

Eagle Mountain City Planning Commission Minutes 2008

Dates of Planning Commission Meetings:

- January 15, 2008
- January 29, 2008
- February 26, 2008
 - March 11, 2008
 - April 8, 2008
 - April 22, 2008
 - May 13, 2008
 - May 27, 2008
 - June 10, 2008
 - June 24, 2008
 - July 8, 2008
 - July 22, 2008
- August 12, 2008
- September 9, 2008
- September 23, 2008
 - October 14, 2008
 - November 14, 2008
 - December 9, 2008

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, JANUARY 15, 2008

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

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

Roll Call

Tom Maher, Matt Weir, John Linton, Craig Larrabee, Preston Dean

Others Present

Nate Shipp,

City Staff Present

Planning Director: Peter Spencer
Senior Planner: Mike Hadley
Senior Planner: Steve Mumford
Planning Coordinator: Jenalee Harper

1. Pledge of Allegiance

Commissioner 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. Spencer gave an update on the following items:

- A. Planning Commissioner & Public Works Director Appointed—Chris Trusty
- B. Letter of support from Saratoga Springs & Eagle Mountain to UDOT in favor of the Lehi 2300 West Plan.

Mr. Spencer displayed a map showing the different proposed east west roads through Lehi.

- C. Eagle Mountain & Saratoga Springs Boundary Adjustment

4. Development Items

A. Saddle Junction Master Site Plan, Preliminary Plat & Final Plat - Public Hearing, Action Item

Mr. Spencer explained that Saddle Junction is located on the southwest corner of Ranches Parkway and SR 73.

Mr. Spencer said that the current zoning is Satellite Commercial and that a carwash is a permitted use in that zone. Mr. Spencer explained that the definition does not specifically call out carwash but that the description is broad and would allow a carwash as a permitted use.

Mr. Spencer reviewed the different lots on the site plan and explained to the commission which buildings would be placed on each lot. Mr. Spencer explained that the use of each could be changed in the future. Mr. Spencer explained if the use changes dramatically the developer would have to come back to the Planning Commission with a site plan.

Mr. Spencer reviewed the proposed signage with the Planning Commission. Mr. Spencer explained that it complies with the development code.

Mr. Spencer explained that the architecture on the carwash plan will match all the other architecture for the other future buildings. Mr. Spencer explained that the developer would be held to the carwash plan being the architecture standards plan.

Discussion took place concerning the layout of the wash.

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Mr. Shipp explained that the carwash layout on the map has been laid out that way in order to help with the flow of traffic and it is the layout that works the best for the lot.

Mr. Shipp said that they have need for more signage rather than the one monument sign that is allowed by the Development Code.

Mr. Shipp asked the Commission if in addition to the monument sign if a second sign could be approved along Ranches Parkway so that they can advertise carwash specials.

Mr. Shipp also asked for a sign to be located on the road north of the Carisma Carwash to inform people that there is a carwash, because the carwash is in a set back location.

Commissioner Weir asked where on the carwash the sign would be placed.

Mr. Shipp explained that the sign would be placed above the window on the carwash.

Mr. Spencer referred the Commission to Chapter 16 Section 5.1 of the Development Code. Mr. Spencer read the following excerpt from the chapter: *In carrying out this responsibility, the Planning Director may also require signage applications to be reviewed by the Planning Commission in cases where signage is proposed that requires interpretation of these provisions or is otherwise unusual. This is not to be interpreted to mean that signage that violates this Chapter or specific provisions approved by the Planning Commission.*

Mr. Spencer also read the Chapter 16 Section 7 to the Planning Commission which states which signs are permitted.

Mr. Spencer explained that Staff's recommendation for signage would be only to approve the one proposed monument signage.

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

Mr. Spencer explained that Staff would like to remove Condition Number 4, Dumpsters because the applicant at this time is unable to show where the dumpsters will be located until the actual business are built and occupied.

The Commission agreed to remove this item from the list of conditions.

Mr. Spencer said that one easement to the south needs to be adjusted to include a lot that was not included in the language. Mr. Spencer explained that this is so that the proper utilities can be taken directly to the lot.

Commissioner Dean asked what would initially be built in this proposed Site Plan Center.

Mr. Shipp explained that pads would be built for each lot and then the buildings would be phased out as they are filled with occupants.

Commissioner Maher asked what types of businesses would be located in the center.

Mr. Shipp explained that there would be the Car Wash, a Seminary Building, and a possible light automotive repair center and possibly a fast food store.

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

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

Commissioner Weir explained that he is not in favor of allowing an additional monument sign.

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MOTION: *John Linton moved that the Planning Commission approve the Saddle Junction Preliminary Plat and recommends approval of the Final Plat to the City Council, subject to the following conditions:*

Planning Conditions:

1. **EASEMENTS.** That the plat has the appropriate easement language as noted on the redlines and mentioned in the staff report above.
2. **MISC. REDLINES.** That the remaining redlines are addressed and approved.
3. **SCHOOL REGULATIONS.** That all state statues and city ordinances are followed with the required distances from certain commercial business to public institutions are maintained and followed.
4. **LIGHTING PLAN.** That a complete lighting plan is submitted and approved by the City.

Engineering/Public Works Conditions:

1. **WATER & SEWER DESIGN.** That an additional 8” main to feed lot #5 & #7 with the appropriate manholes are provided and shown on the plans. That the sewer draining on the south end of the project discharges as per the City Engineer’s approval.

Fire Conditions:

1. **HYDRANTS.** That two fire hydrants are added to lot 103, and one to lot 105.
2. **FAST FOOD.** Type 1 hood is required for the fast food.
3. **LOCK BOXES.** All commercial buildings require a lock box.
4. **REDLINES.** Other various redlines are approved.

Landscaping Conditions

1. **PARKINGISLANDS.** That the required landscaped islands with trees are added as per the redlines.
2. **BUFFER.** That the required buffers around the automotive site be provided.
3. **FENCING.** That six-foot privacy fencing between the future seminary building and the automotive and second retail site be provided.
4. **BERMING.** That a 3.5 ft berm is provided along the northern boundary of the project.
5. **SIGNAGE.** That irrigated landscaping is provided around any monument signage.
6. **PLANS.** That a colored plan is submitted and approved by the City.

Preston Dean seconded the motion. Ayes: 5, Nays: 0. Motion Passed.

B. CARisma Carwash Site Plan – Public Hearing, Action Item

(The CARisma Carwash was discussed with item A, The Saddle Junction Master Site Plan)

Commissioner Maher opened the Public Hearing at 6:47 p.m.

Commissioner Maher closed the Public Hearing at 6:47 p.m.

Commissioners Linton and Weir explained that they were not in favor of approving more signage for the carwash.

Commissioner Dean explained that he agreed with Commissioner Linton and Weir in allowing only the monument sign, and the sign on the building. Commissioner Dean explained that he felt the directional sign should be removed.

Commissioner Maher asked if the Commissioners were okay with approving the additional directional sign but not the monument sign. All Commissioners agreed.

Commissioner Dean asked if there was an office within the Carwash.

Mr. Shipp explained that there would be a room in which would be entered to collect the money from the change machines.

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Commissioner Dean asked why a lighting plan was one of the conditions and asked if one had been submitted.

Mr. Spencer explained that a lighting plan had been submitted for a carwash but that one had not yet been submitted for the entire Saddle Junction project.

Commissioner Dean said that he was okay with approving the project as long as Staff has approved the lighting plan and that there is sufficient lighting for the carwash.

MOTION: *John Linton moved that the Planning Commission approves the Saddle Junction Preliminary and recommends approval of the Final Plat to the City Council, subject to the following conditions:*

1. **SIGNAGE.** That the applicant enter into a Sign Lease Agreement with the City. That the secondary monument sign is removed from the plans.
2. **UTILITY DEMANDS.** That the storm drain calculations are verified by the City Engineer.
3. **LANDSCAPE PLAN.** The landscape plan redlines are addressed and approved by City Staff. This includes the required, berming, and irrigation, as mentioned in the staff report.
4. **SCREENING.** The screening detail of the proposed dumpster is submitted.
5. **SNOW STACKING.** That there is snow stacking capacity of a 4" base over the entire parking lot. This needs to be shown on the plans.
6. **FIRE CODE.** A lockbox is required on the exterior of the building.
7. **SUBMITTED PLANS.** All redlines are addressed and approved by City Staff.

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

C. Staff Proposed Development Code Amendments – Public Hearing, Action Item

Equine Overlay Zone

Mr. Hadley explained that the 50 ft setback of a habitable dwelling had been removed from the original proposal.

Mr. Hadley explained that the setbacks for stables and corals had been removed and that for uncovered stables and corals that abut alleyways can be built on the property line and are exempt from the accessory structure setback requirements.

Mr. Hadley reviewed the different setback tables that were included in the presentation.

Commissioner Maher opened the Public Hearing at 6:59 p.m.

Commissioner Maher closed the Public Hearing at 6:59 p.m.

Mr. Shipp asked if there were any special setbacks for narrow and deep lots.

Mr. Hadley explained that there are lot frontage requirements in the Residential Chapter that would still keep the narrow deep lots from having the horse rights.

Mr. Shipp suggested allowing homes to move forward and wider and have coral in back with trail for loading and unloading of horses.

Mr. Spencer explained that there have been a lot of people requesting to get the side yard setbacks reduced so that a wider house could be put on a skinny lot but that the setbacks still stand as they are and have not been changed to accommodate the skinny lots.

MOTION: *John Linton moved that the Planning Commission recommend approval to the City Council for the following proposed amendment to the Eagle Mountain City Development Code:*

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1. Equine Overlay Zone. (To be added as a separate chapter in the development code.)

Preston Dean Seconded the motion. Ayes: 5, Nays: 0. Motion Passed.

Fencing

Mr. Mumford explained that the fencing amendment is to allow chain link fencing in industrial areas, clarify the code for detached residential lots, prohibit chain link fencing in commercial and multi family areas and other general fencing regulations.

Mr. Mumford explained that a section on sport court fencing had been added. Allowing 6 foot high fence for sport courts but that it can not be the perimeter fencing for the lot.

Mr. Mumford explained that they are now proposing a 4 foot setback for fencing instead of the previous 6 foot proposal.

Commissioner Maher opened the Public hearing at 7:07 p.m.

Commissioner Maher closed the Public Hearing at 7:07 p.m.

MOTION: *John Linton moved that the Planning Commission recommend approval to the City Council for the following proposed amendment to the Eagle Mountain City Development Code:*

- 1. That Title 1 Sections 12.12 General Fencing Provisions and 12.13 Chain Link Fencing be revised as drafted on the attached document.**

Revised as drafted in staff report. (Add language to minutes)

Preston Dean seconded the motion. Ayes: 5, Nays: 0. Motion Passed.

5. Other Business

A. Planning Commission Training: by David Church, Utah League of Cities & Towns (depending on time)

Commissioner Maher asked that rather than watching the training video at this meeting that a copy be distributed to each of the Commissioners to review on their own time.

6. Adjournment

Commissioner Maher closed the meeting at 7:12 p.m.

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

Roll Call

Tom Maher, Matt Weir, John Linton, Craig Larrabee, Preston Dean

Others Present

Amy Twitty, Ryan Kent, Will Scott, Russ Naylor, Creighton King

Staff Present

Planning Director: Peter Spencer
Senior Planner: Mike Hadley
Senior Planner: Steve Mumford
Planning Coordinator: Jenalee Harper

1. Pledge of Allegiance

Commissioner Maher lead the Commission and Audience in the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

Mr. Spencer gave a brief update to the Planning Commission on the following item.

A. Sweetwater Professional Plaza Site Plan

Mr. Spencer explained that the Sweetwater Professional Plaza was approved by the City Council at the their last meeting. Mr. Spencer said that Staff had been directed to add the entire length of Sweetwater Road and Eagle Mountain Boulevard to the current Capital Facilities Plan so that the City can start collecting impact fees for the eventual build out of those roads to their full right-of-way.

Mr. Spencer said that because currently this standard is not yet set place, the Developer has agreed to post a bond to cover his portion of the impact fees, if he wants to pursue sooner than the City has established those impact fees.

4. Approval of Minutes

A. Approval of the January 15, 2008 Planning Commission Minutes.

MOTION: *Commissioner Linton moved that the Planning Commission approve the January 15, 2008 Planning Commission Minutes.*

Commissioner Dean seconded the motion. Ayes: 5, Nays: 0. Motion Passed.

5. Development Items

A. Cedar Pass 10 LDS Church Site Plan & Conditional Use Permit - Public Hearing, Action Item

Mr. Hadley explained that the Cedar Pass 10 LDS Church is located in the Valley View Subdivision. Mr. Hadley said that the parcel had been recorded with the County and split off as it's own parcel.

Mr. Hadley explained that the Developer of Valley View would be responsible for the improvements of Blue Sky Drive.

Mr. Hadley said that two entrances were located off of Mustang Way and on the West side in the rear there will be one entrance/exit on Blue Sky Drive.

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Commissioner Maher asked if that entrance was to close to the intersection.

Mr. Scott explained that there was a conflict with a dirt road because they could not quite get it to line up correctly with the property line.

Commissioner Maher explained that there would be a lot of traffic coming from the side with only one entrance and asked if a second entrance could be put in.

Mr. Scott explained that if the Commission felt that if it is absolutely necessary they would consider putting in a second entrance.

Mr. Spencer explained that it would be a safety concern having two accesses coming off of Blue Sky Drive and that Staff felt that there is no other option at this point.

Mr. Scott explained that they are proposing a vinyl fence on the north and south property lines, Mr. Scott explained that they were still trying to work with the developer on the acceptance of this type of fencing.

Mr. Hadley explained that Staff is unsure what Valley View's CC&R's require.

Mr. Spencer explained that a Cedar Fence may be more fitting for this project because of the surrounding area.

Commissioner Maher said that Mr. Scott should plan on installing a cedar fence because it fits in better with the surrounding area.

Mr. Scott explained that the lights for the parking lot will shine downward and not out. Mr. Scott explained that the lighting levels are also very low around the property lines to minimize lighting up the surrounding neighbors properties.

Mr. Scott said that the Colonial Style elevations had been chosen for this particular church.

Mr. Scott said that they are working with the developer on using an existing detention pond for their drainage. Mr. Scott said that they would get those details to the City's Engineering Department.

Mr. Hadley explained that because of the fence being installed the City will no require berming on the areas that have the Cedar Fence.

Mr. Scott said that there will be 25% sod and 75% planting. Mr. Scott explained that this is in effort to minimize water usage. Mr. Scott said that in the being after planting the plants will look a little scarce but as they grow they will fill out the area.

Commissioner Maher opened the Public Hearing at 6:21 p.m.

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

MOTION: *Commissioner Linton moved that the Planning Commission approve the Cedar Pass 10 LDS Church Conditional Use Permit and recommends approval of the Site Plan to the City Council subject to the following conditions:*

1. **FIRE APPROVAL.** That the project meets the requirements of the Fire Chief's approval.
2. **LIGHTING.** All streetlights are adequately shielded away from surrounding residences.
3. **DETENTION BASIN.** There is an on site detention pond to provide for storm drain run off. Indicate this on the revised construction drawings.

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4. **LANDSCAPE.** The areas along City streets have a Cedar Fence in lieu of berming, and trees spaced no less than 30' apart.
5. **HEADLIGHT SCREENING.** Ensure that shrubbery is adequate to provide headlight screening around the entire site.
6. **SNOW STACKING.** That there is snow stacking capacity of a 4" base over the entire parking lot. This needs to be shown on the plans.
7. **SEPTIC TANK.** The required septic tank needs Utah County Approval.

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

B. Eagle Mountain Ranches Commercial Rezone – Public Hearing, Action Item

Mr. Mumford explained that the land proposed to be rezoned is located just north of State Road 73, across from the Mt. Airey Villages Townhomes.

Mr. Mumford explained that the land is currently zoned agricultural and that the applicant is proposing to rezone it to Commercial, which complies with the City's Future Land Use Plan.

Mr. Mumford explained that the proposed Talon Cove Road along the West side of the rezone property.

Mr. Mumford explained that the City is looking at requesting 12 additional feet of right of way along S.R. 73 for eventual expansion.

Mr. Naylor explained that he was here to represent the applicant. Mr. Naylor explained that he has completed projects similar to the Sugar Hills Commons.

Commissioner Linton asked if there would be "sit down" restaurants or fast food restaurants.

Mr. Naylor explained that at this point in time there could be either types of restaurants.

Commissioner Maher opened the Public Hearing at 6:31 p.m.

Amy Twitty asked what this parcel was currently zoned.

Mr. Spencer explained that it was currently zoned agricultural.

Commissioner Maher closed the Public Hearing at 6:32 p.m.

MOTION: *John Linton moved that the Planning Commission recommend approval to the City Council for the Eagle Mountain Ranches Retail Development Rezone.*

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

C. Cedar Valley Air Estates Concept Plan – Discussion Item

Mr. Mumford explained that the Cedar Valley Air Estates is located at the Cedar Valley Airport.

Mr. Mumford said that the land to the north east of this project is owned by the LDS Church and that it is Agriculturally protected.

Mr. Mumford explained that Sage Park, to the North, also has a strip of land down the center of the subdivision that is protected as an easement for the flight path.

Mr. Mumford explained that the FAA does not always get involved with smaller residential airports. Mr. Mumford explained that he contacted their regional office in Denver and that he was told that the only thing they would get

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involved with was if the applicant wanted to preserve the airspace over and around the airport. Mr. Mumford explained that they will however continue to involve the FAA as this project moves along.

Commissioner Maher said that he would definitely like to make sure that the FAA stays involved with this project because of the impact that it will have on the surrounding land uses and residents.

Mr. Spencer explained that the City could submit a formal letter to the FAA asking for help and guidelines for the airports within the City.

Mr. Mumford explained that some major offsite utility improvements may be required in order to service this project. Mr. Mumford said that most of the utility systems would be required to be looped. Mr. Mumford explained that the utilities may also need to be brought over to Sweetwater Road but that this issue would be worked out with our City Engineer.

Mr. Mumford said that the proposal consists of 84 residential lots/units with direct access to the Cedar Valley Airport Runway.

Mr. Mumford explained that the smallest lot size is a half acre besides the townhomes.

Mr. Mumford explained that if sewer is too costly the applicant may look into septic systems which would eliminate the townhomes.

Mr. Mumford explained that the closest sewer available is located in Sage Park, and the issue would be where to take it from there. Mr. Mumford said that there is a pump station near Lone Tree and that it may be possible to hook into that station.

Mr. Mumford said that staff was concerned with the fact that some of the lots have access to be able to back planes up right out on the runway.

Commissioner Linton asked if a study had been done to calculate the number of operations that would take place in a day with 72 potential aircrafts.

Mr. King explained that the airport is currently owned by Larry Patterson. Mr. King explained that it is Mr. Patterson's intentions to keep the land as an airport.

Mr. King said that he does not see this airport as having commercial jet traffic.

Mr. King explained that at www.airnav.com just about any airport in the United States can be looked at and that if you click on a specific airport it will show you the operations per day.

Mr. King explained that they have partnered with Scenic Development and that they have planned a development on the North side of the street and that they plan on teaming up to bring in water, sewer and electrical.

Mr. King explained that they anticipate that the homes will be 3,000 square feet and larger.

Mr. King explained that their typical hanger size is 40' x 40' and 40' x 60'.

Mr. King said that because of the surrounding land uses this is a perfect place for an airport to exist for a long time.

Mr. King explained that at the Airport in West Jordan there are several retail stores and industrial businesses that exist around it.

Mr. Spencer displayed pictures of different airports in the U.S.

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Mr. King explained that they are hoping to design the homes so that when you drive into the airport subdivision you will see the homes in front and the hangers in back.

Mr. King explained that they don't anticipate having just having hangers for people to rent out or buy. Mr. King explained that the hangers would have to be purchased as part of the home.

Commissioner Maher asked why they had added townhomes to the project.

Mr. King explained that there were some people interested in the concept but did not necessarily want to take care of a big yard.

Commissioner Dean asked if this area would have to be rezoned to airpark zoning.

Mr. Spencer explained that there is a airpark zone that currently exists that requires a half acre minimum lot.

Commissioner Dean said that the definition of the airpark zoning prohibits multi-family and twin-homes.

Mr. Spencer explained that if this area is zoned airpark then the multi family housing would not be allowed.

Mr. King explained that there would be a fueling center.

Mr. King said that in a smaller density airport like the one they are proposing the association would have to buy the pump and that they would use gas station services, such as they could use Chevron.

Discussion took place concerning the effect that this airport would have on the Jake Garn Airport.

Mr. King explained that he spoke with the Flight Standards District in Salt Lake to ask them how they felt that this airport would affect the Jake Garn Airport. Mr. King explained that they said that they did not really want to get involved unless Eagle Mountain City made a formal request for them to conduct a study.

Mr. King said that he had studied a lot of approach charts for airports that were similar to the one that they are proposing. Mr. King explained that one issue would be the restricted airspace over Camp Williams.

Mr. King explained that the Jake Garn Airport is currently planned to have a 10,000 foot long runway.

Mr. Spencer asked how the airport will work with the lack of a frontage road and would there be a possibility of a frontage road on airport road because the number of access points are limited.

Mr. King said that the current plan shows a frontage road that would be within the gated community. Mr. King explained that the existing road is located outside of the proposed airport.

Mr. King explained that the runway access is typical of most airports like this. Mr. King explained that all airplanes would be on the same radio frequency so that the pilots can communicate with one another to avoid wrecks.

Mr. King explained that the lots with direct access to the runway would be setback 100 feet and that they would have to build their own personal taxi way directly to the runway.

Commissioner Linton asked how the winds would affect the runway.

Mr. King said that because of the angle of the runway it makes it so that they are out of the direct path of the crosswinds but that they may still occasionally get crosswinds.

Commissioner Larrabee explained that he had done some research and had looked at the runway direction and found that it is right along the prevailing winds.

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Mr. King explained that they anticipate that this project would be sold out fairly quickly because there is a high demand for this type of project.

Mr. King explained that one of the fire department requirements would be for them to put in a turnaround. Mr. King explained that they also may shift the location of the fueling center and move it down to one of the ends so that it is not directly in the middle of the neighborhood.

Mr. King explained that they anticipate that it would also be a great asset for younger children.

Mr. Spencer asked what kind of impact the airplanes would have on the surrounding stores and homes, such as noise, light, etc.

Mr. King explained that most of the smaller planes are fairly quiet and that they would have to be at a distance of about 100 feet above you for you to really hear any kind of noise.

Mr. King explained that you most likely wont hear any kind of noises from the planes if you are inside of a building.

Mr. King explained that he had consider purchasing a strip of the commercial land to the west of the airport so that they would expand the size of the lots and also have some extra buffering between the airport and future commercial development.

Mr. Spencer asked if there were any height restrictions or concerns for future development to the east and west of the airport.

Mr. King said that as long as tall buildings stay at least 100 to 150 away from the actual runway there should not be a problem.

Mr. King explained that they would encourage commercial development all around the airport.

Mr. Spencer explained that the Future Land Use Map was approved before he began working for the City and the original idea was to only have one airport. Mr. Spencer explained that if this concept goes further the applicant will have to ask for a rezone of the Future Land Use map so that it shows the airport as airport zoning and not mixed use commercial.

Mr. King explained that he had spoken with Mr. Patterson and that Mr. Patterson stated that when he first acquired the property he was assured by the City that when he was grandfathered in his property would be incorporated as an airport.

Commissioner Linton asked if there was anything in the Development Code on Airport Hangers, Commissioner Linton explained that if there is no standards in the Code he would like Staff to come up with something to add to the code.

Commissioner Linton suggested that it states somewhere that the airport hangers are required at the beginning of home construction so that there are not pieces of airplanes lying around on the lots.

Commissioner Maher explained that it might be helpful for the City and the Applicant to pull the Jake Garn Airport File to see what kinds of different information they have.

Commissioner Dean explained that in the airpark zone it mentions clearance and that you have to have open space or agricultural zoned land for at least a half a mile on each end of the runways. Commissioner Dean explained that the land directly south of the airport is zoned commercial and that according to code this would have to be rezoned in order to comply.

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Commissioner Linton explained that he would like the City to get legal advice on this project before going any further.

Commissioner Linton explained that the applicant will need to provide the City with much more information before submitting any other applications because at public hearing there will be residents that show up who are going to be very concerned with something like this going on because it will effect their quality of life.

Commissioner Linton said that he likes the concept being proposed and that it adds quality and character to the City that you just don't find anywhere.

Commissioner Weir said that he agreed with Commissioner Linton's comments and that this concept is creative and unique.

6. Other Business

7. Adjournment

Commissioner Maher closed the meeting at 7:41 p.m.

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TUESDAY, FEBRUARY 26, 2008

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

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

Roll Call

Tom Maher, John Linton, Preston Dean, Craig Larrabee

Others Present

Jamie Adams, Ryan Kent, Fran Fillerup, Carl Allred, Nikki Wickman, Karen Tobler

Staff Present

Planning Director: Peter Spencer
Senior Planner: Mike Hadley
Senior Planner: Steve Mumford
Planning Coordinator: Jenalee Harper

1. Pledge of Allegiance

Commissioner Maher led the Planning Commission and Audience in the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

Peter Spencer explained that the following items had been approved by the City Council at their most recent meeting.

- A. Equine Overlay Zone
- B. Fencing Standards

Mr. Spencer explained that the City Council had changed the proposed 4 foot fencing setback down to 3 feet.

- C. Valley View LDS Church
- D. Commercial Rezone

4. Approval of Minutes

- A. Approval of the January 29, 2008 Planning Commission Minutes.

MOTION: *Commissioner Linton moved that the Planning Commission approve the January 29, 2008 Planning Commission Minutes.*

Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

5. Development Items

A. Gotta Dance Performing Arts Studio, Conditional Use - Public Hearing, Action Item

Jenalee Harper explained that the Gotta Dance Performing Arts Studio is located at 2053 East Blossom Street. Mrs. Harper said that the applicant is proposing to change her two car garage into a dance studio.

Mrs. Harper explained that the dance studio is currently located in the basement of the applicant's home and is approximately 200 square feet in size and that the garage is 437 square feet.

Mrs. Harper said that in the applicants proposal it states that the home is gated with a six foot privacy vinyl fence and that a shed in the backyard will provide the storage for yard equipment, tools, and everything that would normally be stored in a garage.

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Mrs. Harper explained that applicant has proposed to expand the width of her driveway by six feet with a cement or gravel pad to provide more parking.

Mrs. Harper explained that staff has reviewed this application for Conditional Use and feels that it does not comply with Title 1, Table 11.3, Required Parking by Land Use which states *Every Single Family Dwelling is required to have 2 parking stalls enclosed in a garage.* Mrs. Harper also explained that staff felt that this Conditional Use did not comply with Title 1, Chapter 13, Home Businesses in that this would be changing the primary residential use of the property.

Mrs. Harper explained that staff feels that the applicant can not provide adequate parking for this type of home business.

Commissioner Maher asked if it would change the residential use of the come if the garage in converted into a dance studio.

Mr. Spencer explained that home business are allowed as long as the overall use of the building is residential. Mr. Spencer explained that it would be up to the Planning Commission to decided if by converting the garage will this change the overall residential use to commercial.

Commissioner Linton asked how the City defines a garage.

Mr. Spencer explained that there is a specific width and depth for garages that is required by code to allow for garages to be parked in the garage. Mr. Spencer explained that the City has always defined a garage as a place for vehicles to be stored.

Mrs. Harper asked the applicant if the garage studio and basement studio would both be used at the same time.

Jamie Adams explained that the basement studio would no longer be used if the garage studio was approved.

Mrs. Adams explained that she was the owner and manager of the Gotta Dance Performing Arts Studio.

Mrs. Adams explained that most parents dropped their children off for class and that there are only 2 classes that she provides that the parents will stay for because they are only a half hour long.

Mrs. Adams said that she had not received any complaints regarding her business since she has been in operation.

Mrs. Harper explained that the City has not received any complaints regarding this business either.

Mr. Spencer asked Mrs. Adams if she would convert her garage back if the studio expanded into a commercial area.

Mrs. Adams explained that the garage would be converted back on the condition that her business grew large enough to expand into a commercial building.

Commissioner Larrabee asked if the additional parking being proposed is the maximum width that the applicant can expand to.

Mrs. Adams explained that six feet would bring her driveway width all the way over to the property line and that there is no additional room for parking.

Commissioner Maher opened the Public Hearing at 6:12 p.m.

Tina Hollingsead explained that she is in support of the Gotta Dance Performing Arts Studio. Mrs. Hollingsead explained that her son and daughter were in some of Mrs. Adam's classes. Mrs. Hollingsead explained that the studio is a great need in the community, and that the expansion will allow for more room which the business needs.

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Commissioner Maher closed the Public Hearing at 6:14 p.m.

Commissioner Larrabee explained that his concern would be deviating from what the Code requires which is that every single family dwelling has a two car garage.

Commissioner Dean explained that by allowing this garage conversion it would set a precedent for other businesses that the City may not want. Commissioner Dean said he also felt that adding six feet to the width of the driveway would not be sufficient enough for parking.

Commissioner Linton explained that the community needs these types of resources available for residents but that the approach the applicant is taking with the expansion of her business is something that should not be approved.

Commissioner Maher explained that he felt this conditional use would change the residential use of the home.

MOTION: *Commissioner Linton moved that the Planning Commission deny the Gotta Dance Performing Arts Studio Conditional Use Permit.*

Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

B. Meadow Ranch 7, Final Plat – Action Item

Mr. Hadley explained that Meadow Ranch 7 is located along SR 73, in the middle of the Meadow Ranches Master Development. Mr. Hadley explained that this had previously been approved by the Planning Commission for a preliminary plat.

Mr. Hadley explained that it consists of 16 residential lots at an average of 1.14 acres per lot. Mr. Hadley explained that this is consistent with the rest of the Meadow Ranch Development.

Mr. Hadley explained that the drainage plan has been reviewed by the City Engineer and that the City Engineer is satisfied with the plan that is being presented.

Mr. Hadley explained that the street cross-section needs to conform to typical city street standards.

Commissioner Maher asked at what point in the application process do the water rights for a project have to be turned over to the City.

Mr. Hadley explained that they are required at the preliminary plat stage.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to the City Council for the Meadow Ranch Phase 7 Final Plat subject to the following conditions:*

1. **SWALES.** 3" course base in drainage swales.
2. **STREET.** Street cross-section must conform to typical City street standards. Saw cut existing asphalt in smooth straight line. T-patch all asphalt cuts.
3. **WATER & SEWER.** Maintain a minimum of 10' separation between water & sewer.
4. **WATER METERS.** 1" water meters for all lots.
5. **LATERALS.** Show locations of all water and sewer laterals.
6. **HYDRANTS.** Five fire hydrants required; maintain 3-foot clearance around hydrants.
7. **PROPANE.** Permit required for propane installation.
8. **ADDRESSES.** Addresses need to be added onto the Final Plat for each lot.
9. **TITLE BOX.** The title box needs to be revised to reflect the vacation of Lot 1 Plat C of Meadow Ranch subdivision.

Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed

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C. Oquirrh Mountain Master Development Plan – Public Hearing, Action Item

Mr. Mumford explained that Staff recommends that this item be tabled. Mr. Mumford explained that the Oquirrh Mountain MDP is located south of the Lone Tree Subdivision.

Mr. Mumford explained that this project had been previously approved as preliminary and final plats for a single family detached subdivision. Mr. Mumford explained that due to various reasons the applicant has returned with the project and is proposing to do a mixed housing type of project rather than the single family detached subdivision that was originally approved.

Mr. Mumford explained that the new proposal has the exact same road configuration as the previous approval.

Mr. Mumford explained that the total unit count is 392 with 50 acres of open space. Mr. Mumford said that 17.8 of the open space acres is improved open space. Mr. Mumford explained that the improved open space according to code must be under a 15% slope.

Mr. Mumford explained that Staff would like to see in more detail how the applicant is going to utilize the steep improved open space.

Mr. Mumford explained that the applicant is proposing a trail system that will be throughout the project.

Ryan Kent asked what the City would like to see for their open space.

Mr. Kent discussed the slopes of the open space with the Commission.

Commissioner Maher explained that he would like to see a plan that showed the exact slopes of the improved open space areas, what amenities would be placed in the different areas, etc.

Commissioner Linton explained that he is concerned with the steep sloped improved open space areas and how they will be used. Commissioner Linton explained that he is also concerned with the large number of condominiums that are located in this project and that he would like to see and HOA that will maintain an upkeep these buildings so that they do not turn into an eyesore for the City.

Mr. Spencer explained that the City will look at the number of units specifically in this project and make sure that the amenities put in are adequate enough for those number of units.

Commissioner Maher explained that the City would like to see larger park areas rather than small open space areas dispersed throughout the project because the smaller areas are harder to maintain.

Commissioner Maher opened the Public Hearing at 6:42 p.m.

Nikki Wickman explained that she is upset because this project is going to have a clubhouse, trails and open space that she will not be able to use. Mrs. Wickman asked if any project were in the works that she as a resident would be able to use.

Mr. Spencer explained that there are many interested residents who are looking for recreation facilities that are owned by Eagle Mountain City and open to all residents for use. Mr. Spencer explained that the Mayor Jackson is in support of more recreation facilities in Eagle Mountain and that she is currently working on a skate park for residents.

Mr. Spencer explained that when Cedar Pass Ranch was first developed it was such a large lot and low density area that there was no requirement for a recreation center for this type of development. Mr. Spencer explained that the City collects impact fees through development and that there is a general fund that these monies go into and at the discretion of the City Council they can pull from the funds to build City wide recreation facilities.

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Mrs. Wickman asked what facilities the City is currently looking at building.

Mr. Spencer explained that recreational facilities are very expensive and that the City at this time does not have the funds to build anything.

Karen Tobler asked what size of multi housing will be built in this project.

Mr. Mumford explained that in the concept designs that the City has reviewed its designed to be owner occupied.

Commissioner Maher explained that there would be no apartments that everything would be owned. Commissioner Maher explained that there would be single-family cluster homes, twin-homes, town-homes & attached multi-family products with the possibility of tri-plexes and six-plexes.

Fran Fillerup explained that this project would connect with some petro glyph rock art to the west and the pony express trail to the east. Mr. Fillerup explained that SITLA is in favor of what the applicant is proposing.

