

Eagle Mountain City Planning Commission Agendas 2005

Dates of Planning Commission Meetings:

- January 11, 2005
- January 25, 2005
- February 8, 2005
- February 22, 2005
- March 8, 2005
- March 22, 2005
- April 12, 2005
- May 10, 2005
- June 14, 2005
- June 28, 2005
- July 12, 2005
- August 9, 2005
- August 23, 2005
- September 13, 2005
- September 27, 2005
- October 11, 2005
- October 25, 2005
- November 9, 2005
- November 22, 2005
- December 13, 2005

THE EAGLE MOUNTAIN PLANNING COMMISSION MEETING AGENDA
Eagle Mountain City Offices 1680 E. Heritage Drive, Eagle Mountain, UT 84043
Tuesday, January 11, 2005

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

Roll Call:

Commissioners Present: Tom Maher, Chris Kemp, John Malone

Others Present:

City Staff:

Planning Director: Shawn Warnke
City Planner: Adam Lenhard
City Council Liaison: David Blackburn
City Engineer: Chris Trusty
Planning Coordinator: Jenalee Cheever

1. Pledge of Allegiance

Tom Maher led the Commissioner and Audience in the pledge of Allegiance.

2. Swearing in of Planning Commissioner

None

3. Declaration of Conflicts of Interest

None

4. Status Report from City Council

Shawn Warnke explained to the Commission that the sign lease agreement had not yet been finalized by the City Council. Mr. Warnke explained that there was some discussion on the Valley View setbacks. Mr. Warnke stated that the City Attorney said that since some setbacks have been adopted in the development code that the city needs to use those. Mr. Warnke explained that in the existing code the setbacks are 25 feet per side. Mr. Warnke explained that Point Lookout will be on the next Planning Commission meeting agenda.

5. Development Items

A. General Amendments to the Animal Regulations and Titles 1 and 2 of the Development Code, Public Hearing and Action Item

Mr. Lenhard explained that the following items would be changes made to the Development Code:

1. Various non-substantive spelling and grammatical changes throughout both Titles.
2. Accessory apartments allowed in detached structures in the *Ag and Airpark zones*, in addition to Residential Base Density and Tier 1; amended Accessory Apartment definition.
3. Title 1 – 5.10.5 delete words "country residential" (a term no longer used in this Code).
4. Title 2 – 7.7.2 clarified that the minimum temporary turnaround radius is 60 feet.
5. Title 1 – 11.9 100% landscaping improvements required in any multifamily project.

6. Abandonment definition changed from six months to one year.
7. Added specific minimum dimensions for garages (10x20 single, 18x20 double- minimum of 400 square feet) and garage door openings (8 wide by 7 tall single-car, 16 wide by 7 tall double-car).
8. Pet stores allowed as conditional uses in commercial and airpark zones; only legally kept animals may be sold.
9. Changed the definition for Multi-family dwellings to include "Twinhomes" and all other attached housing products; deleted text references to twinhomes.
10. Unbuildable Land and Buildable Land definitions adjusted.
11. Residential Tier 1 Improved Open Space percentage changed to *4% of project Buildable Land* rather than 8% as currently condified.
12. Tier 3 and Tier 4 driveway lengths are 20 feet to the property line (currently unspecified).
13. Residential Tier 2 Improved Open Space percentage calculated as a percentage of project *Buildable Land* (percentage remains unchanged at 8%).
14. Where commercial development is proposed adjacent to a residential or agricultural use, the rear setback shall be 50 feet (instead of 100").
15. Added section for zoning of residential group homes.
16. \$1500 per acre of Buildable Land Tier 1 fee paid at recordation of plat (currently unspecified as to when that fee is paid).

Discussion took place regarding the setbacks.

Mr. Lenhard explained that the current code states that if the lot is from one half acre up to three quarters of an acre the lot frontage or the portion of the lot which extends along the street, public or private, is 100 feet. Mr. Lenhard explained that this creates a problem in the subdivision Valley View where the minimum is 100 feet and the plans came back with the all of the half acre lots having a lot frontage at 100 feet which with the current setbacks it limits the type of home that can be placed on those lots. Mr. Lenhard explained that it was suggested that it be increased to 150 feet and that the lots that are over three quarters of an acre be increased from 150 to 200 feet. Mr. Lenhard explained that it would be an increase of 50 feet on all lot frontages and that the setbacks would remain the same.

Mr. Lenhard explained that the City Council felt like when Valley View came through they had approved it under the idea that it was going to have a rural feel and therefore the houses would be spaced farther apart. Mr. Lenhard explained that that is why the City Council did not want to reduce the setbacks and that is where the idea of increasing the lot frontage came from. Mr. Lenhard explained that the idea was that the Council did not want the houses to be close together and they wanted the houses to stay at least fifty feet apart.

Mr. Kemp stated that he liked the idea of increasing the lot frontage but that increasing it by 50 feet seemed like a little to much.

Mr. Lenhard asked Mr. Kemp and the Commission if they would feel more comfortable only increasing the frontage by 20 or 25 feet.

Mr. Kemp stated that that would be fine, and that should give the builder some leeway as to what he can build on these lots.

Mr. Lenhard explained that there is now a provision and a definition for hobby breeder kennel in the Code.

Mr. Maher asked if Mr. Lenhard could elaborate on the hobby breeder kennel.

Mr. Lenhard explained that it is a provision for hobby breeders to have with the right facilities a greater number of dogs than normally allowed under the hobby breeder permit. Mr. Lenhard explained that this has come about because of a particular issue that the City Council has been dealing with over in Meadow Ranch with a hobby breeder that has ended up with a lot more dogs than the City had intended them to have. Mr. Lenhard explained that the majority are smaller dogs that are inside and that a nice facility has been provided for them to mitigate sound and odor.

Mr. Maher asked that if in this particular case has there been an agreement that the dogs will stay inside.

Mr. Lenhard explained that it was never specified but that is how it had been represented.

Mr. Warnke explained that the issue usually comes down to the larger and smaller dogs and that the impact is different with the different types and sizes of dogs.

Mr. Maher asked how many dogs a hobby breeder was allowed to have.

Mr. Lenhard stated that the hobby breeder permit as currently written allows for eight dogs.

Mr. Warnke explained that the City Council has put a moratorium on Kennels until this issue of changing the code is resolved.

Mr. Lenhard explained a table has been created that shows the number of animals allowed, where and etc. Mr. Lenhard stated that this was to prevent any future confusion of animal rights and those types of issues.

Mr. Malone asked if the animals were only allowed in rear yards.

Mr. Lenhard explained that the Commission could recommend that side yards be allowed as well.

Tom Maher opened the public hearing.

Diane Jacob explained that she was concerned with the hobby breeder kennel, she explained that she would like to know how complaint situations would be handled and who would be taking those complaints.

Mr. Warnke explained that the City Council is discussing how to handle the complaint situations, possibly giving these duties to a code enforcement officer.

Rob Bateman explained that he lived in Cedar Pass Ranch and that he is concerned with the hobby breeders. Mr. Bateman explained that he has received a number of complaints from neighbors about the dogs barking at night. Mr. Bateman asked what would happen if there were complaints.

Mr. Warnke explained that if the neighbors come in and complain then the conditional use permit can be withdrawn.

Mr. Bateman explained that the problem with the dogs is always the barking and that it does not matter if they are big or small. Mr. Bateman explained that the bigger dogs barked louder but there were more of the little dogs that were doing the barking. Mr. Bateman explained that another concern he had was regarding the frontages. Mr. Bateman explained that if you go to wide on the frontage you lose the depth of the lot. Mr. Bateman stated that he was also concerned with the animal ordinance, Mr. Bateman explained that if the fences are farther away from the property lines it will create weed patches and dead spaces.

Kent Price explained that he was concerned with the setbacks from the property lines with animal fences and buildings.

Keith Callon explained that he would like to see that the requirements are the same for cattle and horses.

Tom Maher closed the public hearing at 7:00 p.m.

MOTION: *John Malone moved that the Planning Commission recommend approval to the City Council of the Animal Regulations chapter and the following proposed changes to the Development Code Titles 1 and 2:*

1. *Various non-substantive spelling and grammatical changes throughout both Titles*
2. *Accessory apartments allowed in detached structures in the AG and Airpark zones, in addition to Residential Base Density and Tier 1; amended Accessory Apartment definition*
3. *Title 1 – 5.10.5 delete words “country residential” (a term no longer used in this Code)*
4. *Title 2 – 7.7.2 clarified that the minimum cul-de-sac right of way radius is 60 feet, and that minimum temporary turnaround radius is 60 feet*
5. *Title 1 – 11.9 100% landscaping improvements required in any multifamily project*
6. *Abandonment definition changed from six months to one year*
7. *Added specific minimum dimensions for garages (10x20 single, 18x20 double – minimum of 400 square feet) and garage door openings (8 wide by 7 tall single-car, 16 wide by 7 tall double-car)*
8. *Pet stores allowed as conditional uses in commercial and airpark zones; only legally kept animals may be sold*
9. *Changed the definition for Multi-family Dwellings to include “Twinhomes” and all other attached housing products; deleted text references to twinhomes*
10. *Unbuildable Land and Buildable Land definitions adjusted*
11. *Residential Tier 2 improved Open Space percentage calculated as a percentages of project Buildable Land (percentage remains unchanged at 8%)*
12. *Tier 3 and Tier 4 driveway lengths are 20 feet to the property line (currently unspecified)*
13. *Residential Tier 2 Improved Open Space percentage calculated as a percentage of project Buildable Land (percentage remains unchanged at 8%)*
14. *Where commercial development is proposed adjacent to a residential or agricultural use, the rear setback shall be 50 feet (instead of 100;)*
15. *Added section for zoning of residential group homes*
16. *\$1500 per acre of Buildable Land Tier 1 fee paid at recordation of plat (currently unspecified as to when that fee is paid)*

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

B. Sage Valley Master Development Plan Amendment- Public Hearing and Action Item

Adam Lenhard explained that Sage Valley is located along S.R. 73 immediately west of Cedar Pass Ranch.

Mr. Lenhard explained that Plat A is currently recorded as twenty one lots and that Plat B has been preliminary approved for forty six lots. Mr. Lenhard explained that the amendment being presented is an increase of thirty three lots throughout Plats A and B.

Mr. Lenhard explained that the developer is wanting to bring this project under the standards of the new code.

Mr. Lenhard explained that one of the things that has been requested of the developer is that the street cross section includes a trail. Mr. Lenhard explained that the developer has asked that all streets have a trail at their cross section.

Mr. Lenhard explained that all conditions that have not been taken care of will need to be finished before this project can continue on any further. Mr. Lenhard stated that this should be included as one of the conditions for approval. Mr. Lenhard explained that the developer has agreed to this condition.

Adam Lenhard explained that an entry way monument would be required due to the new code and that all Tier 1 requirements would have to be met.

Mr. Lenhard stated that this project would need adequate telephone capacity and that it is required that each home have three lines and that currently it is not available and that this would need to be made available.

Tom Maher opened the public hearing.

Rob Bateman explained that the HOA is opposed to changing the existing zoning in this area. Mr. Bateman explained that from a homeowner standpoint he does not want the smaller lots because there will be conflicting issues with those who have animal rights and those who would not.

Greg Keele explained that the proposed Sage Valley subdivision brings up several issues that reflect poor planning on the developers end such as the dramatic lot size transition from Cedar Pass's 5.2 acre lots to Sage Valley's 1 acre perifial lots with an immediate high density transition in the subdivision core that transitions back to larger lots in Sage Valley phase 1. Mr. Keele explained that there is a flight path over this project and that this would become an issue in the future with the residents. Mr. Keele explained that there are also drainage issues, Mr. Keele stated that if the detention pond does not hold all of the water then it would spill over and head right towards his home. Mr. Keele stated that he moved to this area assuming that it would be an open, rural area and that this subdivision would prevent the current residents from having that rural feel.

Todd Panter explained that he agreed with Mr. Bateman and Mr. Keele's comments. Mr. Panter stated that Mr. Patterson told him that this area would be a rural area with larger lot sizes. Mr. Panter explained that the original phase he was presented is what he wants to see and not this revised phase with much smaller lot sizes.

Diane Jacob stated that this project was different than others because it has been previously platted and that the residents were promised that these lots would all be one acre and that it is unfair to them to come back later and change to smaller lots going against what was originally proposed. Mrs. Jacob asked who would be maintaining the asphalt trails if the City could not even maintain the roads and trails that they have.

Lue Wheinburg explained that he as well as other residents purchased their lots with the understanding that there would not be a high density and that the lots would be at least one acre or larger in size. Mr. Wheinburg asked why the detention pond was located in the area that it was.

Mr. Trusty explained that it is required that the detention pond be put at the end of the subdivision that had the lowest elevation.

Jeff Topham explained that he is highly concerned with the increase of density and he does not want to see this.

Amy Shawgo explained that she agrees with all of the previous comments from the residents that have been made. Mrs. Shawgo read an article to the commission about a similar situation that is going on in Saratoga Springs. Mrs. Shawgo explained that she and her husband bought their lot with the knowledge that they would be surrounded by at least one acre lots. Mrs. Shawgo explained that when they were first interested in buying the lot the developer told her as well as others that the park would be developed. Mrs. Shawgo stated that after some time passed and the park had not been completed she called and asked the developer about it and that he had said that it was up to the residents to have it completed.

Mr. Warnke asked Mr. Maher to explain the Planning Commission's job.

Mr. Maher explained that the job of the Planning Commission is to work within the existing development code. Mr. Maher stated that the developer has the right to come to the Commission to ask for a change in the density of this previously recorded subdivision.

Mr. Keele explained that he was most concerned with the water drainage issue, traffic, and the flight path.

Mr. Panter stated that he lives right across from Mr. Keele and that he never received notices for the previous meeting about this issue. Mr. Panter stated that a better job needs to be done in

sending notices to the public. Mr. Panter asked Mr. Maher if he was telling the audience that it doesn't do any good to come and give their opinions at the Planning Commission meetings.

Mr. Maher explained that the Planning Commission and the City Council play very different roles and that they each deal with separate issues. Mr. Maher stated that a lot of people think that there is subjective leeway and that just because someone doesn't like something that does not mean the Commission can just agree or disagree. Mr. Maher explained that the Commission's position is to make their decisions based upon what the development code says. Mr. Maher stated that it does not do a lot of good for residents to come and say they don't like particular projects because of their density, Mr. Maher explained that the Commission can turn down anything that involves the public safety concerns such as with this particular project the detention pond, the flight path and traffic issues.

Mr. Warnke explained that there would be a public hearing for this project at the next City Council meeting and that the City Council has more leeway with the public's concerns. Mr. Warnke stated that he would encourage residents to come and state their opinions at that meeting.

Mr. Panter asked the Commission that if he went to City Council and told them his concerns with density, could they take that into consideration.

Mr. Kemp explained that the Council could take that issue into consideration before making their decision.

Mr. Lenhard explained that there could possibly be an issue with the well, Mr. Lenhard stated that he thought that septic tanks must at least be 1000 feet or so away from the water wells.

Mr. Panter asked if the Commission knew what the City Council would do if he went to them with the density issues and if the Council could take any of those issues into consideration.

Mr. Maher explained that under the code the developer has the right to come to the Commission and ask for a change in the development, Mr. Maher explained that it will say that there are certain requirements for him to be allowed the proposed density.

Tom Maher closed the public hearing.

Mr. Lenhard explained that the developer will be held responsible for all previous agreements which would include the park in plat a.

Mr. Maher asked if it would be an improved park.

Mr. Lenhard stated yes. Mr. Lenhard explained that the Planning Commission could recommend that all previous conditions are completed before the amendment can take place.

Mr. Kemp explained that he did not like having residents who have animal rights being surrounded by residents who would not have animal rights. Mr. Kemp explained that he also did not like the fact that there would be an increase of traffic with no sidewalks in the subdivision.

Mr. Maher explained that traffic is an issue because it impacts the residents safety, and that the City Well issue would need to be resolved, and that the septic tank and quality of water issues would need to be resolved as well.

Discussion took place concerning drainage.

Mr. Malone explained that he would like the City to make sure that the Developer completes all previously promised items. Mr. Malone stated that lots 1, 37, 24 & 25 be looked at because of the drainage issues.

Mr. Warnke explained that the drainage issues would be looked at before moving on any further.

MOTION: *Tom Maher moved that the Planning Commission table the Sage Valley Master Development Plan and requested that the Planning and Engineering Departments research and report to the Planning Commission on the following issues:*

- 1. That the traffic study be looked at in relation to public safety in phase 1.*
- 2. That the location of the City's Protection Zone for the new city well is identified in light of Sage Valley's proposed septic tank.*
- 3. That the Staff confirms that the detention pond does meet the City standards.*
- 4. That the water quality impacts on the private wells in Cedar Pass Ranch be evaluated in light of Sage Valley's proposed septic tanks.*

John Malone seconded the motion. Ayes: 3, Nays: 0. Motion Passed.

C. Hidden Canyon (R2 N4), Preliminary and Final Plat- Public Hearing and Action Item

Adam Lenhard explained that Hidden Canyon is located along Pony Express Parkway south of Rockwell Village and Ruby Valley. Mr. Lenhard explained that Hidden Canyon has been preliminarily approved for 134 units with a density of 8 dwelling units per acre. Mr. Lenhard explained that the homes in this development would be constructed out of 100% masonry materials. Mr. Lenhard explained that the developer has agreed to landscape 100% of the lots to mitigate the drainage concerns.

Mr. Warnke explained that there would also be some internal lot line storm drain collection systems.

Mr. Lenhard explained that Salisbury Homes would be building the Homes and that everything would be built out of 100% Masonry materials.

Mr. Lenhard explained that the landscaping plan that has been received by the developer ties in with the surrounding areas such as Lone Tree.

Mr. Lenhard explained that privacy fences are required for backyards whenever the front a street. Mr. Lenhard stated that based on the home plans, the Planning Department has not anticipated that any backyards will front a street.

Mr. Lenhard explained that the developer would complete the Budd Evans trail so that there would be trail connectivity with this development.

Mr. Lenhard explained that the entryway monument would be in the Pony Express right of way which is owned by the city so it would not be shown on the plat. Mr. Lenhard explained that one condition of approval would be that the monument is constructed by the developer. Mr. Lenhard explained that the Public Works director has requested that the monument sign be stubbed with electricity so that it could be lit for safety reasons. Mr. Lenhard explained that the house plans can be repeated but there is a limit on how they can be repeated.

Mr. Lenhard explained that there were some Engineering issues with Sandpiper road and that it would need to be signed at 25 mph to meet the safety requirements and that all other streets would be signed at 20 mph because they are very narrow.

Tom Maher opened the public hearing.

Tom Maher closed the public hearing.

Discussion took place concerning landscaping maintenance.

Mr. Lenhard explained that in future phases a large park area is being proposed.

Mr. Warnke explained that a future subdivision that would be next to Hidden Canyon would also have a park requirement and that it was originally discussed that the park improvements would be moved to the site where the detention pond is but because of the constrained configuration of the open space area staff was unsure if it would be suitable for a playground area

Mr. Blackburn asked who would maintain the open space behind Hideout Circle.

Mr. Warnke explained that it is a hillside so it would not be improved, and that the native vegetation would be protected.

MOTION: *Chirs Kemp moved that the Planning Commission approve the Preliminary Plat for Hidden Canyon and recommend approval of the Final Plat to the City Council subject to the following conditions:*

- 1. That county book and page of all adjacent parcels is labeled on the plat and that e-files of the plat are provided for addressing.*
- 2. That the entryway monument is constructed by the developer and has electricity run to the site.*
- 3. That alternate street cross section proposed for this subdivision is approved.*
- 4. That the Fire Chief approves the cul-de-sacs for this development.*
- 5. That the Ranches DRC reviews and approves the elevations and landscape plan, etc. That the house plans are not repeated according to the Ranches Design Guidelines.*
- 6. That Sandpiper is signed at 25 mph and the other streets at 20 mph.*
- 7. That all construction plan comments are resolved.*

John Malone seconded the motion. Ayes: 3, Nays: 0. Motion Passed.

D. Spring Valley B, Final Plat- Action Item

Mr. Warnke explained that Spring Valley Plat B is located at the intersection of SR 73 and Mt. Airey Drive and that the project is located near the City's eastern boundary.

Mr. Warnke explained that Plat A of Spring Valley has been approved and that Plat C is waiting for the City Council to rule and act on the master development plan which would add density. Mr. Warnke stated that there were a few plat corrections that needed to be made and that Mr. Lenhard had talked with the designer of the dry utilities and that all three phases would now be shown on the same plans because there are so close to being constructed. Mr. Warnke stated that about 97 units would be constructed which is almost an entire neighborhood park, so the staff will need to evaluate to make sure that they have all the neighborhood park requirements or they have paid the fee in lieu for the balance.

Mr. Warnke stated that in the Development Code there are now some new requirements for landscaping plans, and that more detail is now required.

MOTION: *Chris Kemp moved that the Planning Commission recommend approval to the City Council of the Final Plat for Spring Valley Plat B subject to the following conditions:*

- 1. PLAT CORRECTIONS. That the owners dedication removes references to street names (because the streets are not being dedicated to the public they are private streets). That the building envelopes be shown on the plat as required by 5.4.1.1.20 of the Development Code (need to see the setbacks and driveway lengths). That areas on the plat which are private, common limited, and common areas be shown.*
- 2. UTILITY CONNECTIONS. That the utility connections onto Mt. Airey Drive be shown along with cut areas.*
- 3. NEIGHBORHOOD PARK. That this project contributes to the neighborhood park requirements.*
- 4. LANDSCAPE PLAN. That the landscape plan is stamped by a landscape architect. That there is a tabulation table with the total percentage of landscape areas, domestic turf grasses, drought tolerant plant, and cost estimates.*
- 5. LANDSCAPING SCALE. The buildings are not to scale on the landscape plan. This needs to be correct so that the plans can accurately demonstrate that the landscape improvements in relationship to the buildings.*

6. **CC&R's.** *That the same CC&R's approved with Plat A are applied to Plat B (including storage of items in rear yards, fencing, improved building elevations, building materials, etc.)*
7. **SIDEYARD SLOPES.** *That there are concerns with the slopes on the sideyard for lot 69 & 70.*
8. **STORM DRAIN.** *The cleanout for the relocated storm drain line should be located in the street and not in the driveway of lots 53 and 54. Verify tht the storm drain does not cross over any lot lines. Storm drain calculations be submitted. That storm drain profiles are shown.*
9. **BENCHMARK.** *Construction drawing should label a benchmark.*

John Malone seconded the motion. Ayes: 3, Nays; 0.

6. Discussion Items

A. Eagle Point Townhomes Concept Plan

Mr. Warnke explained that the Eagle Point Townhomes site is located along Eagle Mountain Blvd. to the south of The Landing and to the west of Eagle Point. Mr. Warnke explained that this project does have a preliminary and final plat approval. Mr. Warnke explained that there is a concern with having parking areas on the radiuses of streets and that it creates difficulty for people who are driving to be able to see each other and that there are also issues of having shared driveways.

Mr. Warnke explained that the storm drainage pond will have a park built on it but there are issues concerning access to it.

The developer explained that the slope on the storm drainage pond wasn't steep enough that people could get injured on it or having a hard time getting in and out of it to the playground.

Mr. Warnke explained that the Staff would like to see how better access could be provided to the park.

The developer explained that the only access currently provided is a cul-de-sac and that it was meant for people to park and drop off their kids.

Mr. Warnke stated that he was concerned with having this be the only parking area for all of the residents because that would be a lot of traffic for a small cul-de-sac.

