



EAGLE MOUNTAIN CITY COUNCIL MEETING

July 21, 2020, 4:00 PM

Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

4:00 P.M. WORK SESSION - VIA LIFESIZE ELECTRONIC MEETING

Proposed interim adjustments to procedures relating to Council Work Sessions and Policy Meetings.

Public meetings will be held electronically in accordance with Executive Order 2020-1 Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 52-4-207 due to Infectious Disease COVID-19 Novel Coronavirus issued by Governor Herbert on March 18, 2020.

The public may monitor or listen to open portions of the meeting electronically by following the instructions below.

Lifesize electronic meeting through Granicus at <https://eaglemountaincity.com/city-recorder/city-meetings-portal/#meetingdocs>. Click the link to view the live stream and meeting documents.

1. CITY ADMINISTRATOR INFORMATION ITEMS

This is an opportunity for the City Administrator to provide information to the City Council. These items are for information only and do not require action by the City Council.

2. AGENDA REVIEW

The City Council will review items on the Consent Agenda and Policy Session Agenda.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

The City Council will adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation, the purchase, lease or exchange of real property pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

7:00 P.M. POLICY SESSION - CITY COUNCIL CHAMBERS

4. CALL TO ORDER

5. PLEDGE OF ALLEGIANCE

6. INFORMATION ITEMS/UPCOMING EVENTS

7. PUBLIC COMMENTS

Time has been set aside for the public to express their ideas, concerns and comments. (Please limit your comments to three minutes each.)

8. CITY COUNCIL/MAYOR'S ITEMS

Time has been set aside for the City Council and Mayor to make comments.

CONSENT AGENDA

9. BOND RELEASES

- 9.A Evans Ranch Plat F-1 - Out of Warranty
 [BR--Evans Ranch Plat F-1 - Out of Warranty Letter](#)
 [Evans Ranch Plat F-1 Recorded Plat](#)
- 9.B Skyline Ridge Phase 2, Plat 1 - Out of Warranty
 [BR- Skyline Ridge Phase 2 Plat 1 -Out of Warranty](#)
 [Skyline Ridge Phase 2 Plat 1 Recorded Plat](#)

10. CHANGE ORDERS

- 10.A [Digital Sign Change Order #1 - Yesco](#)
 [YESCO Change Order](#)

11. MINUTES

- 11.A July 7, 2020 - Appeals Board Meeting
 [07.07.2020 Appeals Board Minutes - DRAFT](#)
- 11.B July 7, 2020 - Regular City Council Meeting
 [07.07.2020 City Council Minutes - DRAFT](#)

SCHEDULED ITEMS

12. ORDINANCES/PUBLIC HEARINGS

- 12.A [ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Approving the First Amendment to the Fiscal Year 2020-2021 Budget.](#)

BACKGROUND: *(Presented by Assistant City Administrator/Finance Director Paul Jerome)* State statute requires the City to amend its budget to appropriate funds for increased expenses. The proposed ordinance is the first budget amendment for Fiscal Year 2020-2021 and includes increases in the General Government and Enterprise funds.

[ORD--FY 2021 Budget Amendment #1](#)

[Exhibit A: FY 2021 Budget Amendment #1](#)

12.B [ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Rezoning the Marketplace at Eagle Mountain Town Center Property to a Mix of Commercial Community, MF1, and MF2.](#)

BACKGROUND: *(Presented by Planning Staff)* The proposed Marketplace at Eagle Mountain Town Center project is an applicant-proposed rezone of the property, located on the northwest corner of Pony Express Parkway and Eagle Mountain Boulevard, to a mix of Commercial Community, MF1, and MF2.

[Zoning Letter from Property Owner](#)

[Legal Description & Zoning Statement \(pre-PC mtg\)](#)

[Master Site Plan / Zoning Map](#)

[MVR & EM Properties MDP Map](#)

[Future Land Use Map 2-2020](#)

[06.09.2020 Planning Commission Minutes - Marketplace at Town Center](#)

[ORD--Marketplace at Town Center Rezone](#)

[18-180 Zoning Exhibit - Updated 7-20-2020](#)

[Marketplace at Eagle Mountain Town Center - Updated 7-20-2020](#)

[Marketplace at Town Center Presentation](#)

12.C [ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Designating Certain Areas of the Sweetwater Industrial Park Under the Sweetwater Industrial Overlay Zone.](#)

BACKGROUND: *(Presented by Planning Staff)* The proposed rezone will apply the Sweetwater Industrial Overlay Zone to a portion of a proposed industrial project, located north of the City Community Development building and west of Pony Express Parkway.

[Sweetwater Industrial Preliminary Plan](#)

[Proposed Zoning Map](#)

[Future Land Use Map 2-2020](#)

[MVR & EM Properties MDP Map](#)

[Rezone Application & Additional Information](#)

[06.09.2020 Planning Commission Minutes - Sweetwater Industrial Park](#)

[ORD--Sweetwater Industrial Overlay Zone](#)

[Sweetwater Industrial Overlay Zone Presentation](#)

12.D [ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 16.50 Lot Line Adjustments and Chapter 16.55 Plat Amendments.](#)

BACKGROUND: *(Presented by Planning Staff)* The proposed amendments change the requirements for a lot line adjustment to include a recorded plat for any lots in a recorded subdivision. The amendments also make the Planning Director or designee the approval authority for minor plat amendments.

[ORD--EMMC 16.50 Lot Line Adjustments & 16.55 Plat Amendments](#)
[Exhibit A - EMMC 16.50 Lot Line Adjustments](#)
[Exhibit A - EMMC 16.55 Plat Amendments](#)
[Code Amendment Presentation](#)

13. MOTION

13.A [MASTER SITE PLAN AND PRELIMINARY PLAT - Sweetwater Industrial Park](#)

BACKGROUND: *(Presented by Planning Staff)* This proposed master site plan and preliminary plat are for approximately 203 acres located north and northwest of the City Community Development Building, on the west side of Pony Express Parkway.

[Sweetwater Industrial Master Site Plan & Prelim Plat](#)
[5-26-2020 Planning Commission Mtg Minutes](#)
[Sweetwater Industrial Park Presentation](#)

14. MOTION

14.A [SITE PLAN - LBiSat](#)

BACKGROUND: *(Presented by Planning Staff)* The proposed 10-acre development is located north of the Community Development building in the Sweetwater Industrial site in the South Service Area of the City. LBiSat is a satellite company.

[Updated Site Plan](#)
[Exterior Elevations](#)
[Landscape Plan](#)
[LBI Sat Renderings - Updated 07.16.2020.](#)
[LBI Sat Presentation](#)

15. CITY COUNCIL/MAYOR'S BUSINESS

This time is set aside for the City Council's and Mayor's comments on City business.

16. CITY COUNCIL BOARD LIAISON REPORTS

This time is set aside for Councilmembers to report on the boards they are assigned to as liaisons to the City Council.

17. COMMUNICATION ITEMS

17.A Financial Report
[Executive Summary of Revenue and Expenses as of 06.30.2020](#)

17.B Upcoming Agenda Items
[CI--Upcoming Agenda Items](#)

18. ADJOURNMENT

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.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above agenda notice was posted on this 17th day of July, 2020, 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



**Engineering Division
2565 North Pony Express Parkway
Eagle Mountain City, Utah 84005
(801) 789-6671**

Wednesday, July 1, 2020

City Recorder's Office
Eagle Mountain City
1650 East Stage Coach Run
Eagle Mountain City, UT 84005

SUBJECT: Evans Ranch plat F-1 out of warranty Bond Release

City Recorder:

The above referenced subdivision has completed the required one-year maintenance period as required in their development agreement. After performing a walkthrough of this subdivision, I would recommend that the city accepts the subdivision as complete and release all bonds placed by the developer and held by the city for this development.

Please contact me should you have any comments, questions, or concerns. Thank you.

Sincerely,

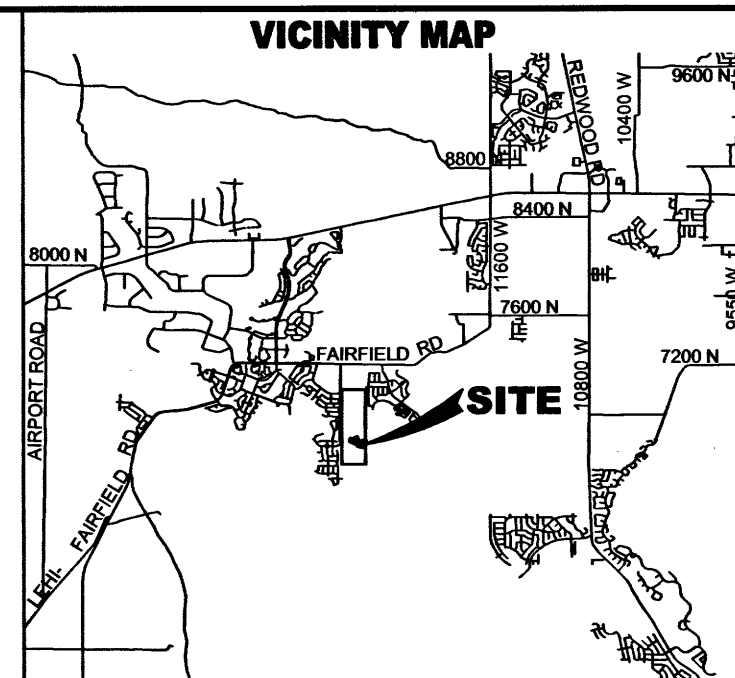
Christopher T. Trusty, P.E.
Engineering Director
Eagle Mountain City

Cc: Fionnuala Kofoed, City Recorder

EVANS RANCH

PLAT "F-1"

A PORTION OF THE SOUTHWEST QUARTER
OF SECTION 28, T5S, R1W SLB&M



SURVEYOR'S CERTIFICATE

I, CHAD A. POULSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 501182 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.

BOUNDARY DESCRIPTION

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT LOCATED N07°00'E ALONG THE SECTION LINE 978.13 FEET EAST AND 742.91 FEET FROM THE SOUTHWEST CORNER OF SECTION 28, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE NORTHWESTERLY ALONG THE ARC OF A 463.50 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT 294.23 FEET (RADIUS BEARS: N75°34'04"W) THROUGH A CENTRAL ANGLE OF 36°22'16" (CHORD: N3°45'11"W 289.31 FEET); THENCE N64°12'19"E 53.11 FEET; THENCE N67°39'54"E 134.18 FEET; THENCE S10°49'19"E 221.01 FEET; THENCE S63°50'18"E 149.42 FEET; THENCE N0°34'02"E 66.87 FEET; THENCE S89°25'58"E 100.00 FEET; THENCE N52°21'18"E 67.42 FEET; THENCE S89°25'58"E 100.00 FEET; THENCE S0°34'02"W 463.61 FEET; THENCE N89°25'58"W 69.32 FEET; THENCE ALONG THE ARC OF A 890.10 FOOT RADIUS CURVE TO THE RIGHT 368.02 FEET THROUGH A CENTRAL ANGLE OF 2°33'39" (CHORD: N77°39'08"W 363.45 FEET); THENCE ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE LEFT 22.87 FEET THROUGH A CENTRAL ANGLE OF 87°22'19" (CHORD: S72°51'30"W 16.51 FEET); THENCE N63°14'30"W 16.51 FEET; THENCE N26°05'03"E 31.50 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 820.10 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT 119.72 FEET (RADIUS BEARS: N26°05'03"E) THROUGH A CENTRAL ANGLE OF 8°21'52" (CHORD: N59°44'01"W 119.62 FEET); THENCE ALONG THE ARC OF A 1047.00 FOOT RADIUS CURVE TO THE LEFT 6.11 FEET THROUGH A CENTRAL ANGLE OF 0°20'04" (CHORD: N55°43'07"W 6.11 FEET); THENCE ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT 19.30 FEET THROUGH A CENTRAL ANGLE OF 7°34'41" (CHORD: N19°01'03"W 18.00 FEET); THENCE ALONG THE ARC OF A 516.50 FOOT RADIUS CURVE TO THE LEFT 30.84 FEET THROUGH A CENTRAL ANGLE OF 3°25'17" (CHORD: N16°08'23"E 30.84 FEET); THENCE N75°35'59"W 53.00 FEET TO THE POINT OF BEGINNING.

CONTAINS: 55.44 ACRES

OWNERS DEDICATION

WE, THE UNDERSIGNED OWNERS OF ALL THE REAL PROPERTY DEPICTED ON THIS PLAT AND DESCRIBED IN THE SURVEYORS 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 THIS PLAT AND NOW DO HEREBY DEDICATE TO 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): Evans Ranch, LLC
BY: DAI Mahagoshale
BY: [Signature]
ALPINE SCHOOL DISTRICT
BY: ROBERT W. SMITH - ASST SUT / CFO

LIMITED LIABILITY COMPANY ACKNOWLEDGEMENT

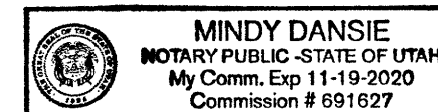
STATE OF UTAH
S.S. COUNTY OF UTAH
ON THIS 12 DAY OF May, A.D. 2017, I PERSONALLY APPEARED BEFORE ME Nathan Shipp, THE SIGNER OF THE FOREGOING INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT (S)HE IS THE Manager of Mar. of Evans Ranch, LLC, LIMITED LIABILITY COMPANY, AND IS AUTHORIZED TO EXECUTE THE FOREGOING AGREEMENT IN ITS BEHALF AND THAT HE OR SHE EXECUTED IT IN SUCH CAPACITY.



Mindy Dansie
NOTARY PUBLIC FULL NAME: Mindy Dansie
COMMISSION NUMBER: 991627
MY COMMISSION EXPIRES: 11-19-2020
A NOTARY PUBLIC COMMISSIONED IN UTAH

ACKNOWLEDGEMENT

STATE OF UTAH
S.S. COUNTY OF UTAH
ON THIS 22 DAY OF May, A.D. 2017, Robert W. Smith, 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.



Mindy Dansie
NOTARY PUBLIC FULL NAME: Mindy Dansie
COMMISSION NUMBER: 991627
MY COMMISSION EXPIRES: 11-19-2020
A NOTARY PUBLIC COMMISSIONED IN UTAH

ACCEPTANCE BY LEGISLATIVE BODY

THE City Council of Eagle Mountain City, OF 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 14 DAY OF June, A.D. 2017.

APPROVED BY MAYOR [Signature]
APPROVED BY CITY ATTORNEY [Signature]
APPROVED [Signature]
ATTEST [Signature]
ENGINEER (See Seal Below)
CLERK-RECORDER (See Seal Below)

PLAT

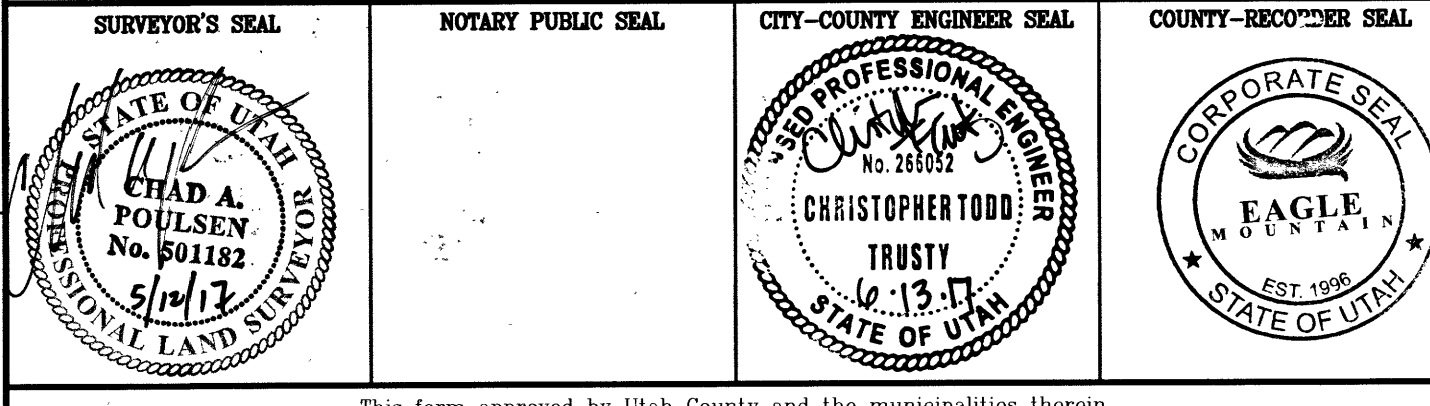
"F-1"

EVANS RANCH

SUBDIVISION

EAGLE MOUNTAIN

SCALE: 1" = 60'



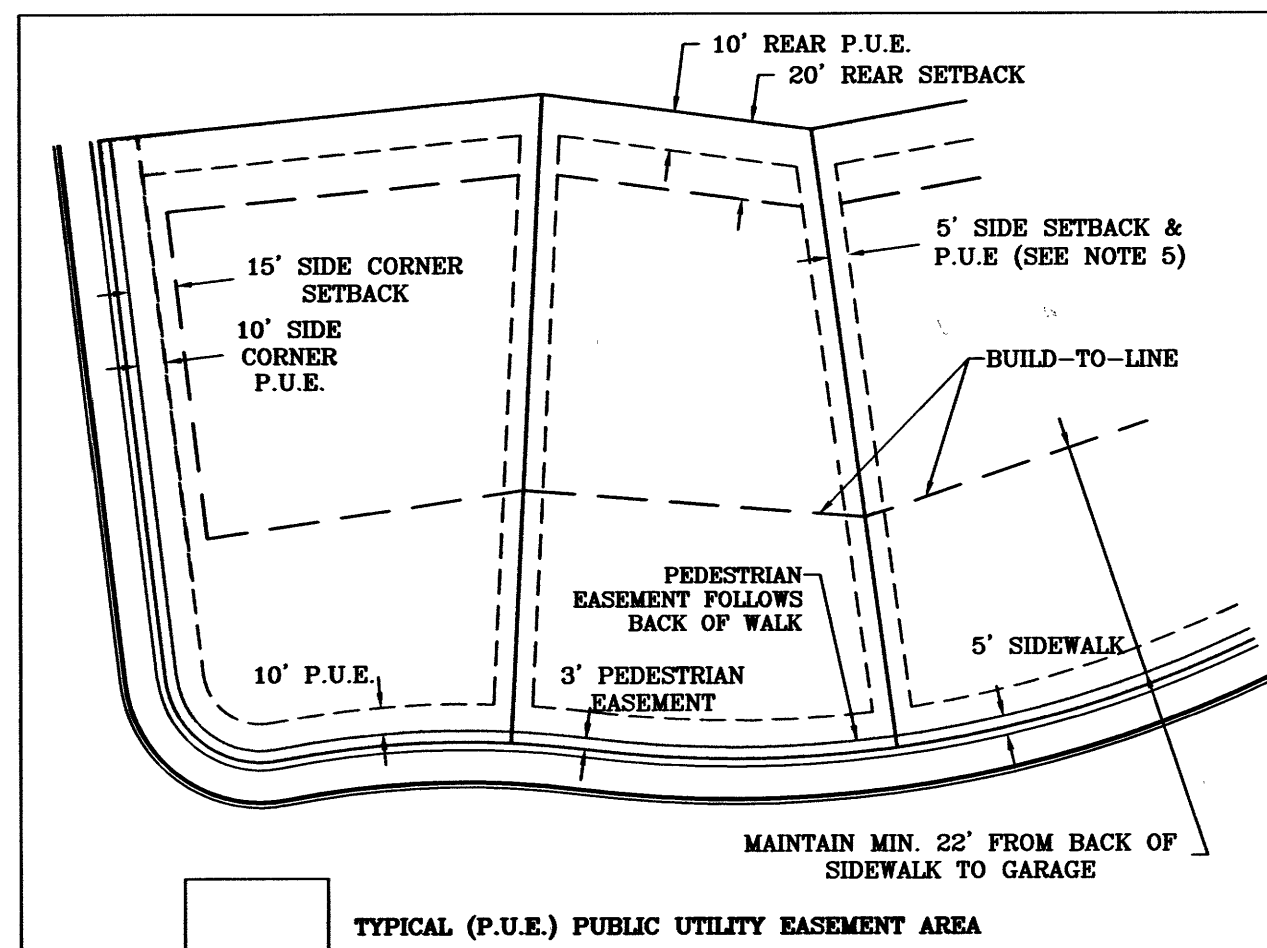
NOTES:

1. TYPE II MONUMENT (ALUMINUM CAP AND REBAR) TO BE SET. REBAR & CAP TO BE SET AT ALL LOT CORNERS, RAIL AND BRASS WASHER TO BE SET IN TOP OF CURB @ PROJECTION OF SIDE LOT LINES.
2. COVER HOMES TO BE SET AT FRONT OF BUILDABLE AREA AND ALONG WITH THE DESIGNATED BUILD-TO LINE.
3. ALL SITE PLANS SUBMITTED WITH BUILDING PERMIT APPLICATION SHALL SHOW THE LOCATION OF UTILITY CONNECTIONS. NO WATER METERS ALLOWED IN DRIVEWAYS.
4. SIDE LOT SETBACKS TO BE IN ACCORDANCE WITH MASTER SETBACK EXHIBIT AND AGREEMENT APPROVED BY THE CITY OF EAGLE MOUNTAIN.
5. ALL OPEN SPACE DEDICATED TO EAGLE MOUNTAIN CITY OR EVANS RANCH HOME OWNERS ASSOCIATION, TO BE PUBLIC UTILITY AND ACCESS/PEDESTRIAN EASEMENTS IN THEIR ENTIRETY.
6. STREET LIGHT
7. FIRE HYDRANT
8. A TITLE REPORT PREPARED BY FIRST AMERICAN TITLE COMPANY, ORDER NO. UV-7837, EFFECTIVE DATE: MAY 2, 2017, WAS USED IN THE PREPARATION OF THIS PLAT AND L&L CONSULTING ENGINEERS AND SURVEYORS, INC. IS ENTITLED TO RELY ON THE ACCURACY OF THIS REPORT, AND IS NOT LIABLE FOR ERRORS AND OMISSIONS BASED ON THE RELIANCE OF SAID TITLE REPORT. ALL EASEMENTS OF RECORD SHOWN HEREON ARE REFERENCED FROM SAID REPORT.

- EVANS RANCH HOME OWNERS ASSOCIATION, INC.
1089 SOUTH JORDAN PARKWAY
SOUTH JORDAN, UTAH 84095

TABULATIONS

ZONE:	R, SFD/SFA
TOTAL AREA:	5.44 ACRES
TOTAL AREA IN LOTS	3.52 ACRES
AVERAGE LOT SIZE	7,670 SQ. FT.
LARGEST LOT SIZE	13,054 SQ. FT.
SMALLEST LOT SIZE	6,217 SQ. FT.
# OF LOTS:	20
DENSITY:	3.68 LOTS/ACRE



BUILDING SETBACK & EASEMENT DETAIL

QUESTAR APPROVAL

QUESTAR APPROVES THE PLAT SOLELY FOR THE PURPOSE 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 ACKNOWLEDGMENT OF ANY THINGS 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 1-800-366-6632.

APPROVED THIS 15 DAY OF May, 2017

QUESTAR GAS COMPANY

BY: [Signature]
TITLE: [Signature]

ROCKY MOUNTAIN POWER APPROVAL

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)(D) 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 EASEMENT AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENT, 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 REQUIRED EASEMENT OR RIGHT-OF-WAY
- (2) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
- (3) TITLE 54, CHAPTER 6A, DAMAGE TO UNDERGROUND UTILITY FACILITIES, OR
- (4) ANY OTHER PROVISION OF LAW

[Signature] 5-18-17
DATE

DIRECT COMMUNICATIONS APPROVAL

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.

[Signature] 5/15/17
DATE

WEST 1/4 CORNER
SECTION 28,
T5S, R1W, SLB&M
(1999 UTAH COUNTY MONUMENT)

29 - 28

BASIS OF BEARING: SECTION LINE-N0°37'03"E 284.43'

N0°37'03"E 978.13'

SOUTHWEST CORNER
SECTION 28,
T5S, R1W, SLB&M
(2009 UTAH COUNTY MONUMENT)

CURVE TABLE					CURVE TABLE					CURVE TABLE					CURVE TABLE								
CURVE	RADIUS	DELTA	LENGTH	CHORD	CURVE	RADIUS	DELTA	LENGTH	CHORD	CURVE	RADIUS	DELTA	LENGTH	CHORD	CURVE	RADIUS	DELTA	LENGTH	CHORD				
C1	283.40	1°45'42"	74.09	N8°03'24"E	73.88	C19	720.10	2°43'14"	34.19	S86°15'44"E	34.19	C36	341.67	1°30'04"	77.93	S74°48'11"E	77.76	C53	200.00	26°12'38"	91.49	N70°31'27"W	90.70
C2	230.40	15°43'50"	63.28	N8°25'57"E	63.06	C20	394.67	4°53'32"	33.70	S89°04'08"E	33.69	C37	341.67	1°38'48"	9.82	S87°28'45"E	9.82	C54	693.60	0°12'12"	111.41	S82°01'14"E	111.29
C3	230.40	1°48'53"	7.30	N1°28'29"E	7.30	C21	394.67	1°13'37"	77.33	S77°07'41"E	77.21	C38	667.10	4°51'27"	56.56	S84°11'37"E	56.54	C55	368.17	21°42'29"	139.49	S77°28'35"E	138.66
C4	230.40	13°54'57"	55.96	N9°20'24"E	55.82	C22	394.67	5°06'34"	35.20	S85°17'46"E	35.18	C39	667.10	4°20'45"	50.80	S59°35'31"E	50.59	C56	256.90	15°43'50"	70.53	N8°25'57"E	70.31
C5	283.40	11°49'54"	58.52	N9°37'48"E	58.42	C23	40.00	38°06'32"	26.60	N68°47'47"W	26.12	C40	228.50	3°37'05"	14.30	N58°13'41"W	14.30	C57	490.09	8°03'11"	68.88	N10°23'50"E	68.83
C6	283.40	3°08'49"	15.57	N2°08'27"E	15.56	C24	50.00	2°14'17"	22.90	S82°51'40"E	22.70	C41	228.50	18°00'01"	71.16	N7°02'13"W	70.87	C58	490.09	28°31'07"	243.94	N7°53'20"W	241.43
C7	820.10	8°06'54"	116.15	S85°22'31"E	116.06	C25	50.00	42°59'15"	37.51	N82°31'34"E	36.84	C42	228.50	21°37'06"	85.46	N68°13'41"W	84.95	C59	820.10	25°31'01"	365.23	S78°40'27"E	362.22
C8	820.10	4°54'05"	70.16	S78°52'01"E	70.13	C26	50.00	48°49'30"	42.61	N36°37'11"E	41.33	C43	667.10	9°12'12"	107.16	S82°01'14"E	107.04	C60	516.50	3°26'55"	31.09	N12°42'17"E	31.08
C9	820.10	6°50'28"	97.92	S72°59'45"E	97.86	C27	50.00	40°15'12"	35.13	N7°56'10"W	34.41	C44	341.67	21°42'29"	129.45	S77°28'35"E	128.68	C61	820.10	5°40'24"	81.20	S66°44'19"E	81.17
C10	820.10	4°37'31"	66.20	S81°36'21"E	66.19	C28	720.10	9°12'12"	115.67	S82°01'14"E	115.54	C45	15.00	81°01'08"	21.21	S38°31'40"E	19.49						
C11	820.10	3°43'30"	53.32	S57°24'51"E	53.31	C29	394.67	21°13'43"	146.23	S77°14'12"E	145.39	C46	516.50	8°00'29"	54.16	N1°01'20"W	54.14						
C12	15.00	7°34'41"	19.30	S19°01'03"E	18.00	C30	50.00	158°18'14"	138.15	N51°06'21"E	98.21	C47	516.50	6°06'10"	55.01	N7°04'40"W	54.99						
C13	516.50	6°52'13"	61.93	N14°24'56"E	61.90	C31	40.00	8°54'59"	6.22	S11°05'15"W	6.22	C48	516.50	8°06'10"	55.01	N13°10'50"W	54.99						
C14	15.00	8°20'19"	24.17	S57°08'59"W	21.64	C32	40.00	34°40'31"	24.21	S10°42'30"E	23.84	C49	516.50	6°06'10"	55.01	N19°17'01"W	54.99						
C15	173.50	1°15'43"	58.33	N67°03'00"W	58.05	C33	40.00	49°35'30"	30.43	S9°15'00"E	29.70	C50	516.50	24°19'00"	219.21	N10°10'36"W	217.56						
C16	720.10	1°51'28"	23.35	S58°20'52"E	23.35	C34	30.00	75°22'18"	39.46	N53°59'01"E	36.68	C51	851.60	25°31'01"	379.26	S76°40'27"E	376.14						
C17	720.10	4°37'31"	58.13	S61°35'21"E	58.12	C35	341.67	6°59'37"	41.70	S84°50'01"E	41.68	C52	490.09	36°34'18"	312.82	N3°51'44"W	307.54						

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S35°57'28"W	22.96
L2	S16°17'53"W	19.56

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S35°57'28"W	22.96
L2	S16°17'53"W	19.56

15574



Engineering Division
2565 North Pony Express Parkway
Eagle Mountain City, Utah 84005
(801) 789-6671

Wednesday, July 1, 2020

City Recorder's Office
Eagle Mountain City
1650 East Stage Coach Run
Eagle Mountain City, UT 84005

SUBJECT: Skyline Ridge phase 2 plat 1 out of warranty Bond Release

City Recorder:

The above referenced subdivision has completed the required one-year maintenance period as required in their development agreement. After performing a walkthrough of this subdivision, I would recommend that the city accepts the subdivision as complete and release all bonds placed by the developer and held by the city for this development.

Please contact me should you have any comments, questions, or concerns. Thank you.

Sincerely,

Christopher T. Trusty, P.E.
Engineering Director
Eagle Mountain City

Cc: Fionnuala Kofoed, City Recorder

SKYLINE RIDGE - PH 2 Plat 1
RESIDENTIAL SUBDIVISION

LOCATED IN THE SOUTH HALF OF SECTION 29
TOWNSHIP 5 SOUTH, RANGE 1 WEST,
SALT LAKE BASE & MERIDIAN
CITY OF EAGLE MOUNTAIN, UTAH COUNTY, UTAH

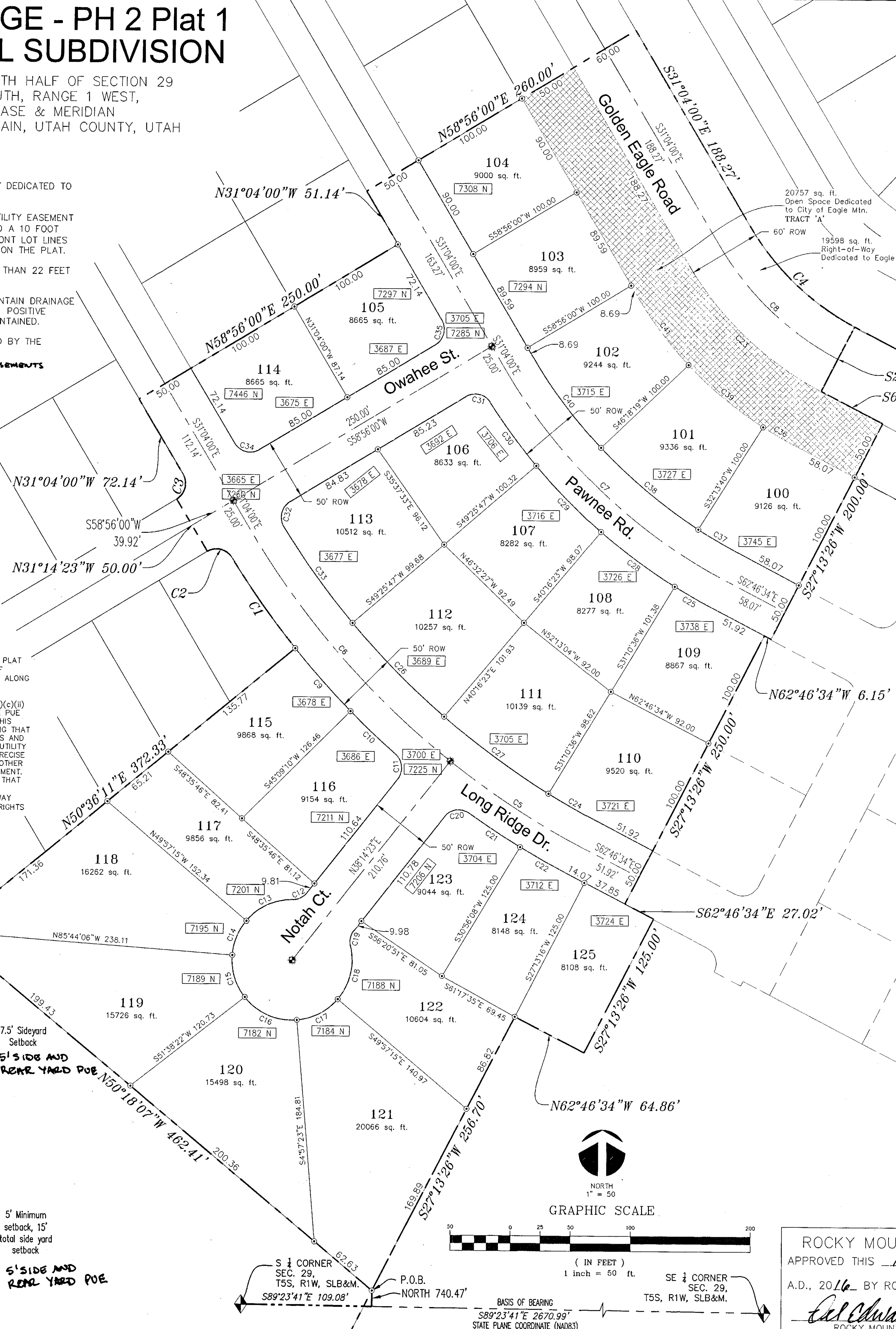
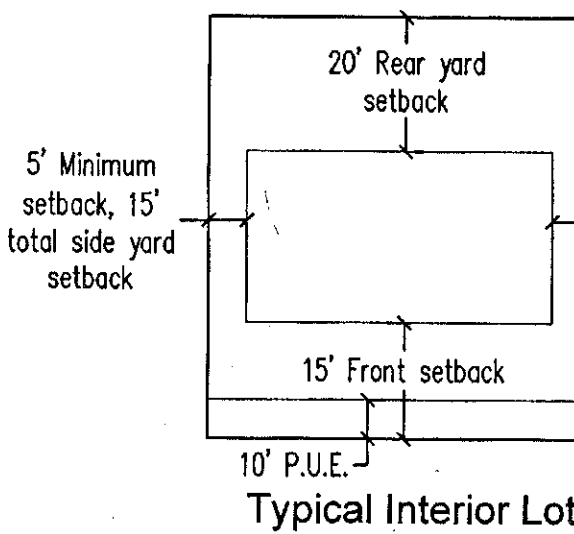
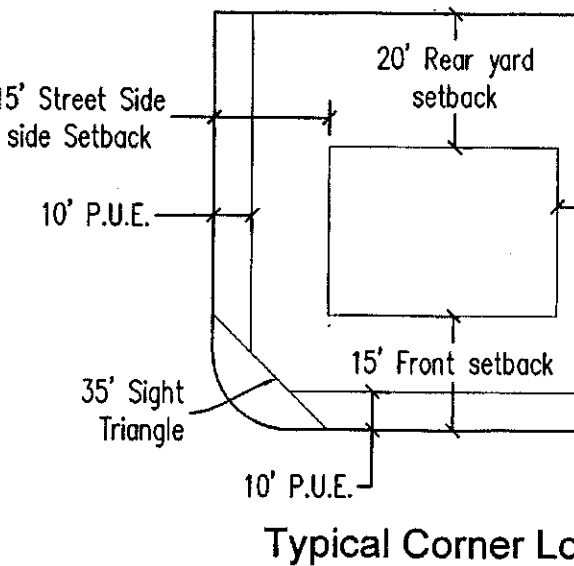
NOTES:

1. ALL PUBLIC OPEN SPACE IS HEREBY DEDICATED TO EAGLE MOUNTAIN CITY.
2. ALL LOTS ARE SUBJECT TO A 5' UTILITY EASEMENT (P.U.E.) ALONG ALL SIDE LOT LINES AND A 10 FOOT UTILITY EASEMENT ALONG ALL REAR/FRONT LOT LINES IN ADDITION TO ANY EASEMENT SHOWN ON THE PLAT.
3. ALL DRIVEWAYS SHALL BE NO LESS THAN 22 FEET FROM PROPERTY LINES.
4. LOT OWNERS ARE REQUIRED TO MAINTAIN DRAINAGE DITCHES LOCATED ON THEIR PROPERTY. POSITIVE DRAINAGE TO THE STREET MUST BE MAINTAINED.
5. ALL OPEN SPACE TO BE MAINTAINED BY THE RANCHES HOA.
6. ALL P.U.E.'S INCLUDE DRAINAGE EASEMENTS.

ROCKY MTN 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 MTN 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 MTN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MTN 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 9/16/16



CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C1	91.44'	730.00'	91.38'	N35°48'31"W	71°03'36"
C2	23.26'	15.00'	21.00'	N76°38'37"W	88°50'47"
C3	23.56'	15.00'	21.21'	N13°56'00"E	90°00'00"
C4	121.76'	220.00'	120.21'	S46°55'19"E	31°42'37"
C5	132.64'	705.00'	132.44'	S57°23'11"E	104°46'46"
C6	257.54'	705.00'	256.11'	S41°31'54"E	205°55'48"
C7	251.81'	455.00'	248.61'	S49°55'17"E	31°42'38"
C8	138.36'	250.00'	136.60'	S48°55'17"E	31°42'34"
C9	69.44'	730.00'	69.42'	N42°07'20"W	52°01'01"
C10	51.72'	730.00'	51.71'	N46°52'37"W	40°33'33"
C11	22.81'	15.00'	20.68'	N52°00'00"W	87°08'47"
C12	13.62'	15.00'	13.16'	N64°14'59"E	52°01'12"
C13	43.82'	50.00'	42.43'	N65°09'10"E	50°12'51"
C14	31.22'	50.00'	30.72'	N22°09'19"E	35°46'51"
C15	37.20'	50.00'	36.35'	N17°02'52"W	42°37'32"
C16	49.39'	50.00'	47.41'	N66°39'30"W	56°35'44"
C17	39.27'	50.00'	38.27'	S62°32'41"W	44°59'53"
C18	46.97'	50.00'	45.26'	S107°58'58"W	53°49'34"
C19	13.62'	15.00'	13.16'	S121°34'7"W	52°01'12"
C20	22.70'	15.00'	20.59'	S81°35'20"W	86°41'53"
C21	50.99'	730.00'	50.98'	N57°03'48"W	4°00'08"
C22	47.29'	730.00'	47.28'	N65°55'13"W	3°42'43"
C23	154.96'	280.00'	152.99'	S46°55'17"E	31°42'34"
C24	46.91'	680.00'	46.90'	N60°47'59"W	35°17'01"
C25	33.12'	480.00'	33.11'	S60°47'59"E	35°17'01"
C26	108.67'	680.00'	108.65'	N48°08'55"W	9°09'24"
C27	107.96'	680.00'	107.84'	N54°16'31"W	9°05'47"
C28	76.20'	480.00'	76.12'	S54°16'31"E	9°05'47"
C29	76.71'	480.00'	76.63'	S45°08'55"E	9°09'24"
C30	65.07'	480.00'	65.02'	S36°41'12"E	7°46'02"
C31	23.11'	15.00'	20.89'	S76°56'06"E	86°15'49"
C32	23.90'	15.00'	21.45'	N13°17'13"E	91°17'33"
C33	97.45'	680.00'	97.37'	N36°27'53"W	81°2'40"
C34	23.56'	15.00'	21.21'	N76°04'00"E	90°00'00"
C35	23.56'	15.00'	21.21'	S13°56'00"W	90°00'00"
C36	28.82'	330.00'	28.81'	S60°16'27"E	50°01'15"
C37	37.95'	430.00'	37.54'	N60°16'27"W	50°01'14"
C38	105.65'	430.00'	105.38'	N50°44'00"W	14°04'38"
C39	81.08'	330.00'	80.88'	S50°44'00"E	14°04'38"
C40	94.77'	430.00'	94.58'	N37°22'51"W	12°37'41"
C41	72.73'	330.00'	72.59'	S37°22'51"E	12°37'41"

LEGEND

- FOUND SECTION COR. AS NOTED
- SET 5/8" IRON PIN TO BE SET AT ALL LOT CORNERS
- FOUND CLASS I STREET MONUMENT
- CLASS II STREET MONUMENT (SET)
- PROPERTY BOUNDARY
- CENTERLINE
- RIGHT-OF-WAY LINE
- LOT LINE
- SECTION LINE
- PUBLIC UTILITY EASEMENT
- CALCULATED POINT (NOT SET)

PROJECT DEVELOPER

Goldsworth Real Estate
PO Box 900970
Sandy, Utah 84090

PROJECT ENGINEER & SURVEYOR

REGION ENGINEERING & SURVEYING
1776 NORTH STATE STREET #110
OREM, UTAH 84057
PH - 801.376.2245

AREA BREAKDOWN

TOTAL PLAT ACREAGE 8.95 ACRES
TOTAL LOT ACREAGE 6.13 ACRES
TOTAL ACREAGE IN STREETS 0.52 ACRES
TOTAL ACREAGE IN OPEN SPACE 0.48 ACRES
AVERAGE LOT SIZE 10,370 S.F.
NUMBER OF LOTS 26

LARGEST LOT = 20066 sf (121)
SMALLEST LOT = 8108 sf (125)

Surveyor's Certificate

I, ROBBIN J. MULLEN DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 368356 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF SAID TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, STREETS, AND EASEMENTS AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS IS TRUE AND CORRECT.

Boundary Description

BEGINNING AT A POINT BEING S.89°23'41"E. 109.08' ALONG THE SECTION LINE AND NORTH 740.47' FROM THE SOUTH 1/4 CORNER OF SECTION 29, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN;

FROM THE POINT OF BEGINNING; THENCE, N 50° 18' 07" W FOR A DISTANCE OF 462.41 FEET TO A POINT ON A LINE. THENCE, N 50° 36' 11" E FOR A DISTANCE OF 372.33 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE. SAID CURVE TURNING TO THE RIGHT THROUGH 07° 10' 36", HAVING A RADIUS OF 730.00 FEET, AND WHOSE LONG CHORD BEARS N 35° 48' 31" W FOR A DISTANCE OF 91.38 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE. SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 88° 50' 47", HAVING A RADIUS OF 15.00 FEET, AND WHOSE LONG CHORD BEARS N 76° 38' 37" W FOR A DISTANCE OF 21.00 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE. THENCE, N 31° 14' 23" W FOR A DISTANCE OF 50.00 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE. SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 90° 00' 00", HAVING A RADIUS OF 15.00 FEET, AND WHOSE LONG CHORD BEARS N 13° 56' 00" E FOR A DISTANCE OF 21.21 FEET. THENCE, N 31° 04' 00" W FOR A DISTANCE OF 72.14 FEET TO A POINT ON A LINE. THENCE, N 58° 56' 00" E FOR A DISTANCE OF 250.00 FEET TO A POINT ON A LINE. THENCE, N 31° 04' 00" W FOR A DISTANCE OF 51.14 FEET TO A POINT ON A LINE. THENCE, N 58° 56' 00" E FOR A DISTANCE OF 260.00 FEET TO A POINT ON A LINE. THENCE, S 31° 04' 00" E FOR A DISTANCE OF 188.27 FEET TO THE BEGINNING OF A CURVE. SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 31° 42' 37", HAVING A RADIUS OF 220.00 FEET, AND WHOSE LONG CHORD BEARS S 46° 55' 19" E FOR A DISTANCE OF 120.21 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE. THENCE, S 27° 13' 26" W FOR A DISTANCE OF 60.00 FEET TO A POINT ON A LINE. THENCE, S 62° 46' 34" E FOR A DISTANCE OF 58.07 FEET TO A POINT ON A LINE. THENCE, S 27° 13' 26" W FOR A DISTANCE OF 200.00 FEET TO A POINT ON A LINE. THENCE, S 27° 13' 26" W FOR A DISTANCE OF 6.15 FEET TO A POINT ON A LINE. THENCE, S 27° 13' 26" W FOR A DISTANCE OF 250.00 FEET TO A POINT ON A LINE. THENCE, S 62° 46' 34" E FOR A DISTANCE OF 27.02 FEET TO A POINT ON A LINE. THENCE, S 27° 13' 26" W FOR A DISTANCE OF 125.00 FEET TO A POINT ON A LINE. THENCE, N 62° 46' 34" W FOR A DISTANCE OF 6.15' TO THE POINT OF BEGINNING.

CONTAINING 8.95 ACRES OF LAND MORE OR LESS.

PROJECT BASED ON STATE PLANE COORDINATES, NAD83

Nov 1, 2016

Robbin J. Mullen
Surveyor
(See Seal Below)
#368356

Owner's Dedication

We the undersigned owners of all the real property depicted on this plat and described in the surveyors 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.

In witness hereof we have hereunto set our hands this 8 day of November, A.D. 2016.

Goldsworth Real Estate Inc.
Austin Alford
VP Construction
Goldsworth Real Estate Inc.
Austin Alford
VP Construction

Acknowledgement

STATE OF UTAH } S.S.
COUNTY OF UTAH }

On the 8 day of November, 2016, personally appeared before me the persons signing the foregoing Owner's 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 11/1/2020

Notary Public
(See Seal Below)

Acceptance by the City of Eagle Mountain

The City of Eagle Mountain, 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. Signed this 20 day of September, A.D. 2016.

Approved: City Engineer
Approved: City Recorder

Mayor of Eagle Mountain

Approved this 20 day of September, A.D. 2016

Approved: Mayor of Eagle Mountain

SKYLINE RIDGE - PH 2 Plat 1
RESIDENTIAL SUBDIVISION

LOCATED IN THE SOUTH HALF OF SECTION 29
TOWNSHIP 5 SOUTH, RANGE 1 WEST,
SALT LAKE BASE & MERIDIAN
CITY OF EAGLE MOUNTAIN, UTAH COUNTY, UTAH

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 20
DAY OF September, A.D., 2016

APPROVAL AS TO FORM
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**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
JULY 21, 2020**

TITLE:	Digital Sign Change Order #1 - Yesco		
ITEM TYPE:	Change Order		
FISCAL IMPACT:	\$12,035		
APPLICANT:	Eagle Mountain City		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Linda Peterson, Admin

PRESENTED BY:

Linda Peterson

RECOMMENDATION:

Staff recommends the City Council approve Digital Sign Change Order #1 for Yesco in the amount of \$12,035.00.

BACKGROUND:

In order to provide maximum visibility to the digital sign planned for the south side of Wride Highway (SR-73), east of Ranches Parkway, an addition of a 25' long retaining wall will allow the sign to be as close to the property line as possible, without encroaching upon the UDOT right-of-way. The block used would be the same type as the sign at SilverLake Amphitheater.

Digital Signs approved budget = \$400,000

Total cost if this change order is approved = \$255,388

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

[YESCO Change Order](#)



YESCO Approvals

A. Does the Contract Change affect the time of completion? No ☐ Yes ☒ - Requested date _____	
B. Does the Contract Change affect the price No ☐ Yes ☒ (if yes, complete the following):	
Original Contract Price, including tax	\$243,353.00
Price adjustments previous Change Orders, including tax	\$0.00
Adjusted Contract Price prior to this Change Order, including tax	\$243,353.00
Price adjustment from this Change Order	\$12,035.00
Tax adjustment from this Change Order	\$0.00
Adjusted Contract Price including this Change Order, including tax	\$255,388.00
Additional Deposit Required	\$0.00

All information above is acknowledged and agreed to by the undersigned

YESCO LLC

Customer Copy



EAGLE MOUNTAIN Appeals board MEETING MINUTES

July 7, 2020, 6:00 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

6:00 P.M. APPEALS BOARD MEETING – ELECTRONIC MEETING VIA LIFESIZE

ELECTED OFFICIALS PRESENT ELECTRONICALLY: Board Chair Tom Westmoreland, Board Members Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love.

CITY STAFF PRESENT ELECTRONICALLY: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Steve Mumford, Assistant City Administrator/Community Development Director; Pete Kane, Long-Range Planning Manager; Michael Hadley, Planning Manager; Jessa Porter, Planner; Fionnuala Kofoed, City Recorder; Elizabeth Fewkes, Recording Secretary; Chris Trusty, City Engineer; Aaron Sanborn, Economic Development Director; Jeremy Cook, City Attorney; Brad Hickman, Parks and Recreation Director; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager; Jeff Weber, Fleet and Facilities Operations Director; Ross Fowlks, Fire Chief; and Angela Valenzuela, Human Resource Manager.

Public meetings will be held electronically in accordance with Executive Order 2020-1 Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 54-4-207 due to Infectious Disease COVID-19 Novel Coronavirus issued by Governor Herbert on March 18, 2020.

City Attorney Jeremy Cook stated the purpose of the Appeals Board Meeting was to evaluate the Planning Commission's June 23, 2020 approval of a conditional use permit for a 7-Eleven and explained the responsibilities of the Appeals Board.

City Recorder Fionnuala Kofoed explained the procedural adjustments due to the electronic meeting and the proposed interim adjustments to practices.

1. CALL TO ORDER

Board Chair Westmoreland called the meeting to order at 6:08 p.m.

2. 7-ELEVEN CONDITIONAL USE PERMIT APPEAL

2.A. Conditional Use Permit Appeal

Appellant Diana Anderson read the following statement: "Dear Members of City Council, Science is the basis for the growth of human knowledge. By formulating hypothesis and testing them effectively, we learn more about the world around us. The process by which the best of science is made available to humanity is through peer-reviewed publications, where experts of the same field study the experiment, scrutinizing very closely the parameters, findings and conclusions and often

reproducing the studies themselves. It is often sent back to the author for editing multiple times before meeting the impossibly high standard of publication in respectable journals.

These are the quality of studies that we have presented to the planning commission and these are the studies which they have chosen to ignore. We submitted 13 papers in peer-reviewed journals, each declaring the dangers of emissions from gas stations. And rather than accept the science for what has been shown, they chose to extrapolate their own knowledge and overrule the scientific community. They sought to address our concerns by bringing in an “environmental expert” from the state, but, during the meeting, he confessed to not know much about air quality. “As far as VOCs in the air, that’s a little hard for me to address. I’m not in air quality, so I don’t really have information on those studies and stuff. What I can speak to is that gas stations are a lot safer than they were in the past...Stage 1 vapor recovery is in place. As long as it is working properly there shouldn’t be a lot of emissions escape.”

The studies we submitted show evidence to the contrary. The 2019 study we submitted demonstrated that this stage 1 recovery system actually exacerbates the emissions, increasing the release of harmful compounds into the atmosphere. This point was emailed as a public comment however, during the public comment section of the meeting, the points in the comments were not acknowledged by the commission but rather “summarized” and dismissed, leaving the public with little assurance their relevant findings had been considered properly.

We acknowledge that the studies submitted varied in their location and experimental conditions, however they all unanimously declared that there are very real health hazards associated with the chemicals emitted by gas station. Rather than investigating more deeply the commonalities between the studies delivered and the site in question, they extrapolated their own limited knowledge and made uniformed decisions, assuming these studies didn’t apply. Further investigation would have shown that they do in fact have very real implications for us.

Of particular interest is a study published in 2020, citing the hazards of emissions present throughout the refueling process. We acknowledge that this article was delivered to them with little time to properly study its findings, but had they given proper attention to it, they would have found that the gas stations in the study were held to the same standards that the proposed 7-11 would be. The study showed that benzene emissions occurred not only at the beginning and end of fueling but also throughout, despite the regulatory measures enacted by the gas station. The regulatory measures in place at the gas stations in this 2020 study are held to the same standard for new gas stations across the country (except in the state of California), and yet the emissions persisted. Even more concerning is that the study researched emissions in newer vehicles that have secondary vapor recovery systems in place. The EPA began requiring these systems in vehicles as of 2012. The average age of the vehicles in Utah is 12.1 years, far preceding the protective measures currently in place, making the findings of this study even more alarming.

Of particular concern is the benzene detected in these emissions. Both the World Health Organization and the CDC have declared Benzene to be proven carcinogen and is particularly hazardous to children. Having seen these alarming results, the planning commission should have deferred its decision until the applicant could adequately refute these claims with scientific evidence that had undergone the same rigorous scrutiny of the academic community. The planning

commission called in to question every detail of the studies we submitted and yet, when asked about rebuttal studies showing the efficacy of the mitigations in place no one had read or seen the rebuttal reports that they assumed existed. This response clearly demonstrates that the same members of the planning commission who were so quick to question every point of the scientific community's findings, could not be bothered to verify that their decision would not endanger the residents of our community. The burden of proof was placed squarely on the residents of the community seeking to defend their homes and family rather than on the planning commission seeking to uphold our city's code and defend its residents. They relegated reasoning and personal investigation to unfounded and misinformed precedents, set before these recent studies were made available. They allowed fear of a lawsuit to supersede their duty to defend the rights of the residents and uphold the City Code.

For these reasons, we ask you to withhold the applicant's special uses permit until the applicant is able to produce and provide studies of equal academic rigor showing the efficacy of the mitigations proposed here in the state of Utah and the absence of benzene emissions within the diameter that would encompass our homes. Thank you."

