

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA

TUESDAY, JUNE 25, 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, Scott Langford, Bonnie ElHalta (arrived 6:05 pm), and John Linton.

CITY STAFF PRESENT: Mike Hadley, Senior Planner; Tippe Morlan, Planning Intern; and Johna Rose, Deputy Recorder.

ELECTED OFFICIAL PRESENT: Donna Burnham

Commissioner Linton called the meeting to order at 6:01 p.m.

1. Pledge of Allegiance

Commissioner Linton led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes

A. June 11, 2013

MOTION: *Preston Dean moved to approve the June 11, 2013 meeting minutes. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, and John Linton. The motion passed with a unanimous vote.*

4. Development Items

A. Porters Crossing Church Lot—Preliminary Plat & Final Plat; Public Hearing, Action Item

A proposed preliminary and final plat containing one 3.325-acre parcel, located north of the planned Porters Crossing Town Center subdivision.

Mike Hadley explained that the proposed plat consists of a 3.325-acre lot and Porters Crossing Road, extending from the end of the Porter's Crossing Town Center subdivision to the northern end of this property. This lot is intended to be used for a church site. This subdivision is part of the approved Porter's Crossing Town Center Master Development Plan. A master development agreement, however, has not yet been approved, finalizing the zoning for the property. Modifications to the plan and agreement are being drafted, and the Commission will likely see these in an upcoming meeting in the near future. Whether the property is zoned agricultural or residential, a conditional use permit and site plan are required for the church development.

Commissioner Linton opened the public hearing at 6:04 p.m.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA

TUESDAY, JUNE 25, 2013 AT 6:00 P.M.

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

Commissioner Linton closed the public hearing at 6:04 p.m.

MOTION: *Preston Dean moved that the Planning Commission approve the Porter's Crossing Church Lot Preliminary Plat and recommend the Porter's Crossing Church Lot Final Plat to City Council with the following conditions:*

- 1) 5-foot public utility easement shall be added around the side and rear property lines.*
- 2) An easement or property dedication shall be required for the detention basin and storm drain pipe to the basin. If an easement, the property shall be dedicated to the City along with future adjacent development.*
- 3) Soils report required.*
- 4) Signed and dated certificate of consent in which all mortgagors, lien holders, and other parties with any real property interest, including the holder of mineral rights, in the property consent to its subdivision.*
- 5) Modify plans to include two water line stubs into the site for fire hydrants.*
- 6) Modify plans to meet all DRC comments.*

Scott Langford seconded the motion. Those voting aye: Preston Dean, Scott Langford, and John Linton. The motion passed with a unanimous vote.

B. Cedar Pass Ranch J Amended – Preliminary Plat & Final Plat; Public Hearing, Action Item

Cedar Pass Ranch Plat J was a two lot subdivision plat recorded with Utah County in 1996. The proposed amended subdivision plat consists of three lots ranging in size from 5.30 ac, 5.37 ac to 7.00 ac. This proposal splits lot 35 into two separate parcels.

Mr. Hadley explained that Cedar Pass Ranch Plat J is a two lot subdivision plat recorded with Utah County in 1996. Lot 34 consists of 7.11 ac and lot 35 10.56 ac. The proposed amended subdivision plat consists of three lots ranging in size from 5.30 ac, 5.37 ac and 7.00 ac. This proposal splits lot 35 into two separate parcels. The original lot 35 did not meet the City's lot frontage requirements of 150 ft on lots equal to or greater than one acre in size so lot 34 was included in the plat. The owners of lot 34 sold a small piece of land to the applicant which allows the new lots to comply with the City's code. The applicant has gone through the Cedar Pass Ranch HOA and obtained approval to file an amended plat J with the City and Utah County. The applicant was required by the HOA to notice and obtain a vote of approval from the current property owners within the Cedar Pass Ranch development. The proposal was approved by the homeowners.

There are current existing utilities for the recorded lots. City staff has requested that the applicant submit a utilities plan showing the existing and proposed utilities for water and sewer. Also the applicant will need to verify the locations of the utility stubs/meters in

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA

TUESDAY, JUNE 25, 2013 AT 6:00 P.M.

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

relation to the property lines. The applicant can work with the Public Works Department on what to submit.

Recommended Conditions of Approval

1. Utility plan showing existing and proposed (water and sewer connections).
2. Culvert under driveways.
3. Verify locations of utility stubs/meters in relation to property lines.
4. Water rights required before recordation of the plat.
5. Every portion of the house has to be within 150 ft of the road or an additional access road would be required to the house.
6. Engineers estimates for the development agreement.

