

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA

TUESDAY, NOVEMBER 10, 2009 AT 6:00 P.M.

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

Roll Call

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

Staff Present

Steve Mumford, Planning Director
Mike Hadley, Senior Planner
Jerry Kinghorn, City Attorney
Lianne Pengra, Planning Coordinator

Others Present

Mr. Gardner, 2019 E Spring Street
Lindsay Curtis, 2051 Spring Street
Mr. Daryl Cook, Cedar Fort Landowner
Ms. Nikki Wickman, 2756 Fort Hill Road
Mr. Todd MacFarlane, Pole Canyon
Mr. Nate Shipp, DAI
Ms. Romney, White Hills Resident
Howard, American Fork Resident

Commissioner Maher called the meeting to order at 5:54p.m.

1. Pledge of Allegiance

2. Declaration of Conflicts of Interest

None

3. Approval of Minutes

A. September 8, 2009 Planning Commission Meeting Minutes

MOTION: *Commissioner Linton moved that the Planning Commission approve the September 8, 2009 Planning Commission Meeting Minutes.*

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

B. September 29, 2009 Planning Commission Meeting Minutes

MOTION: *Commissioner Linton moved that the Planning Commission approve the September 29, 2009 Planning Commission Meeting Minutes.*

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

C. October 27, 2009 Planning Commission Meeting Minutes

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA

TUESDAY, NOVEMBER 10, 2009 AT 6:00 P.M.

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

MOTION: *Commissioner Linton moved that the Planning Commission approve the October 27, 2009 Planning Commission Meeting Minutes.*

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

4. Development Items

A. Ultra Carbon Fiber Business License Denial Appeal -- Public Hearing, Action Item

Mrs. Pengra explained the location of the home-based business and that the business manufactures carbon fiber jewelry. She explained that the license was denied based on the number of employees the applicant has; the code only allows for one non-family member employee. She explained that the city does not want to stifle home-based businesses, but that the code required the application to be denied. She said that the Building and Fire Departments have done their inspections and both passed the home based on their respective standards.

Mr. Mumford said that the two employees are only part-time and do not exceed the hours of a single full-time employee. He explained that they walk to work, but the problem could lie in having multiple employees drive to the home, creating a traffic or parking issue.

Commissioner Maher opened the Public Hearing at 5:58p.m.

Mr. Gardner, 2019 E Spring Street. Mr. Gardner said that he lives across the street and would not know they have a business if he hadn't been told. He said that it is very quiet and there is not a traffic or parking problem there. He explained that he feels in the current economy, the City should not take away the second set of hands the applicant needs to conduct business.

Lindsay Curtis, 2051 Spring Street. Mr. Curtis said that he agrees with everything Mr. Gardner said.

Commissioner Maher closed the Public Hearing at 6:02p.m.

Discussion ensued regarding the Home-based Business Standards and possible changes to the approval process.

MOTION: *Commissioner Linton moved that the Planning Commission approve the home-based business license for Ultra Carbon Fiber and to allow City staff to review and approve the renewal of the business license annually.*

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

B. Pole Canyon Master Development Plan & Amendments to the Eagle Mountain City General Plan -- Public Hearing, Action Item

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA**

TUESDAY, NOVEMBER 10, 2009 AT 6:00 P.M.

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

Mr. Mumford showed the vicinity of Pole Canyon annexation areas. He explained that there are two annexation petitions to be considered by the City Council. He said that items to be considered by the City Council with the annexation petitions will be the White Hills infrastructure, and surrounding infrastructure and development issues. He said that an agreement is currently being worked on for the annexations.

Mr. Mumford explained that the master development plan serves as a General Plan amendment as well. He showed the proposed land uses and explained that the Industrial designation is a new designation being proposed for the plan. He said that with the annexations, the parcels not included in the master development plan will also need to be added to the General Plan. He explained the designations for those parcels.

