



EAGLE MOUNTAIN CITY COUNCIL MEETING

April 6, 2021, 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

This meeting will be an electronic meeting Pursuant to Utah Code Ann. 52-4- 207(4).

I, Mayor Tom Westmoreland, do hereby determine conducting an electronic meeting of the Eagle Mountain City Council with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location and hereby authorize the Eagle Mountain City Council to conduct electronic meetings without an anchor location.

The foregoing determination is based on the following facts:

- Federal, state and local leaders, including the Eagle Mountain City Mayor and City Council, have all recognized a global pandemic caused by the spread of the COVID-19 virus.
- Utah's Governor and the Utah Department of Health have issued updated orders in response to record numbers of COVID-19 cases and COVID-19-related hospitalizations. The orders implement statewide what has been termed a 'mask mandate' and have severely limited social gatherings in an attempt 'to prevent and control the rapidly changing consequences of COVID-19 throughout the state.'
- It is difficult, if not impossible, to predict the number of attendees at any meeting and to manage issues regarding social distancing in order to comply with applicable health orders.
- COVID-19 poses a continuing and immediate threat to the health, safety, and welfare of Eagle Mountain City residents and the public in general.
- The City has the technological capability to provide means by which the public may hear, or view and hear, the open portions of the meeting and to participate in public hearings.

To participate, please see the options below:

Those wishing to speak during the meeting, send a request and include your name, address and phone number to recordersoffice@emcity.org.

The public may monitor or listen to open portions of the meeting via Lifesize electronic meeting through Granicus at the following website:

eaglemountaincity.com/cityrecorder/citymeetingsportal#meetingdocs.

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.

1.A [Updates - City Administrator Items](#)

1.B [PRESENTATION - Recreation Tourism Study](#)

1.C [DISCUSSION - Sweetwater Industrial Park Rezone and General Plan Amendment](#)
[General Plan Amendment Exhibit](#)
[Rezone Exhibit](#)
[City Council Meeting Minutes - July 21, 2020](#)
[General Plan Future Land Use and Transportation Map](#)

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 may 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 - VIA LIFESIZE ELECTRONIC MEETING

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. AGREEMENTS

9.A [AGREEMENT - City Hall Lobby Display](#)
[Proposal - Eagle Mountain City AV Upgrade](#)

9.B [AGREEMENT - City Council Chambers Lectern and On-screen Timer](#)

10. BID AWARDS

- 10.A [Construction Management and Inspection Services for Pony Express Phase 5 Widening Project - PEPG Consulting](#)

11. BOND RELEASES

- 11.A [Glenmar Ranches Phase B, Plat 4 - Into Warranty Bond Release Letter](#)
[Recorded Plat](#)

12. CHANGE ORDERS

- 12.A [Facebook Water Tank Change Order #2 - Probuild](#)
- 12.B [Water Model Rebuild Change Order #2 - Psomas](#)
- 12.C [Software Agreement Change Order #1 - Accela](#)
[Accela Change Order #1](#)

13. MINUTES

- 13.A [March 16, 2021 - Regular City Council Meeting](#)
[03.16.2021 City Council Minutes - DRAFT.docx](#)

14. PRELIMINARY PLATS & SITE PLANS

- 14.A [Pole Canyon NPA-11 Preliminary Plat](#)
[Preliminary Plat](#)
[Traffic Study](#)
[Water Model](#)
[Pole Canyon Land Use Plan](#)
[Planning Commission Minutes - June 14, 2016](#)
- 14.B [O'Reilly Auto Parts - Site Plan](#)
[Site Plan](#)
[Elevations](#)
[Truck Loading](#)
[Buffering With Oak Hollow](#)
- 14.C [Macey's at Market Place - Site Plan](#)
[Pad Site Approval](#)
[Proposed Elevations](#)
[Macey's Site Plan](#)
- 14.D [Request to Amend Condition of Approval - SilverLake South Preliminary Plat](#)
[Letter to Request Condition Amendment](#)
[SilverLake South Recorded Lots Status](#)

SCHEDULED ITEMS

15. THE PINNACLES

- 15.A PUBLIC HEARING/ORDINANCE - An Ordinance of Eagle Mountain City, Utah, Amending the Future Land Use Map of the General Plan and Rezoning Certain Lands Known as The Pinnacles.

[ORD--The Pinnacles General Plan Amendment and Rezone](#)

- 15.B PUBLIC HEARING/ORDINANCE - An Ordinance of Eagle Mountain City, Utah, Approving the Master Development Plan for The Pinnacles.

BACKGROUND: *(Presented by Planning Manager Pete Kane)* The project, referred to as The Pinnacles, contains approximately 161 acres of land on the north side of Aviator Avenue (5000 N) and west of the Brylee Farms development. The proposed plan includes a mix of residential zones (R2, R3, RC, MF1, and MF2) and a commercial area along with associated infrastructure and open space improvements. The applications include a General Plan amendment, rezone request, and master development plan.

[ORD--The Pinnacles Master Development Plan](#)

[Master Development Plan Exhibits \(revised\)](#)

[Utility, Grading, and Phasing Plans \(revised\)](#)

[Compatibility Statement](#)

[Traffic Study Executive Summary](#)

[Environmental Impact Report](#)

[Drainage Study](#)

[Infrastructure Analysis Report](#)

16. ORDINANCES/PUBLIC HEARINGS

- 16.A ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Approving the Recorded Plat Amendment for the Eagle Mountain Business Campus.

BACKGROUND: *(Presented by Planning Manager Tayler Jensen)* Eagle Mountain Business Park (also known as Prairie Gate) is a five (5) lot business campus project located at the southeast corner of Ranches Parkway and State Road 73. The applicant is proposing to create Parcel A from a portion of lot 5, which would include open space (including the Ranches Waterfall Sign). Eagle Mountain City would retain ownership of this parcel. The request would also create two (2) lots from the remaining land and lot 1, both with access onto Campus Drive.

[ORD--Eagle Mountain Business Campus Recorded Plat Amendment](#)

[Petition for Recorded Plat Amendment](#)

[Current Plat, Proposed Plat, and Aerial Image](#)

- 16.B [ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code, Chapter 15.60 Street Improvements.](#)

BACKGROUND: *(Presented by Streets and Storm Water Manager Zac Hilton)* The proposed ordinance adopts Section 15.60.080 Seal Coat, which requires the City to collect a fee prior to plat recordation to place a seal coat on all new asphalt pavement one year after final acceptance of improvements.

[ORD--EMMC 15.60 Street Improvements
15.60.080 Seal Coat - Proposed.docx](#)

17. RESOLUTION

- 17.A [RESOLUTION - A Resolution of Eagle Mountain City, Utah, Amending the Consolidated Fee Schedule for Street Improvements.](#)

BACKGROUND: *(Presented by Streets and Storm Drain Manager Zac Hilton)* The proposed amendment to the Consolidated Fee Schedule includes the addition of an asphalt seal coat fee, as presented in the previous Ordinance, which is currently \$0.196 per square foot and will be collected prior to subdivision plat recordation. The current city seal coat contract allows for a yearly renewal for up to five years, with a price escalation of 3% per year.

[RES--Consolidated Fee Schedule - Street Improvements
Consolidated Fee Schedule - Proposed 04.06.2021](#)

18. CITY COUNCIL/MAYOR'S BUSINESS

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

19. 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.

20. COMMUNICATION ITEMS

- 20.A Upcoming Agenda Items
[CI--Upcoming Agenda Items](#)

21. 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 #th day of Month, 2021, on the Eagle Mountain City bulletin boards, the Eagle Mountain City website www.emcity.org, posted to the Utah State public notice website <http://www.utah.gov/pmn/index.html>, and was emailed to at least one newspaper of general circulation within the jurisdiction of the public body.

Fionnuala B. Kofoed, MMC, City Recorder



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 6, 2021**

TITLE:	Updates - City Administrator Items		
ITEM TYPE:	Communication Item		
FISCAL IMPACT:			
APPLICANT:			
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Fionnuala Kofoed, Admin

PRESENTED BY:

RECOMMENDATION:

BACKGROUND:

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 6, 2021**

TITLE:	PRESENTATION - Recreation Tourism Study		
ITEM TYPE:	Presentation		
FISCAL IMPACT:	N/A		
APPLICANT:			
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Evan Berrett, Admin

PRESENTED BY:

Sarah Wright, BYU MPA
Student

RECOMMENDATION:

BACKGROUND:

Sarah Wright performed an analysis on the Lake Mountain trails in regards to costs and benefits related to investment options in this natural asset for the purpose of enhancing recreation tourism. The presentation will be a review of her findings and recommendations.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 6, 2021**

TITLE:	DISCUSSION - Sweetwater Industrial Park Rezone and General Plan Amendment		
ITEM TYPE:	Discussion		
FISCAL IMPACT:			
APPLICANT:	Tiffany Walden / Scot Hazard		
GENERAL PLAN DESIGNATION "Business Park / Light Industry" and "Neighborhood Residential One"	CURRENT ZONE	ACREAGE 126.61	COMMUNITY

PUBLIC HEARING:
No

PREPARED BY:
Pete Kane, Planning

PRESENTED BY:
Pete Kane

RECOMMENDATION:

BACKGROUND:

This request for rezoning and a General Plan amendment to the Future Land Use Map is in regards to the Sweetwater Industrial Park area in the southern part of the city. The property is located west of Pony Express Parkway and south of Tiffany Lane. The request applies to 126.61 acres of land within the Sweetwater Industrial Park area. The subject property was land that was included in the Eagle Mountain Properties Master Development Agreement, however, that agreement has since expired. The subject property was designated as "Industrial" in that master development plan in its entirety.

The applicant previously sought to rezone the subject property by applying the Sweetwater Industrial Overlay Zone over a majority of it back in the summer of 2020. Just prior to that rezone application, the City adopted EMMC 17.37 Business Park Zones which established the LMD (Light Manufacturing / Distribution), MEC (Medical / Educational Campus), and OP (Office Professional) zones. On July 21, the City Council approved the LMD (Light Manufacturing / Distribution) and the Sweetwater Industrial Overlay zones on Lot 1, but tabled the remainder of the request to allow the applicant to review the new LMD zoning code and consider it for use

within the industrial park.

The rezone request seeks the following zoning on the 126.61 acres of land:

- About 50.14 acres to Industrial with the Sweetwater Industrial Overlay
- About 34.6 acres to CC, and
- About 41.87 acres to LMD.

The General Plan Amendment seeks to amend the Future Land Use:

- Current - about 104.36 acres of "Business Park / Light Industry" and about 22.25 acres of "Neighborhood Residential One"
- Proposed - about 92.41 acres of "Business Park / Light Industry" and about 34.1 acres of "Community Commercial."

ITEMS FOR CONSIDERATION:

GENERAL PLAN COMPLIANCE

A majority of the subject property is designated as "Business Park / Light Industry" (104.36 acres) with the western most 22.25 acres designated for "Neighborhood Residential One." The applicant is seeking to amend a portion of the "Business Park / Light Industry" area to "Community Commercial" and change the "Neighborhood Residential One" to a mix of "Community Commercial" and "Business Park / Light Industry."

The General Plan states that Business Park / Light Industry is "[m]odern 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 General Plan states that Community Commercial is "[s]mall 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."

The Future Land Use Map calls for "Business Park / Light Industry" to the west and east, "Civic Uses / Schools" to the south, "Neighborhood Residential One" to the west and north, as well as "Community Commercial" to the north. The request to add "Community Commercial" along the Tiffany Lane and Pony Express Parkway frontages will provide a buffer between the business park/industrial proposed area and surrounding residential future uses.

The requested land use changes are in line with the requested zoning districts on the property.

REZONE

The Industrial Zone (per EMMC 17.40) is intended to "provide for industrial opportunities which are reasonably separated from residential development and other incompatible land uses." Based on the rezone exhibit, this zone would be separated from the proposed CC (commercial) zone by the LMD (Light Manufacturing / Distribution) zone. The Industrial Zone allows for a number of traditional industrial uses such as industrial parks/warehouses, office buildings, and research and development uses. It also provides for a list of conditional uses that require approval of a conditional use permit by the Planning Commission such as gas stations, automobile repair shops, commercial/industrial laundries, recycling facilities, and moving/storage facilities. The proposal requests applying the Sweetwater Industrial Overlay Zone (SIOZ) on the Industrial Zone area. The SIOZ (per EMMC 17.53) is intended to "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 city's wastewater treatment facility is located adjacent to this proposed zone. The SIOZ modifies the permitted and conditional uses of the underlying zoning (in this case the Industrial Zone), requires the setbacks of the underlying zoning, and amends the underlying zoning development standards (such as requiring compliance with the City's commercial design standards except that metal may be used as a primary exterior building material, the front parking lots and driveways must be asphalt but rear parking areas may be gravel).

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. Staff recommends rezoning the property in order to bring it into compliance with the General Plan and establish clear direction for development on the property.

The applicant has requested three types of zoning on the property:

- About 50.14 acres to Industrial with the Sweetwater Industrial Overlay
- About 34.6 acres to CC, and
- About 41.87 acres to LMD.

The Industrial Zone (per EMMC 17.40) is intended to "provide for industrial opportunities which are reasonably separated from residential development and other incompatible land uses." Based on the rezone exhibit, this zone would be separated from the proposed CC (commercial) zone by the LMD (Light Manufacturing / Distribution) zone. The Industrial Zone allows for a number of traditional industrial uses such as industrial parks/warehouses, office buildings, and research and development uses. It also provides for a list of conditional uses that require approval of a conditional use permit by the Planning Commission such as gas stations, automobile repair shops, commercial/industrial laundries, recycling facilities, and moving/storage facilities. A large majority of the uses that are permitted or conditional in the Industrial Zone are now permitted or special uses in the LMD Zone.

The proposal requests applying the Sweetwater Industrial Overlay Zone (SIOZ) on the Industrial Zone area. The SIOZ (per EMMC 17.53) is intended to "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 city's wastewater treatment facility is located adjacent to this proposed zone. The SIOZ modifies the permitted and conditional uses of the underlying zoning (in this case the Industrial Zone), requires the setbacks of the underlying zoning, and amends the

underlying zoning development standards (such as requiring compliance with the City's commercial design standards except that metal may be used as a primary exterior building material, the front parking lots and driveways must be asphalt but rear parking areas may be gravel). The approval of the SIOZ for Lot 1 included quite a few changes to the permitted and conditional uses.

The CC zone is a commercial zone (per EMMC 17.35) "provides areas of commercial retail, office, and services, located near transportation hubs and major intersections and designed to buffer neighboring residential areas." The proposed location of this zone would create a buffer between the proposed LMD zone and the residential uses to the north, west, and northeast. It would also expand the intended "Community Commercial" area directly to the north.

The LMD zone (per EMMC 17.37) "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."

ROAD NETWORK

The City's Transportation Master Plan includes a number of primary roads which will service the subject property:

- Tiffany Lane (running along the northern property edge) is a major arterial
- Pony Express Parkway (running along the eastern property edge) is a minor arterial
- 1020 E (running north-south through the center and along the western edge of the property) is a collector

While the exhibits show the other interior roads within the project to be 77-feet wide, they would not need to be built to the collector road

standards and instead are proposed at this width to better serve large vehicles and turning into/out of the properties.

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:

Rezone applications are based upon compliance with City Code

requirements and requirements of any applicable development agreements. The approval criteria for a rezone application can be found in EMMC 17.90.060.

Amendments to the General Plan are legislative actions and do not require approval based upon findings of facts. The Council should consider the health, safety, and welfare of the community.

PLANNING COMMISSION ACTION/RECOMMENDATION:

The Planning Commission held a public hearing on the requests on March 23, 2021.

The Planning Commission voted unanimously (5-0) to recommend approval of the General Plan amendment for the Sweetwater Industrial Park.

The Planning Commission voted unanimously (5-) to recommend approval of the rezone for the Sweetwater Industrial Park as requested by the applicant with the following conditions applied to the land zoned Industrial with the Sweetwater Industrial Overlay:

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

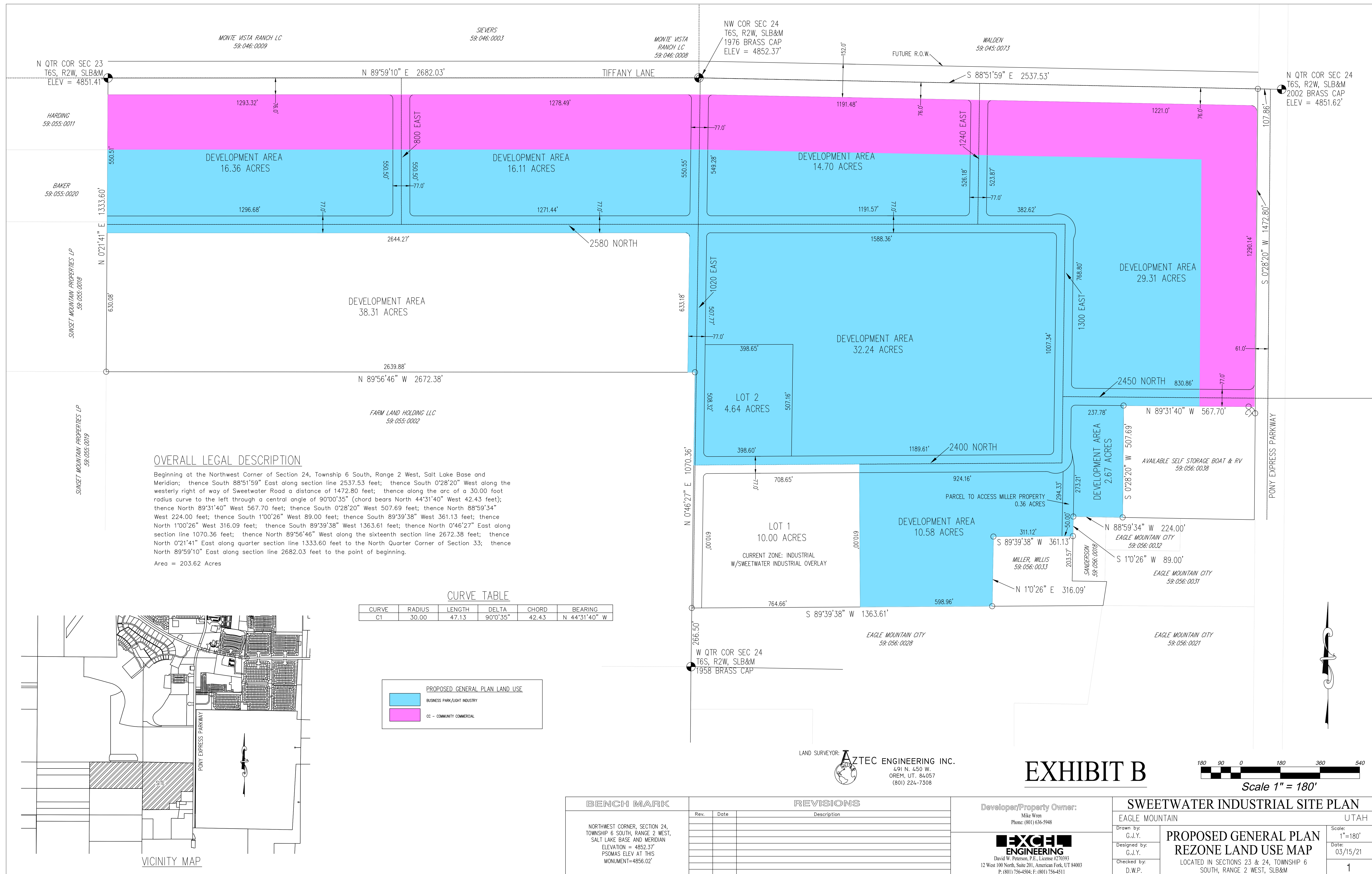
ATTACHMENTS:

[General Plan Amendment Exhibit](#)

[Rezone Exhibit](#)

[City Council Meeting Minutes - July 21, 2020](#)

[General Plan Future Land Use and Transportation Map](#)





EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

July 21, 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; 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; Zac Hilton, Streets and Storm Drain Manager; Jeff Weber, Fleet and Facilities Operations Director; Linda Peterson, Communications Director; and Angela Valenzuela, Human Resource Manager.

1. CITY ADMINISTRATOR INFORMATION ITEMS

Mayor Westmoreland called the work session to order at 4:05 p.m.

2. AGENDA REVIEW

9. BOND RELEASES

9.A. Evans Ranch Plat F-1 - Out of Warranty

Councilmember Curtis stated the landscaping along Golden Eagle Road has not been completed and verified the landscaping is included in a separate bond.

City Engineer Chris Trusty stated staff was aware of the uncompleted landscaping.

Councilmember Clark verified the sidewalk damage repairs in this area have been completed.

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.

Assistant Administrator/Finance Director Paul Jerome presented the item. The General Fund increases include \$35,000 for human resources management software, which will lead to an overall reduction in spending due to automating human resources processes and payroll restructuring. The

original budget included \$30,000 for a partial year of the Accela Land Management software; the increase of \$20,000 covers the full annual expense and user licenses and represents a timing reallocation of funds rather than an increase in the overall budget resulting in implementation savings.

The Enterprise Fund increases represent transfers from the Impact Fee Funds to the Enterprise Funds in the amount of \$3,000,000 for a sewer plant expansion, \$4,000,000 for the water/sewer building, and \$13,000,000 Central Water Project (CWP) advance water share purchase. The sewer project will be funded through already budgeted impact fees and the budgeted amount includes infrastructure expansion and employee salaries. The City receives a 2.5 percent discount for purchasing two future years' worth of water shares in advance resulting in a \$500,000 savings, which is a greater value than the interest the money would earn if retained in the water fund until needed. The CWP water shares are funded through developer advanced water rights purchases.

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.

Assistant Administrator/Community Development Director Steve Mumford presented the item. The proposed project is located on approximately 39 acres at the northwest corner of Pony Express Parkway and Eagle Mountain Boulevard, and the property was zoned Commercial C-2 in the Eagle Mountain Properties Master Development Plan. The original master development agreement and the vesting of specific uses have expired.

The applicant has submitted a rezone request for the Commercial Community, Multifamily 1 (MF1), and Multifamily 2 (MF2) zones. The request considered by the Planning Commission on June 9, 2020 was to rezone the property to Commercial Community and MF2. The applicant has modified the proposal to change approximately 4.4 acres of the multifamily area to MF1. The concept master site plan includes a road connection on Raven Way and reduces the size of the multi-family areas from 11 acres to 9 acres.

Mr. Mumford stated that staff is drafting an open space zone, which may be appropriate for some of the City-owned areas in this project. The City-owned, stormwater retention area has been designed and intended for water runoff retention from the surrounding areas.

City Engineer Chris Trusty stated he understood the land had been dedicated to the City for that purpose prior to his tenure with the City. Mr. Mumford explained the area has always been intended for water retention, rather than park space.

Councilmember Gray expressed concerns regarding the detention area counting as open space, City compensation for providing water retention for the properties, and the ownership and maintenance of the stormwater parcel.

Mr. Mumford expressed favor for allowing the property to be used for water retention and said it will be beneficial to the City, as the area had been designed to retain the water for multiple developments and the City did not expect compensation from the developer. He explained the

developer will not receive open space credit for improvement of the land or compensation from the City for the property.

Councilmember Gray expressed concern that the City was providing a service to the developer without compensation, due to developers usually being responsible to provide water retention for their properties.

City Recorder Fionnuala Kofoed explained the area had been deeded to the City when the Eagle Park subdivision was recorded. Mr. Mumford clarified all of the properties benefitting from the stormwater parcel were originally owned by the same landowner/developer, and the land had been deeded to the City to serve as water retention for all of the original landowner's surrounding properties; thus, no additional compensation was necessary.

Ms. Kofoed explained the developer planned for a commercial development with a grocery store anchor to begin construction in 1998; although the development has been significantly delayed, the intent and purpose for the land, including the drainage, has not changed.

Mr. Mumford resumed his presentation of the item. The General Plan land use designation is Community Commercial, and the requested zones are consistent with this designation. The proposed use is reasonably compatible with adjacent land uses, can be accommodated with public services, will not overburden the City's service capacity, and is not expected to have a significant negative impact on surrounding property values. The traffic generated by the proposed use is within the capabilities of the streets serving the property.

For informational and comparative purposes, Mr. Mumford presented examples of other multifamily communities within the City. Willow Springs contains 300 units on 17.2 acres with a density of 17 units per acre, The Cove at Rock Creek contains 84 units on 6 acres with a density of 14 units per acre, Village at Porter's Crossing contains 94 units on 6 acres with a density of 15 units per acre, Trailhead Townhomes contains 65 units on 5.15 acres with a density of 12.5 units per acre, and Evans Ranch Townhomes contains 110 units on 9.2 acres with a density of 12 units per acre.

During the public hearing at the Planning Commission meeting on June 9, 2020, residents expressed concerns regarding the development of multifamily housing in the area increasing traffic but were in favor of the commercial development. The Planning Commission expressed concerns related to the proposed density of the multifamily area and a desire to connect a road to the neighborhood to the northwest and discussed whether a multifamily area would be feasible for commercial use in the future. The Planning Commission voted 4 to 0 (one Commissioner was absent from the meeting) to recommend approval to the City Council to rezone the entire project to Community Commercial.

Mr. Mumford stated the City Council could make the rezone approval contingent upon the approval of a development agreement including specific density limitations and timing requirements of the development of the anchor grocery store prior to the residential development.

Applicant representative Bill Gaskill stated his willingness to delay the residential development until after the opening of the anchor grocery store. He expressed concern that the approval process will prevent the grocery store from beginning construction as soon as desired and stated he would like to begin the commercial development as soon as possible. He said the originally proposed residential density for the project was 12.2 townhome units per acre with approximately 115 total units. Discussions during the previous meeting caused him to reevaluate the design. He moved the retention pond to improve road connectivity and maximize the developable commercial acreage; however, the area behind the grocery store is not viable for commercial development. He included the maximum density count available in accordance with the density standards allowed per the new residential MF1 and MF2 zones; however, he plans to develop townhomes and not utilize the maximum allowable density.

Councilmember Curtis requested clarification regarding the total desired density and purpose for requesting the MF2 zone, as townhomes are permitted in MF1.

Mr. Gaskill explained the MF1 zone permits up to 10 units per acre and the MF2 zone permits up to 20 units per acre. He estimates a density of 14 to 15 units per acre for the project.

Councilmember Curtis expressed concern regarding allowing high-density housing without knowing specifics regarding unit counts and stated his disfavor for high-density townhome projects.

Mr. Gaskill explained he had not included a site plan due to the residential project being delayed until the construction of the grocery store and the potential need for a redesign due to changes in project needs or design trends. He expressed a willingness to delay the approval of the number of units until site plan approval.

Councilmember Curtis stated his preference to rezone the entire area to Community Commercial with the possibility of rezoning a portion of the property to a residential zone in the future, once the density and site plan are available. This preference is due to the fact that the project has already undergone a 22-year delay, as well as previous issues with other unfinished commercial properties in the City.

Councilmember Burnham requested information regarding the applicant's plan for lot size buffering.

Mr. Gaskill said a masonry fence would be installed between the commercial and residential developments and stated willingness to adhere to City buffering and setback requirements.

Councilmember Burnham discussed the possibility of allowing multifamily residential units in the area as an appropriate use; however, she expressed hesitancy that permitting too much density in the area may increase traffic; mechanisms should be included in the approval to limit density.

Mr. Gaskill expressed willingness to design the site plan following the unit density desired by the Council.

Councilmember Love stated favor for the commercial development, roads, and trails, but expressed reluctance to approve the MF2 zone as she does not feel it is appropriate for the area.

Mr. Gaskill stated he believes the MF2 zone would be appropriate for the area per Municipal Code standards and the Future Land Use Map designations.

Councilmember Clark requested staff assistance to create a legal protection of City interest in allowing mixed residential and commercial areas. She expressed favor to rezone the entire area to Community Commercial to allow the commercial development to move forward and rezone a portion of the property to residential once a site plan is available. She concurred with concerns regarding permitting the residential development to be completed before the commercial, due to previous issues with past developments within the City.

City Attorney Jeremy Cook explained timing requirements that could be included in the development agreement to condition the approval of the residential development upon the completion of the commercial development.

Discussion ensued clarifying traffic patterns and the trail system within the development.

Councilmember Gray expressed concern that the road between the proposed MF1 and MF2 residential developments, connecting Eagle Mountain Boulevard and Pony Express Parkway, will be insufficient to support the commercial development, existing residents, and the maximum allowed density of 130 units on 9 acres.

Mr. Mumford stated that the maximum allowable density is 134 units, and explained the applicant added the road connecting Eagle Mountain Boulevard and Pony Express Parkway due to traffic flow concerns expressed by the Planning Commission. He said he believes the road is planned to be a 53-foot public right-of-way. He explained the traffic redesign addressed concerns regarding increasing through-traffic to existing neighborhoods. His preference is to install the road along the stormwater parcel connecting Raven Way to the road between the MF1 and MF2 residential developments, as long as the multifamily units do not front on or have direct access to the potential roadway.

Discussion ensued regarding traffic safety and parking concerns within the City near multifamily housing, potential solutions to mitigate traffic safety concerns for this project, and the appropriate number of units desired for the project.

Councilmember Clark expressed concern regarding buffering and hesitancy to rezone commercial property to residential based upon current City demographics. She does not want to forfeit future commercial development due to the limited amount of commercial space available in this area of the City.

Councilmember Love verified that traffic concerns are typically addressed during a master site plan approval and did not need to be resolved during the approval of a rezone application.

Councilmember Gray clarified his purpose for noting road connectivity concerns was due to the potential traffic impact of the requested density and stated his preference for condominium/apartment units with augmented open space over townhomes with minimal, unimproved open space used as a buffer. Mr. Mumford stated the Council may request additional open space or specify open space improvement requirements within townhome developments.

Councilmember Burnham stated the adjacent subdivision included a trail and park system that was not completed due to the developer's bankruptcy and suggested the completion of the trail system could be counted towards open space credit for this project.

Councilmember Curtis stated due to residential tier system standards, the City has an abundance 8- and 12-unit townhomes, and a lack of twin home and fourplex units.

Mr. Gaskill stated he is limited by the depth of the property; due to recent market trends, the grocery store will be smaller than expected and will not fully utilize the property depth. He stated he is unaware of an effective manner to commercially develop the rear of the property, due to the shape of the property and limited roadway frontage. He does not have sufficient funds to fully develop the property as commercial and desires to reach a compromise that allows him to develop the entire property. He will be unable to move forward with the commercial development, should the residential rezone be denied.

Councilmember Clark inquired if the property could include both single-family and multifamily zoning with a timing requirement to ensure the completion of the commercial development.

Mr. Gaskill stated his willingness to adhere to a timing requirement for the commercial development or opening of the grocery store, if the agreement was not subject to changes by a future Council. Single-family units would be difficult to develop, due to financial and frontage concerns. He requested the approval of density on the interior of the property and stated the shape and size of the land parcels will not allow for the maximum MF2 density and expressed his willingness to adopt creative solutions to address Council and community concerns.

Councilmember Curtis expressed concern that should the City Council approve the residential rezone, future amendments could negate the existing Council's conditions of approval. He recommended approving a rezone to Community Commercial only, or approving a rezone to commercial and residential uses with a condition that the residential area will be rezoned once the commercial development is completed.

Mr. Cook recommended tabling the item to draft a development agreement that includes the specific criteria and conditions desired by the City Council, such as density limits, road width requirements, and trail connectivity; this is preferable to a timing requirement, which would not address all of the Council's concerns. He stated future amendment requests can be denied, regardless of what is approved at this juncture.

Discussion ensued regarding potential language to include in the development agreement and possible housing types such as mixed-use or cottages.

Councilmember Burnham stated residents in the area want a grocery store and advocated for a compromise to mitigate resident and Council concerns with high-density housing, to permit the project to move forward.

Mr. Mumford presented acreage statistical information regarding other commercial and high-density housing areas for comparison and context to the proposed 29 acres of commercial development for this project; the commercial development in Saratoga Springs south of Crossroads Boulevard and west Redwood Road is 22 acres, the commercial development in Saratoga Springs north of Crossroads Boulevard and west of Redwood Road is 23 acres, and the commercial development in Eagle Mountain north of Pony Express Parkway and east of Porter's Crossing Parkway is 16 acres. He explained this project, due to its location, will not draw as much traffic and patronage as the areas in Saratoga Springs.

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.

Mr. Mumford presented the item. The application requests the Sweetwater Industrial Overlay Zone for the majority of the 201-acre property, excluding the portions 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. The property had been previously zoned Industrial in the Eagle Mountain Properties Master Development Plan; that agreement and the accompanying vesting for specific uses have expired. Most of the property is currently designated as Business Park/Light Industry on the General Plan's Future Land Use Map, except for the northwestern area that is designated Neighborhood Residential. The Sweetwater Industrial Overlay Zone contains a separate land use table. The approval criteria for the overlay include compliance with the General Plan, compatibility, City services, traffic generation, and property value considerations.

During the June 9, 2020, Planning Commission meeting, the Commissioners expressed concerns regarding the area of the proposed overlay, permitted and conditional uses within the overlay, the desire to rezone the area to the Light Manufacturing/Distribution (LMD) Zone, the applicant's plan for commercial use on the north end of the project, the sunset clause on the rezone of the overlay, the need to amend the overlay zone, and the desire to encourage businesses to develop in this area of the City. Mr. Mumford explained the LMD Zone was approved in June. The Planning Commission recommended approval with a vote of 4 to 0 (a Commissioner was absent from the meeting) of the Sweetwater Industrial Overlay Zone on lot 1, lot 2, the 32.32-acre development area, the 10.28-acre development area, and the 2.67-acre development area.

Mr. Mumford expressed concern regarding the possibility to rezone the property to the LMD Zone because the desired use for the property is currently a prohibited use in the LMD Zone until standards are created; as a result, an LMD rezone for the property will delay development. He suggested options to rezone the application that will permit the project to move forward without additional delays and verified staff recommendations for the City Council to approve the Sweetwater Industrial Zone overlay for Lot 1 of the project.

Councilmember Curtis inquired if the City Council could rezone the property to the LMD Zone and approve satellite communications as a permitted use.

Mr. Cook recommended granting the overlay zone for Lot 1 and approving the LMD rezone for the remainder of the property at a future meeting, after Municipal Code standards have been updated to include the zone, if amenable to the applicant. Mr. Cook expressed concern regarding approving a zone not requested in an application due to public notification requirements and potential resident concerns.

Councilmember Love expressed concerns regarding aesthetics of metal buildings and advocated for higher industrial design standards than those allowed in the Sweetwater Industrial Overlay Zone.

Councilmember Curtis concurred with Councilmember Love regarding the reduced standards permitted in the Sweetwater Industrial Overlay Zone. He asked what the zone designation of the remainder of the property would be, should the Council only approve the overlay for Lot 1. Mr. Cook stated the City could determine to rezone the property to the LMD Zone at a future meeting; the master development plan with zoning has expired.

Mr. Mumford noted the options presented by the Councilmembers have not been discussed with the applicant, who has not had the opportunity to review the newly created LMD Zone.

Applicant representative Scot Hazard stated as the LMD Zone is not currently available on the City website, he has been unable to review the permitted uses to determine if the zone would meet his needs or be desirable. He said the property is located next to a sewer treatment plant that is unlikely to be relocated or attract higher standard uses due to the accompanying odors. He explained the request for the Sweetwater Industrial Overlay Zone is due to the desire for the reduced standards and increasing those standards to prohibit metal buildings would be cost preventative for the project. He stated LBiSat has a sensitive timeline due to contractual deadlines and a delay in approval could cancel the project. From a developer's viewpoint, unclear uses and standards place impediments to City development, and the area is not likely to attract high-end users. He stated his willingness to condition the rezone to the site plan approval.

Discussion ensued regarding desired design standards and aesthetics of metal buildings.

Mr. Hazard noted that City standards permit metal outbuildings in residential areas and expressed confusion that similar structures may be prohibited in industrial areas.

Councilmember Love clarified she does not have concerns regarding the elevations for LBiSat, but is concerned the area may attracting only metal building developments.

Councilmember Curtis clarified he approves of the Sweetwater Industrial Overlay Zone for this project; however, he has concerns regarding approving the overlay for the entire area.

Mr. Hazard stated he desires zoning with reduced standards for all of the property, except the areas fronting along major roadways; these areas will provide buffering and screening for the interior industrial uses.

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.

Mr. Mumford presented the item and explained the minor amendments to Municipal Code include a requirement to provide a Mylar and permit staff to approve minor lot line adjustments to simplify the process and save time. He stated the requirement will only slightly increase the cost to applicants while being of great benefit to staff and the City.

13. MOTION

13.A. MASTER SITE PLAN AND PRELIMINARY PLAT – Sweetwater Industrial Park

Mr. Mumford stated this item is the master site plan and preliminary plat for the Sweetwater Industrial Park project presented with the overlay rezone request. He explained that Municipal Code allows for an industrial preliminary plat to serve as master site plans and allows staff to approve final plats. The Planning Commission and City Council will still approve the site plans for each lot. The Planning Commission recommended approval 4 to 1 and the nay vote was due to concerns regarding the removal of landscaping medians along the major roadways.

Councilmember Curtis inquired regarding potential ramifications should the City Council approve the master site plan and deny the Sweetwater Industrial Overlay rezone. Mr. Cook clarified the master site plan is not contingent upon the rezone.

