

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, JANUARY 16, 2007

Tom Maher called the meeting to order at 6:10 p.m.

Roll Call

Tom Maher, John Malone, Matt Weir, John Linton

Others Present

Monte Kingston, Walter Wright, Mike Geddes, Jerry Tulley, Garrett Marcel, Rob Long, Heather Jackson, Steve McArthur

City Staff Present

Planning Director	Peter Spencer
City Planner	Michael Hadley
City Engineer	Chris Trusty
Planning Coordinator	Jenalee Cheever

1. Pledge of Allegiance

Tom Maher led the Commission and Audience in the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

Mr. Spencer stated that Tom Maher had been reappointed as Planning Commission Chairman. Mr. Spencer explained that the 5th vacancy had not yet been filled.

Mr. Spencer explained that Nortmoor Phases 1 & 2, Southmoor Phases 1 & 2 and Stonebridge Estates were all approved by the City Council.

4. Approval of Minutes

None

5. Development Items

Mr. Spencer stated that it had been requested that Item D follow Item A because the applicant for both projects is the same.

A. Cedar Corners Preliminary & Final Plat, Action Item, Public Hearing

Mr. Spencer explained that this item was previously presented to the Planning Commission on December 5, 2006, but the item was tabled because of an issue with the bonus density entitlements.

Mr. Spencer stated that since that time there has been a lot of discussion concerning the water right number. Mr. Spencer explained that due to the water issues the City requires before a preliminary submittal will be accepted there must be water right verification, meaning that there are water rights available that will suffice the needs of the project.

Mr. Spencer explained that the City has been working with the applicant to determine whether or not the water that has been identified is adequate and legitimate for the City to use. Mr. Spencer stated that this applicant as well as others have tied their name to these water rights, which have been approved with conditions by the State Engineer to be used in the Valley. Mr. Spencer stated that the conditions put with these water rights have been determined to be unacceptable by Eagle Mountain City.

Mr. Trusty explained that the water rights are historically located up in Salt Lake. Mr. Trusty explained that one of the conditions that comes with these water rights is that the water can only be used during the winter time. Mr. Trusty explained that the actual well location for these water rights is located in Saratoga Springs which brings up transmission and several other issues.

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Mr. Spencer explained that this application was proceeded under the assumption that the water rights would work but that just last week it was found that there were conditions placed with them that are found unacceptable by Eagle Mountain City.

Mr. Spencer explained that due to the circumstances Staff has determined that acceptable water rights have not yet been found for this project. Mr. Spencer then explained that it is the City's policy not to approve a preliminary project without those water rights. Mr. Spencer stated that it would be Staff's recommendation to table this item until the water rights issue can be resolved.

Walter Wright explained that approximately 30 days prior to this meeting the State Engineer approved the transfer of water into the City and that about a week ago Mr. Kinghorn wrote a letter stating that the two conditions on the water rights would need to be changed and met. Mr. Wright explained that those same conditions had been placed on other water rights that had been transferred into the City and that the City had accepted them. Mr. Wright explained that Mr. Kinghorn had told him that the water rights were not required until the project received Final Plat approval from the City indicated that it did not have any jurisdiction on the Planning Commissions decision.

Mr. Wright stated that he would like the Planning Commission to approve this development with a condition that that adequate water rights would have to be found before going to the City Council.

Mr. Spencer stated that it is the City's policy to not accept a preliminary plat application without legitimate water rights that will work with the City. Mr. Spencer stated that water rights were submitted with the application and it wasn't until the review process that it was found that the water rights would not meet the City's requirements, therefore Staff is recommending that this item be tabled.

Mr. Maher asked if it was a legal requirement or a recommendation to table this project because there are no water rights.

Mr. Spencer stated that he would give a strong recommendation that the item be tabled because there is not any adequate water that has been identified to the City.

Mr. Wright explained that he has done everything necessary to be able to get approval from the Planning Commission tonight, subject to the water rights.

Mr. Spencer explained that it was his opinion that it is bad policy to approve a preliminary plat without adequate water rights. Mr. Spencer explained that it takes up Staff's time to proceed with a project that could possibly in the end not work out because adequate water rights can't be found.