Mr. Blackburn stated that he was concerned with the two homes in the cul-de-sac having to pull out onto the road with all of the residents parking by and in front of their driveways blocking them.

Mr. Lenhard stated at this density parks become a considerably large issue, and that this development would be subject to a neighborhood park requirement which is 3.74 acres of improved neighborhood park with 3.74 units of each required items such as benches, tables, pavilion etc. Mr. Lenhard stated that once the development gets over 100 units then the Development Code requires that about 2 to 3 more acres of park be added.

Mr. Warnke explained that it has been proposed to put the open space requirements into the detention pond but that the code requires that it needs to be put elsewhere.

Mr. Lenhard explained that this project requires 10% improved open space and that the neighborhood parks need to service the site which is 30 acres and that the 10% improved would only be about 3 ½ acres. Mr. Lenhard explained that the neighborhood parks alone would cover the improved open space.

Mr. Lenhard explained that any new changes would now need to follow the new Development Code.

7. Adjournment

The meeting adjourned at 8:45 p.m.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, JANUARY 25, 2005

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

1. Pledge of Allegiance

2. Election of Planning Commission Chair

MOTION: *Commissioner Kemp moved to appoint Tom Maher as Chairperson of Planning Commission. Commissioner Maher accepted.*

Voting Aye: 3, Voting Nay: 0. Motion passed.

MOTION: *Commissioner Maher moved to appoint Chris Kemp as Vice-Chair of the Planning Commission. Commissioner Kemp accepted.*

Voting Aye: 3, Voting Nay: 0. Motion passed.

3. Declaration of Conflicts of Interest

4. Status Report from City Council

5. Development Items

A. Sage Valley Master Development Plan Amendment- Action Item

Sage Valley is located along S.R. 73 immediately west of Cedar Pass Ranch.

MOTION: *Commissioner Malone moved that the Planning Commission recommend approval of the Sage Valley Master Development Plan Amendment to the City Council subject to the following conditions:*

1. PREVIOUS CONDITIONS. All previous applicable conditions of approval for Plat A are satisfied, including construction of drainage systems, parks and trails, before any additional plats are recorded.
2. COMPLETION OF IMPROVEMENTS. Storm drain improvements, neighborhood park, and Plat A trails are completed and approved by the Planning, Engineering, and Public Works Departments before any additional lots are recorded or sold.
3. CITY PARK. The location of all Park areas and required park improvements is specified.
4. MONUMENT SIGN. A subdivision entryway monument is provided along S.R. 73 and lot number 1.
5. TIER 1 STANDARDS. All Tier 1 development standards are met, including setbacks, lot size transitioning, bonus density requirements, and lot frontages.
6. STORM WATER. Storm water discharge issues be resolved (such as the release of the storm water into existing storm drain channels from the proposed ponds), and that 100 yr. storm water flows can be accommodated.
7. TRAILS. Trails not be included in easements on private property, and that the public street right-of-way includes an eight foot trail.

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8. WEST CANYON WASH. No part of any home is constructed within 50 feet of the wash.
9. UNBUILDABLE LOTS. Lots 24 and 25 are Unbuildable and are not to be approved for platting or as vested density units (see previous condition).
10. PHONES. Adequate telephone capacity is provided for the subdivision (three lines per home).
11. OPEN SPACE. At least 4% (4.4 acres) of the total MDP area be dedicated to the City as Improved Open Space (which includes parks, trails, and other recreational amenities), as per the new Code.
12. TRAFFIC STUDY. A traffic impact study is provided for the main entrance of Sage Valley showing an adequate level of service with UDOT and increased traffic through Sage Valley Plat A.
13. STREET LIGHTS. Streetlights are provided throughout the subdivision to match the existing Plat A.
14. SOILS REPORT. A geo-tech report is provided for West Canyon Wash.
15. EQUESTRIAN EASEMENT. A ten foot easement is provided on the rear lot lines of lots 9-17.
16. Move park from south location to north location by Lot #36 with any structures out of the flight zone with parking and street lights to be added.
17. No drain fields be located within 100 feet of wash and this note be recorded on final plat and as required by Utah County.
18. Traffic speeds along Wheatland and Smithfield Drive be addressed; a traffic calming feature be added.
19. Smithfield Drive have two names, one for the area running E-W and the other running N-S, as required by the City Fire Chief.
20. City Engineer to confirm adequate pipe size for drainage in Plat A lots 10, 8, and 14. The existing ponding is becoming a problem.
21. Trails are located as recommended by City Engineer.
22. Remove trail behind Plat A, lots 17-21, with the city looking at vacating the easement, depending on drainage.

Commissioner Kemp seconded. Motion passed.

B. Lone Tree, Plat B, Revised Final Plat- Action Item

The Lone Tree subdivision is located off Pony Express Parkway and would be the most southern development of The Ranches to date.

MOTION: Commissioner Kemp moved that the Planning Commission recommend approval to the City Council of the Lone Tree Plat B Revised Final Plat, subject to the conditions listed below:

1. STORM DRAINAGE. An easement is provided for the bench drain that extends from the park north beyond plat boundaries. That storm drainage off the hillsides is addressed (bench drain easements provided behind lots 201-205 and 249-253).

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2. **CROSS SECTION.** The cross section and plat shows Lone Tree Parkway should be 64 feet with an 8' trail consistent with Plat A. That the dry utilities be updated to reflect this change.
3. **ROUNDABOUTS.** The roundabout has a drainage system for the xeriscape areas.
4. **PARKING LOT.** The building pads be restricted on lots 248-249 to place homes furthest away from the parking areas. That the parking area has a turnaround and that stalls are angled at 45 degrees on the downward slope.
5. **E-FILES & ESTIMATES.** E-files are submitted for plats and constructions drawings. That engineer's estimates are provided for civil and dry utilities
6. **WATER RIGHTS.** The evidence of water rights sufficient to serve the development be identified.
7. **LIFT STATION.** The lift station meets the requirements for the Public Works Director.
8. **LOOPING OF UTILITIES.** Utility lines are looped from Ficus Way to Pinecone Road.

Commissioner Malone seconded. Motion passed.

C. Pioneer Addition, Phase 2, Revised Preliminary & Final Plats, Public Hearing-Action Item

Pioneer Addition is north of Mt. View and The Landing subdivisions and surrounds Cedar Trails Villages Phase 1.

MOTION: *Commissioner Kemp moved that the Planning Commission approve the Preliminary Plat for Pioneer Addition Phase 2 and recommend approval of the Final Plat to City Council subject to the following conditions:*

1. **PREVIOUS CONDITIONS.** All pervious conditions of approval are met.
2. **PLAT CHECK.** The plat conforms to all of the corrections that result from the plat check process.
3. **BONDING.** The trail improvements are bonded and that an engineer's estimate be submitted.

Commissioner Malone seconded. Motion passed.

D. Pioneer Addition, Phase 3 Revised Preliminary & Final Plats, Public Hearing-Action Item

Pioneer Addition is north of Mt. View and The Landing subdivisions and surrounds Cedar Trails Villages Phase 1.

MOTION: *Commissioner Kemp moved that the Planning Commission approve the Preliminary Plat for Pioneer Addition Phase 3 and recommend approval of the Final Plat to City Council subject to the following conditions:*

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, JANUARY 25, 2005

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

1. **SIDEWALKS.** Sidewalks are constructed to the fronts of the attached housing that fronts onto the open space areas.
2. **PREVIOUS CONDITIONS.** All previous conditions of approval are met.
3. **PLAT CHECK.** The plat conforms to all of the corrections that result from the plat check process.
4. **BONDING.** The trail improvements are bonded and that an engineer's estimate be submitted.

Commissioner Malone seconded. Motion passed.

6. Adjournment

MINUTES OF THE PLANNING COMMISSION MEETING
Eagle Mountain City Offices 1680 E. Heritage Drive, Eagle Mountain, UT 84043
Tuesday, February 8, 2005

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

Roll Call:

Commissioners present: Tom Maher, John Malone, Chris Kemp.

Others Present:

Cindy Morris, Charolette Ducos, Avrey Mortinson, Gary McDougal, Issac Patterson, Rebecca Black, and David Blackburn.

City Staff:

Planning Director: Shawn Warnke
City Planner: Adam Lenhard
City Engineer: Chris Trusty
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 explained to the Commission that one major item being dealt with is the Talon Cove Annexation. Mr. Lenhard explained that this should be finished and ready to wrap up by next Tuesday. Mr. Lenhard told the Commission that the Planning Commission would meet the next Tuesday at 6:00 to take action on this item before the City Council meeting at 7:00.

4. Development Items

A. Gentle Jungle Daycare, Home Business, Public Hearing- Action Item

Adam Lenhard explained that the Gentle Jungle Daycare is being proposed in the Cedar Trails Subdivision at 1842 E. Boulder St. Mr. Lenhard told the Commission that this home daycare is in compliance with all city ordinances and codes.

John Malone asked Mr. Lenhard what condition the yard was in.

Mr. Lenhard explained to the Commission that the yard was up to code.

Chris Kemp asked the staff how many children would be at the home.

Mr. Lenhard explained that the daycare would start out with four children with the possibility of having up to sixteen, and that this would be allowed according to state regulations.

Tom Maher opened the public hearing at 6:04 p.m.

Tom Maher closed the public hearing at 6:04 p.m.

MOTION: **Chris Kemp moved that the Planning Commission approve the Gentle Jungle Daycare Home Business according to the following conditions:**

- 1. That the business maintains compliance with all State regulations for Daycares and all other City ordinances.**
- 2. That background checks may be required for additional employees.**
- 3. That the Home Business application may be reviewed and subjected to the following conditions or revoked by the Planning Commission upon future reviews. If a complaint is filed by surrounding property owners the Planning Department will perform an investigation and place the item on the Planning Commission's agenda for additional consideration.**

John Malone seconded the motion. Ayes: 3, Nays: 0. Motion Passed.

B. Talon Cove Master Development Plan, Public Hearing- Action Item

Adam Lenhard explained that the Talon Cove Master Development Plan is located north of State Road 73 in the Northeast corner of the City and that the property is scheduled to be annexed into the City's limits.

Discussion took place in regards to the school site. Mr. Lenhard explained that the school site is located approximately 600 feet off of SR 73. Mr. Lenhard explained that the traffic studies are being looked over and that Staff is making sure that any issues are being wrapped up.

Tom Maher asked if the Alpine School District had accepted the school site.

Mr. Lenhard explained that the School District is going to accept it and that the Staff would know for sure by next week.

Mr. Patterson stated that the school would require a secondary access.

Mr. Patterson explained that some of the road issues are currently under review by the City Council and that if the proposal work the way it is laid out that he would proceed forward.

Mr. Maher asked what the major issue of the roads was.

Mr. Lenhard explained that the concern was the classification of the road, whether or not it should be a neighborhood or community collector road. Mr. Lenhard explained that the traffic study would be conducted to determine what type of a road it would need to be.

Mr. Patterson explained that if this does become an enlarged road and is classified as a collector that he has agreed to enlarge the road to 60 feet, instead of the 50 foot neighborhood road.

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

Public Hearing continued to the following meeting on February 15, 2005.

MOTION: **The Planning Commission did not take action on this application and will not until all of the public hearings have been completed. The public hearings will conclude on February 15, 2005. The following items will be included in a Recommended Motion on February 15, 2004.**

- 1. SOIL REPORT. That the soil report completed by Earthtec Engineers dated April 5, 2002 be submitted.**
- 2. UDOT PERMITS. That the Applicant receives the necessary UDOT permits for the intersections on SR 73. That these intersections contain both accel and decel lanes.**

3. **TRAIL CONNECTIVITY.** *That the cul-de-sac have trail connectivity according to Title 2 Section 7.7.2 of the Development Code.*
4. **CAPITAL FACILITY PLAN.** *That the Capital Facility Plan includes: costs for the Mt. Airey Drive Extension and a contingency plan if the water tank in Meadow Ranch is not constructed prior to Talon Cove constructing commencing. That there is some discussion regarding the entrance monument at Ranches Parkway.*
5. **STORM DRAIN SYSTEM.** *That there is some discussion regarding storm drain improvements including: open channels across adjacent property owners; the need for easements; and the school district allowing their property to be used as a storm drain detention pond.*
6. **FIRE FLOW.** *That no home is constructed above the 5,130 elevation until issues pertaining to fire flow have been addressed.*
7. **FINANCING INFRASTRUCTURE.** *That a determination of the method of financing infrastructure be completed with the amending of the Capital Facilities Plan.*
8. **BONUS DENSITY.** *That the Applicant and the Staff clear define the improvements required for bonus density.*
9. **COLLECTOR ROAD.** *That Mt. Airey Drive is classified and constructed as a Collector Road according to Table 7.2 of the Development Code. The street shall be at least 80' in width and have consolidated access points for driveways (see Title 2 Section 7.7.7). Street trees are also required on this street (see Title 2 Section 7.8)*
10. **DENSITY CEILINGS.** *That density granted through the Master Development Plan is not a guarantee of density; rather it is a density ceiling. Other Development Code standards may reduce the amount of density that can be platted.*
11. **BUFFER REQUIREMENTS.** *That the subdivision meets buffer and transition requirements of Title 1 Table 11.2.*
12. **LOT SIZE TRANSITIONING.** *That this development meets the Lot Size Transitioning standards codified in Title 1 Section 11.15. This property will be adjacent to some Agricultural Zone. Additionally, the Applicant shall demonstrate that this development is not within one thousand feet of Camp Williams.*
13. **PARK & OPEN SPACE REQUIREMENTS.** *That the Developer demonstrates that the land required by the Development Code as improved open space. That the developer meets the neighborhood and community park, this improved land may be applied to the 8% open space requirements. Improvements that exceed these standards may be applied to receive bonus density.*
14. **WATER RIGHTS.** *That the Developer demonstrates that they have the access to the required water rights as required by Title 2 Section 2.7.2.3 of the Development Code.*
15. **ENTRYWAYS.** *That the Developer identifies the are for the required entryway improvements.*
16. **TIER II ZONING STANDARDS.** *That all the subdivisions meet the Tier II zoning Standards contained in Title 1 Section 5.12 which describes setbacks, lot frontages, etc.*

C. Valley View A & B, Final Plats- Action Item

Mr. Lenhard explained that Valley View Plats A & B are located along S.R. 73 between the North and Meadow Ranch Subdivisions.

Discussion took place in regards to having enough water pressure for this project. Mr. Lenhard explained to the Commission that having adequate water pressure would need to be checked and that the utilities do need to be looped.

Chris Trusty explained that there are two reasons behind looping the utility system, one reason being that to have enough water pressure and the second reason being serviceability and maintenance issues. Mr. Trusty explained that the applicants engineer has submitted calculations that appear to be appropriate in showing that the proper pressure can be kept without looping the utilities. Mr. Trusty explained that however it is still staffs recommendation that at least the water utilities are constructed and looped as part of the first phase and that a secondary access should be provided.

Gary McDougal explained to the Commission and Staff that his only concern with looping the utilities is that they have so much up front cost already and this would just add to the list. Mr. McDougal explained that for such a little amount of lots it doesn't seem reasonable to him to have to loop the utilities.

Mr. Trusty explained that the code, under these circumstances does require that the utilities be looped however, the City Council does have rights to waiver this.

Tom Maher stated that this issue should then be left up to the City Council.

Mr. Warnke explained that there would be some modifying in regards to an access. Mr. Warnke explained that this would require that that some asphalt be removed and that the area be vegetated. Mr. Warnke explained that the vacating of a road would go through about a month long process because it has to be noticed in the paper for a certain period of time.

John Malone asked what the purpose of the pond is for in Plat B.

Mr. Lenhard explained that it is for storm drainage.

Avrey Mortinson explained to the Commission and Staff that this pond does not serve this plat but future plats. Mrs. Mortinson explained that since the pond would eventually need to be constructed they decided to do it now with this plat rather than later.

MOTION: *John Malone moved that the Planning Commission recommend approval to the City Council of the Final Plat for the Valley View Ranch South, Plat A and Plat B Subdivisions subject to the following conditions:*

- 1. That the park area for these phases is secured for dedication and improvement in future phases. Reservation of one of the lots may be necessary to ensure that the equivalent park area is dedicated and improved in a future phase.*
- 2. That county book and page for adjacent parcels is shown on the plats.*
- 3. that street names in the cross sections are corrected to match the new names on the plats.*
- 4. That both plats are constructed simultaneously to allow for utility looping. That the streets are extended to the end of the lot frontage within the plats.*
- 5. Rip-rap and erosion protection needs to be provided for the "Pond 2" inlets/outlets. That the entire pond areas and city parcel are irrigated and maintained by the HOA.*
- 6. That approved e-files are submitted for the plat, utility layout, and dry utilities.*
- 7. That no building permit is issued unless it demonstrates adequate water pressure.*
- 8. That water right documentation is provided for both plats and approved by the City Attorney.*
- 9. That the application fees are paid for the General Plan Amendment (\$400) and Capital Facility Plan Amendment (\$9,750).*
- 10. That the Valley View HOA is created with the recordation of these plats.*
- 11. That the water utilities are looped and that there be a proposal of a secondary access.*

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

5. **Adjournment**

MOTION: *Tom Maher moved to adjourn the meeting at 6:30 p.m.*

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

MINUTES OF THE EAGLE MOUNTAIN PLANNING COMMISSION MEETING
Eagle Mountain City Offices 1680 E. Heritage Drive, Eagle Mountain, UT 84043
Tuesday, February 22, 2005

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

Roll Call:

Commissioners present: Tom Maher, John Malone, Chris Kemp, and Matt Weir.

Others Present:

Douglas Woodruff, Nate Shipp, David Blackburn, and Kevin Johnson.

City Staff:

Planning Director: Shawn Warnke

City Engineer: Chris Trusty

1. Pledge of Allegiance

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

2. Swearing in of Planning Commission Members

It was noted that the Planning Commissioners were sworn in at the City Council meeting when they were appointed

3. Declaration of Conflicts of Interest

There were no conflicts of interested declared by the Planning Commissioners

4. Status Report from City Council

Councilman David Blackburn discussed briefly the Talon Cove Annexation, Valley View, and the Sage Valley Master Development Plan (on the agenda for March 1, 2005).

5. Approval of Minutes

A. February 8, 2005

MOTION: John Malone made a motion to approve the Planning Commission minutes subject to Dave Blackburn being noted as being present at the meeting.

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

6. Development Items

A. Point Lookout Subdivision Preliminary and Final Plats A & B, Public Hearing- Action Item

Mr. Warnke explained that the Point Lookout Subdivision is located southwest of Rockwell Village and Castle Rock. This was a subdivision that the Planning Commission has reviewed in the past and granted Preliminary Plat approval. Since this time the Applicant has reviewed the plan

slightly to accommodate some of the issues related to the topography of the parcel. Mr. Warnke reported to the Planning Commission that there were still some issues that the staff was working with the developer to address building pads, cut and fill easements, bench drains, retaining walls and a slope analysis. It is anticipated that all of these issues may be resolved between the City Engineer and the Design Engineer. The Planning Commission discussed these issues.

Mr. Warnke discussed this subdivision tying into the Glen Smith trail way which is located into the electrical transmission line. The probable access is adjacent to lot 49. Additionally, there is a historical road that is located in the location of where lot 49 is being proposed. The City Attorney has advised the Planning Department that the City may needs to preserve historical access to the properties beyond the subdivision. The staff is recommending that the Applicant provide more information regarding this road the properties that may use this access.

Public Hearing Opened at 6:15

Kevin Johnson, a resident of Diamond Spring asked about the timing of when the subdivision would be completed.

Public Hearing Closed at 6:20

Nate Shipp, the Applicant, discussed possible time frames in which the construction would be completed. He also discussed some of the most recent changes that are embodied in this submittal.

David Blackburn, the City Council Liaison, questioned if Sandpiper Road should be classified as a neighborhood street rather than a collector road and thereby eliminate the “vest pockets” that consolidate driveway access. Chris Tursty, the City Engineer and Mr. Warnke discussed access management, traffic distribution, and standards for collector roads. Mr. Blackburn also question were the park amenities for this subdivision. Mr. Warnke responded that this subdivision will pay a fee in lieu for park amenities.

MOTION: Chris Kemp made a motion that the Planning Commission defers action until some of the items discussed have been resolved.

John Malone seconded the motion. Ayes: 4, Nays: 0. Motion Passed

B. Harding Subdivision, Concept Plan- Discussion Item

Mark Harding’s property is located about 1.25 miles southwest of the Overland Trails subdivision. The Applicant is proposing a rural subdivision on his 20-acre parcel.

The Planning Commission briefly discussed the Concept Plan and expressed some of the improvements needed for this subdivision. Specifically, the Planning Commission discussed the level of improvements to the off site road. There was discussion regarding the Rural Residential provision and the Development Code and the Lot Split process. There was no representative present at the meeting. The Planning Commission directed the staff to put the item on the agenda when a representative could be present.

7. Adjournment

John Malone made a motion to adjourn the meeting at approximately 6:35 pm

MINUTES OF THE EAGLE MOUNTAIN PLANNING COMMISSION MEETING
Eagle Mountain City Offices 1680 E. Heritage Drive, Eagle Mountain, UT 84043
Tuesday, March 8, 2005

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

Roll Call:

Commissioners Present: Tom Maher, Chris Kemp, Matt Weir, Mike Hansen

Others Present:

Marcie VanCleave, Resident; Debbie Jacobson, Resident; Nicole Brady, Eagle Mountain Explorers Preschool

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

Mr. Warnke explained that Sage Valley was on the City Council agenda and the Council did not feel that this was noticed properly so they did not take action on the item.

4. Approval of Minutes

A. February 22, 2005

MOTION: *Chris Kemp moved that the Planning Commission approve the minutes for February 22, 2005.*

Matt Weir seconded the motion. Ayes: 3, Nays:0. Motion Passed.

5. Development Items

A. Eagle Mountain Explorers Preschool, Home Business Application, Public Hearing- Action Item.

Adam Lenhard explained that the proposed Eagle Mountain Explorers Daycare Home Business is located at 1389 E Osprey Way in the Eagle Park Subdivision. Mr. Lenhard explained that the home business would be required to follow the City and State standards.

Nicole Brady explained that this home business is not a daycare but a preschool. Mrs. Brady explained that there would be a maximum of two sessions per day with ten children per session.

Tom Maher opened the public hearing at 6:10 p.m.

Marcie VanCleave explained that she was concerned that the classes would go into the late afternoon and that the children would disturb them when they were out in the backyard.

Mrs. Brady explained that the latest class would only go until 3:00 p.m.

Debbie Jacobsen explained that she was concerned with having children making noise and having the second class go until 3:00. Mrs. Jacobsen asked the Commission if it were possibly for Mrs. Brady to add more classes without notifying the residents.

Tom Maher explained that Mrs. Brady would be allowed two sessions per day, Monday thru Friday, and if that were to change she would have to come through Planning Commission again as well as notify the residents.

Mr. Lenhard told Mrs. Brady that she could only have two sessions per day with twelve children attending each session.

Mr. Warnke clarified that the approval tonight would be for two sessions.

Mrs. Brady explained that the children would not be outside that often because they would be inside in a classroom setting because it is a preschool. Mrs. Brady explained that the children would be inside 95% of the time and occasionally they would be allowed out into the backyard.

MOTION: *Chris Kemp moved that the Planning Commission approve the Eagle Mountain Explorers Preschool Home Business according to the following conditions:*

- 1. That background checks may be required for additional employees.*
- 2. That the Home Business application may be reviewed and subjected to additional conditions or revoked by the Planning Commission upon future review. If a complaint is filed by surrounding property owners the Planning Department will perform an investigation and place the item on the Planning Commission's agenda for additional consideration.*

Matt Weir seconded the motion. Ayes: 3, Nays: 0. Motion Passed

B. Harding Subdivision, Concept Plan- Discussion Item

The Harding Subdivision was not discussed because the applicant was not present.

