

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, JULY 22, 2008 AT 6:00 P.M.

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

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

Roll Call

Tom Maher, John Linton, Preston Dean, Karleen Bechtel

Others Present

Charlie Hidelious, Direct Communications
Diane Bradshaw, Direct Communications
Robby Steele, Direct Communications
Scott Kirkland, Sage Communities
Amy Twitty, Sage Communities
Frank Hunsaker, Lot 15 in Simpson Springs
Steve Mechem, Lot 10 Simpson Springs
Joe Hudson, Sage Communities
Brad Bartholomew, Simpson Springs
Ryan Kent, Sage Communities
McKay Edwards, SITLA

Staff Present

Planning Director: Peter Spencer
Senior Planner: Mike Hadley
Senior Planner: Steve Mumford
Planning Coordinator: Lianne Pengra

1. Pledge of Allegiance

Commissioner Maher led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Status Report from City Council

Mr. Spencer explained that two Planning items were on the agenda. Eagle Point Plat F went through with no discussion. The LDS Church Seminary Bldg Site Plan's two-year time limit was approved with a required 16-month status report. He said that this goes back to City Council, not to Planning Commission.

4. Development Items

Mr. Spencer requested item B, The Landing 4 Preliminary Plat, be withdrawn due to uncertainty on ownership of the land. He explained to the public that when this item goes back on the agenda, residents will be re-notified.

A. Saddle Junction Lot 104 Final Plat – Action Item

Mr. Hadley explained that this is a one-lot subdivision. Most issues were addressed at the site plan phase with the temporary seminary building for the Rockwell Charter High School. He explained the location of Saddle Junction. He added that when the permanent structure is built, fencing is required to separate from the commercial areas.

MOTION: Commissioner Linton moved that the Planning Commission recommend approval to City Council the Saddle Junction Lot 104 Final Plat.

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

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B. Cedar Corners I

- Preliminary Plat – Public Hearing, Action Item
- Final Plat – Action Item

Mr. Spencer explained the Public Hearing process and the three-minute time limit.

Mr. Mumford explained the location of Cedar Corners. He explained that this was seen over a year ago; at that time, water rights were not secured. They now have water rights for half of the subdivision. It includes 93 lots and a 2.93-acre park area. He explained that the subdivision is 20.5 acres. The lots along the western side against Pioneer Addition are at least 6,600 sq ft to 7,500 sq ft. The rest are in the 5,000 sq ft range with an average lot size of 5,900 sq ft. They are required to meet Tier II bonus density requirements. Mr. Mumford explained the Tier requirements and said that with the requirements, they have 4.53 units/acre approved for development. He said that they are proposing that the Community Improvements money (\$2,000 per buildable acre) which comes out to about \$40,000 be used to put in an asphalt trail and benches under the power line corridor. The power line corridor is designated as a Regional Trail throughout the city, so other developments will be doing the same thing. He further explained that the requirements for the park are about \$98,000. They have proposed a basketball court, tot lot, tables, trees, and open space. The park area is large enough for both phases. The applicant's intent is to complete the park and have that meet the requirements for the next phase.

Mr. Mumford went over the recommended motions and said that staff's conditions are in the Staff Report.

Commissioner Maher asked Mr. Mumford to explain the density issue as it relates to Eagle Mountain Properties.

Mr. Mumford said that this development isn't located in the EM Properties MDP, but is adjacent to it. He said that in order to be compatible with surrounding areas, the applicant has proposed lot sizes compatible to those adjacent to it which are part of Eagle Mountain Properties' Master Development Plan. He further explained that this development complies with the current Design Code.

Commissioner Maher asked if there were any major changes from the original submittal. Mr. Mumford said that the only real changes are the specifics on the park.

**Commissioner Maher opened the Public Hearing at 6:15 and closed it due to lack of comments **

MOTION: Commissioner Linton moved that the Planning Commission approve the Cedar Corners Preliminary Plat and recommend approval of the Cedar Corners Final Plat to the City Council, subject to the following conditions:

Planning:

1. Community Improvements/Amenities: \$2,000 per buildable acre: \$2,000 X 20.513 ac = \$41,026. Provide a cost breakdown of how this will be met. It is anticipated that this \$ will be put into the trail and benches in the power line corridor. Timing to be negotiated in the Development Agreement.
2. Costs of required park amenities to be provided by Public Works Department then compared with the proposed amenities. Plan to be revised if needed to meet the costs.
3. Subdivision monument and entryway landscaping plan required showing materials, dimensions, landscaping (including variety of species, color, blossoms, foliage, etc.) to be approved by planning director and installed/completed before the first Certificate of Occupancy is issued in the subdivision.
4. Park Improvements: The total dollars as presented at the meeting must be installed into the park according to an approved landscape plan, to be completed at 50% occupancy or one year after recordation of the plat, whichever occurs first.
5. Plat wording: that the correct nomenclature is used.
6. Include note on plat and landscape plan that street signposts will be of upgraded materials.
7. Landscape plan – trees, shrubs, etc. should be placed around the detention area and the monument entry sign as well as the park area.

