

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, JUNE 14, 2016 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: Wendy Komoroski, Matthew Everett, John Linton, and Daniel Boles. EXCUSED: Mike Owens.

CITY STAFF PRESENT: Steve Mumford, Planning Director; Mike Hadley, Senior Planner; Tayler Jensen, Planner; and Johna Rose, Deputy Recorder.

ELECTED OFFICIALS PRESENT: Colby Curtis and Stephanie Gricius.

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 24, 2016

MOTION: *Wendy Komoroski moved to approve the May 24, 2016 meeting minutes. Matthew Everett seconded the motion. Those voting aye: Matthew Everett, Daniel Boles, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

4. Items noticed but removed from the Agenda

A. City Center Commercial, Master Site Plan

B. Overland Phase A Preliminary Plat, Public Hearing, Action Item, Recommendation to City Council:

5. Action and Advisory Items (Recommendations to the City Council)

A. Gateway Park Phase B Preliminary Plat, Public Hearing, Action Item, Recommendation to City Council:

Mike Hadley explained that the proposed preliminary plat consists of 4 lots on 8.18 acres. The commercial subdivision is along Cory Wride Memorial Highway and Mt. Airey Drive. The Mountainland Association of Governments has approved money for UDOT to purchase a portion of the proposed preliminary plat property for future ROW expansion. The applicant has been working with UDOT but has been unable to finalize the purchase of the land, so the applicant is moving forward with this preliminary plat. UDOT's future

plans show expansion of Cory Wride Memorial Hwy (SR 73) to become a major transportation corridor.

Daniel Boles asked how much property is UDOT taking from this plat. Steve Mumford stated that the future expansion of Cory Wride Memorial would require all the property from this plat.

Commissioner Linton opened the public hearing at 6:11 p.m.

Lori Gilson, resident, was concerned about what type of businesses were planned for the development. She was also concerned about the beautification of the entrance to Eagle Mountain City and felt that industrial development was not appropriate for the entrance.

Jim Maxwell, resident, wanted to make sure the builders would have standards and setback to help beautify the entrance. He was also concerned about controlling the dust.

Jen Morrison, resident, felt that the City has not done their part in controlling the dust from the gravel pits.

Clara Bartell, resident, was concerned about the dust and the working hours of the gravel pits. She was also concerned about loose gravel from the gravel trucks on Cory Wride Memorial Highway. She felt that the City's enforcement for commercial business was lacking.

Bruno Hunziker, resident, suggested that the residents of Mount Airey subdivision get in contact with the EPA (US Environmental Protection Agency) to help control the dust.

Commissioner Linton closed the public hearing at 6:24 p.m.

Scott Hazard, applicant, explained that he has been working with UDOT since 2014 and UDOT has not given a written offer for the property. UDOT has not condemned the property so he would like to proceed with the planned development.

Commissioner Linton questioned if the lots would be marketable with a maximum lifespan of only ten years.

MOTION: *Wendy Komoroski moved to recommend approval of the preliminary plat for Gateway Park Phase B to the City Council. Daniel Boles seconded the motion. Those voting aye: Daniel Boles, Matthew Everett, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

B. Metro Ready Mix Concrete Plant, Site Plan, Public Hearing, Action Item, Recommendation to City Council:

Taylor Jensen explained that the proposal is for a concrete plant located north of Cory Wride Memorial Hwy (SR 73), on the Talons Cove property. The proposed concrete plant is located within the Extractive Industries Overlay Zone.

Buffering and Screening

The Eagle Mountain Municipal Code (EMMC) requires uses in the Extractive Industries Overlay Zone that produce substantial noise to be located at least a quarter of a mile or one thousand three hundred and twenty feet (1,320') from properties containing residential development. The proposed location does comply with this standard.

- Berms and landscaping may be required to buffer the use from public roads; however, the proposed concrete plant location is separated from public roads by a large hill, and staff doesn't believe any additional buffering is necessary.
- The applicant placed a 94' model at the site location on Google Earth, and street views confirmed that it could not be seen from any street in Eagle Mountain City staff has confirmed the results.

Truck Traffic.

The applicant has indicated that truck traffic to and from the concrete plant will leave through Saratoga Springs, and will not result in increased truck traffic in Eagle Mountain.

Noise Restrictions.

