

**EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, FEBRUARY 26, 2008

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

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

**Roll Call**

Tom Maher, John Linton, Preston Dean, Craig Larrabee

**Others Present**

Jamie Adams, Ryan Kent, Fran Fillerup, Carl Allred, Nikki Wickman, Karen Tobler

**Staff Present**

Planning Director: Peter Spencer  
Senior Planner: Mike Hadley  
Senior Planner: Steve Mumford  
Planning Coordinator: Jenalee Harper

**1. Pledge of Allegiance**

Commissioner Maher led the Planning Commission and Audience in the Pledge of Allegiance.

**2. Declaration of Conflicts of Interest**

None

**3. Status Report from City Council**

Peter Spencer explained that the following items had been approved by the City Council at their most recent meeting.

- A. Equine Overlay Zone
- B. Fencing Standards

Mr. Spencer explained that the City Council had changed the proposed 4 foot fencing setback down to 3 feet.

- C. Valley View LDS Church
- D. Commercial Rezone

**4. Approval of Minutes**

- A. Approval of the January 29, 2008 Planning Commission Minutes.

**MOTION:** *Commissioner Linton moved that the Planning Commission approve the January 29, 2008 Planning Commission Minutes.*

*Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed.*

**5. Development Items**

**A. Gotta Dance Performing Arts Studio, Conditional Use - Public Hearing, Action Item**

Jenalee Harper explained that the Gotta Dance Performing Arts Studio is located at 2053 East Blossom Street. Mrs. Harper said that the applicant is proposing to change her two car garage into a dance studio.

Mrs. Harper explained that the dance studio is currently located in the basement of the applicant's home and is approximately 200 square feet in size and that the garage is 437 square feet.

Mrs. Harper said that in the applicants proposal it states that the home is gated with a six foot privacy vinyl fence and that a shed in the backyard will provide the storage for yard equipment, tools, and everything that would normally be stored in a garage.

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Mrs. Harper explained that applicant has proposed to expand the width of her driveway by six feet with a cement or gravel pad to provide more parking.

Mrs. Harper explained that staff has reviewed this application for Conditional Use and feels that it does not comply with Title 1, Table 11.3, Required Parking by Land Use which states *Every Single Family Dwelling is required to have 2 parking stalls enclosed in a garage.* Mrs. Harper also explained that staff felt that this Conditional Use did not comply with Title 1, Chapter 13, Home Businesses in that this would be changing the primary residential use of the property.

Mrs. Harper explained that staff feels that the applicant can not provide adequate parking for this type of home business.

Commissioner Maher asked if it would change the residential use of the come if the garage in converted into a dance studio.

Mr. Spencer explained that home business are allowed as long as the overall use of the building is residential. Mr. Spencer explained that it would be up to the Planning Commission to decided if by converting the garage will this change the overall residential use to commercial.

Commissioner Linton asked how the City defines a garage.

Mr. Spencer explained that there is a specific width and depth for garages that is required by code to allow for garages to be parked in the garage. Mr. Spencer explained that the City has always defined a garage as a place for vehicles to be stored.

Mrs. Harper asked the applicant if the garage studio and basement studio would both be used at the same time.

Jamie Adams explained that the basement studio would no longer be used if the garage studio was approved.

Mrs. Adams explained that she was the owner and manager of the Gotta Dance Performing Arts Studio.

Mrs. Adams explained that most parents dropped their children off for class and that there are only 2 classes that she provides that the parents will stay for because they are only a half hour long.

Mrs. Adams said that she had not received any complaints regarding her business since she has been in operation.

Mrs. Harper explained that the City has not received any complaints regarding this business either.

Mr. Spencer asked Mrs. Adams if she would convert her garage back if the studio expanded into a commercial area.

Mrs. Adams explained that the garage would be converted back on the condition that her business grew large enough to expand into a commercial building.

Commissioner Larrabee asked if the additional parking being proposed is the maximum width that the applicant can expand to.

Mrs. Adams explained that six feet would bring her driveway width all the way over to the property line and that there is no additional room for parking.

Commissioner Maher opened the Public Hearing at 6:12 p.m.

Tina Hollingsead explained that she is in support of the Gotta Dance Performing Arts Studio. Mrs. Hollingsead explained that her son and daughter were in some of Mrs. Adam's classes. Mrs. Hollingsead explained that the studio is a great need in the community, and that the expansion will allow for more room which the business needs.

