

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES

TUESDAY, MARCH 25, 2014 AT 6:00 P.M.

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

**5:00 P.M. Eagle Mountain City Planning Commission Closed Executive Session –
Conference Room**

Commissioner Dean called the meeting to order at 5:12 p.m.

1. A closed executive session will be held for the purpose of discussing reasonably imminent litigation, pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

MOTION: *Wendy Komoroski moved to adjourn to a closed session for the purpose of discussing reasonably imminent litigation. Miriam Allred seconded the motion. Those voting aye: Preston Dean, Miriam Allred, Wendy Komoroski, and Matthew Everett. The motion passed with a unanimous vote.*

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

COMMISSION MEMBERS PRESENT: Preston Dean, Miriam Allred, Wendy Komoroski, and Matthew Everett.

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

ELECTED OFFICIAL PRESENT: Chris Pengra, Mayor

1. Pledge of Allegiance

Commissioner Dean led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes
A. February 25, 2014

MOTION: *Wendy Komoroski moved to approve the February 25, 2014 meeting minutes. Miriam Allred seconded the motion. Those voting aye: Preston Dean, Miriam Allred, Wendy Komoroski, and Matthew Everett. The motion passed with a unanimous vote.*

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4. Development Items

A. Porter's Crossing Town Center Project Entrance Sign – Public Hearing, Recommendation to the City Council

A proposal for a large project sign for the 120-acre Porter's Crossing Town Center master development, as well as a combined commercial sign for the retail development.

Steve Mumford explained that the applicant is requesting that the Porter's Crossing Town Center project sign be tabled indefinitely.

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

None

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

MOTION: *Miriam Allred moved that the Planning Commission table the Porter's Crossing Town Center Project Entrance Sign indefinitely. Wendy Komoroski seconded the motion. Those voting aye: Preston Dean, Miriam Allred, Matthew Everett, and Wendy Komoroski. The motion passed with a unanimous vote.*

B. Eagle Mountain Jr. Seminary Site Plan; Public Hearing, Action Item

Mr. Mumford explained that the MidValley Road Phase 1 Amended plat includes the new seminary site. The proposed site contains a 3,598 sq. ft. building with a 9-stall parking lot on a 0.54 acre lot. Staff has no concerns with the building elevations. Staff does recommend that the brick for the seminary building be similar to the existing middle school.

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

None

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

Commissioner Dean stated that he did not have a problem with the seminary building having different brick.

MOTION: *Wendy Komoroski moved that the Planning Commission recommend approval for the City Council for the LDS Seminary Building Site Plan. Miriam Allred seconded the motion. Those voting aye: Preston Dean, Miriam Allred, Matthew Everett, and Wendy Komoroski. The motion passed with a unanimous vote.*

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C. Valley View Phases 4-9 Final Plat; Action Item

This final plat is an 85-acre configuration of the 132.77 acre approved preliminary plat and includes 123 lots in six phases.

Mr. Mumford explained that the Valley View Ranch Phase A Plats 4-9 is a part of the approved Valley View Master Development Plan. Previously, in March 2006, the Planning Commission approved the Valley View North preliminary plat. Approval of the preliminary plat allowed 177 lots on 132.77 acres with an average lot size of 24,665 sq. ft. Valley View North Final Plats A-1, A-2, A-3, and B have been approved and is within the preliminary plat. The final plat is an 85-acre configuration of the 132.77 acre approved preliminary plat and includes 123 lots in six phases. A preliminary and final plat review includes the layout of lots, proper street circulation, utility demands, park and recreation sites, etc.

The Commission reviewed some noteworthy items:

- Roads – No parking along Hummer Drive (condition of preliminary plat). The preliminary plat was approved with a gate between Mustang Way and Hummer Drive to limit access for Camp Williams' use. Current military installation security requirements preclude gated access points. As this access point will now remain open across unimproved City property, a solution needs to be identified whether to improve the dirt road. The City could not require the developer to install the road.
- Park Improvement – Park completion is required prior to 150 building permits being issued in all of Valley View. 72 homes have been built or permits issued; approximately 16 vacant improved lots remain. Each final plat recordation requires a cash escrow for park improvements in the amount of \$1,219.68 per lot.
- Utilities – The City cannot confirm that there is sufficient water for the total number of lots (123) and is in the process of updating the City's model. We can only recommend approval for 60 lots until the City verifies that there is availability of water for any additional lots. This means we can only recommend approval of Phases 4-7 (60 lots). The remaining plats, Plats 8 & 9, should be tabled until the issue can be resolved.
- Sewer – All lots in Phases 4, 5 & 6 will have septic and will require a preliminary approval from the Utah County Health Department as a condition of approval.