Mr. Spencer explained that he felt it would be a better situation to table the item until the next Planning Commission allowing Staff time to work with Mr. Wright and Mr. Kinghorn in finding adequate water rights that will suffice the City.

Mr. Wright asked Mr. Spencer what was being approved. Mr. Wright stated that it is not the Planning Commissions job to satisfy water. Mr. Wright stated that it is the City Attorneys job.

Mr. Spencer explained that part of the preliminary plat process is to find adequate water rights, which is why Staff is recommending that this item be tabled, because adequate water rights have yet to be found.

Mr. Maher explained that during his time serving on the Planning Commission he has never approved a preliminary plat that did not have adequate water rights.

Mr. Wright explained that he had other adequate water rights to suffice the project.

Mr. Maher explained that because has other water rights in the City already he would be willing to make a motion on the item tonight.

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Mr. Maher asked how long it would take to have the other water rights available for the project.

Mr. Wright explained that he would be able to have the water rights issue solved tomorrow. (Wednesday, January 17, 2007)

Mr. Spencer explained that Cedar Corners is just under 40 acres and is located just outside of the Eagle Mountain Properties Master Development Plan. Mr. Spencer explained that the project requires 1.82 acres of improved park space and that the project has provided just over 2 acres for park space.

Mr. Spencer reviewed the following conditions with the Planning Commission:

- That the required community park requirements are met, (\$2,000.00 per buildable acre paid to the City – or the appropriate improvements).

Mr. Maher suggested that the volley ball pits be removed from park plans because the ones that the City has are not being used.

- That all redlines on the plat are addressed.
- That the assessable SID acreage for this parcel is calculated by the City Engineer and paid by the applicant prior to recordation.
- That the Fire Chief's comments are addressed and approved
- That the gas, water, and electricity systems are looped. That a dry utilities plan is submitted and approved by City Staff.
- That required blow offs and manholes are approved by City Staff. That the storm drain calculations are provided. That all redlines are addressed and approved by City Staff.
- That street names are provided and approved by City Staff.
- That surrounding vegetation/xeriscaping is shown in the trail corridors. A completed landscape plan that is approved by City Staff.
- That the applicant provides, and staff approves, the amenities, etc provided to off-set the density proposed.

Mr. Maher asked what amenities would be done to off-set the density proposed.

Mr. Wright explained that he would be willing to do whatever the City asked.

Tom Maher opened the public hearing at 6:41 p.m.

Tom Maher closed the public hearing at 6:41 p.m.

MOTION: *John Linton moved that the Planning Commission approves the Cedar Corners Preliminary Plat subject to the following conditions:*

1. **COMMUNITY PARK.** *That the required community park requirements are met, (\$2,000.00 per buildable acre paid to the City – or the appropriate improvements).*
2. **PLAT.** *That all redlines are addressed.*
3. **SID PAYMENT.** *That the assessable SID acreage for this parcel is calculated by the City Engineer and paid by the applicant prior to recordation.*
4. **FIRE CODE.** *That the Fire Chief's comments are addressed and approved (see section above).*
5. **UTILITIES.** *That the gas, water, and electricity systems are looped. That a dry utilities plan is submitted and approved by City Staff.*
6. **CONSTRUCTION DRAWINGS.** *That required blow offs and manholes are approved by City Staff. The storm drain calculations are provided. That all redlines are addressed and approved by City Staff.*
7. **STREET NAMES.** *That street names are provided (not coordinates) and approved by City Staff.*

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8. **LANDSCAPE PLAN.** *That surrounding vegetation/xeriscaping is shown in the trail corridors. A completed landscape plan that is approved by City Staff.*
9. **BONUS DENSITY.** *That the applicant provides, and staff approves, the amenities, etc provided to off-set the density proposed*
10. **Approval subject to the determination of adequate water availability be provided the City by close of business Thursday, January 18, 2007. If not the actions of this approval will become null and void.**

Matt Weir seconded the Motion. Ayes: 4, Nays: 0. Motion Passed.

B. Winterhaven, Concept Plan, Discussion Item

Mr. Hadley explained that Winterhaven is located along SR 73, just east of the Mt. Airey subdivision, along the City boundary between Eagle Mountain and Saratoga Springs.