Commissioner Maher tabled the Public Hearing until the March 25, 2008 Planning Commission Meeting.

MOTION: *Commissioner Linton moved that the Planning Commission table the Oquirrh Mountain Master Development Plan & Public Hearing to the March 25, 2008 Planning Commission Meeting.*

Commissioner Larrabee seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

D. Equine Overlay Zone Designation for the Overland Trails and Sage Valley Developments – Public Hearing, Action Item

Mike Hadley explained that the City is proposing to place the Equine Overlay Zone over the Overland Trails and Sage Valley Developments.

Mr. Hadley explained that Staff went back and reviewed the existing developments within the City to determine which developments would need the Equine Overlay Zone. Mr. Hadley explained that the subdivisions that were reviewed were the rural equestrian themed developments, developments that had existing riding trails and developments that had lots smaller than one acre.

Mr. Hadley explained that Overland Trails Plats 1, 1c & 2 and Sage Valley Plats A & B developments fell under the correct requirements for the overlay placement.

Commissioner Maher opened the Public Hearing at 6:58 p.m.

Commissioner Maher closed the Public Hearing at 6:58 p.m.

MOTION: *Commissioner Linton moved that the Planning Commission approve and recommend approval to the City Council for the Equine Overlay Zone Designation on the Overland Trails Plats 1, 1c & 2, and Sage Valley Plats A & B Developments.*

Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

6. Other Business

Mr. Spencer explained that at the next Planning Commission Meeting Staff will be presenting a rezone for Joe' Dugout which is across the street from where the new Valley View Elementary School is being built. Mr. Spencer explained that they are proposing to have more commercial in that area.

Mr. Spencer explained that Staff will also be presenting a guiding document on how highway 73 is built out and developed throughout the length of the City.

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Mr. Spencer explained that another document that they will be presenting is design standards/guidelines for commercial development & multi-family development.

Mr. Kent explained that Saratoga Springs has a Design Committee that consists of five members. Mr. Kent explained that the Design Committee approves architecture and layout for commercial and multi-family. Mr. Kent explained that once a project is approved by the Design Committee it then moves on to Planning Commission for their review.

Commissioner Linton asked what qualifications the members had to have in order to be a part of the Design Committee.

Mr. Kent explained that the Committee consists of a Developer, Architect, City Council Member, Planning Commission Member and a Resident. Mr. Kent explained that this group is an advisory body.

Mr. Mumford explained that the document that he has prepared for the next meeting has specific guidelines that will have to be followed and other guidelines that are more of recommendations.

Mr. Mumford explained that he had driven to several communities to find as many examples as he could for this document.

7. Adjournment

Commissioner Maher adjourned the meeting at 7:11 p.m.

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

Roll Call

Tom Maher, Matt Weir, John Linton, Preston Dean, Craig Larrabee

Others Present

Ryan Kent, Doug Rosecrans, Rob Heeley, Amy Chaddel, Steven Elms, Travis Snyder, Patty Smith

Staff Present

Planning Director: Peter Spencer
Senior Planner: Mike Hadley
Senior Planner: Steve Mumford
Planning Coordinator: Jenalee Harper

1. Pledge of Allegiance

Commissioner 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. Spencer explained that the following items had been approved by the City Council at their previous meeting.

- A. Equine Overlay Zone Placement
- B. Sweetwater 2 & 3 Final Plats

4. Approval of Minutes

- A. Approval of the February 26, 2008 Planning Commission Minutes.

MOTION: *Commissioner Linton moved that the Planning Commission approve the February 26, 2008 Planning Commission Minutes.*

Commissioner Larrabee seconded the motion. Ayes: 4, Nays: 0.

5. Development Items

A. Joe's Dugout, General Plan Amendment & Rezone - Public Hearing, Action Item

Mr. Hadley explained that Joe's Dugout is located North of Pony Express Parkway, across from the new Hidden Valley Elementary School. He explained that the aerial photo shows that most of the terrain is unbuildable. The approval with the Ranches Master Plan is for 290 residential units with a 6 acre commercial piece. The applicant is proposing to rezone the entire piece to Commercial Zoning. 14.7 acres of unimproved open space will be deeded over to the City. Mr. Hadley displayed a map to the Planning Commission showing what the commercial layout could potentially look like. The permitted uses for the commercial zone were read by Mr. Hadley and are listed in Title 1, Chapter 7, Section 7.3 of the Development Code. Mr. Hadley said that each of the permitted uses are conditional uses and that they must be brought before the Planning Commission for approval or denial. He explained that at that time the Commission may place conditions of approval on the permitted uses. Mixed Use Residential is also a conditional use under this zone. Mr. Hadley stated that when the Planning Commission and City Council considers a rezoning there are three elements to evaluating the rezone. They must be compliant with the future land use plan, compatibility, determination and buffering of incompatible uses. The proposed zoning is not in compliance with the future land use transportation plan therefore a general plan amendment to the map would need to take place before approval of the rezone.

Commissioner Maher asked for clarification on what the applicant is actually proposing tonight.

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Mr. Hadley said that the parcel is currently zoned with 260 residential units and a 6 acre commercial parcel. The applicant is wanting to rezone the entire parcel to commercial with the ability to have some multi-family residential mixed in with the commercial. Mr. Hadley explained that as shown previously on the aerial photo, there is not a lot of buildable land in this parcel therefore the applicant does not want to build single family residential on this parcel. City staff is recommending approval of the general plan amendment and rezone because they feel that this area is sufficiently buffered from any current residential development. Mr. Hadley explained that Pony Express Parkway is a 120 foot minor arterial road, providing enough buffering for development to the south. He said that with this large road and its potential to be fully built out in the future, it would only make sense to allow commercial development within this parcel.

Commissioner Maher asked that the land use map be displayed for the Commission and Public.

Mr. Spencer reviewed the location of Joe's Dugout with the Planning Commission. He explained that in order for this rezone to take place, the applicant needed to have the general plan map changed. If the zoning is left as it currently stands, it would only allow for the applicant to build light commercial.

Commissioner Maher asked how many units per acre the current zoning allows.

Mr. Hadley stated that it allows for seven units per acre.

A member of the audience asked for clarification on the zoning. Mr. Spencer gave a brief explanation of the changes being proposed.

Doug Rosecrans explained that because of the new elementary school being built across the street from the parcel, he has seen different companies show more interest in the parcel being commercially zoned rather than residential.

Commissioner Maher asked Mr. Rosecrans what types of commercial businesses he anticipated being built on this parcel.

Mr. Rosecrans said that it will mostly serve the nearby neighborhood and that he anticipates retail, services stores and restaurants.

Commissioner Linton asked how many units of residential the applicant planned on having.

Mr. Rosecrans explained that approximately 190 units could be built on the parcel if no commercial is built. He said that in an earlier study that was done with a particular configuration of the parcel only 40 residential units would fit.

Commissioner Maher asked how many acres of open space would be improved.

Mr. Spencer explained that 10% of the residential developable area of this project is to be set aside as improved open space. With the parcel being rezoned to commercial no improved open space will be required by the city.

Mr. Rosecrans explained that most of the land is too steep for improved open space so all land dedicated over to the city would be unimproved open space.

Commissioner Maher opened the Public Hearing at 6:22 p.m.

Rob Heeley, Resident of Ruby Valley, expressed his concern that the applicant is rezoning two parcels of land to commercial. He felt that it was unnecessary to rezone one of the parcels to commercial because the land is too steep to build anything on anyway. Mr. Heeley stated that he was also confused as to why they were rezoning from mixed use commercial to commercial.

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Commissioner Maher stated that it allows for a larger variety of businesses to be placed within this parcel. He explained that a specific plan is not being approved tonight rather it is just the rezoning that will be approved or denied.

Amy Chappel, Resident of Hidden Canyon, stated that her home overlooks this property and that she is concerned with the uses, and the light and noise that could be generated by making this area commercial. She said that the traffic that this commercial area would generate will make it unsafe for children coming to and from the new Hidden Valley Elementary School. Mrs. Chappel explained that this parcel needs to be approved with a specific plan, if not she feels as residents they will lose their ability to express their opinion on what may or may not be placed in this commercial area.

Steven Elms explained that he is not opposed to this parcel being rezoned commercial. He said that if something is going to be built he would like to ensure that residents can give their input on buildings that are aesthetically pleasing to the surrounding area.

Commissioner Maher explained that a new commercial code with architectural standards is currently being drafted and reviewed by the City. He stated that with this new code all commercial areas will be a step up from what they are now. There is no specific plan for this parcel yet, because it is strictly a rezone. However when businesses come in it will need to meet the standards and architectural guidelines.

Mr. Elms asked if there was an opportunity for residents to give their input on the architectural standards that are being drafted.

Commissioner Maher explained that whenever the Development Code is changed by the City, a public hearing is always held giving residents the opportunity to voice their opinion.

Mr. Hadley explained that when the commercial elements of this property are ready to be placed in the area, it is required that they apply for a site plan application with the City. All site plan applications will be taken before the Planning Commission.

Travis Snyder asked what the City's master plan is for the area.

Commissioner Maher explained that due to the school being built across the street it has changed the surrounding use and feel of the area.

Mr. Snyder asked if the City had ordinances on buildable slopes.

Commissioner Maher explained that there are very specific rules that developers must meet concerning slopes.

Mr. Spencer explained that anything above 25% slope is unbuildable.

Patty Smith, Resident of Hidden Canyon, expressed her concerns with the increase in traffic on Pony Express Parkway. She also stated that she was concerned with what types of commercial business would be built because of the elementary school being so close.

Mr. Spencer explained that making the zoning change to commercial allows for the developer to put in the list of business allowed in the commercial zone chapter from the development code. The City also has specific standards for lighting, noise and traffic, that the permitted commercial business must comply with. Mr. Spencer explained that when a site plan application is submitted to the City it is taken before Planning Commission and at this time conditions of approval may be set by the Planning Commission. Any multi-family or commercial development is also required to shield all lights downward so that the light does not extend beyond the property. Mr. Spencer explained that due to the increase in traffic acceleration and deceleration lanes will also be required to be placed. He explained that a traffic study will be conducted which analyzes all the potential peak volume traffic.

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Commissioner Maher explained that the traffic study is conducted by an independent traffic engineer. He or She will certify the requirements that need to be met depending on the outcome of the traffic study.

Mr. Spencer explained that in the future, residents will occupy the Hidden Valley area, which will also increase the traffic at the intersection of the commercial property and the new elementary school. It is a possibility that in the future a traffic light may be installed to control all of the traffic at this intersection. The traffic study that is conducted, by a third party engineer, could possibly state that a traffic light is required for this intersection.

Commissioner Maher asked what plans the Hidden Valley Developers had for their area surrounding the Hidden Valley Elementary School.

Mr. Spencer explained that just east of the school, 100 units of multi-family/townhomes have been approved.

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

Commissioner Weir stated that he is not opposed to the change in zoning, and that this adaptation may be a great feature for the City in the future.

Commissioner Linton stated that he felt that this commercial area would benefit the residents in the localized area. Mr. Linton explained that Pony Express Parkway could eventually turn into a highway, therefore making this commercial area appropriate.

Commissioner Dean expressed that he was in agreement with Mr. Linton, that the commercial zone in this particular area will be a great benefit for the City.

Mr. Spencer explained that the eventual build out for Pony Express Parkway will look similar to the Ranches Parkway. He explained that the school will be required to build a sidewalk along Pony Express Parkway.

Commissioner Maher asked Mr. Spencer how many units the Hidden Valley area has been approved for.

Mr. Spencer said that 657 units had been approved. He explained that there would be a second entrance/exit to the Hidden Valley area.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to the City Council for the proposed amendment to the Eagle Mountain City General Plan Map and to recommend approval to the City Council for the Joe's Dugout Rezone.*

Commissioner Larrabee seconded the motion. Ayes: 5, Nays: 0. Motion Passed.

B. Commercial & Multi-Family Design Standards – Discussion Item

Steve Mumford explained that the Commercial & Multi-Family Design Standards include site design standards and architectural standards. Mr. Mumford explained that the Commercial & Multi-Family Design Standards being presented is only a draft. The purpose of these standards is to protect the City against bland development.

Mr. Mumford explained that the site design and building locations are vital. He explained that they would like to orient the commercial buildings towards the street and sidewalk rather than only towards the parking lot. With the entrances and windows towards the streets and sidewalks.

Mr. Mumford explained that backyards and fencing usually face the street and sidewalk, however the purpose of these standards is to have multifamily porches, doorways, out on the sidewalk in the front and put the parking to the side and to the rear of the projects.

Commissioner Maher explained that it would be great to see multi family housing facing the main roadways and sidewalks rather than having the back or sides facing the street, so that you are not looking at a parking lot.

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Mr. Mumford explained that parking areas should be located in the rear or the side of the buildings. Parking should not be between any commercial buildings and the street.

Mr. Spencer explained that the proposed commercial parking provides a street edge and shields a majority of the parking area.

Mr. Mumford explained that open/plaza space is clustering the homes in such a way that will maximize the usable open/plaza space.

Mr. Mumford explained that architectural styles/themes should stay similar within one development. The main entrance of a structure should orient to major sidewalks and pedestrian walkways.

Mr. Mumford explained that having towers and different relief elements on the tops of buildings can be much more aesthetically pleasing.

Mr. Mumford reviewed the Building Material section of the Design Standards with the Planning Commission. Commercial buildings shall utilize a mixture of building materials on all sides of the building.

Mr. Mumford explained that buildings should not be restricted to the type of color they use but that they should not overpower the building and development. He explained that the franchise colors can be incorporated but rather in smaller elements.

Mr. Mumford explained that cluster mailbox structures are generally required by the Postal Service for multi-family developments. He said that in a previous area that he had lived in, the mailbox structures were made to look like the multi-family buildings.

Mr. Mumford explained that all mechanical equipment shall use screening that is aesthetically incorporated into the design of the building.

Mr. Mumford explained that design guidelines generally include landscaping, parking, pedestrian circulation and paths. Originally staff thought of incorporating these items but that there is already an existing code on parking and landscaping.

Commissioner Weir stated that under the Architectural Detailing section it refers to Human proportioned architectural features/details. Commissioner Weir asked what this meant.

Mr. Mumford explained that human proportion means that if you have a building with flat facades, windows that are high, or if there are not a lot of features down below at the pedestrian level then it is oriented to vehicles driving by. Mr. Mumford explained that human proportion feels good and looks better if you are walking next to it along the sidewalk. Windows would be placed lower, awnings above the windows, brick and decorative materials would be placed lower, at the pedestrian level.

Commissioner Maher suggested changing human proportion to pedestrian orientation to clarify the code so that all may understand it.

Mr. Mumford explained that some cities require that every 50 to 75 feet there is an entrance or every 25 feet you have a relief in building. Mr. Mumford stated that staff did not want to get that specific with the design standards.

Mr. Spencer explained that one of the challenges to drafting this code was that staff did not want to make this too restrictive to commercial businesses because we are trying to encourage any type of commercial development that will benefit the city and by making the design standards too strict may discourage new commercial development.

Commissioner Maher suggested that staff add as many good and bad picture examples to the design standards as possible.

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Mr. Spencer explained that there are many multi family projects that follow standards similar to this and that have gone above and beyond. Mr. Spencer stated that a code like this will prevent projects becoming an eyesore for the City.

Mr. Mumford explained that there are some larger projects, not yet approved, that are already following guidelines similar to this.

Commissioner Dean stated that from an architectural perspective, this code has been written really well. Commissioner Dean explained that the checklist that was included is a great way of staying organized so that these standards being applied to projects stay balanced. Commissioner Dean asked if ADA requirements were reviewed when the parking section of this chapter was written. He explained that typically handicapped parking generally must be as close as possible to the primary entrance.

Mr. Mumford asked if there was a distance requirement or if the general rule was that the handicapped parking must be the closest to the entrance.

Commissioner Dean said that he was unsure because most parking lots are put out in front of buildings, but to contact the ADA for their requirements.

Commissioner Linton explained that Irvine California does a great job in masking their parking lots, but they still are able to meet the ADA requirements. Commissioner Linton explained that this will be a great document for the City and that he appreciated the broad use of the words shall and may throughout the document. He explained that this allows the Commission, Council and Developer to “give and take” for the benefit of the community. Commissioner Linton. Commissioner Linton explained that he was concerned with commercial businesses having two entrances. He stated that it is typical of business to lock one of the entrances and put paper on the inside of the door, to utilize the additional space. Commissioner Linton asked that the code states clearly that this will not be allowed and that all doors must remain as doors and unlocked throughout the business day.

Commissioner Dean explained that any door considered an egress door according to building codes must be used and cannot be blocked off.

Mr. Mumford explained that the design standards were distributed to staff members. He explained that this will also be sent to the City Attorney for his review. The standards will also be sent out to the development community for their review.

Commissioner Larrabee explained that the code was written in a way that it will be good for the community and the property owner. Commissioner Larrabee asked how having the parking in the back of these buildings will effect employee safety.

Mr. Mumford explained that he would look into this issue to see if any studies have been completed.

Commissioner Maher mentioned again that staff should add more pro and con photos to the document.

Commissioner Dean explained that some cities have more diagrammatic pictures in these types of documents.

Mr. Mumford explained that Lehi has recently written a design standards code which also includes pictures and diagrams.

Commissioner Maher explained that at a previous Planning Commission Meeting there was a design company present that may have some great photos that the City could use in the design standards document. He also mentioned that Jackson Hole has strict design standards and that they may have some useful information that the City could include in its design standards.

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C. SR 73 Development Guidelines – Discussion Item

Mr. Mumford explained that the SR 73 Development Guidelines include topics such as roadway design, access management, landscaping, signage & fencing. Its purpose is to guide the way in which SR 73 is developed within the City limits.

Mr. Mumford explained that UDOT came out with a study that covered SR 73 from Tooele to Redwood Road. A majority of this document included maintenance and phasing plans. The first portion of the phasing plan mainly focused on the SR 73 from Ranches Parkway to Redwood Road, because it is the most highly traveled section of SR 73. The second portion of the phasing plan included the portion of road from Ranches Parkway to Eagle Mountain Boulevard. A 106 foot right of way was included in UDOT's document. This is the total width of area they would need for the eventual build out of SR 73, including 4 lanes with a center turn lane.

Mr. Mumford explained that Staff, in the next few weeks, will be working on determining how much right of way the specific areas of SR 73 will need.

Commissioner Maher asked if the City needed UDOT's permission to incorporate this document as part of the code.

Mr. Mumford explained that UDOT would have to review the document and must approve it before the City can incorporate it. He explained that some of the features in the future will be paid for and installed by the City.

Mr. Spencer explained that this document will control how UDOT eventually develops SR 73. He said that they had talked with UDOT in the past and their biggest concern is getting four lanes of traffic. Mr. Spencer explained that the City can go above and beyond with the plan, as long as the road can get traffic from Point A to Point B.

Commissioner Linton asked if within the 150 foot cross section, does UDOT accept responsibility for 73 feet and the City, 38 ½ feet.

Mr. Mumford explained that the 38 ½ feet would be a City or Developer responsibility.

Mr. Mumford explained that this document would not be incorporated into the actual code but approved through a resolution.

Mr. Spencer explained that this document would act as if it were a part of the development code. He explained that this will be approved by the City Council as an ordinance.

Mr. Mumford explained that he had written several questions in the Staff report to be able to get feedback from the Planning Commission, such as what type of landscaping does the Planning Commission envision.

Commissioner Maher asked what UDOT's plan was concerning the entrance onto SR 73.

Mr. Mumford explained that there is an existing agreement with UDOT and the City that shows five existing signalized intersections. He explained that they have not heard from UDOT on having more intersections. Mr. Mumford explained that if it becomes a problem with too many intersections they may restrict some to right or left turns only, and possibly closing some of those intersections off.

Commissioner Linton asked if UDOT was planning on concrete or asphalt medians.

Mr. Mumford explained that UDOT's plans do not currently include any medians. He explained that those are usually added when the traffic safety number increases or if there are accesses onto the highway that need to be restricted.

Mr. Spencer explained that Saratoga Springs recently had concrete medians installed because of traffic issues.

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TUESDAY, MARCH 11, 2008

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Mr. Mumford explained that the City will want these medians to be landscape medians rather than a concrete median. He explained that staff is not proposing to have a landscape median down the entire length of the highway.

Mr. Spencer explained that this is the entrance to the City and that it needs to be designed in a way to be attractive to residents and visitors.

Commissioner Linton asked that it be designed so that it is architecturally pleasing so that it does not hurt the development community. He explained that the white vinyl fence along the road as you are going into Lehi is a bad example of design and is something that Eagle Mountain City should avoid. Commissioner Linton stated that xeriscape can be aesthetically pleasing when trees and shrubs are grown out properly.

Mr. Spencer explained that there may not be a lot of foot traffic on the trail, but there may be a lot of bike traffic. He explained that it would be great to construct a separate trail that runs along the highway rather than adding 8 feet of asphalt to the sides of the highway. Mr. Spencer explained that it could be dangerous having a trail right next to the highway.

Commissioner Maher explained that bikers will still use the road even if a separate asphalt trail was built for them.

Mr. Mumford explained that staff has been in contact with UDOT and MAGG, and that they will continue to include them in the process. He explained that staff will try to set up a meeting with both companies to propose the plan to them.

Commissioner Maher asked if the Mayor had made any progress with the road after the latest snow storm disaster.

Mr. Spencer explained that she had been to Washington D.C. for a congressional request for money to extend Pony Express Parkway. He explained that MAGG was also involved with the request so that it was just not a request coming from Eagle Mountain City.

Commissioner Linton explained that the plows from Utah County were brought up into Salt Lake County to help them with their traffic congestion when the last snow storm hit Utah.

Mr. Spencer explained that Eagle Mountain City's plows were asked to go out and plow SR 73 in place of the Utah County Plows.

6. Other Business

Mr. Spencer stated that the Planning Commission Meeting for March 25, 2008 has been canceled. He explained that it is the night of caucus meetings, and that it has been asked of staff to not hold this meeting so that the Planning Commissioners may attend those meetings.

Mr. Spencer explained that the Utah County Sheriff's Department will be at the next meeting to provide evacuation training to the Commissioners. He asked the Commissioners if they would be able to come at 5:30 p.m. to be able to have a closed training session before the public arrives.

The Commissioners confirmed that they would arrive at 5:30 p.m. for the evacuation training.

Mr. Spencer explained that the City's new website will have a section on boards and commissions. Mr. Spencer explained that the Commissioners will need to have their pictures taken and that a bio for each commissioner be placed on the website.

7. Adjournment

Commissioner Maher closed the meeting at 7:48 p.m.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, APRIL 8, 2008

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

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

Roll Call

Tom Maher, John Linton, Preston Dean, Craig Larrabee

City Staff Present

Senior Planner: Mike Hadley
Senior Planner: Steve Mumford
Planning Coordinator: Jenalee Harper
City Engineer: David Norman

1. Pledge of Allegiance

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

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

None

4. Development Items

A. Eagle Mountain Bike Park Site Plan – Public Hearing, Action Item

MOTION: *Commissioner Linton moved that the Planning Commission CONTINUE the Eagle Mountain City Bike Park Site Plan to the May 13, 2008 Planning Commission Meeting.*

Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

B. Amendment to the SITLA Master Development Land Use Map – Public Hearing, Action Item

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval of the SITLA Master Development Plan to the City Council.*

Commissioner Larrabee seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

C. National Field Archery Association (NFAA), Temporary Archery Golf at The Ranches – Action Item

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, APRIL 8, 2008

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

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval of the NFAA Temporary Archery Golf to the City Council, subject to the conditions listed in the Staff Report.*

Commissioner Larrabee seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

5. Other Business

None

6. Adjournment

Commissioner Maher adjourned the meeting at 8:06 p.m.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, APRIL 22, 2008

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

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

Roll Call

Tom Maher, John Linton, Preston Dean, Craig Larrabee

City Staff Present

Planning Director: Peter Spencer
Senior Planner: Mike Hadley
Senior Planner: Steve Mumford
Planning Coordinator: Jenalee Harper

1. Pledge of Allegiance

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

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

A. Joe's Dugout

4. Approval of Minutes:

A. March 11, 2008

MOTION: *Commissioner Linton moved that the Planning Commission approved the March 11, 2008 Planning Commission Meeting minutes.*

Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

5. Development Items:

A. Parkway Crossroads Dentist Office Site Plan – Public Hearing, Action Item

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval of the Dr. Ryan Hart Dentist Office Site Plan to the City Council, subject to the conditions listed in the Staff Report with items 5 and 7 removed.*

Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, APRIL 22, 2008

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

B. Staff Proposed Amendments to the Development Code – Public Hearing, Action Item

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval of the Amendments to the Development Code to the City Council.*

Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

6. Other Business

7. Adjournment

Commissioner Tom Maher adjourned the meeting at 6:57 p.m.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, MAY 13, 2008

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

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

Roll Call

Tom Maher, John Linton, Preston Dean, Craig Larrabee

City Staff Present

Planning Director: Peter Spencer
Senior Planner: Mike Hadley
Senior Planner: Steve Mumford
Planning Coordinator: Jenalee Harper

1. Pledge of Allegiance

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

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

- Dr. Hart's Dentist Office Site Plan
- Joe's Dugout General Plan Amendment & Rezone
- Commercial & Multi-Family Design Guidelines and Site Plan Chapter Amendments
- SITLA Master Development Plan Agreement
- Master Parks & Trails Plan – Design Workshop

4. Development Items:

A. Eagle Mountain Bike Park Site Plan – Public Hearing, Action Item

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval of the Eagle Mountain Bike Park Site Plan to the City Council.*

Commissioner Larrabee seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

B. Ranches Ladder Signs Lease Renewal – Action Item

MOTION: *Commissioner Linton moved that the Planning Commission table the Ranches Ladder Sign Lease Renewal in order to combine all leases that require renewal.*

Commissioner Larrabee seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

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5. Other Business

6. Adjournment

Commissioner Tom Maher adjourned the meeting at 7:05 p.m.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, MAY 27, 2008 AT 6:00 P.M.

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

Commissioner Maher called the meeting to order at 6:00pm.

Roll Call

Tom Maher, John Linton, Matt Weir, Craig Larrabee, Preston Dean

Others Present

Scott Kirkland

Staff Present

Senior Planner: Steve Mumford

Planning Coordinator: Lianne Pengra

1. Pledge of Allegiance

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

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

A. Bike Park

Mr. Mumford explained that there was plenty of representation on both sides of the issue and the meeting was good for the public. He explained that the site plan for the bike park was approved and another meeting is set for next week to approve the \$25,000 the city will give for the development of the park, and the MOU between the City and WAFTA.

B. Multi-Family & Commercial Design Standards

Mr. Mumford explained that the Design Standards were approved at the last City Council.

4. Approval of Minutes

A. N/A

5. Development Items

A. Proposed Development Code Amendments - Public Hearing, Action Item

1. Building Height

Mr. Mumford reminded the Commissioners that this amendment had been brought up before and they were now revisiting the issue. He said that the current code does not talk about measuring the height of a structure on a sloped lot. He explained that the proposed amendment measures the height from the average of the highest and lowest finished grade points. He explained that it also regulates ancillary structures and adds a schematic to the code. Mr. Mumford added that this will help the Building Department.

Commissioner Linton explained that the Ranches HOA measures structure height the same way.

Commissioner Maher noted that this issue had been before the Planning Commission in the past.

2. Commercial Signage

Mr. Mumford said that the current code requires a sign that has a slat for every building in a development, but isn't clear on whether additional monument signs are allowed. He explained that this amendment should clear any confusion on this issue.

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TUESDAY, MAY 27, 2008 AT 6:00 P.M.

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Mr. Mumford explained that the amendment will allow the City to require the combined monument sign if needed, and that the City can allow one monument sign for each pad site. He explained that the signs would need to be 100 feet apart on the same roadway, four feet high and thirty-two square feet maximum.

Mr. Mumford said that the Mayor wants a standard for all monument signs for businesses in Eagle Mountain. He informed the Commissioners that the Mayor would like a sign design similar to the Chase Bank sign in American Fork with the exception of the rock used. He explained that she preferred the rock at the entrance to The Ranches and the individual subdivisions.

Mr. Mumford explained that the sign example was for the individual monument signs, not for the combined signs. He further explained that the standard for the combined monument sign had not been discussed in detail, but that the requirement could be that the same rock is used surrounding the combined monument sign.

Commissioner Maher said that he wants this to be very clear because the majority of the monument signs will be combined.

Mr. Mumford said that they want to push for the standard on individual monument signs to be like the Chase sign with The Ranches rock. He said that a schematic would need to be looked at to add to the code for the combined monument signs.

Mr. Mumford then said that the current code does not address changeable copy signs. He explained that they want to limit the copy face to 50%. He also said that scrolling or animated signs will still be prohibited and that this amendment just makes it clearer. He added that the amendment also requires that the signs are well maintained.

Mr. Mumford said that a developer wanted to use a scrolling or animated sign in place of a changeable copy sign, as the changeable copy signs tend to fade and turn yellow in a few years. He explained that other codes talk about the upkeep and maintenance of the changeable copy signs and that the Planning Department does not feel it is too much to ask for the sign owners to keep their signs white rather than letting them yellow. He mentioned that it is more cost-effective to replace the face of a changeable copy sign versus installing an animated sign.

Commissioner Maher asked what the requirements were for a changeable copy sign.

Mr. Mumford said that the signs are allowed for any business and that it would be added that the copy is not to exceed 50%.

Commissioner Maher asked if the business could have the sign forever.

Mr. Mumford confirmed that the signs are allowed permanently in commercial, airpark, industrial and mixed use areas. He explained that this is not new in that they are just now being allowed; this is to set guidelines for the currently allowed signs.

Commissioner Maher asked if this was the gist of Scot [Hazard]'s email.

Mr. Mumford explained that Mr. Hazard might have been talking about the slatted signs with the company name on the slat, rather than a changeable copy sign.

Mr. Mumford then explained that currently temporary event signs need to be approved through the Planning Commission and City Council with public hearings. He explained the proposal allows the Planning Department can approve the signs. He said that the signs would be up to 6 square feet, the Planning Department would check the location of the signs to ensure they are not blocking sight triangles, and the signs would be limited to fourteen days before the event. He explained that this cuts out the public hearing process.

Commissioner Linton said that these sign amendments prohibit animated signs, but that the city uses animated signs at the entrance to The Ranches.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, MAY 27, 2008 AT 6:00 P.M.

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Mr. Mumford explained that those signs are for emergency purposes.

Commissioner Linton said that the uses he has seen were not emergencies.

Mr. Mumford said that he was not aware of other uses of the signs.

Commissioner Maher asked Mr. Mumford to make a note of this to see how to go forward with it with City Council.

Commissioner Weir asked what the aversion is to animated signs.

Mr. Mumford answered that the light is the largest problem. He explained that the signs are sometimes brighter than necessary and they shine into the adjacent properties and streets. Mr. Mumford also said that while he can't speak for the entire City Council or city, but that another reason may be to keep the rural atmosphere in Eagle Mountain.

Mr. Mumford explained that in the last city he worked in, an animated sign factory began operating and shortly thereafter, the city was receiving five applications a month for the animated signs. He explained that after many signs are up, some can perceive them as traffic hazards, although no studies have proven that.

3. Industrial Master Site Plans

Mr. Mumford explained that industrial sites larger than five acres or those which will be phased are difficult to plan out as far as lot sizes if the buyers are not already in line. He explained that in order to avoid having the development go through subdivisions and then maybe need to return to re-subdivide and change lot lines, the amendment will allow for a Master Plan up front that divides the development into sections for future subdivisions. He explained that each buyer would come in and do a final plat and that this removes the preliminary plat from the process.

Mr. Mumford explained that the utilities, roadways, connections, architecture and other major issues are taken care of with the Master Site Plan and the details will be taken care of when the person comes in to do the Site Plan and Final Plat.

Mr. Mumford said that the amendment allows the Planning Director to waive some information which may be difficult to come by in certain instances.

Commissioner Maher said that a "catch all" needs to be very clear that any changes are assigned to the developer and that the provisions never go away.

Mr. Mumford explained that he has only discussed this with one developer and that developer is well aware that if one size of lines are installed and a buyer requires a bigger line, the developer is responsible for replacing the lines or not selling to that buyer.

Commissioner Linton asked for clarification on the last line in the Staff Report.

Mr. Mumford explained that the Master Site Plan and the Preliminary Plat both have public hearings at the Planning Commission, so the public hearing is still a part of the process with the amendment.

Commissioner Linton asked for assurance that the wording be fixed if the commission recommends approval.

Mr. Mumford said that it would be.

Commissioner Dean asked if the monument signage amendment affects building signs.

Mr. Mumford said that it did not affect building signs; it just clarifies that each pad can have a monument sign with the previously talked about requirements.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, MAY 27, 2008 AT 6:00 P.M.

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

Commissioner Maher opened the Public Hearing at 6:23pm.

Scott Kirkland with Sage Communities said that when an approval is done on an office building or a retail site, the amount of monument signs and how many tenants maximum on each sign should be pre-approved.

Mr. Kirkland said that if many businesses are on a small sign, a traffic problem could develop. He voiced his concern about a situation like this arising on Ranches Parkway.

Mr. Kirkland said that a maximum number of monuments and maximum number of tenants with required spacing. He said that if the building owner has 15 allotted spaces and 16 tenants, the sixteenth one is out of luck. Mr. Kirkland said that he doesn't like how State Street in Orem looks with all of the multiple tenants on the signs.

Commissioner Maher wanted clarification that it is one monument sign for the building if it is 100 feet from the next building. He said that there will not be a flood of monument signs.

Mr. Mumford explained that if there are two or three businesses in a pad site in one building, they could have three monument signs as long as they are 100 feet away from each other.

Commissioner Maher said that there is only one sign per building.

Commissioner Linton said that a pad usually indicated a single business.

Mr. Kirkland said that the Ranches office building is one pad with five or six tenants. He asked that if their signs could be separated by 100 feet, could they have multiple signs.

Mr. Mumford said they could.

Mr. Kirkland asked if it was one tenant per monument.

Mr. Mumford said no; they could be combined.

Mr. Kirkland said that the signs should have a maximum number of tenants on each sign and that the lettering should have a size minimum. He said that if the wording is too small, people would be slowing down on Ranches Parkway to read the signs.

