding traffic movements onto Sweetwater Road. Originally, the Planning Commission recommended that one of the accesses is removed from the plan. The Applicant proposed that a median be incorporated into the project to mitigate some of the concerns. With this proposal the Development Review Committee is recommending that half of

the cost to construct the typical median is paid by the Applicant.

He continued in explaining buffering; that there is adequate buffering between this project (residential) and the ongoing agricultural operation to separate uses.

The Development Code requires that there is buffering between different uses such as residential and agricultural uses. In practice most of the land zoned agricultural does not need buffering from residential uses; however, it is my recommendation that the proposed Eagle Village and the operating sod farm does require buffering. This is especially true because of dust that blows from the fields or caused by the agricultural truck traffic. Specifically, I would recommend in accordance with the City's development standards: privacy fencing and that major trees (trees with a spread of 30 feet at maturity) be placed every forty feet apart.

Mr. Warnke felt that additional piping and inlets should be added to maintain a ten foot unobstructed travel lane in each direction. The storm water report shows that Harvest Road and Talon Road will not meet this standard.

The City requires that there is a ten foot unobstructed travel lane on right of ways during storms. The report finds that there will be standing water for a period of time during a ten year historical storm until the storm water system can collect the water. This issue can be corrected with the construction of additional storm water inlet boxes. This same standard is been applied to other projects within the City.

He continued in explaining the proposed project meets the city's neighborhood park requirements for acreage, equipment, and trails. That the park area be constructed at 50 percent of the building permits being issued.

The City has neighborhood park requirements based upon the number of units of a project. The proposed park for the Eagle Village does not meet the park requirements. In sum the project would require 1.37 acres of improved open space. The central park contributes 0.8 acres of park space; the balance of open space is contained in other areas of the development. The Planning Commission may consider accepting these open space areas towards the park requirements when it is improved according to the City standards with standard park equipment and trails.

Korey Walker explained the Sweetwater median and that he feels it would be beneficial to have the developer bond for the improvements and when a developer comes in on the other side of the road it will be completed by having them pay for their portion. To achieve a consistency in the life of the road Mr. Walker is recommending that either rotto milling or a 1" overlay be put in from the first service lateral to the last.

Mr. Walker explained that prior to the City's incorporation a water line was placed on what would be the southern boundary of Eagle Village Condos. Mr. Walker stated that the water line will either have to be moved or protected.

Isaac Patterson addressed the proposed conditions of approval. He stated that items 9 & 10 were not required with the preliminary plat approval and asked the Planning Commission to stay with there original approval. Mr. Patterson stated that the storm drain is on an existing road that was approved by the engineer when it was built and he does not see any reason to make changes now. Mr. Patterson continued in stating that the HOA (Home Owners Association) will maintain the park with in this project.

Discussion ensued on parks, open space, and park improvements with in this development.

Mr. Patterson stated his opinion that the buffering is not a necessary improvement and that should occur when Mr. Ault decides to develop his property. He stated that he believes the median is totally unneeded. Discussion ensued.

Jeff Love stated that he feels that a tot lot is a necessary improvement.

Mr. Walker explained what this development would be required to have to meet the neighborhood park requirements, which is approximately \$50,000 in improvements.

The Planning Commission discussed buffering.

MOTION: *Jeff Love moved that the Planning Commission recommend approval of the Final Plats A- G for the Eagle Village subject to the following conditions:*

1. **GAS LINE EASEMENT.** *That the off site gas line that connects to the pressure reducer lateral to the north be contained in a recorded easement (need to obtain an easement).*
2. **PHASING.** *That Plats B and C have the required off site utility easements recorded prior to recordation of these plats.*
3. **STREET LIGHTS.** *That street lights be added at the entry ways into the park need to correlate between the civil plans to match the dry utility plans.*
4. **ENGINEER'S ESTIMATES.** *That the engineering estimates (Tasco) be divided into independent phases including any off site improvements and that engineer's estimates for parks are submitted.*
5. **COUNTY BOOK & PAGE.** *That Plats D, F, and G have the recorded gas line and storm drain showing (county book and page).*
6. **FIRE DEPARTMENT.** *That no on street parking signs be added to the construction drawings on the access road to lots 18-20, 46-48, and 116- 118.*
7. **IRRIGATION LINE.** *That the existing irrigation line on the south side of the project be relocated in an easement prior to the issuing of permits.*
8. **SWEETWATER MEDIAN.** *That the median that restricts traffic movements onto Sweetwater Road be the typical island width 17' with xeriscaping improvements and that the developer bond for 50% of the cost of improvements.*
9. **BUFFERING.** *That there is adequate buffering between this project (residential) and the ongoing agricultural operation to separate uses. Specifically, I would recommend in accordance with the City's development standards: privacy fencing and that major trees (trees with a spread of 30 feet at maturity) be placed every forty feet apart.*
10. **STORM WATER.** *That additional piping and inlets be added to maintain a ten foot unobstructed travel lane in each direction. Storm water report shows that Harvest Road and Talon Road will not meet this standard.*
11. **ROTO-MILLING.** *That Harvest Roads be roto-milled due to excessive road cuts or a 1" overlay to be decided at the developers discretion.*
12. **PARK.** *That the proposed project meets the city's neighborhood park requirements for acreage, equipment, and trails. That the park area be constructed at 50 percent of the building permits being issued.*
13. **SERVICE LATERALS.** *That service laterals are not consolidated except for a few isolated cases. That laterals are generally located along the frontage of the property in which the lateral will serve.*

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

D. Hidden Canyon (R2 N4), Preliminary Plat- Discussion Item

Shawn Warnke explained that Hidden Canyon is located off the Pony Express Parkway and is south of Rockwell Village and Ruby Valley. He explained that this would just be a discussion item as the Public Hearing is not until the next Planning Commission meeting to meet the Public Notice requirements. He explained the trail plan and park improvements.

The Planning Commission discussed the land swap involving Point Lookout and transitioning between the single family developments.

7. Discussion Items

A. General Plan Status Update and Discussion

Shawn Warnke explained to the Planning Commission the status of the General Plan and future reviews.

8. Adjournment:

MOTION: Tom Maher moved to adjourn the meeting at 8:47 p.m.

Approved: _____ **Date:** _____
Chairman Tom Maher

MINUTES OF THE PLANNING COMMISSION MEETING
EAGLE MOUNTAIN, UTAH
Eagle Mountain City Offices
1680 E. Heritage Dr
Eagle Mountain, UT 84043
February 10, 2004

Chair Rich Steinkopf called the meeting to order at 6:00 p.m.

Roll Call:

Commissioners present: Rich Steinkopf, Tom Maher, Chris Kemp, Jeff Love, Brian B. Olsen, Ken Hixson, and Brad Morgan.

Others Present:

Greg and Bonnie Jeppson; Marcie Taylor; Jody Hooley; Jennifer Edwards; Autumn Wagoner; Jordan Toland, Mike Johnson, Cheryl Johnson, and Karen O'Donnell, Friends in Need; Barbara Hardy

City Staff:

City Engineer: Korey Walker
Planning Director: Shawn Warnke
City Planner: Adam Lenhard
Planning Coordinator: Angela Cox

1. Pledge of Allegiance:

Shawn Warnke led the commission and audience in the pledge of allegiance.

2. Identification of Voting Commissioners:

Rich Steinkopf, Tom Maher, Brian B. Olsen, Chris Kemp, and Jeff Love.

3. Declaration of Conflicts of Interest:

None.

4. Report from City Council Member:

There were no development items on the last City Council agenda.

5. Action Items

A. Friends In Need Kennel Center, Conditional Use Application, Public Hearing- Action Item

Shawn Warnke explained that the proposed Conditional Use Application is located on 5194 Lake Mountain Road. He continued in explaining a conditional use and the purpose behind conditional uses. Mr. Warnke also read the City Attorney, Jerry Kinghorn's interpretation of the Development Code as it pertains to Zoning and Business Licensing.

Cheryl Johnson with the Friends in Need Kennel stated that they have received a kennel permit from Utah County Sheriffs Animal Control Unit. She continued in showing a Power Point presentation and explaining the lay out and the exterior appearance of the kennel.

Mike Johnson explained the sound proofing which includes acoustic paint which will reduce the sound 30-40%, double pane windows, double off set studs, insulation, sound deadening materials such as cork material, trees and shrubs and hill or berming.

Ms. Johnson stated that the dogs will be grouped according to which dogs get along the best and only 3 or 4 dogs will be allowed outside at the same time.

Mr. Johnson explained the kennel septic system will be using manufactured products specifically designed for kennels. Specific product will determine the type of septic system they will use.

Ms. Johnson explained the existing chain link fencing that is 6' with a 3' in lay with buried rebar. She stated that they would be willing to put in a perimeter fence of vinyl or rod iron. This fence would be purely for aesthetics as the chain link fence is secure enough to contain the dogs. They do not feel there should be any concerns with traffic as they go to the shelters to pick up the dogs and deliver them to the home where they are going to be adopted. Some people may come by to look at the facility by appointment only. They will have capacity to have 30 dogs, but do not plan to keep 30 dogs at all times. They prefer to have 10-20 dogs at a time.

Tom Maher questioned funding. He discussed options to prevent the kennel from only being partially completed from funding restrictions.

Ms. Johnson explained the process of soliciting funds. She stated that they cannot solicit funds until they receive approval from the city. They will be conducting fund raisers to cover the vet bills, shots and food for the dogs. They will need to have \$200,000 before building the rescue building. The rescue building will be approximately 60' X 40' in size, two levels and they are guessing it will be 38'-40' in height.

Tom Maher opened the public hearing at 7:03 p.m.

Bonnie Jepson of Lake Mountain Road presented pictures of her home in comparison to the training grounds. She stated that she feels that the facility doesn't belong next to nice residential homes. Mrs. Jeppson submitted a letter signed by some of the residents along Lake Mountain Road. Her concerns are for the safety of the children and live stock in the area, and the noise. She feels this like this kennel will take away her right to enjoy the sounds of nature.

Greg Jeppson of Lake Mountain Road stated that his main concern is the safety and well being of the children and volunteers at the center. He is also concerned with noise and he also feels this will take away his right to enjoy his property. He stated that he feels this is a home business and that it will affect his neighborhood. Mr. Jeppson stated that he was going to read the home business section of the Development Code. Mr. Maher stated that that is not of a concern at this meeting. Mr. Warnke invited Mr. Jeppson to submit anything he would like.

Marci Taylor stated that she feels that this is a Home Business. She stated that she did not believe chain link fencing was allowed and questioned if they had approval to install the chain link fencing.

Mr. Warnke stated that chain link is not permitted in a residential zone; however, it is allowed in an agricultural zone which the property is located.

Mrs. Taylor invited Mr. Maher to discuss Mr. and Mrs. Rudy in North Ranch. Mr. Maher declined as this meeting is to discuss the Friends in Need Kennel. Mrs. Taylor continued in stating her concerns with traffic. She also stated that she has contacted an attorney to find out what her rights are.

Mr. Warnke again stated that the principle use of this zone is agricultural and that residential is an accessory use.

Jody Hooley stated that she is 1500 ft. from the proposed Friends in Need Kennel and that she feels this is a commendable effort. She feels it is a fine line of what is or is not allowed on the property. Mrs. Hooley stated that she was not noticed for the Public Hearing.

Mr. Maher asked Angela Cox to explain the noticing.

Mrs. Cox responded by explaining the requirements of noticing all property owners within 1000' of the property which the proposed Conditional Use is located. She stated that mailing addresses are taken off of the County Records and that it is the responsibility of the property owner to ensure that the County has accurate records.

Mrs. Hooley stated that she believes that if allowed to have 30 dogs that they will more than not have the maximum number. She also questioned if they plan to expand.

Ms. Johnson stated that they do plan to expand and when they are ready to do that they will find another location.

Mrs. Hooley asked the Planning Commission to consider the impact on existing uses, animals being dropped off, and compatibility with existing homes. She stated that it is the Planning Commissions stewardship to review compatibility.

Mr. Maher questioned whether the Planning Commission has the right to review a Conditional Use on anything other than the health, safety and welfare.

Mr. Warnke explained that the Planning Commission has the authority to review this Conditional Use applications compatibility with the Agriculture Zone it is located in and conditions can be made according to the health, safety, and welfare of the Agriculture Zone.

Ms. Johnson stated that the Utah County Sheriff who issued their kennel permit told them that it is the Utah County Sheriff's responsibility to issue a kennel permit. They currently have 9 dogs on the property and their kennel license allows them to have as many animals as is humane.

Mr. Warnke explained that the City contracts out its animal control to the Utah County Sheriff's. The City's Animal Control Ordinance requires a kennel to get a conditional use Permit and a Business License through the City and a Kennel Permit through the County.

Mrs. Hooley requested that the number of dogs be limited to the number of dogs that is currently on the property.

Jennifer Edwards stated that this kennel is a commendable effort; however, she is concerned with the safety of children and livestock.

Barbara Hardy stated that she lives in Eagle Mountain, but not in the area the kennel will be located. She was surprised that legal issues were not answered at the last meeting when some Commissioners wanted to deny the Conditional Use Permit. She is upset that property owners are upset at what she feels are 'non-issues'. She feels this rescue would be a positive thing for Eagle Mountain City.

Autumn Wagoner stated that she has worked with Karen O'Donnell in animal rescues. She informed the Commission that 42,000 animals are euthanized each year and Friends in Need is trying to be a part of the solution. The animals health and behavior is being taken care of.

Tom Maher closed the Public Hearing at 7:44 p.m.

Mr. Warnke and Adam Lenhard typed the conditions recommended during the Public Hearing and submitted to Planning Commission to assist with the motion.

Ken Hixson stated that he feels that the Commission is not obligated to approve this Conditional Use as section 5.5.1 of the Development Code states: The Planning Commission may approve a conditional use permit in any zoning district for which the particular use is designated as a conditional use; specifically emphasizing may. He also stated that he feels that this is a residential zone and that the kennel would not be a proper use. Mr. Hixson felt that this kennel is a home business and should not be allowed.

Mr. Maher clarified again that the zone is agricultural and that residential use is accessory.

Mr. Steinkopf stated that he has concerns with two septic tanks on the property.

Mr. Warnke stated that the County Health Department issues permits for septic tanks and would have to approve that.

Brad Morgan was in favor of a vinyl perimeter fencing for the appearance of the property.

Jeff Love felt that if noise or sanitation became a problem that it should come back to the Planning Commission for further review. He stated his concerns with safety if a large number of stray dogs or coyotes were to gathered around the kennel. He recommended that the kennels be grouped in the center of the property to put the most amount of distance between neighboring properties.

The Planning Commission discussed the number of dogs they felt should be allowed. They came to a mutual decision to allow no more than 15 dogs on the property at one time.

Tom Maher recommended that the Planning Commission place a condition to allow no more than 4 dogs outside at one time and to have no dogs outside between the hours of 7:00 am – 6:00 p.m.

Mark Madsen recommended that the Planning Commission place a condition that if a dog was to escape that the Conditional Use Permit be revoked.

Chris Kemp felt that if the kennel was to attract strays that the permit be revoked.

Ms. Johnson stated that they are aware of the risk of a Conditional Use Permit but felt that there should be a reasonable review to ensure that there is no foul play.

Mr. Love questioned enforcement. Mr. Warnke stated that the Planning Department would watch for a pattern and suggested that the conditions reflect a pattern rather than a one time offence.

Mr. Maher recommended to have liability issues researched administratively.

MOTION: *Tom Maher moved that the Planning Commission approve the Friends In Need Kennel Center subject to the following conditions:*

- 1. That the facilities meet all the requirements of the Utah County Animal Control Department for a kennel license.*
- 2. That the number of dogs permitted is not to exceed 15.*
- 3. That the application fee is paid and that the business license is renewed annually.*
- 4. That the animal excrement is properly disposed of in covered containers daily and not buried on the premises.*
- 5. That all conditions of approval be applied to the project as long as the Conditional Use Permit is in operation. Additional conditions may be applied or the Conditional Use Permit revoked based upon a filed complaint by a surrounding property owner*

and the Planning Department finding a legitimate issue, whereupon the item will be placed on a Planning Commission agenda for future review and consideration.

- 6. *That barking, whining and other noise from the operation is mitigated by construction techniques as proposed by the applicant and is not heard beyond the property boundary of the applicant's property. These improvements include: double paned windows; double studded walls; cork insulation; and sound reducing paint.*
- 6. *That no dogs are outside between the hours of 6:00 p.m. – 7:00 a.m.*
- 7. *That no large animals (such as horses) are allowed on the property.*
- 8. *That there are only three to four dogs in the exercise area at one time.*
- 8. *That sani-kennel septic tank is installed (separate from the residential septic tank) and that this improvement is approved by the County.*
- 9. *That a vinyl fence is installed around the perimeter of the property to screen the kennel. (There is an chain link fencing to be a boundary fence that is 6' height with an additional 3' angled inlay, with rebar below grade to prevent dogs from digging under the fence.)*
- 10. *That proof of funding to complete the kennel is provided before a building permit can be issued.*
- 11. *That landscaping, berming, and trees are installed to mitigate noise levels.*
- 12. *That dogs escaping or the attracting of wild animals to the kennel will cause a review and possible revocation.*
- 13. *That the City Attorney determines the level of liability insurance required.*
- 14. *That the Planning Department be authorized to work with applicant to carry out the conditions of approval.*
- 15. *That the Power Point Presentation be included in the record as an exhibit of conditions that the applicant is will to submit comply with.*

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

7. General Discussion/Questions:

None.

8. Adjournment:

MOTION: Tom Maher moved to adjourn the meeting at 8:24 p.m.

Approved: _____ Date: _____
Chairman Tom Maher

MINUTES OF THE PLANNING COMMISSION MEETING
Eagle Mountain City Offices 1680 E. Heritage Drive, Eagle Mountain, UT 84043
Tuesday, March 23, 2004

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

Roll Call:

Commissioners present: Tom Maher, Jeff Love and Rich Steinkopf. Ken Hixson took his seat as a Planning Commissioner at 6:06 p.m. Brian B. Olsen was excused from the meeting.

Others Present:

Kent Burningham, Spectrum Development; Bobby Colson, Stephanie Colson, Leonard Lee, Valerie Matteson, The Ranches Academy; Monte Kingston, Ames Construction/Eagle Mountain Links; John Haux, Julie Haux, residents; Scouts.

City Staff:

City Engineer: Korey Walker
Planning Director: Shawn Warnke
City Planner: Adam Lenhard
Planning Coordinator: Angela Cox

1. Pledge of Allegiance:

Tom Maher led the commission and audience in the pledge of allegiance.

2. Identification of Voting Commissioners:

Tom Maher, Jeff Love, Rich Steinkopf and Ken Hixson.

3. Declaration of Conflicts of Interest:

None.

4. Report from City Council Member:

Eagle's Gate Plat C development agreement was approved at the City Council meeting on March 16, 2004.

5. Action Items

A. The Ranches Academy Charter School, Conditional Use & Site Plan– Public Hearing

Shawn Warnke explained that the Ranches Academy is located at the intersection of Pony Express and Red Hawk Ranch Road. He continued to explain the landscaping and the schools layout. This would be subject to getting the title and ownership of the property.

