

EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING MINUTES

TUESDAY, APRIL 23, 2013 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: Preston Dean, Bonnie ElHalta, Wendy Komoroski, and John Linton.

CITY STAFF PRESENT: Steve Mumford, Planning Director and Mike Hadley, City Planner

ELECTED OFFICIAL PRESENT: Donna Burnham

1. Pledge of Allegiance

Commissioner Linton led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

Commissioner Komoroski declared a conflict of interest with the Autumn Valley/Talon Cove Rezone.

3. Approval of Meeting Minutes

A. March 26, 2013

**MOTION:** *Preston Dean moved to approve the March 26, 2013 meeting minutes. Wendy Komoroski seconded the motion. Those voting aye: Preston Dean, John Linton, Bonnie ElHalta, and Wendy Komoroski. The motion passed with a unanimous vote.*

4. Development Items

A. Lone Tree West – Preliminary Plat; Public Hearing, Action Item

A proposal for a subdivision of 189 single-family lots on 66.13 acres, located west of the existing Lone Tree neighborhood.

Mike Hadley explained that the Lone Tree West preliminary plat is located west of the existing Lone Tree subdivision and consists of 189 single family lots on 66.13 acres for an overall density of 2.86 units per acre. The lot sizes range from 7,000 sq ft to 15,300 sq ft with an average lot size of 9,500 sq ft. On January 16, 2007 Lone Tree West was presented to the Planning Commission as a concept plan, consisting of single-family lots and multi-family units. The new applicant has removed the multi-family element of the plan and chosen to do only single-family lots.

This development will be accessed by extending Lone Tree Pkwy, a collector road, and Red Oak Road, an existing neighborhood road, from Lone Tree development. The City Code does not allow for direct access from lots facing a collector road. The Lone Tree West preliminary plat has lot 55, lots 152 to 156, and lots 186 to 189 that access onto Lone Tree Pkwy. These lots will

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need circular driveways or a similar alternative for access. The road names have been approved by staff and there are no conflicts with other names.

The required improved open space for the Lone Tree West development is 5.10 acres. The applicant has provided 6.01 acres of improved open space. The City Code definition of improved open space means area that has been improved and landscaped as approved by the City. This area may include trails, parks, and other amenities. In Tiers I and II of the residential zone, improved open space is calculated as a percentage of a project's buildable land. Lone Tree West is a Tier II development. The following chart represents the improved open space that has been submitted and what is required:

Proposed open space	Total points	Required open space	Possible additional features
Trail 8' asphalt	72		Pavilion 15 to 20 pts
½ Basketball Court	15		Bicycle Racks 4+ 2 pts
Tot Lot	10 to 40		Swings 4+ 8 pts
Parking 7 Stalls	42		Shade structure 4 pts
Trees	30		Drinking fountain 4 pts
Benches	6		Extra irrigated space
Extra irrigated space	? (272)		
Total points	205 (477)	Required points 357	

The applicant has proposed improved open space which includes a large portion of irrigated native seed mix. The question is whether the irrigated native seed on the hillside counts towards the improved open space. Typically, plans that included proposed native seed as improved open space have not been allowed to be counted, but previous plans have also not included irrigating the native open space. Staff recommends that the native seed and trail be counted for a portion of the improved open space (half of calculated?), but not the full amount of credit. When the irrigated open space is calculated, the proposed plan exceeds the required point total for this project (total in parenthesis). The landscape plan shows the basketball court, tot lot, parking stalls, and benches being located in the detention basin. The City Code defines detention basins as "unbuildable." City staff feels that the detention basins can be considered as usable improved open space, but the amenities must be placed outside of the detention basins. Staff recommends that more usable improved open space should be provided within the project; this could be a pocket park or more land adjacent to the existing proposed parks outside of the detention basin.

Lone Tree West is a Tier II development and the overall gross density is 2.86 units per acre. The applicant needs to decide which optional improvements under the Tier II bonus density entitlements they will provide for this project.

This development is also required to fund or construct community improvements/amenities equal to \$2,000 per acre of buildable land. This could be paid for along with each final plat that is approved and recorded.

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The applicant has requested that the water rights for this project be deducted from the water that is already banked with the City.

The power circuit in this area has not reached capacity and the City will design the utilities as the applicant comes in for final plat approvals.

This project contains a strip of land running along the eastern border of the existing Lone Tree development and the proposed Lone Tree West. The county parcel number is 58:046:0067. This strip of land is not in the applicant's ownership. Before any final plat approvals, the ownership of this parcel needs to be obtained.

Recommended Conditions of Approval

1. A revised landscape and open space plan must be provided with the updated amenities requirements and calculations on improved open space.
2. Ownership affidavit of the property.
3. A water model is required.
4. Fire flow report.
5. Offsite Sewer and storm drainage required for Phase.1.
6. Demonstrate that lots 169-182 are buildable.
7. Detailed legend of trees, shrubs and irrigation.
8. Need full coverage irrigation for all open spaces/native areas.
9. No sump pumps in the detention area.
10. No direct access onto Lone Tree Parkway, unless a circular drive or other approved access is provided.

