

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, JULY 28, 2009 AT 6:00 P.M.

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

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

Roll Call

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

Staff Present

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

Others Present

[Name Inaudible], Eagle Park Resident
Tiffany Ulmer, 1320 Harrier Street
Wendy Bagley, 1457 Hawk Way
Mickey Glass, Harrier Street
Melanie Johansen 1458 Falcon Way
Jerry Thero, 1423 Hawk Way
Mr. Jared Westoff, Pole Canyon Development Group

1. Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

A. Consolidated Fee Schedule Amendments

Mr. Mumford said that the City Council approved changes to the Consolidated Fee Schedule which included changes to fees to three development applications. He explained the changes and the justifications behind them.

Mr. Mumford said that the City Council did not approve a change to the business license fees. He said that the Council wanted a letter sent to the business owners explaining the changes. This item will return to the next City Council meeting.

B. Ranches Golf Course

Mr. Mumford said that The Ranches Golf Course is now owned by the City and is being managed by Vanguard Management.

4. Development Items

A. Erickson Hobby Breeder License – Public Hearing, Action Item

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Mr. Hadley showed the location of the requested hobby breeder license site. He said that the applicant currently has four dogs and would like to add two additional dogs. He explained that they would mostly use the dogs for show, but would like to have the opportunity to breed them, as well.

Mr. Hadley explained that the Planning staff did an inspection and found the home to be very clean and the yard to be well kept. He said that the lot is 0.39 acres and showed pictures of the yard, including dog runs and play areas.

Mr. Hadley said that the applicant has met all of the City's requirements. He said that staff recommends approval of the license with two conditions: the applicant needs to obtain a business license, and a yearly inspection must be completed to renew the license.

Commissioner Maher opened the Public Hearing at 6:10p.m.

[Name inaudible], Eagle Park Resident. She said that she does not like dogs barking. She said that her neighborhood is zoned for a certain amount of dogs and she would not like that zoning changed. She has spoken with neighbors -- the Neilsons -- who also do not want this permit approved.

Mr. Hadley said that in the current code, this is an allowed use. The city is not changing or amending the code. Commissioner Maher explained that nothing is being changed; the applicant is conforming to the current code. He clarified to the audience that animal rights are not being discussed; that is a separate section of the code. Mr. Mumford said that the limit on dogs is four in residential zones, but with a conditional use permit, they can have more. Commissioner Maher explained that staff is recommending approval due to the site visit that showed the home owner was equipped to handle six dogs.

Tiffany Ulmer, 1320 Harrier Street. Ms. Ulmer said she has lived around the Ericksons for eight years. She said that they are good dog owners. She said that there has only been one time period when barking was an issue. She said it was due to a puppy being at the home. She said that she does want the Ericksons to have the permit, but with something in place to keep the barking down while training puppies.

Mr. Mumford said that if a person is bothered by a dog barking anywhere in the City, not just at a location with a Hobby Breeder Permit, he or she should call the Sheriff's office to make a nuisance complaint. Commissioner Maher explained that once it is called in, the Sheriffs assess the situation, and, if warranted, will issue a warning.

Mr. Mumford said that in the Hobby Breeder License section of the code, an inspection is required once a year. He explained that one of the things they inspect for is that measures are being taken to control noise.

Commissioner Dean asked if staff is aware of any nuisance calls at this property. Mr. Mumford said that he is not aware of any, but that staff did not call the Sheriff's office to see if any have been made.

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Wendy Bagley, 1457 Hawk Way. Ms. Bagley said that they are not bothered by barking. She said that she is impressed by the process that the Ericksons have gone through to get this permit. She said that she sees Ms. Erickson walking the dogs and they are well-behaved. She recommends this permit be allowed.

Mickey Glass, Harrier Street. Ms. Glass said that she does not have a problem with the dogs; she is only concerned that there are so many dogs in Eagle Mountain. She said that not everyone is a responsible dog owner and asked if this would set a precedent. Commissioner Maher said that the approval is given based on the inspection of the individual home owner and property; not everyone is given permission.

Melanie Johansen 1458 Falcon Way. Ms. Johansen said that she is not a dog person, and she does have a problem with noise. She felt she should come to the meeting before and say that four dogs are enough before calling the sheriff to complain about noise.

Jerry Thero, 1423 Hawk Way. Mr. Thero said that he has lived next to the Ericksons for two years and did not know they had dogs. He said that he has pure-bred corgis and understands breeding to improve blood lines of dogs. He said that the Planning Commission should approve the permit.

Commissioner Maher closed the Public Hearing at 6:22p.m.

Commissioner Dean said that the requirements have been met for this permit. He said that one dog can make as much noise as six and the noise ordinance is for everyone, not just hobby breeder permit holders.