Board Member Curtis requested clarification as to how the application violated Municipal Code.

Ms. Anderson stated Municipal Code prohibits approving a conditional use permit if the use is deemed a nuisance and said under the State law a nuisance includes as a part of the definition anything that is injurious to property or health. She stated this project required a plat amendment to divide the land, creating two lots, and Municipal Code standards prohibits plat amendments that are injurious to residents.

Mr. Cook verified that Municipal Code prohibits applications deemed to be a nuisance. He explained the responsibility of the Appeals Board is to determine if there is substantial evidence to support the decision of the Planning Commission, as the Planning Commission is the governing body for conditional use permits.

Applicant representative Ryan Forsyth thanked Ms. Anderson for her well-presented remarks, and stated he understood the concerns residents expressed. He and 7-Eleven care about and consider the health of residents and communities, and adhere to all applicable laws, ordinances, and safety standards.

Prior to the Appeals Board meeting, Mr. Forsyth spoke with the fueling contractor and the 7-Eleven architect and confirmed the vent can be relocated to the northwest corner of the property, as far from residents as possible. He stated that most studies included in the residents' materials were conducted in foreign countries with different regulations and scrutiny than the United States. He said as both an attorney and a developer, he understands the implications of an oil spill or fuel leak and the resulting penalties and punishments. 7-Eleven performs regular checkups to identify problems and prevent accidents. Mr. Forsyth stated gas stations provide a necessary service to enable residents to fuel vehicles and the master developer and landowner anticipated this type of use for the land before selling a portion of the property for residential development. The rights of both residential and commercial property owners need to be considered. He stated gas stations are an approved use for the area in accordance with the City's General Plan. He expressed the desire

and willingness to be good neighbors to the residents and said he understands it is a sensitive subject and the residents have concerns. He assured the residents and the Appeals Board that he believes the Planning Commission voted appropriately on this issue in allowing the project to move forward.

Board Member Love inquired if 7-Eleven was aware of the concerns regarding the gas station and if they had any response to the studies provided by the Oak Hollow residents.

Mr. Forsyth stated 7-Eleven must follow all the safety regulations and laws dictated by legislative boards based upon study findings. As the largest convenience store company in the world, 7-Eleven strictly adheres to monthly safety checks and other regulations. He said 7-Eleven is aware of the inherent risks in conjunction with providing essential fueling services and does everything possible to mitigate safety issues.

Mr. Forsyth stated he was unaware if 7-Eleven's safety ratings were readily available to residents. He said the monthly checks, as explained by the State expert during the Planning Commission meeting, ensure the equipment, including the venting system, emission recapture system, sensors, and double-walled tanks, is functioning safely and properly.

Board Member Clark stated the residents should be able to request 7-Eleven safety compliance reports from the applicable State government agency and asked how long the property had been zoned commercial.

Mr. Cook reiterated the Appeals Board's responsibility is to determine if the Planning Commission had sufficient evidence to justify their decision and not to debate or evaluate the merit of the decision or to introduce evidence outside of the record.

Board Member Curtis asked what the standard of review by the Planning Commission for a conditional use permit is and if the Planning Commission has the legal authority to require the applicant to prove the gas station is safe, as requested in Ms. Anderson's appeal statement.

Mr. Cook stated the Planning Commission's responsibility is to evaluate if the requested conditional use permit complies with Municipal Code requirements per Chapter 17.95.060 regarding desired use; health, safety, and welfare; compliance with title; and the General Plan. He said the Planning Commission determines if reasonable conditions can be required to mitigate negative impacts, and if reasonable conditions can be imposed to mitigate impacts, they should approve the conditional use permit. He explained the standard differences between the approval and appeal process.

Board Member Clark requested that staff address public comment procedures and obligations.

Ms. Kofoed explained the accepted forms of public comment due to COVID-19 social distancing requirements included remote, in-person, phone, or email comments. She said that if time permits, a comment may be read verbatim, if requested, and said the legal obligation regarding public comments is to note the individual's name and a brief summary of the comment. She said public comments are generally summarized, especially if several comments contain duplicate information.

or due to time constraints, and if any individuals request that a comment be read during the meeting, the City tries to accommodate the requests, time permitting.

Ms. Kofoed stated only one resident requested their comment to be read during the June 23, 2020 Planning Commission meeting; however, due to a technical issue the text of the comment was not included in the correspondence. The Commissioners had been provided the resident communications prior to the meeting, and they had the opportunity to read the full comments. She and the Planning Commission Chair determined before the meeting, to summarize the comments during the meeting due to the length and number of comments, the similarities in comment content, and the interests of time. Had she been informed that the residents desired to have their comments read, she would have tried to accommodate the request.

Ms. Anderson thanked Mr. Forsyth for his willingness to relocate the vent. She said the 2019 study she submitted addressed the double-walled tank system and determined the double-walled system is worse than a single-walled system. She stated she did not believe the Planning Commission properly understood that study when they made their decision.

Board Member Curtis inquired regarding the role and division of authority between local government, State, and other regulatory entities.

Mr. Cook stated that although State officials supersede City government, they cannot negate local officials; however, in most cases, local authorities cannot enact any laws inconsistent with State regulations. As a State agency representative was present at the Planning Commission meeting on June 23, 2020, the Appeals Board is tasked with determining if the information he provided to the Commission was sufficient.

Mr. Forsyth stated they provided an expert from the State, engaged in multiple hours of discussion, reviewed all of the presented studies, met all of the distancing requirements, and agreed to move the vent even farther than standards required. He addressed Ms. Anderson's concerns regarding the double-walled tanks and stated the double-walled system is in place to prevent liquid releases into groundwater and that he is unfamiliar with the study and issues she cited. He said he believed adequate information had been provided to the Planning Commission in order for them to make an informed decision.

MOTION: *Board Member Burnham moved to affirm the Planning Commission approval of the 7-Eleven conditional use permit and instructed legal counsel to draft an opinion. Board Member Curtis seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*

3. ADJOURNMENT

MOTION: *Board Member Gray moved to adjourn the meeting at 6:51 p.m. Board Member Curtis seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*

The meeting was adjourned at 6:51 p.m.

Approved by the City Council on July 21, 2020.

Fionnuala B. Kofoed, MMC
City Recorder



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

July 7, 2020, 4:00 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

4:00 P.M. WORK SESSION – ELECTRONIC MEETING VIA LIFESIZE

ELECTED OFFICIALS PRESENT ELECTRONICALLY: Mayor Tom Westmoreland, Councilmembers Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love.

CITY STAFF PRESENT ELECTRONICALLY: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Steve Mumford, Assistant City Administrator/Community Development Director; Pete Kane, Long-Range Planning Manager; Michael Hadley, Planning Manager; Jessa Porter, Planner; Fionnuala Kofoed, City Recorder; Elizabeth Fewkes, Recording Secretary; Chris Trusty, City Engineer; Aaron Sanborn, Economic Development Director; Jeremy Cook, City Attorney; Brad Hickman, Parks and Recreation Director; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager; Jeff Weber, Fleet and Facilities Operations Director; Ross Fowlks, Fire Chief; and Angela Valenzuela, Human Resource Manager.

Public meetings will be held electronically in accordance with Executive Order 2020-1 Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 54-4-207 due to Infectious Disease COVID-19 Novel Coronavirus issued by Governor Herbert on March 18, 2020.

Mayor Westmoreland called the meeting to order at 4:04 p.m.

1. CITY ADMINISTRATOR INFORMATION ITEMS

2. AGENDA REVIEW

10. AGREEMENTS

10.A. AGREEMENT – Professional Service Agreement between Eagle Mountain City and Accela for Land Management Software and Support.

Councilmember Curtis inquired regarding the role of the new software in relation to existing systems.

Assistant City Administrator/Finance Director Paul Jerome stated the Accela software will drastically supplement the current Springbrook software. Mr. Jerome explained that Accela offers more advanced features and options for building permits and planning. It integrates with Esri GIS software and systems and allows for online interfacing between developers and staff, and online submittals, payments, and reviews. He stated the software will increase Planning and Building staff efficiency through facilitating electronic interfacing to better meet the demands of rapid City growth.

Assistant City Administrator/Community Development Director Steve Mumford explained Accela software also allows for digital inspection reporting. He stated Accela will be the primary software used for submittals, builder/development communication, and coordinating plan reviews. Bluebeam software will still be used for plan reviews, and Esri GSI software will be used in conjunction with Accela.

Mr. Jerome stated the Accela software license includes 25 users. The City's license will allow for 21 regular level users and four superusers with supervisor/administrative rights. The number of licensees exceeds the City's current needs and allows for growth. He stated other large cities, such as Salt Lake City and New York City, use Accela, and the program will be able to meet the City's current and future needs.

Councilmember Love expressed concern that the cost of the software is equivalent to a part-time or full-time employee and asked if the hours saved utilizing Accela software will be greater than the hours an additional employee would work.

Mr. Jerome stated once implemented, the cost of the software will be less than the expense of a full-time employee with health benefits. During an RFP process approximately three years ago, the final two companies considered were Tyler Technologies and Accela, which has an evolving partnership and integration with Springbrook software. Due to mergers and other changes within the software companies and services, the current cost of Accela and Springbrook services equal approximately half of the cost of comparable Tyler Technologies services.

Mr. Jerome explained the budget included funds for six months of service; however, due to an accelerated schedule, the software will be implemented sooner than expected and a budget amendment will be forthcoming to cover the resulting cost increase.

Councilmember Clark asked if the software will track real-time statistical information. Mr. Mumford stated the software includes tracking software; however, he is not yet familiar with all the software features and the GIS software also has tracking features. Mr. Jerome stated Accela representatives indicated the software has statistical tracking capabilities that exceed the Cityworks software used in other cities to track real-time data.

Councilmember Love expressed concerns regarding the time commitment requirements in the agreement. Mr. Jerome stated staff concurred with her concerns. He has informed the Accela representative the City does not have the staff time to devote to the proposed implementation schedule requirements. The Accela representative agreed to allow staff to govern the software implementation rate.

City Attorney Jeremy Cook stated he is currently working with Accela representatives to negotiate the terms of the contract and requested Council's approval of the agreement to allow for further negotiations.

Councilmember Clark inquired if the City can void the contract should the software fail to meet staff expectations. Mr. Cook stated the product capabilities appear to be well defined and in

accordance with staff expectations; he is examining terms in the contract that provide for legal recourse should the product prove dissatisfactory.

City Recorder Fionnuala Kofoed stated the Records Office will also use Accela software for business licensing, and Deputy Recorder Johna Rose has tested the software and feels the software will be beneficial.

10.C. AGREEMENT – Second Addendum to an Agreement between Eagle Mountain City and Ifo Pili for City Administrator Services.

Mayor Westmoreland stated the rate of City growth has increased over the past few years, and City Administrator Ifo Pili has done an excellent job leading staff, overseeing City expansion, and being a voice in the State and the County.

Mayor Westmoreland said the City values staff and attempts to fairly compensate employees and explained a pay scale median for the City has been established in relation to other cities. Mr. Pili has been the City Administrator for eight years, and even after a pay increase three years ago, he remained at the bottom of the pay scale for comparable cities. Mayor Westmoreland stated the salary increase is to bring Mr. Pili's salary in line with City pay scale standards for staff members, as well as a reflection of Mr. Pili's high performance.

11. BID AWARDS

11.B. Pole Canyon Water Line and Sewer Force Main – Landmark Excavation

Councilmember Curtis stated the item's materials indicated the project will be funded by the State and asked if the project would be funded with the approved White Hills bonds.

City Engineer Chris Trusty stated the sewer force main portion will be funded with the White Hills bonds. The water line portion will be funded by Facebook. Facebook will receive impact fee credits as reimbursement.

15. PRELIMINARY PLATS & SITE PLANS

15.A. SITE PLAN – Dollar Tree

15.B. SITE PLAN – 7-Eleven

Councilmember Curtis inquired regarding the timing and the responsibility regarding the extension of the block wall on the back of the property and if the removal of the Porter's Crossing median south of Pony Express Parkway will allow for a right only or left and right turns onto Porter's Crossing Parkway.

Mr. Trusty stated a portion of the median will be removed, leaving approximately 80 feet to create a protected left-hand turn onto Pony Express Parkway, while still allowing for a left-hand southbound turn into the 7-Eleven parking lot.

Councilmember Curtis expressed concern regarding the timing of installation and enforcement of completion of the master developer's responsibilities such as the removal of a portion of the median and the installation of the block wall.

Mr. Trusty stated he understood the median removal and the completion of the block wall had been included on the site plan as 7-Eleven's responsibility. Mr. Hadley confirmed that the responsibility was part of the 7-Eleven agreement.

Councilmember Curtis stated his preference for the block wall installation to occur during the initial stages of the project to screen the adjacent residential properties during construction.

Applicant representative Ryan Forsyth stated a willingness to install the rock wall during the first stages of construction; however, winter weather conditions may hinder the rock wall installation.

Mr. Trusty verified the exit from the 7-Eleven parking lot onto Porter's Crossing Parkway is a right turn only and the Pony Express Parkway access permits both right and left turns.

Mr. Trusty stated the proposed detention pond area to be dedicated to the City is above ground and covered with grass, similar to the detention pond in front of the office buildings east of the project.

Councilmember Gray expressed concern that should the City require use of the right-of-way, the detention pond would need to be relocated or put underground at the City's expense. He recommended requiring the applicants to locate detention ponds underground if they are within the right-of-way.

Councilmember Curtis expressed concern regarding the front of the Dollar Tree facing east, with the rear of the building facing the 7-Eleven, instead of fronting on Pony Express Parkway.

Mr. Mumford explained the building reorientation was due to the commercial design standards requiring parking in the rear of the building and in relation to the drive aisle and 7-Eleven. He stated the front of the building could face Pony Express Parkway; however, it would increase the walking distance for customers to enter the building.

Councilmember Love expressed support for the building orientation as presented, as all sides of the building are aesthetically appealing.

16. RESOLUTIONS

16.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving the First Amendment to the Development Agreement Between Eagle Mountain City, Utah, and Stadion, LLC.

Mr. Trusty explained this project connects the Pole Canyon sewer and water system to City infrastructure. Staff obtained bids for the project and Facebook agreed to assist with funding the project, if they received credit for their contribution in the development agreement. This agreement benefits Facebook through the creation of additional offsite improvements to the west access road

and waterline project, resulting in increased transportation and water access. Facebook will not receive impact fee credits towards this project.

16.B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving the First Amendment to the Stadion Water and Sewer Agreement.

Ms. Kofoed inquired if the approval of the agreement would include the additional \$1.7 million for the sewer line.

City Attorney Jeremy Cook verified the approval of the resolution would include the updated terms regarding the sewer line. He explained the terms of the agreement resulted in impact fee credits. Facebook will front the funds for this project and receive impact fee credits to apply to future phases of the project.

17. ORDINANCES/PUBLIC HEARINGS

17.A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code, Adopting Chapter 17.51 Warehouse Farming Overlay Zone.

Long-Range Planning Manager Pete Kane presented the item and explained the revisions include the Council's requested additions of language specifying preferred locations for the overlay zone, a height limitation of 35 feet, and filtration requirements.

18. MOTION

18.A. Sunset Flats – Alternative Fencing Request

Planning Manager Mike Hadley said the applicant is requesting an alternative fencing approval for vinyl fencing like the fencing in the SilverLake South development.

Councilmember Curtis suggested Municipal Code be amended to include a preapproved vinyl fence option, with sufficient reinforcement to withstand City weather conditions. The approved wood fences do not wear well and require a lot of maintenance.

Councilmember Gray suggested that Municipal Code be updated to require masonry fence along the major corridors, due to safety concerns.

Mr. Mumford stated the City had adopted The Ranches Homeowners Association fence standards to maintain continuity through the City. He concurred, however, that the wood fences are not preferred by developers due to the high maintenance and the availability of other affordable options. He expressed support of reviewing, discussing, and amending Municipal Code fencing standards.

Councilmember Love requested clarification regarding which style of fencing was being requested, as the application included multiple fencing options.

Mr. Hadley stated the applicant will be in attendance during policy session and can clarify the desired style.

Councilmember Curtis clarified his desire is to amend fencing standards and stated his preference is for non-wood fencing but is willing to consider other options.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

No closed session was held. The meeting was adjourned at 5:38 p.m.

7:00 P.M. POLICY SESSION – ELECTRONIC MEETING VIA LIFESIZE

ELECTED OFFICIALS PRESENT ELECTRONICALLY: Mayor Tom Westmoreland, Councilmembers Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love.

CITY STAFF PRESENT ELECTRONICALLY: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Steve Mumford, Assistant City Administrator/Community Development Director; Pete Kane, Long-Range Planning Manager; Michael Hadley, Planning Manager; Jessa Porter, Planner; Fionnuala Kofoed, City Recorder; Elizabeth Fewkes, Recording Secretary; Chris Trusty, City Engineer; Aaron Sanborn, Economic Development Director; Jeremy Cook, City Attorney; Brad Hickman, Parks and Recreation Director; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager; Jeff Weber, Fleet and Facilities Operations Director; Ross Fowlks, Fire Chief; and Angela Valenzuela, Human Resource Manager.

4. CALL TO ORDER

Mayor Westmoreland called the meeting to order at 7:04 p.m.

5. PLEDGE OF ALLEGIANCE

City Recorder Fionnuala Kofoed led the Pledge of Allegiance.

6. APPOINTMENTS

3.A. Youth Council

Ms. Kofoed explained the purpose of appointing the Youth Council is to allow them to convene to fill the Youth Councilmember vacancy; the Youth Council will be sworn in once conditions allow for in-person public meetings.

Ms. Kofoed stated that Logan Welch is new Councilmember; the other Councilmembers are returning members of Youth Council. She explained the election was still held, even though there were only five applicants, in order to determine the mayor. The elected youth officials will evaluate

applications and select an additional Councilmember to recommend to the Mayor and City Council to fill the vacancy.

MOTION: *Councilmember Love moved to appoint Sydney Williams as Youth Mayor. Councilmember Clark seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*

MOTION: *Councilmember Love moved to appoint Ashton Bernabeu as a Youth Councilmember. Councilmember Curtis seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*

MOTION: *Councilmember Love moved to appoint Logan Welch as a Youth Councilmember. Councilmember Gray seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*

MOTION: *Councilmember Love moved to appoint Salem Shimakonis as a Youth Councilmember. Councilmember Gray seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*

MOTION: *Councilmember Love moved to appoint Kayson Welch as a Youth Councilmember. Councilmember Gray seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*

7. INFORMATION ITEMS/UPCOMING EVENTS

- The Eagle Mountain Chamber of Commerce will host a luncheon on Thursday, July 9, 2020 from 11:45 a.m. to 1:00 p.m. at Garden Near the Green. The featured speaker is Peter Jay, Economic Development Director of Utah Valley University. Register at the Chamber website – eaglemountainchamber.com.
- The Utah Red Cross will hold a blood drive on July 27, 2020 at City Hall from 9:00 a.m. to 3:00 p.m. Blood donations are urgently needed at this time. Register at redcrossblood.org and enter sponsor code “Eagle Mountain City.”
- The Miss Eagle Mountain Scholarship Pageant will be held on Friday, July 10, 2020 at 7:00 p.m. Due to COVID-19 guidelines, in-person attendance at the pageant will be restricted to contestants and two guests. A livestream of the pageant will be available to the public. When the link is available it will be posted on the City website calendar.
- Guidelines for individuals and businesses during the yellow phase of COVID-19 response are available at coronavirus.utah.gov.

- To receive City notifications, including emergency info, news, events, and traffic alerts, sign up at emcity.org/notifyme.

8. PUBLIC COMMENTS

None.

9. CITY COUNCIL/MAYOR'S ITEMS

Councilmember Curtis

Councilmember Curtis stated he is against a City-wide ban on fireworks as it would be ineffective in preventing fires, because fires are caused by individuals illegally launching fireworks. He encouraged people to adhere to firework safety guidelines. He expressed sympathy for the Oak Hollow resident concerns regarding the 7-Eleven gas station. He reviewed the comments and study materials provided by residents and found insufficient comprehensive, universal data, and inadequate legal standards necessary to grant the conditional use permit appeal, and he agreed with the Planning Commission's decision. He assured residents their concerns were taken seriously and thoroughly considered, and that the City Council cares about the citizens.

Councilmember Gray

Councilmember Gray expressed appreciation for Diana Anderson's bravery in speaking before the City Council and the professionalism of her presentation during the 7-Eleven conditional use permit appeal. He stated that as the Planning Commission did their due diligence, the City Council determined the appropriate action was to uphold the conditional use permit approval. He said the Senior Citizen Advisory Council plans to provide senior exercise classes tentatively scheduled to begin in August at 10:00 a.m. on Thursdays.

Councilmember Clark

Councilmember Clark stated her appreciation for resident involvement. She commended City staff and leadership for their efforts and excellent work on behalf of the City. She stated the City Council and Planning Commission are required to make difficult decisions and thanked the Planning Commission and the City Council for their efforts.

Councilmember Burnham

Councilmember Burnham concurred with Councilmember Curtis' statements regarding banning fireworks and the appeal studies. She stated Ms. Anderson was eloquent and well-spoken during the Appeals Board meeting, and she appreciates when residents participate in local issues.

Councilmember Love

Councilmember Love welcomed the Youth Council Members. She thanked Ms. Anderson for her hard work and efforts in investigating a cause and advocating for her community. The conditional use permit appeal was a difficult decision for the City Council and the expressed concerns were seriously considered by Councilmembers.

Mayor Westmoreland

Mayor Westmoreland thanked law enforcement and the fire department for their efforts during difficult circumstances and for their professionalism. He stated the fireworks map is regularly reviewed and heavily regulated. He thanked residents for their efforts to be careful, respectful, and good neighbors.

CONSENT AGENDA

10. AGREEMENTS

- 10.A. AGREEMENT – Professional Service Agreement between Eagle Mountain City and Accela for Land Management Software and Support.
- 10.B. AGREEMENT – Professional Service Agreement between Eagle Mountain City and Byrne for Software Implementation.
- 10.C. AGREEMENT – Second Addendum to an Agreement between Eagle Mountain City and Ifo Pili for City Administrator Services.

11. BID AWARDS

- 11.A. 2020 Eagle Mountain Mirco Surface Project – Geneva
- 11.B. Pole Canyon Water Line and Sewer Force Main – Landmark Excavation

12. BOND RELEASES

- 12.A. Brylee Farms Phase A Plat 1 – Into Warranty
- 12.B. Mt. Airey Plat E – Out of Warranty

13. CHANGE ORDERS

- 13.A. Pony Express Parkway Change Order #3 – Kenny Seng

14. MINUTES

- 14.A. June 16, 2020 – Regular City Council Meeting

15. PRELIMINARY PLATS & SITE PLANS

- 15.A. SITE PLAN – Dollar Tree
- 15.B. SITE PLAN – 7-Eleven

16. RESOLUTIONS

- 16.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving the First Amendment to the Development Agreement Between Eagle Mountain City, Utah, and Stadion, LLC.
- 16.B. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving the First Amendment to the Stadion Water and Sewer Agreement.
- 16.C. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Policies and Procedures Manual.
- 16.D. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Approving an Interlocal Cooperation Agreement between Utah County and Eagle Mountain City for Disbursement from the Coronavirus Relief Fund.

MOTION: *Councilmember Curtis moved to approve the consent agenda with the following conditions:*

- 1. *Items 15.A. and 15.B. shall be removed and included as scheduled items for further discussion;*
- 2. *The City Attorney's memo regarding item 16.B. shall be included in the approval; and*
- 3. *Staff shall be authorized to make changes to items 10.A. and 10. B., excluding term length and cost.*

Councilmember Gray seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.

SCHEDULED ITEMS

17. ORDINANCES/PUBLIC HEARINGS

- 17.A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code, Adopting Chapter 17.51 Warehouse Farming Overlay Zone.

Mayor Westmoreland opened the public hearing at 7:37 p.m. No comments were submitted to the City Recorder's Office and no public was in attendance to make comment. As there were no comments, Mayor Westmoreland closed the hearing.

MOTION: *Councilmember Clark moved to approve an ordinance of Eagle Mountain City, Utah, amending the Eagle Mountain Municipal Code, adopting Chapter 17.51 Warehouse Farming Overlay Zone. Councilmember Curtis seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*

18. MOTION

18.A. Sunset Flats – Alternative Fencing Request

Applicant Susan Palmer clarified the requested fence style as the Homeland vinyl fencing in the honey maple shade pictured on pages 8 and 9 of the materials she submitted, and stated she was unsure if she would be able to use the same manufacturer as the SilverLake South development.

Councilmember Curtis expressed concern that without physically seeing the color, it is difficult to approve the fence. He expressed favor for the exact fencing used in SilverLake and preferred the chai gray shade, as it blends in better with the fencing previously required by The Ranches Homeowners Association.

Councilmember Gray inquired if the previously approved SilverLake fencing and the proposed fencing include a center metal support rail and expressed a personal preference for the honey maple shade but stated he would support the chai gray to match existing fencing, if desired by the other Councilmembers.

Discussion ensued regarding the appearance and structural elements of the previously approved alternative fencing in SilverLake.

Councilmember Love expressed favor for the maintaining gray fencing throughout the City for aesthetical continuity.

Councilmember Gray inquired if after the approval of this item, the City Council could declare the Municipal Code fencing standards as under review to hold the approval of other application until the standards are amended.

Mr. Cook stated the City Council may declare on record that the fencing standards are under review and withhold approvals until Municipal Code is amended and all future applications would be subject to that review.

MOTION: *Councilmember Burnham moved to approve an alternate fencing option that is significantly consistent aesthetically to and with as good or better metal reinforcement and strength qualities as the SilverLake South fencing product as determined by staff. Councilmember Clark seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*

Discussion ensued regarding the elements to potentially require in the alternate fencing approval including steel reinforcement, a middle support rail, and color.

Mr. Cook expressed concern regarding creating a situation where the City Council is unable to approve applications due to the fencing review and requested clarification.

Councilmember Burnham stated that if the standards are under review, the Planning Commission is unable to review applications, as has occurred in the past.

Discussion ensued regarding which sections of the Municipal Code would be included in the review.

Councilmember Burnham expressed concerns with one Councilmember stating on record that Municipal Code standards are under review resulting in a hold being placed on all applicable development applications. She proposed to instead direct staff to review Municipal Code fencing and bring amendment suggestions to the City Council as soon as possible. Mr. Cook concurred with Councilmember Burnham due to the broadness of the fencing standards within Municipal Code and the potential complications of placing those standards under review.

15. PRELIMINARY PLATS & SITE PLANS

15.A. SITE PLAN – Dollar Tree

Mr. Hadley presented the item and said the City Council approved the Carson Commercial Master Site Plan on August 6, 2019. This application is being proposed in conjunction with the 7-Eleven site plan. The applicant has added architectural design and features to better conform to Municipal Code. The building is 10,000 square feet and is set back to allow for access and an exit lane for better flow between Dollar Tree and 7-Eleven. The parking has been moved to the side and rear, and the project provides the required 34 parking stalls and 2 ADA stalls. Dollar Tree will be responsible for the landscaping on the store site. Headlight screening will be required with a combination of berming and vegetation. Plants must be added to the site plan between the sidewalk and street.

The Planning Commission recommended approval to the City Council with the following conditions: the applicant shall meet the lighting standards and present a compliant lighting plan with an updated lumen count to City Council; the applicant shall work with staff and City Council on an agreement to allow right-of-way monument signage representing multiple business in the commercial development; the plan shall comply with architectural standards; and the applicant shall submit a Municipal Code-compliant landscaping plan.

Councilmember Love expressed concern regarding the exit on Porter's Crossing Parkway due to the intersection's proximity to Pony Express Parkway.

Mr. Trusty stated the applicant proposed the exit onto Porter's Crossing Parkway. The resulting removal of the median to permit left-hand turns into the site also makes it possible for motorists to make a left-hand turn onto Porter's Crossing Parkway.

Councilmember Love suggested signage and a partial median in the entrance to discourage left-hand turns.

Discussion ensued regarding options to encourage right-hand turns and/or prevent left-hand turns onto Porter's Crossing Parkway.

Councilmember Curtis reviewed the history of the project and stated this traffic configuration was a compromise to allow a left-hand turn without routing traffic through the adjacent neighborhood.

Councilmember Burnham concurred with Councilmember Curtis' recollection that the Council had agreed to allow the applicant the left-hand turn to provide adequate access to the property. She verified with staff that the applicant had met the Planning Commission's conditions regarding architectural and landscaping plan standards. She stated her opinion that allowing a left-hand turn onto Porter's Crossing Parkway will reduce the number of left-hand turns on Pony Express Parkway.

Councilmember Clark stated the traffic pattern was to appease concerns of the Oak Hollow residents and said other gas stations in the City that are located on intersections with similar orientations allow for left-hand turns onto streets similar to Porter's Crossing Parkway. She stated her desire to honor the previous agreement with the applicant to permit the access.

Councilmember Gray expressed concerns regarding safety due to human error and the potential for residents to disregard proper traffic patterns. Although he expressed his preference for the traffic to be routed through the neighborhood, he agreed the Council should honor the previous agreement with the applicant.

Discussion ensued regarding traffic safety and Councilmember preferences.

Mr. Trusty stated the City Council could require the applicant to locate the detention pond underground, and he explained the site plan approval is separate from the utility plan approval. The detention pond is a part of the utility plan approval.

Councilmember Curtis verified that both the Dollar Tree and 7-Eleven have detention pond requirements.

Councilmember Burnham verified the block wall had been completed along the rear of the Dollar Tree property.

MOTION: *Councilmember Gray moved to approve the Dollar Tree site plan with the following conditions:*

- 1. The applicant shall meet the lighting Code standards in EMMC 17.56 and present a compliant lighting plan with an updated lumen count to City Council;*
- 2. The applicant shall work with staff and City Council on an agreement to allow right-of-way monument signage representing multiple business in the commercial development; and*
- 3. The storm drain located in the right-of-way shall be underground storage.*

Councilmember Clark seconded the motion.

Councilmember Burnham inquired if the applicant was amenable to the condition requiring underground water storage.

Applicant representative Ryan Forsyth expressed concern regarding the underground water storage requirement. It would be insufficient to withstand the weight of road expansion and may require a concrete system to pipe the water to another location. The location would be dissimilar to the other projects in the area with right-of-water detention ponds, and the cost of the project would increase significantly.

Mr. Trusty stated he did not recall a time when the City removed a retention or detention pond to make use of a right-of-way. He does not have concerns regarding a surface detention pond located elsewhere on the property. He stated the City should have sufficient width to expand the road if needed; however, he expressed concern with permitting a surface detention pond within the right-of-way instead of on the property.

Councilmember Gray stated that although the underground detention pond would not withstand the weight of a drive lane, the width of the right-of-way exceeded the footage necessary for road expansion. He said the trail system could be installed above an underground detention pond, if necessary, in the future. He asked if the property has another aboveground water storage option.

Mr. Forsyth stated due to the shallowness of the property, locating the detention pond on site would be difficult. He stated the plan to install a shallow pond with decorative landscaping would be aesthetically pleasing, and the berming would provide headlight screening for the property, as requested by the Planning Commission. He stated a willingness to install partial underground storage or to make a financial contribution towards a more robust future system.

Councilmember Curtis proposed to locate the detention pond in the rear landscaping and stated his disfavor for the aboveground detention pond near the property, as it is aesthetically unappealing.

Discussion ensued regarding potential locations on the property for an aboveground detention pond, the possibility of a combination of above and underground water storage, potential engineering concerns regarding the location and size of the pond, balancing City and developer needs, preferred aesthetics, volume retention requirements, and the optimal depth of an aboveground detention pond.

Councilmember Gray asked if the application should be tabled until the concerns regarding the detention pond are resolved and reiterated his concerns regarding allowing storm drainage within the City right-of-way. He expressed his desire to allow the project to move forward while protecting the interest of the City. Mr. Trusty concurred with Councilmember Gray's concern in allowing the required on-site water retention offsite and within the City right-of-way.

Mr. Forsyth asked who would be responsible for maintaining the detention pond should it be permitted in the right-of-way and expressed the willingness to maintain the property. He reiterated the shallow depth of the property causes issues with providing adequate spacing for both delivery truck access and detention ponds.

Discussion resumed regarding possible water storage solutions including piping the water to other undeveloped lots, locating part of the water storage on the City-owned landscaping to the rear of

the property, permitting partial water detention on the southern portion of the right-of-way not needed for a future road expansion, concerns regarding potential future City needs that would utilize more of the right-of-way, the payment of a bond to permit use of the right-of-way to offset potential future costs to the City, and worst case scenarios of future costs and infrastructure requirements for the City should the water storage be permitted and then removed from the right-of-way.

Mr. Trusty stated the grading could facilitate locating adequate water storage on the southern portion of the property.

Mr. Forsyth requested the City Council approve the site plan, excluding the detention pond, to allow him to meet his deadlines. The project is behind schedule as he had not been aware of the conditional use permit requirement.

Discussion ensued regarding concerns with approving the site plan, excluding the storm drain plan, and whether to allow the storm drain plan to be approved by staff or return to the City Council for consideration. Mr. Cook recommended tabling the storm drain portion of the project.

Mr. Trusty recommended requiring the water storage to be located on-site to permit the applicant latitude in exploring water storage solutions.

Councilmembers Clark and Curtis requested the applicant not consider locating water storage in the City-owned entryway landscaping south of the property.

Councilmember Curtis stated the City was aware that the commercial lots were shallow and knew issues would arise during development of the property. He expressed willingness to permit a portion of the water storage to be located within the City right-of-way, due to the limitations caused by the depth of the property, while still minimizing future concerns for the City.

Councilmember Burnham stated she did not object to water storage in the City-owned entryway landscaping but preferred that detention pond storage be located on-site.

Mr. Forsyth stated permitting the application to move forward would allow him to meet the terms of his lease, and if he is unable to determine a workable, on-site storage solution, he will return to the Council for further discussion.

REPLACEMENT MOTION: Councilmember Burnham moved to approve the Dollar Tree site plan with following conditions:

- 1. Drainage and water storage shall be located on the applicant's property;**
- 2. The applicant shall meet the lighting standards in EMMC 17.56 and present a compliant lighting plan with an updated lumen count to City Council; and**
- 3. The applicant shall work with staff and the City Council on an agreement to allow right-of-way monument signage representing multiple business in the commercial development.**

Councilmember Curtis seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.

15.B. SITE PLAN – 7-Eleven

Mr. Hadley presented the item. The building is 4,067 square feet and the proposed design uses different and acceptable materials and is consistent with surrounding buildings in the development. The project provides the required 20 regular parking stalls and 1 ADA stall. The landscaping plan exceeds the number of required trees and turf and will be maintained by 7-Eleven. The required headlight screening will be a combination of berming and vegetation. The current sign proposal does not meet City standards.

The Planning Commission recommended approval to City Council with the following conditions: all landscaping shall be improved up to Pony Express Parkway with a mixture of plants and rock, the signage shall comply with Municipal Code requirements, and all lighting shall comply with the dark sky lighting ordinance.

Mr. Forsyth verified his willingness to relocate the vent to the northwest corner of the property.

Discussion ensued debating whether increasing the height or distance from residents of the vent would best mitigate health concerns.

Long-Range Planning Manager Pete Kane said environmental scientist Sean Warner with the Underground Storage Tank Section of the Department of Environmental Quality at the Department of Environmental Response and Remediation had informed him that the Petroleum Equipment Institute's recommendation and guidelines stipulate to locate the vent as far away from residential property lines or as high as possible, and Mr. Warner had not indicated an increase in height or distance as preferential.

Discussion ensued clarifying the vent height as 12 feet and the canopy height as 17 feet 6 inches. Locating the vent in the canopy would provide a height increase of 5 feet 6 inches. Locating the vent in the northwest corner of the property would increase the distance from the residential property by approximately 50 feet.

Councilmember Curtis stated his preference to locate the vent in the northwest corner.

Mr. Forsyth agreed to employ his best efforts to complete the block wall at the rear of the property before winter.

MOTION: ***Councilmember Curtis moved to approve the 7-Eleven site plan with the following conditions:***

- 1. All landscaping shall be improved up to Pony Express Parkway with a mixture of plants and rock;***
- 2. Signage shall comply with Municipal Code requirements;***
- 3. All lighting shall comply with the dark sky lighting ordinance;***

4. *The detention pond shall be located within the property;*
5. *The applicant shall use reasonable best efforts to complete the rear block wall extension before winter; and*
6. *The vent shall be located in the farthest point possible on the northwest corner of the property.*

Councilmember Burnham seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.

19. CITY COUNCIL/MAYOR'S BUSINESS

None.

20. CITY COUNCIL BOARD LIAISON REPORTS

Councilmember Clark

Councilmember Clark said Be Ready Eagle Mountain will hold a meeting to discuss preparation for and the prevention of fires on Thursday, July 9, 2020 at 7:00 p.m. at City Hall, in accordance with social distancing guidelines. She encouraged residents to view and use emergency response and preparedness resources available on the City website.

21. COMMUNICATION ITEMS

22. ADJOURNMENT

MOTION: *Councilmember Gray moved to adjourn the meeting at 9:30 p.m. Councilmember Curtis seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.*

The meeting was adjourned at 9:30 p.m.

Approved by the City Council on July 21, 2020.

Fionnuala B. Kofoed, MMC
City Recorder



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
JULY 21, 2020**

TITLE:	<u>ORDINANCE/PUBLIC HEARING</u> - An Ordinance of Eagle Mountain City, Utah, Approving the First Amendment to the Fiscal Year 2020-2021 Budget.		
ITEM TYPE:	Ordinance		
FISCAL IMPACT:			
APPLICANT:			
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

Yes

PREPARED BY:

Paul Jerome, Admin

PRESENTED BY:

Paul Jerome

RECOMMENDATION:

Staff recommends that the City Council adopts an Ordinance of Eagle Mountain City, Utah, approving the First Amendment to the Fiscal Year 2020-2021 Budget.

BACKGROUND:

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

[ORD--FY 2021 Budget Amendment #1](#)

[Exhibit A: FY 2021 Budget Amendment #1](#)

ORDINANCE NO. O- -2020

**AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH
AMENDING THE FISCAL YEAR 2020-2021 ANNUAL BUDGET
(FIRST AMENDMENT)**

PREAMBLE

WHEREAS, the City Council of Eagle Mountain City, Utah finds that it is in the public interest to amend the budget for fiscal year 2020-2021; and

WHEREAS, the City Council finds that procedures for the amendments, pursuant to Section 10-6-127 of the Utah Code, Annotated have been followed, including a public hearing if budgetary funds are increasing;

BE IT ORDAINED by the City Council of Eagle Mountain City:

1. The City Council finds that the all required notices have been given and that a public hearing has been conducted, public comment received and considered and that the Council may consider and amend the budget of Eagle Mountain City as follows:

2. “FISCAL YEAR” means that year which began on the first day of July, 2020 and ends on the last day of June, 2021.

3. APPROPRIATIONS. The budget set and adopted by the City for the fiscal year is hereby amended and re-enacted with respect to the specific items set forth on Exhibit A hereto. From the effective date of this budget ordinance, as outlined in the attached Exhibit A, the several amounts stated therein as proposed expenditures shall be appropriated for the several objects and purposes therein named.

4. This Ordinance shall be effective for fiscal year 2020-2021.

ADOPTED by the City Council of Eagle Mountain City this 21st day of July, 2020.

EAGLE MOUNTAIN CITY, UTAH

ATTEST:

Tom Westmoreland, Mayor

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Ordinance was adopted by the City Council of Eagle Mountain City, Utah on this 21st day of July, 2020.

Those voting aye:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Jared Gray
- ☐ Carolyn Love

Those voting nay:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Jared Gray
- ☐ Carolyn Love

Those excused:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Jared Gray
- ☐ Carolyn Love

Fionnuala B. Kofoed, MMC
City Recorder

Posted to City bulletin boards on _____ by _____.

Exhibit A



Eagle Mountain City Budget Amendments for FY 2021

July 21, 2020

<u>Fund Name</u>		<u>Original Budget</u>	<u>Proposed Budget</u>	<u>Increase</u>	<u>Funding Source</u>	<u>Approval Date Done?</u>
General Government						
HR Management Software	10-19-41955-4261	\$ -	\$ 35,000.00	\$ 35,000.00	Fund Balance/GF Revenue Incr.	✓
Accela Land Mgmt Software (Yearly)	10-19-41955-4261	\$ 30,000.00	\$ 50,000.00	\$ 20,000.00	F.B./GF Rev. Incr./Implementation Savings	
Subtotal General Government:		<u>\$ 30,000.00</u>	<u>\$ 85,000.00</u>	<u>\$ 55,000.00</u>		
Enterprise Funds						
Sewer Plant Expansion (in Impact Fee Fund) 52-		\$ -	\$ 3,000,000.00	\$ 3,000,000.00	Impact Fee Fund Bal. (already budgeted)	
Water/Sewer Building (in Impact Fee Funds) 51/52		\$ -	\$ 4,000,000.00	\$ 4,000,000.00	Impact Fee Fund Bal. (already budgeted)	
CWP Advance Water Share Purch. (discount) 51-		\$ 3,000,000.00	\$ 16,000,000.00	\$ 13,000,000.00	Developer Purchase Bal. (already received)	
Subtotal Enterprise Funds:		<u>\$ 3,000,000.00</u>	<u>\$ 23,000,000.00</u>	<u>\$ 20,000,000.00</u>		
Capital Projects						
Subtotal Capital Projects:		<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>		
Impact Fees						
Subtotal Impact Fees:		<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>		
Debt Service						
Subtotal Debt Service:		<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>		
Other						
Fleet				\$ -		

Subtotal Other:	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
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Total Increase (All Funds):	<u>\$ 3,030,000.00</u>	<u>\$ 23,085,000.00</u>	<u>\$ 20,055,000.00</u>
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*Please note that General Fund balance in excess of 25% of FY 2021's budgeted revenues at the end of FY 2020 will be transferred to the General Fund Capital Projects Fund for use in completion of city capital projects.



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
JULY 21, 2020**

TITLE:	<u>ORDINANCE/PUBLIC HEARING</u> - An Ordinance of Eagle Mountain City, Utah, Rezoning the Marketplace at Eagle Mountain Town Center Property to a Mix of Commercial Community, MF1, and MF2.		
ITEM TYPE:	Rezone		
FISCAL IMPACT:			
APPLICANT:	Bill Gaskill		
GENERAL PLAN DESIGNATION Community Commercial	CURRENT ZONE Commercial C-2 (Expired EM Properties MDA)	ACREAGE Approx. 39 Acres	COMMUNITY South Town

PUBLIC HEARING:

Yes

PREPARED BY:

Steve Mumford, Planning

PRESENTED BY:

Steve Mumford (Assistant City Administrator & Community Development Director)

RECOMMENDATION:

A motion to approve may be made if the application complies with the rezone criteria found in the city code, along with conditions of approval that address areas of concern, which may include (but are not limited to) reasonable residential density limitations (see EMMC 17.90.070).

A motion to approve the rezone on a portion of the property or a modification to the requested rezone may be made if it complies with the rezone criteria found in the city code.

A motion to deny the rezone request may be made if the application doesn't comply with the rezone criteria. We do not recommend this action.

A motion to table may be made with specific directions to give an applicant time to fully comply with the rezone approval criteria found in the city code.

BACKGROUND:

The approx. 39-acre Marketplace at Eagle Mountain Town Center project, to be located at the northwest corner of Pony Express Parkway and Eagle Mountain Boulevard, was reviewed by the

Planning Commission in January and discussed by the City Council in February. The property was zoned Commercial C-2 in the Eagle Mountain Properties Master Development Plan. The master development agreement for that project has expired, which means any vesting of specific uses for the property is also expired, since the uses were defined as part of the master development agreement. So, although the property owner disputes this claim (see attached letter), the applicant has submitted this rezone request to rezone to the Commercial Community, MF1, and MF2 zones.

The rezone request considered by the Planning Commission on June 9th was for Commercial Community and MF2. The applicant has modified the proposal to change a portion of the multi-family area to MF1 instead (approx. 4.4 acres), since it will be located closer to existing homes in the Eagle Park neighborhood. See "Items for Consideration" section for details on these zones. The concept master site plan map also now includes a road connection into the existing road to the northwest (Raven Way) and reduced the size of the multi-family areas from about 11 acres down to 9 acres (not counting the large stormwater retention pond area, which is being reconfigured).

ITEMS FOR CONSIDERATION:

GENERAL PLAN / FUTURE LAND USE MAP

This property is designated as Community Commercial on the City's Future Land Use and Transportation Corridors map. The General Plan states that Community Commercial is *"small to medium sized commercial clusters with a variety of office, retail, and professional services. Residential units may be an accessory use to any of these types of commercial development, but may not be a stand-alone development in these areas. Located near or along major transportation hubs and/or corridors. Serves up to 2.5 mile radius/network."* (General Plan pg 53)

The Commercial Community zone in this location clearly complies with the General Plan. The MF2 and MF1 zones, if seen as an accessory use to the commercial in this location (depending on the size, density, etc.), could be considered appropriate as well. The Council could also consider that the MF2 and MF1 zones may only be appropriate in the Neighborhood Residential Three land use category, and can require a General Plan Amendment, if necessary (EMMC 17.25.020).

COMMERCIAL COMMUNITY ZONE (EMMC 17.35.020B)

The Commercial Community zone is intended to provide areas of commercial retail, office, and services located near transportation hubs and major intersections and designed to buffer neighboring residential areas. Developments should incorporate coordinated circulation, architecture, and landscaping, and a balance of uses oriented to local residents and passing motorists. This location appears to be an excellent fit for this zone.

MF1 ZONE (EMMC 17.25.020E2)

The MF1 zone is for “footprint” single-family homes (not on fee simple lots; sometimes defined as patio homes), twin homes, duplexes, triplexes, and townhomes with no more than six units per building, with common/shared open space between buildings, and a homeowners’ association that maintains the open space. The maximum density is 10 dwelling units per acre.

MF2 ZONE (EMMC 17.25.020F1)

The MF2 zone is for townhomes, condominiums, and apartments with no more than 12 units per building. Developments in this zone should be within immediate walking distance of a park, retail/office development, transit facilities, or adjacent to major roadways or intersections. The maximum density is 20 dwelling units per acre. This area appears to be within walking distance of a couple of parks, adjacent to retail/office development, and adjacent to a major intersection of two major roads (minor arterials).

REZONE APPROVAL CRITERIA (EMMC 17.90.060)

The following are the approval criteria in the City Code in relation to rezone applications:

(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.

(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.

(C) City Services

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

(D) Traffic Generation

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

(E) Property Values

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

EMMC 17.90.070 states that "In order to ensure that future development is compatible with surrounding neighborhoods, and to provide notice to property owners of limitations and requirements for development of property, conditions may be attached to any rezone application approval which restrict or specifically designate the land uses, dwelling unit density, building square footage, lot sizes, or height of structures."

REQUIRED FINDINGS:

A rezone is a legislative decision and is considered valid if reasonably debatable and not illegal. The criteria for approval for a rezone are listed in EMMC 17.90.060 and in this report.

PLANNING COMMISSION ACTION/RECOMMENDATION:

On June 9th the Planning Commission held a public hearing and discussed this proposal. One email from a resident was reviewed

during the public hearing, which expressed concern regarding the development of multifamily in the area and the resulting increase to traffic and was in favor of the commercial development.

Commissioners expressed concern related to the proposed density of the multi-family area in this location (quite a bit higher than previously proposed), as well as a desire to connect a road to the neighborhoods to the northwest. They also discussed whether the multi-family area would be feasible for commercial use in the future. See the attached meeting minutes (pages 10-12) for more details.

Ultimately the Planning Commission voted (4-0, 1 absent) to recommend approval to the City Council of the proposed rezone, rezoning the entire project to Community Commercial (rather than the requested MF2 zoning).

The applicant has made adjustments to the proposal in response to the Commission's concerns. See earlier sections of this report for more details.

ATTACHMENTS:

[Zoning Letter from Property Owner](#)

[Legal Description & Zoning Statement \(pre-PC mtg\)](#)

[Master Site Plan / Zoning Map](#)

[MVR & EM Properties MDP Map](#)

[Future Land Use Map 2-2020](#)

[06.09.2020 Planning Commission Minutes - Marketplace at Town Center](#)

[ORD--Marketplace at Town Center Rezone](#)

[18-180 Zoning Exhibit - Updated 7-20-2020](#)

[Marketplace at Eagle Mountain Town Center - Updated 7-20-2020](#)

[Marketplace at Town Center Presentation](#)

Monte Vista Ranch, L.C.

1754 E Cedar Trails Way
Eagle Mountain, Utah 84005

April 23, 2020

City of Eagle Mountain
Attn: Steve Mumford
1650 E Stagecoach Run
Eagle Mountain, Utah 84005

Re: Rezone Application

Dear Mr. Mumford:

Monte Vista Ranch, L.C. and its agents ("**Monte Vista**") are currently seeking preliminary plat approval from Eagle Mountain (the "**City**") for approximately 39.09 acres on the northwest corner of Eagle Mountain Boulevard and Pony Express Parkway (the "**Property**"). The requested preliminary plat approval for the Property is related to the commercial project Marketplace at Eagle Mountain Town Center. While going through this process, you have requested that a Rezone Application be filed for Property to change the zoning of the Property to a commercial zone.

Monte Vista will comply with the request to sign and submit the rezone application, to facilitate your amended processes and to move the project forward. However, the full intention of this letter is to record and establish that Monte Vista does not agree or concede that the Property is zoned as anything other than a commercial zone. By submitting the rezone application as requested by the City, Monte Vista does not waive any rights or claims in support of its position that the Property already has vested zoning rights for commercial use.

Respectfully,



Christine E. Giordano, Esq.

Acknowledged and Received By:

Steve Mumford

Date: _____

Marketplace at Eagle Mountain Town Center

Legal Description

Parcel: 59:044:0082

Legal Description: COM N 570.74 FT & E 90.47 FT FR S 1/4 COR. SEC. 12, T6S, R2W, SLB&M.; N 18 DEG 55' 24" E 177.94 FT; N 18 DEG 55' 24" E 533.77 FT; S 88 DEG 57' 7" W 1703.74 FT; ALONG A CURVE TO L (CHORD BEARS: S 63 DEG 12' 8" E 482.96 FT, RADIUS = 9950.49 FT) ARC LENGTH = 483.01 FEET; ALONG A CURVE TO R (CHORD BEARS: N 6 DEG 32' 3" W 21.42 FT, RADIUS = 20 FT) ARC LENGTH = 22.60 FEET; N 25 DEG 50' 15" E 90.11 FT; ALONG A CURVE TO R (CHORD BEARS: N 70 DEG 18' 43" E 167.72 FT, RADIUS = 119.69 FT) ARC LENGTH = 185.83 FEET; ALONG A CURVE TO L (CHORD BEARS: S 65 DEG 27' 12" E 83.74 FT, RADIUS = 9725 FT) ARC LENGTH = 83.74 FEET; S 24 DEG 18' 0" W 226.45 FT; ALONG A CURVE TO L (CHORD BEARS: S 68 DEG 23' 48" E 929.07 FT, RADIUS = 9950.49 FT) ARC LENGTH = 929.41 FEET TO BEG TO BEG. AREA 12.888 AC.

Parcel: 59:044:0081

Legal Description: COM N 1243.99 FT & E 321.28 FT FR S 1/4 COR. SEC. 12, T6S, R2W, SLB&M.; N 18 DEG 55' 24" E 28.66 FT; ALONG A CURVE TO L (CHORD BEARS: N 10 DEG 0' 28" E 538.91 FT, RADIUS = 1749.46 FT) ARC LENGTH = 541.06 FEET; N 1 DEG 22' 57" E 9.64 FT; N 89 DEG 50' 58" W 25.78 FT; S 1 DEG 12' 23" W 9.72 FT; ALONG A CURVE TO R (CHORD BEARS: S 2 DEG 27' 33" W 76.53 FT, RADIUS = 1750 FT) ARC LENGTH = 76.54 FEET; W 391.09 FT; N 251.34 FT; S 89 DEG 57' 53" W 1199.87 FT; S 101.6 FT; E 305.8 FT; S 306 FT; W 306 FT; N 407.6 FT; S 89 DEG 57' 53" W 189.01 FT; S 1 DEG 21' 47" W 752.08 FT; ALONG A CURVE TO L (CHORD BEARS: S 61 DEG 44' 39" E 23.49 FT, RADIUS = 9950.49 FT) ARC LENGTH = 23.49 FEET; N 88 DEG 57' 7" E 1703.74 FT TO BEG. AREA 26.205 AC.

Marketplace at Eagle Mountain Town Center

Vicinity Map:

See attached vicinity map from Utah County Assessor.

Existing Conditions:

A property survey has been provided to the City as part of our master site plan approval.

