

EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING MINUTES

TUESDAY, MAY 10, 2011 AT 6:00 P.M.

Eagle Mountain City Council Chambers, 1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

COMMISSION MEMBERS PRESENT: Karleen Bechtel, Preston Dean, Bonnie ElHalta, John Linton, Tom Maher.

CITY STAFF PRESENT: Steve Mumford, Mike Hadley, Melanie Lahman, Jerry Kinghorn

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

1. Pledge of Allegiance
2. Declaration of Conflicts of Interest

None.

3. Approval of Minutes

A. April 26, 2011 Planning Commission Meeting Minutes

**MOTION:** *John Linton moved to approve the April 26, 2011, meeting minutes. Karleen Bechtel seconded the motion. Those voting aye: Karleen Bechtel, Preston Dean, Bonnie ElHalta, John Linton and Tom Maher. The motion passed with a unanimous vote.*

4. Development Items

A. Conditional Use Permit – Wasatch Wake Park; Action Item, Public Hearing

This is an applicant-proposed wakeboarding park located south of the Pony Express Regional Park and west of the Overland Trails subdivision.

*Mr. Maher opened the public hearing for the conditional use permit and site plan at 6:27 p.m.*

Mark Mach, 4347 Majors Street, didn't believe the wake park would make any money; it should be an attraction in a full-size water park. He asked why the developer wanted to locate the park in Eagle Mountain. It would be too far away from the freeway to attract users. He didn't believe it would be a temporary location, as is planned. He felt it would fill with mud from blowing dust.

Elise Erler, SITLA, stated that SITLA is the landowner leasing the land for the park. The City proposed the project to SITLA, which sees it as a temporary land use. SITLA plans to develop the land residentially within five to ten years. The ground lease for the park will be a maximum of ten years. SITLA chose this parcel rather than one of its other parcels in order to provide a recreational amenity in City Center.

Dan Cotton, 4391 Major Street, said the skate park is much noisier than he was told it would be, because kids are running around and yelling. He said the wake board park would be noisy, too.

Jenacee Jackson, a professional wakeboarder, said a wakeboard park is completely different from an amusement park. She said there is an active wakeboard community in Utah and she gets calls every day asking about the status of this project. The distance from the freeway is not an obstacle, because wakeboarders are used to going much farther to be able to participate in the sport.

Nikki Wickman, 2766 Fort Hill Road, was concerned that without a fence to keep people out when the park is closed, it will be a safety hazard.

Wendy Mach, 4347 Major Street, said the park is not appropriate for this city.

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

Discussion ensued concerning noise and safety issues and the location of the park. The park will be located farther away from homes than was originally planned. Darcy Hanks, the applicant said his goal is to open the park this summer. The Planning Commission discussed building a berm between the homes and the park.

**MOTION:** *John Linton moved to approve the Wasatch Wake Park conditional use permit for two years, with the conditions listed in the staff report, with the addition of an item 8, Phase 1 be moved south and adjacent to Lehi-Fairfield Road and that Phase 2 be sited south of Phase 1, and 9, that an annual review by City staff be conducted to determine compliance and unforeseen problems. Bonnie ElHalta seconded the motion. Those voting aye: Karleen Bechtel, Preston Dean, Bonnie ElHalta, John Linton and Tom Maher. The motion passed with a unanimous vote.*

- B. Site Plan – Wasatch Wake Park; Action Item, Public Hearing  
This is an applicant-proposed wakeboarding park located south of the Pony Express Regional Park and west of the Overland Trails subdivision.

**MOTION:** *John Linton moved to recommend approval to the City Council of the Wasatch Wake Park site plan for Phases 1 and 2, with the conditions noted in the staff report, with the addition of items 8 and 9 as previously stated. Bonnie ElHalta seconded the motion. Those voting aye: Karleen Bechtel, Preston Dean, Bonnie ElHalta, John Linton and Tom Maher. The motion passed with a unanimous vote.*

- C. General Plan Amendment – Hidden Valley Road; Action Item, Public Hearing  
An applicant-proposed amendment to the City's Future Land Use and Transportation Corridors Map, removing the Hidden Valley "expressway" from the map.

*Mr. Maher opened the public hearing at 7:09 p.m.*

Ryan Bybee of Cadence Capital, the applicant, asked that the master plan, as approved, not be changed. It does not show the Hidden Valley expressway, because it was approved prior to the change in the transportation plan.

Elise Erler, SITLA, asked that the item be tabled for further discussion.

Jim McNulty, Planning Director of Saratoga Springs, cited sections of the Eagle Mountain Municipal Code related to master development plans and agreements and suggested that the item be tabled or continued.

*Mr. Maher closed the public hearing at 7:16 p.m.*

City Attorney Jerry Kinghorn explained the legal issues around this item, and recommended that the Commission table the item. He suggested that the City and the landowners go to the Property Ombudsman's Office for an advisory opinion.

Kevin Anderson, the applicant's attorney, felt that nothing would be gained by going to the Ombudsman's Office. He felt that the applicant has vested rights from the approvals they have received from the City. He recommended that the Commission remove the road from the map until those who would benefit agree to assume the risk.

Mr. Kinghorn requested that the item be tabled for thirty days while he makes some inquiries and provide a written report to the Planning Commission.

**MOTION:** *John Linton moved to table the proposal regarding the General Plan amendment for the Hidden Valley road to the June 28 meeting. Preston Dean seconded the motion. Those voting aye: Karleen Bechtel, Preston Dean, Bonnie ElHalta, John Linton and Tom Maher. The motion passed with a unanimous vote.*

- D. *General Plan Amendment – Pole Canyon; Action Item, Public Hearing  
This item has been removed from the agenda at the request of the applicant*
- E. *Master Development Plan Amendment – Action Item, Public Hearing  
This item has been removed from the agenda at the request of the applicant*
- F. *Industrial Master Site Plan – Pole Canyon Business Park Plat A; Action Item, Public Hearing  
This item has been removed from the agenda at the request of the applicant*
- G. *Final Plat – Pole Canyon Business Park Plat A Phase 1; Action Item  
This item has been removed from the agenda at the request of the applicant*
- H. *Site Plan – Raass Brothers Construction; Action Item, Public Hearing  
This item has been removed from the agenda at the request of the applicant*

5. Next scheduled meeting: May 24, 2011

6. Adjournment

The meeting was adjourned at 7:34 p.m.

APPROVED BY THE PLANNING COMMISSION ON JUNE 14, 2011.



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Steve Mumford, Planning Director