Commissioner Everett asked how often Camp Williams accesses the area from Mustang Road. Mr. Mumford explained that it is not frequent. The road is a secondary access point to Camp Williams. Mayor Pengra stated that it is accessed in the summer months only and it is not frequent. He also explained that the easement is in junction to the road. Camp Williams has an Afghan Village which is an on-site training village. Currently, Camp Williams is using propane and port-a-potties for the site. They are asking to hook up to the gas easement and sewer line.

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Brandon Watson, Edge Homes, explained where the easement and sewer line would be and how Camp Williams will be able to access the easement and lines.

Commissioner Komoroski asked if a soil test has already been done in the development. Mr. Watson explained that the Health Department came out last week and has given them preliminary approval for the subdivision. Then, the Health Department will have to come out for the later lots. The Health Department will require a percolation test for every two lots.

Commissioner Allred asked when the water tank was approved and how many units or developments it was supposed to support. Mr. Mumford explained that he could not answer that question fully at that time because the City is currently analyzing the water tank. He stated that there is a limited number of units remaining because other developments have been approved before this development. The City at this time could only approve sixty lots in this development due to the limited water capacity. There will be meetings with the City, developers and builders to help resolve the water capacity problem.

MOTION: *Wendy Komoroski moved that the Planning Commission recommend to the City Council approval of the Valley View Ranch Phase A Plats 4, 5, 6, & 7 with the following conditions:*

- 1. Master Plan Compliance. That this subdivision complies with all conditions of the Valley View Master Plan and Agreement.*
- 2. Neighborhood Park. That the entire Neighborhood Park is completed by the developer prior to the issuance of the 150th Valley View building permit. That berms are added to help buffer the park areas from the streets. That the park area shows grass as ground cover. That they will have to improve the equestrian trail with the final plat.*
- 3. Military Vehicle Access. That access is maintained for military and emergency vehicles along the current Camp Williams road alignment (Mustang Way). No parking along Hummer Dr.*
- 4. Water pressure and tank. That the developer remains in compliance with section 3.3 of the Master Development Agreement regarding water pressure.*
- 5. Cul-de-sacs. That the minimum radius on a cul-de-sac is 60 feet.*
- 6. Lots. A soils report is required for every lot. Lots that are one-half to three-quarters of an acre shall have a front and rear setback of no less than 50 feet and a side yard setback no less than 25 feet. If a road is constructed with curb and gutter and/or a trailway, then the front setback may be reduced to 35 feet. Lots with a slope greater than 2:1 will require engineered retaining walls.*
- 7. Septic Approval. Preliminary septic approval is required by the Utah County Health Department.*

Matthew Everett seconded the motion. Those voting aye: Preston Dean, Miriam Allred, Matthew Everett, and Wendy Komoroski. The motion passed with a unanimous vote.

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MOTION:

Wendy Komoroski moved that the Planning Commission table Valley View Ranch North Phase A Plats 8 & 9 until a resolution is found for the water capacity issues. Matthew Everett seconded the motion. Those voting aye: Preston Dean, Miriam Allred, Matthew Everett, and Wendy Komoroski. The motion passed with a unanimous vote.

D. Harmony Preliminary Plat; Action Item

Mr. Mumford explained that the Harmony preliminary plat is a 772-acre project located southwest of the Overland Trails subdivision and west of Pony Express Parkway. The project contains 2,535 single-family lots, and 92 acres of future multi-family, 27 acres of commercial land, six churches, a junior high school site, and various parks. The applicant expects this to be a twenty five year plan. He reviewed Eagle Mountain Properties future site plan for the area. The General Plan Map was amended to include the roadways in the Harmony plan.

City staff recommends that the Planning Commission approve the Harmony preliminary plat with the following condition of approval:

1. This plat approval is contingent upon a development agreement or concessions agreement being approved by the City Council, and that the concessions, as amended by the Planning Commission, shall be placed in that agreement.