Land Use Maps:

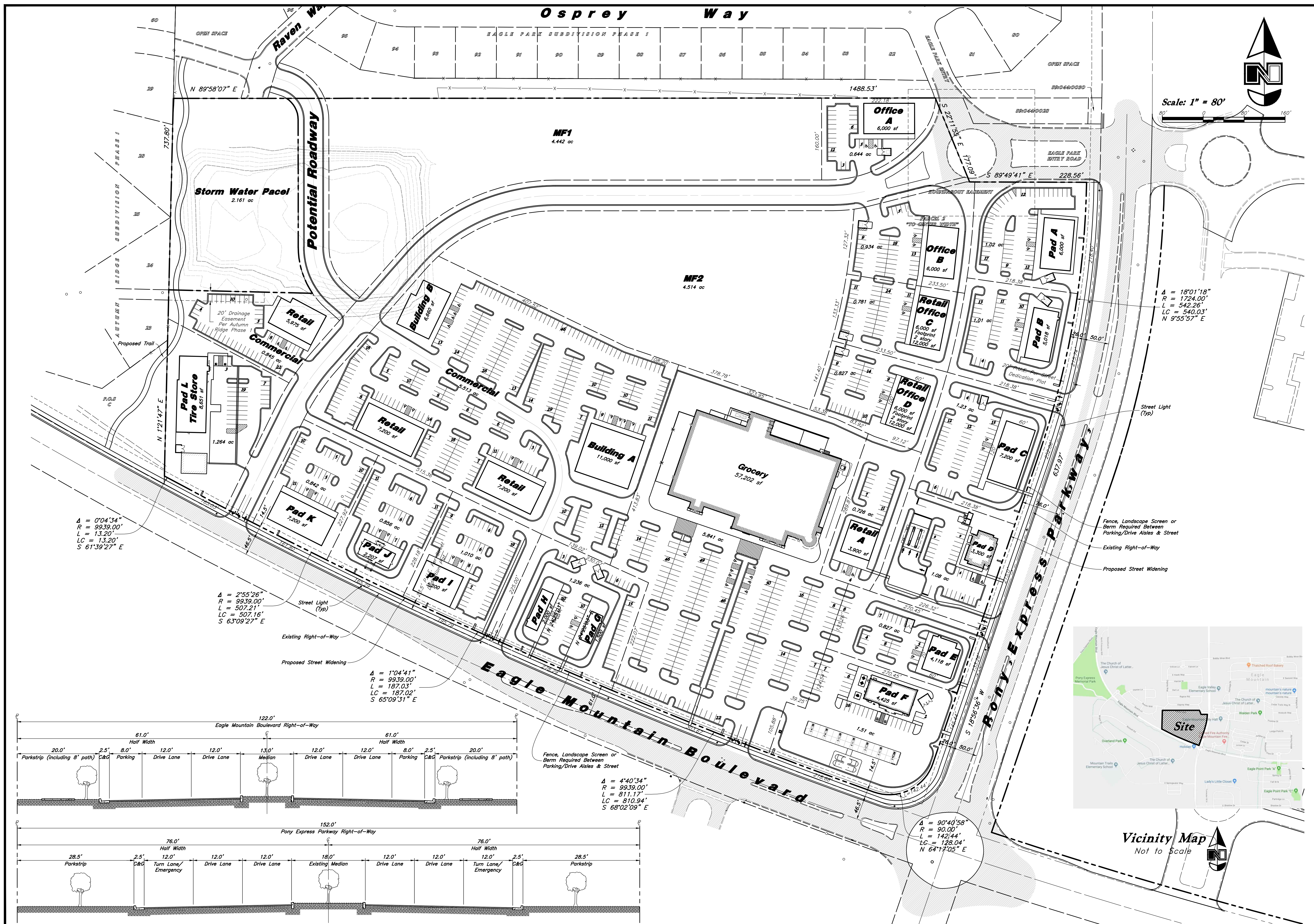
See updated master conceptual site plan.

Zoning Districts:

We are asking for a rezone to Commercial Community for the entire parcel.

In the past the property has been zoned Commercial within the Eagle Mountain Properties MDA. Recently the City has asked the landowner to rezone the property, as it claims that the prior MDA has expired and no underlying zoning rights are existing. The Property Owner disputes this claim, but is allowing us to move forward with the rezone request (see letter attached).

The rezone to Commercial Community is consistent with current future land use maps, and given the location of the property, should be a compatible land use for the property as it is located on the main intersection within the City, lending to a natural location for Commercial Community.



Designed by: DA
Drafted by: DC
Client Name:
Inland Wasatch Group, LC
18-180 Master Site Plan



ANDERSON WAHLEN & ASSOCIATES
 2010 North Redwood Road, Salt Lake City, Utah 84116
 801 521-8529 — AWEngineering.net

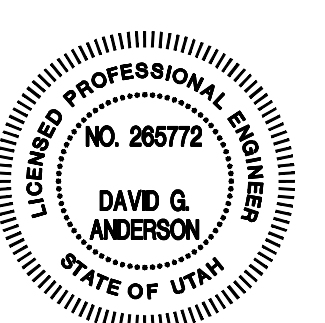
Master Site Plan

Marketplace at

Eagle Mountain Town Center

Eagle Mountain Boulevard & Pony Express Parkway

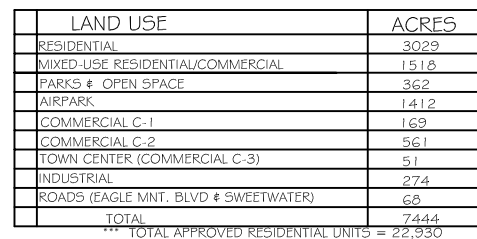
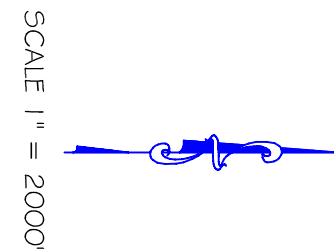
Eagle Mountain, Utah



30 Jun, 2020

SHEET NO.

C1.0

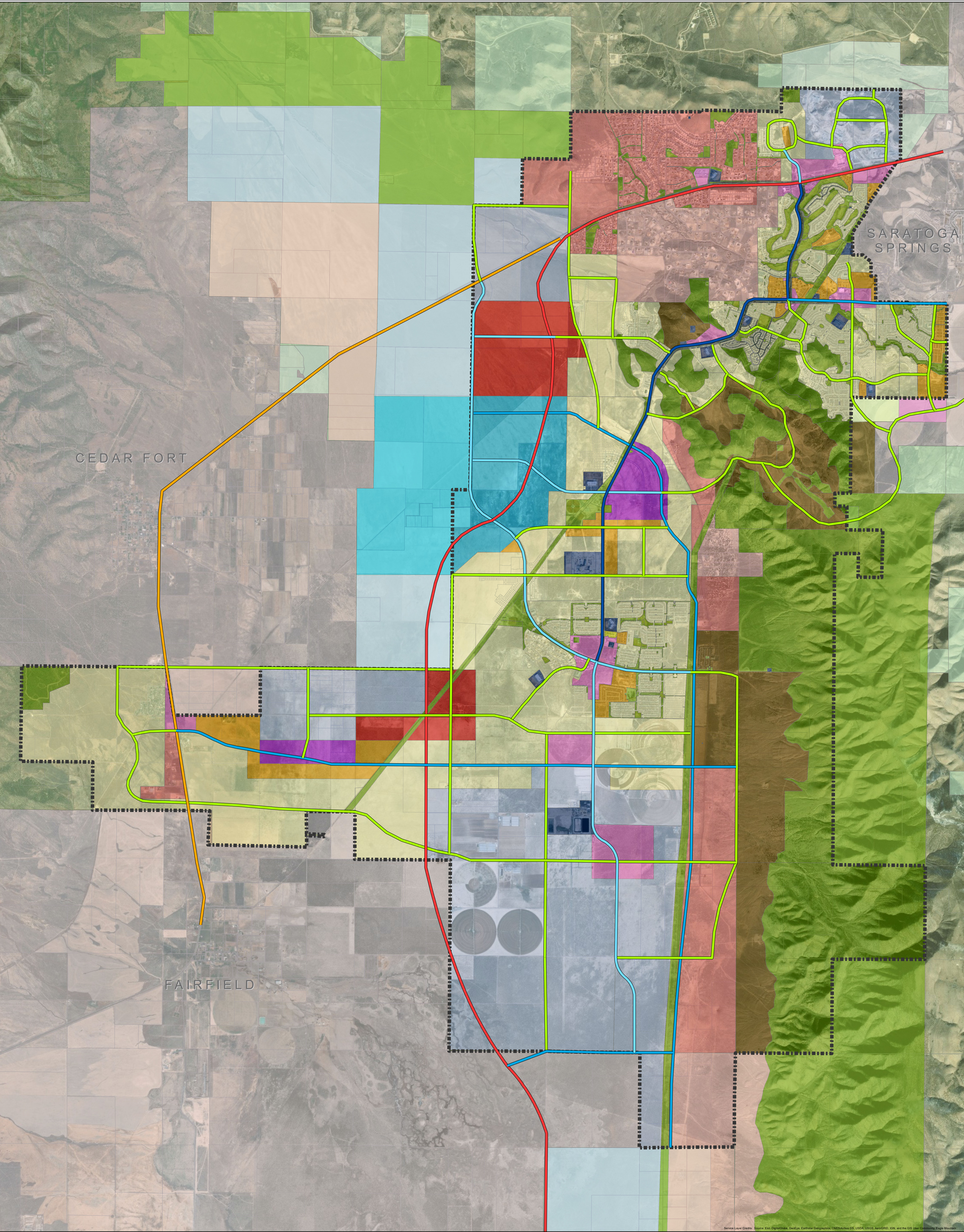


④ NEIGHBORHOOD PARKS IN RESIDENTIAL ZONES SHALL BE DEDICATED AT THE RATIO OF 2.5 ACRES OF PARK FOR EVERY 400 RESIDENTIAL UNITS. (AS PER THE MASTER DEVELOPMENT AGREEMENT)

Future Land Use & Transportation

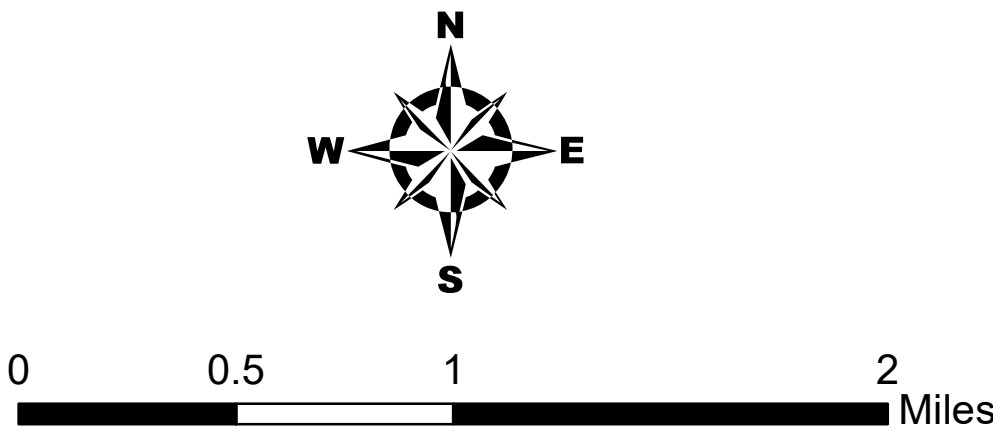
General Plan Map

January 2020



Land Use	
	Foothill Residential
	Rural Density One
	Rural Density Two
	Neighborhood Residential One
	Neighborhood Residential Two
	Neighborhood Residential Three
	Community Commercial
	Town Center Mixed Use
	Regional Commercial
	Employment Center Campus
	Business Park/Light Industry
	Civic Uses and Schools
	Parks and Open Space

Future Transportation	
	Freeway
	Highway
	Parkway
	Major Arterial
	Minor Arterial
	Collector



Disclaimer: Eagle Mountain City makes no warranty with respect to the accuracy, completeness, or usefulness of these maps. Eagle Mountain City assumes no liability for direct, indirect, special, or consequential damages resulting from the use or misuse of these maps or any of the information contained herein. Portions may be copied for incidental uses, but may not be resold.

To all interested parties: Under the terms of a 1997 agreement between Eagle Mountain City and property owners Monte Vista Ranches and Eagle Mountain Properties, the undeveloped lands and allowed land uses within the Eagle Mountain Properties Master Development may be changed at any time at the direction of Monte Vista Ranches and Eagle Mountain Properties. Inquiries concerning the Eagle Mountain Properties Master Plan should be directed to Eagle Mountain Planning Office.

Commissioner Wright explained the reason for the area he proposed for the industrial overlay approval was to allow the development of lot one and two and for the applicant to move forward to the City Council for feedback regarding the application. He expressed concern with approving the Sweetwater Industrial Overlay on any area within the City and stated the preference to apply the LMD or Industrial Zone at a future date once the zone has been approved with the desired standards for industrial development within the City.

MOTION: *Commissioner Wright moved to recommend approval to the City Council of the Sweetwater Industrial Overlay Zone rezone for the following areas: lot 1, lot 2, the 32.24-acre development area, the 10.28-acre development area, and the 2.67-acre development area with the following conditions:*

- 1. Automobile sales and/or services shall be a permitted use;*
- 2. Convenience stores shall be a permitted use;*
- 3. Electronic data management businesses shall be a permitted use;*
- 4. Laundry and dry-cleaning establishments shall be prohibited;*
- 5. Manufactured homes developments shall be prohibited;*
- 6. Motels and hotels shall be prohibited;*
- 7. Other manufacturing businesses shall be a permitted use; and*
- 8. Restaurants and banks (with drive-through service facilities) shall be prohibited.*

Commissioner Wood seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Christopher Pengra. The motion passed with a unanimous vote.

Commissioner Wood recessed the meeting from 8:49 to 8:59 p.m.

7. Action Items: Marketplace at Eagle Mountain Town Center

7.A. PUBLIC HEARING -- Marketplace at Eagle Mountain Town Center (Rezone)

Mr. Mumford presented the item. The application was reviewed by the Planning Commission in January and discussed by the City Council in February. The property is located at the northwest corner of Pony Express Parkway and Eagle Mountain Boulevard and was zoned commercial C-2 in the Eagle Mountain Properties Master Development Plan. The master development agreement has expired. The applicant is requesting a rezone of approximately 27 acres to Commercial Community and approximately 14.5 acres to the Multifamily 2 Zone.

The property is designated as Community Commercial on the City's Future Land Use and Transportation Corridors map. Residential units may be an accessory use to any of these types of commercial development but may not be a stand-alone development in these areas. The Commercial Community zone in this location complies with the General Plan. The proposed Multifamily Two Zone, if seen as an accessory use to the commercial in this location, depending on the size, density, etc., could be considered appropriate as well.

The Commercial Community Zone is intended to provide areas of commercial retail, office, and services located near transportation hubs and major intersections and is designed to buffer

neighboring residential areas. The proposed Multifamily 2 area appears to be within walking distance of parks, adjacent to retail/office development, and adjacent to a major intersection of two major roads (minor arterials).

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 General Plan. 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. The proposed use can be accommodated with public services and will not overburden the City's service capacity, and traffic generation by the proposed use is within capabilities of streets serving the property. The proposed use is not expected to have a significant negative impact on surrounding property values.

Commissioner Wood expressed concern regarding driving through the multifamily housing development to access the commercial locations due to no northern access to the Autumn Ridge subdivision.

Mr. Mumford stated 20 feet of improved landscape buffering along the property line between commercial and single-family lots or single-family to multifamily lots is required to meet the transitioning standards. He stated the west side of the project needs more open space in addition to the trail connection. He stated a preference for improved connectivity throughout the City; however, connectivity through neighborhoods to major roadways may increase traffic and raise concerns for residents. He stated the storm water parcel presents difficulties for road installation in the northwest corner of the project.

Applicant representative Bill Gaskill stated the applicant does not oppose a road connection to the northwest corner of the project; however, discussions with the City Council indicated a road was not desired in the area.

Commissioner Pengra inquired regarding the increase in high density acreage from the previously presented site plan.

Mr. Gaskill explained the addition of the road connection from the roundabout to Eagle Mountain Boulevard had been in response to feedback from the City Council and resulted in further redesign including the removal of the single-family units across the northern property line and the consolidation of the unusable acreage surrounding the storm drain pond. He stated the intention was to relocate, not increase the multifamily acreage.

Commissioner Wright stated favor for connectivity to the neighborhoods to the northwest of the property from Raven Way to Eagle Mountain Boulevard. He inquired regarding the volume of multifamily proposed for the project.

Mr. Gaskill indicated his expertise and focus is on the commercial properties. He said the Multifamily 2 zoning would be more appropriate for the location of the residential parcels. He explained he added the public road between the multifamily areas to prevent a large block of multifamily housing. He stated he has not calculated the density or designed a plan but is

considering townhomes for the location and indicated he would consult with a builder to determine the best housing type for the areas.

Mr. Gaskill explained in response to feedback from the previous meetings with the Planning Commission and the City Council, he discussed the project with his brokers and engineers and determined to create a business park environment. The area proposed for multifamily units is not visible from the main roadways. He said the owner of the property owns other land in the City with better visibility and viability for commercial property than the northwest portion of this property. The owner does not want to withhold more suitable commercial property from potential buyers in order to attempt to sell all the lots in this project, and the office environment is changing and experiencing demand setbacks due to the COVID-19 pandemic. He expressed the opinion that the land proposed for multifamily would not sell as office space and would remain undeveloped for a long period of time.

Commissioner Wood compared the layout to a similar location in Midvale, Utah, and stated the Midvale location has several layers of commercial properties in the area similar to that proposed for multifamily. He stated preference to delay development until commercial uses are found for the property instead of granting a rezone of a portion of the property to residential.

Commissioner Wood opened the public hearing at 9:28 p.m.

An email communication received from Reagan Peck expressed concern regarding the development of multifamily in the area and the resulting increase to traffic and stated favor for commercial development for the area.

Commissioner Wood closed the public hearing at 9:29 p.m.

Commissioner Pengra stated he understands the desire for multifamily units to compliment a commercial area. He said his calculations indicated the acreage for the multifamily discussed earlier had been relocated as opposed to increasing, but the density has increased. He stated although he does not object to higher density housing, the proposal for that many multifamily units to be ancillary to the retail space is not the best option for this area.

Commissioners Wright and Everett concurred with the preference to maintain the area as commercial zone.

MOTION: *Commissioner Everett moved to recommend approval to the City Council of the Marketplace at Eagle Mountain Town Center rezone, rezoning the entire project to Community Commercial. Commissioner Wright seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Christopher Pengra. The motion passed with a unanimous vote.*

7.B. PUBLIC HEARING – Marketplace at Eagle Mountain Town Center (Master Site Plan and Preliminary Plat)

Mr. Mumford explained options regarding the item as the master site plan and preliminary plat are no longer relevant, because the residential portion was recommended to be excluded from approval during the previous motion.

Mr. Mumford presented the item for the benefit of the public. The application was reviewed by Planning Commission January 28, 2020 and was recommended for approval with conditions. Several significant changes have been made to the proposal to try and resolve concerns of the Planning Commission and City Council. This is an applicant-proposed commercial and multi-family project on approximately 39 acres located northwest of the large roundabout at Eagle Mountain Boulevard and Pony Express Parkway. This project includes a grocery store, grocery expansion area, several retail and office pad sites, a future commercial area, and approximately 12 acres of multi-family residential. The City is not responsible if, over time, the project is unable to service a possible user due to undersized utilities, roadways, or other infrastructure. If upgrades to such facilities are necessary, they will be borne solely by the applicant.

Commissioner Wood opened the public hearing at 9:50 p.m.

An email communication received from Reagan Peck expressed concern regarding the development of multifamily in the area and the resulting increase to traffic and stated favor for commercial development for the area.

Commissioner Wood closed the public hearing at 9:51 p.m.

Commissioner Wood suggested tabling the item to allow the applicant to receive feedback from the City Council regarding the rezone before moving forward with changes.

Applicant representative Bill Gaskill stated the site plan would not change if the entire property is rezoned to Community Commercial. He said he could not speak to whether the applicant would accept the rezone or not. Mr. Gaskill stated the only change to the site plan would be designating the multifamily residential area to future commercial.

Commissioner Wood stated should the design not change, concerns regarding connectivity issues in the northwest corner would need to be addressed.

Mr. Gaskill stated concerns regarding the connectivity could be addressed with a condition to allow for the site plan to move forward.

Commissioner Wood stated he would like to see the road connection to Raven Way and the lighting plan before making a recommendation regarding the site plan to the City Council.

Mr. Gaskill stated the lighting plan for the public right-of-way had been submitted that did not include the interior lighting.

Commissioner Wood clarified his preference to table the item is due to the connectivity to Raven Way and potential concerns could change depending upon whether residential or commercial developments were approved for the northwest area of the project.

Mr. Mumford stated the Planning Commission could condition the connectivity to Raven Way and the commercial development in lieu of the multifamily residential in the approval recommendation for the site plan. He stated he was worked extensively on the project and the applicant has been willing to connect to Raven Way and expressed the opinion the concerns could be addressed with this application to allow the project to move forward.

Commissioner Pengra stated the road connection to Raven Way is his only concern.

Commissioner Wright inquired regarding the difference in elevations between the grocery store and the other businesses. Mr. Gaskill stated the elevations were created before they received the elevations for the grocery store last week. He explained the grocery store is a cinderblock building and the material is not suitable for the smaller buildings. He expressed a willingness to revise the elevations to be more in harmony with the design of the anchor grocery store.

Commissioner Wright stated that in fairness to the applicant, the Planning Commission could move the application forward with conditions outlining their concerns.

Commissioner Everett stated his inclination was to table the application but expressed a willingness to move the application forward with conditions.

Commission Wood expressed concern that recommending an incomplete application to the City Council would not fulfil their responsibility as a Planning Commission.

Commissioner Pengra stated the site plan applies to the areas indicated on the site plan and the lighting plan and landscaping consistency could be included as a condition.

Commissioner Wright stated it perhaps would be better to see the road connections before moving the application forward.

Commissioner Pengra stated the Planning Commission did not express more valuable insight regarding road connectivity than staff and the City Council that would merit the delay of the project and his concerns centered on the implementation of the connectivity as opposed to the design specifics of the road layout.

MOTION: *Commissioner Wood moved to table the Marketplace at Eagle Mountain Town Center master site plan and preliminary plat until the rezone has been reviewed and decided upon by the City Council. Commissioner Everett seconded the motion. Those voting aye: Matthew Everett, Brett Wright, and Rich Wood. Those voting nay: Christopher Pengra. The motion carried with a vote of 3:1.*

Commissioner Wood directed the applicant to review connecting Raven Way to Eagle Point Entry Road and stated the Commission does not want to approve the master site plan until the rezone is finalized.

ORDINANCE NO. O- -2020

**AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH
REZONING CERTAIN LANDS KNOWN AS MARKETPLACE AT TOWN CENTER**

PREAMBLE

The City Council of Eagle Mountain City, Utah, finds that it is in the public interest to rezone certain lands known as Marketplace at Town Center, as set forth more specifically on Exhibit A.

BE IT ORDAINED by the City Council of Eagle Mountain City, Utah:

1. The City Council finds that all required notices and hearings have been completed as required by law to consider and approve the rezoning of certain lands known as Marketplace at Town Center, as set forth on Exhibit A.
2. The lands depicted and described on Exhibit A are hereby rezoned to the uses as set forth more specifically on Exhibit A.
3. This Ordinance shall take effect upon its first publication or posting.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 21st day of July, 2020.

EAGLE MOUNTAIN CITY, UTAH

ATTEST:

Tom Westmoreland, Mayor

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Ordinance was adopted by the City Council of Eagle Mountain City, Utah on this 21st day of July, 2020.

Those voting aye:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Jared Gray
- ☐ Carolyn Love

Those voting nay:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Jared Gray
- ☐ Carolyn Love

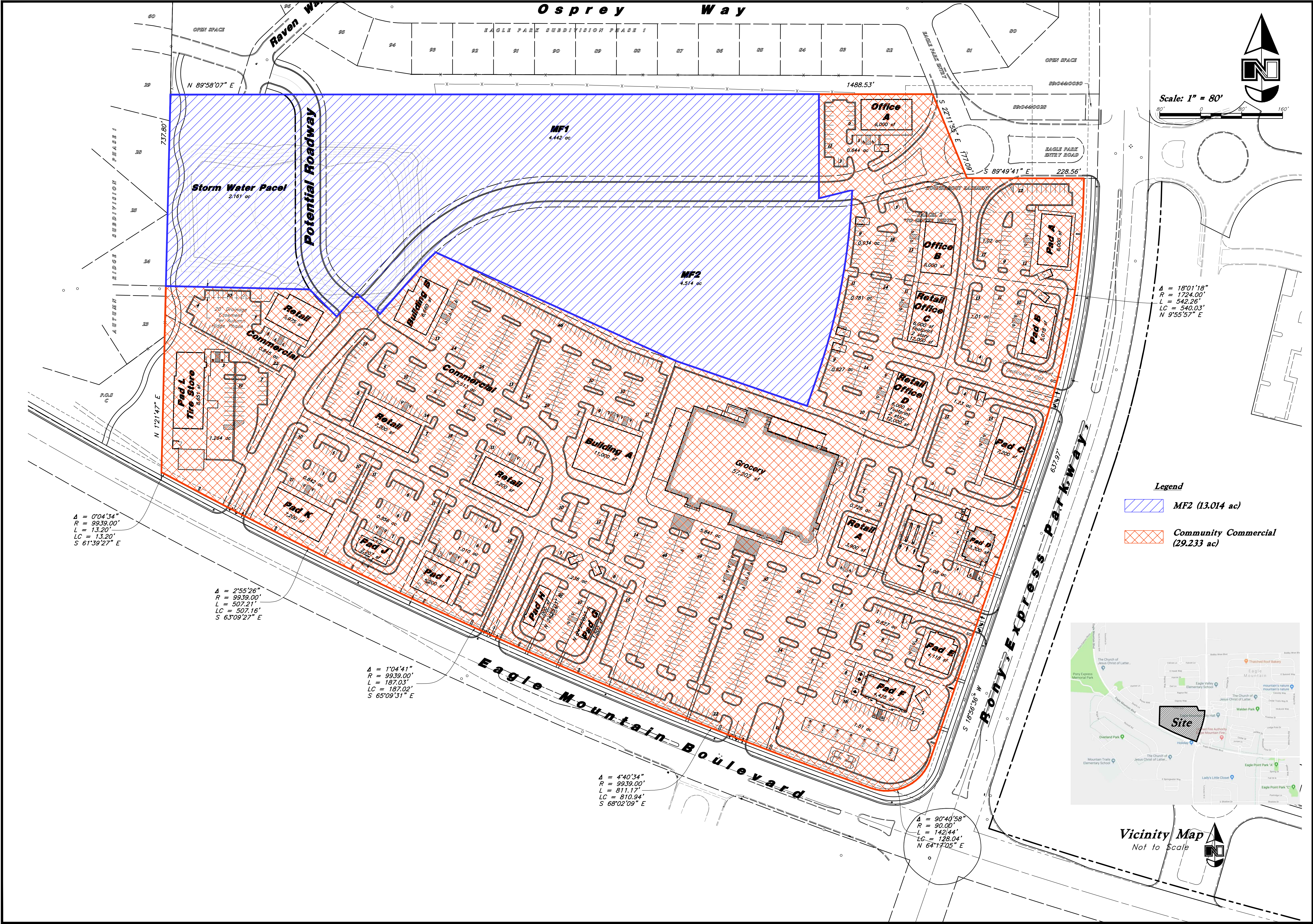
Those excused:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Jared Gray
- ☐ Carolyn Love

Fionnuala B. Kofoed, MMC
City Recorder

Posted to City bulletin boards on _____ by _____.

Exhibit A



Marketplace at Eagle Mountain Town Center

Legal Description

Parcel: 59:044:0082

Legal Description: COM N 570.74 FT & E 90.47 FT FR S 1/4 COR. SEC. 12, T6S, R2W, SLB&M.; N 18 DEG 55' 24" E 177.94 FT; N 18 DEG 55' 24" E 533.77 FT; S 88 DEG 57' 7" W 1703.74 FT; ALONG A CURVE TO L (CHORD BEARS: S 63 DEG 12' 8" E 482.96 FT, RADIUS = 9950.49 FT) ARC LENGTH = 483.01 FEET; ALONG A CURVE TO R (CHORD BEARS: N 6 DEG 32' 3" W 21.42 FT, RADIUS = 20 FT) ARC LENGTH = 22.60 FEET; N 25 DEG 50' 15" E 90.11 FT; ALONG A CURVE TO R (CHORD BEARS: N 70 DEG 18' 43" E 167.72 FT, RADIUS = 119.69 FT) ARC LENGTH = 185.83 FEET; ALONG A CURVE TO L (CHORD BEARS: S 65 DEG 27' 12" E 83.74 FT, RADIUS = 9725 FT) ARC LENGTH = 83.74 FEET; S 24 DEG 18' 0" W 226.45 FT; ALONG A CURVE TO L (CHORD BEARS: S 68 DEG 23' 48" E 929.07 FT, RADIUS = 9950.49 FT) ARC LENGTH = 929.41 FEET TO BEG TO BEG. AREA 12.888 AC.

Parcel: 59:044:0081

Legal Description: COM N 1243.99 FT & E 321.28 FT FR S 1/4 COR. SEC. 12, T6S, R2W, SLB&M.; N 18 DEG 55' 24" E 28.66 FT; ALONG A CURVE TO L (CHORD BEARS: N 10 DEG 0' 28" E 538.91 FT, RADIUS = 1749.46 FT) ARC LENGTH = 541.06 FEET; N 1 DEG 22' 57" E 9.64 FT; N 89 DEG 50' 58" W 25.78 FT; S 1 DEG 12' 23" W 9.72 FT; ALONG A CURVE TO R (CHORD BEARS: S 2 DEG 27' 33" W 76.53 FT, RADIUS = 1750 FT) ARC LENGTH = 76.54 FEET; W 391.09 FT; N 251.34 FT; S 89 DEG 57' 53" W 1199.87 FT; S 101.6 FT; E 305.8 FT; S 306 FT; W 306 FT; N 407.6 FT; S 89 DEG 57' 53" W 189.01 FT; S 1 DEG 21' 47" W 752.08 FT; ALONG A CURVE TO L (CHORD BEARS: S 61 DEG 44' 39" E 23.49 FT, RADIUS = 9950.49 FT) ARC LENGTH = 23.49 FEET; N 88 DEG 57' 7" E 1703.74 FT TO BEG. AREA 26.205 AC.

Marketplace at Eagle Mountain Town Center

Vicinity Map:

See attached vicinity map from Utah County Assessor.

Existing Conditions:

A property survey has been provided to the City as part of our master site plan approval.

Land Use Maps:

See updated master conceptual site plan.

Zoning Districts:

We are asking for a rezone to Commercial Community for a portion of the property and to rezone portions to MF2 and MF1, as designated in the master site plan included with the application.

In the past the property has been zoned Commercial within the Eagle Mountain Properties MDA. Recently the City has asked the landowner to rezone the property, as it claims that the prior MDA has expired and no underlying zoning rights are existing. The Property Owner disputes this claim, but is allowing us to move forward with the rezone request (see letter attached).

The rezone to Commercial Community and MF2/MF1 is consistent with current future land use maps. While the General Plan shows the property as Community Commercial, the description for Community Commercial in the General Plan states "Residential units may be an accessory use to any of these types of commercial development, but may not be a stand-alone development in these areas."

MARKETPLACE AT
EAGLE MOUNTAIN
TOWN CENTER

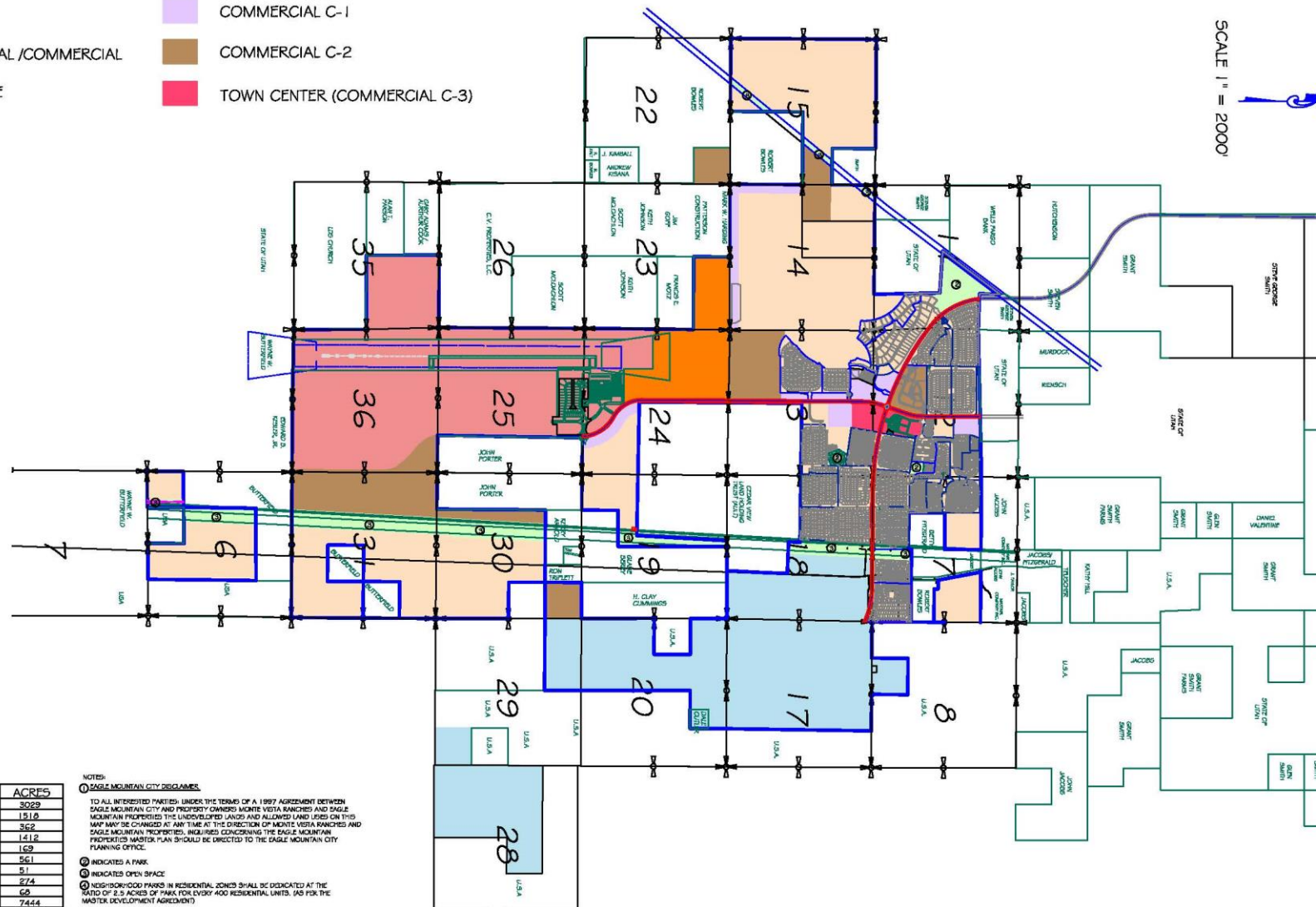
Rezone

Overview

- Project was reviewed by Planning Commission in January and discussed by City Council in February
- Proposed project is located on approximately 39 acres at the northwest corner of Pony Express Parkway and Eagle Mountain Boulevard
- Property was zoned Commercial C-2 in Eagle Mountain Properties Master Development Plan
 - *Master Development Agreement has expired; any vesting of specific uses is expired*
- Applicant has submitted rezone request to rezone to Commercial Community, MF1, and MF2 zones
- Rezone request considered by Planning Commission on June 9th was for Commercial Community and MF2
 - *Applicant has modified proposal to change a portion of the multi-family area to MF1 (approx. 4.4 acres)*
- Concept Master Site Plan Map includes a road connection into Raven Way and reduces size of multi-family areas from 11 acres to 9 acres

- RESIDENTIAL
MIXED-USE RESIDENTIAL /COMMERCIAL
PARKS & OPEN SPACE
AIRPARK
INDUSTRIAL
- COMMERCIAL C-1
COMMERCIAL C-2
TOWN CENTER (COMMERCIAL C-3)

SCALE 1" = 2000'



LAND USE	ACRES
RESIDENTIAL	3029
MIXED-USE RESIDENTIAL/COMMERCIAL	151.6
PARKS & OPEN SPACE	362
AIRPARK	141.8
COMMERCIAL C-1	169
COMMERCIAL C-2	56.1
TOWN CENTER (COMMERCIAL C-3)	5.1
INDUSTRIAL	274
ROADS (EAGLE MNT. BLVD & SWEETWATER)	62
TOTAL	7444

NOTES:
① EAGLE MOUNTAIN CITY DISCLAIMER:
TO ALL INTERESTED PARTIES: UNDER THE TERMS OF A 1997 AGREEMENT BETWEEN EAGLE MOUNTAIN CITY AND PROPERTY OWNERS MONTE VISTA RANCHES AND EAGLE MOUNTAIN PROPERTIES THE UNDEVELOPED LANDS AND ALLOWED LAND USES ON THIS MAP MAY BE CHANGED AT ANY TIME AT THE DISCRETION OF MONTE VISTA RANCHES AND EAGLE MOUNTAIN PROPERTIES. INQUIRIES CONCERNING THE EAGLE MOUNTAIN PROPERTIES MASTER PLAN SHOULD BE DIRECTED TO THE EAGLE MOUNTAIN CITY PLANNING OFFICE.
② INDICATES A PARK.
③ INDICATES OPEN SPACE.
④ 10% OF OPEN SPACE IN RESIDENTIAL ZONES SHALL BE DEDICATED AT THE RATIO OF 2.5 ACRES OF PARK FOR EVERY 400 RESIDENTIAL UNITS. (AS FOR THE MASTER DEVELOPMENT AGREEMENT).

MCM ENGINEERING, INC.
CIVIL / STRUCTURAL / LAND SURVEYING

Customer: MONTE VISTA RANCHES LAND & RANCH
Drawn by: SAC Approved by: MCM Project no.: 00000
Z:\00006\solid-masterplan-smr-dwg\MASTERUPDATE.dwg 5/3/2007 2:56:22 PM MOT

REVISION DATE:	REVISION BY:	REVISION DESCRIPTION:
4-21-06	SAC	CHECKED/CHANGED ACRES
5-31-07	SAC	PLANNING COMMISSION RECOMMENDATIONS
12/1/07	SAC	EAGLE MOUNTAIN CITY RESUBS

PROJECT: MONTE VISTA RANCH, LC & EAGLE MOUNTAIN PROPERTIES, LLC - MASTER DEVELOPMENT- LAND USE MAP; EAGLE MOUNTAIN, UTAH

SHEET TITLE: 2006 AMENDMENT
(PROPOSED IN 2006 APPROVED BY CC JUNE 19, 2007)

SHEET NO.: 1/1

Items to Consider

- General Plan / Future Land Use Map
 - *Property is designated as Community Commercial and complies with the General Plan*
- Rezone Approval Criteria
 - *Compliance with General Plan*
 - Request zones are consistent with land uses shown on Future Land Use and Transportation Map
 - *Compatibility Determination*
 - Proposed uses and densities will be reasonably compatible with adjacent land uses
 - *City Services*
 - Proposed use can be accommodated with public services and will not overburden City's service capacity
 - *Traffic Generation*
 - Traffic generation by proposed use is within capabilities of streets serving the property
 - *Property Values*
 - Proposed use is not expected to have a significant negative impact on surrounding property values

Planning Commission Recommendation

- Planning Commission held a public hearing and discussed proposal on June 9, 2020
 - *Email from resident was reviewed expressing concerns regarding the development of multifamily in the area resulting in an increase of traffic (was in favor of commercial development)*
 - *Commissioners expressed concerns related to proposed density of multi-family area and a desire to connect a road to neighborhood to the northwest*
 - They also discussed whether multi-family area would be feasible for commercial use in the future
- Planning Commission voted 4-0 (1 absent) to recommend approval to the City Council of the proposed rezone, rezoning the entire project to Community Commercial



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
JULY 21, 2020**

TITLE:	<u>ORDINANCE/PUBLIC HEARING</u> - An Ordinance of Eagle Mountain City, Utah, Designating Certain Areas of the Sweetwater Industrial Park Under the Sweetwater Industrial Overlay Zone.		
ITEM TYPE:	Rezone		
FISCAL IMPACT:			
APPLICANT:	Scot Hazard		
GENERAL PLAN DESIGNATION Business Park / Light Industry & Neighborhood Residential One	CURRENT ZONE Industrial (Expired EM Properties MDA)	ACREAGE Approx. 200 Acres	COMMUNITY Tech Campus

PUBLIC HEARING:

Yes

PREPARED BY:

Steve Mumford, Planning

PRESENTED BY:

Steve Mumford (Assistant City Administrator & Community Development Director)

RECOMMENDATION:

We recommend that the Council consider approving the Sweetwater Industrial Overlay Zone for the portions of the property recommended by the Planning Commission, along with their recommended conditions of approval, and consider rezoning the entire property to the LMD zone. The applicant can then return in the future with a rezone application for a commercial zone for the northern portion if demand increases in the future for commercial uses in the area. We can also begin drafting some amendments to the Sweetwater Industrial Overlay Zone and bring those back to the PC and CC at future meetings. A development agreement may be required to restrict or modify the uses for this project, and an approval of this application may be contingent on the approval of a development agreement, which we can begin drafting and bring back at a meeting in the near future.

BACKGROUND:

The Sweetwater Industrial Master Site Plan / Preliminary Plat was reviewed by the Planning Commission on May 26th and given a recommendation of approval to the City Council (4-1). This application is a rezone application to add the Sweetwater Industrial Overlay Zone to a majority of the site (201 Acres) - all areas except for along the frontage of Pony Express Parkway and Tiffany Lane.

The Sweetwater Industrial Overlay Zone was created in 2015 as an alternative to an applicant-proposed development agreement for the property in question. The purpose of the overlay zone is *"to provide for and allow industrial and business opportunities that will provide a buffer zone between the wastewater treatment facility and higher end businesses and industrial uses. The standards and processes of the base zoning or underlying zoning shall be applicable unless modified or replaced by this overlay zone."*

ITEMS FOR CONSIDERATION:

GENERAL PLAN FUTURE LAND USE MAP & ZONING

This property is designated mostly as Business Park / Light Industry on the City's Future Land Use and Transportation Corridors map, with the exception of the northwestern area. The General Plan states that Business Park / Light Industry is *"Modern light industrial uses that provide attractive environments for jobs and are compatible with nearby neighborhoods. Light industrial business and technology parks, food processing and wholesaling, advanced manufacturing, and research and development facilities in attractive low impact environment. Employment and economic development opportunities. Range of scales for offices and production and supporting retail for office and surrounding neighborhoods. Job centers to accommodate a wide range of production and distribution activities. Higher intensity industrial will be buffered from other uses with blue/green infrastructure."*

The property was zoned Industrial in the Eagle Mountain Properties Master Development Plan. The master development agreement for that project has expired, which means any vesting of specific uses for the property is also expired, since the uses were defined as part of the master development agreement. We recommend rezoning the property to the LMD zone in order to bring it into compliance with current zoning.

The Sweetwater Industrial Overlay Zone contains a separate land use

table (EMMC Table 17.53) with specific permitted, conditional, and prohibited uses. The overlay zone also contains the following development standards:

A. Buildings must comply with the city's commercial design standards found in EMMC 17.72.040, except that metal may be used as a primary exterior building material, and pedestrian-scaled architectural details are not required.

B. The front parking lots and driveway entrances shall be asphalted to city standards, while equipment and parking areas behind the front of a building may be graveled.

C. Rear parking or storage areas do not need to comply with city landscaping requirements.

D. Outdoor storage of equipment, used materials, and wrecked or abandoned vehicles shall be screened behind an opaque fence or wall to be out of sight of major roads. Fencing and screening of outdoor uses shall be reviewed with each individual site plan.

E. All outdoor lighting shall comply with Chapter 17.56 EMMC.

F. Parking for each site plan shall comply with Chapter 17.55 EMMC.

The LMD (Light Manufacturing / Distribution) Zone is for *"limited retail, research, office, light manufacturing, and warehouse uses. This zone would allow medium distribution centers, light manufacturing, research labs not producing hazardous waste, warehouses with small office areas in the front of the building and outside machinery and product storage attached to a business. These buildings will be required to have professional looking exteriors with landscaping, parking out front with docks and screened storage yards in the back. These types of businesses will be located near major collectors, arterial roads and highways. This zone is generally most appropriate in areas designated as Business Park / Light Industry on the City's Future Land Use Map, but it may also be considered for approval in other areas at the discretion of the approval authority, depending on the surrounding land uses and other circumstances."*

REZONE APPROVAL CRITERIA (EMMC 17.90.060)

The following are the approval criteria in the City Code in relation to rezone applications:

(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.

(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.

(C) City Services.

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

(D) Traffic Generation.

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

(E) Property Values.

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

EMMC 17.90.070 states that *"In order to ensure that future development is compatible with surrounding neighborhoods, and to provide notice to property owners of limitations and requirements for development of property, conditions may be attached to any rezone application approval which restrict or specifically designate the land uses, dwelling unit density, building square footage, lot sizes, or height of structures."*

REQUIRED FINDINGS:

A rezone is a legislative decision and is considered valid if reasonably debatable and not illegal. The criteria for approval for a rezone are listed in EMMC 17.90.060 and in this report.

PLANNING COMMISSION ACTION/RECOMMENDATION:

On June 9th the Planning Commission held a public hearing and discussed this proposal. No public comments were made or submitted. Commissioners held a lengthy discussion during which they expressed concern related to the area of the proposed overlay, some of the uses that were listed as permitted and conditional in the overlay, the desire to rezone this area to the LMD zone (Light manufacturing / distribution), the applicant's plan for potentially developing commercial uses on the north end of the project area, the potential for a sunset clause on the rezone approval, the need for the Sweetwater Industrial Overlay Zone to be amended, and the desire to encourage businesses to develop in this area of the city, among other items. The LMD zone was not yet approved by the City Council by June 9th, so the applicant didn't submit a proposal to rezone the property to that zone. The LMD zone seemed to satisfy the applicant's needs for this area, with the exception of the lack of a few uses in the chart and no allowance for metal buildings. See the attached meeting minutes (pages 4-10) for more details.

Ultimately the Planning Commission voted (4-0, 1 absent) to recommend approval to the City Council of the proposed rezone, including the Sweetwater Industrial Overlay Zone on lot 1, lot 2, the 32.24-acre development area, the 10.28-acre development area, and the 2.67-acre development area with the following conditions:

- 1. Automobile sales and/or services shall be a permitted use;*
- 2. Convenience stores shall be a permitted use;*
- 3. Electronic data management businesses shall be a permitted use;*
- 4. Laundry and dry-cleaning establishments shall be prohibited;*
- 5. Manufactured homes developments shall be prohibited;*
- 6. Motels and hotels shall be prohibited;*
- 7. Other manufacturing businesses shall be a permitted use; and*
- 8. Restaurants and banks (with drive-through service facilities) shall be prohibited.*

The Commission also recommended to the Council that they waive the requirement for a master development plan application, as

allowed by EMMC 16.10.030, and allow it the applicant to move forward with a master site plan and preliminary plat.

ATTACHMENTS:

Sweetwater Industrial Preliminary Plan

Proposed Zoning Map

Future Land Use Map 2-2020

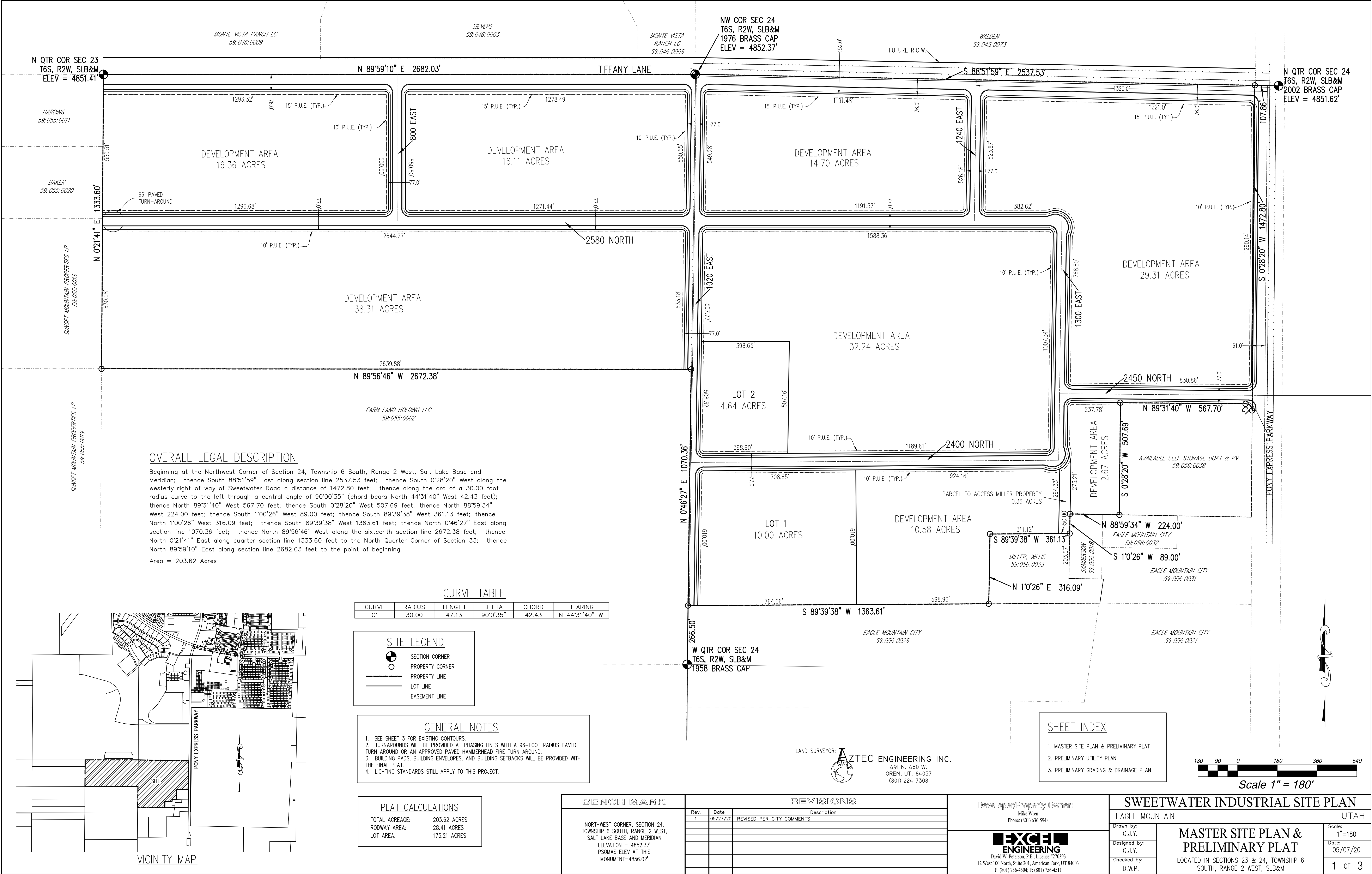
MVR & EM Properties MDP Map

Rezone Application & Additional Information

06.09.2020 Planning Commission Minutes - Sweetwater Industrial Park

ORD--Sweetwater Industrial Overlay Zone

Sweetwater Industrial Overlay Zone Presentation



OVERALL LEGAL DESCRIPTION

Beginning at the Northwest Corner of Section 24, Township 6 South, Range 2 West, Salt Lake Base and Meridian; thence South 88°51'59" East along section line 2537.53 feet; thence South 0°28'20" West along the westerly right of way of Sweetwater Road a distance of 1472.80 feet; thence along the arc of a 30.00 foot radius curve to the left through a central angle of 90°00'35" (chord bears North 44°31'40" West 42.43 feet); thence North 89°31'40" West 567.70 feet; thence South 0°28'20" West 507.69 feet; thence North 88°59'34" West 224.00 feet; thence South 1°00'26" West 89.00 feet; thence South 89°39'38" West 361.13 feet; thence North 1°00'26" West 316.09 feet; thence South 89°39'38" West 1363.61 feet; thence North 0°46'27" East along section line 1070.36 feet; thence North 89°56'46" West along the sixteenth section line 2672.38 feet; thence North 0°21'41" East along quarter section line 1333.60 feet to the North Quarter Corner of Section 33; thence North 89°59'10" East along section line 2682.03 feet to the point of beginning.

Area = 203.62 Acres

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	30.00	47.13	90°0'35"	42.43	N 44°31'40" W

SITE LEGEND

- SECTION CORNER
- PROPERTY CORNER
- PROPERTY LINE
- LOT LINE
- EASEMENT LINE

GENERAL NOTES

- SEE SHEET 3 FOR EXISTING CONTOURS.
- TURNAROUNDS WILL BE PROVIDED AT PHASING LINES WITH A 96-FOOT RADIUS PAVED TURN AROUND OR AN APPROVED PAVED HAMMERHEAD FIRE TURN AROUND.
- BUILDING PADS, BUILDING ENVELOPES, AND BUILDING SETBACKS WILL BE PROVIDED WITH THE FINAL PLAT.
- LIGHTING STANDARDS STILL APPLY TO THIS PROJECT.

PLAT CALCULATIONS

TOTAL ACREAGE: 203.62 ACRES
ROADWAY AREA: 28.41 ACRES
LOT AREA: 175.21 ACRES

BENCH MARK

NORTHWEST CORNER, SECTION 24,
TOWNSHIP 6 SOUTH, RANGE 2 WEST,
SALT LAKE BASE AND MERIDIAN
ELEVATION = 4852.37'
PSOMAS ELEV AT THIS
MONUMENT=4856.02'

REVISIONS

Rev.	Date	Description
1	05/27/20	REVISED PER CITY COMMENTS

Developer/Property Owner:

Mike Wren
Phone: (801) 636-5948



David W. Peterson, P.E., License #270393
12 West 100 North, Suite 201, American Fork, UT 84003
P: (801) 756-4504; F: (801) 756-4511

SWEETWATER INDUSTRIAL SITE PLAN

EAGLE MOUNTAIN

UTAH

Drawn by:

G.J.Y.

