

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, MARCH 11, 2008

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

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

Roll Call

Tom Maher, Matt Weir, John Linton, Preston Dean, Craig Larrabee

Others Present

Ryan Kent, Doug Rosecrans, Rob Heeley, Amy Chaddel, Steven Elms, Travis Snyder, Patty Smith

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 Commission and Audience in the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

Mr. Spencer explained that the following items had been approved by the City Council at their previous meeting.

- A. Equine Overlay Zone Placement
- B. Sweetwater 2 & 3 Final Plats

4. Approval of Minutes

- A. Approval of the February 26, 2008 Planning Commission Minutes.

MOTION: *Commissioner Linton moved that the Planning Commission approve the February 26, 2008 Planning Commission Minutes.*

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

5. Development Items

A. Joe's Dugout, General Plan Amendment & Rezone - Public Hearing, Action Item

Mr. Hadley explained that Joe's Dugout is located North of Pony Express Parkway, across from the new Hidden Valley Elementary School. He explained that the aerial photo shows that most of the terrain is unbuildable. The approval with the Ranches Master Plan is for 290 residential units with a 6 acre commercial piece. The applicant is proposing to rezone the entire piece to Commercial Zoning. 14.7 acres of unimproved open space will be deeded over to the City. Mr. Hadley displayed a map to the Planning Commission showing what the commercial layout could potentially look like. The permitted uses for the commercial zone were read by Mr. Hadley and are listed in Title 1, Chapter 7, Section 7.3 of the Development Code. Mr. Hadley said that each of the permitted uses are conditional uses and that they must be brought before the Planning Commission for approval or denial. He explained that at that time the Commission may place conditions of approval on the permitted uses. Mixed Use Residential is also a conditional use under this zone. Mr. Hadley stated that when the Planning Commission and City Council considers a rezoning there are three elements to evaluating the rezone. They must be compliant with the future land use plan, compatibility, determination and buffering of incompatible uses. The proposed zoning is not in compliance with the future land use transportation plan therefore a general plan amendment to the map would need to take place before approval of the rezone.

Commissioner Maher asked for clarification on what the applicant is actually proposing tonight.

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Mr. Hadley said that the parcel is currently zoned with 260 residential units and a 6 acre commercial parcel. The applicant is wanting to rezone the entire parcel to commercial with the ability to have some multi-family residential mixed in with the commercial. Mr. Hadley explained that as shown previously on the aerial photo, there is not a lot of buildable land in this parcel therefore the applicant does not want to build single family residential on this parcel. City staff is recommending approval of the general plan amendment and rezone because they feel that this area is sufficiently buffered from any current residential development. Mr. Hadley explained that Pony Express Parkway is a 120 foot minor arterial road, providing enough buffering for development to the south. He said that with this large road and its potential to be fully built out in the future, it would only make sense to allow commercial development within this parcel.

Commissioner Maher asked that the land use map be displayed for the Commission and Public.

Mr. Spencer reviewed the location of Joe's Dugout with the Planning Commission. He explained that in order for this rezone to take place, the applicant needed to have the general plan map changed. If the zoning is left as it currently stands, it would only allow for the applicant to build light commercial.

Commissioner Maher asked how many units per acre the current zoning allows.

Mr. Hadley stated that it allows for seven units per acre.

A member of the audience asked for clarification on the zoning. Mr. Spencer gave a brief explanation of the changes being proposed.

Doug Rosecrans explained that because of the new elementary school being built across the street from the parcel, he has seen different companies show more interest in the parcel being commercially zoned rather than residential.

Commissioner Maher asked Mr. Rosecrans what types of commercial businesses he anticipated being built on this parcel.

Mr. Rosecrans said that it will mostly serve the nearby neighborhood and that he anticipates retail, services stores and restaurants.

Commissioner Linton asked how many units of residential the applicant planned on having.

Mr. Rosecrans explained that approximately 190 units could be built on the parcel if no commercial is built. He said that in an earlier study that was done with a particular configuration of the parcel only 40 residential units would fit.

Commissioner Maher asked how many acres of open space would be improved.