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Commissioner Maher closed the Public Hearing at 6:14 p.m.

Commissioner Larrabee explained that his concern would be deviating from what the Code requires which is that every single family dwelling has a two car garage.

Commissioner Dean explained that by allowing this garage conversion it would set a precedent for other businesses that the City may not want. Commissioner Dean said he also felt that adding six feet to the width of the driveway would not be sufficient enough for parking.

Commissioner Linton explained that the community needs these types of resources available for residents but that the approach the applicant is taking with the expansion of her business is something that should not be approved.

Commissioner Maher explained that he felt this conditional use would change the residential use of the home.

**MOTION:**        *Commissioner Linton moved that the Planning Commission deny the Gotta Dance Performing Arts Studio Conditional Use Permit.*

*Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed.*

**B. Meadow Ranch 7, Final Plat – Action Item**

Mr. Hadley explained that Meadow Ranch 7 is located along SR 73, in the middle of the Meadow Ranches Master Development. Mr. Hadley explained that this had previously been approved by the Planning Commission for a preliminary plat.

Mr. Hadley explained that it consists of 16 residential lots at an average of 1.14 acres per lot. Mr. Hadley explained that this is consistent with the rest of the Meadow Ranch Development.

Mr. Hadley explained that the drainage plan has been reviewed by the City Engineer and that the City Engineer is satisfied with the plan that is being presented.

Mr. Hadley explained that the street cross-section needs to conform to typical city street standards.

Commissioner Maher asked at what point in the application process do the water rights for a project have to be turned over to the City.

Mr. Hadley explained that they are required at the preliminary plat stage.

**MOTION:**        *Commissioner Linton moved that the Planning Commission recommend approval to the City Council for the Meadow Ranch Phase 7 Final Plat subject to the following conditions:*

1. **SWALES.** 3" course base in drainage swales.
2. **STREET.** Street cross-section must conform to typical City street standards. Saw cut existing asphalt in smooth straight line. T-patch all asphalt cuts.
3. **WATER & SEWER.** Maintain a minimum of 10' separation between water & sewer.
4. **WATER METERS.** 1" water meters for all lots.
5. **LATERALS.** Show locations of all water and sewer laterals.
6. **HYDRANTS.** Five fire hydrants required; maintain 3-foot clearance around hydrants.
7. **PROPANE.** Permit required for propane installation.
8. **ADDRESSES.** Addresses need to be added onto the Final Plat for each lot.
9. **TITLE BOX.** The title box needs to be revised to reflect the vacation of Lot 1 Plat C of Meadow Ranch subdivision.

*Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed*

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**C. Oquirrh Mountain Master Development Plan – Public Hearing, Action Item**

Mr. Mumford explained that Staff recommends that this item be tabled. Mr. Mumford explained that the Oquirrh Mountain MDP is located south of the Lone Tree Subdivision.

Mr. Mumford explained that this project had been previously approved as preliminary and final plats for a single family detached subdivision. Mr. Mumford explained that due to various reasons the applicant has returned with the project and is proposing to do a mixed housing type of project rather than the single family detached subdivision that was originally approved.

Mr. Mumford explained that the new proposal has the exact same road configuration as the previous approval.

Mr. Mumford explained that the total unit count is 392 with 50 acres of open space. Mr. Mumford said that 17.8 of the open space acres is improved open space. Mr. Mumford explained that the improved open space according to code must be under a 15% slope.

Mr. Mumford explained that Staff would like to see in more detail how the applicant is going to utilize the steep improved open space.

Mr. Mumford explained that the applicant is proposing a trail system that will be throughout the project.

Ryan Kent asked what the City would like to see for their open space.

Mr. Kent discussed the slopes of the open space with the Commission.

Commissioner Maher explained that he would like to see a plan that showed the exact slopes of the improved open space areas, what amenities would be placed in the different areas, etc.

Commissioner Linton explained that he is concerned with the steep sloped improved open space areas and how they will be used. Commissioner Linton explained that he is also concerned with the large number of condominiums that are located in this project and that he would like to see and HOA that will maintain an upkeep these buildings so that they do not turn into an eyesore for the City.

Mr. Spencer explained that the City will look at the number of units specifically in this project and make sure that the amenities put in are adequate enough for those number of units.

Commissioner Maher explained that the City would like to see larger park areas rather than small open space areas dispersed throughout the project because the smaller areas are harder to maintain.

Commissioner Maher opened the Public Hearing at 6:42 p.m.