*Commissioner Linton opened the public hearing at 6:13 p.m.*

Chester Bailey, 7649 N. Bristlecone Road, asked the Planning Commission to explain number 10 on the recommended conditions. He was also concerned that the proper infrastructure be in place, for the safety of the children while the development is being constructed.

Mr. Hadley explained that new lots on Lone Tree Parkway will not be allowed to back out of their driveways onto Lone Tree Parkway.

Bill Weyer, 7671 Bristlecone Road, said that the development will bring in another 500 residents, and wants to know how the City plans to provide utilities to the 500 residents. He asked about the residents whose lots back up to the development that have access to the back.

Steve Mumford explained that the developer is responsible to pay for and install all utility lines. The City will design the dry utility lines for the developer. The City will receive utility revenue for the new homes. This number of homes does not require the City to purchase more power or gas utility. The City does not anticipate the utility rates going up for this size of development.

Mr. Weyer asked about the residents whose lots back up to the development that have been accessing their back yards from the developer's property. He said that he has been living there

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and using that access for four years. He will be looking into the law about property access being used for a year.

Mr. Mumford explained that the property in the back of their homes is private property, and using that property for access could be considered trespassing. He explained that the development would back up to the property line.

Matthew Traynor, 1976 E. Red Oak Road, was concerned that traffic would increase on Red Oak Road.

Nate Shipp, representing the developer of Lone Tree West, explained that the original approved concept approved plan was townhomes on smaller lots. The developer evaluated Lone Tree Subdivision, and decided that larger lots with single family homes are a better design for the area. The developer is aware the residents have concerns about construction traffic. The developer will do his best to help maintain the construction traffic as best as he can by working with local law enforcement and making their subcontractors aware of the safety issues. He said that the developer does not have any problems with the recommended conditions of approval.

Michelle King, 7563 N. Bristlecone Road, was concerned that the proposed development will not have the proper access into the development and that it will be a high density neighborhood. She was also concerned that the airport would be too close to the development. She suggested that the developer and the City find a way to access the development from S.R. 73.

Racquel Dastrup, 7749 N. Bristlecone Road, was concerned that the proposed development would not be a part of the Ranches HOA. She was also concerned that the construction traffic in Lone Tree would cause damage to the landscape, the roads and the danger it causes for the children in Lone Tree.

*Commissioner Linton closed the public hearing at 6:56 p.m.*

Mr. Mumford explained that every subdivision proposal plan submitted to the City is sent out to be reviewed by the Fire Marshal, the City Engineer, Public Works Director, Energy Director, Building Official and others. He explained that the Fire Marshal reviews road access to the development, and it has to comply with all State Fire Codes, National Fire Codes and the International Fire Code. Fire Codes require that no more than 30 homes can access off of one road or access point. City Code only allows 15 homes off of one road or access point. The developer is also required to submit a traffic study of the subdivision to the City Engineer for review. The City Engineer will review the study and check if it applies with the National Traffic Standards, International Traffic Standards and City Codes. Roads are required to meet certain requirements such as sizes and traffic ratings (A.B.C. Scale and daily trips per vehicles). Lone Tree Parkway is wider than a regular residential road and acts as a minor collector road with less access onto the road. The traffic study is required to be performed by a third party Traffic Engineer that specializes in road studies. The traffic study consists of current and future development and traffic counts and makes recommendations. The review of the traffic study showed no issues or concerns with the Lone Tree West development. The future Lone Tree

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Parkway (minor collector road) is planned to curve down to the airport road, which in future will become a five lane road.

He explained that Utah is a property rights state and there is only so much the City can do to restrict property rights from the landowner or developer. The City has worked with the City Council and the Planning Commission to help create codes that regulate how development can be improved. The City has in place a bonus density system that requires more amenities with more density. He stated that the existing Lone Tree subdivision is denser than the proposed development. The square footage of the proposed lots backing up to the current Lone Tree subdivision lots are larger or similar in size.

Commission Dean requested and urged that item number one in the recommendations includes this concept or idea. City staff feels that the detention basins can be considered as useable improved open space, but the amenities must be placed outside of the detention basins. Staff recommends that more useable improved open space should be provided within the project; this could be a pocket park or more land adjacent to the existing proposed parks outside of the detention basin.

**MOTION:**        *Preston Dean moved that the Planning Commission recommend the Lone Tree West Preliminary Plat to the City Council with the recommended conditions stated in the staff report. Bonnie ElHalta seconded the motion. Those voting aye: Preston Dean, Bonnie ElHalta, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

B. Autumn Valley/Talon Cove—Rezone; Public Hearing, Action Item

An applicant-proposed rezone of property northwest of SR 73 & Mt. Airey Drive. The proposal rezones approximately 24 acres to Commercial, approx. 5 acres to Commercial Storage, and adds the Extractive Industries Overlay Zone to approximately 95 acres (over the current extraction operation).