Mr. Spencer explained that 10% of the residential developable area of this project is to be set aside as improved open space. With the parcel being rezoned to commercial no improved open space will be required by the city.

Mr. Rosecrans explained that most of the land is too steep for improved open space so all land dedicated over to the city would be unimproved open space.

Commissioner Maher opened the Public Hearing at 6:22 p.m.

Rob Heeley, Resident of Ruby Valley, expressed his concern that the applicant is rezoning two parcels of land to commercial. He felt that it was unnecessary to rezone one of the parcels to commercial because the land is too steep to build anything on anyway. Mr. Heeley stated that he was also confused as to why they were rezoning from mixed use commercial to commercial.

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Commissioner Maher stated that it allows for a larger variety of businesses to be placed within this parcel. He explained that a specific plan is not being approved tonight rather it is just the rezoning that will be approved or denied.

Amy Chappel, Resident of Hidden Canyon, stated that her home overlooks this property and that she is concerned with the uses, and the light and noise that could be generated by making this area commercial. She said that the traffic that this commercial area would generate will make it unsafe for children coming to and from the new Hidden Valley Elementary School. Mrs. Chappel explained that this parcel needs to be approved with a specific plan, if not she feels as residents they will lose their ability to express their opinion on what may or may not be placed in this commercial area.

Steven Elms explained that he is not opposed to this parcel being rezoned commercial. He said that if something is going to be built he would like to ensure that residents can give their input on buildings that are aesthetically pleasing to the surrounding area.

Commissioner Maher explained that a new commercial code with architectural standards is currently being drafted and reviewed by the City. He stated that with this new code all commercial areas will be a step up from what they are now. There is no specific plan for this parcel yet, because it is strictly a rezone. However when businesses come in it will need to meet the standards and architectural guidelines.

Mr. Elms asked if there was an opportunity for residents to give their input on the architectural standards that are being drafted.

Commissioner Maher explained that whenever the Development Code is changed by the City, a public hearing is always held giving residents the opportunity to voice their opinion.

Mr. Hadley explained that when the commercial elements of this property are ready to be placed in the area, it is required that they apply for a site plan application with the City. All site plan applications will be taken before the Planning Commission.

Travis Snyder asked what the City's master plan is for the area.

Commissioner Maher explained that due to the school being built across the street it has changed the surrounding use and feel of the area.

Mr. Snyder asked if the City had ordinances on buildable slopes.

Commissioner Maher explained that there are very specific rules that developers must meet concerning slopes.

Mr. Spencer explained that anything above 25% slope is unbuildable.

Patty Smith, Resident of Hidden Canyon, expressed her concerns with the increase in traffic on Pony Express Parkway. She also stated that she was concerned with what types of commercial business would be built because of the elementary school being so close.

Mr. Spencer explained that making the zoning change to commercial allows for the developer to put in the list of business allowed in the commercial zone chapter from the development code. The City also has specific standards for lighting, noise and traffic, that the permitted commercial business must comply with. Mr. Spencer explained that when a site plan application is submitted to the City it is taken before Planning Commission and at this time conditions of approval may be set by the Planning Commission. Any multi-family or commercial development is also required to shield all lights downward so that the light does not extend beyond the property. Mr. Spencer explained that due to the increase in traffic acceleration and deceleration lanes will also be required to be placed. He explained that a traffic study will be conducted which analyzes all the potential peak volume traffic.

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Commissioner Maher explained that the traffic study is conducted by an independent traffic engineer. He or She will certify the requirements that need to be met depending on the outcome of the traffic study.

Mr. Spencer explained that in the future, residents will occupy the Hidden Valley area, which will also increase the traffic at the intersection of the commercial property and the new elementary school. It is a possibility that in the future a traffic light may be installed to control all of the traffic at this intersection. The traffic study that is conducted, by a third party engineer, could possibly state that a traffic light is required for this intersection.

Commissioner Maher asked what plans the Hidden Valley Developers had for their area surrounding the Hidden Valley Elementary School.

Mr. Spencer explained that just east of the school, 100 units of multi-family/townhomes have been approved.