Nikki Wickman explained that she is upset because this project is going to have a clubhouse, trails and open space that she will not be able to use. Mrs. Wickman asked if any project were in the works that she as a resident would be able to use.

Mr. Spencer explained that there are many interested residents who are looking for recreation facilities that are owned by Eagle Mountain City and open to all residents for use. Mr. Spencer explained that the Mayor Jackson is in support of more recreation facilities in Eagle Mountain and that she is currently working on a skate park for residents.

Mr. Spencer explained that when Cedar Pass Ranch was first developed it was such a large lot and low density area that there was no requirement for a recreation center for this type of development. Mr. Spencer explained that the City collects impact fees through development and that there is a general fund that these monies go into and at the discretion of the City Council they can pull from the funds to build City wide recreation facilities.

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Mrs. Wickman asked what facilities the City is currently looking at building.

Mr. Spencer explained that recreational facilities are very expensive and that the City at this time does not have the funds to build anything.

Karen Tobler asked what size of multi housing will be built in this project.

Mr. Mumford explained that in the concept designs that the City has reviewed its designed to be owner occupied.

Commissioner Maher explained that there would be no apartments that everything would be owned. Commissioner Maher explained that there would be single-family cluster homes, twin-homes, town-homes & attached multi-family products with the possibility of tri-plexes and six-plexes.

Fran Fillerup explained that this project would connect with some petro glyph rock art to the west and the pony express trail to the east. Mr. Fillerup explained that SITLA is in favor of what the applicant is proposing.

Commissioner Maher tabled the Public Hearing until the March 25, 2008 Planning Commission Meeting.

**MOTION:**        *Commissioner Linton moved that the Planning Commission table the Oquirrh Mountain Master Development Plan & Public Hearing to the March 25, 2008 Planning Commission Meeting.*

*Commissioner Larrabee seconded the motion. Ayes: 4, Nays: 0. Motion Passed.*

**D. Equine Overlay Zone Designation for the Overland Trails and Sage Valley Developments – Public Hearing, Action Item**

Mike Hadley explained that the City is proposing to place the Equine Overlay Zone over the Overland Trails and Sage Valley Developments.

Mr. Hadley explained that Staff went back and reviewed the existing developments within the City to determine which developments would need the Equine Overlay Zone. Mr. Hadley explained that the subdivisions that were reviewed were the rural equestrian themed developments, developments that had existing riding trails and developments that had lots smaller than one acre.

Mr. Hadley explained that Overland Trails Plats 1, 1c & 2 and Sage Valley Plats A & B developments fell under the correct requirements for the overlay placement.

Commissioner Maher opened the Public Hearing at 6:58 p.m.

Commissioner Maher closed the Public Hearing at 6:58 p.m.

**MOTION:**        *Commissioner Linton moved that the Planning Commission approve and recommend approval to the City Council for the Equine Overlay Zone Designation on the Overland Trails Plats 1, 1c & 2, and Sage Valley Plats A & B Developments.*

*Commissioner Dean seconded the motion. Ayes: 4, Nays: 0. Motion Passed.*

**6. Other Business**

Mr. Spencer explained that at the next Planning Commission Meeting Staff will be presenting a rezone for Joe' Dugout which is across the street from where the new Valley View Elementary School is being built. Mr. Spencer explained that they are proposing to have more commercial in that area.

Mr. Spencer explained that Staff will also be presenting a guiding document on how highway 73 is built out and developed throughout the length of the City.

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Mr. Spencer explained that another document that they will be presenting is design standards/guidelines for commercial development & multi-family development.

Mr. Kent explained that Saratoga Springs has a Design Committee that consists of five members. Mr. Kent explained that the Design Committee approves architecture and layout for commercial and multi-family. Mr. Kent explained that once a project is approved by the Design Committee it then moves on to Planning Commission for their review.

Commissioner Linton asked what qualifications the members had to have in order to be a part of the Design Committee.

Mr. Kent explained that the Committee consists of a Developer, Architect, City Council Member, Planning Commission Member and a Resident. Mr. Kent explained that this group is an advisory body.

Mr. Mumford explained that the document that he has prepared for the next meeting has specific guidelines that will have to be followed and other guidelines that are more of recommendations.

Mr. Mumford explained that he had driven to several communities to find as many examples as he could for this document.

**7. Adjournment**

Commissioner Maher adjourned the meeting at 7:11 p.m.