

**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES**

TUESDAY, SEPTEMBER 9, 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, Craig Larrabee

Others Present

Scot Hazard, The Real Estate Group

Staff Present

Planning Director: Steve Mumford
Senior Planner: Mike Hadley
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. Mumford said that since the last Planning Commission Meeting a month ago, the Oquirrh Mountain Master Development Plan was approved at the City Council Meeting and the Master Development Agreement is now in process. He said that the Scenic Mountain Master Development Plan was discussed two City Council meetings ago and is on hold until the annexation agreement is finalized, which should happen mid to late October. He said that Majors Subdivision Final Plat was approved, as was the Antelope Meadows Lot 1 Final Plat and Development Agreement. He said that the Direct Communications Site Plan was pulled because the applicant worked something out with Scot Hazard to be in his building.

4. Approval of Minutes

A. August 12, 2008 Planning Commission Meeting Minutes

MOTION: Commissioner Linton moved that the Planning Commission approve the August 12, 2008 Planning Commission Meeting minutes.

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

5. Development Items

A. Amendment to the Meadow Ranch Master Development Plan (Rezone) to include the Equine Overlay Zone in Meadow Ranch 5 – Public Hearing, Action Item

Mr. Mumford said that the Preliminary Plat and rezone to ½-acre lots was heard, discussed and recommended approval a month ago in the Planning Commission meeting. The rezone then went to City Council. The City Council held off on a motion until the Planning Commission heard and voted on the proposal to add the Equine Overlay Zone. It is the city attorney's opinion that this is the legal way to handle the rezone. Mr. Mumford explained that the Equine Overlay Zone allows for 2 horses or equine animals on a ½-acre lot.

Commissioner Maher asked if this overlay zone would need to be added to any other subdivisions with separate public hearings. Mr. Mumford said that it will need to be noticed and brought back to the Planning Commission for the Majors Subdivision. He said that staff may need to change the development code to allow the Equine Overlay Zone to go simultaneously with another application. He also said that the applicant

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allowed us to postpone this item to this meeting, rather than bring the Commissioners in for a one-item agenda at the previous meeting.

Commissioner Maher opened the Public Hearing at 6:08 pm and closed it for lack of comments.

MOTION: *Commissioner Linton moved that the Planning Commission approve the amendment to The Meadow Ranch Master Development Plan or rezone to include the Equine Overlay Zone.*

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

B. Eagle Mountain Business Campus Plat B Final Plat – Action Item

Mr. Hadley said in April 2000, the Prairie Business Campus was recorded with five lots on the plat. Since that time, Lot 4 was split with the county. It was done so illegally because by state code, it needs to go through the subdivision process to be split. He said that this item makes the two lots a conforming subdivision. He said that the county will split and record any document they receive; they don't notify the city if this happens.

Mr. Scot Hazard said that they did not intentionally illegally subdivide the lot. He said that they gave an alternative legal description to the lender for collateral on the lot. It was to leave half of the lot unencumbered so they could bring this application through at a later date. He said that the County took the legal description as a subdivision and drew the line between the two lots. He said that they were not aware of the two lots until Dr. Gardiner started his application process for his Site Plan.

MOTION: *Commissioner Linton moved that the Planning Commission recommend approval of the Eagle Mountain Business Campus Plat B Final Plat to the City Council, subject to the following conditions:*

Utilities:

1. EASEMENT. A cross utility easement is shown on the plat.

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

C. Antelope Meadows Lot 1 LDS Church

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

Mr. Hadley explained that on June 10th, the Planning Commission saw this as a Preliminary & Final Plat. The City Council approved the Final Plat on August 19, 2008. This item is the LDS church coming back with the required Site Plan for the church building.

Mr. Hadley said that the landscaping plan along Eagle Mountain Blvd was approved with Autumn Ridge Phase 3. The LDS church has agreed to landscape along this road with the approved plan.

Commissioner Maher asked if the landscaping is up to the same standards as has been previously discussed with other LDS chapels. Mr. Hadley said that the Porters Crossing LDS church has been there for two years and the vegetation has filled in and looks nice there.

Mr. Hadley showed a landscape plan of the church site and showed the lawn areas around the building. He said that the church will need to provide fencing around the lot because of the residential development on three sides. He said that the applicant will also have to provide pedestrian access through the fencing to the church.