Councilmember Gray stated less-desirable uses, discussed during the rezone application, vary from one person to another. Discussion ensued regarding less-desirable uses.

Councilmember Curtis reiterated his concerns regarding the Sweetwater Industrial Overlay Zone.

14. MOTION

14.A. SITE PLAN – LBISat

Mr. Mumford presented the item for a proposed satellite communication facility located on 10 acres in the Sweetwater Industrial Park with the intention of being under the Sweetwater Industrial Overlay Zone, which includes communication facilities and towers as a permitted use. The final approval of this site plan is contingent upon the approval of the rezone. The applicant provided revised renderings with the addition of colored banding and windows to address concerns expressed by the Planning Commission and no outdoor storage requiring screening was planned for the site. He explained that the industrial zone includes commercial design standards that are highly encouraged but not required.

The Planning Commission recommended approval to the City Council with the following conditions: the applicant shall submit a lighting plan that complies with the dark sky outdoor lighting standards; the west side and the front of the building shall include more articulation and an increased mixture of materials, the final site plan approval is contingent on the approval of the Sweetwater Industrial Overlay Zone rezone, all signage will require a sign application and permit, and the trash enclosure shall be screened from the public street and designed with the same architectural materials as the building.

Councilmember Gray verified that the chain link fence met standards for industrial areas and inquired if the roads adjacent to the property are considered major roadways that require increased standards.

Mr. Mumford stated the City Council may require other fencing for screening purposes, otherwise chain link without vinyl slats is permitted. The City is installing a collector road along the western frontage; however, industrial areas have reduced fencing standards and the standards cited only apply to residential areas.

Mayor Westmoreland verified the style of fencing requested was due to security concerns.

Discussion ensued regarding fencing standards, proposed fencing standard updates, and fencing requirement variance along major roadways in residential, commercial, and industrial areas.

Mr. Hazard explained the requested chain link fencing with barbed wire is due to security standard requirements and other possible fencing materials to satisfy the security requirements is cost-prohibitive.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

No closed session was held. The meeting was adjourned at 6:36 p.m.

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

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; 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; Zac Hilton, Streets and Storm Drain Manager; Jeff Weber, Fleet and Facilities Operations Director; Linda Peterson, Communications Director; and Angela Valenzuela, Human Resource Manager.

4. CALL TO ORDER

Mayor Westmoreland called the meeting to order at 7:08 p.m.

5. PLEDGE OF ALLEGIANCE

City Recorder Fionnuala Kofoed led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- Eagle Mountain City will host a free firework display for the public on Friday, July 24, 2020. Fireworks will be launched near Wride Memorial Park. Parking is available at Frontier Middle School, Cedar Valley High School, and Wride Park. Please do not park in brush areas due to wildfire danger or on Pony Express Parkway. Please do not gather outside of vehicles at the park. The display will start at 10:00 p.m. and last for 20 minutes. Fireworks restrictions are in place in many areas of Eagle Mountain City. To access details and the restrictions map, please visit the city website, news section.
- The City offices and library will be closed Friday, July 24, 2020, in observance of the Pioneer Day holiday.
- The annual Eagle Mountain Resident Satisfaction Survey is available until July 31, 2020. Take the survey via the link on the City website, home page banner.
- Congratulations to Sydney Glass, Miss Eagle Mountain 2020; Olivia Huish, Eagle Mountain's Outstanding Teen 2020; and Brenda Van Wagoner, Eagle Mountain Woman of the Year.
- To receive City notifications, including emergency info, news, events, and traffic alerts, sign up at emcity.org/notifyme.

7. PUBLIC COMMENTS

Mayor Westmoreland opened public comment at 7:12 p.m.

Resident Zac Huish requested an alternative exit route and increased connectivity for the Sage Valley neighborhood due to safety concerns during emergencies and road closures. The previous alternate route, Airport Road, is now a private road. He also asked for benches or other seating to be installed at Sage Valley Park.

Councilmember Clark requested that staff research Airport Road being taken as a private road, as she believed it had previously been maintained by the county and has been used for public use.

Councilmember Gray stated staff and the City Council are aware of the issues concerning Airport Road and remedying concerns is a priority. He suggested a prescriptive easement may apply to Airport Road to permit public access. He expressed appreciation for the use of parks by residents

and requested that Parks and Recreation Director Brad Hickman explore options to fund the installation of benches at Sage Valley Park.

Administrative Assistant/Community Director Steve Mumford stated Airport Road was ranked last during the project idea stage with Mountainland Association of Governments (MAG) and due to the unlikelihood of the project being selected, it had not been included in the next funding selection stage in order to give priority to and increase the likelihood of obtaining funding for the expansion of Pony Express Parkway. The next round of MAG funding will be in a year and a half. The City can explore other funding options to expedite the project if desired.

Discussion ensued regarding funding options and opportunities for Airport Road improvement.

Assistant Administrator/Finance Director Paul Jerome stated the “regionally significant” factor may reduce the likelihood of receiving MAG funding for Airport Road and impact fees may need to be used to partially or fully fund projects like Airport Road and Eagle Mountain Boulevard installations or expansions.

Mayor Westmoreland closed the public comment at 7:23 p.m.

8. CITY COUNCIL/MAYOR'S ITEMS

Councilmember Burnham

Councilmember Burnham thanked Mr. Huish for his comments and expressed appreciation for resident participation.

Councilmember Clark

Councilmember Clark expressed appreciation for Mr. Huish and thanked staff for their efforts during challenging circumstances.

Councilmember Love

Councilmember Love encouraged Eagle Mountain residents to follow firework safety guidelines to prevent fires and injury and to follow COVID-19 prevention and safety guidelines.

Councilmember Gray

Councilmember Gray thanked Mr. Huish for his email comments and public statement and expressed his willingness to respond to resident concerns. He congratulated the rodeo pageant participants, past and present, and other award winners and thanked first responders for their efforts to keep residents safe.

Councilmember Curtis

Councilmember Curtis advocated for residents to employ kindness and courtesy in their interactions, even when their opinion or beliefs differ regarding pandemic response and prevention. He stated his appreciation of and desire for unity within the community.

Mayor Westmoreland

Mayor Westmoreland expressed appreciation for the Councilmembers' comments and echoed the desire for residents to treat each other with kindness. He recognized the United Fire Authority (UFA) and the Utah County Sheriff's Office for their involvement and leadership when responding to fires in Eagle Mountain and surrounding areas. He appreciated UFA's ability to authorize air support and to quickly acquire and deploy other resources.

CONSENT AGENDA

9. BOND RELEASES

10. CHANGE ORDERS

10.A. Digital Sign Change Order #1 – Yesco

11. MINUTES

11.A. July 7, 2020 – Appeals Board Meeting

11.B. July 7, 2020 – Regular City Council Meeting

MOTION: *Councilmember Curtis moved to approve the consent agenda. 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.*

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.

Mr. Jerome reviewed the details presented during work session.

Councilmember Curtis requested clarification regarding the approval of the human resource software budget amendment.

Mr. Jerome explained when the budget amendment was added to the agenda, he believed the software contract was scheduled for this meeting. He was later informed the contract is still undergoing legal review, which delayed the inclusion of the item on the agenda for this meeting. Where the budget amount and basic terms of the contract are known by the City Council and staff desires to move forward with the project due to the myriad benefits of the software to employees, Mr. Jerome determined to retain the item in the budget amendment. He cited examples of the inclusion of items in the overall budgeting process before the finalization of contracts.

Ms. Kofoed explained the contract would usually not require Council approval since it was under \$40,000; however, the item was brought forward because it had not been budgeted. She stated the contract does not need to return to the City Council for approval, but the Council may request to see it, if desired.

Councilmember Curtis inquired regarding the term of the contract. City Attorney Jeremy Cook verified the term of the contract is one year.

Mayor Westmoreland opened the public hearing at 7:42 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 Curtis moved to approve an Ordinance of Eagle Mountain City, Utah, approving the First Amendment to the Fiscal Year 2020-2021 Budget. 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.*

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.

Councilmember Gray suggested reviewing the rezone once a site plan returns to the City Council.

Councilmember Clark stated that the council had discussed the possibility of a rezone with a commercial trigger and polled her fellow council members to see if they were willing to consider changing the requested residential to RC and MF1 to reduce density from what was requested by the applicant. Discussion ensued. She expressed concern regarding the difficulty in visualizing the density without a site plan.

Councilmember Burnham stated her preference to require a maximum unit number rather than a density limitation to allow some product type flexibility for the developer; however, she was unsure of the desired unit number to require.

Councilmember Love expressed her willingness to support either method to reduce the maximum allowable density and discussed number unit projections per the various zone density standards.

Councilmember Curtis expressed concern regarding requiring a number of units due to the potential for the geographical limitations of the property requiring setback and lot sizing adjustments to achieve the maximum number of permitted units. He advocated for stipulating a unit number and the desired zone designation.

Discussion ensued regarding the preferred zone designation, unit number limitations and product design standards permitted in the multifamily zones, commercial development completion triggers prior to permitting residential development, concerns reducing the density with zoning through limiting the number of units may result in a reduction in open space, concern regarding the high

density allowed in the Multifamily 2 (MF2) Zone, and concern the applicant will maximize the allowable density permitted in the zone designation.

Mr. Cook stated a master development agreement (MDA) is necessary to include a developmental trigger requirement and requested direction to ensure the elements that are desired by the Council are included in the agreement.

The City Council directed staff to include a development trigger requirement, zone designation, maximum number of units, and an expiration date in the MDA. Mr. Cook recommended the inclusion of additional details in the development agreement such as conditioning housing types by location, if desired by the Council.

Councilmember Clark and Burnham recommended making the rezone approval contingent upon an approved MDA. Councilmember Burnham advocated for balancing the responsibility of the Council to ensure amenable terms in the contract with consideration of time constraints in order to move the project forward within the preferred construction window of the anchor grocery store.

Discussion ensued regarding average and maximum zone density allowances in relation to lot size requirements.

Councilmember Gray expressed concerns that the applicant may not be amenable to the terms desired by the Council. Discussion ensued regarding options to balance City and developer needs.

Councilmember Curtis expressed his preference to approve rezone and site plan applications independently.

Councilmember Clark asked if the rezone approval could be contingent upon the approval of the MDA and the site plan. Mr. Cook stated the MDA could include examples of housing substantially similar to the product desired by the Council.

Discussion ensued regarding product types permitted in the zone, desired and undesirable product types, and maximum density allowance.

Councilmember Gray expressed concern regarding the undeveloped land along the northern edge of the property. Councilmember Burnham stated the forty-foot wide buffer had been intended for trail and open space by the original developer. Mr. Mumford clarified the property is City-owned and the City could require the development of the land as part of the open space improvements.

The Councilmembers debated concerns regarding zone designation preferences in relation to maximum density and desired product types, and the potential for density transfer should a portion of the property be sold or donated. Councilmember Burnham recommended including a provision to prohibit density transfers in the MDA.

Applicant representative Bill Gaskill stated his preference to return to Council with a site plan and stated he cannot move forward with the commercial projects until an agreement is reached regarding the residential properties. He expressed his desire to produce a plan amenable to all

parties and concurred a master site plan would be beneficial. He reiterated that the Planning Commission had tabled the master site plan until the City Council approved the rezone application and requested direction on how to best move forward, due to the City Council requesting to see the master site plan before approving the rezone application.

Mayor Westmoreland opened the public hearing at 8:24 p.m. The following public comments were submitted via email and were read during the meeting.

Verle Patterson: "Looking at the Master Site Plan I see a retail/commercial plot east of the Autumn Ridge Subdivision north of PAD "L" Tire store. Between plots 23 and 24 there is a City easement for drainage that runs directly into the proposed parking lots for the said Retail/commercial plot. It was my understanding that this easement was also to be used as an access to the trail system and access to future developments to the east. The Master site plan does not address this access. I am especially concerned because I own the plot directly north of this easement #24."

Mr. Gaskill stated he had been unaware the area was a trail easement until informed by staff. He stated he intended to preserve a storm drain line under the area and expressed his willingness to install a trail on the easement and connect the trail to the trail system. Mayor Westmoreland directed staff to include the trail installation with the master site plan and preliminary plat to be reviewed by the Planning Commission.

Kathy Bitter "The City currently has the parcel listed as Commercial. To hold to an expired MDA is not only wrong, it will cause problems in the future. With many other properties as well. Please respect the City and recognize that the rezone is required, not simply requested. I live in the Eagle Park subdivision, just north of the parcel. While having commercial close to home may be nice, I think having Multi-Family housing, especially of the listed densities, is a bad move. Our homes on Osprey have a field behind them. To develop is expected, but putting in 40 units is too much. Please keep the MF1 portion as single family homes, not high density. The MF2 portion is also too dense for our area. Adding approximately 80 more units in 4 acres, who will be using our streets for travel access, school access, park access, etc. will put a burden on the homes that live on the thoroughfares, like me. I think a gradual shift is warranted, but our homes are .2-.3 acre lots. If the MF1 area is made single family homes, with smaller lots, then the MF2 area, with the divider road is made MF1, with a limit to townhomes, not 3 story condos, it would be a nice shift, provide some residential, and create a buffer to the commercial areas."

Mayor Westmoreland closed the public hearing at 8:30 p.m.

Mr. Gaskill stated his preference to return to the City Council with a site plan rather than agreeing to rezone to a zone that will limit the product type for the development.

Mr. Mumford expressed concern regarding the recommendation for the applicant to return with a site plan prior to the City Council approving the rezone application due to the Planning Commission tabling the master site plan until the City Council approved the rezone application. He asked if the site plan could instead only return to the City Council as a concept plan as a part of the MDA for the rezone approval.

Mr. Cook stated the master development agreement could include an exhibit of the proposed multifamily development; however, a site plan needs to also go to the Planning Commission.

Discussion ensued regarding the approval process timeline, motion approval options, and granted rights with plan approvals.

Mr. Cook recommended tabling the item to allow time to work with the applicant and bring an updated plan back to the City Council. An updated site plan will return to the Planning Commission for review.

Mr. Gaskill reiterated he is unable to move forward on the commercial portion of the project until the residential development issues are resolved and concurred with tabling the item.

Discussion ensued regarding concerns with developers converting commercial development to residential in the past, but only completing the residential portion.

MOTION: *Councilmember Love moved to table an Ordinance of Eagle Mountain City, Utah, rezoning the Marketplace at Eagle Mountain Town Center property to a mix of Commercial Community, Multifamily 1, and Multifamily 2 until a master development agreement, including an exhibit of a sample site plan of the residential portion of the development, is submitted to the City Council. 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.*

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.

Mr. Mumford reviewed the details presented during work session.

Councilmember Love verified that approving the Sweetwater Industrial Overlay Zone for Lot 1 only would permit the applicant to move forward with the LBiSat project.

Mr. Mumford explained the desired use for satellite communication towers is an allowed use in the Sweetwater Industrial Overlay Zone and is a special use in the LMD Zone; all special uses are designated as prohibited until use standards are developed and approved. The difficulty in rezoning the entire property to the LMD Zone is that the applicant has not requested the LMD Zone, nor has he been able to review the LMD Zone standards to determine if the zone was appropriate for his needs.

Mr. Cook advocated against rezoning the entire property to the LMD Zone, as the applicant has not had time to review the zone, and said if the Council does not wish to delay the application, the best course forward is to approve the LMD Zone and the Sweetwater Industrial Overlay for Lot 1 and to table the rest of the application. He explained the City Council may approve the master site

plan and preliminary plat prior to the rezone application, as it is still subject to zoning and does not approve any uses.

Mayor Westmoreland opened the public hearing at 8:56 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.

Applicant representative Scot Hazard stated the approval of the Sweetwater Industrial Overlay on Lot 1 is beneficial and will allow the project to move forward. He said the LMD Zone appears to address his needs and requested to discuss it further with staff to ensure the zone allows his desired uses, once the standards are defined, before approving the LMD Zone for the remainder of the property.

Councilmember Curtis expressed his willingness to work with the applicant and to amend the new zone as needed to address the needs of desired uses and to meet City goals.

MOTION: *Councilmember Curtis moved to approve an Ordinance of Eagle Mountain City, Utah, rezoning Lot 1 of the Sweetwater Industrial Park to Light Manufacturing/Distribution with the Sweetwater Industrial Overlay Zone for the LBiSat project, and to table the rezone for the remainder of the property until the applicant determines if the Light Manufacturing/Distribution Zone is amenable for the remaining property. The motion includes 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.*

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.

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.

Mayor Westmoreland opened the public hearing at 9:07 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 Gray moved to approve 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. Councilmember Love seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.

13. MOTION

13.A. MASTER SITE PLAN AND PRELIMINARY PLAT – Sweetwater Industrial Park

Mr. Mumford reviewed the information presented during work session and explained the Future Land Use Map includes the following major roadways that impact this project: Pony Express Parkway, a 122-foot wide minor arterial road, on the east side; the road referred to as Tiffany Lane, a 152-foot wide major arterial road, on the north side; and a 77-foot or 94-foot north-south collector road through the project shown as 1020 East on the site plan. The master site plan indicates a dedication of 76 feet on the north, 61 feet on the east, and 77 feet along the collector road through the project.

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 public utilities, streetlights, and fire hydrant locations. Storm drainpipes 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 site plan application, where necessary. He explained a traffic study was not required at this time due to the variance in traffic impact depending upon the desired use and a traffic study could be required in the future.

MOTION: ***Councilmember Curtis moved to approve the Sweetwater Industrial Park master site plan and preliminary plat with the following conditions:***

- 1. An appropriate landscaping plan for the park strips throughout the development, including street trees and consistent landscaping, shall be submitted; medians are not required adjacent to the north on Tiffany Lane and the east on Pony Express Parkway; and***
 - 2. A master development plan shall not be required (EMMC 16.10.030).***
- 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.***

14. MOTION

14.A. SITE PLAN – LBISat

Mr. Mumford reviewed the item presented during work session.

Applicant Rodger M. Lyman described the appearance and planned layout for the satellite antennas and explained that larger antennas use less power and generate more revenue. The largest antennas

will be approximately nine meters in diameter, are not high off the ground, and will face south to southwest.

Councilmember Love verified the satellite antennas are under the 50-foot maximum structure Sweetwater Industrial Overlay height standard.

Councilmember Clark asked if the satellites will interfere with Ham radios. Mr. Lyman stated the antennas are required to receive Federal Communications Commission (FCC) approval for all communication channel use.

MOTION: *Councilmember Burnham moved to approve the LBiSat site plan with the following conditions:*

- 1. The applicant shall submit a lighting plan that complies with the dark sky lighting standards (EMMC 17.56);*
- 2. All signage shall require a sign application and permit;*
- 3. The trash enclosure shall be screened for the public street and designed with the same architectural materials as the building; and*
- 4. The building articulation design shall be in accordance with the updated renderings provided to the City Council.*

Councilmember Love 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. CITY COUNCIL/MAYOR'S BUSINESS

None.

16. CITY COUNCIL BOARD LIAISON REPORTS

Councilmember Clark

Councilmember Clark stated that approximately 12 people attended the Be Ready Eagle Mountain meeting and discussed fire safety and prevention. She is looking forward to additional upcoming safety and prevention events.

Councilmember Gray

Councilmember Gray said he is working with staff on the Parks Master Plan and park needs. He said the seniors are actively holding lunches and are maintaining communications via email.

Councilmember Curtis

Councilmember Curtis stated the Eagle Mountain Arts Alliance is holding story walks on Wednesdays at Nolen Park from 9:00 a.m. to 8:00 p.m. starting on July 22, 2020 and ending August 12, 2020.

Councilmember Love

Councilmember Love expressed appreciation to the Planning Commission. She said the Youth Council is on a summer break and she looks forward to working with them in the fall.

Councilmember Burnham

Councilmember Burnham said that she and Senior Management Analyst Evan Berrett are working with the Utah Transit Authority and Mountainland Association of Governments on a traffic study consultant selection committee. She said the library expansion is underway.

17. COMMUNICATION ITEMS

17.A. Financial Report

17.B. Upcoming Agenda Items

18. ADJOURNMENT

MOTION: *Councilmember Gray moved to adjourn the meeting at 9:33 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 9:33 p.m.

Approved by the City Council on August 4, 2020.

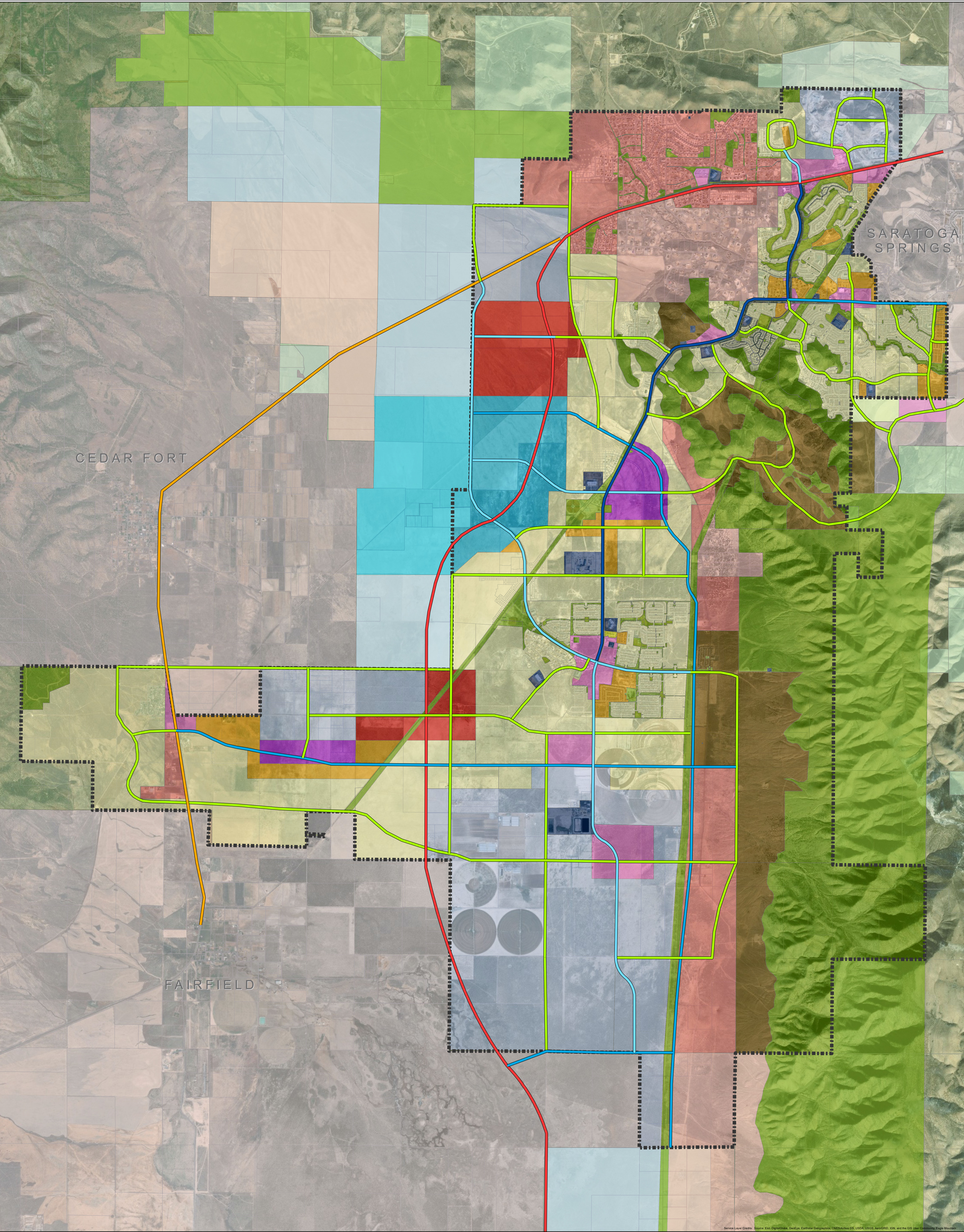

Fionnuala B. Kofoed, MMC
City Recorder



Future Land Use & Transportation

General Plan Map

January 2020

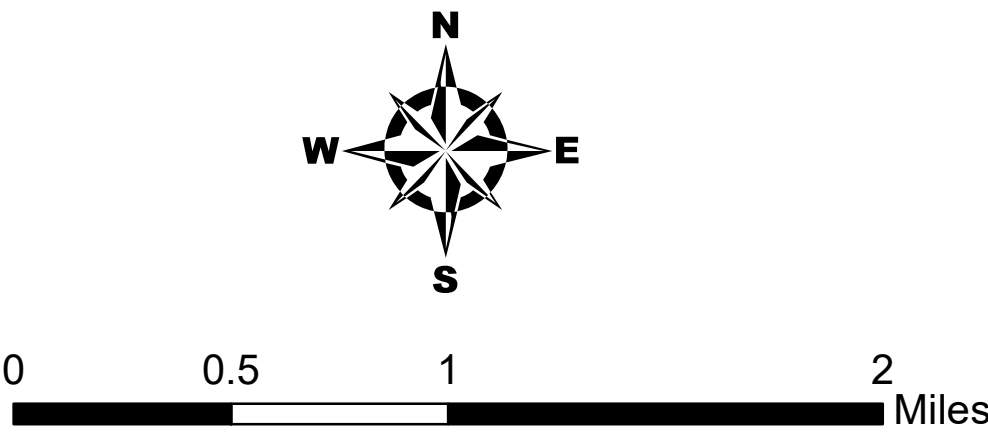


- Land Use**

 - 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.



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 6, 2021**

TITLE:	AGREEMENT - City Hall Lobby Display		
ITEM TYPE:	Agreement		
FISCAL IMPACT:	\$6,506.00 from GL 10-19-41955-7412		
APPLICANT:			
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Lianne Pengra, Recorder's Office

PRESENTED BY:

Fionnuala Kofoed, City Recorder

RECOMMENDATION:

Staff recommends the City Council approve the agreement with GENCOMM in the amount of \$6,506.

BACKGROUND:

The contract includes a 75-inch 4K commercial display with a tilt wall mount, a 4K decoder, digital signage media player and three color bar lights. GENCOMM's pricing is set under Utah State Contract #MA513.

The large 75-inch 4K display can be used for signage and as a digital notice board, and can display weather, clock, tickers, and RSS feeds. It will also be set up to allow for any signals from the City Council Chambers to be shown in order to allow the lobby to act as an overflow space. An app using an interface program will be used to quickly add welcome messages or custom text on the spot. A wireless receiver allows any City-authorized mobile device to share or cast content to the display. Three colored bar lights are included around the display to give the wall a glow hue of choice. The system will be connected to the existing speakers to provide overflow audio, background music, or for casted content. The system can be set up with automated controls to be turned on or off at scheduled intervals. Presets, colors, and volume levels can be set easily and managed without complicated controls.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

[Proposal - Eagle Mountain City AV Upgrade](#)



EagleMountain UTAH

Council Chambers AV Upgrade

Eagle Mountain City

3.31.2021

Shawn Sandberg

Systems Engineer

SSandberg@gencomminc.com

(801) 404-4111

GENCOMM, 12393 S. Gateway Park Place, Suite 400, Draper, UT 84020

State Contract #MA513

Similar Scope of Work References

West Jordan City

Michael Oliver

IT Manager

Michael.Oliver@westjordan.utah.gov

801-569-5200

Orem City

Ernesto Lazalde

IT Manager

ELazalde@orem.org

(801) 229-7173

Millcreek City

Rita Lund

Director of Communications and Programs

801-214-2707

RLund@millcreek.us

Scope of Work

The following proposal includes the plan for the requested AV upgrades and head-end processing. The fee for installation, consulting, training, engineering, programming, and commissioning are included for each option. GENCOMM™ will closely follow the AV9000 standards as set forth by AQAV during the execution of the project..

GENCOMM will conduct an initial and ongoing scope development meetings with the city with the goal of defining the following items:

- Review goals, objectives, and desired key outcomes for the project
- Discuss and determine the inclusion and convergence of various design layout options in the planning process and the benefits of each
- Discuss issues, criteria, special considerations, and vital components to be included in the design file
- Develop minimum design standard solution sets
- Determine planning and implementation timelines
- Identify specific deliverables, including technical memorandums
- Establish project communication protocols

Audio and Video System Upgrades

New Lectern - Quote 20465

GENCOMM proposes to use a new custom lectern that can easily incorporate a new touch screen, touch panel, video inputs and microphones while still allowing for a clean and functional design. The new lectern will allow for equipment to be housed in a miniature equipment rack inside with all the power, pathways and access for cables and wiring. Double doors hide the miniature rack inside and small holes on the bottom are grommited to allow the cables into the floor box without making a mess of wound up cabling to get stepped on or tripped over. Pictures and drawings will be provided to ensure the look and use of the lectern meets the needs and wants of the city.

- (1) Mini equipment rack
- (1) Beyerdynamic Microphone
- (1) Cable access enclosure
- (1) Custom Oak Lectern
- (1) Lectern Caster Set
- (1) Custom Touch Panel Mount
- (1) Power receptacle
- (1) Surge protector
- (1) 22" Touch Screen
- (1) Decoder

Reuse Existing:

- (1) Beyerdynamic Microphone
- (1) QSC TSC-7T Touch Panel
- (1) Encoder

On Screen Timer - Quote 20466

Now that presentations could be remote or local, and participants could be remote or local, To ensure that comments don't go beyond the 3 or 5 minutes. This will also allow for an on screen overlay to be placed over the proceedings so a timer can be shown in the bottom right corner of the screen. Whether in the room or remote the timer will show how much time is left to make comments before muting the mic.

- (1) Decoder
- (5) Advanced OSD Licenses
 - Dias
 - Dias Left
 - Dias Right
 - Projector
 - Lectern

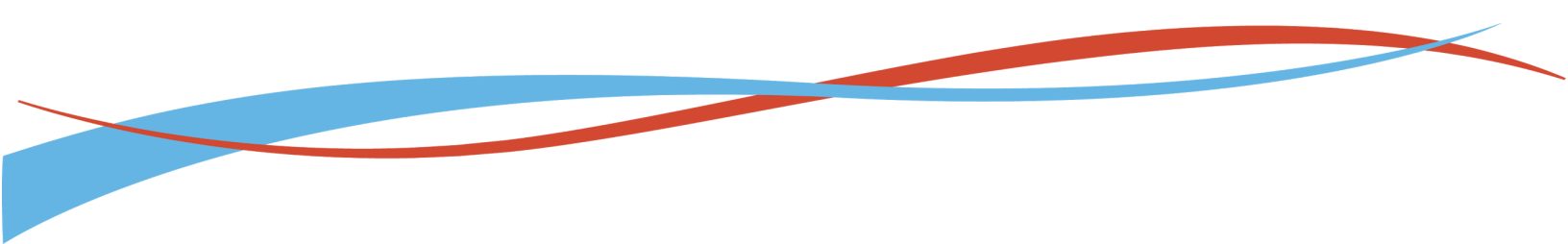
Reuse Existing:

- (4) Decoders

Lobby Display - Quote 20464

A high brightness commercial 24/7 75" 4K display will be installed to allow for signage, weather, clock, tickers, RSS feeds, or even as a digital notice board. This will also add a decoder to allow for any of the signals from the council room to be shown or overflowed into this space. A very simple user interface allows for customization of the content for signage. The user control interface and allow the lobby to add welcome messages or custom text quickly and will be available on a city provided computer. The system will be setup with automated controls to be turned on or off at scheduled intervals, presets, volume levels can all be set easily and managed without complicated controls.

- (1) 75" 4K 24/7 LED Commercial display
- (1) Large tilt wall mount
- (1) 4k Decoder
- (1) Digital signage media player



Managed Services Subscription - Quote 20467

This subscription service provides device monitoring for all edge devices, alerting agents of any issues within seconds of the issue. This will provide peace of mind as it will ensure the system is fully functional at all times. This service includes remote monitoring and support including periodic updates to the latest features, quarterly scheduled on-site maintenance, and 6 hours/year that can be used for, free on-site service, free remote service, touch panel modifications, programming modifications, automations, or on-site end user training. The goal is to have this system be as useful as possible, evolving with the city to exceed their needs. As the city and those that use the chambers change, the system can easily be adapted. When changes occur or new personnel are using the system. GENCOMM will train on the system to ensure the functionality is clear and easy to use. Where needed, GENCOMM can be contacted for rapid response, remotely able to support any concerns that arise, or when needed send a support agent on-site. This ultimately changes the relationship into a partnership where GENCOMM and Pleasant Grove can both work together to ensure success.

Internet access is required (does not need access to building LAN)

- GENCOMM Managed Services kit
- Billed monthly or annually depending on owner preference

Included Services

- Zoom QSC Certified Integrator (for QSC Zoom Rooms)
- Client alerting (can send texts, emails, or a message to Slack, Teams, or Google Chat)
- GENCOMM NOC alerting
- Remote service
- Yearly on-site maintenance
- 6 hours/year that can be used on:
 - On-site service
 - Remote rapid response service
 - Touch panel modifications
 - Programming modifications
 - On-site end user trainings

Training

A formal system training will be conducted by GENCOMM to the facility's coordinators, technical support and/or other employees that wish to attend. The training will include a half day of the GENCOMM engineer onsite for the formal training as well additional questions the staff has. This time should be sufficient to cover the basics of the system and individual room functionality and how the head-end equipment can be used for more advanced functions.

Services

- Installation of equipment specified above.
- Test for proper installation.
- Training for new equipment.
- Cabling and connectors

Exclusions

- High voltage wiring will need to be performed by a licensed electrician and is not included in this proposal.
- Surface and finish work (i.e. concrete, tile, wallboard, ceiling tile, etc).

Fees and Options

Listed below are the prices for the main system components, any additional options, and warranties.

System Components

The following are the overall components that make up the system described above:

Accept

_____ \$11,781.00 - New Lectern - Quote #20465: All services specified above.

_____ \$3,638.00 - On Screen Timer - Quote #20466: All services specified above.

_____ \$6,506.00 - Lobby Display - Quote #20464: All services specified above.

_____ \$1,663.00 - Managed Services Subscription / Yearly - Quote #20467: All services specified above.

ACCEPT ALL: _____ **\$23,588.00 - All options and services listed above.**

Warranty

GENCOMM™ warrants the system under normal use, to be free of defects in material and workmanship for the period of one (1) year from the date of substantial inspection and will repair or replace at GENCOMM™'s option any equipment to be found defective. Warranty will include telephone support for assistance. Service or repair by an agency or person not authorized by GENCOMM™ renders the warranty void releasing GENCOMM™ from any further responsibility or obligation. The warranty will not apply to damage or deterioration or malfunction resulting from: 1) Accident, misuse, abuse, neglect, fire, water, lightning or other acts of nature, unauthorized product modification or failure to follow instructions; 2) Problems caused by associated equipment not supplied under this contract; 3) Problems with owner-furnished equipment. Some of the major suppliers of equipment for this project may provide additional warranties that do not apply to GENCOMM™'s warranty.

Please note, extended warranty and annual maintenance are not required and can be removed if desired prior to final contract award. The included standard warranty is 90-days from substantial completion.

Terms

The total cost for this system package is the sum of the selected options above, amounting to: \$_____. Payment terms must be chosen from one of the following:

- ☐ 30% down with a signed contract, 30% due upon receipt of goods in our warehouse (client may inspect property), monthly progress billing based on work performed, payable within 30 days from date of invoice. A 1.5% monthly interest fee will be assessed for late payments after 30 days from date of invoice.
- ☐ 90% down, and 10% upon project completion, payable within 30 days from date of invoice. A 1.5% monthly interest fee will be assessed for late payments after 30 days from date of invoice.
- ☐ 50% down, and 50% upon project completion, payable within 30 days from date of invoice. A 1.5% monthly interest fee will be assessed for late payments after 30 days from date of invoice.
- ☐ Lease Option. Please discuss this option with your GENCOMM™ representative for monthly payment options. Separate lease agreement required.
- ☐ Credit card. A 1.3% processing fee will be assessed for use of credit cards, or 3% fee for use of American Express. (Note: 100% will be billed on the card upfront unless one of the 30% or 50% options is also selected above)
- ☐ Card Number: _____
- ☐ Expiration Date: _____ / _____ Security Code: _____
- ☐ Name on Card: _____
- ☐ Billing Address: _____

Proposal is guaranteed for 30 days.

Installation can begin typically six (6) to eight (8) weeks from signed contract being received by GENCOMM™, but is based on availability and cannot be guaranteed.

Owner Acceptance

In accepting this Proposal, Owner agrees to the terms and conditions contained herein including those on the following page. It is understood that they shall prevail over any variation in terms and conditions on any purchase order or other document that the Owner may issue. Any changes in the system requested by the Owner after the execution of this Agreement shall be paid for by the Owner and such changes shall be

authorized in writing. In accepting this Proposal, Owner agrees to the terms and conditions contained herein including those on the reverse side. It is understood that they shall prevail over any variation in terms and conditions on any purchase order or other document that the Owner may issue. Any changes in the system requested by the Owner after the execution of this Agreement shall be paid for by the Owner and such changes shall be authorized in writing.

This Agreement is not binding unless approved in writing by an authorized Representative of GENCOMM™. In the event of failure of such approval, the only liability of GENCOMM™ shall be to return to the Owner the amount, if any, paid to GENCOMM™ upon signing of this Agreement.

Owner Signature

Printed Name

Title

Date

GENCOMM BD Signature

Printed Name

Title

Date

GENCOMM Signature

Printed Name

Title

Date

Project and Billing Contact Information

Project Onsite Contact (Scheduling, Access, etc.)

