

MINUTES OF THE EAGLE MOUNTAIN PLANNING COMMISSION MEETING
Eagle Mountain City Offices 1650 E. Stagecoach Run, Eagle Mountain, UT 84043
Tuesday December 13, 2005

Tom Maher called the meeting to order at 6:00 p.m.

Roll Call:

Commissioners Present: Tom Maher, Chris Kemp, John Malone, Michael Hansen

Others Present:

Don Lister, John Jacob, Janiece Sloan, Paul Beckstead, Bud Jorgensen

City Staff:

Planning Director: Adam Lenhard
City Planner: Peter Spencer
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. Lenhard gave a brief status report on the following items; Spring Valley Site Plan and Mt. Airey A Plat Amendment.

Mr. Lenhard explained that Staff recommended the following as potential solutions for the disposal of open space:

North Service Area

1. Review the open space map of The Ranches and determine whether or not the City would like to continue to own all required open space. Consider disposing some of it to the respective HOA.
2. Adopt criteria for disposal of existing open spaces and dedication to the City of required open space in future plats. (e.g. anything not within a street right-of-way or drainage feature and less than five acres in size is to be deeded to and maintained by the HOA).
3. A maintenance agreement with The Ranches HOA should be considered to clarify the meaning of "maintain."

South Service Area

1. That a phased Improvement Plan is considered for all existing open space. That the improvements are minimal and conserve water. That trail corridors are maintained and trails are constructed. That subdivision entryways and open spaces adjacent to public thoroughfares are prioritized in the Improvement Plan
2. That public and private funding is identified for said Improvement Plan. Possible sources include grants, developer contribution, fundraisers, bonds, park fees-in-lieu, impact fees, and property tax assessments.
3. That maintenance of parks and open spaces is prioritized in the upcoming budget (extra staff and equipment).
4. That a specific Maintenance Plan is considered to organize and guide maintenance efforts.

5. That public property is disposed of only as a last resort.
6. Adopt criteria for ownership of future open spaces as new plats are recorded (e.g. anything not within a street right-of-way or drainage feature and less than five acres in size is to be deeded to and maintained by an HOA.)
7. That all future open space is constructed with subdivision improvements or boned for with cash only.

Mr. Lenhard explained that overall City Staffs recommendation is that open space is not disposed of because it could possibly become a very valuable amenity to the City.

4. Approval of Minutes

A. November 22, 2005

MOTION: *Mike Hansen moved that the Planning Commission approve the minutes of November 22, 2005.*

John Malone seconded the motion. Ayes: 4, Nays: 0. Motion passed.

5. Development Items

A. Proposed Amendments to Title 1 and 2 of the City's Development Code, Public Hearing – Action Item

Mr. Lenhard explained that the business license ordinance was changed to simplify the process of submittal for a business license. Mr. Lenhard explained that it would consist of simplifying the fees, and making the applications have an administrative approval instead of having to go through the Planning Commission.

Mr. Lenhard explained that Mayor Lifferth had requested that Tier 2 lot frontages be reduced from 55' back down to 50'. Mr. Lenhard explained that when this issue previously went through the Commission it was increased from 50' to 55'. Mr. Lenhard explained that no information was provided from Mayor Lifferth as to why he had requested that it be changed back down to 50'.

Mr. Lenhard explained that gas, electric and utilities are added to the list of items to be installed, inspected and approved by the City prior to building permits being issued for a lot or a subdivision. Mr. Lenhard explained that this has always been understood but that it was just being spelled out in the code.

Tom Maher opened the public hearing at 6:17 p.m.

Tom Maher closed the public hearing at 6:17 p.m.

Mr. Hansen asked why Mayor Lifferth had requested that the Tier 2 lot frontages be reduced back down to 50'.

Mr. Lenhard stated that Mayor Lifferth had not provided any further information as to why he had requested that it be changed from 55' to 50'. Mr. Lenhard explained that he had just asked that the Planning Commission and City Council reconsider it.

Mr. Hansen explained that if approved with a 55' foot lot frontage that could possibly eliminate a project with a 50' frontage from being able to come in and be approved.

MOTION: *Michael Hansen moved that the Planning Commission recommend approval of the changes to Title 1, Chapter 13 – Home Businesses, Title 6 – Business License Ordinance, Title 1, Chapter 19 – Conditional Uses, Title 2, Chapter 12 – Building Permits, and that no change be made to Title 1, Chapter 5 – Residential Zone Change.*

John Malone seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

B. Westview Heights Preliminary Plat, Public Hearing- Action Item

Mr. Spencer explained that Westview Heights is located between Cedar Pass Ranch and S.R. 73. Mr. Spencer explained that the preliminary plat application showed 48 lots and the average lot size is just over 31,000 sq. ft. Mr. Spencer explained that the gross density of the entire project was 1.11 units per acre which would put the project in Tier 1. Mr. Spencer explained that the total park acreage required is 1.75.

Mr. Spencer showed an Ariel photo of the project to the commission and explained that there would be two entrances to the project coming off of S.R. 73.

