

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

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

Roll Call:

Commissioners Present: Tom Maher, Chris Kemp, Matt Weir, Mike Hansen

Others Present:

Marcie VanCleave, Resident; Debbie Jacobson, Resident; Nicole Brady, Eagle Mountain Explorers Preschool

City Staff:

Planning Director: Shawn Warnke
City Planner: Adam Lenhard
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. Warnke explained that Sage Valley was on the City Council agenda and the Council did not feel that this was noticed properly so they did not take action on the item.

4. Approval of Minutes

A. February 22, 2005

MOTION: *Chris Kemp moved that the Planning Commission approve the minutes for February 22, 2005.*

Matt Weir seconded the motion. Ayes: 3, Nays:0. Motion Passed.

5. Development Items

A. Eagle Mountain Explorers Preschool, Home Business Application, Public Hearing- Action Item.

Adam Lenhard explained that the proposed Eagle Mountain Explorers Daycare Home Business is located at 1389 E Osprey Way in the Eagle Park Subdivision. Mr. Lenhard explained that the home business would be required to follow the City and State standards.

Nicole Brady explained that this home business is not a daycare but a preschool. Mrs. Brady explained that there would be a maximum of two sessions per day with ten children per session.

Tom Maher opened the public hearing at 6:10 p.m.

Marcie VanCleave explained that she was concerned that the classes would go into the late afternoon and that the children would disturb them when they were out in the backyard.

Mrs. Brady explained that the latest class would only go until 3:00 p.m.

Debbie Jacobsen explained that she was concerned with having children making noise and having the second class go until 3:00. Mrs. Jacobsen asked the Commission if it were possibly for Mrs. Brady to add more classes without notifying the residents.

Tom Maher explained that Mrs. Brady would be allowed two sessions per day, Monday thru Friday, and if that were to change she would have to come through Planning Commission again as well as notify the residents.

Mr. Lenhard told Mrs. Brady that she could only have two sessions per day with twelve children attending each session.

Mr. Warnke clarified that the approval tonight would be for two sessions.

Mrs. Brady explained that the children would not be outside that often because they would be inside in a classroom setting because it is a preschool. Mrs. Brady explained that the children would be inside 95% of the time and occasionally they would be allowed out into the backyard.

MOTION: *Chris Kemp moved that the Planning Commission approve the Eagle Mountain Explorers Preschool Home Business according to the following conditions:*

- 1. That background checks may be required for additional employees.*
- 2. That the Home Business application may be reviewed and subjected to additional conditions or revoked by the Planning Commission upon future review. 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.*

Matt Weir seconded the motion. Ayes: 3, Nays: 0. Motion Passed

B. Harding Subdivision, Concept Plan- Discussion Item

The Harding Subdivision was not discussed because the applicant was not present.

C. Development Code and General Plan Amendments- Discussion Item

Shawn Warnke explained that the following items were some of the proposed changes to the Development Code:

1. PARKING LOT SLOPES. That parking areas have a maximum slope restriction.
2. TIER 1 LOT FRONTAGE. That Tier 1 lots with sizes from one-half (1/2) to three-quarters (3/4) of an acre have a minimum lot frontage of 120 feet instead of 100 feet.
3. OPEN SPACES & CONSTRAINED LAND. That there is not an absolute disallowance of counting Constrained or Unbuildable Lands in approved open spaces.
4. FEE IN LIEU-OPEN SPACES. That there is a provision that allows for the requirement of open space to be paid as a fee in lieu.
5. PARKS. That there is clarification stating that neighborhood and community parks must be constructed on Buildable Lands and improved with sod and irrigation systems.
6. MASTER DEVELOPMENT PLANS – CONCEPT. That Master Development Plans be required to go through the Concept Plan process.
7. SIDEYARD SETBACKS. That the definition of the side yard setbacks be amended to exclude window wells from the setback requirements and require that basement stairwells are subject to the setback requirements.
8. ROW & TRAIL WIDTHS. That the right of way table be amended regarding right of way and trail widths.
9. LOT SIZE TRANSITIONING. That the lot size transitioning standards are clarified.

10. ONE ACRE LOTS & UNBUILDABLE LAND. That lots containing slopes in excess of 25% or other Unbuildable Lands may be smaller than one acre.
11. PUBLIC NOTICE – SIGNS. That the requirement to post a public notice sign on the property for which a public hearing will be conducted is removed. The direct mail notice will remain the same of 600' and at least 25 property owners.
12. MODEL HOMES. That there is clarification given regarding the issuance of building permits for model homes.
13. LETTER OF CREDIT. That the letter of credit is eliminated as a security option for public improvements.
14. FISCAL ANALYSIS. That the requirement to submit a fiscal analysis is deleted as a submittal requirement for the Master Development Plan.
15. ZONING MAP. That a zoning map be adopted.
16. SIGNAGE. That eligible businesses for directional/advertising is clarified.

Mr. Warnke explained that some of the following items were the proposed changes to the General Plan Text and Map:

17. FUTURE LAND USE & TRANSPORTATION CORRIDOR MAP. That the Future Land Use and Transportation Corridor Map be amended to show addition transportation corridors as shown on approved master development plan maps, inserting allowable traffic light locations on SR 73, correction master development plan boundaries and other amendments.
18. GENERAL PLAN TEXT AMENDMENTS. That the policy regarding amending the General Plan be amended to state several months that the Plan can be amended.
19. TRAILS MAP. That the Regional Parks and Trails map be adopted.

Mr. Warnke concluded by stating that these proposed amendments along with others are scheduled for a public hearing on March 22, 2005.

6. Adjournment

The meeting adjourned at 7:00p.m.