Mr. Mumford explained that the land being considered for this rezone is located northwest of SR 73 and Mt. Airey Drive. The properties have been referred to in the past as Talon Cove and the Smith Sisters properties. The southern 21 acres (approximately) are currently zoned Agricultural, while the northern 158 acres are zoned Industrial. The applicant is proposing to rezone approximately 24 acres to the Commercial Zone, approximately 5 acres to the Commercial Storage Zone, and add the Extractive Industries Overlay Zone to approximately 95 acres of the northern properties.

These properties are bordered on the south by SR 73, on the west by vacant commercial property and on the west, north, and east by the Spring Run Master Development Plan, which includes residential property to the west and north, and industrial and commercial property to the east.

The purpose of the Commercial zone is to provide for commercial businesses, professional offices, and shopping centers that will serve neighborhood, communitywide, and regional

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shopping demand, along with other commercial opportunities, which are reasonably separated or buffered from residential development. Mixed-use residential developments are allowed as a conditional use within the Commercial zone.

The purpose of the Commercial Storage zone is to provide for nonretail commercial sites for storage of vehicle, equipment, and inventory, and associated offices.

The purpose of the Extractive Industries Overlay Zone is to provide location control over extractive uses, to promote the reclamation of these sites, and to provide proper buffering and protection for neighboring development and uses.

The zoning must be reasonably compatible with adjacent land uses. Since the area proposed for commercial zoning is surrounded by commercial and industrial land, and is adjacent to SR 73, the proposed zoning is compatible with adjacent land uses. The extractive industries area is also fairly compatible with adjacent land uses (extractive operations to the east and northeast, and vacant land to the north and west). This proposed overlay would simply include the land that is currently involved in mass grading, extraction, and gravel pit operations. The designation of this overlay zone on the property would provide more notice to potential developers, businesses, and homeowners of the current uses of that property.

The Commercial Storage Zone would be surrounded by commercial and potential multi-family uses, very similar to that in neighboring communities, including the storage unit facility in Saratoga Springs (north of Walmart). Since storage units are not always the most attractive uses, nor neighbors, the commercial land provides an excellent buffer to this use.

*Commissioner Linton opened the public hearing at 7:14 p.m.*

*Commissioner Linton closed the public hearing at 7:14 p.m.*

**MOTION:** *Preston Dean moved that the Planning Commission recommend the Autumn Valley/Talon Cove rezone application to the City Council. Bonnie ElHalta seconded the motion. Those voting aye: Preston Dean, Bonnie ElHalta, and John Linton. Those abstaining: Wendy Komoroski. The motion passed with three "aye" votes and one abstention.*

C. Antelope Springs – Concept Plan; Discussion Item

A concept review of a proposal for 33 lots on 41.246 acres, located west of Pony Express Parkway, between the Eagle Park neighborhood and Mid Valley Park. All lots are a minimum of 1 acre in size.

Antelope Springs is a 33-lot subdivision on 41.246 acres, located west of Pony Express Parkway, north of the City Center area.

This property does not currently front onto a City street, so easements are necessary through SITLA's property to the east. The plans show a 35-foot access easement on the southeast,

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and a 25-foot access easement on the northeast. These easements will contain a portion of the roadway, a water line, and dry utilities. Twenty-four feet of asphalt will be required on both of those accesses.

The sewer for the project is being proposed to be handled in septic tanks for each lot. SITLA installed a sewer line on the east side of Pony Express Parkway up to Mid Valley Road last year. The applicant has approached SITLA concerning a sewer easement, in order to connect sewer to that line for this project. SITLA has been opposed to granting those easements due to concerns of future capacity. SITLA has scheduled a meeting with the City to discuss this issue. The City Public Works Director's strong recommendation is that this subdivision be connected to the City sewer system rather than contain septic tanks.

This is a Tier 1 subdivision, which requires 4% improved open space for the project, or 1.65 acres of improved open space. Pocket parks and neighborhood parks are only required for projects with a lot size average of less than ½ acre. This project averages greater than 1 acre in size, and is instead required to dedicate park space for a community and/or regional park. The proposed plan includes 1.512 acres of open space to be dedicated to the City, including the retention basin (Parcels A, B, and C), and also including a meandering trail. This open space fronts the collector road on the south of the project.

The City has several options when considering this open space:

1. Accept the proposed open space layout, and improve the property at some future date.
2. Require a fee-in-lieu of the 1.65 acres of land, instead using those funds to improve MidValley Park.
3. The Developer can propose to use the funds for the 1.65 acres of land towards some other community or regional park amenity, or possibly trails.

The property is currently zoned Agricultural, and would have to be rezoned to Residential. The properties to the north and west are zoned Agricultural, and the property to the east and south are within the SITLA Master Development Plan, and are zoned Town Core (2.88 units per acre).

Dan Ford, 1868 Valley View Lane, explained that SITLA is concerned about granting a sewer easement to the developer because of sewer capacity. The developer has applied for septic tank approval for the development at this time.

Commissioners were concerned about the fee-in-lieu and would rather have the improvements.

5. Other Business
  - A. Updates

Next Planning Commission meeting May 14, 2013.

6. Adjournment

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The meeting was adjourned at 7:47 p.m.

APPROVED BY THE PLANNING COMMISSION ON MAY 14, 2013.

  
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Steve Mumford, Planning Director