



EAGLE MOUNTAIN PLANNING COMMISSION MEETING

October 22, 2019, 5:30 PM

Eagle Mountain City Council Chambers

1650 East Stagecoach Run Eagle Mountain UT 84005

5:30 P.M. - EAGLE MOUNTAIN CITY PLANNING COMMISSION WORK SESSION

1. DISCUSSION ITEMS

6:00 P.M. - EAGLE MOUNTAIN CITY PLANNING COMMISSION POLICY SESSION

2. PLEDGE OF ALLEGIANCE

3. DECLARATION OF CONFLICTS OF INTEREST

4. APPROVAL OF MEETING MINUTES

- 4.A. October 8, 2019 Minutes
Regular Planning Commission Meeting.
[10.08.2019 PC Minutes -- DRAFT](#)

5. ACTION AND ADVISORY ITEMS

- 5.A. Overland Village One Clubhouse - Preliminary Plat - Public Hearing
This is an application for a preliminary plat for the Overland clubhouse. The clubhouse is a part of the Overland development located in the middle of Eagle Mountain City.
[19-0072 OVERLAND VILLAGE ONE CLUBHOUSE PLAT 100819.pdf](#)
- 5.B. Eagle Vision - Preliminary Plat Amendment
This is an application for an amendment to the Eagle Vision recorded plat. Eagle Vision is located along Pony Express Pkwy adjacent to the SilverLake development.
[Updated Eagle Vision Plat 3.pdf](#)
[18-047 Colored Elevations 05-18-2018 \(2\).pdf](#)

THE PUBLIC IS INVITED TO PARTICIPATE IN PUBLIC MEETINGS FOR ALL AGENDAS.

In accordance with the Americans with Disabilities Act, Eagle Mountain City will make reasonable accommodation for participation in all Public Meetings and Work Sessions. Please call the City Recorder's Office at least 3 working days prior to the meeting at 801-789-6610. This meeting may be held telephonically to allow a member of the public body to participate. This agenda is subject to change with a minimum 24-hour notice.

- 5.C. Sage Park Business Center Rezone - Public Hearing
A proposed rezone for the Sage Park Business Center from Residential to Business Park and Commercial Storage. It is on approximately 22.85 acres on the north end of the Sage Park development along Eagle Mountain Blvd. This item was tabled at the September 10th meeting.
[Sage Park Rezone Exhibit](#)
[Sage Park Business Center - Option 1](#)
[Sage Park Business Center - Option 2](#)
[Approved Land Use Plan 9-3-19](#)

6. **DISCUSSION ITEMS**

7. **NEXT SCHEDULED MEETING**

8. **ADJOURNMENT**

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above agenda notice was posted on this **18th day of October, 2019**, on the Eagle Mountain City bulletin boards, the Eagle Mountain City website www.emcity.org, posted to the Utah State public notice website <http://www.utah.gov/pmn/index.html>, and was emailed to at least one newspaper of general circulation within the jurisdiction of the public body.

Fionnuala B. Kofoed, MMC, City Recorder



EAGLE MOUNTAIN City Planning Commission MEETING MINUTES

October 8, 2019, 5:30 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

5:30 P.M. – Eagle Mountain City Planning Commission Work Session

COMMISSION MEMBERS PRESENT: Matthew Everett, Rich Wood, DeLin Anderson, Brett Wright, and Jared Gray.

ELECTED OFFICIALS PRESENT: City Councilmembers Donna Burnham and Melissa Clark.

CITY STAFF PRESENT: Steve Mumford, Community Development Director; Jessa Porter, Planner; and Lianne Pengra, Recording Secretary.

Commissioner Everett called the meeting to order at 5:40 p.m.

1. Discussion Items

1.A. Overland Clubhouse Preliminary Plat

Community Development Director Steve Mumford stated a one-lot preliminary plat for the Overland Clubhouse will be presented to the Planning Commission in the near future. The initial site plan for Overland included a smaller clubhouse; with the increase in size and amenities, the developer plans to combine two lots with the originally planned clubhouse lot to ensure adequate space exists. Site plans for this development are approved administratively, as allowed in the Overland Master Development Agreement, and the City Council has reviewed the site plan and has given feedback to staff and the developer. The Planning Commission will review the one-lot preliminary plat.

Mr. Mumford said the Eagle Quest project will be presented to the City Council as a concept plan review. The applicant has revised the plans since they were presented to the Planning Commission. The applicant is proposing to straighten an arterial road in his property, and he will present information from his engineer to validate the change.

A final plat adjacent to the Eagle Vision location is in development; a possible orthodontics business will be developed at this site.

Oquirrh Mountain Ranch will bring a single-family home subdivision plan to the Planning Commission; this proposal complies with the associated approved master development plan. The applicant has indicated the plan will include improvement to the hillside with trails, an overlook tower, and a possible frisbee golf course. Staff is working with the Utah Division of Wildlife Resources regarding a wildlife preservation corridor along these hillsides.

Commissioner Wright asked how long it will be until the wildlife corridor preservation plan is implemented. Mr. Mumford explained the City has drafted a memorandum of understanding that does not commit property owners to anything specific. It states property owners would like to partner with the City to implement the corridor preservation through donating property, selling property to the City at a reduced rate, or working with the City to arrange for concessions such as open space credit if the landowner donates property or implements the corridor plan in their open space. The memorandum of understanding will be finalized in the next week. Staff has received support from landowners in the potential corridor area.

Mr. Mumford stated the DWR is researching other areas with similar wildlife corridors and supports the City's efforts. The next steps for the City are to obtain property owner approval and then to research and apply for grants.

Discussion ensued regarding possible features and locations of the wildlife preservation corridor.

6:00 P.M. – Eagle Mountain City Planning Commission Policy Session

Commissioner Everett called the Planning Commission Policy Session to order at 6:02 p.m.

2. Pledge of Allegiance

Commissioner Everett led the Pledge of Allegiance.

3. Declaration of Conflicts of Interest

None.

4. Approval of Meeting Minutes

4.A. September 10, 2019 Minutes

Commissioner Everett requested a correction on page three regarding an applicant's name.

MOTION: *Commissioner Wood moved to approve the September 10, 2019 Planning Commission meeting minutes with the correction, as noted. Commissioner Anderson seconded the motion. Those voting aye: Matthew Everett, DeLin Anderson, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.*

4.B. September 24, 2019 Minutes

Commissioner Everett noted the Policy Session was referred to as the Work Session in the minutes and requested that error be corrected.

MOTION: *Commissioner Wood moved to approve the September 24, 2019 Planning Commission meeting minutes with the correction, as noted. Commissioner*

Anderson seconded the motion. Those voting aye: Matthew Everett, DeLin Anderson, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.

5. Action and Advisory Items

5.A. Jeppson Auto Rezone, Site Plan, and Conditional Use Permit – Public Hearing

Mr. Mumford explained the item includes a site plan, conditional use permit application, and a rezone application. The property is located on 1.03 acres on the corner of Ranches Parkway and Half Mile Road in The Ranches, adjacent to Willow Springs. According to The Ranches Master Development Plan, this property is currently zoned Village Core, which prohibits this use; therefore, the lot will need to be rezoned to Commercial. As auto and truck repair is a conditional use in the Commercial zone, the applicant submitted a conditional use application along with a site plan application. This same project received approval for a conditional use permit and site plan by the Planning Commission on July 10, 2018 and by the City Council on August 17, 2018 at a different location in City Center, south of the Holiday Oil. As the applicant is no longer considering that location, this application has been submitted for a new site in The Ranches.

Mr. Mumford presented the site plan and elevations. The applicant amended the previously presented site plan to remove one access from Half Mile Road, to comply with the City's access spacing requirements. The plan includes eight work bays and a fenced area for overnight storage of customer vehicles. Daytime customer parking is also included.

This property is designated as Community Commercial in the Future Land Use and Transportation Plan. This project may constitute a nuisance to the neighborhood if noise from the auto repair equipment and vehicles cannot be mitigated; the applicant must provide evidence that adequately resolves this concern. Parking may spread onto the street and create a nuisance, so that must be mitigated, as well. A condition of approval was included in the previous approval that no vehicles shall be parked longer than 48 hours in the front parking lot. Headlight screening is required around the perimeter of all parking areas adjacent to residential uses, or as deemed necessary by the Planning Director. All landscaped boundary strips along street frontages shall be a minimum of ten feet in width, and where required, screening walls or fences shall not be less than six feet in height, unless approved by the City Council after recommendation of the Planning Commission as part of the site plan review.

Mr. Mumford explained that rezones are legislative actions and shall be valid if reasonably debatable and not illegal. Site plans are administrative actions and require specific findings of fact based on Municipal Code standards. The Planning Commission may recommend to the City Council approval, approval with conditions, or denial. The Commission may also table applications if additional information is required in order to verify compliance with Municipal Code.

The Planning Commission is the approval authority for Conditional Use, and shall approve a conditional use if reasonable conditions are proposed, or can be imposed, to mitigate the

reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. According to Municipal Code, the Planning Commission shall approve a conditional use permit upon determining the findings of fact listed in Code.