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8. Future plat: the park is sufficient size for both phases – but future phase will be required to provide for \$2,000/acre of community improvements and all required park amenities/improvements.

Building:

1. Submit a master drainage plan showing how surface water will be controlled, especially between and behind the lots. This to be approved by the Chief Building Official prior to recordation.

Streets:

1. Change the street name from StageCoach Way to something different.

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

C. Direct Communications Temporary Business Trailer

- Site Plan – Public Hearing, Action Item
- Conditional Use – Public Hearing, Action Item

Mr. Hadley explained that this was brought before the Planning Commission last September. At that time, it was tabled and later withdrawn by the applicant. It is now brought back as the same application. Staff is recommending tabling the item again to give the applicant time to address the same concerns from the last submission.

Mr. Hadley explained that staff does have conditions and thoughts on approval, if the Planning Commission is inclined to approve the item. He explained the landscape plan needs to include types of trees, sizes, and an irrigation plan. He said that they also need to see the materials and color elevations of proposed trailer. He mentioned that the biggest items are the removal date or length of condition (they've received calls from land owners in the area concerned about removal date), and the other is possibly moving the trailer to the SW corner of the lot. He said that in that location, the trailer would be more hidden; there is existing landscaping on the lot. He showed the lot layout and the location of where staff would like the trailer. He reiterated that staff's recommendation is to table the item. Commissioner Maher asked if the applicant knows this; Mr. Mumford said he isn't sure if they were aware of that or not.

Charles Hideliious, Engineer for Direct Communications. He said that he received notice this morning of the staff's recommendation of tabling the proposal. He said that in regards to the removal date, they have proposed a fluid date based on the date of occupancy. He wants two years based on date of occupancy. He said that in regards to the second concern, they are not opposed to moving the trailer to the southwest corner of the lot. He said it does increase the distance of hooking up utilities, but that shouldn't pose any problems. He said he is only hesitant about the sewer. He said he would like to investigate the current landscaping in order to match what is currently there.

Mr. Hideliious offered the Planning Commissioners brochures of trailers available to them. He explained that since they are not purchasing the trailer, they are only offered what is currently available from the rental company as far as selection goes.

Mr. Hideliious also clarified that they are not planning on moving the majority of employees up there, only five to six people. He explained that most of their garbage needs to be shredded, so that won't go into a dumpster. He said that this may negate the necessity of a dumpster [one of the Planning Department's concerns]. He said that they will screen whatever dumpster is needed, however.

Mr. Hideliious said that as far as shielding, they don't know what the recommendations are. He explained that they don't want to enter into open negotiations and they don't want to build a building to shield the trailer. He then asked what the purpose of the bond is.

Mr. Hadley explained that if the time comes and the trailer is still there, the City would have it removed. Mr. Hideliious said that they wouldn't have a problem with that. He said that they would work to have the permanent structure done and ready to occupy well within the two year time period.

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Commissioner Maher asked why they can't do it in one year. Mr. Hideliou said that depending on the date of occupancy, that may or may not be a viable expectation. He said that they can't guarantee until next May to have the Federal funds to build the building. The funding is based on 2008 audited financials. He explained that they would have their loan applications filed the first of next year and this is contingent on audited financials.

Ms. Diane Bradshaw said that their lot here is not in good condition; people park 6-wheelers on the weekend, rocks are dumped, etc. She said that they want to be able to take care of the property. They would also like to be visible from the highway.

Commissioner Maher asked what 980 sq ft would get them. Ms. Bradshaw said that the 980 sq ft is the single-wide trailer. They are willing to go with a wider modular if the Planning Commission would like.

Commissioner Linton asked why the application came back now. Ms. Bradshaw said that it was due to the seminary building. Commissioner Linton asked if they feel like they were in the same category as the church. Ms. Bradshaw said that question would need to be answered by the Commissioners.

Commissioner Linton said that there are certain latitudes and obligations with regard to freedom of religious practice which apply to churches but don't apply to other commercial entities. Mr. Hideliou asked if that was his recommendation to the previous approvals. He explained that it is the opinion of Direct Communications' legal council that the law provides for the nondiscrimination of religious buildings and land use but does not extend to granting preferential treatment to a religious entity over a commercial entity. Commissioner Linton said that he wasn't enthusiastic about their proposal, but their redeeming factor was that by natural land contours, their building is hidden from the highway, while Direct Communications' trailer is not.

Mr. Spencer asked if the applicants were okay with the conditions. Mr. Hideliou said that the conditions are okay; specifically the firm cessation date is okay.

Ms. Bradshaw explained that they want to be part of the community; they are willing to do what they can. She said that they would like to get more accessibility and would like to be able to work and use the property. She said that if the item is tabled, she would like to have a list of what they need to do.

Commissioner Maher asked if they could use the existing building to rent space. Ms. Bradshaw said that they have not heard back from the building owner. She said that the interior is not complete yet and she hasn't seen any work being done. Mr. Spencer said that they may be waiting on a tenant before they finish the interior. Mr. Hideliou said they received a lease agreement which Direct Communications had problems with. Direct Communications sent it back and have not heard back from the property owner. It's been around six weeks. He said that Direct Communications has given them the recommended floor plan as well.

