



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

August 14, 2018 6:00 p.m.

Eagle Mountain City Hall Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

COMMISSION MEMBERS PRESENT: Rich Wood, Brett Wright, Jared Gray, and Matthew Everett.
EXCUSED: DeLin Anderson.

OFFICIALS PRESENT: Donna Burnham and Melissa Clark.

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

Commissioner Everett opened the meeting at 6:01 p.m.

1. Pledge of Allegiance

Commissioner Everett led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes

A. July 10, 2018

MOTION: *Jared Gray moved to approve the July 10, 2018 meeting minutes. Rich Wood seconded the motion. Those voting aye: Jared Gray, Matthew Everett, Brett Wright, and Rich Wood. The motion passed with a unanimous vote.*

4. Action and Advisory Items

A. Eagle Mountain Storage & RV – Penske Conditional Use Permit, Public Hearing; Action Item:

A proposed CUP for a moving and storage facility and business at the Eagle Mountain Storage & RV site located at 9469 N Mt. Airey Drive.

Mike Hadley said that the applicant had proposed parking six moving trucks in front of the privacy wall.

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

None

Commissioner Everett closed the public hearing at 6:05 p.m.

MOTION:

Brett Wright moved to approve the Eagle Mountain Storage & RV--Penske Conditional Use Permit with the following conditions:

- 1. Vehicles must be parked in an improved parking area within designated parking stalls.***
- 2. Vehicles shall be located in a manner so as to not obstruct drive aisles, doors, or pedestrian pathways.***
- 3. No more than six (6) moving trucks may be parked in front of the privacy wall.***

Jared Gray seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.

B. Sunset Storage & RV – U-Haul’s Conditional Use Permit, Public Hearing; Action Item:

A proposed CUP for a Moving and Storage Facility and Business at the Sunset Storage & RV site located at 9361 Sunset Drive.

Taylor Jensen said that the applicant had proposed parking six moving trucks in front of the privacy wall and six moving trucks behind the wall.

Commissioner Wright was concerned about the parking lot being too small to park six moving trucks in front of the privacy wall.

David Hall, applicant, said that the parking lot has plenty of room to park six moving trucks. Trucks will be located in a manner not to obstruct drive aisles, doors, or pedestrian pathways.

Commissioner Everett opened the public hearing at 6:09 p.m.

None

Commissioner Everett closed the public hearing at 6:09 p.m.

MOTION:

Brett Wright moved to approve the Sunset Storage & RV—U-Haul’s Conditional Use Permit with the following conditions:

- 1. Vehicles must be parked in an improved parking area within designated parking stalls.***
- 2. Vehicles shall be located in a manner so as to not obstruct drive aisles, doors, or pedestrian pathways.***
- 3. No more than six (6) moving trucks may be parked in front of the privacy wall.***

Rich Wood seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.

C. Hidden Hollow Phase B Preliminary Plat, Public Hearing; Action Item:

Mr. Hadley said that the proposal is for a preliminary plat for 71 units (17 single family, 54 townhomes) on 16.59 acres (4.27 DU/AC) located on Hidden Valley Parkway, south of Hidden Hollow Elementary School.

The applicant is proposing an alternative open space plan. This alternative proposal includes the applicant's willingness to enter into an agreement that runs with the land that guarantees access to the Upper Hidden Valley trail system, guarantees rerouting of trails that are impacted by development, and developing 0.35 acres of improved open space in the next phase of development.

Items the Planning Commissioners had to consider were as follows:

- Only 30 units may be built until the extension of Hidden Valley Parkway is completed.
- Collector road fencing will be required for lots that back or side against Hidden Valley Parkway.
- Townhomes must comply with Commercial and Multifamily Design Standards.
- Slopes that average 25% or greater are unbuildable.

Commissioner Wood was concerned about the slope of the property and felt that most of the property was unbuildable.

Commissioner Gray was concerned about putting multi-family housing in a development with one access road.

Ryan Bybee, applicant, explained that this project was vested with 660 units and was part of The Ranches Master Development Agreement. The Alpine School District took 2/3 of the project, which brought the project down to 230 units. The developer had planned to put in single family units, but with the open space requirements and the cost of the amenities the developer had to come up with a different plan. The multi-family units balanced out the vested rights with the City requirements.

The grade of the property has had a certified stamp plan and study done by an engineer. The plan of the townhomes will be complementary to the slope of the property. The first level of the townhomes will have the garage and the front entrance. The second level will allow for an exit out into the back yard.

Commissioner Wright requested that the applicant add more architectural features to the townhomes.

Commissioner Wood suggested that the builder break up the units with different materials and colors. He was concerned that the property location was not appropriate for townhomes.

Commissioner Everett was concerned about the garage being a prominent feature on the front elevation of the townhomes.