Concerns from the 2009 Planning Commission are as follows:

- Drainage (long blocks)
- Housing variety
- Architectural quality
- Traffic studies / road failures
- upward growth within the development
- Small lot frontages
- Code review (hybrid review must enhance the community, not detract from it)
- Parks (a variety of design options)

The applicant has provided a list of proposed concessions for the project, which essentially include many of the conditions of approval that were considered by the Commission in May and June, 2010. Due to the unusually large size and special nature of this preliminary plat, a development agreement will be prepared for approval by the City Council following preliminary plat approval. These "concessions" will be included in the development agreement. If the Commission decides to approve this preliminary plat, a condition of approval should recommend the list of concessions or a revised list of concessions to the City Council to be included in the development agreement.

Eagle Mountain Properties Master Development Plan

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- Zoning use tables allowing for a majority of uses as permitted uses.
- Plan contains a maximum number of dwelling units which can be placed throughout their plan at various densities.
- Allows for submittal under standards of the 1997 Interim Development Code or the current code.

The applicant has submitted this development under the 1997 Interim Development Code with some exceptions.

The 1997 Interim Code

- A parks requirement of 2.5 acres per 400 dwelling units.
- No minimum frontage requirement for single-family lots.
- Alleys are required for development of 4 units/acre and above.
- Architectural design review standards, including the requirement of garage doors not facing the street unless the garage is set back 75 feet or more from the front property line.
- Storm detention basins may be counted in the park requirement.

The current Development Code contains the following requirements/standards: 8% of the total buildable land as improved open space (parks); 55-foot minimum lot frontage; no architectural design standards for single-family homes (except for “masonry materials”); a setback of 22 feet for garages; detention basins may not be included in the parks calculation; and an allowance for alleys, but no requirement.

It appears that several past applications have been reviewed under a hybrid ‘97/current code, or in other words, they were reviewed with the current code but gave allowance for 40-foot lot frontages, the parks calculation of the ‘97 code, no alley requirement, and no architectural design review requirements. The applicant has asked that this project be reviewed with the 1997 Interim Development Code with these same exceptions, and stating their belief that this project has been “deemed approved” in accordance with provision 2.8.2 of the Eagle Mountain Properties Master Development Agreement.

This has resulted in subdivisions with the following issues/concerns:

- Very little variation in lot size and building type.
- Homes that are not required to meet any architectural standards.
- Pedestrian/vehicle conflict points every 30-40 feet (driveways crossing sidewalks).
- Garage-dominated streetscapes.

The Commissioner and Planning Commission reviewed the proposed concessions / conditions of approval:

Church Sites: The Project includes six church sites located throughout the development. In the event the church sites are not purchased, and remain undeveloped, the owner may

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elect to re-plat these blocks to a density of up to 3.86 dwelling units per acre. Half-width of the surrounding public streets may be included in the density calculations. No lot in any re-platted church block shall have a width of less than fifty feet, and no multi-family product may be platted on the church blocks. No lot or street configurations are vested for these parcels.

Junior High School Site: The junior high school block has been reserved for a future school. In the event the school district does not choose this block for another school, the school block may be platted to a maximum density of 3.86 dwelling units per acre. Half-width of the surrounding public streets may be included in the density calculations. No lot in this re-platted block shall have a width of less than fifty feet, and no multi-family product may be platted on the school blocks. No lot or street configurations are vested for these parcels.

Improved Open Space: The improved open space areas are to be designed in detail along with each final plat or site plan application. All parks which are used as open space should have drainage piped through the park so that the park becomes usable and nuisance water is allowed to flow through, and spill over when flows begin to exceed historical runoff. Also, a pad for pavilions, tot lots, and other amenities should be provided above the pond water mark to allow full use of these facilities without increasing the required maintenance. These will be designed with each phase of development.

Trails: The “development” trails shall be built along with the infrastructure for each associated subdivision. Twenty-foot wide trail corridors shall be added to the preliminary plat to provide pedestrian access through long rows of lots. Where a trail corridor is added, lots shall be removed and the extra width added to the adjacent lots, or spread between several nearby lots.