Mr. Hadley asked if the earliest they would get the funding is next May.

Mr. Hideliou said that they would have the ability to start construction next summer based on the details of the financing. Their fiscal year is in line with the calendar year, so this year's audited financials will not be completed until March or April of next year. He said once the audited financials are complete, they can get an interim financing agreement which will be paid back once the federal funds come in. He feels that the interim financing agreement and the loan should be complete around May. They will have a good feel for what is going on and the architectural plan will be in place with them moving dirt around July 2009.

Commissioner Dean asked if a one-year approval with a status update at a certain point to extend it. Mr. Spencer said they can frame it however they'd like. The Planning Commission can give them a year with a renewal possible after a status report.

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Mr. Hidelious said that they understand the risks and no matter how it turns out, they will keep their cessation date.

Ms. Bradshaw said that the Sterling building would be around \$50,000 more than the temporary trailer.

Commissioner Dean asked if we had a survey on this land. Mr. Hadley said that it is a recorded subdivision lot with the County. Mr. Hidelious said that he believes there is a storm drain easement through the middle.

Commissioner Maher opened the Public Hearing at 6:42pm.

Scott Kirkland with Sage Communities said that he hasn't seen an elevation of the trailer to be used. The Golf Course has a trailer and it looks nice. He said that they can dress up the trailer since it's right on the highway.

Commissioner Maher closed the Public Hearing at 6:43pm.

Commissioner Dean said that they need a time limit because it doesn't meet any of the design standards. He feels that it should be subject to dressing up and all of the other standards. He said that no time limit means it's not temporary. He doesn't think two years is temporary, either. He is more in favor of a stepped timetable with a year approval with the possibility of extending it. He feels that is enough time to show progress. They don't want to set a precedent of doing two-year approvals for temporary structures.

Commissioner Linton said that he saw this coming from the Planning Commission two weeks ago. He said that the crux of the matter was twofold last time. The first was that it's the entrance into Eagle Mountain. He said that everyone coming in will pass this location and first impressions have a lot to do with how people feel about areas they are coming into. He also feels that the "iffy-ness" of the financing is a concern. He feels the last time they were given a picture of a portable structure, it was very ugly. He wouldn't want it hidden or in plain view. He wants to come together and do better. If he was to lend a positive vote, it would be a one-year approval with a status report on financing and construction of a permanent building. He would also like Direct Communications to obtain a modular building that looks nice.

Commissioner Bechtel said that the southwest corner of the lot would be a viable option. She said that the financing not being submitted until May is also a tough issue with her.

Commissioner Maher said that the location needs to be investigated and also that they don't want a trailer. He feels that they need to look at a more attractive trailer. He said that landscaping needs to be looked at as it fits in long term and the shielding with moveable landscaping is important too. He also said the maximum duration time would be one year.

Mr. Spencer asked if they were still inclined to table the item. Commissioner Maher said they were; there is too much theory now at this point.

Mr. Spencer said that Commissioner Maher closed the Public Hearing. He asked if the Commissioner would like to continue it to the next meeting as well. Commissioner Maher said that would be fine.

MOTION: *Commissioner Linton moved that the Planning Commission continue Public Hearing on this item to the August 12th Planning Commission and recommend Direct Communications be in touch with staff to work out the following three issues:*

1. **Location of the trailer**
2. **Duration of time**
3. **Shielding from view**

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

D. The Villages at Simpson Springs

- **Amendment to the Ranches Master Development Plan (Rezone) – Public Hearing, Action Item**
- **Site Plan – Public Hearing, Action Item**
- **Preliminary Plat – Public Hearing, Action Item**
- **Final Plat Phases 1-5 – Action Item**

Mr. Mumford explained the location of The Village at Simpson Springs. He explained this is modified from a previously approved plat.

He explained the changes proposed in The Ranches Master Development Plan. He explained the criteria for approval of a rezone, which is what the amendment to The Ranches Master Development Plan is, basically. Mr. Mumford explained that the first criteria is Complying with the Future Land Use Plan. He explained that this area is Mixed Use Residential, so the proposed application fits. He said that the second requirement is Compatibility Determination. He said that the current plan allows 63 units at 6.8 units/acre and the applicant is requesting 81 units at 8.8 units per acre. He said that staff was concerned that the density designation allowed for any building which would be put next to the single-family lots in Simpson Springs. He explained that they have since put twin homes at a lower density next to the larger lots. He explained that they are trying to fit 24 units into 1.5 acres and staff feels this is too much. Staff recommends reducing that portion from 24 to 18; he explained that this amount is still require a bit of housing, but feasible. Mr. Mumford said the third requirement of a rezone is Buffering of Incompatible Uses. He said that the applicant achieved this with the twin homes next to single family homes, rather than triplexes or something more dense than that.

Mr. Mumford said that the existing master plan has 63 units. He explained that twin homes were in this location and to go less than that would downzone them. Staff doesn't want single-family homes, they just want the least dense next to them to provide the best transitioning.