Mr. Spencer explained that the setbacks are 50 feet for the front yard but that it can be reduced to 35 feet if the road in front of the house is constructed with curb and gutter on lot sizes that are between one-half and three-quarters of an acre. Mr. Spencer explained that the side yard setbacks are 25 feet and corner lots are 25 feet.

Mr. Spencer reviewed the following conditions of approval for the Westview Heights subdivision:

1. That the section tie on the plat is shown. That a title block that conforms to Eagle Mountain City language is provided.
2. That the location of each lot containing slopes in excess of 25% is shown.
3. That documentation showing UDOT approval of the intersection onto S.R. 73 is provided.
4. That a Landscape Plan is submitted showing the following items: the plant names (both botanical and common name), location, quantity, and size of all existing and proposed plants; proposed and existing fences and identification of the fencing materials; and a summarization of the total percentage of landscaped (sod) area, domestic turf grassed, and drought tolerant plant species.
5. That rollback taxes may need to be paid on the property prior to the recordation of a Final Plat.
6. That Tommy Lane is constructed to City Specifications for half-width roads. These specifications require an additional 7 feet beyond center to be provided. This may require a wider easement for the additional 7 feet.
7. That the traffic study is reviewed and approved by the Engineer.

Tom Maher opened the public hearing at 6:38 p.m.

Tom Maher closed the public hearing at 6:38 p.m.

Discussion took place concerning the open space next to S.R. 73.

Mr. Maher asked if a fence is required to be put in where the open space meets S.R. 73.

Mr. Lenhard explained that the development code does not require that a fence be put in but that the Planning Commission could recommend in their motion to have a fence be installed for safety reasons.

Mr. Maher stated that he would like to see the open space on the northeastern side of the property swapped with the one-acre lot adjacent to the smaller piece of open space on the southwest, leaving the detention pond on the north, if necessary, for drainage.

MOTION: ***John Malone moved that the Planning Commission approve the Preliminary Plat for the Westview Heights subdivision subject to the following conditions:***

- 1. PLAT.** *Show section tie on the plat. That a title block that conforms to Eagle Mountain City language is provided.*
- 2. GRADING & DRAINAGE.** *That the location of each lot containing slopes in excess of 25% is shown.*

3. **CONNECTION TO S.R. 73:** *That documentation showing UDOT approval of the intersection onto S.R. 73 is provided.*
4. **LANDSCAPE PLAN.** *That a Landscape Plan is submitted showing the following items: the plant names (both botanical and common name), location, quantity, and size of all existing and proposed plants; proposed and existing fences and identification of the fencing materials; and a summarization of the total percentage of landscaped (sod) areas, domestic turf grasses, and drought tolerant plant species.*
5. **ROLLBACK TAXES.** *That rollback taxes may need to be paid on the property prior to the recordation of a Final Plat.*
6. **TOMMY LANE.** *That Tommy Lane is constructed to City Specifications for half-width roads. These specifications require an additional 7 feet beyond center to be provided. This may require a wider easement for the additional 7 feet.*
7. **TRAFFIC STUDY.** *That the traffic study is reviewed and approved by the Engineer.*
8. *That the open space on the northeastern side of the property is swapped with the one-acre lot adjacent to the smaller piece of open space on the southwest, leaving the detention pond on the north, if necessary, for drainage.*

Chris Kemp seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

A. Hidden Valley South, General Plan Amendment, Public Hearing – Action Item

Mr. Spencer explained that Hidden Valley South is approximate 870 acres and that the current Land Use is Rural Residential. Mr. Spencer explained that the proposed Land Use is Mixed Use Residential. Mr. Spencer explained that the applicant has presented that the minimum lot size being presented would be quarter-acre lots.

Mr. Lenhard explained that staff recommends approval based upon the agreement that the developer would keep the lots to a minimum of a quarter-acre.

Tom Maher opened the public hearing at 6:52 p.m.

John Jacob explained that he owned 150 acres in the same area as the project. Mr. Jacob stated that he did not agree with proposed general plan amendment. Mr. Jacob explained that a developer should be able to come in and be able to have a high density project as long as they make the subdivision look good. Mr. Jacob explained that each project should be treated fairly and be looked at case by case.

Mr. Lenhard explained that this item was not to approve the project its self but to either approve or disapprove the General Plan Amendment.

Don Lister explained that he worked with Winsor Development and the group that was trying to push the amendment through. Mr. Lister explained that in order for them to build their project the current general plan would need to be changed because it does not allow for a high enough density for them to have quarter acre lots. Mr. Lister explained that it would not just be quarter acre lots but that there would also be many half and one acre lots. Mr. Lister stated that there would also be a cemetery.

Tom Maher closed the public hearing at 7:15 p.m.

MOTION: ***Michael Hansen moved that the Planning Commission recommends approval to the City Council for amending the Future Land Use and Transportation Corridors Map to indicate Mixed Use: Residential for the area described in this application with finding of fact that the lots will be no less than a quarter-acre and the maximum density is 2.6 dwelling units an acre.***

Chris Kemp seconded the motion. Ayes: 4, Nays: 0. Motion Passed.

6. Other Business

None

7. **Adjournment**

Tom Maher adjourned the meeting at 7:15 p.m.