Mr. Hadley explained that this concept plan has been reviewed by Staff under the current City Codes. Mr. Hadley explained that the City is currently drafting a PUD ordinance and that the applicant has requested that once the PUD ordinance is complete that the project be reviewed under that.

Mr. Hadley explained that a lot of the basic conditions do not currently conform to City standards, but with a PUD it would allow for more flexibility with their design.

Mr. Hadley explained that the project consists of 93 single family lots over 13.72 acres. Mr. Hadley explained that the overall density is 6.7 units per acre. Mr. Hadley explained that the proposed density brings the entire project under the Tier III Residential Development Standards. Mr. Hadley stated that total amount of improved open space needed would be 1.37 acres.

Mr. Hadley explained that as currently shown the project has 44ft lot frontages and that City Code calls for 55ft lot frontages.

Mr. Spencer explained that without the PUD ordinance in place it is hard to review a project like this because under the current code there are a lot of conditions that are added in order for this project to get approved.

Mr. Maher asked where the information was being gathered from for the PUD ordinance.

Mr. Spencer explained that Staff is using other City's PUD ordinances to draft Eagle Mountain City's.

Mrs. Jackson explained that when the property was annexed into the City, the Council stipulated that the property could not be developed until the PUD ordinance was in place.

Mr. Spencer stated that the applicant had a presentation to give to the Commission.

Jerry Tulley explained that he represented J. Ballard homes, the client who will be helping in building the project. Mr. Tulley explained that the builder would be the developer.

Mr. Tulley described the layout of the project to the Planning Commission.

Mr. Maher asked what price the homes would be going for.

Mike Geddes explained that they would be in the \$275,000 to \$350,000 dollar range.

Mr. Spencer explained that the DRC comments were given as reviewed under the current code, and that they would not be valid if a PUD ordinance was not created.

Mr. Linton explained that he would like to see a more unique design concept, and more landscaping to shield it from the road.

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Mr. Geddes explained that the lots that back to Mt. Airey Drive are 125 ft deep on average, giving a bigger buffer.

Mr. Spencer explained that in previously approved projects it has been required that there be a berm, and privacy fence to shield residents from seeing into peoples backyard from a major road.

Mr. Geddes explained that because the lots are coming off of cul-de-sacs you have a bigger space in the back to use as a buffer.

Mr. Geddes stated that he thought it would be just outside of the individual homeowners properties but within the boundary that the HOA would still maintain.

Mr. Linton asked if Mr. Geddes had spoken with Cary Brackett from the Ranches HOA.

Mr. Geddes stated that he had not.

Mr. Linton suggested that Mr. Geddes meet with him so that they will have an understanding of the project that could possibly be going in.

Mr. Maher stated that the diversity of product would be a benefit to the City.

C. Skyline Ridge Estates Preliminary & Final Plat, Action Item, Public Hearing

Mr. Spencer stated that this was a preliminary & final plat application coming before the Planning Commission tonight.

Mr. Spencer explained that Skyline Ridge Estates is located along Golden Eagle Road, West of Kiowa Valley. Mr. Spencer stated that it consists of 169 acres with an average lots size of 9,000 sq ft.

Mr. Spencer explained that Staff is suggesting tabling this item tonight because there is still a lot of review that needs to be done before this project can progress. Mr. Spencer stated that he would still like to present the project to the commission tonight for their comments and feedback.

Mr. Spencer reviewed the layout of the plan with the Planning Commission.

Mr. Spencer explained that Staff feels that the park plan presented could be improved by adding additional required park amenities. Mr. Spencer suggested a gravel trail that travels from the end of the cul-de-sac on the south edge of the development that loops along the hillside and ties back in at a later cul-de-sac. Mr. Spencer stated that this would allow for not only residents to have access to the hillsides, but also fire control to the brush behind the homes.

Mr. Spencer stated that the only collector road would be Golden Eagle Road.

Mr. Spencer explained that there are several redline comments that could adjust the plan which is why Staff would like to table the item tonight so that this project does not get vested with a number of units/density.