Adam Lenhard explained the elevation of the proposed school and the functions of a charter school.

Leonard Lee stated that the exterior of the school would be stucco.

Mr. Warnke explained that this charter schools emphasis would be on academics and would include grades K-6th. This is not a school for troubled youth.

Stephanie Colson stated that they applied for their charter application in October 2002. Ms. Colson stated that charters give parents more choices. It is a public school with no tuition and a lottery will determine the students. The only students who are guaranteed to be accepted are the children of the founders. The emphasis is a back to basic academics. The board will hire the teachers who are certified and will be at will employees. They plan to open in the fall of 2004. They will ask each family for 40 hours of volunteer work from the parents.

Parking and traffic was discussed. Mr. Lee stated that the children will be dropped off in front of the school and the traffic flow would continue to exit on Red Hawk Ranch Road.

Mr. Lee also explained that there would be a vinyl coated chain link fence three feet off of the side walk.

The Planning Commission suggested that the building be slightly twisted to allow more room for future expansion.

Tom Maher opened the Public Hearing opened at 6:40 p.m.

Ron Hall questioned the specialized curriculum and who approved it. He also question the fine arts programs the school will have.

Ms. Colson responded that the curriculum emphasis will be back to basic academics, which was chosen by the founders and approved by the State Board of Education. She also stated that there would be some art classes.

Mr. Maher closed the Public Hearing at 6:42 p.m.

Jeff Love stated his concern of parking on Tawny Owl Rd. for after hour events at the school.

Mr. Lee stated that during the day the parking lot would have ample parking lot and that after hour events should not happen more then two to three times per year and that there would be on street parking for such events.

Mr. Colson stated that between the parking lot and Red Hawk Ranch Rd. there should be ample parking, and that they can tell the parents that there would be no parking on Tawny Owl Rd.

Ken Hixson asked that the applicant paint arrows to show the direction of travel in the parking lot.

Discussion ensued on the elevation of the proposed charter school. The Ranches Home Owners Association has approved the elevations.

MOTION: *Richard Steinkopf moved that the Planning Commission approve the Conditional Use Permit and recommend approval of the Site Plan to the City Council for The Ranches Academy Charter School subject to the following conditions:*

1. *That engineer's estimates are submitted for the excavation permits and bonding for the asphalt cuts.*
2. *That a utility easement for the entire project be recorded.*
3. *That final storm drain calculations are submitted to verify orifice size and pond size. That TBC elevations be shown on the plan to verify storm drainage flows.*
4. *That a landscaping plan is submitted.*
5. *That the Design Review Committee for the Ranches provides a letter of approval for the landscaping and architecture.*
6. *That utility demands for water and sewer be submitted. Water right requirements will be determined based upon these demands.*
7. *That information regarding the lighting is submitted.*

Ken Hixson seconded the motion. Ayes: 4, Nays: 0. Motion passed.

B. Zoning of Property for Pending Annexation- Public Hearing

Shawn Warnke explained that the parcels are located south of S.R. 73, immediately east of the golf course. The land is being proposed as Agriculture, which is the historical zoning under Utah County. The surrounding land uses include multi-family on parcels that are both to the east (Mt. Saratoga) and west (The Ranches- Spring Valley). It should be noted that the Agriculture Zone may be less compatible with the surrounding land uses; however, these parcels are already zoned with agricultural land uses and it is believed that the intensity of the agricultural use will not increase.

The Development Review Committee has been discussing with the landowners along the eastern boundary of the City between Pony Express Parkway and SR 73 the need for a collector road that will run north to south. The exact alignment of this road has not been determined; this road may affect these parcels and should be incorporated into their master plan in the future.

Mr. Warnke explained that the City has received an application for a cell tower to be located next to the golf cart building which is located on parcel 58:033:0152. Upon the completion of the annexation process the City will have authority to review this application.

MOTION: Richard Steinkopf moved that the Planning Commission recommends that parcels 58:033:0180, 58:033:0152 and 58:034:0346 be zoned as Agriculture with the pending annexation application subject to the following conditions:

- 1. That these parcel are subject to the Master Development Plan process prior to development.**

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

C. The Woods (Formerly know as The Links), Final Plat

Shawn Warnke explained that the Woods is located directly west of the Overland Trails Phase 1 & 2. The applicant is proposing to construct 12 lots with an average lot size of 10,000 square feet during the first phase. The traffic analysis recommends that there be off site trails constructed for this subdivision for pedestrian use. Further, the City Development Code requires trails be a requirement of developments. The Applicant has raised the issue that other projects will benefit from their required trail improvements. The Development Review Committee recommends that where the trail will be constructed adjacent to future subdivisions that half of the cost to construct the trail be reimbursed to the Applicant. The City Attorney will draft this reimbursement agreement.

Kent Burningham stated that this subdivision would not have animal rights and that there would be a fence separating this subdivision and Overland Trails. Landscaping will be included in these homes and they will

There was some discussion regarding the trail system. At the Preliminary Plat approval the Planning Commission requested that several transportation issues be addressed including trails. A traffic analysis recommended that there be off site trails constructed for this subdivision for pedestrian use. The City Development Code requires trails be a requirement of developments. The Planning Commission discussed that the first phase of this subdivision be required to install trails along the dedicated open space corridors of Overland Trails Phases 1 and 2. Future subdivisions that benefit from the project could be required to reimburse the Applicant of the Woods if the City Council approves a reimbursement agreement. Additionally, future subdivision will be required to install off site trails until there is a trail connection to Eagle Mountain Boulevard.

MOTION: *Rich Steinkopf moved that the Planning Commission recommend approval of the Final Plat for The Woods development subject to the following conditions:*

1. **DEVELOPMENT AGREEMENT.** *That the development agreement includes the items enumerated in the section entitled Development Agreement.*
2. **CONSTRUCTION PLAN.** *That minor items surrounding the construction plans be completed.*
3. **SERVICE LATERALS.** *That water and sewer service laterals be installed for future subdivisions. This is to avoid cuts in asphalt at a later date.*
4. **TRAILS PLAN.** ~~**SIDEWALK.**~~ *That a trail plan is submitted showing an 8 feet asphalt trail ~~4' side-walk~~ be constructed in the recorded public open space corridors in the Overland Trails Phase 1 and 2. That the sidewalk on the south side of Waddell Street be up sized to 8 feet. ~~on the North of ? and~~ ~~an 8' side walk on the South East~~ ~~and to be run to Ira Hodges North~~ ~~West corner.~~*
- ~~5.~~
- ~~6.~~ **FEE IN LUE.** *That the fee in ~~lieu~~ ~~of~~ ~~park~~ ~~improvements~~ be applied to the Overland Trails Community Park.*

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

D. National Field Archery Association (NFAA), Archery Golf at The Ranches

Shawn Warnke explained that the DATUS Archery club is requesting a temporary archery range for April 17 & 18, 2004 and May 15 & 16, 2004. The last several years The Ranches have hosted a temporary archery range for a NFAA event. The DRC is pleased when special events occur within in the City; however, the DRC also recognizes that a special event may increase demands for services such as policing. Additionally, the DRC is concerned with the impacts of a relatively large number of people congregating in a small area. The DRC is recommending certain conditions to mitigate those impacts.

MOTION: *Jeff Love moved that the Planning Commission recommend approval of the temporary archery range to the City Council subject to the following conditions:*

- 1) *That the temporary archery range be permitted for April 17 & 18, 2004 and May 15 & 16, 2004.*
- 2) *That the applicant obtains special burn permits for any campfires and complies with all requirements outlined by the Fire Chief.*
- 3) *That the site be returned to its precondition state following the event.*
- 4) *That if the special event creates an increase in the demands for public safety services that those services shall be provided by the applicant.*
- 5) *That the archery range complies with safety standards for Utah County Sheriff's Office and the National Field Archer's Association (NFAA) and that the applicant provides security to monitor the perimeter of the archery range to prohibit non-participants from accessing the range.*
- 6) *That road base or gravel is used at the connection of dirt roads and paved roads as required by the City Engineer.*
- 7) *That there be sufficient public facilities such as restrooms.*
- 8) *That the City Recorder and City Attorney ensure that all of the insurance forms and the permission of the property owners have been submitted.*
- 9) *That evidence of permission of the property owner be submitted.*

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

7. Discussion Items:

A. General Plan Discussion

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Shawn Warnke and Adam Lenhard explained the General Plan and offered to answer any questions that the Planning Commission may have.

The Planning Commission was comfortable with moving forward with the General Plan as it is written.

8. **Adjournment:**

MOTION: Rich Steinkopf moved to adjourn the meeting at 8:17 p.m.

Approved: _____ Date: _____
Chairman Tom Maher

MINUTES OF THE PLANNING COMMISSION MEETING
Eagle Mountain City Offices 1680 E. Heritage Drive, Eagle Mountain, UT 84043
Tuesday, April 13, 2004

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

Roll Call:

Commissioners present: Tom Maher, Jeff Love, Brad Morgan, Chris Kemp, and Mark Madsen City Council liaison. Brian B. Olsen was excused from the meeting.

Others Present:

Nathan Shipp, Development Associates; Grant Gifford, Sundance Homes; Monte Kingston, Eagle Mountain Links, LLC

City Staff:

City Engineer: Korey Walker
Planning Director: Shawn Warnke
City Planner: Adam Lenhard
Planning Coordinator: Angela Cox

1. Pledge of Allegiance:

Tom Maher led the commission and audience in the pledge of allegiance.

2. Identification of Voting Commissioners:

Tom Maher, Chris Kemp, Rich Steinkopf and Brad Morgan.

3. Declaration of Conflicts of Interest:

None.

4. Report from City Council Member:

Shawn Warnke stated that The Friends In Need appeal was reviewed at the City Council meeting on April 6, 2004 and it was tabled until the City Council can review a verbatim transcription of the Planning Commissions reviews.

6. Development Items

A. Silver Lake Village (R9 N5a), Condo PUD – Site Plan, Public Hearing

Shawn Warnke explained that the Silver Lake Village is located along Silver Lake Parkway just north of Tickville Wash. The R9 N5a parcel of the Silver Lake Development is vested with a maximum of 100 dwelling units for a density of 8 dwelling units per acre. The Master Development Plan Agreement does not guarantee density (only sets the density ceilings) or specify housing product. The project is proposing 92 dwelling units.

Mr. Warnke read Rich Steinkopf's comments concerning this project. Discussion ensued.

Grant Gifford stated that the project will either install a split rail fence or a small privacy fence. This project is going to be less dense than Master Development Plan allows for and that the private driveways have been widened since the last Planning Commission review.

Steve Sowby stated that they forgot to show a driveway on lot 18 and that will be added.

Mr. Gifford stated that the shortest driveway is 18 ft.

The Planning Commission continued to discuss the driveway lengths.

Steve Sowby stated that they will have architectural plans at the next meeting.

Mark Madsen stated that buyers should be responsible to ensure that they have a long enough driveway for their vehicles.

Chris Kemp suggested that the CC&R's state that no vehicles can hang over on the sidewalk. Mr. Gifford stated that they would address the issue in the CC&R's.

Tom Maher opened the Public Hearing at 6:30 p.m. There was no comments; subsequently the Public Hearing was closed.

MOTION: *Jeff Love moved that the Planning Commission approve the Condo-PUD-Site Plan for the Silver Lake Village subject to the following conditions:*

1. **TICKVILLE WASH.** *That the 100 year flood plain is shown on the plans. That a geotechnical engineer makes a recommendation regarding the need to stabilize Tickville Wash.*
2. **APPROVAL.** *That The Ranches Design Review Committee review and approve the architectural and landscaping plans.*
3. **DRY UTILITY.** *That the dry utility plans be revised according to staff's redlines and the modified trench detail.*
4. **DRIVEWAY LENGTHS.** *That the CC&R's address vehicles being parked on sidewalks.*

Brad Morgan seconded the motion. Ayes: 4, Nays: 0. Motion passed.

B. Anthem at The Ranches (R1 N18, N19), Final Plat for Phase 2 & 3

Adam Lenhard explained that Anthem at The Ranches is located on the west side of The Ranches Parkway directly north of Friday's Station. Mr. Lenhard continued in explaining the proposed densities.

Monte Kingston told the Planning Commission who the builders will be of this project. He also stated that golf course fencing would be installed on the lots abutting the golf course and residents would be put on notice through the CC&R's that their lot is a golf course lots and of the hazards of a golf course lot.

Shawn Warnke read Rich Steinkopf's comments concerning this project. Mr. Kingston explained that the homes are a narrower product, discussion ensued.

MOTION: *Jeff Love moved that the Planning Commission recommend approval Final Plat for Phases 2 & 3 subject to the following conditions:*

1. *That a rod iron fence (according to The Ranches Design Guidelines) border the subdivision along the golf course. See section entitled Rod Iron Fencing*
2. *That addresses be shown on the plats.*
3. *That the Franklin Drive be signed to be a through road (no stop signs) so that it meets the City's requirements regarding grade of intersections with traffic control devices.*
4. *That the total acreage in lots be added to the tabulation table for both plats.*

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

C. Concept Plan review, Convenience Store/Retail Center

This item was removed from the agenda at the applicants request.

7. General Items

A. General Plan- Public Hearing.

Adam Lenhard explained the previous reviews of this General Plan and the updates and changes in the maps.

Korey Walker explained the roads plans.

Discussion ensued on the Cities wells and water flow.

Tom Maher opened the Public Hearing at 7:50 p.m.

Monte Kingston stated his concern for the zoning of his property recently annexed into the City. He stated that he is not apposed to commercial if there is the need. He would prefer to have a mixed use allowing for town homes and single family residential.

Mr. Lenhard and Shawn Warnke explained zoning and that it will be addressed in the Development Code process.

The Planning Commission recommended that Mr. Kingston present his plans when he is ready to develop the property.

Mr. Maher closed the Public Hearing at 8:09 p.m.

Mark Madsen stated that he felt that it would be beneficial to notify persons owning large parcels of property. Discussion ensued.

MOTION: *Jeff Love moved that the Planning Commission recommend approval to the City Council subject to the following conditions:*

- 1. Inform persons owning 160 acre parcels and larger of General Plan Public Hearing by a direct mail notice.*
- 2. That the General Plan note that zoning will be defined in the Development Code.*
- 3. That the wording be clarified defining mixed use commercial land use and mixed use housing type.*

Brad Morgan seconded the motion. Ayes: 4, Nays: 0. Motion passed.

8. Adjournment:

MOTION: *Tom Maher moved to adjourn the meeting at 8:23 p.m.*

Approved: _____ **Date:** _____
Chairman Tom Maher

MINUTES OF THE PLANNING COMMISSION MEETING
Eagle Mountain City Offices 1680 E. Heritage Drive, Eagle Mountain, UT 84043
Tuesday, April 27, 2004

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

Roll Call:

Commissioners present: Tom Maher, Richard Steinkopf, Chris Kemp, Jeff Love, and Brian B. Olsen.

Others Present:

Amy Twitty, and Scott Kirkland, The Sage Group; Jimmy Zufelt, JZ Construction, Inc; Jocelyn Stevens, Jodi Knipers, residents; Mike Shegrud, SA Architects.

City Staff:

City Engineer: Korey Walker
Planning Director: Shawn Warnke
City Planner: Adam Lenhard
Planning Coordinator: Angela Cox

1. Pledge of Allegiance:

Tom Maher led the commission and audience in the pledge of allegiance.

2. Identification of Voting Commissioners:

Tom Maher, Richard Steinkopf, Chris Kemp, Jeff Love, and Brian B. Olsen

3. Declaration of Conflicts of Interest:

None

4. Report from City Council Member:

Shawn Warnke stated that Anthem Pod B was approved at the City Council meeting on April 20, 2004. Mr. Warnke updated the Planning Commission on the status of the Friends In Need Kennel appeal.

5. Approval of Minutes

A. March 23, 2004

B. April 13, 2004

MOTION *Jeff Love moved to approve the minutes of the Planning Commission meetings on March 23, 2004 and April 13, 2004.*

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

5. Action Items

C. Showdown Eagle's Gate, Plat B, Final Plat- Action Item

Adam Lenhard explained that the proposed Eagle's Gate subdivision is located off the Ranches Parkway and is south of the Mt. Airey and east of Friday's Station. The Preliminary Plat approval for Eagle's Gate Plats "B" through "D" consists of 185 lots. The Showdown at Eagle's Gate (Plat "B") Final Plat application has 46 lots and a church site. Eagle's Gate Plats A, C, and D will bond for the neighborhood park requirements. The applicant is proposing to pay a fee-in-lieu for the park requirements of this project.

Jimmy Zufelt explained the floor plans, elevations, and landscaping that will be put in the front yards with a privacy fence separating the rear yard which is not landscaped.

The Planning Commission discussed their concern with 5' side yard set back.

Scott Kirkland stated that this project will have golf course perimeter fencing and a small entrance features at each entrance from the other Eagle's Gate subdivisions.

Overall the Planning Commission stated that they like the project and the product.

MOTION: *Brian B. Olsen moved that the Planning Commission recommend approval of the Final Plat application for Showdown at Eagle's Gate, Plat A subject to the following conditions:*

- 1. TIMING OF IMPROVEMENTS. That the offsite improvements to be constructed are called out on the plans. That improvements in Plat E are shown as existing but have not been constructed.*
- 2. EFILES. That e-files for the civil and dry utility plans along with the engineer's estimates (dry utility only) be submitted.*
- 3. FEEDER LINE. That the electrical plan receives a feeder line approval from the City's Electrical Engineer.*
- 4. TELECOMUNICATION PLANS. That the channel bank assignment for the subdivision is identified and fuses are installed for all channel banks that will be used (telecommunication plans).*
- 5. SIGNAGE PLAN. That the landscaping plan signage conforms to the signage called out in the construction drawings.*
- 6. Landscaping. That if the lawn area in the roundabout becomes over saturated that it will be replaced with xeriscaping.*

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

A. Kiowa Valley Plat E (Formerly known as South Pass) Final Plat, Action Item

Adam Lenhard explained that Kiowa Valley is located directly south of Freemont Springs. Mr. Lenhard continued in explaining density, and setbacks.

Scott Kirkland stated that the average lot size will be 8594, with 37 lots on 9.71 acres.

Richard Steinkopf stated his concern with 5' side yard set backs.

Mr. Kirkland stated that Jerry Kinghorn will verify that the water rights issue is resolved prior to recordation.

MOTION: *Richard Steinkopf move that the Planning Commission recommend approval of the Final Plat for Kiowa Valley Plat E subject to the following conditions:*

- 1. WATER RIGHTS. That the correct water right information is supplied for verification.*
- 2. DESIGN REVIEW COMPLIANCE. That the Applicant complies with the Ranches Design Review Committee. Street trees species from the Kiowa Valley Plat B to the South Pass Subdivision should be ensured.*
- 3. FEE IN LIEU. That the development agreement states that the applicant pays the fee in lieu for the parks requirements and that the open space is identified for the project.*
- 4. STORM DRAINAGE. That gabion baskets are installed prior to entering the road. That additional engineering calculations are provided to demonstrate that the erosion protection measure are adequate.*
- 5. ELEVATIONS. That elevations are shown at 25 foot intervals.*

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

B. Spring Valley (R1 N32), Preliminary Plat and Final Plan, Public Hearing- Action Item

Shawn Warnke explained that Spring Valley is located at the intersection of SR 73 and Mt. Airey Drive. The project is located on the City's eastern boundary. Mr. Warnke continued to explain the density, landscaping plan and conditions of approval.