Commissioner ElHalta said that the hobby breeder license is in good order and that the noise issue is another matter. She said that the public needs to know how to deal with the noise of barking dogs in general and that it shouldn't have anything to do with the Conditional Use Permit.

Commissioner Linton said that the Conditional Use Permit is reviewed and the applicant is subject to inspections that those with four dogs are not subject to. He said that the regulations are put in place to protect neighbors from nuisance.

Commissioner Bechtel said that she empathizes with the neighbors and hopefully now that it is called to the attention of the applicant, things will be done to mitigate the barking of the puppies.

Commissioner Maher said that a yearly inspection will be completed, but if noise complaints are called in, they will be dealt with at that time.

MOTION: Commissioner Linton moved that the Planning Commission approve the Erickson's Hobby Breeder License, subject to the following conditions:

1. Applicant will need to obtain a home-based business license with the City.

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2. A yearly inspection must be completed to renew the permit.

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

B. Pole Canyon Master Development Plan -- Discussion Item

Mr. Jared Westoff, Pole Canyon Development Group. Mr. Westoff said they have four project priorities for Pole Canyon: economic development, transportation, infrastructure, and amenities. He said that they have planned for the streets on the Future Land Use and Transportation Corridors map with a few minor changes.

Mr. Westoff said that they have met with White Hills residents at twelve meetings and have solved many issues with them.

He said that Eagle Mountain has staff to help with the process, as opposed to Cedar Fort and Fairfield, which is one reason they have decided to attempt to annex into Eagle Mountain.

Mr. Westoff showed locations of possible commercial, residential, and industrial areas. He described different Neighborhood Planning Areas, which are 80-160 acres in size with density hubs. He explained that the technical and design guidelines have been developed to create a nice community.

Mr. Westoff said that the industrial park has four qualified companies looking at the site. He said a study has shown that an estimated 11,000 jobs could be created with the development of this site.

Mr. Westoff showed locations of possible amenities and parks. He said that they have 39 miles of planned pedestrian, equestrian, and ATV trails and many regional parks. He said that their parks and trails plan is very close to Eagle Mountain's recently approved Master Parks and Open Space Plan.

Mr. Westoff explained that the next step in the approval process is to have a Planning Commission recommendation to the City Council on the land use issues. Mr. Mumford said that the annexation is currently being worked on and the Master Development Plan can come forward soon. He said that the City Council can approve a Master Development Plan before the annexation is completed, but the Master Development Plan can't be applied until the site is actually part of Eagle Mountain, through the annexation. Mr. Mumford said that the large issues are the water system, the sewer system, the roads, and public safety. He said that the Planning Commission will mainly review the land use, parks and trails, transportation, and compatibility. He said that it is possible to have an approval on the Master Development Plan prior to the annexation.

Commissioner Maher asked where the other cities stood with the annexation. Mr. Westoff said that land was de-annexed out of Cedar Fort and Fairfield. He said that Fairfield was somewhat concerned about the issues with White Hills, and the same fears could have been in Cedar Fort.

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Mr. Mumford said that Eagle Mountain wasn't necessarily excited to take on White Hills, which is why so much work is going into ensuring the issues are resolved with the annexation.

Discussion ensued on transportation corridors and locations of different types of roads.

Commissioner Maher asked if City staff was okay with the Neighborhood Planning Areas. Mr. Mumford said that staff is still reviewing those plans.

Commissioner Linton asked if the White Hills residents were noticed for this meeting. Mr. Westoff said that the agenda is posted, but direct mail notices were not sent to residents as it was a discussion item, not a public hearing. Mr. Mumford said that the item was more like a concept plan that is not noticed directly to residents or in the newspapers.

Commissioner ElHalta said that with an industrial park, she wonders if transportation will be an issue, similar to 2100 South in Salt Lake City. Mr. Westoff said that the industrial site was chosen due to its proximity to the Cedar Valley Highway. He said that he would suggest charging impact fees because UDOT will move projects to a higher priority if the city has the right of way and money set aside.

Commissioner Linton asked what the timing is on developing the residential and industrial sites. Mr. Westoff said that the industrial park area is where the focus is now. He said that they are planning to have this be the first preliminary plat that will be submitted.

Commissioner Linton asked about the lack of a paved road to Pole Canyon from Eagle Mountain. Mr. Westoff said that is one of the details they are working on with staff. He said that they are working on an agreement with property owners to the east to build a connecting road.

5. Other Items

Mr. Mumford said that the next meeting will take place when the Pole Canyon Master Development Plan is ready. He said that he anticipates it will be within the next few meetings. He said that there is one other application that has been turned in, but it is not ready for the meeting scheduled in two weeks, so that meeting may be cancelled.

6. Adjournment

Commissioner Maher adjourned the meeting at 7:11 p.m.