Mr. Mumford clarified that Mr. Kirkland is asking for a size minimum of the lettering of each individual tenant listed on the combined signs with more than one tenant.

Commissioner Maher said that was a good point.

Mr. Kirkland also explained that in California, signage was a Conditional Use Permit. He explained that there was a two-year renewal time period to make sure the signs were kept up and not yellowing.

Commissioner Linton said that is a good point and it was also a standard in a city where he served on the Planning Commission.

Mr. Mumford asked if it applied to just the reader board type.

Commissioner Linton said it was any monument signage.

Mr. Kirkland said any signs on the face of buildings or any free standing sign should be on Conditional Use Permits.

Commissioner Weir stated that to review the signs is a great idea.

Commissioner Maher said that the sign renewal should come before the Planning staff.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, MAY 27, 2008 AT 6:00 P.M.

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

Commissioner Weir said the primary point is to have someone look at the sign.

Commissioner Linton said that a Conditional Use Permit has to go before the Planning Commission. He recommended an alternate mechanism due to the busyness of the city. He also stated that the amendment needs to be reviewed.

Commissioner Maher said that the review is a great idea, but he wonders if that is the best use of the peoples' time.

Commissioner Weir said he expected generally quick reviews except in the cases where problems arose.

Commissioner Linton suggested having the Planning staff review and give sixty days to make corrections necessary and if the corrections are not made, the staff could bring the sign application before Planning Commission to cancel the Conditional Use Permit.

Mr. Mumford said that he would like something like that rather than bringing each sign before the Planning Commission. He explained that the Code Enforcement Officer would do inspections to determine which signs were in disrepair or starting to fade. He explained the Code Enforcer would send a letter or talk to the owner to have the needed repairs done.

Commissioner Linton clarified that they would then have sixty days to complete the repairs and if the repairs were not made in the allotted time, the Planning Commission would cancel the Conditional Use Permit.

Commissioner Dean wanted clarification about the proposal that states sign copy should not exceed 32 square feet. He asked if that was total for all tenants.

Mr. Mumford said that combined monument signs have a maximum copy of 100 square feet. He explained the 32 square feet refers to the individual monument signs.

Mr. Mumford said that a pad site had more than one tenant and they wanted to combine their signage, they would be limited to 32 square feet for that one pad.

Commissioner Dean said that would help eliminate the nine tenants on one sign.

Commissioner Maher said that it would only work if there was a text size minimum.

Mr. Kirkland said that the problem with the amendment is that it is defined by a pad and some pads are big, like a Wal-Mart pad. He recommended some definition of what a pad is.

Mr. Mumford said that this is specifically for developments with more than one pad.

Commissioner Linton said that the word "pad" and the word "tenant" are throughout and one pad could hold 32 tenants. He recommended revisiting the wording.

Mr. Mumford explained that the original text allowed one monument for each freestanding building. He said that it might need to have more specifics about more than one tenant.

Mr. Mumford explained that the purpose of this amendment is for situations like a strip center with the businesses connected with only one sign. He acknowledged that there should be a minimum size to the text.

Commissioner Linton said that with strip centers, there is the benefit of the façade signs which are generally large enough and clear enough to get the message across. He said that business condos can have high numbers of tenants in small building sizes.

Commissioner Dean said that with a five-story building, there will be a lot of tenants to put on the sign.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, MAY 27, 2008 AT 6:00 P.M.

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

Commissioner Weir stated that in Orem there are signs with fifteen or twenty businesses on the monument sign.

Mr. Mumford stated that most tenants that go into those types of buildings understand that they won't have a monument sign.

Commissioner Maher asked about having a monument sign with each individual building.

Commissioner Dean explained that it is what it says now.

Mr. Kirkland said that the number of tenants shouldn't be limited, just that there should be a minimum text size and a maximum square footage for all text.

Mr. Mumford said that they would look at adding some minimum and maximum signage for each tenant on the monument signs.

Mr. Kirkland asked if the maximum was already defined as 50% of the sign face.

Mr. Mumford clarified that the 50% was actually about the changeable copy signs but that the individual monument signs have a limit of 32 square feet.

Commissioner Maher stated that the minimum and maximum requirements need to be added for the individuals on the combined signs.

Mr. Kirkland stated that in regards to animated signs, he doesn't picture them in nice, classy cities he's been in.

Mr. Kirkland also stated that the 32 square foot maximum is the same restriction as one on a 100-acre development. He said that he doesn't feel that 32 square feet is enough for that large of a development. He thinks that the code regarding that needs to be looked at.

Mr. Mumford responded that in residential areas, the maximum square footage for monument signs is 64 square feet.

Mr. Kirkland asked what the code is for a temporary announcement-type sign in such an area.

Mr. Mumford said that kind of sign has a 32 square foot limit.

Commissioner Linton said that he feels a specific sign design with size, shape and color needs to be included since the city is themed, too. He stated this will keep the city cohesive.

Commissioner Maher asked what the Mayor meant when the Chase sign was discussed.

Mr. Mumford said that the Mayor wanted the Chase Bank sign with the rock from the Ranches signs to be the standard for the individual signs but that the combined signs were not discussed.

Commissioner Linton said that the combined signs should be the same type and that an artist rendering should be included.

Mr. Mumford said that they have contacted American Fork to get a schematic from them but have not heard anything yet.

Mr. Mumford said that the three different code amendments could be split up to be approved in sections.

Commissioner Linton asked if the Commission could trust the Planning Department in regards to the signage.

Mr. Mumford said they could.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, MAY 27, 2008 AT 6:00 P.M.

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

Commissioner Maher closed the Public Hearing at 6:39pm.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the Proposed Development Code Amendments subject to the following conditions:*

1. A schematic drawing to be added for the monument signs showing specific materials, size, shape and height;
2. The grammatical errors to be corrected in the last sentence above the approval process in the Industrial Master Site Plans;
3. Maximum number of businesses that can be advertized on any one monument sign to be specified, keeping in mind the letter sizing needs to be legible from a distance;
4. Development Officer to review signs every two years to ensure the signs are in conformity. If not, the signs will be sent back to the Planning Commission to determine the status of the CUP.

Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed

B. Sage Communities Presentation – Discussion Item

Mr. Scott Kirkland from Sage Communities offered a presentation on new projects they are working on.

Mr. Kirkland explained that he wants to have the four communities he will discuss during this meeting to be ready to go before the Planning Commission by the end of June. He further explained his purpose is to shorten the upcoming meeting by giving the Commissioners background information now.

Mr. Kirkland said that he wants to create a concept of community living to raise the bar for The Ranches and for Eagle Mountain City.

Mr. Kirkland explained that product diversification is very important to Sage Communities. He said that architecture, home products and product material all need to be diversified. He explained that this creates greater curb appeal and makes a community which he is proud of.

The four communities Mr. Kirkland discussed were Mt. Airey Village, Scenic Mountain, The Village at Simpson Springs and Oquirrh Mountain Ranch. He explained which home styles will be in each community and what amenities they plan on building.

Mr. Kirkland also explained that they are putting in more amenities than are required in their communities. He also said that he wanted to show the Commissioners pictures of what they want to build so that the Commissioners will remember them and expect the amenities when Sage Communities brings them before the Commission again.

Mr. Kirkland said that they plan on creating a sub-association under The Ranches HOA for the four communities discussed. He explained that their covenants will be stronger, the maintenance will be better and the enforcement will be stronger. He explained that this could only benefit The Ranches and Eagle Mountain City.

6. Other Business

None

7. Adjournment

Commissioner Maher closed the meeting at 7:25 p.m.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, JUNE 10, 2008 AT 6:00 P.M.

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

Commissioner Tom Maher called the meeting to order at 6:00pm.

Roll Call

Tom Maher, John Linton, Matt Weir, Craig Larrabee

Others Present

Blaine Livingston, Real Estate Project Manager for the LDS Church
Larry Miner, Physical Facilities Representative with Church Education
Leon Rolley, Project Manager LDS Church
David Adams, EM Development
Scott Kirkland, Sage Communities
Amy Twitty, Sage Communities
Joe Hudson, Sage Communities

Staff Present

Planning Director: Peter Spencer
Senior Planner: Mike Hadley
Senior Planner: Steve Mumford
Planning Coordinator: Lianne Pengra

1. Pledge of Allegiance

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

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

A. Sage Communities Presentation

Mr. Peter Spencer reported that the last City Council meeting was the same night as the Public Safety Fair, so the meeting was short. Sage Communities did present the same presentation that was made at the last Planning Commission meeting.

4. Approval of Minutes

A. May 27, 2008 Planning Commission Meeting Minutes

MOTION: Commissioner Linton moved that the Planning Commission approve the minutes from the 5/27/08 Planning Commission Meeting.

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

5. Other Business

A. Next Planning Commission's date and location.

Mr. Spencer discussed the possibilities with the next Planning Commission, as the elections will be held in Council Chambers on 6/24/08. He explained that the only item on the agenda for the next Planning Commission meeting is a Site Plan approval for Dr. Bart Gardner, Family First Dentistry. Mr. Spencer said that Dr. Gardner needs the Site Plan to go before the Planning Commission in order to get financing in place. Mr. Spencer explained that the proposed site plan is going through the DRC on 6/11/08 and if the site plan goes through smoothly, the Planning Commission for 6/24/08 can be held in the Administrative Conference Room.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

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Commissioner John Linton mentioned that this site plan has already been discussed at Planning Commission, so Dr. Gardner should have everything together.

Mr. Spencer confirmed that the next Planning Commission will be at the regularly scheduled time and date, but in the Administrative Conference Room.

6. Development Items

A. Temporary LDS Seminary Building, Conditional Use Permit / Site Plan - Public Hearing, Action Item

A temporary Seminary building is proposed on lot 104 of the Saddle Junction subdivision, located just east of the new Rockwell Charter High School.

Mr. Mike Hadley explained that the temporary trailer will be used for seminary classes for Rockwell Charter High School until a permanent building can be put in. He explained the location of the trailers and said that the permanent structures will be to the north of those trailers.

Commissioner Maher asked why a two-year limitation was there.

Mr. Hadley said that originally, the LDS church wanted temporary trailers for a time to ensure the charter school warranted a permanent structure. He said that since that time, the LDS church has purchased the land where the trailers will be located.

Commissioner Maher commented that he would like to force the issue [of when the structure will be built].

Mr. Spencer explained that as it is currently June, having a permanent structure in place by fall is not likely. He said that in the DRC meeting with the applicant, they expressed that they anticipate having the plans for the permanent structure together within the next year and will submit the site plan application, et al at that time. He explained that this put the time frame of a completed structure at Fall 2010. The temporary building will be there to facilitate children until that time.

Commissioner Maher said that he'd rather see the building completed Fall 2009 with construction beginning Spring 2009. He then asked what the trailers look like.

Mr. Hadley said that he did not have a picture, but the applicant was available to show the Commissioners.

Commissioner Linton asked if they were the same kind as the ones which were not permitted across the street.

Commissioner Maher expressed concern about allowing these trailers but denying Direct Communications earlier.

Mr. Blain Livingston explained that there will be one single-wide and one double-wide trailer for three classrooms. He showed the commissioners a picture of the type of trailer to be installed. He said that they would make improvements to the grounds, however.

Commissioner Maher asked if the church was closing on the property and asked for a timeline.

Mr. Livingston said that they are negotiating and doing due diligence currently. The original intent was to have a lease/purchase option with Mr. Nate Shipp. The two-year permit was requested because the church has had experiences with other charter schools failing. They do anticipate Rockwell Charter High School's success, but they would like a good track record of a couple of years to see the size of the building needed. He also requested to waive the requirement to build the permanent fence until the permanent building is constructed. This was to give room when the permanent fence is being put in and to avoid taking out improvements made prior.

Commissioner Maher asked Mr. Spencer if a one-year permit with a review would work.

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Mr. Livingston said that one year would not be a long enough track record and that the fall figures would not be available at that point.

Commissioner Weir asked what figures were driving the decision to have temporary trailers in the first place.

Mr. Livingston said the previous track records of other schools, as well as direction from the Seminary department.

Mr. Larry Miner said that they have seen lots of schools with different start up successes. They also want to see what impact Saratoga Springs High School will have on the charter school and what size they will actually need to build. He said that the second year of the school tells a lot but that they will have things in motion by that point. He also noted that the enrollment figures he was given were 7th – 12th grades and they've had to adjust because of that.

Commissioner Weir asked if they could lease a room from the school.

Mr. Miner said that due to legal issues, they cannot.

Commissioner Larrabee mentioned that his daughter's charter school in Sandy is not doing well. She goes to the seminary for Jordan High School which also has temporary buildings.

Mr. Miner said that they've considered bussing the students but that is not a viable option. The only other option is early morning seminary but that would not work.

Commissioner Maher asked what kind of building would go in.

Mr. Miner said that it would be the standard, brick-faced building with three classrooms.

Mr. Hadley mentioned that Staff is proposing a one-year temporary permit to be reviewed in a year. He clarified that they are not recommending a two-year permit. An audience member asked why and Mr. Hadley replied that it might help the seminary building be built sooner.

Commissioner Larrabee said that they would like to minimize the time the trailers are on the lots.

Mr. Spencer clarified that Staff is recommending the one-year permit and as long as they submit the paperwork for the permanent building within that year, they would get an extension of another year. Staff wants to make sure the permanent building application is submitted to ensure they are moving forward with the permanent building. Mr. Spencer asked if the building was to be complete Fall of 2010, when would construction begin.

Mr. Livingston replied that they would submit the paperwork Fall of 2009 and construction would begin in Spring of 2010. They would submit the paperwork in 15-16 months. This would give them time to see how Saratoga Springs High School affects the charter school.

Mr. Spencer said that they could adjust the temporary permit to 1½ years to give the church time to run their figures.

Mr. Livingston said that if the 1½ year timeframe is to speed them along, it isn't necessary as their motivation and desire is in sync with the City's.

Commissioner Maher opened the Public Hearing at 6:26pm.

The Public Hearing was closed at 6:26pm.

Commissioner Linton mentioned that the Planning Commission refused to allow nicer trailers across the street from the seminary site due to it not meeting the City's design standards and they didn't want that to show what the City's vision is. He was asked if it matters that the trailer is hidden and responded that it is good that it will eventually be hidden once construction starts, but for the next two years, it will be highly visible.

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Commissioner Maher asked what can be done to shield the trailer, such as permanent trees, that wouldn't cause problems with the final construction.

Mr. Leon Rolley said that anything they put in that is green will require watering.

Commissioner Maher said that the phone company was turned down for the exact same thing, so they will need to come up with something to screen the trailer along Highway 73.

Mr. Rolley said they could look into large potted trees because they could probably plant those with the permanent structure.

Commissioner Weir mentioned that he was also concerned that the phone company was turned down for the same reason.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the LDS Seminary Conditional Use Permit/Site Plan subject to the following conditions:*

1. **SERVICE LATERALS.** Use poly pipe for 2" service lateral and type "k" soft copper for ¾ inch laterals.
2. **WATER LINE.** The size and existing water line at the point of connection need to be shown on the plans.
3. **SEWER.** Sewer lines, manholes, cleanouts will all need to be reviewed and approved by the City Engineer.
4. **ADA STANDARDS.** ADA ramp needs to have truncated dome per ADA requirements.
5. **FIRE HYDRANT.** The fire hydrant installed as marked.
6. **LOCK BOX.** A lock box purchased from Alpine Lock.
7. **CLASSROOMS.** Classrooms need to be labeled and occupant load labeled
8. **CODES.** Meet all IBC and ADA guidelines.
9. **VISUAL BUFFERING.** Trees and/or a temporary façade be added to shield viewing from SR-73.

Commissioner Maher seconded the motion. Ayes: 4, Nays: 0. Motion Passed

B. Antelope Meadows Preliminary Plat – Public Hearing, Action Item

Antelope Meadows is located north of the Autumn Ridge I development, just east of Eagle Mountain Blvd and west of the Eagle Park subdivision.

Mr. Spencer said that this was originally approved as Autumn Ridge Phase 2, but since then, they have moved the church site and adjusted the plat enough that it needs to be resubmitted. Since it was resubmitted, however, the applicant has renegotiated with the LDS church to move the church site again. The notices for the public hearing have gone out already. Mr. Spencer said that the applicant wishes to table the item until they can meet with the LDS church. He said that the applicant did want the Planning Commission to comment on the most recent version of the plat tonight.

Commissioner Maher asked if there was a problem with the notices that were sent for the current public hearing.

Mr. Spencer said that they can table the item and make an announcement to continue the public hearing to the next Planning Commission.

Mr. David Adams said that he wants to have the Planning Commission's input to guide the LDS church in their decision.

Commissioner Maher asked what the macro issues were on the lot reconfiguration.

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Mr. Adams said that in order to develop the church site they would have to develop 14-16 lots for a market that wasn't there. He said that the number of lots and the lot sizes have not changed. The only change is the church site location. He would do Phase 1 as just the church site.

Commissioner Maher asked if it seemed like it was going to go through.

Mr. Adams replied that they do think it will work. It's the third or fourth site option they've had. It is a Legacy Stake Center. He mentioned that they have 5,200 currently and they need 6,000 people to justify the Legacy, which they will get by the time the building is complete. He said that no access points have changed with the new plat and they are all up to code.

Commissioner Linton asked if they could table both items or if they table the item and continue the public hearing to avoid re-notifying residents.

Mr. Spencer confirmed that the public hearing is continued.

Commissioner Maher opened the Public Hearing at 6:44pm.

MOTION: *Commissioner Linton moved that the Planning Commission CONTINUE the Public Hearing to the Planning Commission on 6/24/08 and that the Antelope Meadows Preliminary Plat item be TABLED to the same meeting.*

Commissioner Maher seconded the motion. Ayes: 4, Nays: 0. Motion Passed

C. Skyline Ridge 1A Revised Final Plat, Action Item

Skyline Ridge is located along Golden Eagle Road, west of the Kiowa Valley Subdivision.

Mr. Hadley explained that Skyline Ridge was previously approved for Phase 1 and Phase 2. They then split Phase 1 into Phases 1A and 1B. Since then, they have adjusted Phase 1A's plat on one of the cul-de-sacs. The street was moved down and curved to make the lots more accessible. This change also meets the different grade requirements. Nothing has changed on the number or size of lots.

Commissioner Maher said that visually this is a better plan.

Mr. Spencer said that in the DRC, the Engineers said the new plat is an improvement.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to the City Council for the Skyline Ridge Estates Final Plat 1A subject to the following conditions:*

1. **ROAD PROFILE.** The road profile is reviewed and approved by the City Engineer.
2. **WATER LINE.** Show the required fittings along bend in water line.
3. **CONSTRUCTION PLANS.** A note on the construction plans stating a 30 foot buffer is required for defensible wild land interface.
4. **DRAINAGE.** Construction plans show berming that focuses the runoff around the homes.

Commissioner Maher seconded the motion. Ayes: 4, Nays: 0. Motion Passed

D. The Village at Simpson Springs Concept Plan, Discussion Item

The Village at Simpson Springs is located just west of the Willow Springs condominiums and east of the Simpson Springs subdivision.

Mr. Mumford explained the location of The Village at Simpson Springs. He showed the approved final plat map for Plat A which was approved in 2001 and recorded last year. That includes 22 twin homes. The applicant would like to modify the plans to include triplexes as well as twin homes and would like to change the elevations. He explained with The Ranches Master Plan, 63 units are available in this space. The applicant would like to change

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that to allow 18 additional units. He explained that Phase 1 includes 39 units (9 twin homes and 7 triplexes). The future phases would contain an additional 42 units.

Mr. Mumford then showed the changes to amenities the applicant is proposing. They are asking for a splash pad instead of a pool and a basketball court/restroom facility instead of a clubhouse.

Mr. Mumford also showed the elevations for the twin homes and the triplexes. He explained that thus far, they are meeting the design standards. He mentioned that they will look further into that after the applicant puts in the site plan application.

A resident in the audience asked for clarification on the location of this development. Mr. Mumford showed the exact location to her.

Mr. Mumford further explained that the changes in this Concept Plan from the previously approved plan include adding the 18 units, modifying the structure styles and elevations, and the changing the amenities.

E. Mt. Airey Village Concept Plan, Discussion Item

Mt. Airey Village is located along SR 73, just west of Mt. Airey Drive and adjacent to The Ranches Golf Course.

Mr. Spencer explained the location of Mt. Airey Village. He showed that on The Ranches Master Plan, this area is allotted 97 units. The previously approved Mt. Airey Village contained 80 units and the new Concept Plan utilizes all 97 available units. He showed the previously approved Spring Valley plat and explained that it consisted mainly of 4-plexes, with a few triplexes and duplexes. Some of the structures for this plat are already built and Mr. Spencer showed those locations. Those structures include four 4-plexes and two duplexes.

Mr. Spencer then showed the proposed Mt. Airey Village map. He showed that a few buildings were taken out to open the area to a Welcome Center to be used as a Sage Communities office and as an amenity for the residents. He also showed the tot lot and discovery garden. He then showed renderings of the proposed welcome center and explained the classic barn look.

Mr. Spencer also showed drawings of the elevations of the triplex, 5-plex, 6-plex and the 8-plex.

Mr. Spencer explained his concerns over the properties along SR-73. The homes previously approved along SR-73 were nice town homes. The new Concept Plan has 8-plexes with the driveways in the rear facing SR-73. He wants to make sure the new buildings meet the standards which were set for Spring Valley.

Mr. Spencer also expressed concern for the number of parking stalls around the Welcome Center. He said that he thinks there might be too many once the Welcome Center is turned over the residents once the commercial aspect has lost its use.

Scott Kirkland took the floor to go over the Sage Communities developments. Commissioner Maher asked him to discuss Mt. Airey and where the process is with that. Mr. Kirkland said that Mt. Airey had 80 units and 14 were sold to Jimmy Zuefelt. Mr. Zuefelt filed bankruptcy and the 14 units are now owned by the bank with the exteriors and landscaping being taken care of by the HOA (Sage Communities). They do not know what the bank will be selling the units for. Mr. Kirkland is going to meet with the bank to see about Sage Communities buying all 14 back. He explained that Sage Communities has six spec homes, of which three were sold last week.

Commissioner Maher asked what the spec homes sold for and Mr. Kirkland said that the models were sold for \$209K and \$205K. He said that those figures are skewed though. They originally were at \$299K and \$279K.

Mr. Kirkland also explained the Welcome Center may be a bit different that has been presented. He said that it would not be an office for Sage Communities. A hostess will be there to welcome people and introduce them to Sage Communities. They will have maps and visuals for a time. After it has served its purpose, it will be turned over to the HOA.

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Amy Twitty with Sage Communities showed the color site plan for Simpson Springs. She said that the street trees are an important part of their design.

Mr. Kirkland said that transitioning is a big deal as well. That is why the triplexes are against the 12-plexes and the duplexes are against the single-family homes.

Ms. Twitty showed the amenity area for Simpson Springs with the splash pad, ½ basketball court, pavilion and picnic shelter. She explained that they are over and above on the required open space and amenities. She said that they will provide a cost estimate with a swimming pool vs. a splash pad to show they are not trying to build something of less value.

Commissioner Maher asked what the community is getting for the 18 extra units the applicant is asking for.

Ms. Twitty said that they are getting diverse architecture as well as more amenities. The previously approved area only had a tot lot.

Joe Hudson with Sage Communities began to explain the architecture of The Village at Simpson Springs. He said that they made sure no building repeated itself in material – no stucco next to stucco or siding next to siding – or in color. He also said that their twin homes offer main level living.

Mr. Kirkland said that they are working on possibly putting a side one-story with a side two-story. They are also looking into designing one side to be a 2-bedroom and the other a 3-bedroom.

Mr. Hudson said that the footings don't change but the structures do. He showed plans for the duplexes in single-story and two-story, and for triplexes.

Commissioner Linton asked what they are doing to ensure privacy with shared walls.

Mr. Hudson said that they are working with engineers and architects to keep sound from transmitting through. On the shared wall, they have a layer of 5/8" drywall, sound insulation, studs, another layer of 5/8" drywall, an air space, and then the pattern reversed

Mr. Kirkland mentioned that he spoke with the Fire Department and with Kent Partridge and was told that there are no horizontal party wall options that take out the need for sprinklers in the upstairs unit of the triplex. He said that possibly lightweight concrete could work as it would solve the sound issue as well.

Ms. Twitty then took the floor to discuss Mr. Airey Village. She said that the new triplexes, 5-plexes, 6-plexes, and 8-plexes will be scattered throughout. She also addressed the Staff's concerns about the homes along SR-73. She showed a picture of the current homes along SR-73 and said that the new homes to be built in Mt. Airey Village will have the same or better architecture. She also said that the homes will be behind fences, so the garages will be shielded from view below the fence line.

Ms. Twitty also addressed the concerns Staff had about screening the utilities. She showed a picture of a screen that blocked viewing but still left access to the city workers.

Ms. Twitty showed pictures of the amenities and explained their designs. She also explained that the parking they have is sufficient and they also have overflow parking throughout to avoid parking on the street.

Mr. Kirkland said that they are working in the CC&Rs to ensure cars are parked in the garages and not in driveways or on the street.

Commissioner Larrabee asked why the splash pad was in one site with a pool in the other.

Ms. Twitty said that they wanted to provide both amenities throughout all communities they are building.

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Mr. Hudson explained that all units in Mt. Airey Village will have at least a one-car garage.

Mr. Kirkland clarified that the duplexes, triplexes and 4-plexes all have two-car garages and some of the 5-, 6- and 8-plexes have two-car garages.

Mr. Hudson then went over the elevations of the units in Mt. Airey Village. He described the homes as multifamily homes that look like single-family homes. He said that each building will have one base color, rather than have each unit be a new color like some row homes. He also went over the products to be used in each structure.

Commissioner Maher mentioned that the details are important and said that it's important to show the finishes to the Staff.

Mr. Spencer said that the applicant will turn those in with the Site Plan Application.

Commissioner Linton said that he appreciates Mr. Kirkland raising the bar for the Eagle Mountain.

7. Adjournment

Commissioner Maher closed the meeting at 7:56pm.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, JUNE 24, 2008 AT 6:00 P.M.

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

Commissioner Tom Maher called the meeting to order at 6:00pm.

Roll Call

Tom Maher, John Linton, Matt Weir, Craig Larrabee, Preston Dean

Others Present

David Adams, EM Communities
Tiffany Ulmer, Cedar Pass Ranch Resident

Staff Present

Planning Director: Peter Spencer
Planning Coordinator: Lianne Pengra

1. Pledge of Allegiance

Commissioner Maher led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

A. Skyline Ridge Estates 1A Revised Final Plat

Mr. Peter Spencer said that this Final Plat was approved.

B. Proposed Development Code Amendments

Mr. Spencer said that the Public Hearing for this item was opened and closed. He also said that Mr. Jerry Kinghorn would like to add a statement to the Master Site Plan Process for industrial parks clarifying that in this instance, a subdivision could be re-subdivided, since under the current code it is not allowed.

Ms. Tiffany Ulmer asked if all subdivisions could be re-subdivided and Commissioner Maher said that this is only allowed in industrial parks.

C. Temporary LDS Seminary Building Site Plan

Mr. Spencer said that this was approved, but that the City Council's motion included a one-year approval with the extension allowed if the site plan is submitted within the first year. He explained that the applicant is asking City Council to reconsider the motion.

4. Approval of Minutes

A. June 10, 2008 Planning Commission Meeting Minutes

MOTION: *Commissioner Linton moved that the Planning Commission approve the minutes from the 6/10/08 Planning Commission Meeting.*

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

5. Development Items

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, JUNE 24, 2008 AT 6:00 P.M.

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

A. Antelope Meadows Preliminary Plat – Public Hearing, Action Item

Mr. Spencer explained that this item has a Public Hearing that was continued from the previous meeting. He explained the location of Antelope Meadows. He also explained that this had been before the Planning Commission 4/24/07 and approved under the name Autumn Ridge Phase 2. The applicant has since negotiated with the LDS church to have two churches within this phase which requires approval again of the current Preliminary Plat. Mr. Spencer showed the reconfigured plat and where the LDS church has access. He explained that the standards regarding access are met with the applicant's plat. He also explained that the church site plan will need to be removed from the site plan in order to have this plat approved. When the LDS church comes to build that church, the Commissioners will see it then.

Mr. Spencer said that the pedestrian corridor has been realigned to create a better visual aesthetic. He said they also added to include a corridor from Sage Park for the church access.

Commissioner Linton asked what the material would be for the corridors and Mr. Spencer explained that it would be an eight foot asphalt trail with xeriscaping maintained by the HOA.

Mr. Spencer said that the LDS church has seen this site plan and they do approve of it. He further explained some of the conditions of approval recommended to the Planning Commission.

Commissioner Maher reopened the Public Hearing at 6:12 and closed it for lack of comments.

MOTION: Commissioner Linton moved that the Planning Commission approve the Antelope Meadows Preliminary Plat subject to the following conditions:

Engineering:

- Provide Water Valves at all crosses and T's
- New addresses will need to be calculated
- The 16" water line must be maintained to connect through to the project to the north
- Water line must be installed (to be sized with the size of the building)

Fire:

- Redlines as noted with the addition of two fire hydrants as marked—between lots 247 & 248, 222 & 223.
- Add note: Three foot clearance around fire hydrants

Power:

- With the Final Plat, the new dry utility design must be followed

Planning:

- Nomenclature needs to be corrected
- Need a copy of the final landscape plan
- Plat 1 & Plat 4 exceed the cul-de-sac length (500 ft. or 15 homes)—solution: gravel access road across 148 for emergency access.
- 20' pedestrian corridors: shift the southern corridor to line up with the road.
- Landscaping/Trail improvements to be shown on the plans. Maintenance of corridors to be provided by the HOA
- Required ROW along EM Blvd to be dedicated to EM City
- Landscaping improvements along the frontage of church site must be completed. Plans shall be submitted with the Preliminary Plans.
- Remove the site plan from parcel A.

Commissioner Dean seconded the motion. Ayes: 5, Nays: 0. Motion Passed

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EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, JUNE 24, 2008 AT 6:00 P.M.

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

6. Other Business

Commissioner Linton said that other cities have rules regarding the percentage of land covered at plant maturity for xeriscaping. He asked Mr. Spencer if Eagle Mountain had such rules. Mr. Spencer said that with Site Plans, the landscaping requirement is 30-40% drought tolerant plants. Commissioner Linton asked if that meant that 60-70% of the landscape could be bare rock. Commissioner Maher clarified that Mr. Spencer was referring to landscaping in general, not just xeriscaping.

Commissioner Maher asked if a person has a complete xeriscaped landscape, is there a plan to keep it from being all rock with no green. Mr. Spencer said that the development code is not written in such a way that we dictate a specific amount of green. He said that the city does have a lot of authority over approving landscape plans, however. Commissioner Linton said that he would like to have something in writing to set guidelines for developers. He also mentioned that he didn't want the Commission to approve different criteria as the members change from year to year so that everyone is treated the same and everyone has the same expectations.

Mr. Spencer asked if he wanted something with set percentages for green space, rock, etc. Commissioner Linton said that he should check with other cities to see what they have and that this should be a general landscape rule, not specifically for xeriscaping. He mentioned that they should look at percentage of coverage at full growth, high versus low plants, and types of material used. He also said that he doesn't want xeriscaping required, but that something should be in writing on what is required if xeriscaping is used.

Mr. Adams said that another idea would be providing incentives to builders who use things like rain-day-sensor sprinkler heads and other conservation materials. He mentioned to check with the state on their WaterWise program. Commissioner Linton said to check with Conservation Sprinkler in Lehi; the owner lives in Eagle Mountain.

Commissioner Linton also asked if there was a way that the Planning Department could help inform title companies and potential buyers that when a home is purchased in The Ranches, it is within a covenanted community. Discussion followed and Mr. Spencer said that he will look into including a note on the recorded plat stating that fact for homes within areas with CC&Rs.

7. Adjournment

Commissioner Maher adjourned the meeting at 6:30pm.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, JULY 8, 2008 AT 6:00 P.M.

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

Commissioner Tom Maher called the meeting to order at 6:00pm.

Roll Call

Tom Maher, John Linton, Matt Weir, Craig Larrabee, Preston Dean

Others Present

Monte Kingston, Ames Construction, Meadow Ranch 5
Jennifer Konold , 9467 N Sunset Dr, Meadow Ranch HOA Pres.
Jeremy Thompson, Autumn Lane
Gary Bertagnole, Autumn Drive
Gene Franco, 9686 N Oakridge Drive
Jeff Burrows, Autumn Drive

Robert Adamson, Autumn Lane
Kyle, Hawk Lane
Heather Christensen, Nighthawk
Nate Shipp, DAI
Scott Dunn

Staff Present

Planning Director: Peter Spencer
Senior Planner: Mike Hadley
Senior Planner: Steve Mumford
Planning Coordinator: Lianne Pengra

1. Pledge of Allegiance

Commissioner Maher led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

Mr. Spencer said that there is not much to report on from last meeting; it was a very quick meeting

4. Approval of Minutes

A. June 24, 2008 Planning Commission Meeting Minutes

MOTION: Commissioner Linton moved that the Planning Commission approve the minutes from the 6/24/08 Planning Commission Meeting.

Commissioner Dean seconded the motion. Ayes: 5, Nays: 0. Motion Passed

5. Development Items

A. Amendment to the Meadow Ranch Master Development Plan – Public Hearing, Action Item

Mr. Spencer explained the location of Meadow Ranch and explained that this is basically a zoning change for Meadow Ranch 5. He explained that this area was first brought before the Town Council as Cedar Meadows. The zoning was established at a minimum of one acre lots. He explained that Cedar Meadows did have a Development Agreement drafted, but it was never executed. He explained that proposed tonight is an amendment which allows for the last phase to have the minimum lot size of half-acre lots.

Mr. Spencer explained that buffering will be sufficient with current Development Code. He also explained that the traffic will not be substantially affected, according to a traffic study conducted by an outside company. Another study done by the request of the developer shows that no property values will be lowered with the proposed amendment.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

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Commissioner Maher asked who did this study. Mr. Spencer said that Free and Associates did the study and it is a certified study. Commissioner Maher asked how the property value is relevant to the Planning Commission. Mr. Spencer said that rezones are discretionary items.

Commissioner Linton said that the Equine Overlay is not in the staff report. Mr. Spencer said that it is in the presentation, but not in the staff report. The developer is requesting it. Commissioner Linton asked if the overlay can be done with the rezone, rather than place the Equine Overlay after the fact.