Commissioner Wright asked if the elevations were labeled incorrectly, as they do not align with the site plan. Applicant Scot Hazard apologized and said the elevations are incorrect and the error was not noticed. The renderings are those that were used from the previous application for the City Center site. The bays are positioned so that they do not open towards any residential units, which will mitigate sound concerns. The enclosed parking area will be used for overnight parking if the bays are full. There are lights on the exterior of the building, but no freestanding lights are planned in the parking area.

Commissioner Wood asked if there is a lighting requirement for the parking lot. Mr. Mumford explained Municipal Code includes a maximum lighting standard, as well as the dark sky ordinance; the City requires adequate lighting for safety, but a minimum standard is not set in Code. Commissioner Wood asked about light pollution. Mr. Hazard said the lighting complies with the dark sky ordinance and does not shine onto adjacent properties.

Applicant Bryan Jeppson stated the hours will be 8:00 a.m. to 6:00 p.m., Monday through Friday, and the business will possibly be open from 8:00 a.m. to 2:00 p.m. on Saturday. He explained the compressor will be located in an enclosed room to mitigate sound. The tools are electric, not pneumatic, which also decreases sound. The building has consistent ventilation, which is a requirement for fire suppression; they will not use open bay doors for ventilation. If the doors on the west side of the building remain closed with the east side open, noise will be directed to the east where traffic exists on Ranches Parkway. They will not store tires on site; they will order tires as needed for customers. There is no chain link located on the site, and the exterior walls will be constructed with masonry materials with steel gates. They will not perform work on recreational vehicles and will not offer any auto body services.

Commissioner Everett opened the public hearing at 6:23 p.m.

Scott Langford stated he lives 280 feet to the north of this site. He is a city planner and previously served on the Eagle Mountain City Planning Commission. He expressed concern that the land use is not appropriate for this site. He stated the conditional use permit allows auto body work and other uses and said the Commercial zone is too broad. He requested the application be denied and return once more specific commercial zones are implemented.

Bruce Jenkins stated the area is not well lit and expressed concerns regarding safety of the school children at the nearby community bus stop. When the condominium parking area was being repaved and closed to resident parking, both sides of the nearby streets were full with parked vehicles.

Stan Paven explained he moved to the City due to the quiet nature of the area. He stated he would like an automotive repair business in the City, but the proposed location is not appropriate. He requested the Planning Commission deny the application.

Tim Gamble expressed concerns regarding traffic and noise, and requested the Planning Commission deny the application.

Ed Clements stated the location is not appropriate for this use.

Jose Navarro expressed concerns regarding light pollution and traffic.

DC Davies stated he is not opposed to commercial development at this location, but expressed concern that this use is not appropriate in a residential area.

Heidi Langford expressed concerns regarding noise and possible lighted signage.

Commissioner Everett closed the public hearing at 6:47 p.m.

Commissioner Wood stated the applicant may have had their time wasted, as there is not a commercial zone to rezone to; the uses for the new commercial zones have not been determined. He said he would like the applicant to be successful, but this location is not an appropriate site. He explained transitions between zones need to be clarified.

Commissioner Gray said the City declared that the zones are under review, so there is not an existing commercial zone. He stated the property is zoned Village Core, which allows commercial. When other projects on the other side of this intersection have been presented, the sentiment from residents is that they do not want commercial services nearby. Another option is a twelve-unit residential building. He expressed concerns regarding pedestrian safety if the masonry wall around the overnight parking area creates an alley between Jeppson Auto and the residential buildings.

Commissioner Everett stated this location is not an appropriate site for this use. He explained this project was approved in City Center and the City did not receive negative feedback from residents in that area.

Discussion ensued regarding appropriate uses for this site.

Commissioner Wright stated this is an incompatible use for this site due to the high residential density surrounding the property; the previously approved site was a great location for this service.

Commissioner Wood asked about the existing open space. Mr. Mumford explained it was originally designed as an equestrian trail to Cedar Pass Ranch, but is no longer used for that purpose.

Discussion ensued regarding parking and traffic along Half Mile Road. Mr. Mumford explained that before the City spends funds to expand the road, it is likely that parking will be prohibited on one side of the road.

Commissioner Wright asked Mr. Mumford for direction regarding the best course of action for the applicant, as there is not a zone which they can rezone to. Commissioner Wood stated a recommendation of denial is appropriate; tabling the item may expose the City to things that the City does not want to be exposed to. He said the reason for the denial is that a zone does not exist that they can rezone to. If the rezone is not approved, the conditional use permit is not valid, and the site plan cannot be approved.

MOTION: *Commissioner Wood moved to recommend denial to the City Council of the Jeppson Auto rezone application, due to lack of zone to rezone to. Commissioner Gray seconded the motion. Those voting aye: Matthew Everett, DeLin Anderson, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.*

MOTION: *Commissioner Wood moved to recommend denial to the City Council of the Jeppson Auto site plan, based on the following reasons:*

- 1. The lack of a zone to rezone to; and*
- 2. The proposed uses and densities are not reasonably compatible with adjacent land uses.*

Commissioner Gray seconded the motion. Those voting aye: Matthew Everett, DeLin Anderson, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.

MOTION: *Commissioner Wood moved to deny the Jeppson Auto conditional use permit as there is no zone for the Planning Commission to review that the conditional use permit would apply to. Commissioner Gray seconded the motion. Those voting aye: Matthew Everett, DeLin Anderson, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.*

5.B. Parkway Crossroads Site Plan and Conditional Use – Public Hearing

Mr. Mumford said this application is for a site plan and conditional use permit for a mixed-use project located at the southeast corner of Ranches Parkway and Pony Express Parkway. The project will be located on lots three and four of the existing Parkway Crossroads commercial development, which are currently unimproved.

The proposal includes retail and office space, a restaurant site, and fourteen residential one-bedroom apartment units on the second floor. These uses are all conditional uses in the Village Core zone. As part of the project, the applicant is proposing to deed a 5,788-square foot piece of property to the City for future transit or expansion of Pony Express Parkway in exchange for a perpetual use and parking easement in the City-owned utility corridor. The applicant intends to improve the area where the food trucks and snow cone shack are currently located. The regional trail in this area will be relocated by the applicant farther to the east, and staff recommends a requirement that the trail connect to the building's entrance.

Mr. Mumford explained 10,500 feet of open space and twenty-four amenity points are required for the fourteen one-bedroom residential units. The applicant is dedicating 5,788 square feet of

property and is improving 9,754 square feet of property with tables and a pavilion. As mailbox locations are important, staff recommends the location is reviewed and approved by the Planning Director. This project requires eighty-two parking stalls; thirty-three are required for the fourteen residential units, thirteen for the restaurant space, and thirty-six for the retail and office space. The project contains eighty-eight parking stalls.

Commissioner Wood expressed concern that the open space is being improved for the benefit of the existing food truck businesses and not solely for use by those who will reside in the apartment units. He asked staff if the Municipal Code requires the open space to be improved for the residential units in the project. Mr. Mumford stated it is the residential zoning ordinance that requires the improved open space. The pavilions and tables will be open for use all year and are along a regional trail.

Commissioner Wright confirmed with Mr. Mumford that the plat is recorded. He asked if the City wants the property the applicant is proposing to deed in exchange for the parking easement, and how much of the parking lot will be located on the easement. Mr. Mumford explained the City wants the property the applicant is proposing to deed to the City for future transportation expansion.

Commissioner Wood asked why this development would be allowed in the utility corridor when residential development has been denied in utility corridors previously, and said the General Plan designates this corridor as open space for the trail system. Mr. Mumford explained there are few appropriate uses for utility corridors. Other cities allow parking in these corridors; Gardner Village is a good example of this use. He stated the Planning Commission should determine if the public could benefit more from a different use of this utility corridor.

Commissioner Gray asked if the Planning Director or the Postmaster will approve the location of the community mailbox. Mr. Mumford explained staff has spoken with the Postmaster and the Postmaster will work with the developer and staff regarding the final placement.

Commissioner Gray asked if eighty-eight parking stalls will be sufficient for the project. Mr. Mumford explained that the fourteen one-bedroom units likely will not use all of the thirty-three parking stalls allotted to the residential use.

Applicant Scot Hazard explained the property line between the easement and his property is approximately sixteen feet into the eighteen-foot parking stalls. He showed the Commissioners the location of the City's utility corridor and of Rocky Mountain Power's corridor. He has received conditional approval from Rocky Mountain Power for the proposed use of the utility easement, and they have indicated they will grant final approval once the item is approved by the City.

Commissioner Gray expressed concern that the plan removes two commercial sites and replaces them with townhomes. He stated Mr. Hazard has high turnover in his other commercial business sites and asked what businesses are expected at this location. Mr. Hazard stated he has not marketed the building yet. They are designing one unit for a chiropractor and he has received

inquiries from medical offices and restaurants. He explained retail is struggling; there are many vacant spaces in the complex near Ridley's.

Commissioner Wright stated he generally likes the plan, but expressed concern regarding the benefit or lack thereof to the City. He said the updated plan increases the commercial and residential square footage for the applicant and allowing the parking easement may not benefit the City long-term. He asked if the exchange is fair. He likes the one-bedroom units, as they help the City offer affordable housing.

