

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY NOVEMBER 14, 2017 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: Rich Wood, Muriel Xochimitl, John Linton, and Matthew Everett.

OFFICIALS PRESENT: Tom Westmoreland, John Painter, and Colby Curtis.

CITY STAFF PRESENT: Tayler Jensen, Planner; Mike Hadley, Senior Planner; Steve Mumford, Community Development Director; Jeremy Cook, City Attorney; Mike Malay, Neighborhood Improvement Officer; Diane Liberti, Neighborhood Improvement Officer; Linda Peterson, Communication & Community Relations Director; and Johna Rose, Deputy Recorder.

1. Pledge of Allegiance

Commissioner Linton led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes
A. October 10, 2017

MOTION: *Matthew Everett moved to approve the October 10, 2017 meeting minutes. Muriel Xochimitl seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Muriel Xochimitl, and John Linton. The motion passed with a unanimous vote.*

4. Action and Advisory Items

A. Dodge Barn Variance, Public Hearing, Action Item:

Tayler Jensen explained that the applicant is requesting a variance to allow for a barn within the front yard of their home located at 2203 Cedar Fort Drive on a 5.25 acre lot, located within the Cedar Pass Ranch neighborhood. The applicant must meet the criteria stated in the staff report. The applicant's reasons for meeting the City criteria for a variance includes: the location of the Tickville Wash on their property, flooding which occurs on a regular basis, location of a septic tank leach field, location of similar structures on other properties in the area, and the use for the structure, which is to house a large service vehicle.

Commissioner Linton opened the public hearing at 6:06 p.m.

Avalie Muhlestein, resident, stated that she supports her next door neighbor's variance request for a barn. She received a variance approval for her own lot about a year ago for the same reasons. She suggested that the City Code be changed to allow these types of variances on 5 acre lots.

Brian Dodge, applicant, stated that his backyard is constantly flooding due to the Tickville Wash. That is one of the reasons he is requesting the variance.

Shari Dodge, applicant, stated that their HOA has already approved the barn. She also stated that her family has to pay for a storage unit that is costing them dearly. This barn would help relieve that financial burden.

Commissioner Linton closed the public hearing at 6:10 p.m.

Commissioners felt that the barn variance met all five City criteria stated in the staff report.

MOTION: ***Matthew Everett moved to approve the Dodge barn variance. Muriel Xochimiltl seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Muriel Xochimiltl, and John Linton. The motion passed with a unanimous vote.***

B. Ranches Golf Course Single Family Rezone, Public Hearing, Action Item:

Mr. Jensen stated that the applicant has proposed to rezone portions of The Ranches Golf Course from Open Space to Residential and Commercial. In total the applicant is proposing to rezone 5.15 acres, including 4.15 acres of Residential and 1 acre of Commercial. The proposal is for land in 8 areas or pods. The applicant has indicated the proposed changes would make the golf course more playable, and will allow for the construction of an "events barn" which will allow the golf course to host more events, and consequently become more profitable, while providing a benefit to the City.

Tele Wightman, representative for Vanguard, handed out a pamphlet to all residents present at the Planning Commission meeting. The pamphlet shared the history and future plans for the golf course (pamphlet attached exhibit A). He stated that Vanguard is trying to be as transparent as possible with what they have planned for the golf course. Vanguard feels that this change would benefit the community. He would love the golf course to be able to sustain itself and continue to operate in the future.

Commissioner Linton opened the public hearing at 6:22 p.m.

Christa Kelley, resident, stated that she was representing half of Eagle's Gate subdivision. She read from a list of concerns called the "Reasons to Oppose the Golf Course Rezone" (list attached as exhibit B) put together by residents of Eagle's Gate subdivision.

Lori Jones, resident, was concerned that the additional homes would increase traffic into the Highlands on the Green subdivision.

Brent Harper, resident, said that he lives adjacent to the golf course at about the tenth green. He supports the current proposal and feels like this plan would enhance the golf course. He feels the current plan also has the least amount of impact on the community. He was more concerned about turning left into Highlands on the Green subdivision. He suggested that the City cut down the vegetation in the medians on Ranches Parkway to help with traffic.

Jeff Fox, resident, understood that the community needs a successful golf course. He wanted to see the details on how this plan would benefit the community. He questioned if the money the golf course received for the development would go towards the event barn. He wanted to know if homeowners that are impacted by this proposal would be compensated.

Boyd White, resident, was concerned about fencing requirements along the golf course, traffic, parking and snow removal.

Thomas Fox, resident, stated that he wants the golf course to be successful, but it's not up to the residents to save the golf course. He was concerned about property values.