Linear Park & Community Park: The linear park in the center of the project shall continue until it intersects with Many Bears Street on the north and Pole Canyon Boulevard on the south, to provide a linear park and trail connection through the project. The southeast park and surrounding areas shall be redesigned to remove the interior park road, to be more accessible/visible from the street, and to provide more useable park space for recreation. These changes may be approved by the City Planning Director and Parks Foreman.

Park Completion / Timing: A park must be designated with each final plat for partial improvement along with required infrastructure for that plat at time of submittal. Parks must be improved at a rate of at least 2.5 acres/400 lots, or approximately 273 square feet per lot. For example, Plat A-1 includes 34 lots, so 9,282 square feet of park space plus amenities must be improved in a park within 1,320 feet of the plat as part of the infrastructure improvements for that plat. The location and type of improvements/amenities are to be approved as part of the final plat application. A fee-in-

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lieu of improved open space may be approved at the discretion of the City Council (or approval authority) along with each final plat application.

Alternative Block Designs: Blocks A through D (to be added to the preliminary plat) are to be platted and designed as either single-family detached courtyard or green court developments, substantially similar to the examples in Exhibit 3, or other similar product as approved by the Planning Commission and City Council. The homes/lots fronting onto a green court may have a minimum frontage of 35 feet, and the homes/lots fronting a public street may have a minimum frontage of 40 feet, with no garages facing the public street. The fronts of homes shall face the public street or the green court. The final design will be approved at the final plat and site plan stage. The City makes no guarantee that the density shown on the preliminary plat for these areas can be achieved.

Lot Layout / Lot Size Variation: There shall be a variety of lot sizes throughout the Harmony plat, with no single street having more than four lots in a row that are less than 52 feet wide; or, in other words, for every four lots in a row there shall be one lot that is at least 52 feet wide. No more than three homes of the same plan or color shall be located along a single row of homes.

Multi-Family Review: All multi-family or commercial site plans or plat applications for this project shall comply with the Eagle Mountain City 1997 Interim Development Code if submitted before the expiration of the Eagle Mountain Properties Master Development Agreement. All other multi-family and commercial applications shall comply with the current City Code at the time of submittal. These areas are not vested with density, and any reference to the number of units on the preliminary plat is conceptual and informational only. The multi-family areas must be designed with appropriate density and product transitions between the single family lots and the high density or commercial areas.

Corner Lots: All corner lots shall contain a "corner cutoff" setback to allow for proper distance for gas and electric utilities to round the corners of a lot while still keeping the required distance from a building foundation. This includes taking a triangle out of the potential building pad measuring five feet each direction at the corner of the setbacks.

Phasing of Construction: Phasing shall generally follow the phasing included in the Project Overall Phase Index, but the City understands that variations to this phasing for various reasons will occur. Every phase shall include approved emergency vehicle access and turnaround, and no more than fifteen (15) lots may be built on a dead-end street or cul-de-sac.

Traffic Studies / Road Failures: All roads within the development that are not included in the City's Master Transportation Plan or Future Land Use and Transportation Corridors Plan must be paid for by the developer. The City Engineer shall have the discretion to require traffic studies with each final plat application, and if the next plat would likely reduce the level of service to D or worse on Eagle Mountain Boulevard,

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Pony Express Parkway, or SR 73, the developer would be required to fund the difference between the project cost and any impact fees previously collected by the City toward the required road project, under the terms of the Eagle Mountain Properties Master Development Agreement (2.6.7). An impact fee credit will then be applied to the project to effectively reimburse the owner/developer for this additional cost over time.

Utility Services and Infrastructure Improvements: Except as provided in a reimbursement agreement which may be entered into between the City and the developer, the developer agrees to dedicate and donate free and clear of all encumbrances to the City all required spaces for the location of City owned utilities, utility facilities and improvements for the construction and use of utilities, roads, and other public ways within the boundaries of Harmony.

Off-Site Utilities: Necessary off-site utility improvements must be completed to the satisfaction of the City Engineer and/or City Energy Director prior to issuance of any building permits in a phase that requires such off-site improvements.

Storm Drainage: Storm drain detention basins must be installed prior to issuance of any building permits for lots that would drain into such basin. Easements are required for all offsite storm drain infrastructure. Detention ponds that are designed to allow for a discharge may be designed as temporary retention ponds until the phasing allows for the completion of the offsite outfall storm drain, provided that an overflow storm drain can be provided. Drainage plans are required to be submitted along with each final plat for approval.