Scott Kirkland stated that 100% of the project will be landscaped by the builder, 100% maintained by a sub HOA (Home Owner's Association). He stated that phase 1 park requirements have been met and phase 2 may have to pay a fee in lieu.

Tom Maher opened the Public Hearing at 6:48 p.m.

Jocelyn Stevens stated that she is a resident and read a letter her neighbor had asked her to bring.

Tom Maher closed the Public Hearing at 6:57 p.m.

Richard Steinkopf stated that he is concerned with the driveway lengths not accommodating large vehicles.

MOTION: *Chris Kemp moved that the Planning Commission approve the Preliminary Plat (for the entire project) and recommends approval of the Final Plat for Plat A Pass subject to the following conditions:*

1. **EASEMENTS.** *That an easement for the off-site sewer line is submitted. That easements for the off site for the sewer & water through future phases be shown.*
2. **EFILES.** *That the e-files (civil) be submitted for this project.*
3. **DRY UTILITIES.** *That engineer's estimates are submitted for the dry utilities. That the location for the dry utilities be identified.*
4. **STORM POND.** *That storm drain pond profile is submitted.*
5. **VERTICAL CURVES.** *That k values meet AASHTO requirements.*
6. **DESIGN REVIEW.** *That the Design Review Committee writes a letter of approval for both the landscaping and architecture.*
7. **TRAIL WIDTH.** *That trails be upsized to 8' in width.*
8. **PRELIMINARY PLAT.** *That the Preliminary Plat is amended to change the boundaries and delete two units (units 82 and 83).*

Brian B. Olsen seconded the motion. Ayes: 5, Nays: 0. Motion passed.

D. Concept Plan review, Convenience Store/Retail Center- Discussion Item.

Adam Lenhard explained that the retail center would be located along Sweetwater Road, just south of the Eagle Park Phase 1 subdivision.

The applicant is proposing a retail center, car wash, and convenience store/gas station. EMP's Master Development Plan Agreement designates this area as "Town Center," a zone that is not codified in the Development Code. The best zoning equivalent is the Commercial Core zone which is intended to be developed in accordance with the following excerpt contained in the Development Code which is as follows:

5.6.3 The Commercial Core zone is intended to provide for a pedestrian friendly commercial center developed at a higher density. Appropriate uses for the commercial core location are businesses, offices, governmental functions, restaurants, retail shops, professional services and entertainment. Commercial Core buildings shall be at least two stories and not more than four stories. Upper levels of Commercial Core businesses may include any of the uses of the Commercial Core zone designation that meet the relevant performance standards, plus apartments and condominiums.

5.6.3.1 Developments in commercial core will occur around a town square, or a series of squares. Buildings will generally be constructed with no front setback. Side and rear setbacks will be determined on the basis of compatibility with adjacent uses and the proposed use of the space within

the building setback. Because the core is essentially a public space, each building project will be required to provide certain public amenities. The public amenities can include mini parks and outdoor eating areas.

5.6.3.2 Parking for commercial core development shall be behind the buildings. In no case will a building be granted a front setback to accommodate parking. Commercial core blocks will be large enough to have a perimeter of buildings surrounding an interior block parking area. The block interior parking area shall be landscaped in accordance with the parking and landscape standards in the Eagle Mountain Development Code. The Landscaping Standards of the Eagle Mountain Development Code require trees, street furniture, and planting along the pedestrian space in front of, and adjacent to, buildings in the commercial core.

From this description it can be interpretation that this zone is not consistent with the proposed land uses of the Concept Plan. Further, Eagle Mountain Properties' Master Plan identifies some parcels being zoned Satellite Commercial (which is contained in the City's Development Code); this zone allows the land uses that are proposed in this Concept Plan. The Planning Department is working with the City Attorney to confirm the aforementioned interpretation and to identify any provisions in EMP's Master Plan for a range of uses for the Town Center zone.

Mike Shegrud stated that they are going for a town center look and showed the Planning Commission some pictures of what they are proposing.

E. Policy on the Disposal of Public Property in Trail Corridors

Adam Lenhard explained that there are several issues that the Planning Department has observed pertaining to some public property. For these reasons the Planning Department is recommending the implementation of the aforementioned policy. Some publicly owned property lacks landscaping. Additionally, weeds have grown replacing native vegetation as a result grubbing during the construction process. In most cases trail corridors were dedicated to the public with out trail improvements. The lack of landscape and trail improvements diminishes the use of the public property. Due to the lack of improvements some residents have used public property for dumping; storage; and gardening. In some cases residents have constructed their fence beyond their property line, encroaching into the public lands. The City does not have the resources to improve, water, and maintain public property. The principle of quality open space should be considered in place of the quantity of open space. For example, most trail corridors in the City Center, which are 100 feet in width, will not significantly be diminished with the disposal of a portion (i.e. 20 feet) of the public property.

The Planning Commission discussed the requirements and cost of purchasing public property. The Planning Commission was concerned with the extensive list of requirements that may be associated with the disposal of public property.

MOTION: *Richard Steinkopf moved to table the Policy on the Disposal of Public Property asking the Planning Department to prepare a list of all of the issues that would need to be addressed with to dispose of public property and what would be required for a resident to purchase public property.*
Jeff Love seconded the motion. Ayes: 5, Nays: 0. Motion passed.

7. General Discussion/Questions:

None.

8. Adjournment:

MOTION: *Richard Steinkopf moved to adjourn the meeting at 8:20 p.m.*

Approved: _____ **Date:** _____
Chairman Tom Maher

MINUTES OF THE PLANNING COMMISSION MEETING
Eagle Mountain City Offices
1680 E. Heritage Dr
Eagle Mountain, UT 84043
May 11, 2004

- 1. Pledge of Allegiance**
- 2. Identification of Voting Commissioners**
- 3. Declaration of Conflicts of Interest**
- 4. Report from City Council Member**
- 5. Action Items**

- A. Pro Ranches Cell Tower/Site, Conditional Use Permit, Public Hearing- Action Item**
The Verizon Wireless cell tower would be located at 4128 E Clubhouse Lane, which is directly south of The Ranches Golf Cart Building.

MOTION: *Commissioner Richard Steinkopf moved to approve the Pro Ranches Cell Tower/Site Conditional Use Permit subject to the conditions listed below:*

1. UTILITY PLAN. That a utility plan (phone and power) and usage demands be submitted.
2. E-FILE. That the e-file for the easements and site be submitted for verification and addressing of the site.
3. CO-LOCATION. That an additional carrier (besides the City) be allowed to co-locate at this facility as shown on the plans, and that the City be allowed to co-locate at this facility without charge, provided that the City does not inhibit the co-location of additional carriers and that the City pays for necessary utilities.
4. STORM WATER. That documentation be submitted showing the ability to detain storm water and not increase storm water discharge from the site.
5. ACCESS EASEMENT. That an access easement for servicing the site is provided.
6. Additional carriers use the flush-mount type of antenna.
7. Staff has the ability to approve additional carriers and co-locators.

Unknown Commissioner seconded. Motion passed.

- B. Parkway Crossroads: Preliminary & Final Plats; Disposal of Public Property; Site Plan; and Conditional Use, Public Hearing- Action Item**
Parkway Crossroads is located at the southeast corner of The Ranches Parkway and Pony Express Parkway.

MOTION: *Commissioner Steinkopf moved that the Planning Commission recommend that the public property to be disposed of is classified as "insignificant real property" as required*

by Ordinance O11-2003 and recommends approval of the Disposal of Public Property to the City Council subject to the following conditions:

1. That the Developer grants easements for the utilities and that the boxes are relocated.
2. That the application fee be paid as determined by the City Council.
3. Finding the trade is necessary for the utilities of PC1 practical for the City.
4. Water rights to be exchanged for equal sizes of property.

Unknown Commissioner seconded. Motion passed.

MOTION: Commissioner Brian Olsen moved that the Planning Commission approve the Preliminary Plat, recommend approval of the Final Plat, approve the Conditional Use Permit, and recommend approval of the Site Plan for Parkway Crossroads, subject to the following conditions:

Preliminary & Final Plats

1. PLATS. That a recordable Final Plat is submitted.
2. SHARED PARKING. That the plat notes that parking areas and driveways are shared facilities.
3. UTILITY PLANS. That revised utility plans for civil and dry utility including an e-file be submitted.
4. LAND SWAP. That the land swap be completed prior to the approval of the subdivision.

Site Plan

1. HANDICAPPED STALLS. That two handicapped stalls are located “pad site”. That the handicap stalls are to be clearly marked with sign posts displaying the international symbol for accessibility. That the handicap stalls be 10 feet in width with 5 foot wide aisle.
2. BERMING. That the landscaped berms shall be at least 3.5 feet (except in the clear vision triangle) in height and maintain a 2.5:1 slope.
3. BIKE RACK. That a bicycle rack with four parking stalls be provided.
4. UTILITY. That revised utility demands are submitted.
5. PARKING STALLS. That the parking stalls meet the City’s standards of 9’ by 20’. That landscaping is required to break parking stalls every 100 feet.
6. TRAFFIC CALCULATIONS. That traffic calculations be revised for the proposed layout and land uses.
7. DUMPSTER ORIENTATION. That the dumpster is relocated from the intersection of Pony Express & Ranches Parkway. That the dumpster for the daycare is accessible. That there are concerns with the storm drain line being constructed under the dumpster enclosure.

Unknown Commissioner seconded. Motion passed.

C. Policy on the Disposal of Public Property in Trail Corridors, Policy Recommendation- Action Item

This item was removed from the agenda.

D. Rural Subdivision Ordinance – Discussion Item

Discussion item only – no motion made.

6. General Discussion/Questions

7. Adjournment

MINUTES OF THE PLANNING COMMISSION MEETING
EAGLE MOUNTAIN, UTAH
Eagle Mountain City Offices
1680 E. Heritage Dr
Eagle Mountain, UT 84043
May 25, 2004

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

Roll Call:

Commissioners present: Tom Maher, Rich Steinkopf, Chris Kemp, Brian B. Olsen, and Jeff Love

Others Present:

DeAnna Whitney, Len Whitney, Jody Hooley, Drew Tomlinson, James Taylor, Mike Stewart, and Griffs Johnson, Fieldstone Homes, Ross Hansen and Mike Wren Eagle Mountain Properties.

City Staff:

City Engineer: Korey Walker
Planning Director: Shawn Warnke
City Planner: Adam Lenhard
Planning Coordinator: Angela Cox

1. Pledge of Allegiance:

Tom Maher led the commission and audience in the pledge of allegiance.

2. Identification of Voting Commissioners:

Tom Maher, Rich Steinkopf, Chris Kemp, Brian B. Olsen, and Jeff Love

3. Declaration of Conflicts of Interest:

None

4. Report from City Council Member:

None.

5. Action Items

A. Pioneer Addition, Phases IV, V-A, and VI, Preliminary and Final Plats, Public Hearing-Action Item

Shawn Warnke reminded the Planning Commission that they should not make any decision on this project until the applicant has the opportunity to speak and the public hearing is finished. He continued in explaining that the proposed project is acre in size and is north of Mt. View and The Landing subdivisions and surrounds Cedar Trails Villages Phase 1. Mr. Warnke explained that phase IV would be 18.84 acres with a total of 96 lots and 2.42 acres of o-pen space which calculates to 5.3 units per acre. Phase Va is 2.93 acres with 18 lots and .5 acres of open space which calculates to a density of 6.14 units per acre. Phase VI is a total of 16.47 acres, 86 lots and 2.76 acres of open space which calculates to a density of 5.22 units per acre.

Phases IV and VI of Pioneer Addition were originally designed and approved to have 129 lots for single family detached houses. The density of the original plat was 3.6 dwelling units per acre. The newly submitted application is proposing 184 lots on the same parcel of land for a

density of 5.2 dwelling units per acre. There have been little changes to the layout of the subdivision with the exception of reducing the lot frontages to 40 feet wide. With the increased density additional improvements should be incorporated into the development to address the issues associated with greater density such as, increased traffic, storm water, utilities, street widths and alleyways. Mr. Warnke suggested increasing the right of way widths as a possible solution to the increased traffic. He continued in discussing storm water, open space and parks, and alternate design guidelines. Mr. Warnke presented a comparison with other projects with in the City with similar densities and discussed the layout and function.

Korey Walker and Mr. Warnke explained the traffic study, level of service and recommended conditions. Discussion ensued on trail maintenance and connectivity.

The Planning Commission felt that alternate street parking is necessary for the safety of the community.

Mike Stewart stated that he is with Fieldstone Homes who will be the builder in this proposed project. He explained the background and business proposal of Fieldstone Homes. He invited the Planning Commission and staff to visit one of their communities outside of the City. Mr. Stewart continued in explaining the product, model homes and sales center. He stated that they plan to sell 20 – 40 homes per month in the City. Mr. Stewart explained the proposed subdivision.

Mr. Warnke stated a sales center would require additional processes and permits.

The Planning Commission stated that they would like to see elevations and specs.

Tom Maher opened the Public Hearing at 7:01 p.m.

Len Whitney of Mt. View stated his concern with the proposed lot sizes. He stated that on street parking is not allowed in his neighborhood, but it is not enforced and his neighborhood has two car garages. Garages are often used for storage and today many homes have 2 – 3 cars and he is concerned with outdoor storage and excessive vehicles. He questioned where people are supposed to store their 'junk'.

James Taylor of Lake Mountain Road stated that he has the same concerns as Mr. Whitney. He stated that people have had to live in their basements for safety reasons and questioned where people with out basements will go. Mr. Taylor stated that we have a diverse community and he agrees with growth; however he would like to see a good community. He stated that he loves Eagle Mountain. He also stated concerns with cars and parking issues.

Jody Hooley of Lake Mountain Road, stated that it is the Planning Commissions stewardship is compatibility. She feels that higher density does not need to be in this area. She stated that adding 55 lots will create more traffic. She feels that things get smaller and smaller because that is what is being allowed. She is concerned with traffic and safety not only in this subdivision, but on the other roads these residents may use. She stated that she doesn't think this project is compatible in the location it is proposed to be.

Tom Maher closed the Public Hearing at 7:22 p.m.

Chris Kemp stated that he is concerned with the product and he doesn't believe that the Planning Commission has enough information to vote on this item.

Drew Thomlison of Boulder Street questioned drainage of the storm detention pond behind his home. He also stated concern with the single car garages in the proposed subdivision.

Mr. Walker explained drainage of the storm detention pond.

Mrs. Hooley stated that she believes the elevations of the project look nice; however, when the Planning Commission approved 45' lots they said they would never do it again. She stated that this will set precedence for smaller lot widths. She is concerned for the future and encouraged the Planning Commission to vote to not allow this project as it stands.

Richard Steinkopf stated his concerns including the 40' wide lots with no specs, rear lot and garage depths, driveways, setbacks, compatibility, additional lots adding undue burden on the infrastructure, no amenities for the proposed increase in density.

Brian B. Olsen stated that he appreciates the public's input and that he likes the proposal of alternate parking. He stated he concerns with on street parking. He stated that he is in favor of the larger homes. Mr. Olsen said that the Planning Commission's concerns are legitimate and that he would also like to see specs.

Mr. Warnke read comments submitted by Brad Morgan and requested that they be included in the record.

Tom Maher stated concerns with driveways and garages. He asked for clarification on the sales center and explained the purpose of alternate design guidelines. He believes that there is no good reason to approve this project. He would like to see two car garages and he expressed his concern with storage issues. He stated that the Planning Commission needs more detail and information to take action on this project.

Mark Madsen questioned if it is typical or the precedence to come back with alternate design guidelines, elevations and site plans with preliminary and final plat.

Mr. Maher stated that this is a change from what was originally approved. Discussion ensued.

Griffs Johnson questioned the procedures. He questioned the Development Code requirements and if they were talking about standards or subjective things. Mr. Johnson also asked the Planning Commission if this project was going to be judged on what's in the Development Code or on its elevations.

Mr. Warnke responded explaining the increased density and Architectural Design Guidelines.

Norman Scowns of Lake Mountain Road encouraged the Planning Commission to consider that those who were here before the City was promised that no one would build on any property less than five acres. He stated that he does not want small homes this close, less than a thousand feet. He stated concerns with traffic congestion.

MOTION: ***Chris Kemp moved to table Pioneer Addition, Phases IV, V-A, and VI, Preliminary and Final Plats for lack of information. Brian B. Olsen seconded the motion. Ayes: 3, Nays: 2. Motion passed.***

7. **General Discussion/Questions:**

None.

8. **Adjournment:**

MOTION: Richard Steinkopf moved to adjourn the meeting at 8:27 p.m.

Approved: _____ Date: _____
 Chairman Tom Maher

MINUTES OF THE PLANNING COMMISSION MEETING
Eagle Mountain City Offices 1680 E. Heritage Drive, Eagle Mountain, UT 84043
Tuesday, June 8, 2004

Co-Chair Rich Steinkopf called the meeting to order at 6:00 p.m.

Roll Call:

Commissioners present: Co-Chair Rich Steinkopf, Chris Kemp, Brad Morgan, and Jeff Love. Chair Tom Maher and Commissioner Brian B. Olsen were excused. Mark Madsen took his seat as the City Council Liaison at 6:10 p.m.

Others Present:

Diane Jacob, resident; Ross Hansen, SR Hansen Engineering; Will Rhodes, resident; Gary Bertoguole, resident; Griff Johnson, Fieldstone Homes; John Walden, Eagle Mountain Properties; Rusty Blue, Rusty Tool; Ben Daniels, Kennekuk

City Staff:

City Engineer: Korey Walker
Planning Director: Shawn Warnke
City Planner: Adam Lenhard
Planning Coordinator: Angela Cox

1. Pledge of Allegiance:

Rich Steinkopf led the commission and audience in the pledge of allegiance.

2. Identification of Voting Commissioners:

Rich Steinkopf, Chris Kemp, Brad Morgan, and Jeff Love.

3. Declaration of Conflicts of Interest:

None.

4. Report from City Council Member:

No Planning Items were discussed at the previous City Council meeting.

5. Action Items

Item E was moved to the first of the agenda.

E. Public Works Building, Site Plan Review, Public Hearing- Action Item

Shawn Warnke stated that the new Public Works Building will be located just north of the City's existing Public Works facility at 2490 South Sweetwater Road. He continued in explaining the site and the layout. Mr. Warnke recommended that the Public Works Building meet the landscape requirements of the Development Code.

Mark Sovine presented the Public Works Building elevations. He explained the site and the building location on the parcel. It will be a steel building on 5 acres of property with room to expand.

Rich Steinkopf opened the Public Hearing at 6:10 p.m. There were no comments; subsequently, the Public Hearing was closed.