Mr. Mumford then explained the Site Plan for the Village at Simpson Springs. It has 39 units total: 18 twin homes and 21 triplexes. He said that they did an excellent job designing the layout as the front or side of the buildings face the public streets. Garages face private driveways inside the development. He said that the phasing is split into five plats for several reasons.

Mr. Mumford explained that the multi-family design standards with the exception of one building, have been met. The exception is Building 12. He explained that the Planning Commission and the City Council can make an exception to the point in the Multi-family Design Standards that states "rear facades should not be placed adjacent to streets and garages should not dominate the street-facing façade of a building" if it meets one of three conditions. He explained that Building 12 meets two requirements: unusual property shape and existing easements. He said that the road and utilities on Quarter Mile Road are already there because the plat was recorded. He said that they have done a fantastic job with the other buildings; they've done the best they can. Staff suggests approving the exception as long as the rear elevation of this building be of a higher architectural standard than others. He mentioned that they have not seen a color rendering of that yet. Amy Twitty with Sage Communities said that she just recently that evening e-mailed the rendering over.

Mr. Mumford then showed examples of the architecture. He said that the applicant has used a number of different materials, with lots of stone, brick, vertical and horizontal siding, pop outs, etc. required from the design standards. He explained that The Ranches approves the design with a few conditions and that staff approves of the conditions as well.

Mr. Mumford explained that the city code requires 20 feet between multi-family buildings. He said that the applicant is proposing an exception that the code allows for. He explained that the applicant is proposing a 15-foot buffer as the street is already in; this creates an extenuating circumstance. He explained that staff is suggesting the Planning Commission approve the exception. He said that they would have to put a fence as well as trees and ground cover.

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He explained that the only other concern is headlight screening at the end of the driveways by the triplexes. He said that the applicant needs to make sure the shrubs are 3.5 feet high to shield headlights in parking areas.

Mr. Mumford explained that requirement for setbacks between multi-family buildings is 30 feet due to utility issues; that can be tight for public works and energy departments to maintain. He explained that with the current project, it shouldn't be a problem because the majority of the utilities are already installed and remainder of the buildings that are not in yet would follow the existing standard. He explained that the least the applicant is requesting is 12-15 feet, some areas have more than 20 feet. He explained that the setback request meets the three requirements for exception to rule (appropriate for the proper development of the project, consistent with providing safe and convenient utility services to the public and it will not result in the establishment of a hazardous condition).

Mr. Mumford then explained that parking is sufficient, as is the required open space. Seventy-eight parking stalls are required and the applicant is proposing 94 stalls. The required open space is 0.39 acres; 0.54 acres is proposed. He explained that the neighborhood and community park requirements dollar amount is \$59,000 plus the pool and clubhouse required by code (\$1,000 per unit to be \$39,000 minimum). They have proposed an alternative amenity plan that includes a splash pad, restroom facility, basketball court and pavilion. Mr. Mumford explained that some requirements of future phase to the north may be met with this plan. He showed the splash pad being proposed rather than a pool. Staff recommends approval with the conditions listed in staff report.

Commissioner Linton asked how they arrived at the 18 units rather than 24 units in the triplex area. Mr. Mumford said that it was to get it down to a more usable, more feasible option. They believe 24 units are impossible and 18 may be too, but it is a better transition than the 24 units.

Mr. Kirkland said that staff hasn't seen Nuszer Kopatz's layout yet. They pulled the design out since they weren't doing a preliminary or final plat. He explained that he looks at the transition from 12-plexes to triplexes to duplexes to single family homes. He feels the spirit of the transitioning is met. He explained that the acreage of the lower area is 5.1 acres. The area above is 4.1 acres. He explained that the area above lays out a lot more efficiently and they put the amenity feature in the lower area. He explained that this takes up ½ acre. They have a less efficient piece of land below. He explained that he doesn't think it should be reduced because they think it works fine. He explained that they changed in the first place because on the old plan, the garages faced streets. He said that they also didn't want 64 of the same product repeating over and over. He feels there is a 200% increase in the architecture. He said that another reason for the change is that they now have product diversification. He said they also feel that they also have better amenities; the previous approval only had a tot lot. The one provided is an expensive amenity they want to bring to Eagle Mountain. He said that some people in nice single family homes may not want multifamily units, but they are working to make their project high quality.

Mr. Mumford said that proposed amendment to the master plan does not affect their site plans because they already fit with the existing master plan.

Commissioner Maher explained to the public that the Planning Commission has seen these designs from Sage before and they are nice buildings.

Mr. Kirkland showed the layout of the 24 triplexes. He said that the MDP amendment just designates a density. The developer will need to come for the northern half with the site plan. Staff doesn't have the designs yet.

Mr. Spencer said that was an important thing to note. The northern half could have a completely different look than the southern half.

Commissioner Maher opened the Public Hearing at 7:19pm.