Commissioner Maher asked why the applicant is installing grass. He said his understanding was to cut down on grass and watering and install xeriscaping. Mr. Hadley said that when a little bit of grass is used instead of all xeriscaping, an aesthetic value is added. This plan does not have as little grass as the Lone Tree chapel. Commissioner Maher asked if the grass is scaled down enough to not waste water, and if the site will still look good, scale-wise since the lot is so large. Mr. Hadley said they will ensure it looks good. He said that they did like the evergreen spread around the parking and some of the edges of other chapels.

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Commissioner Linton said that the Lone Tree chapel's landscaping is not in line with The Ranches HOA CC&Rs. He said that he didn't think the LDS church wanted to put forward the look that is there.

Mr. Hadley asked if the applicants at the Lone Tree chapel used the approved CC&R rocks. Commissioner Linton said that the fact is the coverage. There is a percentage of coverage that the neighbors have to follow, but the LDS church in that neighborhood does not meet the standard. Commissioner Linton said that the HOA can send them a letter to request more landscaping, but the city has nothing to hold them to. Mr. Mumford said that this falls back on the letter the Building Department requests from the HOA when the applicant goes to build. It is a courtesy to the HOA, but legally, the city cannot enforce the HOA CC&Rs.

Commissioner Maher said that since this is a Conditional Use, we could put a requirement in to say they have to follow the CC&Rs. Mr. Mumford said he will check with the city attorney to see how far staff can go. He said that staff would like to ensure the landscape is up to par, rather than have the HOA need to enforce CC&Rs regarding landscaping.

Commissioner Dean asked if chain link fencing is allowed. Mr. Hadley said that the chain link was discussed in the DRC and the applicant is aware that it is not allowed.

Commissioner Maher opened the Public Hearing at 6:23pm.

Mark Mock, Majors Street resident. He said that he moved away to Eagle Mountain to not have the light pollution and the parking lot so close to his lot. He also said that he is concerned about the parking lot opening to the major street there. He is not opposed to the church, but he is concerned about it being so close to the street. He said that he doesn't see a lot of churches on main drags. He prefers that. People drive way too fast on that road.

Mr. Mumford said that the code requires for all lighting to be shielding downward, and it is not allowed to shine off of the property. He said that the code also requires a fence or wall and trees/landscaping around any church site in a residential area. The church will provide a fence all the way around the church.

Mr. Mumford said that in regards to traffic, the city engineer has approved the spacing standard for a minor arterial road access. He said that originally, the church was planned on the interior of the site, but now that lot is to be sold to the LDS church at a later time and this one is planned to be built now. Mr. Hadley said that since this is a stake center, the location is good for the larger groups.

Mr. Hadley showed a map and the different access points. He said that Majors Street will have an upgraded intersection there when SITLA land is developed.

Commissioner Maher closed the Public Hearing at 6:32pm.

Commissioner Bechtel said that she understands and appreciates Mr. Mock's comment.

Commissioner Linton said that he lives near a legacy stake center and it has caused him no harm.

Commissioner Dean said that the traffic will be the same no matter where it is. He said that typically, if there is a lot of traffic, it should be kept on the fringes of the neighborhood, rather than on the interior.

Commissioner Linton said that anywhere else in the state, the churches like to be visible and seen, but in Eagle Mountain, they seem to be tucked away.

Commissioner Larrabee said he has no additional comments.

Commissioner Maher said he'd rather see the traffic go to the main road, rather than through the neighborhood.

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MOTION: Commissioner Linton moved that the Planning Commission approve the conditional use permit and recommend approval of the Antelope Meadows Lot 1 Site Plan to the City Council, subject to the following conditions:

Engineering:

1. STORM DRAIN. The calculation for the storm drain are provided and approved by engineering.
2. LATERALS. 4" cleanouts are required for all laterals.

Fire:

1. FIRE HYDRANTS. Two fire hydrants are required.
2. LOCK BOX. A key lock box is provided and the riser and entrances keyed the same.
3. REVIEW. A 3rd party review of the sprinkler and alarm plans.

Planning:

1. TRAIL. The 8' asphalt trail needs to be located at the top of the berm closer to the lot, trees to be placed between the street and the path
2. LANDSCAPING. The landscaping along Eagle Mountain Blvd will be installed with the site plan.
3. PEDESTRIAN ACCESS. Pedestrian access is provided for the platted pathways into the church site.