C. Development Code and General Plan Amendments- Discussion Item

Shawn Warnke explained that the following items were some of the proposed changes to the Development Code:

1. PARKING LOT SLOPES. That parking areas have a maximum slope restriction.
2. TIER 1 LOT FRONTAGE. That Tier 1 lots with sizes from one-half (1/2) to three-quarters (3/4) of an acre have a minimum lot frontage of 120 feet instead of 100 feet.
3. OPEN SPACES & CONSTRAINED LAND. That there is not an absolute disallowance of counting Constrained or Unbuildable Lands in approved open spaces.
4. FEE IN LIEU-OPEN SPACES. That there is a provision that allows for the requirement of open space to be paid as a fee in lieu.
5. PARKS. That there is clarification stating that neighborhood and community parks must be constructed on Buildable Lands and improved with sod and irrigation systems.
6. MASTER DEVELOPMENT PLANS – CONCEPT. That Master Development Plans be required to go through the Concept Plan process.
7. SIDEYARD SETBACKS. That the definition of the side yard setbacks be amended to exclude window wells from the setback requirements and require that basement stairwells are subject to the setback requirements.
8. ROW & TRAIL WIDTHS. That the right of way table be amended regarding right of way and trail widths.
9. LOT SIZE TRANSITIONING. That the lot size transitioning standards are clarified.

10. ONE ACRE LOTS & UNBUILDABLE LAND. That lots containing slopes in excess of 25% or other Unbuildable Lands may be smaller than one acre.
11. PUBLIC NOTICE – SIGNS. That the requirement to post a public notice sign on the property for which a public hearing will be conducted is removed. The direct mail notice will remain the same of 600' and at least 25 property owners.
12. MODEL HOMES. That there is clarification given regarding the issuance of building permits for model homes.
13. LETTER OF CREDIT. That the letter of credit is eliminated as a security option for public improvements.
14. FISCAL ANALYSIS. That the requirement to submit a fiscal analysis is deleted as a submittal requirement for the Master Development Plan.
15. ZONING MAP. That a zoning map be adopted.
16. SIGNAGE. That eligible businesses for directional/advertising is clarified.

Mr. Warnke explained that some of the following items were the proposed changes to the General Plan Text and Map:

17. FUTURE LAND USE & TRANSPORTATION CORRIDOR MAP. That the Future Land Use and Transportation Corridor Map be amended to show addition transportation corridors as shown on approved master development plan maps, inserting allowable traffic light locations on SR 73, correction master development plan boundaries and other amendments.
18. GENERAL PLAN TEXT AMENDMENTS. That the policy regarding amending the General Plan be amended to state several months that the Plan can be amended.
19. TRAILS MAP. That the Regional Parks and Trails map be adopted.

Mr. Warnke concluded by stating that these proposed amendments along with others are scheduled for a public hearing on March 22, 2005.

6. Adjournment

The meeting adjourned at 7:00p.m.

MINUTES OF THE EAGLE MOUNTAIN PLANNING COMMISSION MEETING
Eagle Mountain City Offices 1680 E. Heritage Drive, Eagle Mountain, UT 84043
Tuesday, March 22, 2005

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

Roll Call

Commissioners Present: Tom Maher, Chris Kemp, Matt Weir, Mike Hansen

Others Present

Bobby Colson, Ranches/Sage Group; Carilee Sorenson, Little Learners Preschool; McKay Edwards, SITLA; Skip, Aspen Resource

City Staff

City Council Liaison: Vincent Liddiard
City Planner: Adam Lenhard
City Engineer: Chris Trusty
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 explained that the City Council took action on the Sage Valley Master Development Plan and made a motion to approve it with a few recommendations. Mr. Lenhard explained that the 14400 West Road Closure and the Valley View Plats A and B were tabled. Mr. Lenhard explained that the Council wanted to evaluate the alignment of it. Mr. Lenhard stated that he would anticipate it to be on the next City Council agenda to be approved at the next City Council meeting. Mr. Lenhard explained that the City Council took a tour of the new City Utility Administration Building. Mr. Lenhard stated that the Planning Commission would also be taken on a tour at a later date.

4. Approval of Minutes

A. March 8, 2005

MOTION: *Chris Kemp made a motion to approve the minutes of March 8, 2005.*

Matt Weir seconded the motion. Ayes: 3, Nays: 0. Motion Passed.

5. Development Items

A. Little Learners Preschool, Home Business Application, Public Hearing – Action Item

Mr. Lenhard explained that the Little Learners Preschool Home Business is located at 2106 E Ficus Way in the Lone Tree B Subdivision. Mr. Lenhard stated that the applicant has agreed to all of the conditions of approval and all regulations regarding home businesses.

Tom Maher opened the public hearing at 6:08 p.m.

Tom Maher closed the public hearing at 6:08 p.m.

MOTION: ***Matt Weir moved that the Planning Commission approve the Little Learners Preschool Home according to the following conditions:***

- 1. That background checks may be required for additional employees.***
- 2. That the Home Business application may be reviewed and subjected to additional conditions or revoked by the Planning Commission upon future reviews. If a complaint is filed by surrounding property owners the Planning Department will perform an investigation and place the item on the Planning Commission's agenda for additional consideration.***

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

B. Development Code and General Plan Amendments, Public Hearing – Action Item

Mr. Lenhard discussed with the Planning Commission the following proposed changes to the development code:

That parking areas have a maximum slope of 5%.

That Tier 1 lots with sizes from one-half to three-quarters of an acre have a minimum lot frontage of 125 feet instead of 100 feet.

That there is not an absolute disallowance of counting Constrained or Unbuildable Lands in approved open spaces.

That there is a provision that allows for the requirement of open space to be paid as a fee in lieu.

That there is clarification stating that neighborhood and community parks must be developed on Buildable Lands and improved with sod and irrigation systems and that the timing of the Community Park fee in lieu is required at recordation.

That Master Development Plans be required to go through the Concept Plan process.

That the definition of the side yard setbacks be amended to exclude window wells for the setback requirements and that basement stairwells be subject to the setback requirements. That Tier II side yard setbacks remain the same but a landscaping and draining channel are required when the setback is 5'. That the City Council may reduce the total side yard requirement of 15' with a special approval.

That the right-of-way table be amended to adjust the right of way and trail widths.

That the lot size transitioning standards are clarified.

That lots containing slopes in excess of 25% or other Unbuildable Lands may be smaller than one acre.

That the requirement to post a public notice sign on the property for which a public hearing will be conducted be removed. The direct mail notice will remain the same of 600' and at least 25 property owners.

That there is clarification given regarding the issuance of Building Permits for model homes.

That the letter of credit is eliminated as a security option for public improvements.

That the requirement to submit a fiscal analysis is deleted as a submittal requirement for the Master Development Plan.

That an updated zoning map be adopted.

That eligible businesses for directional/advertising signs be clarified and that Model Home signs limit each builder to one 16" x 64" slot per sign. Mr. Lenhard explained that a Home Business could not advertise on these signs.

That the parking stall length be changed from 20' in depth to 18' in depth.

That the driveway length in all Zones and Tiers be reduced from 24' to 22'. Mr. Lenhard explained that very rarely is a 24' drive necessary.

That the rear setbacks be reduced in the Residential Zone Tier II category from 25" to 20".

That additional signage locations are approved as shown on Map 15.1

Mr. Lenhard explained that the following items were the proposed changes to the General Plan Text and Maps:

That the Future Land Use and Transportation Corridor Map be amended to show additional transportation corridors as shown on approved master development plan maps; insert allowable traffic light locations on SR 73; correct master development plan boundaries and other amendments as shown.

Mr. Lenhard explained that an agreement was signed with UDOT in which five locations were found to be suitable for traffic lights.

That the policy regarding amending the General Plan be amended to state several months that the Plan can be amended.

That the Regional Parks and Trails maps be adopted.

Mr. Lenhard explained to the Commission that just the main trails would be shown on the map.

That Map 3 is amended and adopted.

Mr. Lenhard explained that the City has a new website that will soon be available to residents and that this website would have the new maps on it.

Tom Maher asked Mr. Lenhard what the flexibility is with Tier 1.

Mr. Lenhard explained that in the past developers/land owners have been given a minimum and that has become a standard.

Mr. Maher explained that he agreed and that he did not want to lower the minimum but in terms of flexibility what is the Commission allowed to do.

Mr. Lenhard explained that one option would be to make a recommendation to the City Council that there be some type of provision written in the text that would allow for some flexibility.

Tom Maher opened the public hearing at 6:38 p.m.

Bobby Colson explained to the Commission that he was here on behalf of Brian Haskell. Mr. Colson explained that Mr. Haskell gave him a letter and asked that it be submitted to the Planning Commission.

Mr. Colson read the letter to the Commission.

The letter explained that Mr. Haskell did not want the letter of credit option eliminated from the Development Code.

Tom Maher closed the public hearing at 6:43 p.m.

MOTION: *Chris Kemp moved that the Planning Commission recommend approval to the City Council of the following proposed changes to the Development Code Titles 1 and 2 and the General Plan Text and Maps:*

Development Code:

1. ***PARKING LOT SLOPES.*** *That parking areas have a maximum slope of 5 percent (Title 1 Create a new section numbered 10.4.8)*
2. ***TIER 1 LOT FRONTAGE.*** *That Tier 1 lots with sizes from one-half (1/2) to three-quarters (3/4) of an acre have a minimum lot frontage of 125 feet instead of 100 feet (Title 1 Sections 5.9 and 14.9).*
3. ***OPEN SPACES & CONSTRAINED LAND.*** *That there is not an absolute disallowance of counting Constrained or Unbuildable Lands in approved open spaces (Title 1 Sections 5.9 and 14.9).*
4. ***FEE IN LIEU – OPEN SPACE.*** *That there is a provision that allows for the requirement of open space to be paid as a fee in lieu (Title 1 Sections 5.9; 5.10.8; 5.11.3; 5.12.2; 5.13.2; 5.14.2; 6.7.2; 6.7.3; 6.8).*
5. ***PARKS.*** *That there is clarification stating that neighborhood and community parks must be developed on Buildable Lands and improved with sod and irrigation systems (Title 2 Tables 7.3 and 7.4). That timing of the Community Park fee in lieu is required at recordation (Title 2 section 7.12).*
6. ***MASTER DEVELOPMENT PLANS – CONCEPT.*** *That Master Development Plans be required to go through the Concept Plan process (Title 2 Section 3.2 and Title 2 Section 2.6).*
7. ***SIDEYARD SETBACKS.*** *That the definition of the side yard setbacks be amended to exclude window wells for the setback requirements and that basement stairwells be subject to the setback requirements (Title 1 See setbacks). That Tier II side yard setbacks remain the same (5' minimum with a total of 15') but a landscaping and draining channel are required when the setback is 5'. That the City Council may reduce the total side yard requirement of 15' with a special approval. (See Title 1 Section 5.12.3.3).*
8. ***TABLE 7.2 ROW STANDARDS.*** *That the right-of-way table be amended to adjust the right of way and trail widths.*
9. ***LOT SIZE TRANSITIONING.*** *That the lot size transitioning standards are clarified (Title 1 Section 11.15; standards remain unchanged but section is rewritten for clarity).*
10. ***ONE ACRE LOTS & UNBUILDABLE LAND.*** *That lots containing slopes in excess of 25% or other Unbuildable Lands may be smaller than one acre (Title 1 Section 11.15).*
11. ***PUBLIC NOTICE – SIGNS.*** *That the requirement to post a public notice sign on the property for which a public hearing will be conducted is removed. The direct mail notice will remain the same of 600' and at least 25 property owners (All chapters that contain a public hearing provision).*
12. ***MODEL HOMES.*** *That there is clarification given regarding the issuance of building permits for model homes (Title 2 Section 1.10.4.1).*
13. ***LETTER OF CREDIT.*** *That the letter of credit is eliminated as a security option for public improvements (Title 2 Section 6.7.2 and 6.7.3).*

14. **FISCAL ANALYSIS.** *That the requirement to submit a fiscal analysis is deleted as a submittal requirement for the Master Development Plan (Title 2 Section 2.5.1.4).*
15. **ZONING MAP.** *That an updated zoning map be adopted (Title 1, Map 1.1).*
16. **SIGNAGE.** *That eligible businesses for directional/advertising signs be clarified (home businesses specifically prohibited), and that Model Home signs limit each builder to one 16" x 64" slot per sign.*
17. **PARKING STALLS.** *That the parking stall length be changed from 20' in depth to 18' in depth (Title 1, Table 10.1)*
18. **DRIVEWAY LENGTH.** *That the driveway length in all Zones and Tiers be reduced from 24' to 22'.*
19. **REAR YARD SETBACKS.** *That the rear setbacks be reduced in the Residential Zone Tier II category from 25" to 20".*
20. **MAP 15.1 APPROVED OFF – PREMISE SIGNAGE LOCATIONS.** *That additional signage locations are approved as shown on Map 15.1.*

General Plan Text and Maps:

1. **FUTURE LAND USE & TRANSPORTATION CORRIDOR MAP.** *That the Future Land Use & Transportation Corridor Map be amended to show additional transportation corridors as shown on approved master development plan maps; insert allowable traffic light locations on SR 73; correct master development plan boundaries and other amendments as shown.*
2. **GENERAL PLAN TEXT AMENDMENTS.** *That the policy regarding amending the General Plan be amended to state several months that the Plan can be amended (Page 1:7).*
3. **REGIONAL PARK AND TRAILS MAP.** *That the Regional Parks and Trails maps be adopted (this will require some of the references in the Plan to combine Map 7 – Regional Parks & Map 8-Trails into one map which will be referred to as Regional Parks and Trails – Map 7).*
4. **MASTER DEVELOPMENT PLANS MAP.** *That Map 3 is amended and adopted.*

Mike Hansen seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

C. SITLA Regional Park – Action Item

Mr. Lenhard explained that McKay Edwards would be presenting this project to the Commission tonight.

McKay Edwards explained that he was the project manager for SITLA.

Mr. Edwards explained that SITLA has dedicated to the city 110 acres of land. McKay Edwards explained that 58 acres would be the SITLA Regional Park, 10 acres of which would be a civic/municipal center.

Mr. Edwards explained the plans being presented are not final and that not all of the park would be developed at once but it would be developed in phases because of funding.

Mr. Edwards explained that the park would include four baseball diamonds, some basketball courts, tennis courts and a skate park as well as other items. Mr. Edwards stated that the design team wanted to have a unique central feature that would tie the park together. Mr. Edwards explained that Aspen Resource had created an interpretive center which would feature things about the Eagle Mountains History such as the Pony Express Trail.

Skip with Aspen Resource explained that the interpretive center was a main feature that they had hoped would tie the park together.

McKay Edwards and Skip with Aspen Resource continued in explaining the layout of the SITLA Regional Park.

Mr. Edwards explained that the native vegetation would not be left as it is now, it would be replaced with native grass and shrubs.

Discussion took place regarding the skate park.

Mr. Edwards explained that the Skate Park would be a half a mile east of Sweetwater Road.

The Planning Commission expressed concern with having the skate park being so far away from the road. The Commission suggested moving the skate park closer to Sweetwater Road to prevent vandalism being done.

McKay Edwards explained that one item that they layout did not show was lighting. Mr. Edwards stated that in a previous meeting with City staff the lighting issue was discussed and it was decided that lighting would be added to the baseball fields as well as the parking lots and by the concession stand.

Skip explained that the lighting would be installed from the savings of not installing the pond up front.

Tom Maher suggested that there be two adult softball diamonds that could double as the little league fields instead of four large baseball diamonds.

Tom Maher suggested that information be gathered from other cities to see what they have found that works the best.

Mr. Edwards stated that it could possibly work and that it would free up a lot of space so that the skate park could be moved around.

Tom Maher asked what kind of an impact the bond for 2 ½ million dollars would have on the residents.

Mr. Lenhard stated that for a home in the price range of \$160,000 to \$170,000 it would cost them approximately \$7.00 to \$8.00 per month.

The Planning Commission explained that they would like to see more lighting, a lot of trees, having the skate park moved closer to the road, having two softball diamonds and possibly a swimming pool.

MOTION: *Mike Hansen moved that the Planning Commission recommend approval of the SITLA Regional Park to the City Council subject to the following conditions:*

- 1. That the four baseball diamonds be changed to two softball diamonds.*
- 2. That consideration be taken in moving the skate park closer to Sweetwater road to prevent vandalism.*
- 3. That there be more lighting added around the restroom facilities, skate park and softball diamond areas instead of installing the water feature.*
- 4. That the access on the gravel road on airport road be looked at.*

Matt Weir seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

D. Jonathan Celaya Sign Permit Application – Action Item

Adam Lenhard explained that Mr. Celaya is requesting consideration of three new Model Home Signs located on the Ranches Parkway at the intersections of Campus Drive and Ranches Parkway, Franklin Drive and Ranches Parkway, and Braxton Drive and Ranches Parkway, as well as three locations along Pony Express Parkway on the way to Silver Lake.

Mr. Lenhard explained that these were just potential locations for the signs and that it is completely up to the Planning Commission and City Council whether or not they want the signs in the proposed places.

Mr. Lenhard explained that these signs would be solely for the builders to use as directional signs for their developments.

Mr. Lenhard explained that the builders have been concerned that they are not getting adequate coverage for the people who are coming through their subdivisions.

Mr. Lenhard explained that at the time when the sign ordinance was being drafted, that the staff felt like the existing signs were not being filled so why add additional locations. Mr. Lenhard explained that since then the signs have been filled up and there now seems to be an adequate reason to have more signs put up.

Mr. Lenhard explained to the Commission one sign would be built and then whether or not the sign slots are filled then the next one may or may not be constructed.

Mr. Lenhard explained that the signs would need to be consistent with the earthtone colors on the existing signs and that the Ranches logo would need to be replaced with Eagle Mountain City's logo.

Mr. Colson asked Mr. Lenhard if there was a restriction on how much the sign slots could be leased for.

Mr. Lenhard stated that there was a restriction and that the maximum lease amount that could be charged is \$50.00 per slat per sign a month.

Mr. Maher asked how the signage would be controlled.

Mr. Lenhard stated that the ordinance allows for staff to review any signs before they are inserted and that only the logo and a directional arrow would be allowed on the slats. Mr. Lenhard explained that the staff's recommendation would be for signs two through six to be approved at this time.

MOTION: *Mike Hansen moved that the Planning Commission recommend approval of Jonathan Celaya's Sign Application to the City Council subject to the following conditions:*

- 1. CAPACITY.** *That the Applicant demonstrates that there is sufficient need for additional sign capacity. That the capacity on the first sign must be filled before another sign may be installed.*
- 2. SIGN CONSTRUCTION.** *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- Model Home Signage). That the signage is similar in color (earth tones) to that of the signs in The Ranches area.*
- 3. LOCATIONS.** *That the Planning Department identifies the exact locations with the applicant prior to installation (so that clear visions triangles are observed etc.)*
- 4. LEASE AGREEMENT.** *That the City Council approves the lease agreement specifying copy control, insurance, maintenance, time frames, and mechanics liens. That the sign lease fees are paid in full - \$300 per sign per year.*
- 5. SIGN COPY.** *That the applicant may not advertise on the sign for leasing spots available. That each builder is limited to one 16" x 64" spot per sign.*
- 6. SIGN 1.** *That the City Attorney and City Council determine the availability of Sign No. 1 prior to approving this sign location for Mr. Celaya's application.*

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

6. Other Business

A. Name Plates

The Planning Coordinator asked the Planning Commission how they would like their names to appear on their new name plates.

7. Adjournment

The meeting adjourned at 8:00 p.m.

MINUTES OF THE EAGLE MOUNTAIN PLANNING COMMISSION MEETING
Eagle Mountain City Offices 1680 E. Heritage Drive, Eagle Mountain, UT 84043
Tuesday, April 12, 2005

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

Roll Call:

Commissioners Present: Tom Maher, Chris Kemp, John Malone, Mike Hansen

Others Present:

Rodger Knell, LDS Church/Knell Architects; Keena Price, Resident; Marylyn Lloyd, Resident; Mark Lloyd, Resident; Candy Bateman, Resident; Kent Price, Resident; Paul Beckstead, Scenic Development; Willy Miller, Datus Archery; Carl Allred, Carl Allred Ladder Sign.

City Staff:

Planning Director: Shawn Warnke
City Planner: Adam Lenhard
City Engineer: Chris Trusty
City Council Liaison: Vincent Liddiard
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

Mr. Warnke explained that the 14400 West Road Closure has been approved by the City Council. Mr. Warnke explained that Valley View A & B were tabled because the developer still needs to work with Camp Williams to get the road approved. Mr. Warnke stated that the Development Code and General Plan Amendments were approved with a change of the front setback to thirty feet in tier 1. Mr. Warnke explained that the John Celaya Sign Permit was also approved by the city council.

4. Approval of Minutes

A. March 22, 2005

MOTION: *Mike Hansen made a motion to approve the minutes of March 22, 2005.*

John Malone seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

5. Development Items

A. West View Heights Rezoning, Public Hearing – Action Item

Mr. Warnke explained that West View Heights is located along SR 73 in between Cedar Pass Ranch and the Meadow Ranch subdivision and the application is to rezone the

property from Agriculture to Residential, the land is currently identified in the General plan as "Rural Residential."

Tom Maher opened the public hearing at 6:07 p.m.

Candy Bateman explained that she lived in the log home that was directly across from the rezoning. Mrs. Bateman explained that she would like to see the zoning stay the same and that the lot sizes stay at five acres.

Kent Price explained that he lived two lots down from the Bateman's. Mr. Price stated that he would like to keep the setbacks large enough so that houses are not built too close to the ridge. Mr. Price explained that if the setback was large enough the homes along the ridge would not obstruct his view. Mr. Price explained that if all lots in Cedar Pass Ranch have a ten foot easement making the trails twenty feet wide and that if homes were built along the edge then it would restrict the trail to only ten feet wide.

Marylyn Lloyd stated that her concern would be the increase in traffic. Mrs. Lloyd stated that she would like to know what types of homes were going to be built in the proposed West View Heights subdivision. Mrs. Lloyd stated that another one of her concerns was the density of this project.

Mark Lloyd stated that he would like to see this subdivision stay consistent with the Cedar Pass Ranch subdivision, such as the fencing. Mr. Lloyd stated that his major concerns were the density of the subdivision and the increase in traffic.

Tom Maher explained that UDOT is responsible for the widening of roads, he suggested that the residents contact them regarding any issues concerning the roads.

The public hearing closed at 6:20 p.m.

Mr. Warnke explained that the Planning Staff recommends that an equestrian trail be accommodated and that it not be an easement but rather be dedicated as public open space so that the City owns the property. Mr. Warnke explained that twenty feet would be adequate for a trail of this type.

Tom Maher asked Mr. Warnke to explain the CC&R's to the Commission and Audience.

Mr. Warnke explained that the City does have some minimum requirements regarding the size of homes and that that would be included in the CC&R's.

Tom Maher asked the developer where he was at with the CC&R's.

Paul Beckstead explained that the CC&R's had not been discussed much. Mr. Beckstead stated that the CC&R's would follow some similar guidelines as Cedar Pass Ranch. Mr. Beckstead explained that a rock wall being installed at the front of the subdivision was being discussed. Mr. Beckstead stated that they were aiming for a nicer neighborhood to fit in with the current surroundings.

Tom Maher asked the Commission if they had any concerns.