Name

Phone

E-mail

Project Address

Billing Contact

Name

Phone

E-mail

Billing Address

General Provisions

The Contract represents the entire and integrated agreement between the Parties and supersedes prior negotiations, representations or agreements, either written or oral. The Contract may be amended or modified only by a written modification. The term “Work” means the construction and services required by the Contract Documents, and includes all other labor, materials, equipment and services provided by GENCOMM™ to fulfill GENCOMM™’s obligations. The intent of the Contract Documents is to include all items necessary for the proper execution and completion of the Work by GENCOMM™.

If requested by GENCOMM™, the Owner shall furnish and pay for a survey and a Legal description of the site. Except for permits and fees which are the responsibility of GENCOMM™ under the Contract Documents, the Owner shall obtain and pay for other necessary approvals, easements, assessments and charges. If GENCOMM™ fails to correct Work which is not in accordance with the Contract Documents, the Owner may direct GENCOMM™ in writing to stop the work until the correction is made. If GENCOMM™ defaults or neglects to carry out the Work in accordance with the Contract Documents and fails within a seven day period after receipt of written notice from the Owner to correct such default or neglect with diligence and promptness, the Owner may, with prejudice to other remedies, correct such deficiencies. In such a case, a Change Order shall be issued deducting the cost of correction from payments due GENCOMM™. GENCOMM™ shall coordinate and cooperate with separate contractors employed by the Owner. Costs caused by delays or by improperly timed activities or defective construction shall be borne by the party responsible therefore.

Execution of the Contract by GENCOMM™ is a representation that GENCOMM™ has visited the site, become familiar with local conditions under which the Work is to be performed and correlated personal observations with requirements of the Contract Documents. GENCOMM™ shall carefully study and compare the Contract Documents with each other and with information furnished by the Owner. Before commencing activities, GENCOMM™ shall: (1) take field measurements and verify field conditions; (2) carefully compare this and other information known to GENCOMM™ with the Contract Document; and (3) promptly report errors, inconsistencies or omissions, discovered to the Owner. GENCOMM™ shall supervise and direct the Work, using the GENCOMM™’s best skill and attention. GENCOMM™ shall be solely responsible for and have control over construction means, methods, techniques, sequences and procedures, and for coordinating all portions of the Work. Unless otherwise provided in the Contract Documents, GENCOMM™ shall provide and pay for labor, materials, equipment, tools, utilities, transportation, and other facilities and services necessary for proper execution and completion of the Work. GENCOMM™ shall deliver, handle, store and install materials in accordance with manufacturer’s instructions. The Owner shall be responsible to provide the following: (1) All electrical requirements for the project including but not limited to conduit, raceway, back boxes, proper ground wire, proper breakers, etc. (2) Core drilling and penetration of concrete (3) Furniture or building modifications to accommodate contracted equipment unless stated in the Contract. GENCOMM™ shall pay sales, consumer, use and similar taxes that are legally required when the Contract is executed. GENCOMM™ shall obtain and pay for the building permit and other permits and governmental fees, licenses and inspections necessary for proper execution and completion of the Work. GENCOMM™ shall confine operations at the site to areas permitted by law, ordinances, permits, the Contract Documents and the Owner. GENCOMM™ shall be responsible for cutting, fitting or patching required to complete the Work or to make its parts fit together properly. The Owner may agree to patch portions of the work as stated in the Contract. GENCOMM™ shall keep the premises and surrounding area free from accumulation of debris and trash related to the Work. To the extent permitted by law, GENCOMM™ shall indemnify and hold harmless the Owner from and against claims, damages, losses and expenses arising out of or resulting from performance of the Work, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the Work itself), but only to the extent caused solely by negligent acts or omissions of GENCOMM™, a Subcontractor, anyone directly or indirectly employed by them or anyone for whose acts they may be liable. GENCOMM™’s liability shall be limited to actual property damages caused by GENCOMM™. GENCOMM™ shall not be responsible for consequential damages.

After execution of the Contract, changes in the Work may be accomplished by Change Order or by order for a minor change in the Work. The Owner, without invalidating the Contract, may order changes in the Work within the general scope of the Contract consisting of additions, deletions or other revisions, the Contract Sum and Contract Time being adjusted accordingly. A Change Order shall be a written order to GENCOMM™ signed by the Owner to change the Work, Contract Sum or Contract

Time. If concealed or unknown physical conditions are encountered at the site that differ materially from those indicated in the Contract Documents or from those conditions ordinarily found to exist, the Contract Sum and Contract Time shall be subject to equitable adjustment.

Time limits stated in the Contract Documents are of the essence of the Contract. If GENCOMM™ is delayed at any time in progress of the Work by changes ordered in the Work, or by Labor disputes, strikes, fire, riots, acts of God, unusual delay in deliveries, unavoidable casualties or other causes beyond the GENCOMM™'s control, the Contract Time shall be extended by Change Order for a reasonable time. Owner shall pay for Contract extensions exceeding 90 days. The Owner shall pay schedule compression fees to GENCOMM™ in the event the timeline is accelerated which will include overtime for all personnel associated with the project.

Upon execution of the Contract, the Owner shall make an initial payment of 30% of the Contract Sum. A second payment of 30% will be made upon receipt of the products in our warehouse for this project, (the client is welcome to inspect the material to verify receipt). Afterwards, based on Applications for Payment submitted by GENCOMM™, the Owner shall make progress payments on account of the Contract Sum to GENCOMM™ as provided in the conditions of the Contract as follows: Once each calendar month, the Owner shall make a progress payment to GENCOMM™ on the basis of a duly certified and approved estimate of the Work performed during the preceding calendar month under this Contract; but to insure the proper performance of this Contract, the Owner shall retain five percent (5%) of each estimate until final completion and acceptance of all Work covered by this Contract: provided that the Owner, at any time after fifty percent (50%) of the Work has been completed, finds that satisfactory progress is being made, may make any of the remaining progress payments in full. Final payment, constituting the entire unpaid balance of the Contract Sum, shall be paid by the Owner to GENCOMM™ thirty (30) days after Substantial Completion of the Work, provided the Work has then been completed, and the Contract fully performed and approved by the Owner. A 1.5% monthly interest charge will be assessed for any payments received after 30 days from date of invoice.

GENCOMM™ warrants that title to all Work covered by an Application for Payment will pass to the Owner no later than the time of payment. GENCOMM™ further warrants that upon submittal of an Application for Payment, all Work for which Certificates for Payment have been previously issued and payments received from the Owner shall, to the best of GENCOMM™'s knowledge, information and belief, be free and clear of liens, claims, security interests or other encumbrances adverse to the Owner's interests. Substantial Completion is the stage in the progress of the Work when the Work or designated portion thereof is sufficiently complete in accordance with the Contract Documents so that the Owner can occupy or utilize the Work for its intended use. When the Work or designated portion thereof is substantially complete, the Owner and GENCOMM™ shall establish the date of Substantial Completion, shall establish the responsibilities of the Owner and GENCOMM™, and shall fix the time within which GENCOMM™ shall finish all items. Warranties required by the Contract Documents shall commence on the date of Substantial Completion of the Work. Upon receipt of a final Application for Payment, the Owner will inspect the Work. When the Owner finds the Work acceptable and the Contract fully performed, the Owner will promptly issue a final Payment.

GENCOMM™ shall be responsible for initiating, maintaining and supervising all safety precautions and programs, including all those required by law in connection with performance of the Contract. GENCOMM™ shall promptly remedy damage and loss to property caused by GENCOMM™, or by anyone for whose acts GENCOMM™ may be liable.

Neither party to the Contract shall assign the Contract as a whole without written consent of the other. Tests, inspections and approvals of portions of the Work required by the Contract Documents or by laws, ordinances, rules, regulations or orders of public authorities having jurisdiction shall be made at an appropriate time. The Owner shall pay for tests except for testing Work found to be defective for which the Contractor shall pay. The Contract shall be governed by the laws of the State of Utah.

Intellectual Property. GENCOMM™ owns and retains ownership of all intellectual property, engineering, programming, etc. Any software or system setup written to manage the various systems for the client is owned by GENCOMM™. A conditional use license is granted to the Owner for the equipment installed under this contract. The Client may not backward engineer, copy, or reuse the system design, software, object code, software and other intellectual property created by GENCOMM™.

Software, settings and hardware configuration changes

If owner, owner representative or any other person not authorized by GENCOMM makes changes to software code, settings and/or hardware configuration supplied by GENCOMM, they will assume all responsibility and expenses to restore the software code, settings and/or hardware configuration to specifications outlined in the contract. Any unauthorized changes to software code, settings and/or hardware configuration made will void all warranties outlined in the contract.

The owner shall not solicit, recruit, hire or otherwise employ or retain the employees of the other Party without the prior written consent of the other Party during the term of this Agreement and for two (2) years following the termination or expiration of this Agreement.

If the Owner fails to make payment when due or substantially breaches any other obligation of this Contract, following seven days' written notice to the Owner, GENCOMM™ may terminate the Contract and recover from the Owner payment for Work executed and for proven loss with respect to materials, equipment, tools, construction equipment and machinery, including reasonable overhead, profit and damages for the entire project.

GENCOMM™ will file a Preliminary Notice (otherwise known as a "Pre Lien") or Mechanic's Lien, as indicated by state where work is carried out, with the Owner, General Contractor or other parties Generally speaking, in order to advise the property owner, and in some states, the owner's general contractor, and construction lender, that GENCOMM™ may have the right to attach a lien to the Owner's property if he or she is not paid for their services. This notice is meant to give the owner an opportunity to insure that GENCOMM™ is paid in full. This is a standard measure, carried out with all contracts to protect the interests of all parties.

If the Owner cancels the Contract prior to the commencement of actual work on the project, the Owner agrees to compensate GENCOMM™ 20% of the value of the contract amount as a cancellation fee to compensate for all work performed in preparation for the project. Any products purchased for the project will be returned to the vendor and all costs associated with return of equipment will be charged to the Client as an additional fee beyond the cancellation fee.

As a condition to this proposal, the Parties agree to execute and accept the terms and conditions of GENCOMM™'s license agreement and the terms of a non-disclosure non-compete as they relate to the work performed on this project.

This Contract falls within the jurisdiction of Salt Lake City, Utah. Any conflict resolution associated with this contract must be held in Salt Lake City, Utah.

If any term or condition of this Contract does not comply with current law, all other terms and conditions remain in full effect and are not voided.

In mutual consideration of the covenants and conditions contained in this Agreement, the Parties additionally agree as follows:
DEFINITIONS.

Confidential Information. "Confidential Information" shall include but not be limited to any facts, opinions, conclusions, projections, data, or trade secrets relating to either Party's work in progress, future work, product marketing, or financial matters transmitted by one Party ("Disclosing Party") to the other Party ("Receiving Party"), in written or other tangible form (including magnetic or optical media), or by oral, visual or other means. If confidential information is disclosed in writing, it must be clearly labeled as "confidential." If it is disclosed orally, the Disclosing Party must summarize the information in writing and confirm that is confidential within 10 days after its oral disclosure to the Receiving Party.

Exceptions to Definition of Confidential Information. Confidential Information as defined in this Agreement shall not include information that:

- (i) was known to the Receiving Party without obligation to keep confidential at the date of disclosure by the Disclosing Party;
- (ii) is after the date of disclosure acquired by the Receiving Party in good faith from an independent third party who is not subject to any obligation of confidentiality in respect of such Confidential Information;
- (iii) was, in its entirety and at the time of its disclosure, in the public knowledge or has become public knowledge during the term of this Agreement otherwise than by reason of the Receiving Party's neglect or breach of this Agreement or any other agreement; or
- (iv) is independently developed by the Receiving Party without access to any or all of the Confidential Information.

TERM/TERMINATION/RETURN OF DOCUMENTS.

Term. This Agreement shall begin on the Effective Date and continue in full force and effect for a period of two (2) years on which date this Agreement shall expire and not automatically renew, unless earlier terminated by either Party as set forth herein. Nevertheless, the terms and conditions of this Agreement shall survive the expiration or termination of this Agreement and shall continue for a period of three (3) years.

Termination. Either Party may terminate this Agreement for any reason with five (5) days prior written notice.

Return of Documents. Upon the date of expiration or termination of this Agreement, or at any time during the term of this Agreement upon written request by the Disclosing Party, the Receiving Party shall return or destroy, in the Disclosing Party's sole discretion, all Confidential Information in its possession, including all copies, within five (5) days and provide a written confirmation of the action taken.

DUTY OF NON DISCLOSURE.

Description of Duty. The Receiving Party shall do the following:

- (i) keep in strict confidence and in safe custody any Confidential Information disclosed to the Receiving Party by the Disclosing Party, exercising the same duty of care used to maintain as confidential the Receiving Party's own Confidential Information and at a minimum a reasonable duty of care;
- (ii) not use or exploit any Confidential Information other than as described herein or as is reasonably necessary for the Purpose;
- (iii) not copy or reproduce any or all of the Confidential Information except as is reasonably necessary for the Purpose;
- (iv) not distribute, disclose or disseminate Confidential Information to anyone except with the prior written consent of the other party; and
- (v) not embody any Confidential Information in other work or otherwise use Confidential Information to develop anything except as provided herein.

Disclosure within Receiving Party. The Receiving Party may only disclose Confidential Information on a need to know basis to its employees.

Disclosure by Law or Regulation. The Receiving Party shall have no such duty to keep Confidential Information where the Receiving Party is required by law, judicial order, the regulations of a government department or agency or other regulatory authority to disclose Confidential Information to a third party, in which event the Receiving Party shall take all reasonable steps to consult and take into account the reasonable requirements of the Disclosing Party in relation to such disclosure. In the event a Secrecy Order pertaining to Confidential Information is issued by the U.S. Patent and Trademark Office, and Confidential Information is disclosed accordingly, the terms of such Secrecy Order shall take precedence over this Agreement. In the event Confidential Information is subject to U.S. export control laws and regulations, Confidential Information shall be disclosed only in compliance with such export laws and regulations.

EXCLUSION OF WARRANTIES/IP INDEMNIFICATION. Neither Party warrants the accuracy or completeness of any Confidential Information. All implied warranties or representations to that effect are hereby excluded. Notwithstanding the foregoing, the Disclosing Party warrants that it possesses sufficient rights to disclose to the Receiving Party as set forth herein any third party intellectual property contained in Confidential Information, and the Disclosing Party shall defend, indemnify and hold harmless the Receiving Party from any claims by third parties of infringement of intellectual property rights or wrongful disclosure arising from use of Confidential Information by the Receiving Party as described herein and as is otherwise reasonably necessary for the Purpose. As a condition to the foregoing indemnity obligations, the indemnified Party (Receiving Party) shall provide the indemnifying Party (Disclosing Party) with prompt notice of any claim for which indemnification shall be sought hereunder and shall cooperate in all reasonable respects with the indemnifying Party (Disclosing Party) in connection with any such claim. The indemnifying Party (Disclosing Party) shall be entitled to control the handling of any such claim and to defend or settle any such claim, in its sole discretion, with counsel of its own choosing and at the indemnifying Party's (Disclosing Party's) expense.

NON TRANSFERENCE OF RIGHTS. Nothing in this Agreement shall be construed as transferring any rights, title or license to Confidential Information, except for use of Confidential Information as described herein or as is otherwise reasonably necessary for the Purpose. All Confidential Information shall at all times remain the property or license of the Disclosing Party.

EQUITABLE RELIEF. The Parties acknowledge and agree that Confidential Information, as well as the intellectual property contained therein, is unique and valuable, and that breach of the terms and conditions herein will result in irreparable injury to

the Disclosing Party for which monetary damages alone would not be an adequate remedy. In the event of a breach or threatened breach of this Agreement, the Disclosing Party shall be entitled to seek specific performance and injunctive or other equitable relief as a remedy for any such breach or anticipated breach without posting bond. Any such relief shall be in addition to and not in lieu of any monetary damages.

ASSIGNMENT. Neither Party shall assign or otherwise transfer this Agreement or any rights, duties or obligations under this Agreement without the prior written consent of the other Party.

WAIVER. Any delay or failure by either Party to insist upon strict performance of any term or condition or to exercise any right or remedy provided herein shall not be a waiver of such Party's right to demand strict compliance with that term or condition or right or remedy in the future.

NOTICES. Unless otherwise specified herein, all notices, requests, or consents required to be given in writing hereunder shall be transmitted by facsimile, hand delivered, or mailed, first class, postage prepaid, and addressed as indicated in this document, unless either Party notifies the other Party, in writing, of a change in the addressee:

PUBLICITY. Company/Individual shall not make any news release, public announcement, advertisement or publicity concerning anything under this Agreement without the prior written consent of both Parties.

SEVERABILITY. If any term or condition or portion of this Agreement shall be determined by any court of competent jurisdiction to be invalid or unenforceable to any extent, the remainder of this Agreement shall not be affected thereby, and each remaining term or condition hereof shall continue with full force and effect.

GOVERNING LAW AND VENUE. This Agreement shall be governed by, interpreted, construed and enforced in accordance with the laws of the State of Utah, without reference to the principles of conflict of laws. Suit under this Agreement with the exception of suits brought solely for injunctive relief shall only be brought in a court of competent jurisdiction in the State of Utah.

SOFTWARE LICENSE AGREEMENT

This Software License is made by General Communications, Inc, (GENCOMM™), to the Customer as an essential element of the services to be rendered by GENCOMM™ as defined in the system specification and any associated documents and agreement. *System* shall mean the deliverable product as defined in these documents.

Customer and GENCOMM™ agree that this Software License is deemed to be part of, and subject to, the terms of the Agreement applicable to both parties.

SECTION 1 LICENSE GRANT AND OWNERSHIP

GENCOMM™ hereby grants to Customer a worldwide, perpetual, non-exclusive, non-transferable license to all software for Customer's use in connection with the establishment, use, maintenance and modification of the system implemented by GENCOMM™. *Software* shall mean executable object code of software programs and the patches, scripts, modifications, enhancements, designs, concepts or other materials that constitute the software programs necessary for the proper function and operation of the system as delivered by GENCOMM™ and accepted by the Customer.

Except as expressly set forth in this paragraph, GENCOMM™ shall at all times own all intellectual property rights in the software. Any and all licenses, product warranties or service contracts provided by third parties in connection with any software, hardware or other software or services provided in the system shall be delivered to Customer for the sole benefit of Customer.

Customer may supply to GENCOMM™ or allow GENCOMM™ to use certain proprietary information, including service marks, logos, graphics, software, documents and business information and plans that have been authored or pre-owned by Customer. All such intellectual property shall remain the exclusive property of Customer and shall not be used by GENCOMM™ for any purposes other than those associated with delivery of the system.

SECTION 2 COPIES, MODIFICATION AND USE

Customer may make copies of the software for archival purposes and as required for modifications to the system. All copies and distribution of the software shall remain within the direct control of customer and its representatives.

Customer may make no modifications to the software. This Software License confers no right in Customer to license, sublicense, sell, or otherwise authorize the use of the software by any third parties, except in connection with the use of the particular system as part of Customer's business.

All express or implied warranties relating to the software shall be deemed null and void in case of any modification to the software made by any party other than GENCOMM™.

SECTION 3 WARRANTIES AND REPRESENTATIONS

GENCOMM™ represents and warrants to Customer that:

It has all necessary rights and authority to execute and deliver this Software License and perform its obligations hereunder and to grant the rights granted under this Software License to Customer.

The goods and services provided by GENCOMM™ under this Software license, including the software and all intellectual property here provided, are original to GENCOMM™ or its subcontractors or partners.

The software, as delivered as part of the system, will not infringe or otherwise violate the rights of any third party, or violate any applicable law, rule or regulation.

Throughout the System Warranty Period, the executable object code of software and the system will perform substantially in accordance with the system specifications and Agreement. If the software fails to perform as specified and accepted all remedies are pursuant to the policies set forth in the Specification and in the Agreement.

Except as expressly stated in this Agreement, there are no warranties, express or implied, including, but not limited to, the implied warranties of fitness for a particular purpose, of merchantability, or warranty of noninfringement of third party intellectual property rights.

SECTION 4 INDEMNIFICATION

GENCOMM™ hereby indemnifies and shall defend and hold harmless Customer, its parent companies and its and their subsidiaries, affiliates, officers, directors, employees, agents and subcontractors from and against liability, damages, loss, cost or expense, including but not limited to reasonable attorney's fees and expenses, arising out of or in connection with any breach or alleged breach of the Agreement or any third party claims that the software or system here provided by GENCOMM™ infringes or otherwise violates any rights of any such third party.

Customer hereby indemnifies and shall defend and hold harmless GENCOMM™, its and their subsidiaries, affiliates, officers, directors, employees, agents and subcontractors from and against all liability, damages, loss, cost or expense, including but not limited to reasonable attorney's fees and expenses, arising out of or in connection with any third party claims that Customer's use of the software in contravention of the grant of rights infringes or otherwise violates any rights of any such third party.

Upon the assertion of any claim or the commencement of any suit or proceeding against an indemnitee by any third party that may give rise to liability of an indemnitor hereunder, the indemnitee shall promptly notify the indemnitor of the existence of such a claim and shall give the indemnitor reasonable opportunity to defend and to settle the claim at its own expense and with counsel of its own selection. The indemnitee shall cooperate with the indemnitor, shall at all times have the right full to participate in such a defense at its own expense and shall not be obligated, against its consent, to participate in any settlement which it reasonably believes would have an adverse effect on its business.

SECTION 5 TRANSFER AND TERMINATION

This license will automatically terminate upon the disassembly of the system cited above, unless the system is reassembled in its original configuration in another location.

GENCOMM™ may terminate this license upon notice for failure to comply with any of terms set forth in this Software License.

Upon termination, Customer is obligated to immediately destroy the software, including all copies and modifications.

ENTIRE AGREEMENT. The foregoing constitutes the entire understanding and agreement between the Parties and shall supersede any prior agreements, written or oral, not incorporated herein. The terms and conditions of this Agreement shall not be amended except by written amendment signed by both Parties.



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 6, 2021**

TITLE:	AGREEMENT - City Council Chambers Lectern and On-screen Timer		
ITEM TYPE:	Agreement		
FISCAL IMPACT:	\$17,082.00 from GL 10-19-41955-7412		
APPLICANT:			
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Lianne Pengra, Recorder's Office

PRESENTED BY:

Fionnuala Kofoed, City Recorder

RECOMMENDATION:

Staff recommends the City Council approve the agreement with GENCOMM in the amount of \$17,082.

BACKGROUND:

The contract includes a custom oak lectern with an equipment rack, a Beyerdynamic microphone, cable access enclosure, lectern caster set, a custom touch panel mount with an existing QSC touch panel, and a 22" touch screen. The contract also includes programming for an on-screen timer overlay to be placed on the Council Chambers dais monitors, the projector screen in the Council Chambers, and on the Granicus feed. Whether in the Council Chambers or remotely, the timer will show much much time is remaining for public comments. GENCOMM's pricing is set under Utah State Contract #MA513.

The lectern gives applicants the ability to project presentations and other visuals onto the screen in the Council Chambers and to Granicus for virtual participants and the public to view.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 6, 2021**

TITLE:	Construction Management and Inspection Services for Pony Express Phase 5 Widening Project - PEPG Consulting		
ITEM TYPE:	Bid Award		
FISCAL IMPACT:	\$46,200		
APPLICANT:	Eagle Mountain City		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Chris Trusty, Public Works

PRESENTED BY:

Chris Trusty

RECOMMENDATION:

Staff recommends that the City Council award a bid to PEPG Consulting, in the amount of \$46,200, for construction management and inspection services for the Pony Express Phase 5 Widening project.

BACKGROUND:

A portion of the funding for the Pony Express Widening project was intended to cover inspection services and construction management for the project. This will allow a dedicated inspector to be present throughout the construction of the project while not posing a impact to city staff time. The City solicited bids for this service and received several proposals from qualified engineering and inspection firms. After reviewing the proposals, staff recommends that the contract for Construction Management and Inspection Services be warded to PEPG Consulting. Below is a list of consultants who provided a proposal, and their proposed costs.

PEPG - \$46,200; 660 Hours

PEC- \$90,000; 924 Hours

WCG- 39,133; 681 Hours

Epic - \$94,000; 900 Hours

Horrocks - \$126,438; 1073 Hours

Sunrise - \$115,509; 900 Hours

Terracon - \$160,512; 974 Hours

Kleinfelder - 1765 hours, with hourly rates provided but not a total

cost

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:



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

Thursday, December 10, 2020

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

SUBJECT: Glenmar Ranch phase "B" plat 4 into warranty Bond Release

City Recorder:

The above referenced subdivision has completed all the required improvements as of this date. With the approval of the installed infrastructure, we are recommending this subdivision begin the required one-year warranty period. A reduced bond letter has been generated, reducing all bond items which have been completed. A warranty bond for the remaining warranty amount must be issued and maintained until released from the warranty period by the city.

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

Sincerely,

Chris Trusty

Chris Trusty (Dec 10, 2020 15:29 MST)

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

Cc: Fionnuala Kofoed, City Recorder



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 6, 2021**

TITLE:	Facebook Water Tank Change Order #2 - Probuild		
ITEM TYPE:	Change Order		
FISCAL IMPACT:	\$21,246.22		
APPLICANT:			
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Chris Trusty, Public Works

PRESENTED BY:

Chris Trusty

RECOMMENDATION:

Staff recommends that the City Council approve the Facebook Water Tank Change Order #2 for Probuild, in the amount of \$21,246.22.

BACKGROUND:

As part of the purchase agreement for the property, the owner requested that black vinyl coated fencing be used, which was an upgrade from the original costs for the project of. Additional costs were added for changes to the storm drain system that the tank overflows were directed into, due to utility conflicts. The total costs for these changes is \$21,246.22. The original contract amount was \$2,741,138.00, and with the previous change order of \$60,000.00, the total contract for ProBuild on this 3.5 MG tank 1 \$2,822,384.22. This project is being funded by Facebook.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 6, 2021**

TITLE:	Water Model Rebuild Change Order #2 - Psomas		
ITEM TYPE:	Change Order		
FISCAL IMPACT:	\$15,661		
APPLICANT:	Eagle Mountain City		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

RECOMMENDATION:

Approval

PREPARED BY:

Chris Trusty, Public Works

BACKGROUND:

The City Council budgeted \$100,000 for a water model rebuild for this fiscal year. City staff solicited proposals from qualified consultants and awarded the contract to Psomas after an evaluation of the proposals received. Psomas bid was well below the budgeted amount at \$26,835.

PRESENTED BY:

Chris Trusty

Because the proposal received was so low, City staff requested that the model include additional review of differing scenarios not included on the original scope of work. Change order #1 was approved for \$14,055.

Additionally, the original proposal assumed that there would be 60 hours of field time needed so that the City could set a level field that potential modelers would bid against. However, until the field investigations began, there was no way to know exactly how much time would be required. Change order #2 includes an additional 36 hours of field investigation resulting in an additional \$3,600.

Change Order #2 also includes an additional \$6,561 due to modeling efforts related to running various scenarios involving Project Freemont and \$4,000 related to Pole Canyon. Lastly, the City hired an Engineer in Training as part of the 2021 budget year. Part of the intention of hiring this engineer was to bring the water modeling services in-house. The City asked Psomas for a fee to train City staff on the current water model so that future updates will be done by City staff. The fee for the training services is \$1,500, which will include as many staff members as requested by the City.

The total for Change Order #2 is \$15,661, bringing the total cost for the

Water Model Rebuild to \$56,551, still below the original budget of \$100,000.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 6, 2021**

TITLE:	Software Agreement Change Order #1 - Accela		
ITEM TYPE:	Change Order		
FISCAL IMPACT:	\$6,210		
APPLICANT:	Eagle Mountain City		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Steve Mumford, Admin

PRESENTED BY:

Steve Mumford, Assistant City
Administrator / Community
Development Director

RECOMMENDATION:

Staff recommends that the City Council approve the Accela Software Agreement Change Order #1, in the amount of \$6,210.

BACKGROUND:

In July, 2020, the City Council approved the professional service agreement with Accela for land management software and support. Accela's implementation team is Byrne Software Technologies, Inc. We are nearing full implementation of the software, and there is a need for additional scripting in order to further improve the automation of the system, thus reducing the possibility of user error. The additional scripting will benefit the Building, Planning, Neighborhood Improvement, and Business Licensing functions. In anticipation of the need for this change order the City Council recently (1/19/21) approved a budget amendment, adding \$15,000 to the Accela Land Management budget.

We anticipate that the software will be fully implemented in the next 30-45 days.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

[Accela Change Order #1](#)

Change Order

Agency: City of Eagle Mountain, UT
Project Code: 3935-EAGLU.00
Contract ID: 07202020
Initiating Department: Admin
Initiated By: Brian McAllister

CO #: 1
Date: 12/14/20

A. PROJECT CHANGE DESCRIPTION/TASK SUMMARY:

1. Executive Summary

This change order serves to note additional scope changes to the project that will be required for the remainder of the project timeline. The executive summary for these items is listed below.

Updates to Deliverable

- **Deliverable 6: Business Process Validation and Automation (SCRIPTING) (UP TO 60 HOURS)**

Additional details for the item noted above are noted in section 1.A (see below).

A. Description of Services

Module	Scope	Estimated Hours
Building	• Create a script that will not allow the permit to be issued, or updated to a status of issued or closed, if there a fee due on the record:	2
Building	• For Building Module, Do not allow the "Permit Issuance" task in the WF to be updated to the Statuses, "Issued", if there are fees due on the record.	2
Licensing	• For the Alcohol Application record type, if the Custom Field, "Is the business located within 300 feet of churches or schools?" = "Yes", do not allow the Alcohol Application License to be issued, by not allowing the "Review Consolidation" Workflow task to have the status "Approved" selected, and it move forward to the License Issuance task.	2
Licensing	• For the Business Application record type, if the Custom Field, "Use or storage of flammable or combustible liquids in large quantities or hazardous materials?" = "Yes", add a Pending Fire Inspection to the record, and make it required.	4

Change Order

Licensing	For the Business Application record, if the Custom Field, "License Type" = Home Business, OR, Commercial Business, assign a Pending "Fire Inspection" to the record.	4	
Licensing	Do not allow the Business Renewal record to advance from the Renewal Intake task with a status of "Renewed", if there is not an approved "Fire Inspection" on the Business Renewal record.	3	
Licensing	Do not allow the "License Issuance" task in the WF to be updated to the Status "Issued" if there are fees due on the record.	2	
Licensing	Do not allow the "License Renewal" task in the WF to be updated to the Status "Renewed" if there are fees due on the record.	3	
Neighborhood Improvement/Enforcement	For the Parking Violation record type, add a script that will send a notification to the sheriff's office if the vehicle is towed, which is identified by the workflow reaching the "Vehicle Towed" status. The email should include all of the information from the Custom Lists Group Code "ENF_GENERAL" and Subgroup, "VEHICLE INFORMATION", and the email should be sent to the email addresses listed in the Standard Choice, "sheriff_email".	3	
Neighborhood Improvement/Enforcement	For the Parking Violation record type, add a script that will send a notification to the contact(s) on the record if the status of "Violation Notice Sent" or "Courtesy Notice Sent" are selected on the Investigation task. The notification should include the information from the Custom List subgroup "Violation Information".	2	
Neighborhood Improvement/Enforcement	Create a script that will auto assign the first task in the PM Case workflow to the user that created the record and the Assigned staff on the record. This is for the Enforcement Property Maintenance Case record type, the workflow is ENF_PM_CASE, and the first task is "Initial Inspection". There are two users in the Enforcement module/group: Jeanie West and Jim Barney.	4	
Planning	A script needs to be created for the Accessory Apartment record type for the Expiration Code. The Accessory Apartment permit expires whenever the owner is changed on the record. The script needs to handle that custom expiration code.	4	

Change Order

Planning	Also, for the Accessory Apartment record type, create a script that will check if the Owner has been changed in GIS, and if it has then the script should place the "Change of Ownership" condition on the record. Also add a notification email that will be sent to the planning department email, notifying them of the expiration/ownership change. Email address is planning@emcity.org.	8	
Planning	For Planning Module, Do not allow the "Case Complete" task in the WF to be updated to the Statuses, "Closed – Approved", "Closed – Approved on Appeal", "Closed - Approved w/ Conditions", or "Closed – Denied", if there are fees due on the record.	3	
	TOTAL	46	

B. Project Change Summary

The total project cost impact will be added to the project budge as a result of additional scope:

Total Project Cost Impact: \$6,210.00

B. BILLING TERMS:

The Accela Consulting services are provided on a Time and Material (T&M) basis plus any out-of-pocket expenses, unless documented. Estimates given are not considered as a fixed bid unless specifically stated as such, in writing, by Byrne Software. Work is not to exceed \$6,210.00; equivalent up to 46 hours. The Agency will only be charged for the time spent to complete; if additional hours are required, a change order must be first approved by the agency. Byrne Software bills monthly for services provided the previous month. Billing terms are Net 30. A billing rate of \$135/hour will be used. The T&M estimate is based on the information available at the time of signing and the assumptions, dependencies and constraints, and roles and responsibilities of the Parties, as stated in this Change Order.

C. EXPENSES:

Actual amounts of any reasonable and customary travel expenses incurred during the performance of services under this Change Order will be billed as incurred according to Byrne Software expense policy. Byrne Software will bill Agency for actual expenses incurred for travel and lodging/living, including travel time (\$100/hr.), as well as other approved out-of-pocket expenses (i.e., car rental, mileage, parking, and tolls). Reasonable travel expenses would be approved by the Agency, in advance. Expense receipts will be made available as requested by Agency.

D. EXPIRATION:

Expiration will follow the terms of the Statement of Work

Change Order

Signature and Acceptance

The above Services will be performed in accordance with this Change Order/Work Authorization and the provisions of the Contract for the purchase, modification, and maintenance of the Accela systems. The approval of this Change Order will act as a Work Authorization for Byrne and/or Agency to perform work in accordance with this Change Order, including any new payment terms identified in this Change Order. This Change Order takes precedent and supersedes all other documents and discussions regarding this subject matter.

Accepted By: City of Eagle Mountain, UT	Accepted By: Byrne Software Technologies, Inc.
By:	By:
Print Name:	Print Name:
Title:	Title:
Date:	Date:



EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

March 16, 2021, 4:00 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

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

CITY STAFF PRESENT ELECTRONICALLY: Paul Jerome, City Administrator; Steve Mumford, Assistant City Administrator/Community Development Director; Kimberly Ruesch, Finance Director; Tayler Jensen, Senior Planner; 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; Angela Valenzuela, Human Resource Manager; Evan Berrett, Assistant to the City Administrator; and Robert Ballif, Engineering Assistant.

Mayor Westmoreland called the meeting to order at 4:02 p.m.

1. CITY ADMINISTRATOR INFORMATION ITEMS

1.A. UPDATES – City Administrator Items

City Administrator Paul Jerome provided updates on the following current City projects:

- The Lone Tree Parkway and Pony Express Parkway traffic light has been awarded and the anticipated completion date is June 30, 2021.
- The Pony Express Parkway Phase 5 widening project bid award is scheduled on the consent agenda for this meeting with an estimated project completion date of October 31, 2021.
- The bid award for Airport Road should be completed in May 2021 with an estimated project completion date of October 31, 2021.
- A second appraisal is underway for land purchase for the sewer treatment plant expansion.
- The Pole Canyon sewer project has been delayed due to inclement weather in Texas and electrical issues. The updated completion estimate is May 2021.
- The west access to the Facebook data center is behind schedule due to weather delays and failures in need of correction that will be remedied along with the final lift installation in May 2021.
- Bids for the water and sewer administration building will soon be submitted and awarded in May 2021 with an anticipated completion date of May 2022.

- The current phase of the Wastewater Treatment Plant expansion is scheduled for completion in July 2021.
- The City is actively pursuing upgrade solutions for the White Hills well before increased seasonal, landscaping usage begins.
- An aerator needs to be purchased for approximately \$152,000 to provide oxygen to the cannibal sewer treatment system. The City is paying a rent-to-own monthly fee of \$16,000 to \$17,000 for the portable equipment that can be moved to various locations including City ponds. Should the City determine to purchase the equipment, the rental fees will be credited towards the purchase and deducted from the total cost. The money will be taken from the sewer fund and is not impact fee eligible.

1.B. DISCUSSION – Rental Dwelling Licensing

Assistant to the City Administrator Evan Berrett presented the item. Eagle Mountain City has approximately 944 rentals; 65% of those rentals are single-family homes and 14% are townhomes. Currently, Municipal Code requires a conditional use permit for an accessory apartment that expires upon the sale of the home. The standards only apply to accessory apartments and have limited capacity to identify unpermitted accessory apartments.

Requiring a rental dwelling license would help maintain up-to-date landlord contact information which facilitates the City contacting landlords directly regarding any issues and would assist in reducing the number of unauthorized rentals. Rental dwelling licensing would not restrict who can or cannot rent in the City, add restrictions on the eligibility of properties, and/or conflict with Utah House Bill 82.

The primary objectives of licensing are to provide contact information to assist Neighborhood Improvement Officers in resolving issues faster, to help landlords be aware of issues with their tenants or property, to enable Utility Billing staff to contact landlords when renters are unresponsive, to assist the City in the future by potentially requiring utility accounts to be in the name of the landlords to simplify utility billing, and to reduce the number of unpaid final balances. Other Utah cities have implemented rental dwelling licensing requirements resulting in positive impacts. Ogden City also incorporated a Good Landlord Program. Participation significantly reduces the license fee and includes training on laws and best practices; over 1,300 landlords have participated.