MOTION: *Jeff Love moved that the Planning Commission approves the Site Plan for the Eagle Mountain City Public Works Building subject to the following conditions:*

- 1. That the landscaping meets the requirements in the Development Code.*

Brad Morgan seconded the motion. Ayes: 4, Nays: 0. Motion passed.

A. Pioneer Addition, Phases IV, V-A, and VI, Preliminary and Final Plats, Action Item

Shawn Warnke explained that the proposed project is 38.8 acres in size and is north of Mt. View and The Landing subdivisions and surrounds Cedar Trails Villages Phase 1. Mr. Warnke explained the previous approval and its density and the current proposals increased density and lot line changes. He explained that the issues with the increased density are the increased street widths, storm water and open space and parks. He showed a comparison with other projects with similar densities. He stated that the project is proposing alternate design guidelines.

Korey Walker stated the concern with storm water in protecting the home, ponding in the yard, and protecting the neighbors. He recommends that the side yards be grassed, fill area be compacted an average of 90% and no less than 85%, grade each lot from home to lot line 5%, and along the lot line 2%, all fill in backyard graded and compacted 85%, and mass grading by the developer be plus or minus 6" and compacted 85%.

Rich Steinkopf questioned how the City is to protect themselves from when a resident in this subdivision alters their grading. Mr. Walker stated that they will have to disallow altering grading because it changes the flow of water and the Planning Department will be responsible for enforcement of this.

Griffon Johnson of Fieldstone Homes stated that 5' set backs are not unusual in this City. He explained the drainage calculations. He stated that the Building Official has to sign off on the grading of each lot and the CC&R's will state that the grading is not to be altered which he feels removes the City from responsibility. Fieldstone feels that an 85% compaction is adequate. CC&R's will require that home owners have grass on the rear of their property within six months of occupancy or by June 15. The HOA can fine them \$200 a month until the grass is installed. He feels they need more flexibility than +/- 6% on mass grading. He feels that the issues are not specific to this subdivision. He then explained the model home complex layout.

Mr. Steinkopf questioned if they were open to alley ways.

Mr. Johnson stated that they are not in favor of alley ways and that all the issues have been addressed. They will not build alleys; people want conventional garages and he feels that they have better drainage with their plan.

Mr. Warnke clarified that on the agenda tonight is the subdivision layout and they are not necessarily approving a model home complex.

Diane Jacob stated comments as a resident of the City. She stated that 65-70% of the housing in Eagle Mountain is considered affordable housing. This project was originally approved with alternate design guidelines and now that Hubble Homes is gone they are proposing even more concessions. When giving more allowances more should be expected. This subdivision is not compatible in this area. The CC&R's should state that the homes are to be owner occupied. A full yard landscaping should be required. She encouraged the Planning Commission to keep the staff's recommendations. The new school will increase traffic in the City Center and a variety of products and lot sizes is needed.

Brad Morgan stated he is still concerned with the 40' lots.

Jeff Love stated his concern that the alternative design guidelines are to allow for a design theme. He feels that they are taking away design standards with no exchange for an altered look. He would like to see plans for the .55 acre park.

Ross Hansen presented the park plan.

Mr. Love does not feel that they can send a plan to City Council with 17 conditions.

Mr. Warnke stated that the Planning Commission could recommend that this not be placed on a City Council agenda until all the items are resolved.

Mr. Johnson explained that there is a trail around the exterior of the project.

Chris Kemp questioned if there was any market research done on the one car garages in Utah. Mr. Johnson stated that it will work. All homes will be owner occupied and they will not build any spec homes.

Mr. Kemp feels that this project could work if done properly.

Mr. Steinkopf stated that a determination needs to be made on the percentage of compaction. He is concerned with the 40' wide lots, compatibility, General Plan encourages a mix of products. The Town Center needs some diversity with some larger homes. The Development Code states that the City is to provide protection for light, air and privacy. He is concerned with the burden the additional lots will put on fire protection. He would like to see a trail through the subdivision. He is also concerned with the addition of 56 lots and the applicant only proposing .55 acre park.

Discussion ensued on alleys.

Mark Madsen questioned what are the issues where the City and Fieldstone have not reached an agreement.

Discussion ensued concerning driveway and garage lengths and other issues that the applicant and staff hadn't reached an agreement on.

MOTION: *Jeff Love moved that the Planning Commission table the preliminary and final plats of Pioneer Addition, Phases IV, V-A, and VI on a basis of the amount of unresolved issues and the items which the City's staff and the applicant have not agreed upon. Brad Morgan seconded the motion. Ayes: 2, Nays: 2. Motion failed.*

Mr. Johnson requested that the Planning Commission take action on this item.

MOTION: *Richard Steinkopf moved that the Planning Commission deny the preliminary plat and recommend denial to the City Council of the final plats of Pioneer Addition IV, V-A, and VI based on findings that this project lacks compatibility, the lack of amenities with the increased density, and the proposal not being in compliance with the Development Code. Jeff Love seconded the motion. Ayes: 3, Nays: 1. Motion passed.*

Mr. Warnke stated that the applicant has 15 days to appeal the Planning Commissions decision. The appeal must be in writing and be submitted to the City Recorder.

Mr. Johnson asked for clarification and specifics on the reasons the application was denied.

Mr. Madsen stated that he is requesting to have this item brought up to the City Council.

John Walden stated that the City Center has only one builder currently. This proposal is trying to take a design that was created by Hubble Homes and make it work for Fieldstone. He stated that

rear load garages do not sell. Fieldstone plans to build 40 homes a month. Mr. Walden stated that he is proud to have Fieldstone build homes in the City Center. He feels that this is good for the City. Mr. Walden stated that people want larger back yards rather than space in the side yards. He thanked the Planning Commission for not tabling this item again.

B. Pioneer Addition, Phases 1-3, Alternate Design Guidelines, Action Item

Shawn Warnke explained that his understanding is that the only standard that is being altered from the original Alternate Design Guidelines is that they wanted to remove the 15% side load garages and allow for 100% front load garages.

Griff Johnson stated that he believes that side load garages do not work on this size of lot. He submitted the alterations on the Alternate Design Guidelines to the Planning Commission. They are also asking to be allowed to have 5' side setbacks to allow them to offer a third car garage and the alteration of the porches and roof pitch height. Fieldstone will be taking 22 lots in Pioneer Addition phases 2 and 3.

MOTION: *Chris Kemp moved to approve Pioneer Addition, Phases 1-3, Alternate Design Guidelines subject to the following conditions:*

- 1. That the standard side yard set backs be 7' & 5' and allow for side yard set backs of 5' & 5' to allow for third car garages.*
- 2. That the City Council address the standards on front porches.*
- 3. That the minimum lot size of 4500 sq. ft. be stricken.*

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

C. Rusty Tool, Home Business Application, Public Hearing- Action Item

Jeff Love stepped down from his seat on the Planning Commission declaring a conflict of interest.

Adam Lenhard explained that the proposed home business is located at 3576 N. Canary Way. He continued in explaining the lot layout and the staffs recommendations.

Rusty Blue stated that he would like six months to come into compliance with the recommended conditions.

Rich Steinkopf opened the Public Hearing at 8:56 p.m.

Mr. Love stated that he is a resident on Dove Way. He feels that the privacy fence is not necessary and that the City has a double standard because they allow commercial vehicles to park on the street. The City should force all residents to comply with the Codes, not just business owners. He doesn't feel that a privacy fence is needed.

Penny Gorrenge stated that she feels the same as Commissioner Love. The Mac truck is not an eyesore, empty lots that are being dumped in are the eyesore. She stated that she has called the city twelve times to complain.

Rich Steinkopf closed the Public Hearing at 9:00 p.m.

Rusty Blue stated that his vehicle will be gone most of the day.

MOTION: *Chris Kemp moved that the Planning Commission approves the Home Business Application for Rusty Blue's Mac Tools Truck subject to the following conditions:*

1. ***That the property is brought into compliance with all City Ordinances and neighborhood CC&Rs.***
2. ***That a 6' privacy fence is constructed on the property to mitigate the truck's visual impact.***
3. ***That the park strip is adjusted to accommodate for truck parking.***
4. ***That all conditions of approval be applied to the project as long as the Conditional Use Permit is in operation. Additional conditions may be applied or the Conditional Use Permit revoked based upon a filed complaint by a surrounding property owner and the Planning Department finding a legitimate issue, whereupon the item will be placed on an agenda for future review and consideration.***
5. ***That the park strip be filled with a minimum of 6" concrete and if the sidewalk breaks it be replaced with a minimum 6" concrete.***
6. ***That the applicant has six months to comply with the conditions listed above.***

Brad Morgan seconded the motion. Ayes: 3, Nays: 0. Motion passed.

Jeff Love took his seat as a Planning Commissioner.

D. Kennekuk Open Space, Disposal of Public Property, Action Item

Adam Lenhard explained that the Kennekuk subdivision is located south of Friday's Station and north of Willow Springs. The open space is located on the north side of Half Mile Road. He continued in explaining the proposed site layout. The property is irrigated native grasses but has been overgrown with weeds.

Shawn Warnke discussed the requirements for this proposal.

MOTION: Chris Kemp moved that the Planning Commission recommend to the City Council that the amended portion of the Kennekuk Subdivision is classified as "*insignificant*" as required by Ordinance O 11-2003 for the purpose of disposing of property owned by the City, based upon the following findings of facts:

1. The proposed land is an "unimproved isolated or remnant parcel" to the constructed trail.

Brad Morgan seconded the motion. Ayes: 4, Nays: 0. Motion passed.

MOTION: Chris Kemp moved that the Planning Commission recommend disposal of the 19' to 20' strip of land identified on the Kennekuk Plat as an equestrian trail subject to the following conditions:

1. **SID PAYMENTS.** That the land is subject to the SID as developable property and that these assessments are paid as required by the bond covenants.
2. **PARK FUND.** That the City set the equitable price for the property as required by Ordinance O 11-2003 and the funds be earmarked for "Fee in Lieu- Neighborhood Park Fund" and stay within the area.
3. **HOA COMPLIANCE.** That The Ranches Homeowner Association an approval letter regarding the compliance with the appropriate setback according to The Ranches Community Design Guidelines. That the fencing is reinstated along Half Mile Road.
4. **UTILITY LINES.** That an easement and unrestricted access is provided for the utility lines that are located in property that is being proposed for disposal. That a warning sign is installed at the fence line noticing future property owners of the utility lines. That the City is not responsible to replace landscaping when accessing utility lines within the easement.
5. **IRREGULAR JOGS.** That there is no irregular jogs in the property line for lots 31- 34. This would require the participation of the aforementioned property owners.

- 6. **PROCESSING FEE.** That the Applicant pays the costs determined by the City Council as the fee for the processing of the application as required by the Consolidated Fee Schedule.
- 7. **DEPARTMENT RECOMMENDATIONS.** That the utility departments make a recommendation as to the electrical and telephones not being relocated.
- 8. **FENCE.** That the exact placement of the fence behind lot 30 be determined by staff and applicant and brought to City Council and that the utility box is accessible. Jeff Love seconded the motion. Ayes: 4, Nays: 0. Motion passed.

7. **General Discussion/Questions:**

None.

8. **Adjournment:**

MOTION: Richard Steinkopf moved to adjourn the meeting at 9:40 p.m.

Approved: _____ Date: _____
Chairman Tom Maher

MINUTES OF THE PLANNING COMMISSION MEETING
EAGLE MOUNTAIN, UTAH
Eagle Mountain City Offices
1680 E. Heritage Dr
Eagle Mountain, UT 84043
June 24, 2004

Chair Tom Maher called the meeting to order at 6:04 p.m.

Roll Call:

Commissioners present: Tom Maher, Rich Steinkopf, Chris Kemp, , and Jeff Love. Brian B. Olsen was excused.

Others Present:

None.

City Staff:

City Engineer: Korey Walker
Planning Director: Shawn Warnke
City Planner: Adam Lenhard
Planning Coordinator: Angela Cox

1. Pledge of Allegiance:

Tom Maher led the commission and audience in the pledge of allegiance.

2. Identification of Voting Commissioners:

Tom Maher, Rich Steinkopf, Chris Kemp, and Jeff Love

3. Declaration of Conflicts of Interest:

None.

4. Report from City Council Member:

Shawn Warnke stated that the City Council reviewed the appeal on the denial of Pioneer Addition phases 4, 5A, and 6 on June 15, 2004. The City Council approved the application with some conditions.

5. Action Items

A. Development Code Title 2, Public Hearing, Action Item

Adam Lenhard explained Title 2 of the Development Code and highlighted some of the main changes.

Tom Maher opened the Public Hearing at 6:23 p.m.

Mr. Lenhard read comments submitted by Monte Kingston. The Planning Commission discussed Mr. Kingston's comments and concerns.

Tom Maher closed the Public Hearing at 6:42 p.m.

Jeff Love would like to see some guidelines defining compatibility and buffering. Mr. Lenhard explained that it is left to the discretion of the Planning Commission.

Richard Steinkopf stated some concerns with bonding and stated he would like to see a specific on a minimum lot size. Discussion ensued.

MOTION: *Jeff Love moved to approve the Development Code Title 2.
Chris Kemp seconded the motion. Ayes: 4, Nays:0. Motion passed.*

7. General Discussion/Questions:

None.

8. Adjournment:

MOTION: Richard Steinkopf moved to adjourn the meeting at 7:12 p.m.

Approved: _____ Date: _____
 Chairman Tom Maher

MINUTES OF THE PLANNING COMMISSION MEETING
Eagle Mountain City Offices 1680 E. Heritage Drive, Eagle Mountain, UT 84043
Tuesday, July 13, 2004

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

Roll Call:

Commissioners present: Tom Maher, Chris Kemp, Brian B. Olsen, Jeff Love, and Alternate Commissioner Ken Hixon. Richard Steinkopf was excused.

Others Present:

Mark Zitting, Brent Nielsen, Christie Baxton, John and Julie Wallace, Jack and Carma Scott, Seana and Hal Johnson, Charlott Ducos, Kelvin Bailey, Jennifer Konald, Mike Risenmay, Mark Ackerman, Meadow Ranch and North Ranch Residents.

City Staff:

City Engineer: Korey Walker
Planning Director: Shawn Warnke
City Planner: Adam Lenahrd
Planning Coordinator: Angela Cox

1. Pledge of Allegiance:

Tom Maher led the commission and audience in the pledge of allegiance.

2. Identification of Voting Commissioners:

Tom Maher, Chris Kemp, Brian B. Olsen, Jeff Love, and Ken Hixson.

3. Declaration of Conflicts of Interest:

None

4. Report from City Council Member:

Shawn Warnke stated that at the previous City Council meeting on July 6, 2004 the City Council discussed doing away with the Alternate Planning Commissioners, the Business License Ordinance, and reviewed Title II of the Development Code, but did not take action on any of the items.

5. Action Items

A. General Plan Amendment, Future Land Use and Transportation Plan Map, Public Hearing

Shawn Warnke explained the General Plan Amendment process and the purpose of this General Plan Amendment. Mr. Warnke stated that this General Plan Amendment is related to the Meadow View Master Development Plan proposal. He continued in explaining the process and proposal.

Tom Maher opened the Public Hearing at 6:19 p.m.

Tom Maher Closed the Public Hearing

Mayor Kelvin Bailey stated, for clarification, that this area is in the Annexation Policy Plan and as long as the land owner meets the requirements the City has to allow them to annex into the City. This annexation proposal can only be denied on basis of facts of findings.

Tom Maher closed the Public Hearing at 6:21 p.m.

MOTION: *Jeff Love moved that the Planning Commission recommend approval of the Amendment to the Future Land Use and Transportation Plan Map to designate the parcels between Meadow and North Ranch as Country Residential but limited to the land use intensities as submitted in the proposed Master Development Plan as submitted.*

Brian B. Olsen seconded the motion. Ayes: 5, Nays: 0. Motion passed.

B. Meadow View, Master Development Plan, Public Hearing

Shawn Warnke explained that the Meadow View Ranch parcels are located north of SR 73 between the North and Meadow Ranch Subdivisions. This proposed development is a single-family subdivision on larger lots ranging in size from 1/3 to 1/2 to 2/3 up to 1 acres. A total of 370 lots are proposed on 305.12 acres for a density of 1/2 dwelling units per acre.

The Master Development Plan shows gross densities. That is the acreage for the roads and open spaces has not been subtracted out of a development parcel when calculating the density. For this reason lots that are called out in the gross density may be less. For example, the half acres shown on the master plan may be less than a half-acre at the time of platting a subdivision. The Applicant will be required to have no lots less than 1/3 of an acre in the entire project. Additionally, the Applicant will be required to have 1-acre lots adjacent to Meadow and North Ranch. Tickville Wash will be included in the one-acre lots adjacent to North Ranch.

The current Development Code identifies that septic tanks should be limited to lots greater than 2.5 acres. This proposal does not comply with this requirement, nor does the platted lots of Meadow and North Ranch. The Development Review Committee is not necessarily recommending that these areas have sewer; however, all lots proposed to have septic must have county approval and pass the required perk tests.

A Capital Facility Plan identifies capital facilities required to serve a project. The plan is typically amended with a master development plan application. The City has already completed a Capital Facility Plan Amendment for this development. The Applicant may be required to pay for the costs that the City incurred to amend the Plan.

Brian Haskell stated that he is representing the applicants; he continued in presenting the Master Development Plan and explained the proposal and densities. He stated that they are working with the Alpine School District and the LDS Church and that if a church or school comes into this Master Development Plan the density will not be moved, that in fact this would lessen the density.

Tom Maher opened the Public Hearing at 6:52 p.m.

Mr. Maher questioned Christie Buxston and Charlott Ducos if the letter the Planning Commission received from the North Ranch Home Owners Association stated the feelings of all the residents in North Ranch. Ms. Buxston stated that she believes that it

represents the majority. Ms. Ducos addressed the buffering and stated that 1/3 acre lots are not acceptable. She continued in stating the concerns with the overall density in comparison to Meadow Ranch and North Ranch.

Shauna Johnson stated that she represented the panel of concerned residents. She stated that the Supreme Court rules in favor of existing character. She prefers to see nothing smaller than one acre. She stated her concerns with animal rights, smaller homes with siding or tract homes and stated that these will detract from the current subdivisions.

Brian Haskell stated that this will be a custom home area.

Shauna Johnson would like to see a stipulation on not allowing the same homes next to each other. She stated that the current subdivisions do not have curb and gutter and privacy fencing that is seen in the more dense developments and they would like the rural feeling preserved.

Korey Walker stated that a traffic study has already been completed for this development.

Mark Zitting of North Ranch stated that he is concerned with overloading the road shown in the Master Development Plan. He also stated concerns with overloading Sunset Dr. on the East end of the collector and the connection onto State Road 73. The main concern is safety. The trip generation will create noise that is not already there.

Brent Nielson stated that he feels that the collector road will be too busy and traffic will detour through North Ranch.

Julie Wallace addressed the lot sizes on the East of Tickville Wash.

Mr. Warnke stated that he feels the Tickville Wash will place a larger buffer between the developments.