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

D. Development Code Amendments – Public Hearing, Action Item

Mr. Mumford said that they will discuss four motions in this item. The first section is added to allow minor modifications to approved final plats. He said that things that would cause the approval to go through Planning Commission and City Council would be an increase in lots or units, reduction of improved open space, changes to general street layout, or any major changes to the plat. He explained that the reason for this is that recently there have been very minor changes of final plats which have had to go through Planning Commission and City Council.

Mr. Mumford said that the second amendment is on open space requirements and calculations. He said that open space requirements and calculations have been hard for the developers to understand. He said the language that has been added just further explains the process of determining what the correct amount of required open space is; nothing is changing. Mr. Mumford then went over what amount of open space is required for the different Tier systems in the Bonus Density.

Mr. Mumford said that the third amendment is in the mechanical screening section. This is solely to add pictures of approved mechanical screening. Commissioner Maher said the pictures are good.

Mr. Mumford said that the fourth amendment is in regards to commercial monument signs. He said the purpose behind this amendment is to provide for aesthetic consistency throughout the city. He explained that the Mayor and city administration are strong proponents of this proposal.

Mr. Mumford showed signs that could possibly be built without any guidelines. He said that staff has prepared two options for the sign amendment. Option 1 is more rigid and requires the aesthetic consistency with minor variations which can be approved by planning Director, and major variations to go before Planning Commission and City Council.

He said that combined monument signs within Option 1 require stone, rock, or brick two feet high on the base and two feet wide, vertically along at least one side. He said that additional design elements may be considered to give uniqueness to a development.

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Mr. Mumford said that the real difference is that the first option is rigid and requires signs to be very similar to the example picture, and option 2 allows for the signs to be different between developments but similar within each development.

Commissioner Maher said that with option 2, businesses would have the ability to create a great sign that still meets the city's standards.

Mr. Mumford said that this was pushed for by city for consistency. He said that there can be very attractive signs that don't necessarily fit the look of option 1.

Commissioner Bechtel said that if option 2 is chosen, how much latitude the builder has. Commissioner Maher said that it is talking about how the materials are used, not what materials are used. Also, the size has to stay consistent.

Commissioner Maher opened the Public Hearing at 6:45pm.

Ms. Nicki Wickman, 2766 Fort Hill Road. She said that it is not related, but she would like to present something to City Council and wanted the Planning Commissioners' opinion. She said that Spanish Fork has set up a wind turbine farm and sells the energy created to the people in the city. She asked if that is possible to do here in Eagle Mountain.

Commissioner Maher said that he has a neighbor who looked into putting a wind turbine in, but that it is not windy enough to be profitable. Mr. Mumford recommended Ms. Wickman speak with Adam Ferre in the Energy Department.

Commissioner Maher closed the Public Hearing at 6:50pm.

Commissioner Dean said that Eagle Mountain is so big and we don't know how development will run, so he doesn't feel that they should set specific rules.

Mr. Mumford said that option 2 does require substantial conformance with the combined monument signs, but allows for change in the individual signs.

Scot Hazard said that businesses like Maverik would need room to do proper and adequate signage. He also said that he does have approval on signs right now which aren't built yet. He wanted to know if those permits will they still be good.

Mr. Mumford said that sign permits work the same as other permits in the city in that there is no expiration date. If he has approval, he won't be required to change the signs to match the new development code. He also said that within a development, combined signage would need to look similar to the picture in the proposed amended code.

Mr. Mumford explained that the amendment allows for monument signs to be five feet tall, another foot higher than is currently allowed. He said that the city still doesn't allow pole signs, but they do allow for building signs as long as they meet the city's standards.

MOTION: Commissioner Linton moved that the Planning Commission recommend to the City Council approval of the following proposed amendments to the Eagle Mountain City Development Code:

TITLE 2, CHAPTER 5 (Final Plats).

TITLE 1, CHAPTER 6 (Residential Zone Bonus Density Entitlements).

TITLE 1, CHAPTER 24 (Commercial and Multi-Family Design Standards).

TITLE 1, CHAPTER 16 (Sign Regulations) – With only Option B to be presented to City Council.

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

6. Other Business

None.

7. Adjournment

Commissioner Maher adjourned the meeting at 6:56 pm.