Garrett Mancel explained that he had received the redline comments and that they had all been changed except for those related to the park.

Mr. Mancel asked that most issues can be worked out through redlines and asked that the Planning Commission consider approving the project tonight.

Mr. Spencer explained that there was also an issue with the amount of water that had been identified. Mr. Spencer stated that that water will work that it was just a question of the amount that has been presented.

Mr. Long stated that there is 200 shares of water but that only 100 shares were presented with this project. Mr. Long stated that he could have more shares available the following day if necessary.

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Mr. Long stated that they did receive the redlines the previous Thursday and have resolved those redlines before the meeting tonight. Mr. Long stated that the only issue that they might have is with the walkway.

Mr. Spencer explained that it is also required to have a 20 ft dedicated strip of open space.

Mr. Long stated that it is shown on the plans that he has brought with him.

Mr. Spencer stated that he was concerned that the density might change but the plans with the 20 ft easement look as if it stays at the same density.

The Planning Commission expressed that they would like to see larger lots.

Mr. Long that the lots are smaller because there was not enough water to suffice larger lots.

Mr. Spencer explained that the HOA would maintain the open space, that it would not be left to the homeowner.

Tom Maher opened the public hearing at 7:20 p.m.

Tom Maher closed the public hearing at 7:20 p.m.

MOTION: *John Linton moved that the Planning Commission approve the Skyline Ridge Estates Preliminary & Final Plat subject to all recommendations in the Staff Report and that all redline comments be addressed and are enumerated to the satisfaction of the City Staff.*

See Attached Staff Report

Matt Weir seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

D. Lone Tree West, Concept Plan, Discussion Item

Mr. Hadley explained that Lone Tree West is located West of the Lone Tree subdivision and Pony Express Parkway and East of the Cedar Valley Airport.

Mr. Hadley explained that the concept plan consists of 343 total lots and that there are 185 single family lots on 54.91 acres and 158 condominium units on 11.09 acres of land.

Mr. Hadley explained that the overall density is 5.196 units per acre—which would put this project under Tier II requirements and that the total open space is 10.50 acres, with 8.35 of that total buildable under 25% slope.

Mr. Hadley reviewed the following DRC comments with the Planning Commission:

1. STUB ROADS. That there are stub roads to adjacent properties.
2. UTILITIES. That the gas, water, electricity systems are looped.
3. NEIGHBORHOOD PARKS AND TRAILS. A minimum of 5.28 acres of open space is required for this development. The land for the public park is dedicated to the City with recordation of the first plat.
4. SID PAYMENT. The assessable SID acreage for this parcel is paid as the developed lots are sold.
5. COLLECTOR ROAD. There is an identified minor collector road (76' ROW) that runs through the south end of the development.
6. ROAD NAMES. That all proposed road names are approved by City Staff.
7. FENCING. Fencing is required when lots are built adjacent to collector roads.
8. FIRE CODE. The fire chief approves and identifies the location of all fire hydrants and that all other safety meets IBC & IFC standards.
9. LANDSCAPE PLAN. A landscape plan is submitted and approved by City Staff. That street trees and landscaping along the collector roads are provided by the Developer.
10. CUL-DE-SACS. Cul-de-sacs drain toward streets.
11. DRIVEWAYS. The driveways are a minimum of 22' long from the property line.

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12. DETENTION BASIN. The detention basin is approved by the City Engineer.
13. REGIONAL TRAIL. That the “Railroad Bed Regional Trail” is implemented into the northeast corner of the development.
14. MULTI-FAMILY PARCEL. That the multi-family portion contains the required clubhouse and pool as well as all areas other than building pads be improved and landscaped.
15. BUILDING PADS. That the applicant demonstrates that there are sufficient building pads on the hillside (<25%).

Steve McArthur briefly reviewed the project with the Planning Commission.

Mr. McArthur explained that there would be a clubhouse and that there would be volley ball pits or basketball courts.

Mr. Maher asked Mr. Spencer what the issue was on clubhouses, Mr. Maher was under the impression that the City was trying to steer away from clubhouses.

Mr. Spencer explained that he was under the impression that they were used frequently and that the residents liked them.