The proposed standards would apply to the landlords of one or more rentals and do not apply to renting to family members or vacation rentals. If the owner lives out-of-state, a local representative must be designated. The landlords will be required to renew the license annually without a renewal fee. The application collects basic contact and property information. Staff will implement the requested modifications discussed during the meeting and work with other groups such as the Utah Central Association of Realtors.

Mr. Jerome explained the agreement would allow the City to ensure the bills are tied to the owner of the property which would help in cases when renters fail to pay bills prior to moving and no active person is on the account which currently may result in utility disconnection and fees without the landlord's knowledge.

Councilmember Clark inquired if the proposed standards would create a registry rather than a license requirement due to the lack of a fee, if the license would decrease current issues or is only meant to expedite contacting landlords, and if the City will be holding landlords accountable for the health, safety, and welfare of tenants. She expressed concern with the City assuming the role of informing the landlord of civil issues.

City Attorney Jeremy Cook recommended implementing a license rather than a landlord registry as it implies a noncompliance fine and requirement standards in association with the license. It would also facilitate the addition of a license fee at a future date, if merited.

Mr. Berrett clarified that although the new standards may not reduce the number of infractions, they will increase the speed and efficiency of Neighborhood Improvement in resolving issues, particularly for cases on properties with out-of-state landlords. The intent is to better inform landlords of infractions. He clarified that the City will only be involved with contacting the landlord due to Municipal Code violations to try to resolve and deescalate situations quickly and efficiently. The option to allow renters to sign up for utilities will be implemented later.

Councilmember Curtis suggested exempting accessory dwelling units, due to the unlikelihood of issues on properties with homeowners living at the residence, and properties without yards, and recommended removing the language regarding a fee, due to concerns that a fee would discourage landlords from applying for a license and to reduce government bureaucracy.

Councilmember Gray expressed concerns regarding the mechanism to inform residents of the licensing process, which department would process the licensing, and requiring landlords to be responsible for the utilities due to the variability of utilities based upon use and conservation efforts of the renters.

Mr. Berrett explained that the City would research potential methods to inform the residents of the licensing requirement. The newly acquired Accela software will be utilized for rental licensing with a coordinated effort between the Planning and Utility Billing departments and billing software. In other cities, landlords have included an approximate utility cost in the rental fee based upon the size of the home and average usage.

Mr. Jerome stated that most of the City's utilities are fixed costs, other than water consumption, as power and gas are provided and billed by other entities. Having the utilities in the landlord's name would allow the bills to transition back to the landlord should the renter leave and close their account.

Councilmember Gray recommended charging a licensing fee due to the cost of the software and additional staff time.

Mr. Berrett stated that the intention is to reduce overall staff time and cost by reducing the time spent by Utility Billing and Neighborhood Improvement searching for landlord contact information. Landlords also should have the ability to update their information online, reducing data entry staff requirements.

Mr. Jerome explained the difficulties in collecting past due bills under the current system. He noted that staff is sometimes able to locate the new address for the resident with an outstanding balance at a previous address if the individual remains in Eagle Mountain, but the process is time and labor-intensive.

Councilmember Love suggested having a fee for the license that will be waived if the landlord participates in a good landlord program to incentivize background checks and best practices. She desires accessory dwelling units to be included in the program. If the name of the landlord is on the utilities, the landlord can better manage payments, which would be mutually beneficial.

Councilmember Curtis expressed concern in creating a program that residents will not utilize if there is an associated fee. He said that he would not pay a fee to participate in such a program if he rented out an accessory dwelling unit; however, he would provide his information if the program did not include a fee. He suggested that staff cross-reference the names of the individuals signing up for utilities with the name of the property owner listed in the county records to determine if a resident is a renter. Although he noted the validity of the concerns, he expressed concern with creating a program that might not function in the way intended.

Councilmember Clark advocated for consideration of the benefit of such a program to residents that have complained to the City regarding Municipal Code enforcement issues with neighboring properties that have caused negative impacts to those residents and to their property values.

1.C. DISCUSSION – Rezone Initiation – The Ranches and Eagle Mountain Properties

Assistant City Administrator/Community Development Director Steve Mumford presented the item to inform the Council and the public that the rezoning process has been initiated for undeveloped properties in the City with expired master development agreements that have not been rezoned in association with development. The City will contact property owners to discuss concerns or questions. The rezones will be noticed and approved by the City Council on future agendas in several phases. The zoning will be in harmony with the General Plan Future Land Use designation categories, allowing some variance when determined to be appropriate and desirable.

1.D. DISCUSSION – Hidden Hollow Phase C

Mr. Mumford introduced the item.

Applicant representative Ryan Bybee noted he had provided information to the City Council that had been included in the packet and in the interest of time asked the City Council if they had any questions or feedback.

Councilmember Gray expressed concern regarding the appraisal value for the City-owned property proposed to be sold to the applicant.

Mr. Bybee stated his willingness to do another appraisal, but clarified the cost included consideration of the difficulty of developing the specific lots. He requested a new appraisal happen quickly, if the Council determines it is necessary, to allow him to move forward with the project.

Councilmember Curtis concurred with Councilmember Gray. He feels the density is reasonable based on the current proposal. He dislikes alley-loaded products and approves of the front-loaded unit elevations.

Mr. Mumford stated the pool and clubhouse would be available for the 137 townhome residents and the pool size meets the requirements and compares well with other projects.

Councilmember Gray advocated for requiring a clubhouse to provide a place of gathering as he personally does not use swimming pools but would use a clubhouse. He stated the clubhouse would be a better benefit; however, he recognizes that pools tend to be more popular.

Councilmember Curtis stated that as the townhomes have not been sold yet, the homeowners can select to live in another area with a clubhouse if that is of importance to them.

Councilmember Clark said that one of her concerns is the proximity requirements for multifamily amenities and does not foresee an issue with this project. She suggested the City examine the multifamily requirements to determine if the City is in alignment with the demands of the market and desires of the residents.

Councilmember Love agreed with Councilmember Clark regarding evaluating multifamily amenity requirements and rear-loaded products. She advocated for amending Municipal Code to standards in line with requirements the City Council desires and believes should be enforced.

Mr. Mumford stated he believes that changes in the level of enforcement of the standards between phases have impacted the project. The Planning Commission's concern was due to conflict between areas of the project not in adherence to Municipal Code and their role in enforcing Municipal Code standards.

Councilmembers Clark and Love requested a Council discussion item regarding multifamily amenity and design standards to determine if the Council desires to direct staff to draft Municipal Code amendments.

Councilmember Love said she felt that it would be better for the applicant to provide a pool and a clubhouse instead of a pool with a changing room and bathroom due to the proximity of the residences to the pool.

Mr. Bybee stated he would do whichever option was desired by the City Council, as his primary desire is to move forward with the project as soon as possible.

Councilmember Burnham expressed her support for either plan proposed by the applicant and thanked the applicant for his work.

Mr. Bybee explained their project begins the groundwork to provide parking and other elements to a regional bike trail amenity.

Mr. Mumford stated that staff is working on a multifamily architectural standard amendment but pool and clubhouse standards would be a separate discussion.

Councilmember Curtis stated as he feels the front elevations are not garage-dominated, the elevations comply with Municipal Code standards. He recognized the difficulty of the Planning Commission in determining if a project meets Municipal Code standards if there are differences in the interpretation of the standards, such as what constitutes a garage-dominant product. He expressed his desire that the standards be clarified.

Mr. Bybee agreed with Councilmember Curtis and said he attempted to visually balance the front elevations to reduce the impact of the garage.

Mr. Mumford explained that the garage size standard in Municipal Code is a recent change that would apply to this project unless exempted by Council.

Mr. Bybee stated that the plat uses the same two designs as Phase B which includes two-car and three-car garages. A change in garage size would result in a \$50,000 expense to redesign the product. He requested approval under the previous standards to make possible the ability to contribute the money to the additional amenity features he has offered, rather than a redesign.

Councilmember Clark expressed her preference to enforce the garage size standard due to the length of time since the creation of the requirement and for the reasons the standard was created.

Councilmember Burnham advocated for a compromise considering the additional amenities and due to this being a part of an on-going development, while acknowledging Councilmember Clark's concerns.

Councilmember Love concurred with requiring the larger garage sizes as she did not feel it would be difficult to amend the designs to accommodate larger garages.

Mr. Bybee explained that increasing the garage increases the size of each unit in a six-plex building, which increases the overall size by twelve feet. This impacts the amount of property used by the unit and the open space. They have already made the adjustments to the single-family units in the project to increase the garage sizes.

Discussion ensued regarding the size of the garages.

Councilmember Gray supported enforcing the garage size requirements, especially in consideration of street parking issues in other townhome developments.

1.E. UPDATE – O'Reilly Auto Parts Site Plan

Senior Planner Tayler Jensen presented the item. The site plan proposal is for an O'Reilly Auto Parts to be located at 4266 Pony Express Parkway, southeast of Porters Crossing Parkway and Pony Express Parkway, adjacent to the recently approved Dollar Tree, and backs onto homes in the Oak Hollow subdivision.

Per EMMC 17.100.050(B), any commercial lot which abuts a residential use shall be effectively screened by a combination of a wall, fencing, and landscaping of acceptable design. EMMC 17.35.050(F) requires buffering or transitioning when built adjacent to residential uses, and EMMC 17.60.110(D) requires applicants to provide headlight screening. While a wall exists, due to following the natural grade, additional buffering is required roughly adjacent to where the O'Reilly access aisle enters the project.

Per 17.72.040(A), buildings shall be similar in style to adjacent buildings. The proposed building is similar in appearance to the Dollar Tree, but the color palette is much lighter than both the Dollar Tree and Eagle Vision.

Per EMMC 17.72.040(C), the primary roof form of a structure should help reduce the perceived scale of a building. All commercial buildings shall contain either sloping roofs with overhanging eaves or a decorative parapet and multiple roof planes and heights. Elevations should be amended to include a tower to increase the height of the parapet above the main entry and columns. Per EMMC 17.72.040(E), buildings shall incorporate a majority of the following details: reveals, canopies, awnings, popouts, columns, decorative trim and moldings, architectural lighting, ornamental cornices, decorative masonry pattern, decorative doors and windows, exposed timbers, and trellis. All sides of a building shall include the chosen details. Only four of the 12 have been used by the applicant; at least three additional architectural features shall be used on all four sides of the building. Per EMMC 17.72.040(G), a building's color palette should be similar to that of significant neighboring structures. The color palette should be amended to be similar to the colors used on the Eagle Vision and Dollar Tree buildings.

The parking standards require 25 to 37 stalls and 28 stalls are provided. EMMC 17.35.050(K) requires bicycle parking to be provided with all commercial locations and no bicycle parking is provided. The sign indicated on the site plan must follow EMMC 17.80.

The Planning Commission held a public hearing on the request on March 9, 2021, and voted 3 to 2 to recommend approval of the site plan to the City Council with the following conditions.

1. The applicant shall increase the height of the wall along the south of the property to provide effective screening between the project and the Oak Hollow homes;
2. At least three additional design elements designated in EMMC 17.72.040(E)(1) shall be added to all four elevations;
3. All parking lot lighting shall be no more than 17 feet above the pavement;
4. Color rendering or material/color details of the dumpster enclosure is provided to confirm compliance with Municipal Code; and
5. Bicycle parking shall be provided in compliance with EMMC 17.35.050(K) at a location to be identified between the applicant and staff.

The dissenting votes were by Commissioner Wells as she felt the other staff recommendations should be included and Commissioner Wright due to the other Municipal Code elements identified by staff that he felt should be encouraged to be included by the developer such as the roofline changes.

Mr. Jensen explained that the two main staff recommendations excluded from the Planning Commission recommendation were for the elevation to be amended to include a tower or higher roof section and to include a stacked stone section similar in color to the other buildings.

Councilmember Gray expressed concern that dirt had been added to the site that contributed to the grade difference between the commercial and residential areas and thought that it might have been dirt dumped by the residential development sites.

Mr. Jensen stated he was unsure if dirt had been added to the site. He explained that the commercial user is required to provide adequate screening along residential uses and have several options to fulfill the requirement. The applicant had offered to put in deciduous trees. The Planning Commission was concerned that deciduous trees would provide an insufficient screen.

City Engineer Chris Trusty verified that the O'Reilly's parking lot will slope towards the building to collect and drain stormwater. All the water from the hard surfaces will be caught within the storm drain system. He confirmed that the only water that might drain towards the homes would be from the area between the parking lot and the fence.

Councilmember Love noted that Municipal Code considers everyday circumstances. O'Reilly's is a different situation and increases the screening needs and requires the most effective screening possible due to the nature of the business servicing vehicles. She requested the applicant relocate the parking stalls to not face towards the homes.

Mr. Jensen noted that the parking relocation would also relocate the dumpster and would impact cross-connection with the future business to the east.

Councilmember Love expressed concern that the proposed configuration will cause similar issues for the residents south of the business parcels to the east and suggested moving the road farther south.

Councilmember Curtis said the traffic flow would be better if the parking south of the O'Reilly's was removed.

Mr. Trusty stated that the landscaping along the fence would have a grade two to three feet higher than the residential properties.

Discussion ensued regarding the grade variance between the site and the residential properties.

Councilmember Curtis noted that due to the grade difference, headlights will shine directly into the residents' homes. He stated that a significant and permanent screening solution needs to be devised.

Councilmember Gray stated that he has ideas of how to resolve the screening issues but thinks that determining a solution should be the purview and responsibility of the applicant.

Applicant representative Ryan Forsythe said they will be removing dirt from the site, which will reduce the grade; the final building will only be a foot above the natural grade. He stated he regrets that he was not aware of the grade variance and screening concerns when extending the fence previously at the City's request. He recognized the screening concerns; however, he believes the final product will be a less significant problem than currently anticipated.

Councilmember Clark noted that the current wall is functioning as a retaining wall and inquired if a retaining wall would be required for the project.

Mr. Trusty explained that a retaining wall had not been required because the grading plans submitted to the City shows a two-foot grade difference over 20 feet of land. If the grade has increased, the applicant will need to resubmit grading plans. He has not personally visited the site recently; however, there appeared to be extra material on the site. Perimeter fencing is not usually included in the inspections. He was surprised the fencing was installed to follow the natural grade.

Councilmember Clark requested Mr. Trusty evaluate the site and provide his recommendations and understanding to assist with their decision. She supports realigning the parking and rear drive-aisle and advocated for addressing the screening needs and concerns for the Oak Hollow residents adjacent to other commercial sites under development.

Mr. Jensen cited EMMC 17.100.050(B) "Any commercial lot which abuts a residential or agricultural use shall be effectively screened by a combination of a wall, fencing, and landscaping of acceptable design. Required walls or fences shall not be less than six feet in height, unless a wall or fence of a different height is approved by the City Council."

Mr. Forsythe noted that the parking along the south of the building is intended to accommodate delivery trucks and expressed his willingness to approach O'Reilly regarding relocating the parking. He reiterated the final grade of the site will be lower than the current site indicates and the fill dirt on the site is intended to be utilized on an adjacent commercial location for a future project.

Councilmember Love agreed that removing the parking would not be ideal for the delivery trucks but feels there is adequate parking available elsewhere that could be used by the delivery truck. She stated that there should be a six-foot buffer from the highest point of the lot, not the lowest.

Mr. Forsythe said that the lowest point is located adjacent to the Dollar Tree and not the O'Reilly parcel. He recognized the screening concerns. The residential developer should have adjusted the fence to accommodate the grade difference, now the burden has been transferred to the commercial development. He expressed concern regarding the impact to the residential lots of installing a retaining wall and a second screening wall and feels that in consideration of the final grade of the building that evergreen screening will be sufficient, especially considering they already paid to extend the fence to screen between the residential and commercial uses.

Councilmember Love mentioned that during the Planning Commission meeting, Commissioner Everett recommended raising the height of the existing wall to be level with the other sections to compensate for the drop in the natural grade. She noted that if a screening wall is required by Municipal Code, the applicant is responsible for the wall regardless of the recommended conditions of approval.

Mr. Forsythe said his understanding was the requirement allowed for a combination of walls and landscaping screening and explained the difficulties in constructing a retaining wall and a secondary wall, especially in consideration of the location of the underground detention basin. He offered to have City representatives visit the site once the dirt has been removed to be able to demonstrate the final grade of the project.

Councilmember Clark said she thinks the applicant should build a retaining wall where the grade changes and install a screening fence on the commercial property. She believes the residents would rather have their yards disturbed temporarily in order to have permanent effective screening. She clarified that the headlight screening requirement is three-and-a-half feet and the commercial and residential screening requirement is six feet. The existing wall is too low to fulfill the screening requirement.

Mayor Westmoreland directed staff to work with the applicant to find a solution to the screening concerns and to keep the City Council and him updated on the progress.

Councilmembers Curtis and Love concurred with the Planning Commission members that desired an increase in architectural details.

1.F. UPDATE – Pole Canyon NPA-11 Preliminary Plat

Mr. Mumford presented the item. The subject property is approximately 5.6 acres and is located adjacent to the White Hills subdivision; the property runs along the north sides of Jackson Street and Jefferson Avenue and the west side of Eisenhower Street. The property is subject to the Pole Canyon Annexation and Master Development Agreement (MDA). The MDA divided the Pole Canyon area into several planning areas consisting of neighborhood (residential), commercial, and business park/industrial uses. The property, identified as NPA-11, has vested rights for residential zoning for a total of 20 residential lots/units with a density of 3.36 units/acre and a 10,000 square feet minimum lot size.

A preliminary plat application was submitted in 2013 but was later withdrawn. A similar preliminary plat application was made in 2016; the Planning Commission held a public hearing on June 14, 2016, and made a positive recommendation and the application was placed on hold. Both times, the request was withdrawn or put on hold in order to complete infrastructure requirements.

The 20 residential lots range from 10,684 square feet to 13,940 square feet with an average lot size of 11,848 square feet. The smallest frontage width is 101.75 feet. The setbacks are based upon the Tier II residential requirements at the time of the MDA execution. Setback requirements for the Tier II system were 15 feet for the front of the unit, 22 feet for the garage front, 5 feet for the side,

and 10 feet for the garage side, and 20 feet for the rear. The setback requirements for the R2 zone are 25 feet for the front of the unit, 25 feet for the garage front, 8 feet for the side, and 10 feet for the garage side, and 20 feet for the rear.

The Future Land Use designation for the property in the General Plan is Neighborhood Residential One. Based on the proposed lot sizes and frontages, the equivalent current zoning would be R2. The Neighborhood Residential One land use includes the potential zoning districts of R1, R2, and R3.

Currently, the White Hills subdivision and the subject property have only one access onto Wride Memorial Highway via Wilson Avenue. EMMC 16.35.070 requires a second "separate and approved fire apparatus access road" based on the number of lots in this area. The applicant has proposed a 30-foot temporary access easement extending north from Adams Street to include a 20-foot-wide paved access road and restricting parking on both sides of the access road.

EMMC 15.10.390 requires streetlights in residential developments. The applicant has previously requested a waiver from the streetlighting requirement because the White Hills subdivision does not currently have streetlights and feels adding lights for this development will be out of character. EMMC 17.25.050(I) allows the Council to exempt streetlights from projects in the RA1, RA2, and RD1 zones with one-acre or larger lots.

The Planning Commission held a public hearing on the request on March 9, 2021, and voted unanimously to recommend approval of the preliminary plat with the following conditions:

1. That the temporary access road to the north will be constructed to the attached civil plans and as requested by United Fire Authority with a 30-foot-wide temporary access easement, 20-foot-wide paved access road within the easement, "No Parking" signs on both sides of the access road, and the road must be capable of supporting 65,000 pounds;
2. The applicant will record a temporary access easement on parcel 59:050:0052 to establish and build the temporary access road;
3. Streetlighting shall be installed in compliance with EMMC 15.10.390; and
4. No building permits in the area be granted until the sewer is completed.

Mr. Mumford explained that parts for the sewer system had been delayed and the estimated completion date for the sewer is currently early May 2021. Staff recently issued a building permit for one of the empty lots in the existing development that had been previously delayed due to the sewer. The previous directive was to withhold building permits until the beginning of sewer construction and to withhold occupancy permits until the sewer was completed. As a precaution, building permits were held longer than anticipated to prevent residents from being unable to occupy completed homes. The staff recommendation to the Planning Commission had been to hold certificates of occupancy until the completion of the sewer; however, the Commission determined to recommend holding building permits until the sewer is completed.

Mr. Mumford clarified that new State requirements regarding access roads prevent a municipality from withholding building permits until an access road is paved if the access road is capable of supporting emergency apparatuses; however, pavement can be required prior to home occupancy. The City Council may require the sewer completion prior to issuing building permits.

Councilmember Clark sympathized with the circumstances beyond the applicant's control that caused delays in the sewer installation but expressed concern that the City would lose their leverage to ensure the sewer installation occurred if they allowed building permits to be issued prior to the sewer completion.

Mayor Westmoreland clarified that both the water and sewer infrastructure are the City's responsibility.

Applicant representative Nate Shipp explained that they intend to build and pave the road within a few weeks of the road base installation, barring weather delays. Requiring road pavement could significantly delay the project due to seasonal weather impacts. He clarified that the requested lighting is along the existing road, not the new access road adjacent to the homes. He said that they had excluded streetlights in this location as there are not any streetlights on the adjacent homes. He has received resident comments both for and against streetlights.

Councilmember Gray stated his preference to withhold certificates of occupancy instead of building permits for the project until the sewer is complete, as residents would not be allowed to occupy the homes without a functional and adequate sewer system, regardless of the conditions of approval.

Councilmember Curtis expressed concern that the City is more likely to receive resident complaints due to withholding certificates of occupancy than withholding building permits.

Mr. Mumford clarified that the temporary access is required to remain in place until the permanent access is provided.

Mr. Shipp explained that utilities need to be installed under the proposed location for the permanent road and the access road will be utilized until the permanent road can be installed. Then the access road will be removed and replaced with additional homes. The 20 lots in this proposal were included in the previous sewer bond and they have been paying fees to help fund the upgrade. This development is not a part of the current sewer district; however, this project will assist in rectifying issues within the other sewer district. The City approached them about enlarging their sewer line to accommodate adjacent properties. After several delays, they have completed the infrastructure and are waiting on parts necessary to finish the sewer project.

Mr. Trusty stated that the Tyson Foods site required the upsizing of the sewer capacity and redesign partway through the project.

Councilmember Curtis summarized that the delays in the project were not due to unwillingness or lack of corporation of the applicant, but were due to changing needs of a rapidly growing City not associated with this project.

Councilmember Clark advocated for the installation of streetlights due to future expansion in the area rather than adding the lights later when the need arises.

Councilmember Burnham stated she agreed with requiring the streetlights to prevent the City from needing to add lighting later. She said certificates of occupancy should be held until sewer completion. She recommended adjourning the meeting and reconvening work session after the Redevelopment Agency Board Meeting.

Discussion ensued and the Council determined to postpone item 1.G. until a future meeting, delay the discussion regarding the consent agenda until policy session, and to adjourn the meeting.

1.G. UPDATE – Prairie Gate Business Campus Recorded Plat Amendment

This item was removed from the agenda at the request of the Mayor and City Council due to time constraints.

2. AGENDA REVIEW

This item was removed from the agenda at the request of the Mayor and City Council due to time constraints.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

No closed session was held. Mayor Westmoreland adjourned the meeting at 6:41 p.m.

7:00 P.M. POLICY SESSION (directly following RDA meeting) – VIA LIFESIZE ELECTRONIC MEETING

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

CITY STAFF PRESENT ELECTRONICALLY: Paul Jerome, City Administrator; Steve Mumford, Assistant City Administrator/Community Development Director; Kimberly Ruesch, Finance Director; Tayler Jensen, Senior Planner; 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; Angela Valenzuela, Human Resource Manager; Evan Berrett, Assistant to the City Administrator; and Robert Ballif, Engineering Assistant.

4. CALL TO ORDER

Mayor Westmoreland called the meeting to order at 7:46 p.m.

5. PLEDGE OF ALLEGIANCE

City Recorder Fionnuala Kofoed led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

This item was discussed after item 8.

- An Easter Egg Drive-up giveaway will be held on Saturday, March 20, 2021, from 12:00 p.m. to 2:00 p.m. at Wride Memorial Park. For details, visit the City website.
- Pony Express Days will be held June 2 to 5. Events will include a carnival, parade, fireworks, and movie in the park. Details to be announced soon. The Pony Express Events Demolition Derby will be held on June 5, 2021, and the Professional Rodeo Cowboys Association rodeo will be held June 10 to 12.
- You may sign up for text or email alerts from the Utah County Health Department regarding COVID-19 vaccine availability by texting UCHEALTH to 888777 to receive notification of when appointments are available and who is eligible. If you have a question or need help registering for your appointment, call the COVID-19 hotline at 1-800-456-7707. The hotline has language and translation services in more than 100 languages, including Spanish.

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

7. PUBLIC COMMENTS

Mayor Westmoreland opened public comment at 7:47 p.m.

Mike Innocenti submitted the following comment:

The passage of HB82 was very concerning to me. It was disappointing to see the state taking away a city's ability to address renting based on a city's unique needs and situations. It was good to see that there were some exceptions added to the bill that permit cities to implement a few restrictions on the renting of internal dwelling units. I feel that Eagle Mountain City should include these exceptions were possible in the Eagle Mountain City code to protect our family community. As you are aware, crime and drugs are already an issue in our city, and I do not want to see it get worse as our city continues to expand and grow.

This article outlines the impact of renting on the City of West Jordan and how it led them to implement a good landlord program (essentially landlord training as part of a business license to rent their home). City of West Jordan | Good Landlord Program. <https://www.westjordan.utah.gov/good-landlord-program>

Here is a quote from the article:

“According to a study, rental dwellings comprise a higher percentage of calls for public safety services. The average number of calls per unit to renter-occupied single-family dwellings is 78% higher than the average number of calls to owner-occupied single-family dwellings.”

Additionally, here is an example of a tenant who was renting a basement apartment (which was a huge problem in the prior city I lived in). New tenant arrested in large drug bust | KSL.com <https://www.ksl.com/article/46314499/new-tenant-arrested-in-large-drug-bust>

In the prior city we lived in, we had a swat raid right down from our house due to a renter selling drugs. We were also awakened at 3am by police spotlights trying to track down someone trying to get drugs. And right across from the city park, where all the kids played, there was a major drug bust in the accessory apartment behind a home. The teenager that babysat my children said that our town was known as a great place to sell drugs. You can rent a basement apartment and then sell drugs to the wealthy kids in other parts of the city. Just Google how Lone Peak High School struggles with suicides. Our last Ward lost at least one child each year we lived there to suicide. The tipping point was when our neighbor on our cul-de-sac rented their basement out. Every night the renter would go to the top of the cemetery and meet people at 9pm. Very suspicious. He also scared all the kids, and we were afraid to have the kids play out front.

Typically, people who rent cannot qualify to rent a home on their own or within an apartment complex due to concerns such as not passing a background check or credit check. I would say the typical homeowner doesn't do a deep background check on potential renters and is much more lenient than a professional rental company.

Please know that I am not against families renting to other bonafide family members such as a child or for limited circumstances such as when homeowners go on missions or are deployed in the armed services. The concern is around bringing renters into this area that do not have a vested interest in our family-oriented communities.

Thank you for your time and consideration on this important topic.

Best Regards, Mike

Diana Anderson stated she is representing her family and her neighbors. She submitted a public comment during the Planning Commission meeting regarding the site plan for O'Reilly's Auto Parts. She desires to address a few of the items discussed during the City Council work session. She emphasized that due to the location of her home in relation to the building and drive aisle, landscape buffering would be insufficient. She beseeched the City Council to uphold the Municipal Code requirement for a six-foot high wall. Although the applicant stated that the final site would be two feet above grade, the current screening would still only be four feet high, which is lower than the six-foot requirement. She is also concerned with water drainage. She quoted the applicant's statement in the Planning Commission requesting the Commission move the application forward as he would prefer to spend the money to address the screening wall rather than on amended applications. She expressed frustration that the applicant now appears hesitant to address the wall and had suggested that landscaping would be adequate. She and her neighbors desire a permanent solution even if installation temporarily impacts their backyards. She said that her family can currently see the street-level of Pony Express Parkway and the site will still be visible above the current fence even with a reduced grade difference of the final site.

Mayor Westmoreland closed public comment at 7:55 p.m.

8. CITY COUNCIL/MAYOR'S ITEMS

Recognitions

Youth Councilmember Salem Shimakonis recognized Carl Huynh, Brayden Hunt, and Remy Bradshaw as outstanding citizens for their service and efforts gifting 1,081 flowers to each of the female staff and students at Cedar Valley High School on Valentine's Day.

Councilmember Love recognized Monica Rogers, owner of Six Sisters Deli and Grille. She commended Ms. Rogers for selling fairly-priced pantry staples when people were struggling to obtain items during pandemic shortages, providing free sack lunches when schools were closed, providing lunches to the seniors and staff at Cedar Valley High School when training her food truck crew, partnering with Pony Express Events to provide food for the Mascot Miracle program, fundraising efforts, discounting meals for first responders, military, and missionaries for The Church of Jesus Christ of Latter-day Saints, allowing her employees holiday time with family, accommodating dietary restrictions, and partnering with the golf course grill, and catering golf events.

Councilmember Burnham

Councilmember Burnham expressed appreciation to Ms. Rodgers and the youth recipients.

Councilmember Clark

Councilmember Clark thanked Ms. Rodgers and the youth Ms. Shimakonis recognized. She expressed gratitude for the resident attendees and their participation in local government, especially in consideration of the difficulties during the past year. She thanked the residents, staff, and Councilmembers for making Eagle Mountain a great place to live.

Councilmember Curtis

Councilmember Curtis added his appreciation to the sentiments shared by the other Councilmembers. He recognized City Administrator Paul Jerome and Economic Development Director Aaron Sanborn for their time and efforts with the Sweetwater Industrial Park Community Reinvestment Area #2 project to improve the agreement on behalf of the City and the residents. He believes the project will be a benefit to the community.

Councilmember Gray

Councilmember Gray echoed the appreciation expressed by the Councilmembers to the recipients, staff, and residents. He thanked Ms. Anderson for bringing the screening issue between the Oak Hollow subdivision and O'Reilly's Auto Parts to the attention of the City. He appreciates resident assistance and involvement in facilitating Council decisions.

Councilmember Love

Councilmember Love expressed her support of and agreement with the statements of the other Councilmembers.

9. APPOINTMENTS

9.A. Youth City Council

1. Camrie Campos – Completing the term through June 30, 2021

MOTION: *Councilmember Gray moved to appoint Camrie Campos to the Youth City Council, completing the term through June 30, 2021. 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.*

CONSENT AGENDA

10. BID AWARDS

10.A. Design Services for Smith Ranch Community Park – MHTN Architects

10.B. Pony Express Widening Phase 5 – Kenny Seng Construction

11. BOND RELEASES

11.A. J & J Ranch – Into Warranty

11.B. Lone Tree Phase F, Plat 1 – Into Warranty

11.C. SilverLake Plat 18 – Into Warranty

11.D. SilverLake Plat 21 – Into Warranty

11.E. SilverLake Plat 22 – Into Warranty

11.F. SilverLake Plat 23 – Into Warranty

11.G. SilverLake Plat 24 – Into Warranty

11.H. SilverLake Plat 25 – Into Warranty

11.I. SilverLake Plat 26 – Into Warranty

12. CHANGE ORDERS

12.A. Cory B. Wride Memorial Park Phase 2 Project Change Order #1 – Kenny Seng Construction

13. MINUTES

13.A. March 2, 2021 – Regular City Council Meeting

14. RESOLUTIONS

- 14.A. RESOLUTION – Resolution of Eagle Mountain City, Utah, Approving a Utah County Interlocal Agreement for 2021 Municipal Election Administration.
- 14.B. RESOLUTION – Resolution of Eagle Mountain City, Utah, Appointing Kenneth A. Brown, Jr. to the Position of Administrative Law Judge and Approving a Legal Services Agreement.

MOTION: ***Councilmember Love moved to approve the consent agenda. Councilmember Burnham seconded the motion.***

Ms. Kofoed verified that each plat is required to have a subdivision bond, and the bond must be in place prior to the recordation of the plat. Some plats do not have landscape bonds if the requirements were fulfilled prior to plat recordation.

Councilmember Curtis inquired if a previous issue with a gap in a fence was a part of these bonds and if the issue had been resolved. Mr. Mumford stated he had been in contact with the developer regarding the fencing issues. He explained that the bonds on this agenda are subdivision improvement bonds.

Parks and Recreation Director Brad Hickman explained that the funds have been secured for every plat. Staff will ensure the repairs have been completed prior to releasing the applicable landscape bond and these bond releases are separate from landscape bonds.

Ms. Kofoed stated she understood that the City Council did not desire to use rank choice voting for the upcoming election and should the Council determine to implement that voting method, State notification and further action is required.

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

SCHEDULED ITEMS

15. THE PINNACLES

- 15.A. PUBLIC HEARING/ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Future Land Use Map of the General Plan and Rezoning Certain Lands Known as The Pinnacles.

This item was removed from the agenda at the request of the applicant.

- 15.B. PUBLIC HEARING/ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Approving the Master Development Plan for The Pinnacles.

This item was removed from the agenda at the request of the applicant.

16. ORDINANCE/PUBLIC HEARING

16.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Approving the Fourth Amendment to the Fiscal Year 2020-2021 Budget.

Finance Director Kimberly Ruesch presented the item. The fourth amendment to the fiscal year 2020-2021 budget will increase the General Fund budget by \$379,708. The increase accounts for additional funding in the amount of \$264,000 for road surface treatments related to the bid award approved by the Council at the March 2, 2021 meeting. An additional \$100,000 has also been added to the budget for the Transportation Master Plan study, of which \$25,000 will be funded with a grant. The remaining increase of \$14,708 is requested to cover the cost of protective supplies related to the COVID-19 pandemic that can be funded with proceeds of the Coronavirus Aid, Relief, and Economic Security (CARES) Act funding received by the City.

Mayor Westmoreland opened the public hearing at 8:28 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 Burnham moved to approve an ordinance of Eagle Mountain City, Utah, approving the Fourth Amendment to the Fiscal Year 2020-2021 Budget. 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.*

17. SWEETWATER INDUSTRIAL PARK

17.A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Adopting the Sweetwater Industrial Park Community Reinvestment Area #2 Project Area Plan, as Approved by the Redevelopment Agency of Eagle Mountain, as the Official Community Reinvestment Project Area Plan for the Project Area and Directing that Notice of the Adoption be Given as Required by Statute.

Items 17.A. and 17.B. were presented and discussed concurrently.

Economic Development Director Aaron Sanborn presented the item and explained that during the Redevelopment Agency (RDA) meeting held earlier in the evening, the Board had adopted the plan and the budget for this project. In accordance with State statute, approval by the City Council is also required for the plan.

The interlocal agreement allows for a portion of the taxes generated by the project to be given to the RDA to carry out the budget in accordance with prescribed terms. Section 6 of the interlocal cooperation agreement needs to be amended from 75% to reflect the updated tax increment of 67.5%, as approved in the budget.

Councilmember Burnham thanked the Mayor, staff, and the other parties that participated in the negotiations that resulted in securing a lower tax increment. She notified Project Freemont that she desires that they continue to negotiate in good faith on a development agreement that is beneficial and works for the City.

Councilmember Curtis echoed Councilmember Burnham's sentiments.

Mr. Sanborn confirmed that if the project does not move forward as stipulated in the agreement, the agreement will not be in effect.

City Attorney Jeremy Cook clarified that the agreement is specific to this property and a data center project. The property will likely be owned by a subsidiary of a parent company; however, the partnership will maintain the specific criteria linked to the agreement. He outlined the future steps of the project including other agreements, some of which require additional public hearings.

Mr. Sanborn stated that the project requires approval by each of the individual tax entities that are party to the interlocal agreement.

MOTION: *Councilmember Gray moved to approve an ordinance of Eagle Mountain City, Utah, adopting the Sweetwater Industrial Park Community Reinvestment Area #2 Project Area Plan, as approved by the Redevelopment Agency of Eagle Mountain, as the Official Community Reinvestment Project Area Plan for the Project Area and directing that notice of the adoption be given as required by Statute. 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.*

17.B. RESOLUTION – Resolution of Eagle Mountain City, Utah, Approving an Interlocal Cooperation Agreement between the Eagle Mountain Redevelopment Agency and Eagle Mountain City for the Collection and Remittance of Incremental Property Taxes Collected from Property within the Sweetwater Industrial Park Community Reinvestment Area #2.

Mr. Sandborn explained the initial request for the agreement was for 100% of the personal property tax and 75% of the real property tax values for the project area. During negotiations with the company, the City advocated for a reduction of the real property tax percentage from 75% to 67.5%, allowing the taxing entities to retain the funds rather than waiting for reimbursement through the funding mechanism, resulting in a net benefit to all taxing entities. Even factoring in the administrative refund component, the new terms result in a joint benefit to taxing entities of \$103,000 and allows the RDA to retain funds to meet expenses, reducing the amount received by the partner company by approximately \$400,000. The terms assist the City in meeting the cost associated with industrial development within the City.

