PLANNING COMMISSION MEETING MINUTES

TUESDAY, AUGUST 27, 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, and John Linton.

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

ELECTED OFFICIAL PRESENT: Donna Burnham

Commissioner Linton called the meeting to order at 6:05 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. August 6, 2013

MOTION:

Preston Dean moved to approve the August 6, 2013 meeting minutes. Scott Langford seconded the motion. Those voting aye: Scott Langford, Preston Dean, Bonnie ElHalta, and John Linton. The motion passed with a unanimous vote.

4. Development Items

A. Evans Ranch Master Development Plan – Public Hearing, Action Item

This plan proposes the development of 298 single-family lots and 163 townhouse units on 120.45 acres with a potential 11.55 acre school site. The average lot size is 9,198 square feet. This proposed development is located east of Porter's Crossing, beginning at the intersection of Porter's Crossing and Clark Street.

Steve Mumford explained that the Evans Ranch project is located east of Porter's Crossing Road, beginning just north of Smith Ranch Road and ending south of Golden Eagle Road. This item was presented and discussed as a public hearing at a previous Planning Commission meeting on July 30, 2013 and was tabled for additional review and discussion. He explained that the applicant has modified the plan, and the significant changes to that plan include a reduction of 100 townhome units. The previous Master Development Plan indicated 263 townhome units while this updated plan indicates 163. There has also been the addition of an 11.5 acre school site in place of the 100 townhome units which have been removed from the plan. The Alpine School District has expressed an interest in acquiring (at

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some point in the future) a 10-12 acre school site in this southwest region of the development. However, if the school district does not choose to eventually build a school in that location, 56 single-family lots have been proposed. The project contains 120.45 acres, and now includes 298 single family lots (242 planned lots and 56 potential lots), 163 townhome units, and a potential 11.55 acre school site.

He explained that the proposed lots are larger than the average existing lots. The density in the single-family portion of this project is less than that of the neighborhoods to the west and SilverLake to the northeast. Most lots in this proposal area average about 9,198 square feet. The average size of the existing surrounding lots is about 6,000 square feet.

City Concerns:

- 1. The project follows a "coving" philosophy, where lots contain small frontages and house build-to lines are provided, to create "coves" of open space and more variety on the streets. The applicant is proposing that the Commission and Council approve the project with smaller lot frontages.
- 2. Some of the lots are oddly shaped, resulting in building pads that may work, but a very small and somewhat unusable back yard.
- 3. The applicant is proposing smaller side setbacks than current code allows 5 feet on each side. The current code requires 15-foot combined side setbacks. The DRC is concerned with the 5-foot setbacks, especially for drainage purposes with storm events, as we have had issues with this in other parts of the city.
- 4. This area may not be appropriate for a large development of townhomes.
- 5. The park system planning needs to be more thoroughly reviewed with updated plans.

Recommended Conditions of Approval:

- 1. The master development agreement must contain language limiting the number of homes that can be within 10 feet of another, along with an example setback exhibit.
- 2. An addendum to the traffic study shall be required with the changes to Porter's Crossing and Golden Eagle Road, as well as changes to the number and type of units. The plan shall be subject to further review and possible changes as a result of the traffic study recommendations.
- 3. The master development agreement shall specify the chosen bonus density improvements, the intention for the community improvement requirements, architectural examples for the townhomes, details of timing for open space and trail improvements, and timing and details of utility improvements.
- 4. A home owners' association is required to be formed along with the recording of the first subdivision plat.
- 5. An erosion study from a geotechnical engineer is required to study erosion potential and recommended mitigation for the Tickville Wash. Applicant shall be required to complete any recommended mitigation along with subdivision infrastructure if adjacent to the wash.
- 6. A driveway location shall be included on every lot on each final plat. Driveways shall be limited to no more than 12 feet wide at the street for lots with a garage that is placed more than 30 feet from the property line.