Chris Kemp stated that his only concern would be to accommodate the traffic but that this particular issue is mainly in the hands of UDOT.

MOTION: *Chris Kemp moved that the Planning Commission recommend approval to the City Council of an ordinance that will rezone the "West View Heights" parcel from the Agriculture Zone to the Residential Zone, not to exceed the density of 1.6 dwelling*

units as per the General Plan Future Land Use Map classification of Rural Residential.

Mike Hansen seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

B. Silver Lake LDS Church, Site Plan & Conditional Use – Public Hearing

Mr. Lenhard explained that the proposed LDS Stake Center is located at the intersection of Pony Express and Silver Lake Parkway.

Mr. Maher asked Mr. Lenhard what the width was of the entrances to the parking lot.

Mr. Lenhard stated that they were twenty six feet wide.

Discussion took place regarding the entrances to the parking lot.

Mr. Maher stated that he would like to see the entrances widened to allow for better a traffic flow.

Tom Maher opened the public hearing opened at 6:48 p.m.

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

MOTION: ***Mike Hansen moved that the Planning Commission approves the Conditional Use Permit and recommends approval of the Site Plan to the City Council subject to the following conditions:***

- 1. SECURITY FOR ACCESS. That some type of security is placed for the removal and landscaping of the access on Pony Express and construction of the future access to the west.***
- 2. ENTRANCES. That the entrances are widened and realigned to allow for better traffic flow. That clear vision triangles are observed.***
- 3. SILVER LAKE MONUMENT. That the church plans are redrawn to show the correct property line of the Silver Lake monument in the north east corner of the property.***

Chris seconded the motion. Ayes: 4, Nays: 0.

C. Village Pizza Sign Permit Application – Action Item

Adam Lenhard explained that Village Pizza is requesting consideration of one Directional/Advertising Business at the intersection of Ranches Parkway and State Road 73 need for signage be diminished.

Mr. Lenhard stated that the applicant understands that they are required to construct the sign. Mr. Lenhard explained that Village Pizza would put their own sign in one of the spots and rent out the other to another local business.

Mr. Maher asked how future signage would be handled.

Mr. Lenhard explained that part of it would be handled with the next application. Mr. Lenhard explained that Mr. Hazard's sign would say something like "Left Eagle Mountain Business Campus" and the other one would have an arrow point down and say "Parkway Crossroads Commercial Plaza" Mr. Lenhard explained that there is definitely an issue with more businesses coming in and wanting more signage. Mr. Lenhard explained that

there are other locations for these signs but not many and that it is somewhat of a first come first serve basis.

Mr. Warnke explained that the City hopes that as the City continues to grow that there will not be a need for this signage.

Tom Maher asked how long the lease agreements are for.

Mr. Lenhard explained that the lease agreement is for a potential period of three years and that the City can cut that short.

Mr. Warnke explained that the signage would be reviewed on a yearly basis and at that time it would be determined whether or not the ladder sign is need any longer.

Mr. Warnke explained hopefully in time there will be no need for the business signage anymore because the businesses will be more established, eliminating the need for the signage.

Mr. Lenhard explained that Scott Hazard is building a monument sign and that that would eventually serve for those businesses eliminating the need for the ladder sign.

MOTION: *Chris Kemp moved that the Planning Commission recommend approval of the Village Pizza Commercial Ladder Sign Permit Application to the City Council subject to the following conditions:*

- 1. SIGN CONSTRUCTION.** *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 15.3-Directional/Advertising Business Signage). That the signage is similar in color (earth tones) to that of the signs in The Ranches Area.*
- 2. LOCATIONS.** *That the Planning Department identifies the exact locations with the applicant prior to installation (so that the clear vision triangles are observed etc.) That subdivision monument signs are not obstructed by the ladder signs.*
- 3. LEASE AGREEMENT.** *That the City Council approves the lease agreement specifying copy control, insurance, maintenance, time frames, and mechanics' liens. That the sign lease fees are paid in full - \$300 per sign per year.*
- 4. SIGN COPY.** *That the applicant may not advertise on the sign for lease spots available. That each business is limited to one 48" x 72" spot per sign.*

Mike Hansen seconded the motion. Ayes: 4, Nays: 0.

D. Carl Allred Sign Permit Application – Action Item

Mr. Lenhard explained that Carl Allred is requesting consideration of 15 Model Homes Ladder signs throughout the Ranches. Mr. Lenhard explained that the inserts for these signs are 16' by 64' in diameter. Mr. Lenhard explained that staff recommends that sign number 2 be taken out of the median and placed on the side of the road.

Mr. Lenhard explained that the applicant has been doing a lot of legwork to ensure that if this application gets approved that all of the slots on the ladder signs will be filled by various builders.

Mr. Lenhard explained that the conditions for this application were that the signs need to be full, that the signs are constructed according to the City's code and that the Planning

Department identifies the locations of these signs with the developer, and that the lease agreement is signed.

Mr. Lenhard explained that the intention of the whole signage ordinance is to eventually eliminate the need for signage. Mr. Lenhard explained that the Staff hopes that eventually the businesses will be known well enough that there will be no more need for these signs.

MOTION:

John Malone moved that the Planning Commission recommend approval of Carl Allred's Model Home Ladder Sign Permit Application subject to the following conditions:

- 1. CAPACITY. That the applicant must demonstrate the ability to keep his signs full in order for the lease to be renewed. That signs which can not be filled or are no longer needed will be removed.***
- 2. SIGN CONSTRUCTION. 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-Model Home Signage). That the signage is similar in color (earth tones) to that of the signs in The Ranches area.***
- 3. LOCATIONS. That the Planning Department identifies the exact locations with the applicant prior to installation (so that clear vision triangles are observed etc.). That subdivision monument signs are not obstructed by the ladder signs.***
- 4. LEASE AGREEMENT. That the City Council approves the lease agreement specifying copy control, insurance, maintenance, time frames, and mechanics' liens. That the sign lease fees are paid in full -\$300 per sign per year.***
- 5. SIGN COPY. That the applicant may not advertise on the sign for leasing spots available. That each builder is limited to on 16" 64" spot per sign.***
- 6. Relocation. That signs are relocated as follows:***

Sign 1- Will have to be converted from a commercial sign to a model home sign.

Sign 2- needs to be moved from the median to the east shoulder of Ranches Parkway, south of the Eagle's Gate entrance.

Sign 3- needs to be moved from the median to the east shoulder of Ranches Parkway, south of the Anthem on the Green entrance.

Sign 8- needs to be moved from the median to the west shoulder of Ranches Parkway, in between the entrance to Willow Springs and the intersection of Ranches and Pony Express.

Signs 10 and 13- need to be moved from the median to the south side of Pony Express.

Sign 11- needs to be moved from the median to the north side of Pony Express.

Sign 15- current location is acceptable, but may need to be relocated or removed in the future as new development occurs.

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

E. Scot Hazard Sign Permit Application – Action Item

This Item was discussed with item number C, Village Pizza Sign Permit Application.

Scot Hazard is requesting consideration of one Directional/Advertising Business near the intersection of Ranches Parkway and State Road 73 to provide signage for the Business Campus and the Parkway Crossroads commercial center.

MOTION: *Mike Hansen moved that the Planning Commission recommends approval of Scot Hazard's Commercial Ladder Sign Permit Application to the City Council subject to the following conditions:*

- 1. SIGN CONSTRUCTION.** *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 15.3-Directional/Advertising Business Signage). That the signage is similar in color (earth tones) to that of the signs in The Ranches area.*
- 2. LOCATIONS.** *That the Planning Department identifies the exact location with the applicant prior to installation (so that clear vision triangles are observed etc.) That subdivision monument signs are not obstructed by the ladder signs.*
- 3. LEASE AGREEMENT.** *That the City Council approves the lease agreement specifying copy control, insurance, maintenance, time frames, and mechanics' liens. That the sign lease fee is paid in full - \$300 per sign per year.*
- 4. SIGN COPY.** *That the applicant may not advertise on the sign for lease spots available. That each business is limited to one 48" x 72" spot per sign.*

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

F. National Field Archery Association (NFAA), Archery Golf at The Ranches, Action Item

Mr. Warnke explained that the DATUS Archery club is requesting approval of a temporary archery range for April 23 & 24, May 7 & 8, and May 21 & 22 in the Hidden Valley area of The Ranches.

Mr. Warnke explained that is located right off of the Hidden Canyon subdivision. Mr. Warnke explained that this is the last year that the NFAA will be able to hold the archery golf here because development will begin in the upcoming year.

Mr. Malone asked if there was adequate parking for this event.

Willey Miller explained that there is a dirt road and that there is a large dirt field to park in for those participating in the event. Mr. Miller stated that he would water down the road and parking areas so that not so much dust will be kicked up from people driving and walking around up there.

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

- 1. That the temporary archery range be permitted for April 23 & 24, May 7 & 8, and May 21 & 22.**
- 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 there are sufficient public facilities such as restrooms.**
- 5. That if the special event creates an increase in the demands for public safety services that those services shall be provided by the applicant.**
- 6. 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.**
- 7. That the City Recorder and City Attorney ensure that all of the insurance forms and the permission of the property owners have been submitted.**

8. That ATV are allowed in conjunction with this event and are limited to existing dirt roads.

Mike Hansen seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

G. Holiday Oil Convenience Store, Car Wash and Gas Station, Concept Plan – Discussion Item

Adam Lenhard explained that the Holiday Oil Convenience Store, Car Wash and Gas Station parcel is located at the southwest corner of The Ranches Parkway and Pony Express Parkway. Mr. Lenhard explained that there would be three access into the project. Mr. Lenhard stated that the applicant has brought additional image to show the Commission.

Mr. Lenhard stated that the sign for this gas station would be a monument sign with rock and then the chevron logo with the gas prices. Mr. Lenhard stated that two monument signs are being proposed, one along Ranches Parkway and the other along Pony Express Parkway.

Mr. Lenhard explained that there would two automatic car washes and that the canopy would also have some rock on it so that the store, the car washes, the monument and the canopy will all tie together.

Rodger Knell explained that the landscaping would stay consistent with what is already in the area.

Mr. Lenhard explained that 40 feet was found adequate enough for the entrances but that Staff would suggest that the islands in the middle be removed so that larger vehicles can turn in without running over the curb and for maintenance issues.

Mr. Warnke explained that the lighting issue was discussed. Mr. Warnke explained that the lighting would need to be pointed downward so that it does not bother the neighboring homes.

Mr. Knell explained that there would be two automatic drive thru car washes.

Tom Maher asked what type of products would be sold at the convenience store.

Mr. Knell explained that items sold would be the typical convenience store items such as chips, soda, candy and etc. Mr. Knell stated that some grocery store type items would be sold as well because there is not a grocery store around.

Discussion took place regarding the selling of alcohol and cigarettes.

Mr. Warnke explained that the code does allow for it to be sold.

Mr. Knell explained that there would be two fuel tanks.

6. Other Business

None

7. Adjournment

The meeting adjourned at 8:00 p.m.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, MAY 10, 2005

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

- Sign Permits (Village Pizza, Carl Allred, Scot Hazard)
- Silver Lake LDS Church Site Plan
- West View Heights Rezone
- The Ranches Archery Range
- Base Density and Tier 1 setbacks

4. Development Items

A. Antelope Bench, Preliminary Plat, Public Hearing- Action Item

Antelope Bench is located where Lake Mountain Road intersects with Sweetwater Road. Lots will be constructed on both the east and west sides of Lake Mountain Road.

MOTION: *Commissioner Malone moved that the Planning Commission approve the Antelope Bench Preliminary Plat, subject to the conditions listed below:*

1. STREET VACATION. The Applicant petition the City for the vacation of the Lehi-Fairfield Road before the approval of the final plat.
2. STREET CROSS SECTION. The street cross-section be changed to 66 feet.
3. ARCHITECTURAL REQUIREMENTS. SITLA prepare for recordation with the final plat, a set of Covenants, Conditions and Restriction which comply with the Architectural Guidelines in the SITLA Master Development Agreement; specifically that 50% of the single family detached homes will be built with a minimum of 25% external masonry materials on the fronts and sides of the homes.
4. FIRE ACCESS & HYDRANTS. The fire hydrants be on one side of the road and are moved according to the Fire Chief's requirements. That a fire hydrant be added toward the end of the driveways and that a fire access road (all weather road surface with a 96 foot diameter turnaround be recorded and constructed) for lots 2 and 3.
5. STORM WATER POND. The storm water detention pond be dedicated to the City.
6. DRY UTILITIES. Dry utility plans are submitted to the City. That a street light is located at the intersection of the Lake Mountain Road and Sweetwater Road.
7. RECORDED NOTICE. A notice is recorded with each lot that notifies potential property owners of the airstrip. The conditions of the Utah County Board of Adjustment should be a part of the notice so these property owners know how the airport can be operated.
8. BURIED UTILITY LINES. The Applicant clarifies the buried utility lines that are shown through some of the lots (lot 1 and 8).

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, MAY 10, 2005

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

Unknown Commissioner seconded. Motion passed.

B. Point Lookout Subdivision Preliminary and Final Plats A & B, Public Hearing-Action Item

The Point Lookout subdivision is located southwest of Rockwell Village and Castle Rock.

MOTION: *Commissioner Malone moved that the Planning Commission approve the Point Lookout Plat A Preliminary Plat and recommend approval to the City Council for the Plats A Final Plat subject to the following conditions:*

1. ENGINEERING ITEMS. That all of the Engineer's conditions are completed.
2. LANDSCAPE PLANS. That a landscape cost estimate is submitted. The landscaping plan should contain street trees along the collector road and entryway monuments. That the Ranches DRC should review the plan. That a licensed landscape architect should stamp the plan.
3. WATER RIGHTS. That water right documentation is submitted and approved by the City Attorney.
4. REIMBURSEMENT AGREEMENT. That a reimbursement agreement may be required by the City for the Sandpiper Road improvements installed by the Hidden Canyon Developers.
5. WATER SERVICE. That water and sewer services are shown to lot 17.

Unknown Commissioner seconded. Motion passed.

C. Development Associates Model Home Ladder Sign Application- Action Item

Development Associates is requesting consideration of 8 Model Home Ladder signs along Pony Express Parkway and Silver Lake Parkway.

MOTION: *Commissioner Kent moved that the Planning Commission recommend approval of Silver Lake Sign Application to the City Council subject to the following conditions:*

1. CAPACITY. That Signs #1, 2, and 3 are not to be approved because there is already sufficient sign capacity on previously approved signs. That Signs #4, 5, 6, 7, and 8 are approved.
2. SIGN CONSTRUCTION. 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- Model Home Signage). That the signage is similar in color (Monterrey Grey) to that of the signs in The Ranches area.
3. LOCATIONS. That the Planning Department identifies the exact locations with the applicant prior to installation (so that clear vision triangles are observed, etc.).
4. LEASE AGREEMENT. That the City Council approves the lease agreement specifying copy control, insurance, maintenance, time frames, and mechanics' liens. That the sign lease fees are paid in full- \$300 per sign per year.

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PLANNING COMMISSION MEETING MINUTES**

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

5. SIGN COPY. That the applicant may not advertise on the sign for leasing spots available. That each builder is limited to one 16" x 64" spot per sign.

Unknown Commissioner seconded. Motion passed.

D. Fieldstone Homes Model Home Ladder Sign Application- Action Item

Fieldstone Homes is requesting consideration of 2 Model Home Ladder signs on Eagle Mountain Boulevard.

MOTION: *Commissioner Malone moved that the Planning Commission recommend approval of Fieldstone Model Home Ladder Sign Application to the City Council subject to the following conditions:*

1. CAPACITY. That the Applicant demonstrates that there is sufficient need for additional sign capacity. That the capacity on the first sign must be filled before another sign may be installed. That both Signs #1 and 2 are approved.
2. SIGN CONSTRUCTION. 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- Model Home Signage). That the signage is similar in color (Monterrey Grey) to the existing signs.
3. LOCATIONS. That the Planning Department identifies the exact locations with the applicant prior to installation (so that clear vision triangles are observed etc.).
4. LEASE AGREEMENT. That the City Council approves the lease agreement specifying copy control, insurance, maintenance, time frames, and mechanics' liens. That the sign lease fees are paid in full- \$300 per sign per year.
5. SIGN COPY. That the applicant may not advertise on the sign for leasing spots available. That each builder is limited to one 16" x 64" spot per sign.

E. Harding Subdivision, Concept Plan- Discussion Item

Mark Harding's property is located about 1.25 miles southwest of the Overland Trails subdivision. The Applicant is proposing a rural subdivision on his 20-acre parcel.

Discussion item only; no motion made.

5. Other Business

6. Adjournment

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, JUNE 14, 2005

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

- ATV Ordinance
- Sign Ordinance
- On Street Parking Ordinance
- Snow Removal Ordinance

4. Approval of Minutes

None

5. Development Items

A. O’Fallon’s Bluff (R-6 N-4), B, C, D, and E Preliminary Plat- Action Item

O’Fallon’s Bluff B is located at the end of O’Fallon’s Way. O’Fallon’s Bluff C is located at the end of Wyatt Earp Avenue. O’Fallon’s Bluff D will extend Butterfield Road from its existing location and align with intersection of James Street and Ranches Parkway. O’Fallon’s Bluff E is located along Golden Eagle Road.

MOTION: *Commissioner Malone moved that the Planning Commission table the O’Fallon’s Bluff B, C, D, and E Preliminary Plats until an updated geotechnical report is received and other information as determined by staff.*

Unknown Commissioner seconded. Motion passed.

B. Lone Tree (R-3 N-4), Plat B, Final Plat Amendment- Action Item

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

MOTION: *Commissioner Kemp moved that the Planning Commission recommend denial to the City Council of the Lone Tree B Final Plat Amendment and the elimination of the vest pocket, based on the General Plan’s classification of Lone Tree Parkway as a primary collector road. Constructing the vest pocket will preserve good traffic circulation (maintaining a higher level of service in the future) and create a higher level of safety.*

Unknown Commissioner seconded. Motion passed.

C. Eagle View Estates, Concept Plan – Discussion Item

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, JUNE 14, 2005

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

The Eagle View Estates site is located north of S.R. 73 and west of the North Ranch subdivision on 142.73 acres.

Discussion item only; no motion made.

6. Other Business

7. Adjournment

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, JUNE 28, 2005

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 & DRC

- Lone Tree Plat B
- Budget Approval

4. Development Items

A. Holiday Oil Convenience Store, Car Wash and Gas Station, Conditional Use and Site Plan, Public Hearing – Action Item

The Holiday Oil Convenience Store, Car Wash and Gas Station parcel is located at the southwest corner of the intersection The Ranches Parkway and Pony Express Parkway.

MOTION: *Commissioner Malone moved that the Planning Commission approve the Conditional Use Permit and recommend approval to the City Council of the Site Plan for the Holiday Oil Convenience Store, Car Wash and Gas Station, subject to the following conditions:*

1. STORM WATER. The storm water calculations and storm water detention plan be submitted.
2. SOIL REPORTS. A soils report be submitted.
3. EASEMENTS. Easements be provided for the sidewalk.
4. SEWER LINE MAINTENANCE. The maintenance of the sewer line be discussed.
5. PROPERTY LINES. The property lines are clarified.
6. SIGNAGE. Sign details be provided showing the sign support and sign copy. That there is an explanation for the “police sign”. There is a discussion regarding the signs being placed in the right of way. The monument sign is not located on the sidewalk.
7. TREES RELOCATED. Trees also be relocated on Ranches Parkway and Peregrine Road, and that the new locations are shown on the plans.
8. ROCK. The rock on the building is the same that is used on the Parkway Crossroads project.
9. PARKING ISLAND LANDSCAPING. Landscaped islands be used rather than painted islands.
10. UTILITY DEMANDS. Utility demands be submitted for water, sewer, gas, and phone.
11. GRASS OR GROUND COVER. Grass or groundcover is installed in the right of way around the site.
12. LIGHTING PLAN. A lighting plan be submitted. Building lighting shall be shielded and directed downward so that the light source is not visible from beyond the property where the structure is located. Lighting shall not project above structures or flagpoles, nor beyond the property line.

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13. OUTDOOR STORAGE. There is no outdoor storage of materials unless it is screened by a 6' high approved fence.
14. LANDSCAPE PLAN. There is a better landscape plan submitted. That native grass or bark is prohibited in the planter bed along Cold Springs. The plan should comply with the Landscape Plan (Section 11.5), Planting Standards (11.7), and Design Application (11.8). That the plan is prepared and stamped by a landscape architect.
15. CLEAR VISION. Clear vision is created by reducing/eliminating the berm and relocation of vegetation along Ranches Parkway.
16. NATIVE VEGETATION. There is some discussion regarding replacing native vegetation around the site on Pony Express Parkway.
17. DUMPSTER & RV DUMP. A better detail of the proposed dumpster and RV Dump is submitted. The RV dump is secured and regulated.
18. DEVELOPMENT AGREEMENT. A development agreement be prepared that identifies issues such as crossing the SID property, signs in the right of way, and sidewalk easement, etc.
19. BUFFERING. An 8' masonry wall be built by the developer adjacent to Cold Springs. The landscaped buffer is 20 feet wide, that deciduous trees are placed every 30 feet and that evergreens are placed in between them. Understory lighting is provided in the trees.
20. PARKING. There is an additional handicapped parking stall created which may share the same aisle.
21. MECHANICAL EQUIPMENT. The mechanical equipment areas are designated on the plan and that these areas receive proper screening treatments.
22. FEES. A site plan application fee be submitted.
23. TRAFFIC ISLANDS. The traffic island on Pony Express and Ranches Parkway be shown on the plans.
24. EMERGENCY SHUT OFF. The emergency shut off for the gas pumps is identified.
25. FIRE HYDRANT. The proposed fire hydrant is relocated to Pony Express Parkway.
26. HOURS OF OPERATION. The hours of operation for the gas pumps, c-store, and car wash are 5 AM to 11 PM.
27. STAMPED CONCRETE. Stamped concrete be used for the trail crossing.
28. UTILITY PLAN. The dry utility plan be submitted.
29. CUT PERMITS. Cut areas be shown on the plan.
30. GREASE TRAPS. Grease traps be used on all storm water collection points (Chris to verify).
31. TRAFFIC STUDY. A traffic study is submitted.
32. SNOW STACKING. There is snow stacking capacity of a 4" base over the entire parking lot. This needs to be shown on the plans.
33. APRONS. Turning aprons be added at the accesses.
34. SITE PLAN APPLICATION AND FEE. The Site Plan application and fee are submitted.

Unknown Commissioner seconded. Motion passed.

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

B. Jerry Seamons' Alternative Animal Management Plan, Conditional Use, Public Hearing – Action Item

The proposed Conditional Use Application is located at 1094 E Russell Road in the Overland Trails subdivision.

MOTION: *Commissioner Kemp moved that the Planning Commission approve Jerry Seamons' Alternative Animal Management Plan Conditional Use Permit subject to the following conditions:*

1. All conditions of approval be applied to the plan as long as the Conditional Use Permit is in operation. If this approved plan is violated or causes situations that become a nuisance to adjoining property owners, the Conditional Use shall be subject to revocation by the Code Enforcement and/or Animal Control Officer.
2. The applicant does not keep more than two horses on the property unless the fenced area is enlarged to the full 22,000 sq. ft. as per Code.

Unknown Commissioner seconded. Motion passed.

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

On June 21, 2005, citing section 7.7.7 of the Development Code and accepting the developer's proposal to increase lot frontage to 100 feet where there is direct driveway access onto Lone Tree Parkway, the City Council gave preliminary approval for the Lone Tree B Final Plat. Since this new design of four larger lots instead of the six smaller ones was not specifically reviewed by the Planning Commission, it has come back to that body for a recommendation to the City Council. Immediately following the Planning Commission meeting on June 28, 2005 the City Council will review this application again and take final action.