Mr. McArthur explained that at the clubhouse they would have extended shade covering for the outdoor amenities, possibly a water tot pool.

Mr. McArthur explained that the CC&R’s would restrict exterior finishes on the condos and that it will be tied to a master HOA that will include all of the single family homes. Mr. McArthur stated that he would prohibit investor sales on the condo pod and that it would be recorded on the deeds.

Mr. Linton explained that he wanted to see a quality product constructed.

Mr. McArthur explained that this project would allow for someone to start out in a condo, move into a smaller lot home, then eventually a larger lot home, giving people more options.

6. Other Business

None

7. Adjournment

Tom Maher adjourned the meeting at 7:55 p.m.

STAFF REPORT EAGLE MOUNTAIN CITY

TO: Eagle Mountain Planning Commission

FROM: Development Review Committee

DATE: January 16, 2007

SUBJECT: Skyline Ridge Estates, Preliminary and Final Plats – Public Hearing, Action Item

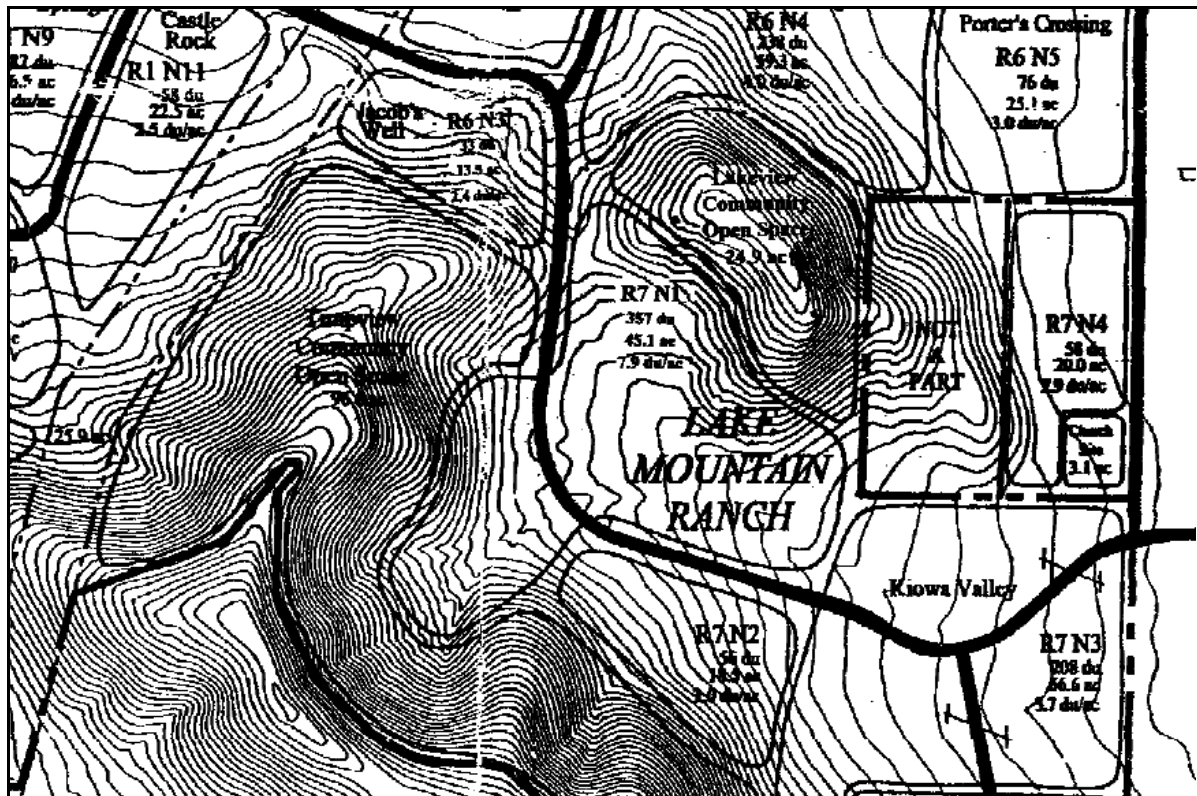
Preface

Within the overall Ranches Master Development is a development area approximately 108.7 acres in size originally labeled "Lake Mountain Ranch." This land area was originally entitled to 413 units overall; with a density of 7.9 du/ac for 45.1 acres and 3.0 du/ac for 18.5 acres. The project before the Planning Commission tonight is entitled Skyline Ridge Estates. The applicant is has paid the fees to process both the Preliminary & Final Plats simultaneously.

