

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, MAY 27, 2014 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: John Linton, Preston Dean, Wendy Komoroski, and Matthew Everett.

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

ELECTED OFFICIAL PRESENT: Adam Bradley

1. Pledge of Allegiance

Commissioner Linton led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes

A. May 13, 2014

MOTION:

Preston Dean moved to approve the May 13, 2014 meeting minutes with the following changes: Wendy Komoroski abstained from the motion of the minutes and that Adam Bradley was not present at the meeting. No Commissioner seconded the motion. Those voting aye: Preston Dean, Wendy Komoroski, John Linton and Matthew Everett. Due to a lack of a second a new motion will need to be made to approve the May 13, 2014 meeting minutes.

4. Development Items

A. Meadow Ranch V Plat 3 Final Plat – Action Item

Ken Sorenson explained that the project includes 40 single-family lots, with an average lot size of 31,714 sq. ft. All lots are greater than a half acre in size. The smallest lot is 0.55 acres and the largest is 1.10 acres. The plat is located north and east of Meadow Ranch V Plats 1 & 2. The existing Allred lot 313 in the northwest

corner has been removed from the plat, but the applicant will still provide the necessary improvements for that lot.

Open Space & Parks

City Code requires that the park improvements be installed by 50% of the project, or in this case, prior to the 37th building permit of the overall Meadow Ranch V project being issued. The park, then, would need to be installed prior to, or during the initial construction of the 3rd phase of development. The applicant has received comments from the Parks and Recreation Board, as well as from some of the nearby residents. The park includes a parking area, pavilion, tennis/basketball sport court, trails, grass, and trees.

Site Design

A 30-foot space is designated on the hillside above the lots as an urban wildland interface zone, where certain restrictions exist for vegetation and construction, according to the Utah Urban Wildland Interface Code.

Commissioner Dean asked if lot 313 would be included in another plat. Steve Mumford explained that the owner of the lot and the applicant had two options:

1. That the lot be included in the plat.
2. Exclude the lot but include the easement on the east side of the lot for water and power lines. Also the property owner would be required to deed the road property to the applicant for recording of the plat.

Commissioner Dean stated that he thought that all lots needed to be part of a plat to be buildable. Mr. Mumford explained that the City Attorney stated that this lot would be buildable no matter if the lot is included or excluded from the plat. He also explained that the City has permitted one lot subdivision plats to be recorded in the past.

Monte Kingston, Ames Construction, explained that the applicant removed lot 313 from the plat, because it could hold up recording the plat. The applicant would need to wait for the property owner to come up with water rights.

MOTION:

Preston Dean moved that the Planning Commission recommend to City Council the approval of the Meadow Ranch V Plat 3 Final Plat with the following conditions:

- 1) Add lot dimensions and public utility easements to the plat.***
- 2) Provide proof of water rights for the plat.***
- 3) Add a private utility easement for the benefit of the existing power and water facilities that serve Aaron Allred lot shown in the construction drawings.***

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

B. Valley View Phase A Plat 7 Final Plat Amendment -- Action Item

Mr. Sorenson explained that the approved Final Plat 7 is 15 lots on 14.40 acres. The proposed Amended Final Plat 7 is a 19.38 acre configuration that includes 23 lots. The developer is proposing amending the approved Final Plat 7 to add one lot from the approved Final Plat 6 as well as seven lots from the tabled Final Plat 8.

Commissioner Dean asked what would be the benefit of dividing the plats. Mr. Mumford explained that dividing the plat would help bring sewer to the majority of the lots. Plat 6 would have septic tanks due to the slope of the lots.

MOTION:

Preston Dean moved that the Planning Commission recommend to City Council the approval of the Valley View Phase A Plat 7 Final Plat Amendment 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 the 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.

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

- C. Eagle Mountain Business Park Preliminary Plat -- Public Hearing, Action Item The proposed 28.6-acre preliminary plat includes 14 total lots or parcels. Lot 103 is planned as a storage unit lot, lots 401 and 402 are planned as future multi-family, and the remaining lots are intended for retail, office, and office-warehouse.

Mr. Mumford explained that the applicant has requested that the Eagle Mountain Business Park Preliminary Plat be removed from the agenda.

MOTION: *Preston Dean moved that the Planning Commission table the Eagle Mountain Business Park Preliminary Plat. Wendy Komoroski seconded the motion. Those voting aye: Preston Dean, Wendy Komoroski, John Linton, and Matthew Everett. The motion passed with a unanimous vote.*

- D. Porter's Crossing Town Center Master Development Plan Amendment – Public Hearing, Recommendation to the City Council (CONTINUED) An amendment to the Porter's Crossing Town Center Master Development Plan, removing 39.9 acres of commercial space, a 7.98 acre reduction in gross open space, and an increase in total residential units from 443 to 888. The proposal includes the introduction of new residential designations ranging from single- to multi-family dwelling units.