Commissioner Wood asked if the one-bedroom units will be affordable housing. Mr. Hazard explained the only way to offer affordable housing is to build smaller units with smaller footprints; townhomes are not necessarily affordable. He said of all proposals submitted to the City, this project likely has the best chance of meeting the State's affordable housing guidelines. Occupancy will be restricted; a maximum of two occupants are permitted with an exception for a third occupant under one year old for a maximum of six months.

Mr. Hazard explained there are very few ways to use or access property in a powerline corridor. He stated the property can be put to beneficial use and explained the City Council requested he continue allowing the food trucks and the snow cone shack to operate at this location. His intent is to cover the cost of improving the area and will continue to maintain the property. Currently, the property south of the asphalt trail is native; he would like to landscape the City property up to the trail on the north and east side of his property.

Commissioner Wood asked how the proposed open space will directly benefit the residents in the one-bedroom units. Mr. Hazard explained the residents in these units will not be families, as occupancy is limited. If residents desire to visit a park, they will likely use Nolen Park, as well as the City's trail system. He asked if the improved open space needs to meet the City's criteria regarding required amenities, or if the improved open space needs to specifically benefit the residential development. He is including a shade structure and tables that are open to the public and that connect to a trail; the improvements will enhance the existing open space. Mr. Mumford explained the intent of the required open space in residential zones is that open space benefits residents.

Commissioner Everett asked if the proposed trees have been approved by Rocky Mountain Power. Mr. Hazard explained the restrictions from Rocky Mountain Power are related to height and proximity to the wires. If they do not want the trees located as presented, he can relocate them to another area.

Mr. Hazard explained any exterior component for residential use such as a private patio on the second story will be located away from the commercial sites. Commissioner Everett stated an outdoor space solely for the residents and attached to the residential units on the second floor could be considered improved open space.

Mr. Hazard explained where the covered tables will be located in the open space area, as well as uncovered picnic tables and bike racks.

Commissioner Everett opened the public hearing at 7:51 p.m.

Scott Langford stated Mr. Hazard has done much for the City and said he likes the proposed plan. It creates a cohesive community with the surrounding businesses, and offers a creative use for the unusable land in the power corridor.

Commissioner Everett closed the public hearing at 7:54 p.m.

Commissioner Wright stated he is in favor of the plan, but has concerns regarding the parking easement; however, it is worth the risk to the City. He asked if the property can still be accessed by the public. Mr. Mumford explained the public trail will still go through this area.

Commissioner Gray said Mr. Hazard is giving a small piece of land to the City that could be obtained through eminent domain, and is receiving a large area of land for use in return. He expressed concern regarding giving City land away, versus selling the property. Commissioner Everett stated the increase in tax revenue will benefit the City.

Commissioner Gray expressed concern regarding the value the City will receive with the proposed open space plan. He stated the open space the applicant is providing is already public open space, and asked if the City has any liability if someone is hurt in the parking lot on the easement. Commissioner Everett stated the applicant is improving the existing open space. Mr. Mumford explained the City does not know the value of the utility easement; it is not buildable land, so it will not be very valuable. He stated the City Attorney will address liability when drafting the easement agreement.

Commissioner Wright stated the total area and value can be calculated for the easement and for the donated 5,788 square feet of property, which the applicant has indicated he will improve before deeding the property to the City. The applicant could pay a fee-in-lieu for the difference in value.

Commissioner Gray expressed concern that the Planning Commission may set a precedent regarding private entities requesting permission to build on public property. Mr. Mumford stated there are areas in the City where public land was included in required improved open space. He explained that if a project is close enough to an existing park, the Planning Commission and City Council can require improvements in the existing park, versus developing new open space.

Commissioner Wood expressed concern that the open space is not on the applicant's property and is not being improved for the benefit of the residents in the project; it will be open to the public.

Mr. Hazard explained they carry a general liability policy for the entire property. A development agreement or the perpetual easement language can address liability, as well. He stated this is no different than a public park that is maintained by a Homeowners Association; he has a Property Owners Association, which is a commercial version of an HOA. It is not uncommon for developers to improve City-owned property, be it land the developer deeds to the City, or through a fee-in-lieu, which diverts money from a small location to one that makes more sense

for the residents. He asked if the Commissioners feel there is a downside to people improving and installing park-like amenities along the powerline corridor.

Commissioner Wood said improvements to the utility corridor may not always happen in a commercial area. Applicants may want to improve the utility corridor in an agriculture or residential area. Discussion ensued regarding applying the open space requirement consistently.

Commissioner Everett explained the proposal's open space is akin to allowing a fee-in-lieu, which is granted to developments in the City. He stated if Rocky Mountain Power does not have concerns regarding parking and shade structures in the utility corridor, neither does he. Regarding setting precedent, projects must be evaluated on individual merit; not all projects are exactly the same. He stated this specific open space improvement will allow public access to a better amenity.

Commissioner Wright said this proposal creates a space where the food trucks can be permanently located, and it is in the public's interest to have a public space that is improved and maintained by a commercial business owner.

Mr. Hazard explained the daycare facility owner has expressed the desire to purchase the building she currently leases from Mr. Hazard. Her intention is to relocate the playground area to the City's property in the rear of the property and expand the daycare building. They might need to fence a small section off for the daycare use. If this was allowed, he would improve the public property west of the trail from the Parkway Crossroads site to Ranches Parkway.

MOTION: *Commissioner Wood moved to approve the conditional use permit for Parkway Crossroads. Commissioner Gray seconded the motion. Those voting aye: Matthew Everett, DeLin Anderson, Brett Wright, Rich Wood, and Jared Gray. The motion passed with a unanimous vote.*

MOTION: *Commissioner Wood moved to recommend approval to the City Council of the Parkway Crossroads site plan with the following conditions:*

- 1. Applicant shall provide approval notification from the utility agencies in the utility corridor prior to submitting for a building permit or doing any work on site;*
- 2. Mailbox location(s) shall be submitted for approval to the Planning Director;*
- 3. A use and parking easement shall be recorded on the utility corridor property, as recommended by the City Attorney;*
- 4. A one-lot final plat shall be required to combine lots 3 and 4 and shall include dedication of the right-of-way property to the City; and*
- 5. The property owner agrees to improve the section of the utility corridor to the south of the parking lot of this project to Ranches Parkway, and between the existing Parkway Crossroads project and the trail.*

Commissioner Gray seconded the motion. Those voting aye: Matthew Everett, DeLin Anderson, Brett Wright, Rich Wood, Jared Gray. The motion passed with a unanimous vote.

6. Discussion Items

7. Next scheduled meeting

Commissioner Everett stated the next meeting is October 22, 2019.

Commissioner Wood asked if committee meetings can be scheduled to begin zoning review. Mr. Mumford stated those meeting dates will be determined in the future.

8. Adjournment

MOTION: ***Commissioner Gray moved to adjourn the meeting at 8:26 p.m. Commissioner Anderson seconded the motion. Those voting aye: Matthew Everett, DeLin Anderson, Brett Wright, Rich Wood and Jared Gray. The motion passed with a unanimous vote.***

The meeting was adjourned at 8:26 p.m.

Approved by the Planning Commission on October 22, 2019.

Steve Mumford
Community Development Director



**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING
OCTOBER 22, 2019**

TITLE:	Overland Village One Clubhouse - Preliminary Plat - Public Hearing
ITEM TYPE:	Preliminary Plat
APPLICANT:	Bryon Prince/Ivory Homes

ACTION ITEM:

Yes

PUBLIC HEARING:

Yes

REQUIRED FINDINGS:

The preliminary plat has been reviewed and complies with the criteria that is required for a preliminary plat. A preliminary plat is required to go before the Planning Commission for a public hearing and a recommendation to the City Council and to the City Council for approval. The applicant is also required to complete a final plat application with staff for final approval before it can be recorded with the Utah County Recorder's office.

PREPARED BY:

Michael Hadley,
Planning

BACKGROUND:

As a part of the Ivory Homes Overland development, the applicant is required to provide improved open space and amenities to the project. This application is for a preliminary plat to create a one lot subdivision for the required clubhouse and amenities. Since this was not created as a part of any of the previously recorded plats, there is a need to create this lot so the clubhouse can move forward. The site plan for this lot has already been approved, so this application is only to create the one lot so the project can move forward. This clubhouse is required so that the developer can continue to move forward with more of the approved residential development.