Emily Wagner, resident, stated that this is not Vanguard's only golf course. She said that Vanguard is asking Eagle Mountain residents to forfeit their property and property values to pay for their event barn. She does not feel that this proposal would save the golf course. She also stated the problem with the golf course is that there too many homes adjacent to it. She does not feel adding more homes around the golf course would be a solution. She said that she paid a premium to live adjacent to the golf course. She also stated that Vanguard has not been a responsible property owner of the golf course. They do not take care of or maintain the golf course very well. The golf course has had many pipe and flooding issues. She feels that if the project was approved, the money should go back into repairing the pipes and sprinklers. She suggested that the golf course sell the property to the adjacent property owners. She stated that this item should not be approved because it was not properly noticed. The notice had the wrong street address on the mailer.

Karen White, resident, asked if this new development would have an HOA.

Kristin Denkers, resident and employee of the golf course, stated that the golf course is a community business and it employs many Eagle Mountain residents. She said that the pamphlet that was handed out said that a portion of the money would go toward fixing the golf courses irrigation system. She stated that the golf course would benefit from the events barn.

Ryan Bowlander, resident, was concerned about how the commercial property would impact traffic on Ranches Parkway.

Travis Pickup, resident, said that the greatest asset a golf course has is its land. He does not feel that developing around the land is a solution. He was concerned about the traffic, property rights, and property values, legal issues with selling the land, and the lack of details provided to residents.

Justin Miner, resident, supports the current proposed plan. He said that he lives next to the 18th green. He feels the residents should want to protect the viability of the golf course. He does not want to see the golf course closed down like the Salt Lake City golf courses. The closure of the golf course would negatively impact his property value. He feels the golf course is an asset to the community.

James Anderson, resident, stated that residents pay extra to live adjacent to the golf course. He said that no one knows what the outcome is going to be. He does know that if Vanguard closes the golf course, property value will go down. He feels that if Vanguard could meet the TGS golf course standards, then the golf course would become a viable golf course. He also stated that he does not know of a golf course in Utah County that does not have a clubhouse.

Randy Luck, resident, said that four of the eight homes on Barton Creek Drive have been flooded within the last year. He would like the money the golf course gets for this development to go towards fixing the golf course's pipes.

Greg Boyan, resident, said that he used to live next to a golf course in Nevada where a developer bought the golf course and then shut it down. That golf course was left to sagebrush. His property value in Nevada dropped substantially.

Steve Sircee, resident, supported getting more amenities for the golf course but did not support more housing around the golf course.

Paul Astin, resident, said that the community is woven around the golf course. He said once the open space is gone you can't get it back. Vanguard is asking the community to give up their community open space. He suggested that the golf course get rid of the driving range and use that for a clubhouse and build the event barn where the clubhouse is currently. He asked the Planning Commission to deny the rezone.

Brant Westover, resident, stated that he is directly affected by this rezone. He also stated that he is against the proposal. He felt that Vanguard has other options.

Mindy West, resident and employee of Vanguard, stated that Vanguard is trying to be very transparent with their plans for the golf course. She also stated that Vanguard is willing and open to discuss anything with residents. She stated that golf is not a profitable business. Vanguard does have some profitable golf courses but not enough to build a million dollar facility. She said that the commercial property being sold could have restriction on the type of business that could be allowed. The type of residential structures allowed would go into the CC&R's. Vanguard is also working on the flooding issues. They have already purchased a forty five thousand dollar irrigation system in the hope of making the golf course a better and safer place. Their insurance has covered all home owner loss of property due to flooding. The areas being proposed to be developed do not back into another backyard. Vanguard does not want to take anyone's view away. They have left open space between the proposed development areas and current residential homes.

Commissioner Linton closed the public hearing at 7:20 p.m.

Commissioner Linton requested that each proposed property be brought back to the Planning Commission one at a time.

Commissioner Xochimiltl stated that she would personally be impacted by the rezone. She understands that everyone needs the golf course to be viable. She felt that there were too many questions on how this would impact the residents and golf course to be able to approve this rezone.

Steve Mumford stated that if the Planning Commission approves the commercial property for development they limit the type of commercial uses.

Jeremy Cook stated that because the golf course was owned by the City at one time, the City has a deed restriction over the golf course in favor of the City. The City Council would have to vote to lift the deed restriction. The deed restriction gives the City Council a negotiation method to make sure the money goes towards the event barn.

Commissioner Wood did not feel the Commission had adequate information to recommend approval of the rezone.

Commissioner Everett suggested that the applicant bring back the rezone in sections with detailed information.

MOTION:

Muriel Xochimiltl moved to table the proposed Ranches Golf Course rezone until the following items are addressed or provided to staff for review:

- 1. Applicant provides a plan that shows relocation of tee boxes and cart paths.***
- 2. Renderings of events barn are provided***
- 3. Renderings/elevations of proposed homes are shown***
- 4. Plat map is also shown***

Rich Wood seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Muriel Xochimiltl, and John Linton. The motion passed with a unanimous vote.