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Frank Hunsaker, Lot 15 Simpson Springs. He said he cherishes being able to see the Wasatch Front. They fear something being built to hide the view. They were concerned about buildings being two stories. He asked if the windows in the buildings were false windows. He feels they should stay with the two-family dwellings as was originally approved. He also said that have a nice park that belongs to this development. He feels like the location of the park opens up to whoever comes along. He wants the park to be in the central to keep it private. He also said that he doesn't like the 15-foot setback on the west side. He suggested that the buildings be made a bit smaller.

Mr. Kirkland responded that the elevations for the duplexes have always been two-story buildings. They are proposing one-story and two-story buildings. He explained that the new product will vary and the triplexes are two-story buildings. None will exceed the height of Willow Springs buildings. He said that as far as the park, they want the amenity where it can be seen. They are facing a tough market and they need to show the world that it's a great place to live. It might make more sense to bury it, but at this moment in time, they want to show how great The Ranches is. The amenities are very prevalent and are near parkways and entrances on purpose.

Steve Mechem, Lot 10 Simpson Springs. He likes the idea of the transitions. He would like to request the lots bordering the Simpson Springs lots have single-story units in order to not kill the view so much. He said that he also feels the setback is too small.

Joe Hudson with Sage Communities responded that the twin home product that borders Simpson Springs being offered has three options and two out of the three plans they are offering are single-story buildings. The majority of these homes will fall in line with the residents' requests.

Brad Bartholomew, Simpson Springs. He said that he is concerned that the attached dwellings and triplexes will turn into rental properties and he is concerned about upkeep on the properties.

Mr. Kirkland said that they will have a sub-HOA managing this area. He said to go to Mt. Airey townhomes. He explained that the landscaping is being taken care of by them; landscaping is important to them. He was asked what the price point will be for this development and said it will be around \$220K with the exception of the triplex's flat over the top; they hope these will be in the high \$100s.

Commissioner Maher closed the Public Hearing at 7:28pm.

Commissioner Linton expressed his understanding about homes that are built which take away views. He also feels that Nuszer Kopatz does their homework and trusts their designation of 24 triplexes.

Commissioner Dean is also in favor of striking the change from 24 to 18. He feels that they should let the applicant try to do it; if it's impossible, it won't work.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the Proposed Amendment to the Ranches Master Plan (The Villages at Simpson Springs).*

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

MOTION: *Commissioner Linton moved that the Planning Commission approve the proposed Villages at Simpson Springs Preliminary Plat subject to the below conditions; Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the proposed Villages at Simpson Springs Final Plats 1-5 subject to the below conditions; Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the proposed Villages at Simpson Springs Site Plan subject to the following conditions:*

Engineering

1. Landscape plan should include a master meter for irrigation.

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2. Is it legal to use one sewer lateral for two units? Private ownership issue. Sit down with Chris to work it out.
3. Phase 2 should include half width + 10 feet.
4. Minimum cross section requires 9 inches of sub-base.
5. A temporary turn around would be required at the termination points for phases 1 and 2
6. Phasing with phase 1 and 2 may exceed 500 feet, and not comply with the City's secondary access requirements.

Fire

1. Triplex condos must be sprinkled and monitored
2. Get building permit, then get 3rd party approval of sprinkler system
3. Lock box on gate in amenity area (perhaps more than one will be required)

Building

1. Two 1-hour walls or one 2-hour wall is required between shared spaces. Not allowed with horizontal shared space. Condos must be sprinkled with 1-hour wall.
2. Be aware of State-Mandated ADA requirements
3. All public restrooms must meet ADA & IBC
4. Official plan review will come with submittal of building plans

Planning

1. \$2,000/buildable acre for additional units = 2.04 x 2,000 = \$4,080—show us where & how this is going to be implemented, or if it will be required of the future phases to the north.
2. Rear elevations required. The rear façade of Building 501, 502, 503 must be of increased architectural standard.
3. Lighting plan required showing building and street lighting, spread of light (lumens plan), shielding of lights, etc. This plan may be approved administratively.
4. The buffering standards must be met, including a fence or wall and additional trees along the west property line.
5. Headlight screening by parking to be at least 3 ½ ft. high. If needed, plant additional trees/shrubs.
6. Plats – title block needs to include township, quarter, section, range, etc., should be stamped and signed by surveyor.
7. Screen all mechanical equipment according to the Code.
8. Mailbox structures – must be designed according to Design Standards. Provide schematic.
9. Provide schematic for proposed monument sign.

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

E. Mt. Airey Village

- Preliminary Plat – Public Hearing, Action Item
- Final Plat – Action Item
- Site Plan – Public Hearing, Action Item
- Recorded Plat Amendment – Public Hearing, Action Item

Mr. Spencer said explained the location of the project. He explained that it was previously approved and recorded as Spring Valley Plat A with 80 multi-family units. He explained that this is a good re-haul of the project. He said it was originally zoned with 97 dwelling units total; this revision is maxing out the 97 units. He showed the current structures built currently – six buildings are complete or started currently. He explained that the proposal includes twelve separate plats.