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Commissioner Langford asked if the proposed plan addresses the fencing backing the open space area (space between the lots and park areas). He stated that uniformity of the fencing would go a long way with keeping the area looking decent.

Mr. Mumford explained that the City Code requires the developer to fence the lots along Porter's Crossing. The fencing between the open space and private lots has not been addressed.

Commissioner Langford asked if the HOA will maintain the open space area.

Mr. Mumford explained that the Planning Commission and the City will have to decide which open space areas will be owned and maintained by the City and which areas will be owned and maintained by the HOA. There could be reasons why the City would prefer to own the property. (Example: if the developer or the HOA dissolves, the City could take control of the property and maintain the property without any hassles.)

Commissioner ElHalta was concerned about the 5 foot setback between lots.

Mr. Mumford explained that there would be at least 10 feet between homes, and hopefully more.

Nate Shipp, representing Evans Ranch, explained that he would comply with City fencing codes. There would be an HOA and CC&Rs that would require uniformity.

Commissioner Linton asked if the developer was willing to work with City staff to arrange responsibility for the care and maintenance of the parks and open space.

Mr. Shipp explained that the parks in the development would be private and would be maintained by the HOA. He would like to leave the option open to the City to consider the space that would tie into the regional parks for public space.

Mr. Shipp explained that they have reduced the townhomes by 100 and added the school site. He cannot commit the Alpine School District to the site. He explained that with the wedge shaped lots that the developer has increased the side yard setbacks.

Commissioner Linton opened the public hearing at 6:29 p.m.

Cameron Hodges, 7386 N. Lewis Street, felt that nothing has changed since the last meeting, the side and front yard setbacks, the townhomes placements, and the traffic flow along Porter Crossing have not been addressed with the developer's updates. The townhomes are pushed in the back not helping to creating a buffer between light industry and residential. He felt that the setbacks did not comply with City Code. The increased traffic flow would cause safety issues for the homes that back up to Porter's Crossing and the children that would be walking to school.

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Susan Bylerly, 7072 Cherokee Street, was concerned about the traffic and the yard setback. She felt that the homes would be too close together and cause problems with fires and floods. The potential school site could cause traffic problems and even be a nightmare for school busses coming in and out of the site. She suggested that the town homes be moved closer to the highway and be changed to a senior community. Also Porter's Crossing should be widened and sidewalk added alongside Porter's Crossing. She felt that the issues have not been addressed from the last meeting.

Noelle Pace, 7378 Lewis Street, was concerned that the development would have evacuation problems with the tight curves and suggested that a straight line subdivision would help with those issues. She explained how scary it was a couple of years ago when their subdivision was evacuated and how traffic became a problem. She stated that in the future, the subdivision would bring parked RV's and cars along the sides of the roads causing more of a traffic problem. She was also concerned with the visibility of the traffic around the bend of the park in the subdivision. She called Alpine School District and they explained that the district has no plans for a school at this time in the area. She was also concerned that the park space area in the development did not meet City Code.

Mr. Mumford explained the City Code for improved open space requires that the developer put in 8% of total buildable residential area, and for townhomes anything above 5.2 units per acre would be 10% and could go up to 12% by the density of the project.

John Barkley, no address provided, suggested that the developer move the townhomes north along Pony Express Parkway and that the fencing along the back of the property along the trail provide some kind of visibility.

Matthew Everett, 7844 Cedar Crest, was concerned that SilverLake has one entrance and exit in and out of the subdivision, and to dump another subdivision into the neighborhood would cause traffic and evacuation problems.

Donald Plott, 4134 E. Sioux St, stated that with a church located next to a school located next to another church that the development looks like a light industrial area. He is also concerned about how close the park is located next to the wash; he stated that the wash has a 30 foot drop off. He asked if fencing would be required along the park and the wash for the kids' safety. He was also concerned that the one way road would not be able to handle the traffic flow, and asked if the traffic study included the potential school site.

