

EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING MINUTES  
TUESDAY, JULY 8, 2014 AT 6:00 P.M.  
Eagle Mountain City Council Room; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

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

COMMISSION MEMBERS PRESENT: John Linton, Wendy Komoroski, Preston Dean, and Matthew Everett.

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

ELECTED OFFICIAL PRESENT: Adam Bradley

Commissioner Linton called the meeting to order at 6:06 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 24, 2014

**MOTION:** *Preston Dean moved to approve the June 24, 2014 meeting minutes. Matthew Everett seconded the motion. Those voting aye: Preston Dean, John Linton and Matthew Everett. Wendy Komoroski abstained. The motion passed with 3 ayes and 1 abstention.*

**4. Development Items**

A. Antelope Springs Preliminary Plat – Public Hearing, Action Item This development is located north of Bobby Wren Blvd and west of Pony Express Pkwy in the South part of the City. The Antelope Springs development consists of 33 residential lots on 41.25 acres. The average lot size is 1.043 ac the largest lot is 1.30 ac and the smallest is 1.0 ac.

Steve Mumford explained that Antelope Springs Preliminary Plat is a recommendation to the City Council. The original plat was approved on May 14, 2013.

EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING MINUTES  
TUESDAY, JULY 8, 2014 AT 6:00 P.M.

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

This property does not currently front onto a City street, so it will require access to Pony Express Parkway through SITLA's property to the east. The applicant has worked with SITLA to get easements for access to the project property.

The plans show the following proposed accesses:

1. A 25-foot wide access easement connecting to Palomino Way. This road is designed in the proposed project with a rural residential cross-section. This cross-section allows an 8-foot trail on the north side, a 7.5-foot swale, and 27 feet of asphalt, with a 7.5-foot swale on the south side. The access through the SITLA property needs to be a dedicated right-of-way, including 39.5 feet, plus a ten-foot public utility easement for the dry utilities. Alternatively, the road in this section may be designed as a standard residential road with curb and gutter, park strip, and sidewalk/trail. If this is the case, a transition would have to occur at some point to tie in appropriately with the rural street cross-section.
2. A 38-foot half ROW on the south of the project, plus a 35-foot wide easement through the SITLA property. This road is a minor collector, with a total right-of-way width of 77 feet. This southern right-of-way will require 42.5-feet of right-of-way (includes 24 feet of asphalt, 2.5-foot curb and gutter, an 8-foot park strip, and an 8-foot trail). The plans should be modified to reflect this change. The access through SITLA's property must be a dedicated right-of-way, including the 42.5-feet plus a ten-foot public utility easement for dry utilities.

### **Trails**

The trails that are located along Palomino Way and 5000 North will continue east to connect with the existing trail along Pony Express Parkway. These trails will provide the residents of this subdivision an opportunity to use the existing trail to access the area schools, City Hall, the library, and local parks by foot or bike. The trails in the project do not need to be meandering, but may be straight, with the appropriate 8-foot park strip.

### **Open Space**

This is a Tier 1 subdivision, which requires 4% improved open space for the project, or 1.65 acres of improved open space. Pocket parks and neighborhood parks are only required for projects with a lot size average of less than ½ acre. This project averages greater than 1 acre in size, and is instead required to dedicate park space for a community and/or regional park. The proposed plan includes 1.89 acres of open space to be dedicated to the City, including the retention basin (Parcels A and B), and also including a meandering trail. This open space is located on the east side of the project. The applicant will improve the parcels A & B which will be dedicated to the City.

A landscaping plan is required to be submitted for this project, and may be approved along with the final plat(s).

### **Utilities**

EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING MINUTES  
TUESDAY, JULY 8, 2014 AT 6:00 P.M.

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

The sewer for the project will connect to the current City sewer line which is located along the east side of Pony Express Pkwy. The applicant has reached an agreement with SITLA for access easements to the sewer line.

**Recommended conditions:**

1. No parking signs are posted on the side of the street where the fire hydrants are located.
2. A public right-of-way must be dedicated to the City connecting 5000 North to Pony Express Parkway and Palomino Way to Pony Express Pkwy.
3. Cul-de-sac minimum at the end of Clydesdale Dr. must be 80 feet diameter.
4. 8-foot wide asphalt trails must be connected to the Pony Express Parkway trail along both 5000 North and Palomino Way.
5. Fire flow report submitted prior to building permits issued.
6. Sewer lines need to be continued to the ends of the roadways.
7. A landscaping plan must be reviewed for approval along with the final plat(s).