Commissioner Langford requested that the City amend the recommended requirement for sewer connection. Cedar Pass Ranches has only septic tanks in their development.

Commissioner Linton opened the public hearing at 6:08 p.m.

John Warner, 3211 Cedar Pass Road, explained that the Cedar Pass Ranch HOA vote to split the lots was not properly done according to Cedar Pass Ranch CC&Rs. He was also concerned that splitting the lots would affect the value of his home.

Mr. Warner read a letter from Robert and Jennifer Richards which is attached to the end of the minutes.

Bob Clegg, 3706 Royal Troon, owner of the lot, explained that he would love to move forward. He has complied and would comply with all City and HOA requirements.

Dan Ford, 1868 Valley View Lane, lot realtor, explained that to the west of the lot a road was planned to go through to Horse Shoe Station development but the project was vacated.

Nikki Wickman, 2766 E. Fort Hill Road, spoke on behalf of Courtney Rogers, owner of lot 51. He is very concerned that splitting the lot would cause other residents in Cedar Pass Ranch to consider splitting their lot and allow a family member to build a house onto a split lot. The lots proposed are narrow and the City should also consider putting a road between the lots.

Commissioner Linton closed the public hearing at 6:22 p.m.

Mr. Hadley explained that when Stonebridge subdivision was being built, the road between the lots was vacated by the City, because there was no need to connect Cedar Pass Ranch to Stonebridge.

Commissioner Dean explained that the City Code would not allow a resident to divide their lot and have a resident move in behind the current house, because there would not be the proper frontage.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA

TUESDAY, JUNE 25, 2013 AT 6:00 P.M.

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

Commissioner Linton explained that the Planning Commission is governed by City guidelines, requirements and Codes and not governed by the HOA or CC&Rs.

MOTION: *Preston Dean moved that the Planning Commission approve the Cedar Pass Ranch J amended Preliminary Plat and recommend the Cedar Pass Ranch J amended Final Plat to City Council with the following conditions:*

1. *Utility plan showing existing and proposed water connection.*
2. *Culvert under driveways.*
3. *Verify locations of utility stubs/meters in relation to property line.*
4. *Water rights required before recordation of the plat.*
5. *Every portion of the house has to be within 150 ft of the road or an additional access road would be required to the house.*
6. *Engineers' estimates for the development agreement.*

Scott Langford seconded the motion. Those voting aye: Preston Dean, Scott Langford, John Linton, and Bonnie ElHalta. The motion passed with a unanimous vote.

C. Hidden Hollow Final Plat– Action Item

This proposal is for 35 total lots with a density of 2.98 lots per acre. The average lot size is 11,103 sq ft. This project is located next to the Hidden Hollow Elementary School.

Mr. Hadley explained that the proposal for the Cedar Valley Plat A development agreement was approved on March 20, 2007 by the City Council. The approved plat was never recorded with Utah County. The applicant entered into negotiations with Alpine School District for the property to build the Hidden Hollow Elementary School. A new proposal has been submitted with fewer of lots due to the school being built. The original proposal consisted of 54 total lots with a density of 4.10 lots per acre. The average lot size was 8,236 sq ft. The new proposal is for 35 total lots with a density of 2.98 lots per acre the average lot size is 11,103 sq ft. The applicant met with the Development Review Committee on March 20 2013. Since that meeting the applicant has addressed the comments/redlines from that meeting.

With the original approval there was an approved landscape plan. The approval stated that the park had to be completed before the 66th building permit between plats A and B. With the new submittal there are fewer lots in Plat A so the completion time frame will need to be revised to 50% of the total lots between plats A and B. The park improvements that are required for Plat A will need to be bonded for or the money placed into an escrow account with the City and used by the developer for the construction of the park at a later date. City staff and the applicant will need new cost estimates to figure the total cost of the improvements for Plat A. The applicant will also need to improve the frontage property along Pony Express Pkwy.

MOTION: *Preston Dean moved that the Planning Commission recommend to City Council the Hidden Hollow Final Plat. Bonnie ElHalta seconded the motion. Those voting aye: Preston Dean, Scott Langford, John Linton, and Bonnie ElHalta. The motion passed with a unanimous vote.*

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA

TUESDAY, JUNE 25, 2013 AT 6:00 P.M.

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

D. Development Code Amendments – Public Hearing, Action Item

Three proposed amendments to Chapters 16 and 17 of the Eagle Mountain Municipal Code relating to the development standards for one-access roads, minimum dwelling size standards, and the duration of model homes as sales offices.

