

MINUTES OF THE PLANNING COMMISSION MEETING
Eagle Mountain City Offices 1680 E. Heritage Drive, Eagle Mountain, UT 84043
Tuesday, February 8, 2005

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

Roll Call:

Commissioners present: Tom Maher, John Malone, Chris Kemp.

Others Present:

Cindy Morris, Charolette Ducos, Avrey Mortinson, Gary McDougal, Issac Patterson, Rebecca Black, and David Blackburn.

City Staff:

Planning Director: Shawn Warnke
City Planner: Adam Lenhard
City Engineer: Chris Trusty
Planning Coordinator: Jenalee Cheever

1. Pledge of Allegiance

Tom Maher led the Commission and audience in the pledge of allegiance.

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

Adam Lenhard explained to the Commission that one major item being dealt with is the Talon Cove Annexation. Mr. Lenhard explained that this should be finished and ready to wrap up by next Tuesday. Mr. Lenhard told the Commission that the Planning Commission would meet the next Tuesday at 6:00 to take action on this item before the City Council meeting at 7:00.

4. Development Items

A. Gentle Jungle Daycare, Home Business, Public Hearing- Action Item

Adam Lenhard explained that the Gentle Jungle Daycare is being proposed in the Cedar Trails Subdivision at 1842 E. Boulder St. Mr. Lenhard told the Commission that this home daycare is in compliance with all city ordinances and codes.

John Malone asked Mr. Lenhard what condition the yard was in.

Mr. Lenhard explained to the Commission that the yard was up to code.

Chris Kemp asked the staff how many children would be at the home.

Mr. Lenhard explained that the daycare would start out with four children with the possibility of having up to sixteen, and that this would be allowed according to state regulations.

Tom Maher opened the public hearing at 6:04 p.m.

Tom Maher closed the public hearing at 6:04 p.m.

MOTION: **Chris Kemp moved that the Planning Commission approve the Gentle Jungle Daycare Home Business according to the following conditions:**

- 1. That the business maintains compliance with all State regulations for Daycares and all other City ordinances.**
- 2. That background checks may be required for additional employees.**
- 3. That the Home Business application may be reviewed and subjected to the following conditions or revoked by the Planning Commission upon future reviews. If a complaint is filed by surrounding property owners the Planning Department will perform an investigation and place the item on the Planning Commission's agenda for additional consideration.**

John Malone seconded the motion. Ayes: 3, Nays: 0. Motion Passed.

B. Talon Cove Master Development Plan, Public Hearing- Action Item

Adam Lenhard explained that the Talon Cove Master Development Plan is located north of State Road 73 in the Northeast corner of the City and that the property is scheduled to be annexed into the City's limits.

Discussion took place in regards to the school site. Mr. Lenhard explained that the school site is located approximately 600 feet off of SR 73. Mr. Lenhard explained that the traffic studies are being looked over and that Staff is making sure that any issues are being wrapped up.

Tom Maher asked if the Alpine School District had accepted the school site.

Mr. Lenhard explained that the School District is going to accept it and that the Staff would know for sure by next week.

Mr. Patterson stated that the school would require a secondary access.

Mr. Patterson explained that some of the road issues are currently under review by the City Council and that if the proposal work the way it is laid out that he would proceed forward.

Mr. Maher asked what the major issue of the roads was.

Mr. Lenhard explained that the concern was the classification of the road, whether or not it should be a neighborhood or community collector road. Mr. Lenhard explained that the traffic study would be conducted to determine what type of a road it would need to be.

Mr. Patterson explained that if this does become an enlarged road and is classified as a collector that he has agreed to enlarge the road to 60 feet, instead of the 50 foot neighborhood road.

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

Public Hearing continued to the following meeting on February 15, 2005.

MOTION: **The Planning Commission did not take action on this application and will not until all of the public hearings have been completed. The public hearings will conclude on February 15, 2005. The following items will be included in a Recommended Motion on February 15, 2004.**

- 1. SOIL REPORT. That the soil report completed by Earthtec Engineers dated April 5, 2002 be submitted.**
- 2. UDOT PERMITS. That the Applicant receives the necessary UDOT permits for the intersections on SR 73. That these intersections contain both accel and decel lanes.**