ITEMS FOR CONSIDERATION:

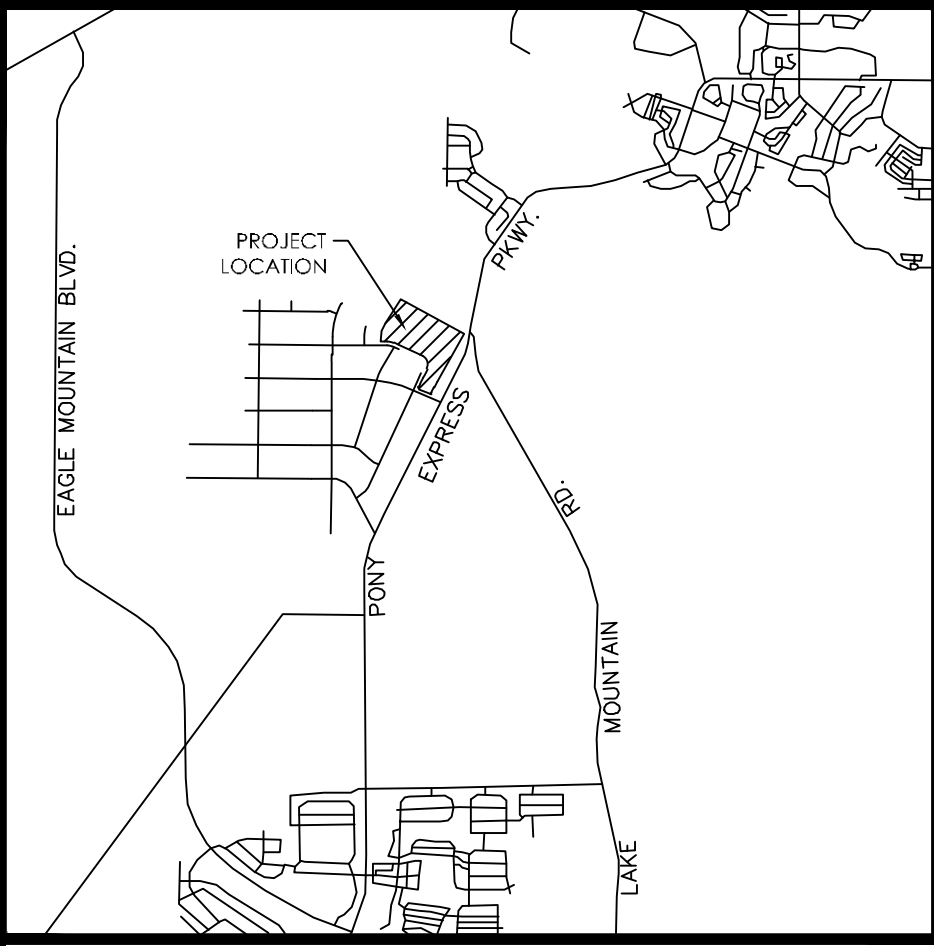
RECOMMENDATION:

We recommend that the Planning Commission makes the following motions:

I move to recommend approval to the City Council of the Overland Clubhouse Preliminary plat with no conditions of approval.

Attachments:

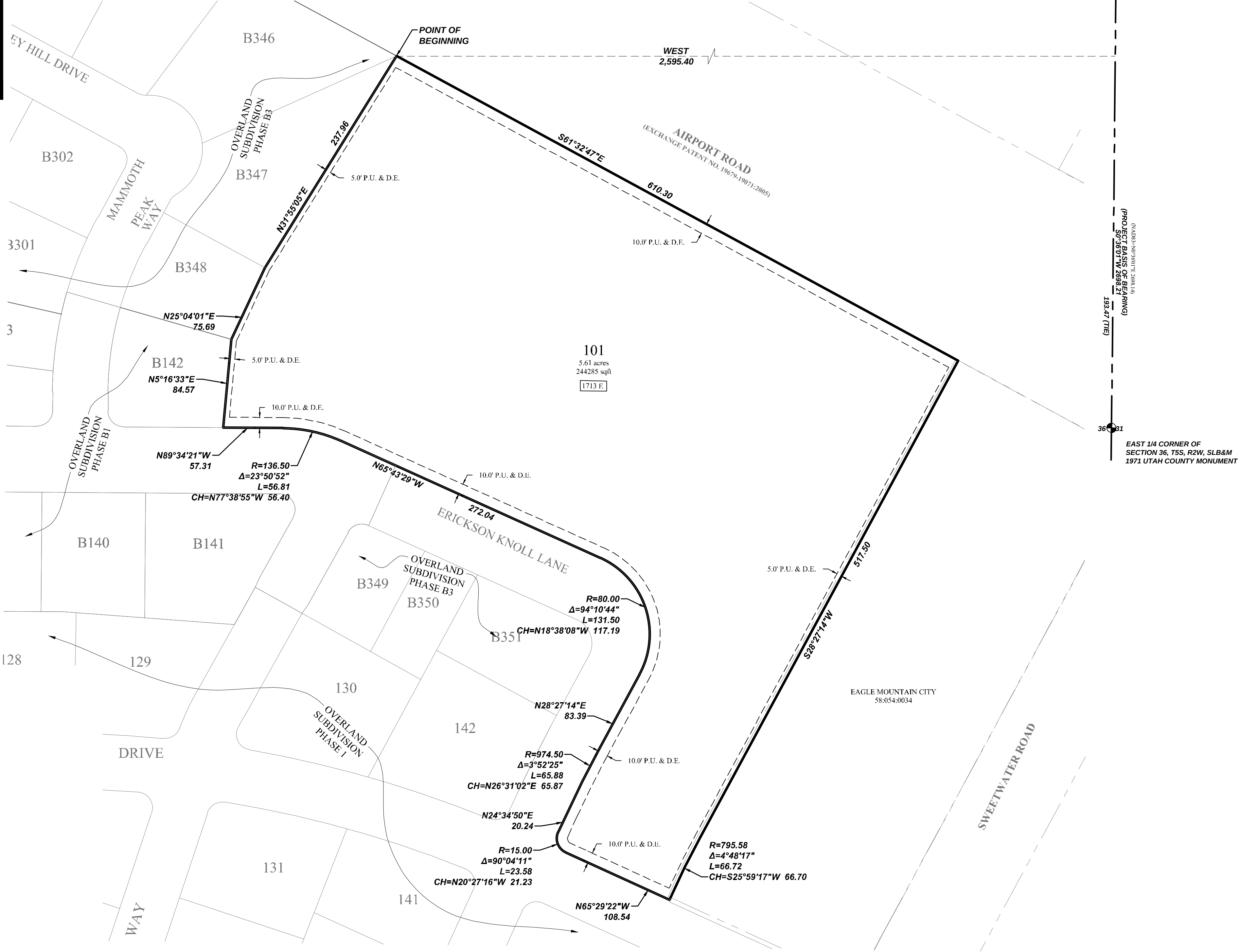
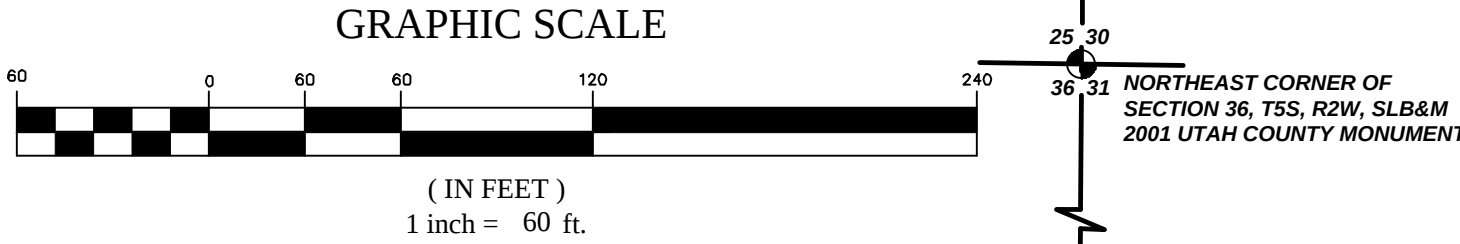
[19-0072 OVERLAND VILLAGE ONE CLUBHOUSE PLAT 100819.pdf](#)



VICINITY MAP
N.T.S

OVERLAND CLUBHOUSE

LOCATED IN A PORTION OF SECTION 36, T5S, R2W,
SALT LAKE BASE & MERIDIAN
EAGLE MOUNTAIN CITY, UTAH COUNTY, UTAH



NOTES:
1) #5 REBAR & CAP TO BE SET AT ALL REAR LOT CORNERS. NAIL OR LEAD PLUGS TO BE SET IN THE TOP BACK OF CURB AT THE EXTENSION OF THE SIDE LOT LINES.

LEGEND

- BOUNDARY
- SECTION LINE
- EASEMENT
- BUILDING SETBACK
- SECTION MONUMENT (FOUND)
- BOUNDARY MARKERS

DIRECT COMMUNICATIONS
Direct Communications Cedar Valley, LLC certifies that it will provide telecommunications services to this subdivision utilizing the trenches provided by the developer as per the Direct Communications Cedar Valley P.S.C. Utah No. 1 Tariff.

DIRECT COMMUNICATIONS DATE

QUESTAR GAS COMPANY
Questar approves this plat solely for the purposes of confirming that the plat contains public utility easements. Questar may require other easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations, or liabilities provided by law or equity. This approval does not constitute acceptance, approval, or acknowledgement of any terms contained in the plat, including those set forth in the owners dedication and the notes, and does not constitute a guarantee of particular terms of natural gas service. For further information please contact Questar's Right-of-way department at 1-800-366-8532.