Mr. Spencer explained to those present that the Equine Overlay allows for half-acre and larger lots to be approved for two horses if the Equine Overlay is placed, rather than the needed one acre.

Mr. Spencer said that in 2000, an SID was assessed over this land for special improvements. He explained that this perhaps justifies the proposed amendment to allow higher density in this portion of Meadow Ranch.

Mr. Spencer said that there are three criteria the city has to direct zone changes. One is compatibility (compatible to the existing land uses around): Valley View to the east does include ½ acre lots. A second one is compliance with the general plan: The area north of SR-73 is currently rural residential; he explained that this means they should be designed in a rural nature – this usually means at least half-acre lots. He explained that this also means there aren't curbs with gutters, sidewalks, or street lights. Meadow Ranch currently does not have these and it is anticipated that any future phase would be the same.

Mr. Spencer explained the public hearing and approval process and informed those present that they would have an opportunity at a later time in the evening to speak and ask questions.

Commissioner Maher asked what the Staff's recommendation is to the Planning Commissioners. Mr. Spencer said that they recommend approval because the application complies with rezone criteria in the Development Code.

Monte Kingston with Ames Construction, Owner/Developer of Meadow Ranch 5 said that this application was approved through the Planning Commission about a year ago and was then denied by the City Council. One comment from the dissenting votes was that not enough research was done. He explained that they've done surveys and researched the area and had an open house with Phases 3 and 4 to address the residents' concerns.

Commissioner Maher asked what was researched.

Mr. Kingston said that they researched to find out what the general concerns were. The research was done by local residents rather than an unknown third party doing the research. He said that horse property was a concern, but the Equine Overlay fixes that. He said that property value was another major concern, which is why they had Free and Associates do the study. They researched other neighborhoods with the same situation (half-acre lots next to one-acre lots) and found that the half-acre lots were actually more expensive and the scarcity of the one-acre lots raised property values. He said that no negative impact was found on the acre lots.

Mr. Kingston said that they also had a traffic study was done. They found that most of the traffic will travel to the east when the connector is in. He showed the location of the connector road and explained that it will be the main route. He said Sunset was a quicker route versus going through the existing neighborhood streets.

Commissioner Maher asked when that road will eventually connect.

Mr. Spencer said the grocery store will be in place hopefully within the year but that the connection will not be completed until development necessitates it.

Mr. Kingston also said that water pressure was an issue too. He said that an 800,000 tank in will help, but it doesn't have the effect that looping the line will have. He said that the city would like to put something in that will loop the water system but is unsure of when that will happen. If the plat is approved, they can give the city a right of way to put the water line in prior to developing the area.

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Commissioner Maher asked if that needs to be made a condition that the water line will be installed. Mr. Spencer said that he was not sure it was appropriate for the rezone, but maybe for the next item on the agenda. He explained that it is almost a guarantee that when the water line is looped, the problem will be fixed, whether they are half-acre or one-acre lots.

Mr. Kingston said that Mr. Trusty said that the city is working on that now. He explained another issue with the neighbors was amenities. A pavilion was the most requested along with a basketball/tennis court and another park different from what they currently have. He said that they wanted to have the citizens decide what they want and use their budget to give that to them. He showed the central location (on the city's land) of the park. He explained that if they put it on their own land, it would not be as centrally-located. He said that the city staff has liked this idea.

Commissioner Linton what acreage the park is. Mr. Kingston said he is not sure, but he will use what is needed to provide the amenities. Commissioner Maher said have a dollar value, rather than acreage.

Mr. Spencer explained the differing items on the agenda and that they are currently just discussing the rezone and the Preliminary Plat is the next item.

Mr. Kingston said that they are not maximizing lots; the average lot size is ¾-acres. He said that one thing they are trying to do is have a rule put in place for aesthetics that the front yard must be landscaped before the C of O is issued, weather permitting.

Mr. Spencer corrected himself about the criteria for approval on rezoning. He explained that the requirements are just that, rather than guidelines on a discretionary decision. The three requirements are compliance with the future land use plan, compatibility determination and buffering of incompatible uses. The discretionary portion is what qualifies those items being met.

Commissioner Maher opened the Public Hearing at 6:28pm.

Ms. Jennifer Konold , 9467 N Sunset Drive, Meadow Ranch HOA President. She said that she never received a notice. Her neighbor four houses west did receive one, though. She does not understand why this is back at the Planning Commission when the people who were elected in the City Council turned it down 8/15/06. She quoted from previous City Council minutes in which this issues was not approved. She said that as a resident, she does not want half-acre lots. She also said that the survey was ambiguous. She felt it was not explained correctly. She is concerned about promises they think are in writing but they aren't. She wants a copy of the traffic study. She is concerned about promises not being met. She hoped that they read the notes from Feb 6's City Council when it was denied. She values animal rights and open space and said that half-acre lots are long and skinny. She said that Meadow Ranch does not have a drainage plan. She is concerned about flooding and that the end of her street has flooding problems. She hopes they will take into consideration that the homeowners don't want this. She said that Valley View is between North Ranch and Meadow Ranch and that Phases 1-4 and 6 of Meadow Ranch are one-acre lots so this doesn't fit in.

Mr. Spencer said that the notices go out according to county records and the notices sent out go to the property owner on record. He explained that land owners beyond the rezone by 600 feet are notified. The Daily Herald had a notice published two weeks ago Sunday and the City Hall had three notices posted. He said that the city's website also has the notice posted.

Commissioner Maher asked Mr. Spencer to explain how this item can be brought up again. Mr. Spencer said that ordinances are in place to help process requests. The developer does have to pay the same fees and go through the same process each time. There is nothing in place to prohibit someone from resubmitting.

Commissioner Maher asked Mr. Spencer to explain how the roads are developed. Mr. Spencer said that the roads, when they are built, are built by development. The city can identify the road to be built if it's not in yet and they

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feel it necessary, but it is mainly determined by the developer and land owners. He also showed where roads will be built with the Meadow Ranch 5 and where the stub roads are that will connect to future developments.

Mr. Spencer said that it was important to note that they were not discussing whether or not development could happen here; the area is already approved for one-acre lots. If they wanted to, they could go in and develop about 50 one-acre lots immediately. They are discussing an additional 22 lots. He explained that the traffic impact study was looking at the additional 22 lots, not the entire phase. He said that we can make copies and email or mail the studies out.

Commissioner Maher said that the traffic study is an independent study which is certified and has to stand up to outside scrutiny and audits on their findings.

Commissioner Maher asked what the half-acre frontage was. Mr. Kingston said it is 100 feet.

Mr. Spencer said that in regards to Ms. Konold's concerns on drainage, any project submitted requires a draining and grading report. A development like this will have swales to be used to funnel storm drainage. He explained that swales are not an ideal situation, but a rural development such as this one won't have curb and gutters.

Mr. Spencer further explained that when they are looking at this proposal, they have to look at the additional 22 units and if they will adversely affect the drainage. He explained that they've met with the Design Review Committee and they've discussed how the swales will work with driveways and they've put together an exhibit that will go to the homeowner which will specify how the driveways are to be built to eliminate any sort of blocking of the swale.

Jeremy Thompson, Autumn Lane. He has talked with over 25 people in the Meadow Ranch subdivision about the reduced lot size. He said that all but one were firmly opposed to having anything less than what the development code states now. He said that the one who was not firmly against it didn't like the idea of it, but thought the developer should have more freedom to develop the land how they'd like. He also said that they were approached by property owners such as Jim Allred and how they want to do the 12-horse ranch. He said he is concerned that if the rules are relaxed in one place, other areas will be relaxed too. He feels there is no voice out there for lots smaller than one acre other than developers.

Gary Bertagnole, Autumn Drive. He said that he was one of the first homeowners to buy on Autumn Drive. He said that when they bought their lot, they were promised that all the surrounding lots were going to be one-acre lots. He wants to know why they are re-voting on this. He said that Ames Construction was involved in that vote then. He doesn't think it makes sense to go back to try to change the rules again. He said that the drainage system in the western part of Meadow Ranch has not been fixed. He said that the developer never fixed it. He said this will just add to the drainage problem. He said there is a lot of slope to the property on Autumn Drive. They have a drainage problem every year from the property to the north. He wanted to know if they have a plan to fix that. He said he's flooded every spring.

Commissioner Maher said the city won't go in to excavate the dirt.

Mr. Bertagnole said that needs to be addressed. He said he didn't want half-acre lots next to his. Commissioner Maher said that his lot won't have half-acre lots next to him. It will be buffered by an acre lot, a street, then half-acre lots.

Gene Franco, 9686 N Oakridge Dr. He said he moved to the area due to acre lots to get away from it all. He is against the half-acre lots. He feels that it is all about the money and it benefits the developer and he asked how it benefits the community.

Jeff Burrows, Autumn Drive. He feels this was addressed multiple times and now they feel like they are worn out from fighting it. He is also tired of issues that haven't been solved yet. He is tired of the "eventually" statements.

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He is also tired of the water pressure issue. He wants to know how that will be addressed. He said that he feels like he is just worn down.

Commissioner Maher said that he understands the frustration with developers promising things they can't do on lands which don't belong to them. He said that roads and safety are addressed as the development comes. He explained that Mr. Kingston has to meet safety and traffic standards for his development. He said that houses can't go in without necessary roads put in. He said that the money is bonded and taken from the developer to ensure those are completed. He said that the water pressure will also be fixed no matter when new houses go in.

Robert Adamson, Autumn Lane. He said that he was at the meetings a year ago when the City Council did not approve the project. His biggest concern is that people should have to follow the same rules. This developer should have to follow the same rules. He said his other concern is with traffic. He feels the other road needs to be finished before houses go in, whether the lots are one acre or half-acre lots. He said that the other roads can't handle it now.

Commissioner Maher asked if the traffic study said that these 22 lots will have no impact. Mr. Spencer said that the study said the additional 22 lots would have an insignificant impact; it would not overburden the existing roadways.

Commissioner Maher closed the Public Hearing at 7:01pm.

Commissioner Larrabee said that he does not see incompatibility, especially with the applying of the Equine Overlay. He said that the landowner has the right to do what he wants with his land as long as he follows the rules. He feels this meets the requirements.

Commissioner Dean said that there are no rules being changed; this is all within guidelines in the Development Code.

Commissioner Linton said that purely from a Planning standpoint, there is no way to deny this. The City Council, looking at it from getting elected in a few years, can do what they will.

Commissioner Weir said that he was also given promises that he's not seen come to fruition and that from a Planning standpoint, it follows all guidelines.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to the City Council for the proposed amendment to The Meadow Ranch Master Development Plan based upon the following findings of fact:*

1. **COMPATIBILITY.** The proposed change is compatible to both the existing Meadow Ranch and Valley View communities.
2. **COMPLIANCE WITH GENERAL PLAN MAP.** This proposal is in compliance with the City's General Plan Map.
3. **TRAFFIC AND TRANSPORTATION.** The rezoning will not result in congestion or safety problems.

And with the following conditions:

4. **MASTER PLAN MAP.** That the applicant provide the City with one (1) large 24X36 map, and an electronic version—that the maps be completely updated.
5. **EQUINE OVERLAY.** Equine overlay to apply to all properties in the development plan.

Commissioner Dean seconded the motion. Ayes: 5, Nays: 0. Motion Passed

B. Meadow Ranch 5, Preliminary Plat – Public Hearing, Action Item

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Mr. Spencer said that this is the proposed Preliminary Plat which confirms the lot layout, road configuration, and open space requirements. He explained that the approval rests with the Planning Commission, but the City Council will have to approve the rezone. If the Planning Commission approves this and the City Council denies the rezone, the Planning Commission approval is null and void.

He explained the lot layout and the slope of the area. He said that 18 lots of the 72 are over one acre in size, nine lots are over ¾-acre, 23 lots are 25k sq ft and larger, and the remaining are half-acre to 25k sq ft lots. He explained the buffering of a one-acre lot, a street, and then a half-acre lot. He explained that this plat does conform to the buffering requirements in the Development Code. Average lot size is approximately ¾ acre. He explained that existing roads do connect with proposed roads. He showed a stub road is in place to connect with the road to lead to Ranches Parkway.

Mr. Spencer discussed the improved open space requirements. He said that for the rezone to be approved, 4% of the buildable land will need to be deeded to the city. He said that 24.4 acres are being increased in density, so the improved open space gained from the rezone is 24.4 x 4%. The developer is proposing that rather than adding open space, he will take that value of the required open space and put it into the required amenity value and create a "superpark." He said that the city staff likes this idea. He explained that this \$2,000 per buildable acre equals \$48,000 required from the developer to be applied to the parks for the rezone. This is a direct result of the rezone. The developer is not proposing additional open space within the project itself. They are taking the value of the raw land which would be open space, and are using that money to put into the park. He said that the developer said that \$67,000/acre is the updated value of the raw land. This is not an improved lot with laterals and streets; it is the raw ground with slopes on the hillside.

Commissioner Maher said that the improved lot would be around \$125k per acre, but this is not improved at all.

Mr. Spencer said that there is a lot of open space out there, so they prefer the improved park versus more open space. The number of BBQs, picnic tables, etc. has not been valued by the Public Works Department. An estimate for the neighborhood park would be around \$75,000.

Commissioner Maher said that \$180,000 would be spent on a central, existing park rather than get an acre-park not centrally located with more upkeep required.

Mr. Spencer said that when the final plat comes forward, it will have to provide a landscape plan of the actual park to be included. They will be required to spend that entire amount (and will be bonded for it) when 50% of the land is developed.

Someone from the audience asked who would be responsible for upkeep.

Mr. Spencer said that the city would most likely do the upkeep since the HOA has been dissolved. Mr. Spencer also explained the trail system and also said that if the rezone request is approved, a monument sign would need to be placed. He showed a possible location decided by the city staff. He said that the sign location at Sunset would be on city land and is a centrally located place. He also went through some recommended conditions of approval noted on the staff report.

Mr. Kingston said the parks have always been above and beyond the city's standards because it helps the neighborhood and it helps sales. He said that they are not opposed to having a requirement of building the parks with the first phase. He is not here to take advantage of the community; their intent is to build a good park. They want to have the residents' input.

Mr. Spencer said they have a Parks and Recreation Advisory Board and that they anticipate having the developer meet with that resident-filled board.

Commissioner Maher opened the public hearing opened at 7:30pm.

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Ms. Konold asked if the trails are required to be similar to what is already in the community. Mr. Spencer said that there are two different kinds. The standard is an 8-foot asphalt trail between lots; it is not connected to a roadway. The other is a 20-foot corridor. He said that the actual landscaping is proposed with the final plat.

Ms. Konold asked if there is an asphalt trail that connects with others in Meadow Ranch. Mr. Spencer said there is one that connects with the park.

Mr. Spencer said that the 8-foot asphalt trail on either side of the road is currently required for the new developments. Since there are not current trails to connect to on existing road, the trails put in would just end into the roads.

Ms. Konold asked if there is a paragraph that said they have to add trails in the Development Code. Mr. Spencer said that if there are other trails that need to be connected to, let him know and they can require that they are connected.

Further discussion ensued with Mr. Spencer and Ms. Konold regarding trails in Meadow Ranch 5 and it was explained that if there are no asphalt trails to tie into in neighboring phases, the Planning Commission can waive the requirement of the 8-foot asphalt trail on either side of the road way.

Kyle, Hawk Lane. He said that it is a hard picture to see where the trails are. He explained that there is a possibility to add trails.

Mr. Kingston said that they aren't trying to *not* build a trail. If their subdivision has an asphalt trail in front of their lots, they will just dead-end into other phases. He said that they will put in the trails, but it will be torn to shreds by the contractors. He reiterated that they are not opposed to it, but it doesn't make sense to add trails where they don't have anything to connect to. He said some trails throughout are basically horse trails.

Mr. Spencer showed current equestrian trails that Mr. Kingston will be continuing, as well as the areas with current trails. He also explained that a C of O won't be issued if a builder has damaged current trails, street, gutter, sidewalks, etc.

Heather Christensen, Nighthawk. She had concerns with the trails shown on the map. Commissioner Maher said that it will not look like it shows now. There will be a logical placement of trails.

Commissioner Maher closed the public hearing at 7:45pm.

Commissioner Linton said that if the trail is required by the homebuilder, it won't be done, so he wants it required now.

Commissioner Maher asked if the monument sign was satisfactory. Commissioner Wier clarified the placement of the sign. Commissioner Linton said that he doesn't know of a better placement.

Commissioner Larrabee said that he agrees with the eight foot asphalt trail throughout and that the placement of the monument sign is logical. He asked how buffering was counted on the corner areas. Mr. Spencer said that as long as the border of the acre lot has acre lots around it, it is according to code. The kitty-corner lots don't have to be an acre.

Commissioner Dean said that in regards to public safety issues raised on flooding, there is a storm water erosion drainage plan required for this plat, so the flooding will be addressed.

Mr. Steve Mumford explained for an audience member that they would prefer the monument sign in a different place, more close to the highway where a wood sign is currently. Discussion followed regarding the ownership of that property and it was explained that if there is an easement, the sign could go there, but they can't require a sign on privately-owned property.

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Mr. Bertagnole said all the trails go on the back sides of the property. He wanted that in general as opposed to the front of the lots. Commissioner Maher said that he understands, but trails in the front are kept up more than trails in the back.

MOTION: Commissioner Linton moved that the Planning Commission approve the Meadow Ranch 5 Preliminary Plat with the following conditions:

Engineering:

1. Monte needs to provide Chris with an AutoCad Version of the Preliminary Plat for the ongoing water model.
2. Add an 8' asphalt trail to park area to the south & show it on the plan.

Fire:

3. Add Note to plans: required: distance for the IFC Wildland Interface Code (30 feet from structure)

Planning:

4. **Community Improvements/Amenities:** \$2,000 per buildable acre: \$2,000 X 24.4 ac = \$48,800.00 Please show us where and what this money is going to be devoted to.
5. **Monument Sign & Landscaped Entry:** Show improvement at entranceway along Sunset Blvd—where the city already owns land.
6. **Open Space Requirement:** that the total dollars as noted in the staff report is installed into the future park to meet the park requirements.
7. Have the total dollar amount listed on the plans. —not actually design them, to allow for design with the final plats.
8. **Plat wording:** that the correct nomenclature is used.
9. **Monument sign:** to be placed on the west side of Sunset at the entrance to replace the wood sign that is presently there. Research to make sure the land allows this.
10. **Park:** The park be made part of Phase 1.
11. **Trails:** Eight-foot asphalt trail be placed on one side of the road and that the plan be submitted and approved by staff with the possibility that it could go behind homes if that is the appropriate place for it.

Building:

12. Add Note: on lots ____ all driveways slope are a maximum of 12%.

Commissioner Larrabee seconded the motion. Ayes: 5, Nays: 0. Motion Passed

Commissioner Linton said that the average is .9 acres

C. SilverLake Amendment to the SilverLake Master Development Plan – Public Hearing, Action Item

Mr. Mumford explained that this MDP has been amended a few times. He said that this amendment is mainly the result of the city's request to move the park near the amphitheater. He showed the current map and the proposed map. He showed that five acres of the 15-acre regional park will be moved to the amphitheater area for parking, usable open space, and additional plaza space for a possible expansion of the amphitheater. He said that there are some areas changing in densities and numbers. He explained the different changes in densities. Overall the multifamily units are decreasing by 140 and single family unites are increasing by 138. The total number of units for the entire project is not changing. He explained that as far as the review goes, it is the same as the previous rezone with the same requirements. In the staff's opinion, the rezone fits all requirements.

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Mr. Nate Shipp was asked why he changed the densities on product. He said that they've had success in selling single family units, so they'd like to change some multifamily to single family.

Commissioner Maher opened the public hearing at 8:03pm.

Larren Boyce, Brookwood Drive; He said that reason Nate told the HOA they were changing due to having no builders to go on the 13 lots near Pony Express so they will be model homes. He said that they are in favor of the park, but they are concerned about the roads. He is concerned that Brookwood Drive will be too busy. He gave widths of streets and requested a traffic study.

Mr. Mumford said that a traffic study is not required due to the small density changes. He said that an addition of 13 lots makes very little difference in traffic.

Mr. Shipp said that they had an overall traffic study when the project was originally presented. He said that a temporary access that was addressed in the traffic study. The City has said that the traffic study showed the roads are adequate. Shifting the lots does not change the overall traffic circulation. The intent is that a connection road will be brought up with further development. He said that there is a construction access for the builders and it avoids the residential areas. He said that if residents see contractors using the regular access roads to let him know so they can enforce the rules prohibiting construction access. He explained why the model homes may be placed where Mr. Boyce was discussing, rather than burying them in the middle of SilverLake. He said that SilverLake Blvd will still be the fastest way in and out of the development.

Mr. Shipp was asked when the second main entrance will be built. He said that the next phase after 8a and 8b (Plat 9) would include the road. He also clarified that they don't wait for plat 8 to be totally built up before they start the next plat; they only wait for the lots to be sold to the builders.

Mr. Mumford explained the process of developing and what each application includes. He said that there was a Preliminary Plat for phase 8 which was approved in August 2007. It did show the connection of the roadway being discussed.

Discussion between people sitting down ensued regarding location of the streets and the history of this development.

Commissioner Maher explained that this is just a land swap to get more park. He explained that traffic studies have approved safety and the flow as it has been shown this evening.

Sandra Rotcher, Lot 314 Brookwood Drive; she said that she is for the bigger park. Her concern is the increased traffic. She said that the corner she lives on is a blind spot and if traffic is increased, the blind spot needs to be addressed. She said that there are no street lights there either. Commissioner Maher said he will ask the City Engineer to relook at this. He said that it should have been addressed at the time of the traffic study. He asked why it was a blind spot. Ms. Rotcher said that the curve is too large and the hill is too high.

Eric Suelle, Brookwood Drive; he said that the park is a great idea but it will increase foot paths and tires on the roads. He said that to increase the safety, he would like to connect the driveway further south. He feels that reduces the risk of people getting hit. He does not want kids to be hurt like at Nolan Park.

Mr. Shipp explained fire code and safety standards and why they've placed the streets where they have. He wants to keep up with code and ensure emergency crews can access the homes in that area quickly.

SilverLake resident; he said that the street does not show correctly on the Master Development Plan online. He also said that he is not happy with trading park for parking space. Commissioner Maher explained that the city has requested this.

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Mr. Mumford said that Mr. Shipp has gone above and beyond what he needed to do with this; they had a consulting firm hired as well as going to great detail on temporary parking mesh to protect the grass in the park. This amendment is not to benefit him; it was city-requested.

SilverLake resident also said that he is concerned that the main street will be Brookwood Drive, as it is the shortest distance for the schools and homes. He is also concerned that the model homes will cause temporary traffic problems, but Brookwood will have permanent problems. He asked if temporary streets will be made permanent in the future; if a property has been used as a street, does it become one permanently.

Mr. Mumford said that if it is dedicated right-of-way, it can be a street in the future; he has not been privy to such conversations. He does not want to leave it on the record that the street is only temporary as he does not know for sure one way or another.

Mr. Shipp said that he has nothing in writing, but he believes it is their intention to have this only as a temporary road.

Mr. Resident said that it doesn't reflect well that incorrect information is on the website.

Marna Suelle, Brookwood Drive, asked if it is possible to not have a temporary road at all and have those people viewing the model homes use the main entrance.

Mr. Shipp said that the Fire Marshall did require a temporary road and it is already approved. He said it was not done yet, however. With this plan, they are in effect doing what should have been done in the past. He explained that not having that in right now is a risk to the residents with emergency crews.

Mr. Mumford said that they will research this. He said that since the road is longer than 500 feet, the Fire Chief would recommend an access there. He generally requires a 20 foot hard paved surface.

Jacob Hammond, Brookwood Drive; he said that he was under the impression that Brookwood Drive would not connect to Pony Express. He also went over what the different street types were. He said that the change makes Brookwood into a collector road.

Commissioner Maher asked about the traffic study and the number of lots on this road and said that they will add it to the motion.

** Commissioner Maher closed the public hearing closed at 8:49pm.**

Commissioner Larrabee said that the switch makes sense to him. He has no issues.

Commissioner Dean said that he doesn't see how it adds risk to the residents; he doesn't see how this adds more traffic into the residents.

Commissioner Linton said that the land swap makes sense and benefits the community. He does want Mr. Trusty to look into the traffic issues. He likes when multi-family units are changed to single-family units.

Commissioner Weir also likes the land swap. He also likes the overall lower density.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to the City Council to approve the proposed amendments to the SilverLake Master Development Plan with the following conditions:*

1. Mr. Chris Trusty and the developer review secondary access, safety issues and connectivity and how it affects the standards that are already in place for the streets.

Commissioner Larrabee seconded the motion. Ayes: 5, Nays: 0. Motion Passed

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D. SilverLake 8a & 8b Final Plats – Action Item

Mr. Mumford said that the last item will go to City Council in August as well. He said to check the city's website and be looking out for notices.

Commissioner Maher asked to have Mr. Trusty present as well to address the concerns discussed earlier.

Mr. Mumford and Commissioner Maher explained that the notices go out based on what address Utah County has on file for the property owners.

Discussion ensued on what maps are available where and what the city office hours are.

Mr. Mumford said that Plat 8a includes 5.34 acres of open space to be deeded to the city. Plat 8b includes 13 lots on 3.4 acres. He explained that the average lot size is 7,800 sq ft and there are 3.82 units/acre. He showed maps of Plat 8a and 8b. He explained that one of staff's requested conditions of approval are front and corner setbacks of 20 feet on the lower lots due to homes being built too close to gas lines.

They are required to provide .2065 acres of open space. Since 5 acres are transferred up from the regional park, they are covered for this plat. He showed the landscape plan and explained that the Public Works Department will need to come up with the cost breakdown of the park improvements that the developer will need to either use in the park or pay to the city. He also explained that the city is going to develop the current park, not Mr. Shipp. They are working with the city administrator on getting funds to complete this park. He explained that the Pony Express ROW might be a part of Saratoga Springs; they need to research that. Staff will have a final decision on who is responsible for that by the time of the City Council meeting.

Mr. Shipp suggested that a condition of approval be added that the city identifies the connection from Brookwood to Pony Express as a temporary connection to be removed when Brookwood Drive connects with SilverLake Blvd.

Commissioner Dean asked if the developer will be required to put in the trail.

Mr. Mumford said that it is all dependent on the property line.

Commissioner Linton asked if Mr. Shipp has fencing standards.

Mr. Shipp said yes, the six-foot privacy fence will be built to the SilverLake HOA standards.

MOTION: Commissioner Linton moved that the Planning Commission recommend approval to the City Council for the SilverLake 8a and 8b Final Plats subject to the following conditions:

PUBLIC WORKS

1. Pony Express Parkway - Conform to City's Major Collector cross-section (at least a 94-foot cross-section), including at least a 17-foot landscape planter strip width – change design in construction drawings.
2. City identify Brookwood Drive extension as temporary to be vacated at the completion of the development process.

FIRE

3. On plat 8a add one fire hydrant for a total of five hydrants.

PARKS & REC / STREETS

4. Replace xeriscaping in Parkstrips with grass, and replace Autumn Blaze Maples with Bigtooth Maples (better for the climate).

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5. Improve your half of Pony Express Parkway, including asphalt, curb/gutter, landscaping (xeriscaping and trees) with meandering trail & a minimum of 3 feet between trail and privacy fencing. Change landscape plans to include this planter strip design.
6. Show street sign locations, including stop signs.

ENERGY

7. Lots 811, 812, 813 need a 20-ft front and corner setback due to problems with foundation digging and the gas line.

PLANNING

8. Six-foot (6') high privacy fencing required along Pony Express Parkway adjacent to lots. Developer applicant is required to install this fencing, not the builder. Include a note on the landscape plan as well. Construction of fencing be in accordance with SilverLake CC&Rs.

DEVELOPMENT AGREEMENT REQUIREMENTS

9. Upgraded street signs
10. \$300 per lot street tree fee.

BUILDING

11. Privacy fence along Pony Express must be built prior to any building permits being issued – to be installed by developer.

Commissioner Wies seconded the motion. Ayes: 5, Nays: 0. Motion Passed

E. Eagle Point F Final Plat – Action Item

Mr. Mumford explained that it is a basic change and they are working on how to make these minor changes administratively.

Scott Dunn gave the Planning Commission copies of what was printed on Mylar. He explained that they did a land swap with EM Development with very small amounts of land, no money was exchanged. It was then found that some parcels weren't being farmed when they were in the greenbelt. At that time, the whole parcel had liens put on it. They have to pay the entire parcel's back fees if they want the land. They decided to just pull the line back a bit. The roads are already built. The lots aren't changing.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the Revised Eagle Point Phase F Plat 1 Final Plat.*

Commissioner Wies seconded the motion. Ayes: 5, Nays: 0. Motion Passed

6. Other Business

7. Adjournment

Commissioner Maher adjourned the meeting at 9:09pm.

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Commissioner Tom Maher called the meeting to order at 6:00pm.

Roll Call

Tom Maher, John Linton, Preston Dean, Karleen Bechtel

Others Present

Charlie Hidelious, Direct Communications
Diane Bradshaw, Direct Communications
Robby Steele, Direct Communications
Scott Kirkland, Sage Communities
Amy Twitty, Sage Communities
Frank Hunsaker, Lot 15 in Simpson Springs
Steve Mechem, Lot 10 Simpson Springs
Joe Hudson, Sage Communities
Brad Bartholomew, Simpson Springs
Ryan Kent, Sage Communities
McKay Edwards, SITLA

Staff Present

Planning Director: Peter Spencer
Senior Planner: Mike Hadley
Senior Planner: Steve Mumford
Planning Coordinator: Lianne Pengra

1. Pledge of Allegiance

Commissioner Maher led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

Mr. Spencer explained that two Planning items were on the agenda. Eagle Point Plat F went through with no discussion. The LDS Church Seminary Bldg Site Plan's two-year time limit was approved with a required 16-month status report. He said that this goes back to City Council, not to Planning Commission.

4. Development Items

Mr. Spencer requested item B, The Landing 4 Preliminary Plat, be withdrawn due to uncertainty on ownership of the land. He explained to the public that when this item goes back on the agenda, residents will be re-notified.

A. Saddle Junction Lot 104 Final Plat – Action Item

Mr. Hadley explained that this is a one-lot subdivision. Most issues were addressed at the site plan phase with the temporary seminary building for the Rockwell Charter High School. He explained the location of Saddle Junction. He added that when the permanent structure is built, fencing is required to separate from the commercial areas.

MOTION: Commissioner Linton moved that the Planning Commission recommend approval to City Council the Saddle Junction Lot 104 Final Plat.

Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed

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B. Cedar Corners I

- Preliminary Plat – Public Hearing, Action Item
- Final Plat – Action Item

Mr. Spencer explained the Public Hearing process and the three-minute time limit.

Mr. Mumford explained the location of Cedar Corners. He explained that this was seen over a year ago; at that time, water rights were not secured. They now have water rights for half of the subdivision. It includes 93 lots and a 2.93-acre park area. He explained that the subdivision is 20.5 acres. The lots along the western side against Pioneer Addition are at least 6,600 sq ft to 7,500 sq ft. The rest are in the 5,000 sq ft range with an average lot size of 5,900 sq ft. They are required to meet Tier II bonus density requirements. Mr. Mumford explained the Tier requirements and said that with the requirements, they have 4.53 units/acre approved for development. He said that they are proposing that the Community Improvements money (\$2,000 per buildable acre) which comes out to about \$40,000 be used to put in an asphalt trail and benches under the power line corridor. The power line corridor is designated as a Regional Trail throughout the city, so other developments will be doing the same thing. He further explained that the requirements for the park are about \$98,000. They have proposed a basketball court, tot lot, tables, trees, and open space. The park area is large enough for both phases. The applicant's intent is to complete the park and have that meet the requirements for the next phase.

Mr. Mumford went over the recommended motions and said that staff's conditions are in the Staff Report.

Commissioner Maher asked Mr. Mumford to explain the density issue as it relates to Eagle Mountain Properties.

Mr. Mumford said that this development isn't located in the EM Properties MDP, but is adjacent to it. He said that in order to be compatible with surrounding areas, the applicant has proposed lot sizes compatible to those adjacent to it which are part of Eagle Mountain Properties' Master Development Plan. He further explained that this development complies with the current Design Code.

Commissioner Maher asked if there were any major changes from the original submittal. Mr. Mumford said that the only real changes are the specifics on the park.

**Commissioner Maher opened the Public Hearing at 6:15 and closed it due to lack of comments **

MOTION: Commissioner Linton moved that the Planning Commission approve the Cedar Corners Preliminary Plat and recommend approval of the Cedar Corners Final Plat to the City Council, subject to the following conditions:

Planning:

1. Community Improvements/Amenities: \$2,000 per buildable acre: \$2,000 X 20.513 ac = \$41,026.
Provide a cost breakdown of how this will be met. It is anticipated that this \$ will be put into the trail and benches in the power line corridor. Timing to be negotiated in the Development Agreement.
2. Costs of required park amenities to be provided by Public Works Department then compared with the proposed amenities. Plan to be revised if needed to meet the costs.
3. Subdivision monument and entryway landscaping plan required showing materials, dimensions, landscaping (including variety of species, color, blossoms, foliage, etc.) to be approved by planning director and installed/completed before the first Certificate of Occupancy is issued in the subdivision.
4. Park Improvements: The total dollars as presented at the meeting must be installed into the park according to an approved landscape plan, to be completed at 50% occupancy or one year after recordation of the plat, whichever occurs first.
5. Plat wording: that the correct nomenclature is used.
6. Include note on plat and landscape plan that street signposts will be of upgraded materials.
7. Landscape plan – trees, shrubs, etc. should be placed around the detention area and the monument entry sign as well as the park area.

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8. Future plat: the park is sufficient size for both phases – but future phase will be required to provide for \$2,000/acre of community improvements and all required park amenities/improvements.

Building:

1. Submit a master drainage plan showing how surface water will be controlled, especially between and behind the lots. This to be approved by the Chief Building Official prior to recordation.

Streets:

1. Change the street name from StageCoach Way to something different.

Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed

C. Direct Communications Temporary Business Trailer

- **Site Plan – Public Hearing, Action Item**
- **Conditional Use – Public Hearing, Action Item**

Mr. Hadley explained that this was brought before the Planning Commission last September. At that time, it was tabled and later withdrawn by the applicant. It is now brought back as the same application. Staff is recommending tabling the item again to give the applicant time to address the same concerns from the last submission.