MOTION: *Commissioner Kent moved that the Planning Commission recommend approval to the City Council of the Lone Tree B Final Plat Amendment, subject to the following conditions:*

1. That lot frontage is increased to a minimum of 100 ft. where there will be direct driveway access onto Lone Tree Parkway.
2. That notes are added to the plat showing the requirements for circular driveways.
3. That Lot 237 may not have driveway access on the traffic circle.
4. That circular driveways have minimum radii (or setbacks from the sidewalk) of 24' so as to prevent construction of a shallow circular driveway.
5. That all of the previous conditions of the Final Plat for Lone Tree B be required with the approval of this plat amendment.
6. That the revised construction, landscape, and dry utility plans are approved

Unknown Commissioner seconded. Motion passed.

D. O'Fallon's Bluff (R-6 N-4), B, C, D, and E Preliminary Plat – Action Item

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

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O'Fallon's Bluff B is located along Golden Eagle Road. O'Fallon's Bluff C is located at the end of Wyatt Earp Avenue. O'Fallon's Bluff D will extend Butterfield Road from its existing location and align with intersection of James Street and Ranches Parkway. O'Fallon's Bluff E is located at the end of O'Fallon's Way.

MOTION: *Commissioner Malone moved that the Planning Commission approve the O'Fallon's Bluff Preliminary Plats B, C, D, and E, subject to the following conditions:*

1. CUL-DE-SAC STANDARDS. The Planning Commission recommends the exception of having more than 15 lots at the end of a cul-de-sac to the City Council.
2. PARKS. This subdivision is subject to the park fee-in-lieu.
3. ACCESS. Plat B has no direct driveway access onto Golden Eagle Road. That a full vest pocket is constructed.
4. MASTER DEVELOPMENT OPEN SPACE. If this parcel contains any open space shown on the Master Development Plan that this land is dedicated to the City. That direct access (so that private property does not create a barrier between the end of the subdivision and the Lake View Community Open Space) is provided to the Lake View Community Open Space.
5. TRAILS & FIRE ACCESS. The utility easement shown on Plat C be amended to open space. This corridor is 20' in width to allow for a utility easement, pedestrian corridor, and fire brush truck access. Corridor should be landscaped with xeriscaping. The trail on Wyatt Earp Ave. is 8' wide.
6. ALLEYS. Lots adjacent to alleyways have their driveway access from the alley.
7. CONSTRUCTION ACCESS. Construction accesses be approved.
8. A note be recorded with the plat that the maximum driveway grade is 12% and the driveway design be shown on the final plat for lots in areas of concern.

Unknown Commissioner seconded. Motion passed.

E. Carl Allred's Model Home Ladder Sign Permit Application – Action Item

On April 19, 2005 Carl Allred entered into a sign lease agreement with the City for 15 Model Home Ladder Sign locations within the Ranches. With this application he is requesting that one of the signs be relocated to better serve the needs of the homebuilders in the City.

MOTION: *Commissioner Malone moved that the Planning Commission recommend approval to the City Council of Carl Allred's Model Home Ladder Sign Permit Application, subject to the following conditions:*

1. PREVIOUS CONDITIONS. That all previous conditions of approval are applied to this application, including sign construction, colors, and approved logos.
2. LEASE AGREEMENT. That the lease agreement is amended to reflect the change in location.

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3. LOCATION. That the sign on Half Mile Road by the entrance to the Kennekuk subdivision is moved to the west side of Pony Express Parkway by the southern entrance of the Lone Tree subdivision.

Unknown Commissioner seconded. Motion passed.

5. Other Business

6. Adjournment

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, JULY 12, 2005

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. Development Items**

A. Showdown at Eagle's Gate Plat B, Final Plat – Action Item

MOTION: Commissioner Chris Kemp moved that the Planning Commission recommend approval of the Showdown B Final Plat to the City Council subject to the following conditions:

1. APPLICATION FEE. That a complete Final Plat application is received, and that the remaining fee amount (\$204.00) is paid in full.
2. FEE-IN-LIEU. That all applicable park fees-in-lieu are paid prior to recordation.
3. DRIVEWAYS. That all driveways are a minimum of 22' long from the property line.
4. LANDSCAPE PLAN. That a revised landscape plan is approved. That fencing types and responsibilities are shown on the plans and included in the bond if necessary.
5. STREET TREES. That the party responsible for the bonding and installation of the street trees shown on the landscape plan is identified.
6. E-FILES. That all e-files are submitted (plat, civils, dry utilities, and landscape)
7. SOILS REPORT. That the soils report is reviewed and approved.
8. FIRE HYDRANTS. That the placement of the hydrants is approved by the Fire Chief.

Unknown Commissioner seconded the motion. Motion passed.

B. Antelope Bench, Final Plat – Action Item

MOTION: Commissioner Chris Kemp moved that the Planning Commission recommend approval to the City Council of the Antelope Bench Final Plat subject to the following conditions:

1. STREET VACATION. That the applicant petitions the city for the vacation of the Lehi-Fairfield Road before the approval of the final plat.
2. BOUNDARY VERIFICATION. That SITLA provides boundary verification as per the City Attorney's instruction.
3. BOND. That the re-vegetation is bonded in a separate bond that may be held for a longer period of time to ensure that the native vegetation is reestablished.
4. SWEETWATER ROAD IMPROVEMENTS. That the full right-of-way width (including curb, gutter, and storm drain improvements) for Sweetwater Road (on west side of Sweetwater Road) must be completed with this subdivision in areas where this subdivision abuts the development and the left turn lane to Lake Mountain Road must be completed prior to the sale of the first lot.

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5. STORM WATER. That storm water drainage channels need to include geo-fabric.
6. ARCHITECTURAL REQUIREMENTS. That SITLA prepares for recordation with the final plat, a set of Covenants, Conditions and Restriction which comply with the Architectural Guidelines in the SITLA Master Development Agreement; specifically that 50% of the single family detached homes will be built with a minimum of 25% external masonry materials on the fronts and sides of the homes.
7. FIRE ACCESS & HYDRANTS. That the fire hydrants be adjusted according to the Fire Chief's redlines. That no parking signs be installed along the fire department access road.
8. DRY UTILITIES. That dry utility plans are approved by the City. That a streetlight is located at the intersection of the Lake Mountain Road and Sweetwater Road.
9. HOA. That there is a decision regarding the creation of an HOA with this subdivision.
10. SOILS REPORT. That a soils report is submitted and verified. That the substructure of the road matches the recommendation in the soil report.
11. TITLE REPORT. That a title report is submitted and verified with the recordation of the subdivision.
12. CITY ENGINEER. That the City Engineer reviews and approves the construction plans.
13. OPEN SPACE DELINEATION. That there is fencing installed and bonded for by the developer to delineate the boundary of the open space.
14. PLAT CORRECTIONS. That a few minor changes occur to the plat as noted in the section entitled Plat Correction Items.

Unknown Commissioner seconded the motion. Motion passed.

5. Other Business

6. Adjournment

MINUTES OF THE EAGLE MOUNTAIN PLANNING COMMISSION MEETING
Eagle Mountain City Offices 1650 E Stagecoach Run, Eagle Mountain, UT 84043
Tuesday, August 9, 2005

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

Roll Call

Tom Maher, Chris Kemp, John Malone, Matt Weir, Michael Hansen

Others Present

Kirk Horinek, Todd Moir, Kim Moir, Kathy Selya, Jana Johns, Alonzo Aguayo, Kay Shewfelt

City Staff

Planning Director:	Adam Lenhard
City Engineer:	Chris Trusty
City Council Liaison:	David Blackburn
Planning Coordinator:	Jenalee Cheever
UT Co. Sheriffs Department:	Deputy Lomax

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

Mr. Lenhard explained that the following items were on a previous City Council agenda and that the Planning Department will report on their status to the Planning Commission. Mr. Lenhard explained that the City Council had approved that Holiday Oil Convenience Store and Gas Station. Mr. Lenhard explained that the Showdown at Eagle's Gate Plat B subdivision had also been approved by the City Council. Mr. Lenhard explained that the Valley View South Plats A and B is now being submitted to the City Council for a third time and that there was some changes on the lot lines to make them wider.

4. Development Items

A. Learning Together Preschool, Home Business Application – Public Hearing, Action Item

Mr. Lenhard explained that the applicant wishes to run a preschool out of her home in the Eagle's Gate Subdivision. Mr. Lenhard explained that because she will be dealing with minors, a "Class A" Business License, Background Check, and Public Hearing are required by the new Code. Mr. Lenhard explained that the applicant's proposal is in compliance with the City's Code and Business License Ordinance and that all fees have been paid.

Mr. Lenhard explained that the new Fire Chief had conducted an inspection today and that he had added some additional conditions of approval that were not included on the Staff Report.

Mr. Lenhard explained that the Fire Chief had added the following conditions:

1. That no children under the age of 2 may be allowed in the basement except for the applicants own children.
2. That the maximum number of children at any time in the home is five not including the applicants own children.

Mr. Maher asked Mr. Lenhard if this would become a standard for every home business.

Mr. Lenhard explained that these conditions are based on the ages of the children and the applicant's home according to the fire code.

Tom Maher opened the Public Hearing at 6:07 p.m.

Tom Maher closed the Public Hearing at 6:07 p.m.

MOTION: *Mike Hansen moved that the Planning Commission approve the Learning Together Preschool Home Business subject to the following conditions:*

1. *That the business maintains compliance with all City ordinances.*
2. *That background checks may be required for all employees.*
3. *That the following conditions required by the Fire Department are met: that no children under the age of two may be in the basement (except for the applicant's own children), and that the maximum number of children in the home at one time is five (in addition to the applicants own children).*
4. *That the Home Business application may be reviewed and subjected to additional conditions or revoked by the Planning Commission upon future reviews. If a complaint is filed by surrounding property owners the Planning Department will perform an investigation and place the item on the Planning Commission's agenda for additional consideration.*

John Malone seconded the motion. Ayes: 5, Nays: 0. Motion Passed.

B. Sunny Patch Preschool, Home Business – Public Hearing, Action Item

Mr. Lenhard explained that the applicant wishes to run a preschool out of her home in the Eagle's Gate Subdivision. Mr. Lenhard explained that because she will be dealing with minors, a "Class A" Business License, Background Check, and Public Hearing are required by the new Code. Mr. Lenhard explained that the applicant's proposal is in compliance with the City's Code and Business License Ordinance and that all fees have been paid.

Tom Maher asked what happens if the background check comes back with something negative on it.

Mr. Lenhard explained that due to an issue in the past, the City Council had decided that any business that would be dealing with minors would be required to have a background check. Mr. Lenhard explained that if the background check came back with something negative on it then the most the City could do is put people on notice but, that it would not restrict someone from getting a business license.

Tom Maher opened the Public Hearing at 6:11 p.m.

Maria Babin asked if the Fire Chief's conditions would apply to her when she came in to renew her business license for her preschool.

Mr. Maher explained that it would not be retroactive. Mr. Maher explained that the conditions would be determined for new applicants on a case by case basis and the ages of the children and the applicant's home would be factors in determining the conditions of approval.

Tom Maher closed the Public Hearing at 6:13 p.m.

MOTION: *John Malone moved that the Planning Commission approve the Learning Together Preschool Home Business subject to the following conditions:*

- 1. That the business maintains compliance with all City ordinances.**
- 2. That background checks may be required for all employees.**
- 3. That the following conditions required by the Fire Department are met: that no children under the age of two may be in the basement (except for the applicant's own children), and that the maximum number of children in the home at one time is five (in addition to the applicants own children).**
- 4. That the Home Business application may be reviewed and subjected to additional conditions or revoked by the Planning Commission upon future reviews. If a complaint is filed by surrounding property owners the Planning Department will perform an investigation and place the item on the Planning Commission's agenda for additional consideration.**

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

C. Alonso Aguayo's Karate Studio, Home Business – Public Hearing, Action Item

Mr. Lenhard explained that the Planning Department has received an application from Mr. Alonso Aguayo to operate a Karate Studio out of his home in the former residence of Mr. Kirk Flora in the Castle Rock subdivision.

Mr. Lenhard explained that residents have complained that children and vehicles have been on their property and blocking their driveways. Mr. Lenhard explained that if this home business is approved then the conditions have to be met. Mr. Lenhard explained that if they are not met then the license can be revoked and the applicant will not be able to operate his business. Mr. Lenhard explained that there are time restrictions and the number of children is limited as well. Mr. Lenhard explained that the Fire Chief had explained that on this home business based upon the ages of the children and the amount of adult supervision that there would be an allowed amount of 12 children per class, up to 24 children per day which would allow for two classes per day. Mr. Lenhard stated that an additional comment had been added and that the following traffic conditions need to be observed by all clients and employees of the business:

1. That no automobiles are to block driveways or mailboxes of the adjacent property owners.
2. No backing up or u-turns are allowed. Drivers would need to continue around the block and drop their children off with the passenger side of the vehicle adjacent to that of the residence.
3. That the drivers shall not honk their horns when they come to pick up their children.
4. Clients shall not enter on to or cross adjacent home owner's property.
That the Home Business application may be reviewed and subjected to additional conditions, or be revoked by the Planning Commission upon future review.

Mr. Lenhard explained that if a complaint is filed by surrounding property owners the Planning Department will perform an investigation and place the item on the Planning Commission's Agenda for additional consideration. Mr. Lenhard explained that it is Mr. Aguayo's sole responsibility that his clients understand these conditions. Mr. Lenhard explained that these

are the exact same conditions of approval that were put upon Mr. Flora when he was operating the business at this location.

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

Todd Moyer stated that he lived at 7432 Castle Rock Road, next door to Mr. Aguayo. Mr. Moyer explained that when Mr. Flora originally wanted to start his studio he approached the neighbors and told them what his plans were regarding the karate studio. Mr. Moyer stated that Mr. Flora had asked the neighbors about their concerns with having the karate studio in the neighborhood and that he told the neighbors that if they didn't want the studio in the neighborhood then he didn't want to have a studio there that would cause problems with the neighbors. Mr. Moyer explained that he was friends with Mr. Flora and that as problems arose the neighbors went to Mr. Flora and Mr. Flora rectified some of the problems. Mr. Moyer explained that some of the problems were not rectified. Mr. Moyer explained that one of the major issues was the amount of traffic that the karate studio brought to the neighborhood. Mr. Moyer explained that the residents did not go to Mr. Flora with ever little issue mainly because they knew that the karate studio was a short term thing. Mr. Moyer explained that he has spoken with Mr. Aguayo and that he expressed his concerns to him. Mr. Moyer stated that Mr. Aguayo asked for a chance to prove himself. Mr. Moyer explained that he told Mr. Aguayo that he was willing to give him the opportunity to do so. Mr. Moyer explained that within a week of Mr. Aguayo moving in all of the problems started up again so he called Mr. Lenhard. Mr. Moyer stated that Mr. Lenhard sent Mr. Aguayo a letter telling him that in order to operate his business he needed to have a business license. Mr. Moyer explained that Mr. Aguayo continued to operate his business and that another letter was sent to him informing him that he needed to get a business license. Mr. Moyer stated that Mr. Aguayo finally came in and applied for a business license and that at that time he was told that he was to not operate his business until he had received a license. Mr. Moyer stated that Mr. Aguayo told the City that he was only teaching the Boy Scouts and that he was helping them to earn merit badges and it was being done as a service project. Mr. Moyer explained that the boys that were coming and going from Mr. Aguayo's home were from the ages of 6 to 10. Mr. Moyer explained that his wife had casually asked the parents of the students, is he a good teacher, how much does he charge, does he give any deals? And that the parents responded by saying, yeah he is a good teacher, this is how much he charges, no he isn't giving any deals. Mr. Moyer explained that this evidence showed him that Mr. Aguayo was still operating his business without a license and that it was not being done as a service to the boy scouts. Mr. Moyer presented the Commission with a petition that states, "We the undersigned residents of the upper Castle Rock area hereby request that the City of Eagle Mountain Planning Commission deny the request by Alonzo Aguayo for a business license for the operation of his martial arts studio at 7442 Castle Rock Road, we feel that this business has and will continue to increase vehicular and pedestrian traffic, on street parking, trespassing and the potential for property damage, these aspects will negatively impact the feel, appeal and serenity of the neighborhood, each of the undersigned live within 600 feet of the proposed business."

Kimberly Moyer explained that she was Todd Moyer's wife and that she lived on 7432 Castle Rock Road. Mrs. Moyer explained that she has personally talked to three different parents that have come and dropped their kids off, not in an interrogating or threatening way but more along the lines of, so do you like the teacher?, how much are your lessons?, that sort of thing. Mr. Moyer explained that she had one particular instance where she was talking with one of the mothers asking how much the lessons were, looking to see if Mr. Aguayo was giving lessons for free. Mrs. Moyer explained that Mr. Aguayo came quickly over to her and the mother and he said, remember the lessons are free, and the mother said, but I paid you a check, and Mr. Aguayo said well I will just credit you for next month. Mrs. Moyer explained that the parents she had spoken with told her on average the lessons were anywhere from \$65 to \$85 dollars a month. Mrs. Moyer explained that the lessons are not being taught for

free and that it is not associated at all with the Boy Scouts. Mrs. Moyer stated that she had been asked by a resident, Wendy Pendleton, to read a letter.

Tom Maher asked Mrs. Moyer that she submit the letter to Mr. Lenhard.

Kirk Horinek explained that he lived next to Mr. Aguayo also and that his yard was the one that was being driven on. Mr. Horinek explained that he has had to put rocks down so that people will not drive on his mow strips. Mr. Horinek explained that he agreed with all other complaints being made and that this was his biggest concern.

Mr. Aguayo explained that mostly all of the complaints being made by the neighbors were complaints of things that the previous owner had done. Mr. Aguayo explained that he had witnesses that could tell the Commission that the students never played on other people's yards, that the parents didn't block peoples driveways and that none of the complaints were coming from his business that they were all complaints coming from the previous owners business. Mr. Aguayo stated that there had been complaints from the mail lady and that the mail lady told some neighbors that if cars were parked in front of the mailboxes that she would not deliver the mail. Mr. Aguayo said that cars were parking in front of mailboxes but it was when the previous owner lived in the home and that there had not been any complaints from the mail lady since he had moved in. Mr. Aguayo explained that his classes were held from 6:30p.m. to 8:30 p.m. and that there is no mail delivery at that time so therefore there is nothing to complain about. Mr. Aguayo explained that he has sent a letter to all parents of his students explaining the rules and guidelines that they need to follow in order to attend his classes.

Tom Maher asked Mr. Aguayo when he had moved into his home.

Mr. Aguayo stated that he moved in July 1st and that he started classes that Thursday, the 7th of July and that he applied for a business license on the 18th or 19th of July.

Mr. Aguayo stated that he had received a letter from the City informing him that he needed to get a business license so he called Mr. Lenhard to get things taken care of. Mr. Aguayo told Mr. Lenhard that he had several classes of students and that he told Mr. Lenhard that the student's parents had already paid for the month so that he was just going to finish the month out of classes and then he would not hold any more classes.

Mr. Maher asked Mr. Aguayo how many students he currently had.

Mr. Aguayo stated that he had eight students.

Mr. Maher asked what the restrictions were on how many students Mr. Aguayo was allowed to have.

Mr. Lenhard stated that it is allowed for 24 students per day with only 12 students at a time.

Mr. Kemp asked if these were the same restrictions that Kirk Flora had when he was operating the business.

Mr. Lenhard stated that Mr. Aguayo would have the same restrictions as Mr. Flora did.

Mr. Aguayo explained that since his property only went to where the sidewalk starts he should have no responsibility as to where cars park.

Mr. Lenhard stated that he disagreed. Mr. Lenhard stated that the purpose of allowing a home business is to derive some type of economic benefit out of a business ran out of their home. Mr. Lenhard explained that there are a lot of residents in Eagle Mountain City who

have a home business and that the City supports that, but the line is drawn when a home business changes the character of a residential area and turns it into something different. Mr. Lenhard explained that that is clearly defined by having increased traffic, which would not normally be caused by residential demand.

Mr. Aguayo stated that besides giving the residents a letter, what else can he do to stop the students and parents from breaking the rules because eventually in the end they will make their own decisions.

Mr. Maher explained to Mr. Aguayo that when you put a business in a neighborhood the responsibility for making sure the students and their parents to follow the rules is the business owner's responsibility. Mr. Maher explained that if they can't be controlled the license will be revoked. Mr. Maher explained that Mr. Aguayo needs to control his students and make them obey the rules or he will lose his license.

Mr. Maher explained that parking in the street is allowed and that he at least needs to ask the students and their parents that they don't park in front of the mailboxes.

Mr. Lenhard suggested that Mr. Aguayo encourage his students to walk or ride a bicycle. Mr. Lenhard also suggested that the students drive one way through the street so that they do not have to make a u-turn or have to turn in his driveway, backup and then drive back down the street.

Mr. Malone asked if it was illegal to park in front of a mailbox. Deputy Lomax said that it was not illegal but that property owners do have a right to access their property and their mailbox as well.

Kathy Selya explained that she was the parent who parked in front of the mailbox last week and that the only reason why she parked there was because there was another car in front of her and she did not have any other place to park. Mrs. Selya explained that this resident, whose mailbox she parked in front of came and interrogated her and asked her some personal questions that she did not have any right to ask. Mrs. Selya explained that the paper that Mr. Selya had given to the students spelled out the rules clearly and that she abided by these rules and that she has never seen anyone break them. Mrs. Selya explained that Mr. Selya was a good teacher and that she and her son support him in his business efforts.

Tom Maher closed Public Hearing closed at 6:55 p.m.

Mike Hansen explained that his major concern is the increase in traffic and that if Mr. Aguayo is willing to comply with the standards then he does not have a problem with the business.

Matt Weir explained that as long as the conditions of the home business are being met then he is okay with the business. Mr. Weir stated that he was concerned with future problems arising.

Mr. Lenhard stated that there is now a code enforcement officer who can be contacted at any time if there are problems with the conditions not being met. Mr. Lenhard explained that any of the officers out in Eagle Mountain have the power to stop the owner from doing business.

MOTION: *Michael Hansen moved that the Planning Commission approve Alonso Aguayo's Karate Studio Home Business subject to the following conditions:*

- 1. That the business maintains compliance with all of the standards outlined in the City's zoning ordinance. That inspections will be required by the Fire and Building Departments.**
- 2. That background checks will be required for all employees.**
- 3. That the Home Business application may be reviewed and subjected to additional conditions, or be revoked by the Planning Commission upon future reviews. If a complaint is filed by surrounding property owners the Planning Department will perform an investigation and place the item on the Planning Commission's agenda for additional consideration.**

John Malone seconded the motion. Ayes: 5, Nays: 0. Motion Passed.

D. O'Fallon's Bluff (R-6, N-4) Plat B, Final Plat – Action Item

Mr. Lenhard explained that O'Fallon's Bluff B is located along Golden Eagle Road. Mr. Lenhard explained that there are seven conditions of approval. Mr. Lenhard explained that this neighborhood would have to pay a fee-in-lieu prior to recordation for the neighborhood park. Mr. Lenhard explained that the reason for this was because the topography is barely suitable to build a home on let alone to build a park on. Mr. Lenhard explained that the City Engineer would determine the balance of the SID payments due and this subdivision would need to dedicate open space coming up on to the hill side. Mr. Lenhard explained that the further up you go there is an area called the Lakeview Community open space that is identified on The Ranches Master Development Plan and that they were required to dedicate a certain amount of acreage to the City and so with the platting of these subdivisions the City would require that the applicant deed over the remainder of their property that is un-buildable up on the hillside. Mr. Lenhard stated that the driveways have to be 22' according to the current Code's standard. Mr. Lenhard explained that 12% would also be the maximum allowable driveway slope and that the water rights would have to be turned over prior to recordation. Mr. Lenhard explained that the vest pockets would need to be 8 feet wide and the side walk would have to be 6 feet wide. Mr. Lenhard explained that there would also need to be a blow off valve at the end of Golden Eagle Road.