Mr. Mumford showed the changes to the transportation corridors on the Future Land Use and Transportation Corridors map. He said that the roads on the current plan were based on a grid system and the proposed modifications line up the master development plan's major roads with future corridors.

Mr. Mumford explained the new Industrial designation and the appropriate areas for this designation.

Mr. Mumford said that 9,659 residential units are being planned in the proposed master development plan. He said that the residential density average is 4.47 units per acre in the residential areas only. He said 3.68 units per acre is the overall density. Mr. Mumford showed each Planning Area and the densities for each. He said the higher density areas are away from the existing development. He explained that one commercial area includes residential units as it is planned for a mixed-use site. He said the density here is 9.83 units per acre.

Mr. Mumford said that the plan doesn't designate a tier for each location. He explained that the development agreement will state that each NPA (neighborhood planning area) will need to have Master Development Plan approval. He explained that as each NPA does that, the tiers will be noted and more detail will show how the density is distributed.

Mr. Mumford showed the Density Allocation map with the different density hubs. He said that having density hubs is good planning and that the higher density areas are placed well.

Mr. Mumford said that density transfer has been proposed for this plan. He said that each NPA is allowed a set percentage of density transfer, with most NPA's cap set at 20%. He explained that units would need to be removed from an NPA to add any to another; the total units allowed will never be exceeded.

Mr. Mumford said that the phasing is not based on the numbers of the NPAs. He said that the developer's intent is to develop the industrial areas first. He said that the first areas of residential development will likely be near the White Hills subdivision, along SR-73, and along Pole Canyon Blvd.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA**

TUESDAY, NOVEMBER 10, 2009 AT 6:00 P.M.

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

Mr. Mumford said that the current City standards for road cross sections will be used in this development. He said that a transportation study provided by the applicant stated that upon the development of 800 homes and 51 acres of industrial development, Pole Canyon Blvd will need to be built; SR-73's capacity will be reached. He said that the applicant is dedicating 150 feet of right-of-way as half-width for the future Cedar Valley Freeway.

Mr. Mumford said that SITLA has been in contact with the applicant regarding land they own adjacent to the project. They would like to ensure major and/or minor connectors are available to access their property. He explained a condition regarding access that was proposed by SITLA.

Mr. Mumford showed the Traffic Circulation plan and explained the location of different road designations. He also showed a plan with the general locations of major monument signs throughout the project.

Mr. Mumford said that the project is required to have 178 acres of improved open space. He explained that in the past they have allowed off-road trails to count towards the parks requirement. He said that about 6.5 acres of off-road trails are in this project and have been allowed to count towards their open space requirement; he said the trails will be well used and will be a benefit to the community.

Mr. Mumford showed the Parks and Open Space map for the project and explained the open space throughout the area. He said that the developer is willing to put a park adjacent to the existing White Hills development in the first phase of development.

Mr. Mumford showed drawings of the proposed rodeo arena and described the proposed amenities. He said the rodeo grounds would be dedicated to the city and would most likely be funded publically through the Pole Canyon local district.

Mr. Mumford said that the intent of the equestrian and ATV trails is to provide access to BLM land and Five Mile Pass. He said that the proposed trails fit into the City's Parks and Open Space Master Plan guidelines.

Mr. Mumford said that the applicant would like the entire project to have animal rights. He explained that with each NPA, an Equine Overlay Zone can be requested.

Mr. Mumford explained that public safety has been taken into account, such as the fire station and road construction timing. He said these details will be in the development agreement and will be approved by the City Council with the annexation.

Mr. Mumford said that Technical Guidelines have been created and a design review committee is included in those guidelines. He said that those guidelines don't override the City's standards and codes.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA**

TUESDAY, NOVEMBER 10, 2009 AT 6:00 P.M.

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

Mr. Mumford said that there is one area with 25% slopes that is unbuildable. He said that each NPA will have more detailed studies on soils, drainage, and grading with each site plan and plat.