Sara Evens, 4119 E. Sioux Street was concerned that this development is being squeezed into an area that is too small, with no consideration for the children in the subdivision and/or the school district system. She was also concerned with evacuation of the subdivision.

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Cameron Hodges, 7386 N. Lewis Street, asked if the developer had pictures or documents of the development back east that showed the flow of the neighborhood and how it worked.

Commissioner Linton closed the public hearing at 6:48 p.m.

Mr. Mumford explained that Saratoga Springs' Master Plan calls for larger roads to the south and southeast of SilverLake subdivision that would help give residents another access point in and out of the City. SilverLake will tie into Golden Eagle to give residents more options for exiting and entering the subdivision. He explained that a third party traffic engineer prepares the traffic study. Their findings are a recommendation based on the current developer's plan. The study is done on all intersections at the current level of service during the p.m. weekday hours, which are considered peak hours. The projected additional traffic requires no mitigation measures. He stated that the developer would have to provide pocket left-hand turn lanes along Porter's Crossing. The significant amount of growth along Pony Express Parkway has been projected in the traffic study.

Commissioner ElHalta asked if someone could address the concern about evacuations.

Mr. Mumford explained that, on a development level no more than 30 residential units or homes can be built with only one access road. The Fire Marshal reviews every development before approval.

Commissioner Langford was concerned that the open space is located in unbuildable areas. He was concerned about the placement of the townhomes, and believed that they should be placed on the north side of the development. If the townhomes were built to the north area of the development, it would lessen the impact to the residential homes. They would act as a buffer between commercial and residential areas, and it would bring them closer to future bus routes.

Commissioner Dean requested that the first recommended condition state that the setback be between 10 and 15 feet and require that a certain percentage of the length of the home have a larger side setback. He also felt that the townhome location caused no problems.

Commissioner Linton stated that with more townhomes and condominiums being pushed up to the freeways our City would start looking like a town of condos.

MOTION:

Preston Dean moved that the Planning Commission recommend approval of the Evans Ranch Master Development Plan to the City Council with the following recommended conditions:

1. The master development agreement must contain language limiting the amount of home that can be between 10 and 15 feet of another, along with an example setback exhibit, and no more than 50% of the length of the home can be closer than 15 feet to another.

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- 2. An addendum to the traffic study shall be required with the changes to Porter's Crossing and Golden Eagle Road, as well as changes to the number and type of units. The plan shall be subject to further review and possible changes as a result of the traffic study recommendations.
- 3. The master development agreement shall specify the chosen bonus density improvements, the intention for the community improvement requirements, architectural examples for the townhomes, details of timing for open space and trail improvements, and timing and details of utility improvements.
- 4. A home owners' association is required to be formed along with the recording of the first subdivision plat.
- 5. An erosion study from a geotechnical engineer is required to study erosion potential and recommended mitigation for the Tickville Wash. Applicant shall be required to complete any recommended mitigation along with subdivision infrastructure if adjacent to the wash.
- 6. A driveway location shall be included on every lot on each final plat. Driveways shall be limited to no more than 12 feet wide at the street for lots with a garage that is placed more than 30 feet from the property line.

Bonnie ElHalta seconded the motion. Those voting aye: Bonnie ElHalta, Preston Dean, and John Linton. Those voting nay: Scott Langford. The motion passed with a 3 to 1 vote.

B. <u>Porter's Crossing Town Center MDP Amendment – Public Hearing, Action Item</u>
This item was continued from the July 30, 2013 Planning Commission meeting. This proposal amends the land use element of the Porter's Crossing Town Center Master Development Plan to account for additional single-family lots and a church site.

Mr. Mumford explained that the Ridley's Market site was approved years ago. This 145-acre project is located north of Pony Express Parkway and east of the Plum Creek development in the Ranches. The proposal amends the land use element of the Porter's Crossing Town Center Master Development Plan to account for additional single-family lots, a church site, and to recommend that 0.26 acres of additional improved open space be required.