The Planning Commission is the Land Use Authority for Preliminary Plats and thus has the ability to approve, approve with conditions, table, or deny this application. The purpose of the Preliminary Plat is to review the layout of the lots, ensure proper street circulation, review utility demands, review park and recreation sites and to review project densities. The Planning Commission makes a recommendation of the Final Plat to the City Council, who is the Land Use Authority for Final Plats.

BACKGROUND

The R7 N1 parcel of the Ranches Master Development Plan allows for 357 units on 45.1 acres for a density of 7.9 dwelling units per acre. The R7 N2 parcel allows for 56 units on 18.5 acres for a density of 3.0 units per acre. This application proposes a total of 219 lots over 169 acres for a density of 1.3 units per acre and is consistent with the vested density.



Recommended Motion

This project was submitted to the City on December 18, 2007. It has been difficult for all of the different City Departments to do an adequate review of this large project due to the recent holidays. Furthermore, the applicant has submitted both Preliminary & Final Plats simultaneously. There are enough unresolved items dealing with parks, fire control, open space amenities, construction, etc. that Staff recommends that the Planning Commission table this item to allow for further review and discussion. It may be beneficial to conduct a discussion with the applicant to explore open space options, etc.

The recommended motion is provided for the benefit of the Planning Commission and may be read or referenced when making a motion.

*I move that the Planning Commission **tables** the Skyline Ridge Estates Preliminary Plat & Final Plat to allow for further review.*

Application

Single family lots in this development will be required to maintain 55 feet of lot frontage. The required setbacks for the single family lots will be as follows:

Front Yard	15' (22' driveways required)
Rear Yard	20'
Side Yards	15' total (min 5' on one side)
Corner Lots	15' on the front and corner side

Collector Roads

The collector road to serve this project is Golden Eagle Road, which runs along the eastern edge of the development. This road is required to have street trees along them provided by the developer. The proposed landscape plan indicates this requirement.

Landscaping, Parks, and Trails

City standards for Neighborhood Parks are as follows:

Required Facilities	Minimum Standards
Land	1 acre of Build able Land per 100 dwelling units
Water Rights	As required by the City Engineer
Play Ground Equipment (single multi age playground equipment)	1 in each neighborhood park
Play Ground Equipment (both age groups of equipment)	1 of each if park is within 1,320 feet of more than 150 dwelling units
Pavilion (450 square feet)	1 per 150 dwelling units
Barbeque	1 per 75 dwelling units
Trails	Connectivity throughout the park area
Bicycle Rack	1 per 15 dwelling units
Volleyball Pit	1 per 150 dwelling units
Landscaping Improvements	Entire park area (which includes but is not limited to sod and an irrigation system)
Trees	1 tree per 3,500 square feet of park
Picnic Table	1 per 25 dwelling units

This proposed Preliminary Plat proposes a large park along the eastern edge of the development. Based on the standards above, the following amenities should be located in the park (fee-in-lieu for fractional improvements):

- 2.19 acres of fully improved park area
- 2 tot lots (one of each age group)

****Attachment for Item C, Skyline Ridge Estates, Preliminary & Final Plat****

- | | |
|--------------------------------|------------------------|
| - 1.46 pavilions | - 1.46 volleyball pits |
| - 2.92 BBQs | - 30.24 trees |
| - 14.6 stalls in bicycle racks | - 8.76 picnic tables |

The applicant has proposed a parks plan that includes some, but not all, of these park requirements. Specifically, this park plan includes a 2.43 acre park area with four (4) picnic tables, twenty-three (23) trees, a dual age-group playground, as well as a parking area for twenty (20) parking stalls.

The proposed park plan **does not** show the additional 1.46 pavilions, 1.92 BBQ's, 14.6 stall of bicycle racks, 1.46 volleyball pits, the additional 2.24 trees, and the additional 4.76 picnic table.