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

Commissioner Weir stated that he is not opposed to the change in zoning, and that this adaptation may be a great feature for the City in the future.

Commissioner Linton stated that he felt that this commercial area would benefit the residents in the localized area. Mr. Linton explained that Pony Express Parkway could eventually turn into a highway, therefore making this commercial area appropriate.

Commissioner Dean expressed that he was in agreement with Mr. Linton, that the commercial zone in this particular area will be a great benefit for the City.

Mr. Spencer explained that the eventual build out for Pony Express Parkway will look similar to the Ranches Parkway. He explained that the school will be required to build a sidewalk along Pony Express Parkway.

Commissioner Maher asked Mr. Spencer how many units the Hidden Valley area has been approved for.

Mr. Spencer said that 657 units had been approved. He explained that there would be a second entrance/exit to the Hidden Valley area.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to the City Council for the proposed amendment to the Eagle Mountain City General Plan Map and to recommend approval to the City Council for the Joe's Dugout Rezone.*

Commissioner Larrabee seconded the motion. Ayes: 5, Nays: 0. Motion Passed.

B. Commercial & Multi-Family Design Standards – Discussion Item

Steve Mumford explained that the Commercial & Multi-Family Design Standards include site design standards and architectural standards. Mr. Mumford explained that the Commercial & Multi-Family Design Standards being presented is only a draft. The purpose of these standards is to protect the City against bland development.

Mr. Mumford explained that the site design and building locations are vital. He explained that they would like to orient the commercial buildings towards the street and sidewalk rather than only towards the parking lot. With the entrances and windows towards the streets and sidewalks.

Mr. Mumford explained that backyards and fencing usually face the street and sidewalk, however the purpose of these standards is to have multifamily porches, doorways, out on the sidewalk in the front and put the parking to the side and to the rear of the projects.

Commissioner Maher explained that it would be great to see multi family housing facing the main roadways and sidewalks rather than having the back or sides facing the street, so that you are not looking at a parking lot.

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Mr. Mumford explained that parking areas should be located in the rear or the side of the buildings. Parking should not be between any commercial buildings and the street.

Mr. Spencer explained that the proposed commercial parking provides a street edge and shields a majority of the parking area.

Mr. Mumford explained that open/plaza space is clustering the homes in such a way that will maximize the usable open/plaza space.

Mr. Mumford explained that architectural styles/themes should stay similar within one development. The main entrance of a structure should orient to major sidewalks and pedestrian walkways.

Mr. Mumford explained that having towers and different relief elements on the tops of buildings can be much more aesthetically pleasing.

Mr. Mumford reviewed the Building Material section of the Design Standards with the Planning Commission. Commercial buildings shall utilize a mixture of building materials on all sides of the building.

Mr. Mumford explained that buildings should not be restricted to the type of color they use but that they should not overpower the building and development. He explained that the franchise colors can be incorporated but rather in smaller elements.

Mr. Mumford explained that cluster mailbox structures are generally required by the Postal Service for multi-family developments. He said that in a previous area that he had lived in, the mailbox structures were made to look like the multi-family buildings.

Mr. Mumford explained that all mechanical equipment shall use screening that is aesthetically incorporated into the design of the building.

Mr. Mumford explained that design guidelines generally include landscaping, parking, pedestrian circulation and paths. Originally staff thought of incorporating these items but that there is already an existing code on parking and landscaping.

Commissioner Weir stated that under the Architectural Detailing section it refers to Human proportioned architectural features/details. Commissioner Weir asked what this meant.

Mr. Mumford explained that human proportion means that if you have a building with flat facades, windows that are high, or if there are not a lot of features down below at the pedestrian level then it is oriented to vehicles driving by. Mr. Mumford explained that human proportion feels good and looks better if you are walking next to it along the sidewalk. Windows would be placed lower, awnings above the windows, brick and decorative materials would be placed lower, at the pedestrian level.

Commissioner Maher suggested changing human proportion to pedestrian orientation to clarify the code so that all may understand it.

Mr. Mumford explained that some cities require that every 50 to 75 feet there is an entrance or every 25 feet you have a relief in building. Mr. Mumford stated that staff did not want to get that specific with the design standards.

