

EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING MINUTES

TUESDAY, FEBRUARY 24, 2015 AT 6:00 P.M.  
Eagle Mountain City Council Chambers; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

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

COMMISSION MEMBERS: Present: Wendy Komoroski, Miriam Allred, Daniel Boles, and Matthew Everett. Excused: John Linton

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

ELECTED OFFICIAL PRESENT: Tom Westmoreland arrived at 7:35 pm.

1. Pledge of Allegiance

Commissioner Everett led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes  
A. February 10, 2015

**MOTION:** *Daniel Boles moved to approve the February 10, 2015 meeting minutes. Miriam Allred seconded the motion. Those voting aye: Miriam Allred, Daniel Boles and Matthew Everett. Wendy Komoroski abstained. The motion passed with 3 ayes and 1 abstention.*

4. Development Items

A. Lakeview Estates – Rezone; Public Hearing, Action Item

Mike Hadley explained that the applicant is proposing to rezone approximately 67 acres of land currently zoned Agricultural to Residential. Included in this application is a concept plan for a proposed residential development. The rezone does comply with the City's Future Land Use General Plan. The General Plan land use designation for this area is Rural Residential which requires lots of a ½-acre minimum. This concept plan does have lots that are less than 1/2 an acre; however, the overall density of the project meets the Tier 1 criteria for lot size. The concept plan utilizes a variation on the buffering requirements. It proposes on the south side of the project a park and open space as the buffer instead of the required one acre transition abutting the Cedar Pass Ranch development.

UDOT has requested that land be preserved along Cory B. Wride Memorial Hwy (SR 73) for future expansion of the roadway. UDOT is requesting that a 300' ROW is provided along the north side of this development. We recommend that the Commission consider adding a condition of approval to this application requiring the applicant to work with the City and

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UDOT to resolve UDOT's request for right-of-way preservation prior to receiving approval for a preliminary plat.

Steve Allred, applicant, explained that he is requesting a simple rezone of property and he is working with UDOT to preserve the land along Corey B. Wride Memorial Hwy (SR 73) for the future roadway expansion.

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

DJ King, resident of Westview Heights, was concerned about the lots being a quarter of an acre, suggested that the lots be one acre or larger. He also requested that another access point road be added to the development from Cory B. Wride Memorial Hwy (SR 73).

John Warner, resident of Cedar Pass Ranch, wanted to make sure the horse trail along the east and south border of the development is protected. He also requested that the lots along that south border be large then an acre. He requested that the development be zoned Rural Residential instead of residential, so the development is required to have half acre or larger lots.

Brian Barnes, resident of Westview Heights, said that the closest lot to a quarter acre from this development is 13 miles away. He felt that all the lot sizes should be half an acre or larger. He was also concerned with the traffic into the Westview Height neighborhood and suggested that another access point road be added to the project.

Jeff Morris, resident of Cedar Pass Ranch, was concerned about the trail system along the south and east border of the development. He asked if any provision could be made to require the developer to add a fence along the east and south border of the development and that a fence should be added. He also recommends that the development be Rural Residential.

Nate Brusik, resident of Westview Heights, said he was concerned with the traffic flow into the Westview Heights neighborhood. He said that the Westview Heights neighborhood has around 70 kids. He is concerned about those kids' safety because of the added traffic into the neighborhood that would be caused by this development. He is also concerned with the value of the homes in his Westview Heights neighborhood. He requested that the developer get together with UDOT and install an easterly access road into the development. He wanted to know what fire code requires for access into the development. He asked that the outer lots be one acre and that the development be zoned Rural Residential.

Commissioner Komoroski noted that a resident called her about the lot sizes. The resident asked that the development be buffered with acre lots on the north side.

Mr. Allred said that acre lots along SR 73 would be hard to sell. He also explained that UDOT wants to preserve the SR 73 corridor and did not think that UDOT will allow another outlet into or out of the development.

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*Commissioner Everett closed the public hearing at 6:30 p.m.*

Commissioner Allred asked the applicant if he is open to Rural Residential zoning, which would be half acre or larger lots. Mr. Allred said that he would like to rezone the development to Residential, because he felt that half acre or one acre lot along a freeway would not sell.