Councilmember Curtis stated he compared this project to Facebook and noted that even though this project has smaller phases, that the total funds are significantly lower than what was awarded to the Facebook project.

MOTION: *Councilmember Gray moved to approve a resolution of Eagle Mountain City, Utah, approving an Interlocal Cooperation Agreement between the Eagle Mountain Redevelopment Agency and Eagle Mountain City for the collection and remittance of incremental property taxes collected from property within the Sweetwater Industrial Park Community Reinvestment Area #2 with the change to Section 6 that the tax increment shall be changed from 75% to 67.5%. 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.*

18. PRESENTATION

18.A. PRESENTATION – 2021-2022 FY Preliminary Budget

Ms. Ruesch presented the item. The budget is a financial plan of how Eagle Mountain City will spend funds the City receives during the budget year. The budget planning taking place now will cover the period of July 1, 2021 through June 30, 2022 and is referred to as Fiscal Year 2022. The purpose of the budget is to align Eagle Mountain City's resources with its organizational goals. Citizens provide input, the City Council establishes a vision and sets policy, and the budget officer prepares the budget.

Government funds have a short-term outlook and are primarily sourced through taxes. User fees do not generally cover the cost of services, and the Funds are required to have a balanced budget. Government funds include the General Fund, Special Revenue, and Capital Project Fund.

Enterprise Funds function like a private business and are primarily sourced through user fees. The user fees cover the cost of the operations and infrastructure repair and replacement and have long-term outlooks. A balanced budget is not required. Enterprise Fund categories include Water, Sewer, Solid Waste, Stormwater, and Internal Service Funds.

The Operating Budget includes the day-to-day operations of the City including personnel, materials, supplies, and services. Capital outlay includes one-time purchases related to the operations of the City such as vehicle purchases. The Capital Budget covers new infrastructure needs such as water storage tanks or new roads. These projects are primarily growth driven and include repair and replacement costs for existing infrastructure such as the replacement of playground equipment at an existing park.

Accounting standards dictate that the City maintain a separate set of balance sheet accounts and revenue/expense accounts by Fund. Interfund Transfers are needed to distribute costs for departments that provide services to multiple Funds of the City. For example, the Human Resource department is accounted for within the General Fund, but also provides services for departments in other Funds such as Water and Sewer.

The proposed timeline for the 2021-2022 FY Budget:

- March 16, 2021 – Operating Budget Overview
- April 2, 2021 – Capital Projects and One-Time Funding

- April 20, 2021 – Review Draft Tentative Budget
- May 2, 2021 – Acceptance of Tentative Budget
- June 1, 2021 – Public Hearing
- June 15, 2021 – Adoption of Budget

Assumptions for the FY 2022 budget include a sales tax growth of 3%, issuing 1,120 residential building permits, utility sales growth of 7%, and an estimated population served of 48,500. The sales tax is a conservative estimate and is expected to be higher. The population estimate reflects residents likely to move into their homes in 2022, and does not include all the building permits issued during the year.

Personnel impacts of the budget include the maintenance of the current benefit structure, a medical premium increase of 2.3%, Utah Retirement System changes that have yet to be determined, merit increases of 3%, and new hires equal to 10.461 full-time employee equivalents. The City's dental and vision benefits are guaranteed the same rate through July 1, 2022.

Mr. Jerome clarified that the City conducts third-party compensation studies. Raise amounts are awarded based upon merit and the findings of the compensation study. City staff does not receive cost-of-living adjustments. The 3% fund allocation is a placeholder to reserve funds to provide the wage increases determined to be appropriate.

Ms. Ruesch explained the compensation study helps determine if wages should be adjusted in accordance with the market indications for the City to maintain competitive pay for positions.

The budget includes funds for replacement vehicles, new employee vehicles, and vehicle leases of \$747,358.

The Sheriff's Department expense considerations include a 4% increase in position costs per their contract, body camera equipment, additional overtime funding, one full-time day sergeant, and two full-time patrol officers. Body camera usage is a County-wide requirement not at the discretion of the City.

The preliminary operating expenses needed to maintain existing service levels of the City total \$33,745,751. The personnel costs are for City growth that has already occurred to maintain current service levels, rather than a preparation for anticipated growth. The proposed General Fund Revenue total of \$19,756,140 projects more growth than apparent due to the over \$2,000,000 one-time funding from the CARES Act in the current budget.

Ms. Ruesch explained that the City Council will prioritize and determine the one-time funding items, Capital projects to fund, and will decide if excess revenue should be transferred to the Capital Project Fund to fund infrastructure expansion.

Councilmember Gray expressed concern regarding the total funds reserved for personnel merit increases and the oversight of those funds.

Mr. Jerome stated that large salary increases or promotions will result in a budget amendment requiring Council approval. The Mayor has the authority to authorize small wage increases.

Councilmember Gray said he felt that holding 3% from the total budget for merit increases was absurd and decreases the interest that could be earned from the money. He advocated for not having a salary increase fund for personnel.

Mr. Jerome explained that the merit increase reserve fund is based upon 3% of total personnel salaries, excluding benefits, rather than 3% of the total General Fund. The reserve allows the City to compensate employees based upon the findings of the compensation study. The City has previously provided cost-of-living increases but no longer provides those. The City will be conducting another compensation study soon. He feels a reserve fund assists the City in providing appropriate wage increases.

Councilmember Gray noted that compensation studies can find that employees are under-compensated but may also find that in some cases, an employee is not worth what they are being paid. He advocated for all raises to be merit-based regardless of industry-standard wages. It was his opinion that some City employees may be substandard and undeserving of the industry standard.

Mr. Jerome clarified that the compensation study is used as a tool by the supervisors to determine the appropriate merit-based salary in consideration of the statistics of the City in comparison to conditions in other cities.

Councilmember Gray expressed concern with increasing wages in years with decreased revenue.

Mayor Westmoreland verified that the budget was reduced due to the pandemic.

Mr. Jerome explained that during The Great Recession, the City underwent a four-year salary freeze as the City experienced a drop in revenue and building permits. Property tax revenue increases and decreases independently and opposite of the economic conditions to allow municipalities to continue to provide necessary services to residents. The City budget was reduced due to the pandemic and those items were restored once the economic impact was determined to be less severe than expected. He noted the City experiences attrition when an employee retires or leaves the City due to a better offer and the replacement employee might not have the same experience and expertise as the departing employee, which is consequently reflected in their salary. The full merit increase reserve might not be utilized each year due to attrition and other factors.

Ms. Ruesch noted that the City is conservative in spending and does not spend all available funds within a budget category if the spending is not warranted; the merit increase reserve will be allocated under the same fiscal conservation.

Mr. Jerome advocated for reserving funds and for budgeting to preserve funds for anticipated needs to prevent spending on one-time expenses, resulting in insufficient funds to finance unexpected costs. Not including a placeholder increases the risk of spending funds in inappropriate areas.

Councilmember Curtis recognized Councilmember Gray's concerns but noted that City funding has been allocated this way for years. He requested staff assist the Council in understanding the purpose and philosophy of the City's budgetary strategies to clarify City budget methodology.

Mr. Jerome noted that the rapidity of the City's growth increases personnel burden. He expressed concern at being overly conservative at the expense of the morale and wellbeing of employees. He desires to balance government growth with the genuine need for additional help for the employees while preserving reserve funds for economic downturns to prevent employee layoffs.

Councilmember Curtis concurred with Mr. Jerome's desire to balance being fiscally conservative and preparing for economic recession with genuine personnel needs.

Mayor Westmoreland reemphasized the need for balance and the importance of determining the appropriate number of employees to serve the City. He is amazed at the amount of additional work department have absorbed without additional staff. The City has reached the point that additional staff is necessary to meet deadlines and obligations.

Councilmember Curtis requested a future discussion to clarify staffing needs.

Mr. Jerome recognized that the addition of 10 full-time equivalents is a drastic increase; however, it underrepresents the true current staffing needs of the City. In 2012, external auditors told Mr. Jerome the City needed more accounting personnel and the recommendation occurred nine years prior to hiring an additional accountant. An additional Neighborhood Improvement Officer is a second position the City needs. Staff strives to fill real needs and provide real value. He commended department heads for their efforts. When a department head asks for additional assistance, he can trust there is a real need. The City can increase the reserve fund to 35% due to recent legislative changes; however, increasing the fund will require sacrifices in other areas. The City could determine to increase the fund incrementally rather than all at once.

Councilmember Curtis expressed his appreciation for having emergency funds. He stated he would like to increase the fund, but in a method and timeframe that is appropriate.

Mr. Jerome concurred that the department heads are conservative and responsible in their requests. He noted that the City does not incentivize department heads to spend unnecessary money by reducing the following year's budget if funds are not spent in accordance with the City's fiscal conservation principles.

19. CITY COUNCIL/MAYOR'S BUSINESS

Councilmember Burnham

None.

Councilmember Love

None.

Councilmember Gray

Councilmember Gray reiterated his stance that all raises should be merit-based. He expressed his desire to revisit Mr. Jerome's contract and believes that Mr. Jerome deserves a raise to compensate for his excellent performance, especially in consideration of current difficult circumstances caused by the pandemic. He offered his condolences to Saratoga Spring resident Robert Healey's family for their loss.

Councilmember Curtis

Councilmember Curtis concurred that Mr. Jerome has proven his value to the City and supports a salary raise. He commended Mr. Jerome for facilitating Council understanding of City issues, outside perspectives, and organizations.

Councilmember Clark

Councilmember Clark noted that the Council will meet with Alpine School District and requested to hold a regional meeting with other cities to discuss regional issues and mutual concerns. She is excited to be able to begin holding in-person City events again soon.

Mayor Westmoreland

Mayor Westmoreland stated that he has been in discussions with the leadership of other cities regarding a joint meeting.

Mr. Mumford confirmed that a joint meeting is planned for the City Council and Planning Commission for March 30, 2021. The City Council can request items to be added to the agenda. The City Council and Planning Commission have been invited to tour the Overland clubhouse.

20. CITY COUNCIL BOARD LIAISON REPORTS

Councilmember Clark

A ham radio license test will be held Saturday, March 27, 2021. The Federal Communications Commission will be raising the certification cost soon. She encouraged residents interested in certification to utilize online resources to study for the upcoming examination to become licensed before the price increase. The City will install a repeater on County land to extend the range of the ham radios in the City in efforts to increase emergency communication preparation. An emergency board might need to be established due to repeater licensing requirements. The Parks and Recreation Advisory Board held two meetings in a row with a quorum. She is excited about the variety of backgrounds, talents, and abilities of the board members. The members reviewed the parks and recreation plans for the City and visited the parks and were impressed with Parks and Recreation Director Brad Hickman's turf management.

Councilmember Curtis

None.

Councilmember Burnham

Councilmember Burnham said the Senior Citizen Advisory Board has a board member vacancy. They are a great group to work with and she encouraged interested residents to apply.

Councilmember Love

Councilmember Love said the Cemetery Advisory Board is planning a Memorial Day observance. The Eagle Mountain Chamber of Commerce is working to promote local businesses. The Chamber board members toured the Tyson facility, which will be a great addition to the City. Eagle Mountain Counseling has an upcoming groundbreaking and Jo'Land Fun and Games has a ribbon cutting ceremony scheduled.

Councilmember Gray

Councilmember Gray expressed appreciation to the Youth Council. He is excited for Pony Express Days and the associated events such as the demolition derby and rodeo. He inquired regarding the selection of the Grand Marshal.

Mayor Westmoreland

Mayor Westmoreland met with a gentleman that would like to present a concept to the Cemetery Advisory Board, Military and Veterans Advisory Board, and the Parks and Recreation Advisory Board. He said that there is still a lot of work on the Freemont project and expressed his appreciation to the staff, especially the department heads, for their time and efforts on the project.

Ms. Kofoed said that the Alpine School District joint meeting is scheduled for April 29, 2021, at 7:30 a.m. She requested the Council inform her of any items they would like included on the agenda. She will follow up regarding the selection of the Grand Marshal.

Mayor Westmoreland announced that Communications Director Linda Peterson has accepted a position with Draper City. He wished her well and expressed gratitude to her for all that she has done for the City to keep residents informed and for promoting a positive image of the City.

The Councilmembers recognized and thanked Ms. Peterson for the work she has done for the City.

Ms. Peterson thanked everyone for their kind words. She said it has been an honor and privilege working for Eagle Mountain City and watching the City grow over the past 15 years.

21. COMMUNICATION ITEMS

21.A. Financial Report

21.B. Upcoming Agenda Items

22. ADJOURNMENT

MOTION: *Councilmember Gray moved to adjourn the meeting at 10:27 p.m. 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.*

The meeting was adjourned at 10:27 p.m.

Approved by the City Council on April 6, 2021.

Fionnuala B. Kofoed, MMC
City Recorder

DRAFT



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 6, 2021**

TITLE:	Pole Canyon NPA-11 Preliminary Plat		
ITEM TYPE:	Preliminary Plat		
FISCAL IMPACT:			
APPLICANT:	Nate Shipp (DAI)		
GENERAL PLAN DESIGNATION Neighborhood Residential One	CURRENT ZONE Residential (Tier II previous code)	ACREAGE ~5.6 acres	COMMUNITY Pole Canyon

PUBLIC HEARING:

No

PREPARED BY:

Pete Kane, Planning

PRESENTED BY:

Pete Kane

RECOMMENDATION:

BACKGROUND:

The subject property, of about 5.6 acres of land, is located adjacent to the White Hills subdivision within the Pole Canyon area of the city. The property runs along the north sides of Jackson Street and Jefferson Avenue and the west side of Eisenhower Street.

The [Pole Canyon Annexation and Master Development Agreement \(MDA\)](#), which governs this property, was approved in 2010 when Pole Canyon was annexed into the City. That MDA established a land use plan for the area along with the allowed uses and densities as well as breaking the property into a number of planning areas - neighborhood (residential), commercial, and business park/industrial.

The subject property is referred to as NPA-11. The MDA grants the NPA-11 portion a density of 3.36 units per acre and total of 20 residential lots/units while zoning it "Residential." It also specified that all lots within NPA-11 must be a minimum of 10,000 square feet (sf) in size. It should be noted that the MDA stated that NPA-11 includes 5.9 acres, but the area is reduced to 5.6 acres by one parcel that is owned by the City and the right-of-way area for the extension of Adams Street to the north.

A preliminary plat application was submitted for the subject property

in 2013, however, the item was eventually withdrawn by the applicant as infrastructure and other issues were worked out. A new preliminary plat was submitted in 2016. The Planning Commission held a public hearing on the request on June 14, 2016, and made a recommendation of approval with a number of conditions. The applicant did not move forward with the request in order to work out the infrastructure details that were recommended in the conditions.

The water and sewer line elements were the outstanding infrastructure items noted previously. These have been completed at this time, though the sewer system is awaiting a piece of equipment to fully complete that project which is expected to be installed late April/early May. The applicant has submitted the preliminary plat application to finalize the approval of the 20-lot subdivision.

ITEMS FOR CONSIDERATION:

RESIDENTIAL LOTS

The preliminary plat creates 20 residential building lots as well as right-of-way dedication for the extension of Jackson Street. The MDA allows for up to 20 residential lots of at least 10,000 sf in area for each lot. The preliminary plat includes 20 lots as allowed, with the smallest lot at 10,684 sf, an average lot size of 11,848 sf, and the largest lot being 13,940 sf. The smallest lot frontage is 101.75 feet. Evaluating the average and minimum lot size of the subdivision, the plat would fall in the equivalency of the R2 zoning district under the current City Code. Based on MDA, the proposed lots meet the requirements.

It should be noted that the typical lot/corner lot details do not reflect the setbacks required under the R2 zone. The setbacks shown on the the preliminary plat are accurate under the previous Tier II residential requirements and applied to this portion of the project (based on the approved density) at the time of the MDA approval. Section 4.3 of the MDA states that the project is not subject to any changes in the development code "which increases or otherwise modifies minimum lot size requirements, setbacks, frontage requirements, or other similar standards...unless the Council, on the record, finds that a compelling, countervailing public interest would be jeopardized without applying such" changes in the development code.

GENERAL PLAN

The Future Land Use designation for the property in the General Plan is "Neighborhood Residential One." Evaluating the proposed lots sizes and frontage, the equivalent zoning for the development would be R2. The "Neighborhood Residential One" land use designation includes the three residential zoning districts of R1, R2, and R3.

TRAFFIC STUDY

A traffic study was completed in August 2013 for the original preliminary plat application. The study found that with the traffic demand of the residential development added to the White Hills subdivision, that the intersection of Wilson Avenue and SR-73 would operate at a level of service of A. It noted that the existing road configuration and traffic control would support the residential development and included no recommended improvements.

PARKS & OPEN SPACE

The applicant has previously completed a park on the west side of Wilson Avenue - White Hills Park. During the initial preliminary plat review in 2013, it was determined that White Hills Park would count towards the open space requirements for NPA-11. The City accepted the park and confirmed it was completed in accordance with city standards on December 2, 2014. No additional parks or open space improvements are required for NPA-11.

ACCESS

Currently, the White Hills subdivision and the proposed 20-lot subdivision have only one access onto SR-73 via Wilson Avenue. Per EMMC 16.35.070, a second "separate and approved fire apparatus access road" will be needed before building permits can be released for the subject property. The civil plans (attached) include a temporary access easement of 30 feet wide extending from the north end of Adams St through the property to the north and connecting to SR-73. That easement includes a proposed 20-foot wide paved access road along with "No Parking" signs on both sides of the access road to ensure clear access in the case of an emergency. UFA has noted this temporary road will need to be capable of supporting 65,000 lbs. The access road (and easement) are temporary in nature as the applicant, who also owns the property to the north, will reconfigure the roadway as they create the development plans for that neighborhood planning area which is also part of the MDA.

INFRASTRUCTURE

This project was put on hold in the past due to the need to complete water and sewer line work to the area. Those projects have been completed at this time, aside from mechanical equipment for the lift station (sewer system) which is expected to be installed late April/early May.

STREET LIGHTS

EMMC 15.10.390 requires street lights to be placed in residential developments at a minimum of 250 feet and maximum of 350 feet on residential roads. The applicant has previously requested a waiver from the streetlighting requirement as the White Hills subdivision does not currently have any street lights. The applicant does not believe street lights match the character of the existing community. EMMC 17.25.050(I) allows the Council to exempt street lights from projects in RA1, RA2, and RD1 (1-acre lots or larger). If the Commission/Council determine the exemption of street lighting is appropriate for the subject proposal, a condition should note the exemption as well that any future neighboring development or extensions of the existing roads will be required to comply with the streetlighting requirement.

PERMITS

During the Planning Commission hearing on March 9, the Commission made a recommended condition to not allow building permits prior to the completion of the sewer updates. The City has allowed building permits in White Hills as the sewer upgrade is substantially started and nearly complete. Based on the City Council work session discussion on March 16, the Council may want to amend (by replacing "building permits" with "certificates of occupancy") or remove the final condition recommended by the Planning Commission.

REQUIRED FINDINGS:

Preliminary plat approvals are based upon compliance with City Code requirements and requirements of any applicable development agreements. The approval criteria for a preliminary plat can be found in EMMC 16.20.050. The Pole Canyon Annexation and Master Development Agreement should also be considered when reviewing this application.

PLANNING COMMISSION ACTION/RECOMMENDATION:

The Planning Commission held a public hearing on the preliminary plat request on March 9, 2021.

The Commission voted unanimously, 5-0, to recommend approval of the preliminary plat with the following conditions:

1. That the temporary access road to the north will be constructed to the attached civil plans and as requested by UFA with a 30-foot wide temporary access easement, 20-foot wide paved access road within the easement, "No Parking" signs on both sides of the access road, and road must be capable of supporting 65,000 lbs;
2. The applicant will record a temporary access easement on parcel 59:050:0052 to establish and build the temporary access road;
3. Street lighting shall be installed in compliance with EMMC 15.10.390; and
4. That no building permits in the area be granted until the sewer is completed.

ATTACHMENTS:

[Preliminary Plat](#)

[Traffic Study](#)

[Water Model](#)

[Pole Canyon Land Use Plan](#)

[Planning Commission Minutes - June 14, 2016](#)

POLE CANYON PHASE 1 SUBDIVISION:

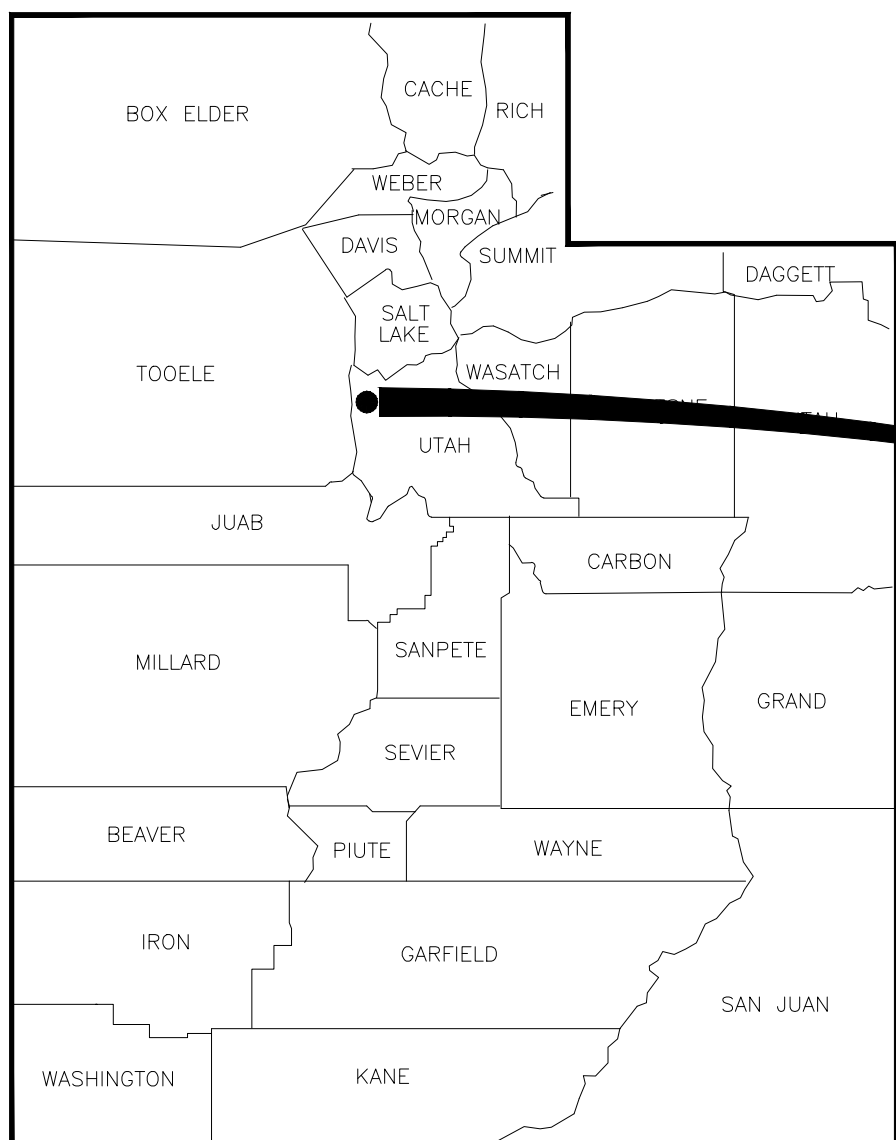
A PARCEL OF LAND SITUATE IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, LOCATED IN EAGLE MOUNTAIN CITY, COUNTY OF UTAH, STATE OF UTAH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT SOUTH 0°26'25" WEST, ALONG THE SECTION LINE, A DISTANCE OF 1017.03 FEET AND SOUTH 89°59'45" WEST, A DISTANCE OF 175.02 FEET, FROM THE UTAH COUNTY MONUMENT MARKING THE CORNER COMMON TO SECTION 7, 8, 17, AND 18, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE SOUTH 89°59'45" WEST, ALONG THE NORTH LINE OF JACKSON STREET AND THE NORTH LINE OF WHITE HILLS PLAT 'C' SUBDIVISION, A DISTANCE OF 828.00 FEET, TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH 0°00'15" EAST, ALONG THE WEST LINES OF SAID WHITE HILLS PLAT 'C', AND PLAT 'B', A DISTANCE OF 870.00 FEET, TO THE NORTH LINE OF JEFFERSON AVENUE; THENCE SOUTH 89°59'45" WEST, ALONG SAID NORTH LINE AND THE PROJECTION THEREOF, A DISTANCE OF 420.00 FEET; THENCE NORTH 0°00'15" WEST, A DISTANCE OF 110.00 FEET; THENCE NORTH 89°59'45" EAST, A DISTANCE OF 210.00 FEET; THENCE NORTH 44°50'32" EAST, A DISTANCE OF 131.88 FEET; THENCE NORTH 0°00'15" WEST, A DISTANCE OF 776.50 FEET; THENCE NORTH 89°59'45" EAST 945.00 FEET; THENCE SOUTH 0°00'15" EAST, A DISTANCE OF 110.00 FEET, TO THE POINT OF BEGINNING.

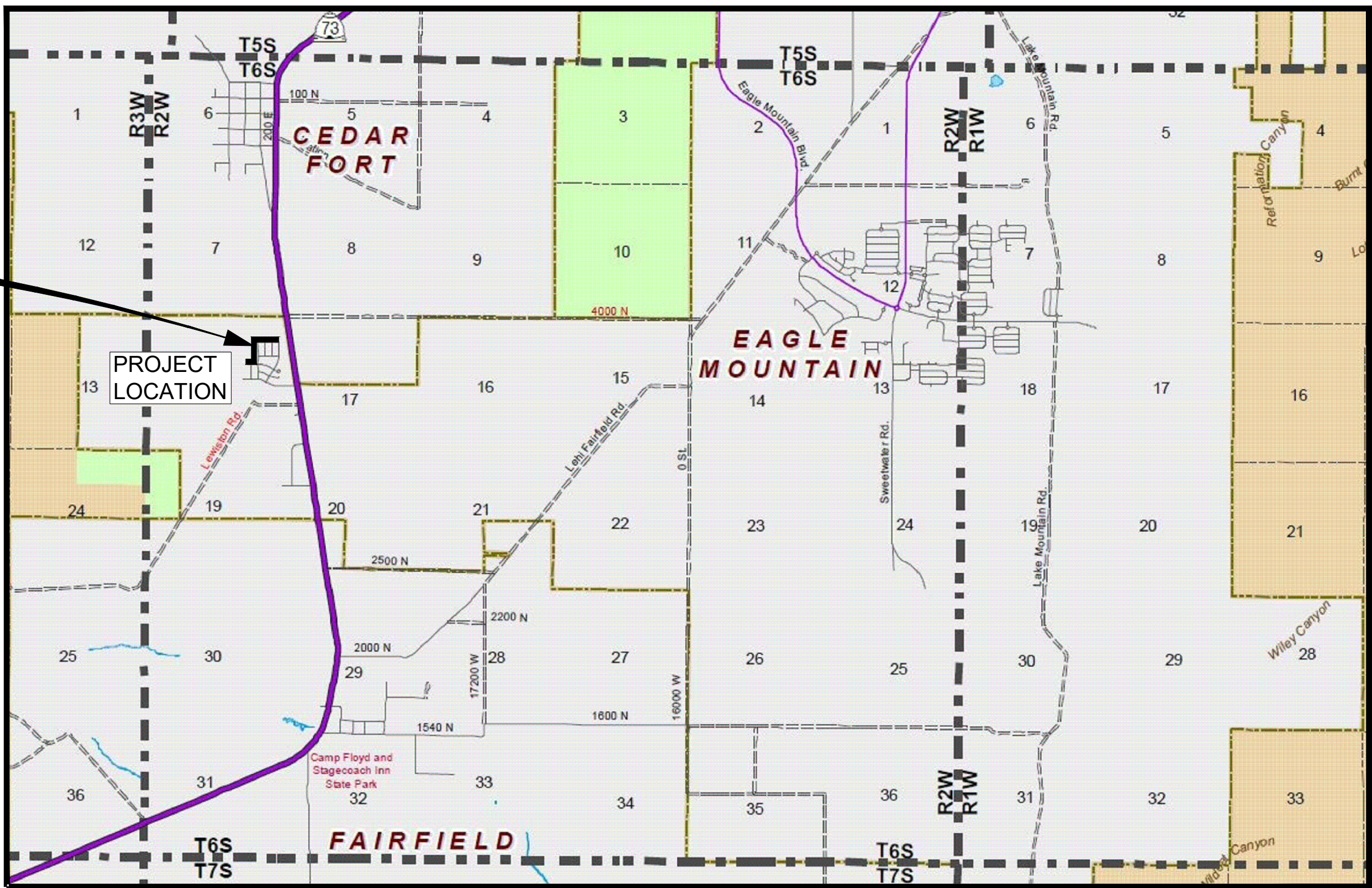
CONTAINS: 243,418 SQ. FT., OR 5.588 ACRES IN TWENTY (20) RESIDENTIAL LOTS.

POLE CANYON SUBDIVISION - PHASE 1

EAGLE MOUNTAIN, UTAH



VICINITY MAP



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D1.1	DETAIL SHEET
D1.2	DETAIL SHEET
D1.3	DETAIL SHEET
D1.4	DETAIL SHEET

NOTICE TO DEVELOPER/CONTRACTOR
UNAPPROVED DRAWINGS REPRESENT WORK IN PROGRESS, ARE SUBJECT TO CHANGE, AND DO NOT CONSTITUTE A FINISHED ENGINEERING PRODUCT. ANY WORK UNDERTAKEN BY DEVELOPER OR CONTRACTOR BEFORE PLANS ARE APPROVED IS UNDERTAKEN AT THE SOLE RISK OF THE DEVELOPER, INCLUDING BUT NOT LIMITED TO BIDS, ESTIMATION, FINANCING, BONDING, SITE CLEARING, GRADING, INFRASTRUCTURE CONSTRUCTION, ETC.

NOTICE TO CONTRACTOR
ALL CONTRACTORS AND SUBCONTRACTORS PERFORMING WORK SHOWN ON OR RELATED TO THESE PLANS SHALL CONDUCT THEIR OPERATIONS SO THAT ALL EMPLOYEES ARE PROVIDED A SAFE PLACE TO WORK AND THE PUBLIC IS PROTECTED. ALL CONTRACTORS AND SUBCONTRACTORS SHALL COMPLY WITH THE OCCUPATIONAL SAFETY AND HEALTH REGULATIONS OF THE U.S. DEPARTMENT OF LABOR AND THE STATE OF UTAH DEPARTMENT OF INDUSTRIAL RELATIONS CONSTRUCTION SAFETY ORDERS. THE CIVIL ENGINEER SHALL NOT BE RESPONSIBLE IN ANY WAY FOR THE CONTRACTORS AND SUBCONTRACTORS COMPLIANCE WITH SAID REGULATIONS AND ORDERS.

UTILITY DISCLAIMER
THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATIONS OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF VARIOUS UTILITY COMPANIES AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.



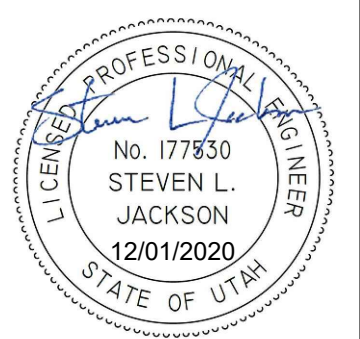
OWNER
OQUIRRH WOOD RANCH, LLC
1095 WEST SO. JORDAN PKWY
SOUTH JORDAN, UTAH 84095
PHONE: (801) 495-3414
FAX: (801) 495-3415

ENGINEER
JACKSON ENGINEERING
CONTACT: STEVE JACKSON
3376 STONEHILL LANE
SALT LAKE CITY, UT 84121
PHONE: (801) 558-5293
FAX: (801) 943-0108

JACKSON ENGINEERING
3376 STONEHILL LANE, SALT LAKE CITY, UTAH 84121
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FOR:
OQUIRRH WOOD RANCH, LLC
1099 WEST SO. JORDAN PKWY
SOUTH JORDAN, UT 84095
CONTACT:
NATE SHIPP
PHONE: (801) 495-3414
FAX: (801) 495-3415

Pole Canyon Subdivision - Phase 1 Eagle Mountain, Utah Cover Sheet



NO.	DATE	REVISION	BY

PROJECT NO.:	DATE:
13.032.101	12/01/2020
DRAWN BY:	CHECKED BY:
S. PRITCHETT	S. JACKSON
PROJECT MANAGER:	
S. JACKSON	

Cover Sheet
G1.0

THE CONTRACTOR SHALL CAREFULLY READ ALL OF THE NOTES AND SPECIFICATIONS, THE CONTRACTOR SHALL BE SATISFIED AS TO THEIR TRUE MEANING AND INTENT AND SHALL BE RESPONSIBLE FOR COMPLYING WITH EACH.

GENERAL NOTES:

1. ALL IMPROVEMENTS SHALL BE CONSTRUCTED IN STRICT ACCORDANCE WITH THE FOLLOWING: EAGLE MOUNTAIN CITY STANDARD SPECIFICATIONS, AND THE UTAH PUBLIC WORKS GENERAL CONDITIONS AND STANDARD SPECIFICATIONS FOR CONSTRUCTION IN ITS LATEST EDITION (UPW), WHERE APPLICABLE.
2. PRIOR TO PERFORMING ANY WORK, THE CONTRACTOR SHALL CONTACT EAGLE MOUNTAIN CITY FOR A PRE-CONSTRUCTION CONFERENCE.

A. REGULATORY AGENCY:

EAGLE MOUNTAIN PUBLIC WORKS DEPT.
2545 NORTH PONY EXPRESS PKWY.
EAGLE MOUNTAIN, UT 84005
(801) 789-6671
CONTACT: CHRIS TRUSTY, DIRECTOR

B. OWNER:

OQUIRRH WOOD RANCH, LLC
1099 WEST SOUTH JORDAN PKWY
SOUTH JORDAN, UT 84095
CONTACT: NATE SHIPP
PHONE: (801) 495-3414
FAX: (801) 495-3415

C. ENGINEER:

JACKSON ENGINEERING
3376 STONEHILL LANE
COTTONWOOD HEIGHTS, UT 84121
PHONE: (801) 558-5293
FAX: (801) 943-0108
CONTACT: STEVE JACKSON

3. IT IS INTENDED THAT THESE PLANS AND SPECIFICATIONS REQUIRE ALL LABOR AND MATERIALS NECESSARY AND PROPER FOR THE WORK CONTEMPLATED AND THAT THE WORK BE COMPLETED IN ACCORDANCE WITH THEIR TRUE INTENT AND PURPOSE. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY REGARDING ANY DISCREPANCIES OR AMBIGUITIES WHICH MAY EXIST IN THE PLANS OR SPECIFICATIONS. THE ENGINEER'S INTERPRETATION THEREOF SHALL BE CONCLUSIVE.
4. WHERE THE PLANS OR SPECIFICATIONS DESCRIBE PORTIONS OF THE WORK IN GENERAL TERMS BUT NOT IN COMPLETE DETAIL, IT IS UNDERSTOOD THAT ONLY THE BEST GENERAL PRACTICE IS TO PREVAIL AND THAT ONLY MATERIALS AND WORKMANSHIP OF THE FIRST QUALITY ARE TO BE USED.
5. THE CONTRACTOR SHALL BE SKILLED AND REGULARLY ENGAGED IN THE GENERAL CLASS AND TYPE OF WORK CALLED FOR IN THE PROJECT PLANS AND SPECIFICATIONS. THEREFORE, THE OWNER IS RELYING UPON THE EXPERIENCE AND EXPERTISE OF THE CONTRACTOR. IT SHALL BE EXPECTED THAT PRICES PROVIDED WITHIN THE CONTRACT DOCUMENTS SHALL INCLUDE ALL LABOR AND MATERIALS NECESSARY AND PROPER FOR THE WORK CONTEMPLATED AND THAT THE WORK BE COMPLETED IN ACCORDANCE WITH THEIR TRUE INTENT AND PURPOSE. THE CONTRACTOR SHALL BE COMPETENT, KNOWLEDGEABLE AND HAVE SPECIAL SKILLS ON THE NATURE, EXTENT AND INHERENT CONDITIONS OF THE WORK TO BE PERFORMED. CONTRACTOR SHALL ALSO ACKNOWLEDGE THAT THERE ARE CERTAIN PECULIAR AND INHERENT CONDITIONS EXISTENT IN THE CONSTRUCTION OF THE PARTICULAR FACILITIES, WHICH MAY CREATE, DURING THE CONSTRUCTION PROGRAM, UNUSUAL OR PECULIAR UNSAFE CONDITIONS HAZARDOUS TO PERSONS, PROPERTY AND THE ENVIRONMENT. CONTRACTOR SHALL BE AWARE OF SUCH PECULIAR RISKS AND HAVE THE SKILL AND EXPERIENCE TO FORESEE AND TO ADOPT PROTECTIVE MEASURES TO ADEQUATELY AND SAFELY PERFORM THE CONSTRUCTION WORK WITH RESPECT TO SUCH HAZARDS.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL LICENSES REQUIRED FOR THE CONSTRUCTION AND COMPLETION OF THE PROJECT, AND SHALL PERFORM ALL WORK IN ACCORDANCE WITH THE REQUIREMENTS AND CONDITIONS OF ALL PERMITS AND APPROVALS APPLICABLE TO THIS PROJECT. THE CONTRACTOR SHALL ENSURE THAT THE NECESSARY RIGHTS-OF-WAY, EASEMENTS, AND/OR PERMITS ARE SECURED PRIOR TO CONSTRUCTION.
7. CONTRACTOR SHALL OBTAIN AN ENCROACHMENT PERMIT WHERE APPLICABLE FOR ANY WORK DONE WITHIN RIGHTS-OF-WAY OR EASEMENTS FROM EAGLE MOUNTAIN CITY AND/OR UTAH COUNTY, AND/OR UDOT. CONTRACTOR SHALL NOTIFY CITY, COUNTY, AND/OR STATE, 24 HOURS IN ADVANCE OF COMMENCING THE WORK, OR AS REQUIRED BY SAID PERMITS.
8. THE CONTRACTOR SHALL, AT THE TIME OF BIDDING, AND THROUGHOUT THE PERIOD OF THE CONTRACT, BE LICENSED IN THE STATE OF UTAH AND SHALL BE BONDABLE FOR AN AMOUNT EQUAL TO OR GREATER THAN THE AMOUNT BID AND TO DO THE TYPE OF WORK CONTEMPLATED IN THE PLANS AND SPECIFICATIONS. CONTRACTOR SHALL BE SKILLED AND REGULARLY ENGAGED IN THE GENERAL CLASS AND TYPE OF WORK CALLED FOR IN THE PLANS AND SPECIFICATIONS.
9. CONTRACTOR SHALL INSPECT THE SITE OF THE WORK PRIOR TO BIDDING TO SATISFY THEMSELVES BY PERSONAL EXAMINATION OR BY SUCH OTHER MEANS AS THEY MAY PREFER, OF THE LOCATION OF THE PROPOSED WORK, AND OF THE ACTUAL CONDITIONS OF AND AT THE SITE OF WORK. IF, DURING THE COURSE OF THEIR EXAMINATION, A BIDDER FINDS FACTS OR CONDITIONS WHICH APPEAR TO THEM TO BE IN CONFLICT WITH THE LETTER OR SPIRIT OF THE PROJECT PLANS AND SPECIFICATIONS, THEY SHALL CONTACT THE OWNER/ENGINEER FOR ADDITIONAL INFORMATION AND EXPLANATION BEFORE SUBMITTING THEIR BID.