Commissioner Wood questioned if the mountain bike trail system was an amenity to the residents living in this development. He also questioned how the City would protect the bike trail from being developed.

Mr. Bybee stated that with this phase of the development all the amenities for the mountain bike trailhead will be built. The developer was willing to enter into an agreement to preserve the bike trails.

Commissioner Everett opened the public hearing at 7:07 p.m.

None

Commissioner Everett closed the public hearing at 7:08 p.m.

MOTION:

Jared Gray moved to recommend approval of the Hidden Hollow Phase B preliminary plat to the City Council with the following conditions:

- 1. Applicant shall comply with the open space plan presented in the packet.***
- 2. The plat shall show the building footprint for any steep lots.***
- 3. Applicant shall enter into an agreement to preserve the mountain bike trails.***
- 4. The garages should not be the most prominent feature of the townhomes.***
- 5. Buildings shall have a variety of architectural designs and structures to help break up patterns and colors on the townhomes.***
- 6. No blasting shall be allowed.***
- 7 Applicant shall submit the certified engineer slope study.***
- 8. White garage doors are discouraged.***

Rich Wood seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.

D. Monte Vista Ranch Extractive Industries Overlay Zone, Rezone, Public Hearing; Action Item:

Mr. Jensen explained that the Extractive Industries Overlay Zone proposal is to provide materials necessary for the construction of the Facebook development. The applicant is proposing to have the Extractive Industries Overlay zone added to 111.23 acres of property (parcel 59:020:0008). The parcel is designated as Mixed-Use Residential/Commercial within the Eagle Mountain Properties Master Development Plan and Agreement. The property is located approximately 1 mile south of Eagle Mountain Boulevard and 1/3 mile east of Lake Mountain Road. The owner of the property plans on bringing in a larger rezone proposal which will include a master grading plan to prepare the parcel for future residential development after the mining is complete.

Commissioner Wood asked if there would be a time frame when this property rezone would convert back to residential. Mr. Jensen stated that the applicant will have to obtain a mass grading permit from the City Engineer and the Utah State Division of Mining. The State will also require a reclamation plan for the property. Those permits will allow the applicant to mine down to the approved level and then reclaim the property back to an approved standard after mining is complete. He said that the Planning Commission could put a time frame condition on the overlay zone.

Commissioner Wood was concerned about leaving the mountain scarred.

Drew Downs, Ames Construction, stated that there is pit on BLM land next to the property that could be mined. He said that this is a unique opportunity to mine the materials needed 2 miles from the project.

He has an agreement with Tiffany Walden to use alternative routes to haul dump truck loads to the project. This would keep dump truck loads of gravel and sand off of City roads. There will be no blasting on the property. The operation will be a temporary gravel and sand pit so no State permit would be required. The Utah State Division of Oil, Gas, and Mining will be supplying a letter to the City stating that a mining permit will not be required.

Ames Construction has a contract with the property owner to grade the property for residential use once the operation of the pit is complete. The contractor will have access to a well that will help with dust control. The City will benefit from sales tax on the sale of the gravel and sand.

Commissioner Gray questioned if the City would get the sale tax on the royalty price or the retail price of the gravel.

Commissioner Wood wanted to make sure that the pit is only used for the Facebook project.

Commissioner Gray felt that this should be an agreement with the City instead of an overlay zone. He was concerned that the property would remain an Extractive Industries Overlay Zone after the project was complete. Steve Mumford stated that the property has to be zoned Extractive Industries Overlay Zone so the applicant can extract the materials from the property. He will follow up with the City Attorney about putting a repeal date on the zone and a sunset clause on the project.

Commissioner Everett opened the public hearing at 8:21 p.m.

Bob Noxon, potential buyer of the property adjacent to this parcel, was concerned that the road and the well would have a prescribed easement on the property he was looking at purchasing.

Commissioner Everett closed the public hearing at 8:28 p.m.

MOTION:

Rich Wood moved to recommend denial of the Monte Vista Ranch Extractive Industries Overlay Zone rezone for parcel 59:020:0008 to the City Council for the following reasons:

- 1. Lack of a reclamation plan.***
- 2. Lack of exact volume of the material that will be extracted for the Facebook project.***
- 3. Lack of assurance that the pit will only be used for the Facebook project.***
- 4. Lack of a sunset clause or a restrictive agreement with the City.***
- 5. Lack of information regarding sales tax and whether it will be based on royalties or retail value of the gravel.***

Brett Wright seconded the motion. Those voting aye: Brett Wright, Rich Wood, and Jared Gray. Those voting nay: Matthew Everett. The motion passed with a vote of 3 ayes and 1 nay.

E. Pony Express Estates, Rezone, Preliminary Plat, Public Hearing; Action Item:

Mr. Jensen said that the proposal is for a rezone of 72.05 acres from Agriculture to Residential and a preliminary plat for 213 single family lots, for a total density of 2.96 DU/AC. The property is located east of Sage Park, west of the high school and Pacific Springs, and south of Cory Wride Park.