**MOTION:**

***Wendy Komoroski moved to recommend approval to the City Council of the Lakeview Estates Rezone application with the following conditions:***

***1. The applicant shall work with UDOT and the City to resolve UDOT's request for right-of-way preservation prior to receiving approval for a preliminary plat.***

***2. Land use needs to be designated as Rural Residential with minimum size lots of half an acre.***

***Miriam Allred seconded the motion. Those voting aye: Wendy Komoroksi, Miriam Allred, and Matthew Everett. Those voting nay Daniel Boles. The motion passes with 3 ayes and 1 nay.***

**B. SilverLake 14 & 15 – Preliminary Plat, Site Plan; Public Hearing, Action Item**

Steve Mumford presented item B. This is a proposed subdivision located on the east side of Woodhaven Boulevard, east of the roundabout at the end of Silverlake Parkway, just north of the Tickville Wash. The proposed development includes 120 townhome units and 37 cottage lots (small-lot single-family), a community park property, and some improved open space & amenities.

This area is part of "Area B" of the SilverLake Master Development Plan, which was designated as a mixed area for single-family, patio, garden court, cluster, and multi-family buildings (townhomes). This area was approved with a maximum of 400 residential lots/units on 46.6 acres. 180 units have already been approved in this area (137 in SilverLake Plats 11-13, and 43 in the eastern portion of SilverLake Plat 8), leaving a maximum of 220 units remaining. This proposal is for 157 units, reducing the total available by 63.

**Sewer & Road Layout**

The configuration of the public road in this project is directly related to the main sewage line that was constructed recently in this area. This sewer line takes sewer from the Kiowa Valley area neighborhoods, the Evans Ranch neighborhoods, and the future SilverLake "south" neighborhoods, replacing the existing sewer lift station near Smith Ranch Road and Porter's Crossing.

The Commissioners reviewed the differences between the option A plan and option B plan.

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Mr. Mumford also explained and reviewed the City Code and the SilverLake Master Development Agreement.

Cottage Homes

The City Code requires a minimum lot frontage (lot width along a public street) of 55 feet. The lots in this plat have less than the required 55 feet. The applicant desires that these lots be classified as "cluster homes."

Chapter 17.10 in the Municipal Code defines cluster homes as follows:

*"Cluster home" means a detached home that is generally located on a small lot or clustered near other detached homes with common open space between the homes. A cluster homes development will generally include a park, courtyard, or additional improved open space within the development. These are sometimes referred to as patio homes.*

Paragraph 4 of the SilverLake Master Development Agreement states the following:

*Patio/Garden Court/Cluster Home Development. In addition to the requirements set forth in paragraph 2, the Developer shall have the option to develop and construct patio / garden court / cluster homes within the SilverLake Development in locations identified on Exhibit A1 and fundamentally consistent with the renderings in Exhibit C-1. These homes are generally located on a small lot or clustered near other detached homes, and generally include a park, courtyard, or additional improved open space within the immediate neighborhood. These are not just small single-family lots; they are to be designed with parks, courtyards, or open space as an integral part of the neighborhood.*

Cottage Home Elevations as of the SilverLake Master Development Agreement.

Section 4f of the SilverLake Master Development Agreement states the following:

*The exteriors of each of the new PGC (patio / garden court / cluster) homes shall contain masonry materials, including stone, brick, and fiber cement siding such as hardy board, or similar product, as fundamentally depicted on the renderings in Exhibit C-1. Stucco may also be used as an exterior material, provided that the stucco shall not exceed 25% of any front elevation and elevation facing a public street. Such masonry materials shall be "wrapped" onto side exteriors a minimum of 18 inches from the front elevation. No vinyl siding shall be permitted on any new single family residential dwelling. PGC dwellings are expected to be built similar to and substantially compliant with the design and materials as represented and depicted in the renderings included as Exhibit C-1.*

Lot Distribution.

Section 4a of the SilverLake Master Development Agreement states the following:

*PGC (patio, garden court, and cluster) homes must be distributed in areas identified on the master plan map, Exhibit A1. PGC (lots under 5,500 square feet or with a lot*



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*frontage of less than 55 feet) shall not be clustered together in groups of more than 65 lots.*

These lots are located close to those in SilverLake plat 13, although there is a minor collector road separating the two developments.