Approved this ____ day of _____, 20____, Questar Gas Company

By _____
Title _____

ROCKY MOUNTAIN POWER
1. Pursuant to Utah Code Ann § 54-3-27 this plat conveys to the owner(s) or operators of utility facilities a public utility easement along with all the rights and duties described therein.
2. Pursuant to Utah Code Ann § 17-27a-603(4)(c)(ii) Rocky Mountain Power accepts delivery of the PUE as described in this plat and approves this plat solely for the purpose of confirming that the plat contains public utility easements and approximates the location of the public utility easements, but does not warrant their precise location. Rocky Mountain Power may require other easements in order to serve this development. This approval does not affect any right that Rocky Mountain Power has under
(1) A recorded easement or right-of-way
(2) The law applicable to prescriptive rights
(3) Title 54, Chapter 8a, Damage to Underground Utility Facilities, or
(4) Any other provision of law

ROCKY MOUNTAIN POWER DATE

SURVEYOR'S CERTIFICATE

I, Spencer W. Llewellyn, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 10516507 in accordance with Title 58, Chapter 22 of Utah State Code. I further certify by authority of the owner(s) that I have completed a Survey of the property described on this Plat in accordance with Section 17-23-17 of said Code, and have subdivided said tract of land into lots, blocks, streets, and easements, and the same has, or will be correctly surveyed, staked and monumented on the ground as shown on this Plat, and that this Plat is true and correct.

Spencer W. Llewellyn
Professional Land Surveyor
Certificate No. 4938735

Date _____

BOUNDARY DESCRIPTION

A portion of the of Section 36, Township 5 South, Range 2 West, Salt Lake Base and Meridian, Eagle Mountain, Utah, more particularly described as follows:
Beginning at a point on the Southerly line of Airport Road located N00°36'01"E along the Section line (Basis of Bearing) 193.47 feet and West 2,595.40 feet from the East 1/4 Corner of Section 36, T5S, R2W, SLB&M; thence S61°32'47"E 610.30 feet; thence S28°27'14"W 517.50 feet; thence along the arc of a curve to the left having a radius of 795.58 feet a distance of 66.72 feet through a central angle of 04°48'17" Chord: S25°59'17"W 66.70 feet; thence N65°29'22"W 108.54 feet; thence along the arc of a curve to the right with a radius of 15.00 feet a distance of 23.58 feet through a central angle of 90°04'11" Chord: N20°27'16"W 21.23 feet; thence N24°34'50"E 20.24 feet; thence along the arc of a curve to the right with a radius of 974.50 feet a distance of 65.88 feet through a central angle of 03°52'25" Chord: N26°31'02"E 65.87 feet; thence N28°27'14"E 83.39 feet; thence along the arc of a curve to the left with a radius of 80.00 feet a distance of 131.50 feet through a central angle of 94°10'44" Chord: N18°38'08"W 117.19 feet; thence N65°43'29"W 272.04 feet; thence along the arc of a curve to the left with a radius of 136.50 feet a distance of 56.81 feet through a central angle of 23°50'52" Chord: N77°38'55"W 56.40 feet; thence N89°34'21"W 57.31 feet; thence N05°16'33"E 84.57 feet; thence N25°04'01"E 75.69 feet; thence N31°55'05"E 237.96 feet to the point of beginning.
Contains: 5.61 acres+/-

OWNER'S DEDICATION

WE, THE UNDERSIGNED OWNERS OF ALL THE REAL PROPERTY DEPICTED ON THIS PLAT AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE ON THIS PLAT, HAVE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE DIVIDED INTO LOTS, STREETS, PARKS, OPEN SPACES, EASEMENTS AND OTHER PUBLIC USES AS DESIGNATED ON THE PLAT AND NOW DO HEREBY DEDICATE UNDER THE PROVISIONS OF 10-9A-607, UTAH CODE, WITHOUT CONDITION, RESTRICTION OR RESERVATION TO EAGLE MOUNTAIN CITY, UTAH, ALL STREETS, WATER, SEWER AND OTHER UTILITY EASEMENTS AND IMPROVEMENTS, OPEN SPACES SHOWN AS PUBLIC OPEN SPACES, PARKS AND ALL OTHER PLACES OF PUBLIC USE AND ENJOYMENT TO EAGLE MOUNTAIN CITY, UTAH TOGETHER WITH ALL IMPROVEMENTS REQUIRED BY THE DEVELOPMENT AGREEMENT BETWEEN THE UNDERSIGNED AND EAGLE MOUNTAIN CITY FOR THE BENEFIT OF THE CITY AND THE INHABITANTS THEREOF.

OWNER(S):
PRINTED NAME OF OWNER AUTHORIZED SIGNATURE(S)

LIMITED LIABILITY ACKNOWLEDGMENT

STATE OF UTAH
S.S.
COUNTY OF _____
ON THE ____ DAY OF _____ A.D. 20____ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF _____, IN SAID STATE OF UTAH, _____, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE/SHE IS THE _____ OF _____ L.L.C., A UTAH L.L.C. AND THAT HE/SHE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN _____ COUNTY
MY COMMISSION No. _____
PRINTED FULL NAME OF NOTARY _____

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF EAGLE MOUNTAIN CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS ____ DAY OF _____, 20____.

APPROVED BY MAYOR APPROVED BY CITY ATTORNEY

APPROVED BY CITY ENGINEER (SEE SEAL BELOW) ATTEST BY CITY RECORDER (SEE SEAL BELOW)

OVERLAND CLUBHOUSE

SUBDIVISION
LOCATED IN A PORTION OF SECTION 36, T5S, R2W,
SALT LAKE BASE & MERIDIAN
EAGLE MOUNTAIN CITY, UTAH COUNTY, UTAH

SURVEYOR'S SEAL NOTARY PUBLIC SEAL CITY-COUNTY ENGINEER SEAL COUNTY RECORDER SEAL



**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING
OCTOBER 22, 2019**

TITLE:	Eagle Vision - Preliminary Plat Amendment
ITEM TYPE:	Amended Preliminary Plat
APPLICANT:	Scot Hazard/Eagle Vision

ACTION ITEM:

Yes

PUBLIC HEARING:

No

REQUIRED FINDINGS:

PREPARED BY:

Michael Hadley,
Planning

BACKGROUND:

The Eagle Vision preliminary plat and site plan were approved on December 4, 2018 by the City Council. The approval was for one building and a possible second building in the future on approximately .83 acres. This application is to amend the recorded plat to create two lots, one for the current building and a second for another building. An amended plat is required when making a change to a previously recorded plat, in this case creating a second lot.

ITEMS FOR CONSIDERATION:

RECOMMENDATION:

We recommend that the Planning Commission makes the following motions:

I move to recommend approval to the City Council of the Eagle Vision Amended Preliminary Plat with no conditions of approval.

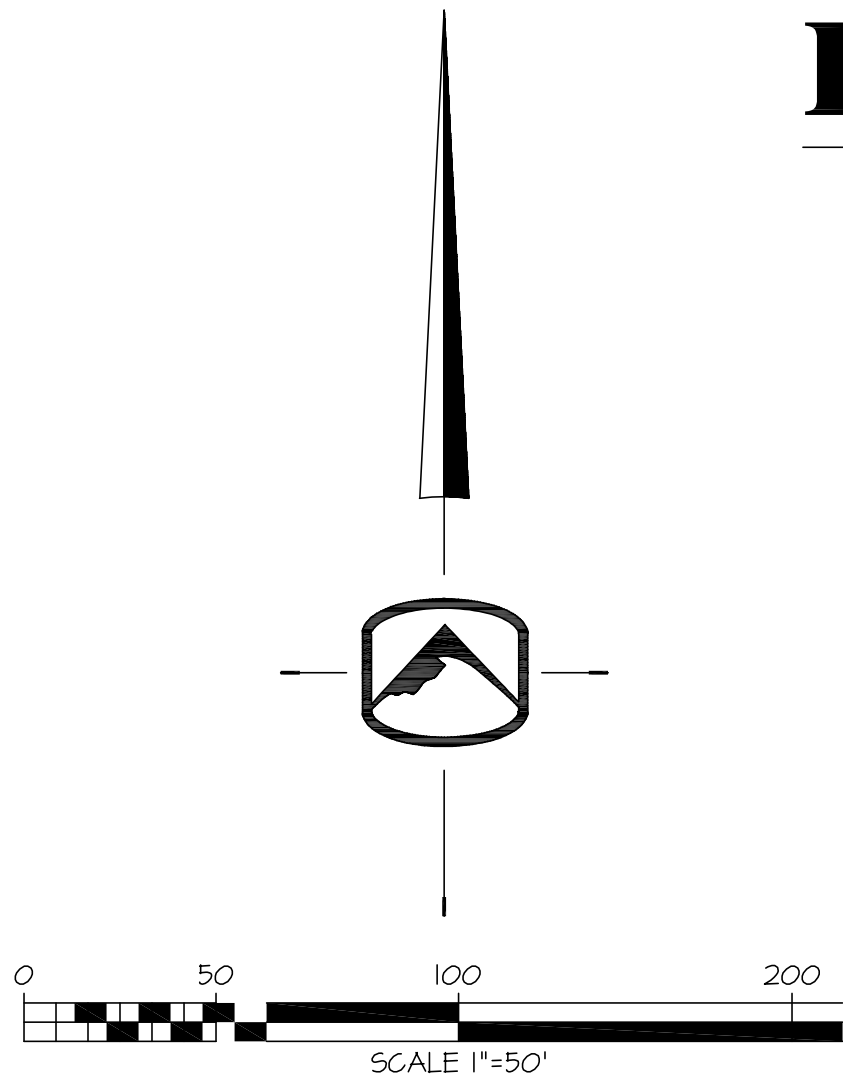
Attachments:

[Updated Eagle Vision Plat 3.pdf](#)

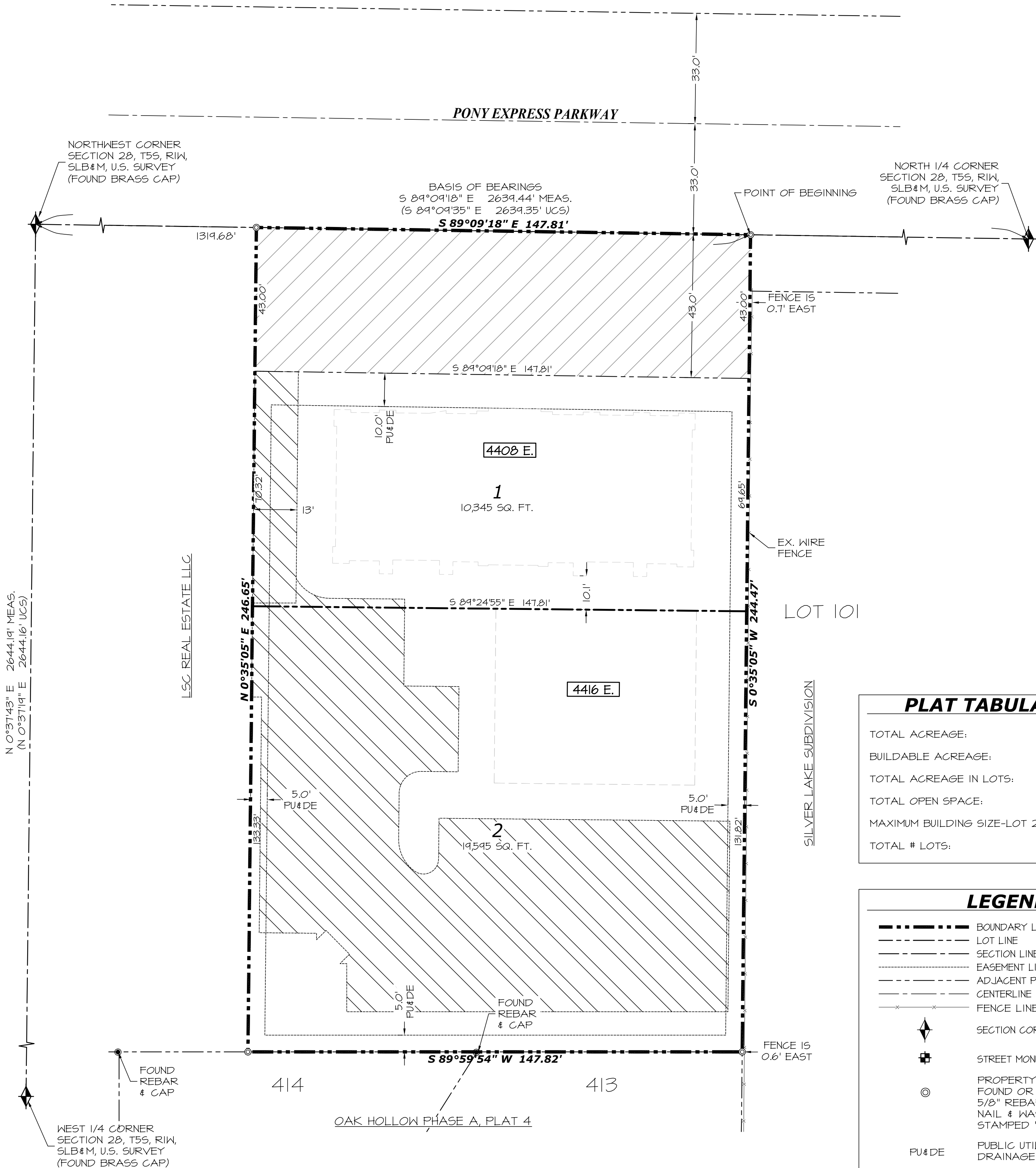
[18-047 Colored Elevations 05-18-2018 \(2\).pdf](#)

EAGLE VISION SUBDIVISION - 1ST AMENDMENT

A SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 28,
TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN,
EAGLE MOUNTAIN CITY, UTAH COUNTY, UTAH



VICINITY MAP



LOT 101

PLAT TABULATIONS

TOTAL ACREAGE:	0.833 ACRES
BUILDABLE ACREAGE:	0.687 ACRES
TOTAL ACREAGE IN LOTS:	0.687 ACRES
TOTAL OPEN SPACE:	0.146 ACRES
MAXIMUM BUILDING SIZE-LOT 2:	3,940 SQ. FT.
TOTAL # LOTS:	2

LEGEND

	BOUNDARY LINE
	LOT LINE
	SECTION LINE
	EASEMENT LINE
	ADJACENT PROPERTY
	CENTERLINE
	FENCE LINE
	SECTION CORNER
	STREET MONUMENT
	PROPERTY / LOT CORNER FOUND OR TO BE SET WITH 5/8" REBAR & CAP OR NAIL & WASHER STAMPED "SILVERPEAK ENG"
	PUBLIC UTILITY AND DRAINAGE EASEMENT
	DEDICATED TO EAGLE MOUNTAIN CITY FOR FUTURE RIGHT-OF-WAY
	CROSS ACCESS EASEMENT

SURVEYOR'S CERTIFICATE

I, **JASON T. FELT** DO HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. **9234283** AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, PUBLIC STREETS, AND EASEMENTS HEREAFTER TO BE KNOWN AS

EAGLE VISION SUBDIVISION - 1ST AMENDMENT

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT ALL LOTS MEET FRONTAGE WIDTH AND AREA REQUIREMENTS OF THE APPLICABLE ZONING ORDINANCES.

JASON T. FELT, P.L.S.
LICENSE NO. 9234283

DATE:

BOUNDARY DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, EAGLE MOUNTAIN CITY, UTAH COUNTY, UTAH

BEGINNING AT A POINT ON THE SECTION LINE, BEING THE NORTHWEST CORNER OF SILVER LAKE SUBDIVISION, AS RECORDED WITH THE UTAH COUNTY RECORDER, AND BEING ON THE SOUTH LINE OF PONY EXPRESS PARKWAY, AND BEING 1319.68 FEET SOUTH 89°09'18" EAST ALONG SAID SECTION LINE FROM THE NORTHWEST CORNER OF SAID SECTION 28; THENCE SOUTH 0°35'05" WEST 244.47 FEET ALONG THE WEST LINE OF SAID SILVER LAKE SUBDIVISION TO THE NORTH LINE OF OAK HOLLOW, PHASE A, PLAT 4, AS RECORDED WITH THE UTAH COUNTY RECORDER; THENCE SOUTH 89°54'54" WEST 147.82 FEET ALONG SAID NORTH LINE; THENCE NORTH 0°35'05" EAST 246.65 FEET TO SAID SOUTH LINE OF PONY EXPRESS PARKWAY, AND THE SECTION LINE; THENCE SOUTH 89°09'18" EAST 147.81 FEET ALONG SAID SOUTH LINE AND SECTION LINE TO THE POINT OF BEGINNING.

CONTAINS: 36,297 SQ.FT.

OWNER'S DEDICATION

WE, THE UNDERSIGNED OWNERS OF ALL THE REAL PROPERTY DEPICTED ON THIS PLAT AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE ON THIS PLAT, HAVE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE DIVIDED INTO LOTS, STREETS, PARKS, OPEN SPACES, EASEMENTS AND OTHER PUBLIC USES AS DESIGNATED ON THE PLAT AND DO HEREBY DEDICATE AND GRANT TO THE OWNERS OF LOT 1 AND LOT 2, A CROSS ACCESS EASEMENT, THE SAME TO BE USED BY SAID LOT OWNERS FOR INGRESS AND EGRESS FROM THE PUBLIC RIGHT-OF-WAY TO THEIR RESPECTIVE LOTS AND DEDICATE UNDER THE PROVISIONS OF 10-9A-607, UTAH CODE, WITHOUT CONDITION, RESTRICTION OR RESERVATION TO EAGLE MOUNTAIN CITY, UTAH, ALL STREETS, WATER, SEWER AND OTHER UTILITY EASEMENTS AND IMPROVEMENTS, OPEN SPACES SHOWN AS PUBLIC OPEN SPACES, PARKS AND ALL OTHER PLACES OF PUBLIC USE AND ENJOYMENT TO EAGLE MOUNTAIN CITY, UTAH TOGETHER WITH ALL IMPROVEMENTS REQUIRED BY THE DEVELOPMENT AGREEMENT BETWEEN THE UNDERSIGNED AND EAGLE MOUNTAIN CITY FOR THE BENEFIT OF THE CITY AND THE INHABITANTS THEREOF.