Mr. Weir asked if the dedicated open space would have a dedicated access point.

Mr. Lenhard stated that there are trails throughout the subdivisions and that there were some trail corridors that had been preserved.

MOTION: Matt Weir moved that the Planning Commission recommends approval of the O'Fallon's Bluff B Final Plat to the City Council subject to the following conditions:

- 1. FEE-IN-LIEU. That the Neighborhood Park fee-in-lieu is paid prior to recordation.**
- 2. SID PAYMENTS. That the City Engineer determines the balance of the SID payments due. This subdivision should pay the balance of the SID payments for acreage up to the "Lakeview Community Open Space."**
- 3. DRIVEWAYS. That a note on the plat shows that the driveway length is 22' and that the driveways are actually shown on the plat. That a notice is recorded with each plat that 12% is the maximum allowable driveway slope.**
- 4. WATER RIGHTS. That the larger lot sizes will require more water rights. That water rights are identified and turned over to the City.**
- 5. VEST POCKETS. That the vest pockets are eight feet wide, and that the sidewalk is 6 feet wide (integrated without park strip, Type A curb and gutter). That the travel lane is 14 feet.**
- 6. BLOWOFF. That there is a blow off valve at the end of Golden Eagle Road.**
- 7. CC&R'S, ENGINEERING AND BUILDING COMMENTS. That all of the comments referenced in that section of the Staff Report are completed.**

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

E. O'Fallon's Bluff (R-6, N-4) Plat C, Final Plat – Action Item

Mr. Lenhard explained that the O'Fallon's Bluff C will extend Butterfield Road from its existing location and connect it to the intersection of James Street and Ranches Parkway.

MOTION: Mike Hansen moved that the Planning Commission recommend approval of the O'Fallon's Bluff C Final Plat to the City Council subject to the following conditions:

- 1. FEE-IN-LIEU. That the Neighborhood Park fee-in-lieu is paid prior to recordation.**
- 2. SID PAYMENTS. That the City Engineer determines the balance of the SID payments due. This subdivision should pay the balance of the SID payments for acreage up to the "Lakeview Community Open Space."**
- 3. WATER RIGHTS. That the larger lot sizes will require more water rights. That water rights are identified and turned over to the City.**
- 4. TRAILS & FIRE ACCESS. That this corridor is 20' in width to allow for a utility easement, pedestrian corridor, and fire brush truck access. This corridor should be xeriscaped.**
- 5. DRIVEWAYS. That a note on the plat shows that the driveway length is 22' and that the driveways are actually shown on the plat. That a notice is recorded with each plat that 12% is the maximum allowable driveway slope.**
- 6. DROP MANHOLES. That drop manholes are not permitted.**
- 7. CC&R'S, ENGINEERING AND BUILDING COMMENTS. That all of the comments referenced in that section of the Staff Report are completed.**

Matt Weir seconded the motion. Ayes: 5, Nays: 0. Motion Passed.

F. O'Fallon's Bluff (R-6, N-4) Plat D, Final Plat – Action Item

Mr. Lenhard explained that O'Fallon's Bluff D is located at the end of Wyatt Earp Avenue. Mr. Lenhard explained that the open space parcel A in Plat D needs to be labeled as Public Open Space that is dedicated to Eagle Mountain City. Mr. Lenhard stated that the park fee-in-lieu needs to be paid prior to recordation. Mr. Lenhard explained that the larger lots would require more water rights and that the water rights need to be identified and turned over to the City. Mr. Lenhard explained that the City Engineer would determine the SID payment for the acreage up to the Lakeview Community Open Space. Mr. Lenhard explained that when it comes time for this project to start pulling building permits, if the builders are going to want to have access from the cul-de-sac then the code will have to be amended by then. Mr. Lenhard explained that the code currently only allows driveway access from the alleyways.

The developer asked how the open space would be labeled.

Mr. Lenhard explained that the Ranches HOA guidelines require fencing whenever any lots are adjacent to the open space and that there would be some lots that would have to have an open rail fence.

The developer asked if there were any fencing requirements in regards to two lots that had access issues.

Mr. Lenhard explained that those lots would be able to build a fence along his property line and that there should not be any restrictions.

Mr. Malone stated that he was concerned about having homes being built on lots 301, 302 and 303.

Mr. Kemp asked if topography lines were required when obtaining a building permit.

Mr. Lenhard stated that they are and that the contours and the slope of the lot are inspected.

Mr. Kemp recommended that topography lines be required on anything that drainage and or the slope could be a potential concern.

Mr. Lenhard asked if this is something that Mr. Kemp would like to add to the conditions of approval.

Mr. Kemp stated that he would like to see topography lines at least on the steep lots to prevent problems in the future.

Mr. Lenhard explained that there is a note on the plat that states that any required retaining walls must be installed by the developer or the homeowner.

Mr. Trusty explained that the conditions for building permits included that a grading plan be submitted. Mr. Trusty stated that notes have been added to the plat that retaining walls will be required, so that potential homeowners are aware of the issue and that the slope requirements on driveways are a maximum of 12%.

Mr. Kemp asked if potential lot buyers are being informed that their lots are in an extremely rocky area.

The developer stated that they are being informed and that all lot buyers so far are aware of the issue.

MOTION: *John Malone moved that the Planning Commission recommend approval of the O'Fallon's Bluff D Final Plat to the City Council subject to the following conditions:*

1. **OPEN SPACE PARCELS.** *That open space parcel A in Plat D is labeled as "Public Open Space dedicated to Eagle Mountain City" and maintained by the HOA.*
2. **FEE-IN-LIEU.** *That the Neighborhood Park fee-in-lieu is paid prior to recordation.*
3. **SID PAYMENTS.** *That the City Engineer determines the balance of the SID payments due. This subdivision should pay the balance of the SID payments for acreage up to the "Lakeview Community Open Space".*
4. **DRIVEWAYS.** *That a note on the plat shows that the driveway length is 22' and that the driveways are actually shown on the plat. That a notice is recorded with each plat that 12% is the maximum allowable driveway slope.*
5. **WATER RIGHTS.** *That the larger lot sizes will require more water rights. That water rights are identified and turned over to the City.*

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

G. O'Fallon's Bluff (R-6, N-4) Plat E, Final Plat – Action Item

Mr. Lenhard explained that O'Fallon's Bluff E is located at the end of O'Fallon's Way, north of the Eagle Top subdivision. Mr. Lenhard explained at the end of O'Fallon's Way there is a cut slope with a minimum of 3 to 1 with erosion control and that the water services need to connect to a minimum of a 6" main. Mr. Lenhard explained that the existing sewer lateral in lot 308 needs to be capped.

MOTION: *Matt Weir moved that the Planning Commission recommend approval of the O'Fallon's Bluff E Final Plat to the City Council subject to the following conditions:*

1. **FEE-IN-LIEU.** *That the Neighborhood Park fee-in-lieu is paid prior to recordation.*
2. **SID PAYMENTS.** *That the City Engineer determines the balance of the SID payments due. This subdivision should pay the balance of the SID payments for acreage up to the "Lakeview Community Open Space".*

3. **DRIVEWAYS.** *That a note on the plat shows that the driveway length is 22' and that the driveways are actually shown on the plat. That a notice is recorded with each plat that 12% is the maximum allowable driveway slope.*
4. **WATER RIGHTS.** *That the larger lot sizes will require more water rights. That water rights are identified and turned over to the City.*
5. **O'FALLON'S WAY.** *That there is a cut slope at the end of O'Fallon's Way with a minimum cut slope of 3:1 with erosion control.*
6. **CC&Rs, ENGINEERING AND BUILDING COMMENTS.** *That all of the comments referenced in that section of the Staff Report are completed.*
7. **WATER SERVICES.** *That water services must connect to a minimum 6" main. That the existing unused sewer lateral in lot 308 be capped.*

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

H. Mt. Airey Plat C, Final Plat – Action Item

Mr. Lenhard explained that the Mt. Airey Plat C subdivision is located north of Anthem on the Green and that it consists of nine lots. Mr. Lenhard explained that the setbacks recommended for this subdivision is 12' for front yard, 15' for rear yard, 5' on each side yard and 12' for the front and corner side of corner lots. Mr. Lenhard stated that staff had recommended that some of the lots be straightened out so that there is a better building pad so that the houses do not have to be pushed so far back. Mr. Lenhard stated that this is not shown as a condition of approval but that it is a recommendation from staff and that lots 6,3 and 4 are the lots being recommended to straighten.

Mr. Lenhard reviewed the conditions of approval with the Planning Commission.

MOTION: *Mike Hansen moved that the Planning Commission approves the Mt. Airey C Final Plat subject to the following conditions:*

1. **FEE-IN-LIEU.** *That the Neighborhood Park fee-in-lieu is paid prior to recordation.*
2. **ADDRESSES.** *That addresses are added to the plat.*
3. **PLAT LANGUAGE.** *That the Acknowledgement and Owner's Dedication language is amended.*
4. **LANDSCAPE PLAN.** *That street trees are added to the Landscape Plan along Mt. Airey Drive. That the responsibility to provide fencing and street trees is clarified on the Landscape Plan. That if they are public improvements, they are included in the bond.*
5. **SID PAYMENTS.** *That the City Engineer determines the balance of the SID payments due, and that they payment is made prior to recordation.*
6. **SIGNATURE BLOCKS.** *That the Planning Commission Signature Block is removed.*
7. **WATER RIGHTS.** *That water rights are identified and turned over to the city.*
8. **RETAINING WALLS.** *That a note is added to the plat stating any required retaining walls must be installed by the developer or homeowner.*
9. **LATERALS.** *That water laterals are shown on the plans.*
10. *That a note is added on the plans to ensure that sedimentation control devices (straw bales) are in place prior to construction.*
11. *That there are no utility conflicts.*

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

I. Disposal of Public Property, Mt. Airey Drive – Action Item

Mr. Lenhard explained that Mr. Dan Ford, a representative of the Mt. Airey Plat B property owner, and the Sage Group, property owners of Mt. Airey E, have submitted a formal letter of application requesting that the City dispose of two small parts of the Mt. Airey Drive right-of-way. Mr. Lenhard explained that when Mt. Airey was first designed, a guard house was

proposed at the entrance to the subdivision and the right-of-way was enlarged to allow for the construction of such a facility. Mr. Lenhard explained that the roadway was not enlarged to accommodate a guard house, and it is no longer considered to be an amenity that the developer will provide for this subdivision, and the adjacent land owners would like to take that part of the City-owned right-of-way and include it in their lots.

Mr. Lenhard explained that this item would be a two step process, the first being that the Planning Commission classify the property that is being proposed for disposal as either significant or insignificant. Mr. Lenhard explained that the second process would be that the Planning Commission make a recommendation on the actual disposal of the property, answering with either a yes or no. Mr. Lenhard explained that staff recommends that this disposal meets the criteria for insignificant real property.

MOTION: *Mike Hansen moved that the Planning Commission classifies the area of the Mt. Airey Plat A right-of-way described in this application as "Insignificant," for the purpose of disposing of property owned by the City, based upon the criteria contained in Ordinance O 11-2003.*

John Malone seconded the motion. Ayes: 5, Nays: 0. Motion Passed.

Mr. Lenhard explained that the land is subject to the SID as developable property and that the assessments are paid as required by the bond covenants. Mr. Lenhard explained that the processing fee would be determined by the City Council as the fee for the processing of the application as required by the consolidated fee schedule. Mr. Lenhard explained that all easements required by the City Engineer are provided. Mr. Lenhard explained that the land cost would be determined by the city council.

Mr. Maher asked that a condition be added that the land cost be very minimal.

MOTION: *John Malone moved that the Planning Commission recommend to the City Council that the area of the Mt. Airey Plat A right-of-way described in this application is disposed of, 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. 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.*
- 3. EASEMENTS. That all easements required by the City Engineer are provided.*
- 4. LAND COST. That the price to be paid for the land be at a minimal cost but enough to cover the City's expenses for reviewing the application.*

Mike Hansen seconded the motion. Ayes: 5, Nays: 0. Motion Passed.

5. Other Business

None

6. Adjournment

The meeting adjourned at 7:40 p.m.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, AUGUST 23, 2005

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. Development Items**

A. Disposal of Public Property, Eagle Park Subdivision – Action Item

***MOTION:** Commissioner Mike Hansen moved that the Planning Commission recommends to the City Council that the open space area of the Eagle Park subdivision described in this application be classified as “Significant,” for the purpose of disposing of property owned by the City, based upon the criteria contained in Ordinance O 11-2003.*

Unknown Commissioner seconded the motion. Motion passed.

***MOTION:** Commissioner Mike Hansen moved that the Planning Commission recommend disposal of the open space are of the Eagle Park subdivision described in this application to the City Council, 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. PROCESSING FEE. That the Applicant pays costs in the amount of \$ _____ (determined by the City Council) as the fee for the processing of the application as required by the Consolidated Fee Schedule. That costs incurred by the City for preparing deeds and recordation should be borne by the Applicant.
3. EASEMENTS. That all easements required by the City Engineer are provided.
4. LAND COST. That the price to be paid for the land is less than \$1000 dollars, as recommended by the Planning Commission. (The final amount to be determined by the City Council.) These funds to go directly to improvement of the Eagle Park open space.
5. WATER RIGHTS. That the applicant dedicates the appropriate amount of water rights to the City as calculated by the City Engineer.

Unknown Commissioner seconded the motion. Motion passed.

B. Jacob’s Well B (R-6 N-3), Final Plat – Action Item

***MOTION:** Commissioner Mike Hansen moved that the Planning Commission recommends denial to the City Council of the Jacob’s Well B Final Plat with the elimination of the vest pocket, based on the classification of Golden Eagle Road as a Collector Road. Constructing the vest pocket will preserve good traffic circulation (maintaining a higher level of service in the future) and create a higher level of safety.*

Unknown Commissioner seconded the motion. Motion passed.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, AUGUST 23, 2005

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

C. Scot Hazard's Monument Sign Permit Application – Action Item

***MOTION:** Commissioner Mike Hansen moved that the Planning Commission recommend approval to the City Council of Scot Hazard's Sign Permit Application, allowing him to enter into a lease agreement with the City to place a monument sign for the Parkway Crossroads project and the Ranches Business Campus project in the City's right-of-ways.*

Unknown Commissioner seconded the motion. Motion passed.

5. Other Business

6. Adjournment

EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES
Eagle Mountain City Offices 1650 E. Stagecoach Run, Eagle Mountain, UT 84043
Tuesday, September 27, 2005

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

Roll Call:

Tom Maher, Chris Kemp, John Malone, Michael Hansen, Matt Weir

Others Present:

James McMurray, Bud Jorgensen, Bill Peperone

City Staff:

Planning Director: Adam Lenhard
City Planner: Peter Spencer
Planning Coordinator: Jenalee Cheever
City Engineer: Chris Trusty

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

Mr. Lenhard explained that the vest-pocket for Lone Tree Plat C was approved by the City Council and that they required that the vest-pocket be installed.

Mr. Lenhard explained that Spring Valley Plat C was also approved by the City Council with no additional conditions.

Mr. Lenhard explained that the Rock Creek Condos Phase 2 was also approved by the City Council and that the developer agreed to the conditions in regards to the fencing around the tot lots.

4. Development Items

A. Hidden Valley Concept Plan - Discussion Item (on-site)

The Planning Commission and staff met on-site at the Hidden Valley location. Mr. Lenhard showed a map of the area to the Commissioners and explained the layout to them.

The Planning Commission discussed the site and the layout of the project.

(After the site visit the Planning Commission and staff returned to the Eagle Mountain City offices for the remainder of the meeting.)

Mr. Peperone explained that the property had been entitled for 795 dwelling units but the proposal being present tonight was for 367 and that this was a 54% reduction in units being allowed on the property.

Mr. Maher asked Mr. Peperone who owned the land.

Mr. Peperone explained that Nathan & Stan Ricks with Hidden Valley, LLC owned the property. Mr. Peperone explained that the plan being presented has 158 lots in what is being called phase 2. Mr. Peperone explained that the grade could be brought below 25% and the plan could be redesigned so that the hillside would not be developed.

Mr. Maher asked if any lots were exceeding the 25% grade.

Mr. Peperone explained that some lots go into the 25% grade but that they do have buildable areas on those lots that are below the 25% grade. Mr. Peperone explained that this would be determined before the preliminary plat is submitted.

Mr. Maher explained to Mr. Peperone that the Planning Commission did not like this plan.

Mr. Peperone explained that he would meet code but that in order to get the value out of the property then they would need to see those 367 lots developed.

Mr. Malone asked if there was any way that this project could be marketed with larger lots.

Mr. Peperone stated that in order to get value out of the property than the 367 lots would need to be developed.

Mr. Maher asked how much a half acre lot would have to sell for if they layout of the plan were to change.

Mr. Peperone stated that he would have to sit down and go through the figures but that he would get those to the Planning Commission.

B. Cedar Corners Concept Plan - Discussion Item

Mr. Spencer explained that Cedar Corners is located in the City Center north of Eagle Point Plats G and H. Mr. Spencer explained that the City's General Plan categorizes the parcel's future land use as Mixed-Use Residential and that the applicant is proposing a 200-lot single-family detached subdivision on a 40 acre parcel in the City Center just north of Eagle Point Plats G and H. Mr. Spencer explained that this parcel is currently zoned Agriculture, but the applicant has submitted an application for a Rezone to Residential. Mr. Spencer explained that at a gross density of 5.0 dwelling units per acre, this project would be required to meet all standards of the Tier II Residential zone.

Mr. Spencer explained that the following items were discussed and reviewed with the applicant in the DRC meetings.

- That an all weather secondary access is provided for the project.
- That the gas, water and electricity systems are looped.
- That two acres of park are provided (two tot lots, two pavilions, etc.). That electricity and lights are provided to the park.
- That the driveways are a minimum of 22' long from the property line.
- That entryway monuments for the project are provided.
- That the following setbacks are required in Tier II Residential: front 15, sides 15 total, rear 20, rear on alley 15.
- That the new Tier II Lot Frontage standard is proposed to be 60 ft. instead of 50 ft. (the City Council will vote on this at the October 18 meeting)
- That the trail corridor between lots 11 and 12 is removed (trail no longer planned behind those lots)
- It is recommended that no part of a lot extends into the utility corridor without plan reviews by Kern River Gas and Utah Power and Light.
- That the open space area between lots 34 and 35 is relocated away from the perimeter of the project. Suggest moving to southwest corner to proved storm

- drainage detention area.
- That the southwest corner of the project area should be reserved as a detention area.

Mr. Spencer explained that one issue that Staff would like to discuss is the lot frontages. Mr. Spencer explained that the plan that is being presented has a 50 foot frontage on the lots. Mr. Spencer explained that recently the Planning Commission had approved the Development code which had proposed a change to the lot frontages making it a 60 foot minimum. Mr. Spencer explained that they had spoken with the City Attorney and asked if there would be any vested rights that this project would have in regards to the minimums, and that the City Attorney had told them that there would not be, because the applicant had been informed previously that the code would be changing depending on the City Council's approval.

Mr. McMurray explained that he was a consultant with Northern Engineering and he was here representing his client. Mr. McMurray explained that he had questions about the 60 foot lot frontage.

Mr. Lenhard explained that this was a concern for staff when the applicant first presented their submittal with the 50 foot lot frontages. Mr. Lenhard explained that they had spoken with the City attorney and asked him if there was any vesting and that the attorney had said no.

Mr. McMurray explained that the current plan shows a garden court lot with the center lots facing the garden court and that the homes would be accessed through an alleyway.

Mr. Kemp explained that it was a good layout and that it would be a good and safe environment for children to go out and play where there parents can keep an eye on them.

Mr. McMurray asked the Commission and Staff what they thought of landscaping or improving the power line corridor.

Mr. Lenhard explained that UPNL and Kern River will give recommendations to the City as to what they would and would not like to see done to the power line corridor.

Mr. Trusty explained that no permanent structures would be allowed and that elevation would be a concern, that nothing could come within 10 feet of the power line. Mr. Trusty explained that the companies would also have to have access to their facilities.

Mr. McMurray explained that the open space in front of the homes was put there rather than behind the homes because if put behind it would just become cluttered and trashy because no one would be able to see it.

Mr. Peperone explained that he felt that having the open space in front of those homes would serve as a nice park area and that it would be maintained rather than left unkempt because you can see it.

5. Other Business

Mr. Lenhard explained to the Planning Commission that the November 8th meeting had been canceled due to elections and that if possible Staff would like to reschedule the meeting for November 9th at 6:00 p.m. Mr. Lenhard also explained that there would be meetings held on November 22, and December 20, unless there were no items to go on the agenda then those meetings would be canceled.

6. Adjournment

Tom Maher adjourned the meeting at 8:00 p.m.

EAGLE MOUNTAIN PLANNING COMMISSION MINUTES
Eagle Mountain City Offices 1650 E. Stagecoach Run, Eagle Mountain, UT 84043
Tuesday October 11, 2005

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

Roll Call:

Tom Maher, Chris Kemp, John Malone, Michael Hansen, Matt Weir

Others Present:

Charlotte Ducos, Kelvin Bailey, Brandon Reall, Ken Hixon, Doug Woodruff

City Staff:

City Planner: Peter Spencer
Mayor: David Lifferth
Executive Assistant: Angie Ferre

1. Pledge of Allegiance

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

2. Declaration of Conflicts of Interest

None

3. Approval of Minutes

A. September 27, 2005

MOTION: *Michael Hansen moved that the Planning Commission approve the minutes of September 27, 2005.*

John Malone seconded the motion. Ayes: 5, Nays: 0. Motion Passed.

4. Development Items

A. Lone Tree E Rezone. Public Hearing – Action Item

Mr. Spencer explained that the proposed Lone Tree E project is located adjacent to the western end of The Ranches' Master Development Plan area, northeast of Lone Tree A, B, & C. Mr. Spencer explained that the Applicant is requesting that their 66 acres be rezoned to Residential in order to accommodate a future residential development.

Mr. Spencer explained that the Planning Department's recommendation would be to approve the rezoning request. Mr. Spencer explained that the area is currently zoned as agriculture and that the applicant is asking that it be rezoned to residential.

Mr. Kemp asked where the access to this project would be from.

Mr. Spencer explained that he thought that they would use the access through the Lone Tree subdivision.

Mr. Malone asked if this was the only area in the Ranches that was still zoned as agriculture and surrounded by all residential.

Mr. Spencer explained that the area shown on the map is actually not in the Ranches. Mr. Spencer explained that the entire square area shown on the map is out of the Ranches Master Development Plan.

Tom Maher opened the public hearing at 6:09 p.m.

Tom Maher closed the public hearing at 6:09 p.m.

MOTION: ***Chris Kemp moved that the Planning Commission recommend approval of an ordinance that will rezone the 66-acre "Lone Tree E" parcel from the Agriculture Zone to the Residential Zone at Base Density.***

Michael Hansen seconded the motion. Ayes: 5, Nays: 0. Motion Passed.