The use shall comply with the Eagle Mountain noise ordinance, which restricts sound to below sixty-five (65) decibels, measured at the property line from the hours of 9:00 PM to 7:00 AM Monday-Saturday, and 9:00 PM to 9:00 AM Sunday.

Commissioner Everett was concerned about how the City could enforce and fine the companies that are in violation of the noise and hours of operation ordinances. Mr. Mumford confirmed that the City is looking into ways to enforce and fine those companies with violations.

Commissioner Linton opened the public hearing at 6:39 p.m.

Clara Bartell, resident, was concerned about how the industrial properties are devaluing her home. She was also concerned about the health of the children in her neighborhood.

Richard Thomas, resident, was concerned about the noise and the air quality. He read a report from the EPA website about cement plants and how they contribute to air pollution.

Jen Morrison, resident, said that Saratoga Spring has cut off the access road before for trucks accessing through Saratoga Springs and has forced them to use Cory Wride Memorial Hwy. She requested that the concrete plant not be approved.

Lori Gilson, resident, was concerned about being surrounded by an industrial zone. She was also concerned about the air quality, dust, and noise from the industrial zone.

Lisa Maxwell, resident, said that Cory Wride Memorial Hwy is not being maintained by a sweeper. She explained that with the loose gravel along Cory Wride Memorial Hwy she has had to replace her car windshield twice.

DJ King, resident, was concerned about the air quality. He also wanted to know how long the gravel pit would be leasing the property. He was also concerned about the tower being visible once the mountain was removed.

Nate Bruisk, resident, requested that the City implement SWPPP (Storm Water Pollution Prevention Plan) requirements. He also stated that as a builder, the concrete plant would benefit the builders working in Eagle Mountain City.

Travis Jenson, resident, stated that he did not want a concrete plant in his backyard. He was also concerned about the truck destroying City roads and taxpayer having to pay to repair the roads.

Jennifer Lavorsen, resident, was concerned about the pollution, health of the residents, and the value of her home.

Carrie Jenson, resident, was concerned about the debris the high winds will carry from the plant into the neighborhood. She felt that industrial lots should be moved away from residential housing.

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

Commissioner Komoroski asked if an environmental impact study has been done for the plant. Mr. Mumford stated that the City could look into the health impact.

Commissioner Linton suggested that a code be implemented requiring that the gravel truck loads must be wetted down before leaving the plant.

John Dunn, president of Metro Ready Mix Concrete, explained that this plant has nothing to do with the gravel pits. He stated that this is a concrete plant and not a cement plant. He explained that cement plants do produce pollution. The Utah Division of Air Quality (DEQ) does regulate the concrete plants dust. He said that his other two concrete plants are located in West Valley City and Pleasant Grove next to residential neighborhoods.

Commissioner Everett was concerned with the hours of operation. His experience with concrete plants is that most orders for concrete are delivered to the job site around 5:00 am in the summer. The concrete plant would need to start at 4:00 am to get the order delivered. Mr. Dunn explained that his other concrete plants do not have time restrictions. Those morning orders could be dispatched from another concrete plant.

Mr. Mumford said that the Staker Parson gravel pit has been there for about 20 years and the TM Crushing gravel pit has been there for 5 years.

Commissioner Komoroski asked if the City would look into an ordinance that could help control the pollution and the debris on the road.

Commissioners felt that the gravel pit issues should not affect the concrete plant's application.

MOTION: *Wendy Komoroski moved to recommend approval of the site plan for the Metro Ready Mix Concrete Plant to the City Council. Matthew Everett seconded the motion. Those voting aye: Daniel Boles, Matthew Everett, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

C. Lakeview Estates Preliminary Plat, Public Hearing, Action Item, Recommendation to City Council:

Mr. Hadley explained that the property is located southeast of the Cory Wride Memorial Highway (SR 73) and Sunset Drive. The property sits between the Cedar Pass Ranch subdivision and the Westview Heights subdivision. The applicant has proposed a preliminary plat consisting of 65 lots. The lots range from ½ acre to 1.5 acres in size.

Remnant Piece of Ground

The proposed plat shows a leftover piece of property in the southwest corner of the plat. City staff feels that this piece should be incorporated into the plat.

Commissioner Linton opened the public hearing at 7:40 p.m.