Mr. Mumford said that the White Hills Water Company will be transferred to the City, once it has been brought up to City standards. He said that the sewer district and sewer lagoons will also be transferred to the City, once brought up to appropriate standards. He said that Rocky Mountain Power currently services the existing homes and an agreement is being worked out for the City to purchase those facilities.

Mr. Mumford said that the zoning has been set up well to offer buffering between the different uses.

Commissioner Maher asked Mr. Mumford to explain to those in attendance what the Planning Commission's role is in the Master Development Plan, versus the Annexation Petition.

Mr. Mumford said that the meeting item is not about the annexation. He explained that the review is on if the densities, buffering, transportation, and land uses are to code. He said that the utilities and timing of improvements will be reviewed with the annexation petition at the City Council meeting.

Mr. Nate Shipp, DAI. Mr. Shipp said he is representing the applicant and can answer any questions.

Commissioner Maher opened the Public Hearing at 6:41p.m.

Mr. Daryl Cook, Cedar Fort Landowner. Mr. Cook asked where the SITLA road will go and what the timing will be on it. Mr. Mumford showed possible minor collector road locations. He said that he is not sure what SITLA will do with their plan. Mr. Cook asked if SITLA was planning on developing the land. Mr. Mumford said that it was likely, but he was not sure of any time frame. Commissioner Maher asked how large the SITLA property is.

Mr. Todd MacFarlane, Pole Canyon. Mr. McFarlane said that it is roughly 320 acres and is located in Cedar Fort.

Mr. Shipp said that their plans for development are to focus development in the industrial sections of the project for the next three to five years. He said that once residential development begins, they intend to develop NPA 1, then NPA 2, and follow west of the highway and White Hills. He said that they have committed to build the White Hills park as soon as the market allows.

Nikki Wickman, 2756 Fort Hill Road. Ms. Wickman said that there is not much development going on right now. She asked what the cost is to Eagle Mountain if this is annexed and no development happens. Mr. Mumford said that they are looking at that in great detail. He said there is an independent firm doing a financing plan to show whether the City will lose or make

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA

TUESDAY, NOVEMBER 10, 2009 AT 6:00 P.M.

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

money, and where those thresholds are. Mr. Mumford said that as soon as any development in the industrial area happens, the project overall is positive as far as funds for the City.

Mr. Kinghorn said that the water and sewer utilities will not be brought on at an expense to the City. He said that those utilities will raise service charges to cover the expense of bringing the systems up to City standards; the addition of those utilities to the City is neutral. He explained that the services we do provide now are emergency responses. He said that is a current obligation which will not change with the annexation. He said that the City is reimbursed by the County per emergency call in the current state, but if the area is annexed, the City then has property tax revenue available. He said that the master development agreement will allow for special assessment areas to develop the revenues to maintain the project. He said that as the developers need services and infrastructure, the developers will need to build them; the City will not fund those.

Commissioner Dean asked if the access connecting the City to Pole Canyon Blvd would be funded by the developer. Mr. Kinghorn said that the City may be able to collect impact fee funds to help pay for it, but the developer will most likely need to pay the majority of the cost of it. He said it will depend on where development goes and on a capital facilities plan.

Mr. Shipp said that they were not planning on bringing a project that wasn't going to benefit all parties involved. He explained that companies are looking into developing this land and development will benefit Eagle Mountain as well as White Hills residents. He said that more detail will be provided as each NPA comes to the City for approval.

Howard, American Fork Resident. Howard asked if his two 80-acre parcels were included in the annexation. Mr. Mumford said they are not included.

Ms. Romney, White Hills Resident. Ms. Romney asked if industrial was going to be developed and then NPA 1. Commissioner Maher said that is the intent, but it depends on the market. Ms. Romney asked if White Hills residents will have the opportunity to purchase the lands adjacent to their lots. Mr. Shipp said they would be able to; he explained that they will have a website up with information. Mr. Kinghorn clarified that the City will not have any role in the private property transactions.