C. Overland/SITLA Master Development Plan Amendment, Public Hearing, Action Item:

Mr. Mumford explained that the applicant has proposed an amendment to the 1,196 acre SITLA Mid-Valley project. The proposed change impacts transportation, parks, open space, land uses, density, and zoning. He reviewed each proposed village map with the minimum, maximum and proposed unit count in the staff report.

Open Space: The existing master development plan and agreement included the sale to the City of the 58-acre regional park (Cory Wride Memorial Park) and the 42-acre Pony Express Trail land, and the required improvement of neighborhood parks in the project. The proposed parks and open space for the project include land dedication, financial contributions to the existing regional park, improved trails, and various parks and clubhouses to be placed throughout the project.

Streets: The developer has agreed, in most cases, to comply with the City's planned rights-of-way for this project, and has offered to dedicate the additional right-of-way necessary for Pony Express Parkway to become a 152-foot wide major arterial. The bypass road, which was included in the previous plan, will be removed or relocated at a future date. The road that runs adjacent to the new high school will become a collector road, which is consistent with the City's Master Transportation Plan.

Densities: City staff recommends a reduction in the density range for each village to a 10-15% spread rather than 20%. This still allows the applicant market flexibility, while reducing the possibility of dramatic changes in a village. Staff would like to see villages further defined with planned unit/housing types. That may, however, be defined in each village master plan.

Commissioner Everett asked if the new lot transitioning code would apply to this development. Mr. Mumford stated that Village One would not have to comply with the new code, but the other villages would have to comply.

Bryon Prince, applicant with Ivory Homes, explained that SITLA, the City, and Ivory Homes interpreted the master development agreement differently. They have all gotten together in trying to fix some of the misinterpretation. He said one of the issues being address is the widening of Pony Express Parkway. Pony Express would be two lanes in each direction with a shoulder and a center median with left turn lane. If needed, Pony Express could be widened to six lanes in the future. SITLA will be donating 11 acres to widen Pony Express Parkway. The second issue being discussed is matching density on the subdivision's perimeter, with the minimum being half acre lots. The third issue was how to add value to their neighborhood. City staff suggested that Ivory Homes invest in the park. Ivory Homes will be contributing \$1,710,000 to the Cory Wride Memorial Park. Ivory Homes will also have ten parks throughout the Overland development. Ivory Homes is also dedicating 13.4 acres to the City for a recreational facility. Ivory Homes will allow the City an extension along High School Road. In return for these contributions and dedications Ivory Homes is asking for 3800 units instead of the allowed 3564 units. He stated that is only a 7 % unit increase. They are also asking for color or density flexibility.

Commissioner Linton was concerned about a 20% maximum and the 20% minimum density increase. He asked if Ivory Homes would be will to reduce the swing density to 10% maximum and a 10% minimum density increase. Mr. Prince stated that he could not answer that question at that time. He feels that Ivory Homes would want to stay with the 20% maximum and the 20% minimum.

Commissioner Xochimitl would like to see a traffic study for the whole development.

Elise Erler, applicant with SITLA, stated that this is a long-term, 25-year buildout project. She said that no one could forecast the future. This plan gives the developer flexibility when or if the real estate market or economic conditions change.

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

Jeff Ruth, resident, expressed his approval of the development if it would widen Pony Express Parkway.

Elfre Valdes, resident, was concerned about the shoulder lane and the material the trails would be made from. Mr. Mumford stated that the Code requires asphalt or concrete trails. He explained that SITLA is dedicating the property to the City to allow Pony Express Parkway to be widened. That will allow the City to improve Pony Express Parkway in the future.

Drew Curley, resident, questioned the math in the proposal. He asked how the units could come to 2.64 units per acre. He has seen this before, where the numbers in the proposal have not matched the density. Mr. Mumford explained that Village One concept plan was submitted after the gross density was calculated. The proposed density of 515 went up to 539 in Village One. That density comes out to 2.76 units per acre. He also explained that they remove the large roads and parks from the calculation on the gross density. Mr. Prince confirmed Mr. Mumford's findings.

Commissioner Linton closed the public hearing at 8:30 p.m.

Commissioner Woods asked how the City was protecting itself from these long term master development agreements. Mr. Mumford explained that the developer would have to comply with the expiration set forth in the City Code. The City has an extensive mediation process if one of the parties does not fulfill the duties outlined in the master development agreement (MDA). Mr. Cook explained that the last Overland MDA did not have an expiration period. The applicant and the City are still working through a phase expiration period for each part of the development.

Commissioner Everett would like to see a full traffic study done for the whole project. He felt that a 20 % flexible density was too large. He does understand that because the development is large, there needs to be some density flexibility. He stated that he would be more comfortable with a 10% flexible density.