DJ King, resident, requested that the Lakeview Estates subdivision mirror the Westview Heights neighborhood. He also felt that a second access road should be added to the new development.

Lou Carol, resident, requested a buffer zone of one acre lots adjacent to Cedar Pass Ranch. He also requested a second access road into the development for safety.

Nate Brusik, resident, said that he liked the new plat, but requested a second access road into the new development.

Jeff Morris, resident, would like to see a fence between Cedar Pass Ranch and Lakeview Estates. He felt that a fence would help preserve the horse trail between the developments.

Commissioner Linton closed the public hearing at 7:53 p.m.

Mr. Mumford explained that UDOT does not want another access road onto Cory Wride Memorial Highway. The development has been approved by the Fire Marshal with one access onto the highway.

Mr. Mumford suggested that the remnant piece of property be incorporated into the proposed plat, adding the piece to lot 137.

MOTION: *Wendy Komoroski moved to recommend approval of the preliminary plat for Lakeview Estates to the City Council with the following conditions:*

- 1. The applicant shall submit a parks and open space amenities worksheet.*
- 2. Street lights be added to the utility plan.*
- 3. The street names for Church Way and Lake View be changed.*
- 4. The leftover piece of property in the southwest corner of the plat be incorporated into the proposed plat or an alternative plan for the piece be approved.*

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

D. Pole Canyon Phase 1 Preliminary Plat, Public Hearing, Action Item, and Recommendation to City Council: This is 20 lot preliminary plat, located within the Pole Canyon Master Development Plan area.

Mr. Jenson said that in 2010 the Pole Canyon area, which includes the White Hills development, was annexed into Eagle Mountain City. At the time of annexation, a Master Development Plan and a Master Development Agreement were also adopted. This project is located adjacent to the existing White Hills development, in Neighborhood Planning Area 11 (NPA 11) of the approved Pole Canyon Master Development Plan.

Infrastructure

No building permits shall be issued by the City for the construction in the Pole Canyon property, unless PCIG or its successor has substantially completed the required infrastructure to comply with City requirements for phasing of infrastructure and completion of off-site improvements required by the relevant project or proposed construction.

The water line is currently under construction, and is anticipated to be completed shortly, at which time it is planned that Wilson Avenue will be repaired. Sewer plans are currently being reviewed by the state.

Street Lights

The Eagle Mountain Municipal Code (EMMC) **15.10.390 Street Lighting** requires street lights to be placed in residential developments at a minimum of 250', apart and at a maximum of 350' apart. The applicant is asking for this requirement to be waived for Phase 1 of the Pole Canyon development as the existing White Hills community does not have street lights. The applicant does not believe street lights match the character of the existing community.

Commissioners Linton and Boles asked if there was leeway in the Municipal Code that would allow the Commissioners or the City to waive the street light requirement. Mr. Mumford explained that the Code allows a little bit of flexibility when it makes sense not to have street lighting. City staff recommended that street lights be installed for pedestrian safety.

Commissioner Linton opened the public hearing at 8:15 p.m.

Peggy Hunziker, resident, said that DAI has not complied with their agreements with the City in getting the park finished and turning over the water system to the City. She stated that the Pole Canyon Master Development Agreement states:

13.0 Building Permits. No Building Permit shall be issued by the City for construction in the PCIG property, unless PCIG or its successor has substantially completed the required infrastructure to comply with City requirements.

She was also concerned about only having one access road into the neighborhood.

Bruno Hunziker, resident, felt that the City should hold DAI to the Pole Canyon Master Development Agreement. He said that he has no problem with DAI building the development as long as DAI finishes the infrastructure and complies with the agreement.

Erika Douglas, resident, said that the developer has not finished the park to the agreement standards. She said that she was told that White Hills water pipes were being shattered by heavy equipment driving along the roads. She felt that the roads and pipes should be fixed before the City allows any more building in the area.

Amy Perry, resident, said that the City should hold the developer accountable for the infrastructure being done prior to building. She was also concerned for the safety of the children in the neighborhood with the amount of traffic the construction would bring. She likes that there is no light pollution in their area and did not feel street lights were necessary for White Hills neighborhoods.

Jessica Lewis, resident, sent an email disapproving of the development.

Commissioner Linton closed the public hearing at 8:29 p.m.