SUBMISSION OF A BID BY THE CONTRACTOR SHALL CONSTITUTE ACKNOWLEDGMENT THAT, IF AWARDED THE CONTRACT, THEY HAVE RELIED AND ARE RELYING ON THEIR OWN EXAMINATION OF: (1) THE SITE OF THE WORK, (2) ACCESS TO THE SITE, AND (3) ALL OTHER DATA AND MATTERS REQUISITE TO THE FULFILLMENT OF THE WORK AND ON THEIR OWN KNOWLEDGE OF EXISTING FACILITIES ON AND IN THE VICINITY OF THE SITE OF THE WORK TO BE CONSTRUCTED UNDER THIS CONTRACT.

THE INFORMATION PROVIDED BY THE OWNER OR THE ENGINEER IS NOT INTENDED TO BE A SUBSTITUTE FOR, OR A SUPPLEMENT TO THE INDEPENDENT VERIFICATION BY THE CONTRACTOR TO THE EXTENT SUCH INDEPENDENT INVESTIGATION OF SITE CONDITIONS IS DEEMED NECESSARY OR DESIRABLE BY THE CONTRACTOR. CONTRACTOR SHALL ACKNOWLEDGE THAT THEY HAVE NOT RELIED SOLELY UPON OWNER OR ENGINEER FURNISHED INFORMATION REGARDING SITE CONDITIONS IN PREPARING AND SUBMITTING THEIR BID.

10. THE CONTRACTOR SHALL PROVIDE ALL LIGHTS, BARRICADES, SIGNS, FLAGMEN OR OTHER DEVICES NECESSARY FOR PUBLIC SAFETY.

11. THE CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE ALL WATER, POWER, SANITARY FACILITIES AND TELEPHONE SERVICES AS REQUIRED FOR THE CONTRACTORS USE DURING CONSTRUCTION.

12. THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR ANY FIELD CHANGES MADE WITHOUT PRIOR WRITTEN AUTHORIZATION FROM THE OWNER AND/OR ENGINEER.

13. THE CONTRACTOR SHALL EXERCISE DUE CAUTION AND SHALL CAREFULLY PRESERVE BENCH MARKS, CONTROL POINTS, REFERENCE POINTS AND ALL SURVEY STAKES, AND SHALL BEAR ALL EXPENSES FOR REPLACEMENT AND/OR ERRORS CAUSED BY THEIR UNNECESSARY LOSS OR DISTURBANCE.

14. THE CONTRACTOR AGREES THAT:

- A. THEY SHALL BE RESPONSIBLE TO CLEAN THE JOB SITE AT THE END OF EACH PHASE OF WORK.
- B. THEY SHALL BE RESPONSIBLE TO REMOVE AND DISPOSE OF ALL TRASH, SCRAP AND UNUSED MATERIAL AT THEIR OWN EXPENSE IN A TIMELY MANNER.
- C. THEY SHALL BE RESPONSIBLE TO MAINTAIN THE SITE IN A NEAT, SAFE AND ORDERLY MANNER AT ALL TIMES.
- D. THEY SHALL BE RESPONSIBLE TO KEEP MATERIALS, EQUIPMENT, AND TRASH OUT OF THE WAY OF OTHER CONTRACTORS SO AS NOT TO DELAY THE JOB. FAILURE TO DO SO WILL RESULT IN A DEDUCTION FOR THE COST OF CLEAN UP FROM THE FINAL PAYMENT.
- E. THEY SHALL BE RESPONSIBLE FOR THEIR OWN SAFETY, TRAFFIC CONTROL, PERMITS, RETESTING AND REINSPECTIONS AT THEIR OWN EXPENSE.
- F. UNLESS OTHERWISE NOTED ALL EXCESS SOILS AND MATERIALS SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE LAWFULLY DISPOSED OF OFF SITE AT THE CONTRACTOR'S EXPENSE.

15. THE CONTRACTOR SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.

16. DUST TO BE CONTROLLED 24 HOURS PER DAY, 7 DAYS PER WEEK, AS CONDITIONS DICTATE, WITH A WATER TRUCK.

17. CONSTRUCTION STAKING FOR LIMITS OF DISTURBANCE INCLUDING CONSTRUCTION AND SILT FENCES, GRADING, CURB, GUTTER, SIDEWALK, SANITARY SEWER, STORM DRAIN, WATER, AND ELECTROLIERS SHALL BE COORDINATED BY JACKSON ENGINEERING. THE CONTRACTOR SHALL NOTIFY THE ENGINEER FORTY-EIGHT (48) HOURS IN ADVANCE OF THE NEED FOR STAKING. ANY STAKING REQUESTED BY THE CONTRACTOR OR THEIR SUBCONTRACTORS THAT IS ABOVE AND BEYOND STANDARD STAKING NEEDS, WILL BE SUBJECT TO AN EXTRA WORK BACK CHARGE TO THE CONTRACTOR.

18. FOR ALL WORK WITHIN PUBLIC RIGHTS-OF-WAY OR EASEMENTS, THE CONTRACTOR SHALL PRESERVE THE INTEGRITY AND LOCATION OF ANY AND ALL PUBLIC UTILITIES AND PROVIDE THE NECESSARY CONSTRUCTION IRAMC CONTROL. CONTRACTOR SHALL, THROUGH THE ENCROACHMENT PERMIT PROCESS, VERIFY WITH THE NECESSARY REGULATORY AGENCIES, THE NEED FOR ANY TRAFFIC ROUTING PLAN. IF A PLAN IS REQUIRED, CONTRACTOR SHALL PROVIDE A PLAN AND RECEIVE PROPER APPROVALS PRIOR TO BEGINNING CONSTRUCTION.

19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ADEQUATELY SCHEDULING INSPECTION AND TESTING OF ALL FACILITIES CONSTRUCTED UNDER THIS CONTRACT. ALL TESTING SHALL CONFORM TO THE REGULATORY AGENCY'S STANDARD SPECIFICATIONS. ALL TESTING AND INSPECTION SHALL BE PAID FOR BY THE OWNER; ALL RE-TESTING AND/OR RE-INSPECTION SHALL BE PAID FOR BY THE CONTRACTOR.

20. IF EXISTING IMPROVEMENTS NEED TO BE DISTURBED AND/OR REMOVED FOR THE PROPER PLACEMENT OF IMPROVEMENTS TO BE CONSTRUCTED BY THESE PLANS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING EXISTING IMPROVEMENTS FROM DAMAGE. COST OF REPLACING OR REPAIRING EXISTING IMPROVEMENTS SHALL BE INCLUDED IN THE UNIT PRICE BID FOR ITEMS REQUIRING REMOVAL AND/OR REPLACEMENT OF EXISTING IMPROVEMENTS. THERE WILL BE NO EXTRA COST DUE TO THE CONTRACTOR FOR REPLACING OR REPAIRING EXISTING IMPROVEMENTS.

21. WHENEVER EXISTING FACILITIES ARE REMOVED, DAMAGED, BROKEN, OR CUT IN THE INSTALLATION OF THE WORK COVERED BY THESE PLANS OR SPECIFICATIONS, SAID FACILITIES SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE, AFTER PROPER BACKFILLING AND/OR CONSTRUCTION, WITH MATERIALS EQUAL TO OR BETTER THAN THE MATERIALS USED IN THE ORIGINAL EXISTING FACILITIES. THE FINISHED PRODUCT SHALL BE SUBJECT TO THE APPROVAL OF THE OWNER, THE ENGINEER, AND THE RESPECTIVE REGULATORY AGENCY.

22. THE CONTRACTOR SHALL MAINTAIN A NEATLY MARKED SET OF FULL-SIZE AS-BUILT RECORD DRAWINGS SHOWING THE FINAL LOCATION AND LAYOUT OF ALL MECHANICAL, ELECTRICAL AND INSTRUMENTATION EQUIPMENT; PIPING AND CONDUITS; STRUCTURES AND OTHER FACILITIES. THE AS-BUILTS OF THE ELECTRICAL SYSTEM SHALL INCLUDE THE STREET LIGHT LAYOUT PLAN SHOWING LOCATION OF LIGHTS, CONDUITS, CONDUCTORS, POINTS OF CONNECTIONS TO SERVICES, PULLBOXES, AND WIRE SIZES. AS-BUILT RECORD DRAWINGS SHALL REFLECT CHANGE ORDERS, ACCOMMODATIONS, AND ADJUSTMENTS TO ALL IMPROVEMENTS CONSTRUCTED. WHERE NECESSARY, SUPPLEMENTAL DRAWINGS SHALL BE PREPARED AND SUBMITTED BY THE CONTRACTOR. PRIOR TO ACCEPTANCE OF THE PROJECT, THE CONTRACTOR SHALL DELIVER TO THE ENGINEER, ONE SET OF NEATLY MARKED AS-BUILT RECORD DRAWINGS SHOWING THE INFORMATION REQUIRED ABOVE. AS-BUILT RECORD DRAWINGS SHALL BE REVIEWED AND THE COMPLETE AS-BUILT RECORD DRAWING SET SHALL BE CURRENT WITH ALL CHANGES AND DEVIATIONS REDLINED AS A PRECONDITION TO FINAL PROGRESS PAYMENT APPROVAL AND/OR FINAL ACCEPTANCE. CONTRACTOR SHALL THEN SUBMIT MYLAR AND DISK TO CITY.

23. WORK IN EASEMENTS AND/OR RIGHTS-OF-WAY IS SUBJECT TO THE APPROVAL AND ACCEPTANCE OF THE REGULATORY AGENCY RESPONSIBLE FOR OPERATION AND/OR MAINTENANCE OF SAID EASEMENTS AND/OR RIGHTS-OF-WAY.

24. BENCHMARK:

BENCHMARK:
ELEVATION:
NORTHING:
EASTING:
DATUM:
DESCRIPTION:
MERIDIAN:

CLEARING AND GRADING NOTES

1. THE EXISTING TOPOGRAPHY SHOWN ON THESE PLANS IS BASED ON TOPOGRAPHIC AERIAL SURVEY PROVIDED BY AEROGRAPHICS, MAY 2008 AND SUPPLIMENTAL FIELD MAPPING PROVIDED BY McNEIL ENGINEERING, JULY 2013.
2. JACKSON ENGINEERING SHALL PROVIDE A TEMPORARY EROSION CONTROL PLAN AND SUBMIT REQUEST FOR SWPP PERMIT. OWNER REQUIRED TO OBTAIN OTHER PERMITS FROM EAGLE MOUNTAIN CITY, UTAH COUNTY AND THE STATE OF UTAH FOR TEMPORARY EROSION CONTROL. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE TO PROVIDE ALL TEMPORARY EROSION CONTROL AND MAINTENANCE, AND SHALL PROVIDE EROSION AND SEDIMENT CONTROL FORMS TO THE CITY. FOR ADDITIONAL EROSION CONTROL INFORMATION, SEE "EROSION CONTROL/REVEGETATION PLAN" SHEETS AND REPORTS.

DEWATERING NOTES

1. THE CONTRACTOR SHALL FURNISH, INSTALL, OPERATE AND MAINTAIN ALL MACHINERY, APPLIANCES, AND EQUIPMENT TO MAINTAIN ALL EXCAVATIONS FREE FROM WATER DURING CONSTRUCTION. THE CONTRACTOR SHALL DISPOSE OF THE WATER SO AS NOT TO CAUSE DAMAGE TO PUBLIC OR PRIVATE PROPERTY, OR TO CAUSE A NUISANCE OR MENACE TO THE PUBLIC OR VIOLATE THE LAW. THE DEWATERING SYSTEM SHALL BE INSTALLED AND OPERATED SO THAT THE GROUND WATER LEVEL OUTSIDE THE EXCAVATION IS NOT REDUCED TO THE EXTENT WHICH WOULD CAUSE DAMAGE OR ENDANGER ADJACENT STRUCTURES OR PROPERTY. ALL COST FOR DEWATERING SHALL BE INCLUDED IN THE UNIT PRICE BID FOR ALL PIPE CONSTRUCTION. THE STATIC WATER LEVEL SHALL BE DRAWN DOWN A MINIMUM OF 1 FOOT BELOW THE BOTTOM OF EXCAVATIONS TO MAINTAIN THE UNDISTURBED STATE OF NATURAL SOILS AND ALLOW THE PLACEMENT OF ANY FILL TO THE SPECIFIED DENSITY. THE CONTRACTOR SHALL HAVE ON HAND, PUMPING EQUIPMENT AND MACHINERY IN GOOD WORKING CONDITION FOR EMERGENCIES AND SHALL HAVE WORKMEN AVAILABLE FOR ITS OPERATION. DEWATERING SYSTEMS SHALL OPERATE CONTINUOUSLY UNTIL BACKFILL HAS BEEN COMPLETED TO 1 FOOT ABOVE THE NORMAL STATIC GROUNDWATER LEVEL.
2. THE CONTRACTOR SHALL CONTROL SURFACE WATER TO PREVENT ENTRY INTO EXCAVATIONS. AT EACH EXCAVATION, A SUFFICIENT NUMBER OF TEMPORARY OBSERVATION WELLS TO CONTINUOUSLY CHECK THE GROUNDWATER LEVEL SHALL BE PROVIDED.
3. SUMPS SHALL BE AT THE LOW POINT OF EXCAVATION. EXCAVATION SHALL BE GRADED TO DRAIN TO THE SUMPS.
4. THE CONTROL OF GROUNDWATER SHALL BE SUCH THAT SOFTENING OF THE BOTTOM OF EXCAVATIONS, OR FORMATION OF "QUICK" CONDITIONS OR "BOILS", DOES NOT OCCUR. DEWATERING SYSTEMS SHALL BE DESIGNED AND OPERATED SO AS TO PREVENT REMOVAL OF THE NATURAL SOILS. THE RELEASE OF GROUNDWATER AT ITS STATIC LEVEL SHALL BE PERFORMED IN SUCH A MANNER AS TO MAINTAIN THE UNDISTURBED STATE OF NATURAL FOUNDATIONS SOILS, PREVENT DISTURBANCE OF COMPACTED SOILS, PREVENT DISTURBANCE OF COMPACTED BACKFILL, AND PREVENT FLOTATION OR MOVEMENT OF STRUCTURES, PIPELINES AND SEWERS. IF A UPDES (UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM) PERMIT IS REQUIRED FOR DISPOSAL OF WATER FROM CONSTRUCTION DEWATERING ACTIVITIES, IT SHALL BE OBTAINED BY THE CONTRACTOR PRIOR TO ANY DEWATERING ACTIVITIES.

UNDERGROUND UTILITIES

1. THE INFORMATION SHOWN ON THE PLANS WITH REGARD TO THE EXISTING UTILITIES AND/OR IMPROVEMENTS WAS DERIVED FROM FIELD INVESTIGATIONS AND/OR RECORD INFORMATION AND/OR THE ALTA SURVEY. THE ENGINEER DOES NOT GUARANTEE THESE LOCATIONS TO BE EITHER TRUE OR EXACT. PRIOR TO CONSTRUCTION, IT SHALL BE THE CONTRACTOR'S SOLE RESPONSIBILITY TO VERIFY ALL EXISTING IMPROVEMENTS AND TO EXPOSE ALL EXISTING UNDERGROUND UTILITIES RELATED TO THE PROJECT, INCLUDING BUT NOT LIMITED TO, SEWER, STORM DRAIN, WATER, IRRIGATION, GAS, ELECTRICAL, ETC. AND SHALL NOTIFY THE ENGINEER FORTY-EIGHT (48) HOURS IN ADVANCE OF EXPOSING THE UTILITIES, SO THAT THE EXACT LOCATION AND ELEVATION CAN BE VERIFIED AND DOCUMENTED. THE COST ASSOCIATED TO PERFORM THIS WORK SHALL BE INCLUDED IN EITHER THE LUMP SUM CLEARING COST OR IN THE VARIOUS ITEMS OF WORK. IF LOCATION AND/OR ELEVATION DIFFERS FROM THAT SHOWN ON THE DESIGN PLANS, PROVISIONS TO ACCOMMODATE NEW LOCATION/ELEVATION MUST BE MADE PRIOR TO CONSTRUCTION.
2. PRIOR TO COMMENCING ANY WORK, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO HAVE EACH UTILITY COMPANY LOCATE, IN THE FIELD, THEIR MAIN AND SERVICE LINES. THE CONTRACTOR SHALL NOTIFY BLUE STAKES AT 1-800-662-4111 48 HOURS IN ADVANCE OF PERFORMING ANY EXCAVATION WORK. THE CONTRACTOR SHALL RECORD THE BLUE STAKES ORDER NUMBER AND FURNISH ORDER NUMBER TO OWNER AND ENGINEER PRIOR TO ANY EXCAVATION. IT WILL BE THE CONTRACTOR'S SOLE RESPONSIBILITY TO DIRECTLY CONTACT ANY OTHER UTILITY COMPANIES THAT ARE NOT MEMBERS OF BLUE STAKES. IT SHALL BE THE CONTRACTOR'S SOLE RESPONSIBILITY TO PROTECT ALL EXISTING UTILITIES SO THAT NO DAMAGE RESULTS TO THEM DURING THE PERFORMANCE OF THIS CONTRACT. ANY REPAIRS NECESSARY TO DAMAGED UTILITIES SHALL BE PAID FOR BY THE CONTRACTOR. THE CONTRACTOR SHALL BE REQUIRED TO COOPERATE WITH OTHER CONTRACTORS AND UTILITY COMPANIES INSTALLING NEW STRUCTURES, UTILITIES AND SERVICE TO THE PROJECT.
3. THE CONTRACTOR SHALL PROVIDE ALL SHORING, BRACING, SLOPING OR OTHER PROVISIONS NECESSARY TO PROTECT WORKMEN FOR ALL AREAS TO BE EXCAVATED TO A DEPTH OF 4' OR MORE. FOR EXCAVATIONS 4 FEET OR MORE IN DEPTH, THE CONTRACTOR SHALL COMPLY WITH INDUSTRIAL COMMISSION OF UTAH SAFETY ORDERS SECTION 68 - EXCAVATIONS, AND SECTION 69 - TRENCHES, ALONG WITH ANY LOCAL CODES OR ORDINANCES. ANY EXCAVATION GREATER THAN 10 FEET IN DEPTH REQUIRES A TRENCH BOX.
4. PRIOR TO OPENING AN EXCAVATION, EFFORT SHALL BE MADE TO DETERMINE WHETHER UNDERGROUND INSTALLATIONS, I.E. SEWER, WATER, FUEL ELECTRIC LINES, ETC., WILL BE ENCOUNTERED AND IF SO, WHERE SUCH UNDERGROUND INSTALLATIONS ARE LOCATED. WHEN THE EXCAVATION APPROACHES THE APPROXIMATE LOCATION OF SUCH AN INSTALLATION, THE EXACT LOCATION SHALL BE DETERMINED BY CAREFUL PROBING OR HAND DIGGING; AND, WHEN IT IS UNCOVERED, ADEQUATE PROTECTION SHALL BE PROVIDED FOR THE EXISTING INSTALLATION. ALL KNOWN OWNERS OF UNDERGROUND FACILITIES IN THE AREA CONCERNED SHALL BE ADVISED OF PROPOSED WORK AT LEAST 48 HOURS PRIOR TO THE START OF ACTUAL EXCAVATION.
5. IN CASES OF HIGH GROUNDWATER, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO USE RUBBER GASKET JOINTS ON ALL PRE CAST PIPES. THE COST FOR RUBBER GASKET JOINTS SHALL BE INCLUDED IN THE UNIT PRICES OF PIPE.
6. ALL CONSTRUCTION AND MATERIALS FOR THE SEWER MAIN AND LATERALS MUST COMPLY WITH THE EAGLE MOUNTAIN CITY STANDARDS, THE UNIT COST OF THE SEWER LATERAL INCLUDES CONNECTION TO THE SEWER MAIN. THE CLEAN OUT RISER FOR EACH SERVICE SHALL BE INSTALLED BY THE CONTRACTOR.
7. ALL EXISTING WATER VALVES TO BE OPERATED UNDER THE DIRECTION OF EAGLE MOUNTAIN CITY PERSONNEL ONLY.
8. WATER LINES SHALL BE A MINIMUM OF 10' HORIZONTALLY FROM SEWER MAINS. CROSSINGS SHALL MEET STATE HEALTH STANDARDS. CONTRACTOR RESPONSIBLE FOR ALL NECESSARY FITTINGS AND THRUST BLOCKS.
9. THE CONTRACTOR SHALL NOTIFY JACKSON ENGINEERING AT LEAST 48 HOURS PRIOR TO BACKFILLING OF ANY PIPE WHICH STUBS TO A FUTURE PHASE OF CONSTRUCTION FOR INVERT VERIFICATION. TOLERANCE SHALL BE IN ACCORDANCE WITH THE REGULATORY AGENCY STANDARD SPECIFICATIONS.
10. ALL UNDERGROUND UTILITIES SHALL BE IN PLACE PRIOR TO INSTALLATION OF CURB, GUTTER AND STREET PAVING.
11. WATER PIPE SHALL BE C900 PVC APPROVED EQUIVALENT. WATER PIPE SHALL BE INSTALLED AND TESTED TO EAGLE MOUNTAIN CITY STANDARDS. CONTRACTOR RESPONSIBLE FOR ALL NECESSARY FITTINGS AND THRUST BLOCKS.
12. STRAIGHT LINE SEWER PIPE IS TO BE PVC SDR-35 OR APPROVED EQUAL AND TESTED TO EAGLE MOUNTAIN CITY STANDARDS.
13. STRAIGHT STORM DRAIN PIPING IS TO BE REINFORCED CONCRETE PIPE (RCP) OR ADS PIPE AS SHOWN ON THESE PLANS. CURVED STORM DRAIN TO BE HDPE SDR-32.5 STORM DRAIN LINE OR APPROVED EQUAL CURVED STORM DRAIN LINES SHALL HAVE A SLOPE OF 4% OR GREATER, AND A TRACER WIRE. ALL STORM DRAIN SHALL BE INSTALLED AND TESTED TO EAGLE MOUNTAIN CITY STANDARDS.
14. THRUST BLOCKING SHALL BE CONSTRUCTED PER EAGLE MOUNTAIN CITY STANDARDS AND SPECIFICATIONS.
15. CONTRACTOR IS REQUIRED TO SUBMIT AS BUILT SEWER LATERAL LOCATIONS PER EAGLE MOUNTAIN CITY STANDARD.
16. CONTRACTOR IS REQUIRED TO SUBMIT AS-BUILT DRAWINGS SHOWING ALL FIELD CHANGES INCLUDING BUT NOT LIMITED TO:
A. DRY UTILITIES THAT ARE MORE THAN A FOOT OFF OF LOCATION SHOWN ON TYPICALS.
B. WATER SERVICE LATERALS THAT ARE MORE THAN A FOOT OFF OF CALL OUT LOCATIONS ON UTILITY PLAN
C. ALL CHANGES OR ADDITIONS TO THE STORM DRAIN UTILITY.

ADDITIONAL UTILITY INFORMATION & NOTES

1. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING UTILITIES DURING CONSTRUCTION AND NOTIFY THE ENGINEER OF RECORD IMMEDIATELY IF A UTILITY CONFLICT IS FOUND.
2. CONTRACTOR SHALL USE PRECAUTIONS AND SAFEGUARDS TO ENSURE THAT THE EXISTING SURROUNDING PROPERTIES ARE PROTECTED FROM DAMAGE DURING EXCAVATION & CONSTRUCTION.
3. ALL WORK PERFORMED PER DRAPER CITY PUBLIC WAY SHALL BE DONE BY A LICENSED GENERAL CONTRACTOR WITH INSURANCE AND BOND AND REQUIRED BY EAGLE MOUNTAIN CITY.

WATER NOTES

1. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF EXISTING VALVES AT THE CONNECTION POINTS PRIOR TO BEGINNING WATER LINE CONSTRUCTION. IF ANY CONFLICTS WITH OTHER UTILITIES EXIST, CONTRACTOR SHALL NOTIFY THE ENGINEER OF RECORD IMMEDIATELY TO INVESTIGATE CONFLICT RESOLUTION.
2. ALL CULINARY, AND FIRE PROTECTION WATER LINE CONSTRUCTION SHALL CONFORM TO EAGLE MOUNTAIN CITY DETAILS AND SPECIFICATIONS.
3. ALL GATE VALVES SHALL BE INSTALLED PER EAGLE MOUNTAIN CITY STANDARDS.
4. ALL WATER LINE THRUST BLOCKING SHALL CONFORM TO EAGLE MOUNTAIN CITY STANDARDS.
5. ALL FIRE HYDRANTS SHALL BE INSTALLED COMPLETE PER EAGLE MOUNTAIN CITY STANDARDS.
6. ALL WATER METERS SHALL BE INSTALLED PER EAGLE MOUNTAIN CITY STANDARDS.
7. IF ANY WATER UNE LOOPS ARE REQUIRED, THEY SHALL BE INSTALLED IN CONFORMANCE WITH EAGLE MOUNTAIN CITY STANDARDS.
8. ALL BLOW-OFFS SHALL BE INSTALLED PER EAGLE MOUNTAIN CITY STANDARDS.

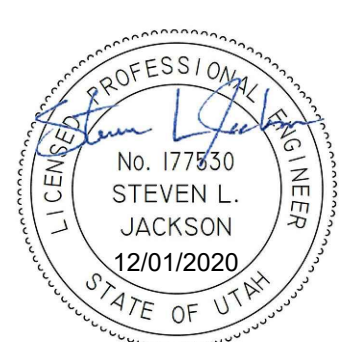
SEWER NOTES

1. ALL CONSTRUCTION SHALL COMPLY WITH EAGLE MOUNTAIN CITY DESIGN STANDARDS AND CONSTRUCTION SPECIFICATIONS.
2. CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND INVERT ELEVATIONS OF EXISTING MANHOLES AND OTHER UTILITIES BEFORE STAKING OR CONSTRUCTING AND NEW SEWER LINES.
3. FOUR FEET OF COVER IS REQUIRED OVER ALL SEWER LINES.

SURFACE IMPROVEMENTS

1. SUB GRADE PREPARATION: EARTHWORK FOR ROADWAY SECTIONS SHALL BE SCARIFIED AND RECOMPACTED AT THE PROPER MOISTURE CONTENT TO 95 PERCENT RELATIVE DENSITY (STANDARD PROCTOR ASTM D1557, MODIFIED PROCTOR ASTM D698). THE NATIVE SUB GRADE SHOULD BE FIRM AND NON-YIELDING PRIOR TO SUB BASE PLACEMENT. EVERY EFFORT SHOULD BE MADE TO AVOID EXPOSING NATIVE SUB-GRADES TO EXCESS MOISTURE.
2. GRANULAR SUB BASE: GRANULAR MATERIAL MUST BE CLEAR OF ORGANIC AND DELETERIOUS MATERIAL AND COMPACTED WITH PROPER MOISTURE CONTENT TO THE BOTTOM OF THE AGGREGATE BASE ELEVATION AT 95 PERCENT RELATIVE DENSITY (STANDARD PROCTOR ASTM D1557, MODIFIED PROCTOR ASTM D698).
3. AGGREGATE BASE: AGGREGATE BASE SHALL COMPLY WITH THE GUIDELINE REQUIREMENTS FOR PAVEMENT DESIGN IN THE REPORTS CITED ABOVE BY IGES GEOTECHNICAL. THE AGGREGATE BASE SHALL BE DENSIFIED TO AT LEAST 95 PERCENT RELATIVE DENSITY (STANDARD PROCTOR ASTM D1557, MODIFIED PROCTOR ASTM D698).
4. ASPHALTIC CONCRETE: ASPHALTIC CONCRETE SHALL BE 3 INCHES THICK AND COMPACTED TO AT LEAST 96 PERCENT OF THE MATERIAL'S MAXIMUM MARSHALL DENSITY IN ACCORDANCE WITH ASTM D1559.
5. ALL MANHOLE RIMS, VALVES AND MONUMENT BOXES, ETC. SHALL BE ADJUSTED TO FINISH GRADE AFTER STREET PAVING, UNLESS OTHERWISE NOTED. IN PAVED AREAS, PROVIDE A 1 FOOT BY 1/2 FOOT COLLAR. SET COLLAR 3/8 INCH LOWER THAN FINISH GRADE AT OUTER EDGE. PROVIDE COLLAR FOR ALL VALVES PER RESPECTIVE WATERPRO STANDARD SPECIFICATIONS. COST FOR THIS WORK SHALL BE INCLUDED IN THE UNIT PRICES FOR SAID FACILITIES. COLLARS SHALL BE CONCRETE.
6. PAYMENT FOR PAVEMENT WILL BE MADE ONLY FOR AREAS SHOWN ON THE PLANS. REPLACEMENT OF PAVEMENT WHICH IS BROKEN OR CUT DURING THE INSTALLATION OF THE WORK COVERED BY THESE SPECIFICATIONS, AND WHICH LIES OUTSIDE OF SAID AREAS, SHALL BE INCLUDED IN THE CONTRACTOR'S UNIT PRICE FOR PAVEMENT, AND NO ADDITIONAL PAYMENT SHALL BE MADE FOR SUCH WORK.
7. ALL UTILITY TRENCH WITHIN ASPHALT ROADWAYS SHALL BE SAW CUT WITH "T-PATCH".
8. IN AREAS OF ROAD CUTS, TYPE 3 SLURRY RESURFACING IS REQUIRED.

Pole Canyon Subdivision - Phase 1
Eagle Mountain, Utah
General Notes



NO.	DATE	REVISION	BY

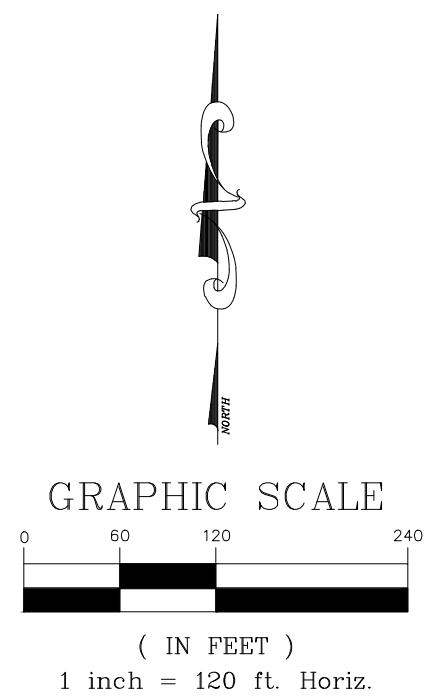
PROJECT NO.: 13.032.101	DATE: 12/01/2020
DRAWN BY: S. PRITCHETT	CHECKED BY: S. JACKSON
PROJECT MANAGER: S. JACKSON	

General Notes
G1.1

JACKSON ENGINEERING
3376 STONEHILL LANE, SALT LAKE CITY, UTAH 84121
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FAX: (801) 943-0108

FOR:
OQUIRRH WOOD RANCH, LLC
1099 WEST SO. JORDAN PKWY
SOUTH JORDAN, UT 84095

CONTACT:
NATE SHIPP
PHONE: (801) 495-3414
FAX: (801) 495-3415

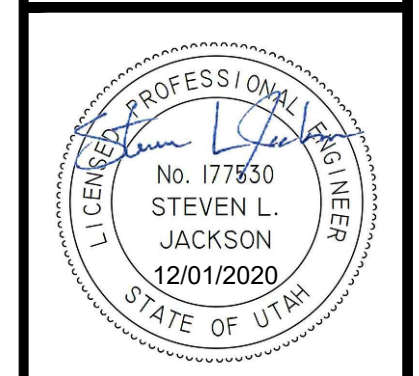


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Pole Canyon Subdivision - Phase 1 Eagle Mountain, Utah Overall Site Plan & Project Control

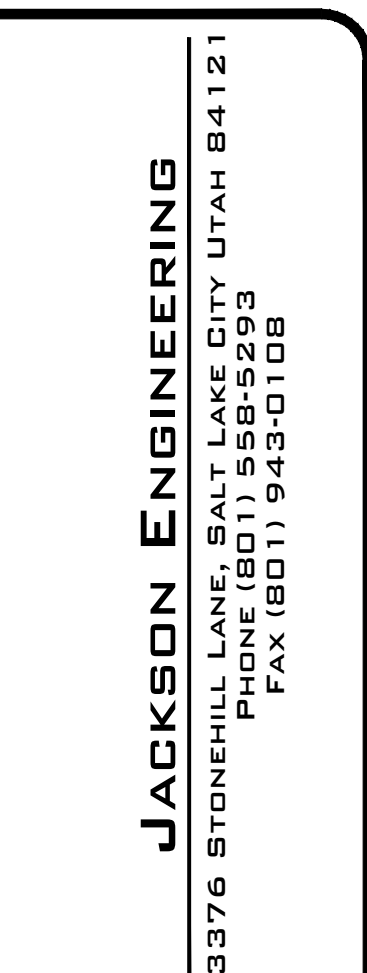
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PROJECT NO.:	DATE:
13.032.101	12/01/2020
DRAWN BY:	CHECKED BY:
S. PRITCHETT	S. JACKSON

PROJECT MANAGER:
S. JACKSON

Overall Site Plan C1.0

- (W1) INSTALL 3/4" WATER SERVICE LINE
- (W2) EXISTING WATER SERVICE LINE
- (W3) REMOVE VALVE, CAP AT TEE
- (S1) INSTALL SANITARY SEWER CLEAN OUT
- (S2) REMOVE EXISTING SANITARY SEWER CLEAN OUT
- (S3) INSTALL 4' DIA. SANITARY SEWER MANHOLE
- (S4) EXISTING SANITARY SEWER MANHOLE
- (S5) INSTALL 4" SANITARY SEWER LATERAL
- (S6) EXISTING SANITARY SEWER CLEAN OUT
- (S7) REMOVE 8" SANITARY SEWER LINE TO MANHOLE



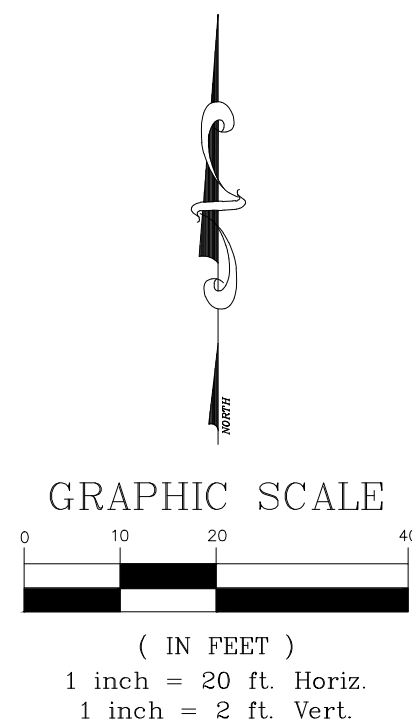
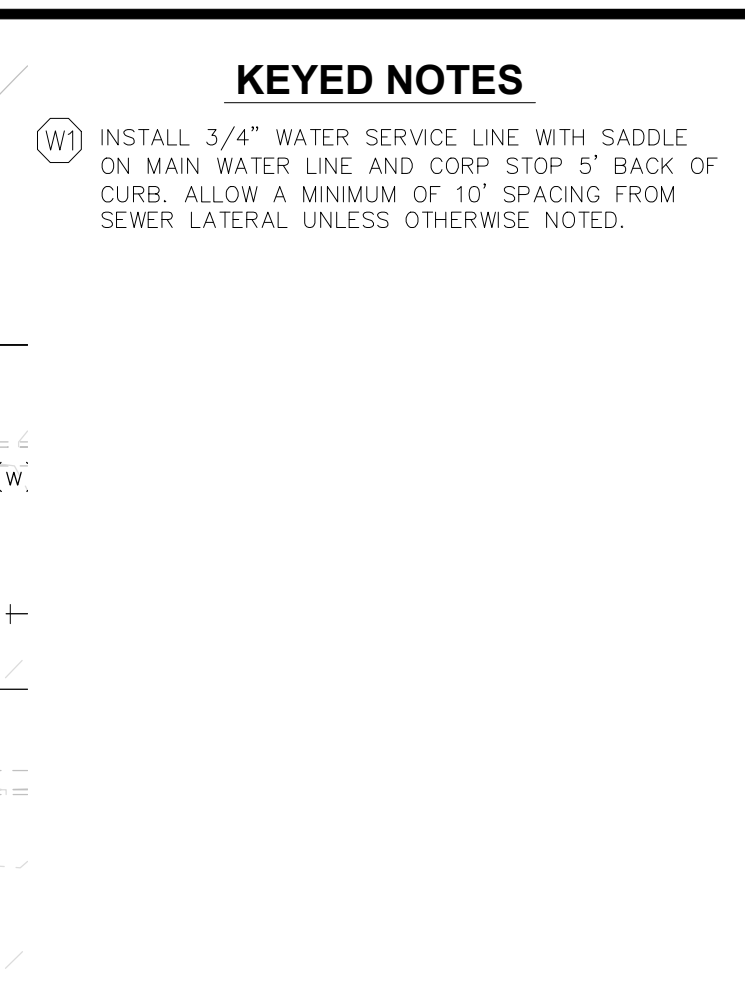
CONTACT:
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FAX: (801) 495-3415

Professional Engineer Seal for Steven L. Jackson, State of Utah, License No. 177830, expires 12/01/2020.