**Townhome Distribution.**

Section 5b of the SilverLake Master Development Agreement states the following:  
*MFR homes (townhomes) must be distributed in areas identified*

**Townhome Elevations/Exteriors & the Multi-Family Design Standards**

Section 5g of the SilverLake Master Development Agreement states the following:  
*The exteriors of each of the new MFR dwellings shall contain masonry materials, including stone, brick, and fiber cement siding, hardy board or similar product as fundamentally depicted on the renderings in Exhibit C-2. Stucco may be used as a primary exterior material, provided that the stucco shall not exceed 25% of any front elevation and elevation facing a public street. No vinyl siding shall be permitted on any new MFR dwelling. MFR dwellings are expected to be built substantially compliant with the design and materials as represented/depicted on the renderings included as Exhibit C-2.*

Several of the townhome buildings will have the rear elevation facing Woodhaven Boulevard, and quite a few of the buildings will have side elevations facing a public street. These elevations must be redesigned to include no more than 25% stucco. These townhomes are also required to comply with the City's Multi-Family Design Standards, Chapter 17.72 of the City Code. Here are some of the areas of concern from the standards in relation to this project:

***Multifamily Building Orientation.*** Multifamily developments often have buildings facing onto internal courtyards and open space. The buildings adjacent to streets, however, shall front those streets and provide a primary entrance toward the street. If the side of a building faces a street, an entrance should be provided on that facade. Blank walls and/or rear facades should not be placed adjacent to streets. Orienting the primary entrances to a courtyard or open space without addressing the street-facing facade with entrances, windows, awnings, increased architectural elements, increased landscaping, and/or other pedestrian-oriented features is prohibited.

***Multifamily Parking/Garages.*** Garages and parking areas should be placed to the rear of buildings, accessed by a service drive. If garages are placed on the front facade, they shall be staggered and set back so as to minimize their appearance from the street. Garages shall never dominate the street-facing facade of a building.

***Building Articulation.*** Vertical and horizontal articulation and relief reduces the perceived scale of buildings. Buildings shall include facade modulation (stepping portions of the facade), horizontal and vertical divisions (textures or materials), window patterns, offsets, recesses, projections, and other techniques to help identify

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*individual residential units in a multifamily structure, and to avoid large, featureless and/or panelized surfaces on commercial buildings. Large uninterrupted expanses of a building wall are prohibited.*

***Architectural Detailing.*** Multifamily buildings shall incorporate a majority of the following architectural detailing: decorative shutters, bay windows, pop outs, trellis or arbor structures, porches, decorative gables, dormer windows, exposed timbers, balconies, columns, turrets, decorative trim and moldings, detailed grilles and railings, architectural lighting, decorative masonry pattern, window grids, and decorative doors and windows. All sides of a building shall include the chosen details, where applicable.

***Multifamily Garage Doors.*** Garage doors shall not be the most prominent or visible feature on a building. They shall be accessed from the side or rear, or set back from the front facade. If garages are visible from the street, white doors are discouraged. Decorative doors are encouraged.

#### Fencing

This project is required to construct a six-foot high privacy fence, similar in style, design, and color to the existing fence in other phases of SilverLake, along the rear of all lots along Woodhaven Boulevard. This fencing must be installed along with the subdivision infrastructure, prior to the first building permit being issued in that phase of development. The fencing should leave a large open area for access into the park in the middle of the development.

#### Lighting

A photometric lighting plan has been provided; however, cut or spec sheets need to be provided, including all exterior lighting fixtures, to make sure they comply with the City's new "dark sky" lighting standards found in EMMC Chapter 17.56. When plans are submitted, the Planning staff will review the lighting for approval. The City is currently working on coming up with a standard street light that will be required along all public streets. The street lights in this development must comply with that standard, if the standard is approved prior to project construction.

#### Community Park

The SilverLake Master Development Plan parks and open space exhibit shows an 11.35-acre community park in this area. The proposed plan includes a 13.18-acre park (including the trail system underneath the power line corridor). This land will be graded and dedicated to the City with the first subdivision plat in this development. Is the park's location and configuration appropriate for the best usability and benefit to the SilverLake community?