Mr. Spencer said that in regards to the multi-family design standards, the majority have garages accessed from the front. The provision is there in the code that if the project is under certain constraints, an exception can be made. He explained that with the roads and easements in, this property is under constraints. He said that they have provided a high level of architecture and staff is recommending the Planning Commission give an exception to the applicant for that rule.

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Mr. Spencer said that The Ranches Design Review Committee has reviewed the project and has proposed conditions for approval with staff agrees with. He also explained that headlight screening will need to be provided in a few areas where the parking points toward adjacent residences. He also explained that the setback requirement of 30 feet can be waived due to similar conditions of The Villages at Simpson Springs. He said that staff has looked at the criteria for the exception and feels that the applicant meets the requirements. He said that the parking proposed has inaccurate figures and needs to be resubmitted. Mr. Spencer said that the open space requirement is under an acre and they've provided well over an acre. He said that the amenity package has two major amenities: a Discovery Garden and a Welcome Center which consists of a pool and a clubhouse. He showed elevations of the structures and where they are located in the development. He explained that the architectural elements are diverse. He also showed the existing buildings in the development.

Mr. Spencer went over the conditions of approval staff has and said the applicant needs to turn in a lighting plan, but explained that the applicant has said that it will be downward facing and not leak onto other surrounding lots. One condition from the Building Department is that security fencing be provided around existing footprints and half-built products. He also explained that in regards to the Welcome Center, staff is waiting on the applicant for an itemized detailed cost estimate for amenities.

Commissioner Dean asked what the concerns were for the setback and where they were located; he wanted to know if the setbacks were needed to be adjusted for every building. He understands the front-to-back setbacks on the buildings, but if the setback concerns are side-to-side between the buildings, they may need to lose units rather than get exceptions. He said that he doesn't want people to feel entitled to have smaller setbacks.

Commissioner Maher opened Public Hearing at 7:45pm and closed it due to lack of comments.

MOTION: Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the proposed Recorded Plat Amendment, moved that the Planning Commission approve the proposed Mt. Airey Village Preliminary Plat subject to the below conditions, moved that the Planning Commission recommend approval to the City Council of the proposed Mt. Airey Village Final Plats 1-12 subject to the below conditions, and finally moved that the Planning Commission recommend approval to the City Council of the proposed Mt. Airey Village Site Plan subject to the following conditions:

Engineering

1. Water meter cans must be relocated out of driveways
2. Minimum sewer lateral size should be 6 inches for multifamily units.

Fire

1. Need to sprinkler multi family dwellings

Planning

1. 97 units require .97 acres of Improved Open Space—please show the total acreage of I.O.S. as well as the acreage of each individual site.
2. Parking: Clarify parking table. Handicap stall must be 10X20.
3. All mechanical equipment & utility boxes/meters must be screened.
4. Lighting plan /schematic required as part of site plan application
5. 30' distance between buildings required (unless waiver granted by PC upon recommendation by utility dept)
6. Provide schematic for gang-boxes.
7. Headlight screening be looked at and abided by according to city code

Building

1. Sprinkler system must be developed similar to Simpson Springs.
2. Security fencing must be provided around half-built buildings immediately.

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

Mr. Kirkland said that in order to do multi-family with FHA financing, 51% of a phase have to be sold before FHA will fund the first unit. If there are a bunch of little plats, it is easier. There is a minimum of four units in each phase per the FHA loan, so each one has at least four. Also, triplexes and twin homes have to be on different plats.

Ryan Kent with Sage Communities asked about the security fencing. Mr. Spencer said that he believes it is the chain link fence, but he recommended Mr. Kent speak with Kent Partridge.

F. Scenic Mountain Master Development Plan – Public Hearing, Action Item

Mr. Spencer said that this is the Land Use Element. He explained the first step is to go before Planning Commission and the City Council with the Land Use Element, basically the zoning. If/when that is approved, the Master Development Agreement is drafted and goes to the City Council for approval. Commissioner Maher asked about the incorporation. Mr. Spencer said that the entire site is 39 acres but it is not entirely annexed into the city. Our City Recorder is actively working on that boundary adjustment. With any Master Development Plan, roads, water, sewer, and other types of public utilities are looked at.

Mr. Spencer showed the location of Scenic Mountain and explained who owns what portions of surrounding area and showed the location of the power line corridor. He explained the land use data. The over all density within the residential bubble is about 12 units per acre. He said that the Master Plan proposed is one of the highest proposed densities within the city. The bubble along SR-73 is 21 units per acre. In comparison, Willow Springs is 14-15 du/ac and Cold Springs is 11-12 du/ac. The previously approved Spring Valley project was 8 du/ac. He said that this is quite a bit of density for the city. He explained that the Tier System is in place and it is within the code to allow this density as long as the required open space and amenities are provided. He showed the breakdown of the open space and explained that the required improved open space is 5.84 acres and the applicant is proposing 6.6 acres. He explained that there are no single family homes, no schools, and no commercial areas planned in the site. He showed the layout of the tiers within the area and explained that the majority of the project is Tier 4. The amount of unimproved open space is 4.5 acres, which is mainly the sloped areas. He showed the entrances to the project, the power line corridor, and the location of a Welcome To / Thank You for Visiting Eagle Mountain sign.