B. Sunrise at Kiowa Rezone, Public Hearing – Action Item

Mr. Spencer explained that this property is adjacent to the Ranches Master Development Plan, south of the Kiowa Valley subdivision, and is currently zoned Agriculture. Mr. Spencer explained that the applicant is requesting that their 20 acres be rezoned to Residential in order accommodate a future residential development.

Mr. Spencer explained that a large portion of the twenty acres is on a hillside.

Mr. Hansen asked if the motion could leave out the part about Bonus Density

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

Mayor Lifferth asked Mr. Spencer what the grade of the hillside was and how much of the hillside is actually buildable.

Mr. Spencer explained that the project has not yet been evaluated that far. Mr. Spencer stated that when the applicant submits their application for a preliminary plat, the applicant will be required to indicate the slope of the hillside.

Tom Maher closed the Public Hearing at 6:15 p.m.

MOTION: ***Michael Hansen moved that the Planning Commission recommend approval of an ordinance that will rezone the 20-acre "Sunrise at Kiowa" parcel from the Agriculture Zone to the Residential Zone at Base Density.***

Matt Weir seconded the motion. Ayes: 5, Nays: 0. Motion Passed.

C. Disposal of Public Property, North Ranch Subdivision Open Space – Action Item

Mr. Spencer explained that Mr. Brandon Reall, President of the North Ranch Homeowners Association, has submitted a formal letter of application requesting that the City dispose of the recorded open space park area in the North Ranch subdivision. Mr. Spencer explained that the HOA currently pays to maintain all of this land, but it is owned by the City.

Mr. Spencer explained that there is a two step process in the disposal of this property.

Mr. Spencer explained that the first determination that needs to be made is whether or not the land is significant or insignificant. Mr. Spencer stated that the Planning Department recommends that the land be classified as significant.

Mr. Spencer explained that the applicant would need to pay a fee for the processing of the application and that this fee would be determined by the City Council.

Mr. Spencer explained that all easements required by the City Engineer would need to be provided.

Mr. Spencer explained that the cost of land fee would need to be paid.

Mr. Maher asked what the fee for the land would be.

Mr. Spencer explained that the cost would have to be determined by the City Council.

Mr. Maher asked how that fee would be calculated.

Mayor Lifferth explained that he was unsure of the value of the lot and that he did not know how much the lot would need to be sold for.

Mayor Lifferth asked Mr. Bailey if he knew how that fee would be calculated.

Mr. Bailey explained that the City could possibly check the county records and look for other open space similar to this one and look to see what they assess it at.

Mr. Maher explained that he would like to sell the land back at a minimal cost.

Mr. Spencer explained that a water meter would need to be installed so that the City could charge the HOA for the water that they use.

Mr. Reall explained that that the HOA is currently paying a monthly bill for the water that they use to water the park area.

Mr. Reall explained that currently the park and parking lot have all currently been put in by HOA funds. Mr. Reall stated that the HOA has recently gathered some money to put in a pavilion.

Mr. Reall explained that the HOA feels that since they already pay for all the maintenance, water and etc. for the park that they would just like to go ahead and own it so that they can build a pavilion on it.

Mr. Bailey explained that if all the HOA wants to do is build a pavilion and not really own the property then there are ways to get around the City to do it. Mr. Bailey explained that this could be worked out at a Staff level.

Mr. Spencer explained that Staff has discussed this issue and that since it is City owned property the HOA is not allowed to build a pavilion on it.

Mr. Bailey explained that there are ways to get around that depending on how it is presented to the City.

Mr. Spencer explained to Mr. Reall that all of the meetings that he had attended the City Staff has explained that if it is City owned then there cannot be a privately owned pavilion built on it. Mr. Spencer explained that this is the reason that the disposal of the property has come about.

Mr. Spencer explained that building a structure on City property is possible but that the City would have to be the one to put out the bids, choose a contractor and have it built with the City funds.

Mr. Hansen asked if the disposal would include an easement so that in the future the property will always remain as a park.

Mr. Maher explained that the property is currently designated as a park.

Mr. Malone asked if the entire HOA board was agreed in owning the property and if the residents

have been support of the issue.

Mr. Reall explained HOA was in favor and that most residents were in favor as well.

Mr. Reall explained that the CC&R's would require that there be a vote on owning the property. Mr. Reall explained that in most cases the residents were in favor of owning the property to install a pavilion.

Mr. Malone asked if the HOA does come to own the park, would that designate it as a private park rather than a public park.

Mr. Reall explained that it would become a private park.

Mrs. Ducos explained that she would like to see this item tabled tonight. Mr. Ducos explained that a ballot had been sent through the neighborhood but it was not about the specific issue regarding the disposal of the park to the HOA. Mrs. Ducos explained that she was personally against the disposal of this property. Mr. Ducos explained that there were a lot of issues involving this disposal that had not been brought before the residents and she would like to see them resolved before any action is taken.

Mr. Malone explained that he would be uncomfortable making a motion on this tonight. Mr. Malone asked why the HOA is currently paying for the utilities, water and electric.

Mr. Spencer explained that it was an agreement made with the HOA and the City when North Ranch came to be. Mr. Spencer explained that the reason that the HOA did not have ownership of the property was because they wanted to avoid having to pay property taxes.

Mr. Bailey explained that his concern is that the residents have not been well informed about the HOA having ownership over the land.

MOTION: *Mike Hansen moved that the Planning Commission table the Disposal of Public Property in the North Ranch Subdivision item.*

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

D. Amendment to the Silver Lake Master Development Plan, Public Hearing – Action Item

Mr. Spencer explained that the applicant had requested to have the item tabled.

Various comments were heard from the public that were not related to the Amendment to the Silver Lake Master Development Plan.

MOTION: *John Malone moved to table the Amendment to the Silver Lake Master Development Plan item.*

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

5. Other Business

None

6. Adjournment

The meeting adjourned at 6:52 p.m.

EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES
Eagle Mountain City Offices 1650 E. Stagecoach Run, Eagle Mountain, UT 84043
Tuesday October 25, 2005

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

Roll Call:

Commissioners Present: Tom Maher, Chris Kemp, John Malone, Matt Weir

Others Present:

Jennifer Edwards, Dan Ford, Heidi Gray, Debbie Hooge, Jody Hooley, Bud Jorgensen, Monte Kingston, Scott Kirkland, James McMurray, James Taylor

City Staff:

Planning Director: Adam Lenhard
City Planner: Peter Spencer
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

Mr. Lenhard explained that the City Council had tabled the Development Code and General Plan changes because the City Council wanted more time to review them.

Mr. Lenhard explained that the City Council approved the Cedar Corners Rezone.

Mr. Lenhard explained that the Alternate logo for the ladder signs in the Ranches was also approved by the City Council. Mr. Lenhard stated that this new logo would be used on all signs in the Ranches area.

4. Approval of Minutes

A. October 11, 2005

MOTION: *Chris Kemp moved that the Planning Commission approve the minutes of October 11, 2005.*

Matt Weir seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

B. August 23, 2005

MOTION: *Chris Kemp moved that the Planning Commission approve the minutes of October 11, 2005 and August 23, 2005.*

Matt Weir seconded the motion. Ayes: 5, Nays: 0. Motion Passed.

5. **Development Items**

A. **Heatherwood (R1 N22) Preliminary Plat and Site Plan, Public Hearing – Action Item**

Mr. Spencer explained that the Heatherwood subdivision is located in between the Eagle's Gate and Anthem on the Green subdivisions in The Ranches.

Mr. Spencer explained that the homes in this area will have motorcourt areas or connected driveways. Mr. Spencer stated that the Staff has determined that the driveway widths should be at least thirty feet so that there is room to maneuver a car around.

Mr. Kingston explained that the motorcourt areas have been examined and that 28 feet was found adequate enough for vehicles to back up.

Mr. Kingston explained that if the driveway width was pushed back to thirty feet it would eliminate the open space areas such as the walking and running paths.

Mr. Ford explained that the walking paths excluding the sidewalks equal about 1 ½ miles. Mr. Ford explained that they would rather have a large central community activity area and if the driveway widths are enlarged to 30 feet, it would eliminate the large park area.

Mr. Lenhard explained that all areas that a building is not located on such as park strips must be landscaped, and that these landscaped areas can not be included in the 2 acres required of improved park area.

Mr. Maher asked what the exteriors would be composed of.

Mr. Ford explained that the exteriors would be composed of stone, stucco, and hardy plank. Mr. Ford explained that there would be two car garages instead of one car garages.

Mr. Ford explained that there would be good lighting on the garage and that motion sensors would be installed for security reasons.

Mr. Lenhard explained that some type of motion sensor lighting would need to be installed so that the motorcourts are not completely black at night.

Tom Maher opened the public hearing at 6:26 p.m.

Tom Maher closed the public hearing at 6:26 p.m.

MOTION: *Chris Kemp moved that the Planning Commission approve the Preliminary Plat and recommend approval of the Site Plan to the City Council for the Heatherwood subdivision subject to the following conditions:*

1. ***DRIVEWAY WIDTH.*** *That the minimum width between opposite-facing driveway doors is 28 feet.*
2. ***UTILITIES LOOPED.*** *That the gas, water, and electricity systems are looped.*
3. ***NEIGHBORHOOD PARK AND TRAILS.*** *That the applicant provides the equivalent of two acres of Neighborhood Park.*
4. ***MONUMENT SIGNS.*** *That entryway monuments are provided.*
5. ***UTILITIES.*** *That staff comments on the construction drawings are addressed.*
6. ***ROAD B CONFIGURATION.*** *That the configuration of Road B is shown on the plat as designed in the new construction plans.*
7. ***DESERT CANYON ROAD.*** *That sidewalks are provided on both sides of the road and that a transition is provided between the 5' monolithic sidewalks in Anthem on the Green and the 4' walks with park strips in Heatherwood.*
8. ***SIDEWALKS.*** *That the sidewalks around the perimeter of the buildings are extended to the front entrance of each unit and shown on the landscape plan.*
9. ***TRAFFIC STUDY.*** *That the traffic study is submitted and approved by the Engineer.*

10. **PLAT.** *That the PC signature block is removed. That County book and page are added for adjacent parcels.*
11. **ROAD NAMES.** *That names are assigned to the roads.*
12. **VISITOR PARKING.** *That visitor parking is provided along "Road A" by the clubhouse and pool instead of, or in addition to, the parking along "Road B" by the park.*
13. **CONSTRUCTION DRAWINGS.** *That all comments on the construction drawings have been addressed and rectified with the City Engineer.*
14. **EXTERIOR LIGHTING.** *That exterior lighting is provided within motorcourts, alleys, and walkways around each building to ensure nighttime visibility and safety.*

Matt Weir seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

B. Spring Valley Site Plan and Final Plat, Public Hearing – Action Item

Mr. Spencer explained that Spring Valley is located just south of S.R. 73 and on the north-eastern edge of the city. Mr. Spencer explained that the developer has come back with a new builder and new product that they would like to build.

Mr. Spencer explained that the subdivision would consist of four plexes, three plexes and two plexes and that the majority of the subdivision would be four plexes.

Mr. Spencer explained that the garage had changed from a one car to a two car garage.

Mr. Spencer explained the condition of approvals to the Planning Commission.

Mr. Spencer stated that the landscape plan that has been provided for the meeting has been reviewed and approved by City Staff.

Mr. Spencer explained that in the north portion of the property there is a main entrance that the applicant has agreed to put a significant amount of landscaping and trees in along the border as well as a 6 foot privacy fence to be installed by the developer.

Mr. Kirkland explained that one major change from the previous plan to the new one was the burming. Mr. Kirkland explained that in this new plan the buildings are a lot bigger than before so therefore there is not a lot of room to build a burm.

Mr. Kirkland explained that they have been speaking with UDOT to see if there is something they can do to fill the open area. Mr. Kirkland explained that right now if a fence was installed it would be installed in a very deep hole. Mr. Kirkland stated that they were hoping that UDOT would let them fill and level that hole out so that a fence could be installed.

Mr. Kirkland stated that the golf course fencing would be the type of fencing used.

Mr. Kirkland explained that as each building is built out the landscaping around it would be completed all at once.

Mr. Maher asked what materials the exteriors would consist of.

Mr. Kirkland explained that it is hardy plank with rock, and that there would be some wood features.

Mr. Maher asked about the rear elevations.

Mr. Kirkland explained that the rear elevations must be enhanced if their backs face a public road or the golf course and that they can be less enhanced if two backs face each other.

Tom Maher opened the public hearing at 6:46 p.m.

Debbie Hooge explained that she was displeased with the noticing for this particular subdivision. Mrs. Hooge explained that she as well as other residents were displeased that the parks in Mt.

Airey were not completed. Mrs. Hooge explained that the residents would like to know that there is a guarantee that parks will be completed instead of being left undone.

Heidi Gray explained that she and her husband owned a trucking company that had done some work for the park but were never paid due to some bankruptcy issues on the builders part. Mrs. Gray stated that she and the other residents would really like to see the park finished completely. Mrs. Gray explained that she would be willing to donate to help construct the park.

Tom Maher asked about the public noticing issues.

Mr. Lenhard explained that envelopes come back to the City sometimes due to information from the county that has not been updated. Mr. Lenhard explained that when the notices come back they are usually put in a folder but in this particular case the returned envelopes were hand delivered to the home owners in Mt. Airey. Mr. Lenhard stated that the Code requirements had been met in regards to noticing.

Tom Maher closed the public hearing at 6:55 p.m.

MOTION: ***Matt Weir moved that the Planning Commission recommend approval to the City Council for the Spring Valley Site Plan & Final Plat subject to the following conditions:***

- 1. PLAT. That all graphical portions of the plat are completely labeled. That all roads are shown to be dedicated as either public or private. That the Planning Commission Signature Block is removed. That specific addresses identified by the City Engineer are added to the Plat. That the Acknowledgement and Owner's Dedication language is amended. That County book and page are added for adjacent parcels.***
- 2. CONSTRUCTION PLANS. That all of the construction plan redline comments are corrected as per staff recommendations.***
- 3. FIRE DEPARTMENT APPROVAL. That the locations of the hydrants are approved by the Fire Chief.***
- 4. E-FILES. That e-files are submitted for the plat, dry utilities, and construction drawings. That engineer's estimates are provided for civil and dry utilities.***
- 5. UTILITY CONFLICTS. That there are no utility conflicts.***
- 6. SID PAYMENTS. That the City Engineer determines the amount of SID payments due, and that the payment is made prior to recordation.***
- 7. STORM DRAIN CALCULATIONS. That the storm drain calculations are resubmitted and approved; that they include inlet and roadway spread capacities.***
- 8. FEES. That the total amount of \$3,000.00 for application & processing fees be paid prior to recordation.***
- 9. LANDSCAPING PLAN. That the landscape plan is reviewed and approved by City Staff. That all fencing and landscaping are called out as developer/builder improvements and bonded for.***

John Malone seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

C. Mt. Airey E Preliminary and Final Plat, Public Hearing – Action Item

Mr. Spencer explained that Mt. Airey E is located along the north side of Mt. Airey Drive adjacent to the Spring Valley town homes.

Mr. Spencer explained that this subdivision would be subject to the park fee-in-lieu even though there is only one lot.

Mr. Spencer explained that there were some minor changes that needed to be made to the plat and that the SID payment and park fee-in-lieu would need to be paid prior to the recordation of the plat.

Tom Maher opened the public hearing at 6:58 p.m.

Tom Maher closed the public hearing at 6:58 p.m.

MOTION: *Matt Weir moved that the Planning Commission approve the Mt. Airey E Preliminary Plat and recommends approval to the City Council of the Final Plat subject to the following conditions:*

- 1. PARKS. That this subdivision is subject to the park fee-in-lieu.*
- 2. DISPOSAL OF MT. AIREY ROW. That the disposal process and road vacation are completed.*
- 3. PLAT. That the Planning Commission block be removed from the plat. That the discrepancy between the written boundary description and the geographical boundary description is resolved. That book and page information for adjacent property owners is identified.*
- 4. CONSTRUCTION PLANS. That the existence and actual location of water and sewer laterals are verified and approved by the City Engineer.*
- 5. LANDSCAPE PLAN. That the indicated streets are installed.*
- 6. SID PAYMENT. That the City Engineer determines the amount of the SID payment due and that the payment is made prior to recordation.*
- 7. FEE-IN-LIEU. That the Neighborhood Park fee-in-lieu is paid prior to recordation.*
- 8. ADDRESS. That the address is added to the plat.*

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

D. Cedar Valley Master Development Plan, Public Hearing – Action Item

Mr. Lenhard explained that the Cedar Valley Master Development Plan is located in the Town Center just north of the Pioneer Addition subdivision, between Sweetwater Road and the future Airport Road arterial.

Mr. Lenhard explained that this plan contained 3 parcels and a portion of a fourth parcel.

Mr. Lenhard stated that the applicant has submitted a master development application as well as a land use map. Mr. Lenhard explained that the land use map went in to detail of what areas would be used for what.

Mr. Lenhard explained that the calculations of acreage and number of dwelling units on this plan do not work. Mr. Lenhard explained that it is staff's recommendation that this item be tabled until the submittal materials contain more accurate calculations of the acreage and the number of dwelling units.

Mr. Lenhard explained that the applicant is requesting a higher density so therefore it would put them in a tier 3 which requires a 10% improved open space area. Mr. Lenhard explained that this is why 13.54 acres of improved open space is required.

Mr. Lenhard explained that the current code requires that there be buffering or transitioning between the different areas. Mr. Lenhard explained that the power line corridor serves as a good buffer and that it is about 600 ft wide and that a trail would be put through the corridor.

Mr. Lenhard reviewed the following conditions of approval with the Planning Commission:

1. LEGAL DESCRIPTION. That the legal description is verified.
2. TRAFFIC PLAN. That the traffic plan is reviewed and approved by the City engineer.
3. PARKS & OPEN SPACE REQUIREMENTS. That the Developer provides the land required by the Development Code as Improved Open Space (10% of total project area – 13.54 acres – since gross density is Tier III). That the developer meets the Neighborhood and Community Park requirements (at 789 units – 7.83 acres of Neighborhood Park and 4.61 acres of Community Park – total 12.44 acres in improved parks). The remaining 1.10 acres must be provided in some form as approved by the Planning Commission and City Council (suggest

- improving the trail corridor under the power lines as part of Cedar Valley Regional Trailway).
4. UTILITY CORRIDOR. That the utility corridor is ineligible for inclusion as improved open space, except as provided for in the Title 1, Section 14.9 of the City's Land Use Ordinance.
 5. GEOTECH REPORT. That a geotech report is submitted and approved by the City Engineer.
 6. CAPITAL FACILITY PLAN. That the Capital Facility Plan may need to be amended to include costs for Airport Road and Bobby Wren Boulevard.
 7. STORM DRAIN SYSTEM. That potential locations for storm water detention ponds are identified.
 8. FINANCING INFRASTRUCTURE. That a determination of the method of financing infrastructure be completed with the amending of the Capital Facilities Plan.
 9. BOBBY WREN BLVD. That Bobby Wren Blvd consists of a 136 ft. right-of-way (Area Collector) to be shared by Eagle Mountain Properties' Pioneer Addition development.
 10. AIRPORT ROAD. That Airport Road consists of a 190 ft. right-of-way (Arterial Boulevard).
 11. WATER RIGHTS. That the Developer demonstrates that they have the access to the required water rights as required by Title 2 Section 2.7.2.3 of the Development Code.
 12. ENTRYWAYS. That the Developer identifies the areas for the required entryway improvements. That sign typicals are submitted for review.
 13. DENSITY CEILINGS. That density granted through the Master Development Plan process is not a guarantee of density; rather it is a density ceiling. Other Development Code standards may reduce the amount of density that can be platted.
 14. TIER III ZONING STANDARDS. That Tier III subdivisions require a Conditional Use Permit and Site Plan.
 15. BONUS DENSITY STATEMENT. That the Applicant submits a signed statement of intent to provide the required amenities and improvements in exchange for their respective Bonus Densities.
 16. Economic Analysis – 2.2.3 Economic Analysis – Funding Mechanisms. Funding mechanisms to provide for all off-site utilities and other public infrastructure; (post-application)

James McMurray explained that they were aware of the issues with the numbers and that they will work with the City on those.

Mr. McMurray explained that as the site was reviewed they felt that the power line corridor provided an excellent opportunity to be the start of a really fantastic trail system for the City.

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

James Taylor explained that he was unhappy with having a commercial area next to residential lots.

Jennifer Edwards explained that she was concerned with having a major road running next to her property because she teaches horseback riding lessons and that she would be concerned for the safety of her students. Mrs. Edwards stated that the power line corridor runs straight down the middle of her property and asked if the trail would then be running down the middle of her property.

Mr. Lenhard explained that it is up to the landowners' whether or not they want to provide an easement. Mr. Lenhard stated that if they don't the trail would just run behind the property.

Jody Hooley suggested that the Development Code be changed so that larger lot areas get a certain amount of people notified so that everyone gets noticed. Mrs. Hooley explained that she felt like it was time to plan for the future and that the residents should be heard. Mrs. Hooley

explained that she did not want to see this City turn into a “West Valley” City. Mrs. Hooley explained that she did not want to see small lots or commercial areas next to these big 5 acre lots.

Tom Maher stated that the public hearing would be continued into the next Planning Commission meeting.

MOTION: *John Malone moved that the Planning Commission table the Cedar Valley Master Development Plan until the submittal materials contain more accurate calculations of acreage and the number of dwelling units.*

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

6. Other Business

None

7. Adjournment

The meeting adjourned at 7:45 p.m.

THE EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES
Eagle Mountain City Offices 1650 E. Stagecoach Run, Eagle Mountain, UT 84043
Wednesday November 9, 2005

Chris Kemp called the meeting to order at 6:00 p.m.

Roll Call

Commissioners Present: Chris Kemp, John Malone, Matt Weir

Others Present:

Carl Ford, Kelvin Bailey, Don Lyster, Amy Twitty

City Staff:

Planning Director: Adam Lenhard
City Planner: Peter Spencer
Planning Coordinator: Jenalee Cheever
City Engineer: Christopher Trusty

1. Pledge of Allegiance

Chris Kemp led the Commission and Audience in the pledge of allegiance.

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

Mr. Lenhard explained that the Development Code and General Plan were approved by the City Council and that there was one minor change. Mr. Lenhard explained that there would be a 55 foot lot frontage in tier 2 only.

Mr. Lenhard explained that the Mt. Airey E Final Plat and the Spring Valley Final Plat were approved by the City Council.

Mr. Lenhard stated that Mike Hansen made a presentation to the City Council on how to get the City qualified as a Utah Quality Growth Community, which would enable the City to be eligible for many different types of funding.

4. Approval of Minutes

A. October 25, 2005

MOTION: *Matt Weir moved that the Planning Commission approve the minutes of October 25, 2005.*

John Malone seconded the motion. Ayes: 3, Nays: 0. Motion Passed.

5. Development Items

A. Wee Kins Child Care Home Business, Public Hearing – Action Item

Mr. Lenhard explained that the proposed Wee Kins Child Care Home Business is located at 7818 N Windhover Road in the Chimney Rock subdivision. Mr. Lenhard explained that this is similar to the other daycare applications that have been seen in the past.

Mr. Lenhard explained that the applicant had agreed to all of the conditions of approval and that the applicant was unable to attend the meeting tonight because of a certification class that she had to attend.

Mr. Lenhard stated that Staff's recommendation would be to approve the application with the conditions of approval.

Mr. Malone asked what age the children being cared for would be.

Mr. Lenhard stated that they would be two years of age and younger.

Mr. Weir asked why there was a condition that no children could be cared for in the basement.

Mr. Lenhard explained that there were not appropriate exits in the basement.

Chris Kemp opened the Public Hearing at 6:05 p.m.