PROJECT MANAGER:
S. JACKSON

Overall Utility Plan

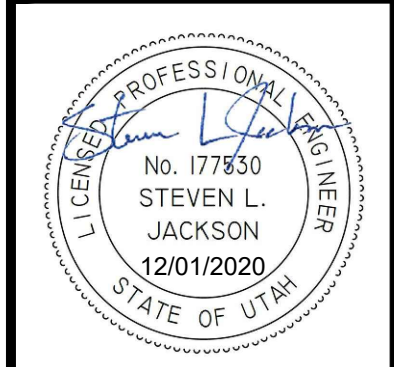
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CONTACT:	NATE SHIPP PHONE: (801) 495-3414 FAX: (801) 495-3415

**Pole Canyon Subdivision - Phase 1
Eagle Mountain, Utah
Plan & Profile - Jefferson Avenue
Sta 0+00 to Sta 5+00**

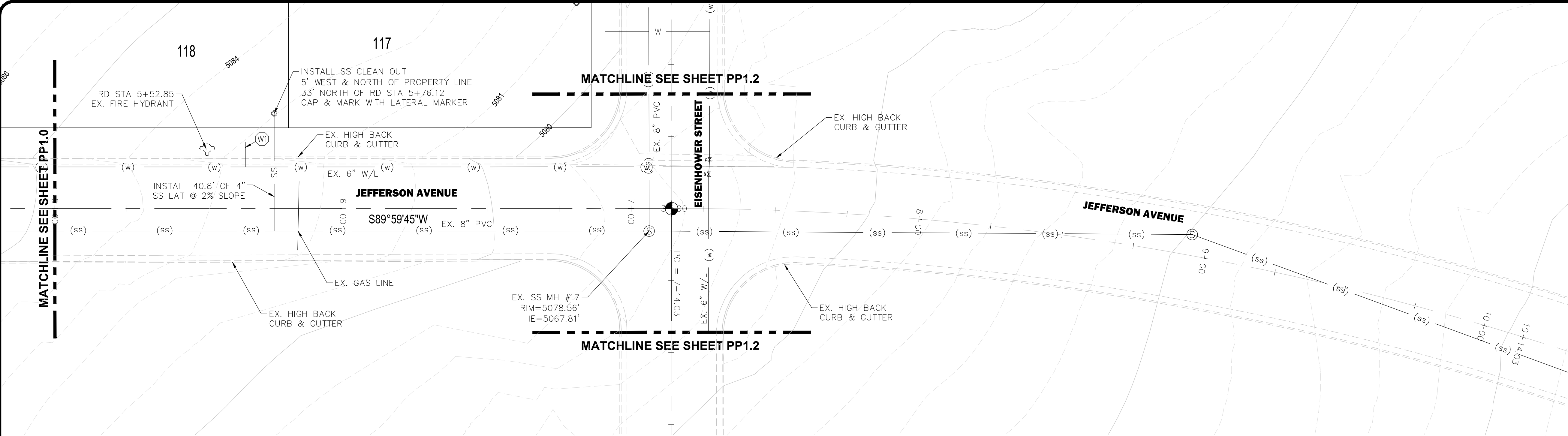


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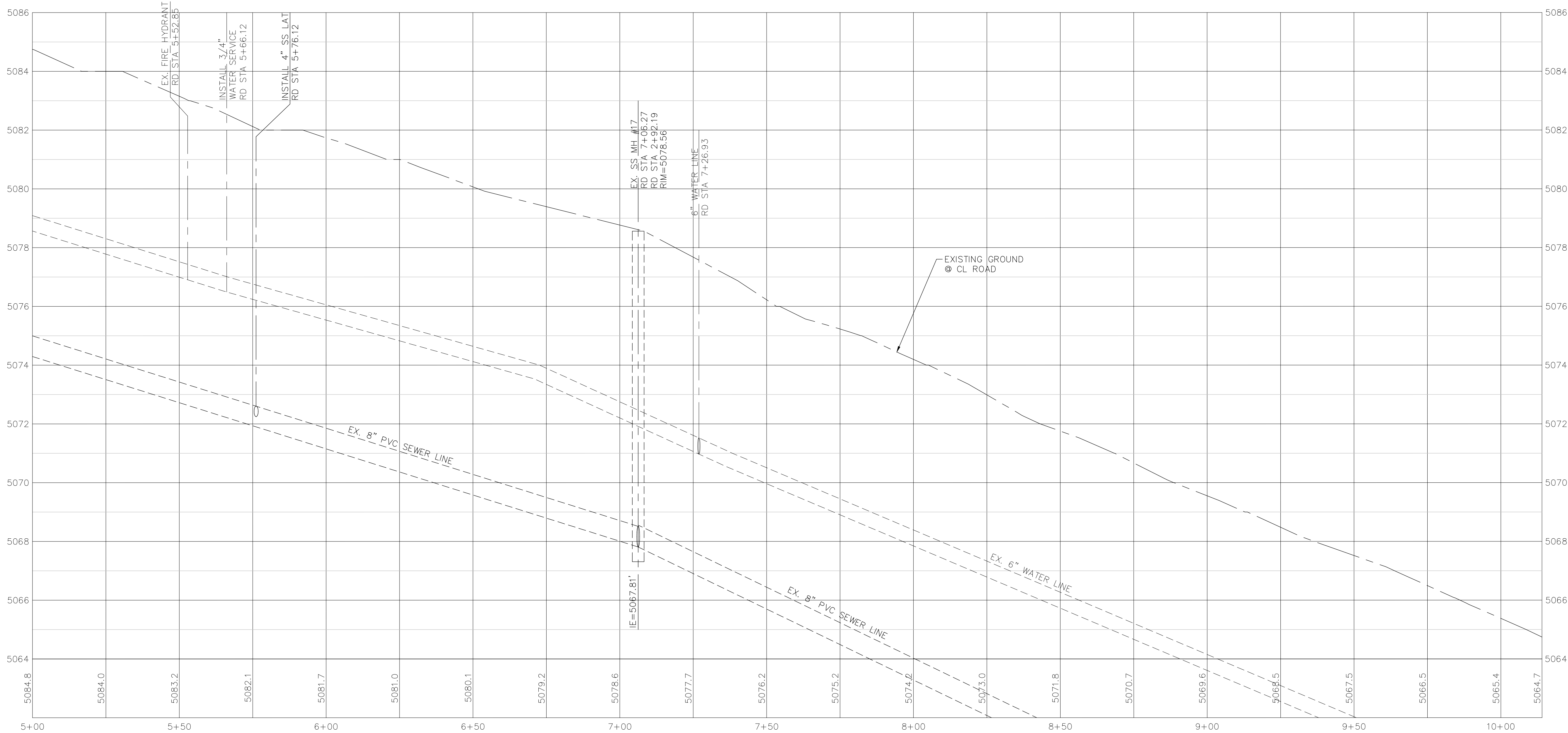
PROJECT NO.: 13.032.101	DATE: 12/01/2020
DRAWN BY: S. PRITCHETT	CHECKED BY: S. JACKSON
PROJECT MANAGER: S. JACKSON	

Plan & Profile

PP1.0



Plan View



Profile View

KEYED NOTES

(W1) INSTALL 3/4" WATER SERVICE LINE WITH SADDLE ON MAIN WATER LINE AND CORP STOP 5' BACK OF CURB. ALLOW A MINIMUM OF 10' SPACING FROM SEWER LATERAL UNLESS OTHERWISE NOTED.

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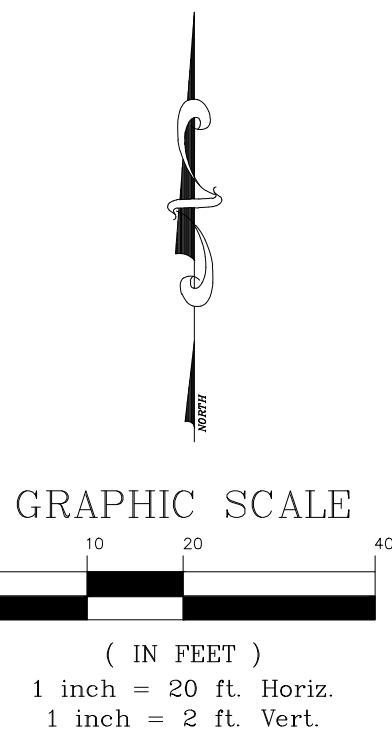
Pole Canyon Subdivision - Phase 1
Eagle Mountain, Utah
Plan & Profile - Jefferson Avenue
Sta 5+00 to Sta 10+14.03

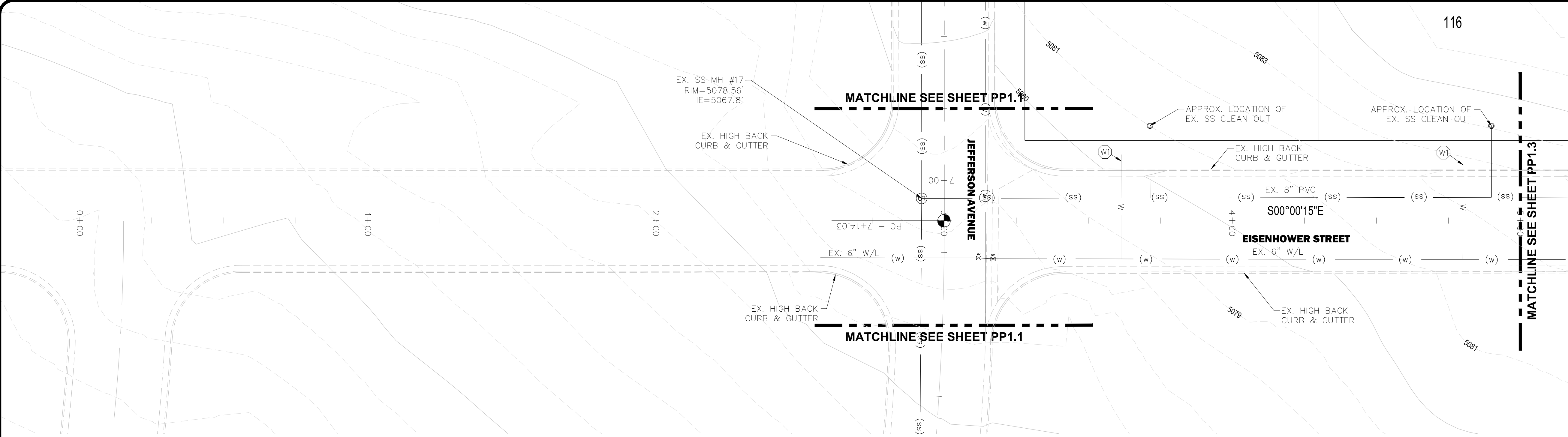


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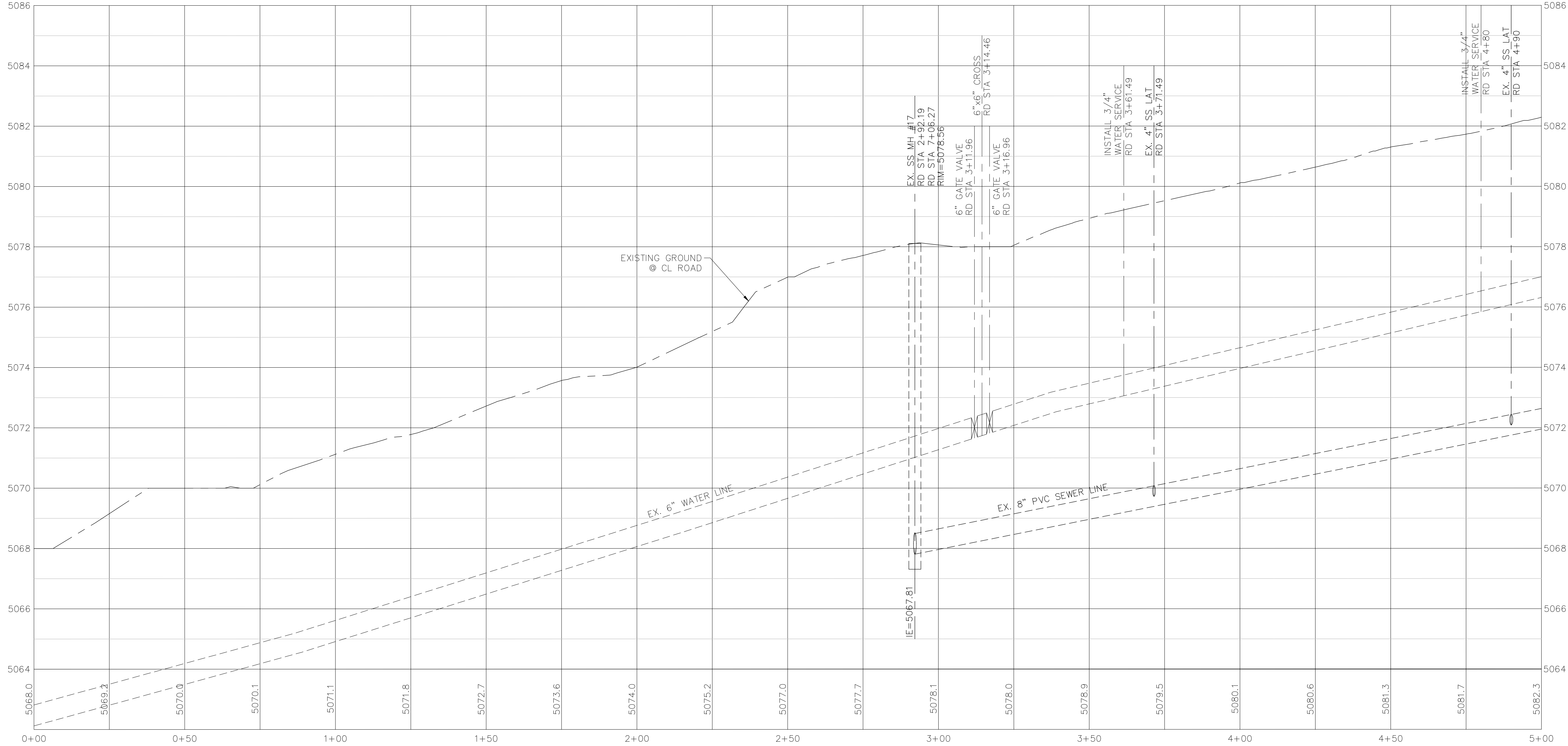
PROJECT NO.: 13.032.101
DATE: 12/01/2020
DRAWN BY: S. PRITCHETT
CHECKED BY: S. JACKSON
PROJECT MANAGER: S. JACKSON

Plan & Profile
PP1.1





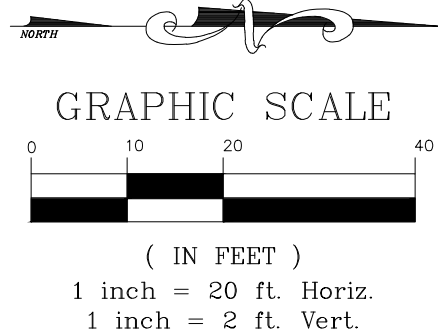
Plan View



Profile View

KEYED NOTES

(W1) INSTALL 3/4" WATER SERVICE LINE WITH SADDLE ON MAIN WATER LINE AND CORP STOP 5' BACK OF CURB. ALLOW A MINIMUM OF 10' SPACING FROM SEWER LATERAL UNLESS OTHERWISE NOTED.



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Pole Canyon Subdivision - Phase 1
Eagle Mountain, Utah
Plan & Profile - Eisenhower Street
Sta 0+00 to Sta 5+00

1. LICENSED PROFESSIONAL ENGINEER
No. 177830
STEVEN L. JACKSON
12/01/2020
STATE OF UTAH

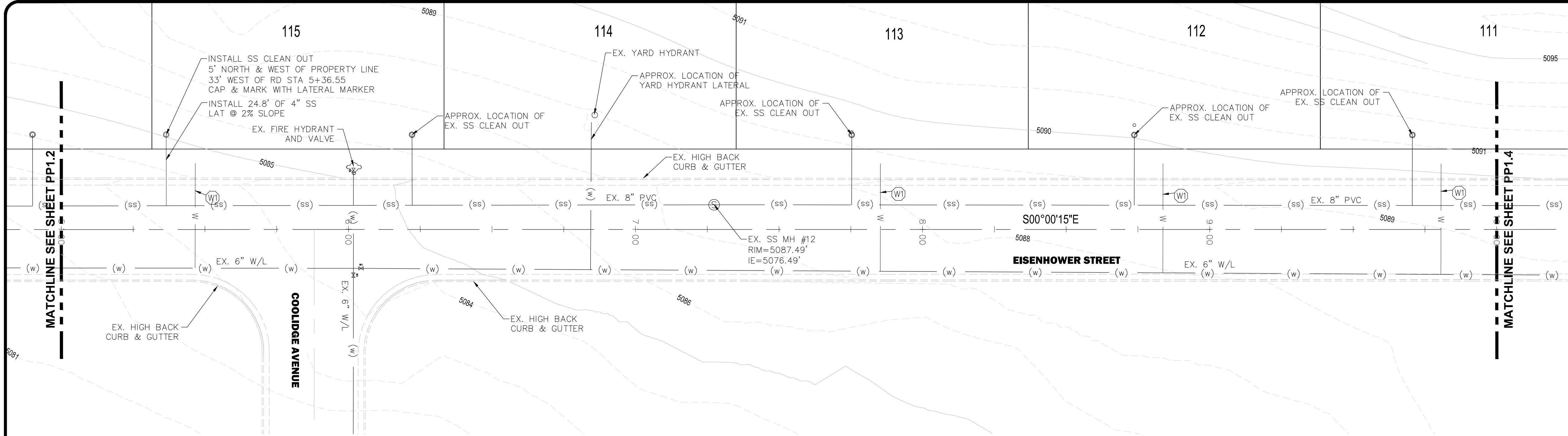
NO.	DATE	REVISION	BY

PROJECT NO.: 13.032.101
DATE: 12/01/2020

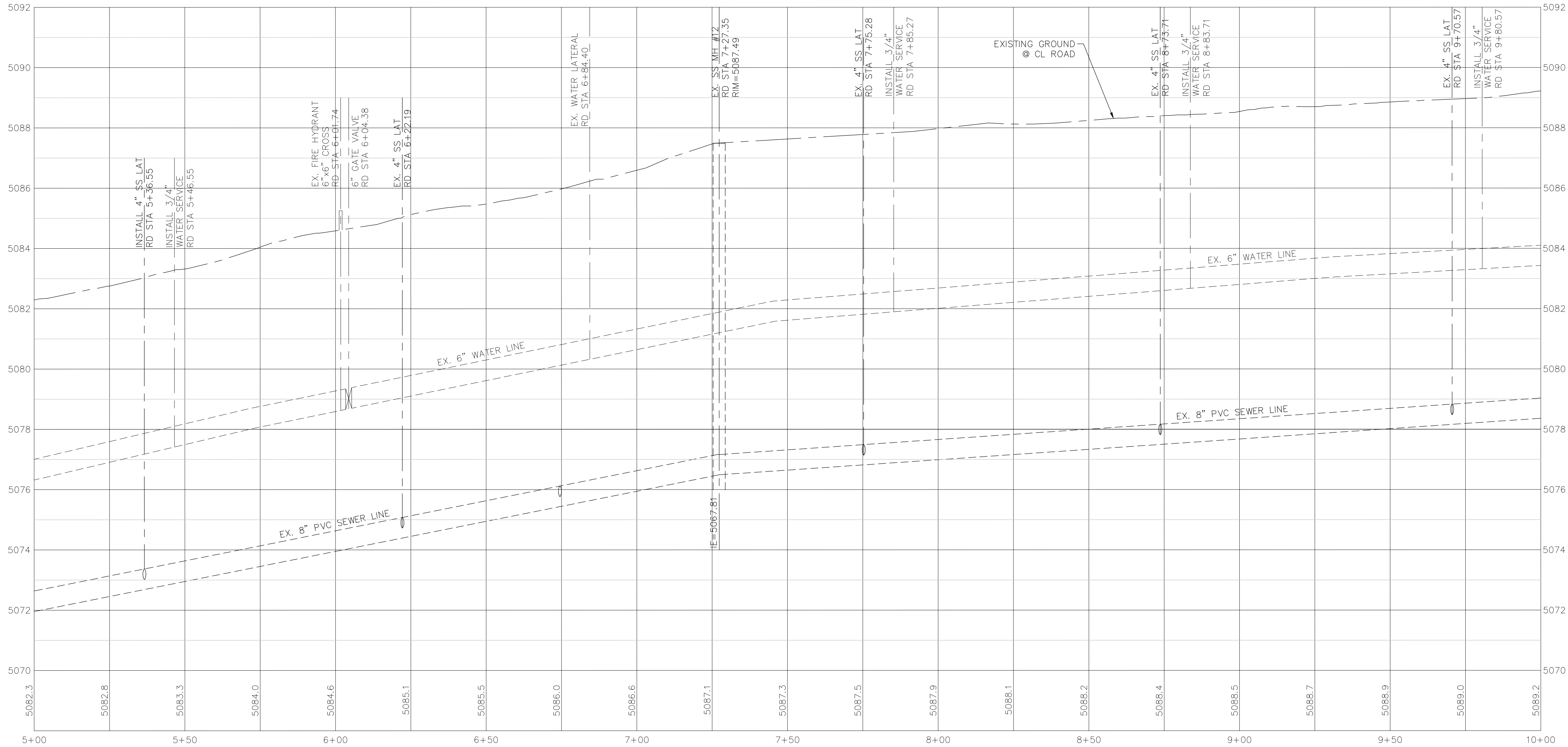
DRAWN BY: S. PRITCHETT
CHECKED BY: S. JACKSON

PROJECT MANAGER:
S. JACKSON

Plan & Profile
PP1.2



Plan View



Profile View

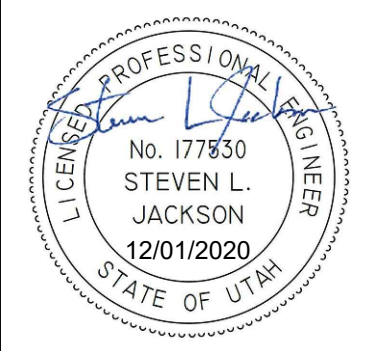
KEYED NOTES

(W1) INSTALL 3/4" WATER SERVICE LINE WITH SADDLE ON MAIN WATER LINE AND CORP STOP 5' BACK OF CURB. ALLOW A MINIMUM OF 10' SPACING FROM SEWER LATERAL UNLESS OTHERWISE NOTED.

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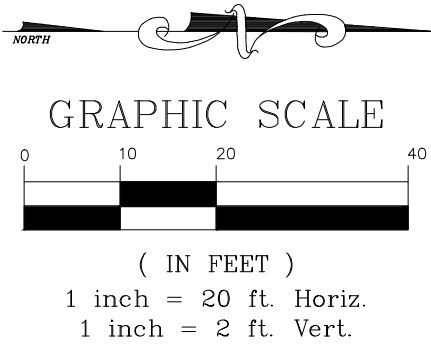
Pole Canyon Subdivision - Phase 1
Eagle Mountain, Utah
Plan & Profile - Eisenhower Street
Sta 5+00 to Sta 10+00

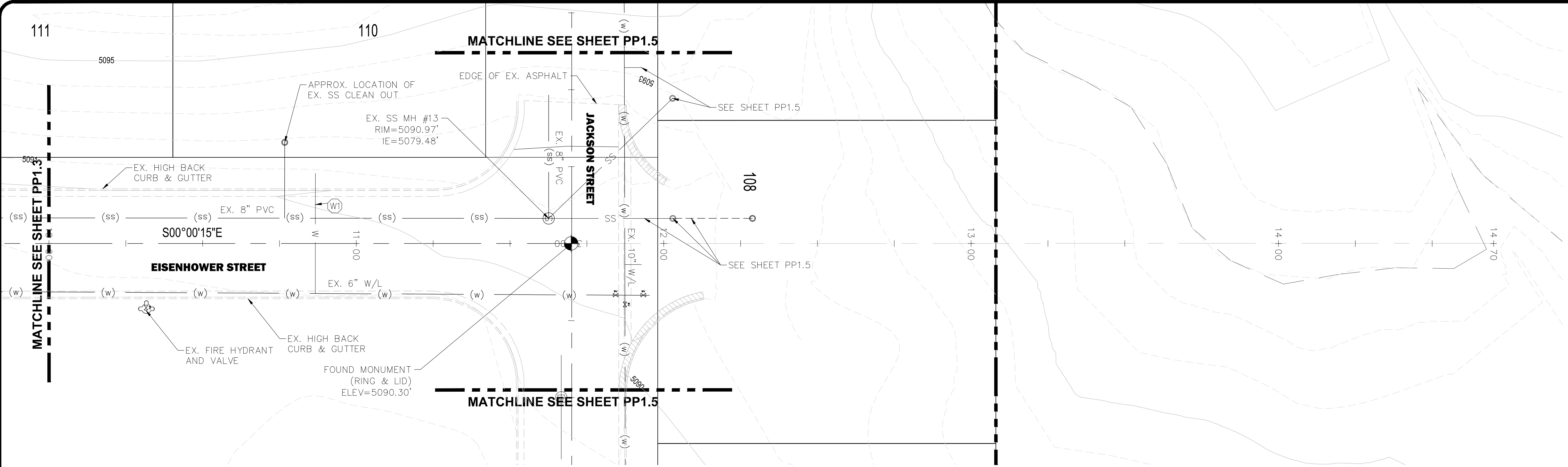


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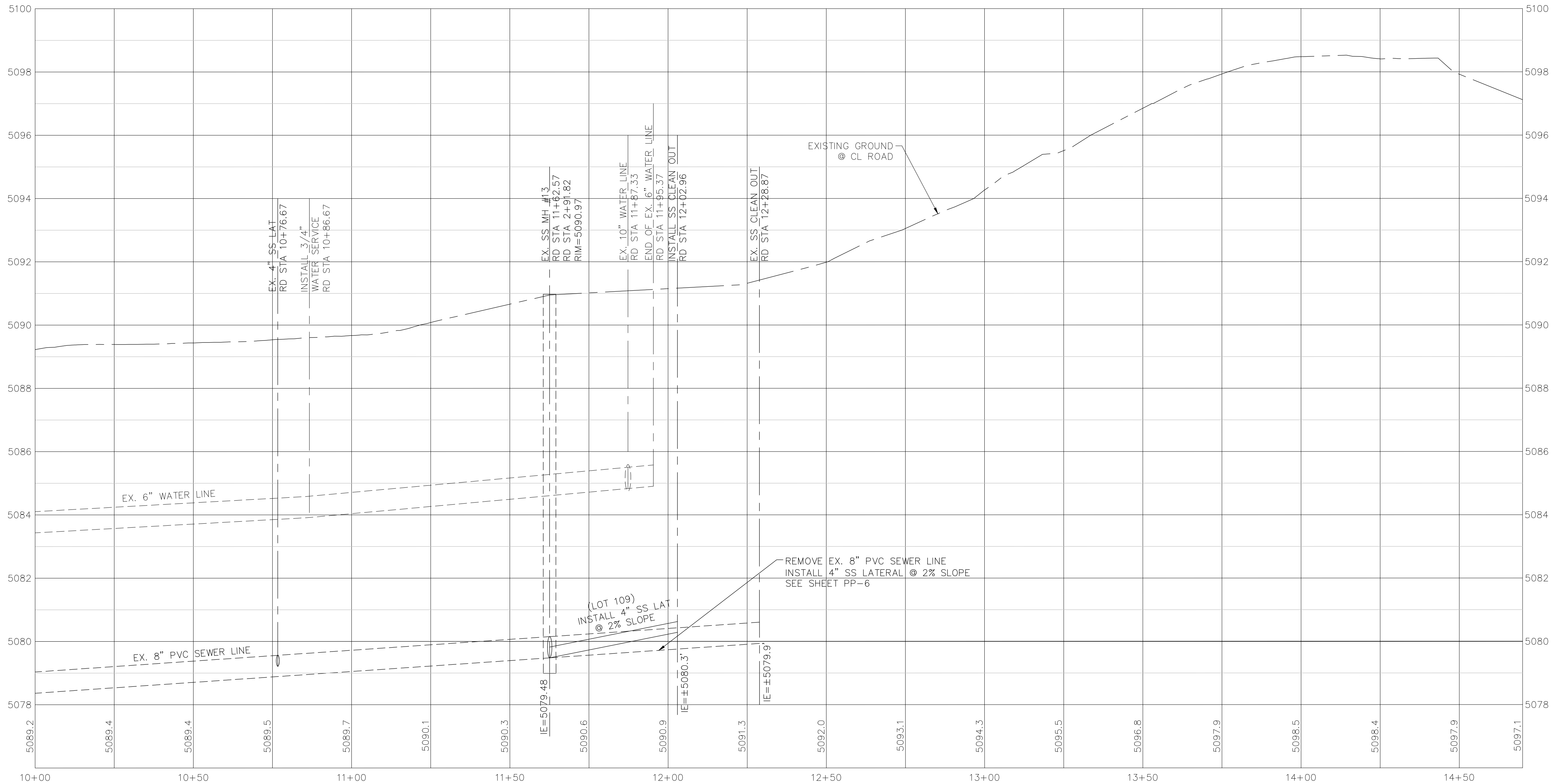
PROJECT NO.: 13.032.101 DATE: 12/01/2020
DRAWN BY: S. PRITCHETT CHECKED BY: S. JACKSON
PROJECT MANAGER: S. JACKSON

Plan & Profile
PP1.3





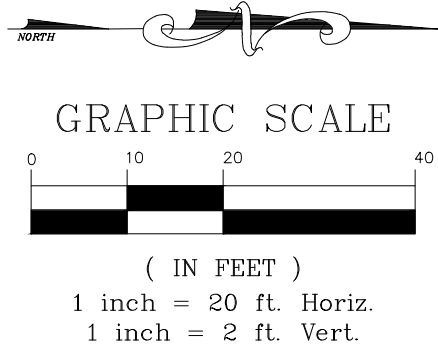
Plan View



Profile View

KEYED NOTES

(W1) INSTALL 3/4" WATER SERVICE LINE WITH SADDLE ON MAIN WATER LINE AND CORP STOP 5' BACK OF CURB. ALLOW A MINIMUM OF 10' SPACING FROM SEWER LATERAL UNLESS OTHERWISE NOTED.