Mr. Spencer showed open space areas identified on the plan and explained that these are flexible. He also said that the applicant has proposed a series of trails. The neighborhood trails proposed are five-foot, six-foot, and eight-foot asphalt and concrete trails and all are hard-surface trails – no gravel.

Mr. Spencer also showed Saratoga Springs' zoning map. They had R-3 (low density) zoning with minimum 10,000 sq ft lots and 2-3 units per acre. Mr. Kirkland showed that the land right next to SR-73 and adjacent to the discussed area was zoned commercial in Saratoga Springs.

Mr. Spencer showed the requirements for Tiers I-IV. He explained one of their suggested requirements is that the applicant specify which options they are choosing out of Tier IV and have the options identified in the Master Agreement when it comes back before the City Council. He explained that the applicant has given a cost estimate of about \$1.5 million to improve the open space as proposed. Mr. Spencer said that the final plan of the landscaping will come into play when the Final Plat and Site Plans come forward.

Mr. Spencer referred the Planning Commissioners to the Staff Report for the utility issues. He said that the access on SR-73 needs to be a right in/right out only. They need the elongated "pork-chop" island like at Costco in American Fork in order to keep people from turning left.

Mr. Spencer explained that one portion is proposed at 14.5 units/acre and it is adjacent to existing Northmoor single family homes. He said that Northmoor has 3.5 units/acre. He said this is not

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compatible. Staff suggests some sort of transition such as reducing the density in some areas to allow for the buffering from condos to single-family homes.

Mr. Kirkland said that in regards to the areas referenced as high density, they are in talks with the LDS church to purchase that area. He just wanted to point out that forty units will go away when that happens.

Mr. Kent said that they are working on making a transition area.

Mr. Spencer said that Simpson Springs was 6.9 du/acre next to single-family homes. Mr. Kent said they could transfer units over rather than just eliminate them. They could reduce density next to single-family homes and raise density in the four-unit condo area.

Discussion ensued on locations of triplexes and condos.

Commissioner Maher opened the Public Hearing at 8:14pm and closed it due to lack of comments.

Mr. Kirkland said that they now have a new benchmark for multifamily standards.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to the City Council for the Scenic Mountain Master Development Plan (Land Use Element) subject to the following conditions:*

Engineering

1. Capacity of existing sewer line in Inverness Road to be verified prior to connection.

Fire

1. Eleven (11) fire hydrants installed as marked on plans – hydrants to be installed prior to combustible construction taking place.
2. Maintain fire dept. access and addresses throughout project.
3. Minimum fire flow 1,000 gpm in residential areas
4. Road grades not to exceed 10%
5. Street names must be approved prior to final approval
6. Meet all requirements of IBC and IFC codes.
7. Condos will need to be sprinkled – plan review to be done by an outside party.
8. Defensible space/buffer 30' along power line corridor– maintained by HOA.

Energy

1. Current capacity on existing power circuit – study may need to be done (independent) for total KW for this development. SID possibility with other property owners.
2. Off-sites, etc. to be detailed in Master Dev. Agreement – meet with Adam and Les as soon as possible.
3. Submit the CD to the city to get the dry utilities designed. Work with Adam on this process.

Planning

1. Address architecture and design for multi-family (especially highest density adjacent to SR-73)
2. \$2,000 / buildable acre (\$76,000 for project) – for community improvements (Title 1 Section 6.7.1). How will this money be spent? We need specifics.
3. Dollar amount being spent for amenities – specifics.
4. Description of cross-section for trail improvements must be submitted.
5. Tier IV requirements – state how you will meet the bonus density (covered parking, etc.)
6. Water source letter must be provided.
7. A strong HOA is required.
8. Revised land use plan in more color. (show both improved and unimproved open space)
9. Economic analysis discussion to be submitted
10. Reduce density in P-4 to create transitioning from Northmoor 1

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

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

Mr. Mumford said we've seen this once before in February. The project was tabled and issues were worked out and now the applicant is back with the project. He explained the location of Oquirrh Mountain and showed the proposed map and the differing Tiers (II, III, and IV) throughout. He explained that it is 120 acres total and about 20 acres are unbuildable.

Mr. Mumford also showed the recently reviewed SITLA Master Development Plan and explained that the SITLA MDP is directly south of Oquirrh Mountain. SITLA's northern border is zoned to match The Ranches lots. He said the area where Oquirrh Mountain is was originally single-family homes and SITLA wanted to match so that the lots next to each other were similar in size. Mr. Mumford explained that now that the applicant is proposing multi-family housing and higher densities, SITLA has been working with them on ways to better transition and buffer between the two. He explained that they came up with a new revised plan with the southern piece having a maximum of 5 du/ac. He said that north of that, it is 7.9 du/ac. He explained that the designation in the area next to SITLA's land is cluster homes. As of now, the applicant is not planning on single family homes here. He further explained that as this is a master plan, we are looking at zoning and densities only.