Mr. Hadley explained that staff does have conditions and thoughts on approval, if the Planning Commission is inclined to approve the item. He explained the landscape plan needs to include types of trees, sizes, and an irrigation plan. He said that they also need to see the materials and color elevations of proposed trailer. He mentioned that the biggest items are the removal date or length of condition (they've received calls from land owners in the area concerned about removal date), and the other is possibly moving the trailer to the SW corner of the lot. He said that in that location, the trailer would be more hidden; there is existing landscaping on the lot. He showed the lot layout and the location of where staff would like the trailer. He reiterated that staff's recommendation is to table the item. Commissioner Maher asked if the applicant knows this; Mr. Mumford said he isn't sure if they were aware of that or not.

Charles Hideliious, Engineer for Direct Communications. He said that he received notice this morning of the staff's recommendation of tabling the proposal. He said that in regards to the removal date, they have proposed a fluid date based on the date of occupancy. He wants two years based on date of occupancy. He said that in regards to the second concern, they are not opposed to moving the trailer to the southwest corner of the lot. He said it does increase the distance of hooking up utilities, but that shouldn't pose any problems. He said he is only hesitant about the sewer. He said he would like to investigate the current landscaping in order to match what is currently there.

Mr. Hideliious offered the Planning Commissioners brochures of trailers available to them. He explained that since they are not purchasing the trailer, they are only offered what is currently available from the rental company as far as selection goes.

Mr. Hideliious also clarified that they are not planning on moving the majority of employees up there, only five to six people. He explained that most of their garbage needs to be shredded, so that won't go into a dumpster. He said that this may negate the necessity of a dumpster [one of the Planning Department's concerns]. He said that they will screen whatever dumpster is needed, however.

Mr. Hideliious said that as far as shielding, they don't know what the recommendations are. He explained that they don't want to enter into open negotiations and they don't want to build a building to shield the trailer. He then asked what the purpose of the bond is.

Mr. Hadley explained that if the time comes and the trailer is still there, the City would have it removed. Mr. Hideliious said that they wouldn't have a problem with that. He said that they would work to have the permanent structure done and ready to occupy well within the two year time period.

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Commissioner Maher asked why they can't do it in one year. Mr. Hideliious said that depending on the date of occupancy, that may or may not be a viable expectation. He said that they can't guarantee until next May to have the Federal funds to build the building. The funding is based on 2008 audited financials. He explained that they would have their loan applications filed the first of next year and this is contingent on audited financials.

Ms. Diane Bradshaw said that their lot here is not in good condition; people park 6-wheelers on the weekend, rocks are dumped, etc. She said that they want to be able to take care of the property. They would also like to be visible from the highway.

Commissioner Maher asked what 980 sq ft would get them. Ms. Bradshaw said that the 980 sq ft is the single-wide trailer. They are willing to go with a wider modular if the Planning Commission would like.

Commissioner Linton asked why the application came back now. Ms. Bradshaw said that it was due to the seminary building. Commissioner Linton asked if they feel like they were in the same category as the church. Ms. Bradshaw said that question would need to be answered by the Commissioners.

Commissioner Linton said that there are certain latitudes and obligations with regard to freedom of religious practice which apply to churches but don't apply to other commercial entities. Mr. Hideliious asked if that was his recommendation to the previous approvals. He explained that it is the opinion of Direct Communications' legal council that the law provides for the nondiscrimination of religious buildings and land use but does not extend to granting preferential treatment to a religious entity over a commercial entity. Commissioner Linton said that he wasn't enthusiastic about their proposal, but their redeeming factor was that by natural land contours, their building is hidden from the highway, while Direct Communications' trailer is not.

Mr. Spencer asked if the applicants were okay with the conditions. Mr. Hideliious said that the conditions are okay; specifically the firm cessation date is okay.

Ms. Bradshaw explained that they want to be part of the community; they are willing to do what they can. She said that they would like to get more accessibility and would like to be able to work and use the property. She said that if the item is tabled, she would like to have a list of what they need to do.

Commissioner Maher asked if they could use the existing building to rent space. Ms. Bradshaw said that they have not heard back from the building owner. She said that the interior is not complete yet and she hasn't seen any work being done. Mr. Spencer said that they may be waiting on a tenant before they finish the interior. Mr. Hideliious said they received a lease agreement which Direct Communications had problems with. Direct Communications sent it back and have not heard back from the property owner. It's been around six weeks. He said that Direct Communications has given them the recommended floor plan as well.

Mr. Hadley asked if the earliest they would get the funding is next May.

Mr. Hideliious said that they would have the ability to start construction next summer based on the details of the financing. Their fiscal year is in line with the calendar year, so this year's audited financials will not be completed until March or April of next year. He said once the audited financials are complete, they can get an interim financing agreement which will be paid back once the federal funds come in. He feels that the interim financing agreement and the loan should be complete around May. They will have a good feel for what is going on and the architectural plan will be in place with them moving dirt around July 2009.

Commissioner Dean asked if a one-year approval with a status update at a certain point to extend it. Mr. Spencer said they can frame it however they'd like. The Planning Commission can give them a year with a renewal possible after a status report.

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Mr. Hideliious said that they understand the risks and no matter how it turns out, they will keep their cessation date.

Ms. Bradshaw said that the Sterling building would be around \$50,000 more than the temporary trailer.

Commissioner Dean asked if we had a survey on this land. Mr. Hadley said that it is a recorded subdivision lot with the County. Mr. Hideliious said that he believes there is a storm drain easement through the middle.

Commissioner Maher opened the Public Hearing at 6:42pm.

Scott Kirkland with Sage Communities said that he hasn't seen an elevation of the trailer to be used. The Golf Course has a trailer and it looks nice. He said that they can dress up the trailer since it's right on the highway.

Commissioner Maher closed the Public Hearing at 6:43pm.

Commissioner Dean said that they need a time limit because it doesn't meet any of the design standards. He feels that it should be subject to dressing up and all of the other standards. He said that no time limit means it's not temporary. He doesn't think two years is temporary, either. He is more in favor of a stepped timetable with a year approval with the possibility of extending it. He feels that is enough time to show progress. They don't want to set a precedent of doing two-year approvals for temporary structures.

Commissioner Linton said that he saw this coming from the Planning Commission two weeks ago. He said that the crux of the matter was twofold last time. The first was that it's the entrance into Eagle Mountain. He said that everyone coming in will pass this location and first impressions have a lot to do with how people feel about areas they are coming into. He also feels that the "iffy-ness" of the financing is a concern. He feels the last time they were given a picture of a portable structure, it was very ugly. He wouldn't want it hidden or in plain view. He wants to come together and do better. If he was to lend a positive vote, it would be a one-year approval with a status report on financing and construction of a permanent building. He would also like Direct Communications to obtain a modular building that looks nice.

Commissioner Bechtel said that the southwest corner of the lot would be a viable option. She said that the financing not being submitted until May is also a tough issue with her.

Commissioner Maher said that the location needs to be investigated and also that they don't want a trailer. He feels that they need to look at a more attractive trailer. He said that landscaping needs to be looked at as it fits in long term and the shielding with moveable landscaping is important too. He also said the maximum duration time would be one year.

Mr. Spencer asked if they were still inclined to table the item. Commissioner Maher said they were; there is too much theory now at this point.

Mr. Spencer said that Commissioner Maher closed the Public Hearing. He asked if the Commissioner would like to continue it to the next meeting as well. Commissioner Maher said that would be fine.

MOTION: *Commissioner Linton moved that the Planning Commission continue Public Hearing on this item to the August 12th Planning Commission and recommend Direct Communications be in touch with staff to work out the following three issues:*

1. **Location of the trailer**
2. **Duration of time**
3. **Shielding from view**

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Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed

D. The Villages at Simpson Springs

- **Amendment to the Ranches Master Development Plan (Rezone) – Public Hearing, Action Item**
- **Site Plan – Public Hearing, Action Item**
- **Preliminary Plat – Public Hearing, Action Item**
- **Final Plat Phases 1-5 – Action Item**

Mr. Mumford explained the location of The Village at Simpson Springs. He explained this is modified from a previously approved plat.

He explained the changes proposed in The Ranches Master Development Plan. He explained the criteria for approval of a rezone, which is what the amendment to The Ranches Master Development Plan is, basically. Mr. Mumford explained that the first criteria is Complying with the Future Land Use Plan. He explained that this area is Mixed Use Residential, so the proposed application fits. He said that the second requirement is Compatibility Determination. He said that the current plan allows 63 units at 6.8 units/acre and the applicant is requesting 81 units at 8.8 units per acre. He said that staff was concerned that the density designation allowed for any building which would be put next to the single-family lots in Simpson Springs. He explained that they have since put twin homes at a lower density next to the larger lots. He explained that they are trying to fit 24 units into 1.5 acres and staff feels this is too much. Staff recommends reducing that portion from 24 to 18; he explained that this amount is still require a bit of housing, but feasible. Mr. Mumford said the third requirement of a rezone is Buffering of Incompatible Uses. He said that the applicant achieved this with the twin homes next to single family homes, rather than triplexes or something more dense than that.

Mr. Mumford said that the existing master plan has 63 units. He explained that twin homes were in this location and to go less than that would downzone them. Staff doesn't want single-family homes, they just want the least dense next to them to provide the best transitioning.

Mr. Mumford then explained the Site Plan for the Village at Simpson Springs. It has 39 units total: 18 twin homes and 21 triplexes. He said that they did an excellent job designing the layout as the front or side of the buildings face the public streets. Garages face private driveways inside the development. He said that the phasing is split into five plats for several reasons.

Mr. Mumford explained that the multi-family design standards with the exception of one building, have been met. The exception is Building 12. He explained that the Planning Commission and the City Council can make an exception to the point in the Multi-family Design Standards that states "rear facades should not be placed adjacent to streets and garages should not dominate the street-facing façade of a building" if it meets one of three conditions. He explained that Building 12 meets two requirements: unusual property shape and existing easements. He said that the road and utilities on Quarter Mile Road are already there because the plat was recorded. He said that they have done a fantastic job with the other buildings; they've done the best they can. Staff suggests approving the exception as long as the rear elevation of this building be of a higher architectural standard than others. He mentioned that they have not seen a color rendering of that yet. Amy Twitty with Sage Communities said that she just recently that evening e-mailed the rendering over.

Mr. Mumford then showed examples of the architecture. He said that the applicant has used a number of different materials, with lots of stone, brick, vertical and horizontal siding, pop outs, etc. required from the design standards. He explained that The Ranches approves the design with a few conditions and that staff approves of the conditions as well.

Mr. Mumford explained that the city code requires 20 feet between multi-family buildings. He said that the applicant is proposing an exception that the code allows for. He explained that the applicant is proposing a 15-foot buffer as the street is already in; this creates an extenuating circumstance. He explained that staff is suggesting the Planning Commission approve the exception. He said that they would have to put a fence as well as trees and ground cover.

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He explained that the only other concern is headlight screening at the end of the driveways by the triplexes. He said that the applicant needs to make sure the shrubs are 3.5 feet high to shield headlights in parking areas.

Mr. Mumford explained that requirement for setbacks between multi-family buildings is 30 feet due to utility issues; that can be tight for public works and energy departments to maintain. He explained that with the current project, it shouldn't be a problem because the majority of the utilities are already installed and remainder of the buildings that are not in yet would follow the existing standard. He explained that the least the applicant is requesting is 12-15 feet, some areas have more than 20 feet. He explained that the setback request meets the three requirements for exception to rule (appropriate for the proper development of the project, consistent with providing safe and convenient utility services to the public and it will not result in the establishment of a hazardous condition).

Mr. Mumford then explained that parking is sufficient, as is the required open space. Seventy-eight parking stalls are required and the applicant is proposing 94 stalls. The required open space is 0.39 acres; 0.54 acres is proposed. He explained that the neighborhood and community park requirements dollar amount is \$59,000 plus the pool and clubhouse required by code (\$1,000 per unit to be \$39,000 minimum). They have proposed an alternative amenity plan that includes a splash pad, restroom facility, basketball court and pavilion. Mr. Mumford explained that some requirements of future phase to the north may be met with this plan. He showed the splash pad being proposed rather than a pool. Staff recommends approval with the conditions listed in staff report.

Commissioner Linton asked how they arrived at the 18 units rather than 24 units in the triplex area. Mr. Mumford said that it was to get it down to a more usable, more feasible option. They believe 24 units are impossible and 18 may be too, but it is a better transition than the 24 units.

Mr. Kirkland said that staff hasn't seen Nuszer Kopatz's layout yet. They pulled the design out since they weren't doing a preliminary or final plat. He explained that he looks at the transition from 12-plexes to triplexes to duplexes to single family homes. He feels the spirit of the transitioning is met. He explained that the acreage of the lower area is 5.1 acres. The area above is 4.1 acres. He explained that the area above lays out a lot more efficiently and they put the amenity feature in the lower area. He explained that this takes up ½ acre. They have a less efficient piece of land below. He explained that he doesn't think it should be reduced because they think it works fine. He explained that they changed in the first place because on the old plan, the garages faced streets. He said that they also didn't want 64 of the same product repeating over and over. He feels there is a 200% increase in the architecture. He said that another reason for the change is that they now have product diversification. He said they also feel that they also have better amenities; the previous approval only had a tot lot. The one provided is an expensive amenity they want to bring to Eagle Mountain. He said that some people in nice single family homes may not want multifamily units, but they are working to make their project high quality.

Mr. Mumford said that proposed amendment to the master plan does not affect their site plans because they already fit with the existing master plan.

Commissioner Maher explained to the public that the Planning Commission has seen these designs from Sage before and they are nice buildings.

Mr. Kirkland showed the layout of the 24 triplexes. He said that the MDP amendment just designates a density. The developer will need to come for the northern half with the site plan. Staff doesn't have the designs yet.

Mr. Spencer said that was an important thing to note. The northern half could have a completely different look than the southern half.

Commissioner Maher opened the Public Hearing at 7:19pm.

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Frank Hunsaker, Lot 15 Simpson Springs. He said he cherishes being able to see the Wasatch Front. They fear something being built to hide the view. They were concerned about buildings being two stories. He asked if the windows in the buildings were false windows. He feels they should stay with the two-family dwellings as was originally approved. He also said that have a nice park that belongs to this development. He feels like the location of the park opens up to whoever comes along. He wants the park to be in the central to keep it private. He also said that he doesn't like the 15-foot setback on the west side. He suggested that the buildings be made a bit smaller.

Mr. Kirkland responded that the elevations for the duplexes have always been two-story buildings. They are proposing one-story and two-story buildings. He explained that the new product will vary and the triplexes are two-story buildings. None will exceed the height of Willow Springs buildings. He said that as far as the park, they want the amenity where it can be seen. They are facing a tough market and they need to show the world that it's a great place to live. It might make more sense to bury it, but at this moment in time, they want to show how great The Ranches is. The amenities are very prevalent and are near parkways and entrances on purpose.

Steve Mechem, Lot 10 Simpson Springs. He likes the idea of the transitions. He would like to request the lots bordering the Simpson Springs lots have single-story units in order to not kill the view so much. He said that he also feels the setback is too small.

Joe Hudson with Sage Communities responded that the twin home product that borders Simpson Springs being offered has three options and two out of the three plans they are offering are single-story buildings. The majority of these homes will fall in line with the residents' requests.

Brad Bartholomew, Simpson Springs. He said that he is concerned that the attached dwellings and triplexes will turn into rental properties and he is concerned about upkeep on the properties.

Mr. Kirkland said that they will have a sub-HOA managing this area. He said to go to Mt. Airey townhomes. He explained that the landscaping is being taken care of by them; landscaping is important to them. He was asked what the price point will be for this development and said it will be around \$220K with the exception of the triplex's flat over the top; they hope these will be in the high \$100s.

Commissioner Maher closed the Public Hearing at 7:28pm.

Commissioner Linton expressed his understanding about homes that are built which take away views. He also feels that Nuszer Kopatz does their homework and trusts their designation of 24 triplexes.

Commissioner Dean is also in favor of striking the change from 24 to 18. He feels that they should let the applicant try to do it; if it's impossible, it won't work.

MOTION: Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the Proposed Amendment to the Ranches Master Plan (The Villages at Simpson Springs).

Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed

MOTION: Commissioner Linton moved that the Planning Commission approve the proposed Villages at Simpson Springs Preliminary Plat subject to the below conditions; Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the proposed Villages at Simpson Springs Final Plats 1-5 subject to the below conditions; Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the proposed Villages at Simpson Springs Site Plan subject to the following conditions:

Engineering

1. Landscape plan should include a master meter for irrigation.

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2. Is it legal to use one sewer lateral for two units? Private ownership issue. Sit down with Chris to work it out.
3. Phase 2 should include half width + 10 feet.
4. Minimum cross section requires 9 inches of sub-base.
5. A temporary turn around would be required at the termination points for phases 1 and 2
6. Phasing with phase 1 and 2 may exceed 500 feet, and not comply with the City's secondary access requirements.

Fire

1. Triplex condos must be sprinkled and monitored
2. Get building permit, then get 3rd party approval of sprinkler system
3. Lock box on gate in amenity area (perhaps more than one will be required)

Building

1. Two 1-hour walls or one 2-hour wall is required between shared spaces. Not allowed with horizontal shared space. Condos must be sprinkled with 1-hour wall.
2. Be aware of State-Mandated ADA requirements
3. All public restrooms must meet ADA & IBC
4. Official plan review will come with submittal of building plans

Planning

1. \$2,000/buildable acre for additional units = 2.04 x 2,000 = \$4,080—show us where & how this is going to be implemented, or if it will be required of the future phases to the north.
2. Rear elevations required. The rear façade of Building 501, 502, 503 must be of increased architectural standard.
3. Lighting plan required showing building and street lighting, spread of light (lumens plan), shielding of lights, etc. This plan may be approved administratively.
4. The buffering standards must be met, including a fence or wall and additional trees along the west property line.
5. Headlight screening by parking to be at least 3 ½ ft. high. If needed, plant additional trees/shrubs.
6. Plats – title block needs to include township, quarter, section, range, etc., should be stamped and signed by surveyor.
7. Screen all mechanical equipment according to the Code.
8. Mailbox structures – must be designed according to Design Standards. Provide schematic.
9. Provide schematic for proposed monument sign.

Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed

E. Mt. Airey Village

- Preliminary Plat – Public Hearing, Action Item
- Final Plat – Action Item
- Site Plan – Public Hearing, Action Item
- Recorded Plat Amendment – Public Hearing, Action Item

Mr. Spencer said explained the location of the project. He explained that it was previously approved and recorded as Spring Valley Plat A with 80 multi-family units. He explained that this is a good re-haul of the project. He said it was originally zoned with 97 dwelling units total; this revision is maxing out the 97 units. He showed the current structures built currently – six buildings are complete or started currently. He explained that the proposal includes twelve separate plats.

Mr. Spencer said that in regards to the multi-family design standards, the majority have garages accessed from the front. The provision is there in the code that if the project is under certain constraints, an exception can be made. He explained that with the roads and easements in, this property is under constraints. He said that they have provided a high level of architecture and staff is recommending the Planning Commission give an exception to the applicant for that rule.

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Mr. Spencer said that The Ranches Design Review Committee has reviewed the project and has proposed conditions for approval with staff agrees with. He also explained that headlight screening will need to be provided in a few areas where the parking points toward adjacent residences. He also explained that the setback requirement of 30 feet can be waived due to similar conditions of The Villages at Simpson Springs. He said that staff has looked at the criteria for the exception and feels that the applicant meets the requirements. He said that the parking proposed has inaccurate figures and needs to be resubmitted. Mr. Spencer said that the open space requirement is under an acre and they've provided well over an acre. He said that the amenity package has two major amenities: a Discovery Garden and a Welcome Center which consists of a pool and a clubhouse. He showed elevations of the structures and where they are located in the development. He explained that the architectural elements are diverse. He also showed the existing buildings in the development.

Mr. Spencer went over the conditions of approval staff has and said the applicant needs to turn in a lighting plan, but explained that the applicant has said that it will be downward facing and not leak onto other surrounding lots. One condition from the Building Department is that security fencing be provided around existing footprints and half-built products. He also explained that in regards to the Welcome Center, staff is waiting on the applicant for an itemized detailed cost estimate for amenities.

Commissioner Dean asked what the concerns were for the setback and where they were located; he wanted to know if the setbacks were needed to be adjusted for every building. He understands the front-to-back setbacks on the buildings, but if the setback concerns are side-to-side between the buildings, they may need to lose units rather than get exceptions. He said that he doesn't want people to feel entitled to have smaller setbacks.

Commissioner Maher opened Public Hearing at 7:45pm and closed it due to lack of comments.

MOTION: Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the proposed Recorded Plat Amendment, moved that the Planning Commission approve the proposed Mt. Airey Village Preliminary Plat subject to the below conditions, moved that the Planning Commission recommend approval to the City Council of the proposed Mt. Airey Village Final Plats 1-12 subject to the below conditions, and finally moved that the Planning Commission recommend approval to the City Council of the proposed Mt. Airey Village Site Plan subject to the following conditions:

Engineering

1. Water meter cans must be relocated out of driveways
2. Minimum sewer lateral size should be 6 inches for multifamily units.

Fire

1. Need to sprinkler multi family dwellings

Planning

1. 97 units require .97 acres of Improved Open Space—please show the total acreage of I.O.S. as well as the acreage of each individual site.
2. Parking: Clarify parking table. Handicap stall must be 10X20.
3. All mechanical equipment & utility boxes/meters must be screened.
4. Lighting plan /schematic required as part of site plan application
5. 30' distance between buildings required (unless waiver granted by PC upon recommendation by utility dept)
6. Provide schematic for gang-boxes.
7. Headlight screening be looked at and abided by according to city code

Building

1. Sprinkler system must be developed similar to Simpson Springs.
2. Security fencing must be provided around half-built buildings immediately.

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Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed

Mr. Kirkland said that in order to do multi-family with FHA financing, 51% of a phase have to be sold before FHA will fund the first unit. If there are a bunch of little plats, it is easier. There is a minimum of four units in each phase per the FHA loan, so each one has at least four. Also, triplexes and twin homes have to be on different plats.

Ryan Kent with Sage Communities asked about the security fencing. Mr. Spencer said that he believes it is the chain link fence, but he recommended Mr. Kent speak with Kent Partridge.

F. Scenic Mountain Master Development Plan – Public Hearing, Action Item

Mr. Spencer said that this is the Land Use Element. He explained the first step is to go before Planning Commission and the City Council with the Land Use Element, basically the zoning. If/when that is approved, the Master Development Agreement is drafted and goes to the City Council for approval. Commissioner Maher asked about the incorporation. Mr. Spencer said that the entire site is 39 acres but it is not entirely annexed into the city. Our City Recorder is actively working on that boundary adjustment. With any Master Development Plan, roads, water, sewer, and other types of public utilities are looked at.

Mr. Spencer showed the location of Scenic Mountain and explained who owns what portions of surrounding area and showed the location of the power line corridor. He explained the land use data. The over all density within the residential bubble is about 12 units per acre. He said that the Master Plan proposed is one of the highest proposed densities within the city. The bubble along SR-73 is 21 units per acre. In comparison, Willow Springs is 14-15 du/ac and Cold Springs is 11-12 du/ac. The previously approved Spring Valley project was 8 du/ac. He said that this is quite a bit of density for the city. He explained that the Tier System is in place and it is within the code to allow this density as long as the required open space and amenities are provided. He showed the breakdown of the open space and explained that the required improved open space is 5.84 acres and the applicant is proposing 6.6 acres. He explained that there are no single family homes, no schools, and no commercial areas planned in the site. He showed the layout of the tiers within the area and explained that the majority of the project is Tier 4. The amount of unimproved open space is 4.5 acres, which is mainly the sloped areas. He showed the entrances to the project, the power line corridor, and the location of a Welcome To / Thank You for Visiting Eagle Mountain sign.

Mr. Spencer showed open space areas identified on the plan and explained that these are flexible. He also said that the applicant has proposed a series of trails. The neighborhood trails proposed are five-foot, six-foot, and eight-foot asphalt and concrete trails and all are hard-surface trails – no gravel.

Mr. Spencer also showed Saratoga Springs' zoning map. They had R-3 (low density) zoning with minimum 10,000 sq ft lots and 2-3 units per acre. Mr. Kirkland showed that the land right next to SR-73 and adjacent to the discussed area was zoned commercial in Saratoga Springs.

Mr. Spencer showed the requirements for Tiers I-IV. He explained one of their suggested requirements is that the applicant specify which options they are choosing out of Tier IV and have the options identified in the Master Agreement when it comes back before the City Council. He explained that the applicant has given a cost estimate of about \$1.5 million to improve the open space as proposed. Mr. Spencer said that the final plan of the landscaping will come into play when the Final Plat and Site Plans come forward.

Mr. Spencer referred the Planning Commissioners to the Staff Report for the utility issues. He said that the access on SR-73 needs to be a right in/right out only. They need the elongated "pork-chop" island like at Costco in American Fork in order to keep people from turning left.

Mr. Spencer explained that one portion is proposed at 14.5 units/acre and it is adjacent to existing Northmoor single family homes. He said that Northmoor has 3.5 units/acre. He said this is not

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compatible. Staff suggests some sort of transition such as reducing the density in some areas to allow for the buffering from condos to single-family homes.

Mr. Kirkland said that in regards to the areas referenced as high density, they are in talks with the LDS church to purchase that area. He just wanted to point out that forty units will go away when that happens.

Mr. Kent said that they are working on making a transition area.

Mr. Spencer said that Simpson Springs was 6.9 du/acre next to single-family homes. Mr. Kent said they could transfer units over rather than just eliminate them. They could reduce density next to single-family homes and raise density in the four-unit condo area.

Discussion ensued on locations of triplexes and condos.

Commissioner Maher opened the Public Hearing at 8:14pm and closed it due to lack of comments.

Mr. Kirkland said that they now have a new benchmark for multifamily standards.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to the City Council for the Scenic Mountain Master Development Plan (Land Use Element) subject to the following conditions:*

Engineering

1. Capacity of existing sewer line in Inverness Road to be verified prior to connection.

Fire

1. Eleven (11) fire hydrants installed as marked on plans – hydrants to be installed prior to combustible construction taking place.
2. Maintain fire dept. access and addresses throughout project.
3. Minimum fire flow 1,000 gpm in residential areas
4. Road grades not to exceed 10%
5. Street names must be approved prior to final approval
6. Meet all requirements of IBC and IFC codes.
7. Condos will need to be sprinkled – plan review to be done by an outside party.
8. Defensible space/buffer 30' along power line corridor– maintained by HOA.

Energy

1. Current capacity on existing power circuit – study may need to be done (independent) for total KW for this development. SID possibility with other property owners.
2. Off-sites, etc. to be detailed in Master Dev. Agreement – meet with Adam and Les as soon as possible.
3. Submit the CD to the city to get the dry utilities designed. Work with Adam on this process.

Planning

1. Address architecture and design for multi-family (especially highest density adjacent to SR-73)
2. \$2,000 / buildable acre (\$76,000 for project) – for community improvements (Title 1 Section 6.7.1). How will this money be spent? We need specifics.
3. Dollar amount being spent for amenities – specifics.
4. Description of cross-section for trail improvements must be submitted.
5. Tier IV requirements – state how you will meet the bonus density (covered parking, etc.)
6. Water source letter must be provided.
7. A strong HOA is required.
8. Revised land use plan in more color. (show both improved and unimproved open space)
9. Economic analysis discussion to be submitted
10. Reduce density in P-4 to create transitioning from Northmoor 1

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Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed

G. Oquirrh Mountain Master Development Plan – Public Hearing, Action Item

Mr. Mumford said we've seen this once before in February. The project was tabled and issues were worked out and now the applicant is back with the project. He explained the location of Oquirrh Mountain and showed the proposed map and the differing Tiers (II, III, and IV) throughout. He explained that it is 120 acres total and about 20 acres are unbuildable.

Mr. Mumford also showed the recently reviewed SITLA Master Development Plan and explained that the SITLA MDP is directly south of Oquirrh Mountain. SITLA's northern border is zoned to match The Ranches lots. He said the area where Oquirrh Mountain is was originally single-family homes and SITLA wanted to match so that the lots next to each other were similar in size. Mr. Mumford explained that now that the applicant is proposing multi-family housing and higher densities, SITLA has been working with them on ways to better transition and buffer between the two. He explained that they came up with a new revised plan with the southern piece having a maximum of 5 du/ac. He said that north of that, it is 7.9 du/ac. He explained that the designation in the area next to SITLA's land is cluster homes. As of now, the applicant is not planning on single family homes here. He further explained that as this is a master plan, we are looking at zoning and densities only.

Mr. Mumford explained that SITLA is requesting a twenty foot setback from the southern property line to any building with 10 feet of that to be green space for a future trail corridor. SITLA has agreed to put the trail on their 20-foot portion; Sage Communities said that they are okay to have the trail meander between both sides of the buffer. This will be a better buffer between possible single-family homes next to cluster homes.

Mr. Mumford also showed a slope map. He said that there are difficult areas, but the specifics will be addressed when site plans are submitted. He said that anything above 25% cannot be built on. He said that if there are any places with little slivers of 25%+, they can work with the developer at the time of the site plan submittal.

Mr. Spencer said that just because they are approving the zoning, it does not mean that they are obligated to give the developer exceptions to the rules later on down the road.

Mr. Mumford showed a conceptual site plan and the conceptual landscape plans. He also showed the land use plan. He said that 3.3 acres are set aside for a church site, but that the applicant listed the densities in case the church does not purchase that property. He explained that there are 22 acres of improved parks and open space.

Mr. Mumford said that one key component is that there are some existing rock art, petroglyphs. The major sites are along their development and a few more are up in the hills. The applicant is proposing to have some of the petroglyphs moved to their Discovery Park. Staff would like to include something to ensure these are preserved and protected.

Commissioner Dean asked if there are governing organizations who oversee petroglyphs. Mr. Spencer said that since they are located on private land, the applicant can do what they want with them. Utah Rock Art Association, a non-profit organization wants to catalog what is there now and register them with the State Archeological Society.

Mr. Mumford said that with the parks, much of the area is on steep slopes. He stated that this should be clear that not all will be grass, trees, etc.; irrigation will not be here. He also showed the Frisbee golf course and lookout towers in the hills. He explained that they have a lot of creative parks and the applicant has done a lot with trails. He further explained that staff can include the parks with the Master Development Plan so that the applicant substantially complies with the intent of these plans.

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Mr. Mumford said that staff looked at the criteria for approval and compatible densities and buffering. He also added that an area in blue is part of the 8.7 units/acre area. He said that this needs to be lessened to meet the buffering requirements between single-family and higher density areas. He explained SITLA's requested condition of approval regarding buffering was met and staff would like the same buffering throughout the development. He also said that the applicant has met the open space requirement and the dollar amount for amenities will need to be specified.

Mr. Kirkland said that they have mansion triplexes that area designed to look more like a single-family home than a twin home. He feels it is a good buffer. He also explained that they have a large park/community center planned with a tennis center. The park will be a flat area with soccer fields.

Mr. Mumford said that he is not opposed to having those homes, but the issue is that this is a Master Development Plan and it doesn't specify certain buildings. Mr. Spencer said that the only way to accommodate the mansion homes would be to attach an exhibit to the MDP that says this will be the only building allowed in that bubble.

Mr. Kirkland said that if it is a certain language that highlights that exact pod, it may work.

Discussion ensued on what kind of language could be included.

Commissioner Maher opened the Public Hearing at 8:43pm.

McKay Edwards, SITLA. He said that he is in support of Sage Communities' development next to their land. He said he appreciated the efforts of Sage Communities because he did not raise the issue of density of the bordering area until about 3:00 that afternoon.

Commissioner Maher closed the Public Hearing closed at 8:44pm.

Mr. Kirkland said that he has concerns about enclosing the petroglyphs in glass. He said that he doesn't want specific wording on every single petroglyphs.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the Oquirrh Mountain Master Development Plan subject to the following conditions:*

Public Works & Fire

1. Maximum cul-de-sac length is 500 feet. Make sure that the cul-de-sac in P-11 is not too long.
2. UNIMPROVED OPEN SPACE. Unimproved open space shall not be dedicated/deeded to the City.
3. OPEN SPACE ACCESS. Access to the open space area on the hill shall be provided for emergency purposes and maintenance.
4. ROAD GRADES. Road grades shall not exceed 10%.

Planning

1. ARCHITECTURAL DESIGNS/EXAMPLES. Specific pictures/renderings of buildings and architecture must be submitted as guidelines for development of different areas of the project. These designs shall be reviewed by the City Council and included as exhibits to the Master Development Agreement.
2. COMMUNITY IMPROVEMENTS. \$208,400 must be included in the project as community improvements/amenities. The use of these funds must be designated in the Development Agreement.
3. BONUS DENSITY. The applicant must specify how they will meet the bonus density requirements.
4. HOA. Specific documentation for a strong Home Owner's Association must be specified in the Master Development Agreement.
5. SLOPES. Building/construction on slopes in excess of twenty-five (25%) percent is not permitted.
6. CHURCH SITE. The plan shall designate the church site as well as the underlying zoning for Planning Area P-1.

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7. PARKS/OPEN SPACE PLANS. The park and open space plans that were submitted must be included with the Development Agreement as exhibits and should be substantially met in the actual design/construction.
8. 20-foot setback be added along the East-West southern boundary.
9. Petroglyphs be protected and preserved.
10. P9 to P11 compatibility be resolved to Planning Staff's approval.

Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed

5. Other Business

None

6. Adjournment

Commissioner Maher adjourned the meeting at 8:47pm.

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Commissioner Tom Maher called the meeting to order at 6:00pm.

