

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, May 26, 2009, AT 6:00 P.M.
Eagle Mountain City, 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

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

Roll Call

Tom Maher, John Linton, Karleen Bechtel, Bonnie ElHalta, Preston Dean

Staff Present

Steve Mumford, Planning Director
Mike Hadley, Senior Planner
Lianne Pengra, Planning Coordinator

Others Present

Larry Oldham, Architectural Nexus

1. Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Approval of Minutes

A. May 12, 2009 Planning Commission Meeting Minutes -- *This item was removed from the agenda.*

4. Development Items

A. Antelope Meadows Church Site Plan - Action Item

Mr. Hadley said that the re-submitted application called this item the Eagle Mountain 5 Ward; the City is requiring the name to remain "Antelope Meadows LDS Church" as was on the original application. He said that the original site plan was approved September 2008. He explained that the LDS church is standardizing the development of the church buildings based on geographic area. He said that this design allows for future expansion.

Mr. Hadley said that they did reduce the amount of parking, but they still meet the parking requirements. He said that the landscape has been changed and the pavilion will be put in at a later date. He said that pedestrian accesses were added as well. He said that they have also added a lot more landscaping to the plan.

Larry Oldham, Architectural Nexus. He said that this is one of two newly-designed meetinghouse prototypes. He explained that this would be considered a regular size meetinghouse with a smaller gym and a stage. He said that it does not have a baptismal font, but one can be added later. He explained that the owner is trying to get the congregation closer to the speaker.

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Commissioner ElHalta asked what the size of the building will be. Mr. Oldham said if areas do not need stake center, the buildings will be 20,000 square feet and if the area does need a stake center, the building will be 23,000 square feet.

Commissioner Dean asked if the elevations are similar to the existing approved elevations. Mr. Oldham said they are similar with a few changes. The entire building will be brick now and the steeple that used to sit on top of the building is now part of the front of the building. He said that this is still called a Heritage building.

Commissioner ElHalta asked where the other prototype is. Mr. Oldham said that it is in Farmington in the same stages as the one in Eagle Mountain.

Commissioner Linton asked if a new church building coming to Eagle Mountain would be this design. Mr. Oldham said that he isn't sure. He explained that the prototypes they are building will be completed over the next year. He said that if the new building is started beyond a year from now, it could be this design.

Commissioner Dean asked where the gate noted on the plan leads to, and whether or not it is permanent. Mr. Oldham said that it is permanent; it leads to a cul-de-sac and was part of the original conditions.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the Eagle Mountain 5 Site Plan, 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. Move the fire hydrant to the island across from the FDC.
2. LOCK BOX. A key lock box is provided and the riser and entrances keyed the same. The lockbox is fastened to the building next to the sprinkler riser room.
3. REVIEW. A 3rd party review of the sprinkler and alarm plans.
4. ALARM PANEL. The alarm panel is located next to the riser room.

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 by the site plan applicant and remain consistent with the approved Autumn Ridge III landscape plan.

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3. CHURCH NAME. The LDS church maintains the name Antelope Meadows instead of Eagle Mountain 5 Ward.

Commissioner ElHalta seconded. Ayes: 5. Nays: 0. Motion passed.

B. Eagle Mountain Parks and Open Space Master Plan - Action Item

This item was discussed after Item 4C.

Mr. Mumford said that this is scheduled for the City Council meeting next week. He said that the council meeting is scheduled to be held at Nolan Park in conjunction with the Health and Safety Fair for Pony Express Days.

Commissioner Linton asked if the plan will result in higher building permit fees. Mr. Mumford said that currently only regional parks are included in impact fees; community parks are required to be installed by the developers. He said that he believes this plan may reduce the requirement placed on developers and increase the building permit fees slightly.

Mr. Mumford said that some builders have said the impact fees are high. Commissioner Linton said that since the City owns its own utilities, builders are paying all fees to one entity, rather than dividing them up to the municipality, gas company, and electric company. Mr. Mumford said that he believes the Building Department has compared Eagle Mountain's impact fees to other cities which do not own their own utilities. He said that the total fees paid in both situations are comparable.

Commissioner Bechtel asked how the trail and park land will be set aside before development comes in. Mr. Mumford said that the maps on the plan note that the park locations are general locations; nothing specific is tied down as far as location. He explained that what is set is the amount and type of park required and the fact that it needs to be located within the radius on the map.

Commissioner Maher said that the trails are specific for connectivity. Mr. Mumford said that the City may have to purchase the land for the major trails.

Commissioner Linton said that there can be more than one developer within each circle on the map. He asked who is responsible for the park and how the City ensures it gets what is required. Mr. Mumford said that it will need to be addressed in Development Code changes. He said that each development is required to have a certain amount of improved open space and they can address each project individually to ensure the correct amount and type of park is provided.