Mr. Mumford explained that this item was continued from the May 13, 2014 meeting. The applicant has brought new plans to the meeting, but City staff has not reviewed the new plans. The City staff is unable to give the Planning Commission feedback on the new plans at that time.

Commissioner Linton opened the public hearing at 6:27 p.m.

Trevor Hull, applicant, stated that he knew this plan would take a couple of meetings to get right. He would like to discuss the updates with the Planning Commission and get their input. The developer has decided that the frontage along Pony Express Parkway and Porter's Crossing should be Commercial. He asked how the Commissioners felt about having a mix of condos and townhomes together.

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- i. Major amendments include an increase in lots or units, a decrease in improved open space, or a significant change to a road or lot configuration.
 - c. Minor amendments would be approved by the Development Review Committee (DRC).
 - i. Minor amendments include changes that do not fall into the category of “major amendments.”
2. Final Plats & Final Plat Amendments
 - a. Final Plats would be reviewed for approval by the Development Review Committee (DRC). These plats should conform to the approved preliminary plat. If they do not (except for minor modifications), an amendment to the preliminary plat would be required prior to any approval of the final plat.
3. Development Agreements
 - a. Development agreements have become a cursory document that simply takes up more time for the staff, Council, and developer, and potentially delays a project.
 - b. Development agreements would be replaced by a “notice of decision,” which would include all of the conditions of approval, including timing of open space / park improvements, fencing requirements, etc. It would also include some legal protections for the City. A notice of decision would be produced after the preliminary plat approval and the final plat approval. These would be sent to the developer and filed with the City Recorder. We have contemplated whether these should be recorded at the County Recorder’s office on the property, but we are awaiting the City Attorney’s advice on that issue. Briefly the City Attorney stated that if it’s recorded it should require a notarized signature from the developer.
4. Site Plans and Conditional Uses
 - a. We are not proposing any changes at this time to these applications. Changes will likely be forthcoming.

Mr. Mumford stated that the City Attorney suggested that on page 24 paragraph (16.30.010 What This Chapter Does) that the words “ pursuant to a development agreement” be removed.

16.30.010 What This Chapter Does.

This chapter requires the installation, contribution and dedication, at no cost to the city, of required improvements in developments at the developer’s expense, sets improvement standards or refers to other standards, permits the phased installation of improvements ~~pursuant to a development agreement~~, and requires the perpetual maintenance of required improvements which are not dedicated to the city. [Ord. O-07-2006 § 2 (Exh. 1 § 6.1); Ord. O-23-2005 § 3 (Exh. 1(2) § 6.1)].

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Commissioner Linton asked who would have the authority to decide if the amendments are minor or major for the plat. Mr. Mumford stated that it would most likely be the City Planning Director and/or a development review committee. Commissioner Linton felt that it should be spelled out in the document, on who would have that authority. Mr. Mumford suggested that at the bottom of the Land Use Authority Table 16.05.220(b) by the * they could indicate who would have the authority to make those decisions. He also suggested that in the Preliminary Plat chapter they add a small paragraph defining major and minor amendments. Commissioner Linton stated that by the * it should state that the Planning Director or his designee be the authority.

Commissioner Linton opened the public hearing at 7:12 p.m.

None

Commissioner Linton closed the public hearing at 7:12 p.m.

Commissioner Dean was concerned that the new Code would only give the Planning Commission one shot at getting it right. Mr. Mumford explained that the City will be changing the application and require more up front from the developer like the landscaping plan. The developer will need to have everything ready at the preliminary plat stage except for the construction drawing. The City or Planning Commission could recommend that larger plats go through a concept plan review. This code does not impact the master development plan process, where the developer will have flexibility.

Commissioner Linton was concerned that the Planning Commission needs to present a complete project to City Council. Commissioner Dean stated that the commissioners need to get the help from City staff that would help the commissioners review and complete the project.

MOTION: *Preston Dean moved that the Planning Commission recommend to the City Council the approval of the Development Review Process Code Amendment Chapter 16.05.220 Tables (Public Hearing, Land Use Authority, Appeal Authority) and Chapters 16.20 Preliminary Plats, 16.25 Final Plats, 16.30 General Requirements for all Subdivisions as presented in the staff report. Wendy Komoroski seconded the motion. Those voting aye: Preston Dean, Wendy Komoroski, John Linton, and Matthew Everett. The motion passed with a unanimous vote.*

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5. Next Scheduled Meeting: June 10

6. Adjournment

The meeting was adjourned at 7:31 p.m.

APPROVED BY THE PLANNING COMMISSION ON JUNE 24, 2014.



Steve Mumford, Planning Director