OWNER(S):
PRINTED NAME OF OWNER

AUTHORIZED SIGNATURE(S)

ACKNOWLEDGMENT

STATE OF UTAH } ss
COUNTY OF UTAH }

ON THE _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME THE PERSONS SIGNING THE FOREGOING OWNERS DEDICATION KNOWN TO ME TO BE AUTHORIZED TO EXECUTE THE FOREGOING OWNERS DEDICATION FOR AND ON BEHALF OF THE OWNERS WHO DULY ACKNOWLEDGE TO ME THAT THE OWNERS DEDICATION WAS EXECUTED BY THEM ON BEHALF OF THE OWNERS.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC SIGNATURE

COMMISSION NUMBER

PRINTED FULL NAME OF NOTARY

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF EAGLE MOUNTAIN CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSE FOR THE PERPETUAL USE OF THE PUBLIC THIS _____ DAY OF _____, A.D. 20____

APPROVED BY MAYOR

APPROVED BY CITY ATTORNEY

CITY ENGINEER
(SEE SEAL BELOW)

ATTEST BY CITY RECORDER
(SEE SEAL BELOW)

EAGLE VISION SUBDIVISION - 1ST AMENDMENT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 5 SOUTH,
RANGE 1 WEST, SALT LAKE BASE & MERIDIAN,
EAGLE MOUNTAIN CITY, UTAH COUNTY, UTAH

SURVEYOR'S SEAL

NOTARY PUBLIC SEAL

CITY ENGINEER SEAL

CLERK-RECORDER SEAL

DIRECT COMMUNICATIONS

APPROVED BY DIRECT COMMUNICATIONS
THIS ____ DAY OF _____ 2019.

DIRECT COMMUNICATIONS

DOMINION ENERGY

APPROVED BY DOMINION ENERGY THIS ____
DAY OF _____ 2019.

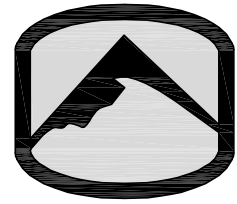
DOMINION ENERGY

ROCKY MOUNTAIN POWER

APPROVED BY ROCKY MOUNTAIN POWER
THIS ____ DAY OF _____ 2019.

ROCKY MOUNTAIN POWER

SILVERPEAK
ENGINEERING



177 E. ANTELOPE DR. STE. B
LAYTON, UT 84041
PHONE: (801) 499-5054
FAX: (801) 499-5065



STREET FRONTAGE

NOT TO SCALE



PARKING LOT FRONTAGE

NOT TO SCALE

DATE: 05-18-2018
PROJECT: 18-047
DRAWN BY: C.D.

177 E ANTELOPE DR #B
LAYTON, UT 84041
PHONE: (801) 499-5054
FAX: (801) 499-5065



EAGLE VISION
4490 PONY EXPRESS PKWY
EAGLE MOUNTAIN, UT

18

SHEET NUMBER

A1



FRONT / SIDE ELEVATION
 NOT TO SCALE



REAR / SIDE ELEVATION
 NOT TO SCALE

DATE: 05-18-2018
 PROJECT: 18-047
 DRAWN BY: C.D.

177 E ANTELOPE DR #B
 LAYTON, UT 84041
 PHONE: (801) 499-5054
 FAX: (801) 499-5065



EAGLE VISION
 4490 PONY EXPRESS PKWY
 EAGLE MOUNTAIN, UT

SHEET NUMBER

A2



STREET FRONTAGE

NOT TO SCALE



PARKING LOT FRONTAGE

NOT TO SCALE

DATE: 05-18-2018
PROJECT: 18-047
DRAWN BY: C.D.

177 E ANTELOPE DR #B
LAYTON, UT 84041
PHONE: (801) 499-5054
FAX: (801) 499-5065



SILVERPEAK
ENGINEERING

EAGLE VISION
4490 PONY EXPRESS PKWY
EAGLE MOUNTAIN, UT

20

SHEET NUMBER

A2



**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING
OCTOBER 22, 2019**

TITLE:	Sage Park Business Center Rezone - Public Hearing
ITEM TYPE:	Rezone
APPLICANT:	Isaac Patterson

ACTION ITEM:

Yes

PUBLIC HEARING:

Yes

REQUIRED FINDINGS:

Rezoning is legislative action and does not require approval based upon findings of facts. The Council should consider the health, safety, and welfare of the community as well as the criteria for approval listed in EMMC 17.90.060 (and listed in this report).

BACKGROUND:

The Sage Park Preliminary Plat, a single-family subdivision, was approved in 2007. The plat includes single-family lots in this area. This property was historically designated as Mixed Use Residential in the City's Future Land Use Map. This map was updated in July, 2018, and now includes a collector road through the property and designates the property north of the collector road as "Employment Center/Campus" and south of the road as "Neighborhood Residential One." The property is currently zoned "Residential," and the applicant is proposing a rezone to "Business Park" and "Commercial Storage."

A concept plan for this project was discussed by the Planning Commission on March 26 and by the City Council on May 21.

ITEMS FOR CONSIDERATION:

The 2018 General Plan includes the following description for "Employment Center / Campus":

EMPLOYMENT CENTER / CAMPUS - Focused employment center or college campus (e.g. regional medical center or larger employer with supporting businesses and retail surrounding) that is near future downtown / town center and its amenities. Convenient access to amenities and local / regional transportation networks.

The City Code describes the purposes of the business park and commercial storage zones as follows:

BUSINESS PARK ZONE - The purpose of the business park zone is to provide for professional offices, research and development uses, retail or commercial businesses, light manufacturing and assembly, and multifamily development in an attractive mixed-use environment that provides community and regional business opportunities.

COMMERCIAL STORAGE ZONE - The purpose of the commercial storage zone is to provide for non-retail commercial sites for storage of vehicle, equipment, and inventory, and associated offices.

The Planning Commission will have to determine whether the proposed Business Park and Commercial Storage zones properly implement the vision of

PREPARED BY:
Steve Mumford, Planning

the employment center land use, specifically providing "supporting business and surrounding retail." We recommend, if the Commission feels that the commercial storage use is acceptable in this location, that the property be zoned "Business Park" rather than "Commercial Storage." Storage units are allowed as a conditional use in the Business Park Zone, and the other allowed uses in that zone better fit the intent of Employment Center / Campus land use. The approved uses can also be restricted with a development agreement, to be approved by the City Council.

The BUSINESS PARK ZONE allows for the following permitted and conditional uses:

17.37.030 Permitted uses.

The following land uses shall be permitted uses in the business park zone. Any use not specifically permitted in this chapter shall be prohibited.

- A. Office buildings including professional, medical, or corporate offices or corporate campuses;
- B. Research and development uses, including medical or electronic assembly and associated light manufacturing;
- C. Retail establishments such as shopping centers, grocery stores, restaurants, banks, department stores, furniture outlets, warehouse stores, auto parts, lumber, hardware and home improvement retail, automobile sales, and other similar retail uses;
- D. Hotels and motels;
- E. Commercial fitness and recreation;
- F. Theaters, art galleries, museums, or similar cultural and entertainment uses;
- G. Public and private utility structures or facilities (excluding communications towers);
- H. Public parks or squares;
- I. Public/civic buildings;
- J. Printing and publishing establishments;
- K. Schools;
- L. Hospitals or other health care facilities.

17.37.040 Conditional uses

The following conditional uses and such uses as the planning director and planning commission may recommend as similar and consistent with the scale, character and impact of the area will be considered:

- A. Mixed-use and multifamily residential development;
- B. Automobile gas/service stations;
- C. Light manufacturing and assembly which are not obnoxious or offensive by reason of emission of odor, dust, smoke, noxious gases, noise, vibration, glare, heat, or other impacts, nor hazardous by way of materials, process, product, or waste, and which encloses all equipment, compressors, generators, and other ancillary equipment within a building or structure;
- D. Auto and truck repair, including auto body;
- E. Contract construction services establishments;
- F. Commercial laundries;

- G. Other businesses retailing goods and services or rendering personal services for a fee, except as otherwise regulated by the city's ordinances;
- H. Day care center/preschool;
- I. Distribution facilities;
- J. Self-storage or mini-storage units;
- K. Communications facilities and towers;
- L. Portable storage container.

The COMMERCIAL STORAGE ZONE allows for the following permitted and conditional uses:

17.38.030 Permitted uses.

The following land uses shall be permitted uses in the commercial storage zone. Any use not specifically permitted in this chapter shall be prohibited.

- A. Public and private utility structures or facilities;
- B. Public and private utility equipment and inventory storage, fenced or enclosed;
- C. Fully enclosed commercial storage of equipment and inventory.

17.38.040 Conditional uses.

The following conditional uses and such uses as the planning director and planning commission may recommend as similar and consistent with the scale, character and impact of the area will be considered:

- A. Fenced or unfenced outdoor storage of commercial equipment and inventory;
- B. Outdoor storage/parking of recreational vehicles, trailers, boats, and similar vehicles;
- C. Self-storage or mini-storage units;
- D. Small office uses associated with storage;
- E. Moving and storage facilities and businesses.

Two concept plans have been submitted to accompany this rezone application. Option 1 uses the 94-foot wide collector road as the separation between the residential and the business park / storage. Option 2 includes a section of business park zoning on the south side of the road, showing office buildings and mixed-use buildings. We're grateful to the applicant for being willing to comply with our Master Transportation Plan and modify their plan to include the 94-foot collector road that was added last year.

The criteria for approval for a rezone (17.90.060) are listed below, along with an analysis of this project in relation to the criteria.