Commissioner Dean asked if it was customary to dedicate retention basin to the City. Mr. Mumford explained that most retention basins are dedicated to the City, especially if there is no HOA to maintain the property. Commissioner Dean asked what the applicant has planned for the community and/or regional park (Parcels A and B) that will be dedicated to the City.

*Commissioner Linton opened the public hearing at 6:14 p.m.*

Elise Erler with SITLA, stated that SITLA supports the development concept plan. She explained that SITLA is the landowner that the developer will need to get the easement from. There are sewer lines that SITLA installed in the easement. SITLA has never asked the City for reimbursement of the sewer line and is concerned about the sewer line capacity. The applicant and SITLA are still working out the easement agreement that will allow the developer to hook up to that sewer line.

Dan Ford, applicant, stated that the plan for Parcels A and B is to dedicate it to the City and make it part of the City trail system. He stated that SITLA wants to work with them on the trail system. Commissioner Linton asked if the developer has an agreement with SITLA. Mr. Ford explained that there is a letter of understanding that both parties have signed that will be the framework for the agreement. He explained that SITLA would like the City's agreement first on what the developer will be doing as for sewer capacity, and that agreement has already been submitted to the City's Engineer, Attorney, Planning Director and the Public Works Director for review. He explained that the developer will have to work with SITLA on an agreement, but SITLA has no problem with what is being proposed for the property. Ms. Erler explained that SITLA hopes to have some kind of agreement worked out with the developer by the end of August. She stated that SITLA has no problem with the concept plan

EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING MINUTES  
TUESDAY, JULY 8, 2014 AT 6:00 P.M.

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

of the development and she believes that the Planning Commission passed this plan with septic approval before.

Commissioner Dean asked if SITLA has any ownership or control over the sewer line. Mr. Mumford stated that it is a City sewer line but SITLA controls the property access to the land for a utility easement. Ms. Erler explained that the sewer line is in the City's right-of-way on Pony Express Parkway. SITLA paid to installed the sewer line and has never asked the City for reimbursement. Mr. Mumford explained that the City is okay with reimbursing SITLA for the sewer line through impact fees, but SITLA is trying to reserve the sewer capacity for their future projects. SITLA believes that their future projects will put the sewer line at full capacity. Ms. Erler explained that SITLA placed the sewer line over 400 ft. away from most property owners to help control SITLA development on their property. She stated that SITLA did not reach an agreement with the City to increase the size of the sewer line. She stated that she has to report to the Board of Directors on why SITLA spent so much money on building a sewer line that will supply the neighboring properties.

Commissioner Dean asked if there could be an agreement that would allow the applicant road access but not sewer line easement access. Mr. Mumford explained that last year when this plat was proposed, the City Council decided that they wanted to get away from septic when sewer access is close. He also stated that lots with sewer are more marketable for the applicant.

Mr. Ford explained that since last year the developer has been working primarily with trying to get access to sewer. He does not want to hold up the project anymore so if the Planning Commission is fine with septic then the developer will plan for septic. He also stated that the developer would prefer sewer over septic and that is why they have spent so much time trying to get access to sewer. He explained that the developer has deadlines that are needing to be completed this year.

Commissioner Dean stated that if SITLA allows access to the property it opens up all SITLA's concerns, and asked if there is a way to resolve the issue. Mr. Mumford explained that there has been talk of phasing the plan and not building all the roads or lots to help discourage future builders. He explained that the City does not prefer phasing the plan because the other property owners will be stuck with the same sewer issue. Commissioner Dean stated that it should not be SITLA's problem if the City has enough sewer capacity.

*Commissioner Linton closed the public hearing at 6:32 p.m.*

Commissioner Everett asked if parcels A and B would be improved open space. Mr. Ford



EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING MINUTES  
TUESDAY, JULY 8, 2014 AT 6:00 P.M.

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

explained that he is working with SITLA and the City on the plan for parcels A and B. Mr. Mumford explained that parcels A and B will most likely be improved because the City does not want to end up with more little buffer areas that just grow weeds. Parcel A will have a rock or grass detention basin and the rest of parcels A and B will have a trail system with trees, grass and some xeriscaping.