Mr. Mumford explained that SITLA is requesting a twenty foot setback from the southern property line to any building with 10 feet of that to be green space for a future trail corridor. SITLA has agreed to put the trail on their 20-foot portion; Sage Communities said that they are okay to have the trail meander between both sides of the buffer. This will be a better buffer between possible single-family homes next to cluster homes.

Mr. Mumford also showed a slope map. He said that there are difficult areas, but the specifics will be addressed when site plans are submitted. He said that anything above 25% cannot be built on. He said that if there are any places with little slivers of 25%+, they can work with the developer at the time of the site plan submittal.

Mr. Spencer said that just because they are approving the zoning, it does not mean that they are obligated to give the developer exceptions to the rules later on down the road.

Mr. Mumford showed a conceptual site plan and the conceptual landscape plans. He also showed the land use plan. He said that 3.3 acres are set aside for a church site, but that the applicant listed the densities in case the church does not purchase that property. He explained that there are 22 acres of improved parks and open space.

Mr. Mumford said that one key component is that there are some existing rock art, petroglyphs. The major sites are along their development and a few more are up in the hills. The applicant is proposing to have some of the petroglyphs moved to their Discovery Park. Staff would like to include something to ensure these are preserved and protected.

Commissioner Dean asked if there are governing organizations who oversee petroglyphs. Mr. Spencer said that since they are located on private land, the applicant can do what they want with them. Utah Rock Art Association, a non-profit organization wants to catalog what is there now and register them with the State Archeological Society.

Mr. Mumford said that with the parks, much of the area is on steep slopes. He stated that this should be clear that not all will be grass, trees, etc.; irrigation will not be here. He also showed the Frisbee golf course and lookout towers in the hills. He explained that they have a lot of creative parks and the applicant has done a lot with trails. He further explained that staff can include the parks with the Master Development Plan so that the applicant substantially complies with the intent of these plans.

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Mr. Mumford said that staff looked at the criteria for approval and compatible densities and buffering. He also added that an area in blue is part of the 8.7 units/acre area. He said that this needs to be lessened to meet the buffering requirements between single-family and higher density areas. He explained SITLA's requested condition of approval regarding buffering was met and staff would like the same buffering throughout the development. He also said that the applicant has met the open space requirement and the dollar amount for amenities will need to be specified.

Mr. Kirkland said that they have mansion triplexes that area designed to look more like a single-family home than a twin home. He feels it is a good buffer. He also explained that they have a large park/community center planned with a tennis center. The park will be a flat area with soccer fields.

Mr. Mumford said that he is not opposed to having those homes, but the issue is that this is a Master Development Plan and it doesn't specify certain buildings. Mr. Spencer said that the only way to accommodate the mansion homes would be to attach an exhibit to the MDP that says this will be the only building allowed in that bubble.

Mr. Kirkland said that if it is a certain language that highlights that exact pod, it may work.

Discussion ensued on what kind of language could be included.

Commissioner Maher opened the Public Hearing at 8:43pm.

McKay Edwards, SITLA. He said that he is in support of Sage Communities' development next to their land. He said he appreciated the efforts of Sage Communities because he did not raise the issue of density of the bordering area until about 3:00 that afternoon.

Commissioner Maher closed the Public Hearing closed at 8:44pm.

Mr. Kirkland said that he has concerns about enclosing the petroglyphs in glass. He said that he doesn't want specific wording on every single petroglyphs.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval to the City Council of the Oquirrh Mountain Master Development Plan subject to the following conditions:*

Public Works & Fire

1. Maximum cul-de-sac length is 500 feet. Make sure that the cul-de-sac in P-11 is not too long.
2. UNIMPROVED OPEN SPACE. Unimproved open space shall not be dedicated/deeded to the City.
3. OPEN SPACE ACCESS. Access to the open space area on the hill shall be provided for emergency purposes and maintenance.
4. ROAD GRADES. Road grades shall not exceed 10%.

Planning

1. ARCHITECTURAL DESIGNS/EXAMPLES. Specific pictures/renderings of buildings and architecture must be submitted as guidelines for development of different areas of the project. These designs shall be reviewed by the City Council and included as exhibits to the Master Development Agreement.
2. COMMUNITY IMPROVEMENTS. \$208,400 must be included in the project as community improvements/amenities. The use of these funds must be designated in the Development Agreement.
3. BONUS DENSITY. The applicant must specify how they will meet the bonus density requirements.
4. HOA. Specific documentation for a strong Home Owner's Association must be specified in the Master Development Agreement.
5. SLOPES. Building/construction on slopes in excess of twenty-five (25%) percent is not permitted.
6. CHURCH SITE. The plan shall designate the church site as well as the underlying zoning for Planning Area P-1.

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7. PARKS/OPEN SPACE PLANS. The park and open space plans that were submitted must be included with the Development Agreement as exhibits and should be substantially met in the actual design/construction.
8. 20-foot setback be added along the East-West southern boundary.
9. Petroglyphs be protected and preserved.
10. P9 to P11 compatibility be resolved to Planning Staff's approval.

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

5. Other Business

None

6. Adjournment

Commissioner Maher adjourned the meeting at 8:47pm.