Mrs. Wallace questioned if those lots would be a full acre of usable space.

Marty Nubhand stated that he is concerned with the lower area being fed by North Ranches water system. He questioned when the water tank be installed.

Mr. Haskell stated that the water tank will be done prior to developing in the upper areas. The water tank will most likely take six months to construct.

Mr. Walker stated that no building permits will be issued in the Northern area until the water tank is complete.

Chrisite Buxton asked that everything promised by the developer be put in binding language.

Mr. Maher stated that everything is bonded that is agreed upon.

Dave Cast stated that he is the President of the Meadow Ranch Home Owners Association. He is concerned with Traffic diverting through Meadow Ranch. Meadow Ranch feels that the 1/2 acre lots are acceptable, but not the 1/3 acre lots. He does not believe this development will increase property values.

Mr. Warnke stated that a resident in the area, Stan VerStraten, could not attend and requested to have his comments stated in the meeting. Mr. Warnke continued in stating Mr. VerStraten's comments which were his feeling that the lot sizes are too small backing

the existing subdivision. He feels that this development will decrease property values and is concerned with the existing subdivisions animal rights.

Dave Davis questioned if the traffic study reviewed the bus stops. Mr. Maher stated that it does.

Wendy Naphand submitted pictures to show how beautiful the area is and requested no 1/3 acre lots be allowed.

Ms. Johnson stated that one row of one acre lots is not what they consider appropriate buffering.

Jim Smith of North Ranch questioned what the zoning of this area would be. Mr. Warnke responded that it will be of a new zoning district.

Bob Foote stated that he would like to have the development have a different name to differentiate from the existing subdivisions.

Mr. Haskell stated that the name will be changed.

Tom Maher closed the public hearing.

Shawn Warnke thanked the public for their participation in this meeting. Mr. Warnke then gave a brief overview to the public on how the Planning Commission comes to their decisions.

Mr. Maher asked Mr. Warnke to explain to the public the difference between salesman speak and what the development code says.

Mr. Warnke explained that sometimes things are not represented exactly as they are contained in the development agreement or contained in the ordinances. Mr. Warnke stated that this was why as they look to solidify this project they will do it in an development agreement and that is how the developers become vested and binded.

MOTION: *Tom Maher made a motion to recommend approval of the Meadow View Ranch Master Development Plan subject to the following conditions:*

- 1. That the parcels are properly annexed into the City under the direction of the City Council and in accordance with the State's statutes for annexation.*
- 2. That the correct water rights information is received and approved by the City Attorney.*
- 3. That verification is submitted that all property owners consent to this application.*
- 4. That the residential property be zoned as County Residential Zone.*
- 5. That there are details surrounding the proposed entry monument.*
- 6. That the Fire Chief verifies the fire protection section of the application.*
- 7. That the application fees are paid for the General Plan amendment and Capital Facility Plan.*
- 8. That the Meadow Ranch Annexation Plat be plat checked.*
- 9. That there is an agreed-upon cross section for the streets.*
- 10. That the City Engineer approves the traffic impact study.*
- 11. That the electrical requirements be approved.*
- 12. That a main 12" sewer outfall line to the east is constructed and connected into the existing system in Meadow Ranch.*
- 13. That the developer installs DLC's throughout the subdivision in order to provide telecommunications services.*

- 14. That all lots adjacent to North and Meadow Ranch are a minimum 1-acre in size. That the minimum lot size for this project be no less than 1/3 acre plus or minus five percent. (See the section entitled Gross Density for additional details.)**
- 15. That trail connectivity is provided to existing trail systems in North and Meadow Ranches.**
- 16. That SR 73 is widened according to UDOT regulations.**
- 17. That the overall street system provides secondary access connections.**
- 18. That the access to Camp Williams is a 60' local road and that the City Engineer identifies the posted speed limit.**
- 19. That the Exhibit 5 Chart for the LOS B needs to be updated to reflect the current standards for asphalt widths E-file of Annexation Plat needs to be provided.**
- 20. That the e-file of the contour / existing grade elevations be submitted so that City can verify slope restraint areas.**
- 21. That the application complies with the City's Architectural Standards and all lots to the North and Meadow Ranch have the same architectural requirements in the CC&R's.**
- 22. That the developer will bond for a one million gallon water storage tank with approved design plans when approvals are submitted for the Meadow Ranch pressure zone.**
- 23. That no building permit be issued unless the water pressure meets city standards.**
- 24. That on the minimum size lots their will be a maximum of 25% devoted to 1/3 acre lots and the rest will be larger and the entire perimeter will be in 1 acre or larger lots.**
- 25. That their will be a special zone established for animal rights on lots of 1 acre or larger.**
- 26. That their will be one homeowners association.**
- 27. That in the CC&R's the developer will include requirements for 1,400 sq ft on the main floor as a minimum.**
- 28. That there will be no vinyl siding**
- 29. That the lots adjacent to the two existing developments the homes be 100% masonry.**
- 30. That the development in it's entirety only 30% of the homes will have siding on them.**

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

C. Lone Tree, Preliminary Plat, Public Hearing

Shawn Warnke explained that the Lone Tree subdivision is located off Pony Express Parkway and would be the most southern development of The Ranches to date. Mr. Warnke stated that currently, there are no subdivisions in close proximity to the proposed Lone Tree Subdivision.

Korey Walker explained to the Planning Commission that the open space area is where the developer plans on putting in a neighborhood park. That will have landscape improved grass and a native grass area with trails going through. Mr. Walker stated that his biggest concern with this was access to the park. Mr. Walker explained that pedestrian wise there was plenty of access but, for those who would have to drive to the park there would only be parking for them in a cul-de-sac and one road that would have a trail access.

Mr. Hixon stated that an alternate parking place be provided because the cul-de-sac is not adequate enough.

Tom Maher opened the Public Hearing

Tom Maher closed the Public Hearing

MOTION: *Chris Kemp moved that the Planning Commission approve the Preliminary Plat for Lone Tree Plat B subject to the following conditions:*

- 1. That the preliminary storm drain calculations with bench drains are submitted.*
- 2. That the evidence of water rights sufficient to serve the development be identified.*
- 3. That the park meets the neighborhood park requirements for the number of lots served.*
- 4. That a parking are for the park be addressed with the City Engineer's recommendation for the number of spaces.*

Jeff Love seconded the motion. Ayes: 3, Nays: 0.

D. Lone Tree, Phase B, Final Plat

This item was removed from the agenda.

6. Discussion Items

A. SITLA North Mid-Valley Parcel, Concept Plan

Shawn Warnke gave a general overview of this project.

Mr. Warnke explained that the only issue he would like to discuss was the airstrip. Mr. Warnke stated that this airstrip was approved by the county. Mr. Warnke explained that on an airstrip path there is a clear approach zone or area that prohibits structures from being built. Mr. Warnke explained that this would need to be checked out.

Mr. Walker explained that it had not been used for along time and that the last time it has been used it was by Nick Berg.

McKay Edwards explained that he knew the airstrip was there but was unaware that it had ever been used.

Mckay Edwards explained that the larger lots were more of a priority than the smaller ones and that the larger lots would be developed before the smaller lots.

Mr. Warnke explained that he is concerned because Utah County approved it and they may have some possible vesting that will need to be respected as this project proceeds.

Mr. Edwards explained that the larger lots were more of priority than the smaller ones. Mr. Edwards stated that the three acre lots would preserve the rural character of this particular area.

Mr. Edwards explained that the plan was just a rough sketch and that he was willing to make any necessary changes.

Mr. Edwards explained that he would like all of the smaller parks to eventually be connected with trails.

Mr. Edwards explained that there would not be a water tank because the elevation was not high enough to have one.

7. **General Discussion/Questions:**

None

8. **Adjournment:**

Tom Maher moved to adjourn the meeting at 9:20 p.m.

MINUTES OF THE PLANNING COMMISSION MEETING
EAGLE MOUNTAIN, UTAH
Eagle Mountain City Offices
1680 E. Heritage Dr
Eagle Mountain, UT 84043
July 27, 2004

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

Roll Call:

Commissioners present: Tom Maher, Chris Kemp, and Jeff Love. Brian B. Olsen, and Richard Steinkopf was excused.

Others Present:

Monte Kingston, Eagle Mountain Links

City Staff:

Planning Director: Shawn Warnke
City Planner: Adam Lenhard
Planning Coordinator: Angela Cox

1. Pledge of Allegiance:

Tom Maher led the commission and audience in the pledge of allegiance.

2. Identification of Voting Commissioners:

Tom Maher, Chris Kemp, Jeff Love

3. Declaration of Conflicts of Interest:

None

4. Report from City Council Member:

The City Council approved an ordinance to remove Alternate Planning Commissioners.

5. Action Items

A. Anthem on the Green, Preliminary and Final Plats, Public Hearing- Action Item

Adam Lenhard explained that Anthem on the Green is located south of the Mt. Airey subdivision and is surrounded by the golf course and explained the proposal.

Shawn Warnke explained the recommended conditions of approval.

Mr. Warnke stated that Commissioner Richard Stienkopf wanted clarification on the verbiage on the plat regarding side yard setbacks.

Monte Kingston stated that the side yard set back is a total of 15' meaning one lot would have a 5' set back and the adjacent lot would have a 10' set back for a total of 15'. Mr. Kingston stated that they are concerned about this standard and the limitation that it would put on the builders. He questioned if the Planning Commission would be comfortable in relaxing that standard. The Planning Commission agreed upon a total of a 13' side yard setback.

The Planning Commission and Applicant discussed trail connectivity through out the subdivisions.

Mr. Kingston explained the minimum square footages and stated that the product will be full masonry. He also stated that the pool and park will be owned and maintained by the Home Owners Association.

Tom Maher opened the Public Hearing at 6:40 p.m. There were no comments; subsequently the Public Hearing was closed.

MOTION: *Tom Maher moved that the Planning Commission approve the Preliminary and Final Plats for The Anthem at the Green subdivision, Phases 1 & 2 subject to the following conditions:*

1. **TEMP TURNAROUNDS.** *That temporary turnarounds be added to the plat for Braxton Drive.*
 2. **EXTENDING IMPROVEMENTS.** *That road improvement is constructed to the end of lot 219. That jersey barriers block accessed to the end of the 219 or that a temporary cul-de-sac be constructed.*
 3. **PLAT CORRECTIONS.** *That the plats include street names. That addresses be added to the plats.*
 4. **PHONE LINE.** *That the existing fiber and phone line that runs to the Clubhouse is relocated. The line currently runs through lot 220 please see sheet 5.*
 5. **ACCESS ROAD.** *That the access road to this subdivision be recorded with Phase 1. That the off set with the connection from the access road to Phase 1 be addressed. That an access to the electrical substation is preserved.*
 6. **WATER LATERALS.** *That water laterals are placed in the center of lots. That lot 129 and 130 have water laterals rather than extending an 8" main.*
 7. **SIDEWALK TRANSITIONING.** *That there is a better transition between the monolithic sidewalk on Falcon Way and City typical on Falcon Way. That there is a call out that the HOA maintains the landscaped area that results from the transitioning from the Mt. Airey Subdivision street cross section to the monolithic cross section.*
 8. **PHASING IMPROVEMENTS.** *That improvements sheets C16, C17, and C19 (need to show improvements to the end of lot- a minimum of a half width plus 10') show that improvements to the phase line (not grayed out). That improvements in phase one be constructed to the phase one boundary line (C9 and C3 sewer and storm water installed to the phase line). That the water main (8") on sheet C 16 be extended to tie into the existing line Mt. Airey.*
 9. **FENCING.** *That the golf course fencing is required (please place in the engineer's estimate).*
 10. **TRAIL.** *That there is an ADA ramp with the trail crossing adjacent to lot 101. That there is a transition between the 8 foot trail and five foot sidewalk adjacent to lot 101.*
 11. **EVANS WASH.** *That channel rerouting for the proposed inlet structure be shown with riprap and erosion matting. That there are supporting inlet calculations submitted for the flared end section design. That there may need to be some protective storm water improvements to protect lots 153 and 238.*
 12. **OFF-STREET PARKING AREA.** *That there is some resolution to the on street parking areas.*
 13. **LANDSCAPE PLAN.** *That landscape plans be submitted that shows entryways and park improvements.*
 14. **SIDEWALK TRANSITIONING.** *That the developer have a cement transition to the sidewalks outside of this subdivision.*
- Chris Kemp seconded the motion. Ayes: 3, Nays: 0. Motion passed.*

B. Drinking Water Source Protection Overlay Zone

C. Drinking Water Source Protection Zone for Eagle Mountain City Pony Express Well
Item B and C was discussed concurrently.

Adam Lenhard explained that this proposal is State mandated to protect drinking water from contamination. He continued in explaining the different zones.

The Planning Commission discussed their concerns for persons who own property within this protection overlay.

Shawn Warnke briefly described what a overlay zoning is and stated that the underlay zoning will still exist.

MOTION: *Chris Kemp moved to recommend approval to the City Council... and recommended that the same standard be set for existing wells.*
 Jeff Love seconded the motion. Ayes: 3, Nays: 0. Motion passed.

7. General Discussion/Questions:

None.

8. Adjournment:

MOTION: *Tom Maher moved to adjourn the meeting at 6:55 p.m.*

Approved: _____ Date: _____
 Chairman Tom Maher

MINUTES OF THE PLANNING COMMISSION MEETING
EAGLE MOUNTAIN, UTAH
Eagle Mountain City Offices
1680 E. Heritage Dr
Eagle Mountain, UT 84043
August 10, 2004

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

Roll Call:

Commissioners present: Chairman Tom Maher, Brian B. Olsen, and Chris Kemp. Jeff Love and Richard Steinkopf were excused.

Others Present:

Rob Healy, resident; Dave Tohlman, Hidden Canyon Development; Grant Gifford, Sundance Homes

City Staff:

City Engineer: Korey Walker
Planning Director: Shawn Warnke
City Planner: Adam Lenhard
Deputy Recorder: Angela Cox

1. Pledge of Allegiance:

Tom Maher led the commission and audience in the pledge of allegiance.

2. Identification of Voting Commissioners:

Tom Maher, Brian B. Olsen, Chris Kemp

3. Declaration of Conflicts of Interest:

None

4. Report from City Council Member:

Shawn Warnke stated that the City Council approved Title II of the Development Code and that they will be holding a Public Hearing, and will take action on Title I of the Development Code at the meeting on Tuesday August 24, 2004.

5. Action Items

A. Silver Lake Village, Final Plat, Action Item.

Adam Lenhard explained that the Silver Lake Master Development is located east of Smith Ranch on the South Side of Pony Express Parkway (as it is extended). Silver Lake Village is located along Silver Lake Parkway just north of Tickville Wash. He continued to explain the previous reviews and the current proposal. Mr. Lenhard also addressed the geotechnical issues with this project.

Korey Walker addressed the engineering concerns including the geotechnical study.

Grant Gifford addressed concerns of fencing on the rear property. Discussion ensued. The Planning Commission stated that they believe that the lots that are close on the rear to another property that the rear fence should be a shared fence.

Chris Kemp requested that the CC&R's stated that no on street parking is allowed.

MOTION: *Brian B. Olsen moved that the Planning Commission approve the Zero Lot Line Final Plat for Silver Lake Village subject to the following conditions:*

1. **TICKVILLE WASH.** *That the 100 year flood plain is shown on the plans. That a geo-technical engineer makes a recommendation regarding the need to stabilize Tickville Wash.*
 2. **APPROVAL.** *That The Ranches Design Review Committee review and approve the architectural and landscaping plans.*
 3. **DRY UTILITY.** *That the dry utility plans be revised according to staff's redlines and the modified trench detail.*
 4. **WATER RIGHTS.** *That the correct amount of water rights be dedicated. That additional water rights may be required for the irrigable acreage on the lot.*
 5. **PLAT & CC&R'S.** *That all the minor changes to the plat and CC&R's be made.*
 6. **EFILES.** *That efiles for the plat, civil, and dry utilities.*
 7. **VERTICAL CURVES.** *That the K values meet AASHTO requirements for design control on vertical curves.*
 8. **DROP MANHOLES.** *That drop manholes are not allowed in the City.*
 9. **VERTICAL SCALES.** *That vertical scales are provided on the plans.*
 10. **STORM DRAIN POND.** *That inlet and outlet details are shown for storm drain ponds and Tickville Wash, including erosion control improvements. That there is a detail for the storm pond with maximum side slopes of 5:1. That slope length and size of the pipe from CB8 to the pond are shown.*
 11. **TRAIL STABILIZATION.** *That trail stabilization improvements are shown for the trail.*
 12. **DRIVEWAY LENGTHS.** *That the CC&R's address vehicles being parked on sidewalks.*
 13. **FEE-IN LIEU.** *That the applicant pays the fee in lieu for the park requirements.*
 14. **FENCING.** *That rear fencing on lots: 18 and 25, 38 and 39, 42 and 43, 41 and 44, 36 and 45, 35 and 88, 84 and 89, 83 and 90, and 91 and 92 be a shared fence.*
- Chris Kemp seconded the motion. Ayes: 3, Nays: 0. Motion passed.*

B. City Utility Administration Building Site Plan, Public Hearing and Action Item.

Adam Lenhard explained the City Utility Administration Building is located between The Landing to the east and Sweetwater Road to the West and is north of the Town Center East Subdivision. He continued in explaining the elevations and the buildings layout.

Korey Walker explained the proposal and square footages. He continued in explaining the review process and explained the issues including buffering in concerns with the parking area.

Discussion ensued on the long-term plans for the current City Hall building and the proposed Utility Administration Building.

Discussion ensued on trails to access this building and the lighting and landscaping plans.

Tom Maher questioned what measures have been taken to ensure that the building is energy efficient. Discussion ensued.

MOTION: *Chris Kemp moved that the Planning Commission recommend approval of the Site Plan for the Eagle Mountain City Utility Administration Building to the City Council subject to the following conditions:*

1. **LIGHTING PLAN.** *That a light plan is approved according to City standard.*
2. **STREET TREES.** *That street trees are planted every 50' along Pony Express Parkway adjacent to the site.*
3. **BUFFERING & BERMING.** *That there is 4' of landscaping and berming along public ways.*

4. **PARKING AREAS.** *That parking stalls are labeled correctly with dimensions of 9'x20'. That unbroken parking stalls are limited to every 100'. That there is adequate number parking stalls as per the Development Code.*
 5. **PEDESTRIAN ACCESS.** *That there is adequate bicycle and pedestrian access to site to be installed when economically feasible.*
 6. **MIRROR WINDOWS.** *That there are no mirror windows.*
 7. **UTILITY PLAN.** *That the utility plan is approved.*
 8. **ENERGY EFFICIENCY.** *That a utility analyst be completed to ensure energy efficiency.*
- Brian B. Olsen seconded the motion. Ayes: 3, Nays: 0. Motion passed.**

C. Lone Tree Plat B, Final Plat, Action Item.

This item was removed from the agenda at the request of the developer.