Trevor Hull, representing SK Hart, explained that they have put a hold on the townhomes / multi-use option for the development at this time.

Commissioner Linton opened the public hearing at 7:16 p.m.

Commissioner Linton closed the public hearing at 7:16 p.m.

MOTION: Preston Dean moved that the Planning Commission recommend to the City Council the Porter's Crossing Town Center Master Development Plan

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Amendment with the recommended condition that 0.26 acres of additional improved open space be added to the plan. 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. Arrival Phase A Plat 1, Preliminary & Final Plat – Public Hearing, Action Item
The Arrival Phase A Plat 1 preliminary and final plat was originally submitted as the
Arrival at North Ranch Phase A Plat 1 (stated in the public notice). This proposal consists
of 28 residential lots on 33.22 acres located west of the North Ranch neighborhood and
northwest of the North Ranch Park. The smallest lot proposed is 0.53 acres. This is the
first plat of the larger Arrival Master Development Plan.

Mr. Mumford explained that the City Council has approved the Arrival Master Development Plan. A master development agreement is still required to be approved by the City Council prior to any development occurring. This agreement is currently being drafted, and will be presented to the City Council in an upcoming meeting for approval. Any approval of this proposed preliminary and final plat would be contingent upon the master development agreement being approved by the City Council and signed by both the Mayor and the owner. The project is located in the north area of the City and is west of the North Ranch neighborhood and north of the future Clearview Estates development. The City Council changed the plan to require a stubbed in road be moved to the west, helping to guide people down to Clearview Estates in the future. These 28 lots will gain access from Lake View Lane, through the existing North Ranch neighborhood.

This proposed plat contains 28 single-family lots, with the majority of the lots over one acre. This project contains a density of less than 0.8 units per acre, and is within the Base Density Residential Tier. No improved open space is required for Base Density developments. A 20-foot trail easement has been shown on the east and south boundary of this plat. The developer will be building an 8-foot wide asphalt trail within that easement, with the remainder intended for equestrian trail use. The section of asphalt trail included in this plat should be improved.

City Council and City Concerns:

- Traffic & Road Layout
- Construction Traffic
- Water System (problems for later in the project- the north portion would require a water tank, and the development would require additional water lines to assist with water pressure)
- Septic System

The Council also wanted to guide construction traffic up Mustang Drive, through the Valley View subdivision, to Lake View Lane. This would be done with an "Arrival Construction Entrance" sign at the intersection of Mustang and SR 73, and possibly a sign at Canyon Wash and SR 73 stating "No Construction Vehicles Allowed."

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The lots in this plat will include septic tanks. The City has received a letter from the Utah County Health Department, giving approval of the proposed subdivision, assuring the City that the necessary procedures have been conducted to ensure that use of onsite septic systems will be feasible on this property, and that the water source will be acceptable. A percolation test and soil exploration pit have been completed on each of the 28 lots. These tests will be repeated later for building permits.

Recommended conditions:

- 1) Provide a completed water model. Applicant must comply with any Public Works Department requirements as a result of water model findings.
- 2) This approval is contingent upon the Arrival Master Development Agreement being completed. Developer must comply with all requirements in that agreement, including any traffic calming or mitigation measures.

Scot Hazard, the Developer, explained that the reason he has the smaller lots closer to the middle of the project is to help diversify the development.

Commissioner Dean asked what language is being added to each plat to make sure that the 20 foot easement is being maintained by the homeowner.

Mr. Hazard explained that he was not concerned about the easement for this subdivision, because the asphalt trail will go down when the subdivision is built.

Mr. Hazard explained that talking with residents of North Ranch and hearing a suggestion made by Councilmember Ireland to move the stubbed-in road, making it a straight-shot road would help relieve traffic concerns for North Ranch residents. The only issue is that the last one acre lot would not meet the frontage requirement; he requested that the City treat the lot like a cul-de-sac lot. He is willing to make the changes if the City feels that it would be beneficial to the subdivision.