#### SilverLake Master Development Plan Parks and Open Space

- Total Required pocket & neighborhood parks = 14.54 acres
- Requirements for Plats 14 & 15:

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- Improve power line corridor. If the applicant wants this to count towards the 14.54 acres, then they are required to include the features and amenities required by City Code Chapter 16.35 (the point system).
- If additional improved open space is proposed to count towards the 14.54 acres, the point system must be followed as well.

Clubhouse

- "All Tier III residential developments are required to provide the Tier III clubhouse.
- Clubhouse = minimum of 1,200 sq ft, \$1,000 per unit cost.
- The Building elevations must be approved during the site plan process, or require that it come back for approval or be reviewed by Staff for approval (consistent in materials and colors to surrounding buildings).

Peter Evans, applicant, explained that Option A was changed due to the Master Development Agreement. Option B gives the developer more variety of housing. He also explained that there is a loss of units between A and B. He explained that what is being proposed is also a loss of units from what is in the SilverLake Master Development plan.

Commissioner Everett asked if there would be a sub-HOA for the development that will take care of the roads and landscape. Mr. Evans explained that he is not in favor of a sub HOA, but the developer will form a cost center that would take care of the roads and landscaping. He said that the roads are wider than a typical private road to give the development openness. The driveways are 22 feet, with additional guest parking, and private rear fenced yards. The developer is trying to give the development a feel of a traditional single family home, with the difference that the owners will have attached neighbors. He explained that there is a lot of public open space around the development.

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

Calvin Bardem, resident of SilverLake, was concerned with the view for the current neighborhood. He said that the townhomes would back the existing neighborhood. He also said that option B now has nonexistent green space compared to option A. He also explained that his neighbors and he bought into a neighborhood believing this space would be park and school and the multi-family homes would be to the right and left of the development.

Colby Curtis, resident of SilverLake, felt that townhomes in the neighborhood were odd because they are not like the development surrounding the area. He was also concerned with additional traffic the development would bring to Woodhaven Blvd.

Jeremy Wardle, resident of SilverLake, felt that townhomes would not fit with the charter of the neighborhood. He said that this development does not have park strips like the rest of SilverLake development. He was also concerned that residents of this development would have to park up the street in the existing neighborhood.

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Cory Dobs, resident of SilverLake, said that he is not originally from Utah but from Illinois. He said that in his old town he saw that townhomes changed the feel of the neighborhood and brought more transient residents. He said that transient people don't care about the neighborhood or the schools. He also saw a higher ratio of renters to owners in townhomes.

Sarah Pain, resident of SilverLake, said she has lived in the community for two years and has been very impressed with the current development going on in SilverLake. She felt that this proposed development is being rushed and that the developer is trying to squeeze it in. She also explained that there were park strips in the development that were never finished. She said the developer argument said they did not have access to the water to take care of the park strips. She had no problem with townhomes or cluster homes. She felt that there were too many townhomes proposed for this development, and suggested duplexes. She also suggested that the developer finish the area under the corridor. She also felt that the homes backing Woodhaven Blvd should have some kind of exterior requirement because they do block the view of the lake.

Drew Curley resident of Cold Springs, said that he lives in a townhome community, which he wishes was never built. He felt that townhomes takes away from Eagle Mountain is small town home feel. He also would hate living in the SilverLake townhomes option B where there would be no open space or park space.

Lewis Bowman, resident of SilverLake, was concerned about not getting notices for the City meetings. He also wanted to know why some neighbors were notified and others were not in the neighborhood. He felt that this development does not belong in the SilverLake area and it takes away from the current community. He said that the two story buildings are too high for the development, taking away from the general view of the current property owners.

Vicky Friday, resident of SilverLake, felt very strongly that this development would take away from the current community and also the type of community she had bought into. She said that she would not want to play under the power lines.

Jared Backus, resident of SilverLake, said that he had moved to the neighborhood six years ago and bought into a different development. He was concerned about the same thing happening in this development with the private roads as what happened in the SilverLake Village PUD. He explained that the SilverLake Village PUD was a nightmare for anyone that lived in that development and for the neighbors in the area. He recommended that the development stick to single family homes.