Chris Kemp closed the Public Hearing at 6:05 p.m.

MOTION: *John Malone moved that the Planning Commission approve the Wee Kins Child Care Home Business subject to the following conditions:*

- 1. COMPLIANCE WITH ORDINANCES.** *That the business maintains compliance with all City ordinances.*
- 2. BACKGROUND CHECKS.** *That background checks may be required for all employees.*
- 3. FIRE DEPARTMENT.** *That the maximum number of children under the age of two and a half is four (4). That those children are not allowed to be cared for in the basement.*
- 4. BUILDING DEPARTMENT.** *That approval from the Building Department is required prior to commencing business.*
- 5. FUTURE REVIEWS.** *That the Home Business application may be reviewed and subjected to additional conditions or revoked by the Planning Commission upon future reviews. If a complaint is filed by surrounding property owners the Planning Department will perform an investigation and place the item on the Planning Commission's agenda for additional consideration.*

Matt Weir seconded the motion. Ayes: 3, Nays: 0. Motion Passed.

B. Spring Valley Site Plan, Public Hearing – Action Item

Mr. Spencer explained that Spring Valley is located just south of S.R. 73 at the entrance to Eagle Mountain City.

Mr. Spencer explained that this was a revised Site Plan approval and that the only item being changed was the elevations to the duplexes.

Mr. Weir asked what the difference in elevations would now be.

Mrs. Twitty explained that the previous elevations were exactly the same on each side of the duplex and one of the partners in this project did not like this. Mrs. Twitty explained that it had been changed so that it is not a mirror image of the other. Mrs. Twitty explained that the materials and colors would stay the same.

Chris Kemp opened the Public Hearing at 6:09 p.m.

Chris Kemp closed the Public Hearing at 6:09 p.m.

MOTION: *John Malone moved that the Planning Commission recommend approval to the City Council for the Spring Valley Site Plan.*

Matt Weir seconded the motion. Ayes: 3, Nays: 0. Motion Passed.

C. Sage Valley Preliminary Plat, Public Hearing – Action Item

Mr. Lenhard explained that Sage Valley is located along S.R. 73 just west of Cedar Pass Ranch.

Mr. Lenhard explained that the area had been recently rezoned to allow for half (1/2) acre and one (1) acre lots.

Mr. Lenhard explained that the layout being presented by the applicant is similar to the lot layout that went through with the zoning amendment application.

Mr. Lenhard explained the conditions of approval to the Planning Commission.

Mr. Lenhard explained that Staff would recommend approval of the project according to the conditions of approval.

Chris Kemp opened the Public Hearing at 6:13 p.m.

Chris Kemp closed the Public Hearing at 6:13 p.m.

MOTION: *John Malone moved that the Planning Commission approve the Sage Valley B Preliminary Plat subject to the following conditions:*

- 1. FLIGHT EASEMENT. That a note is added to the plat stating that no primary or accessory structures shall be constructed within the flight easement running through lots 22, 45-46, and 48-56.*
- 2. COUNTY HEALTH DEPARTMENT APPROVAL. That a note is added to future plats that states that no building permit will be issued for a lot until the Utah County Health Department approves the septic tank and drain field design.*
- 3. WEST CANYON WASH. That no part of any home shall be constructed within 50 feet of the wash. A geo-tech report shall be provided for West Canyon Wash and the Wash shall be stabilized to the satisfaction of the City Engineer against further erosion and bank caving.*
- 4. DEVELOPMENT AGREEMENT. That all conditions of approval enumerated in the Development Agreement remain in force.*
- 5. FIRE HYDRANTS. That the Fire Chief approves the location of the fire hydrants.*
- 6. STORM DRAIN CALCS. That updated storm drain calculation are reviewed and approved by the City Engineer.*

Matt Weir seconded the motion. Ayes: 3, Nays: 0. Motion Passed.

D. Heatherwood (R1 N22) Final Plat – Action Item

Mr. Spencer explained that Heatherwood is located in between the Eagle's Gate and Anthem on the Green subdivisions in The Ranches.

Mr. Spencer explained that Porter's Crossing would be extended from Pony Express Elementary North to meet up on North Mt. Airey Drive and S.R. 73.

Mr. Spencer reviewed the landscape plan with the Planning Commission. Mr. Spencer explained that there would be a 6 foot trail around the project for recreational use.

Mr. Spencer explained that the housing type is a 10 plex town home. Mr. Spencer explained that this product has not been used yet in Eagle Mountain which has brought up issues such as servicing the 10 plexes with utilities.

Mr. Spencer explained that several DRC meetings had been held with the applicant and that there are certain challenges that are being worked around but both the applicant and City Staff are optimistic that a good solution will come about.

Mr. Spencer stated that it is the responsibility of the applicant to present to City Staff approvable plans that meet the City Standards.

Mr. Spencer reviewed the conditions of approval with the Planning Commission.

Mr. Spencer explained that Staff would recommend approval of the project according to the conditions of approval.

Mr. Ford explained that he represented Centarra Development and Prema Homes. Mr. Ford explained that the plan had not been changed too much since the last time this project came before the Planning Commission. Mr. Ford explained that he planned to move forward with the project based on the conditions of approval.

Mr. Lenhard explained that Mr. Ford had presented City Staff with a lighting plan that was not received in time to be included in the packets. Mr. Lenhard asked that Mr. Ford explain the plan.

Mr. Ford explained that the basic lighting over the entire project encompasses three areas. Mr. Ford explained that general street lighting is provided. Mr. Ford explained that the motorcourt areas would be supplied with either socket lighting or wall lights on the garages. Mr. Ford explained that all units would have front porch lights and that lighting would also be provided along the sidewalks.

MOTION: ***Matt Weir moved that the Planning Commission recommends approval of the Heatherwood Final Plat to the City Council subject to the following conditions:***

- 1. SID. That the entire property area is assessed and that the SID payments are made upon transfer of title.***
- 2. NEIGHBORHOOD PARK AND TRAILS. That the applicant provides the equivalent of two acres of Neighborhood Park.***
- 3. REQUIRED TRAIL CONNECTIVITY. That the sidewalks around the perimeter of the development are upsized to six feet in width .***
- 4. MONUMENT SIGNS. That entryway monuments are provided.***
- 5. UTILITIES. There is still much concern and discussion on how these units will be serviced with all required utilities. The following describes some of these concerns. Gas & Power: That the gas and power units are located in gangboxes in front of the buildings with remote sets. Telephone: That telephone lines have a minimum of one foot separation from any other utility. That adequate grounding is provided by connecting to the universal ground system for each unit. That an adequately sized pedestal is provided to hold the main cable and the services to the unit. That, in the event of a collapsed conduit, responsibility of repair is determined. That the main feeder cable, if under concrete or asphalt will be in an approved duct by telecom. That utility improvement costs that are above and beyond the current city contract with Tasco Engineering may be passed on to the developer.***
- 6. FIRE DEPARTMENT APPROVAL. That the locations of the hydrants are approved by the Fire Chief.***
- 7. E-FILES. That e-files are submitted for the plat, dry utilities, and constructions drawings. That engineer's estimates are provided for civil and dry utilities.***
- 8. GEOTECH REPORT. That the geotech report is submitted and verified by the City Engineer.***
- 9. PLAT. That the PC signature block is removed. That County book and page are added for adjacent parcels.***

- 10. CONSTRUCTION DRAWINGS. That all comments on the construction drawings are addressed and verified by the City Engineer.**
- 11. SECURITY LIGHTING. That security lighting is provided in the motorcourts, alleyways, and entryways to the units to ensure safety and security.**

John Malone seconded the motion. Ayes: 3, Nays: 0. Motion Passed.

E. Hidden Valley South Concept Plan – Discussion Item

Mr. Spencer explained that Hidden Valley South is located on the eastern edge of the City just south of The Ranches and east of SITLA in the dry-farmed valleys of the Lake Mountain foothills.

Mr. Spencer explained that the applicant had submitted a concept plan for over 2,000 units, the minimum lot size being no less than a quarter acre.

Mr. Spencer explained that there were six church sites located throughout the project.

Mr. Spencer reviewed the following DRC comments with the Planning Commission:

1. GENERAL PLAN. That the General Plan shows this area as Rural Residential (typically half-acre minimum lot size). That development at a density greater than Base Density or Tier I would require an amendment to the General Plan.
2. COLLECTOR ROAD. That the Collector Road through the project meets the City's standard width for a Community Collector of at least 156 feet. That a reimbursement agreement is set up by the City to compensate the landowner for the increased width. That the Applicant works with the owners of the Hidden Valley North property in The Ranches to ensure that the alignment of the road is correct.
3. UTILITIES. That the gas, water, and electricity systems are looped. That the water pressure and placement of the water tank is analyzed. That there is discussion regarding the treatment of the 12kv power line and future 138kv line with the Capital Facility Plan.
4. SECONDARY ACCESS. That a secondary access needs to be secured to the property by the Applicant. That timing of construction is addressed through the Master Development Plan process.
5. CAPITAL FACILITY PLAN UPDATE. That the City's Capital Facility Plan may need to be updated to include utilities and the Hidden Canyon Collector Road for reimbursement.
6. SLOPE ANALYSIS. That a concept lotting plan is designed around the slope analysis to determine the actual amount of buildable acreage.
7. NEIGHBORHOOD PARK AND TRAILS. That _____ acres of public park are provided (depends on number of units). That eight foot trails are constructed within the ROW of the Hidden Valley Collector Road. That improvements to the Cedar Valley Regional Trail (in the utility corridor) are discussed as a way to fulfill park requirements. That a hillside trail system may be incorporated around the perimeter of the project.
8. DESIGN THEME. That the Applicant develops an overall design theme for the project (monument signs, landscaping, fencing, colors, signposts, etc.).
9. HILLSIDES AND RIDGELINES. That development is minimized on slopes and that hillsides and ridgelines are preserved.
10. STORM DRAINAGE. That locations for detention basins be identified. That existing natural drainages are piped through subdivisions. That bench drains may need to be provided.
11. DRIVEWAYS. That driveways are a minimum 22' long from the property line; that they may not exceed a 12% slope.
12. CUL-DE-SACS. That all cul-de-sacs have a minimum 60 ft. radius. And maximum length of 500ft.
13. SCHOOL SITE. That the proposed school site acreage is increased to min. 12 acres (as required by the Alpine School District). That it be separated from the commercial site (perhaps on other side of Hidden Valley Loop collector or swap with adjacent church site).
14. CHURCH SITES. That local churches be consulted on required site sizes (suggest at least one site with a minimum of 5-6 acres).
15. ANNEXATION. That the small portion of land on the southeast portion of the property currently outside the city limits is annexed into Eagle Mountain City.

16. STUB ROADS. That a road may need to be stubbed into adjacent property to the southeast.
17. FIRE ACCESS. That access to the public lands is provided for the Fire Department (brush trucks).
18. ROAD ACCESS TO NORTHWEST. That the applicant demonstrates the feasibility of bringing roads to the northwest section of the development on the west side of the utility corridor.

Mr. Bailey explained that this project would consist of larger lots and that the smallest lot would be a quarter of an acre.

Mr. Bailey explained that a cemetery had been planned into the project as well as city parks and trails.

Mr. Bailey explained that with this project they would like the power line corridor to be and equestrian trail.

Mr. Kemp asked what type of homes would be built in the project.

Mr. Bailey stated that it would consist of all single family dwelling units.

Mr. Kemp asked how many lots of the different lot sizes there would be.

Mr. Bailey explained that because the project, being at such an early stage has not been evaluated that far to determine the number of lots and sizes.

Mr. Bailey explained that there is some really steep topography in the project and that the majority of the property in the steeper areas is owned by SITLA. Mr. Bailey explained that the applicant was under contract with SITLA to develop that land.

Mr. Bailey explained that some commercial area had been put in the project. Mr. Bailey stated that the commercial area would not be built out right away but it will be preserved for commercial type businesses that may come along.

Mr. Bailey explained that Staff had suggested moving the school site to the north side of the cemetery.

Discussion took place concerning the ridge lines.

6. Other Business

7. Adjournment

The meeting adjourned at 7:07 p.m.

MINUTES OF THE EAGLE MOUNTAIN PLANNING COMMISSION MEETING
Eagle Mountain City Offices 1650 E. Stagecoach Run, Eagle Mountain, UT 84043
November 22, 2005

Tom Maher opened the meeting at 6:00 p.m.

Roll Call:

Commissioners Present: Tom Maher, Chris Kemp, John Malone, Michael Hansen, Matt Weir

Others Present:

None

City Staff:

Planning Director: Adam Lenhard
City Planner: Peter Spencer
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

Mr. Lenhard explained that Lone Tree E Rezone was approved by City Council.

Mr. Lenhard explained that Sunrise at Kiowa Rezone was tabled because the City Council wanted more time to review it.

Mr. Lenhard explained that the Heatherwood Final and Site Plans were approved by City Council.

4. Approval of Minutes

A. November 9, 2005

MOTION: *John Malone moved that the Planning Commission approve the minutes of November 9, 2005.*

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

5. Development Items

A. Mt Airey at Red Hawk Ranch Plat Amendment – Public Hearing

Mr. Lenhard explained that Mt. Airey Plat A contains a portion of road right-of-way that must be vacated through the Plat Amendment process due to Planning Commission and City Council approval of the disposal of said property.

Mr. Lenhard explained that the State statute requires that the plat amendment be brought before both the Planning Commission and City Council after having been noticed publicly and that a public hearing would be required for this meeting.

Tom Maher opened the public hearing at 6:05 p.m.

Tom Maher closed the public hearing at 6:05 p.m.

MOTION: *John Malone moved that the Planning Commission recommend approval to the City Council for the proposed Mt. Airey at Red Hawk Ranch Plat amendment to delete the parcels of land described in the legal description in the staff report.*

Michael Hansen seconded the motion. Ayes: 5, Nays: 0. Motion Passed.

6. Other Business

None

7. Adjournment

The meeting adjourned at 6:06 p.m.

MINUTES OF THE EAGLE MOUNTAIN PLANNING COMMISSION MEETING
Eagle Mountain City Offices 1650 E. Stagecoach Run, Eagle Mountain, UT 84043
Tuesday December 13, 2005

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

Roll Call:

Commissioners Present: Tom Maher, Chris Kemp, John Malone, Michael Hansen

Others Present:

Don Lister, John Jacob, Janiece Sloan, Paul Beckstead, Bud Jorgensen

City Staff:

Planning Director: Adam Lenhard
City Planner: Peter Spencer
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

Mr. Lenhard gave a brief status report on the following items; Spring Valley Site Plan and Mt. Airey A Plat Amendment.

Mr. Lenhard explained that Staff recommended the following as potential solutions for the disposal of open space:

North Service Area

1. Review the open space map of The Ranches and determine whether or not the City would like to continue to own all required open space. Consider disposing some of it to the respective HOA.
2. Adopt criteria for disposal of existing open spaces and dedication to the City of required open space in future plats. (e.g. anything not within a street right-of-way or drainage feature and less than five acres in size is to be deeded to and maintained by the HOA).
3. A maintenance agreement with The Ranches HOA should be considered to clarify the meaning of "maintain."

South Service Area

1. That a phased Improvement Plan is considered for all existing open space. That the improvements are minimal and conserve water. That trail corridors are maintained and trails are constructed. That subdivision entryways and open spaces adjacent to public thoroughfares are prioritized in the Improvement Plan
2. That public and private funding is identified for said Improvement Plan. Possible sources include grants, developer contribution, fundraisers, bonds, park fees-in-lieu, impact fees, and property tax assessments.
3. That maintenance of parks and open spaces is prioritized in the upcoming budget (extra staff and equipment).
4. That a specific Maintenance Plan is considered to organize and guide maintenance efforts.

5. That public property is disposed of only as a last resort.
6. Adopt criteria for ownership of future open spaces as new plats are recorded (e.g. anything not within a street right-of-way or drainage feature and less than five acres in size is to be deeded to and maintained by an HOA.)
7. That all future open space is constructed with subdivision improvements or boned for with cash only.

Mr. Lenhard explained that overall City Staffs recommendation is that open space is not disposed of because it could possibly become a very valuable amenity to the City.

4. **Approval of Minutes**

A. **November 22, 2005**

MOTION: *Mike Hansen moved that the Planning Commission approve the minutes of November 22, 2005.*

John Malone seconded the motion. Ayes: 4, Nays: 0. Motion passed.

5. **Development Items**

A. **Proposed Amendments to Title 1 and 2 of the City's Development Code, Public Hearing – Action Item**

Mr. Lenhard explained that the business license ordinance was changed to simplify the process of submittal for a business license. Mr. Lenhard explained that it would consist of simplifying the fees, and making the applications have an administrative approval instead of having to go through the Planning Commission.

Mr. Lenhard explained that Mayor Lifferth had requested that Tier 2 lot frontages be reduced from 55' back down to 50'. Mr. Lenhard explained that when this issue previously went through the Commission it was increased from 50' to 55'. Mr. Lenhard explained that no information was provided from Mayor Lifferth as to why he had requested that it be changed back down to 50'.

Mr. Lenhard explained that gas, electric and utilities are added to the list of items to be installed, inspected and approved by the City prior to building permits being issued for a lot or a subdivision. Mr. Lenhard explained that this has always been understood but that it was just being spelled out in the code.

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

Tom Maher closed the public hearing at 6:17 p.m.

Mr. Hansen asked why Mayor Lifferth had requested that the Tier 2 lot frontages be reduced back down to 50'.

Mr. Lenhard stated that Mayor Lifferth had not provided any further information as to why he had requested that it be changed from 55' to 50'. Mr. Lenhard explained that he had just asked that the Planning Commission and City Council reconsider it.

Mr. Hansen explained that if approved with a 55' foot lot frontage that could possibly eliminate a project with a 50' frontage from being able to come in and be approved.

MOTION: *Michael Hansen moved that the Planning Commission recommend approval of the changes to Title 1, Chapter 13 – Home Businesses, Title 6 – Business License Ordinance, Title 1, Chapter 19 – Conditional Uses, Title 2, Chapter 12 – Building Permits, and that no change be made to Title 1, Chapter 5 – Residential Zone Change.*

John Malone seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

B. Westview Heights Preliminary Plat, Public Hearing- Action Item

Mr. Spencer explained that Westview Heights is located between Cedar Pass Ranch and S.R. 73. Mr. Spencer explained that the preliminary plat application showed 48 lots and the average lot size is just over 31,000 sq. ft. Mr. Spencer explained that the gross density of the entire project was 1.11 units per acre which would put the project in Tier 1. Mr. Spencer explained that the total park acreage required is 1.75.

Mr. Spencer showed an Ariel photo of the project to the commission and explained that there would be two entrances to the project coming off of S.R. 73.

Mr. Spencer explained that the setbacks are 50 feet for the front yard but that it can be reduced to 35 feet if the road in front of the house is constructed with curb and gutter on lot sizes that are between one-half and three-quarters of an acre. Mr. Spencer explained that the side yard setbacks are 25 feet and corner lots are 25 feet.

Mr. Spencer reviewed the following conditions of approval for the Westview Heights subdivision:

1. That the section tie on the plat is shown. That a title block that conforms to Eagle Mountain City language is provided.
2. That the location of each lot containing slopes in excess of 25% is shown.
3. That documentation showing UDOT approval of the intersection onto S.R. 73 is provided.
4. That a Landscape Plan is submitted showing the following items: the plant names (both botanical and common name), location, quantity, and size of all existing and proposed plants; proposed and existing fences and identification of the fencing materials; and a summarization of the total percentage of landscaped (sod) area, domestic turf grassed, and drought tolerant plant species.
5. That rollback taxes may need to be paid on the property prior to the recordation of a Final Plat.
6. That Tommy Lane is constructed to City Specifications for half-width roads. These specifications require an additional 7 feet beyond center to be provided. This may require a wider easement for the additional 7 feet.
7. That the traffic study is reviewed and approved by the Engineer.

Tom Maher opened the public hearing at 6:38 p.m.

Tom Maher closed the public hearing at 6:38 p.m.

Discussion took place concerning the open space next to S.R. 73.

Mr. Maher asked if a fence is required to be put in where the open space meets S.R. 73.

Mr. Lenhard explained that the development code does not require that a fence be put in but that the Planning Commission could recommend in their motion to have a fence be installed for safety reasons.

Mr. Maher stated that he would like to see the open space on the northeastern side of the property swapped with the one-acre lot adjacent to the smaller piece of open space on the southwest, leaving the detention pond on the north, if necessary, for drainage.

MOTION: *John Malone moved that the Planning Commission approve the Preliminary Plat for the Westview Heights subdivision subject to the following conditions:*

- 1. PLAT.** *Show section tie on the plat. That a title block that conforms to Eagle Mountain City language is provided.*
- 2. GRADING & DRAINAGE.** *That the location of each lot containing slopes in excess of 25% is shown.*

3. **CONNECTION TO S.R. 73:** *That documentation showing UDOT approval of the intersection onto S.R. 73 is provided.*
4. **LANDSCAPE PLAN.** *That a Landscape Plan is submitted showing the following items: the plant names (both botanical and common name), location, quantity, and size of all existing and proposed plants; proposed and existing fences and identification of the fencing materials; and a summarization of the total percentage of landscaped (sod) areas, domestic turf grasses, and drought tolerant plant species.*
5. **ROLLBACK TAXES.** *That rollback taxes may need to be paid on the property prior to the recordation of a Final Plat.*
6. **TOMMY LANE.** *That Tommy Lane is constructed to City Specifications for half-width roads. These specifications require an additional 7 feet beyond center to be provided. This may require a wider easement for the additional 7 feet.*
7. **TRAFFIC STUDY.** *That the traffic study is reviewed and approved by the Engineer.*
8. *That the open space on the northeastern side of the property is swapped with the one-acre lot adjacent to the smaller piece of open space on the southwest, leaving the detention pond on the north, if necessary, for drainage.*

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

A. Hidden Valley South, General Plan Amendment, Public Hearing – Action Item

Mr. Spencer explained that Hidden Valley South is approximate 870 acres and that the current Land Use is Rural Residential. Mr. Spencer explained that the proposed Land Use is Mixed Use Residential. Mr. Spencer explained that the applicant has presented that the minimum lot size being presented would be quarter-acre lots.

Mr. Lenhard explained that staff recommends approval based upon the agreement that the developer would keep the lots to a minimum of a quarter-acre.

Tom Maher opened the public hearing at 6:52 p.m.

John Jacob explained that he owned 150 acres in the same area as the project. Mr. Jacob stated that he did not agree with proposed general plan amendment. Mr. Jacob explained that a developer should be able to come in and be able to have a high density project as long as they make the subdivision look good. Mr. Jacob explained that each project should be treated fairly and be looked at case by case.

Mr. Lenhard explained that this item was not to approve the project its self but to either approve or disapprove the General Plan Amendment.

Don Lister explained that he worked with Winsor Development and the group that was trying to push the amendment through. Mr. Lister explained that in order for them to build their project the current general plan would need to be changed because it does not allow for a high enough density for them to have quarter acre lots. Mr. Lister explained that it would not just be quarter acre lots but that there would also be many half and one acre lots. Mr. Lister stated that there would also be a cemetery.

Tom Maher closed the public hearing at 7:15 p.m.

MOTION: ***Michael Hansen moved that the Planning Commission recommends approval to the City Council for amending the Future Land Use and Transportation Corridors Map to indicate Mixed Use: Residential for the area described in this application with finding of fact that the lots will be no less than a quarter-acre and the maximum density is 2.6 dwelling units an acre.***

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

6. Other Business

None

7. **Adjournment**

Tom Maher adjourned the meeting at 7:15 p.m.