Mr. Mumford suggested a traffic study be done for each individual village. He explained that it's hard for the traffic engineer to make assumptions on future traffic impacts.

MOTION: *Matthew Everett moved to recommend approval of the Overland/ SITLA Master Development Plan amendment to the City Council with the following conditions:*

- 1. Traffic study for the whole project*
- 2. Traffic study for each village.*
- 3. Reduction of the flexible density to a 10% maximum.*

Rich Wood seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Muriel Xochimiltl, and John Linton. The motion passed with a unanimous vote.

D. Porter's Crossing Town Center Master Development Plan Amendment and Preliminary Plat, Public Hearing, Action Item:

Mr. Hadley explained that the applicant has proposed an amendment to the Porter's Crossing Town Center Master Development Plan. The proposal was to remove a small portion of proposed commercial development, replace some multifamily development with small single family residential lots, change a residential pod to civic use, and added an institutional component to the plan. In addition to the MDA amendment, the applicant is proposing the New Park Preliminary Plat, which is dependent on the approval of the MDP amendment, and contains 169 small single family lots on 35.58 acres with an overall density of 4.75 units per acre.

Toby Cordova, applicant, reviewed the development changes on the map in the staff report.

Commissioner Linton opened the public hearing at 8:49 p.m.

Riley Jenkins, resident, was concerned about the recreation center.

Drew Curley, resident, was concerned about the recreation center. He was also concerned about the mixed use portion of the project and pod 4. He said that a mixed use area that has multifamily above retail commercial has not worked in Utah County.

Commissioner Linton closed the public hearing at 8:53 p.m.

Commissioner Wood was concerned about parking for pod 4.

Commissioner Xochimitl asked how this would fit with the connectivity code. Mr. Hadley explained that it would have to meet all City standards. Mr. Mumford explained that roads would not connect through the border into Saratoga Springs. He said that they have contacted Saratoga Springs City, but because of the different type of development each city has proposed, Saratoga Springs did not feel it was appropriate to connect roads. Commissioner Xochimitl stated that residents do not care where Saratoga Springs ends and Eagle Mountain City begins. She suggested that the City at least connect foot traffic between the cities.

MOTION: *Matthew Everett moved to recommend approval of the Porter's Crossing Town Center Master Development Plan amendment to the City Council. Rich Wood seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Muriel Xochimitl, and John Linton. The motion passed with a unanimous vote.*

MOTION: *Matthew Everett moved to recommend approval of the New Park at Porter's Crossing Preliminary Plat to the City Council with the following conditions:*

- 1. A full traffic impact study be submitted and reviewed by the City Engineer.*
- 2. An open space worksheet with an amenities table shall be submitted to staff.*

Rich Wood seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Muriel Xochimitl, and John Linton. The motion passed with a unanimous vote.

- E. Hidden Hollow Phase B Preliminary Plat, Public Hearing, Action Item:
A proposal for 40 single family dwellings located on 16.59 acres of land south of Hidden Hollow Elementary School, located on the Hidden Valley Parkway for a total density of 3.17 units per acre.

Hidden Hollow Phase B Preliminary Plat was removed from the agenda at the developer's request.

- F. Chapters 8.25, 15.30, & 16.20 Development Code Amendments Related to Blasting Regulations, Public Hearing, Action Item:

Mr. Jensen explained that staff has proposed a change to the Development Code to ensure blasting is done in a safe and responsible manner under the guidelines and direction of the Eagle Mountain City Council, City Engineer, Unified Fire Authority, and the State Division of Air Quality.

Commissioner Linton opened the public hearing at 9:09 p.m.

Eric Lundell, resident, suggested more standards be added to the Code amendment before going to City Council.

Riley Jenkins, resident, requested that a pre inspection of every building within so many feet be mandated in the Code before blasting. He stated that in Pennsylvania and North Carolina they have a mandatory pre inspection of every structure within a thousand feet. He also stated that most of the City Code is not being enforced. He said that he has followed trucks leaving his subdivision. He has followed trucks to other areas and development within the City. He also stated that the Code says you cannot transfer material offsite if it is being processed. He did not feel confident that the blasting code would be enforced.

Jenafer Bauerie, resident, felt that the City had a lack of concern for the residents and the resident's homes. She said the rock face on the other side of the blasting is shifting. She is concerned with allowing developers to blast within a thousand feet of her home.

Elfre Valdes, resident, was concerned about the blasting destroying his home. He stated that he has before and after pictures of the damage done to his home by the blasting. He is concerned for the safety of his wife and children living in the home.

Kira Evans, resident, said that when she purchased her home there were no cracks in the foundation and now there are many cracks. She stated that the residents have contacted their insurance companies and all claims have been denied. She felt that there was no protection in the Code amendment for the current residents.

