

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

COMMISSION MEMBERS: Present: John Linton, Wendy Komoroski, Preston Dean, and Matthew Everett. Absent: Miriam Allred.

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

ELECTED OFFICIAL PRESENT: Adam Bradley

1. Pledge of Allegiance

Commissioner Linton led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes

A. July 22, 2014

MOTION:

Preston Dean moved to approve the July 22, 2014 meeting minutes. Wendy Komoroski seconded the motion. Those voting aye: Preston Dean, Wendy Komoroski, John Linton and Matthew Everett. The motion passed with a unanimous vote.

4. Action Items

A. Business License Denial Appeal – Public Hearing, Action Item

Ken Sorenson explained that the applicant is appealing the City's denial for a home business license to operate pony rides for parties ranging from 30-40 guests from one to two times a week, and for single pony rides for 2-3 guests at a time. The license was denied due to traffic generation.

Section 17.65.060, Generally applicable standards for all home businesses, states: "Traffic generation for home businesses shall not exceed 12 clients per hour and 24 per day."

Commissioner Linton opened the public hearing at 6:05 p.m.

George Hill, Cedar Pass Ranch HOA Board of Trustees President, stated that he had become aware of this request for a business license on Saturday. Since that time he has had a number of questions, concerns and comments from the residents in Cedar Pass Ranch. He explained

that the largest concern is traffic, stating that Crest Road is one of the highest traveled roads in Cedar Pass Ranch. There are also concerns about noise and the nuisance it would cause in the community. He also said that the Cedar Pass Ranch CC&Rs state that the primary purpose of homes is single family residences. His main concern was if the license is approved it would set a precedent in the neighborhood allowing more business of this type, and creating more traffic within the neighborhood.

Conan Albrecht, Cedar Pass Ranch resident, explained that this type of business is consumer based and so is different than a small business (like a piano teacher) in the neighborhood. He said that bringing 5 to 10 carloads of people at a single time within the neighborhood concerns him. He explained that his home is located next door to the applicant and their driveway borders his lot. Some of his concerns are the noise, dust, traffic, and the amount of people coming into the neighborhood. He stated that the City Code Section E says that all home business activity should be carried out within the home or an accessory building and will not be observed from the public or street of a resident. He states that this business would violate that City code.

Mike Boyd, Cedar Pass Ranch resident, was concerned with restricting his neighbor's activities. He did not feel that the Cedar Pass Ranch CC&R's concerning this business were an issue. He felt that if the business was brought up to the City Code and would comply with the business standards then there would be no issues with the business.

Bret Wright, Cedar Pass Ranch resident, presented a portion of the Cedar Pass Ranches CC&Rs to the Planning Commission. He explained that the CC&Rs state that the purpose of the lots within Cedar Pass Ranch is for single residential homes. His main concern is that with the volume of people coming into the business that this should be considered a commercial business.

Cindy Orme, Cedar Pass Ranch resident, was concerned about the noise and traffic it would bring into the neighborhood. She bought into a quiet way of life when she moved to this neighborhood.

V. Trent Jackson, Cedar Pass Ranch resident, felt that there was no problem with this business in the neighborhood. He said that he had seen a Facebook post on what the applicant has proposed and felt that there would be no nuisance caused by the business. He stated that they are talking about pony rides within the neighborhood. He also stated that it would benefit the neighborhood and the applicant.

John Hubbard, Cedar Pass Ranch resident, said that Crest Road has no curb and gutter and is already in disrepair right now and bringing in extra traffic would cause more problems to the road. He was also concerned about parking along Crest Road and cars causing traffic issues.

Tiffany Felix, applicant, reviewed the Cedar Pass residents' concerns about traffic, noise, amount of people, visibility, and parking.

Parking: she explained would be regulated by her and would require her clients to park in the back, where she has enough parking for 14 cars. She stated that people will not be parking on the street.

Amount of people and traffic: She felt that the business application did not apply to her type of business. She explained that she could cut the number down if needed.

Noise level: She explained that she had done two test parties of her own and had no problem and nothing was out of control. The noise level never got above her kids' volume of play.

Visibility: she stated that residents cannot see a whole lot from the front of her lot. She explained that because the lots are spread out the residents cannot tell what is going on in the back of her house. The applicant has planted trees around her lot to screen the arena and the back yard.

Commissioner Dean explained that the Planning Commission was not there to enforce subdivision CC&Rs. He explained three concerns with the business: traffic, outside activity, and the scale of the project. He explained that the City ordinance referred to a home business as a secondary use to the property. He felt that the business was more in line with a commercial reception center or a conditional use permit. He felt that it did not meet the home based business license requirements.

Kent Price, Board member of the Cedar Pass Ranch HOA, said his understanding was that the Cedar Pass Ranch HOA would not be able to take any action unless it caused a nuisance to the neighborhood. He felt that the traffic could be dealt with, and that the City only needed to issue an exception for outdoor activity.

Commissioner Dean was excused at 6:31 pm.

Jeff Morris, Cedar Pass Ranch resident, felt that this showed a lack of respect for the neighborhood and would not appreciate the noise or excess traffic.

Roger Bowl, Cedar Pass Ranch resident, questioned if permitting this business would open the flood gate for other businesses of this type to come into the neighborhood.

Commissioner Linton closed the public hearing at 6:33 p.m.

Commissioner Komoroski was concerned with the amount of clients requested by the applicant, and the business not being within the home.

Commissioner Everett said that people buy their homes or private property to enjoy with their friends and family and with the assumption that the neighbors would do the same.

Commissioner Linton explained how difficult this decision was for both sides. He also stated that he is an owner of a home business for over ten years in Eagle Mountain, and never within those ten years has he had a client come to his home. He understands the uniqueness of the Cedar Pass Ranch lifestyle, but explained that the Planning Commission does not approve businesses on unique lifestyles.

MOTION: *Wendy Komoroski moved to deny the Enchanted Pony Rides Home Business License as submitted. Matthew Everett seconded the motion. Those voting aye: Wendy Komoroski, John Linton and Matthew Everett. The motion passed with a unanimous vote.*

5. Discussion Items

A. Development Code Amendments – Discussion

A discussion of various potential amendments to the City's Development Code.

Steve Mumford explained that Doll House Haunt has submitted a temporary business license application at the intersection of Ranches Parkway and Pony Express Parkway. The business is zoned for that area; the only concern is temporary chain link fencing.

Commissioners were fine with the project as long as it is temporary.

B. Valley View Ranch -- Discussion

A discussion of options to complete the northern extension of Mustang Way.

Mr. Mumford asked if it would be worth it for the City to make Mustang Way connect through to Camp Williams. Also, Edge Homes is willing to give the City money to finish the road if they could add an extra lot to Valley View Ranch Phase A-7. Commissioner Linton felt that both options were for the greater good.

6. Next Scheduled Meeting: August 26

7. Adjournment

The meeting was adjourned at 7:06 p.m.

EAGLE MOUNTAIN CITY

PLANNING COMMISSION MEETING MINUTES

TUESDAY, AUGUST 12, 2014 AT 6:00 P.M.

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

APPROVED BY THE PLANNING COMMISSION ON AUGUST 26, 2014.



Steve Mumford, Planning Director