Street Names: The street names provided with this preliminary plat are considered reserved, following any changes required by City staff. Several streets require name changes for addressing and safety purposes, as well as avoiding any duplication or confusion, including: Doris Parkway (changed to Pole Canyon Boulevard), Brittany Street, Oquirrh View, Gracie Way, and Natahki Street (changed to Shumate Street), and others. Street names will require review and approval by the City Staff prior to any final plat approvals.

Thomas Street: In order to comply with the City's Future Land Use and Transportation Map, Thomas Street shall be widened to a "Minor Collector" road and be repositioned to the west to match the City's map. As a result of the move, Park E shall be expanded and some lots will be repositioned. Samuel Street shall also be stubbed to the property to the north.

Not-A-Part: The areas labeled "Not a Part" are not a part of the project, and are not vested with any density, road configuration, or lot layout (this includes the future multi-family areas, the Kent & Deborah Sievers property, and the Mountain Trails Elementary School site).

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Fencing: Fencing or a decorative block wall is required to be installed by the developer for all rear lots along a collector or arterial road. This fencing shall be included in a bond with the City.

Architectural Standards: All homes within the development must comply with the following minimum standards:

a. All homes on lots within the project shall have 'carriage' style, or decorative garage doors. The front of all homes will have at least two textures, including rock, brick, stucco, or decorative material, similar to Hardy board. The texture shall wrap around the front of the home at least until the first windows along each side of the home. Typical siding will not be used on the front of the homes.

Expirations: Due to the magnitude of the Harmony development, this preliminary plat shall not expire until 10 years after the date of acceptance of these concessions, but shall be renewed for a period of 5 years, in continuance, every 5 years, unless the approved design of the project is determined to represent a compelling, valid and substantial public harm.

Commissioner Dean asked if Mr. Mumford would explain what would happen if the project is started and the market is not what the developer expected. Mr. Mumford explained that the applicant would have to go through the preliminary plat amendment process if the developer makes major changes like road layout, change in the traffic pattern, reduced lot sizes, increased lot number, and reduced park space. For minor changes like lot line adjustments and increased lot size just a final plat would be required.

Commissioner Dean asked about the wording in the proposed concessions that read no more than three homes of the same plan or color shall be located along a single row of homes. He stated that most of these streets have 30 homes, would that mean there will be 10 different homes plans and ten different home colors along each street? Commissioner Komoroski suggested they change the wording to elevation instead of plan. She stated that it would be hard to come up with 10 different plans, but if they could change the look of the front of the home it would be less cumbersome for the builder and home owner.

Commissioner Allred was concerned about whether the Linear Park & Community Park was going to be expanded or not. Mr. Mumford explained that in the City opinion and current code requirement this development does not provide adequate park space for the residents, but it does meet the 1997 development code.

Mr. Mumford explained that the reason this item was not scheduled for a public hearing was because the hearings already took place in 2009 and 2010 for this project, and the public hearing was closed in May, 2010. No significant changes have been made to the proposed plat since then.

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MOTION:

Wendy Komoroski moved that the Planning Commission approve the Harmony preliminary plat with a condition of approval that this plat approval is contingent upon a development agreement or concessions agreement being approved by the City Council, and that the concessions, as amended by the Planning Commission, shall be placed in that agreement. Planning Commission requested that # 8, concessions read as follows:

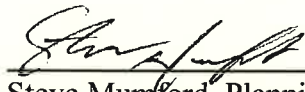
Lot Layout / Lot Size Variation: There shall be a variety of lot sizes throughout the Harmony plat, with no single street having more than four lots in a row that are less than 52 feet wide; or, in other words, for every four lots in a row there shall be one lot that is at least 52 feet wide. No more than four homes of the same elevation or color in a row of homes.

Miriam Allred seconded the motion. Those voting aye: Preston Dean, Miriam Allred, Matthew Everett, and Wendy Komoroski. The motion passed with a unanimous vote.

5. Next Scheduled Meeting: April 8

The meeting was adjourned at 7:49 p.m.

APPROVED BY THE PLANNING COMMISSION ON APRIL 22, 2014.



Steve Mumford, Planning Director