Bret Horton, resident of SilverLake, said the meeting between the developer and residents of SilverLake on February 23, 2015 was unsuccessful because of the time. He said that more residents would have liked to hear from the developer. He also was concerned about the value of their homes in the area. He explained that Flagship Homes promised parks, open space, and a school, which is not going to happen. He said all this started



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when Flagship did not honor the park strip area. The neighbors just want things to be made right for their community.

*Commissioner Everett closed the public hearing at 7:54 with an option of reopening the public hearing later in the meeting.*

Commissioner Allred asked about the park strips that the residents were promised. Mr. Mumford explained that the developer Plat 6, 7 and Silverlake Village PUD went bankrupt. He also said that there were a lot of developer in the subdivision. He also said that the City was able to get one of the developers to come back and put in the fence.

Commissioner Komoroski explained that the multifamily homes have already been approved for this area in the Master Development Plan. The Commissioners cannot make the developer change to single family homes. Mr. Mumford said that the original SilverLake Master Development Plan was approved with several multifamily homes. He explained that the total number of units have been reduced from the original plan. He also said that the City Council approved multifamily homes in the area in 2013 and that the developer agreed that there would be no stacked homes like condos. The developer is allowed townhomes or cluster homes. He explained that the Alpine School District does not want the lot that was set aside for them in this development, because it is close to the power line corridor.

Commissioner Boles was not happy with option A or B, but felt option A gave the residents more open space. He also felt like the back side of the townhomes should be softened to help with the contrast, especially the townhomes that side the public streets.

Commissioner Allred liked a combination of options A and B. The cluster homes are close together in option B, but she likes the size of the homes in the middle of option B. She felt that option B needs green space and the amenities to help break up the development.

Commissioner Boles felt that the garages are too prominent and that they do not meet the Master Development architecture standards. Commissioner Komoroski explained that the only option would be a one car garage, unless the garage is in the rear. She said that it's hard to make townhomes without a prominent garage. She would prefer to see two car garages. Commissioner Everett was also concerned with the front elevation of the structures. Commissioner Boles suggested that they stagger or offsetting the townhome units.

Nate Hutchinson, with the developer, explained that there was a traffic study done with the rest of the development including the multifamily home developments.

Commissioner Komoroski was concern with the lack of green space in the development.

Mr. Evans, applicant, felt that the options meet the SilverLake Master Development

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Agreement standards. He stated that the development is surrounded by a lot of public open space, not by high density housing. Mr. Mumford explained that there are many areas that could be approved in the design of the development. He also said that there is a difference between the City's and the developer's interpretation of the Master Development Agreement.

Commissioner Everett said there is public open space around the development, but its all wash. He does not view the wash as usable open space. He would like to see the townhomes broken up.

*Commissioner Everett reopened the public hearing at 8:23 p.m.*

Calvin Bardem, resident of SilverLake, said he respects the developer but he felt that this development was wrong for their neighborhood.

Sarah Pain, resident of SilverLake, said she is an interior designer and she felt that this development is like when she designs cubicles and workstations. She would like to see the development broken up with some more variety. She also felt that the wash should not be counted as open space.

Cory Dobs, resident of SilverLake, suggested that only duplexes be allowed in the development, if they cannot change the multifamily zoning. He does not believe 20 feet of space between buildings is adequate.

Vicky Friday, resident of SilverLake, felt that their neighborhood did not get the proper notification for the Planning Commission meeting.

Mr. Mumford explained that the City Code requires mailed notification of everyone within 600 feet of the property, and it goes out from there until the City meets at least 25 residents. The City Code is more than what the State requires for notifications.

Jared Backus, resident of SilverLake, asked why the development could not be changed to single family residents. The Commissioners explained that it would have to be changed by the developer. The new developer has purchased the property with the understanding that they could build multifamily homes as per the Master Development Plan.

Mr. Evans asked the Commissioners to make conditions and forward the preliminary plat on to the City Council. Commissioner Allred did not feel comfortable recommending or forwarding the Preliminary Plat on to the City Council with too many conditions.

Commissioners liked the green space more than the clubhouse. They felt that the green space broke up the development. They also felt that the developer could soften the side and back elevations on the units. They also suggested that the developer stagger the units, or offer a variety of units.