Designed by:

G.J.Y.

Checked by:

D.W.P.

MASTER SITE PLAN & PRELIMINARY PLAT

LOCATED IN SECTIONS 23 & 24, TOWNSHIP 6
SOUTH, RANGE 2 WEST, SLB&M

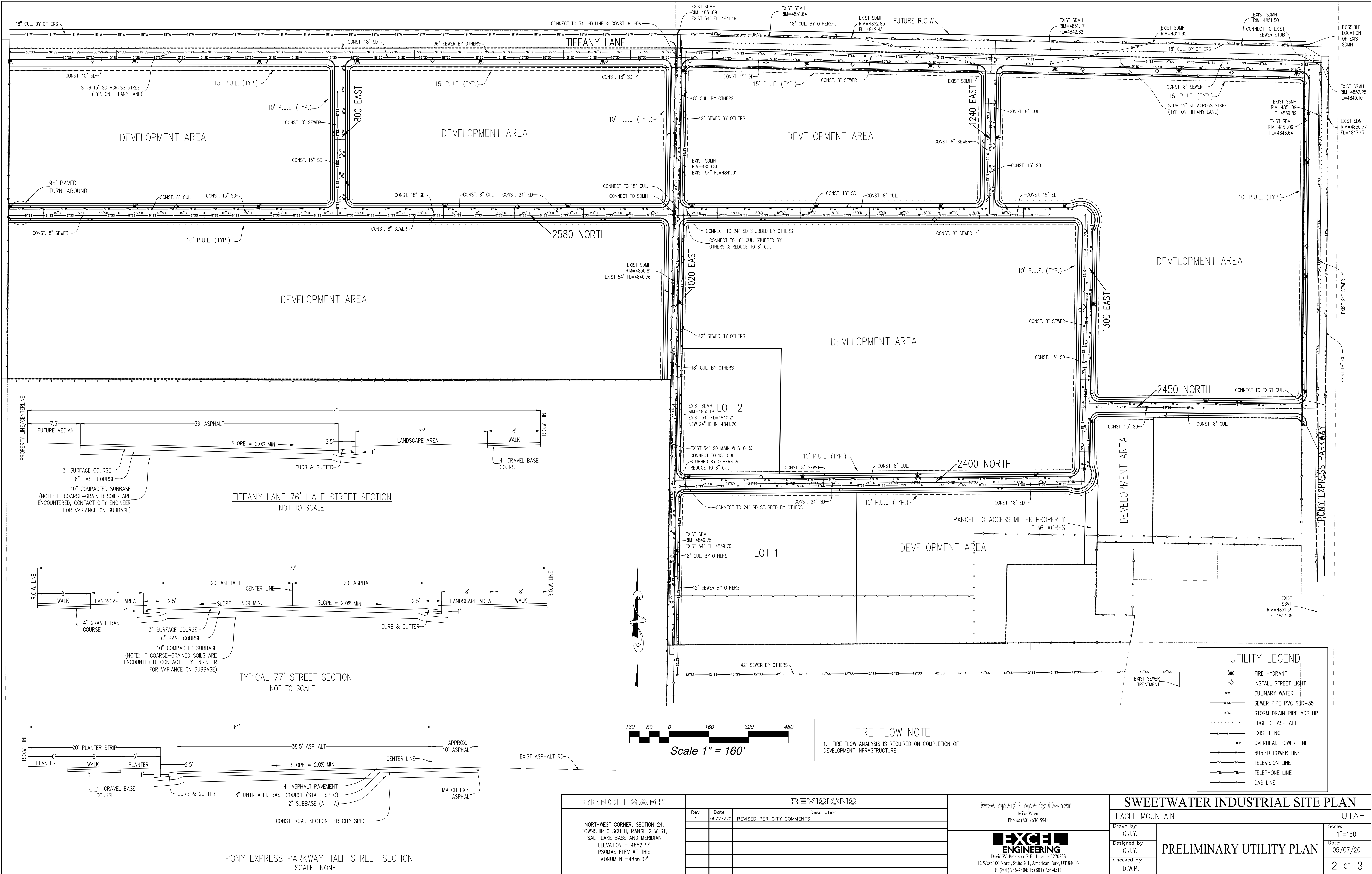
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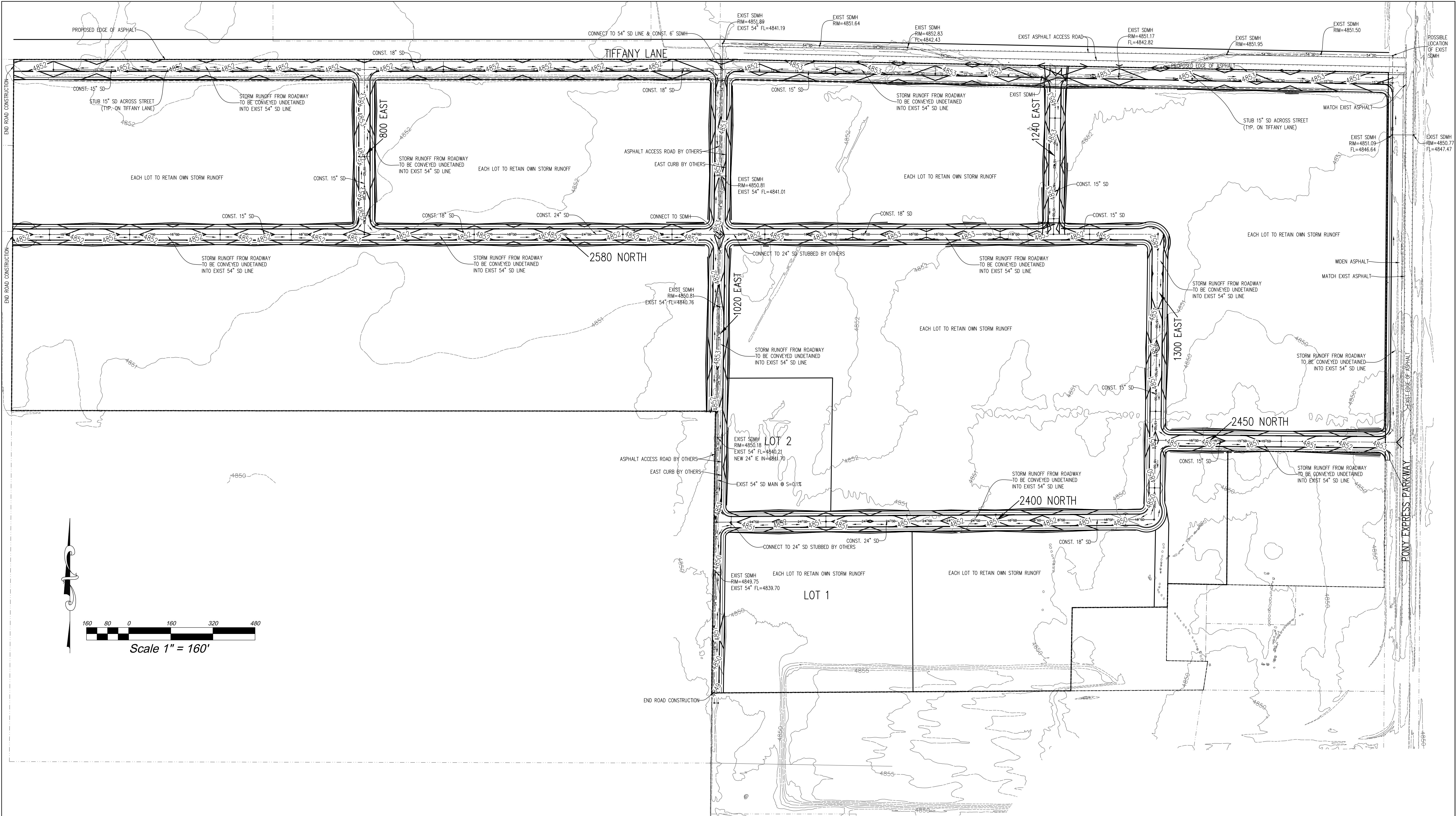
1"=180'

Date:

05/07/20

1 OF 3





EROSION CONTROL NOTES:

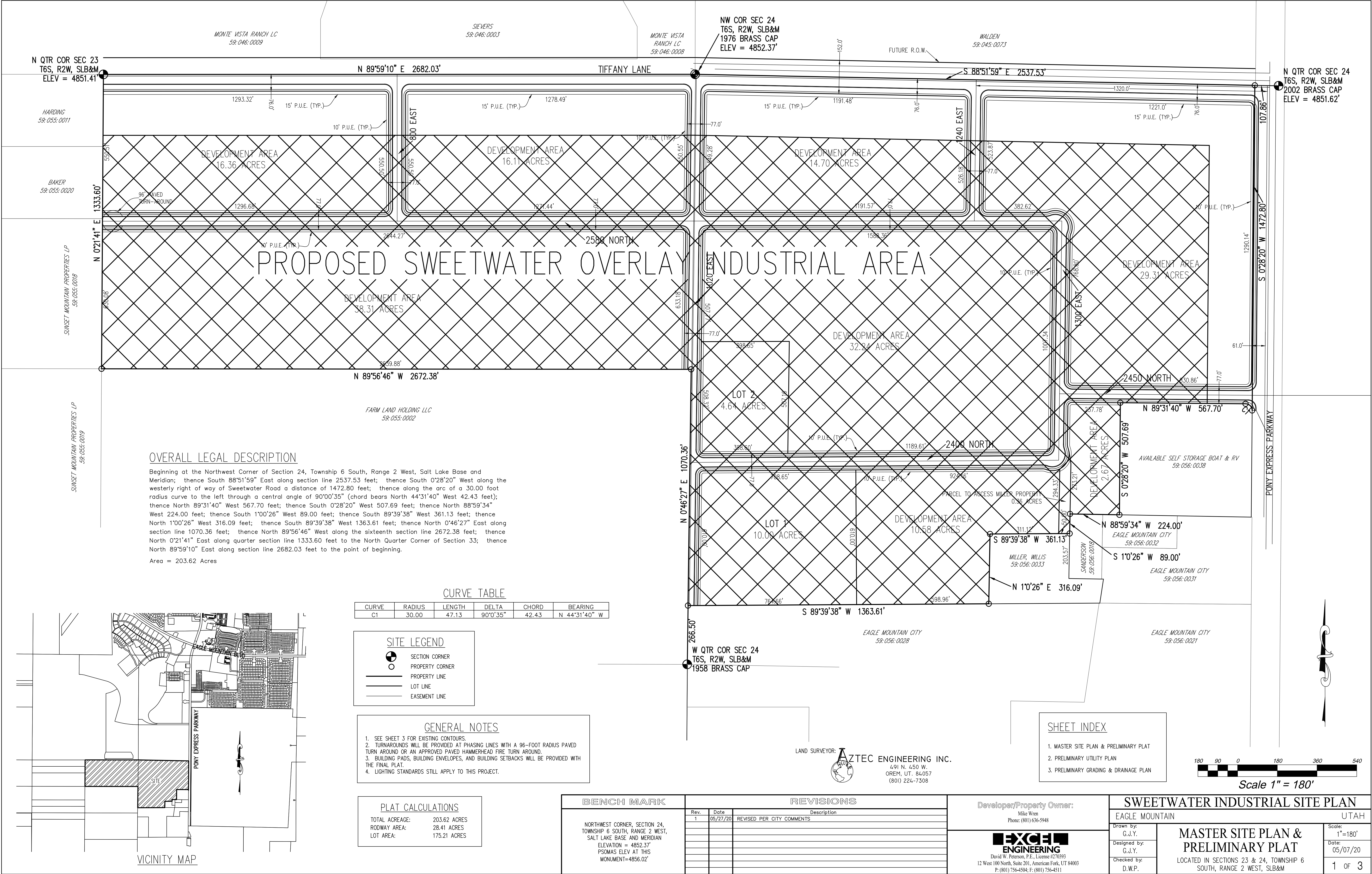
1. EACH PHASE OF CONSTRUCTION WILL ADHERE TO THE FOLLOWING EROSION CONTROL PRACTICES
2. CONSTRUCT A SILT FENCE AROUND PERIMETER OF DOWNSTREAM PORTIONS OF EACH PHASE.
3. INSTALL A CONSTRUCTION ENTRANCE FOR EACH PHASE.
4. CONSTRUCT STORM DRAIN FACILITIES AND INSTALL INLET PROTECTION AFTER INSTALLATION.
5. IMPLEMENT DUST CONTROL MEASURES FOR EACH PHASE.
6. CONTRACTOR IS TO REMOVE INLET PROTECTION FROM CATCH BASINS AND CLEAN-OUT ALL CATCH BASINS BEFORE LEAVING THE SITE.

GRADING NOTES:

1. EACH LOT WILL RETAIN ITS OWN STORM RUNOFF. STORM RUNOFF IN THE ROADWAYS WILL BE CONVEYED UNDETAINED TO THE EXISTING 54" STORM DRAIN PIPE LOCATED IN 1020 EAST. PIPES ARE SIZED FOR 10-YEAR EVENT. SEE SEPARATE STORM DRAIN REPORT FOR CALCULATIONS.
2. THERE ARE NO FLOOD HAZARDS IN THIS PROJECT.
3. MASTER DRAINAGE PLANS TO BE APPROVED AND FOLLOWED BY BUILDERS.
4. SOILS REPORTS ARE REQUIRED FOR EACH FUTURE SITE PLAN.

BENCH MARK		REVISIONS	
NORTHWEST CORNER, SECTION 24, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN ELEVATION = 4852.37' PSOMAS ELEV AT THIS MONUMENT=4856.02'	Rev.	Date	Description
	1	05/27/20	REVISED PER CITY COMMENTS

Developer/Property Owner: Mike Wren Phone: (801) 636-5948		SWEETWATER INDUSTRIAL SITE PLAN	
EAGLE MOUNTAIN		UTAH	
Drawn by: G.J.Y.	PRELIMINARY GRADING & DRAINAGE PLAN	Scale: 1"=160'	
Designed by: G.J.Y.		Date: 05/07/20	
Checked by: D.W.P.		3 OF 3	



OVERALL LEGAL DESCRIPTION

Beginning at the Northwest Corner of Section 24, Township 6 South, Range 2 West, Salt Lake Base and Meridian; thence South 88°51'59" East along section line 2537.53 feet; thence South 0°28'20" West along the westerly right of way of Sweetwater Road a distance of 1472.80 feet; thence along the arc of a 30.00 foot radius curve to the left through a central angle of 90°00'35" (chord bears North 44°31'40" West 42.43 feet); thence North 89°31'40" West 567.70 feet; thence South 0°28'20" West 507.69 feet; thence North 88°59'34" West 224.00 feet; thence South 1°00'26" West 89.00 feet; thence South 89°39'38" West 361.13 feet; thence North 1°00'26" West 316.09 feet; thence South 89°39'38" West 1363.61 feet; thence North 0°46'27" East along section line 1070.36 feet; thence North 89°56'46" West along the sixteenth section line 2672.38 feet; thence North 0°21'41" East along quarter section line 1333.60 feet to the North Quarter Corner of Section 33; thence North 89°59'10" East along section line 2682.03 feet to the point of beginning.

Area = 203.62 Acres

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	30.00	47.13	90°0'35"	42.43	N 44°31'40" W

SITE LEGEND

- SECTION CORNER
- PROPERTY CORNER
- PROPERTY LINE
- LOT LINE
- EASEMENT LINE

GENERAL NOTES

- SEE SHEET 3 FOR EXISTING CONTOURS.
- TURNAROUNDS WILL BE PROVIDED AT PHASING LINES WITH A 96-FOOT RADIUS PAVED TURN AROUND OR AN APPROVED PAVED HAMMERHEAD FIRE TURN AROUND.
- BUILDING PADS, BUILDING ENVELOPES, AND BUILDING SETBACKS WILL BE PROVIDED WITH THE FINAL PLAT.
- LIGHTING STANDARDS STILL APPLY TO THIS PROJECT.

PLAT CALCULATIONS

TOTAL ACREAGE: 203.62 ACRES
ROADWAY AREA: 28.41 ACRES
LOT AREA: 175.21 ACRES

BENCH MARK

NORTHWEST CORNER, SECTION 24,
TOWNSHIP 6 SOUTH, RANGE 2 WEST,
SALT LAKE BASE AND MERIDIAN
ELEVATION = 4852.37'
PSOMAS ELEV AT THIS
MONUMENT=4856.02'

REVISIONS

Rev.	Date	Description
1	05/27/20	REVISED PER CITY COMMENTS

Developer/Property Owner:

Mike Wren
Phone: (801) 636-5948



David W. Peterson, P.E., License #270393
12 West 100 North, Suite 201, American Fork, UT 84003
P: (801) 756-4504; F: (801) 756-4511

SWEETWATER INDUSTRIAL SITE PLAN

EAGLE MOUNTAIN

UTAH

Drawn by:

G.J.Y.

Designed by:

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Checked by:

D.W.P.

MASTER SITE PLAN & PRELIMINARY PLAT

LOCATED IN SECTIONS 23 & 24, TOWNSHIP 6
SOUTH, RANGE 2 WEST, SLB&M

Scale: 1"=180'

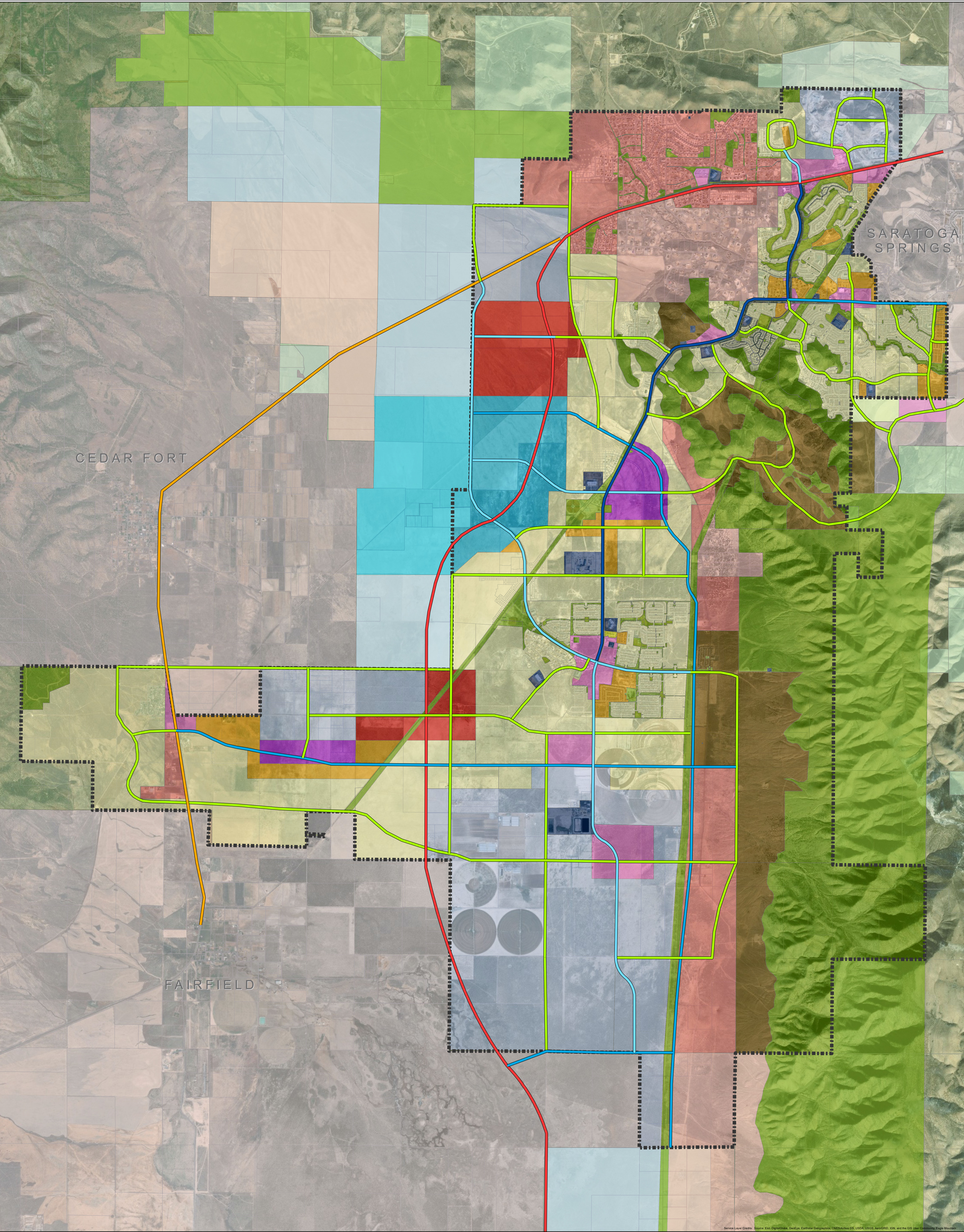
Date: 05/07/20

1 OF 3

Future Land Use & Transportation

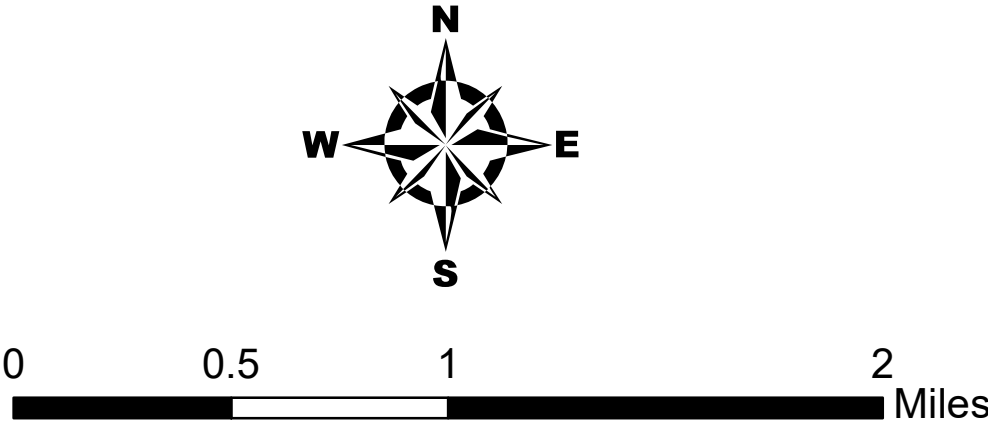
General Plan Map

January 2020



Land Use	
	Foothill Residential
	Rural Density One
	Rural Density Two
	Neighborhood Residential One
	Neighborhood Residential Two
	Neighborhood Residential Three
	Community Commercial
	Town Center Mixed Use
	Regional Commercial
	Employment Center Campus
	Business Park/Light Industry
	Civic Uses and Schools
	Parks and Open Space

Future Transportation	
	Freeway
	Highway
	Parkway
	Major Arterial
	Minor Arterial
	Collector



Disclaimer: Eagle Mountain City makes no warranty with respect to the accuracy, completeness, or usefulness of these maps. Eagle Mountain City assumes no liability for direct, indirect, special, or consequential damages resulting from the use or misuse of these maps or any of the information contained herein. Portions may be copied for incidental uses, but may not be resold.

To all interested parties: Under the terms of a 1997 agreement between Eagle Mountain City and property owners Monte Vista Ranches and Eagle Mountain Properties, the undeveloped lands and allowed land uses within the Eagle Mountain Properties Master Development may be changed at any time at the direction of Monte Vista Ranches and Eagle Mountain Properties. Inquiries concerning the Eagle Mountain Properties Master Plan should be directed to Eagle Mountain Planning Office.

- RESIDENTIAL

MIXED-USE RESIDENTIAL /COMMERCIAL

PARKS & OPEN SPACE

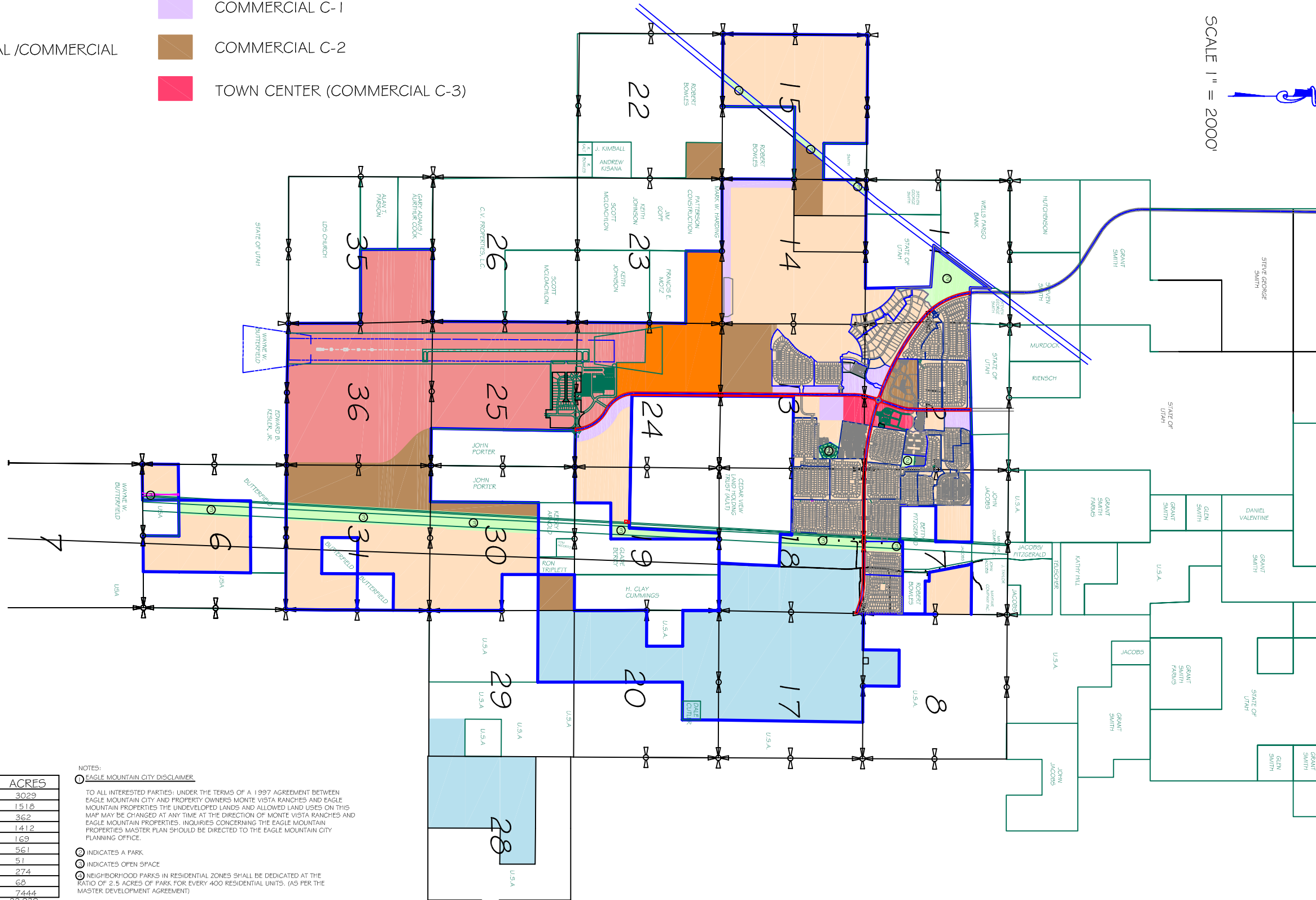
AIRPARK

INDUSTRIAL
- COMMERCIAL C-1

COMMERCIAL C-2

TOWN CENTER (COMMERCIAL C-3)

SCALE 1" = 2000'



LAND USE	ACRES
RESIDENTIAL	3029
MIXED-USE RESIDENTIAL/COMMERCIAL	1518
PARKS & OPEN SPACE	362
AIRPARK	1412
COMMERCIAL C-1	169
COMMERCIAL C-2	561
TOWN CENTER (COMMERCIAL C-3)	51
INDUSTRIAL	274
ROADS (EAGLE MNT. BLVD & SWEETWATER)	68
TOTAL	7444
*** TOTAL APPROVED RESIDENTIAL UNITS = 22,930	

NOTES:
EAGLE MOUNTAIN CITY DISCLAIMER
TO ALL INTERESTED PARTIES: UNDER THE TERMS OF A 1997 AGREEMENT BETWEEN EAGLE MOUNTAIN CITY AND PROPERTY OWNERS MONTE VISTA RANCHES AND EAGLE MOUNTAIN PROPERTIES THE UNDEVELOPED LANDS AND ALLOWED LAND USES ON THIS MAP MAY BE CHANGED AT ANY TIME AT THE DIRECTION OF MONTE VISTA RANCHES AND EAGLE MOUNTAIN PROPERTIES. INQUIRIES CONCERNING THE EAGLE MOUNTAIN PROPERTIES MASTER PLAN SHOULD BE DIRECTED TO THE EAGLE MOUNTAIN CITY PLANNING OFFICE.
INDICATES A PARK
INDICATES OPEN SPACE
NEIGHBORHOOD PARKS IN RESIDENTIAL ZONES SHALL BE DEDICATED AT THE RATIO OF 2.5 ACRES OF PARK FOR EVERY 400 RESIDENTIAL UNITS. (AS PER THE MASTER DEVELOPMENT AGREEMENT)

MCMENGINEERING, INC.

CIVIL / STRUCTURAL / LAND SURVEYING

Customer: MONTE VISTA RANCH LEGENDS LAND & RANCH
Drawn by: SKF
Approved by: MCM
Project no.: 06006
Z:\06006 walden-masterplan amend\dwg\MASTERUPDATE.dwg 5/31/2007 2:56:22 PM MDT

REVISION DATE:	REVISED BY:	REVISION DESCRIPTION:
4-21-06	SKF	CHECK/CHANGED ACRES
5-31-07	SKF	PLANNING COMMISSION RECOMMENDATIONS
12/1/07	SKF	EAGLE MOUNTAIN CITY REDLINES

PROJECT: MONTE VISTA RANCH, LC & EAGLE MOUNTAIN PROPERTIES, LLC - MASTER DEVELOPMENT- LAND USE MAP; EAGLE MOUNTAIN, UTAH

SHEET TITLE: 2006 AMENDMENT (PROPOSED IN 2006 APPROVED BY CC JUNE 19, 2007)

SHEET NO.: 1/1

Monte Vista Ranch, L.C.

1754 E Cedar Trails Way
Eagle Mountain, Utah 84005

May 14, 2020

Eagle Mountain City Planning Department
2565 Pony Express Parkway
Eagle Mountain, UT 84005

Re: Sweetwater Industrial Overlay Rezone Application

This letter is to accompany the Sweetwater Industrial Overlay Rezone Application and provide the additional application requirements.

1. The Legal Description of the property to be included in the Sweetwater Industrial Overlay Rezone Application is:
Utah County Serial Number: 59-056-0039
Legal Description: COM AT NW COR. SEC. 24, T6S, R2W, SLB&M.; S 88 DEG 52' 5" E 2540.54 FT; S 0 DEG 27' 8" W 1472.81 FT; W 3.52 FT; ALONG A CURVE TO L (CHORD BEARS: N 44 DEG 31' 40" W 42.43 FT, RADIUS = 30 FT); N 89 DEG 31' 40" W 567.7 FT; S 0 DEG 28' 20" W 507.81 FT; N 88 DEG 58' 38" W 75.32 FT; N 88 DEG 59' 38" W 148.4 FT; S 1 DEG 0' 22" W 88.95 FT; S 89 DEG 39' 38" W 361.37 FT; S 1 DEG 0' 26" W 316.19 FT; S 89 DEG 39' 56" W 1363.43 FT; N 0 DEG 46' 12" E 2407.28 FT TO BEG. AREA 121.600 AC.

Utah County Serial Number: 59-055-0001
Legal Description: N1/2 OF NE1/4 OF SEC 23, T 6 S, R 2 W, SLM. AREA 80 ACRES.
2. A Vicinity Map is shown on the attached Exhibit A.
3. The Existing Conditions are shown in the attached Exhibit B, consisting of a map of the area and a geotechnical investigation report.
4. The Land Use Maps are shown in Exhibit C, the proposed preliminary plat maps. The initial and anticipated land uses will be for light industrial businesses that are listed and permitted under the Sweetwater Industrial Overlay Zone in Chapter 17.53 of the Eagle Mountain City Municipal Code. The initial anticipated land uses are for Industrial Parks and Warehouses as well as an Office Building and Communications Facilities.

5. The Zoning Districts of the property in this Sweetwater Industrial Overlay Zone Application comply with the stated purposes of the Sweetwater Industrial Overlay Zone described in Chapter 17.53 of the Eagle Mountain City Municipal Code. The property described in this Sweetwater Industrial Overlay Zone Application either borders or is in close proximity to the Eagle Mountain City wastewater treatment plant. The development of this property will provide a buffer zone between the Eagle Mountain City wastewater treatment plant and other higher end businesses and industrial uses.



REZONE APPLICATION

(801)789-6617 • 1650 E STAGECOACH RUN, EAGLE MOUNTAIN, UT 84005 • WWW.EAGLEMOUNTAINCITY.COM

PROJECT INFORMATION		UPDATED: 6/2015
Official Project Name: <u>Sweetwater Industrial Park</u>		
Proposed Zoning: <u>Sweetwater Industrial Overlay Zone</u> Surrounding Zoning: <u>Municipal Uses, Residential, Industrial, Commercial</u>		
General Location of the Property: <u>South of Tiffany Lane and West of Pony Express, North of Eagle Mountain Building Dept.</u>		
Surrounding Land Uses: <u>Municipal Uses, Agricultural, Residential</u> Total Acreage of the Subject Property: <u>201.6 acres</u>		
Does the proposed zoning require an amendment to the City's General Map? ☒ Yes ☐ No		
AUTHORIZED AGENT INFORMATION	PROPERTY OWNER INFORMATION	
Authorized Agent: <u>Tiffany Walden/Scot Hazard</u>	Property Owner: <u>Monte Vista Ranch, L.C.</u>	
Address: <u>1754 E Cedar Trails Way, Eagle Mtn, UT 84005</u>	Address: <u>1754 E Cedar Trails Way, Eagle Mtn, UT 84005</u>	
Phone: <u>(801) 403-9197</u> Cell: <u>(801) 789-8000</u>	Phone: <u>(801) 403-9197</u> Cell: _____	
E-mail: <u>waldentiffany@gmail.com / scot@theranches.com</u>	E-mail: <u>waldentiffany@gmail.com</u>	

****IMPORTANT:** Incomplete applications will not be accepted. In order for an application to be deemed complete, all required materials must be submitted with the application, regardless of whether they have been previously submitted to Eagle Mountain City. If any required materials are not applicable to your submittal, you must submit a letter for each required item stating the reason why it is not applicable to your application.**

SUBMITTAL REQUIREMENTS		
1 digital/electronic PDF copy of all plans & other required materials is required on jump drive or through Dropbox. Please ensure there is only one PDF electronic file for each type of plan; do not separate the individual pages within a set of plans. Please label accordingly. Plans will not be reviewed until all digital files are received.		
FOR OFFICE USE ONLY		
Date:	Received By:	Application Complete? ☐ Yes ☐ No
		Anything Missing:
Fees: \$1,350.00		
Total Amount Due: _____		Total Amount Paid: _____

Please see Applicant Certification on the following page.

APPLICANT CERTIFICATION: I certify under penalty of perjury that this application and all information submitted as part of this application are true, complete and accurate to the best of my knowledge. I also certify that I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me with respect to this application. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that Eagle Mountain City may rescind any approval, or take any other legal or appropriate action. I also acknowledge that I have reviewed the applicable sections of the Eagle Mountain Development Code and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses. Additionally, I acknowledge that I have reviewed and understand the section from the Consolidated Fee Schedule and hereby agree to comply with this ordinance. I also agree to allow the Staff, Planning Commission, or City Council or appointed agent(s) of the City to enter the subject property to make any necessary inspections thereof.

Property Owner's Signature: _____

Date: _____

Tiffany Walden, the Manager of MVR Management LLC, the Manager of Monte Vista Ranch. LC.

Documents to attach to application:

- Rezoning Application Requirements/Checklist

MVR MANAGEMENT LLC 03-17

PH. 801-403-9197
1019 E HUNTER LANE
EAGLE MOUNTAIN, UT 84005

MOUNTAIN AMERICA CREDIT UNION
31-7955/3240

5/14/2020

PAY TO THE ORDER OF **EAGLE MOUNTAIN CITY**

\$ **1,350.00

One Thousand Three Hundred Fifty and 00/100*****

DOLLARS

EAGLE MOUNTAIN CITY
1650 EAST STAGECOACH RUN
EAGLE MOUNTAIN UT 84005



[Handwritten Signature]

AUTHORIZED SIGNATURE

MEMO

CITY FEE FOR SWEETWATER OVERLAY ZONE A

⑈001095⑈ ⑆324079555⑆501010670226⑈

EXHIBIT A

59:046:0009
ZJT MANAGEMENT LLC...
3502 N O STREET - EAGLE MOUNTAIN
Value: \$9,759,700 -- 420.77 acres

59:046:0008
ZJT MANAGEMENT LLC...
Value: \$1,876,300 -- 81.58 acres

59:045:0073
ZORBIS ENTERPRISES LLC (ET AL)...
Value: \$9,702,700 -- 105.07 acres

59:055:0001
MONTE VISTA RANCH LC...
Value: \$3,484,800 -- 80 acres

59:056:0039
MONTE VISTA RANCH LC...
Value: \$0 -- 121.6 acres

59:055:0002
FARM LAND HOLDING LLC (ET AL)...
Value: \$1,840,000 -- 80 acres

59:055:0005
FARM LAND HOLDING LLC...
Value: \$2,708,400 -- 80 acres

38:475:0004
EAGLE MOUNTAIN CITY...
2565 N PONY EXPRESS PKY - EAGLE MOUNTAIN
Value: \$0 -- 91.38 acres

Sewage
Disposal
Pond



EXHIBIT B

Utah County Parcel Map

This cadastral map is generated from Utah County Recorder data. It is for reference only and no liability is assumed for any inaccuracies, incorrect data or variations with an actual survey

Date: 5/14/2020





Applied Geotechnical Engineering Consultants, Inc.

GEOTECHNICAL INVESTIGATION
PROPOSED INDUSTRIAL SUBDIVISION
SWEETWATER ROAD AND BLUEWATER ROAD
EAGLE MOUNTAIN

PREPARED FOR:

**EAGLE MOUNTAIN PROPERTIES, L.C.
2230 NORTH PIPER LANE, SUITE 2
EAGLE MOUNTAIN, UTAH 84043**

ATTENTION: RUSS ROSANDER

PROJECT NO. 1000069

MARCH 22, 2000

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EXECUTIVE SUMMARY

1. The subsurface soils encountered at the site consist of approximately ½ foot of topsoil overlying lean clay with occasional silty and high plastic clay layers. Approximately 1 ½ feet of silt was encountered above the clay in Boring B-5. Silty sand was encountered at depth in Borings B-1, B-2 and B-3. The maximum depth investigated was approximately 30½ feet.
2. No free water was encountered at the time of drilling to the maximum depth investigated.
3. Light to moderate building loads, as described in the Proposed Construction Section of the report, may be supported on spread footings bearing on the undisturbed natural soil or on compacted structural fill extending down to the undisturbed natural soil. The need for structural fill below proposed footings is dependant upon the load.
4. Some of the clay encountered at the site becomes more compressible or is slightly expansive when wetted. Good surface drainage should be provided away from the proposed buildings and precautions should be taken to reduce the potential for water being introduced into the foundation soils, as discussed in the report.
5. The near surface soil at the site consists primarily of clay and silt. The clay and silt may result in difficult access during times when the upper soil is very moist to wet such as during the winter and spring or after prolonged rainfall. If construction occurs under these conditions, placement of granular fill will help in accessing the property and provide a working surface for construction.
6. Based on the results of water soluble sulfate tests and our experience in the area, some of the natural soils possess a relatively high concentration of water soluble sulfates. We recommend that sulfate resistant cement be used for concrete placed in contact with the natural soil.
7. Geotechnical information related to subgrade preparation, pavement design and materials are included in the report.

SCOPE

This report presents the results of a geotechnical investigation for the proposed industrial subdivision to be located at Sweetwater Road and Bluewater Road in Eagle Mountain, Utah.

The report presents the subsurface conditions encountered, laboratory test results and recommendations for foundations and pavement. The study was conducted in general accordance with our proposal dated January 25, 2000.

Field exploration was conducted to obtain information on the subsurface conditions. Samples obtained from the field investigation were tested in the laboratory to determine physical and engineering characteristics of the on-site soil. Information obtained from the field and laboratory was used to define conditions at the site for our engineering analysis and to develop recommendations for the proposed foundations and pavement.

The report has been prepared to summarize the data obtained during the study and to present our conclusions and recommendations based on the proposed construction and the subsurface conditions encountered. Design parameters and a discussion of geotechnical engineering considerations related to construction are included in the report.

SITE CONDITIONS

The site is an undeveloped field.

The site slopes gently downward to the north.

Vegetation at the site consists of grass and sagebrush.

The surrounding area includes undeveloped fields in all directions with the existing Sweetwater Drive to the east and a sewage treatment facility to the south.



FIELD STUDY

The field study was conducted on February 10, 2000. Six borings were drilled at the approximate locations indicated on Figure 1 using 8-inch diameter hollow stem auger powered by an all-terrain drill rig. The borings were logged and soil samples obtained by an engineer from AGECE. Logs of the subsurface conditions encountered in the borings are graphically shown on Figure 2 with Legend and Notes of Figure 3.

SUBSURFACE CONDITIONS

The subsurface soils encountered at the site consist of approximately $\frac{1}{2}$ foot of topsoil overlying lean clay with occasional silty and high plastic clay layers. Approximately $1\frac{1}{2}$ feet of silt was encountered above the clay in Boring B-5. Silty sand was encountered at depth in Borings B-1, B-2 and B-3. The maximum depth investigated was approximately $30\frac{1}{2}$ feet.

A description of the various soils encountered in the borings follows:

Topsoil - The topsoil consists of sandy lean clay which is moist, brown and contains roots.

Lean Clay - The lean clay contains silt, silty clay and high plastic clay layers. Some of the clay was observed to be slightly porous. The clay is very stiff to hard, slightly to very moist and light brown to grayish brown in color. The clay contains slightly cemented to moderately cemented layers.

Laboratory tests conducted on samples of the clay indicate natural moisture contents range from 10 to 33 percent and natural dry densities range from 71 to 104 pounds per cubic foot (pcf).

A sample of the clay tested in the laboratory was found to have an unconfined compressive strength of 2,385 pounds per square foot (psf).



Consolidation tests conducted on samples of the clay indicate that the soil will compress a small to moderate amount with the addition of light to moderate loads. Some of the samples tested were observed to become more compressible when wetted, or slightly expansive after air drying and wetting. Results of the consolidation tests are presented on Figures 4 through 7.

Silty Sand - The silty sand contains occasional silt and clay layers. It is medium dense to dense, slightly moist to moist and brown in color.

Results of the laboratory tests are summarized on Table I and are included on the Logs of the Borings.

SUBSURFACE WATER

No free water was encountered in the borings at the time of drilling to the maximum depth investigated, approximately 30½ feet.

PROPOSED CONSTRUCTION

We understand that the proposed industrial subdivision encompasses approximately 150 acres which is to be subdivided for retail, commercial and light industrial development. The northern portion of the area is planned for retail development with the southern portion of the site to include commercial and light industrial facilities with the possibility of storage units, lumber and hardware store, concrete batch plant and other development. We anticipate that additional study may be needed for specific facilities to be constructed at the site, particularly where relatively heavy loads may be anticipated.

We have assumed that structures will typically be one to two-story, wood or steel frame, masonry or concrete tilt-up with floor slabs-on-grade. We have assumed column loads of up to 150 kips and wall loads up to 8 kips per lineal foot.

We understand that roads will be constructed through the subdivision. We have assumed the following traffic conditions for the proposed roads.

<u>Traffic Category</u>	<u>Total Daily One-Way Traffic</u>	<u>Percent Trucks</u>
Light	1,000	3
Moderate	5,000	3
Heavy	10,000	3

The assumed truck traffic was broken down into equal volumes of heavy, moderate and light trucks, assuming flexible pavement load distribution factors of 2.6028, 0.1912 and 0.0300, respectively. No growth factor was incorporated into the traffic volume and all of the traffic is assumed in one lane.

If the proposed construction, anticipated building loads or traffic are significantly different from those described above, we should be notified so that we can re-evaluate our recommendations.

RECOMMENDATIONS

Based on the subsurface conditions encountered, laboratory test results, and the proposed construction, the following recommendations are given:

A. Site Grading

We anticipate there will be only minor amounts of cut and fill for the proposed development. We anticipate that some of the facilities may have dock high fills. Fills exceeding approximately 2 feet should be placed as soon as possible prior to construction to allow settlement induced by the load of site grading fill to occur prior to building construction.

1. Excavation

We anticipate that excavation at the site can be accomplished with typical excavation equipment. Care should be taken not to disturb the natural soils below foundations. A flat cutting edge should be considered for excavation equipment when excavating for foundations to reduce disturbance of the bearing soils.

2. Subgrade Preparation

Prior to placing grading fill or base course, the topsoil, organics and other deleterious material should be removed. The subgrade should be scarified to a depth of approximately 8 inches, the moisture adjusted to within 2 percent of the optimum moisture content and be compacted to at least 90 percent of the maximum dry density as determined by ASTM D-1557. The subgrade should then be proof-rolled to identify soft areas. Soft areas should be removed and replaced with properly compacted fill.

The subgrade soil consists predominantly of silt and clay. The use of rubber-tired construction equipment may cause disturbance of the upper soil during periods in which the soil is very moist such as in the winter and spring or at times of prolonged rainfall. Placement of granular fill will assist in accessing the property and provide a working surface for construction when the subgrade soils are very moist.

3. Materials

Listed below are materials recommended for structural fill.

<u>Fill to Support</u>	<u>Recommendation</u>
Footings	Non-expansive granular soil Passing No. 200 Sieve < 35% Liquid Limit < 30% Maximum size 4 inches
Floor Slabs (Upper 4 inches)	Sand and/or Gravel Passing No. 200 Sieve < 5% Maximum size 2 inches
Slab Support	Non-expansive granular soil Passing No. 200 Sieve < 50% Liquid Limit < 30% Maximum size 6 inches

The on-site soil consists predominantly of fine-grained silt and clay. The natural soils are not suitable for use as fill below structures. However, the on-site soil exclusive of organics, debris and other deleterious material may be considered for use in utility trench backfill and grading fill for the proposed roads or they may be used in landscaping areas. The natural soils should be adjusted to within 2 percent of the optimum moisture content prior to use as fill which may require wetting or drying the soil. Drying the soil may not be practical during cold or wet periods of the year.

4. Compaction

Compaction of materials placed at the site should equal or exceed the minimum densities as indicated below when compared to the maximum dry density as determined by ASTM D-1557.

<u>Fill to Support</u>	<u>Compaction</u>
Foundations	≥ 95%
Concrete Flatwork and Pavement	≥ 90%
Landscaping	≥ 85%
Retaining Wall Backfill	85 to 90%

To facilitate the compaction process, the fill should be compacted at a moisture content within 2 percent of the optimum moisture content.

The base course should be compacted to at least 95 percent of the maximum dry density as determined by ASTM D-1557.

Fill placed for the project should be frequently tested for compaction.

5. Drainage

Some of the samples of the natural soil tested in the laboratory became more compressible after it was wetted, or was slightly expansive after air drying and wetting. With the potential for moisture sensitive soil present at the site, it is important that the following drainage precautions be observed during construction and maintained at all times after the buildings have been completed.

- a. Excessive wetting or drying of the soil in the base of foundation excavations should be avoided.
- b. The ground surface surrounding the exterior of the buildings should be sloped to drain away from the structures in all direction, maintaining a slope of at least ½ foot in the first 10 feet.

- c. The upper 2 feet of foundation wall backfill should be compacted low permeable clay or silt soils.
- d. Downspouts and drains should discharge well beyond the limits of all backfill.

The collection and diversion of drainage away from the pavement is important to the satisfactory performance of the pavement section. Proper drainage should be provided.

B. Foundations

1. Bearing Material

With the proposed construction and the subsurface conditions encountered, the proposed structures supporting the loads assumed may be supported on spread footings bearing on the undisturbed natural soil or on compacted structural fill extending down to the undisturbed natural soil. Topsoil, uncompacted fill or other deleterious material should be removed from below foundation areas. Structural fill placed below foundations should extend out away from the edge of the footings a distance equal to the depth of fill beneath footings.

The following minimum thicknesses of structural fill should be provided below foundations.

<u>Continuous Load, Kips per Lineal Foot</u>	<u>Spot Load kips</u>	<u>Minimum Structural Fill Thickness, feet</u>
≤ 4	≤ 100	None
4 to 6	100 to 125	2 feet
6 to 8	125 to 150	3 feet

2. Bearing Pressure

Spread footings bearing on the undisturbed natural soil or on compacted structural fill may be designed using an allowable net bearing pressure of 1,500 psf. Footings bearing on at least 2 feet of compacted structural fill may be designed using an allowable net bearing pressure of 2,500 psf. Footings should have a minimum width of 2 feet and a minimum depth of embedment of 1 foot.

3. Temporary Loading Conditions

The allowable bearing pressure may be increased by one-half for temporary loading conditions such as wind or seismic loads.

4. Settlement

We estimate that total and differential settlement will be on the order of 1 inch for footings designed as indicated above. Precautions should be taken to prevent introduction of water into the foundation soils to minimize differential settlement, as discussed in the Site Grading section of the report.

5. Frost Depth

Exterior footings and footings beneath unheated areas should be placed at least 30 inches below grade for frost protection.

6. Foundation Base

The base of all excavations should be cleared of loose or deleterious material prior to fill or concrete placement.

7. Construction Observation

A representative of the geotechnical engineer should observe all footing excavations prior to structural fill or concrete placement.

C. Concrete Slab-on-Grade**1. Slab Support**

Concrete slabs may be supported on the undisturbed natural soil or on compacted structural fill.

2. Underslab Sand and/or Gravel

A 4-inch layer of free draining sand and/or gravel (less than 5 percent passing the No. 200 sieve) should be placed below the floor slabs for ease of construction and to promote even curing of the slab concrete.

3. Vapor Barrier

A vapor barrier should be placed under the concrete floor if the floor will receive an impermeable floor covering. The barrier will help prevent water vapor from passing from below the slab to the floor covering. At least 3 inches of free-draining material should be provided between the concrete and the vapor barrier.

D. Lateral Earth Pressure**1. Lateral Resistance for Footings**

Lateral resistance for footings placed on the natural soil or on compacted structural fill is controlled by sliding resistance between the footing and the foundation soils. A friction value of 0.3 may be used in design for ultimate lateral resistance for footings.

2. Subgrade Walls and Retaining Structures

The following equivalent fluid weights are given for the design of subgrade walls and retaining structures. The active condition is where the wall moves away from the soil. The passive condition is where the wall moves into the soil

and the at-rest condition is where the wall does not move. The values listed below assume a horizontal surface adjacent the wall.

<u>Soil Type</u>	<u>Active</u>	<u>At-Rest</u>	<u>Passive</u>
Clay and Silt	50 pcf	65 pcf	250 pcf
Sand and Gravel	40 pcf	55 pcf	300 pcf

3. Seismic Conditions

Under seismic conditions, the equivalent fluid weight should be increased by 17 pcf for active and at-rest conditions and decreased by 17 pcf for the passive condition. This assumes a horizontal ground acceleration of 0.18g which represents a 10 percent probability of exceedance in a 50 year period (Frankel and others, 1996).

4. Safety Factors

The values recommended above assume mobilization of the soil to achieve ultimate soil strength. Conventional safety factors used for structural analysis for such items as overturning and sliding resistance should be used in design.

E. Seismicity and Liquefaction

The site is located in an area which is mapped as having a "very low" potential for liquefaction (Anderson and others, 1986).

Based on conditions encountered in the borings, liquefaction is not a concern for the proposed development.

Based on the location of the site and subsurface conditions encountered, we recommend that buildings be designed and constructed to at least meet the Uniform Building Code Seismic Zone 3 criteria using a soil type profile of "S₀".

F. Water Soluble Sulfates

Two samples of the natural soil were tested in the laboratory for water soluble sulfate content. Test results indicate a negligible to severe sulfate attack potential on concrete based on a rating of negligible, positive, severe and very severe (U.S. Bureau of Reclamation, 1988). Based on the results of the of the tests, published literature, and our experience in the area, sulfate resistance cement should be used in concrete placed in contact with the natural soil. With the degree of sulfate attack being "severe", cement placed in contact with the soil should typically be Type V cement or approved combination of Portland cement and pozzolan which has been shown by tests to provide comparable sulfate resistance when used in concrete.

G. Pavement

Based on the subsoil conditions encountered, laboratory test results and the assumed traffic as described in the Proposed Construction section of the report, the following pavement support recommendations are given.

1. Subgrade Support

The near surface soil consists primarily of clay and silt. A California Bearing Ratio (CBR) of 3 percent was used in the analysis which assumes a clay or silt subgrade.