Commissioner ElHalta asked how the security, safety, and maintenance would be covered, financially. Mr. Mumford said that the lighting was brought up and that regional parks would definitely need lighting. He explained that there are time limits on the community and regional parks and that some trails may have lights, depending on the type of trail. Commissioner ElHalta

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asked if there was an extra liability to the City. Mr. Mumford said that there probably is; he said he is unsure of how the City's liability insurance is set. He said that some of the financing of the regional and community parks is being considered in the Capital Facilities Plan, which is currently being updated.

Commissioner Linton said that the more homes that are sold, the more tax base the City will have to be able to provide these parks, and the parks will be provided as need dictates with the home sales.

Commissioner Maher said that the section on pocket parks should clearly state the equipment required. He said that he would also like great care to be taken when adjusting the code to be in line with this plan.

Commissioner Maher said that getting the land for the major trails could be an issue. Mr. Mumford said that it is similar to a Master Transportation Plan that shows future roads with no current right-of-ways.

Commissioner Maher asked if parks can be encouraged adjacent to schools. Mr. Mumford said that they discussed this with Design Workshop and he will see if they can note it in the narrative.

Commissioner ElHalta asked if the City could dictate exactly what needs to be included in pocket parks. Commissioner Linton said that they tried that with tennis courts and again with sand volleyball courts, but that they are not used. He said that what is currently used today, may not be used five years down the line; he thinks current usage should determine what is included in parks.

Mr. Mumford said the code requires certain amenities and developers can propose to use the estimated costs of those amenities to provide something different. He said that staff can look at requiring a minimum in amenities while allowing the developer to be creative in the design process.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the Parks and Open Space Master Plan.*

Commissioner Bechtel seconded. Ayes: 5. Nays: 0. Motion passed.

C. Temporary Signage Ordinance - Action Item

This item was discussed before Item 4B.

Mr. Mumford said that with economic conditions what they are, developers and builders are asking for assistance. He said that staff has had meetings with the local builders, realtors, and developers and have come up with this proposal. Mr. Mumford said that the builders and developers don't necessarily want large signs; they want a few additional directional signs. He

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said that builders don't feel the ladder signs are working as well since the number of builders and model homes are diminishing.

Mr. Mumford discussed a few signs which are currently out of compliance in Eagle Mountain.

Mr. Mumford said that the current ordinance allows for one on-premise sign up to 32 square feet for model homes and subdivisions. He said that model homes are allowed six flags not to exceed fifteen square feet each on poles not to exceed twenty feet in height. He said that the only off-premise signs allowed are the ladder signs, and no moveable, free standing, snipe, bootleg, or vehicular signs are permitted.

Mr. Mumford said that the proposed sign ordinance allows for two A-frame or temporary directional signs per builder per subdivision. He said that they proposed to allow these signs in the park strip adjacent to the model home and another in the park strip of the nearest major street corner. He said that these would only be allowed during model home hours and must be removed each evening and can be replaced in the morning at the opening of the model home. He said that these signs must be directional and cannot contain advertising.

Mr. Mumford said that the location and times of when signs are allowed were discussed heavily with the affected businesses and it was decided that the signs are best utilized when the model homes are actually open and staffed.

Mr. Mumford said that they propose one temporary sign be allowed in the park strip of the nearest street corner for real estate open houses. He said that the signs can be put up no more than thirty minutes prior to the open house and must be removed within an hour after the open house. He said that they would not allow more than one open house sign on a corner at a time.

Commissioner ElHalta asked how many additional signs this ordinance would equate to. Mr. Mumford said that the number of builders still in town with model homes open is less than it has been. He said that the open house signs could lead to quite a few signs. He said that they can't think of a better option to limit the number of signs, short of not allowing them at all.

Commissioner Bechtel asked for clarification on the duration of the ordinance. Mr. Mumford said that staff originally proposed three months and the developers and builders wanted six, so they are proposing four months -- through the end of September 2009.

Commissioner Bechtel asked how this was going to be enforced. Mr. Mumford said that there is a provision in the code for removal of signs, so when the ordinance expires in October, it will fall back to the current ordinance and the process is already in place. Commissioner Maher asked how it will be enforced during the temporary ordinance. Mr. Mumford said that there is only one Code Enforcer who currently pulls illegal signs and he will be the one to enforce this as well, so it may be difficult.

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Commissioner Linton said that The Ranches HOA pays for the yard care within The Ranches and those mowing will have to stop mowing, remove the sign, mow the area, and replace the sign; this will add to the cost of landscape maintenance. Mr. Mumford said that they can restrict the signs to be permitted just on corners on private property.