Drew Curley, resident, asked why the City would allow blasting in existing developments. He suggested that the City require a developer to blast all phases of the development before homes are built. He felt that land should be left as is and that the City should not allow developers to create real estate.

David Upwall, resident, stated that he echoes all of the other concerns. He suggested that there be a way in the Code to reject blasting permits and require another way of excavation.

Attached to these minutes are statements made by Mark Sheffer and Brad Spackman (Exhibit C).

Commissioner Linton closed the public hearing at 9:21 p.m.

Commissioner Wood asked if the City has met with an expert to determine a safe distance or standards for blasting. Mr. Mumford said that the City has not met with anyone yet, but staff is seeking out experts. He has contacted several structural engineers and has talked with them about the ordinance being proposed. He said that without pre-inspection of the surrounding homes, it is hard to determine if the damage was caused by the blasting.

Riley Jenkins was concerned about the developer accelerating the blasting if the developers blasting permit expires December 31, 2017. The developer would have to go through the new process to obtain a new blasting permit. Mr. Mumford asked him about the pre-inspection of structures done in other states and who is responsible to pay for those inspection. Mr. Jenkins stated that the builder or developer is required to pay for the pre-inspections, but a third party inspector appointed by the municipality or state does the inspection.

Commissioner Everett questioned if a \$25,000 bond was sufficient.

MOTION:

Matthew Everett moved to recommend approval of the amendments to Chapter 8.25, 15.30, & 16.20 of the Eagle Mountain Municipal Code to the City Council with the following conditions.

- 1. Public comments be addressed or added in the staff report for City Council.*
- 2. Review other states that have pre-inspection and post inspection from a third party inspector.*
- 3. The cash bond amount in Section 8.25.070 of the Municipal Code be reviewed and increased.*

Muriel Xochimiltl seconded the motion. Those voting aye: Rich Wood, Matthew Everett, Muriel Xochimiltl, and John Linton. The motion passed with a unanimous vote.

G. Chapter 17.10 and 17.20 Development Code Amendments, Public Hearing, Action Item:

Mr. Jensen said that the applicant has proposed an amendment to Chapters 17.10 (Definitions) and 17.20 (Agriculture Zone) to add three conditional uses to the Agriculture Zone.

Commissioner Linton opened the public hearing at 9:44 p.m.

Lee Brown, applicant, stated that he purchased his property 12 years ago. He stated that the property was used for business stables, a commercial riding arena and an equestrian center before the property was annexed into Eagle Mountain.

Commissioner Linton closed the public hearing at 9:45p.m.

MOTION: *Matthew Everett moved to recommend approval of the amendments to Chapter 17.10 and 17.20 of the Eagle Mountain Municipal Code to the City Council. Rich Wood seconded the motion. Those voting aye: Rich Wood, Matthew Everett, Muriel Xochimiltl, and John Linton. The motion passed with a unanimous vote.*

H. Chapter 17.80 Development Code Amendments, Public Hearing, Action Item:
Staff proposed changes to prohibited signs.

Mr. Jensen said that the Neighborhood Improvement Division has reviewed the sign code and is recommending changes to the Eagle Mountain Municipal Code.

Commissioner Linton opened the public hearing at 9:48 p.m.

None

Commissioner Linton closed the public hearing at 9:48 p.m.

MOTION: *Matthew Everett moved to recommend approval of the amendments to Chapter 17.80 of the Eagle Mountain Municipal Code to the City Council. Rich Wood seconded the motion. Those voting aye: Rich Wood, Matthew Everett, Muriel Xochimiltl, and John Linton. The motion passed with a unanimous vote.*

I. Chapter 17.25 Development Code Amendment, Public Hearing, Action Item:

Mr. Jensen said that proposal is to change the side yard setbacks, requiring minimum side yard setbacks of 10' and 5'.

Commissioner Linton opened the public hearing at 9:49 p.m.

None

Commissioner Linton closed the public hearing at 9:49 p.m.

MOTION: *Matthew Everett moved to recommend approval of the amendments to Chapter 17.25 of the Eagle Mountain Municipal Code to the City Council. Muriel Xochimiltl seconded the motion. Those voting aye: Rich Wood, Matthew Everett, Muriel Xochimiltl, and John Linton. The motion passed with a unanimous vote.*

5. Next scheduled meeting: November 28, 2017

6. Adjournment

The meeting was adjourned at 9:51 p.m.

APPROVED BY THE PLANNING COMMISSION ON JANUARY 9, 2017



Steve Mumford, Planning Director

EXHIBIT A

THE
RANCHES
GOLF CLUB



The Ranches Golf Course

History and Future Plans

2007 Financial Problems:

Ames Construction (The Ranches builder and original owner) and the City of Eagle Mountain contacted Vanguard Golf Management Group concerning The Ranches Golf Course. Ames was losing \$300k plus per year, and planning to shut down the course.