2. Pavement Thickness

Based on the subsoil conditions, assumed traffic, a design life of 20 years for flexible and 30 years for rigid pavements, and methods presented by the Utah Department of Transportation, the following pavement sections are calculated.

<u>Traffic Condition</u>	<u>Flexible Pavement</u>			<u>Rigid Pavement Portland Cement Concrete</u>
	<u>Asphaltic Concrete</u>	<u>Base Course</u>	<u>Granular Borrow</u>	
Passenger Vehicles	3"	6"	--	--
	--	--	--	5"
Light	4"	6"	12"	--
	--	--	--	6½"
Moderate	5½"	6"	14"	--
	--	--	--	8½"
Heavy	6"	6"	18"	--
	--	--	--	9½"

3. Pavement Material

Pavement materials should meet the Utah Department of Transportation specifications for gradation and quality. Other material may be considered for use in the pavement section. The use of other materials may result in different pavement material thicknesses.

4. Jointing

Joints for concrete pavement should be laid out in a square or rectangular pattern. Joint spacings should not exceed 30 times the thickness of the slab. The joint spacings indicated should accommodate the contraction of the concrete and under these conditions steel reinforcing will not be required. The depth of joints should be approximately one-fourth of the slab thickness.

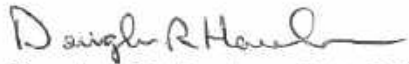
IMITATIONS

This report has been prepared in accordance with generally accepted soil and foundation engineering practices in the area for the use of the client for design purposes. The conclusions and recommendations included within the report are based on the information obtained from the borings drilled and the data obtained from laboratory testing. Variations in the subsurface conditions may not become evident until excavation is conducted. If the subsurface conditions or groundwater level are found to be significantly different from those described above, we should be notified to re-evaluate our recommendations.

APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS, INC.



Jay R. McQuivey, P.E.


Reviewed by: Douglas R. Hawkes, P.E., P.G.

JRM/cs

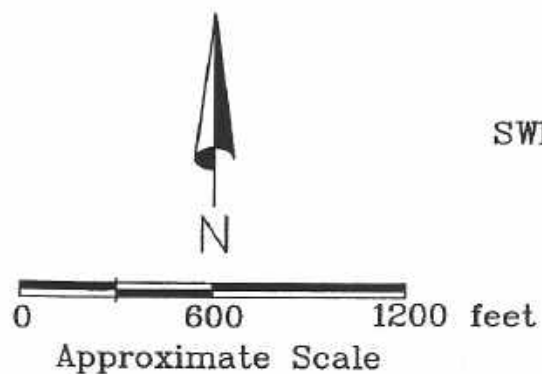
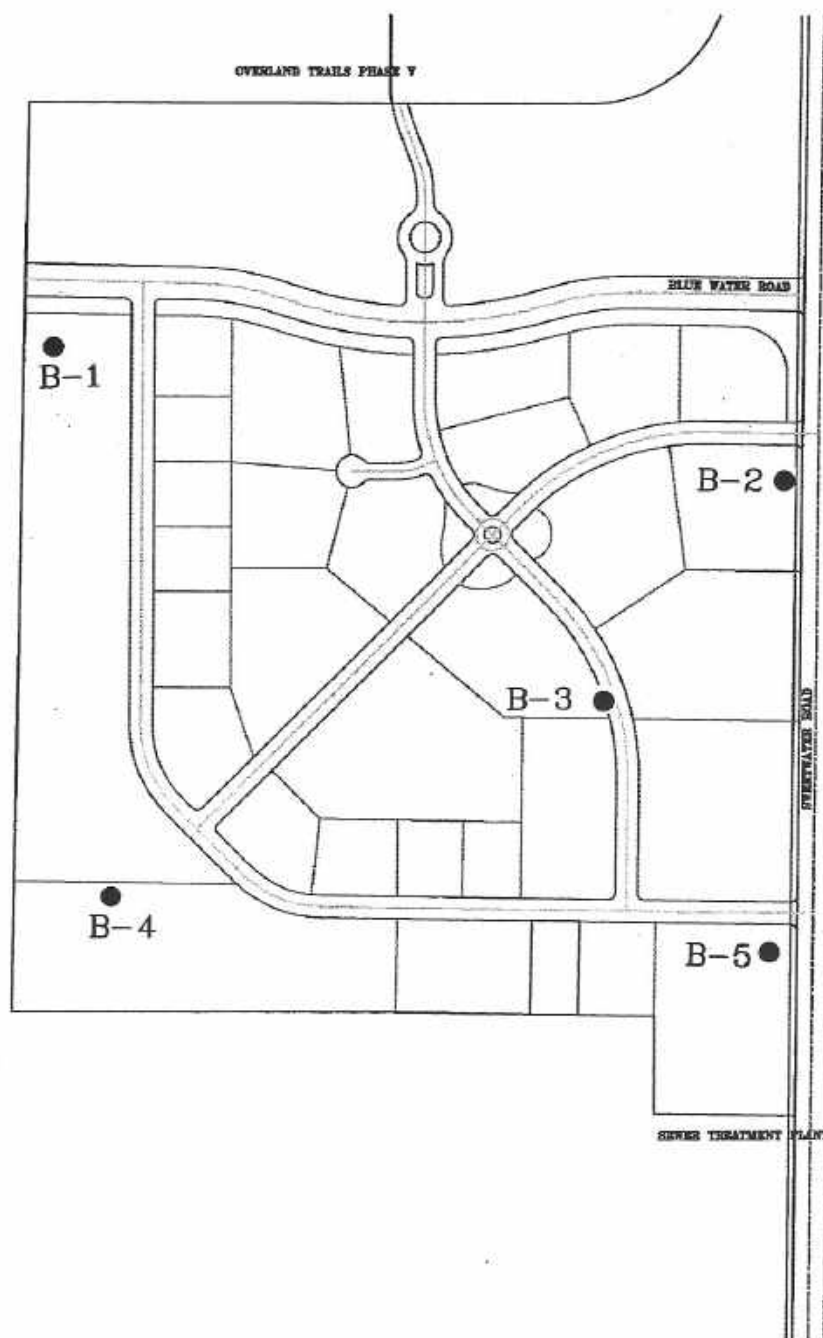


REFERENCES CITED

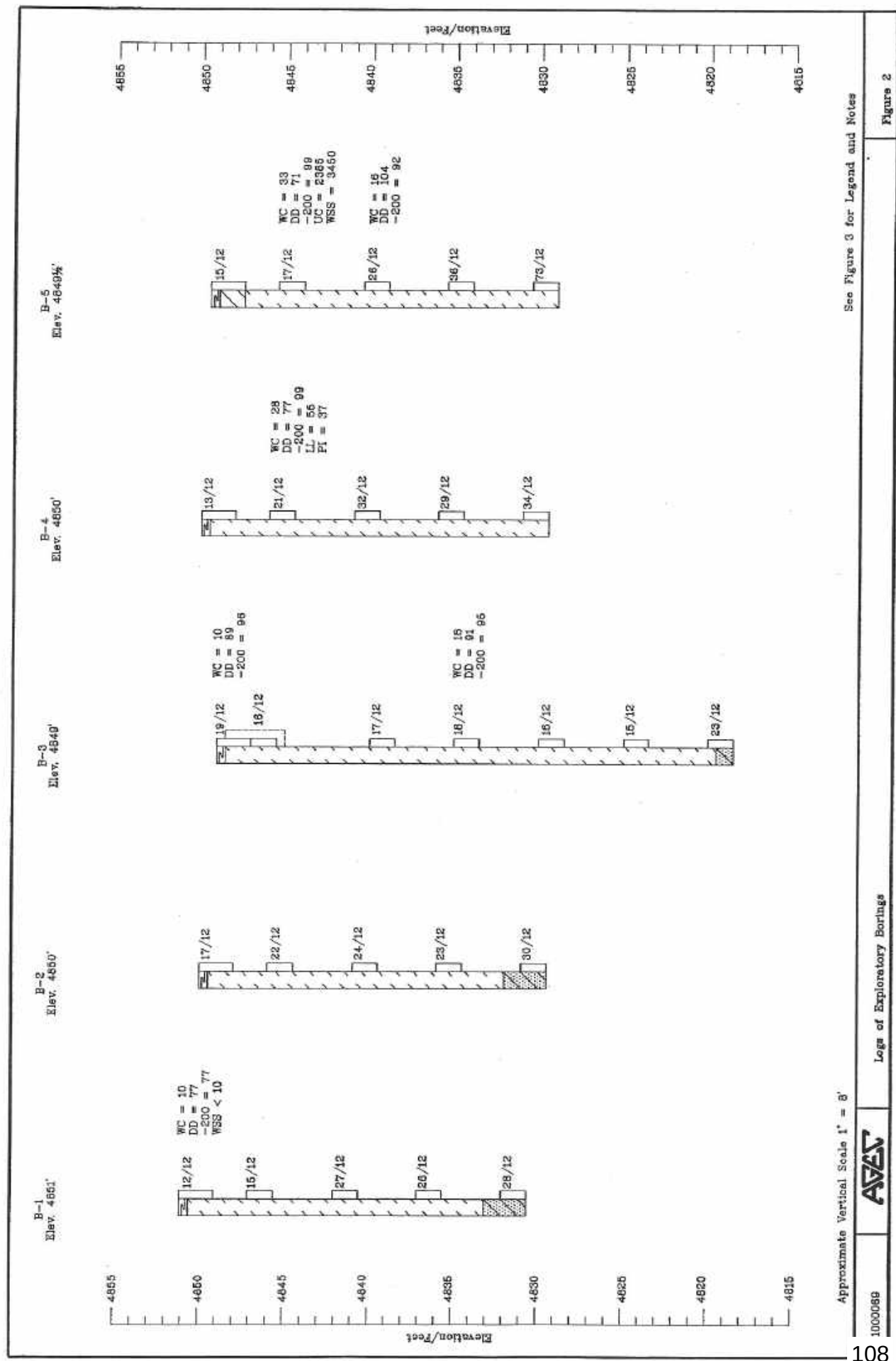
Anderson, Loren, R., Keaton, Jeffrey R. and Bischoff, Jon E., Liquefaction Potential Map for Utah County, Utah, U. S. Geological Survey, Contract No. 14-08-0001-21359, 1986.

Frankel, A., C. Mueller, T. Barnhard, D. Perkins, E.V. Leyendecker, N. Dickman, S. Hanson and M. Hopper, "National Seismic Hazard Maps - Documentation June 1996", U.S. Geological Survey Open File Report 96-532.

U.S. Bureau of Reclamation, Concrete Manual, Eighth Edition, 1988.



INDUSTRIAL PARK
SWEETWATER ROAD AND BLUE WATER ROAD
EAGLE MOUNTAIN, UTAH



See Figure 3 for Legend and Notes

Figure 2

Approximate Vertical Scale 1" = 3'

1000068

Log of Exploratory Borings

LEGEND:



Topsoil: sandy lean clay, moist, brown, roots.



Lean Clay (CL): silt, silty clay and fat clay layers, slightly porous layers, cemented layers, very stiff to hard, slightly to very moist, light brown to grayish brown.



Silt (ML): sandy, medium dense, slightly cemented, slightly moist, light brown.



Silty Sand (SM): with occasional silt and clay layers, medium dense to dense, slightly moist to moist, brown.



10/12 California Drive sample taken. The symbol 10/12 indicates that 10 blows from a 140 pound automatic hammer falling 30 inches were required to drive the sampler 12 inches.

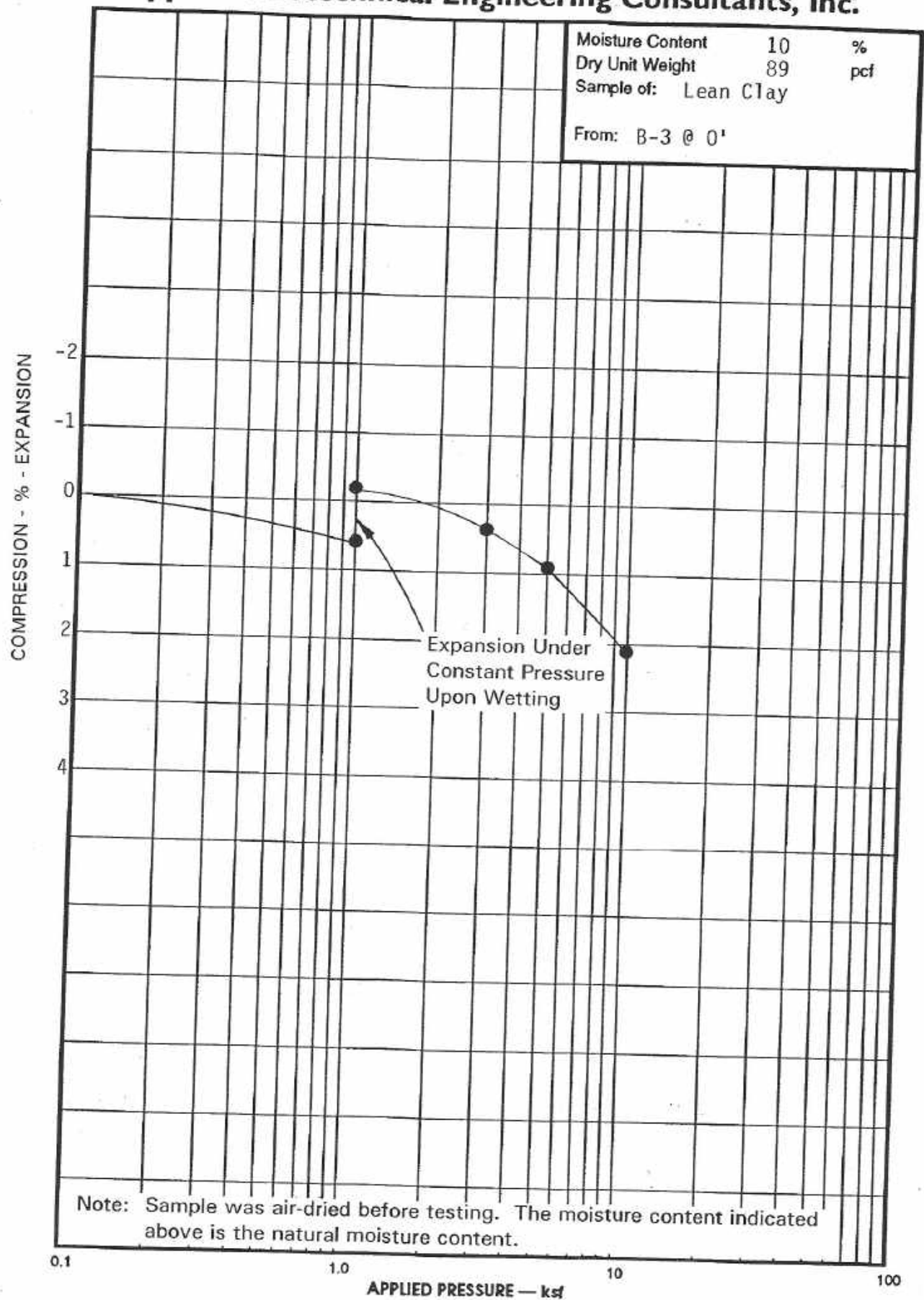


Indicates disturbed sample taken.

NOTES:

1. Borings were drilled on February 10, 2000 with 8-inch diameter hollowstem auger.
2. Locations of borings were survey located by MCM Engineering.
3. Elevations of borings were surveyed by MCM Engineering.
4. The lines between the materials shown on the boring logs represent the approximate boundaries between material types and the transitions may be gradual.
5. No subsurface water was encountered at the time of drilling.
6.
 - WC = Water Content (%);
 - DD = Dry Density (pcf);
 - 200 = Percent Passing No. 200 Sieve;
 - LL = Liquid Limit (%);
 - PI = Plasticity Index (%);
 - UC = Unconfined Compressive Strength (psf);
 - WSS = Water Soluble Sulfates (ppm).

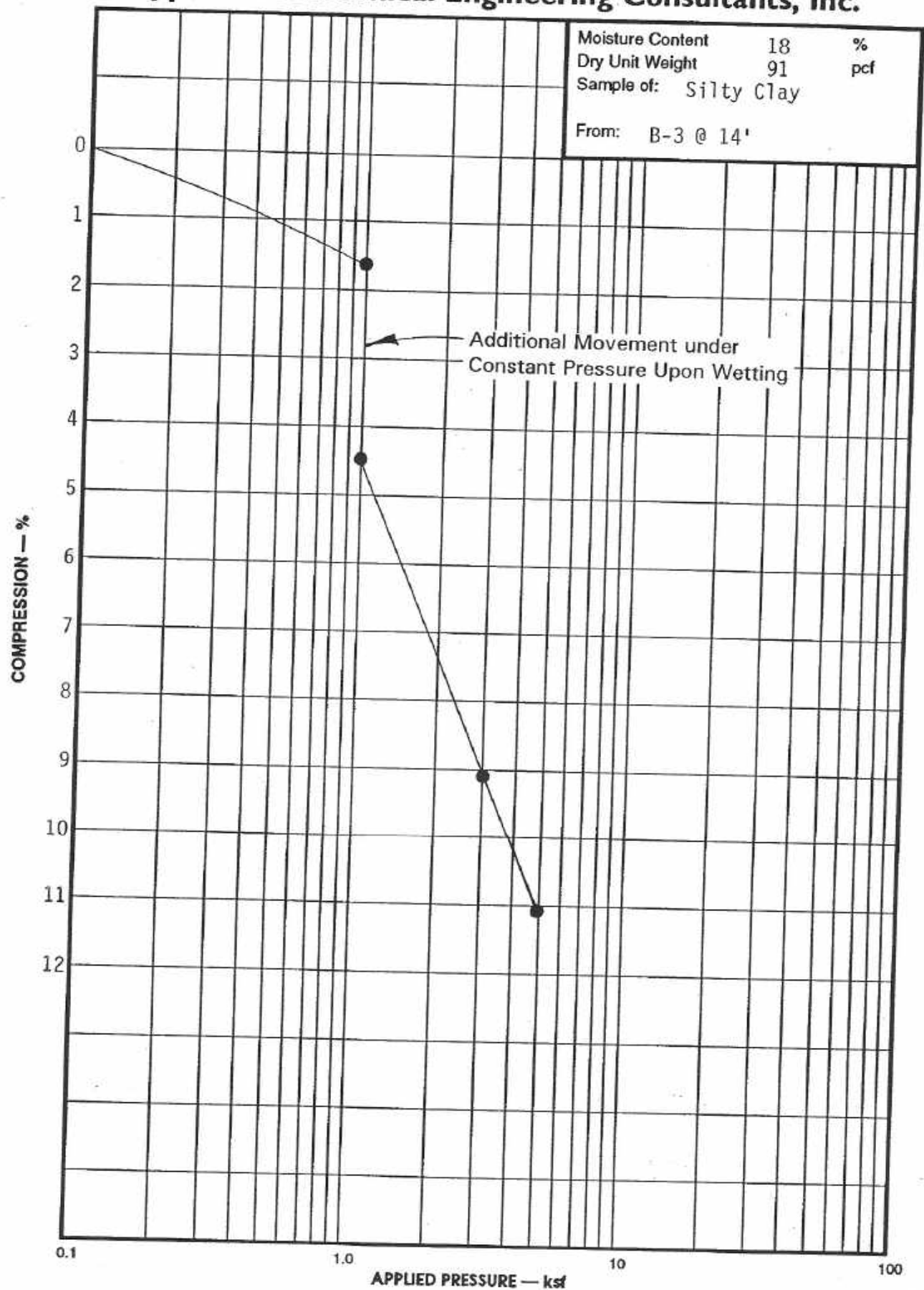
Applied Geotechnical Engineering Consultants, Inc.



Project No. 1000069 **CONSOLIDATION TEST RESULTS**

Figure 4

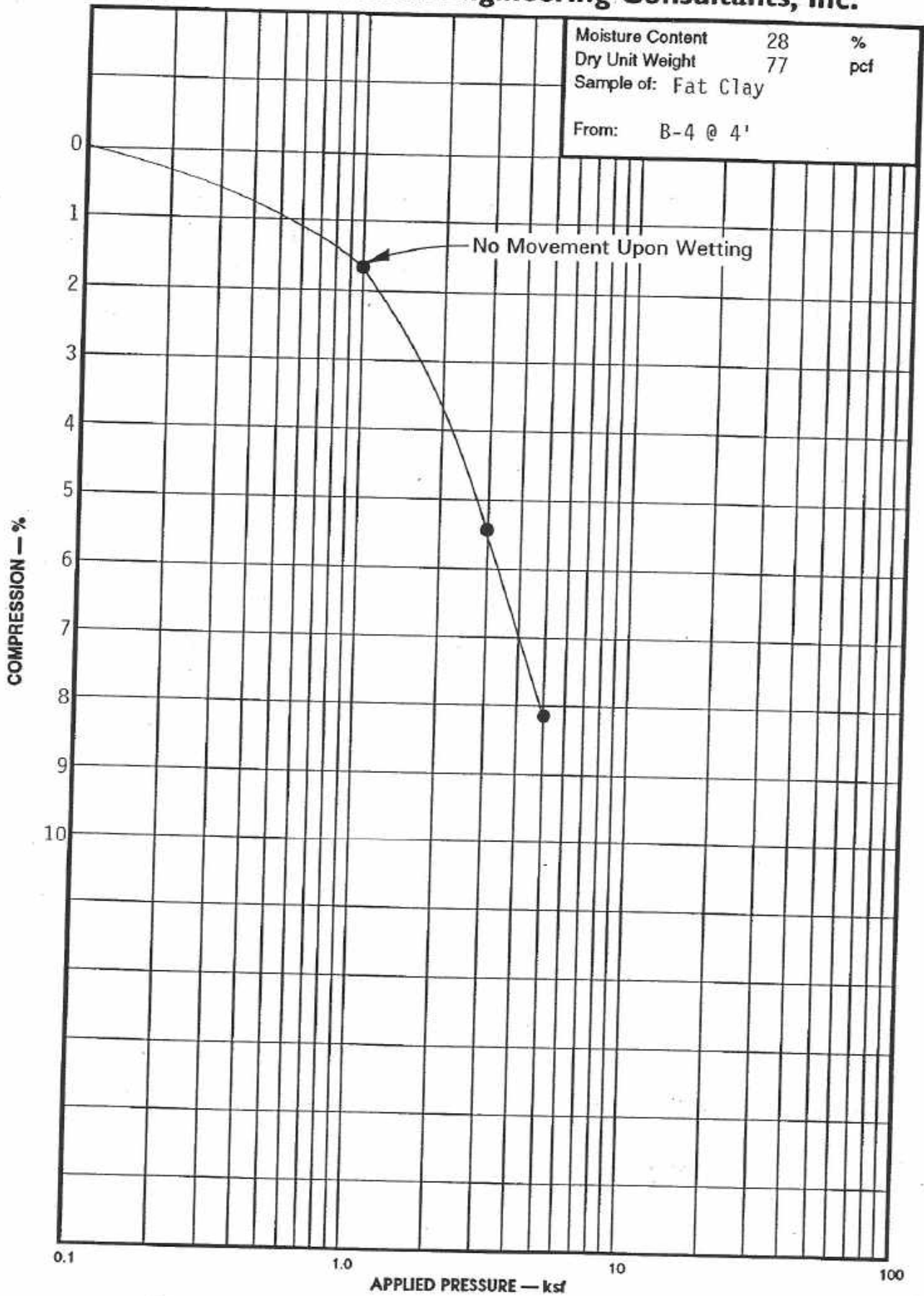
Applied Geotechnical Engineering Consultants, Inc.



Project No. 1000069 **CONSOLIDATION TEST RESULTS**

Figure 5

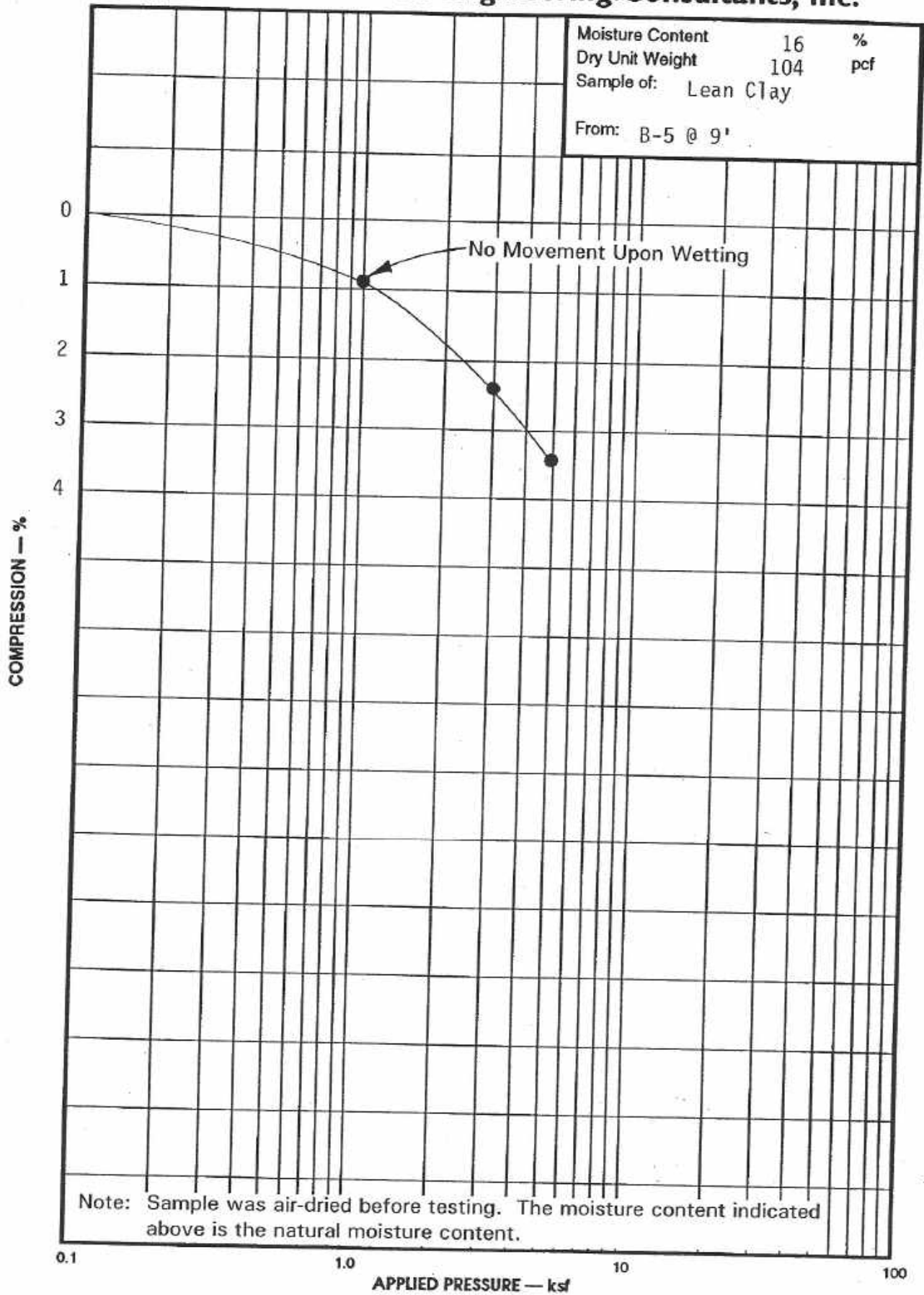
Applied Geotechnical Engineering Consultants, Inc.



Project No. 1000069 **CONSOLIDATION TEST RESULTS**

Figure 6

Applied Geotechnical Engineering Consultants, Inc.



Project No. 1000069 **CONSOLIDATION TEST RESULTS**

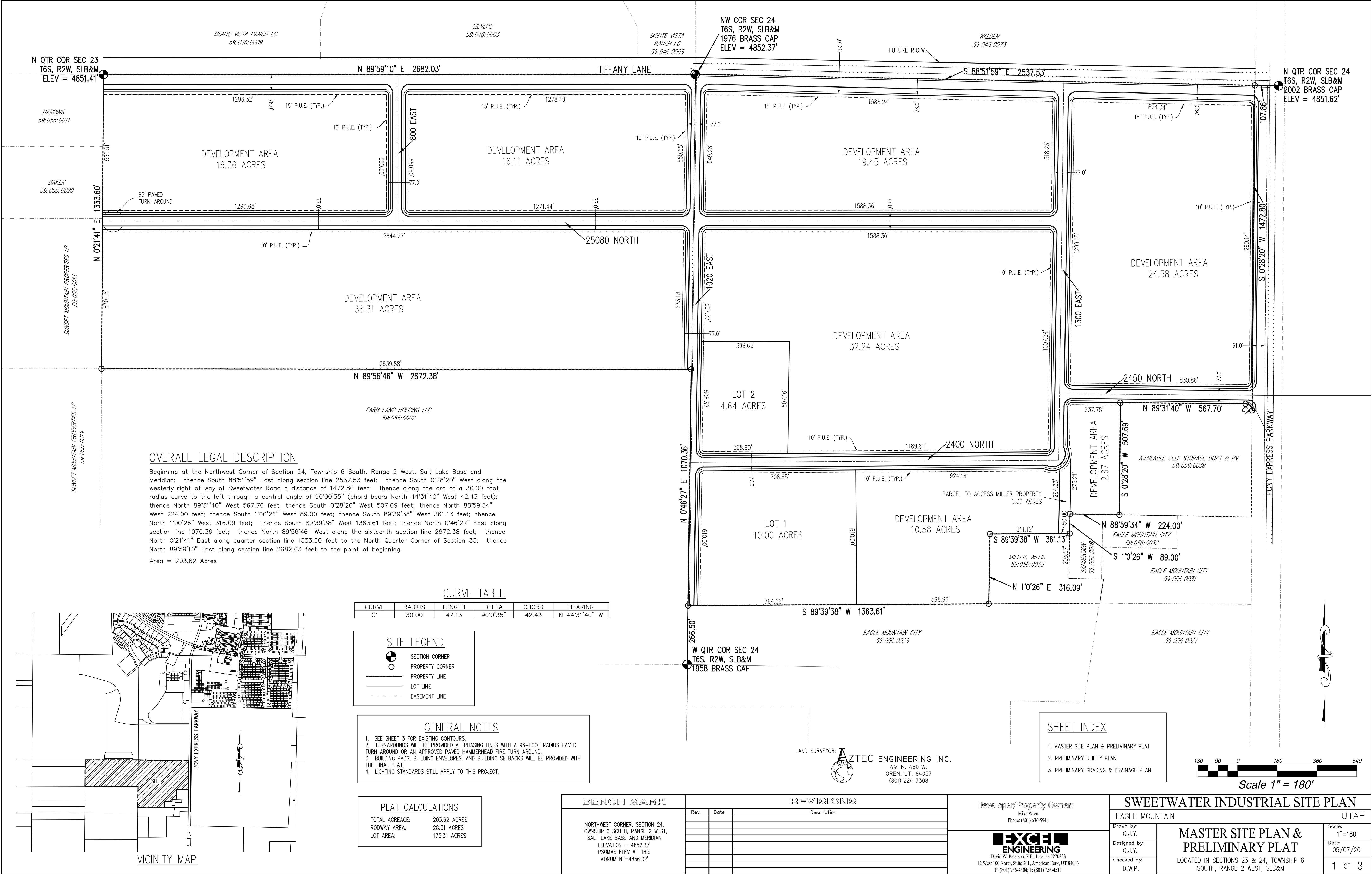
Figure 7

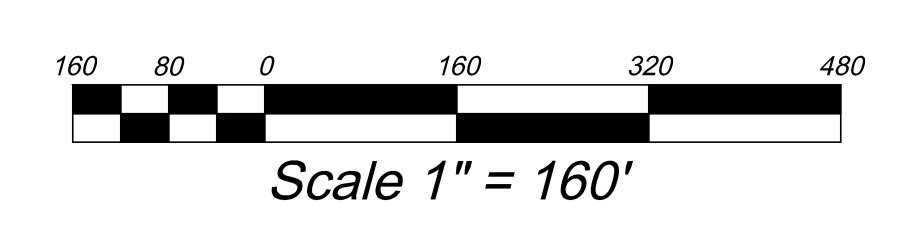
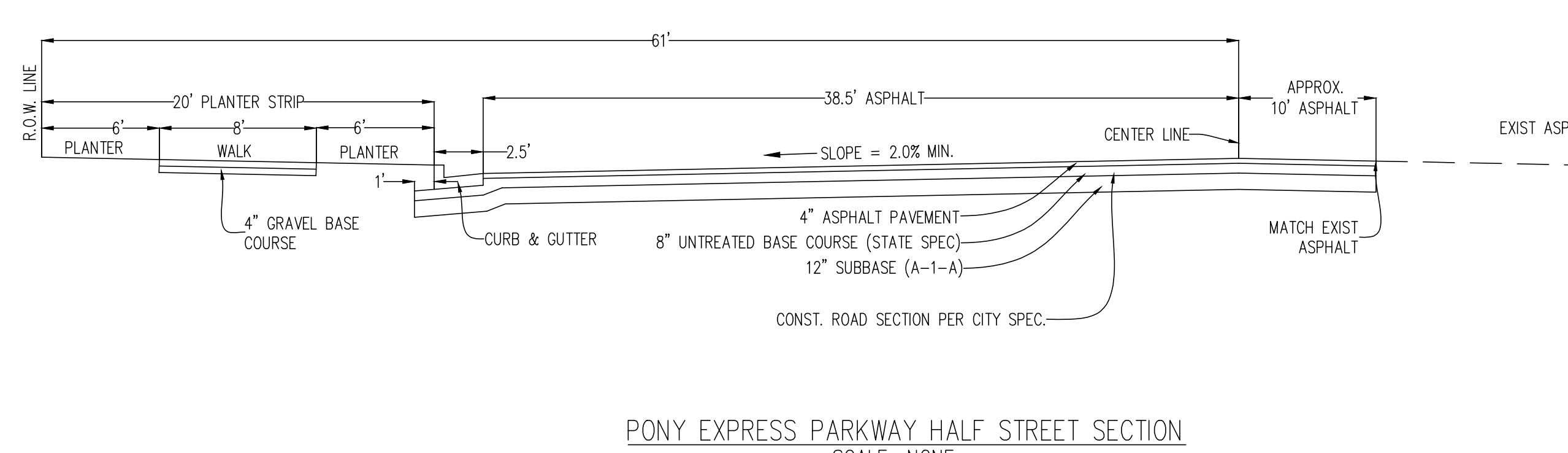
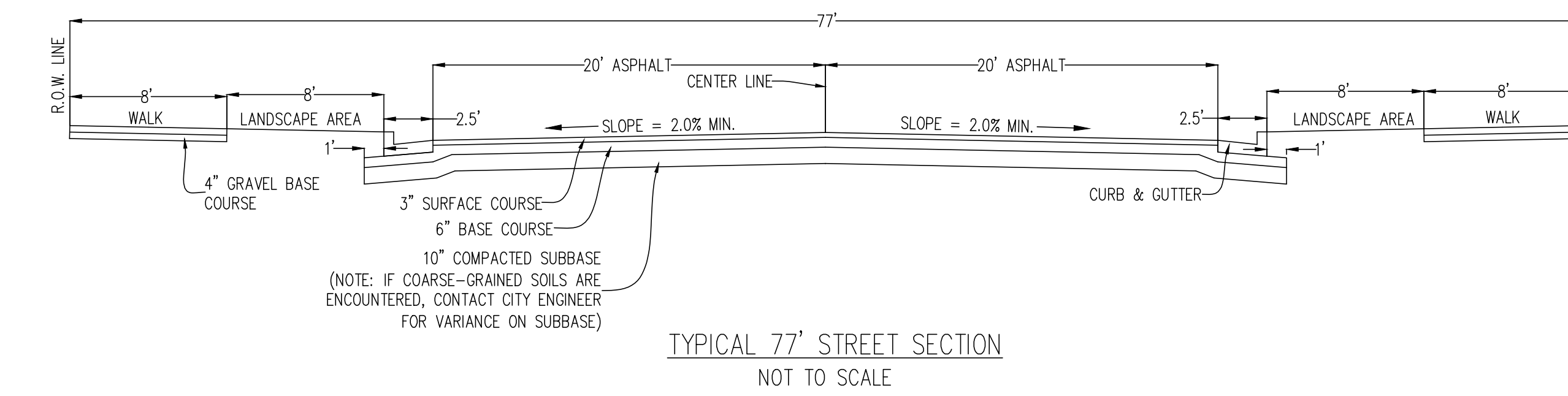
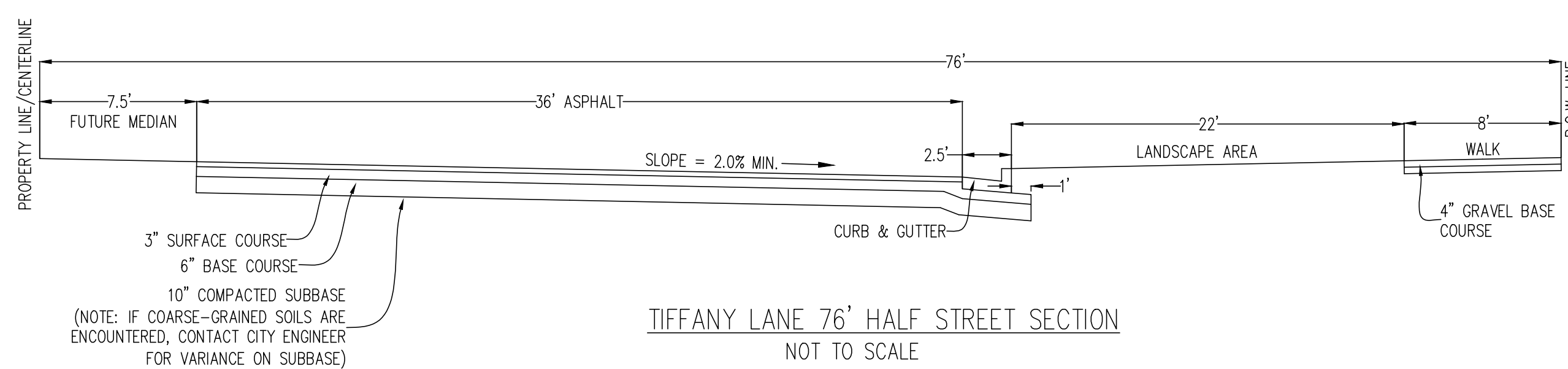
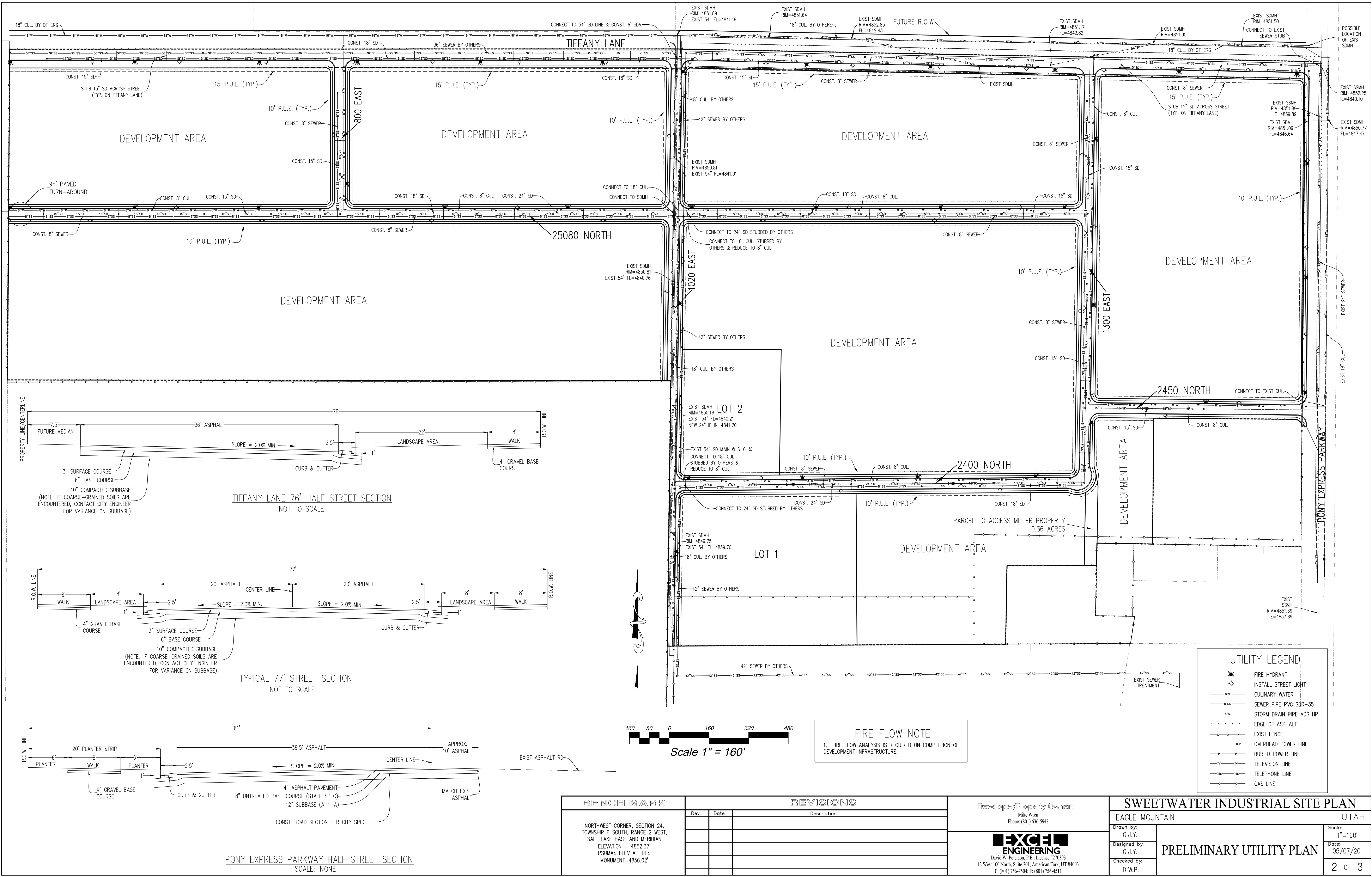
TABLE I

SUMMARY OF LABORATORY TEST RESULTS

PROJECT NUMBER 1000069

114

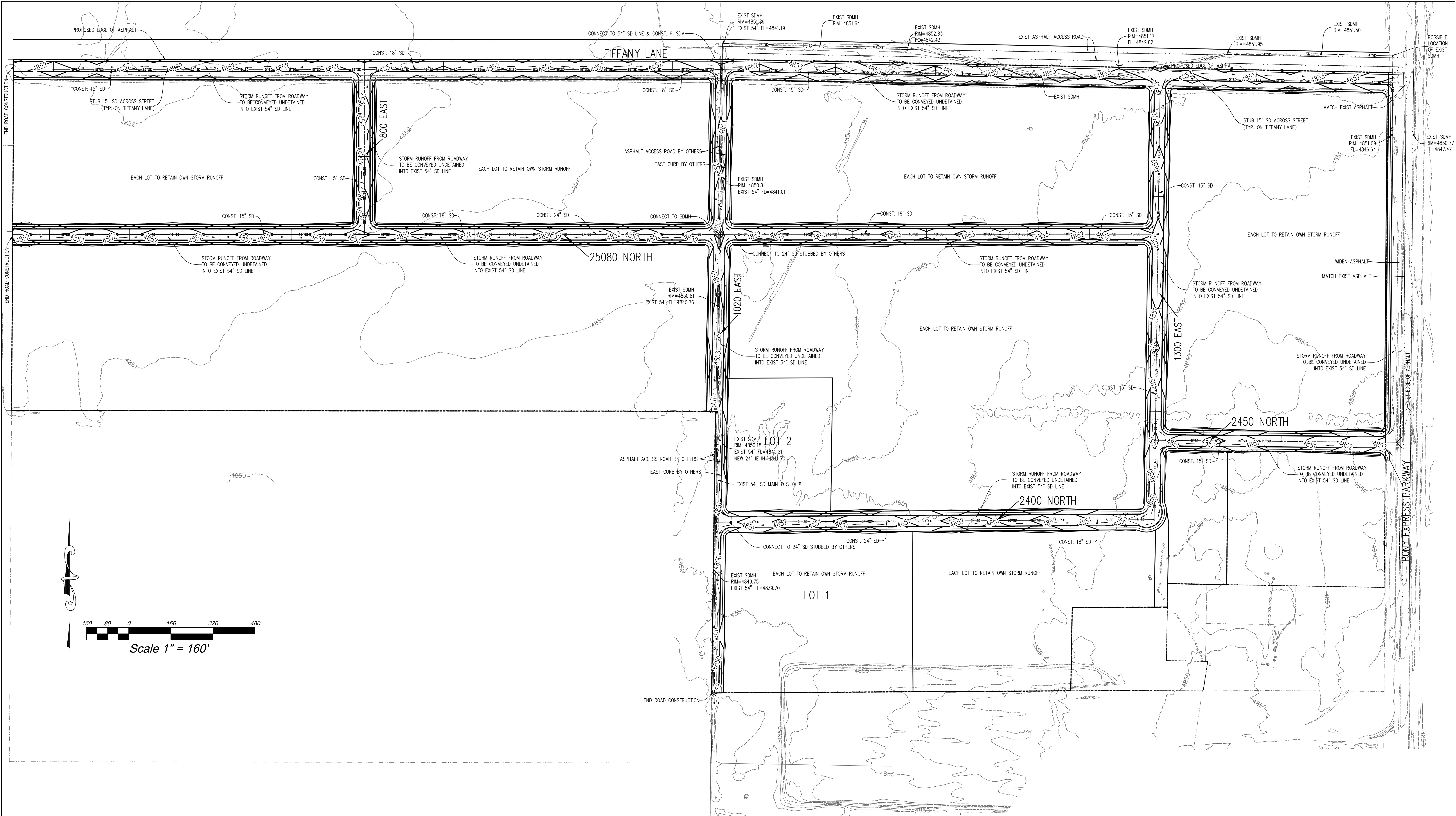




FIRE FLOW NOTE
1. FIRE FLOW ANALYSIS IS REQUIRED ON COMPLETION OF DEVELOPMENT INFRASTRUCTURE.

UTILITY LEGEND	
	FIRE HYDRANT
	INSTALL STREET LIGHT
	CULINARY WATER
	SEWER PIPE PVC SDR-35
	STORM DRAIN PIPE ADS HP
	EDGE OF ASPHALT
	EXIST FENCE
	OVERHEAD POWER LINE
	BURIED POWER LINE
	TELEVISION LINE
	TELEPHONE LINE
	GAS LINE

BENCH MARK		REVISIONS		Developer/Property Owner:		SWEETWATER INDUSTRIAL SITE PLAN	
NORTHWEST CORNER, SECTION 24, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN ELEVATION = 4852.37' PSOMAS ELEV AT THIS MONUMENT=4856.02'		Rev.	Date	Description		EAGLE MOUNTAIN	
						UTAH	
						Drawn by: G.J.Y.	
						Designed by: G.J.Y.	
						Checked by: D.W.P.	
				Mike Wren Phone: (801) 636-5948		Scale: 1"=160'	
				 David W. Peterson, P.E., License #270393 12 West 100 North, Suite 201, American Fork, UT 84003 P. (801) 756-4504; F. (801) 756-4511		PRELIMINARY UTILITY PLAN	
						Date: 05/07/20	
						2 OF 3	



EROSION CONTROL NOTES:

1. EACH PHASE OF CONSTRUCTION WILL ADHERE TO THE FOLLOWING EROSION CONTROL PRACTICES
2. CONSTRUCT A SILT FENCE AROUND PERIMETER OF DOWNSTREAM PORTIONS OF EACH PHASE.
3. INSTALL A CONSTRUCTION ENTRANCE FOR EACH PHASE.
4. CONSTRUCT STORM DRAIN FACILITIES AND INSTALL INLET PROTECTION AFTER INSTALLATION.
5. IMPLEMENT DUST CONTROL MEASURES FOR EACH PHASE.
6. CONTRACTOR IS TO REMOVE INLET PROTECTION FROM CATCH BASINS AND CLEAN-OUT ALL CATCH BASINS BEFORE LEAVING THE SITE.

GRADING NOTES:

1. EACH LOT WILL RETAIN ITS OWN STORM RUNOFF. STORM RUNOFF IN THE ROADWAYS WILL BE CONVEYED UNDETAINED TO THE EXISTING 54" STORM DRAIN PIPE LOCATED IN 1020 EAST. PIPES ARE SIZED FOR 10-YEAR EVENT. SEE SEPARATE STORM DRAIN REPORT FOR CALCULATIONS.
2. THERE ARE NO FLOOD HAZARDS IN THIS PROJECT.
3. MASTER DRAINAGE PLANS TO BE APPROVED AND FOLLOWED BY BUILDERS.
4. SOILS REPORTS ARE REQUIRED FOR EACH FUTURE SITE PLAN.

BENCH MARK	REVISIONS		
	Rev.	Date	Description
NORTHWEST CORNER, SECTION 24, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN ELEVATION = 4852.37' PSOMAS ELEV AT THIS MONUMENT=4856.02'			

Developer/Property Owner: Mike Wren Phone: (801) 636-5948	SWEETWATER INDUSTRIAL SITE PLAN	
	EAGLE MOUNTAIN	UTAH
David W. Peterson, P.E., License #270393 12 West 100 North, Suite 201, American Fork, UT 84003 P. (801) 756-4504; F. (801) 756-4511	Drawn by: G.J.Y.	Scale: 1"=160'
	Designed by: G.J.Y.	Date: 05/07/20
	Checked by: D.W.P.	3 OF 3
PRELIMINARY GRADING & DRAINAGE PLAN		

Mr. Mumford clarified regarding staff recommendations for additional roofline adjustment and architectural details for the right-side elevations and stated the preference for the left-side elevation and the addition of awnings.

Applicant representative Colby Anderson reviewed the changes to the plan to address concerns expressed by staff and the Planning Commission. He stated he would address the right-side elevation concerns with the AutoZone architects and reiterated the right side of the building would be blocked by the Jiffy Lube building and landscaping.

Commissioner Wood opened the public hearing at 6:59 p.m. No comments were submitted to the City Recorder's Office and no public was in attendance to make comment. As there were no comments, Commissioner Wood closed the hearing.

Commissioner Everett expressed appreciation for the applicant addressing Planning Commission concerns regarding the Tickville Wash and signage. He stated a willingness to allow reduced articulation on the right-side elevation due to the positioning of the building.

Commissioners Pengra and Wright thanked the applicant for the updated materials.

Commissioner Wright expressed concern the right-side elevation did not comply with Municipal Code standards.

Commissioner Wood stated the City Council would likely require Municipal Code adherence for the right-side elevations. He expressed appreciation for the applicant working to address concerns and for building in Eagle Mountain.

MOTION: *Commissioner Wright moved to recommend approval of the AutoZone site plan and recorded plat amendment to the City Council with the following conditions:*

- 1. The applicant shall work with the City Engineer to address any concerns regarding the stabilization of the Tickville Wash; and*
- 2. The applicant shall work with staff to add additional roofline adjustments and architectural details to the right-side elevations adjacent to Jiffy Lube.*

Commissioner Everett seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Christopher Pengra. The motion passed with a unanimous vote.

6.B. PUBLIC HEARING – Sweetwater Industrial Overlay Zone (Rezone)

Mr. Mumford presented the item. The Sweetwater Industrial Master Site Plan/Preliminary Plat was reviewed by Planning commission May 26, 2020. The Planning Commission recommended approval to City Council with a vote of 4:1. This application is for a rezone to add the Sweetwater Industrial Overlay Zone to majority of the 201-acre site and includes all of the site except for the frontage along Pony Express Parkway and Tiffany Lane.

The Sweetwater Industrial Overlay Zone was created in 2015 as an alternative to an applicant-proposed development agreement for the property in question. The purpose of the overlay zone is to provide for and allow industrial and business opportunities that will provide a buffer zone between the wastewater treatment facility and higher end businesses and industrial uses. The standards and processes of the base zoning or underlying zoning shall be applicable unless modified or replaced by this overlay zone.

The property is designated mostly as Business Park/Light Industry on the City's Future Land Use and Transportation Corridors map and the property is zoned Industrial. Industrial zoning allows the site to be developed with a number of permitted and conditional uses. The Sweetwater Industrial Overlay Zone contains a separate land use table with specific permitted, conditional, and prohibited uses.

The requested zones are consistent with the land uses shown on Future Land Use and Transportation Corridor Map and comply with the policies and provisions of the City General Plan. The proposed uses and densities will be reasonably compatible with adjacent land uses, and the proposed use can be accommodated with public services and will not overburden the City's service capacity. The proposed use is within capabilities of streets serving the property and the proposed use is not expected to have a significant negative impact on surrounding property values.

Mr. Mumford reviewed recommendation options. A recommendation of approval to the City Council may be made if the application complies with the rezone criteria found in City Code, along with conditions of approval that address areas of concern, which may include (but are not limited to) specific land uses. In order to restrict certain land uses, a development agreement would likely be required, and could be drafted to be presented along with the request to the City Council. The Planning Commission should include specific recommendations to be included in the agreement. If the Commission is uncomfortable with the size or location of the proposed overlay zone, the area can also be modified. A recommendation of denial must be based upon findings of facts indicating how the project does not comply with the rezone approval criteria found in the City Code. A motion to table may be made with specific directions to give an applicant time to fully comply with the rezone approval criteria found in the City Code.