Commissioner Maher closed the Public Hearing at 7:07p.m.

Commissioner ElHalta said she feels good about the proposal as it has been under review for quite a while.

Commissioner Dean said that he also likes the plan. He said that he wishes it was five miles to the east. His experience shows that developers are often times not in a position to provide off-site improvements. Mr. Mumford said that once the capacity has been met and Pole Canyon Blvd needs to be built, according to the traffic study, building permits are stopped and no other development occurs until the road is completed. Mr. Kinghorn said that it won't be a pay-as-

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA

TUESDAY, NOVEMBER 10, 2009 AT 6:00 P.M.

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

you-go scenario; someone will need to pay for it upfront and be reimbursed over a period of time.

Discussion ensued on financing and the applicants' investments.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval of the Pole Canyon Master Development Plan and Amendments to the Eagle Mountain City General Plan, subject to the ten conditions listed in the staff report, as well as the additional condition proposed by SITLA (all listed below):*

1. **Aerial Photos.** The applicant shall provide recent aerial photographs of the entire Pole Canyon area as soon as possible, and prior to any construction/development. These must be in a digital format that is compatible with ESRI / GIS.
2. **Infrastructure Details.** Details for the transfer of utilities to the City, agreements with Rocky Mountain Power and Questar, timing and financing of improvement of water system facilities, decommissioning of sewer ponds, road construction timing, etc. must be enumerated in the development agreement.
3. **Park Improvement Timing.** Timing of improvement of the White Hills park, the Rodeo Grounds, and the Regional Park must be enumerated in the development agreement.
4. **Fire Station Construction.** The Fire Station must be constructed prior to any development, with details for maintenance and employee salaries to be enumerated in the development agreement.
5. **Community Parks.** The two southern community park locations should be relocated to be more accessible by future residents.
6. **Regional Park.** The future regional park on the sewer lagoons property to be relocated near the Rodeo Grounds.
7. **Phasing.** The first phase of development must occur in the Industrial area, the percentage / acreage of which should be included in the development agreement. No residential development may occur until this first phase of industrial development is complete.
8. **NPA Master Planning.** Each NPA shall go through the Master Development Plan approval process.
9. **Density Transfer.** An NPA may not receive additional density after it receives master plan approval.
10. **Parks.** Park designs shall be creative and unique, while still meeting the City standards.
11. **SITLA-requested Condition.** That Pole Canyon (DAI and EGI) prior to submitting the Master Development Plan for either NPA-1 or NPA-8, or prior to City Council review of the Petitions, provide plans for road connectivity from either Pole Canyon Loop or the Major Collector traversing NPA-1 to the north boundary of the Pole Canyon Annexation Area between SR-73 to the east and a point located approximately 3,900 feet along the north boundary to the west. Such access may be a Major Collector or some combination of Minor Collectors and Local Streets as may be agreed with the neighboring land owner. Such additional access will not be deemed a change in the approved Master Development Plan. Pole Canyon (DAI and EGI) will not be required to improve the connecting road, but will agree to preserve access and allow the neighboring owner to install improvements to City specifications for the agreed road classification.

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING AGENDA**

TUESDAY, NOVEMBER 10, 2009 AT 6:00 P.M.

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

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

5. Other Items

A. Nov. 19 Open House - City Center Open Space Completion Plan; 6pm-8pm

Mr. Mumford said that an open house is scheduled for November 19 at City Hall to discuss completing the open space areas in the City Center. He explained that it will explain prioritization and timelines for parks, trails, corridors, and streetscapes and will get community input.

Mr. Mumford said that in regards to the itemized list given by the business license applicant, the majority of the money spent was on building improvements to meet building and fire codes.

6. Adjournment

Commissioner Maher adjourned the meeting at 7:21p.m.