Mr. Spencer explained that one of the challenges to drafting this code was that staff did not want to make this too restrictive to commercial businesses because we are trying to encourage any type of commercial development that will benefit the city and by making the design standards too strict may discourage new commercial development.

Commissioner Maher suggested that staff add as many good and bad picture examples to the design standards as possible.

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Mr. Spencer explained that there are many multi family projects that follow standards similar to this and that have gone above and beyond. Mr. Spencer stated that a code like this will prevent projects becoming an eyesore for the City.

Mr. Mumford explained that there are some larger projects, not yet approved, that are already following guidelines similar to this.

Commissioner Dean stated that from an architectural perspective, this code has been written really well. Commissioner Dean explained that the checklist that was included is a great way of staying organized so that these standards being applied to projects stay balanced. Commissioner Dean asked if ADA requirements were reviewed when the parking section of this chapter was written. He explained that typically handicapped parking generally must be as close as possible to the primary entrance.

Mr. Mumford asked if there was a distance requirement or if the general rule was that the handicapped parking must be the closest to the entrance.

Commissioner Dean said that he was unsure because most parking lots are put out in front of buildings, but to contact the ADA for their requirements.

Commissioner Linton explained that Irvine California does a great job in masking their parking lots, but they still are able to meet the ADA requirements. Commissioner Linton explained that this will be a great document for the City and that he appreciated the broad use of the words shall and may throughout the document. He explained that this allows the Commission, Council and Developer to “give and take” for the benefit of the community. Commissioner Linton. Commissioner Linton explained that he was concerned with commercial businesses having two entrances. He stated that it is typical of business to lock one of the entrances and put paper on the inside of the door, to utilize the additional space. Commissioner Linton asked that the code states clearly that this will not be allowed and that all doors must remain as doors and unlocked throughout the business day.

Commissioner Dean explained that any door considered an egress door according to building codes must be used and cannot be blocked off.

Mr. Mumford explained that the design standards were distributed to staff members. He explained that this will also be sent to the City Attorney for his review. The standards will also be sent out to the development community for their review.

Commissioner Larrabee explained that the code was written in a way that it will be good for the community and the property owner. Commissioner Larrabee asked how having the parking in the back of these buildings will effect employee safety.

Mr. Mumford explained that he would look into this issue to see if any studies have been completed.

Commissioner Maher mentioned again that staff should add more pro and con photos to the document.

Commissioner Dean explained that some cities have more diagrammatic pictures in these types of documents.

Mr. Mumford explained that Lehi has recently written a design standards code which also includes pictures and diagrams.

Commissioner Maher explained that at a previous Planning Commission Meeting there was a design company present that may have some great photos that the City could use in the design standards document. He also mentioned that Jackson Hole has strict design standards and that they may have some useful information that the City could include in its design standards.

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C. SR 73 Development Guidelines – Discussion Item

Mr. Mumford explained that the SR 73 Development Guidelines include topics such as roadway design, access management, landscaping, signage & fencing. Its purpose is to guide the way in which SR 73 is developed within the City limits.

Mr. Mumford explained that UDOT came out with a study that covered SR 73 from Tooele to Redwood Road. A majority of this document included maintenance and phasing plans. The first portion of the phasing plan mainly focused on the SR 73 from Ranches Parkway to Redwood Road, because it is the most highly traveled section of SR 73. The second portion of the phasing plan included the portion of road from Ranches Parkway to Eagle Mountain Boulevard. A 106 foot right of way was included in UDOT's document. This is the total width of area they would need for the eventual build out of SR 73, including 4 lanes with a center turn lane.

Mr. Mumford explained that Staff, in the next few weeks, will be working on determining how much right of way the specific areas of SR 73 will need.

Commissioner Maher asked if the City needed UDOT's permission to incorporate this document as part of the code.

Mr. Mumford explained that UDOT would have to review the document and must approve it before the City can incorporate it. He explained that some of the features in the future will be paid for and installed by the City.