Mr. Mumford explained that the City can't force SITLA to put sewer lines through their property. This development of 33 lots is not the concern, it's what the development opens up to the west for future developers. One option is to have a 3<sup>rd</sup> party engineer come in and give SITLA the clear confidence that there is access capacity. The majority of properties in this area would have to wait for SITLA to develop before they could receive access to their land.

**MOTION:**

***Preston Dean moved that the Planning Commission recommend the Antelope Springs Preliminary Plat to City Council with the following conditions:***

- 1. No parking signs are posted on the side of the street where the fire hydrants are located.***
- 2. A public right-of-way must be dedicated to the City connecting 5000 North to Pony Express Parkway and Palomino Way to Pony Express Pkwy.***
- 3. Cul-de-sac minimum at the end of Clydesdale Dr. must be 80 feet diameter.***
- 4. 8-foot wide asphalt trails must be connected to the Pony Express Parkway trail along both 5000 North and Palomino Way.***
- 5. Fire flow report submitted prior to building permits issued.***
- 6. Sewer lines need to be continued to the ends of the roadways.***
- 7. A landscaping plan must be reviewed for approval along with the final plat(s).***
- 8. That either an agreement with SITLA be in place for the sewer easement or a septic system be shown on all properties.***

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

**B. Porter's Crossing Town Center Master Development Plan Amendment & General Plan Amendment – Public Hearing, Recommendation to the City Council (CONTINUED)**

Ken Sorenson explained that this is an amendment to the General Plan rezoning 31.09 acres within the Porter's Crossing Master Development Plan from Mixed Use Commercial to Mixed Use Residential. 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.

EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING MINUTES  
TUESDAY, JULY 8, 2014 AT 6:00 P.M.  
Eagle Mountain City Council Room; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

Commissioner Dean was concerned with how loose and general the conditions are for the plat. Mr. Mumford explained that any development in the area would have to go through review of a site plan and plat approval before building. Commissioner Linton explained that the development will be market driven according to when the development is put in, and he would not mind allowing leeway for each development for review. Mr. Mumford explained that the City is not entirely happy with the project but the majority of the concerns have been met.

*Commissioner Linton opened the public hearing at 6:57 p.m.*

None

*Commissioner Linton closed the public hearing at 6:57 p.m.*

**MOTION:**                    *Preston Dean moved that the Planning Commission recommend approval of the Porter's Crossing Town Center General Plan Amendment changing 31.09 acres designated as Mixed Use Commercial to Mixed Use Residential to the City Council. Wendy Komoroski seconded the motion. Those voting aye: Preston Dean, John Linton, Wendy Komoroski, and Matthew Everett. The motion passed with a unanimous vote.*

**MOTION:**                    *Preston Dean moved that the Planning Commission recommend approval of the Porter's Crossing Town Center Master Development Plan Amendment to the City Council with the following conditions:*

- 1. A detailed parks/landscaping plan be required to return to the Planning Commission for a recommendation prior to approval of the master development agreement by the City Council. This plan must include the proposed amenities, trails, trees, and equipment required to meet the point values found in Table 16.35.130(c) Pocket and Neighborhood Park Elements.*
- 2. The Master Development Agreement includes language requiring that Area 3 provides a variety of housing products.*
- 3. The cul-de-sac and stub road in Area 5 must be approved by the Fire Marshal.*
- 4. Revise Area 5 lot numbers to reflect 55' minimum frontage standard.*
- 5. The hash-marked space in Area 5 remains reserved for future community uses approved by the City.*
- 6. The bonus density requirements must be detailed in the master development agreement.*
- 7. The traffic study requirements must be met and detailed in the master development agreement.*

EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING MINUTES  
TUESDAY, JULY 8, 2014 AT 6:00 P.M.  
Eagle Mountain City Council Room; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

**8. The wash must either be piped or a 100-foot buffer from the top of the bank must be shown on the plans.**

**9. This approval is contingent upon a General pPan amendment being approved to allow for these land uses.**


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

6. Next Scheduled Meeting: July 22

7. Adjournment

The meeting was adjourned at 7:02 p.m.

APPROVED BY THE PLANNING COMMISSION ON JULY 22, 2014.

  
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Steve Mumford, Planning Director