6. Discussion Items

A. Hidden Canyon (R2 N4), Single-Family Detached Concept Plan, Discussion Item.

Adam Lenhard explained the Hidden Canyon is located off the Pony Express Parkway and is south of Rockwell Village and Ruby Valley. He continued in explaining previous proposal and the current proposal. He also explained the DRC's concerns and items that will need to be addressed in the future.

The Planning Commission discussed proposed lot sizes and the density. Dave Tohlman stated that the average lot sized will be approximately just less than 6500 sq ft. with a min. of approximately 5500 sq ft. Mr. Tohlman explained the proposed development and the builder and the proposed homes in the subdivision.

Mr. Tohlman presented the Planning Commission with elevations of the product they would put in the development, including two car garages on all the homes.

The Planning Commission discussed landscaping in concern with drainage. Mr. Tohlman stated that this development would have 100% masonry including hardy plank.

Discussion ensued on the controlling of storm water from the water tank area.

7. General Discussion/Questions:

None.

8. Adjournment:

MOTION: Tom Maher moved to adjourn the meeting at 7:51 p.m.

Approved: _____ Date: _____
Chairman Tom Maher

THE EAGLE MOUNTAIN PLANNING COMMISSION MEETING AGENDA
Eagle Mountain City Offices 1680 E. Heritage Drive, Eagle Mountain, UT 84043
Tuesday, September 14, 2004 at 6:00 PM

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

Roll Call:

Commissioners present: Rich Steinkopf, Tom Maher, Chris Kemp.

Others Present:

Amy Twitty, Sage Group; Jory & Cindy Provstgaard, Resident; Rob Healey, Resident; Aaron Bleak, EA Architecture & LDS Church; Bonnie Jeppson, Resident.

City Staff:

City Engineer: Korey Walker
Planning Director: Shawn Warnke
Planner: Adam Lenhard
Planning Coordinator: Jenalee Cheever

1. Pledge of Allegiance:

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

Action Items:

A. Hidden Canyon, Preliminary Plat, Public Hearing

Adam Lenhard explained that Hidden Canyon is located off of Pony Express Parkway and is south of Rockwell Village and Ruby Valley. Mr. Lenhard explained that this project was previously reviewed and received Preliminary Plat approval as a condominium. The Applicant has since submitted a Preliminary Plat that proposed detached housing.

The Applicant presented their project. During this presentation the Applicant volunteered that the exterior materials would be masonry. Hardy Plank is to be constructed of masonry materials.

Rich Steinkopf questioned the amount of hardy plank that would be used in the project. Tom Maher suggested to the staff to work with the developer on the percentage of hardy plank used in the project. The Planning Commission questioned The Ranches landscaping design guidelines for residential lots.

Tom Maher opened the public hearing at 6:20 p.m.

Rob Healey of Ruby Valley stated that that he liked the second proposal for Hidden Canyon a lot better than the first proposal. He is concerned though about the smaller lot sizes. He would like to see larger lot sizes to match with the Ruby Valley and Rockwell Village subdivisions

Jory Provstgaard thanked the Developer and the Planning Commission for listening to the public. He stated that he liked this new proposal better than the first.

Tom Maher closed the public hearing at 6:25 p.m.

MOTION: Rich Steinkopf moved that the Planning Commission approve the Preliminary Plat for Hidden Canyon subject to the following conditions:

- 1. PARK. That the requirements for the park be used to first complete landscaping and the trail connection to Bud Evans Trail. Additionally, that the trail width along Pony Express Pkwy is increased to 8 ft.**
- 2. STORM DRAINAGE. That the corrections are made to the storm drainage plan.**
- 3. SEWER. That manholes are adjusted on Tolman Rd. to better serve lateral connections between the manholes.**
- 4. ACCESSES. That there are two accesses to this project. This will require that the developer extend the collector road through the adjacent subdivision (Point Lookout) if it is not already constructed. That a small landscaped island is provided in the vest pocket on Egan road to limit access onto this collector street.**
- 5. UTILITIES. That the gas, water, and electricicty systems are looped, and that gire hydrant locations are adjusted.**
- 6. FULL LOT LANDSCAPING. That full lot landscaping is provided to mitigate the storm drainage and impervious surface ratio.**
- 7. STREET CROSS SECTION. That the alternate street cross section proposed for this subdivision is approved.**
- 8. CUL-DE-SACS. That the Fire Chief approves the cul-de-sacs for this development.**
- 9. RANCHES DESIGN REVIEW COMMITTEE. That the Ranches Design Review Committee review and approve the elevations and landscape plan, etc. That the house plans are not repeated according to the Ranches Design Guidelines.**
- 10. Front elevation be built as per attached pictures.**

Chris Kemp seconded the motion. Ayes: 3, Nays: 0. Motion Passed.

B. Lone Tree Plat B, Final Plat

Adam Lenhard explained that Lone Tree Plat B is located on Pony Express Parkway, northwest of Lone Tree Plat A, and that it contains 49 lots in an area of 14.67 acres. He also discussed the 1 acre park and that it would serve Plats A and B of Lone Tree.

Discussion took place regarding the Discovery Garden in the Park. Adam Lenhard explained that he learned from the developer that specialty plants would line the trail and some form of a signage would explain what the different types of plants are. He stated that he would like more detail for the Discovery Garden shown on the landscape plan.

Adam Lenhard explained that the park area has been reduced and that through the elimination of a cul-de-sac a small parking area has been provided. Mr. Lenhard stated that he would like to make sure that the building pads are set as far away as possible from the parking lot as they can be to minimize any future issues.

Adam Lenhard stated the developer has proposed a concrete 6 foot trail into the park. He explained that the trail along Lone Tree Parkway is 8 feet and once it turns off into the parking area it becomes a 6 foot trail. Mr. Lenhard explained that it is concrete up to the playground area and that it was agreed that the trail would be asphalt throughout the rest of the park.

Discussion took place regarding the Engineering items. Korey Walker stated that Phase 1 of the subdivision required that an electrical backup for the lift station be provided with the construcion of phase 2.

Amy Twitty of the Sage Group proposed that the the trail be six feet rather than eight feet strictly for cost and connectivity and that the Planning Commission allow for grass in the round about. (These two items are recommendation of the Planning Commission.)

Korey Walker proposed a solution that would allow grass to be installed in the roundabout, which would require the developer to install liner with a drain system that connects into the subdivisions storm drain system.

MOTION: Rich Steinkopf moved that the Planning Commission approve the Final Plat for Lone Tree (R-3 N-4) Plat B subject to the following conditions:

1. **PARK.** That there is a better detail of the discovery garden. That the landscaping plan has a tabulation table that identifies the amount of areas.
2. **ROUNDABOUTS.** Grass is permitted in the roundabout as long as they meet the city engineer's standards.
3. **PARKING LOT.** That there is a detail provided for the construction of the parking areas. That the building pads be restricted on lots 248-249 to place homes furthest away from the parking areas.
4. **DRAINAGE.** That the proper bench drain cross section be identified. That profiles are provided for all bench drains. That the location of the splash wall be identified.
5. **TRAIL.** That the trail in the park be 8 feet wide.
6. **STORM DRAINAGE.** That storm drain improvements shown through lot 243 on the Preliminary Plat need to be shown on sheet 1 of the construction drawings. That final storm water and inlet capacity is approved (submitted – Mike is reviewing). That preliminary storm drain calculations for the bench drains and detention pond sizing are submitted, including erosion protection details.
7. **EFILES & ESTIM**
wings. That engineer's estimates are provided for civil and dry utilities.
8. **UTILITY CONFLICTS.** That there is documentation shown (as-builts) as to how there are noutility conflicts with the forced main.
9. **PARKWAY INLET.** That the correct inlet be identified on the Parkway.
10. **RUNOFF PROTECTION.** That runoff protection is provided for lot 243 through 248.
11. **EROSION CONTROL.** That there is erosion control called be shown on slopes that are 3:1. That supporting calculations and documentation demonstrates that the specified erosion controls will work.
12. **WATER RIGHTS.** That the evidence of water rights sufficient to serve the development be identified.
13. **LIFT STATION.** That the lift station meets the requirements for the Public Works Director.

Chris Kemp seconded the motion. Ayes: 3, Nays: 0. Motion Passed.

C. Plum Creek Plat A, Plat Amendment

Adam Lenhard explained that Plum Creek is located east of Fire Station No. 2 on the north side of Pony Express Parkway. He went on to explain that the developer wanted to amended this because he felt that twin homes would do better because of the current market situation.

Discussion took place regarding the fencing conflict between the open space fence, required by the ranches, and the privacy fence that the developer would like to put in.

Adam Lenhard stated that the park improvements need to stay the same and that they are centrally located. He said that because of the nature of this plat amendment it is somewhat tricky to get the wording right and that Jerry Kinghorn the city attorney would need to approve the language on it.

Adam Lenhard stated that the street names would also need to be worked out so that there is no duplication of addresses.

Discussion took place regarding garages. The majority of the homes will have two car garages. There will be single car garages for the middle unit in a tri-plex.

Adam Lenhard asked Corey Walker what the developer's responsibility would be to develop Lake Mountain road. Mr. Walker stated that it was proposed that a secondary access would be needed to the road. Mr. Walker also stated that the City Council has maintained that Lake Mountain road will be a residential road and that it will never be more than that.

The airport road was discussed. Mr. Walker stated that the City standard requires the developer to construct the first two lanes of the road and the city collects impact fees to improve the remainder of the road. He also said that as developments come up and front the road then they will be required to improve it.

It was discussed that units having the rear facing out to pony express will have full stucco and architectural elements to break up the rear and side elevations. Mix vertical and horizontal vinyl siding.

The home owners will be able to use the pool in Rock Creek.

Residents of project will have use of the swimming pool and clubhouse located in the adjacent rock creek condominium project.

MOTION: Rich Steinkopf moved that the Planning Commission approve the Plat Amendment for Plum Creek to the City Council subject to the following conditions:

1. **RANCHES APPROVAL.** That the Ranches review and approve the revised landscape plan and elevations.
2. **EAR.** That there is a higher EAR for the buildings along Pony Express Parkway.
3. **UTILITY PLAN.** That an as-built utility plan is submitted showing the existing and proposed utility layout for both dry and wet utilities.
4. **STORM DRAIN PLAN.** That a new storm drain plan be submitted.
5. **engineer's estimates.** That new engineer's estimates are submitted.
6. **FENCING.** That there is a decision is reached regarding fencing for lots 3-4 & 5-6. (Lots G,H,I)
7. **PARK.** That the park improvements remain the same and that they are centrally located. Tot lot, BBQ and pavillions located behind lots 5 and 6
8. **CITY ATTORNEY APPROVAL.** That the City Attorney approves the amended declaration of condominium and bylaws and the language of the owner's dedication.
9. **LATERALS.** That there are concerns that sewer lateral for building A is not shown. That there are concerns with buildings I,P, and T water laterals. That the plan shows water alterals for irrigated open space.
10. **STREET NAMES.** That there are two names (to avoid addressing conflicts) assigned to the private drive. That the Rock Creek Road be labeled after the intersection of Plum Creek Circle. That the cross section for C-C is labeled on the plans.
11. **PLAT.** That the tab table is updated to reflect the changes to the plat. That the title block bears the name Condominium.
12. **BONDING.** That a bond is placed for the new and or existing improvments as required by the City Attorney and Engineer.
13. **WATER RIGHTS.** That the water rights are adjusted.
14. **LANDSCAPE PLAN.** That a revised landscape plan is submitted and that the time frame to complete these improvements is not charged.

15. **ELEVATIONS.** That elevations are submitted
16. **DRY UTILITIES.** That dry utilities are approved.
17. **STORM DRAINAGE.** That the City Engineer's comment on storm drainage is addressed. That the catch basin west of building M has an accessible lid.
18. **PEDESTRIAN PATH.** That the city staff work with the applicant to insure that there is a pedestrian path constructed from the Plum Creek project to the Rock Creek clubhouse.
19. **SIDING.** That front elevations have vertical siding and horizontal for originality.

Chris Kemp seconded the motion. Ayes: 3, Nays: 0. Motion Passed.

2. Discussion Items

A. **Cedar Valley Master Development Plan, Concept Plan**

Shawn Warnke explained that the Cedar Valley Master Development Plan contains 324 acres of land along Lake Mountain Road and north of Bobby Wren Blvd. (Pioneer Addition)

The applicant discussed how they had to design around the Airport Road and the Powerline Corridor.

Adam Lenhard gave an overview of bonus density and lot transition. Discussion ensued regarding required open space, regional, community, and neighborhood parks. Bonnie Jeppson, a resident on Lake Mountain Road, made a comment regarding park improvements in the powerline corridor.

Tom recommended that the city specify its ordinances regarding recreational amenities in the powerline corridors.

Discussion between the City Engineer and Planning Commission ensued regarding the expansion of the sewer treatment plant.

Rich Steinkopf suggested that the developer place more of their density on the western edge of their development near Pioneer Addition.

The Planning Commission discussed exterior materials, requesting that the developer look to construct the front elevation out of masonry materials.

B. **Eagle Gate LDS Church, Concept Plan**

The proposed concept plan is located at the intersection of Nairn Road and Rose Hearty Lane in the Eagle's Gate Subdivision.

Shawn Warnke gave an overview of the proposed project.

Planning Commission recommended that the proposed project consider storage areas for strollers.

Adjournment 8:13pm

3. Adjournment

Motion: Chris Kemp moved to adjourn the meeting at 8:13 p.m.

Approved: _____ Date: _____
Chariman Tom Maher

THE EAGLE MOUNTAIN PLANNING COMMISSION MEETING AGENDA
Eagle Mountain City Offices 1680 E. Heritage Drive, Eagle Mountain, UT 84043
Tuesday, September 28, 2004 at 6:00 PM

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

Roll Call:

Commissioners Present: Tom Maher, Rich Steinkopf, Chris Kemp

Others Present:

None

City Staff:

Planning Director: Shawn Warnke
City Planner: Adam Lenhard
Planning Coordinator: Jenalee Cheever

1. Pledge of Allegiance

Tom Maher led the commission and audience in the pledge of allegiance

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

None

4. Action Items

A. Pioneer Addition Phase V(b), Final Plat- Action Item

Adam Lenhard gave a general overview of the project of the project. The proposed project is 16.6 acres in size and is north of Pioneer Addition Phase 1.

Eric Jones, the Applicant, explained the phasing of the central park. There are no park improvements that will be constructed with this phase. One of the recommended conditions of approval included the identification of the correct lot grading typical. Mr. Jones agreed to identify which grading typical will be applied.

MOTION: Rich Steinkopf moved that the Planning Commission approve the Final Plat for Pioneer Addition Phase V(b) subject to the following conditions:

- 1. GRADING PLAN. Sheet 4- that a grading plan for lots be submitted; that a typical lot A and lot B be identified (City Engineer to approve).***
- 2. STORM WATER. Those final storm water calculations are submitted, including inlet capacities and road spreads. Sheet 13- that the 24" storm drains line between station 0+00 and 5+90 is run at the same slope to provide more storm water capacity (City Engineer to approve).***
- 3. BOBBY WREN BLVD. That Bobby Wren Blvd. be dedicated and improved with this project.***

4. **DICKENS DRIVE.** *That the south leg of Dickens Drive be eliminated. South Independence should continue until the intersection of Revere Way.*
5. **ACKNOWLEDGEMENT.** *That the acknowledgement language be corrected on the plat.*
6. **EFILES & ENGINEER'S ESTIMATES.** *That the e-files for 5b plat, civil, and dry utilities are submitted. That engineering estimates are submitted for all the dry utilities.*

Brian Olsen Seconded the motion. Ayes: 5, Nays 0. Motion passed.

Adjournment: Meeting adjourned at 6:22pm.

MINUTES OF THE PLANNING COMMISSION MEETING
Eagle Mountain City Offices 1680 E. Heritage Drive, Eagle Mountain, UT 84043
Tuesday October 12, 2004

6:00- Site Visitation Session- Pubic Invited

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

1. O'Fallon's Bluff, Concept Plan Plats B-E

Shawn Warnke explained that this subdivision was reviewed by the Planning Commission and City Council in 1999. The previous subdivision layout was problematic due to the topography and the resulting slopes on lots and street grades. The subdivision layout has been revised to address concerns with the parcel's slopes.

Discussion took place regarding no driveway access onto collector roads. Discussion also took place concerning the SID. The developer will be required to pay the entire assessment for the parcel even if some of the land is not developed.

The Planning Commission discussed trail connection through the property and leading to the open space.

6:45- Action Session

Roll Call:

Commissioners present: Tom Maher, John Malone, Chris Kemp and Brian Olsen

Others Present:

Mel McQuirrie, MCM; Stacy Searle, MCM; Steve Sowby, Sowby & Berg; Doug Woodruff, O'Fallon's Bluff; Bruce Woodruff, O'Fallon's Bluff

City Staff:

City Engineer: Korey Walker
City Engineer: Chris Trusty
Planning Director: Shawn Warnke
City Planner: Adam Lenhard
Planning Coordinator: Jenalee Cheever

1. Pledge of Allegiance:

None

2. Declaration of Conflicts of Interest:

None

3. Report from City Council Member:

None

4. Approval of Minutes:

- A. May 25, 2004
- B. July 27, 2004
- C. June 24, 2004
- D. August 10, 2004

MOTION: *Brian Olsen moved to approve the minutes for May 25, July 27, June 24 and August 10 of 2004.*

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

5. Action Items:

A. Autumn Ridge, Phase 2, Final Plat

Adam Lenhard explained that Autumn Ridge is located on the north side of Eagle Mountain Boulevard and west of the Eagle Park Subdivision.

Discussion took place regarding sewer capacity. Korey Walker stated that at this point in time there are about 150 to 180 units of capacity for the Waste Water Treatment Plant before an expansion is required. Mr. Walker went on to say that building permits will not be issued past that point that there is capacity.

Discussion took place regarding monument designs. The Planning Commission suggested that the developer have a monument sign for the subdivision.