Commissioner Linton opened the public hearing at 7:36 p.m.

Doug Woodruff, 9171 Canyon Wash Drive, explained that as a resident of North Ranch he is concerned about the traffic and the safety. He felt that with Scot Hazard's request for the straight through road, most of his concerns would be relieved.

Rick Nielson, 9093 Canyon Wash Drive, said he liked the idea of the road adjustment to help relieve traffic concerns. He also requested that the City look at the hill by the community park on Canyon Wash road. The kids in the neighborhood like to play on that hill, and he would hate to see homes being built on the hill.

David Asay, 9383 Canyon Wash Drive, felt that the developer has listened to North Ranch residents' concerns, and with the changes made to the road, it would help relieve some of North Ranch residents' concerns.

Commissioner Linton closed the public hearing at 7:42 p.m.

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Mr. Mumford explained that cul-de-sac lots require that one acre lots have a 60 foot frontage and half-acre lots require a 40 foot frontage. He explained that it will have to be an interpretation of what a cul-de-sac or circle is, and whether the developer is willing to add a knuckle bump out or a turn. He believes that the 60 feet frontage could be obtained by moving the lot line.

Mr. Hazard was willing to make any changes required.

MOTION:

Preston Dean moved that the Planning Commission approve the Arrival Phase A Plat 1 Preliminary Plat and recommend to the City Council the Arrival Phase A Plat 1 Final Plat with the following recommended conditions:

- 1. Provide a completed water model. Applicant must comply with any Public Works Department requirements as a result of water model findings.
- 2. That Lake View Lane between Abigail Lane and Harmony Way is removed and lot 107 and 108 be adjusted to provide the minimum frontage according to the cul-de-sac requirement set by City Code, and that the portion of Lake View Lane is replaced with a trail system.
- 3. This approval is contingent upon the Arrival Master Development Agreement being completed. Developer must comply with all requirements in that agreement, including any traffic calming or mitigation measures.

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

D. <u>Gateway Phase A Preliminary Plat – Public Hearing, Action Item</u>
This proposal includes 84 residential lots on 42.55 acres, and is a part of the Lower Hidden Valley Master Development Plan. This project will be located southeast of the existing Lone Tree subdivision, across Pony Express Parkway.

Mr. Mumford explained that this development will be located southeast of the existing Lone Tree subdivision, across from Pony Express Parkway. The project will consist of 84 lots on 42.55 acres.

The main road in this proposed plat (Antelope Ridge Road) is shown in the City's Future Land Use and Transportation Corridors Map as a "major collector," which would be a 3-lane 94-foot right-of-way. The City Council approved an alternative roadway hierarchy for this project, however, since it contained a lot of hillsides and difficult terrain. The roadways hierarchy plan for this Antelope Ridge Road shows a "3-lane community entry collector" (96 feet wide) at the entrance from Pony Express Parkway, and a "2-lane community collector class 1" (60 feet wide).

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The total right-of-way for Antelope Ridge Road is 83 feet at the entrance (but includes additional open space on one side) and 60 feet for the remainder. The City feel that it complies with the approved roadway hierarchy plan.

The owners of this property have already paid for the existing lanes on Pony Express Parkway with their SID (special improvement district) payments over the years, so an additional lane of asphalt should be paid for through impact fees according to the City's Capital Facilities Plan schedule.

The City is concerned that the sidewalk along the west side of Antelope Ridge Road ends at every combined driveway/road. These should be connected through the landscape islands to form a continuous sidewalk.