Mr. Spencer explained that this document will control how UDOT eventually develops SR 73. He said that they had talked with UDOT in the past and their biggest concern is getting four lanes of traffic. Mr. Spencer explained that the City can go above and beyond with the plan, as long as the road can get traffic from Point A to Point B.

Commissioner Linton asked if within the 150 foot cross section, does UDOT accept responsibility for 73 feet and the City, 38 ½ feet.

Mr. Mumford explained that the 38 ½ feet would be a City or Developer responsibility.

Mr. Mumford explained that this document would not be incorporated into the actual code but approved through a resolution.

Mr. Spencer explained that this document would act as if it were a part of the development code. He explained that this will be approved by the City Council as an ordinance.

Mr. Mumford explained that he had written several questions in the Staff report to be able to get feedback from the Planning Commission, such as what type of landscaping does the Planning Commission envision.

Commissioner Maher asked what UDOT's plan was concerning the entrance onto SR 73.

Mr. Mumford explained that there is an existing agreement with UDOT and the City that shows five existing signalized intersections. He explained that they have not heard from UDOT on having more intersections. Mr. Mumford explained that if it becomes a problem with too many intersections they may restrict some to right or left turns only, and possibly closing some of those intersections off.

Commissioner Linton asked if UDOT was planning on concrete or asphalt medians.

Mr. Mumford explained that UDOT's plans do not currently include any medians. He explained that those are usually added when the traffic safety number increases or if there are accesses onto the highway that need to be restricted.

Mr. Spencer explained that Saratoga Springs recently had concrete medians installed because of traffic issues.

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Mr. Mumford explained that the City will want these medians to be landscape medians rather than a concrete median. He explained that staff is not proposing to have a landscape median down the entire length of the highway.

Mr. Spencer explained that this is the entrance to the City and that it needs to be designed in a way to be attractive to residents and visitors.

Commissioner Linton asked that it be designed so that it is architecturally pleasing so that it does not hurt the development community. He explained that the white vinyl fence along the road as you are going into Lehi is a bad example of design and is something that Eagle Mountain City should avoid. Commissioner Linton stated that xeriscape can be aesthetically pleasing when trees and shrubs are grown out properly.

Mr. Spencer explained that there may not be a lot of foot traffic on the trail, but there may be a lot of bike traffic. He explained that it would be great to construct a separate trail that runs along the highway rather than adding 8 feet of asphalt to the sides of the highway. Mr. Spencer explained that it could be dangerous having a trail right next to the highway.

Commissioner Maher explained that bikers will still use the road even if a separate asphalt trail was built for them.

Mr. Mumford explained that staff has been in contact with UDOT and MAGG, and that they will continue to include them in the process. He explained that staff will try to set up a meeting with both companies to propose the plan to them.

Commissioner Maher asked if the Mayor had made any progress with the road after the latest snow storm disaster.

Mr. Spencer explained that she had been to Washington D.C. for a congressional request for money to extend Pony Express Parkway. He explained that MAGG was also involved with the request so that it was just not a request coming from Eagle Mountain City.

Commissioner Linton explained that the plows from Utah County were brought up into Salt Lake County to help them with their traffic congestion when the last snow storm hit Utah.

Mr. Spencer explained that Eagle Mountain City's plows were asked to go out and plow SR 73 in place of the Utah County Plows.

6. Other Business

Mr. Spencer stated that the Planning Commission Meeting for March 25, 2008 has been canceled. He explained that it is the night of caucus meetings, and that it has been asked of staff to not hold this meeting so that the Planning Commissioners may attend those meetings.

Mr. Spencer explained that the Utah County Sheriff's Department will be at the next meeting to provide evacuation training to the Commissioners. He asked the Commissioners if they would be able to come at 5:30 p.m. to be able to have a closed training session before the public arrives.

The Commissioners confirmed that they would arrive at 5:30 p.m. for the evacuation training.

Mr. Spencer explained that the City's new website will have a section on boards and commissions. Mr. Spencer explained that the Commissioners will need to have their pictures taken and that a bio for each commissioner be placed on the website.

7. Adjournment

Commissioner Maher closed the meeting at 7:48 p.m.