The applicant is required to provide a minimum of 4.89 acres of improved open space and 489 amenity points. The applicant is proposing: 3.87 acres of improved open space, with an additional 1.04 acres of space within 100 year detention basins and .9 acres within 10 year detention basins for a total of 5.81 acres. According to Code up to 75% of detention basins may be counted as open space (if approved by the Planning Commission and City Council) for a total 1.455 acres. Thus, as long as at least 1.02 acres of basins are approved by the Planning Commission and City Council as open space the project will comply with open space standards.

The applicant is proposing a total of 700 amenity points including 413 amenity points for amenities other than trails. By Code, a minimum of 66% of the required amenities must be something other than trails, so 66% of 489 for a 323 the applicant is exceeding minimum amenity requirements.

The Pony Express Trail cuts through the center of the project, as such the applicant will be providing nearly 1,700 feet of equestrian trails and over 1,800 feet of 10' wide pedestrian trails for the Pony Express Trail. The Pony Express Trail is designated as regional trail.

Aviator Avenue is shown on the southern edge of this property, and it is currently shown as a Minor Collector which includes a 77' right-of-way. City administration has indicated that it is desired that the classification for Aviator Avenue be increased to a Major Collector which requires a 94' right-of-way. As such it is likely that some of the additional 17' of right-of-way will need to be taken from the southern edge of the development. While it is not anticipated that any lots will be made unbuildable by this change, staff requested that the Planning Commission recommend that the applicant be able to work with staff to facilitate the wider right-of-way during the final plat process.

Commissioner Gray was concerned about removing the preexisting historical Pony Express trail road and making it a trail.

Woody Woodruff, representative of the applicant, felt that the community and the City would benefit from the trail amenities and the trail upgrades. He went through the amenities and the connectivity of the trail in the open space proposal plan.

Commissioner Gray suggested a hitching post station and tie rail along the trail system.

Commissioner Everett opened the public hearing at 9:28 p.m.

Jeff Ruth, resident, suggested installing something along the horse trail to discourage OHV or ATV riders.

Commissioner Everett closed the public hearing at 9:28 p.m.

MOTION: ***Rich Wood moved to recommend approval of the Pony Express Estates preliminary plat and rezone to the City Council with the following conditions:***
 1. The applicant work with staff to facilitate a wider ROW for Aviator Avenue.

2. The connection point to Pacific Springs be finalized.

Jared Gray seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.

F. Carson Crossing, Rezone, Public Hearing; Action Item:

Mr. Jensen explained that the proposal is to rezone 6.38 acres from Town Core Residential to Commercial. The property is located on the southwest corner of Pony Express Parkway and Porter's Crossing

Commissioner Everett opened the public hearing at 9:40 p.m.

None

Commissioner Everett closed the public hearing at 9:40 p.m.

MOTION: ***Brett Wright moved to recommend approval of the Carson Crossing rezone to the City Council. Jared Gray seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.***

G. Home Business Code, Development Code Amendment, Public Hearing, Action Item:

Mr. Jensen explained that staff had proposed a Code amendment making changes to the home Business code which would allow long-term storage within permitted structures in the Agriculture and Base Density Residential zones.

Commissioner Wright was concerned about putting this in the Municipal Code, because residents with large lots could rent out their barns or sheds.

Commissioner Everett opened the public hearing at 9:46 p.m.

None

Commissioner Everett closed the public hearing at 9:46 p.m.

MOTION: ***Matthew Everett moved to recommend approval of the Home Business Municipal Code amendment to the City Council with the following change: Section 17.65.60 (N) stating "d. The Community Development Director or his/her designee may limit hours of operation and/or total number of clients if necessary to protect the character of the neighborhood. Rich Wood seconded the motion. Those voting aye: Matthew Everett, Rich Wood, and Jared Gray. Those voting nay: Brett Wright. The motion passed with a vote of 3 ayes and 1 nay.***

5. Discussion Items

A. Eagle Village Concept Plan, Discussion Item:

An applicant is seeking feedback on a conceptual plan for the Eagle Village subdivision located on 14.1582 acres east of Pony Express Parkway, south of the City Center roundabout.

Commissioners requested that the side setbacks be 5 ft. on one side and 10 ft. on the other side for each house.

Commissioner Wood suggested a larger pavilion and that the larger lots be placed adjacent to Pony Express Parkway.

6. Next scheduled meeting: August 28, 2018

7. Adjournment

Commissioner Gray asked to be excused from the August 28, 2018 meeting.

MOTION: *Matthew Everett moved to adjourn the meeting at 10:09 p.m. Rich Wood seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.*

APPROVED BY THE PLANNING COMMISSION ON AUGUST 28, 2018


Steve Mumford, Community Development Director