Roll Call

Tom Maher, John Linton, Preston Dean, Craig Larrabee, Karleen Bechtel

Others Present

Charles Hedilious, Direct Communications

Diane Bradshaw, Direct Communications

David Adams, EM Communities

Carl Allred

Mike Wren

Staff Present

Planning Director: Steve Mumford

Senior Planner: Mike Hadley

Planning Coordinator: Lianne Pengra

1. Pledge of Allegiance

Commissioner Maher led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

- SilverLake 8a & 8b Final Plats
- SilverLake Master Development Plan Amendment
- Saddle Junction Lot 104 Final Plat
- Cedar Corners 1 Final Plat
- Meadow Ranch Master Development Plan Amendment
- Mt. Airey Village Recorded Plat Amendment, Final Plats 1-12, and Site Plan
- The Villages at Simpson Springs Amendment to The Ranches Master Development Plan, Final Plats 1-5, and Site Plan

Mr. Mumford explained that Final Plats for SilverLake 8a and 8b, Saddle Junction Lot 104, and Cedar Corners 1 were approved in the consent agenda. He said that a Public Hearing was held for the SilverLake Master Development Plan Amendment and approved that item, and a public hearing was held for the Meadow Ranch item. He explained that City Council felt the Equine Overlay needed to be noticed properly. He explained that the Equine Overlay portion will go back to Planning Commission for the first meeting in September. Mr. Mumford explained that the reason this item is not to be heard until September is that the next Planning Commission Meeting will be cancelled as there is only one item on the agenda. The applicant, Monte Kingston, felt it wasn't necessary to bring the Planning Commissioners in for a single-item meeting. Mr. Mumford said that public hearings were already held on the Meadow Ranch rezone and that the Preliminary Plat has already been approved; only the Equine Overlay will be discussed at the Planning Commission.

Mr. Mumford said that Mt. Airey Village and the Villages at Simpson Springs were both approved at the City Council. The Village at Simpson Springs was approved as the Planning Commission recommended. He said that there was an issue with the parking at Mt. Airey Village. He said that at the Planning Commission, the applicant's parking table was incorrect and a recommended condition of approval was an updated parking table. When the applicant brought in the correct parking table, it was discovered that the applicant was 22 stalls under-parked because they were counting on-street and driveway parking. The applicant and City Council had a long discussion and decided to allow some of the driveways to count for visitor parking. Mr. Mumford said that the development code doesn't specifically state that parking has to be off street and it doesn't speak of driveways at all.

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4. Approval of Minutes

- A. July 8, 2008 Planning Commission Meeting Minutes

MOTION: Commissioner Linton moved that the Planning Commission approve the July 8, 2008 Planning Commission minutes.

Commissioner Dean seconded the motion. Ayes: 5, Nays: 0. Motion Passed

- B. July 22, 2008 Planning Commission Meeting Minutes

MOTION: Commissioner Linton moved that the Planning Commission approve the July 22, 2008 Planning Commission minutes.

Commissioner Larrabee seconded the motion. Ayes: 5, Nays: 0. Motion Passed

5. Development Items

- A. Direct Communications Temporary Modular Office Space
- Site Plan – Public Hearing, Action Item
 - Conditional Use Permit – Public Hearing, Action Item

Mr. Hadley explained that this item was tabled at the last meeting and the public hearing was continued. He said the applicant has gone back and adjusted the plans according to the Planning Commissioners' and staff's recommendations. He explained that the applicant has moved the trailer to the SW corner of the lot as staff requested. Commissioner Maher asked what kind of trailer would be there. Mr. Hadley said that the trailer will be a double-wide. He explained that the side view is now 24 feet long. The trailer dimensions are 24 feet by 60 feet. He said that the applicant has provided a timeline of the removal of the trailer and construction of the permanent building. He went over the timeline provided.

Mr. Hadley showed a landscape plan with existing trees, an island with landscaping, and the parking areas. He said that the applicant has proposed a planter box to shield the trailer, as well as planting poplars along the side of the trailer. He explained that the applicant will eventually have to pull out the poplars after they have served their purpose. He said that what the applicant is suggesting creates low visibility for those coming to and going from the city.

Mr. Hadley said that a regular trash receptacle will suffice as they have only 22 employees total and not all employees will be in the trailer.

Mr. Hadley went over the timeline with the Planning Commission. It was determined that the applicant will have the final site plan for the permanent structure submitted a year from the approval of the Temporary Modular Office site plan.

Commissioner Maher asked if Austrian Pines rather than poplars could be planted. Mr. Mumford said one reason for the poplars is that they grow quickly and pines are slow growing.

Ms. Diane Bradshaw with Direct Communications said that the trees will be pulled out later because the permanent structure will be built there.

Mr. Charles Hedilious showed the location of the final building and explained that one of the features they are planning is a drive-through area for customers to pay their bills. He said that the trees would be in the way of the drive-through. They confirmed the location and type of trees that are currently planted in the island.

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Mr. Hedilious said that the trailer is in a greater-than-60-degree angle from the highway, so it will be difficult to see it. Commissioner Bechtel asked what kind of trees will be in the planter and Mr. Hedilious said they have considered aspens as they are fast-growing.

Ms. Bradshaw said that the company providing the trailer can paint it any color so they will get it to match the buildings in the surrounding area.

Commissioner Bechtel asked about the location of the banner. Mr. Hedilious said that they don't have to have the banner on the trailer.

Commissioner Dean asked what criteria in the Development Code they are to use to recommend approval of the Site Plan. Mr. Hadley said that they are to use the Site Plan chapter. Commissioner Dean asked if the Planning Commissioners are giving leniency on the requirements since the trailer is temporary. Mr. Mumford said that they are more flexible when it comes to Temporary Site Plan requirements. They are using the Site Plan chapter.

Commissioner Dean asked about the condition regarding ADA details from the last Planning Commission meeting. Mr. Hadley said that the applicant has included the ramp details. Commissioner Dean said that the ramp doesn't seem like it would fit according to ADA requirements. Ms. Bradshaw said that when the trailer is set, the company makes sure the ramp is to ADA requirements.

Discussion ensued on the ramp, parking, and the ADA requirements. Mr. Mumford said that the Building Official, Plans Examiner, and Fire Chief will ensure the ramp is to code. He also stated that the parking stalls are existing and if need be, they can have the applicant block off the stalls.

Commissioner Dean said that none of the pictures supplied by the applicant matched what the site plan is showing as far as a trailer with a ramp and two entrances. Mr. Hadley explained that the applicant supplied the company's brochure and that they have only what is available from the company at the time of leasing. Commissioner Maher said that they will create a condition to ensure parking and ADA ramps are okay.

Commissioner Maher asked if the screening was an issue with the Planning Commissioners. Commissioner Dean asked if screening was available for the bottom of the trailer. It was explained to him that when the trailer is installed, the bottom is finished so that the wheels and utility hookups are not visible.

Commissioner Linton asked if the applicant has discussed the trailer with The Ranches HOA. He said the trailer is against their CC&Rs. Ms. Bradshaw said that six months ago it was spoken of with the HOA, but she was not involved so she can't state with certainty. Mr. Hadley said that in order to get a building permit, a letter from the HOA must be provided. Mr. Mumford said it is more of a courtesy to the HOAs that the city asks the applicant for the letter; the city cannot enforce HOA CC&Rs.

Commissioner Linton said that The Ranches HOA has been known to tow trailers in the confines of the HOA boundaries. Ms. Bradshaw said that it was important to note that several years ago, a trailer for Dr. Gardiner was in the location they initially proposed; she assumes that he went through the same process.

Mr. Mumford said staff can speak with the city attorney to see if the city can require the HOA letter. He said that staff always tells applicants to speak with the HOA whenever a project comes in that staff knows is within an HOA.

Discussion ensued on the parking and location of handicapped stalls.

Commissioner Maher opened the Public Hearing at 6:30pm.

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Nikki Wickman, 2766 E Forthill Road. She said that when she is at that location on SR73, her only frame of focus is the traffic in front of her and the stoplight. She never looks to the side and has never been offended by anything at that intersection.

Commissioner Maher closed the Public Hearing at 6:31pm.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to City Council of the Direct Communications Temporary Business Trailer Site Plan and Conditional Use Permit subject to the following conditions:*

Engineering:

1. WATER & SEWER. Proper separation between water sewer laterals is provided.
2. WATER METER. A water meter will be required for a water connection.
3. ASPHALT CUTS. Asphalt cuts will require an excavation permit.

Planning:

1. TRAILER. Materials are consistent and match surround buildings and color elevations of the proposed trailer are submitted.
2. WATER RIGHTS. The amount of water required is calculated and verified by the City.
3. LANDSCAPING. All landscaping is installed with irrigation prior to C of O.
4. BOND. A bond must be submitted to cover the cost of removal of the trailer if the city is required to do the removal.
5. PROJECT REVIEW. The applicant will be required to have a review a year from the approval by the Planning Commission. The review for the temporary permit will be based on the submitted timeline.
6. TRAILER COLOR. The trailer be painted to match the adjacent building.
7. ADA COMPLIANCE. Ramp for the trailer and parking is ADA compliant.
8. HOA. HOA approval letter be presented prior to the issuance of a building permit.

Commissioner Dean seconded the motion. Ayes: 5, Nays: 0. Motion Passed

B. Antelope Meadows Lot 1 Final Plat – Action Item

Mr. Hadley said that this is a 4.75 acre piece; its purpose is an LDS church site. This area was formally known as Autumn Ridge 3. He said that one issue to note is that there will be two accesses onto Eagle Mountain Blvd. He said that those accesses meet the standard of 300 feet between each.

Mr. Hadley also said that the developer has an agreement with the LDS church to install the landscaping. The landscaping will be approved at the time of the Site Plan.

Mr. Hadley said that the city has requested the developer install a 16" water line for future development. At that time, the city will sign a reimbursement letter for the developer to be reimbursed for the cost of the water line.

Commissioner Maher asked if the landscape will be water-wise. Mr. Hadley said there is already a landscape plan for Eagle Mountain Blvd that the LDS church will have to follow. Commissioner Maher said that the actual landscape for the church will need to be checked into to ensure it is visually appealing.

Discussion ensued about the landscaping at the Circle 5 Ranch in Lone Tree and Pioneer Addition churches. Commissioners Maher and Linton did not like the landscaping around those churches.

Commissioner Maher asked how the church fit in this site. Mr. Adams said that this is a Legacy church and a lot depends on the city's parking requirements in regards to the building fitting on the lot.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, AUGUST 12, 2008 AT 6:00 P.M.

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

MOTION: Commissioner Linton moved that the Planning Commission recommend approval to City Council the Antelope Meadows Lot 1 Final Plat, subject to the following conditions:

Engineering:

1. WATER LINE. 16" water line to be continued along Eagle Mountain Blvd to the north.

Parks:

1. GRADING. Park needs to be graded to protect adjacent homes from runoff/drainage.
2. LANDSCAPING. Consideration be given to a specific landscaping to ensure it is consistent with what will be required in surrounding areas.

Planning:

1. TRAIL. The 8' asphalt trail needs to be located at the top of the berm closer to the lot, trees to be placed between the street and the path
2. LANDSCAPING. The landscaping along Eagle Mountain Blvd will be installed with the site plan.

Commissioner Larrabee seconded the motion. Ayes: 5, Nays: 0. Motion Passed

C. Majors Subdivision Final Plat – Action Item

Mr. Mumford said this was reviewed as a Preliminary Plat at the end of 2007 and is now being brought in as a Final Plat. He explained the location of the subdivision and said that there are 17 single-family homes lots in 11.8 acres with the average lot size just over ½ acre with a density of 1.5 units per acre. He showed the location of the existing park and where this subdivision is in relation to Overland Trails and The Woods subdivisions.

Mr. Mumford said that the plan with future phases is to continue Wood Road. He said the applicant laid the lots out to match the back line of current lots.

Mr. Mumford said that Eagle Mountain Properties follows the 1997 Development Code according to their Master Development Agreement with the city. He explained that the open space requirements according to this code are 2.5 acres of improved park per 400 dwelling units which is 0.11 acres for this development. He further explained that at \$1,000 per acre, a requirement is just over \$20,000 for this development. The applicant has proposed \$47,000 in improvements to the existing park. He explained that the applicant would put in decorative rock and weed barrier in the horseshoe pit, replace dead trees, and add decorative rock around the existing pathways. He said that originally, the applicant's plan showed sod around the pathway; the city's Assistant Public Works Director stated there is a problem with existing sprinklers, so the sod would not be watered sufficiently. To upgrade the sprinkler system would take up the applicant's budget for improved parks.

Mr. Mumford also said that last time this was on the agenda, the existing trails in Overland Trails were discussed. He said that these trails are mainly just dirt space. The intent was for the residents to have access to ride their horses from their properties throughout the subdivision. The original proposal for Majors had no trail, so staff recommended connecting the existing trail. He said that the problem with the trails is maintenance as the trails are deeded to the city; the trails are infrequently used and costly to maintain as the city has to go and cut down the weeds. He said at the previous Planning Commission Meeting for this project, a couple of residents spoke about trails and asked the developer to include equestrian trails. He explained that based on the DRC comments, staff is still recommending the trails not be included behind the lots.

Commissioner Maher asked if there are not enough people riding horses in Overland Trails to keep the weeds down on the equestrian trails. Mr. Mumford said that is the problem; the Public Works Department has to go in and cut down the weeds on those trails.

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Commissioner Linton asked if the developer is requesting an Equine Overlay since the lots are over ½ acres. Mr. Mumford said that the Preliminary Plat went through before the Equine Overlay was approved as a city ordinance.

Mr. Mike Wren said that now the Equestrian Overlay is in place, they would like to add it. Commissioner Linton asked why the Planning Commissioners should recommend taking the trails off the plan if they are going to apply for the Equine Overlay. Mr. Wren said that he does understand Mr. Weber's desire, but he has already promised to his neighbors that he would include the trails. He acknowledged that they did not originally propose the trails and there is an expense in regards to the acreage involved, they do not want the trails pulled. Commissioner Linton asked if the applicant has had any conversations with Mr. Weber in regards to this matter. Mr. Wren said the only discussion was in the DRC. He said that at that time, he brought up the residents' desires to include the trail. Mr. Wren also stated that the residents spoke up at the Public Hearing for the Preliminary Plat to request the trails and since the Final Plat is not a Public Hearing item, they are not there to speak now.

Commissioner Linton mentioned that he didn't feel the staff report was even-handed as it only portrayed the staff's research and opinions. Mr. Mumford explained that is why the developers are invited to the Planning Commission meeting; they can explain their side at that time.

Mr. Wren said he understands the city's position in that the trails can turn into a waste area, but he would feel bad if the people who were promised trails did not get the trails.

Commissioner Maher asked if they could add a condition to include the Equine Overlay. Mr. Mumford explained that the ordinance is set up as an overlay zone. Even if it's added as a recommendation by the Planning Commission on a Final Plat, a zoning Public Hearing needs to take place.

Commissioner Dean asked if the Equine Overlay could be added at any time. Mr. Hadley confirmed that it could.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to City Council the Majors Subdivision Final Plat according to the following conditions.*

Planning:

1. PARK. The park improvements shall be installed at fifty (50) percent occupancy of the development or one (1) year after recordation of the plat, whichever occurs first (Title 1 Ch. 7.11.2).
2. PARK IMPROVEMENTS. An updated park improvement worksheet and landscape plan is required.
3. EQUINE OVERLAY. An Equestrian Overlay be processed for a Public Hearing at the applicant's earliest convenience.

Fire:

1. TURNAROUND. Hard-surfaced turnaround to be provided.
2. FIRE FLOW. 1500 gpm minimum fire flow required.

Public Works:

1. Provide ¾" meter on all lots
2. Provide blow-offs on all dead-end streets (Ira Hodges)
3. Standard cover from design grade within swales. Show in cross-section or note.
4. The swale shown in the cross-section extends into the public utility and drainage easement, and will be within the dry utility zone. The dry utilities will need to be buried deeper than finished grade of road to ensure that proper depth is maintained.
5. Replace sod around path with xeriscaping: rock and weed barrier.
6. Include street signage throughout subdivision and additional stop sign on Major Street at Waddell.

Commissioner Dean seconded the motion. Ayes: 5, Nays: 0. Motion Passed

D. Ladder Sign Lease Agreement – Discussion Item

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

**EAGLE MOUNTAIN CITY
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Mr. Mumford said that there are four or five owners of these specific types of signs. He said that a few months ago, Carl Allred had submitted an application to renew his lease with the city as the signs are located in the city's rights-of-way. He said it was brought to Planning Commission and was continued as there are more than one sign owner in the city and staff felt all the owners should be involved. Staff wanted time to inform and meet with the sign owners. Mr. Mumford explained that staff met with Mr. Allred and Mr. Adams last week and the owners requested this item be brought before the Planning Commission.

Mr. Mumford explained the current schematic of the current signs. He also showed the existing signs and maps of approved sign locations. He explained that generally they are 1000 feet apart except as they get closer to major intersections.

Mr. Mumford explained that the only issue in regards to the current requirements is capacity. He explained that other issues not related to current requirements were brought up by either staff or sign owners.

One issue the owners brought up is the lease amount, which is a three-year term for \$300 per year per sign. It was stated in the lease agreement that the owners can sublease the slats for no more than \$50/month to home builders. He stated that the city would like to raise this lease amount.

He also went over the fact that each sign is to only have one slat per builder. He said that he is aware that one of the issues is empty slats and sees that is why there are multiple signs per builder currently.

Mr. Mumford said that an issue the sign owners brought up was advertising; the code only allows for a directional arrow and the name of the homebuilder. The applicants would like to have the option to advertise open slats on the bottom slat of the signs.

Mr. Mumford said that City Hall directional signage was also brought up. The City has expressed interest in adding directional signs to City Hall. He said that another issue brought up by the sign owners is different sized signs or smaller signs; the sign owners feel this would decrease the amount of empty slots. Staff's issue with this is that there is less consistency among the signs.

Mr. Mumford said another item brought up by the sign owners is the removal of signs. He explained that the code states if signs are not up to code, to include empty signs, they are removed. The issue here is if there is only one or two builders in a development still; where do those displaced builders put signs to direct people to their model homes?

Mr. Adams, a sign owner, said that they appreciate the Planning Department meeting with them. His first issue is with the empty slats. He wants leniency on removal of signs with empty slats. He said this is a difficult time; they don't want to pull the signs down while it's slow and put them back up later in six months when the market is back up again. Commissioner Maher said that he agrees; removing signs with empty slats isn't a business approach they want to take.

Mr. Adams said they would like to have the option for two slats per builder with pricing listed, as long as the signs are different. He said that additionally, they are happy with adding civic notices such as Amphitheater and City Hall directional signs in their empty slats. Mr. Adams said that they would like to advertise slats available on the bottom slats.

Mr. Adams said that he likes the idea of variable signs. He explained that with different height signs, if there are only two builders, a shorter ladder sign would lessen the visual impact of a large empty space and would also avoid empty slats. He explained that the sign owners are okay with keeping their signs up to code and they are okay with looking at different lease prices. He just feels that the city has to justify their fees based on cost of providing the service.

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Mr. Carl Allred, sign owner. He explained that he had to replace his signs after purchasing them from The Ranches. He went over his finances regarding the signs and the income in the last year and explained that 2007 was the first year he made a profit out of the last three years, which was \$6,000

Mr. Allred said the he heard rumors that the Planning Commission was going to raise the lease prices. Commissioner Linton said that the Planning Commission has not had a discussion on raising lease prices. Mr. Allred said that Mr. Celaya is of the mind to no longer own the signs if the lease amount is raised.

Mr. Allred also explained that when a builder's lease is up, he leaves the model home sign up anyway to avoid empty slats, even though he is not receiving payment from the builder. He confirmed that the Planning Commission did not want to have different sized signs. He said this was brought up because homeowners in the vicinity of his signs have asked to make the signs smaller.

Mr. Allred said that since they have a limit of \$50.00 per slat and the top slat is the premium slat, they cannot charge much for the lower slats.

Mr. Mumford explained that this is a discretionary item and that leasing city property is purely discretionary. He said that the original intent of a three-year lease was to come back and look at the process after it had been established.

Commissioner Linton said that these are difficult times, specifically for builders. He said that he doesn't think this is the correct time to raise the fees. He said that he would like to have the sign owner charge what the market will allow and allow free market enterprise. He explained that he feels builders should be allowed to have multiple signs as long as the copy is different on each. He does not want to pull down signs due to empty slats; he wants to give sign owners more options to fill the slats, such as public announcements.

Commissioner Bechtel said the owners should not be limited in what they can charge for each slat.

Commissioner Dean said that he doesn't want to give the sign owners so much latitude that the city is full of billboards. He said that he realizes that is not an issue to be dealt with now, but it could come up in the future. Commissioner Maher said that if the signs are limited to builders, it will be self-policed. After an area is built up, the sign will come down. Commissioner Maher said that the additional empty slats would be offered for civic messages, not for just anyone. Commissioner Linton asked how Village Pizza's sign fit in. Mr. Mumford said that their sign falls under the code as a business advertising directional sign. Those signs don't follow the same requirements as the builder directional signs.

Commissioner Larrabee said that he agrees with the comments from the Planning Commissioners and has nothing additional to add.

Commissioner Maher said that it needs to be stated that there are no empty slats on the signs and there needs to be a consequence for signs with empty slats. He said that for a fall back, civic information can be put in empty slats. He said that multiple signs from a single builder can be allowed, subject to DRC approval; the copy does need to vary, however. In regards to the lease length, Commissioner Maher said the lease should be changed to one year to be able to adjust for current conditions. He also said that the leases all need to expire at the same time. He also said that there is not to be a limit to the amount builders can charge for each slat and that the signs need to stay consistent – no differing sizes.

The question was asked if the Planning Commissioners would approve advertising on the ladder signs.

Commissioner Bechtel said that she would rather see two differing signs from a builder.

Commissioner Maher agreed with Commissioner Bechtel that he would not like to see advertising.

Commissioner Linton said it isn't advertizing, it's assisting the builder [yes].

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Commissioner Dean said that the sign owners know who the builders are in Eagle Mountain and that the owners could contact the builders to fill a slot. There are only so many businesses that could fill the slot.

Commissioner Larrabee said that he is okay with a single advertisement on the bottom slat.

Mr. Mumford asked if smaller directional signs to the City Hall, Amphitheater, etc. would be allowed in the median. Commissioners Linton and Maher said that they don't want median signs. Commissioner Linton said that the sign owners can volunteer slats to the city for directional use, but he is uncomfortable with the city taking slats from the owners.

6. Other Business

A. Mountainland Association of Governments Open House

Mr. Mumford said that there is an open house on August 18th at 6:00pm in the Eagle Mountain City Council Chambers. He explained that this is regarding the West Lake Land Use and Transportation Visioning study.

7. Adjournment

Commissioner Maher adjourned the meeting at 7:37pm.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, SEPTEMBER 9, 2008 AT 6:00 P.M.

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

Commissioner Tom Maher called the meeting to order at 6:00pm.

Roll Call

Tom Maher, John Linton, Preston Dean, Karleen Bechtel, Craig Larrabee

Others Present

Scot Hazard, The Real Estate Group

Staff Present

Planning Director: Steve Mumford

Senior Planner: Mike Hadley

Planning Coordinator: Lianne Pengra

1. Pledge of Allegiance

Commissioner Maher led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

Mr. Mumford said that since the last Planning Commission Meeting a month ago, the Oquirrh Mountain Master Development Plan was approved at the City Council Meeting and the Master Development Agreement is now in process. He said that the Scenic Mountain Master Development Plan was discussed two City Council meetings ago and is on hold until the annexation agreement is finalized, which should happen mid to late October. He said that Majors Subdivision Final Plat was approved, as was the Antelope Meadows Lot 1 Final Plat and Development Agreement. He said that the Direct Communications Site Plan was pulled because the applicant worked something out with Scot Hazard to be in his building.

4. Approval of Minutes

A. August 12, 2008 Planning Commission Meeting Minutes

MOTION: *Commissioner Linton moved that the Planning Commission approve the August 12, 2008 Planning Commission Meeting minutes.*

Commissioner Dean seconded the motion. Ayes: 5, Nays: 0. Motion Passed

5. Development Items

A. Amendment to the Meadow Ranch Master Development Plan (Rezone) to include the Equine Overlay Zone in Meadow Ranch 5 – Public Hearing, Action Item

Mr. Mumford said that the Preliminary Plat and rezone to ½-acre lots was heard, discussed and recommended approval a month ago in the Planning Commission meeting. The rezone then went to City Council. The City Council held off on a motion until the Planning Commission heard and voted on the proposal to add the Equine Overlay Zone. It is the city attorney's opinion that this is the legal way to handle the rezone. Mr. Mumford explained that the Equine Overlay Zone allows for 2 horses or equine animals on a ½-acre lot.

Commissioner Maher asked if this overlay zone would need to be added to any other subdivisions with separate public hearings. Mr. Mumford said that it will need to be noticed and brought back to the Planning Commission for the Majors Subdivision. He said that staff may need to change the development code to allow the Equine Overlay Zone to go simultaneously with another application. He also said that the applicant

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allowed us to postpone this item to this meeting, rather than bring the Commissioners in for a one-item agenda at the previous meeting.

Commissioner Maher opened the Public Hearing at 6:08 pm and closed it for lack of comments.

MOTION: *Commissioner Linton moved that the Planning Commission approve the amendment to The Meadow Ranch Master Development Plan or rezone to include the Equine Overlay Zone.*

Commissioner Larrabee seconded the motion. Ayes: 5, Nays: 0. Motion Passed

B. Eagle Mountain Business Campus Plat B Final Plat – Action Item

Mr. Hadley said in April 2000, the Prairie Business Campus was recorded with five lots on the plat. Since that time, Lot 4 was split with the county. It was done so illegally because by state code, it needs to go through the subdivision process to be split. He said that this item makes the two lots a conforming subdivision. He said that the county will split and record any document they receive; they don't notify the city if this happens.

Mr. Scot Hazard said that they did not intentionally illegally subdivide the lot. He said that they gave an alternative legal description to the lender for collateral on the lot. It was to leave half of the lot unencumbered so they could bring this application through at a later date. He said that the County took the legal description as a subdivision and drew the line between the two lots. He said that they were not aware of the two lots until Dr. Gardiner started his application process for his Site Plan.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval of the Eagle Mountain Business Campus Plat B Final Plat to the City Council, subject to the following conditions:*

Utilities:

1. EASEMENT. A cross utility easement is shown on the plat.

Commissioner Dean seconded the motion. Ayes: 5, Nays: 0. Motion Passed

C. Antelope Meadows Lot 1 LDS Church

- o Site Plan – Public Hearing, Action Item
- o Conditional Use – Public Hearing, Action Item

Mr. Hadley explained that on June 10th, the Planning Commission saw this as a Preliminary & Final Plat. The City Council approved the Final Plat on August 19, 2008. This item is the LDS church coming back with the required Site Plan for the church building.

Mr. Hadley said that the landscaping plan along Eagle Mountain Blvd was approved with Autumn Ridge Phase 3. The LDS church has agreed to landscape along this road with the approved plan.

Commissioner Maher asked if the landscaping is up to the same standards as has been previously discussed with other LDS chapels. Mr. Hadley said that the Porters Crossing LDS church has been there for two years and the vegetation has filled in and looks nice there.

Mr. Hadley showed a landscape plan of the church site and showed the lawn areas around the building. He said that the church will need to provide fencing around the lot because of the residential development on three sides. He said that the applicant will also have to provide pedestrian access through the fencing to the church.

Commissioner Maher asked why the applicant is installing grass. He said his understanding was to cut down on grass and watering and install xeriscaping. Mr. Hadley said that when a little bit of grass is used instead of all xeriscaping, an aesthetic value is added. This plan does not have as little grass as the Lone Tree chapel. Commissioner Maher asked if the grass is scaled down enough to not waste water, and if the site will still look good, scale-wise since the lot is so large. Mr. Hadley said they will ensure it looks good. He said that they did like the evergreen spread around the parking and some of the edges of other chapels.

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Commissioner Linton said that the Lone Tree chapel's landscaping is not in line with The Ranches HOA CC&Rs. He said that he didn't think the LDS church wanted to put forward the look that is there.

Mr. Hadley asked if the applicants at the Lone Tree chapel used the approved CC&R rocks. Commissioner Linton said that the fact is the coverage. There is a percentage of coverage that the neighbors have to follow, but the LDS church in that neighborhood does not meet the standard. Commissioner Linton said that the HOA can send them a letter to request more landscaping, but the city has nothing to hold them to. Mr. Mumford said that this falls back on the letter the Building Department requests from the HOA when the applicant goes to build. It is a courtesy to the HOA, but legally, the city cannot enforce the HOA CC&Rs.

Commissioner Maher said that since this is a Conditional Use, we could put a requirement in to say they have to follow the CC&Rs. Mr. Mumford said he will check with the city attorney to see how far staff can go. He said that staff would like to ensure the landscape is up to par, rather than have the HOA need to enforce CC&Rs regarding landscaping.

Commissioner Dean asked if chain link fencing is allowed. Mr. Hadley said that the chain link was discussed in the DRC and the applicant is aware that it is not allowed.

Commissioner Maher opened the Public Hearing at 6:23pm.

Mark Mock, Majors Street resident. He said that he moved away to Eagle Mountain to not have the light pollution and the parking lot so close to his lot. He also said that he is concerned about the parking lot opening to the major street there. He is not opposed to the church, but he is concerned about it being so close to the street. He said that he doesn't see a lot of churches on main drags. He prefers that. People drive way too fast on that road.

Mr. Mumford said that the code requires for all lighting to be shielding downward, and it is not allowed to shine off of the property. He said that the code also requires a fence or wall and trees/landscaping around any church site in a residential area. The church will provide a fence all the way around the church.

Mr. Mumford said that in regards to traffic, the city engineer has approved the spacing standard for a minor arterial road access. He said that originally, the church was planned on the interior of the site, but now that lot is to be sold to the LDS church at a later time and this one is planned to be built now. Mr. Hadley said that since this is a stake center, the location is good for the larger groups.

Mr. Hadley showed a map and the different access points. He said that Majors Street will have an upgraded intersection there when SITLA land is developed.

Commissioner Maher closed the Public Hearing at 6:32pm.

Commissioner Bechtel said that she understands and appreciates Mr. Mock's comment.

Commissioner Linton said that he lives near a legacy stake center and it has caused him no harm.

Commissioner Dean said that the traffic will be the same no matter where it is. He said that typically, if there is a lot of traffic, it should be kept on the fringes of the neighborhood, rather than on the interior.

Commissioner Linton said that anywhere else in the state, the churches like to be visible and seen, but in Eagle Mountain, they seem to be tucked away.

Commissioner Larrabee said he has no additional comments.

Commissioner Maher said he'd rather see the traffic go to the main road, rather than through the neighborhood.

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

**EAGLE MOUNTAIN CITY
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TUESDAY, SEPTEMBER 9, 2008 AT 6:00 P.M.

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

MOTION: Commissioner Linton moved that the Planning Commission approve the conditional use permit and recommend approval of the Antelope Meadows Lot 1 Site Plan to the City Council, subject to the following conditions:

Engineering:

1. STORM DRAIN. The calculation for the storm drain are provided and approved by engineering.
2. LATERALS. 4" cleanouts are required for all laterals.

Fire:

1. FIRE HYDRANTS. Two fire hydrants are required.
2. LOCK BOX. A key lock box is provided and the riser and entrances keyed the same.
3. REVIEW. A 3rd party review of the sprinkler and alarm plans.

Planning:

1. TRAIL. The 8' asphalt trail needs to be located at the top of the berm closer to the lot, trees to be placed between the street and the path
2. LANDSCAPING. The landscaping along Eagle Mountain Blvd will be installed with the site plan.
3. PEDESTRIAN ACCESS. Pedestrian access is provided for the platted pathways into the church site.

Commissioner Larrabee seconded the motion. Ayes: 5, Nays: 0. Motion Passed

D. Development Code Amendments – Public Hearing, Action Item

Mr. Mumford said that they will discuss four motions in this item. The first section is added to allow minor modifications to approved final plats. He said that things that would cause the approval to go through Planning Commission and City Council would be an increase in lots or units, reduction of improved open space, changes to general street layout, or any major changes to the plat. He explained that the reason for this is that recently there have been very minor changes of final plats which have had to go through Planning Commission and City Council.

Mr. Mumford said that the second amendment is on open space requirements and calculations. He said that open space requirements and calculations have been hard for the developers to understand. He said the language that has been added just further explains the process of determining what the correct amount of required open space is; nothing is changing. Mr. Mumford then went over what amount of open space is required for the different Tier systems in the Bonus Density.

Mr. Mumford said that the third amendment is in the mechanical screening section. This is solely to add pictures of approved mechanical screening. Commissioner Maher said the pictures are good.

Mr. Mumford said that the fourth amendment is in regards to commercial monument signs. He said the purpose behind this amendment is to provide for aesthetic consistency throughout the city. He explained that the Mayor and city administration are strong proponents of this proposal.

Mr. Mumford showed signs that could possibly be built without any guidelines. He said that staff has prepared two options for the sign amendment. Option 1 is more rigid and requires the aesthetic consistency with minor variations which can be approved by planning Director, and major variations to go before Planning Commission and City Council.

He said that combined monument signs within Option 1 require stone, rock, or brick two feet high on the base and two feet wide, vertically along at least one side. He said that additional design elements may be considered to give uniqueness to a development.

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Mr. Mumford said that the real difference is that the first option is rigid and requires signs to be very similar to the example picture, and option 2 allows for the signs to be different between developments but similar within each development.

Commissioner Maher said that with option 2, businesses would have the ability to create a great sign that still meets the city's standards.

Mr. Mumford said that this was pushed for by city for consistency. He said that there can be very attractive signs that don't necessarily fit the look of option 1.

Commissioner Bechtel said that if option 2 is chosen, how much latitude the builder has. Commissioner Maher said that it is talking about how the materials are used, not what materials are used. Also, the size has to stay consistent.

Commissioner Maher opened the Public Hearing at 6:45pm.

Ms. Nicki Wickman, 2766 Fort Hill Road. She said that it is not related, but she would like to present something to City Council and wanted the Planning Commissioners' opinion. She said that Spanish Fork has set up a wind turbine farm and sells the energy created to the people in the city. She asked if that is possible to do here in Eagle Mountain.

Commissioner Maher said that he has a neighbor who looked into putting a wind turbine in, but that it is not windy enough to be profitable. Mr. Mumford recommended Ms. Wickman speak with Adam Ferre in the Energy Department.

Commissioner Maher closed the Public Hearing at 6:50pm.

Commissioner Dean said that Eagle Mountain is so big and we don't know how development will run, so he doesn't feel that they should set specific rules.