Needing New Ownership:

The City did not want to take on the Golf Course and fund the \$300k annual loss with tax payer dollars. However, the City realized that the Golf Course was central to Eagle Mountain City and if the course went to weeds, property values would plummet.

2008 Negotiations:

Ames, EMC and VGMG, came together to brainstorm how to keep the golf course viable and successful for the City of Eagle Mountain. The negotiating took about 18 months to formulate a plan that would be positive for all parties.

Plans for Change:

VGMG also didn't want to take on \$300k in debt per year, but wanted to help out and felt if properly managed The Ranches could break-even within a few years. It was still a risk, and there needed to be a plan to make the course profitable in the long term. To become profitable and compete with other facilities, the Ranches would need an event center and/or new club house to host events. The agreement for a future event center at The Ranches was the deal-maker for VGMG.

2009 Ranches transferred to EMC:

In 2009, Ames donated the golf course to Eagle Mountain City. Ames also paid \$600k into a City Enterprise Fund which would be used to keep the Golf Course afloat during the transition to new management.

2009 VGMG Lease Agreement:

VGMG signed a lease with EMC, which included a purchase option after year three. VGMG would use the \$600k to get The Ranches back to financial stability. After the funds were exhausted, VGMG would be responsible for any loss or improvements. As part of the deal, EMC agreed that within 10 years a new event center and/or clubhouse would need to be constructed. This new facility would be funded by developing a small portion of the golf course, 4-6 acres about 2% of the total golf course.

2012 VGMG Purchase:

VGMG got the Ranches to a break-even point during the three years. In the fall of 2012, VGMG exercised the option to purchase The Ranches Golf Course from EMC for \$500k.

2013-2017 Operations:

The Ranches has been at a break-even point almost every year since VGMG purchased the course. In 2016 there was a net loss due to a well going down and very expensive repairs and capital improvements. This year VGMG had to invest in new equipment and will show a net loss again. VGMG knew these things would happen, and put a 10-year plan in place to compensate for these losses with the addition of an event center.

Petition to Re-Zone:

VGMG has worked for months with EMC on the location of the land to be converted from open space to residential. Careful consideration was taken to make sure no homes were put adjacent to any backyards. The homes will be single-story as to not block any views of current homeowners. Placement was crucial to maintain the integrity of the golf course and The Ranches community.

2018-2019 Plans:

The revenue from the lots sale will be used to construct the new event facility, redesign and reconstruct tee boxes and greens, and other capital projects such as irrigation upgrades and new equipment. The event center is crucial to the success of The Ranches Golf Course. It will create a needed revenue stream and bring in corporate and charity events, weddings, catering, corporate meetings, and rental fees.

Competition and Making a Profit:

Without this event facility, The Ranches will have a hard time ever being profitable. One bad month of weather, another well failure or a fungus on the greens would put the course into a loss and VGMG can't keep funding the course if it's operating at a loss. The Ranches must be able to compete with other courses that can host events and large tournament. With a new club house and event center, VGMG estimates tournament business will grow from 10 golf tournament events a year to 40-50 golf tournament events per year which would ensure a positive net income at the end of the year. The only option for The Ranches to continue to operate is to sell these lots, improve the course, and build a new event center.

The Ranches Golf Course

Plans for the Re-zoning and Construction

Irrigation Upgrades:

The irrigation controls at The Ranches are outdated. VGMG has already purchased an updated system that is being installed over the next few months. The cost was about \$40k with the amount due in March of 2018. However, this does not guarantee the breakdown of specific pipes or irrigation valves.

Hole #9 Reconstruction:

Vanguard Golf Management Group has put thousands of dollars into reconstructing #9 green and #9 bunkers. We have not received any external funds for this project; these mentioned upgrades were funded solely by Vanguard Golf Management.

Agreement to Sell Lots:

The original lease to purchase agreement between EMC and VGMG included a clause which allowed some of The Ranches Golf Course to be re-zoned for residential/commercial in order to raise funds for a new club house and/or an event center.

Lot Location:

The locations, home size and style, as well as the number of lots were discussed with the city over the past year. The lots were chosen based on the best use of the golf course property, without losing the integrity of the golf course design. We were also conscious of the locations selected to be the least intrusive to our neighbors and current home owners. The lot sizes range from 6,000 – 9,000 square feet per lot.

Details of the Homes:

Part of the re-zoning process will include the creation of CCR's for the new development. Included in the CCR's, will be specific criteria the homes must meet. Only single-level, single-family homes will be built. The homes will average 3,000 – 4,000 square feet finished, including the basement. The homes will be well appointed, and will be the most intimate homes as far as relation to the golf course.