Applicant representative Scot Hazard verified the requested area for the Sweetwater Industrial Overlay Zone is located approximately 200 feet from Pony Express Parkway and Tiffany Lane and explained that those areas have been omitted from the renderings due to the need for lot line flexibility depending upon the determined uses.

Commissioner Wood reiterated his concerns expressed during the previous meeting regarding waiving a master development requirement for the application and suggested prescribed language to ensure the applicant's plan to develop commercial uses for the property along Pony Express Parkway and Tiffany Lane.

Mr. Mumford explained that overlay zones do not require a master development plan and the Planning Commission could recommend that the City Council requires a master development

agreement for the project to clarify planned uses. He stated rezone requests usually do not include land use details.

Commissioner Wood expressed concern that the uses do not fit into one zone, and regarding the property being split into industrial and commercial uses. He stated a preference for requirements to denote specific guidelines for proper buffering between the commercial and industrial areas.

Mr. Mumford stated the area was designated for industrial zoning on the Eagle Mountain Properties Master Development Plan. He explained as the zoning for the property had expired along with the master development agreement, so the property has no current vested rights. He stated the General Plan includes an Industrial Zone and the intended uses for this project concur with an industrial designation. The application for rezoning is due to the expiration of the original agreement. He said a future rezone application will be necessary for commercial applications for the section of the property along Pony Express Parkway and Tiffany Lane; it would be appropriate to rezone both areas now.

Commissioner Wood opened the public hearing at 7:24 p.m. No comments were submitted to the City Recorder's Office and no public was in attendance to make comment. As there were no comments, Commissioner Wood closed the hearing.

Mr. Hazard explained his comment regarding "neighborhood commercial" was intended to indicate the type of desired uses and not the Neighborhood Commercial Zone, as he is not yet familiar with the recent changes to the commercial zoning. He explained the commercial properties would be developed in the distant future, after the industrial area had been developed, and the desired uses for the proposed commercial parcels will need to be determined before the submission of a commercial zone application, in order to apply for the applicable commercial zone.

Mr. Hazard stated lots one and two have designed development. He stated the forthcoming site plan application for site one is for a satellite communication facility and would require space for satellite dishes, metal buildings, and gravel in an enclosed area. He requested the permissibility of construction light manufacturing and assembly and construction-related businesses, as he is in discussions with businesses requiring those uses. He stated the prohibition of metal buildings would greatly increase construction costs and make Eagle Mountain an undesirable location for the potential buyers. He explained the insulated metal panel buildings planned for the area have more aesthetically appealing facades than standard corrugated and flat-panel metal buildings.

Mr. Hazard explained the request for the overlay is to allow reduced standards and costs in order to attract buyers for the area near the wastewater treatment facility. He stated the overlay was originally created for this area, the features of the area have not changed, and the overlay would accommodate the users that have expressed interest in the area.

Commissioner Wood stated the Light Manufacturing/Distribution Zone (LMD) would accommodate the requested uses except for metal building material and gravel. He said an exemption to the gravel requirement could be granted due to the area being screened by fencing. Commissioner Wood expressed concern in permitting metal buildings due to the possibility of the

future removal of the wastewater treatment facility and commercial development of the area as occurred near 700 East and 7200 South in Midvale, Utah.

Mr. Hazard explained the intended design for the satellite building application and suggested permitting metal buildings and evaluating the aesthetics of each building during the site plan approvals.

Commissioner Wood stated a willingness to evaluate the proposed metal building design, but he did not desire the entire area to include only metal buildings. He stated the areas to the north and the east have pending or active requests for residential and commercial uses. He expressed concerns regarding some permitted uses in the industrial overlay.

Commissioner Everett inquired if any of the applicant's desired uses were included as conditional, not permitted, uses on the Sweetwater Industrial Overlay Zone Use Table. Mr. Hazard stated there may be interest in the area for automobile repair facilities, electronic data and management businesses, other manufacturing business, wholesale distribution, and outdoor storage. He stated he did not intend to partner with heavy industrial uses; however, as he is the applicant representative and not the landowner, he was not in the position to guarantee future intentions for the area nor able to predict all potential business interests. He stated he could only indicate what he has discussed for the area with the landowner.

Commissioner Everett stated the applicant did not appear to be interested in the land uses that he would object to locating in that area.

Mr. Hazard suggested Planning Commission consider how to accommodate appropriate and desirable uses for the area, instead of focusing on the exclusion of uses and stated the area is appropriate for reduced uses.

Commissioner Wood stated the Sweetwater Industrial Overlay Zone is outdated and the LMD zone would accommodate Mr. Hazard's desired uses and needs, except for metal buildings.

Commissioner Wood stated the purpose of creating the LMD and other zones is to encourage development within the City.

Commissioner Pengra stated sensitive, electronic equipment requires the use of insulating rock to prevent moisture issues, and satellite equipment may likewise require specific ground material. He expressed concern that being overly prescriptive with structural and aesthetical requirements will prevent business growth, and said creating significant barriers for new businesses, especially in a struggling economy, could be detrimental to the City. He stated his preference for permissibility for the initial industrial investments in the City, including metal buildings, to increase needed job opportunities and the tax base. He stated although the Eagle Mountain Municipal Code requires updating, he does not want to delay growth while amending business standards. He suggested to condition the removal of undesirable uses and recommending approval of the rezone application.

Commissioner Wright stated a desire to be sensitive to the applicant's timetable and potential buyers and reviewed the purpose of the Sweetwater Industrial Overlay Zone to serve as a buffer.

He expressed concern with rezoning the entire requested area and suggested recommending approval for the area closest to the Wastewater Treatment Facility and areas with current potential buyers requesting industrial uses. He concurred with Commissioner Pengra's desire to encourage economic development within the City but expressed concern with approving reduced standards for a large portion of land that may not be developed for some time. He stated the zoning for other portions could be evaluated with the active applications for individual lots.

Mr. Hazard explained the road in the northeast corner of the property had been moved in response to the discussion during the approval of the master site plan.

Commissioner Everett stated he is familiar with the insulated metal panel building appearance and the buildings would be an appropriate buffer between the Wastewater Treatment Facility and other uses. He concurred with Mr. Hazard that the Planning Commission should consider and discuss the desired industry for the area and provide better use definitions on the Industrial Use Table. He concurred with concerns regarding applying the industrial overlay to the entire area. He suggested the inclusion of a five- or six-year sunset clause on the rezone approval. He stated that although the parcel is large, he was inclined to encourage the City Council to waive a master development plan for this project. He stated appreciation for the inclusion of commercial uses to buffer the proposed industrial area from the roads.

Commissioner Pengra stated the purpose of industrial areas is to place less-desirable businesses in locations away from residential and higher-end businesses. He stated being overly prescriptive in the allowed uses would exclude many industrial applications, as the inclusion of standards to address all potential uses would be impossible due to the large variety of industrial businesses. He stated industrial uses generally provide more jobs than other retail businesses, and create commerce and are important and valuable to a community. He expressed the opinion the area would not entice unattractive metal buildings; however, he was not concerned about the aesthetics of the buildings. He stated his preference to apply the overlay to the entire area with reduced standards for the original investors with the intention to be more prescriptive with future applications but expressed a willingness to recommend approval for only a portion of the property due to the concerns expressed by the other Commissioners.

Discussion ensued regarding recommending approval of the overlay for only a portion of the property and potentially designating the remaining area as a different zone such as the LMD.

Mr. Hazard stated he has been able to remain current with all the Municipal Code updating. Mr. Hazard said he had requested the Sweetwater Industrial Overlay Zone, because he was familiar with it and knew that it would accommodate the intended uses for the property. He expressed a willingness to rezone to an alternate zone designation, if it permits his desired uses. Mr. Hazard stated the LMD is not currently listed on the Eagle Mountain website as a zone option available to the public.

Mr. Mumford verified the LMD zone would be presented to the City Council at the June 16, 2020 City Council meeting.

Mr. Hazard stated as the creation of the LMD zone has yet to be approved, he had no way of knowing about or requesting the zone for this application. Mr. Hazard requested clarity regarding permissible uses to provide security to attract businesses and to prevent concerns regarding the rezoning application request delays or denial of each application for the area.

Discussion ensued regarding potential Municipal Code standards to apply to industrial areas, concerns regarding rushing Municipal Code amendments to accommodate the application, recommended conditions regarding conditional and permitted uses, the request by the applicant to review the application in accordance with existing and current City zones, the potential to delay the application should the City Council not approve the LMD zone and potentially including a sunset clause for the overlay approval.

MOTION: *Commissioner Pengra moved recommend approval to the City Council of the Sweetwater Industrial Overlay Zone rezoning of parcel 59:056:0039 with a setback of 200 feet from Pony Express Parkway and Tiffany Lane and excluding the 80-acre parcel to the west with the following conditions:*

- 1. Automobile sales and/or services shall be a permitted use;*
- 2. Convenience stores shall be a permitted use;*
- 3. Electronic data management businesses shall be a permitted use;*
- 4. Laundry and dry-cleaning establishments shall be prohibited;*
- 5. Manufactured homes developments shall be prohibited;*
- 6. Motels and hotels shall be prohibited;*
- 7. Other manufacturing businesses shall be a permitted use; and*
- 8. Restaurants and banks (with drive-through service facilities) shall be prohibited.*

Commissioner Everett seconded the motion. Those voting aye: Matthew Everett and Christopher Pengra. Those voting nay: Brett Wright and Rich Wood. The motion failed with a vote of 2:2.

Commissioner Wright requested a reduction in the area to which the Sweetwater Industrial Overlay Zone would be applied to include the land south of 2580 North and between 1020 East and 1300 East (lot 1, lot 2, the 32.24-acre development area, the 10.28-acre development area) and the 2.67 acre development area east of 1300 East and South of 2450 North.

Commissioner Pengra inquired if the applicant was amenable to Commissioner Wright's suggestion and reiterated his preference to approve the area he suggested as it will be beneficial to the City.

Commissioner Everett stated he would agree to a reduction of the area included in a rezoning recommendation approval, as the City Council could determine to expand or reduce the acreage. He stated his preference to include the areas proposed in Commissioner Pengra's motion that comprises of the area south of Tiffany Lane and east of Pony Express Parkway (excluding the 200-foot commercial setbacks proposed by the applicant) to 1020 East to include the 14.70-acre development area and the 29.31-acre development area.

Commissioner Wright explained the reason for the area he proposed for the industrial overlay approval was to allow the development of lot one and two and for the applicant to move forward to the City Council for feedback regarding the application. He expressed concern with approving the Sweetwater Industrial Overlay on any area within the City and stated the preference to apply the LMD or Industrial Zone at a future date once the zone has been approved with the desired standards for industrial development within the City.

MOTION: *Commissioner Wright moved to recommend approval to the City Council of the Sweetwater Industrial Overlay Zone rezone for the following areas: lot 1, lot 2, the 32.24-acre development area, the 10.28-acre development area, and the 2.67-acre development area with the following conditions:*

- 1. Automobile sales and/or services shall be a permitted use;*
- 2. Convenience stores shall be a permitted use;*
- 3. Electronic data management businesses shall be a permitted use;*
- 4. Laundry and dry-cleaning establishments shall be prohibited;*
- 5. Manufactured homes developments shall be prohibited;*
- 6. Motels and hotels shall be prohibited;*
- 7. Other manufacturing businesses shall be a permitted use; and*
- 8. Restaurants and banks (with drive-through service facilities) shall be prohibited.*

Commissioner Wood seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Christopher Pengra. The motion passed with a unanimous vote.

Commissioner Wood recessed the meeting from 8:49 to 8:59 p.m.

7. Action Items: Marketplace at Eagle Mountain Town Center

7.A. PUBLIC HEARING -- Marketplace at Eagle Mountain Town Center (Rezone)

Mr. Mumford presented the item. The application was reviewed by the Planning Commission in January and discussed by the City Council in February. The property is located at the northwest corner of Pony Express Parkway and Eagle Mountain Boulevard and was zoned commercial C-2 in the Eagle Mountain Properties Master Development Plan. The master development agreement has expired. The applicant is requesting a rezone of approximately 27 acres to Commercial Community and approximately 14.5 acres to the Multifamily 2 Zone.

The property is designated as Community Commercial on the City's Future Land Use and Transportation Corridors map. Residential units may be an accessory use to any of these types of commercial development but may not be a stand-alone development in these areas. The Commercial Community zone in this location complies with the General Plan. The proposed Multifamily Two Zone, if seen as an accessory use to the commercial in this location, depending on the size, density, etc., could be considered appropriate as well.

The Commercial Community Zone is intended to provide areas of commercial retail, office, and services located near transportation hubs and major intersections and is designed to buffer

ORDINANCE NO. O- -2020

**AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH
DESIGNATING CERTAIN AREAS OF EAGLE MOUNTAIN CITY UNDER THE
SWEETWATER INDUSTRIAL OVERLAY ZONE**

PREAMBLE

WHEREAS, the City Council of Eagle Mountain City, Utah, finds that it is in the public interest to apply the Sweetwater Industrial Overlay Zone to a portion of the Sweetwater Industrial Park, as described in Exhibit A; and

BE IT ORDAINED by the City Council of Eagle Mountain City:

1. The City Council finds that the all required notices have been given and that a public hearing has been conducted, public comment received and considered and that the Council may consider designation of the parcels described in Exhibit A under the Sweetwater Industrial Overlay Zone of the Eagle Mountain Municipal Code.
2. The lands described in Exhibit A are hereby designated for use under the provisions of the Sweetwater Industrial Overlay Zone of the Eagle Mountain Municipal Code.
3. This Ordinance shall take effect upon its first posting or publication.

ADOPTED by the City Council of Eagle Mountain City this 21st day of July, 2020.

EAGLE MOUNTAIN CITY, UTAH

ATTEST:

Tom Westmoreland, Mayor

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Ordinance was adopted by the City Council of Eagle Mountain City, Utah on this 21st day of July, 2020.

Those voting aye:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Jared Gray
- ☐ Carolyn Love

Those voting nay:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Jared Gray
- ☐ Carolyn Love

Those excused:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Jared Gray
- ☐ Carolyn Love

Fionnuala B. Kofoed, MMC
City Recorder

Posted to City bulletin boards on _____ by _____.

Exhibit A

A stylized graphic of an eagle's head and wings in shades of yellow and grey, positioned behind the title text.

SWEETWATER INDUSTRIAL OVERLAY

ZONE

EAGLE

Rezone

MOUNTAIN

Overview

- Sweetwater Industrial Master Site Plan/Preliminary Plat was reviewed by Planning Commission May 26, 2020 (Recommended approval (4-1))
- Application to add the Sweetwater Industrial Overlay Zone to a majority of the site (201 acres)
 - *All areas except for along the frontage of Pony Express Parkway and Tiffany Lane*
- Sweetwater Industrial Overlay Zone was created in 2015 as an alternative to an applicant-proposed development agreement

N QTR COR SEC 23
T6S, R2W, SLB&M
ELEV = 4851.41'

HARDING
SR 055-0011

BAKER
SR 055-0020

SUNSET MOUNTAIN PROPERTIES LP
SR 055-0018

SUNSET MOUNTAIN PROPERTIES LP
SR 055-0019

MONTA VISTA RANCH LC
SR 046-0009

SEWERS
SR 046-0003

MONTA VISTA
RANCH LC
SR 046-0008

NW COR SEC 24
T6S, R2W, SLB&M
1976 BRASS CAP
ELEV = 4852.37'

WALDEN
SR 045-0073

N QTR COR SEC 24
T6S, R2W, SLB&M
2002 BRASS CAP
ELEV = 4851.62'

DEVELOPMENT AREA
16.36 ACRES

DEVELOPMENT AREA
16.11 ACRES

DEVELOPMENT AREA
14.70 ACRES

DEVELOPMENT AREA
38.31 ACRES

DEVELOPMENT AREA
32.24 ACRES

DEVELOPMENT AREA
29.31 ACRES

LOT 2
4.64 ACRES

LOT 1
10.00 ACRES

DEVELOPMENT AREA
10.58 ACRES

DEVELOPMENT AREA
2.67 ACRES

OVERALL LEGAL DESCRIPTION

Beginning at the Northwest Corner of Section 24, Township 6 South, Range 2 West, Salt Lake Base and Meridian; thence South 88°51'59" East along section line 2537.53 feet; thence South 0°28'20" West along the westerly right of way of Sweetwater Road a distance of 1472.80 feet; thence along the arc of a 30.00 foot radius curve to the left through a central angle of 90°00'35" (chord bears North 44°31'40" West 42.43 feet); thence North 89°31'40" West 567.70 feet; thence South 0°28'20" West 507.69 feet; thence North 88°59'34" West 224.00 feet; thence South 1°00'26" West 89.00 feet; thence South 89°39'38" West 361.13 feet; thence North 1°00'26" West 316.09 feet; thence South 89°39'38" West 1363.61 feet; thence North 0°46'27" East along section line 1070.36 feet; thence North 89°56'46" West along the sixteenth section line 2672.38 feet; thence North 0°21'41" East along quarter section line 1333.60 feet to the North Quarter Corner of Section 33; thence North 89°59'10" East along section line 2682.03 feet to the point of beginning.

Area = 203.62 Acres

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	30.00	47.13	90°00'35"	42.43	N 44°31'40" W

SITE LEGEND

- SECTION CORNER
- PROPERTY CORNER
- PROPERTY LINE
- LOT LINE
- EASEMENT LINE

GENERAL NOTES

- SEE SHEET 3 FOR EXISTING CONTOURS.
- TURNAROUNDS WILL BE PROVIDED AT PHASING LINES WITH A 96-FOOT RADIUS PAVED TURN AROUND OR AN APPROVED PAVED HAMMERHEAD FIRE TURN AROUND.
- BUILDING PADS, BUILDING ENVELOPES, AND BUILDING SETBACKS WILL BE PROVIDED WITH THE FINAL PLAN.
- LIGHTING STANDARDS STILL APPLY TO THIS PROJECT.

PLAT CALCULATIONS

TOTAL ACREAGE: 203.62 ACRES
ROADWAY AREA: 28.41 ACRES
LOT AREA: 175.21 ACRES

BENCH MARK

NORTHWEST CORNER, SECTION 24,
TOWNSHIP 6 SOUTH, RANGE 2 WEST,
SALT LAKE BASE AND MERIDIAN
ELEVATION = 4852.37'
PSOMAS ELEV AT THIS
MONUMENT = 4856.02'



LAND SURVEYOR: AZTEC ENGINEERING INC.
400 N. 1000 W. SUITE 200, ALPINE, UT 84005
OR 801.754-4500
(801) 224-7308

REVISIONS

Rev.	Date	Description
1	05/27/20	REVISED PER CITY COMMENTS

Developer/Property Owner:

Mike Wren
Phone: (801) 634-9448
EXCE ENGINEERING
David W. Foxworth, P.E., License #223593
12 West 100 North, Suite 200, Alpine, UT 84005
P: (801) 754-4500 F: (801) 754-4511

SWEETWATER INDUSTRIAL SITE PLAN

EAGLE MOUNTAIN	UTAH
Drawn by: G.J.Y.	Scale: 1"=180'
Designed by: G.J.Y.	Date: 05/07/20
Checked by: D.W.P.	1 of 3

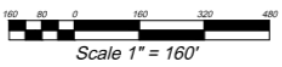
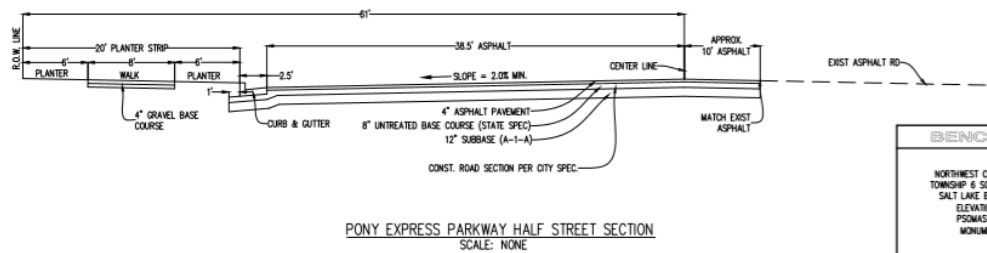
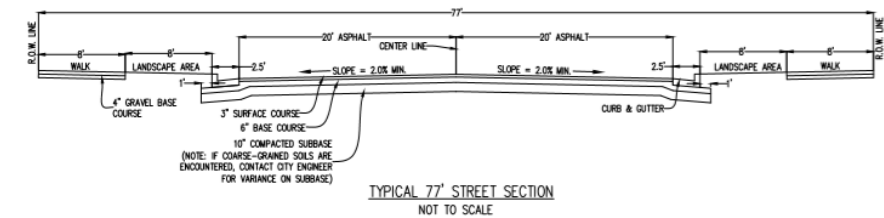
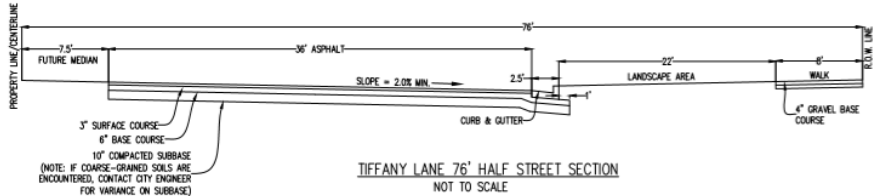
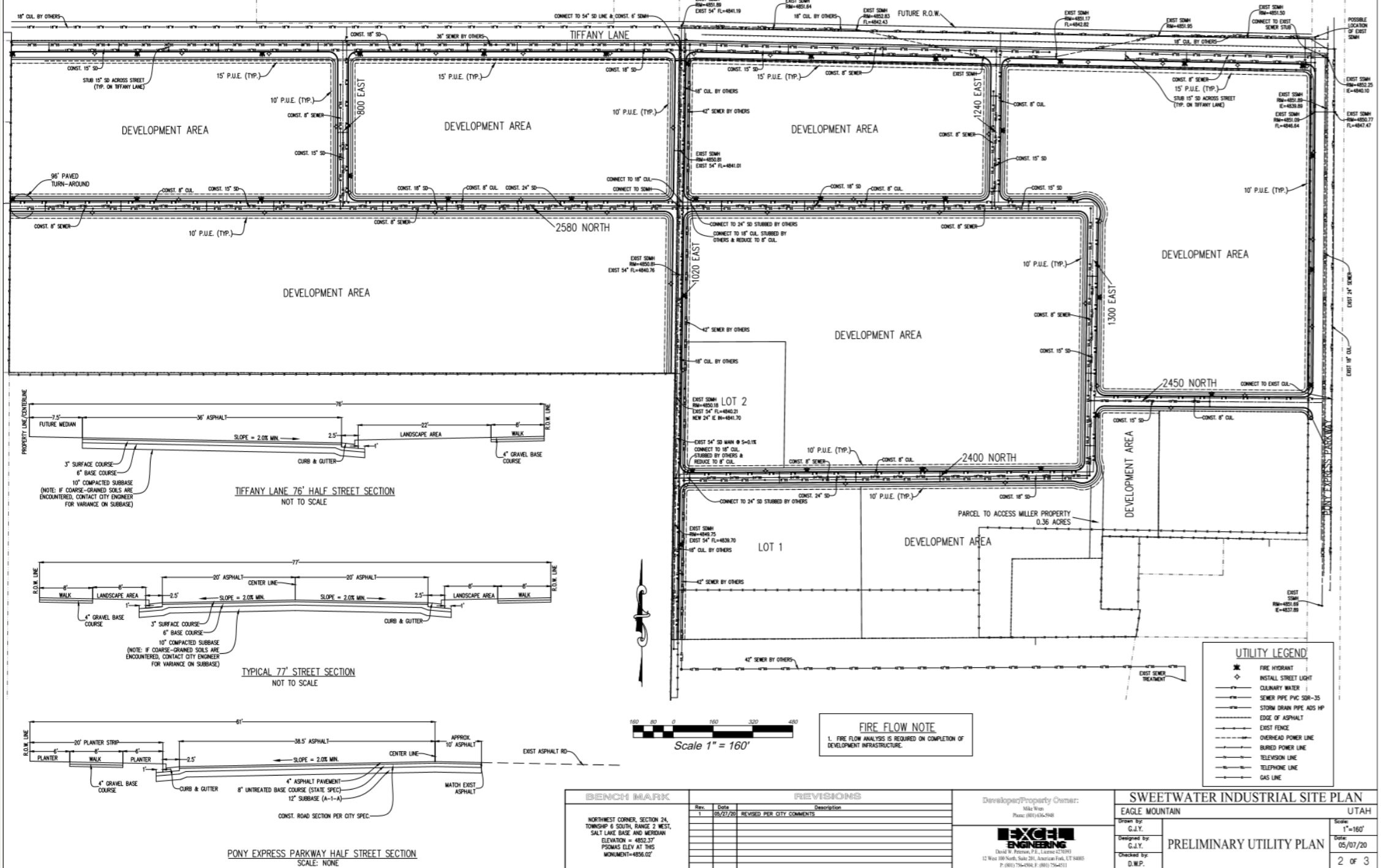
MASTER SITE PLAN &
PRELIMINARY PLAT
LOCATED IN SECTIONS 23 & 24, TOWNSHIP 6
SOUTH, RANGE 2 WEST, SLB&M



Scale 1" = 180'



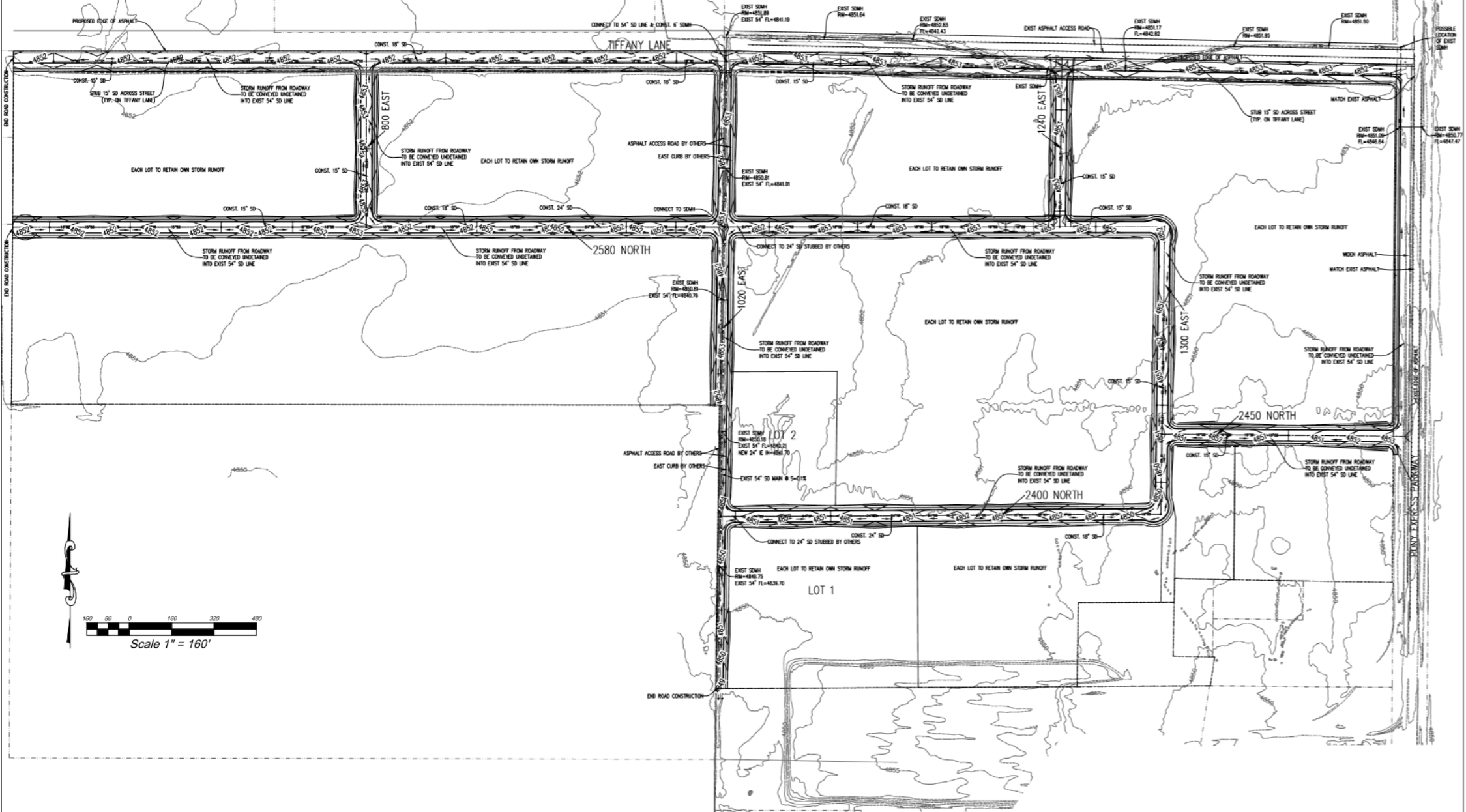
VICINITY MAP



FIRE FLOW NOTE
1. FIRE FLOW ANALYSIS IS REQUIRED ON COMPLETION OF DEVELOPMENT INFRASTRUCTURE.

UTILITY LEGEND	
	FIRE HYDRANT
	INSTALL STREET LIGHT
	CULINARY WATER
	SANITARY SEWER
	STORM DRAIN
	EDGE OF ASPHALT
	EXIST FENCE
	OVERHEAD POWER LINE
	BURIED POWER LINE
	TELEPHONE LINE
	GAS LINE

BENCH MARK		REVISIONS		Developer/Property Owner:		SWEETWATER INDUSTRIAL SITE PLAN	
NORTHWEST CORNER, SECTION 24, TOWNSHIP 8 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN ELEVATION = 4852.57' PSOMAS ELEV AT THIS MONUMENT = 4856.02'		Rev.	Date	Mike Wren Phone: (801) 636-7548		EAGLE MOUNTAIN	UTAH
		1	05/27/20	REVISOR PER CITY COMMENTS		Drawn by: G.J.Y.	Scale: 1"=160'
						Designed by: G.J.Y.	Date: 05/07/20
						Checked by: D.M.P.	2 OF 3



EROSION CONTROL NOTES:

1. EACH PHASE OF CONSTRUCTION WILL ADHERE TO THE FOLLOWING EROSION CONTROL PRACTICES.
2. CONSTRUCT A SILT FENCE AROUND PERIMETER OF DOWNSTREAM PORTIONS OF EACH PHASE.
3. INSTALL A CONSTRUCTION ENTRANCE FOR EACH PHASE.
4. CONSTRUCT STORM DRAIN FACILITIES AND INSTALL INLET PROTECTION AFTER INSTALLATION.
5. IMPLEMENT DUST CONTROL MEASURES FOR EACH PHASE.
6. CONTRACTOR IS TO REMOVE INLET PROTECTION FROM CATCH BASINS AND CLEAN-OUT ALL CATCH BASINS BEFORE LEAVING THE SITE.

GRADING NOTES:

1. EACH LOT WILL RETAIN ITS OWN STORM RUNOFF. STORM RUNOFF IN THE ROADWAYS WILL BE CONVEYED UNDETAINED TO THE EXISTING 54\"/>

BENCH MARK

NORTHWEST CORNER, SECTION 24,
TOWNSHIP 8 SOUTH, RANGE 2 WEST,
SALT LAKE BASE AND MERIDIAN
ELEVATION = 4852.37'
PSOMAS ELEV AT THIS
MONUMENT=4856.02'

REVISIONS

Rev.	Date	REVISION PER CITY COMMENTS	Description
1	05/07/20		

Developer/Property Owner:

Mika Wren
Phone: (801) 436-5148

EXCELSIOR
ENGINEERING
David W. Freeman, P.E., License C21393
12 West 100 North, Suite 201, American Fork, UT 84003
P: (801) 726-2064, F: (801) 726-4511

SWEETWATER INDUSTRIAL SITE PLAN

EAGLE MOUNTAIN

UTAH

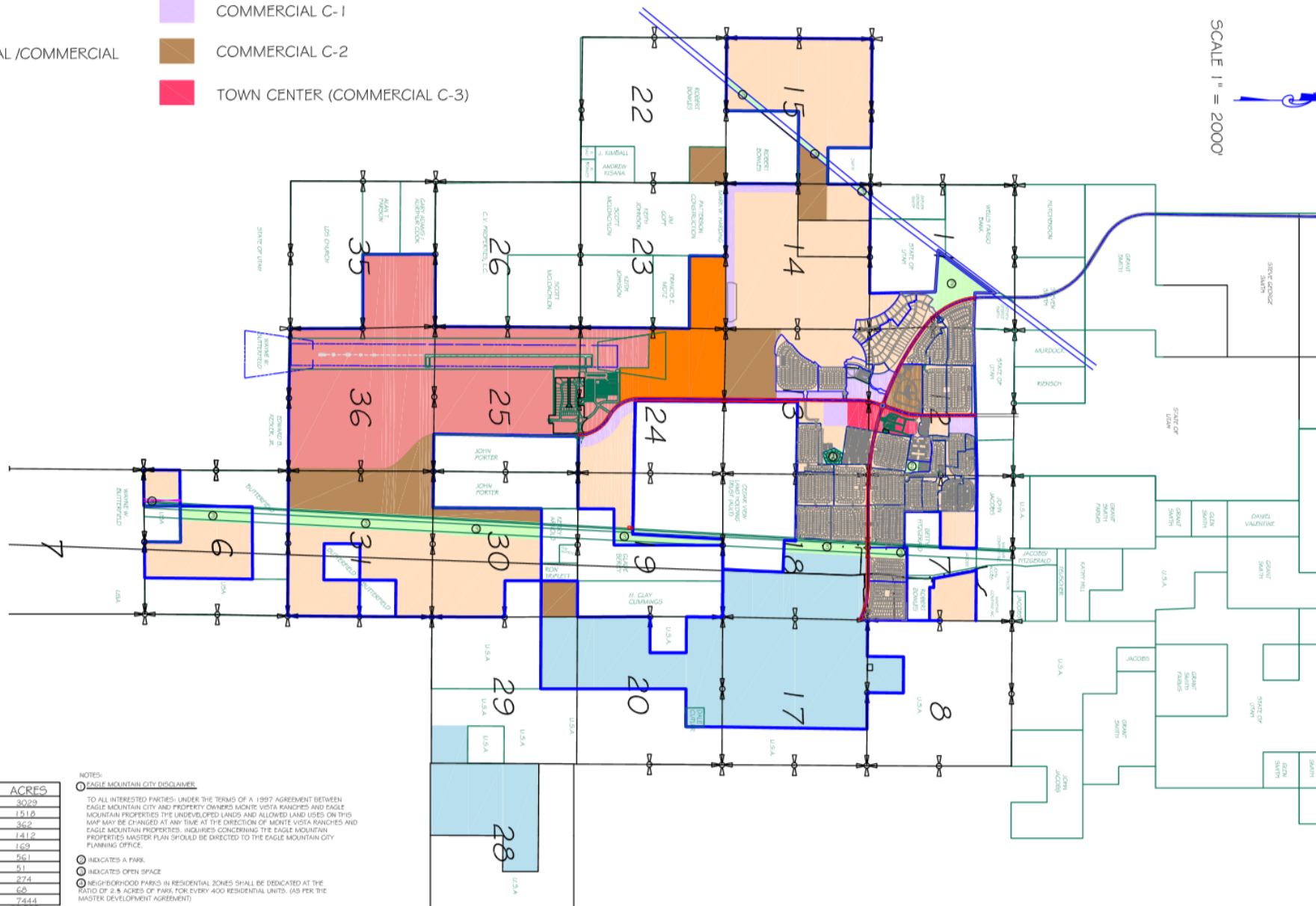
Drawn by:
G.J.Y.
Designed by:
G.J.Y.
Checked by:
D.W.F.

PRELIMINARY GRADING &
DRAINAGE PLAN

Scale:
1"=160'
Date:
05/07/20
3 of 3

- RESIDENTIAL
- MIXED-USE RESIDENTIAL /COMMERCIAL
- PARKS & OPEN SPACE
- AIRPARK
- INDUSTRIAL
- COMMERCIAL C-1
- COMMERCIAL C-2
- TOWN CENTER (COMMERCIAL C-3)

SCALE 1" = 2000'



LAND USE	ACRES
RESIDENTIAL	3029
MIXED-USE RESIDENTIAL/COMMERCIAL	151.6
PARKS & OPEN SPACE	36.2
AIRPARK	141.2
COMMERCIAL C-1	1.69
COMMERCIAL C-2	56.1
TOWN CENTER (COMMERCIAL C-3)	5.1
INDUSTRIAL	27.4
ROADS (EAGLE MNT. BLVD & SWEETWATER)	6.8
TOTAL	7444

NOTES:

○ EAGLE MOUNTAIN CITY DISCLAIMER

TO ALL INTERESTED PARTIES: UNDER THE TERMS OF A 1997 AGREEMENT BETWEEN EAGLE MOUNTAIN CITY AND PROPERTY OWNERS MONTE VISTA RANCHES AND EAGLE MOUNTAIN PROPERTIES THE UNDEVELOPED LANDS AND ALLOWED LAND USES ON THIS MAP MAY BE CHANGED AT ANY TIME AT THE DISCRETION OF MONTE VISTA RANCHES AND EAGLE MOUNTAIN PROPERTIES. INQUIRIES CONCERNING THE EAGLE MOUNTAIN CITY MASTER PLAN SHOULD BE DIRECTED TO THE EAGLE MOUNTAIN CITY PLANNING OFFICE.

○ INDICATES A PARK

○ INDICATES OPEN SPACE

○ NEIGHBORHOOD PARKS IN RESIDENTIAL ZONES SHALL BE DEDICATED AT THE RATIO OF 2-4 ACRES OF PARK FOR EVERY 400 RESIDENTIAL UNITS. (AS PER THE MASTER DEVELOPMENT AGREEMENT)

TOTAL APPROVED RESIDENTIAL UNITS = 22,930

MCM ENGINEERING, INC.

CIVIL / STRUCTURAL / LAND SURVEYING

Customer: MONTE VISTA RANCHES, LLC & EAGLE MOUNTAIN PROPERTIES, LLC
 Drawn by: RFP
 Prepared by: ASOM
 Project no.: 06006
 Z:\06006 walden-masterplan amend\dwg\MASTERUPDATE.dwg 5/31/2007 2:56:22 PM MDI

REVISION DATE:	REVISION BY:	REVISION DESCRIPTION:
4-21-06	SKP	CHECKED/CHANGED ADIRAGES
5-31-07	SKP	PLANNING COMMISSION RECOMMENDATIONS
12-18-07	SKP	EAGLE MOUNTAIN CITY REQUES

PROJECT: MONTE VISTA RANCH, LC & EAGLE MOUNTAIN PROPERTIES, LLC - MASTER DEVELOPMENT- LAND USE MAP; EAGLE MOUNTAIN, UTAH

SHEET TITLE: 2006 AMENDMENT
 (PROPOSED IN 2006 APPROVED BY CC JUNE 19, 2007)

SHEET NO.: 1/1

Items to Consider

- General Plan future Land Use Map & Zoning
 - *Most of property is designated as Business Park / Light Industry with exception of northwestern area*
- Property was zoned Industrial in Eagle Mountain Properties Master Development Plan
 - *Master Development Agreement has expired meaning any vesting of specific uses for the property is expired*
- The Sweetwater Industrial Overlay Zone contains separate land use table
- Rezone Approval Criteria (EMMC 17.90.060)
 - *Compliance with General Plan*
 - *Compatibility*
 - *City Services*
 - *Traffic Generation*
 - *Property Values*

Planning Commission Recommendation

- We recommend that the Council consider approving the Sweetwater Industrial Overlay Zone for the portions of the property recommended by the Planning Commission, along with their recommended conditions of approval, and consider rezoning the entire property to the LMD zone.



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
JULY 21, 2020**

TITLE:	<u>ORDINANCE/PUBLIC HEARING</u> - An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 16.50 Lot Line Adjustments and Chapter 16.55 Plat Amendments.		
ITEM TYPE:	Development Code Amendment		
FISCAL IMPACT:	N/A		
APPLICANT:	Staff		
GENERAL PLAN DESIGNATION N/A	CURRENT ZONE N/A	ACREAGE N/A	COMMUNITY N/A

PUBLIC HEARING:

Yes

PREPARED BY:

Michael Hadley, Planning

PRESENTED BY:

Planning Staff

RECOMMENDATION:

We recommend the following motion: I move that the City Council approve the proposed code amendments to EMMC Chapters 16.50 and 16.55 as presented (or with minor changes agreed upon at the meeting).

BACKGROUND:

These are proposed code amendments to the Lot Line Adjustment and Plat Amendment chapters of Code. The proposed changes to the the Lot Line Adjustment chapter is to require a Mylar plat map to be submitted with any lot line adjustment application located in any recorded subdivision plat. The way the current code stands, an individual can process a lot line adjustment with warranty deeds. This can create problems with title companies, banks and property owners. When a lot line is adjusted with warranty deeds, it creates a separate parcel that the title company and banks do not insure with the original legal description. This new parcel can get lost in transfer of title or ownership, creating a situation where the new parcel could be owned by someone other than the owner of the recorded plat lot. The parcel could also go without taxes being paid on the new parcel and then eventually end up in a tax sale where someone will purchase the piece and then try to benefit financially from the property owner that owns the lot. By requiring a Mylar plat, the current lots will be vacated and then recorded as two new subdivision lots, cleaning up

any possible issues with multiple parcels.

The change to the Plat Amendments chapter specifically allows staff to process lot line adjustments and minor changes that do not include the addition of lots or vacation, alteration, or amendment of any street. The minor plat amendment changes would be a staff level approval.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

Development Code Amendments are legislative decisions and are considered valid if reasonably debatable and not illegal.

PLANNING COMMISSION ACTION/RECOMMENDATION:

The Planning Commission recommended approval to the City Council for the proposed development code amendments EMMC 16.50 and 16.55 with the following condition.

1) The numbering in 16.50.030(A) be corrected to show the correct numbering sequence.

ATTACHMENTS:

[ORD--EMMC 16.50 Lot Line Adjustments & 16.55 Plat Amendments](#)
[Exhibit A - EMMC 16.50 Lot Line Adjustments](#)
[Exhibit A - EMMC 16.55 Plat Amendments](#)
[Code Amendment Presentation](#)

ORDINANCE NO. O- -2020

**AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH,
AMENDING THE EAGLE MOUNTAIN MUNICIPAL CODE,
CHAPTERS 16.50 LOT LINE ADJUSTMENTS AND 16.55 PLAT AMENDMENTS**

PREAMBLE

WHEREAS, the City Council of Eagle Mountain City finds that it is in the public interest to amend the Eagle Mountain Municipal Code, Chapters 16.50 Lot Line Adjustments and 16.55 Plat Amendments, as described in Exhibit A.

BE IT ORDAINED by the City Council of Eagle Mountain City, Utah:

1. The City Council finds that all required notices, public hearings, and other requirements have been completed for the City Council to consider an amendment to the Eagle Mountain Municipal Code Chapters 16.50 Lot Line Adjustments and 16.55 Plat Amendments.
2. The amendment described in Exhibit A is hereby approved.
3. This Ordinance shall take effect upon its first posting or publication.

ADOPTED by the City Council of Eagle Mountain City this 21st day of July, 2020.

EAGLE MOUNTAIN CITY, UTAH

ATTEST:

Tom Westmoreland, Mayor

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Ordinance was adopted by the City Council of Eagle Mountain City, Utah on this 21st day of July, 2020.

Those voting aye:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Jared Gray
- ☐ Carolyn Love

Those voting nay:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Jared Gray
- ☐ Carolyn Love

Those excused:

- ☐ Donna Burnham
- ☐ Melissa Clark
- ☐ Colby Curtis
- ☐ Jared Gray
- ☐ Carolyn Love

Fionnuala B. Kofoed, MMC
City Recorder

Posted to City Bulletin Boards on _____ by _____ .

Exhibit A

Chapter 16.50 LOT LINE ADJUSTMENTS

Sections:

16.50.010 What this chapter does.

16.50.020 Purpose.

16.50.030 Application.

16.50.040 Approval process.

16.50.050 Review responsibilities.

16.50.060 Criteria for approval.

16.50.010 What this chapter does.

This chapter establishes the application, review and approval process, and duties of the planning director for lot line adjustments. [Ord. O-23-2005 § 3 (Exh. 1(2) § 10.1)].

16.50.020 Purpose.

The lot line adjustment process allows for property boundaries between adjacent parcels to be adjusted under specific circumstances allowed by state law without being subject to the plat amendment or subdivision processes. [Ord. O-23-2005 § 3 (Exh. 1(2) § 10.2)].

16.50.030 Application.

Property owners or their duly authorized agents shall make application for a lot line adjustment on forms prepared by the planning director. No lot line adjustment application may be processed without the submission of the application, all the supporting materials as required by this chapter and the processing fee. Incomplete applications shall not be processed under any circumstances.

A. Supporting Materials. The following items shall be submitted with an application for a lot line adjustment. The number of hard copies and electronic copies, as well as the appropriate format of each, will be determined by the planning director.

1. Title Report. A title report ~~shall be submitted~~ for the properties that are the subject of the lot line adjustment.
2. Recorded Plat. The existing recorded plat that includes the properties that are the subject of the lot line adjustment ~~shall be submitted~~.
3. Legal Description. A legal description for the property to be exchanged and the each of the new lots that will be created ~~shall be submitted~~.

4. Diagrams of Improvements. Diagrams showing the current and proposed lot lines and building setbacks. These drawings must also show the locations of any structures and their respective distances from the proposed lot lines.

5. Locations of Utilities and Easements. A plan that identifies the existing and proposed utilities and easements ~~shall be submitted~~.

~~6. Deed. A signed special warranty deed defining the transfer of property shall be submitted.~~

~~6. Plat Map. A mylar plat map for any recorded subdivision lot.~~

~~7. Letter of Consent. A letter of consent from A~~any lending institution that ~~has a lien on any~~ owns property that will be altered by the proposed application ~~must submit a letter consenting to the application.~~

~~8. Fee. The applicant shall reimburse the city for expenses incurred during the processing of the application plus a 15 percent administration charge prior to the recordation of the deed or the~~ processing fee required by the current adopted consolidated fee schedule. [Ord. O-23-2005 § 3 (Exh. 1(2) § 10.3)].

16.50.040 Approval process.

Upon submission of the aforementioned materials, the planning director (or designee) will review the application for completeness, accuracy, and for compliance with the criteria for approval. After the planning director (or designee) has reviewed the application, they may approve, approve with conditions, or deny the application. ~~No deed shall be recorded without the city attorney's authorization.~~ [Ord. O-23-2005 § 3 (Exh. 1(2) § 10.4)].

16.50.050 Review responsibilities.

As part of the review, the city engineer and city attorney will perform the following duties:

A. City Engineer. The city engineer will verify that the proposed property boundaries close and that there are no conflicts with the existing utilities in the easements and the proposed property boundaries. The city engineer will require that the altering of any property lines shall also include the adjustment of utilities to be located within the easements.

B. City Attorney. The city attorney will review the title reports, ~~proposed deed~~, plat map, and letters of consent. [Ord. O-23-2005 § 3 (Exh. 1(2) § 10.5)].

16.50.060 Criteria for approval.



The planning director (or designee) may only approve proposed lot line adjustments if the application meets all of the following criteria listed below:

A. No New Dwelling. No new dwelling unit or lot shall be created as a result of approval of the proposed lot line adjustment.

~~B. Consent. The adjoining property owners shall consent to the lot line adjustment application.~~

B. Remnant Land. No remnant land shall be created that did not previously exist prior to the lot line adjustment being approved.

C. Violation of Land Use Requirements. No violation of the city's land use requirements shall be created as a result of the lot line adjustment ~~being approved~~.

D. Other Processes. Failure to meet all of the approval criteria will result in denial of the lot line adjustment and may cause the request to be processed as a plat amendment or subdivision. [Ord. O-23-2005 § 3 (Exh. 1(2) § 10.6)].

Home



The Eagle Mountain Municipal Code is current through Ordinance O-06-2020, passed April 7, 2020.

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City Website: <https://eaglemountaincity.com/>

City Telephone: (801) 789-6610

[Code Publishing Company](#)

Chapter 16.55 PLAT AMENDMENTS

Sections:

16.55.010 What this chapter does.

16.55.020 Purpose.

16.55.030 Application.

16.55.040 Approval process.

16.55.050 Minor Plat Amendments

16.55.010 What this chapter does.

This chapter establishes the review, submittal requirements, and approval process for a plat amendment. [Ord. O-23-2005 § 3 (Exh. 1(2) § 11.1)].

16.55.020 Purpose.

This process allows for the city council and owners of property to amend a recorded plat. [Ord. O-23-2005 § 3 (Exh. 1(2) § 11.2)].

16.55.030 Application.

The city council, the property owner, or their duly authorized agent shall make application for a plat amendment on forms prepared by the planning director. No plat amendment application may be processed without the submission of the application, all the supporting materials as required by this chapter and the processing fee. Incomplete applications shall not be processed under any circumstance.

A. Supporting Materials. The following items shall be submitted with an application for a plat amendment. The number of hard copies and electronic copies, as well as the appropriate format of each, will be determined by the planning director.

1. Petition. A signed petition shall be submitted that consists of the following: (a) an explanation of the purpose of the proposed amended plat; (b) the name and address of all owners of record of the land contained in the entire plat; (c) the name and address of all owners of record that are adjacent to any street that is proposed to be vacated, altered, or amended; (d) the signatures of each of these owners who consent to the petition.

2. Title Report. A title report shall be submitted for the area proposed to be amended.

3. Proposed Amended Plat. The amended plat shall be submitted. This plat must define what portion of the plat is being amended.
4. Recorded Plat. The recorded plat should be submitted to show the existing boundaries and/or lot lines.
5. Public Notice. Addressed stamped envelopes of all property owners within 600 feet of any boundary of the property to be amended (including a minimum of at least 25 adjacent property owners).
6. Declaration of Covenants, Conditions, and Restrictions. Declaration of covenants, conditions and restrictions shall be submitted for any new lot **if required by the current recorded plat.**
7. Fee. The processing fee required by the current consolidated fee schedule approved by the city council. [Ord. O-23-2005 § 3 (Exh. 1(2) § 11.3)].

16.55.040 Approval process.

The plat amendment application shall not be construed as an absolute right upon submission of an application and does not require the approval body to take action based upon findings of facts. The approval process for a plat amendment shall be as follows:

A. Planning Commission Review. Upon receipt of a completed application and subsequent review by the staff, the planning director shall place the application on the planning commission's agenda within 30 days.

B. City Council Public Hearing. Upon the planning commission's review and recommendation the city council shall have 45 days to conduct a public hearing on the proposed plat amendment if a public hearing is required. A public hearing is required if the proposed plat change includes the vacation of a public street or alley. A public hearing may be required if all of the property owners in the subdivision have not signed the petition or, upon receiving notice of the public hearing, an affected property owner objects in writing to the proposed plat amendment.

1. Public Notice. Public notices shall be given as follows:

- a. Lot Amendment. Each owner of property located within 600 feet of the property (including a minimum of at least 25 adjacent property owners and affected entities if there be any) that is the subject of the proposed plat

change shall receive notice by mail. A copy of the public notice of the hearing shall also be posted in three public places (including the city offices) within the city at least 10 days prior to the hearing. The mailed notice shall include the following:

- i. A statement that anyone objecting to the proposed plat change must file a written objection to the change within 10 days of the date of the notice;
- ii. A statement that if no written objections are received by the appointed person within the 10 days, a public hearing may not be held; and
- iii. The date, place, and time when a hearing will be held, if one is required, to consider a vacation, alteration, or amendment.

b. Street Amendment. If the proposed change involves the vacation, alteration, or amendment of a street, the responsible body or officer shall give notice of the date, place, and time of the hearing by:

- i. Mailing a notice as required in subsection (B)(1)(a) of this section; and
- ii. Publishing the notice once a week for four consecutive weeks before the hearing in a newspaper of general circulation.