Mr. Mumford thanked Peggy Hunziker for her comment. He stated that the City Planner's new recommendation is that no building permits shall be issued until the infrastructure is complete.

Nate Shipp, applicant, said that he was not planning to start building in White Hills until the issues that were discussed are complete.

MOTION: *Daniel Boles moved to recommend approval of the preliminary plat for the Pole Canyon Phase 1 to the City Council with the following conditions:*

- 1. A community improvement fee of \$10,658 (\$2,000 per buildable acre) shall be paid at plat recording.*
- 2. Building permits shall not be issued for construction until infrastructure needed to comply with City requirements has been substantially completed (sewer, water, & Wilson Avenue repair).*
- 3. No plat approval until Wilson Avenue is repaired.*

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

E. Chapter 17.25 Development Code Amendments, Public Hearing, Action Item, Recommendation to City Council:

Mr. Jensen said that the applicant has proposed a reduce front and rear setback reduction from 50' to 35' in Base and Tier I residential developments on both sides of the road, when a road has been constructed with curb, gutter, and a trail way.

Commissioner Linton opened the public hearing at 8:43 p.m.

None

Commissioner Linton closed the public hearing at 8:43 p.m.

Scot Hazard, applicant, stated that this request came about due to an oversight in the design of 5 smaller lots in the Arrival development.

Mr. Mumford said that City staff recommendations went beyond the applicant's request. Staff has recommended a 25' setback instead of the 35' setback the applicant proposed. He stated that it would give residents a bigger back yard where they could keep their horses in the back yard instead of the side yard.

MOTION: *Wendy Komoroski moved to recommend approval of the amendment to Chapter 17.25 of the Eagle Mountain City Municipal Code to the City Council. Matthew Everett seconded the motion. Those voting aye: Daniel Boles, Matthew Everett, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

F. Chapters 17.10 & 17.70 Development Code Amendments, Public Hearing, Action Items, Recommendation to City Council

Mr. Jensen explained that the proposal is an amendment defining tiny homes on wheels and allowing them to serve as accessory apartments in Base and Tier I residential developments.

Commissioner Linton opened the public hearing at 8:50 p.m.

None

Commissioner Linton closed the public hearing at 8:50 p.m.

Commissioner Everett was concerned about how many tiny homes will be allowed on a property. Mr. Jensen said that the Code would only allow one tiny home on the property.

MOTION: *Wendy Komoroski moved to recommend approval of the amendments to Chapters 17.10 and 17.70 of the Eagle Mountain City Municipal Code to the City Council. Matthew Everett seconded the motion. Those voting aye: Daniel Boles, Matthew Everett, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

G. Chapter 17.10 & 17.25 Development Code Amendments, Public Hearing, Action Items, Recommendation to City Council:

Mr. Jensen explained that the City staff is proposing an amendment to clarify the definition of manufactured home or dwelling and create a minimum design standard for residential developments.

Commissioner Linton opened the public hearing at 8:52 p.m.

None

Commissioner Linton closed the public hearing at 8:52 p.m.

No discussion was held on this item.

MOTION: *Wendy Komoroski moved to recommend approval of the amendments to Chapters 17.10 and 17.25 of the Eagle Mountain City Municipal Code to the City Council. Daniel Boles seconded the motion. Those voting aye: Daniel Boles, Matthew Everett, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

H. Chapter 16.35.100 Development Code Amendment, Public Hearing, Action Item, Recommendation to City Council

Mr. Jensen and Mr. Mumford explained that the City Council and staff have requested an amendment to remove a clerical mistake from the Code, and increase the right-of-ways of the local streets to 53', allowing for 5' sidewalks, rather than the 4' sidewalks how allowed.

Commissioner Linton opened the public hearing at 8:57 p.m.

None

Commissioner Linton closed the public hearing at 8:57 p.m.

MOTION: *Wendy Komoroski moved to recommend approval of the amendment to Chapter 16.35.100 of the Eagle Mountain City Municipal Code to the City Council. Matthew Everett seconded the motion. Those voting aye: Daniel Boles, Matthew Everett, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

6. Next scheduled meeting: July 12, 2016

7. Adjournment

The meeting was adjourned at 9:00 p.m.

APPROVED BY THE PLANNING COMMISSION ON JULY 12, 2016


Steve Mumford, Planning Director