MOTION: *Chris Kemp moved that the Planning Commission approve the Final Plat for Autumn Ridge Phase 2 subject to the following conditions:*

1. **PHASING.** *That Phase 1 is constructed before Phase 2.*
2. **STORM WATER.** *That storm water calculations be submitted to support inlet capacity and a ten foot travel lane be maintained during a 10 year storm.*
3. **ENGINEER FILL.** *That sewer and water laterals be backfilled with an A1 or A2 classification material. Please label on detail 8.*
4. **LATERALS.** *That water laterals are run to the center of the lots and that the sewer laterals are adjusted accordingly. That the laterals are shown on sheets 9 and 10. That water laterals be stubbed to all open spaces.*
5. **DRY UTILITIES.** *That revised dry utilities plans be submitted.*
6. **EFILES & ENGINEER ESTIMATES.** *That updated e-files and engineer's estimates be submitted.*
7. **PLAT.** *That the following changes occur to the plat: the Planning Commission Title Block be removed; that the City Attorney's line be removed from under the Acceptance by Legislative Body; that the acknowledgement and owner's dedication be updated.*
8. **TEMPORARY TURNAROUND.** *That there is a bearing and distance called out for Butterfield Lane temporary turnaround.*
9. **SETBACKS.** *That the Planning Department receives direction from the City Attorney regarding the appropriate setbacks.*
10. **EASEMENTS.** *That Eagle Mountain Properties sign the easements for the: temporary turnaround, storm drain pond and line.*
11. **K-VALUES.** *That the k-values are shown on all vertical curves.*
12. **TYPE OVERS.** *That "type overs" be cleaned up on all sheet (identified some on sheet 8).*
13. **BLOW OFF VALUES.** *That there is a blow off value or flush hydrant at the end of Butterfly Lane.*
14. **STREET LIGHTS.** *That street lights are removed from the civil plans.*
15. **SECONDARY ACCESS & LOOPING.** *That an improved secondary access be constructed with this subdivision (the road connecting into Eagle Park – the plans should show the designed road connection). That all utility lines are looped.*
16. **SEWER.** *That sewer system manhole should be designed to have at least .2 fall between the inlet and outlets.*
17. **DETAILS.** *That detail 2 has a conflicting callout the (6" Collar conflicting with the 12").*
18. **YEILD & ARROW SIGNS.** *That the yield and arrow signs be shown at the roundabout.*

- 19. **ADA RAMPS.** *That ADA ramps be added to trail crossings on Butterfly Lane see sheet 14.*
- 20. **WATER CAN LID.** *That the water can lid be specified as D&L 2240-12.*
- 21. **CONSTRUCTION NOTES.** *That all the references to "County" and "Town" be replaced with "City".*
- 22. **SECONDARY ACCESS** *to Eagle Park needs to be improved before recommendation of phase 2 and that the trail to the North connects over to Eagle Park subdivision.*
- 23. **MONUMENT SIGNAGE.** *That there is a monument sign created for this subdivision. Additionally, that all future Town Center subdivisions have some type of a monument sign.*

Brian Olsen seconded the motion. Ayes: 4, Nays: 0. Motion passed.

6. **Discussion Items:**

None

7. **Adjournment:**

MOTION: *Tom Maher moved to adjourn the meeting at 7:40 p.m.*

Approved: _____ Date: _____
Chairman Tom Maher

MINUTES OF THE PLANNING COMMISSION MEETING
Eagle Mountain City Offices 1680 E. Heritage Drive, Eagle Mountain, UT 84043
Tuesday, October 26, 2004

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

Roll Call:

Commissioners Present: Tom Maher, Rich Steinkopf, Chris Kemp, John Malone

Others Present:

Amy Twitty, KHM Lone Tree; Jory & Cindy Provstgaard, resident; Rob Healey, resident; Aaron Bleak, EA Architecture & LDS Church; Bonnie Jeppson, resident

City Staff:

City Planner: Adam Lenhard
Planning Coordinator: Jenalee Cheever

1. Pledge of Allegiance

Tom Maher led the commission and audience in the pledge of allegiance

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

Adam Lenhard discussed the signage issue. Mr. Lenhard explained that the City is trying to create something that works to get rid of the boot leg signs so that the developers do not put out their signs all over the place on the weekends. Mr. Lenhard said that the locations of the signs would be leased out by the City and that they would have to be built according to City specs.

Adam Lenhard explained to the Commission that another item the Planning Department is working on is the animal rights chapter in the development code. Mr. Lenhard explained that this chapter is still currently being revised and will soon be presented to the City Council to make a decision.

4. Action Items

A. Eagle's Gate LDS Church, Site Plan and Conditional Use Permit- Public Hearing.

Adam Lenhard explained that the proposed church is located at the intersection of Narin Road and Rose Hearty Lane in the Eagle's Gate Subdivision.

Mr. Lenhard told the Planning Commission that Korey Walker had talked with the Planning Staff about the Storm Drainage issue and that the issue was mostly worked out. Mr. Lenhard told the Planning Commission that the storm drainage condition was left on to make sure that the condition is properly finished.

Mr. Lenhard explained to the Commission that the staff was still waiting to receive a revised landscaping plan that would show which areas are turf and which areas are going to be fenced. The developer told the Planning Commission that the fence would go around the entire perimeter of the property.

Discussion took place regarding the conditions. The developer told the Planning Commission that he was working with the Planning Staff to resolve all of the conditions. The developer also told the Planning Commission that the local leadership has made a decision on a color scheme and that they could now proceed forward to get approval from the Ranches.

The Planning Commission asked the developer what the local leadership had chosen for the color of the building. The developer told the Planning Commission that the building would be white with black roofing.

Tom Maher opened the public hearing at 6:40 p.m.

Mike Stores, from Eagle's Gate, asked the Planning Commission what process he needed to go through to influence the color of the building. The Planning Commission suggested that he talk with the Ranches design guidelines.

Tom Maher closed the public hearing at 6:42 p.m.

MOTION: *Rich Steinkopf moved that the Planning Commission approve the site plan and conditional use permit for Eagle's Gate LDS Church subject to the following conditions:*

1. **STORM DRAINAGE.** *That the subdivision storm drain pond be sized to detain the storm water (need to now if the excess capacity called out in the storm drain calculations if the excess current capacity or build out capacity). That storm water is collected at the most eastern access before the water runs into Rose Hearty Road.*
2. **DESIGN GUIDELINES.** *That the applicant receives The Ranches' approval in accordance with their Design Guidelines.*
3. **BERMING.** *That berming is constructed to shield parking areas.*
4. **PARKING.** *That the Site Plan meets the City's parking requirements.*
5. *That this project will likely be subject to the new development ordinances.*
6. **TRAFFIC STUDY.** *That the traffic study be stamped by a Utah Engineer.*
7. **ROSE HEARTY LANE.** *That the remainder of the road be constructed and bonded.*
8. **TURF.** *That the turf areas be shown on the landscaping plan (need to have some symbol that denotes areas to be lawn).*
9. **FENCING.** *That the plan shows clearly the areas to be fenced.*
10. **DRIVE APPROACH.** *That the drive approach has a minimum of 6" of road base (please see detail B on sheet C5.2).*
11. **UTILITY DEMANDS.** *That the utility demands for this building are submitted.*
12. **PHONE.** *That the Telecommunication Department's comments be incorporated into the plan.*

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

5. **Adjournment**

MOTION: *Tom Maher moved to adjourn the meeting at 6:45 p.m.*

Approved: _____ **Date:** _____
Chairman Tom Maher

MINUTES OF THE PLANNING COMMISSION MEETING
Eagle Mountain City Offices 1680 E. Heritage Drive, Eagle Mountain, UT 84043
Tuesday, November 9, 2004

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

Roll Call:

Commissioners present: Tom Maher, Chris Kemp, John Malone, Rich Steinkopf

Others Present:

Tara Rindlisbacher, Scenic Development; Paul Beckstead, Scenic Development; Rob Bateman; Niesha Thompson, Resident of Sage Valley; Jeramie Thompson, Resident of Sage Valley; Robert Shawgo, Resident of Sage Valley; Amy Shawgo, Resident of Sage Valley; Marisa Rogers, Resident of Sage Valley; Todd Panter, Resident of Sage Valley; Becky Russell, Resident of Sage Valley; Kathy Nuttall, Resident of Meadow Ranch

City Staff:

Planning Director: Shawn Warnke
Planning Coordinator: Jenalee Cheever
City Engineer: Chris Trusty
City Engineer: Korey Walker

1. Pledge of Allegiance

Tom Maher led the commission and audience in the pledge of allegiance.

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

Shawn Warnke told the Planning Commission that Eagle's Gate Church would be on the upcoming City Council's agenda.

Mr. Warnke also said that Planning staff had been working on reviewing ordinances. Mr. Warnke stated that the animal ordinance would be coming to the Planning Commission for a recommendation as well as a general plan amendment for an annexation of a property just east of Meadow Ranch and North of SR 73.

4. Minutes

A. September 14, 2004

MOTION: Rich Steinkopf *made a motion to approve the minutes of September 14, 2004.*

Brian Olsen seconded the motion. Ayes: 4, Nays 0. Motion passed.

5. Action Items

A. Kiowa Valley Plats D & E (Formerly Know as South Pass A & B) Revised Preliminary and Final Plats, Action Item- Public Hearing

Shawn explained that Kiowa Valley Plats D & E are located directly south of Kiowa Valley Plat B.

Discussion took place regarding alleyways. Mr. Warnke stated that the applicant had purposed to do Vest Pocket Parks, which are a common design element in the Ranches. Mr. Warnke explained that this would still meet the standard for the neighborhood collectors as far as access and that this would eliminate alleyways and as a result would also enlarge the lot sizes.

Discussion also took place concerning the width of road from the island to the curb of the sidewalk. Corey Walker stated that the width was twenty feet.

MOTION: **Chris Kemp moved that the Planning Commission approve the Preliminary and Final Plats for Kiowa Valley, Plats D & E subject to the following conditions:**

1. **PREVIOUS CONDITIONS.** *That all previous applicable conditions of approval are satisfied.*
2. **STORM DRAINAGE.** *That gabion baskets are included on Plat E and that additional engineering calculation is provided to demonstrate that the erosion protection measures are adequate.*
3. **ELEVATIONS.** *That elevations are shown at 25 foot intervals.*
4. **UPDATED INFORMATION.** *That updated engineer's estimates are submitted. That updated e-files be submitted.*
5. **DRY UTILITIES.** *That updated dry utility plans be submitted.*
6. **WATER RIGHTS.** *That additional water rights be submitted for the "now" larger lots.*
7. **VEST POCKET PARK.** *That cross gutters be added to the vest pocket. That water services be added to the vest pocket parks.*
8. **HOA APPROVAL.** *That the Ranches approve of the subdivision design and landscaping changes.*
9. **SIGNAGE.** *That the signage plan for the vest pocket parks be added to the construction plans.*
10. **PLAT CHANGES.** *That the tab table be updated to include open space. That the Planning Commission signature block be removed. That the PUE language in the notes be changed to state that a 10' PUE exists along all street frontages. That the ten foot PUE on the west side of Plat D follows the new frontage alignment of Kiowa Valley Plat E. That the open spaces be labeled "Public Open Spaces" rather than "City Park". That a note be added that states that lots 447 and 424 have driveway access from South Pass Road.*
11. **TRAIL CROSSING.** *That a crossing for the trail be added by lots 414 and 415.*
12. **BLOW OFF VALVE.** *That a blow off valve be added at the end of Cherokee Street.*

Rich Steinkopf seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

6. Discussion Items

A. Eagle Point Town homes (Currently Recorded as Eagle Point Condominiums) Concept Plan – Discussion Item

Shawn Warnke explained that the Eagle Point Town homes site is located along Eagle Mountain Blvd. to the south of The Landing and to the west of Eagle Point. Mr. Warnke explained to the Planning Commission that the developer wanted to build Town homes instead of condominiums.

Discussion took place concerning the direction that the homes are facing. Mr. Warnke explained that in the plans the homes have been designed so that the backs of homes are facing the entrance to the subdivision. The Planning Commission suggested that the developer flip the homes around so that the fronts of the homes face the entrance to the subdivision.

It was suggested by the Planning Commission that the sidewalk be made large to accommodate pedestrians, specifically children. The Planning Commission also suggested that a trail be created that connects onto the existing trails for the children to get to school.

Discussion took place regarding a foot path from North to South connecting to the Pool and Clubhouse. The Planning Commission suggested that the developer keep this in mind when reconfiguring the plans.

Discussion took place concerning driveway lengths. The developer stated that currently the length of the driveways are planned out to be eighteen feet, which includes the width of the sidewalk. The Planning Commission questioned the length of the driveways, they were concerned with bigger vehicles hanging out into the street. Tom Maher asked the developer if the driveways could be extended to twenty feet instead of eighteen. The developer said that it could possibly be done. The Planning Commission recommended that the developer extend the length of the driveways to twenty feet. The developer said that he would take all recommendations into consideration and that he would come back to the Planning Commission with another concept.

B. Sage Ridge Estates (formerly Sage Valley Plat B), Single-Family Detached Residential Concept Plan – Discussion Item

Shawn Warnke explained that Sage Ridge Estates (Sage Valley Plat B) is located along S.R. 73 immediately west of Cedar Pass Ranch. Mr. Warnke went on to explain that the developer is purposing that the master development plan be amended and that they will resubmit a new plat that will meet the standards of the new development code. Mr. Warnke explained that the new development code would require 8% improved open space and that the applicant is purposing that the lot sizes stay no less than a half acre in size.

Mr. Warnke told the Planning Commission that the Planning Staff recommends that the trails would be on open space dedicated to the city. Shawn Warnke explained that this would make maintenance a lot easier for the city and that it would also remove some legal liabilities for the property owners.

The developer stated that he did not have any objections to changing the master development plan. The developer also stated that the storm drain pond would be dedicated to the City.

Tom Maher stated that this was not a public hearing but invited anyone who would like to share their concern to do so at this time.

Bob Shawgo from Sage Valley stated that he was opposed to the change of Sage Ridge. He stated that there were several reasons why he and other citizens were opposed to the change. The first reason Mr. Shawgo explained was that there would be increased traffic, it would lower his and other residents property value and that they would experience a loss of desired life style. Mr. Shawgo explained that the plat that was shown to him when he first purchased his lot and built his home showed larger open lots where people who desired large open lots and horse property would come together. Mr. Shawgo stated by making this change the current residents of Sage Valley would lose this desired life style. Mr. Shawgo expressed his concern with having residents on smaller lots coming in and complaining about the horses and animals. Mr. Shawgo also explained that the other residents as well as himself estimated that there would be about 180 vehicles driving by their homes every day.

Todd Panter from Sage Valley expressed his concern with flooding. Mr. Panter explained that when it rains water comes down the road puddles on one side of the street and then comes through his front yard and floods his backyard and garden. Mr. Panter stated that other residents and himself have come together and dug a ditch to give a place for the water to drain, and that Mr. Patterson had not yet addressed the drainage issue.

Mr. Walker stated that he was not aware that there was a drainage issue and that he would get in contact with Mr. Patterson and discuss the issue.

Mr. Panter handed the Commission a letter from the residents addressing the issues they have in regards to the purposed changes of Sage Ridge Estates. Mr. Panter stated that himself and the other residents have received threats from Mr. Patterson about the letter.

Tom Maher questioned what kind of threats Mr. Patterson had given the residents.

Mr. Panter stated that there were threats about slander in the letter. Mr. Panter assured the Planning Commission that the letter was not meant to be negative towards anyone and that it was made to state facts and concerns that the residents of Sage Valley have.

Rob Bateman from the Cedar Pass Ranch H.O.A. stated that the H.O.A. would be opposed to any change to lower the zoning in the area. Mr. Bateman explained the issue that non animal right land owners would have problems with the animal right land owners.

C. West View Heights, Single-Family Detached Residential Concept Plan – Discussion Item

Shawn Warnke explained that the West View Heights site is located along S.R. 73 in between Cedar Pass Ranch and the Meadow Ranch subdivision.

Discussion took place regarding the homes that would be along S.R. 73. Mr. Walker stated that the biggest issue would be noise from the traffic. Mr. Walker said that this is a real issue because noise travels up and the homes are sitting on top of an upward slope so all of the noise from the traffic on S.R. 73 is going to travel up to the homes. Mr. Walker stated that there was also a view corridor issue, the back of the development is right on the ridge and that the problem is, do they protect the view corridor for the residents in Cedar Pass Ranch and are their ways to utilize landscaping or different improvements to help to protect the view corridor.

Rich Steinkopf expressed concern with having the lots butting right up to the edge of the ridge. Mr. Steinkopf suggested having a burm or some sort of fencing to keep the lots from butting up to the edge of the ridge and for the safety of families with children.

Chris Kemp stated that he would be more in favor of 1 acre lots instead of ½ acre lots because of the animal rights issue.

The Planning Commission suggested that the developer keep the transitioning by the five acre lots to one acre lots instead of the ½ acre. The Planning Commission also suggested that the developer look in to some sort of solution to the noise issue for the homes along S.R. 73.

7. Adjournment

MOTION: Tom Maher moved to adjourn the meeting at 8:16 p.m.

Approved: _____ **Date:** _____
Chairman Tom Maher

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, NOVEMBER 30, 2004

Eagle Mountain City Council Chambers, 1680 E. Heritage Drive, Eagle Mtn, UT 84005

1. Pledge of Allegiance

2. Declaration of Conflicts of Interest

3. Status Report from City Council

4. Action Items

A. Talon Cove Annexation, General Plan Amendment – Future Land Use and Transportation Corridor Map, Public Hearing

Public Hearing Only – No Motion Made

B. Animal Zoning Regulations, Development Code Amendment, Public Hearing

MOTION: *Commissioner Rich Steinkopf moved that the Planning Commission recommend approval of the Animal Zoning Regulations to the City Council with changes as discussed.*

Unknown Commissioner seconded. Motion passed.

C. Kirk Flora Tae-kwon-do Institute, Home Business Application, Public Hearing

MOTION: *Commissioner Brian Olsen moved that the Planning Commission approve the Conditional Use Permit for the Kirk Flora Tae-kwon-do Institute according to the Home Business License standards outlined in the City's current Development Code and with the additional conditions:*

1. Minimum of 15 minutes between classes.
2. 2-3 classes with 16 students
3. Hours of operation from 7:00a.m. to 9:30p.m.

Unknown Commissioner seconded. Motion passed with one dissenting vote – Rich Steinkopf.

D. Tuscany Sign Application, Off-Premise Signage

MOTION: *Unknown Commissioner moved that the Planning Commission table the Tuscany Sign Permit Applications to allow the Planning Department to work out an agreement to use the signs currently up in the Ranches..*

Unknown Commissioner seconded. Motion passed.

5. Discussion Items

A. Eagle Point Townhomes (Plat Amendment for Eagle Point Condos) Concept Plan – Discussion Item

6. Adjournment

MINUTES OF THE EAGLE MOUNTAIN PLANNING COMMISSION MEETING
Eagle Mountain City Offices 1680 E. Heritage Drive, Eagle Mountain, UT 84043
December 14, 2004

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

Roll Call:

Commissioners Present: Tom Tom Maher, Rich Steinkopf, Chris Kemp, John Malone

Others Present:

Christie Buxton, Rich Black, John Wallace, Charlotte Ducos, Branden Reall, Jim and Ruby Hurdly, Janice Shaw

City Staff:

Planning Director: Shawn Warnke
City Planner: Adam Lenhard
Planning Coordinator: Jenalee Cheever
City Engineer: Korey Walker

1. Pledge of Allegiance

Tom Maher led the commission and audience in the pledge of allegiance.

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

A. Animal Control Ordinance

Mr. Lenhard explained that the Animal Control Ordinance would be coming back to the commission for another public hearing. Mr. Lenhard explained that the idea behind the new Ordinance would be to have a full time animal control officer.

B. Pioneer Addition Development Agreements

Shawn Warnke told the Planning Commission that the Pioneer Addition Development Agreement was approved.

C. City Council Applications

Mr. Warnke Explained to the Commission that the City Council is now accepting applications for new City Council Members. Mr. Warnke explained that Diane Jacob had resigned so her position would need to be filled as well as Mark Madsen.