3. **TRAIL CONNECTIVITY.** *That the cul-de-sac have trail connectivity according to Title 2 Section 7.7.2 of the Development Code.*
4. **CAPITAL FACILITY PLAN.** *That the Capital Facility Plan includes: costs for the Mt. Airey Drive Extension and a contingency plan if the water tank in Meadow Ranch is not constructed prior to Talon Cove constructing commencing. That there is some discussion regarding the entrance monument at Ranches Parkway.*
5. **STORM DRAIN SYSTEM.** *That there is some discussion regarding storm drain improvements including: open channels across adjacent property owners; the need for easements; and the school district allowing their property to be used as a storm drain detention pond.*
6. **FIRE FLOW.** *That no home is constructed above the 5,130 elevation until issues pertaining to fire flow have been addressed.*
7. **FINANCING INFRASTRUCTURE.** *That a determination of the method of financing infrastructure be completed with the amending of the Capital Facilities Plan.*
8. **BONUS DENSITY.** *That the Applicant and the Staff clear define the improvements required for bonus density.*
9. **COLLECTOR ROAD.** *That Mt. Airey Drive is classified and constructed as a Collector Road according to Table 7.2 of the Development Code. The street shall be at least 80' in width and have consolidated access points for driveways (see Title 2 Section 7.7.7). Street trees are also required on this street (see Title 2 Section 7.8)*
10. **DENSITY CEILINGS.** *That density granted through the Master Development Plan is not a guarantee of density; rather it is a density ceiling. Other Development Code standards may reduce the amount of density that can be platted.*
11. **BUFFER REQUIREMENTS.** *That the subdivision meets buffer and transition requirements of Title 1 Table 11.2.*
12. **LOT SIZE TRANSITIONING.** *That this development meets the Lot Size Transitioning standards codified in Title 1 Section 11.15. This property will be adjacent to some Agricultural Zone. Additionally, the Applicant shall demonstrate that this development is not within one thousand feet of Camp Williams.*
13. **PARK & OPEN SPACE REQUIREMENTS.** *That the Developer demonstrates that the land required by the Development Code as improved open space. That the developer meets the neighborhood and community park, this improved land may be applied to the 8% open space requirements. Improvements that exceed these standards may be applied to receive bonus density.*
14. **WATER RIGHTS.** *That the Developer demonstrates that they have the access to the required water rights as required by Title 2 Section 2.7.2.3 of the Development Code.*
15. **ENTRYWAYS.** *That the Developer identifies the are for the required entryway improvements.*
16. **TIER II ZONING STANDARDS.** *That all the subdivisions meet the Tier II zoning Standards contained in Title 1 Section 5.12 which describes setbacks, lot frontages, etc.*

C. Valley View A & B, Final Plats- Action Item

Mr. Lenhard explained that Valley View Plats A & B are located along S.R. 73 between the North and Meadow Ranch Subdivisions.

Discussion took place in regards to having enough water pressure for this project. Mr. Lenhard explained to the Commission that having adequate water pressure would need to be checked and that the utilities do need to be looped.

Chris Trusty explained that there are two reasons behind looping the utility system, one reason being that to have enough water pressure and the second reason being serviceability and maintenance issues. Mr. Trusty explained that the applicants engineer has submitted calculations that appear to be appropriate in showing that the proper pressure can be kept without looping the utilities. Mr. Trusty explained that however it is still staffs recommendation that at least the water utilities are constructed and looped as part of the first phase and that a secondary access should be provided.

Gary McDougal explained to the Commission and Staff that his only concern with looping the utilities is that they have so much up front cost already and this would just add to the list. Mr. McDougal explained that for such a little amount of lots it doesn't seem reasonable to him to have to loop the utilities.

Mr. Trusty explained that the code, under these circumstances does require that the utilities be looped however, the City Council does have rights to waiver this.

Tom Maher stated that this issue should then be left up to the City Council.

Mr. Warnke explained that there would be some modifying in regards to an access. Mr. Warnke explained that this would require that that some asphalt be removed and that the area be vegetated. Mr. Warnke explained that the vacating of a road would go through about a month long process because it has to be noticed in the paper for a certain period of time.

John Malone asked what the purpose of the pond is for in Plat B.

Mr. Lenhard explained that it is for storm drainage.

Avrey Mortinson explained to the Commission and Staff that this pond does not serve this plat but future plats. Mrs. Mortinson explained that since the pond would eventually need to be constructed they decided to do it now with this plat rather than later.

MOTION: *John Malone moved that the Planning Commission recommend approval to the City Council of the Final Plat for the Valley View Ranch South, Plat A and Plat B Subdivisions subject to the following conditions:*

- 1. That the park area for these phases is secured for dedication and improvement in future phases. Reservation of one of the lots may be necessary to ensure that the equivalent park area is dedicated and improved in a future phase.*
- 2. That county book and page for adjacent parcels is shown on the plats.*
- 3. that street names in the cross sections are corrected to match the new names on the plats.*
- 4. That both plats are constructed simultaneously to allow for utility looping. That the streets are extended to the end of the lot frontage within the plats.*
- 5. Rip-rap and erosion protection needs to be provided for the "Pond 2" inlets/outlets. That the entire pond areas and city parcel are irrigated and maintained by the HOA.*
- 6. That approved e-files are submitted for the plat, utility layout, and dry utilities.*
- 7. That no building permit is issued unless it demonstrates adequate water pressure.*
- 8. That water right documentation is provided for both plats and approved by the City Attorney.*
- 9. That the application fees are paid for the General Plan Amendment (\$400) and Capital Facility Plan Amendment (\$9,750).*
- 10. That the Valley View HOA is created with the recordation of these plats.*
- 11. That the water utilities are looped and that there be a proposal of a secondary access.*

Chris Kemp seconded the motion. Ayes: 3, Nays: 0

5. Adjournment

MOTION: *Tom Maher moved to adjourn the meeting at 6:30 p.m.*

Approved: _____ Date: _____
Chairman Tom Maher