City Concern and topics:

- Parks, trails, and petroglyphs
 - The petroglyphs should be preserved as a public amenity.
 - Two pocket parks which would equal 1.3 acres in required improved open space, in addition to trails.
 - 91 points will be required for parks
- Switchgear boxes and natural gas regular shed
 - There are large electrical switchgears at some of the intersections at Pony Express Parkway. The developer will have to work with the Energy Department to make sure that these do not pose a site distance / vision problem and are provided appropriate clear distances. There is also a natural gas regulator station in a shed/building at the southern entrance to Pony Express. The developers hope to improve the exterior of the regulator shed.
- Hillside flooding potential

Community Improvement:

In conjunction with Chapter 17.30 of the Municipal Code, the Developer must contribute \$2,000 per buildable acre of land within the Project to fund construction of community wide improvements (regional parks or public buildings that will benefit the residents of this development). Credit may be given to the Developer for some trails and outlook structures constructed on Porter's Lookout and for certain improvements at the petroglyph park, if determined to provide benefits above and beyond those required. This will be determined along with each subdivision plat approval. Necessary agreements will be executed by the Developer to secure public use of these areas. The Developer agrees that prior to recording each subdivision plat, they shall either place into a community improvement escrow fund for the Project (the "Improvement Fund") established with the City sufficient funds to meet the required community improvements, or demonstrate that a sufficient amount of community improvements have been constructed to meet the requirement. For example, if the first subdivision plat is for 10 acres, the Developer will place \$20,000 in the Improvement Fund or demonstrate that \$20,000 of community improvements have been constructed to meet the requirements.

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Recommended Conditions of Approval:

- 1. Provide building pads on lots (especially lots with steep slopes).
- 2. Propose a plan for petroglyph preservation prior to, or along with, the approval of the first final plat.
- 3. No parking on one side of the road near the trailhead pocket park.
- 4. Change street names so they do not reflect existing subdivisions in the city.
- 5. Changes to the natural gas regulator shed/building must be presented for approval prior to or along with the first final plat.

Commissioner Langford asked if the developer would be required to bury the overhead utilities.

Mr. Mumford explained that they would not be required to bury the overhead utilities because they are owned by Rocky Mountain Power. The City cannot require the developer to bury them, but the City is looking into the matter.

Scott Kirkland, of Sage Communities, stated that this is a challenging piece of land and they are trying to make it work with a development. He explained that 260 multifamily units could have helped more than the 84 single family homes. He has to talk to Rocky Mountain Power about burying the power lines. It will be very expensive. He has had a hard time receiving an answer from Rocky Mountain Power. The utility issues are also a challenge for this property. He has no problems with staff recommendations. He explained that the developer has no plans for the petroglyph area at this time; they have many ideas and suggestions.

Commissioner Linton opened the public hearing at 8:09 p.m.

Arthur Mendinhall, 7402 Red Pine Road, said he is concerned that there will be traffic issues with the south entrance.

Marianne Smith, 6104 Lake Mountain Road, was concerned about homes on the hill and new residents complaining about an air strip that was approved by the County and is a SITLA approved use of the property. She was also concerned with the turn off lanes on Pony Express Parkway onto Lake Mountain Road.

Mr. Kirkland explained that the developer plans to widen Pony Express Parkway coming into the project and out of the project.

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

MOTION:

Preston Dean moved that the Planning Commission approve the Gateway Preliminary Plat with the following recommended conditions:

- 1. Provide building pads on lots (especially lots with steep slopes).
- 2. Propose a plan for petroglyph preservation prior to, or along with, the approval of the first final plat.

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- 3. No parking on one side of the road near the trailhead pocket park.
- 4. Change street names so they do not reflect existing subdivisions in the city.
- 5. Changes to the natural gas regulator shed/building must be presented for approval prior to or along with the first final plat.

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

- 5. Other Business
 - A. Updates
 - a. Future mailing notices to be posted online
 - B. Next Scheduled Meeting: September 10
- 6. Adjournment

The meeting was adjourned at 8:19 p.m.

APPROVED BY THE PLANNING COMMISSION ON SEPTEMBER 10, 2013.

Steve Mumford, Planning Director