4. Minutes

- A. January 13, 2004**
- B. March 23, 2004**
- C. April 13, 2004**
- D. April 27, 2004**
- E. June 8, 2004**

MOTION: *Rich Steinkopf made a motion to approve the minutes of January 13, March 23, April 13, April 27, and June 8 of 2004.*

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

5. Agenda Items

A. Valley View, Preliminary Plat

Adam Lenhard explained that the Valley View Ranch South parcel is located north of SR 73 between the North and Meadow Ranch subdivisions.

Mr. Lenhard explained to the Commission that this project was a portion of the Master Development Plan Map that was approved by the City Council.

Mr. Walker told the Planning Commission that some work will need to be done on the intersection that connects with SR 73 to accommodate the volumes of traffic that there will be. Mr. Walker explained that UDOT will need to be involved and that the developer must get approval from UDOT.

Mr. Walker explained that when the developer presents this to UDOT that the City, UDOT and the developer sit down and talked about problems that are foreseen with this project.

Mr. Lenhard explained to the Planning Commission that the fingers from tickville wash going into some of the lots need to be appropriately treated to ensure that erosion doesn't effect the lots in the future.

Mr. Walker told the Planning Commission that the north east corner of Mountain View Drive would need to be straightened out.

Discussion took place concerning a secondary access. The Developer told the Planning Commission that a secondary access would be built with the second phase.

Mr. Walker asked the developer how the Church would be sewerred. The Developer stated that the Church would have a septic tank.

Mr. Walker explained to the Commission that there were some geometric concerns with the intersection tying in with SR 73 and tying back into 1400 West. Mr. Walker stated a traffic study would be beneficial because it would show the problems that will arise. Mr. Walker suggested that a traffic study be done before giving preliminary approval because there could possibly be some changes in the alignment of the road.

Discussion took place concerning setbacks. Mr. Lenhard stated that no setbacks have been agreed upon and that the development agreement did not spell out any specified setbacks. Mr. Lenhard explained that because of this that the Staff and Commission refer to the equivalent residential zone density standards. Mr. Lenhard said that this would give a 25 foot setback on the sides and 50 feet in the rear yard.

The developer explained to the commission that on the one acre lots he would like to see 30 feet for the side setbacks and 50 feet on the rear setbacks. The developer said he would like to see for the half acres a 10 side setback and a 25 foot setback for the front.

Discussion took place concerning the side setback. The Commission, Staff and Developer agreed that a 30 foot side setback would be possible.

Discussion took place regarding the 50 foot setback for the back yards to give the city a way to access tickville wash so that maintenance could be done and in case of any problems that may occur.

Mr. Lenhard explained to the Commission that there was a concern with the slope of the hill. Mr. Lenhard explained that the standard in the development code prohibits construction on a slope greater than 25%. Mr. Lenhard told the Commission that the slope of the hill did not exceed 10%.

Mr. Walker explained to the commission that most of the hill would be leveled out to accommodate the homes that would be built on that area.

The Developer explained to the Commission that lot 41 goes through the upper and lower portion which puts them at 93 lots. The Developer told the Commission that he planned on leaving that lot out and putting it in later so that the lots would not exceed 92, which was shown on the bubble plan.

Mr. Warnke asked if lot 93 would then be plated with a later phase.

The Developer told Mr. Warnke said that lot 93 would be contained in the next phase.

Tom Maher opened the public hearing at 6:51 p.m.

Brandon Reall told the Planning Commission that he came in about two months ago and had brought up his concern about the wash. Mr. Reall stated to the Commission that he expressed concern with lots 86, 90 and 93. Mr. Reall explained that these lots had fingers or pockets of the wash that extended into them. Mr. Reall stated that he had taken the City Engineers out to look at it. Mr. Reall said that some of these fingers or pockets have been filled in on other subdivisions are now eroding away. Mr. Reall said that he would like to see this issue addressed soon because it is a concern.

Christie Buxton, North Ranch, explained to the Planning Commission that she would like to see the setbacks put into law so that no problems will occur later on.

Charolette Ducos, North Ranch, explained to the Commission that she understands that the density is set but would like to see the lots in the plat widened.

John Wallace, builder, asked Mr. Walker if the County Health Department had to sign off on the Plat because the entire subdivision has septic tanks instead of a sewer system.

Mr. Walker told Mr. Wallace that it was individual so each building permit submitted would each need to be signed off by the County Health Department.

Mr. Wallace told the Planning Commission that he would like to see a 25 foot side setback on the half acre lots for this subdivision.

Rob Bateman, Cedar Pass H.O.A., expressed his concern with the soil near Tickville Wash being disturbed. Mr. Bateman told the Commission that through past experiences it is proven that as soon as the soil around the wash is disturbed it sluffs off. Mr. Bateman said that he has seen people down in the wash with backhoes trying to resculpt the wash.

Mr. Walker explained to Mr. Bateman that this issue is governed by the State and that any stream alterations need to be approved through the State and in this case that anyone wanting to alter the stream would need to have State approval.

Rich Black, North Ranch H.O.A., expressed concern with the speeding issue on Canyon Wash. Mr. Black told the Commission that he can see several main access roads potentially having a speeding issue. Mr. Black told the Commission that he was also concerned with North Ranch being a construction entrance down Canyon Wash.

Scott Kirkland explained to the Commission that a 20 foot wide home does not give a rural feel. Mr. Kirkland explained that he would like to see some setbacks that would allow for a rural feel.

Chris Anderton told the Commission that he was highly concerned with the lots that are being developed extremely close to the fingers that extend into the lots from the wash. Mr. Anderton told the Commission that he would like to see at least a 50 foot back setback to avoid problems with children playing by the was and a loss of homeowners property.

The Developer explained to the Commission that a 100 foot wide lot is a good sized lot for a custom home to be built on. The Developer explained that if this is narrowed down to a 50 foot wide lot is not a custom home size lot.

The Developer asked the Commission if there could be a 30 foot total for the side setbacks with a 12 foot minimum on one side, so that there could be a 12 foot and an 18 foot side to give variety in the subdivision.

Jim Smith with North Ranch asked the Planning Commission what will happen if lots cannot get approval for their septic tanks from the County.

Tom Maher explained to Mr. Smith that the lots not approved by the County for a septic tank would not be allowed to build.

Tom Maher closed the public hearing at 7:25 p.m.

John Malone expressed his concern with Tickville Wash. Mr. Malone said that he was concerned with the soil becoming a major issue in the future and would like to see this issue addressed now rather than later.

Mr. Steinkopf also expressed his concern with Tickville Wash. Mr. Steinkopf said that he agreed with Mr. Malone's statement. Mr. Steinkopf said that he would like a wide as setback as possible. Mr. Steinkopf said that he liked the idea of a 30 foot total for side setbacks with the variation with each lot to give more of a variety.

Mr. Wallace said that he would not like to see the front and back setbacks restricted because of the need to place a septic tank either in the front or the back of the home. Mr. Wallace told Mr. Walker that he would like to put the septic tank in the front of the homes just in case that thirty years down the road a sewer system becomes available because it makes it easier to tie onto the sewer.

Chris Kemp asked Mr. Walker how long the septic tanks will last.

Mr. Walker said that the question is how long to they last if they are improperly maintained and how long to they last if they are properly maintained. Mr. Walker explained that he had made a proposal to the City Council to create within the H.O.A. or create a requirement that every septic tank be cleaned every five years. Mr. Walker explained that studies have shown that as long as septic tanks are maintained every five years their life is infinite.

Discussion took place concerning the intersection on SR 73. Mr. Walker explained that there will be a lot of traffic back up during the peak times with people trying to turn left onto SR 73.

MOTION: *Rich Steinkopf moved that the Planning Commission approve the preliminary plat for the Valley View Ranch South subdivision subject to the following conditions:*

- 1. That the number of half-acre lots is reduced by one to conform to the vested density of the Master Development Plan.**
- 2. That the park area for this phase is secured for dedication and improvement in future phases (see attached letter).**
- 3. That the storm drain calculations verify that the curb and gutter can handle expected flows.**
- 4. That SR 73 is widened according to UDOT regulations.**
- 5. That there is approval from UDOT for the entry on SR 73.**
- 6. That Tickville wash needs to be engineered and looked at very closely in regards to erosion, sluff off and the fingers on lots 62, 86, 90, 91 and 93.**
- 7. That an uninterrupted drivable access be provided to Tickville Wash for a 25 foot easement.**
- 8. That the setbacks for one acre lots be 50 feet in the front, 50 feet in the back and 30 feet on each side setback for a total of 60 feet, and that the setbacks for the half acre lots be 25 feet in the front, 25 feet in the back and a 30 foot total on the side setbacks and that the**

final plat to show with flexibility on difficult lots with a twelve foot minimum on one side and to be staggered.

- 9. That in the CC&R's it states that homeowners will be required to show evidence of their septic tank having been pumped out every five years at a maximum.*
- 10. That the intersection of Valley View Drive and Mountain View Drive to be concurrent with city standards.*
- 11. That a full right of way be deeded to the church in front of lots 41 through 44.*
- 12. Vacate section of road by SR 73 to 14400 West.*

Chris Kemp Seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

B. The Ranches Master Development Plan Amendment

Mr. Warnke explained that the amendment is to transfer density to the Spring Valley and Lone Tree Subdivisions. Mr. Warnke said that approximately thirty dwelling units will be taken out of Joe's Dugout and will be transferred to Lone Tree and Spring Valley.

Discussion took place concerning a school. The developer stated that they had approached the school district and have suggested different locations for a school but the district has declined.

Mr. Warnke told the Commission that they might want to discuss with the developer about including a church site.

The Developer stated that a church site had been planned.

Discussion took place concerning SID payments. Mr. Warnke explained that the applicant would need to pay the SID payment on the .4 acre parcel that is being transferred. Mr. Warnke explained that the City Attorney suggested to the Planning Staff that the city collect funds on all of the acreage that has been calculated for the SID.

The applicant explained that conditions number two and three may not be relevant at this time. The applicant stated that the developable acreage within the SID is being redefined. The applicant said that it was originally based upon the master plan which was a rough estimate of developable verses undevelopable and that extensive study has been done by Epic Engineering with all of the attorneys and financial advisors to determine what is developable and what is not.

Discussion took place regarding the transportation corridor. Mr. Warnke explained that the transportation corridor would need to transfer back into Pony Express.

Mr. Malone asked what would keep the traffic from coming down onto Pony Express Parkway.

Mr. Walker explained that having a major collector road come down over to airport road would divert the traffic because it would be quicker for residents to travel that road out to SR 73 rather than come down to Pony Express Parkway.

Mr. Walker asked that the developer would be willing to comply with one of two things, that the roads have capacity for two hundred and eighty lots or, be willing to ensure that there will be another major access into the development from the south.

MOTION: Rich Steinkopf moved that the Planning Commission approve The Ranches Master Development Amendment subject to the following conditions:

- 1. That the Applicant submits evidence that they are the owners or authorized agent of the property owners.**
- 2. That the Special Improvement District (SID) ordinance be amended to show the correct developable acreage that would now be assessed.**
- 3. That the Applicant still pays the SID payment on the .4 acre parcel that is being transferred from Point Lookout to the Inspiration Point Open Space. The City Attorney has advised that the City needs to collect funds on all the acreage that was calculated for the SID.**

4. ***That there is some evidence that the Alpine School District has found an alternative location for the school. That the Developer considers reserving a portion of the property for church sites.***
5. ***That The Ranches is in compliance with their Master Development Agreement and dedicate over the following parcels of land:***
 - a. ***Rush Valley Plat D (Storm Drain Pond)***
 - b. ***Smith Ranch Road***
 - c. ***Pony Express Parkway***
 - d. ***Bud Evans Trailway***
 - e. ***Glen Smith Trailway***
6. ***That after 200 homes have been approved for platting in the Lone Tree subdivision that a traffic study be performed by a traffic engineer regarding the need for an additional collector road to service the Lone Tree subdivision.***
7. ***That there will be five lots in Spring Valley added to Spring Valley and one lot be added to the Mt. Airey subdivision which will be a new plat.***

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

C. Spring Valley, Plat C, Preliminary Plat

Shawn Warnke explained that a traffic study would need to be done on the intersection. Mr. Warnke said that they would like to have the Fire Chief approve the cul-de-sacs to make sure that there is adequate room to turn around. Entry way along Olympic road, showing building on I plat changes in relations to development changes

Mr. Warnke stated that this item was on the agenda for a public hearing only because the zoning change needs to be approved before the Planning Commission can take action and approve the preliminary plat.

Mr. Kirkland explained to the Commission that in a previous Development Review Committee that the City had proposed that he upgrade the street lights to a collector road type street light and that the City would reimburse him through impact fees later. Mr. Kirkland explained that this proposal was fine but that he was unable at the time to do so because he had already taken out a loan for this project and the loan amount would not be sufficient enough to cover an upgrade of the street lights.

Mr. Walker explained that to help with the cost the City suggested re-evaluating the street lights within the existing plan to lower the cost.

Mr. Warnke stated that street lights would definitely need to be placed at the intersections.

Mr. Warnke explained that the zone change Mr. would need to be approved before any action could be taken on the preliminary plat.

Tom Maher opened the public hearing at 8:45 p.m.

Mr. Kirkland explained to the Commission that he had worked with Mr. Lenhard and the builders and that the rear of the homes have been designed well. Mr. Kirkland stated that all fencing would be completed and that nothing would be left to the home owners. Mr. Kirkland explained that all perimeter fencing would be done up front with the development and that each unit will have its own backyard fencing. Mr. Kirkland also stated that the only units that didn't get full backyard fencing were the homes that their backyards faced towards the golf course.

Tom Maher closed the public hearing at 8:49 p.m.

Rich Steinkopf asked who would be doing the maintenance.

The developer explained that this point in time all yards and maintenance work would be done by the H.O.A.

MOTION: *There is no recommendation to approve this project until after the property has been rezoned. The following changes are recommended for the Spring Valley C Preliminary Plat:*

1. **STREET LIGHTS.** *That street lights are installed along Mt. Airey Drive.*
2. **INTERSECTION ANALYSIS.** *That the applicant submits an intersection analysis of the T-intersection.*
3. **BACKYARDS.** *That backyards and fencing are identified. That the irregular property lines and backyard areas (lots 83, 84, & 85) are amended.*
4. **SITE PLAN.** *That a site plan application is submitted.*
5. **ENTRY MONUMENT.** *That an entryway monument be installed on Olympic Road.*
6. **ORIENTATION.** *That lots 86 and 87 be oriented towards Prairie Dunes Way.*
7. **BACKYARD RESTRICTIONS.** *That there are strict CC&Rs for the backyards along Mt. Airey Drive.*
8. **SCALE.** *There seems to be a different scale on the landscaping plan versus the plat. The landscaping plan looks to be more open versus the plat.*
9. **DRIVEWAY LENGTHS.** *That the driveway lengths be identified on the plan (this will be accomplished with showing building envelopes).*
10. **UTILITY CONNECTIONS.** *That the utility connections onto Mt. Airey Drive be shown along with cut areas.*
11. **PLAT CHANGES.** *That county book and page records be called out on the plat. That the final plat includes the total number of lots on the tab table. That the final plat includes a title block that conforms with 5.4.1.1.1 and 5.4.1.1.2 of the Development Code. That the Planning Commission signature block be removed. That the entry street has a street name (the landscaping plans show this street as "Olympic Drive"). That the building envelopes be shown on the plat as required by 5.4.1.1.20.*
12. **OPEN SPACE.** *What is the term "open space" called out in the tab table? Is it the property that surrounds the homes? Perhaps this should be identified as "common areas"*
13. **CUL-DE-SAC.** *That the cul-de-sacs receive approval by the Fire Chief & City Engineer.*
14. **STREET TREES.** *That street trees be installed along this collector street road as required by Section 7.8 of the Development Code.*
15. **NEIGHBORHOOD PARK.** *That this project contributes to the neighborhood park requirements.*
16. **DRY UTILITY PLANS.** *That dry utility plans are approved.*

D. Future Land Use and Transportation Corridor Plan Map Amendment, General Plan- Public Hearing

Mr. Lenhard explained that the City Council is currently processing an annexation of five parcels totaling approximately 511 acres of land north of S.R. 73 and to the east of the Meadow Ranch subdivision. The General Plan would be amended to include transportation corridors and future land use classification for these parcels.

Mr. Warnke explained that the public hearing was conducted and the annexation application was certified by the City Council which then allows for the Planning Commission to move forward and make a recommended motion.

*Tom Maher opened the public hearing.
Tom Maher closed the public hearing.*

MOTION: *Rich Steinkopf moved that the Planning Commission recommend to the City Council that the City's Future Land Use and Transportation Corridor Plan Map be amended to include the parcels of the Talon Cove Annexation. Two transportation corridors that align with the intersections of the Ranches Parkway and Mt. Airey Drive are extended northward. Acquisition of these corridors is necessary for the successful development of the property. The future land uses should be classified as: rural residential transitioning from Meadow Ranch east to mixed use residential, and mixed use commercial on property that borders SR*

73 as shown in the staff report.

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

E. Tuscany Sign Permit Application, Action Item

Mr. Warnke explained that this item was an application from Tuscany Homes to put five directional ladder signs in.

Mr. Warnke explained that the ordinance allows for individuals to come in, put the sign in an instead of entering into a reimbursement agreement they would sub lease the slots.

Mr. Warnke told the Commission that once the new code is adopted the Ranches would have to comply with the new code which included their own signs.

David Adams told the Commission that he had talked with the Ranches about putting his sign on some of the ladder signs that already exist. Mr. Adams explained that it took a while but the Ranches have agreed to let him do so.

Mr. Adams explained that his only concern was with a developer owning a sign was if a car hit a sign would there be any liability insurance covered by the City.

Mr. Warnke explained that there is an insurance policy that is written with the agreement. Mr. Warnke explained that the agreement that he had read was about seven to eight pages long and that the insurance was an element of it.

Mr. Warnke explained that the Staff looks at what would be reasonable as far as spacing is concerned so that the signs are not all bunched together in one area.

Chris Kemp asked who would set the costs and what they would be.

Mr. Warnke explained that the cost was still being worked out and that it could cost anywhere from one to two thousand dollars. Mr. Warnke stated that this would not be a money making business.

MOTION: *Rich Steinkopf moved that the Planning Commission recommend approval of the Tuscany Sign Permit Application to the City Council subject to the following conditions:*

- 1. *That Tuscany Homes is allowed to place a sign insert on the existing ladder signs of The Ranches.***
- 2. *That all signage is constructed in accordance to the dimensions specified in Title 1, Chapter 15 of the City's new Development Code (see Schematic 15.1- Shoulder Signage and Sections 15.8.1.1 Shoulder Signage).***
- 3. *That the signage is similar in color (earth tones) to that of the signs in The Ranches area.***
- 4. *That the sign lease fees are paid in full- \$300 per sign per year.***
- 5. *That the Planning Department identifies the exact locations with the applicant prior to installation (so that clear vision triangles are observed etc.).***
- 6. *That the City Council approves the lease agreement specifying copy control, maintenance, time frames, and mechanics' liens.***

Chris Kemp Seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

6. Adjournment

Tom Maher adjourned the meeting at 8:30 p.m.