Views and Traffic Concerns:

The elevation of the land being rezoned on hole #16 and #17, is lower than Ranches Parkway. The homes will be much lower in elevation, than the current (mostly two-story) homes across the street from The Ranches. The new streets which these homes will use to access their driveways will be built adjacent to Ranches Parkway. Most of these homes will not create any additional traffic through the current neighborhoods. In reality, the homes will likely block the undesirable lights and heavy traffic currently existing on Ranches Parkway, without blocking mountains or sunsets any more than the homes that already exist.

Adjustments to Golf Course Holes:

Our goals in the adjustments to the golf course; are to create more playable golf holes, create the least amount of impact to the surrounding home owners, and maintain the integrity of the design. For example: the tee boxes on #6 wrap around a few of the homes and golfers try to cut the bend and incidentally hit homes. The new tee boxes will be closer to the green and much further to the left of the current tee boxes. This will allow the golfers a straighter shot to the green, and should result in less homes being hit. The new tee boxes on #16 will be closer to the green and further to the right of the current tee boxes. This will allow the golfers to aim further left, and help avoid the homes on the right.

Future Development:

This development/lot sell has been part of The Ranches plan for almost 10 years to help ensure the success of the golf course. There are no plans to further sell off parts of the golf course; and because there are no other agreements with the city, approval for re-zoning would likely never pass.

Purpose:

The reason the lots are being sold, is to raise capital for golf course improvements and an event center. The new event center is critical to increase revenues at the golf course, and to help make the golf course profitable now and in the future. This in turn will continue to sustain and increase home property values surrounding the golf course, due to The Ranches Golf Course health and sustainability.

EXHIBIT B

Reasons to oppose the Golf Course Rezone

Traffic

- Traffic coming into and out of our area on both Carnoustie and Royal Dornoch is already very difficult: peak traffic times such as morning and evening commute, start and end times of the local schools.
 - Adding a business on Carnoustie and homes off of Royal Dornoch would increase the amount of vehicles trying to get in and out of the area at peak times. Turning left out of our area is a “blind turn”, forcing residents to go to the area between the medians on Ranches Parkway to see if it is safe to continue.
- The parking lot of the proposed commercial property would be very close to the street entrance causing more danger especially at peak times.
 - Several residents in Rock Creek Condos use Carnoustie to park their car. Having a commercial property in the same area would make Carnoustie more dangerous since sight distance is already limited due to parking on the street.
- According to the proposal new roads would have to be built to access the proposed homes. These roads would be within in feet of turning onto Royal Dornoch again making for an unsafe area.
- If the commercial property were to have the entrance off of Ranches Parkway it would be within 20 feet of Carnoustie. This would create a dangerous entrance/exit along Ranches Parkway
- Our roads cannot support more traffic.
 - There are currently approximately 100 townhomes going in on Cunninghill Drive. Many of those residents will use our neighborhood to get to and from their homes.
 - Currently St. Andrew’s Street is being lengthened to go through to Ridley’s. This alone will drastically increase the amount of traffic we see in our neighborhood, additionally, it looks as though more high density housing is being built along that road extension.
- Due to the potential increase in traffic how would the city regulate the traffic? Would a stop light have to be added the entrance to Carnoustie?

Master Development Plan and Land

- The Ranches Master Development Plan and agreement never anticipated development to take place on the actual golf course. By potentially allowing these rezones, the Master Development Plan is thrown out the window.
- According to the Utah County parcel map, the golf course doesn't own all the land in the proposal for the commercial property. Approximately half is city owned. Is the city going to sell the land to the golf course so it can be built on? There is no mention of that in the proposal.
- All of us that live on the golf course paid a premium for our lots to have the golf course view and with an understanding that nothing would be built neither behind our homes nor anywhere in the vicinity of the back of our homes. Often we can't control what is behind our homes, but in this situation we paid on average more than \$10,000 for a golf course view. The area surrounding the proposed commercial rezone is surrounded by residential areas. Many residents moved to this area due to the rural feeling that Eagle Mountain has. The commercial rezone will drastically change that feeling for those living in these areas.
- The proposed site for the commercial property is very close to current homes.
 - It is approximately 80-100 feet from 2-3 different houses and 100-120 feet from additional 3-4 homes. Not only is close to these homes, but the Rock Creek condos are across Carnoustie which is approximately 30 feet wide.
 - Home and condo values will fall drastically if the commercial rezone is allowed. It will start with the homes that are within the 120 feet radius and spread from there. We will lose value in our homes that we have put so much time, energy and investment into.
- If development is allowed, the actual golf course would be significantly smaller, making it hard if not impossible to keep holes and greens as they are. The 5th hole, for example, is already a fairly short par 3 hole. By adding in the commercial property and the houses on the north end, the hole would be even shorter. The proposed houses on the north end would be hit with golf balls frequently.
 - The proposal states that netting would be put in to protect some of the homes. Is that for all homes on both sides of the golf course or only the new development?
 - Many houses currently on the golf course get it on a regular basis. Making the holes narrower and shorter will make these holes much harder to play, and more likely that homes will be hit more often.