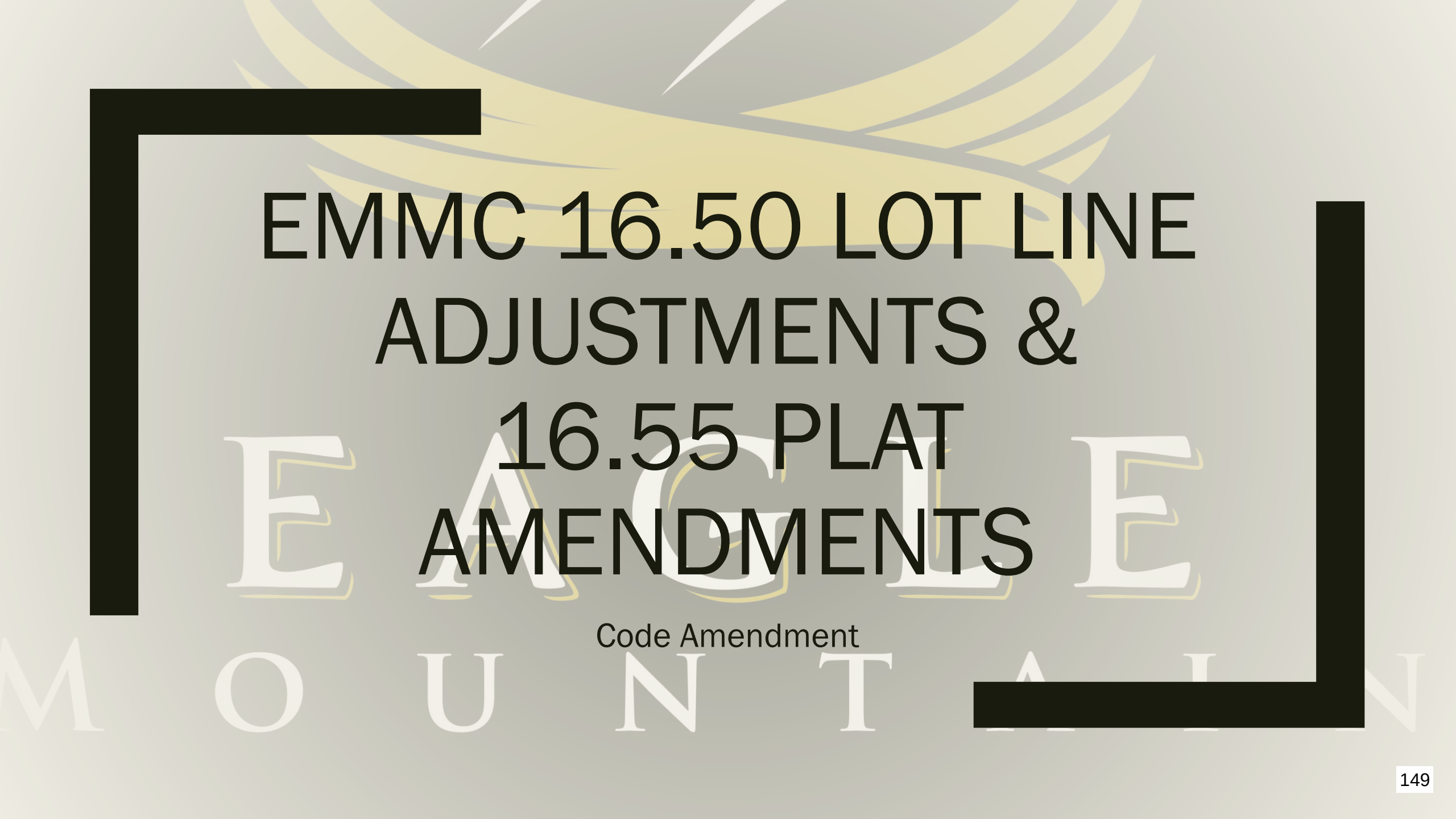
C. Adoption of Ordinance. The city council shall consider the criteria in this chapter when reviewing plat amendments. If the plat amendment is approved, the city council shall adopt an ordinance that contains a finding that the city council is satisfied that neither the public nor any person will be materially injured by the proposed vacation, alteration, or amendment, and that there is good cause for the vacation, alteration, or amendment. [Ord. O-23-2005 § 3 (Exh. 1(2) § 11.4)].

D. Minor Plat Amendments. Minor plat amendments may be approved by the planning director or designee if the proposed change involves a minor change not including the addition of lots or vacation, alteration, or amendment of a street. All minor plat amendments are subject to the applicable requirements of the plat amendment code.

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EMMC 16.50 LOT LINE ADJUSTMENTS & 16.55 PLAT AMENDMENTS

Code Amendment

Items to Consider

- Proposed changes to Lot Line Adjustment chapter include:
 - *Require Mylar Plat Map to be submitted with any application*
 - Current lots will be vacated and recorded as two new subdivision lots
- Proposed changes to Plat Amendment chapter include:
 - *Allowing staff to process lot line adjustments and minor changes*
 - *Minor plat amendment changes would be a staff level approval*

Planning Commission Recommendation

- The Planning Commission recommended approval to the City Council for the proposed development code amendments EMMC 16.50 and 16.55 with the following condition:
 1. The numbering in 16.50.030(A) be corrected to show the correct numbering sequence.



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
JULY 21, 2020**

TITLE:	<u>MASTER SITE PLAN AND PRELIMINARY PLAT</u> - Sweetwater Industrial Park		
ITEM TYPE:	Master Site Plan & Preliminary Plat		
FISCAL IMPACT:			
APPLICANT:	Scot Hazard		
GENERAL PLAN DESIGNATION Business Park / Light Industry & Neighborhood Residential One	CURRENT ZONE Industrial (Expired EM Properties MDA)	ACREAGE Approx. 200 Acres	COMMUNITY Tech Campus

PUBLIC HEARING:

No

PREPARED BY:

Steve Mumford, Planning

PRESENTED BY:

Steve Mumford (Assistant City Administrator / Community Development Director)

RECOMMENDATION:

We recommend that the project be approved, as recommended by the Planning Commission, removing condition #1 (it has been resolved) and allowing the landscape plan to be approved by the Parks Director.

BACKGROUND:

The applicant is proposing an industrial master site plan for approximately 203 acres of land to the north and northwest of the City's Community Development building. A majority of this property is shown in the City's Future Land Use Map as Business Park / Light Industry, with a smaller portion (on the northwest side) designated as Neighborhood Residential One. The property was zoned as Industrial in the Eagle Mountain Properties Master Development Plan and hasn't been rezoned since that time. The MDA for that master plan has expired, however.

A master site plan for this property was approved on September 1, 2015, but has expired. Many of the conditions of approval for that project were simply reminders of the need to comply with city codes (lighting, parking, landscaping, building height, street lights, etc.). This current application will have to comply with the current applicable code requirements.

EMMC Chapter 17.100.040 explains the requirements for master site plans. Master site plans generally shall address: land use, open space and landscaped areas, architectural guidelines, buildable square footage, parking requirements, access and circulation, phasing and timing of improvements, project monument sign locations, storm drainage and all preliminary calculations for infrastructure improvements and traffic impact mitigation related to a traffic impact study, if required.

EMMC Chapter 17.100.040(C) allows the planning director to waive certain requirements of the master site plan that may not be necessary for an industrial proposal larger than five acres in size.

EMMC Chapter 17.100.040(D) allows a master site plan to serve as a preliminary plat if it complies with the following criteria:

- (1) A preliminary arrangement of larger blocks of land - later to be subdivided during the final plat process - is included.
- (2) All required utilities, storm drainage, landscaping, access and circulation requirements, and other aspects of the eventually built-out project are addressed sufficiently with the master site plan.
- (3) The City is not responsible if, over time, the project is unable to service a possible user due to undersized utilities, roadways, or other infrastructure. If upgrades to such facilities are necessary, they will be borne solely by the applicant.

ITEMS FOR CONSIDERATION:

ROADS

The Future Land Use and Transportation Corridors Map includes the following major roadways that impact this project:

- 122-foot wide minor arterial road on the east side (Pony Express Parkway)
- 152-foot wide major arterial road on the north side (Tiffany Lane; previously referred to as Pole Canyon Boulevard)
- A north-south collector road (77' or 94') through the project (shown

as 1020 East on the site plan)

The master site plan indicates a dedication of 76' on the north (half-width of 152'), 61' on the east (half-width of 122'), and 77' along the collector through the project. The plan also shows that the public roads in the project are designed as 77-foot minor collector roads, with 40 feet of asphalt to allow for a middle turn lane (with alternate striping), as well as 8-foot parkstrips and 8-foot asphalt or concrete paths.

A portion of the north-south collector road through the project has been designed and will soon be built by the City (in partnership with Facebook), along with an 18-inch waterline. This road will provide an additional access to the Facebook site.

INDUSTRIAL SITE PLAN CRITERIA:

- Preliminary arrangement of larger blocks of land, later to be subdivided during the final plat process.

- The master site plan includes Lot 1 and Lot 2 as well as other development areas separated by roads. We understand that it is very difficult to create industrial lot sizes without knowing the actual industrial users, as property size varies depending on the user.

- Utilities.

- A preliminary utility plan has been included with the proposal that includes the public utilities (water, sewer, storm drain) as well as street light and fire hydrant locations. These plans are under review by the Engineering department, and the applicant will be required to make any minor changes required by the City Engineer.

- Storm Drainage.

- Storm drain pipes are included on the utility plan, and a grading and drainage plan has also been provided. Storm runoff requirements will be determined and required with each individual site plan.

- Landscaping.

- No landscaping is indicated on the plan at this time. We recommend that a landscape plan be prepared for the park strips that includes street trees and consistent landscaping throughout the development.

- Access & Circulation.

- All development areas are accessible from the planned roads, and a parcel is being provided for access to the Miller and Sanderson properties in the southeast corner of the project. These properties should probably have access along a public road rather than an easement, although the road may not need to be a full 77' ROW.

- EMMC Table 16.35.130(b) requires a minimum distance between intersections of 1,320 feet, but allows for variance to be considered based on standard design practices and safe operating conditions. The northeastern intersection onto Tiffany Lane has been shifted to comply with this standard.

- Traffic.

- A traffic impact study would be difficult to perform at this stage. The City Engineer will require a traffic impact study with each individual site plan application, where necessary.

REQUIRED FINDINGS:

A motion to approve may be made if the project complies with all city code requirements for master site plans and preliminary plats (or with added conditions of approval), as detailed in this report.

A recommendation of denial must be based upon findings of facts indicating how the project is not complying with specific sections of the city code.

The project may be tabled with specific direction to give an applicant time to fully comply with code requirements.

PLANNING COMMISSION ACTION/RECOMMENDATION:

The Planning Commission reviewed this application along with a public hearing on May 26th. No public comments were made or submitted. The Planning Commission discussed their desire to waive the requirement for a master development plan for this project, appreciation for the applicant's willingness to consider some future commercial uses along the northern boundary, road frontage and setback requirements for industrial uses, landscaping and median improvements, road/driveway access to adjacent parcels, moving the northeastern intersection to comply with code, and the potential for the City Engineer to require traffic studies with site plans in the future if necessary. See the attached Planning Commission meeting

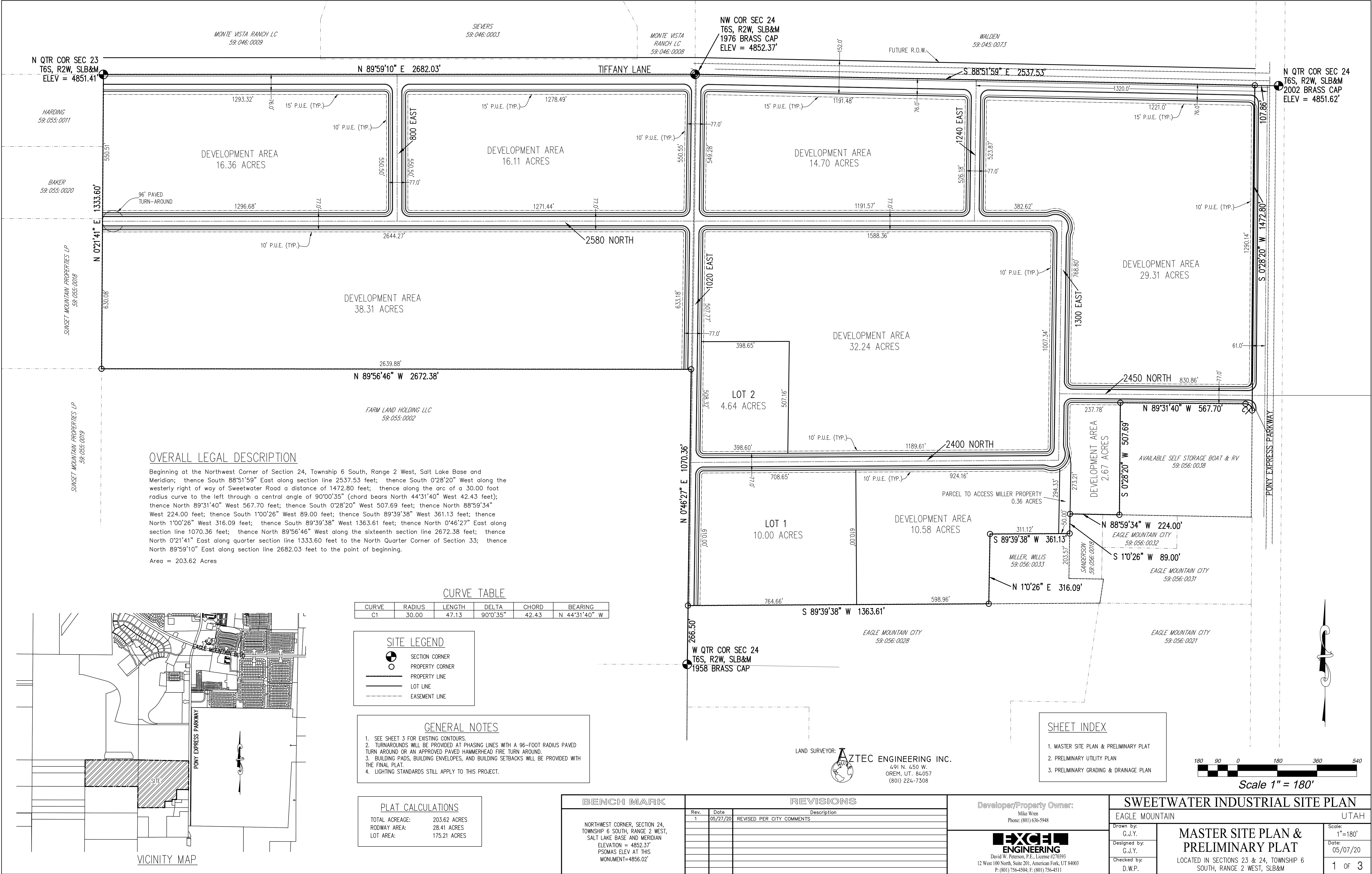
minutes for more detail (pages 3-6).

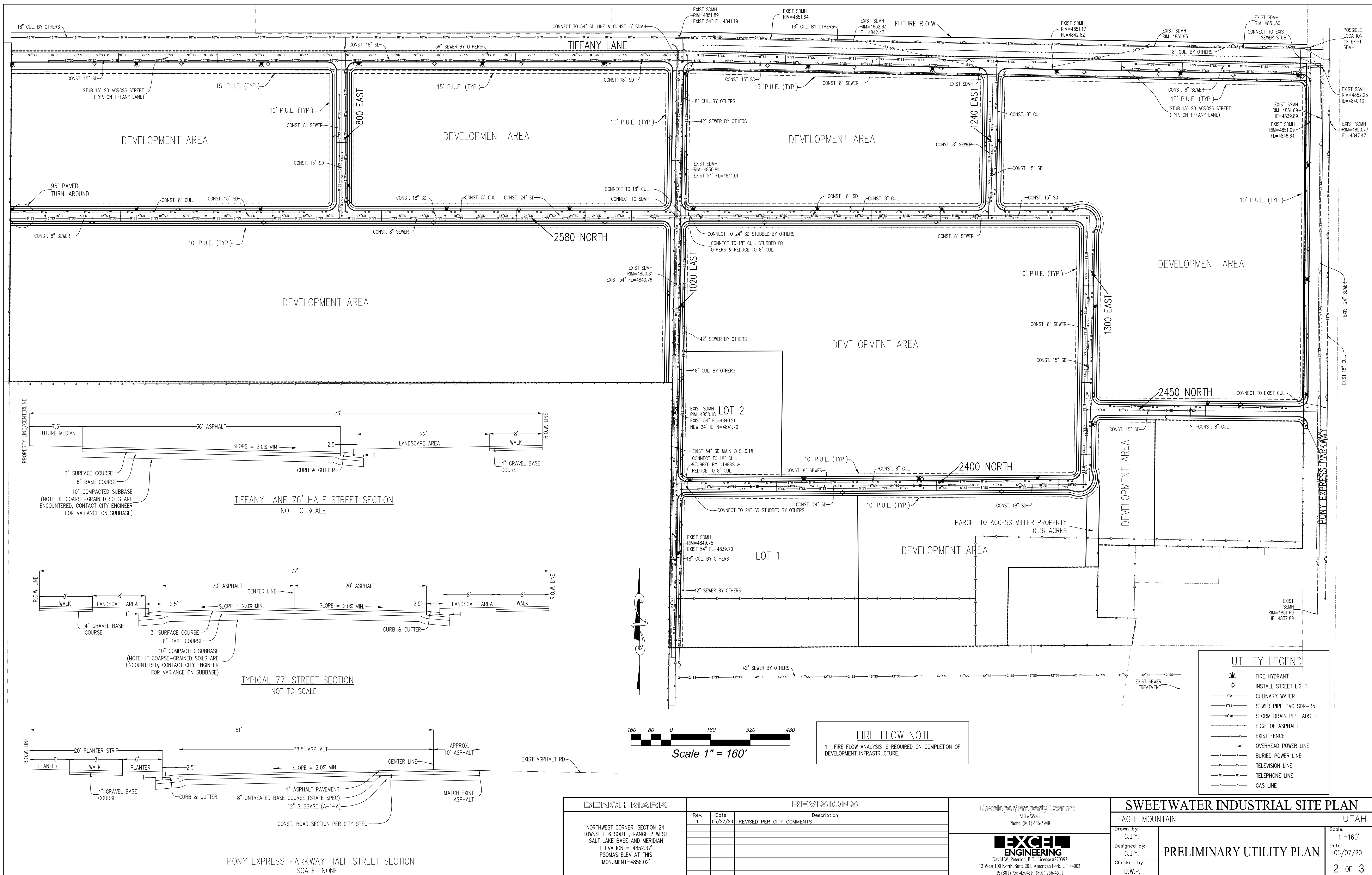
Ultimately the Planning Commission recommended approval (4-1) to the City Council with the following conditions:

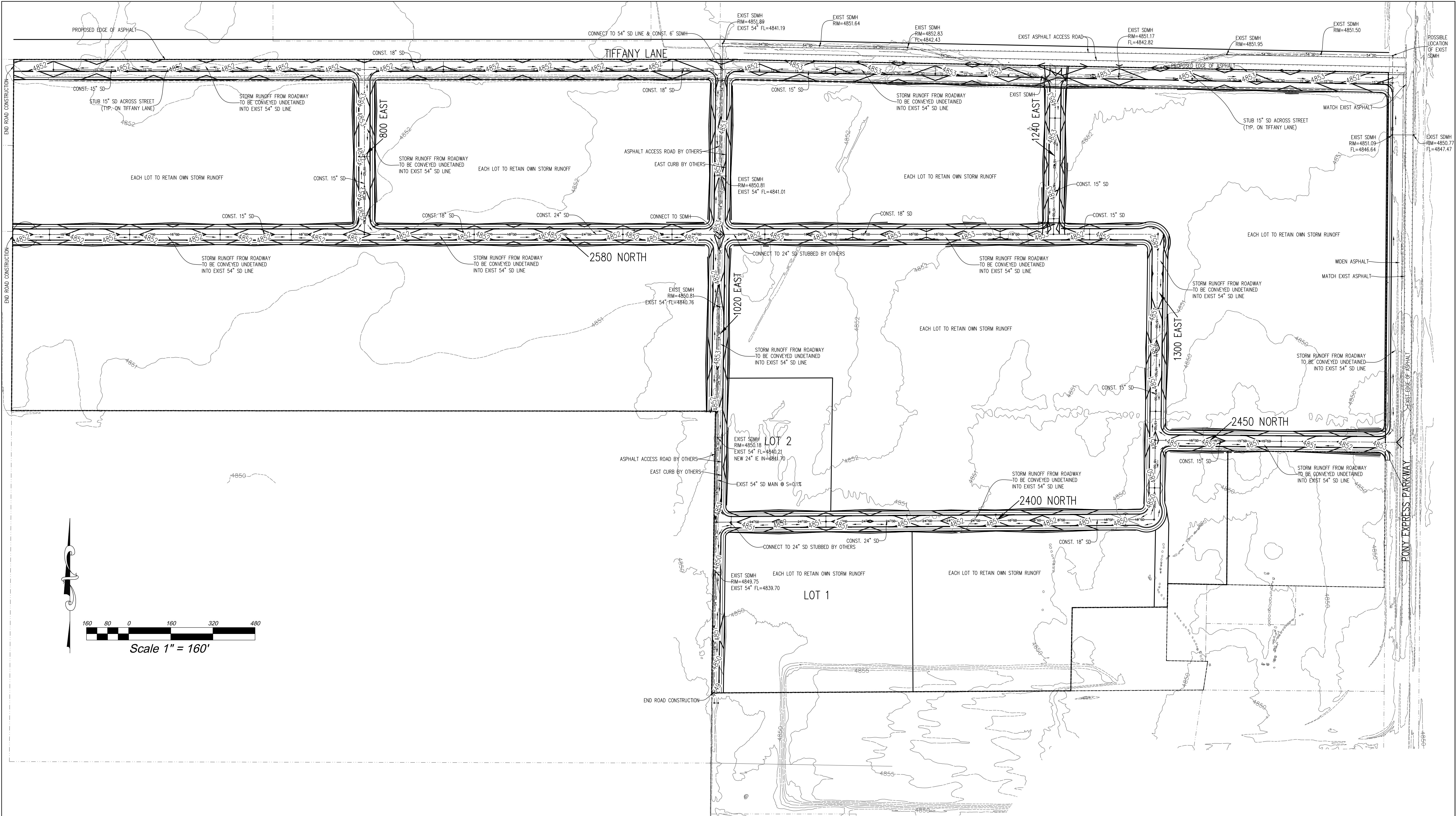
1. The intersection along Tiffany Lane shall be shifted to provide a minimum of 1,320 feet between intersections; *(This item has been resolved)*
2. An appropriate landscaping plan for the park strip throughout the development, including street trees and consistent landscaping, shall be submitted, removing the requirement for medians fronting adjacent to the north on Tiffany Lane and the east on Pony Express Parkway;
3. A master development plan shall not be required as per Chapter 16.10.030 (C).

ATTACHMENTS:

[Sweetwater Industrial Master Site Plan & Prelim Plat](#)
[5-26-2020 Planning Commission Mtg Minutes](#)
[Sweetwater Industrial Park Presentation](#)







EROSION CONTROL NOTES:

1. EACH PHASE OF CONSTRUCTION WILL ADHERE TO THE FOLLOWING EROSION CONTROL PRACTICES
2. CONSTRUCT A SILT FENCE AROUND PERIMETER OF DOWNSTREAM PORTIONS OF EACH PHASE.
3. INSTALL A CONSTRUCTION ENTRANCE FOR EACH PHASE.
4. CONSTRUCT STORM DRAIN FACILITIES AND INSTALL INLET PROTECTION AFTER INSTALLATION.
5. IMPLEMENT DUST CONTROL MEASURES FOR EACH PHASE.
6. CONTRACTOR IS TO REMOVE INLET PROTECTION FROM CATCH BASINS AND CLEAN-OUT ALL CATCH BASINS BEFORE LEAVING THE SITE.

GRADING NOTES:

1. EACH LOT WILL RETAIN ITS OWN STORM RUNOFF. STORM RUNOFF IN THE ROADWAYS WILL BE CONVEYED UNDETAINED TO THE EXISTING 54" STORM DRAIN PIPE LOCATED IN 1020 EAST. PIPES ARE SIZED FOR 10-YEAR EVENT. SEE SEPARATE STORM DRAIN REPORT FOR CALCULATIONS.
2. THERE ARE NO FLOOD HAZARDS IN THIS PROJECT.
3. MASTER DRAINAGE PLANS TO BE APPROVED AND FOLLOWED BY BUILDERS.
4. SOILS REPORTS ARE REQUIRED FOR EACH FUTURE SITE PLAN.

BENCH MARK		REVISIONS	
NORTHWEST CORNER, SECTION 24, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN ELEVATION = 4852.37' PSOMAS ELEV AT THIS MONUMENT=4856.02'	Rev.	Date	Description
	1	05/27/20	REVISED PER CITY COMMENTS

Developer/Property Owner: Mike Wren Phone: (801) 636-5948		SWEETWATER INDUSTRIAL SITE PLAN	
EAGLE MOUNTAIN		UTAH	
Drawn by: G.J.Y.	PRELIMINARY GRADING & DRAINAGE PLAN	Scale: 1"=160'	
Designed by: G.J.Y.		Date: 05/07/20	
Checked by: D.W.P.		3 OF 3	



EAGLE MOUNTAIN

EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

May 26, 2020, 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, Christopher Pengra, Erin Wells, Rich Wood, and Brett Wright.

CITY STAFF PRESENT: Steve Mumford, Community Development Director; Michael Hadley, Planning Manager; Fionnuala Kofoed, City Recorder; and Elizabeth Fewkes, Recording Secretary.

Commissioner Wood called the work session to order at 5:34 p.m.

1. Discussion Items

1.A. General Plan Future Transportation Map Review

Community Development Director Steve Mumford presented and reviewed the Future Transportation Map: General Plan Review Discussion. He stated the City Engineer Chris Trusty plans to update the Transportation Master Plan Impact Fee Facilities Plan (IFFP) which will include a City-wide update to the traffic model and recommendations for changes to the transportation network and system. Mr. Trusty suggested to delay the approval or implementation of changes and updates to the Municipal traffic plan until after the completion of the traffic studies and the IFFP update.

Discussion ensued regarding potential transportation system change recommendations for staff to discuss and address with the traffic study consultants. Commissioner Wood requested that Mr. Mumford to update the Planning Commission with study findings when available.

1.B. Development Code Amendments Including, but not Limited to the Industrial Zone & Overlay Zones

The Planning Commission discussed Eagle Mountain Municipal Code (EMMC) Chapter 17.40 Industrial Zone, the desirability of various types of heavy manufacturing uses, and potential concerns.

Commissioner Wood requested that the Industrial Zone return to the following work session and stated the City Council has requested the removal of conditional uses from the Code.

Commissioner Pengra volunteered to present Industrial Zone information and suggestions at the following work session meeting.

The Planning Commission discussed permitted uses and other concerns regarding extractive industries, industrial, and equine overlay zones.

Commissioner Wood requested that staff to include the Sweetwater Industrial Overlay Zone, a historical preservation zone, regional technology and industry overlay zone, ridgeline protection standards, and a water source protection overlay zone on the work session agenda for the next meeting.

1.C. Chapter 17.10 Definitions; Tier and Bonus Density Language Removal

Commissioner Wood stated amendments to the residential zones had resulted in language references to sections that have been repealed. He stated tier and bonus density language needs to be amended or removed from the Municipal Code. Mr. Mumford explained staff is working on identifying Code inconsistencies and special uses standards concerns and will share the findings with the Planning Commission.

6:30 P.M. – Eagle Mountain City Planning Commission Policy Session

Commissioner Wood called the meeting to order at 6:35 p.m. and announced the meeting was being held remotely via Lifesize. Commissioner Wood thanked City Recorder Fionnuala Kofoed and the Recorder's Office staff for facilitating remote meetings.

2. Pledge of Allegiance

Ms. Kofoed led the Pledge of Allegiance.

3. Declaration of Conflicts of Interest

None.

4. Approval of Meeting Minutes

4.A. May 12, 2020 Planning Commission Minutes

The Planning Commission discussed the Auto Zone site plan and recorded plat amendment public hearing and determined the intent of the Commission was to continue the hearing to the meeting in which the item returns.

Commissioner Everett clarified the area of the proposed 7-Eleven and Dollar Tree locations had been proposed residential with townhomes but not rezoned.

MOTION: *Commissioner Wright moved to approve the May 12, 2020 minutes, as discussed. Commissioner Wells seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.*

5. Status Report

This item was discussed after item 8.

Mr. Mumford stated the City Council approved an amendment to the Sage Park Business Center development agreement that included residential and flex use office buildings and storage units. The discussion focused on the road width to be reimbursed by the City. The applicant agreed to dedicate and improve a 65-foot road width, including 40 feet of asphalt, and the language in agreement included a right-in/right-out access critical to the development with the location to be determined.

Staff began discussing future applications during work sessions with the City Council two weeks prior to the vote on the item. Mr. Mumford discussed and received feedback on the Regional Commercial Zone, the Airpark Zone, and official signs.

6. Action and Advisory Items

6.A. Sweetwater Industrial Park – Master Site Plan & Preliminary Plat – Public Hearing

Mr. Mumford presented the item. The applicant is proposing an industrial master site plan for approximately 203 acres of land to the north and northwest of the City's Community Development Building. The majority of this property is shown in the City's Future Land Use Map as Business Park/Light Industry, with a smaller portion on the northwest side designated as Neighborhood Residential One. The property was zoned as Industrial in the Eagle Mountain Properties Master Development Plan and has not been rezoned since that time.

A master site plan for this property was approved on September 1, 2015 but has since expired. Many of the conditions of approval for the original project were stipulations to comply with City Code requirements such as lighting, parking, landscaping, building height, and streetlights. The current application will need to comply with the current applicable Municipal Code requirements.

Items for consideration:

Roads

The Future Land Use and Transportation Corridors Map includes the following major roadways that impact this project:

- A 122-foot wide minor arterial road on the east side (Pony Express Parkway)
- A 152-foot wide major arterial road on the north side (Tiffany Lane; previously referred to as Pole Canyon Boulevard)
- A north-south collector road (77 or 94 feet) through the project (shown as 1020 East on the site plan)

The master site plan indicates a dedication of 76 feet on the north (half-width of 152 feet), 61 feet on the east (half-width of 122 feet), and 77 feet along the collector road through the project. The plan also shows that the public roads in the project are designed as 77-foot minor collector roads,

with 40 feet of asphalt to allow for a middle turn lane (with alternate striping), as well as 8-foot park strips and 8-foot asphalt or concrete paths.

A portion of the north-south collector road through the project has been designed and will soon be built by the City (in partnership with Facebook), along with an 18-inch waterline. This road will provide an additional access to the Facebook site.

Sweetwater Industrial Overlay Zone

The applicant recently submitted a rezone application to add the Sweetwater Industrial Overlay Zone to this project. (See EMMC Chapter 17.53 for the overlay zone standards.) The purpose of the overlay is to provide for and allow industrial and business opportunities that will provide a buffer zone between the wastewater treatment facility and higher end businesses and industrial uses. The overlay zone includes a list of permitted and conditional uses and some reduced development standards (pedestrian-scaled architecture details not required, metal buildings allowed, gravel parking areas behind buildings, no parking lot landscaping requirements behind buildings, outdoor storage allowed). This application will be brought to the Planning Commission in a future meeting.

Staff recommends that the Planning Commission recommends approval to the City Council of the Sweetwater Industrial master site plan and preliminary plat with the following conditions:

1. The intersections along Tiffany Lane shall be shifted to provide a minimum of 1,320 feet between intersections.
2. A landscape plan shall be submitted for the park strips throughout the development, including street trees and consistent landscaping, to be approved by the City Parks Director.

Mr. Mumford explained the Municipal Code requirement for a master development plan for parcels larger than 160 acres includes standards not applicable to industrial uses. He stated Code allows for the Planning Director to waive certain requirements that may not be necessary for industrial proposals in parcels larger than five acres in size and explained Municipal Code permits the processing of the master site plan application as a master development plan. Commissioner Wood stated the benefits of requiring a master development plan.

Commissioner Wright requested clarification regarding the staff suggestion to provide a public road access to the adjacent properties. Mr. Mumford stated the adjacent properties had never been included in a subdivision plat and would ideally be included as lots in this project had the parcels been owned by a single entity. He stated Municipal Code does not require lot frontage on a public road for industrial areas; however, public road access would prevent potential disputes caused by the removal of a private drive easement in the future.

Discussion ensued regarding road frontage and setback requirements for industrial uses.

Commissioner Wells expressed concern regarding allowing a single access to the adjacent properties.

Mr. Mumford explained the landowner is responsible for half of the road width installation during the development of the property and the remaining road width competition requirement is deferred until the development of the adjacent property, regardless if a single entity owns both properties.

Applicant representative Scot Hazard stated staff has assisted in accelerating the application to allow the applicant to receive feedback due to time-sensitive commercial development opportunities for the property. He expressed willingness to move the intersection to meet Municipal Code standards and to preserve access to the adjacent property. He stated the lots along Tiffany Lane and Pony Express Parkway did not need to be included in the Sweetwater Industrial Overlay zone area as they are intended for commercial uses. He explained industrial uses were desired for the area adjacent to the sewage treatment plant as the area near the plant is undesirable to other uses due to odor and other concerns. He stated potential uses for the area include construction activity, contract construction activity, and satellite communications. The owner desires reduced standards to permit exterior/non-enclosed uses and metal buildings. He stated more detailed plans would be provided during the commercial site plan reviews once specific uses for the lots have been determined. He suggested addressing landscaping with a covenants, conditions, and restrictions to bind all future owners to the terms of the plan for aesthetical congruency.

Commissioner Wells verified the easement to the Miller property was 50-feet wide. Mr. Hazard stated he did not know if the easement had been recorded or only proposed.

Commissioner Wood opened the public hearing at 7:12 p.m. No comments were submitted to the City Recorder's Office phone line at 801.789.6611 or online via the City website at <https://eaglemountaincity.com/city-recorder/city-meetings-portal/#meetingdocs>, and no public was in attendance to make comment. As there were no comments, Commissioner Wood closed the hearing.

Discussion ensued regarding EMMC Chapter 16.10.030 Master Development Plans Required and recommending waiving the requirement for a master development plan for the application to the City Council.

Commissioner Wright stated appreciation for the applicant sharing his intention for the project and for recognizing the lots along Tiffany Lane and Pony Express Parkway were suited for commercial uses not industrial uses and expressed the desire to offer some flexibility with the project.

Commissioner Wells suggested potentially including staff recommendations regarding utility and traffic study concerns as conditions of approval to ensure the issues were addressed by the applicant. Mr. Mumford explained Municipal Code indicates the City Engineer may require a traffic study for a site plan and would not necessarily need to be included as a condition.

Discussion ensued regarding traffic concerns and traffic study requirements for industrial areas. Mr. Hazard stated his willingness to comply with the engineering standards, including utilities, once he receives direction from the City Engineer.

Commissioner Everett suggested permitting landscaping options to create cohesiveness while still allowing flexibility due to the potential for various industrial uses.

Mr. Hazard stated staff recommended a dripline and trees in a park strip. He expressed concern with proper park strip maintenance in industrial applications and suggested low maintenance options such as xeriscaping.

Mr. Mumford stated the Planning Commission and City Council could determine to install medians on the sections of Tiffany Lane and Pony Express Parkway near the property and stated neither street currently includes medians. Commissioner Wood stated medians beautify the City and provide a sense of openness and are more difficult to install after road completion. Mr. Mumford explained the City is responsible for the cost of median installation and maintenance.

Commissioner Pengra expressed concern with funding proper median maintenance in industrial areas and stated the need to bring in additional businesses and taxes prior to raising standards and costs. He expressed concerns with medians impeding truck traffic flow in an industrial area.

Commissioner Wright expressed concerns with medians in an industrial area due to impracticality and truck traffic impediments and safety.

Discussion ensued regarding landscaping requirements and buffering.

MOTION: *Commissioner Pengra moved to recommend approval of the Sweetwater Industrial Park master site plan and preliminary plat to the City Council with the following conditions:*

- 1. The intersection along Tiffany Lane shall be shifted to provide a minimum of 1,320 feet between intersections;*
- 2. An appropriate landscaping plan for the park strip throughout the development, including street trees and consistent landscaping, shall be submitted removing the requirement for medians fronting adjacent to the north on Tiffany Lane and the east on Pony Express Parkway; and*
- 3. A master development plan shall not be required as per Chapter 16.10.030 (C).*

Commissioner Wright seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Christopher Pengra. Those voting nay: Erin Wells. The motion carried with a vote of 4:1.

Commissioner Wells clarified her vote against the motion was due to the removal of the median requirement and stated decorative rock could be used to reduce maintenance concerns.

Commissioner Wood recessed the meeting at 7:43 p.m. and reconvened the meeting at 7:54 p.m.

6.B. Dollar Tree Site Plan

City Planner Michael Hadley reviewed the item. This item was tabled at the May 12, 2020 planning commission meeting.

The applicant has submitted updated plans since the last meeting.

Mr. Hadley stated the applicant is working with staff on a lighting plan, as the submitted lighting plan that was missing the lumen count calculation; the monument sign will need to comply with Municipal Code and will require a permit.

Mr. Hadley verified the applicants addressed elevation movement and variance concerns and an updated landscaping plan had yet to be submitted due to the applicants' focus on resolving the building design and orientation concerns with the previous site plan.

Commissioner Wood stated a public comment was received from Clinton Spencer regarding the Dollar Tree and 7-Eleven site plans. The public hearings for the site plans were held and closed during the May 12, 2020 Planning Commission meeting.

Applicant representative Ryan Forsythe explained the reorientation of the building caused property lane overlap with the neighboring property due to site space limitations requiring an easement or property, acquirement which is not guaranteed. The applicant asked if the City would allow a Code-compliant monument sign in the right-of-way along Pony Express Parkway, and if an additional curb cut would be allowed in the Pony Express Parkway median between the Dollar Tree and 7-Eleven.

Mr. Hadley stated the City does not allow monument signs in the right-of-way and he would need to review Municipal Code to determine if there are exceptions are allowed. He said he did not believe another curb-cut would be allowed and would need to consult with the City Engineer regarding the request.

Mr. Mumford explained the City partnered with private sign owners and allowed directional signs in the right-of-way. He said he would research if other businesses had been granted right-of-way signage exemptions.

Mr. Forsyth expressed concern with the lack of visibility due to the building orientation and lack of signage. He verified the faux store front is finished with composite material and stated rock columns and window awnings had been added to address elevation concerns.

Applicant representative Steven McMahon, Dollar Tree Manager of Architecture Services, explained the protrusion on the columns is usually six to eight inches.

Discussion ensued regarding addressing of building articulation concerns.

Mr. Forsyth stated Dollar Tree preferred the 5A Site Plan and explained he is in the process of obtaining an easement or land purchase from the adjacent landowner.

Commissioner Wood stated a precedence for monument sign rights-of-way exemptions has been established by businesses such as Cedar Valley Pharmacy located at the intersection of Pony Express Parkway and Ranches Parkway and agreed that locating the signage on the parking strip would reduce visibility. Mr. Mumford explained the sign Commissioner Wood referenced was a

project sign and Municipal Code allows for town center signs to be placed in the right-of-way. He said a few other signs have been granted exemptions to be place signs in the right-of-way.

Commissioner Wright thanked Dollar Tree for returning with a revised submission. He said other than ensuring utility access, he did not have concerns permitting a sign in the right-of-way. He stated the proposed elevations provided sufficient visual variance and was in favor of recommending approval of the revised site plan to the City Council.

Commissioner Pengra stated the architectural elevations were appropriate for the business type and in harmony with the appearance of other City businesses. He stated if the City allows exemptions for municipal signage and semi-permanent ladder signs, business exemptions should also be considered, when appropriate and with consideration of utility access, and felt it was appropriate to make an exemption for the monument sign, as the need for the signage increased due to the applicant accommodating the City with the reorientation of the building.

Commissioner Everett was excused at 8:26 p.m. due to technical difficulties.

Commissioner Wells thanked the applicant for the work and fast turnaround time and suggested increasing the architectural elements on the rear elevations. She stated permitting signage in the right-of-way would be appropriate, for this application, due to the requirement of the drive aisle. She noted the application was incomplete without the lighting and landscaping plans but did not have concerns about the applicant's ability to produce compliant plans.

Commissioner Pengra concurred with Commissioner Wells' concerns regarding the exclusion of the lighting plan and the resulting difficulty in making a recommendation to the City Council without all of the requested materials; however, he expressed preference not to hold and delay the application in this instance.

Mr. Hadley explained staff had received a Code-compliant lighting plan that was missing the total lumens per acreage calculation. He said the City requires for all lighting to shine downwards and the plan meets the architectural design standards. He verified no lighting would be allowed behind the property adjacent to residential areas. Mr. Hadley stated the elevations meet City architectural standards and some of the architectural depth variances are difficult to depict in a rendering.

MOTION: *Commissioner Wood moved to recommend approval of the Dollar Tree site plan 5A to the City Council with the following conditions:*

- 1. The applicant shall meet the lighting code standards in EMMC Chapter 17.56 and present a compliant lighting plan with an updated lumen count to the City Council;*
- 2. The applicant shall work with staff and the City Council on an agreement to allow right-of-way monument signage representing multiple business in the commercial development;*
- 3. The plan shall comply with the architectural standards found in EMMC Chapter 17.72.040(d); and*
- 4. The applicant shall submit a landscaping plan in compliance with EMMC Chapter 17.60.*

Commissioner Pengra seconded the motion. Those voting aye: Brett Wright, Rich Wood, Christopher Pengra, and Erin Wells. Those voting nay: None. The motion passed with a unanimous vote.

7. Discussion Items

7.A. Redstone Farms - Concept Plan

Mr. Hadley presented the item. The Scenic Mountain Master Development Plan was approved by the City Council on October 18, 2016. The Scenic Mountain Master Development Agreement (MDA) was approved by the City Council on November 15, 2016. This is the final development area in the Scenic Mountain Master Development Plan. The proposal consists of 90 townhome units on 5.33 acres, for a density of 16.8 units per acre. This area is zoned as Flex Use on the approved Master Development Plan's Land Use Map and is approved for up to 90 residential units.

Mr. Hadley explained the project required additional improved open space and the pickleball court is most likely the final amenity required for the overall development. He said an applicant representative will provide staff with additional information regarding the open space requirement fulfillment.

Mr. Hadley clarified that Phase C is the final phase in the project and the applicant is working to make the sloped area viable for construction.

Commissioner Everett returned to the meeting at 8:45 p.m.

Commissioner Wood verified the phase did not exceed the total allowed density per the MDA.

Commissioner Wright verified the reduction in allowable density from 120 to 90 unit was due to the Utah Department of Transportation acquiring a portion of the land, the new agreement superseded the terms of the previous MDA, and the community center, fire suppression, and trail connectivity MDA requirements have been met.

Commissioner Wood expressed concern that the intent of the open space requirement had not been met and allocating all of the open space to other areas of the project caused overcrowding in the proposed townhome units.

Applicant representative James Doolin with Land Development Partners, LLC stated the intent of presenting the concept plan was to receive feedback from the Planning Commission regarding the layout and architectural design. He explained the land is under contract to be purchased from Fieldstone Homes. Fieldstone Homes developed the first two phases and the remaining land is bound to the density requirements per the MDA. He stated the concept plan contains the maximum 90 units arranged with rear-loading garages fronting on courtyards to provide open space. He explained grading and lifting plans to make the sloped areas viable for construction, and the roads and private drive layout.

Commissioner Wood stated the side and rear elevations did not comply with City standards and required additional variance and movement. He said community feedback regarding the applicant's product has not been favorable and directed the applicant to EMMC Chapter 17.72.030(A)(2) Multifamily Building Orientation to review the requirements and see a preferred example.

Commissioner Wright noted Municipal Code states "units accessed via rear service drive shall have a man door on the garage side of the unit, and be addressed off the service drive," per the fire Code safety standards. He expressed concern the concept plan did not meet the open/plaza space requirements and invited the applicant to be more creative with the site design to prevent enclosed, tunnel-like walkways between buildings, and include trail connectivity to the other phases.

Mr. Doolin stated blasting would not be required due to the lack of rock.

Commissioner Pengra concurred with the concerns expressed by the other Commissioners. He stated the plan to maximize the density did not create a desirable layout or a differentiated, attractive product; he expressed his opinion that the City Council would not be in favor of the concept plan.

Commissioner Wood expressed concern that the proposed units would reduce the value of the existing homes in the area and suggested the inclusion of cluster homes to provide buffering.

Commissioner Wells stated favor for the front elevations and agreed the side and rear elevations which abut roads needed improvement. She expressed concern the three-bedroom townhomes did not provide sufficient open space for families with children.

Mr. Doolin expressed appreciation for the Planning Commission. He explained some of the developer constraints due to obtaining the property from Fieldstone Homes and limitations due to their product library. He said he will review the feedback and possibly reduce the density to increase open space and include cluster homes.

Commissioner Wright suggested the applicant consider commercial applications for the area or developing townhomes similar to the units west of the property.

Commissioner Everett expressed appreciation that the units presented had rear-loading garages and concurred with Commissioner Wells' approval of the front elevations. He expressed concern with unfavorable aesthetics created by the combination of six to eight units.

Commissioner Wood expressed concern with safe pedestrian passages around and between the units.

Discussion ensued regarding the property having been designated for commercial uses on the Future Land Use Map.

8. Next scheduled meeting

Mr. Hadley stated the Auto Zone site plan and the City Center Marketplace master site plan applications should return to the following meeting.

Commissioner Wood thanked the Planning Department and Recorder's Office staff for their time and efforts in preparing applications and facilitating meetings.

Commissioner Wells stated she would be unable to attend the next meeting.

Commissioner Everett noted a public comment was received by Louann Newton requesting a Community Center. He suggested that she approach the City Council regarding the matter during the open public comment section of a City Council meeting.

9. Adjournment

MOTION: *Commissioner Everett moved to adjourn. No second or vote was called.*

The meeting was adjourned at 9:23 p.m.

Approved by the Planning Commission on June 9, 2020.


Steve Mumford (Jun 10, 2020 10:05 MDT)
Steve Mumford, AICP
Community Development Director

A stylized eagle logo in yellow and grey, with its wings spread, positioned behind the title text.

SWEETWATER INDUSTRIAL PARK

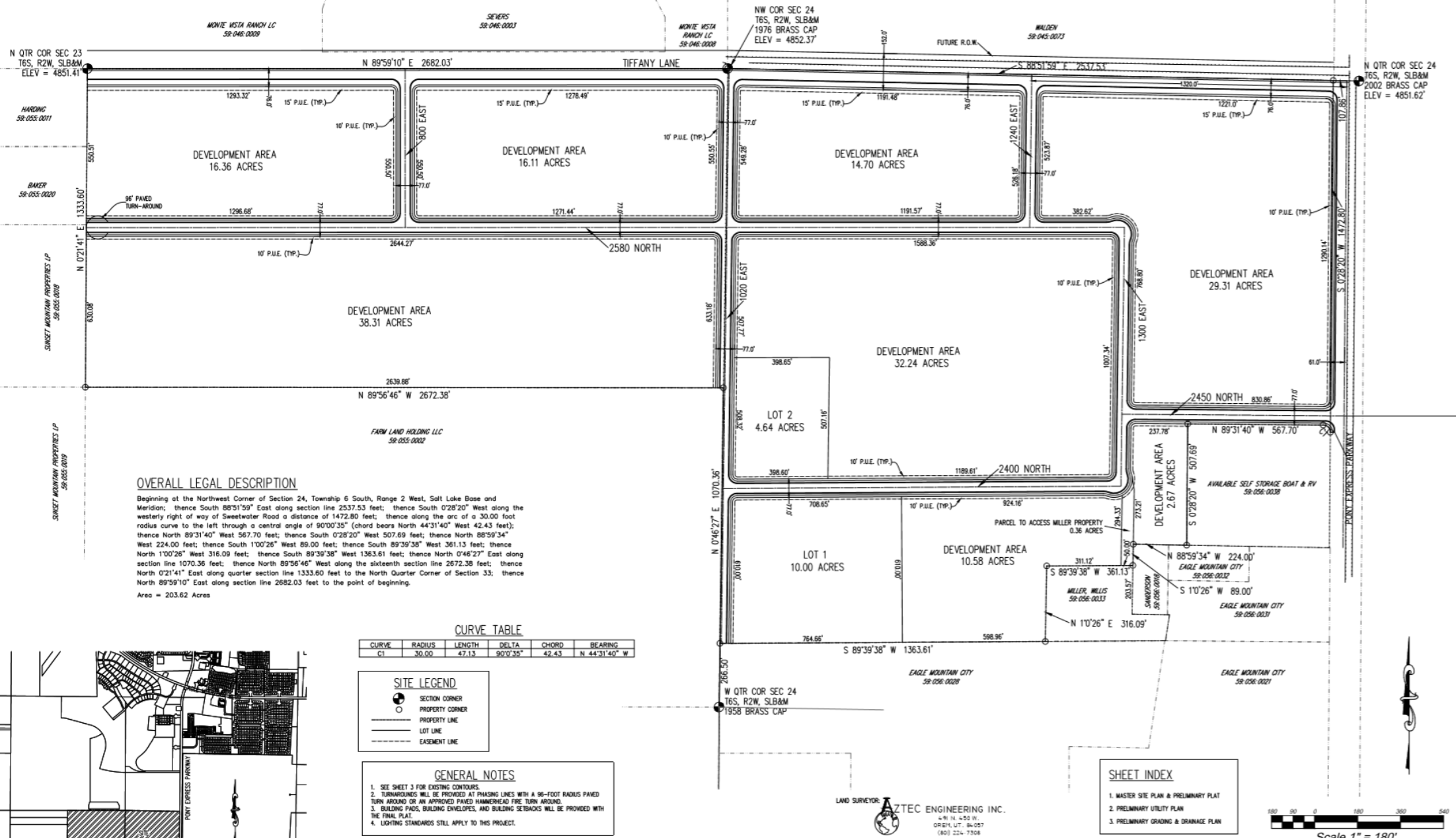
EAGLE

Master Site Plan & Preliminary Plat

MOUNTAIN

Overview

- Applicant proposed industrial master site plan for approximately 203 acres to the north / northwest of Community Development Building
 - *Majority of property shown on Future Land Use Map as Business Park / Light Industry, with a smaller portion (on the northwest side) designated as Neighborhood Residential One*
 - Property was zoned as Industrial in the Eagle Mountain Properties Master Development Plan
 - MDA for master plan was approved on September 1, 2015, but has expired



OVERALL LEGAL DESCRIPTION

Beginning at the Northwest Corner of Section 24, Township 6 South, Range 2 West, Salt Lake Base and Meridian; thence South 88°51'59" East along section line 2537.53 feet; thence South 0°28'20" West along the westerly right of way of Sweetwater Road a distance of 1472.80 feet; thence along the arc of a 30.00 foot radius curve to the left through a central angle of 90°00'35" (chord bears North 44°31'40" West 42.43 feet); thence North 89°31'40" West 567.70 feet; thence South 0°28'20" West 507.69 feet; thence North 88°59'34" West 224.00 feet; thence South 1°00'26" West 89.00 feet; thence South 89°39'38" West 361.13 feet; thence North 1°00'26" West 316.09 feet; thence South 89°39'38" West 1363.61 feet; thence North 0°46'27" East along section line 1070.36 feet; thence North 89°56'46" West along the sixteenth section line 2672.38 feet; thence North 0°21'41" East along quarter section line 1333.60 feet to the North Quarter Corner of Section 33; thence North 89°59'10" East along section line 2682.03 feet to the point of beginning.

Area = 203.62 Acres

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	30.00	47.13	90°00'35"	42.43	N 44°31'40" W

SITE LEGEND

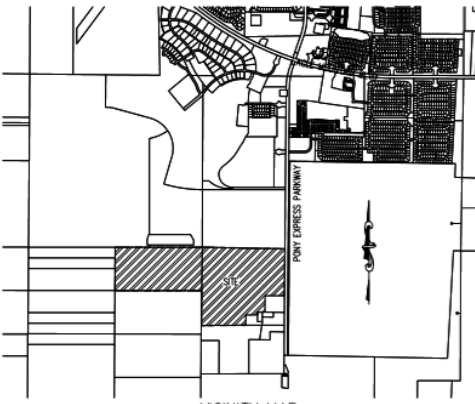
- SECTION CORNER
- PROPERTY CORNER
- PROPERTY LINE
- LOT LINE
- EASEMENT LINE

GENERAL NOTES

- SEE SHEET 3 FOR EXISTING CONTOURS.
- TURNAROUNDS WILL BE PROVIDED AT PHASING LINES WITH A 96-FOOT RADIUS PAVED TURN AROUND OR AN APPROVED PAVED HAMMERHEAD FIRE TURN AROUND.
- BUILDING PAD, BUILDING ENVELOPES, AND BUILDING SETBACKS WILL BE PROVIDED WITH THE FINAL PLAN.
- LIGHTING STANDARDS STILL APPLY TO THIS PROJECT.