Tippe Morlan explained that the proposal to amend Chapter 16.35.070 Development Standards for Required Public Facilities is to clarify the number of residential lots or units in a one-access residential development in accordance with the International Fire Code. In the current code, Chapter 16.35.070 Development Standards for Required Public Facilities: Streets and Street Systems, the only mention of the number of units allowed on a one-access road is under the cul-de-sacs section, which states:

- In no case shall a cul-de-sac street have a length that exceeds 500 feet measured to the center of the circle or serve more than 15 homes or generate greater than 150 average daily vehicle trips, unless a waiver is granted by the Planning Commission.

While the existing code also does adopt sections of the International Fire Code in Chapter 15.95.020 International Fire Code Appendices, it does not specify development standards for one-access roads and the number of dwelling units allowed. In order to expand the code to address all one-access developments, not just cul-de-sacs, the proposal is to include the following development standards adopting language to reflect Section D107.1 Fire Apparatus Access Road: One- or Two-Family Residential Developments from the International Fire Code:

- One-Access Roads. The number of dwelling units on a single fire apparatus access road shall not exceed 30. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with separate and approved fire apparatus access roads.

Ms. Morlan explained that the proposal to amend Chapter 17.25 Residential Zone is to modify the minimum dwelling size standards under the Base Density, Tier I, and Tier II development standards to include a total minimum finished square footage. In all three sections, the minimum dwelling size standards currently state separate square footages for the base floor and any second floors. Changing these standards to reflect a total square footage in place of separate floor requirements would provide flexibility among types of housing developments allowed without permitting smaller homes overall, retaining the feel of the City. The proposal is to replace language in Chapter 17.25.110 Base Density Residential Development Standards, Chapter 17.25.120 Tier I Residential Development Standards, and Chapter 17.25.130 Tier II Residential Development Standards, which currently identifies the minimum dwelling size standards as the following:

- Two-story dwellings shall be 800 square feet on the main floor, 200 square feet on the second floor and a 400-square-foot garage.

The proposed new language will say:

- Two-story dwellings shall be a total of 1,600 finished square feet and a 400-square-foot garage.

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA

TUESDAY, JUNE 25, 2013 AT 6:00 P.M.

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Commissioner Dean asked why the City Code should require 600 more square feet. He was concerned that the City Code would be too restrictive.

Ms. Morlan explained that dividing the 1600 sq. ft up would give an equal amount to each floor. She explained that the cluster homes that brought this to the City's attention were not under 1600 sq. ft. not including the garage. She explained that the current City Code is 1000 sq. ft. base density.

Ms. Morlan explained that the proposal to amend Chapter 17.75 Standards for Special Uses is to include a time limit on the duration of model homes. While model homes may contain sales offices, having a temporary use in a permanent building may have unintended consequences for nearby residential communities. The recommendation is to include a provision within Chapter 17.75 Standards for Special Uses, under 17.75.040 Temporary Subdivision Sales Offices, to institute a limit on the amount of time a model home can function for business purposes per the following language:

- A subdivision may have multiple model homes which contain sales offices. The temporary sales office must be removed from a model home when the subdivision is more than eighty (80) percent developed or has been occupied as a temporary sales office for three (3) years, whichever occurs first. Time extensions may be considered by the Planning Director on a case-by-case basis, depending on the impact on existing dwellings in the development, the suitability of the office in a residential area, and traffic flow generated by the temporary sales office. A temporary sales office or model home may not be used as a general real estate office, a construction management office, or an off-site sales office.

Commissioner Linton opened the public hearing at 6:44 p.m.

Commissioner Linton closed the public hearing at 6:44 p.m.

MOTION: *Preston Dean moved that the Planning Commission recommend the Development Code amendment as proposed to City Council:*

- *Chapter 16.35.070 Development Standards for Required Public Facilities*
- *Chapter 17.25 Residential Zone*
- *Chapter 17.75 Standards for Special Uses*

Scott Langford seconded the motion. Those voting aye: Preston Dean, Scott Langford, John Linton, and Bonnie ElHalta. The motion passed with a unanimous vote.

5. Other Business

A. Updates

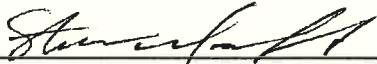
B. Next Scheduled Meeting: July 9

6. Adjournment

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA

TUESDAY, JUNE 25, 2013 AT 6:00 P.M.

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

7. The meeting was adjourned at 6:54 p.m.
- 8.
9. APPROVED BY THE PLANNING COMMISSION ON JULY 30, 2013.
- 10.
- 11.
12. 

13. Steve Mumford, Planning Director