Mr. Mumford said that option 2 does require substantial conformance with the combined monument signs, but allows for change in the individual signs.

Scot Hazard said that businesses like Maverik would need room to do proper and adequate signage. He also said that he does have approval on signs right now which aren't built yet. He wanted to know if those permits will they still be good.

Mr. Mumford said that sign permits work the same as other permits in the city in that there is no expiration date. If he has approval, he won't be required to change the signs to match the new development code. He also said that within a development, combined signage would need to look similar to the picture in the proposed amended code.

Mr. Mumford explained that the amendment allows for monument signs to be five feet tall, another foot higher than is currently allowed. He said that the city still doesn't allow pole signs, but they do allow for building signs as long as they meet the city's standards.

MOTION: Commissioner Linton moved that the Planning Commission recommend to the City Council approval of the following proposed amendments to the Eagle Mountain City Development Code:

TITLE 2, CHAPTER 5 (Final Plats).

TITLE 1, CHAPTER 6 (Residential Zone Bonus Density Entitlements).

TITLE 1, CHAPTER 24 (Commercial and Multi-Family Design Standards).

TITLE 1, CHAPTER 16 (Sign Regulations) – With only Option B to be presented to City Council.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, SEPTEMBER 9, 2008 AT 6:00 P.M.

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

Commissioner Dean seconded the motion. Ayes: 5, Nays: 0. Motion Passed

6. Other Business

None.

7. Adjournment

Commissioner Maher adjourned the meeting at 6:56 pm.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, SEPTEMBER 23, 2008 AT 6:00 P.M.

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

Commissioner John Linton called the meeting to order at 6:11pm.

Roll Call

John Linton, Preston Dean, Karleen Bechtel

Others Present

Staff Present

Planning Director: Steve Mumford
Senior Planner: Mike Hadley
Planning Coordinator: Lianne Pengra

1. Pledge of Allegiance

Commissioner Linton led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

- o Antelope Meadows Lot 1 LDS Site Plan
- o Mt. Airey Final Plat
- o Simpson Springs Final Plat
- o Meadow Ranch 5 Rezone
- o Development Code Amendments

Mr. Mumford explained that the Antelope Meadows Lot 1 LDS church site plan was approved after discussion in the work session. He said that the final plats for Mt. Airey and Simpson Springs were both approved. He explained that these were taken back as just the final plats on the recommendation of the city attorney. He said that the Meadow Ranch 5 Rezones were both approved, as were the Development Code amendments. He explained that on the signage amendment, the City Council added a note that the color and style/format of the lettering did not have to match the picture. He said that they also clarified that "walking distance" means 1,320 feet, or ¼-mile in the Bonus Density amendment. Also, on the minor changes to approved Final Plats amendment, City Council added that if the changes had to do with transitioning, they must be reviewed by the City Council.

4. Approval of Minutes

- A. September 9, 2008 Planning Commission Meeting Minutes

MOTION: Commissioner Bechtel moved that the Planning Commission approve the September 9, 2008 Planning Commission Meeting minutes.

Commissioner Dean seconded the motion. Ayes: 3, Nays: 0. Motion Passed

5. Development Items

A. Eagle Point Chapel A Preliminary and Final Plat – Public Hearing, Action Item

Mr. Hadley showed the location of the chapel and noted that it is located within Eagle Point Plat I and Plat J. Plat I has been recorded and Plat J has not been recorded but is approved. He explained that the applicant is proposing to vacate five lots from Plat I and when they come back with Plat J, the applicant will need to do a preliminary plat as well as an updated final plat.

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Mr. Hadley explained that water rights were given for the five lots when Eagle Point I was recorded. The city staff will figure the amount of water rights for those five lots and the water rights needed for the church plat. He said that staff will let the applicant know if they have a credit or need to supply more water rights.

Mr. Hadley went over the other recommended conditions of approval and explained that when the applicant finished roads, staff wants to ensure the connections are patched and the sewer and water lines are sufficient.

Commissioner Linton asked when the water rights calculations would be ready for the applicant.

Mr. Hadley said that he will get it from Mr. Trusty. He anticipates that the city will be crediting the applicant back.

Commissioner Linton opened the Public Hearing at 6:19pm and closed it due to lack of comments.

MOTION: *Commissioner Bechtel moved that the Planning Commission approve the Preliminary Plat and recommend approval of the Eagle Point I Chapel Plat A Final Plat to the City Council, subject to the following conditions:*

Engineering:

1. UTILITIES. All existing utilities must be capped at the main line.
2. T-PATCH. Road will need to be t patched with a slurry seal over road after patches.
3. WATER METER. A landscape water meter will need to be installed.
4. WATER LINE. Existing $\frac{3}{4}$ water line needs approval from City engineer.
5. SEWER. Existing 4" sewer line approved by city engineer.

Utilities:

1. DRY UTILITIES. A dry utility plans needs to be prepared and approved by the energy department.

Planning:

1. PLAT. The plat title box needs to have the correct wording.
2. EAGLE POINT J. Eagle Point J will have to be resubmitted for re-approval.
3. LANDSCAPE PLAN. A landscape plan will need to be submitted with the site and approved by City staff.

Commissioner Dean seconded the motion. Ayes: 3, Nays: 0. Motion Passed

B. Family First Dentistry Site Plan – Public Hearing, Action Item

Mr. Mumford explained the location of the site. He said that the building is located in the SE corner of the lot. He explained that the applicant purchased property from Monte Kingston's group to be able to put the building back to comply with setbacks. He said that they are relocating the utility easement; they are working out the location and size of the easement. He explained that this will be resolved before the City Council Meeting. He explained that Scot Hazard is working with Adam Ferre on the dry utilities as well.

Mr. Mumford said that the applicant does meet the parking requirements. He showed the existing parking and explained that in order to make traffic flow better, one of the parking lot islands and a light pole will be moved.

Mr. Mumford showed the elevations and explained that the building does meet the design guidelines. He said that the applicant has a lot of different roof line heights, slopes, and well defined entrances; it is a well-designed building.

Mr. Mumford said that in the last City Council meeting, the sign ordinance amendment was approved. The sign for this Site Plan will need to have two feet of stone at the base of the sign and not exceed the height requirements. He said that the applicant designed the sign to fit with the other signs in the vicinity.

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Mr. Mumford showed the landscape plan with the pond, water feature, benches, etc. He said that this is well-designed for the site. He said that the grass area noted is potentially a future phase of the building which is why there are not many trees or other vegetation in that area.

Mr. Mumford explained that he feels they have addressed the shielding of the parking, mechanical, and garbage area. He also said that the 1-lot subdivision that this building is going in on will need to be approved before this application can be finalized. He expects this to happen at the next City Council meeting.

Commissioner Bechtel asked if the setback issue was resolved. Commissioner Linton said that he understood it was in the works. Mr. Mumford said that a strip of land is under contract to purchase which the building will be built on. He explained that setbacks can vary in the commercial zones. The issue under discussion is the storm drain easement. The applicant is talking with Monte Kingston, the DRC, and the city engineers to determine the best place for the easement. He said that if this is not resolved or becomes an issue, they will not take this application to the City Council meeting.

Commissioner Linton opened the Public Hearing at 6:29pm and closed it due to lack of comments.

Commissioner Dean asked if the first landscape issue was resolved. Mr. Mumford said it was. Commissioner Dean asked if the item #2 under Building in the conditions was an issue. Mr. Mumford said that it is a general condition and was not an issue. Commissioner Dean complimented staff on the completeness of the site plan application.

Commissioner Linton said that the building is nicely designed and he likes that it is in the front of the city.

MOTION: *Commissioner Bechtel moved that the Planning Commission recommend approval of the Family First Dentistry Site Plan to the City Council, subject to the following conditions:*

Engineering

1. **SEWER LINE LOCATION.** Concerned with sewer line location. Work with Chris Trusty on best location.
2. **WATER RIGHTS.** Water right calculation to be submitted to Chris Trusty.
3. **EASEMENT.** We need documentation for the storm drainage utility easement with property owners' signatures.

Planning

1. **WATER RIGHTS.** Water must be confirmed by our attorney.
2. **LANDSCAPE PLAN.** Revised landscape plan required, including buffering along south property line and screening of mechanical equipment. All landscaping must be installed (with irrigation) prior to Certificate of Occupancy being issued.
3. **SUBDIVISION.** The proposed subdivision that legalizes this parcel must be approved by City Council prior to this site plan receiving final approval.
4. **SIGN.** The sign shall meet all requirements of the Development Code.

Energy

1. **UTILITIES.** This site does not have three-phase power to the site. A dry utility plan showing proposed power must be submitted and coordinated with Adam Ferre.
2. **EASEMENT.** Satisfactory realignment of the City Utility Easement

Building

1. **DRAINAGE.** Rooftop drainage must be controlled away from the building.
2. **HVAC.** HVAC not to be located on street, and must be shielded.

Commissioner Dean seconded the motion. Ayes: 3, Nays: 0. Motion Passed

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PLANNING COMMISSION MEETING MINUTES**

TUESDAY, SEPTEMBER 23, 2008 AT 6:00 P.M.

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C. Disposal of Public Open Space – Action Item

Mr. Hadley said that these two applicants are neighbors and are applying together. He explained that in 2002, the city updated the land disposal ordinance. At this time, maps were attached which designate potentially disposable areas of the city. The thought process behind adding these corners was to square off lots while keeping the open space area.

Mr. Hadley showed the location of the requested land. He said that land needs to be deemed significant or insignificant before it can be disposed. He said that staff feels that the three criteria allow this piece of land to be classified as insignificant are that the city has no plans to develop this land; the land has no cultural, ecological significance; and deeming it insignificant would not cause any violation of the Development Code in surrounding parcels.

Commissioner Linton asked why the price to be paid is not filled in. Mr. Hadley said that City Council makes the determination of what the price is. The last land disposal was \$0.06/sq ft. He explained that a set price is not codified. The ordinance states specifically that the City Council decides the purchase price.

MOTION: Commissioner Bechtel moved that the Planning Commission recommend to the City Council that the open space area of the Mountain View Phase 3 subdivision described be classified as “Insignificant,” for the purpose of disposing of property owned by the City, based upon the criteria contained in Ordinance O 11-2003.

Commissioner Dean seconded the motion. Ayes: 3, Nays: 0. Motion Passed

MOTION: Commissioner Bechtel moved that the Planning Commission recommend disposal of the open space area of the Mountain View Phase 3 subdivision described 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. **LAND COST.** That the price to be paid for the land is _____ dollars (to be determined by City Council).

Commissioner Dean seconded the motion. Ayes: 3, Nays: 0. Motion Passed

6. Other Business

Commissioner Linton asked what is on the next Planning Commission. Mr. Mumford said that they expect the Coop's Market applications will be on the next meeting, as well as Hidden Valley Master Plan – 5,600 units with a mix of building types and densities. He said that it is possible a group home application will be on the agenda, as well as another signage code change.

7. Adjournment

Commissioner Linton adjourned the meeting at 6:39pm.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA**

TUESDAY, OCTOBER 14, 2008 AT 6:00 P.M.

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

Commissioner Tom Maher called the meeting to order at 6:03pm.

Roll Call

Tom Maher, John Linton, Preston Dean, Karleen Bechtel

Others Present

Mr. Nate Shipp, DAI and Coop's Marketplace
Mr. Steve Minor, VP of Associated Foods
Mr. Phillip Cooper, President of Coop's Marketplace
Mr. Ryan Bybee, Cadence Capital
Mr. Mark Nuszer, Nuszer Koptaz
Mr. Scott Kirkland, Sage Communities
Mr. Fred Peeples, Kidwelly Court

Staff Present

Planning Director: Steve Mumford
Senior Planner: Mike Hadley
Planning Coordinator: Lianne Pengra

1. Pledge of Allegiance

Commissioner Maher led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

- o Eagle Mountain Business Campus Final Plat
- o Eagle Point I Chapel Plat A Final Plat
- o Family First Dentistry Site Plan
- o Land Disposal Applications

Mr. Mumford said that at the last City Council meeting, the Eagle Mountain Business Campus Final Plat to fix the illegal subdivision issue was approved, along with the Family First Dentistry Site Plan and the Eagle Point I Chapel Plat A Final Plat. He said that both of the Land Disposal applications were approved and one of the Land Disposal applicants has turned in his paperwork to complete the application.

4. Approval of Minutes

September 23, 2008 Planning Commission Meeting Minutes

MOTION: Commissioner Linton moved that the Planning Commission approve the September 23, 2008 Planning Commission Meeting minutes with the changes below:

1. Commissioner Linton led the Pledge of Allegiance
2. The Hidden Valley Master Plan mentioned in Item 6, Other Business, may contain 5,600 units, not 55,000.

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Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed

5. Development Items

A. Coop's Market Rezone, Master Site Plan, Site Plan, Conditional Use Permit, Preliminary Plat, and Final Plat – Public Hearings, Action Items

Mr. Mumford said that there are six applications for Coop's Marketplace. He said that he did let the Planning Commissioners and the applicant know that there are a few changes to staff's recommendations. He said that they are still recommending approval for the Rezone and the Preliminary and Final Plats. They are still recommending approval for the Master Site plan, even though staff did not receive elevations for any other buildings other than the grocery store. He said that since the Master Site Plan should be approved with the store's site plan, staff is recommending that be approved with the grocery store's elevations, materials, colors, style and theme as a standard example for the other buildings to come. Staff is changing their recommendation for the Conditional Use Permit from recommending approval to tabling that application to come back with the other individual Site Plans.

Mr. Mumford said that the rezone contains 20.95 acres located north of Ranches Parkway intersection with SR-73. He said that it is designated as Mixed-Use Commercial on the Future Land Use Plan. Mr. Mumford explained that for rezones applications three criteria are considered. The first is Compliance with Future Land Use Plan and this project does comply. The second is Compatibility Determination and staff does consider this compatible with the area as it is along a major intersection as well there being Commercial land directly across the street to the south. The third is Buffering of Incompatible Uses. He explained that this proposed rezone is far away enough from the residential lots that there are no requirements for lot size transitioning. There are no requirements for buffering between Commercial and Agricultural zones. He explained that they are recommending approval for the Rezone.

Mr. Mumford explained that a Master Site Plan is required for a Commercial, Multi-family, or Industrial development larger than five acres. He said the Coop's Market building is planning on going in as soon as they are approved. The other buildings will wait until their individual site plans are approved.

He said they compared this plan with the Commercial and Multi-family Design Standards in the code; overall, it is planned very well. He said that the only thing that does not comply specifically with the standards is that parking is shown between the grocery store and Ranches Parkway, and there is parking along SR-73 to the south of the pad sites. He said they would recommend the southern row of parking be moved to the north. He understands that they would lose some parking, but in order to best comply with the design standards, it is recommended. He said that the parking on the west side does make sense since there will be a drive-through there and the grade difference helps as well.

Mr. Mumford said that they met with Mike Jackson of Associated Foods. They do have a well-defined entrance and the roof line does vary a bit, horizontally and vertically. He said that the larger columns on the front do stick out a few feet. He said that some of the rear elevation will be visible eventually, but there is a substantial grade difference of 12 feet which will help buffer. He explained that the applicant did add a few things to the roof line.

He said that the mechanical equipment will be housed in a structure behind the grocery store.

Mr. Mumford said the parking lot landscape plan has been changed to include the "fingers" there. The applicant will need to add trees or shrubbery; staff does require at least one tree in those fingers. He said that the applicant

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has also added landscaped medians along Ranches Parkway with trees and sod. He said that the park strips will be six feet instead of four feet to provide for a better buffer between the street and pedestrians on the sidewalk.

Commissioner Maher asked if the park strips would be bermed. Mr. Mumford said that there is a grade difference along some of the areas. Commissioner Maher asked the applicant what the grade was. Mr. Mumford said that even if it is three feet, the landscaping should be enough. He said that three and a half feet of berming, landscaping, or fence is required.

Mr. Mumford said that the trash enclosure for Pad B is located toward SR-73, but there may not be a better place to put it. He said that if that is the best location, it will need to be shielded.

Mr. Mumford said that commercial project setbacks can vary according to code. He said recommended setbacks are 25 feet on the front, 50 feet on the sides (if adjacent to an Agricultural zone), 20 feet on the rear; for roadway, driveway, and parking spaces, the setback is ten feet. Mr. Mumford said that the rezone is further east and west of the site plan being considered. As this is the case, the setbacks are a non-issue since it will be surrounded by commercial zoning. He said that the code does require ten feet to allow for sidewalks and foundation landscaping. He said that on the rear of a few buildings and the east and west sides have a smaller setback. He explained that he does not know if there is much room to provide more space. He said that it would be appropriate if the applicant can put a sidewalk or six feet of landscaping there.

Mr. Mumford said that overall, 496 parking stalls are provided. This is 64 more than required by the code. Commissioner Maher asked if that was after the change. Mr. Mumford said it wasn't, so it may be three less. He explained that Planning's concern is that too many extra stalls are provided and it may cause an empty parking lot such as big box stores. He said that since this is the first grocery store in the area, they may not have the problem, but they do want to limit the amount of vacant asphalt.

Mr. Mumford then showed aerial pictures of the area, as well as some of the application pictures.

Mr. Mumford went over the striping of the intersection of Ranches Parkway and SR-73. Commissioner Maher asked how much further west the second lane goes after this site. Mr. Nate Shipp said it will go for 300 feet as an acceleration lane.

Mr. Mumford showed the site plan and explained what parking stalls staff is recommending moving.

Mr. Mumford said that overall the lighting plan keeps the light on the property and with the elevation change, it won't extend to the homes to the north.

Mr. Mumford showed the development code regarding parking layout in commercial sites similar to Coop's Marketplace. He then showed the elevations for Coop's Marketplace. He said they use a mixture of brick, two types of CMU, and differing vertical sections. He also showed the western side of the building and the added architectural items. He said that overall, staff feels it will be an attractive building. The rear of the building won't have nearly the amount of detail as the front, but it will have the variation of colors of the CMU.

Mr. Mumford showed the rear and east side elevations. He said that the east side will be virtually invisible when the other sites are developed. He said that the rear should be differing in colors and materials as well, not just a white façade.

He said that overall, the landscape plan does conform to the code. The applicant did add items that staff recommended previously.

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Mr. Mumford said that the applicant planned to have an alleyway-type walkway for emergency exit purposes which is five feet wide. Staff feels it is too close; they feel it needs to be wide enough for people to feel safe. A member of the audience said that there will actually be no break with a walkway through there.

Mr. Mumford showed a sign example of what kind of sign the applicant will be using; the applicant is still deciding what they are going to do.

Mr. Nate Shipp, DAI and Coop's Marketplace. He said that he is excited to bring a market to Eagle Mountain. He said that they have gone back and forth with staff on the parking. He said that parking is a big deal to the applicant. He understands the standards of the city, but the standards of any other retail store are higher than the city's standards. He reiterated that parking is a big deal.

Mr. Steve Minor, VP of Associated Foods. He said that they supply 400 stores in the intermountain west area. He said that they have had a lot of experience with grocery store development. He said that parking is important to consumers. He explained that they aren't putting smaller stalls in to increase the amount of parking; they have made sure the stalls are 9.5 foot stalls. He explained that they require 4.5 to 5 stalls per 1000 square feet. He said that where there are more SUVs, trucks and campers, people will take more than one stall during peak times. He would like the customers come to this store rather than Wal-Mart. He explained that if the developer doesn't propose 4.5 to 5 stalls per 1000 square feet, they turn down the project. He said that adequate parking correlates with gross sales. He said they feel the parking is critical to the success of the grocery store as the community grows and develops. Commissioner Maher asked what the ratio was currently. Mr. Minor said they are right at 4.5. Commissioner Maher asked what the theme of the store is; what makes it different from other grocery stores. Mr. Minor said that they had to unite The Ranches, City Center, Cedar Fort and those along SR-73.

Phillip Cooper, President of Coop's Marketplace. He said that they will have a test kitchen on the upper mezzanine level, as well as an elevator. He said that the test kitchen will be used to teach and will be open to the public. It will also have a conference room the local community can use and a seating area. He said that they will also have a green building; they would like to eventually put in solar panels on the roof and a recycling center for the local community as well. Commissioner Maher asked about the creativity on the inside. Mr. Cooper said that the interior will be more upper-class. The inside will be more three-dimensional on the walls, rather than just painted. He said that the produce department will be designed like a barn. He said that they will encourage the local farmers to sell their products at this store. He said that they will also have a convenience area in the front of the store with bread, milk, etc. Commissioner Linton asked why the standard shopper will want to come here rather than Smith's. Mr. Cooper said that the location will help, as well as choice. He said that their price point will be very close to Smith's. Commissioner Bechtel said that they are excited to have the grocery store nearby.

Commissioner Maher opened the Public Hearing at 6:55pm and closed it due to lack of comments.

Commissioner Bechtel asked what exactly will be finished initially. Mr. Shipp said that lot 2 (the grocery store) will be build first. Commissioner Bechtel asked what part of the parking will be completed. Mr. Shipp said that all of the parking in lot 2 will be finished.

Commissioner Linton said it looks like there are 417 stalls. He said that he anticipates the store will want all of those parking stalls completed immediately for the good of the market. He asked the applicant for clarification on that. Mr. Shipp asked if he was counting the stalls in lots 3, 4, 5, and 6. Commissioner Linton said he was looking at the preliminary landscape plan to count the stalls. Commissioner Dean said the site plan was not clear as far as where the lots are in regards to parking. Mr. Shipp said that stalls for lot 1 and lot 2 should be finished

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immediately. He said that they will cap the others with gravel. The others will be completed as they can secure tenants.

Commissioner Bechtel asked about the access from SR-73 on the east side. Mr. Shipp said that will be part of the phase that includes the end cap. He said they will have temporary access there for fire code, but the main access will be a single access until the center is complete.

Mr. Shipp said that there is a grade change of 6-8 feet from SR-73 to the finished grade of the parking area. He said that driving down the road, people won't be able to see the lot. Commissioner Maher said that between the landscaping and the elevation change, they should be virtually hidden.

Commissioner Maher said he understands what Mr. Mumford is saying on design, but he is okay with the applicant's parking because of the grading and landscaping. Commissioner Linton said the difference in elevation solves the problem. He does want to make sure the grocery store has as much parking as they can.

Commissioner Dean said that he doesn't have a problem with the parking, either, due to the elevation change. He asked what the city code was regarding the number of stalls for a grocery store. Mr. Mumford said it is one stall per 200 or 250 square feet, so it is right at what the applicant wants. He said that on the plan from the applicant, it shows 5.4 stalls per 1,000. Mr. Shipp said that they hope to have a gas component eventually which will take up some stalls. The gas component would leave the store with the 4.5 ratio.

Commissioner Bechtel asked about who tests the compaction. Mr. Mumford explained that the Engineering and Public Works Departments inspect the infrastructure. He said that they have received a geotechnical study which is reviewed by the City Engineer. Also, the Building Inspector is involved during the process.

MOTION: Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the proposed Coop's Marketplace Rezone.

Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed

MOTION: Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the proposed Coop's Marketplace Site Plan (The Coop's Marketplace site only) subject to the following conditions (only those that apply to the grocery store site plan):

Engineering

Ranches Parkway:

1. City standards require half width plus 10 feet. This will require the installation of the median on the north end of Ranches Parkway.
2. Medians on Ranches Parkway to be irrigated and landscaped.
3. UDOT approval and permits will be required for road cuts, and improvements to SR 73
4. Drop manholes are not allowed. The sewer design will need to be revised to eliminate the drop manhole.
5. Manhole #8 is shallow. Does this allow for enough future expansion?
6. Is "D" access included in this phase? It is shown on the striping plan, but not on the site plan.
7. Because the detention pond drains directly into the City system, the bottom of the pond will need to have grass to reduce storm drainage pollution.

Coop's Market:

8. Please provide the City with copies of the geotechnical report, and storm drainage detention/conveyance calculations.

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9. Provide “snout” debris separators at inlet locations, or with a “vortex” system at the point of discharge into the City system.
10. The grocery store will require a grease trap.
11. All stubbed utilities to be marked with a painted 2x4.
12. Provide a trench section detail. All backfill material to be imported or properly crushed and screened native materials, meeting A1/A2 grading classifications.
13. Maintain a minimum of 12 inches vertical separation between utilities.
14. Are the grease traps sufficient?

Planning

1. Park Strip on Ranches Parkway are too narrow – must be more than 4 feet wide to better support the trees. At least 6 – 8 feet.
2. Median must be landscaped with trees and vegetation. Submit a revised landscape plan showing the specific plants, groundcover, etc. for medians and park strips.
3. All handicapped accessible parking stalls to be 10’ wide x 20’ deep per Dev. Code. Submit revised plans.
4. Additional landscaped island required in row of 23 (northeast portion of site) and 2 islands in front of Retail A, B, and C (minimum every 12 parking spaces).
5. Provide berming and/or headlight screening along Ranches Parkway and SR 73. Headlight screening is required between parking and a street and must be at least 3.5 feet high.
6. Parking adjacent to S.R. 73 does not comply with the Design Standards. Parking should be moved to the north to be in line with the pad site buildings.
7. Trash enclosure detail required. Move the dumpster if possible, and screen it with an appropriate enclosure (matching the adjacent building in color and materials) and landscaping/vegetation.
8. Submit remaining materials that are still required.
9. Application fees shall be paid.
10. Signage shall be submitted for administrative approval and shall comply with the Development Code.
11. Details of lighting fixtures shall be submitted for administrative review. All lighting shall be shielded and directed downward.
12. Development Agreement application shall be submitted.

Fire

1. Fire hydrants as marked on the plans.
2. Fire sprinklers required with a preliminary flow test.
3. Third party review for sprinkler plan through city approved providers.
4. The alarm system also needs to be monitored by an off site source.
5. Fire extinguishers need to be installed throughout the store. One 2A10BC extinguisher located every 75 feet of travel.
6. A hood system is required to be installed in Deli areas that have grease laden vapors (frying taking place).
7. A lockbox shall be located near the fire riser area and also at the entrance to the alarm system location (Alpine Lock).
8. Access maintained to the front of the store with red curbing and signage “Emergency Access No Parking.”
9. Make sure hydrants are in prior to any combustible construction.

Building

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1. Grease removal system – we need to be familiar with it. Needs to be an approved system.
2. 2006 Energy Code (Not 2003)

Energy

1. Dry utility plans to be coordinated with Les Bell (City's Consulting Engineer). Set up a meeting with Les Bell (255-1111).
2. Easement on the north side of the property to be 10 feet minimum, not the 6 feet proposed.
3. Confusion with bids, changes, etc. on electrical site design and costs. Les possibly has better numbers.

Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed

MOTION: *Commissioner Linton moved that the Planning Commission approve the Coop's Marketplace Master Site Plan and Site Plan.*

Commissioner Bechtel seconded the motion. Ayes: 4, Nays: 0. Motion Passed

MOTION: *Commissioner Linton moved that the Planning Commission table indefinitely the Coop's Marketplace Conditional Use Permit in order to consider it with additional matters in the future.*

Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed

MOTION: *Commissioner Linton moved that the Planning Commission approve the proposed Coop's Marketplace Preliminary Plat subject to the applicable Site Plan Conditions of Approval, as well as move the Planning Commission recommend approval to the City Council the proposed Coop's Marketplace Final Plat subject to the applicable Site Plan Conditions of Approval with the parking lot as drawn and presented by the applicant.*

Commissioner Bechtel seconded the motion. Ayes: 4, Nays: 0. Motion Passed

B. Hidden Valley General Plan Amendment & Master Development Plan – Public Hearings, Action Items

Mr. Mumford said that there are two applications with the project: the General Plan Amendment and the Master Development Plan. The General Plan Amendment is required because of the proposed densities. He explained that currently, the majority of the Hidden Valley area is designated Rural Residential – larger lots developed with rural infrastructure improvements, similar to Cedar Pass Ranch, North Ranch, and Meadow Ranch. He explained that the applicant needs it changed to Mixed Use Residential to allow for the mix of housing types, densities, and small-scale commercial that the applicant is proposing.

Mr. Mumford showed the existing plan and the proposed plan from the applicant. He explained that staff is recommending that the Planning Commission approve the General Plan Amendment and table the Master Development Plan be tabled after discussion.

Commissioner Maher asked Mr. Mumford to explain from a planning standpoint what is attractive about Mixed Use Residential. Mr. Mumford said that at a conference today, a speaker was discussing population and housing type changes and projections in the future (to 2040). He said that the projections are that housing will see a decrease in homes occupied by families and an increase in adults-only, couples-only and single person-occupied homes. He said that the market is moving from single-family

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lots to a mixture of uses and building types. He said that it is a smart growth planning principle to have a mixture of housing types within a community and within a neighborhood.

Mr. Mumford showed the location of Hidden Valley. Commissioner Maher said it looks as though there could be many homes/dwelling units built before the roads catch up with the development. Mr. Mumford said that a traffic study was submitted and reviewed by the City Engineer. He said that he believes a light may go in at the intersection of Pony Express and the Hidden Hollow Elementary School. He explained that it will be developed in phases, which the traffic takes into account. Commissioner Linton said that there doesn't appear to be any other way east other than Pony Express and he fears it may look like Lehi's Main Street. He asked if there were any other routes. Mr. Mumford said that Pony Express Pkwy has a future expansion possibility of 4 lanes total. Someone in the audience said he thought it was to be six lanes. There were other indistinguishable comments from the audience. Mr. Mumford verified that Pony Express Pkwy is a minor arterial, 124 feet wide. There were more indistinguishable comments from the audience about the number of lanes along Pony Express.

Mr. Mumford showed the layout of the development and where the different tiers were located, as well as the church and school sites. He explained that there is a total of 1237 acres in the area; the proposal is for 5648 residential dwelling units for a gross density of 4.6. He went over the numbers of each type of housing and their densities.

Mr. Mumford then showed the different phases and the Parks and Open Space plan. He explained that the applicant has pulled a majority of the units off of the ridge line and replaced them with trails and lookout points. He said that overall, the Parks and Open Space plan is geared towards the trails and that later on, the applicant will need to define what type of trails are being proposed and their locations.

Mr. Mumford said that according to the Development Code, the required improved open space is 121 acres based on the applicant's proposed density. He said that 95.4 acres (including the acreage of the trails) is shown on the applicant's plans for improved open space. He explained that staff's recommendation is to add improved park space large enough for recreational uses within the community.

Mr. Mumford then went over the Slopes Plan. He said that the majority of the 25+% slopes are on the native open space areas, but there are several areas that include 25% slopes in planned development bubbles. He said they recommend either changing the plan or somehow making the applicant aware throughout the process that those areas cannot be developed.

Mr. Mumford said the applicant is proposing street cross-sections for streets that vary from the City's standards in the widths and uses within the cross sections. He said that his concerns are that some of the trails are shown as six feet when the trail standard is eight feet, and some of the park strips are five feet, but larger trees need six to eight feet. He said that the City Engineer had an issue with the 2-lane local street that had a total ROW width of 47 feet. He explained that the issue there is the snow removal and where to put the snow.

Mr. Mumford said that mixing housing types and densities is good and there are some areas in the applicant's plan that show too many units of the same type with the same general density. He explained that some areas show 400-500, or 700 units of the same kind.

Mr. Ryan Bybee, Property Owner. He said that it is a unique piece of property with the geography. He said in regards to the improved open space, each of the individual pods will provide their open space as required by the code when they come through with platting. This is not shown on the plans. He

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explained that if those are added in, they are at about 135-140 acres of improved open space. He said that on top of that, they have their trails system. These trails provide access the ridgelines where there are about 40 acres of property below 15% grade. He said that they've opted not to build there and so they think there could be a bit of credit there.

Mr. Bybee said that in regards to the not building on 25+% grade, there are minor areas in some pods that will need to be graded out. He explained that it has always been their intent to avoid the ridgelines and avoid the view areas. Commissioner Linton clarified that they will not be developing on 25+% graded slopes.

Mr. Mark Nuszer, Nuszer Koptaz. He said that in the upper Hidden Valley where the arterial is making a sharp curve, geography is dictating what they are putting there. He said this is the tier two area with larger lots going towards the unbuildable areas. He said that he does agree with mixing home styles, but they don't want to disturb the steep slopes. He said that they don't want to build 900 townhomes because it causes the builders to fight each other for sales. He showed a few different types of townhomes they want to put in tier three and tier four bubbles.

Mr. Nuszer said that they are asking for a 28-foot cross section for the local streets. He said this provides the same fire lane that would be provided on a standard 36-foot wide public street. He said that standard streets have parallel parking on the sides with a 20-foot lane down the middle. He said they are providing parking on one side with a 20-foot lane in their 28-foot streets. He said when it starts to snow, it is piled on the parking strip and then onto the parallel parking lane.

Commissioner Maher asked Mr. Mumford where Mr. Trusty was on that issue. Mr. Mumford said that it may need to be discussed more with Mr. Trusty. He said that that the local streets have 28 feet of asphalt – two 10-foot lanes and one 8-foot parking stall. He said with the applicant's street being 27 feet, as long as it provides the same fire lane and enough room for two lanes of traffic, it should work.

Mr. Scott Kirkland, Sage Communities. He said that they didn't get credit for Mt. Airey Village or Simpson Springs' on-street parking.

Mr. Bybee said that in speaking with Mr. Trusty, he found that the main problem Mr. Trusty had was with the #11 parking cross section they provided. He said that they've spoken with Mr. Trusty and this cross section only applies to one area in the Master Plan.

Mr. Bybee said in regards to the issue City staff has with the trail widths, their plan was to take the trails from around the streets and put them up in the hills so people can be where they want to hike and bike.

Commissioner Linton asked if a 6-foot width on a trail is acceptable to the applicant since they are putting so many more yards of trail in. Mr. Bybee said that their trail widths go anywhere from an 8-foot width to a single-lane bike track. He said the main trail corridors are eight feet wide and as they go out, they get narrower.

Mr. Kirkland asked Mr. Mumford if he was referring to 6-foot sidewalks as trails. Mr. Mumford said he was referring to the areas on the 2-lane arterial and the 3-lane community entry collector roads. He said that a majority of the collector and neighborhood streets are showing a 4-foot sidewalk which is pretty standard. He said that the trails along Pony Express/Sweetwater and along Ranches Parkway are all eight feet and they are all along the arterial roadways. He said the main issue was that a 6-foot sidewalk rather

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than an 8-foot trail was shown along Hidden Valley Pkwy. Mr. Kirkland said that the 6-foot trail/sidewalks are not the trail system; they are widened sidewalks.