PLAT CALCULATIONS

TOTAL ACRES:	203.62 ACRES
ROADWAY AREA:	28.41 ACRES
LOT AREA:	175.21 ACRES



BENCH MARK

NORTHWEST CORNER, SECTION 24, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN
ELEVATION = 4852.37'
PSOMAS ELEV AT THIS MONUMENT=4856.02'

REVISIONS

Rev.	Date	Description
1	05/07/20	REVISED PER CITY COMMENTS

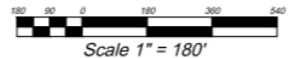
Developer/Property Owner:

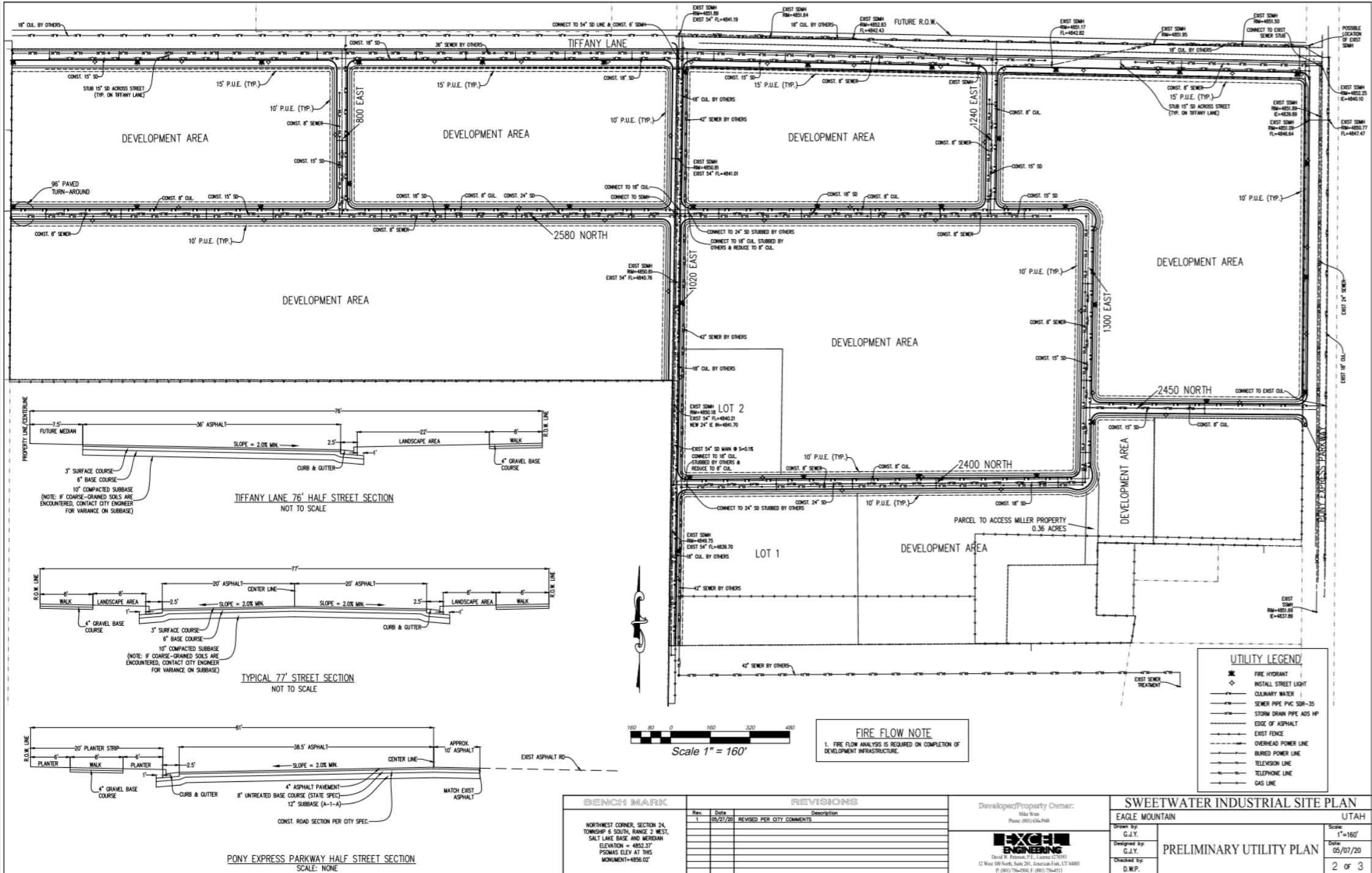
EAGLE MOUNTAIN
Mike Wren
Phone: (801) 436-5148
EXCEL ENGINEERING
David W. Freeman, P.E., License 125593
12 West 180 North, Suite 201, American Fork, UT 84003
P: (801) 794-4264 F: (801) 794-4511

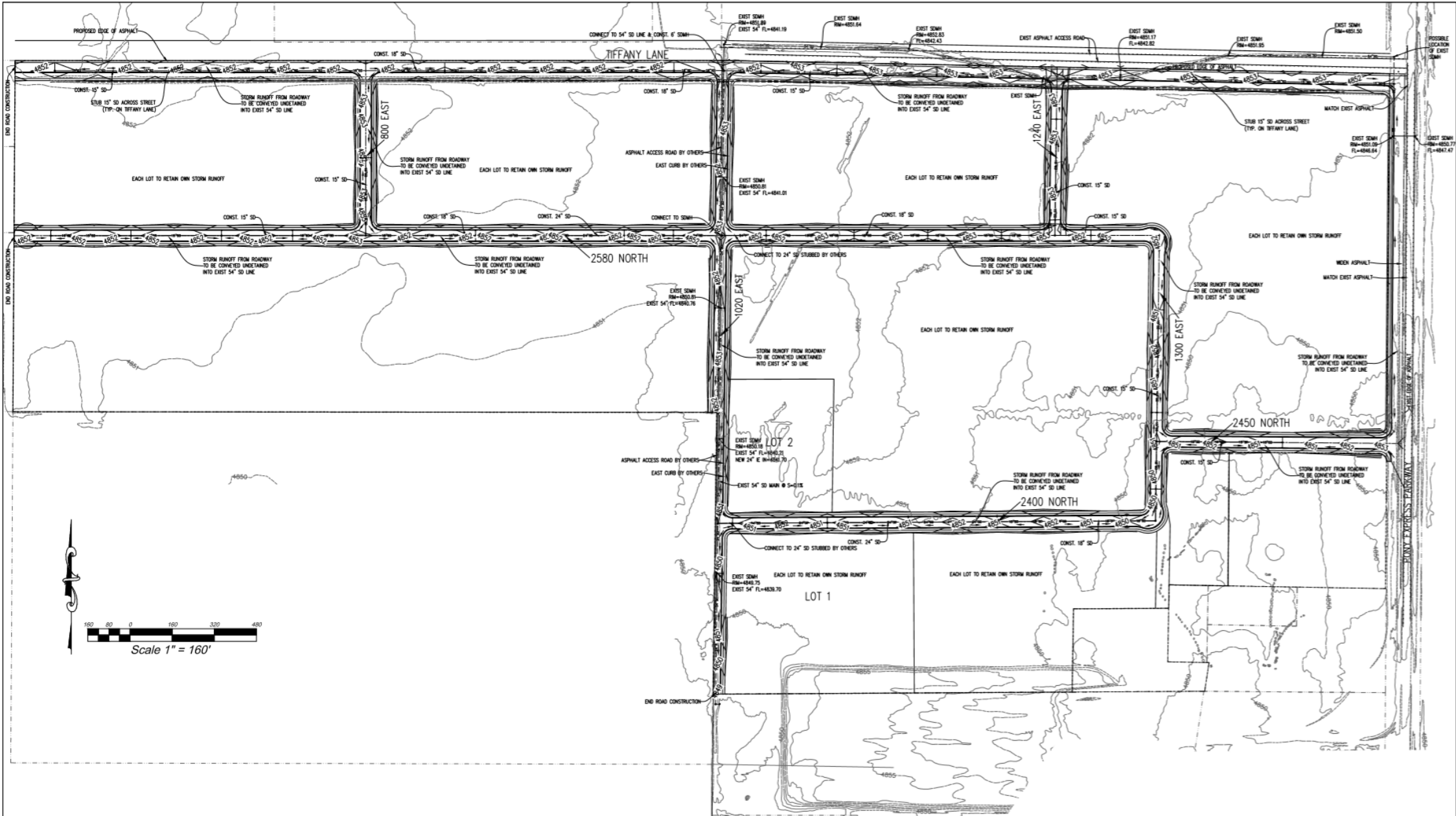
SWEETWATER INDUSTRIAL SITE PLAN

EAGLE MOUNTAIN	UTAH
Drawn by G.J.Y.	Scale 1"=180'
Designed by G.J.Y.	Date 05/07/20
Checked by D.W.P.	1 OF 3

MASTER SITE PLAN & PRELIMINARY PLAT
LOCATED IN SECTIONS 23 & 24, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SLB&M







EROSION CONTROL NOTES:

1. EACH PHASE OF CONSTRUCTION WILL ADHERE TO THE FOLLOWING EROSION CONTROL PRACTICES
2. CONSTRUCT A SILT FENCE AROUND PERIMETER OF DOWNSTREAM PORTIONS OF EACH PHASE.
3. INSTALL A CONSTRUCTION ENTRANCE FOR EACH PHASE.
4. CONSTRUCT STORM DRAIN FACILITIES AND INSTALL INLET PROTECTION AFTER INSTALLATION.
5. IMPLEMENT DUST CONTROL MEASURES FOR EACH PHASE.
6. CONTRACTOR IS TO PROVIDE INLET PROTECTION FROM CATCH BASINS AND CLEAN-OUT ALL CATCH BASINS BEFORE LEAVING THE SITE.

GRADING NOTES:

1. EACH LOT WILL RETAIN ITS OWN STORM RUNOFF. STORM RUNOFF IN THE ROADWAYS WILL BE CONVEYED UNDETAINED TO THE EXISTING 54\" STORM DRAIN PIPE LOCATED IN 1020 EAST. PIPES ARE SIZED FOR 10-YEAR EVENT. SEE SEPARATE STORM DRAIN REPORT FOR CALCULATIONS.
2. THERE ARE NO FLOOD HAZARDS IN THIS PROJECT.
3. MASTER DRAINAGE PLANS TO BE APPROVED AND FOLLOWED BY BUILDERS.
4. SOILS REPORTS ARE REQUIRED FOR EACH FUTURE SITE PLAN.

BENCH MARK

NORTHWEST CORNER, SECTION 24,
TOWNSHIP 6 SOUTH, RANGE 2 WEST,
SALT LAKE BASE AND MERIDIAN
ELEVATION = 4852.37'
PSOMAS ELEV AT THIS
MONUMENT=4855.02'

REVISIONS

Rev.	Date	Description
1	05/27/20	REVISED PER CITY COMMENTS

Developer/Property Owner:
Mike Wren
Phone: (801) 436-5168

EXCEL
ENGINEERING

David W. Freeman, P.E., License 125193
12 West 100 North, Suite 201, American Fork, UT 84003
P: (801) 756-4266, F: (801) 756-4511

SWEETWATER INDUSTRIAL SITE PLAN

EAGLE MOUNTAIN

UTAH

Drawn by:
G.J.Y.
Designed by:
G.J.Y.
Checked by:
D.W.F.

PRELIMINARY GRADING &
DRAINAGE PLAN

Scale:
1"=160'
Date:
05/07/20
3 of 3

Items to Consider

■ Roads

- The Future Land Use and Transportation Corridors Map includes the following major roadways that impact this project:
 - 122-foot wide minor arterial road on the east side (Pony Express Parkway)
 - 152-foot wide major arterial road on the north side (Tiffany Lane; previously referred to as Pole Canyon Boulevard)
 - A north-south collector road (77' or 94') through the project (shown as 1020 East on the site plan)
- The master site plan indicates a dedication of 76' on the north (half-width of 152'), 61' on the east (half-width of 122'), and 77' along the collector through the project

■ Industrial Site Plan Criteria

- The master site plan includes Lot 1 and Lot 2 as well as other development areas separated by roads
- A preliminary utility plan has been included with the proposal that includes the public utilities (water, sewer, storm drain) as well as street light and fire hydrant locations
- Storm drain pipes are included on the utility plan, and a grading and drainage plan has also been provided
- All development areas are accessible from the planned roads, and a parcel is being provided for access to the Miller and Sanderson properties in the southeast corner of the project
- A traffic impact study would be difficult to perform at this stage. The City Engineer will require a traffic impact study with each individual site plan application, where necessary.

Planning Commission Recommendation

- Planning Commission reviewed application along with a public hearing on May 26th
- Recommended approval (4-1) to the City Council with the following conditions:
 1. The intersection along Tiffany Lane shall be shifted to provide a minimum of 1,320 feet between intersections; *(This item has been resolved)*
 2. An appropriate landscaping plan for the park strip throughout the development, including street trees and consistent landscaping, shall be submitted, removing the requirement for medians fronting adjacent to the north on Tiffany Lane and the east on Pony Express Parkway
 3. A master development plan shall not be required as per Chapter 16.10.030 (C)



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
JULY 21, 2020**

TITLE:	<u>SITE PLAN</u> - LBiSat		
ITEM TYPE:	Site Plan		
FISCAL IMPACT:	NA		
APPLICANT:	LBiSat		
GENERAL PLAN DESIGNATION Business Park/Light Industry	CURRENT ZONE Industrial	ACREAGE 10	COMMUNITY N/A

PUBLIC HEARING:

No

PREPARED BY:

Michael Hadley, Planning

PRESENTED BY:

Planning Staff

RECOMMENDATION:

The recommended motions are provided for the benefit of the City Council and may be read or referenced when making a motion. The City Council has the option to recommend approval, recommend approving with conditions, table, or recommend denial of the application, and should make one of the following motions:

I move that the City Council approve the LBiSat site plan with the following conditions:

- 1) The west side and the front of the building shall include more articulation and a increased mixture of materials.
- 2) The final site plan approval is contingent on the approval of the Sweetwater Industrial Overlay Zone rezone.
- 3) All signage will require a sign application and permit.

BACKGROUND:

This is a proposal for a satellite communications facility. It is located in the Sweetwater Industrial Park on 10 acres. This project is being proposed with the intention of it being under the Sweetwater Industrial Overlay Zone. Under the overlay zone it is a permitted use as a Communications Facilities and Towers. Final approval for this

site plan is contingent on the approval of the rezone of the property to the Sweetwater Industrial Overlay Zone.

ITEMS FOR CONSIDERATION:

ARCHITECTURAL FEATURES AND DESIGN EMMC 17.72

The building square footage is 13,478 sq ft, this includes an office area and a warehouse area. The building renderings and elevations have been submitted. The proposed design uses some different and acceptable materials. 17.72.040D says that “Large uninterrupted expanses of a building wall are prohibited.” The building needs more facade modulation/articulation, and needs to avoid “large, featureless and/or panelized surfaces such as the west facing facade which is visible from the road. The applicant is updating the elevations to show more articulation on the buildings. Per city code. EMMC 17.72.040–L Storage, Loading Areas, and Trash Enclosures. Storage and loading areas and trash enclosures shall be located out of view from public streets, and shall be screened and designed with the architectural style of the building, including materials, colors, details, etc. The applicant has included the changes with the trash enclosure with the updated site plans. Chain link fencing with vinyl slats are prohibited as screening. The applicant is proposing chain link fencing which is allowed in Industrial uses. The fence will not use vinyl slats. EMMC 17.72.040-2G for building colors states: G. Building Color. Buildings should not be restricted to using desert landscape colors, such as beige, tan, grays, browns, etc. A wide palette of colors is recommended, excluding any neon, ultra-bright, or reflective colors. Minor deviations from these elevations, still in compliance with the Design Standards, require approval by the Planning Director.

PARKING EMMC 17.72.030 (B) The proposed parking is located in the front of the building between the building and road. Surface parking is typically required to be on the side or the rear of buildings. This parking requirement is important with commercial, retail and office development. It can be up to the Planning Commission to decide whether that is an important requirement in an industrial development. This project has the parking divided into two separate requirements one for office and professional which requires 1 stall per 300 sq ft of gross floor area (6,000 sq ft of proposed area) and warehouse (7,748 sq ft of proposed area) parking which requires 1 stall per 2,000 sq ft of gross floor area. The proposal has 20 parking

stalls for the office professional, 4 stalls of warehouse and 1 ADA stall. This complies with city requirement.

LANDSCAPING EMMC 17.60 The applicants have designed the site according to City standards. The LBi Sat has designed the landscaping with water wise design. LBi Sat will be responsible for the maintenance of the landscaping on the site. All plants and trees are drought tolerant.

LIGHTING EMMC 17.56 At the time of this report a lighting plan had not been submitted to staff (EMMC 17.56 Outdoor Lighting). Lights must be dark sky compliant shielded downward and the light source may not be visible from surrounding properties.

SIGNS EMMC 17.80 Any proposed signs will require a sign permit(s) prior to any construction. Staff recommends that the sign contain a maximum height of 5 ft, as required by EMMC 17.80.070-C-3, and the maximum sign copy is 32 sq. ft. The sign should have stone up one side to maintain consistency with other signage in the city. EMMC 17.80.070-C-3 states, "The materials and design shall be consistent for each sign in the development/project.". The sign must have dimming technology that automatically adjusts the display brightness based on light conditions. Pylon signs are not permitted in Eagle Mountain. Rock/Stone/Brick is added to the base 2' up from bottom and one side of monument sign as required by city code (17.80.070B).

TRAFFIC 17.100.070 (10) EMMC A traffic impact study (completed by a professional that is competent in the field of traffic engineering) may be required if it is estimated by the city engineer that the project could generate traffic impacts that require further study or that may require site improvements to transportation facilities.

FENCING AND SCREENING 17.53.060(D) Outdoor storage of equipment, used materials, and wrecked or abandoned vehicles shall be screened behind an opaque fence or wall to be out of sight of major roads. Fencing and screening of outdoor uses shall be reviewed with each individual site plan. It should be noted that this project is not located on any major roads...just normal industrial roads.

REQUIRED FINDINGS:

Site Plan approvals are based upon compliance with City Code requirements and requirements of any applicable development agreements. The approval criteria for a site plan can be found in EMMC 17.100. There is no Development Agreement for this project.

PLANNING COMMISSION ACTION/RECOMMENDATION:

The Planning Commission recommended approval to the City Council of the LBiSat site plan with the following conditions:

- 1) The applicant shall submit a lighting plan that complies with the Dark Sky Outdoor Lighting standards (EMMC 17.56).
- 2) The west side and the front of the building shall include more articulation and a increased mixture of materials.
- 3) The final site plan approval is contingent on the approval of the Sweetwater Industrial Overlay Zone rezone.
- 4) All signage will require a sign application and permit.
- 5) The trash enclosure is screened for the public street and designed with the same architectural materials as the building.

ATTACHMENTS:

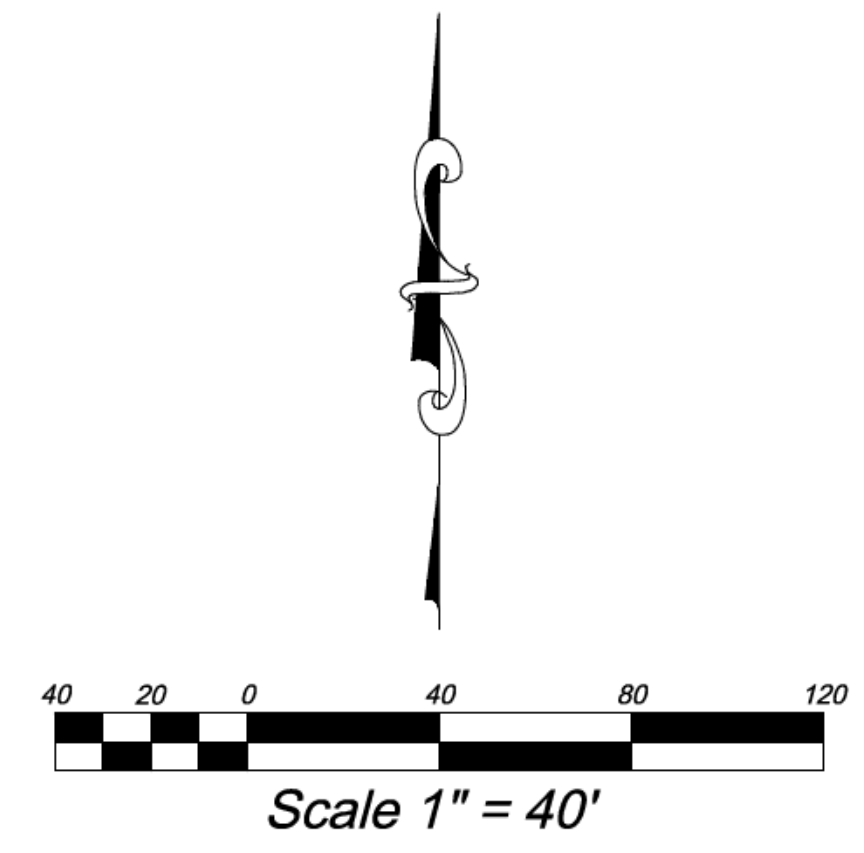
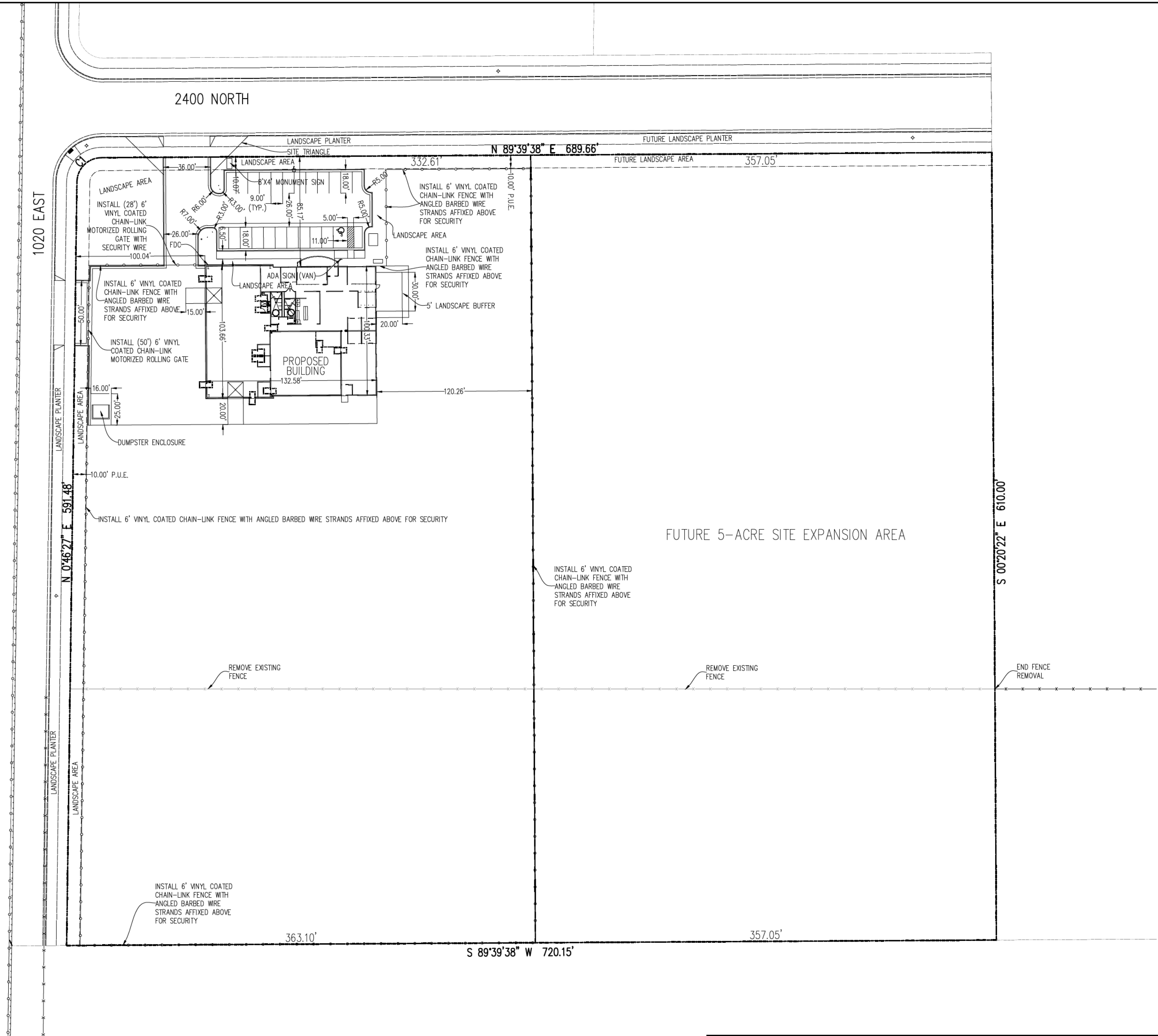
[Updated Site Plan](#)

[Exterior Elevations](#)

[Landscape Plan](#)

[LBI Sat Renderings - Updated 07.16.2020.](#)

[LBI Sat Presentation](#)



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	19.00	29.48	88°53'11"	26.61	N 45°13'2" E

LAND TABULATIONS

ITEM	AREA	%
TOTAL AREA:	435,600 S.F. (10 ACRES)	
FUTURE SITE EXPANSION AREA:	217,800 S.F. (5 ACRES)	
PROPOSED DEVELOPMENT AREA:	217,800 S.F. (5 ACRES)	100%
BUILDING AREA:	13,478 S.F.	6.2%
LANDSCAPE AREA:	15,168 S.F.	7.0%
IMPERVIOUS AREA:	25,598 S.F.	11.8%
GRAVEL YARD AREA:	163,556 S.F.	75.0%

PARKING TABULATIONS

PARKING REQUIRED:	
OFFICE AND PROFESSIONAL 1 STALL PER 300 S.F. OF GROSS FLOOR AREA 6,000 S.F./300 S.F.	= 20 STALLS
WAREHOUSE 1 STALL PER 2,000 S.F. OF GROSS FLOOR AREA 7,748 S.F./2,000 S.F.	= 4 STALLS
TOTAL PARKING REQUIRED:	= 24 STALLS
TOTAL PARKING PROVIDED INCLUDING 1 VAN ACCESSIBLE STALLS	= 24 STALLS.

SHEET INDEX

- C1 SITE PLAN
- C2 UTILITY PLAN
- C3 GRADING & DRAINAGE PLAN (NORTH)
- C4 GRADING & DRAINAGE PLAN (SOUTH)
- C5 EROSION CONTROL PLAN
- C6 BMP DETAILS
- C7 SITE DETAILS



REVISIONS

Rev.	Date	Description

Developer/Property Owner:

Address
Phone

David W. Peterson, P.E., License #270393
12 West 100 North, Suite 201, American Fork, UT 84003
P: (801) 756-4504; david@excelcivil.com

LBSat

EAGLE MOUNTAIN 1082 East 2400 North

UTAH

Drawn by:
D.W.P.

Designed by:
D.W.P.

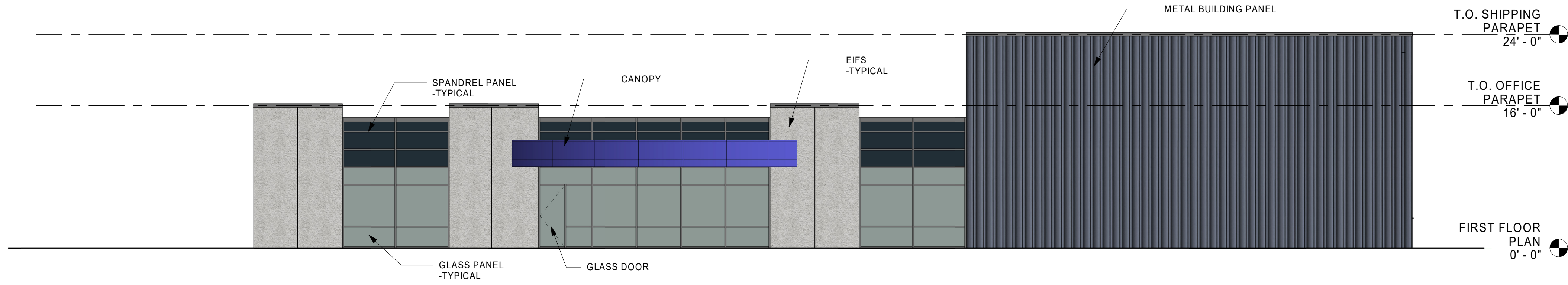
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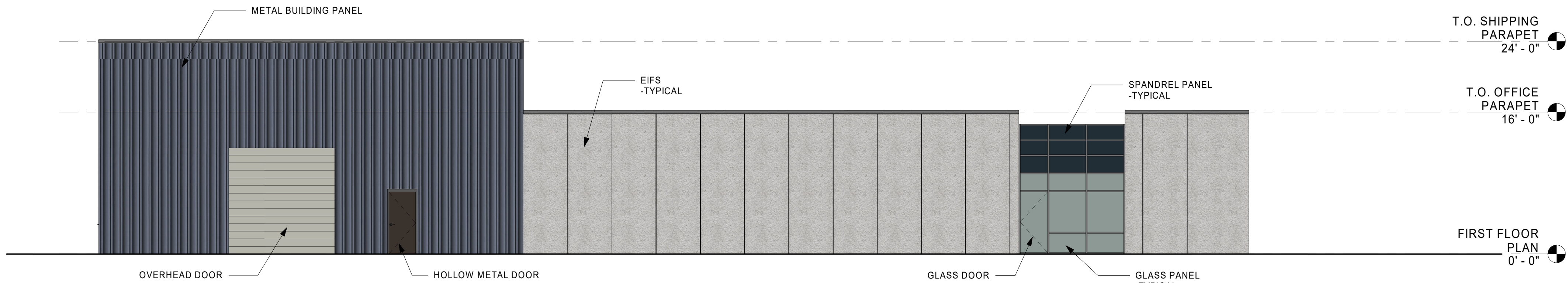
Date:
06/12/20

C1 182

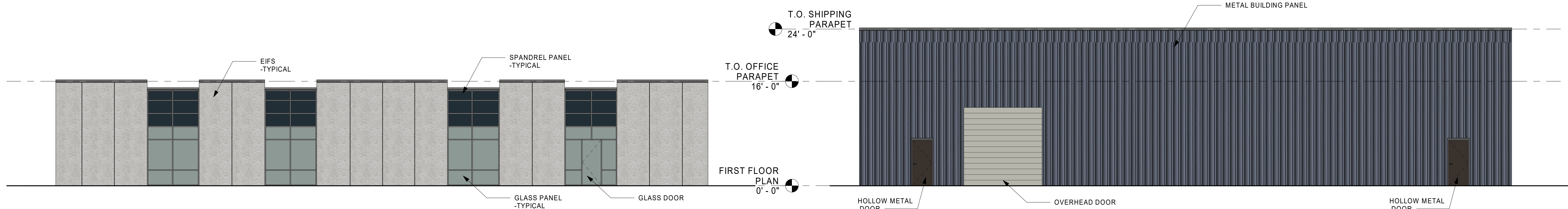
SITE PLAN



1 NORTH EXTERIOR ELEVATION
1/8" = 1'-0"



3 SOUTH EXTERIOR ELEVATION
1/8" = 1'-0"



2 EAST EXTERIOR ELEVATION
1/8" = 1'-0"

4 WEST EXTERIOR ELEVATION
1/8" = 1'-0"



PLANT SCHEDULE

DECIDUOUS TREES	CODE	QTY	BOTANICAL / COMMON NAME	CONT	CAL
	Ag	3	Amelanchier x grandiflora 'Autumn Brilliance' Autumn Brilliance Serviceberry	20 gal.	Multi-trunked
	Co'h	9	Celtis occidentalis Common Hackberry	1.5" Cal	
	Fs'd	1	Fagus sylvatica 'Dawyck' Columnar Beech	1.5" Cal	
	Up'l	9	Ulmus parvifolia Lacebark Elm	1.5" Cal	
	Zs'm	8	Zelkova serrata 'Musashino' Sawleaf Zelkova	1.5" Cal	
	Zs'v	2	Zelkova serrata 'Village Green' Sawleaf Zelkova	1.5" Cal	
EVERGREEN TREES	CODE	QTY	BOTANICAL / COMMON NAME	CONT	CAL
	Pn	3	Pinus nigra Austrian Black Pine	6" MIN.	
SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	CONT	
	Fp	12	Fallugia paradoxa Apache Plume	5 gal	
	Ic's	7	Ilex crenata 'Sky Pencil' Sky Pencil Japanese Holly	5 gal	
	Jc's	45	Juniperus chinensis 'Spartan' Spartan Juniper	5 gal	
	Jh'b	23	Juniperus horizontalis 'Blue Chip' Blue Chip Juniper	5 gal	
	Mr	21	Mahonia repens Creeping Mahonia	5 gal	
	Rf	46	Rhamnus frangula 'Columnaris' Tall Hedge Buckthorn	5 gal	
	Ra	20	Rhus aromatica 'Autumn Amber' Autumn Amber Sumac	3 gal	
GRASSES	CODE	QTY	BOTANICAL / COMMON NAME	CONT	
	C	20	Calamagrostis x acutiflora 'Karl Foerster' Feather Reed Grass	1 gal	

REFERENCE NOTES SCHEDULE

SYMBOL	LANDSCAPE DESCRIPTION	QTY
	2'-4" COPPER CANYON COBBLE: 4" DEPTH. PLANTING AREAS TO RECEIVE MIN. 12" DEPTH OF QUALITY TOPSOIL. IF TOPSOIL IS PRESENT ON SITE, PROVIDE SOIL TEST TO DETERMINE SOIL QUALITY FOR PROPOSED PLANTINGS. WEED SCREEN REQUIRED UNDER ROCK.	4,742 sf
	1.5" WASATCH GREY: 3" DEPTH. PLANTING AREAS TO RECEIVE MIN. 12" DEPTH OF QUALITY TOPSOIL. IF TOPSOIL IS PRESENT ON SITE, PROVIDE SOIL TEST TO DETERMINE SOIL QUALITY FOR PROPOSED PLANTINGS. WEED SCREEN REQUIRED UNDER ROCK.	16,306 sf
SYMBOL	LANDSCAPE DESCRIPTION	QTY
	BOULDERS - DECORATIVE	22
	5.5" DEEP STEEL EDGING - INSTALL PER MANUFACTURER SPECIFICATION.	736 lf
SYMBOL	LANDSCAPE DESCRIPTION	QTY
	4'-7" RIVER ROCK AT BOTTOM OF POND.	782 sf

ISSUE DATE

06-12-2020

PROJECT NUMBER

UT20071

NO.

REVISION

DATE

1	XXXX	XX-XX-XX
2		
3		
4		
5		
6		
7		

811

BLUE STAKES OF UTAH
UTILITY NOTIFICATION CENTER, INC.
1-800-662-4111
www.bluestakes.org

0'10'20'40'80'

GRAPHIC SCALE: 1" = 20'

PROJECT INFORMATION

LBiSAT

1082 EAST 2400 NORTH

EAGLE MOUNTAIN, UTAH

DEVELOPER / PROPERTY OWNER / CLIENT

Developer / Property Owner:

Client / Engineer:

DAVID W. PETERSON, P.E.
12 West 100 North, SUITE # 201
AMERICAN FORK, UTAH 84003 (801) 756-4504

LANDSCAPE ARCHITECT / PLANNER

3450 N. TRIUMPH BLVD. SUITE 102
LEHI, UTAH 84043 (801) 960-2698
www.pkjdesigngroup.com

LICENSE STAMP

COLOR PLAN

PRELIMINARY PLANS NOT FOR CONSTRUCTION

LP-COLOR

DRAWING INFO

PM: JTA

DRAWN: KBA

CHECKED: TM

PLOT DATE: 6/12/2020













LBI SAT.

EAGLE

Site Plan

MOUNTAIN

Overview

- Proposal for a satellite communications facility
- Located in the Sweetwater Industrial Park on 10 acres with intention of being under Sweetwater Industrial Overlay Zone
 - *Permitted use as a Communication Facilities and Towers under overlay zone*
- Final approval for this site plan is contingent on the approval of the rezone of the property to the Sweetwater Industrial Overlay Zone



EXTERIOR ELEVATIONS

NEW BUILDING FOR:

EAGLE MOUNTAIN, UTAH

PRELIMINARY

DATE: 1/31/2023
PAGE: 12/10
PROJECT: 2022-01-01-2022-01-01

A2.0





PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	SIZE	DATA
	Ag	3	Amelanchier alnifolia "Autumn Brilliance"	20 gal.	Multi-trunked
	Ca	7	Cornus canadensis	1.5 Cal	
	Pa	1	Pagoda spiraea "Delicate"	1.5 Cal	
	Uo	7	Ulmus parvifolia "Laetitia"	1.5 Cal	
	Za	8	Zizia aurea "Husonia"	1.5 Cal	
	Zv	2	Zizia aurea "Village Green"	1.5 Cal	
SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	SIZE	DATA
	Ph	3	Philadelphus "Autumn Bliss"	4" WxH	
SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	SIZE	DATA
	Ph	12	Phlox paniculata	5 gal	
	Ic	7	Ilex crenata "Spiral"	5 gal	
	Jh	18	Juniperus horizontalis "Spartan"	5 gal	
	Jb	22	Juniperus horizontalis "Blue Chip"	5 gal	
	Hm	21	Hesperis matronalis	5 gal	
	Ei	14	Echinops "Columbus"	5 gal	
	Ea	22	Echinops "Autumn Amaze"	5 gal	
SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	SIZE	DATA
	C	22	Colymbia x scutellaria "Carl Froese"	1 gal	

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY
	2-4\"/>	4,742 sf
	1-2\"/>	16,324 sf
SYMBOL	DESCRIPTION	QTY
	2\"/>	22
	3\"/>	754 sf
SYMBOL	DESCRIPTION	QTY
	6-12\"/>	754 sf

ISSUE DATE 06-12-2020		PROJECT NUMBER UT20071		PLAN INFORMATION		PROJECT INFORMATION		DEVELOPER / PROPERTY OWNER / CLIENT		LANDSCAPE ARCHITECT / PLANNER		LICENSE STAMP		DRAWING INFO			
NO. 1 2 3 4 5 6 7		REVISION XXXX		DATE XX-XX-XX		BLUE STAKES OF UTAH UTILITY NOTIFICATION CENTER, INC. 1-800-662-4111 www.bluestakes.org		LBiSAT 1082 EAST 2400 NORTH EAGLE MOUNTAIN, UTAH		EXCEL ENGINEERING DAVID W. PETERSON, P.E. 12 WEST 100 NORTH, SUITE # 201 AMERICAN FORK, UTAH 84003 (801) 795-4554		PKJ DESIGN GROUP 3450 N. TRIUMPH BLVD, SUITE 102 LEHI, UTAH 84043 (801) 960-2698 www.pkjdesigngroup.com		COLOR PLAN PRELIMINARY PLANS NOT FOR CONSTRUCTION LP-COLOR		JTA KBA TM 8/12/2020	









Items to Consider

- Architectural Features and Designs (EMMC 17.72)
 - building square footage is 13,478 sq ft, this includes an office area and a warehouse area
 - The proposed design uses some different and acceptable materials
 - Storage and loading areas and trash enclosures shall be located out of view from public streets, and shall be screened and designed with the architectural style of the building, including materials, colors, details, etc
 - Chain link fencing with vinyl slats are prohibited as screening
- Parking:
 - project has the parking divided into two separate requirements one for office and professional which requires 1 stall per 300 sq ft of gross floor area (6,000 sq ft of proposed area) and warehouse (7,748 sq ft of proposed area) parking which requires 1 stall per 2,000 sq ft of gross floor area
 - proposal has 20 parking stalls for the office professional, 4 stalls of warehouse and 1 ADA stall.

Planning Commission Recommendation

- The Planning Commission recommended approval to the City Council of the LBiSat site plan with the following conditions:
 1. The applicant shall submit a lighting plan that complies with the Dark Sky Outdoor Lighting standards (EMMC 17.56)
 2. The west side and the front of the building shall include more articulation and a increased mixture of materials
 3. The final site plan approval is contingent on the approval of the Sweetwater Industrial Overlay Zone rezone
 4. All signage will require a sign application and permit
 5. The trash enclosure is screened for the public street and designed with the same architectural materials as the building

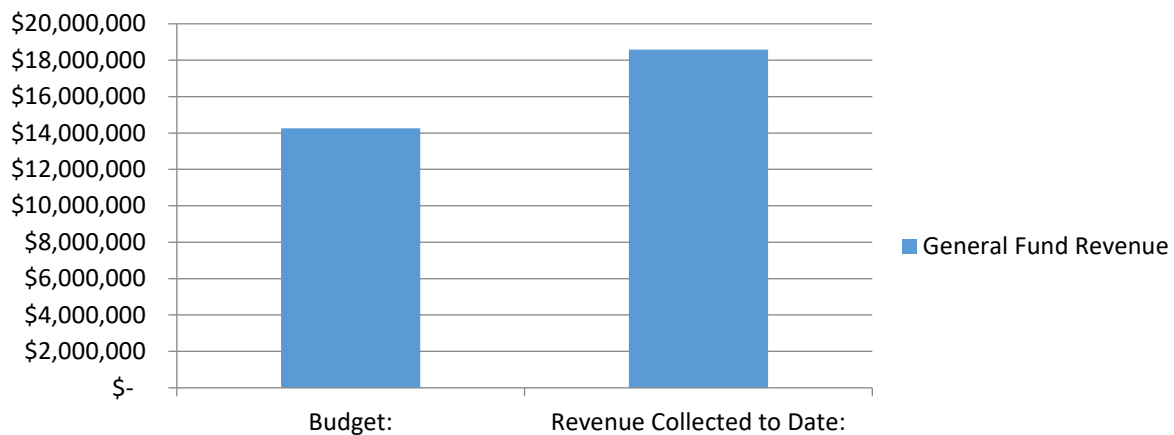
EXECUTIVE SUMMARY OF REVENUES AND EXPENSES*

Through June 30, 2020

GENERAL FUND

General Fund Revenues

Budget:	\$ 14,256,953
Revenue Collected to Date:	\$ 18,582,527
Percent of Total Budget Collected:	130%
Percent of Year Completed:	100%



Revenue Analysis

Property Taxes: Collection was \$125,000 above budget for the year.

Sales Tax: Despite COVID-19, collection is on track to be \$800,000 above budget for the year.

B&C Road Funds: Collection will be about \$500,000 above budget for the year.

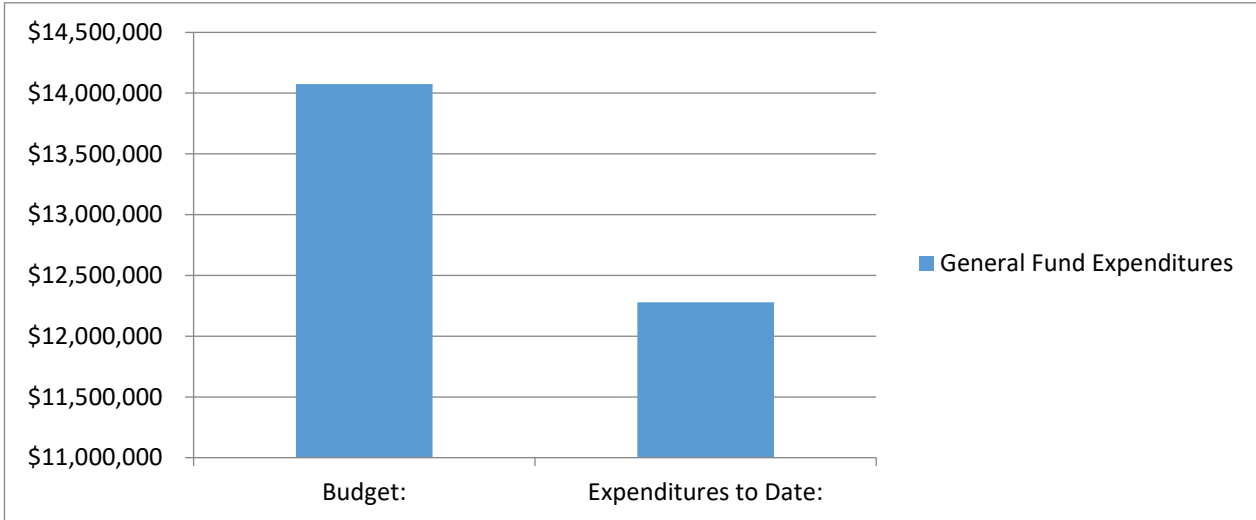
Transfers: Up-to-date on administrative allocations.

Development: Development revenue is \$2,533,000 over what is budgeted for the year.

Miscellaneous:

General Fund Expenditures

Budget: \$ 14,073,933
Expenditures to Date: \$ 12,279,352
Percent of Total Budget Expended: 87%
Percent of Year Completed: 100%



Expense Analysis

	Budget	To Date	% Expended	% Yr. Completed
Sub 11 - General Administration	\$ 2,226,250	\$ 2,160,111	97%	100%
Sub 18 - Community Services	\$ 1,191,318	\$ 973,907	82%	100%
Sub 19 - Non-Departmental	\$ 1,337,376	\$ 1,335,645	100%	100%
Sub 21/25 - Public Safety	\$ 3,206,450	\$ 2,834,100	88%	100%
Sub 32 - Planning/Zoning	\$ 567,746	\$ 605,125	107%	100%
Sub 33 - Building	\$ 1,130,528	\$ 1,059,628	94%	100%
Sub 41 - Public Works	\$ 4,414,265	\$ 3,310,836	75%	100%

Sub 11 - General Administration:

Sub 18 - Community Services: Lower than budgeted expenses for youth sports and special events.

Sub 19 - Non-Departmental: Insurance and Surety Bonds to be distributed by journal entry through all funds at end of year.

Sub 21/25 - Public Safety: Utah County invoices for May and June have not been received.

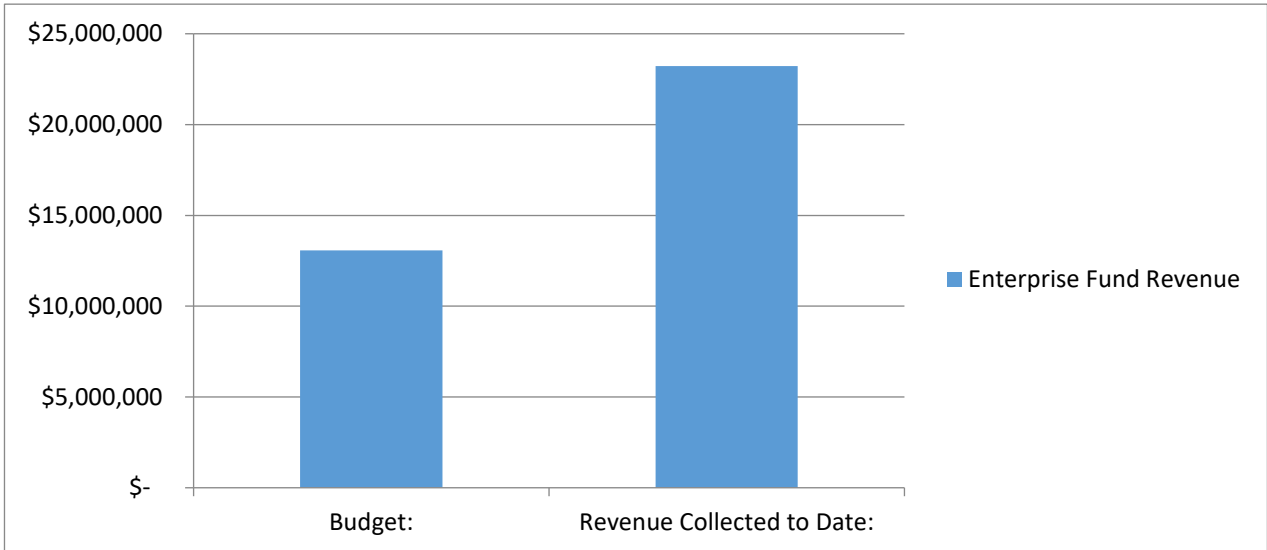
Sub 32/33 - Planning/Zoning/Building: Park Fee-In-Lieu to be reclassified to Capital Projects. Professional Technical expenses related to outside building inspections is lower than budgeted.

Sub 41 - Streets/Parks/Recreation: Improvement projects ramping up late in the fiscal year.

ENTERPRISE FUNDS

Enterprise Fund Revenues

Budget: \$ 13,073,800
Revenue Collected to Date: \$ 23,220,773
Percent of Total Budget Collected: 178%
Percent of Year Completed: 100%



Revenue Analysis

	Budget	To Date	% Received	% Yr. Completed
Fund 51 - Water Fund	\$ 6,178,300	\$ 15,203,319	246%	100%
Fund 52 - Wastewater Fund	\$ 4,579,000	\$ 5,731,497	125%	100%
Fund 57 - Solid Waste Fund	\$ 1,523,500	\$ 1,662,325	109%	100%
Fund 59 - Storm Water Fund	\$ 793,000	\$ 623,632	79%	100%

Fund 51 - Water Fund: Reflects CWP Shares sold and Facebook payments for infrastructure (reimbursed).

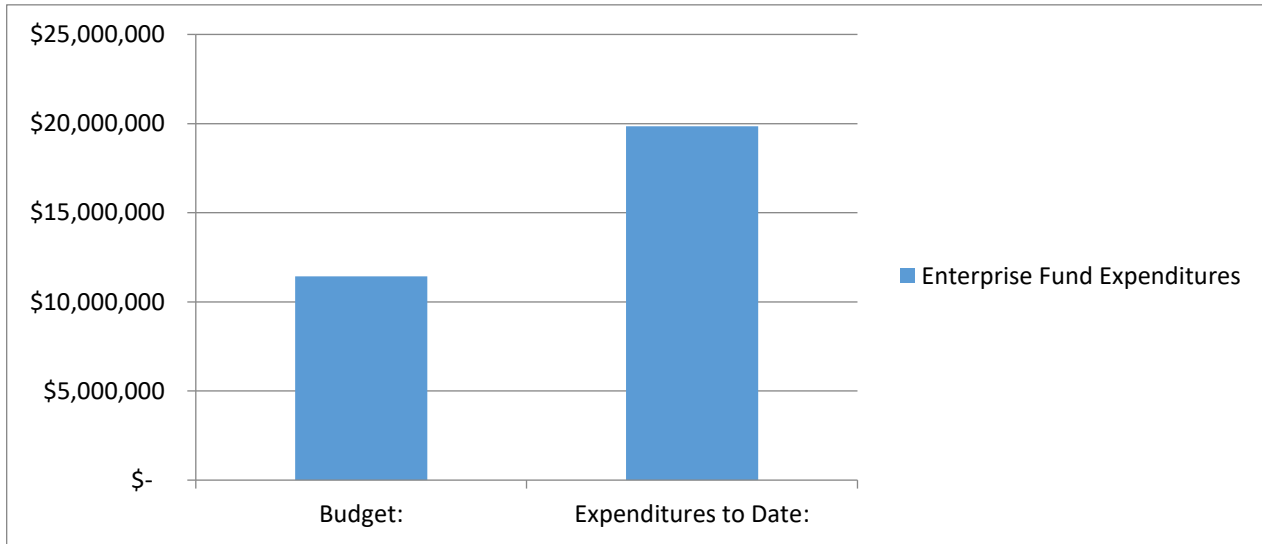
Fund 52 - Wastewater Fund: Reflects Facebook payments for reimbursable infrastructure.

Fund 57 - Solid Waste Fund:

Fund 59 - Storm Water Fund: Does not reflect reimbursement from Impact Fee Fund.

Enterprise Fund Expenditures

Budget: \$ 11,432,287
Expenditures to Date: \$ 19,843,887
Percent of Total Budget Expended: 174%
Percent of Year Completed: 100%



Expense Analysis

	Budget	To Date	% Expended	% Yr. Completed
Fund 51 - Water Fund	\$ 5,414,738	\$ 12,355,239	228%	100%
Fund 52 - Wastewater Fund	\$ 3,788,075	\$ 5,634,550	149%	100%
Fund 57 - Solid Waste Fund	\$ 1,451,057	\$ 1,271,679	88%	100%
Fund 59 - Storm Water Fund	\$ 778,417	\$ 582,419	75%	100%

Fund 51 - Water Fund: Reflects CWP shares purchased (revenue attached) and reimbursable Facebook infrastructure projects.

Fund 52 - Wastewater Fund: Reflects reimbursable Facebook infrastructure projects (some carry-over from FY19).

Fund 57 - Solid Waste Fund: Ace Disposal invoice for June not reflected.

Fund 59 - Storm Water Fund: Capital improvement project to occur in spring.

IMPACT FEE FUNDS

Fund Balance - current total balance in the fund.

Restricted Balance - current amount that is restricted to pay reimbursement agreements, etc.

Available Balance - amount in the fund that is available for projects in the Capital Facilities plan.

Projected Available Balance - amount projected through building trends to be available for projects in the Capital Facilities Plan by the end of the current fiscal year.

FUND NAME	Fund Balance as of 6/30/20	Restricted Balance as of 6/30/20	Available Balance as of 6/30/20	Projected Available Balance by 6/30/20**
Water Impact Fee Fund	\$12,280,806	\$5,864,530	\$6,416,276	\$6,416,276
Wastewater Impact Fee Fund	\$6,648,678	\$0	\$6,648,678	\$6,648,678
Parks/Trails Impact Fee Fund	\$2,485,934	\$661,570	\$1,824,364	\$1,824,364
Stormwater Impact Fee Fund	\$1,324,965	\$200,000	\$1,124,965	\$1,124,965
Transportation Impact Fee Fund	\$2,816,208	\$699,836	\$2,116,372	\$2,116,372

****Available balance + the average of the future facilities impact fee collected and projected out.**

CITY PROJECT STATUS

Recreation Center	Planning Stage
Library Meeting Rooms	Under Construction
CD Bldg Wash Bay	Under Construction
CW Park Improvements	Materials Purchased
Trail and Sidewalk Improvements	Completed
City Center Median/Streetscapes	Under Construction
Skyline Ridge Pavillion	Completed
Valley View Park Bathrooms	Completed
Northmoor Detention Pond and Park	Planning Stage
City Center Orchard in Paseos	Planning Stage
Woodhaven Park Improvements	Planning Stage - construction likely in FY2021
Smith Ranch Park Improvements	Completed - Pavillion
Pony Express Regional Park Bathroom	Completed

*Unaudited figures - adjusting entries will be done throughout the fiscal year.

UPCOMING AGENDA ITEMS

AUGUST 4, 2020

AUGUST 18, 2020

OTHER PROJECTS

Hoofbeats for Healing – Rezone and Concept Plan
Rush Creek Properties – Concept Plan
Pony Express Townhomes – Concept Plan
Code Amendment – Industrial/RTI Overlay Zone
Code Amendment – Historical Preservation Zone
Code Amendment – Extractive Industries Overlay Zone
Code Amendment – Special Use Standards
Code Amendment - Tier Language Removal
Amended Preliminary Plat – Sunset Flats