A. Compliance with General Plan. The requested zones are consistent with the land uses shown on the general plan's future land use and transportation corridor map, and comply with the policies and provisions of the city general plan.

See discussion above in this report. Note - State Code states that the general plan is an advisory guide for land use decisions, which means that the term "consistent" should not be interpreted to require strict compliance with the

General Plan designations. If the Commission feels that the commercial storage use or the business park zone fits the intent of the General Plan, it can be approved. Likewise, the Commission is not required to recommend approval of a rezone even if it is consistent with the General Plan.

B. Compatibility Determination. The proposed uses and densities will be reasonably compatible with adjacent land uses and the pattern of proposed uses and densities will appropriately buffer potentially incompatible uses from others based on the assumption that the proposed uses and densities will comply with this title, including the performance standards designed to help ensure land compatibility.

The business park zone adjacent to a residential zone is appropriate. The commercial storage zone is proposed to be buffered on the south by the business park zone, and property to the north is considered "Employment Center / Campus."

C. City Services. The proposed use can be accommodated with public services and will not overburden the city's service capacity.

This use is less impactful to the City's utilities than single-family residential.

D. Traffic Generation. Traffic generation by the proposed use is within capabilities of streets serving the property.

This property is adjacent to a minor arterial road (Eagle Mountain Boulevard) and a major collector road. These roads should easily handle the traffic from these zones.

E. Property Values. The proposed use is not expected to have a significant negative impact on surrounding property values.

The properties that could potentially be impacted by this project are the approved single-family lots to the south. The applicant for this project is also the owner of those approved lots.

RECOMMENDATION:

If the Planning Commission recommends approval of the application to the City Council, we recommend the following motion:

"I move that the Planning Commission recommends approval of the Sage Park Business Center Rezone to the City Council and rezones all of the property to the Business Park Zone (not the Commercial Storage Zone) in accordance with Option 1 (Concept Plan #2) with the following condition of approval:

1. The rezone is approved subject to an agreement being approved by the City Council that restricts the property to the following permitted and conditional uses:

a. Permitted Uses

i. Office buildings including professional, medical, or corporate offices or corporate campuses

ii. Retail establishments such as shopping centers, grocery stores, restaurants, banks, department stores, and similar retail uses

iii. Commercial fitness and recreation

iv. Theaters, art galleries, museums, or similar cultural and entertainment uses

- v. Public and private utility structures or facilities (excluding communications towers)
 - vi. Public parks or squares
 - vii. Public/civic buildings
 - viii. Schools
- b. Conditional Uses
- i. Commercial Storage (self-storage and mini-storage units), outdoor storage/parking of recreational vehicles, trailers, boats, and similar vehicles, and a caretaker residential unit. Restricted to the northwest portion of the property, not to exceed 11 acres
 - ii. Contract construction services establishments & contractor offices (sometimes known as flex-use buildings); restricted to the north side of the collector road
 - iii. Day care center/preschool

If the Planning Commission recommends denial of the application to the City Council, we recommend the following motion:

"I move that the Planning Commission recommends denial of the Sage Park Business Center Rezone to the City Council because it does not comply with the intent of the General Plan."

The Planning Commission may also recommend approval of the rezone but with changes to the zoning layout or locations, or table the application as long as there is some specific feedback for changes to be made to improve the applicant's compliance with the approval criteria. If the Commission likes option 2 (Concept Plan #3), then an additional condition of approval should limit the number of multi-family / mixed-use units as well as include Mixed-Use or Multi-Family Residential as a conditional use, restricted to the area adjacent to single-family lots.

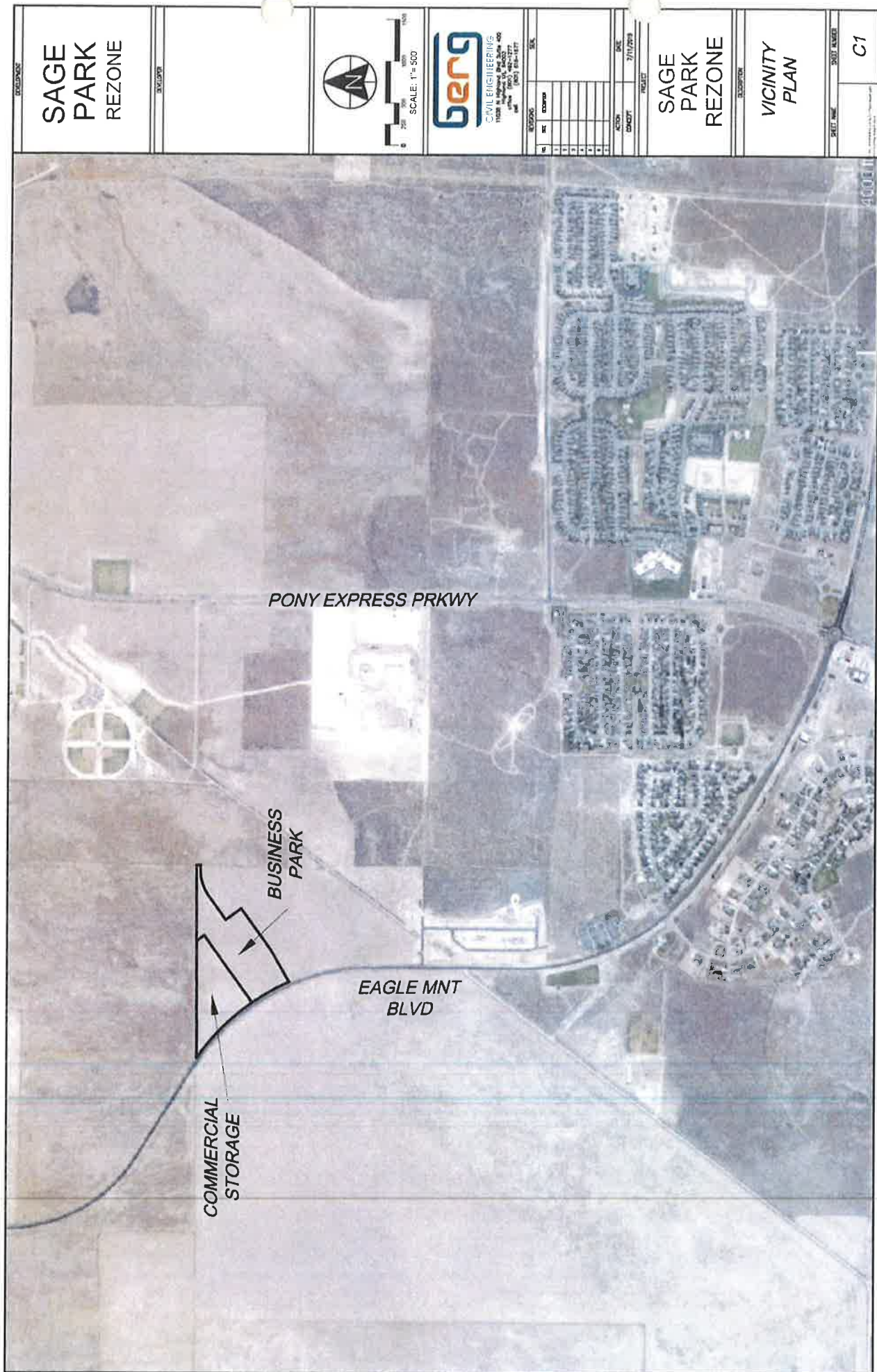
Attachments:

[Sage Park Rezone Exhibit](#)

[Sage Park Business Center - Option 1](#)

[Sage Park Business Center - Option 2](#)

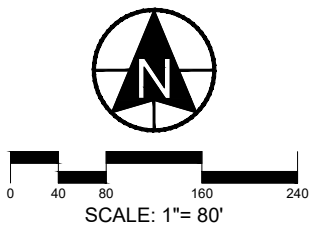
[Approved Land Use Plan 9-3-19](#)





SAGE PARK REZONE

DEVELOPER



CIVIL ENGINEERING
11038 N Highland Blvd Suite 400
Highland UT, 84003
office (801) 492-1277
cell (801) 616-1677

REVISIONS			SEAL
NO.	DATE	DESCRIPTION	
1			
2			
3			
4			
5			
6			
7			

ACTION	DATE
CONCEPT	6/10/2019

PROJECT

SAGE PARK REZONE

DESCRIPTION

CONCEPT PLAN #2

SHEET NAME SHEET NUMBER

C2



SMITH, STEVEN G
59.034-0131

DEVELOPMENT 28

SAGE PARK REZONE

DEVELOPER

N

0

40

80

160

240

SCALE: 1"= 80'

berg

CIVIL ENGINEERING

11038 N Highland Blvd Suite 400
Highland UT, 84003
office (801) 492-1277
cell (801) 616-1677

REVISIONS			SEAL
NO.	DATE	DESCRIPTION	
1			
2			
3			
4			
5			
6			
7			

ACTION	DATE
CONCEPT	6/10/2019

PROJECT

SAGE PARK REZONE

DESCRIPTION

CONCEPT PLAN #3

SHEET NAME	SHEET NUMBER
	C3

\\my.dms\berg_civil\2019\wp-sage park storage\sp-base6.dwg

FUTURE LAND USE & TRANSPORTATION MAP