Commissioner Linton said that he wishes the builders would get together and build a kiosk in City Center and one in The Ranches on which to post maps, floor plans, etc. He said that this would solve the sign problem.

Commissioner ElHalta asked what will stop people from putting up illegal signs anyway, even with this temporary ordinance, since there isn't a really strong enforcement. Commissioner Linton said the different HOAs may pull the signs. He said that the HOA rules may be more stringent than the City's ordinance and may not allow the signs at all.

Commissioner Dean asked if the builders and developers have seen the proposal. Mr. Mumford said that they have seen it and he has received two responses: one was positive, one was mixed. He said that they sent a copy to Brian Haskell at The Ranches HOA, as well.

Commissioner Bechtel said that she is empathetic, but there are problems with allowing the signs on public property. Commissioner Maher said that he likes the idea of the signs being on private property.

Commissioner ElHalta said that she would prefer the negatives of signs for four months over the damages that come from having a vacant neighborhood.

Commissioner Linton asked what would happen if they decide to go with private property. Mr. Mumford said that the enforcement and removal would be more difficult on private property.

Commissioner Linton asked if there would be as many signs on private property. Mr. Mumford said that there probably would not be. He said that the builders would still want to push the issue on Ranches Parkway.

Mr. Mumford said that they also discussed allowing one off-premise sign for developers currently selling lots in subdivisions, not for the specific homebuilders.

Commissioner ElHalta asked what happens at the end of the four months. Commissioner Maher said that it reverts back to the current code. Mr. Mumford said that in meetings with developers and builders, they discussed the fact that the signs will need to come down as of October 1, 2009.

MOTION: Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the Exhibit A, Temporary Regulation Permitting the Display and Placement of Temporary Signs [see attached].

Commissioner Dean seconded. Ayes: 5. Nays: 0. Motion passed.

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5. Other Items

A. Community Gardens

Mr. Mumford said that they have been approached by residents in the City to either install community gardens, or to allow personal gardens to stretch onto City property. He said that they are trying to put together a policy to allow City property to be leased for community gardens.

Discussion ensued regarding regulations on the community gardens and how to enforce regulations.

Commissioner Maher asked staff to speak with cities that currently have well-run community gardens to see how they do it.

B. Capital Facilities Plan Update

Mr. Mumford said the Capital Facilities Plan discusses the current needs of the City and what the City will need and the costs up to twenty years out. He said that the transportation plan is a twenty-year plan. He said this plan will be coming soon and will be used to base impact fees on as will be used as the basis for future decisions on bonding, funding and right-of-way acquisitions.

6. Adjournment

Commissioner Maher adjourned the meeting at 7:43p.m.

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Exhibit "A"

Temporary Regulation Permitting the Display and Placement of Temporary Signs

Purpose: The purpose of this regulation/ordinance is to allow for temporary signs of size and type as defined below for a 4-month period to assist homebuilders, homeowners, and developers in selling homes and lots during this difficult economic time. This regulation is intended to temporarily supersede the regulations that apply to this type of signage found in Chapter 17.80 Sign Regulations of the Eagle Mountain Municipal Code for a 4-month period.

Effective Dates of Temporary Ordinance: Temporary signs displayed under this section shall be allowed to be erected starting on Wednesday, June 3, 2009 and must be removed by October 3, 2009.

Type, Placement, Size, and Height of Temporary Signs: The following signs shall be temporarily permitted with associated restrictions as stated below:

1. Model Home Signs
 - a. Two A-frame or temporary directional signs of no more than four (4) square feet are permitted per builder per subdivision.
 - b. One sign may be located in the park strip adjacent to the model home and another may be located in the park strip of the nearest major street corner.
 - c. These signs are allowed only during model home hours – they must be removed each evening and may be replaced in the morning at opening.
 - d. The signage shall be directional only, and shall not contain other advertising.
2. Real Estate Open House Signs
 - a. One A-frame or temporary directional sign of no more than four (4) square feet may be permitted in the park strip of the nearest street corner for real estate open houses (for individual home sales) during the hours of the open house.
 - b. Open houses are limited to one day per week, and the sign may be posted no more than one hour prior to the open house and must be removed within one hour after the open house.
 - c. No more than one open house sign may be placed on a corner at a time.
 - d. Balloons, streamers, and other attention-getting devices are prohibited.
3. Subdivision Project Sign
 - a. One off-premise project sign (only for subdivisions selling lots) may be located off-site on private property within 500 feet of the subdivision.
 - b. This sign shall be no larger than 32 square feet and 8 feet maximum height.

Enforcement: All signs that are not removed by the deadline above shall be enforced according to chapter 17.80.130 of the Eagle Mountain Municipal Code.