- When a window is broken the home owner usually is the one paying to fix the window as most golfers do not let the homeowner know they hit the window nor help pay to fix it.
- In order to develop the commercial property, a significant amount will have to be backfilled.
 - The Tickville Wash that lies just north of the proposed commercial site has had a significant amount of water run down over the last 10 years. When water comes out of the culvert that runs beneath Ranches Parkway it is moving very rapidly. The water is then squeezed between a more narrow section of the current golf course and the house on the other side of the wash. This has caused erosion on both sides of the wash. Adding in the amount of backfill that is needed for this proposed site could very potentially make the erosion worse for all properties. On several occasions when the water flows down the Tickville Wash we have watched as chunks of earth have fallen off on the golf course side as well as exposing pipes containing electrical wires has been exposed as a result of the force of the water. If this is happening on the golf course side it is happening on the home side as well.

Safety

- There is a bus stop on the south side of Carnoustie. There is also a bus stop on the south side of Royal Dornoch. Having a commercial property and more residential housing in these two areas would cause danger for our children who walk to these bus stops everyday 9.5 months of the year.
 - Also children from our neighborhood walk to school when the weather is good. We want them to be safe as they do so.
- Many youth and adults use the adjacent sidewalks and trails to ride bikes, skateboards, and to walk dogs. It is a safe place. However adding the commercial property and additional homes will make this area less safe with all the added traffic.
- The proximity of the proposed driveways for the houses on the south side of Royal Dornoch to the intersection of Royal Dornoch and Ranches Parkway creates a safety issue.
- Loitering in the area of the proposed commercial rezone could potentially increase depending on the type of business going in. This is going to increase the amount of property damage.

Conclusion

- February 2016, the golf course proposed development along almost the entire golf course. That proposal was shot down.
 - This time the proposal only affects two to three areas. If this proposal is allowed nothing will stop the golf course from doing this along the remainder of the golf course, bit by bit by bit. The effect will render the golf course non-functional. Slowly leading to more development and less open space.
 - If the golf course is given an inch they will take a mile.

EXHIBIT C

Johna Rose

From: Hyahoo <hyrum_07@yahoo.com>
Sent: Tuesday, November 14, 2017 6:58 PM
To: Johna Rose
Subject: Skyline Ridge Blasting

To whom it may concern,

Regarding the blasting happening in the Kiowa Valley area.

The fact that city leaders are not addressing an issue that is clearly causing problems, is short sighted, and they should consider preventing what the can right here and now. By failing to stop this blasting now, they are creating a situation that will cause far more damage to the city than if they'd taken actions when they could have. Our elected officials duty is to us, not some developer that will pull out of the community, and leave damage in their wake. Please take appropriate action to halt this activity immediately, before additional damage to our home happens.

We've worked extremely hard to make a home here in Eagle Mountain, please help us to protect what we have built.

Sincerely,
-Mark Sheffer

PUBLIC COMMENT FORM
EAGLE MOUNTAIN CITY COUNCIL MEETING

NAME BOB SPACKMAN DATE 11/14/17

ADDRESS 7224 SKYVIEW LN

TELEPHONE NUMBER 801 580 1897

TOPIC YOU WISH TO ADDRESS BLASTING REGULATIONS

COMMENTS BLASTING NEEDS TO STOP. PROPERTY IS BEING
DAMAGED. RESIDENTS HAVE NO RECOURSE TO PROPERTY
DAMAGE, ALL CLAIMS ARE DENIED.

Instructions:

1. Please fill out the form below for verbal or written comment and turn it in to the City Recorder or Deputy City Recorder before the meeting.
2. Public Comment is limited to 3 minutes each.
3. Do you wish to make verbal comment? ☒ Yes ☐ No (Circle One)
4. Do you wish to speak longer than 3 minutes? ☐ Yes ☒ No (Circle One)

Guidelines for Speaking:

1. Please wait to be recognized before going to the microphone.
2. Speakers should introduce themselves (name, address)
3. Direct comments to the Mayor or presiding councilmember.
4. Be brief and to the point.
5. Try not to restate points made by others. (If a number of individuals are speaking on the same topic, the group should select a single spokesperson to address the issue.)

**FEEL FREE TO CONTACT THE MAYOR
OR ANY COUNCILMEMBERS INDIVIDUALLY**