Commissioner Maher said that they just want continuity on the 8-foot trails along major streets. Mr. Mumford said that the standard for the city on collector and arterial roads is to have an 8-foot sidewalk with a park strip.

Commissioner Maher said it seems that rather than tabling the item, they can write in the five conditions discussed in the approval.

Commissioner Dean asked about the additional open space. Mr. Mumford said that in the Scenic Mountain and in others, the city has required the applicant to show the open space on the plans within the tier four and tier three areas. He said he would like to verify the open space in these developments before he recommends approval. Mr. Bybee said that he feels he could address that on the Development Agreement.

Commissioner Maher asked Mr. Mumford the best way to remedy this. Mr. Mumford said to either require a condition that they show bubbles on the map in the tier three and four areas that shows acreages (like in Scenic Mountain), or just require that the open space meets the requirements of the code and that is to be verified by city staff. He said that they can then verify the numbers to ensure they work. He said that from what is on the plans, the applicant does not comply. He wants to make sure that it is taken care of now, rather than when the final plats come in for approval.

Mr. Kirkland said that Scenic Mountain is forty acres and each one of the bubbles on Hidden Valley are probably bigger than that. He said that going into that much detail would be difficult.

Mr. Mumford said that usually in the pods, it is shown what acreage is required for those additional tiers. Those obviously can be moved around within the pod or combined between them.

Commissioner Linton asked why it would make sense to have the larger parks dedicated to the city. Someone [assumed to be with the Hidden Valley applicants] in the audience said that they would prefer to maintain control of the open space. Mr. Kirkland said that Sage Communities has kept control of Master Plans they've had passed through. Commissioner Linton said that he would not make it part of the motion. He asked Mr. Mumford to remove the paragraph from the Staff Report before passing it along to the City Council.

Commissioner Maher opened the Public Hearing at 7:56p.m.

Mr. Fred Peeples, Kidwelly Court. He said that he did not see any way for a bicyclist to travel from their residence to other parts of the city. He asked if dedicated bicycle lanes on the roadway would be provided.

Mr. Mumford said that they have two options to have either trails like in The Ranches along Pony Express that get bicyclists off the roadway, or dedicated bike lanes on the streets. He said that the standard for the city do not require bike lanes. He explained that the practice has been to provide the 8-foot trail along collectors and arterials to include bikers in order to keep them off the roadway. He said that the biking community has both opinions: some prefer to be on the roadway, others prefer to be on the trails.

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Mr. Nuszer said that Hidden Valley Pkwy is a minor arterial, so they have the opportunity to have a bike lane striped. They have proposed to have bike trails throughout and there will be multiple ways of getting around the area on bikes, walking, and running.

Commissioner Maher closed the Public Hearing at 8:00p.m.

Commissioner Dean said that they had a good discussion this evening and he felt that they were able to resolve many issues. He said that he tends to agree with Mr. Bybee on the different housing types. He feels they could be addressed later as the pods are so large and can be developed in a variety of ways. Mr. Mumford said that maybe that would need to be modified on the applicant's plans, then, as they say "Single-family Attached Townhomes" on all of those areas. He understands that townhomes can be differing, but it needs to state on the plans what will be there. Mr. Bybee brought up a new revised plan that hadn't previously been turned in that stated differing types of townhomes.

Mr. Kirkland asked if it would be better to just have the density in the bubble. Mr. Mumford said that it can go either way with just the density or the unit types. Commissioner Linton said it is impossible to predict what builders and products will be coming in the future. He said tying it down too much causes a loss in creativity in the future. Mr. Mumford said that it is helpful to have a plan like the one Mr. Bybee brought in this evening.

Commissioner Bechtel said that they need to be flexible but she doesn't want to see the Commissioners relax their standards too much. Commissioner Linton said that they were not relaxing any standards. Commissioner Maher said that the street widths are not off and that the parks will actually be over the required amount.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the Hidden Valley General Plan Amendment.*

Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to the City Council the Hidden Valley Master Development Plan with the below conditions:*

1. **Mix of Housing Types in Higher Density Areas.** A variety of integrated and creative designs to be provided that stay within the total density as stated by City Code.
2. **Open Space.** The applicant has met and exceeded the requirements in the City Code. Staff will see additional open space appear as the applicant brings development plans in.
3. **25% Slope.** There will be no building on 25% or greater slopes.
4. **Trail Widths.** Trails along major streets to be 8 feet and additional trails put in by the developer above and beyond what is called for by the Development Code can be narrower depending on their use and purpose.
5. **Street Widths.** There is adequate room for snow removal on the applicant's plans and the street width does meet the standard.

Commissioner Bechtel seconded the motion. Ayes: 4, Nays: 0. Motion Passed

Mr. Mumford said that there are some details that are sometimes included as conditions but don't have to be because they will be taken care of in the Development Agreement. He explained that there is a certain amount of money to go into community improvements which will be specified in the Development

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Agreement, as well as what the applicant is going to do to meet their bonus density requirements. He said that there are petroglyphs which the applicant has stated they will preserve and the applicant is proposing a master HOA for the project which will also be spelled out in the Development Agreement.

6. Other Business

Commissioner Maher mentioned that there was a lot of paper in the Commissioners' packets. Mr. Mumford said that with Simpson Springs and Mt. Airey Village, not enough paperwork was given to City Council, so it needed to go back to again to the City Council meeting. He explained that he wanted to avoid a similar situation with this project. Commissioner Maher said things like striping and lighting plans and such are not under their purview. Commissioner Dean said as long as the City Engineer, Public Works and Building Departments look at the applicable plans, the Commissioners don't need to see them. Mr. Mumford said that the majority of the projects will only have a quarter of the amount of paperwork.

7. Adjournment

Commissioner Maher adjourned the meeting at 8:13pm.

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

Roll Call

Tom Maher, John Linton, Preston Dean, Craig Larrabee

Others Present

Travis Dance, Representative of Raymond, Van Nosedol and Associates
Jeremy Boberg, Owner of Ark of Eagle Mountain
Darron Boberg, Owner of Ark of Eagle Mountain
Joel Clark, Neighbor of Ark of Eagle Mountain
David Dunn, 9022 N Alexis Lane
April Summers, 2501 Prairie View Drive
Patricia Sagastume, 9053 N Alexis Lane
Charlotte Ducos, North Ranch Resident
Carma Scott, Meadow Ranch Resident
Kristy Gordon, Meadow Ranch Resident

Staff Present

Mayor: Heather Jackson
City Attorney: Jerry Kinghorn
Planning Director: Steve Mumford
Senior Planner: Mike Hadley
Planning Coordinator: Lianne Pengra

1. Pledge of Allegiance

Commissioner Maher led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

Mr. Steve Mumford said that as October was Community Planning Month, he gave a presentation to the City Council. The focus of the presentation was sustainability and green communities and included recommendations on the direction the city should go regarding sustainability. He said that at least one developer said he is planning on putting sustainable practices into his building efforts.

Mr. Mumford said that Scenic Mountain Master Plan was approved. As there were two City Council meetings since the last Planning Commission meeting, Scenic Mountain was discussed twice. The first time it was at the City Council meeting, it was recommended that the traffic study be reviewed again, and that the densities adjacent to the highways be looked at. The Public Works Director and Planning Director met with the traffic engineer, and are

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now recommending a right-in, right-out, as well as a left-in turn. This reduces the traffic substantially on Mt. Airey Drive and through the neighborhoods. The applicant also reduced the density by 16 units and moved the higher density buildings away from the highway and put 8-unit condos in their place.

Mr. Mumford said the Hidden Valley General Plan Amendment and Master Plans were discussed last week and will return next week to the City Council meeting for consideration for a motion. He explained that there were issues with open space and with trails.

Mr. Mumford said the rezone, master site plan, site plan, and final plat for Coop's Market were approved last week. He said that the applicant stated they hope to start construction in the spring. Commissioner Maher asked if the applicant had the financing to begin construction. Mr. Mumford said that it was the applicant's aspiration to begin construction in the spring. He explained they are discussing the details of the RDA at the City Council meeting next week.

4. Approval of Minutes

A. October 14, 2008 Planning Commission Meeting Minutes

MOTION: *Commissioner Linton moved that the Planning Commission approve the October 14, 2008 Planning Commission Meeting minutes.*

Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

5. Development Items

A. Eagle Pointe I LDS Chapel Site Plan and Conditional Use Permit – Public Hearing, Action Items

Mr. Mike Hadley explained that in September, a one-lot subdivision plat was approved for this church site. Five lots were vacated out of the existing plat to create this lot. He showed the location of the proposed chapel and the site plan. He explained it is on 3.62 acres and is a Heritage style chapel.

Mr. Hadley explained that the landscape plan meets the city requirements and, in some cases, far exceeds those requirements. He said that there are 10 trees required and 84 provided, and 10% of the landscape is required to be drought resistant, while 93% of the proposed landscape is drought resistant.

Mr. Hadley showed the differing layout with this church site being on a slope, as opposed to many of the other LDS churches in Eagle Mountain.

Mr. Hadley said that the five lots vacated had 3.6 acre feet of water dedicated to the city, but the applicant will need to supply 2 more acre feet. Commissioner Maher asked if the

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applicant can acquire the water and Commissioner Linton asked if the applicant is aware of this additional condition of approval. Mr. Hadley said that the applicant can get the water and is aware of the requirement.

Mr. Hadley explained that the applicant had chain link fencing on the plans and they are aware that chain link fencing is not allowed; they will change that.

Commissioner Maher asked about the sparse landscaping of other LDS churches and whether or not this landscape plan addresses those issues. Mr. Hadley said that there are many plants and shrubs. Commissioner Linton asked if it was 50% coverage.

Travis Dance, Representative of Raymond, Van Nosedol and Associates. Mr. Dance said that rock mulch is typically used with shrubs planted at three foot intervals. Commissioner Maher asked if the shrubs would fill out. Mr. Dance said they will. He will also check the other chapels to see what the Commissioners are describing, as far as landscaping.

Commissioner Maher opened the public hearing at 6:13p.m. and closed it for lack of comments.

MOTION: *Commissioner Linton moved that the Planning Commission approve the Conditional Use Permit for the Eagle Pointe I LDS Church and recommend approval of the Site Plan to the City Council, subject to the following conditions:*

ENGINEERING:

1. UTILITIES. All existing utilities must be capped at the main line.
2. T-PATCH. Road will need to be t patched with a slurry seal over road after patches.

FIRE:

1. SPRINKLERS. The sprinkler plan needs to be checked by a third party.

PLANNING:

1. FENCING. Solid fencing is required around the perimeter. (No chain link fencing is allowed).
2. WATER RIGHTS: Must supply to the City 2 acre feet of water.

Commissioner Larrabee seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

B. Scenic Mountain General Plan Amendment – Public Hearing, Action Item

Mr. Mumford explained that this property has been discussed in Planning Commission Meetings before. He said that the Master Development Plan was approved by the City Council recently for a mix of residential densities and uses. He explained that is not in the Future Land Use Map since it was not part of Eagle Mountain City previously. As it is not on our Future Land Use Plan, they need to add it to the map and designate it Mixed Use Residential.

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Commissioner Maher opened the public hearing at 6:15p.m. and closed it for lack of comments.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the Scenic Mountain General Plan Amendment.*

Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

C. Ark of Eagle Mountain Group Home Conditional Use Permit & Business License – Public Hearing, Action Item

Mr. Mumford said that these are Conditional Use Permit and Business License applications. He said that the proposed site is in the Westview Heights subdivision. He showed where existing homes surrounding the proposed site are. He showed the site plan with existing parking, future parking, and the future landscaping. He showed elevations of the home and pictures of the actual home. He said that it is not currently landscaped. He showed the floor plan of the main floor and bonus upper room and explained the different areas of the home. He said that they did not put the basement floor plan in the presentation, as it is not a finished space.

Mr. Mumford explained that the permitted uses within the Residential zone are single family homes, utility structures, parks, and home businesses. He explained that the City Code defines *FAMILY* as persons related by blood, marriage, adoption, guardianship or under foster care arrangements, or up to three unrelated persons or up to two unrelated persons and their children living together as a single housekeeping unit. He explained that the City Code defines *GROUP HOME, SMALL* as a residential facility established as a single housekeeping unit shared by no more than eight unrelated persons. It should not include persons diagnosed with substance abuse problems, and shall not include those staying at the home as a result of criminal offenses or other dangerous antisocial behavior.

Mr. Mumford explained that the proposal is for a residential group home for eight adults being treated for mental health, behavior, and chemical addictions. He said that it would include male and female professionals over the age of thirty, and explained the treatment types and staff personnel. He said that it would be staffed twenty-four hours a day and that the applicant stated they would install security cameras, motion detectors, and alarms.

Mr. Mumford explained that those with disabilities or handicaps are given a protected status by the Federal Fair Housing Act and the Americans with Disabilities Act, as well as a state statute. It prohibits discrimination on the basis of handicap or disability. He explained that those included in the definition of handicap or disability are persons with blindness, hearing impairment, mobility impairment, HIV infection, mental retardation, alcoholism, drug addiction, chronic fatigue, learning disability, head injury and mental illness. He explained that it does not protect persons who currently use illegal drugs, persons convicted of the manufacture or sale of illegal drugs, sex offenders, juvenile offenders, or persons with or without disabilities who present a direct threat to the persons or properties of others.

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Mr. Mumford explained that the criteria for approval in the code for a group home are the following: it shall not produce a nuisance or threat of danger of persons or property in the vicinity, a state recommendation is required, approval of the appropriate state agency is required, parking spaces, adequate pick up and delivery areas, and a 60-foot lot frontage.

Mr. Mumford explained that since the applicant is proposing more than three unrelated adults under reasonable accommodations, we are required by law to allow this use as long as the city's conditions ensure it fits in to what a residential home would be in that neighborhood. He said that staff has come up with a list of conditions that they feel would make it fit in with the neighborhood and allows for eight people under reasonable accommodations.

Commissioner Maher introduced Mr. Jerry Kinghorn, City Attorney.

Mr. Kinghorn said that disability and the Federal Fair Housing Act have much litigation surrounding them, but the state statute does not have litigation to define how it should be interpreted; however, they can determine what to do with the state statute based on past federal litigation. He explained that the state adopted a statute in 2005 requiring the city to treat residential facilities for persons with a disability as a permitted use with the stipulation that it is to the extent required by federal law.

Mr. Kinghorn explained that local governments are not allowed to discriminate in housing regulations based on the existence of a disability or in residential facilities for persons with a disability. He said that the city is required to make reasonable accommodations for those with disabilities. He explained that they came up with a method of regulating the facilities by having the residential zone allow three unrelated persons to occupy a home. He said that it may result as discrimination against those with disabilities when applied to federal law, though. They then came up with the definition of a small group home; one of the stipulations can no longer be enforced as persons with a substance abuse problem have been defined as persons with a disability. He suggested the city staff make changes to the code to remove that stipulation.

Mr. Kinghorn said that they need to treat this as a permitted use with legitimate conditions to ensure it is operated for those within the narrow category of persons with a disability. He explained that they researched and developed a list of conditions that are intended to protect the community to the extent that they can reasonably define any kind of regulations that will protect them, and that will require the home to only be operated for those with a disability. He said that the conditions require a series of licensed professionals find the occupants not to be a threat to those around them. He said that they have used materials from communities where this issue has been litigated, so they feel comfortable about the conditions. He explained that they are interested in hearing concerns from both sides regarding the conditions. He said that he understands those against the group home will feel the conditions are not strict enough, while those for the home will feel they are too burdensome and oppressive. He feels these are within defensible legal compliance and allows the use as the city is required to allow the use.

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Commissioner Maher asked Mr. Kinghorn to explain what courts have ruled in the past regarding group homes. Mr. Kinghorn said that the litigation throughout Utah that he has seen have ended up with the homes being allowed by the federal court. As the federal law preempts the state law and city ordinances, the federal court has primary jurisdiction. He explained that local communities try to prohibit these types of facilities, but under federal law, that cannot be done. He said that city staff can also impose conditions to ensure the administration isn't financially burdened when enforcing the conditions.

Mr. Kinghorn said that both the Conditional Use and the Business License Application are before the Planning Commission for them to recommend a motion to the City Council, who is the final authority.

Mr. Mumford explained that the procedure with public hearings is to allow each person to speak for three minutes. The timer will beep when thirty seconds remain, and again when three minutes has passed. He said that it would then be up to the Chair to let the person continue speaking. Commissioner Maher said that he also would like new issues only – no repetition.

Mr. Jeremy Boberg, Owner of the Ark of Eagle Mountain. He asked if they were going to be required to follow the recommended conditions. Commissioner Maher said that those are the recommended conditions from city staff and the city attorney. He explained that that is the point of the meeting tonight. Mr. Boberg explained that they just received them yesterday and as they have reviewed them, they have found recommendations that their attorney would like to review over the next few weeks and meet with Mr. Kinghorn to discuss.

Mr. Boberg said that they do want to be in compliance and do want to follow federal and state guidelines. He said that some of the conditions are not within their ethical boundaries to follow and would cause financial hardships.

Mr. Kinghorn recommended that the Planning Commissioners continue with the public hearing and make a determination at that point to either table the item, or send it on to City Council. He said that the public hearing would be a good idea if they are going to be sitting down with the applicant later to go over the conditions. He explained that they want the conditions to be workable. He said that if the item is tabled, the city would re-notice the public and bring the item back to a Planning Commission meeting in the future. He said that it is not an unreasonable request on the applicant's part to have time to review the conditions. He said that the applicant may be concerned about how the staff will handle information they receive from the applicant and that is a legitimate concern.

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

Joel Clark, Bordering Neighbor. Mr. Clark asked if they can identify a person with a drug problem as being disabled. Commissioner Maher said that according to the definition they just saw, that is a disabled person. Mr. Clark said that he knows those who are habitual users and are never cured. He asked if they know if there is enough information on what the

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financial and personal impacts to the neighborhood will be. He asked that if there is not information on the impacts, is the city just letting them come in because federal law says they have to.

Commissioner Maher said that federal law trumps all other city and state laws. He asked Mr. Kinghorn and Mr. Mumford if they have any long-term impact information. Mr. Kinghorn said that they requested crime analysis data from various sheriffs' offices and police departments to see if there is any analysis that has a logical conclusion about these homes and there is not any. He said they have dispatch reports and other various documents, but they are ambiguous. He explained that if the home had a substantial negative impact on the neighborhood, they could have a private consultant study it to make a conclusion, but there are no studies done.

David Dunn, 9022 N Alexis Lane. Mr. Dunn said that in the code where the word *nuisance* is used, they can add the word annoyance. He said that he feels this is a residential neighborhood, and should not have a business in a residential neighborhood. He said that safety is an issue to him and he is concerned about people coming and going with the kids playing in the area. He said that he is concerned about the type of people living across the street from him. He wanted to know what time the people would be coming and going. He asked for clarification on the 90 minutes discussed in the conditions. He also asked why the city is considering eight people if they can restrict it to three people.

Mr. Mumford said that the city code allows for a small group home to have up to eight unrelated adults. He said he believes that was due to licensing in the state.

Mr. Kinghorn said that when the city council adopted the development code, they followed the licensing classification of a small group home, which allowed up to eight people. He explained that a reasonable accommodation is needed by the city and eight is a common number in the licensing scheme. He said that if they adopt something less than eight, they are probably not making a reasonable accommodation under the federal cases.

Commissioner Maher asked Mr. Kinghorn to clarify the two car trips in a 90-minute time period.

Mr. Kinghorn said that in the conditions, they proposed they stagger the visiting hours on the weekend so that a large amount of traffic is not in the neighborhood. He said that they required the applicant to submit a plan regarding this. He explained that if one looks at a standard traffic study, two cars in 90 minutes is a comparable number for what most normal homes generate on average for a normal day.

April Summers, 2501 Prairie View Drive. Ms. Summers said that she is not speaking on behalf of anyone, just herself. She asked that for number four on the conditions, can staff change the age to thirty, as that is what the applicant has stated as the minimum age. She asked in regards to number 4c, who is going to govern whether or not the resident has abstained from drugs for thirty days. Commissioner Maher said that it is in the conditions; a

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professional will have to certify the results and a urine analysis will document it. Ms. Summers said that being that there are four bedrooms in the home, can they limit the number of residents to four and when the basement is complete, up the number to eight.

Mr. Mumford said the Chief Building Official and the Fire Chief reviewed the plans according to the International Building Code, International Residential Code, and the fire code. They determined that this home would be treated similar to any other residential home in that sprinklers would not be required. Commissioner Maher asked if eight people in the home met code. Mr. Mumford said that it did.

Commissioner Maher asked about the applicant saying the residents would be thirty years and older.

Mr. Kinghorn said that the formal application does not limit the age, so the city staff used twenty-one. In some of the other materials, thirty is the age stated, but as it is not on the formal application, it is not binding to the applicant. He said that if the applicant is willing to amend the application to state thirty as the minimum age, city staff can add that to the conditions.

Mr. Darron Boberg, Owner of the Ark of Eagle Mountain. Mr. Boberg said that he is not ready to make any adjustments at this time. Commissioner Maher said that they would leave it at twenty-one. Mr. Boberg said that they have not agreed to twenty-one. Commissioner Maher said he understands that; twenty-one is the city staff's stipulation.

Patricia Sagastume, 9053 N Alexis Lane. Ms. Sagastume recommended that the city not allow visitors on Saturdays as that is when the children will be playing outside. Commissioner Maher said that would be tough for the residents. He said that city staff needs to be reasonable on the accommodations. Ms. Sagastume said that since they are asking for an exception, the exception should be granted as long as it does not affect the nature of the neighborhood. She said that in the third paragraph of section five, she would ask that a urine test always be required. She said that she also wants it clarified that all outside sources are independent of the Bobergs. Ms. Sagastume said that sexual offenders are allowed if the Utah Dept of Commerce deems them as no longer a threat. She is concerned that registered sex offenders will be in the home, but not on the sex offender website; therefore, they will not be able to know if a sex offender is living in their neighborhood. She said that Mr. Boberg said the conditions were financially restrictive, but she spoke with him and he is charging \$20,000 a month per resident and she feels that is more than enough to cover the staff's conditions. She said that her last concern is the type of mortgage they have. She said that they initially built the home as an investment and most often investments are owner-occupied homes. She said that if they have the wrong mortgage type, they could be committing mortgage fraud and she requested city staff look into it.

Commissioner Maher asked Mr. Boberg to respond to the mortgage concern.

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Mr. Darron Boberg said that he would not respond to any issue other than say that his attorney needs to look over the conditions. He said that he does believe they are in compliance.

Mr. Kinghorn said they can clarify that all professionals need to be independent from the home. He said that there could be a problem in getting the urine tests from other facilities with the way the system is set up. He said that they might not be available to the Ark of Eagle Mountain, either. He said they will check into it, though.

Commissioner Maher asked Mr. Kinghorn to clarify the sex offender issue. Mr. Kinghorn said that the test is very stringent. It requires the Department of Corrections to say that the individual is no current risk. He said it is extremely stringent and he can research it, but he is not sure whether or not the Dept of Corrections would issue a letter like that. They would require it, however, to ensure they meet the requirement that there is no direct threat. Commissioner Maher said that the requirement is that the individuals not be on any sex offender registry in order to be resident in the group home.

Ms. Charlotte Ducos, North Ranch Resident. Ms. Ducos said that she is confused with number four. She wanted to know if sections a, b, and c are excluded or are exceptions to the exclusions. Mr. Kinghorn said that they are exceptions to the exclusions.

Ms. Ducos asked if the goal in reasonable accommodation granting equality or greater accommodation. Mr. Kinghorn said that it is granting accommodations that are reasonable, necessary, and not financially burdensome to allow disabled persons to live in a residential environment. Ms. Ducos said that if they are looking for equality, three should be reasonable, but if they are looking to give greater accommodation, eight seems reasonable. Mr. Kinghorn said that accommodation means going beyond equality to make something possible that is not otherwise possible, such as ramps along sidewalks.

Ms. Ducos said that she understands that the applicant thinks the conditions are too restrictive and that the residents are not happy with the application. She said that she would like to see the conditions be as stringent as possible, but that she does not want the city to end up in federal court.

Ms. Carma Scott, Meadow Ranch Resident. Ms. Scott said she is concerned that there are impressionable children and teenagers near the home. She said that she has lived by a home for individuals trying to get over problems. She said it was an uncomfortable experience. She said in another instance, she was contracted to demolish a home that was occupied by recovering addicts. She said that they discovered used sharps around the yard and in the home. She asked how the applicant can guarantee that this won't be the same experience with this home in Eagle Mountain.

Commissioner Maher said that was the point of the twenty-two stipulations. They are trying to comply with federal and state laws while being fair to the residents.

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Ms. Kristy Gordon, Meadow Ranch Resident. Ms. Gordon said that she wanted the city to know that it is not just the people living in Westview Heights, but also those surrounding it who are affected.

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

Commissioner Linton said he appreciates the input from the city and the enlightenment from Mr. Kinghorn. He said he understands that it is probably unfair to the applicant to give them the conditions a day or two before the meeting and wanting them to have legal counsel pass judgment on it in that short period of time. He would recommend the matter be tabled to allow for discussion between counsels.

Commissioner Dean agreed. He said it was fair to give the applicant time to consider the conditions.

Commissioner Larrabee agreed as well.

Commissioner Maher asked city staff if the public hearing needed to be continued.

Mr. Kinghorn recommended voting on tabling the item. He said that they would advise the staff when they are at the point when they are ready to return to a Planning Commission meeting. They would notify the Planning Commissioners at a meeting that they are ready to bring the item back, and at that meeting, they would determine a future date for a decision on the applications. The public would get notice of that date, as well.

Mr. Mumford said that there is only one more meeting this year on December 9th. The next meeting will be January 13, 2009.

MOTION: Commissioner Linton moved that the Planning Commission table the Ark of Eagle Mountain Group Home Conditional Use Permit and Business License applications.

Commissioner Larrabee seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

D. Annexation Policy Plan Amendment – Public Meeting, Discussion Item

Mr. Mumford explained that this is an amendment to the Annexation Policy Plan. He showed the existing Annexation Policy Plan Boundary Map. He explained that areas within that boundary can be considered for annexation. Commissioner Maher asked if this is what was agreed to in the state meeting. Mr. Mumford said that the existing map was what was agreed upon in 2003 by the City Council. Commissioner Maher asked if anything was agreed on with the surrounding cities at the recent state meeting. Mr. Mumford said that they have met with Saratoga Springs on their shared boundaries and there is some consensus, but not complete consensus. Mr. Mumford said that every city has its own annexation boundary line and it is okay for city's annexation boundary lines to overlap. What they are not allowed to do is have their annexation boundary line cross over into other parts that are already

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included in other cities. This is why two areas are being removed from the annexation boundary map.

Mr. Mumford said that the Pole Canyon area is one of the main reasons for the annexation boundary map amendment. The Pole Canyon area is over 3,000 acres and contains the White Hills subdivision, White Hills County Estates, and about 3,000 acres of undeveloped property. He said that this specific area would give additional access to SR-73. It also would give potential for large business parks and light industrial parks which could offer high-paying jobs, increase in tax base and reduction of commuter traffic. Mr. Mumford said that this specific area would provide diversification of the municipal water system and acquisition of existing infrastructure. They have a water recharge zone and a water tank that offers 1.5 million gallons of storage.

Commissioner Maher asked who proposed the Pole Canyon Annexation. Mr. Mumford said that DAI is the applicant on the annexation petition for this area. The City is proposing to move the boundary lines.

Mr. Kinghorn explained that the city received a petition for annexation from the Pole Canyon group. He said that before the city can consider the petition, they have to amend the annexation boundary map. He said that the current item is not to consider the specific annexation; it is to change the map to include it in the boundary map.

Mr. Kinghorn said that tonight they are just looking for comments from affected entities, such as surrounding cities. They have the opportunity to come in or send comments on what they think of the boundary. He said that they did discover an overlap between Fairfield and the boundary and they also discovered a gap which would create an island, which they are not allowed to do. He said that Fairfield was informed of the overlap today and he doesn't know if they have had time to react or not. He explained that they do have time to protest the annexation and said that they should ask if there are any representatives present from the affected entities.

Commissioner Linton asked if this boundary amendment was driven by DAI. Mr. Kinghorn said that this is the second time the city has received inquiries about annexation and the first time they've received a formal petition. He said that the first time, city staff looked at the property and advised of some issues the city staff saw. The applicant decided to not go forward until they consolidated some of the properties.

Mr. Kinghorn said that the White Hills subdivisions had significant investments put into the water and sewage systems. When Utah County changed their policy from allowing the systems in the county to only allowing them in incorporated systems, it shut down the water and sewer systems.

Commissioner Maher asked how it made sense to have this area in Eagle Mountain, rather than Fairfield or Cedar Fort. Mr. Kinghorn said that some of the area was in Fairfield and Fairfield de-annexed it. He explained that the property owners asked Fairfield if they would

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provide them services and Fairfield said they would not, so the property owners asked to be de-annexed from the city. An area was de-annexed from Cedar Fort recently as well. He explained that Cedar Fort annexed a large area of wild land and then had a fire. The county then sent the city a bill for fire suppression and Cedar Fort decided to de-annex a lot of the wild land. Mr. Kinghorn explained that this information came from the property owners and that it is hard to verify to ensure everything is factual.

Commissioner Maher asked if it is approved, will the city have to get the county's approval. Mr. Kinghorn said that it is up to the county to protest it. He believes that the county would like to see the unincorporated areas be included in cities. Mayor Jackson said that she had been approached by county commissioners and they are highly encouraging the property owners in the large subdivision in the Pole Canyon area to incorporate into any city. She explained that the county commissioners do not like a large subdivision not being in a city as they have to take care of it. She said that she does not believe the city will see a protest from the county. She confirmed that property has been de-annexed from both Cedar Fort and Fairfield.

Commissioner Maher said that the 1.5 million water tank would obviously be a good thing and asked Mayor Jackson if the rest of the math made sense. Mayor Jackson said that the current item on the agenda tonight is just looking at changing the annexation boundary map, not the Pole Canyon annexation specifically. Commissioner Maher asked if they are already looking at the Pole Canyon annexation. Mayor Jackson said that they have been looking into it for at least the last six months. She said that the applicant is well aware of utility requirements and those types of things that the city will require.

Commissioner Maher asked if it was a public hearing. Mr. Mumford said that it was a public meeting for the affected entities. Mr. Kinghorn said that the city is required to give the affected entities an opportunity to present their comments at a public meeting. Mr. Mumford said that the intention is to notice this for the next meeting as a public hearing.

Commissioner Maher asked if it was necessary to put it on the record that there were no representatives from the affected entities at the meeting this evening. Mr. Kinghorn said that it should be. Commissioner Maher confirmed that no representatives were present. Mr. Mumford said that they do need to allow for ten days from the public meeting to consider their comments in case they call or send a letter.

6. Other Business

A. New Municipal Code

Mr. Mumford said that each Commissioner should have received a new code book with the relevant sections.

B. Future Planning Commissioner Training

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Mr. Mumford said that they hope to do the training at the next Planning Commission Meeting. They will go through some of the codes they recently received. He explained that what they received is basically the same code as before; it has just been codified differently.

7. Adjournment

Commissioner Maher adjourned the meeting at 7:25p.m.

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

Roll Call

Tom Maher, John Linton, Preston Dean, Bonnie ElHalta

Staff Present

Planning Director: Steve Mumford

Senior Planner: Mike Hadley

Planning Coordinator: Lianne Pengra

1. Pledge of Allegiance

Commissioner Maher led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

Mr. Mumford said that at the last City Council meeting, Eagle Point I LDS Chapel Site Plan was approved. He said the General Plan Amendment and Master Development Plan for Hidden Valley were approved, as well. He explained that there were some issues with the open space calculations. He said that in the staff report, the Planning Commission's recommendation were specifically noted as was what staff felt. He said that the applicant went back and added a notifying number in each Tier III and Tier IV pod that identified the 10% improved open space required for those higher density areas. He explained that when the subdivision plat or site plan comes in the future for each area, staff will know how much open space is required for each specific area.

Commissioner Linton asked if overall the open space was sufficient, but in particular pods were short. Mr. Mumford said that the plans showed insufficient open space overall. He reminded the Commission at the previous Planning Commission Meeting, the applicant mentioned that the Site Plans and Plats would take care of the missing open space acres. Mr. Mumford said that it was too confusing and up in the air, so the applicant went back and added those numbers to clarify the open space numbers.

Mr. Mumford said that in the last City Council meeting, Scott Kirkland said that Sage Communities no longer has an office and his employees are now elsewhere. He said that Scott will still handle all of the Sage items.

Mr. Mumford said that Mr. Linton, Mr. Dean, and Ms. Bechtel were re-appointed, and Ms. ElHalta was appointed at the last City Council meeting. He explained that all Commissioners have a three-year term, except for Ms. ElHalta, who is finishing out Mr. Larabee's term which ends next year.

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Mr. Mumford said that the Annexation Policy Plan Amendment item to add an area of Pole Canyon and remove two sections which have been annexed into other cities to the Annexation Boundary Map was removed from the agenda. Due to noticing errors, it has been postponed to the January 13, 2009 Planning Commission Meeting. He explained that the affected entities and public needed to be notified fourteen days in advance.

Commissioner Maher wanted to clarify with the residents that this item is not to annex anything; it is to include areas for consideration.

Commissioner Linton asked who needed to be noticed. Mr. Mumford said that a notice is published in the paper and affected entities, such as surrounding cities, Utah County, and special districts, are noticed. Commissioner Linton asked what individuals will be noticed. Mr. Mumford said that no specific individuals are noticed.

4. Approval of Minutes

A. November 25, 2008 Planning Commission Meeting Minutes

MOTION: *Commissioner Linton moved that the Planning Commission approve the November 25, 2008 Planning Commission Meeting minutes.*

Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

5. Other Items

A. 2009 Planning Commission Meeting Schedule – Action Item

MOTION: *Commissioner Linton moved that the Planning Commission approve 2009 Planning Commission Meeting schedule.*

Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

6. Work Session

A. Planning Commissioner Training

Commissioner Maher adjourned to work session in the Administrative Conference Room at 6:13p.m.

7. Adjournment

Commissioner Maher adjourned the meeting at 7:38 p.m.