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*Commissioner Everett continued the public hearing to the March 10, 2015 meeting.*

**MOTION:** *Wendy Komoroski moved to table the Silverlake 14 & 15 preliminary plat to the March 10, 2015 meeting. Miriam Allred seconded the motion. Those voting aye: Daniel Boles, Wendy Komoroksi, Miriam Allred, and Matthew Everett. The motion passed with a unanimous vote.*

**C. Development Code Amendments – Definition of Group Home; Public Hearing, Action Item**

Mr. Mumford presented item C. This City-proposed code amendment redefines “group home” to remove confusion between small and large group homes. It amends Chapters 17.10.030 and 17.75.060. The City attorney suggested that the City remove large and small group homes the City Code definitions.

*Commissioner Everett opened the public hearing at 8:56 p.m.*

None

*Commissioner Everett closed the public hearing at 8:56 p.m.*

**MOTION:** *Wendy Komoroski moved to recommend approval to the City Council of the Development Code amendment definition of group home. Daniel Boles seconded the motion. Those voting aye: Daniel Boles, Wendy Komoroksi, Miriam Allred, and Matthew Everett. The motion passed with a unanimous vote.*

**D. Development Code Amendments – Building Permit Approval Process; Public Hearing, Action Item**

Mr. Mumford presented item D. This City-proposed Code amendment makes some changes to the building permit approval process due to the sale of the power and gas companies, and to improve the process for all involved. It amends Chapters 15.10.230 and 16.60.050. These changes should result in less complaints and confusion by developers, and give the Development Review Committee some discretion when considering the timing of building permits for commercial, industrial, and multi-family developments. These proposed changes have been reviewed at length by the City’s Development Review Committee (Planning, Engineering, Parks, Fire, Building), and are very similar to Lehi City’s building permit approval process

*Commissioner Everett opened the public hearing at 9:01 p.m.*

None

*Commissioner Everett closed the public hearing at 9:01 p.m.*

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**MOTION:**

*Wendy Komoroski moved to recommend approval to the City Council of the Development Code amendment building permit approval process. Miriam Allred seconded the motion. Those voting aye: Daniel Boles, Wendy Komoroksi, Miriam Allred, and Matthew Everett. The motion passed with a unanimous vote.*

**E. Development Code Amendments – Off-Street Parking; Public Hearing, Action Item**

Mr. Mumford presented item E. This City-proposed Code amendment improves the off-street parking standards, both for organizational and clarity purposes, and to be more in line with regional and national and practices. It amends Table 17.55.120(c). The City has done a variety of research of the parking codes of other cities, the International Traffic Engineers Manual (ITE), and made some site visits to existing developments in northern Utah County.

The Commissioners reviewed the required parking table.

Commissioner Komoroski asked about the requirement for condominiums and if it would require garages for condos or apartments. Mr. Mumford explained that this Code would require garages for condos or apartments.

*Commissioner Everett opened the public hearing at 9:08 p.m.*

None

*Commissioner Everett closed the public hearing at 9:08 p.m.*

**MOTION:**

*Wendy Komoroski moved to recommend approval to the City Council of the Development Code amendment for off-street parking with one change:*

- 1. A line item be added to the required parking table for apartments requiring 2 stalls per dwelling unit plus 1 guest parking space per 3 dwelling units.*

*Miriam Allred seconded the motion. Those voting aye: Wendy Komoroksi, Miriam Allred, and Matthew Everett. Those voting nay Daniel Boles. The motion passes with 3 ayes and 1 nay.*

**F. Development Code Amendments – Parks & Open Space; Public Hearing, Action Item**

This City-proposed code amendment changes the City's parks and open space standards with which developers must comply. It amends Chapter 16.35.

**MOTION:**

*Wendy Komoroski moved to table the Development Code amendments for Parks & Open Space public hearing to the March 10, 2015 meeting. Miriam Allred seconded the motion.*



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***Those voting aye: Daniel Boles, Wendy Komoroksi, Miriam Allred, and Matthew Everett. The motion passed with a unanimous vote.***

5. Adjournment

The meeting was adjourned at 9:15 p.m.

APPROVED BY THE PLANNING COMMISSION ON MARCH 10, 2015

  
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Steve Mumford, Planning Director