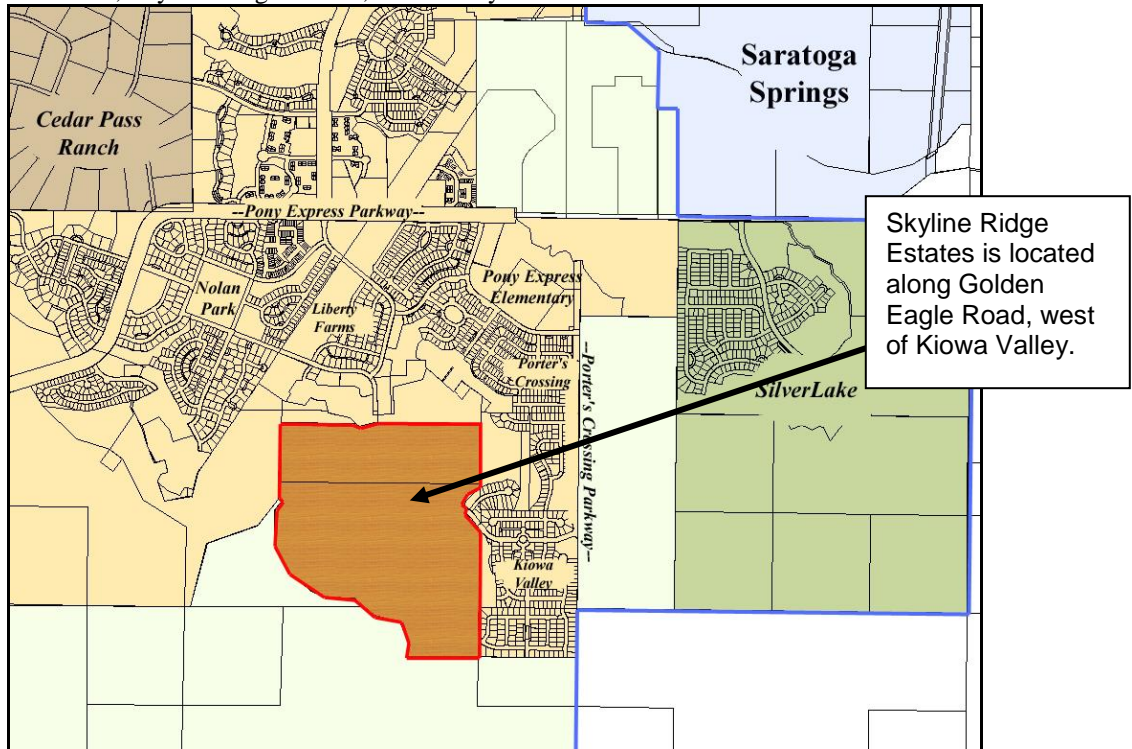
Staff recommends: handicap parking stalls be added per ADA standards, the pathway running through the park should connect to the sidewalk/path along golden eagle road for connectivity, that drainage of the parking lot should be addressed, and that the 8' concrete sidewalk on the south side of Golden Eagle Road be connected with.

Our Development Code allows the Planning Commission to recommend, and the City Council approve, park plans that deviate from the requirements. Staff feels that this park plan could be improved by adding additional required park amenities and, if appropriate, paying the difference for any unaccounted items in a fee-in-lieu prior to recordation. Staff's preference would be that the overall cost of the park be implemented into this neighborhood park, however. The Planning Commission may want to express their views of what other items they would like to see installed within this park. One suggestion has been to provide a gravel trail that travels from the end of a cul-de-sac on the south edge of the development that loops along the hillside and ties back in at a later cul-de-sac. This would allow for not only residents to have access to the hillsides, but also fire control to the brush behind the homes. Perhaps a portion of the remaining park requirements can be met by this trail.

Fire Dept. Conditions:

1. provide 28 fire hydrants as marked
2. minimum 1000 gpm fire flow
3. addresses throughout project
4. meet all IFC & IBC requirements

****Attachment for Item C, Skyline Ridge Estates, Preliminary & Final Plat****



ATTACHMENTS: Application materials