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Pole Canyon Subdivision - Phase 1
Eagle Mountain, Utah
Plan & Profile - Eisenhower Street
Sta 10+00 to Sta 14+70

PROFESSIONAL ENGINEER
No. 177830
STEVEN L. JACKSON
12/01/2020
STATE OF UTAH

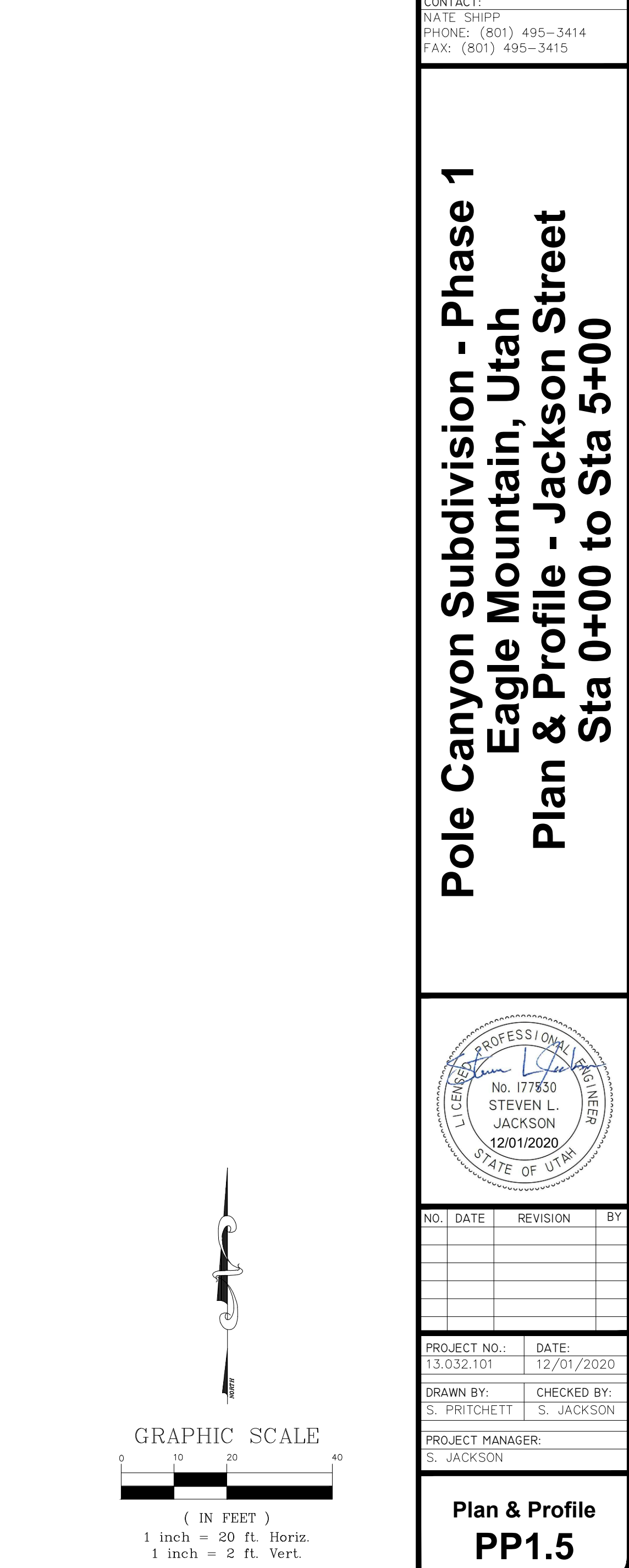
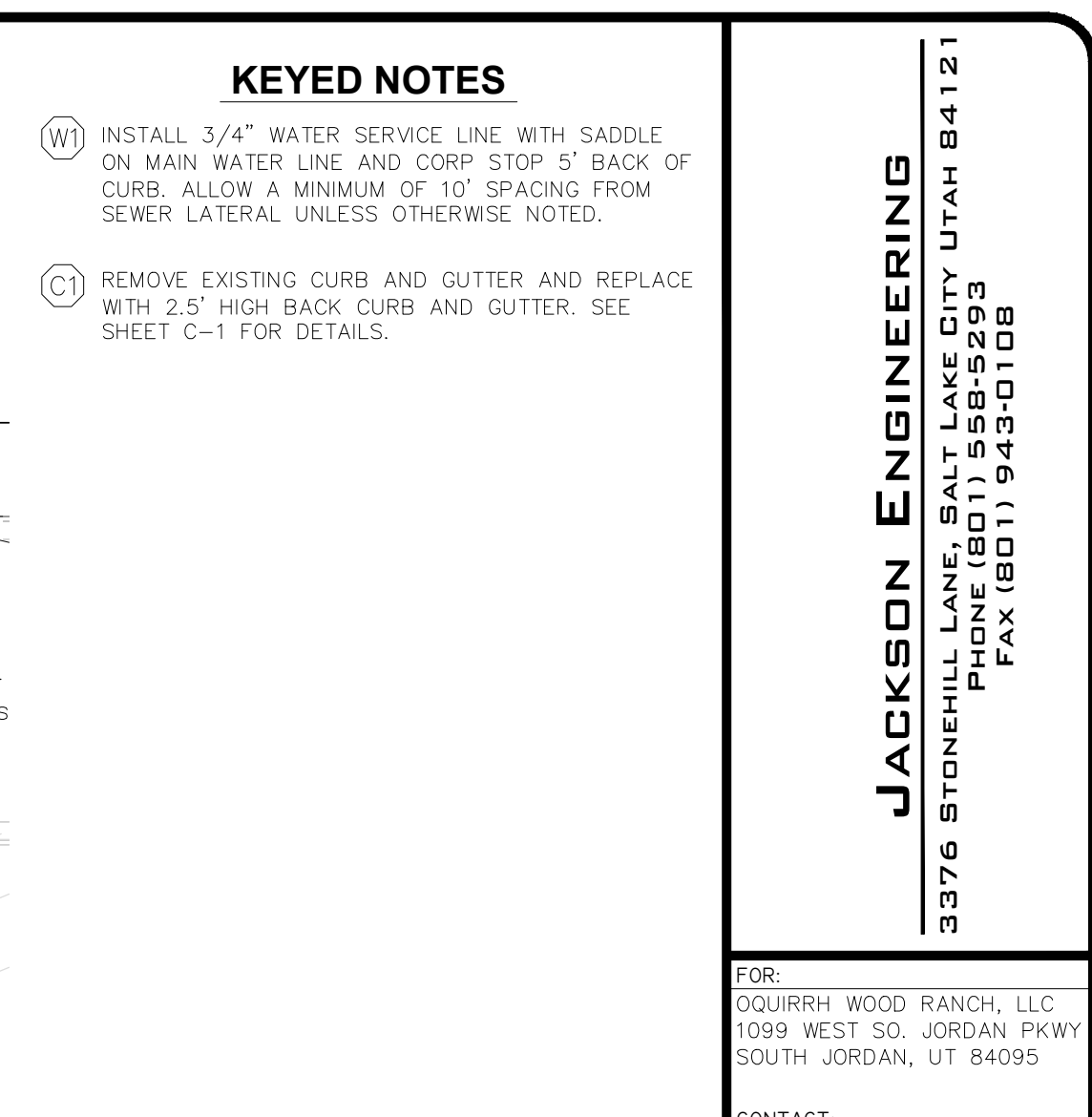
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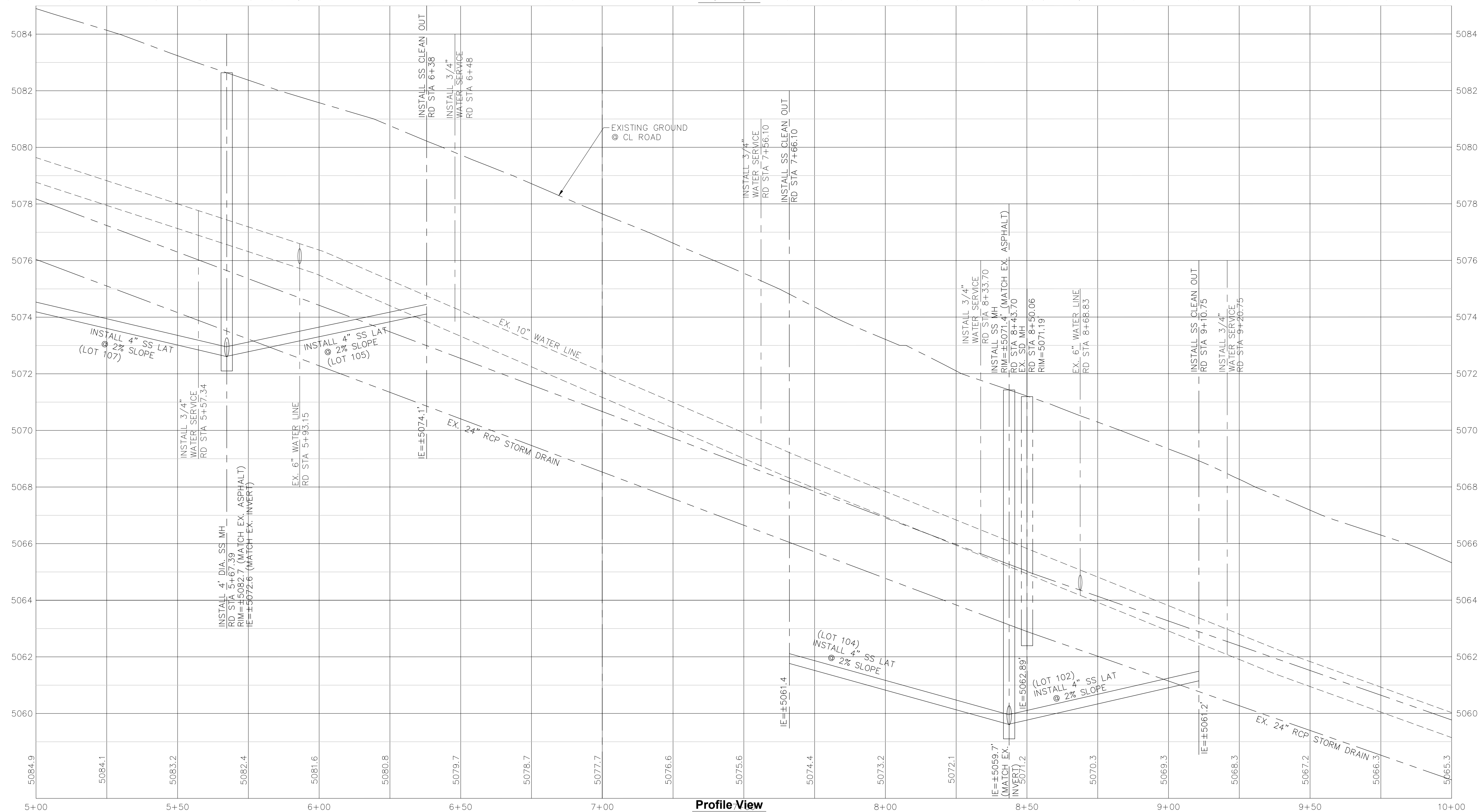
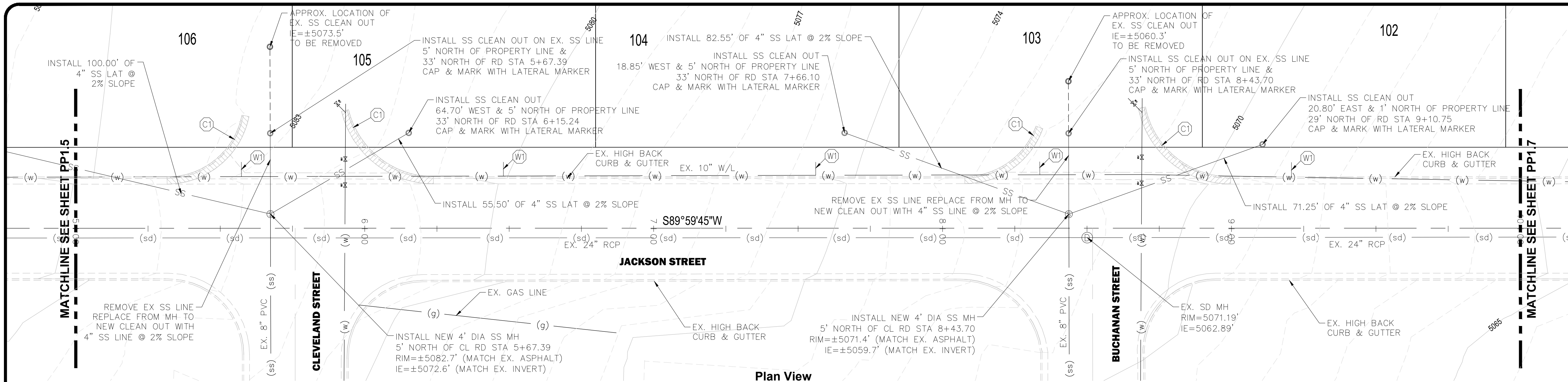
PROJECT NO.: 13.032.101
DATE: 12/01/2020

DRAWN BY: S. PRITCHETT
CHECKED BY: S. JACKSON

PROJECT MANAGER: S. JACKSON

Plan & Profile
PP1.4





KEYED NOTES

- (W1) INSTALL 3/4" WATER SERVICE LINE WITH SADDLE ON MAIN WATER LINE AND CORP STOP 5' BACK OF CURB. ALLOW A MINIMUM OF 10' SPACING FROM SEWER LATERAL UNLESS OTHERWISE NOTED.
- (C1) REMOVE EXISTING CURB AND GUTTER AND REPLACE WITH 2.5' HIGH BACK CURB AND GUTTER. SEE SHEET C-1 FOR DETAILS.

- C1 REMOVE EXISTING CURB AND GUTTER AND REPLACE WITH 2.5' HIGH BACK CURB AND GUTTER. SEE SHEET C-1 FOR DETAILS.

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FOR:
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1099 WEST SO. JORDAN PKWY
SOUTH JORDAN, UT 84095

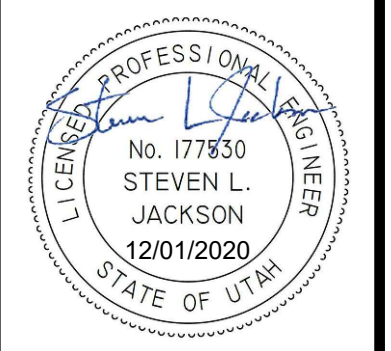
CONTACT:
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**Pole Canyon Subdivision - Phase 1
Eagle Mountain, Utah
Plan & Profile - Jackson Street
Sta 5+00 to Sta 10+00**

**Eagle Mountain, Utah
Plan & Profile - Jackson Street
Sta 5+00 to Sta 10+00**

Sta 5+00 to Sta 10+00

Sta 5+00 to Sta 10+00



NO.	DATE	REVISION	BY

PROJECT NO.:	DATE:
13.032.101	12/01/2020

DRAWN BY:	CHECKED BY:
S. PRITCHETT	S. JACKSON

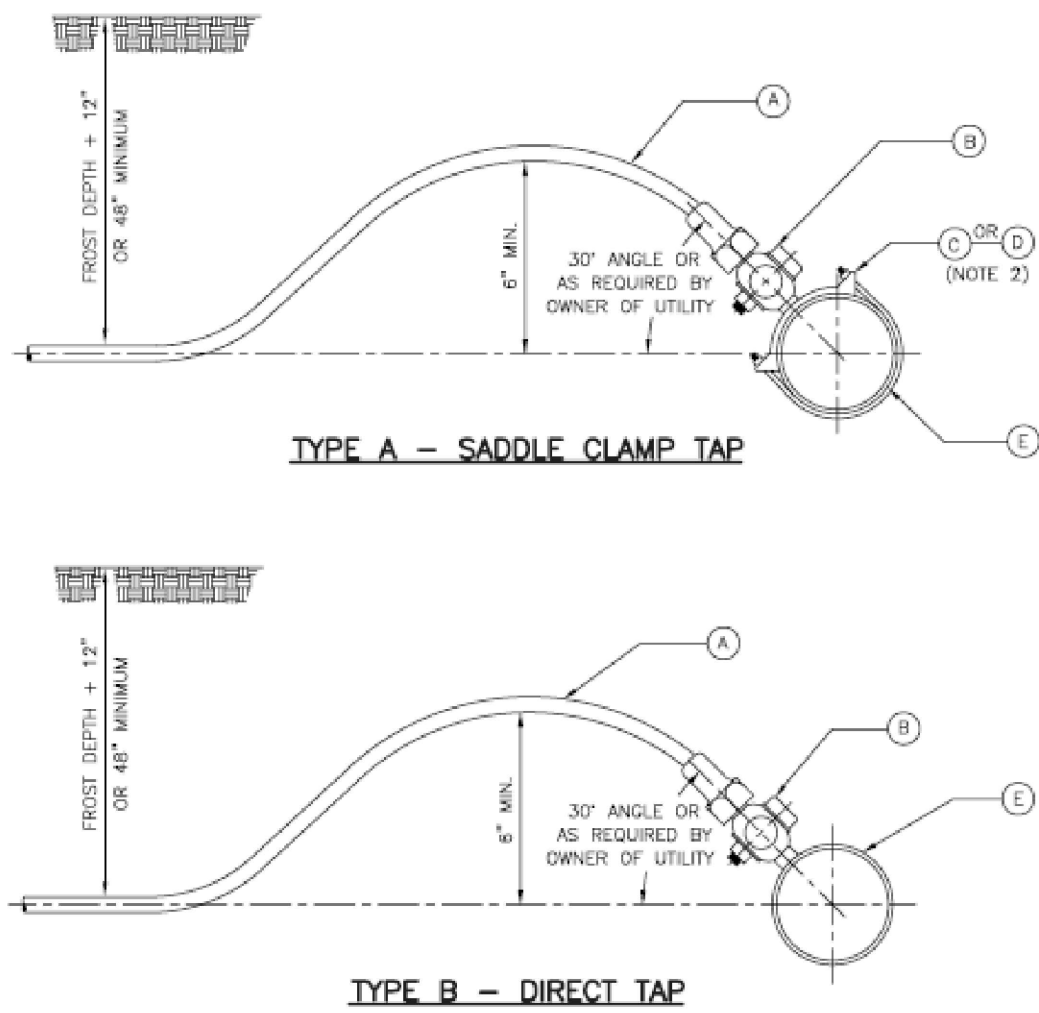
PROJECT MANAGER:
S. JACKSON

Plan & Profile

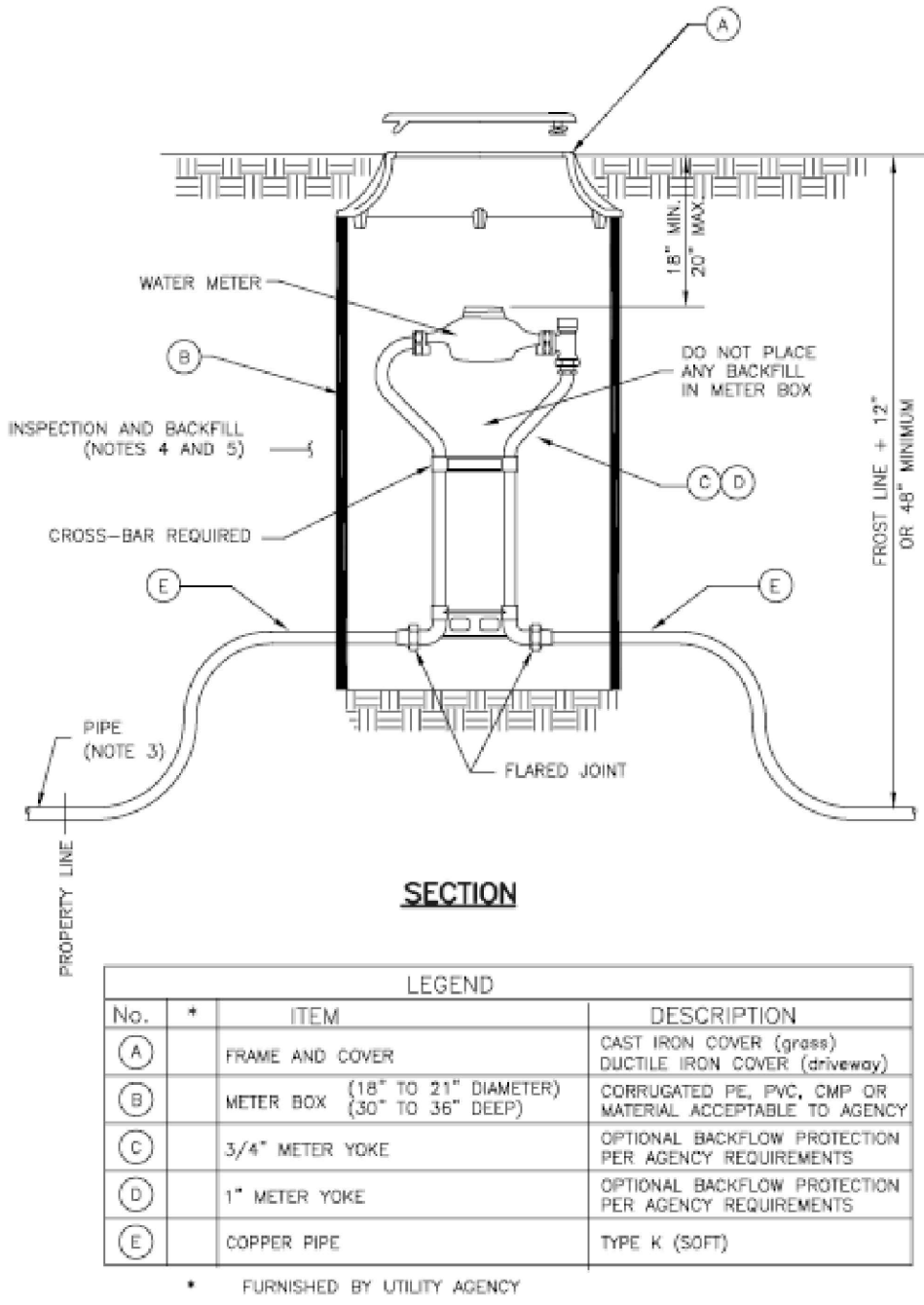
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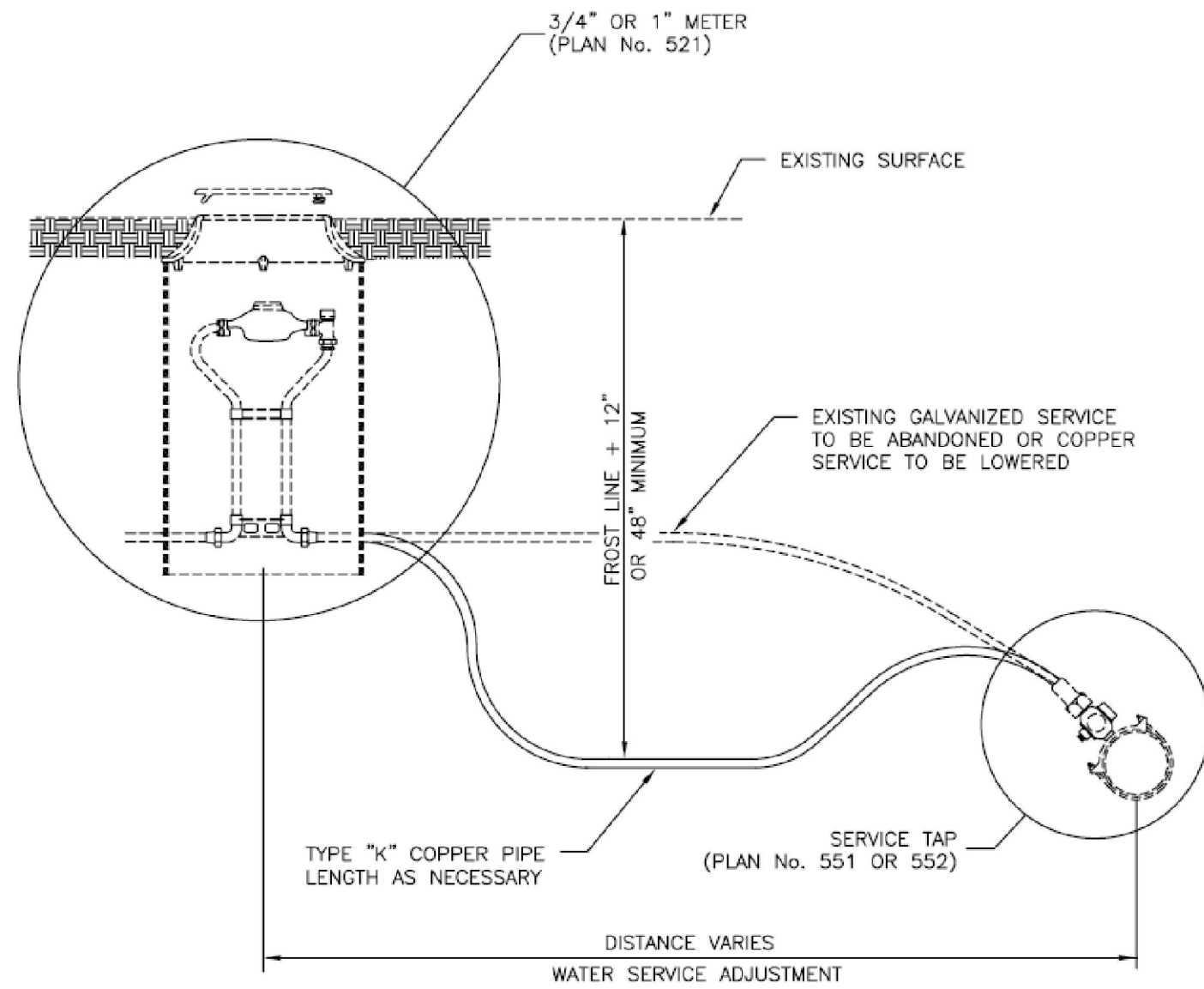
GRAPHIC SCALE



LEGEND			
No.	*	ITEM	DESCRIPTION
(A)		COPPER PIPE	TYPE K - SOFT
(B)		CORPORATION STOP	BRASS
(C)		SERVICE SADDLE CLAMP	(D.I., C.I., A.C.) **
(D)		SERVICE SADDLE CLAMP	(P.V.C.)
(E)		WATER MAIN PIPE	(D.I., C.I., A.C., P.V.C.)
* FURNISHED BY UTILITY AGENCY			
** D.I. & C.I. PIPE MAY BE DIRECT TAPPED			



LEGEND			
No.	*	ITEM	DESCRIPTION
(A)		FRAME AND COVER	CAST IRON COVER (gross) DUCTILE IRON COVER (spewway)
(B)		METER BOX (18" TO 21" DIAMETER) (30" TO 36" DEEP)	CORRUGATED PE, PVC, CMP OR MATERIAL ACCEPTABLE TO AGENCY
(C)		3/4" METER YOKE	OPTIONAL BACKFLOW PROTECTION PER AGENCY REQUIREMENTS
(D)		1" METER YOKE	OPTIONAL BACKFLOW PROTECTION PER AGENCY REQUIREMENTS
(E)		COPPER PIPE	TYPE K (SOFT)
* FURNISHED BY UTILITY AGENCY			



- TAPPING:** Place taps a minimum of 24 inches apart. Use a tapping tool that is sized corresponding to the size of the service line to be installed. No taps within 24 inches of end of pipe.
- PVC OR AC PIPE:** A service saddle clamp is required on all PVC and AC pipe taps unless specified otherwise.
- TAPE:** Teflon tape is required on all taps.
- INSPECTION:** Prior to backfilling around taps, secure inspection of installation by ENGINEER.
- BACKFILL:** Provide and place per APWA Section 33 05 20. Compact per APWA Section 31 23 26 to a modified proctor density of 95 percent or greater. Maximum lift thickness is 8 inches before compaction.

- METER PLACEMENT:**
 - In new construction, install meter at center of lot or per agency requirements.
 - All meters are to be installed in the park strip or within 7 feet of the property line (street side).
 - Do not install meters under driveway approaches, sidewalks, or curb and gutter.
- METER BOX:**
 - In landscaped areas and driveway approaches, set box so grade of the frame and cover matches the grade of the surrounding surface.
 - In street surfaces or other vehicular traffic areas, provide the same type of meter box as required for 1 1/2" and 2" service meters. See Plan 522.
- PIPE:** Coordinate with utility agency or property owner for type of pipe to be used outside of right-of-way.
- INSPECTION:** Prior to backfilling around meter box, secure inspection of installation by ENGINEER.
- BACKFILL:** Provide and place per APWA Section 33 05 20. Compact per APWA Section 31 23 26 to a modified proctor density of 95 percent or greater. Maximum lift thickness is 8 inches before compaction.
- CASTING:** Grey iron class 35 minimum per ASTM A 48.

- Water service line**
- INSPECTION:** Prior to backfilling trench excavation, secure inspection of installation by ENGINEER.
 - BACKFILL:** Provide and place per APWA Section 33 05 20. Compact per APWA Section 31 23 26 to a modified proctor density of 95 percent or greater. Maximum lift thickness is 8 inches before compaction.
 - FITTINGS:** Provide brass fittings and nipples. Do not use galvanized materials.

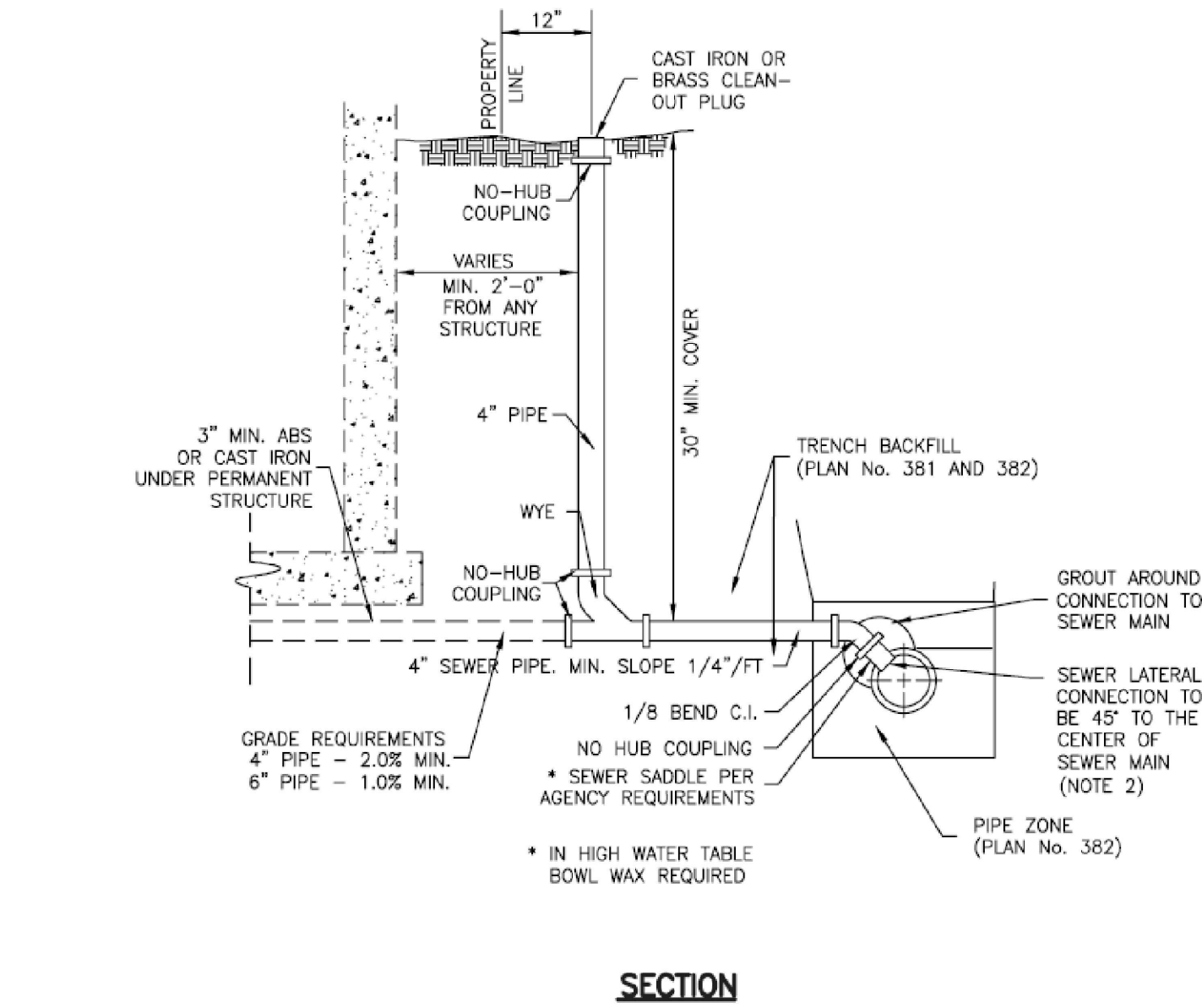
Detail - Plan 551 - 3/4" and 1" Service Taps
Not to Scale

Detail - Plan 521 - 3/4" and 1" Water Meter
Not to Scale

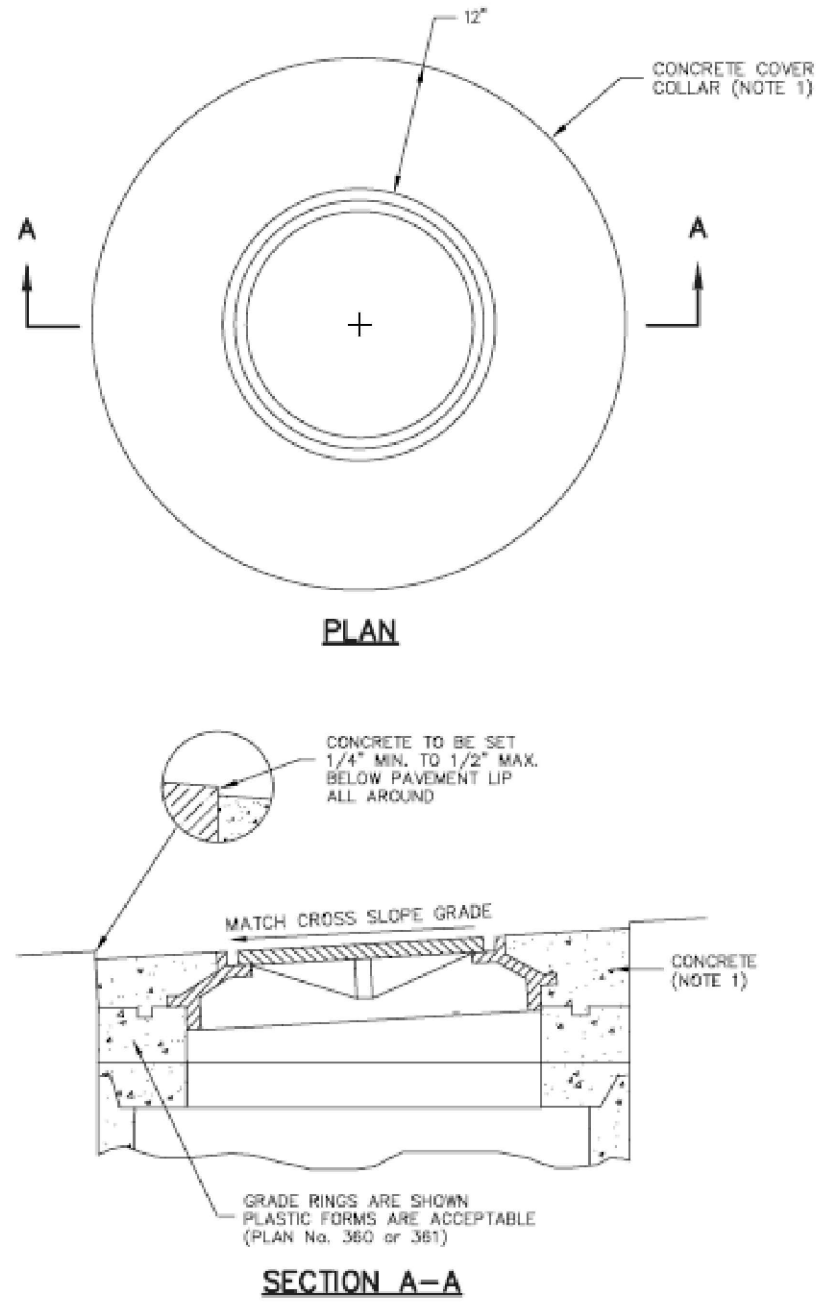
Detail - Plan 541 - Water Service Line
Not to Scale

NO.	DATE	REVISION	BY

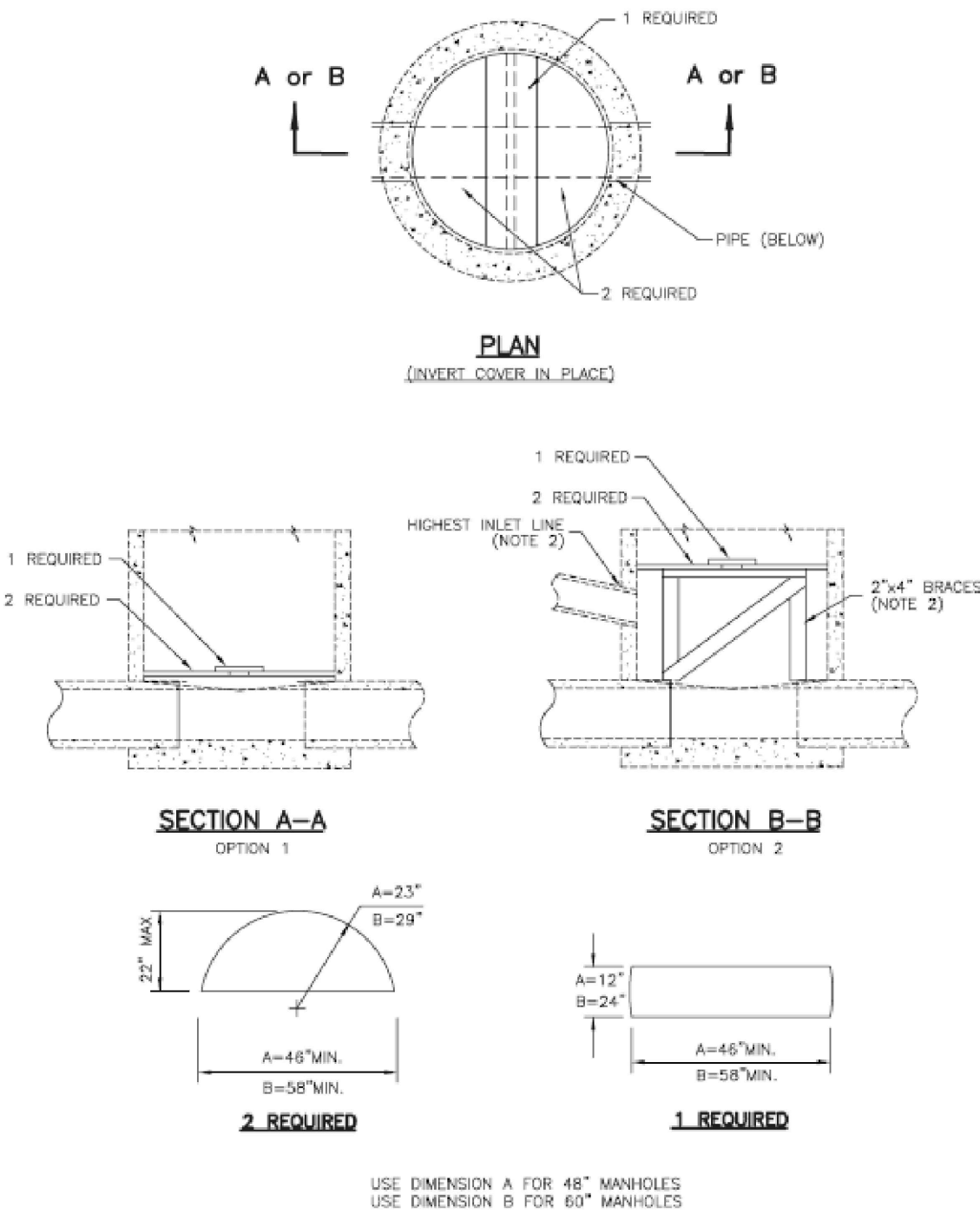
PROJECT NO.: 13.032.101	DATE: 12/01/2020
DRAWN BY: S. PRITCHETT	CHECKED BY: S. JACKSON
PROJECT MANAGER: S. JACKSON	



Detail - Plan 431 - Sewer Lateral
Not to Scale



Detail - Plan 413 - Sewer Manhole Collar
Not to Scale



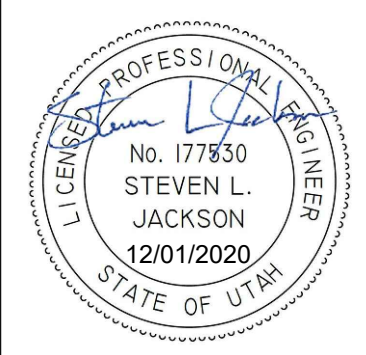
Detail - Plan 412 - Manhole Invert Cover
Not to Scale

1. INSPECTION:
 - A. Prior to installation, secure acceptance by ENGINEER for all pipe, fittings, and couplings to be used.
 - B. Prior to backfilling, secure inspection of installation by ENGINEER. Give at least 24 hours notice.
2. INSTALLATION:
 - A. Provide agency approved wye or tee with appropriate donut. Verify whether CONTRACTOR or agency is to install the wye.
 - B. Tape wrap pipe as required by soil conditions.
 - C. Remove core plug from sewer main. Do not break into sewer main to make connection.
 - D. Stainless steel straps required.
3. BACKFILL: Provide and place per APWA Section 33 05 20. Compact per APWA Section 31 23 26 to a modified proctor density of 95 percent or greater. Maximum lift thickness is 8 inches before compaction.

1. CONCRETE: Class 4000 per APWA Section 03 30 04. Place concrete per APWA Section 03 30 10. Cure per APWA Section 03 39 00.
2. JOINTS: Provide a neat straight joint between existing and new asphalt concrete surfaces. Provide concentric circle cut. Clean edges of all dirt, oil and loose debris.

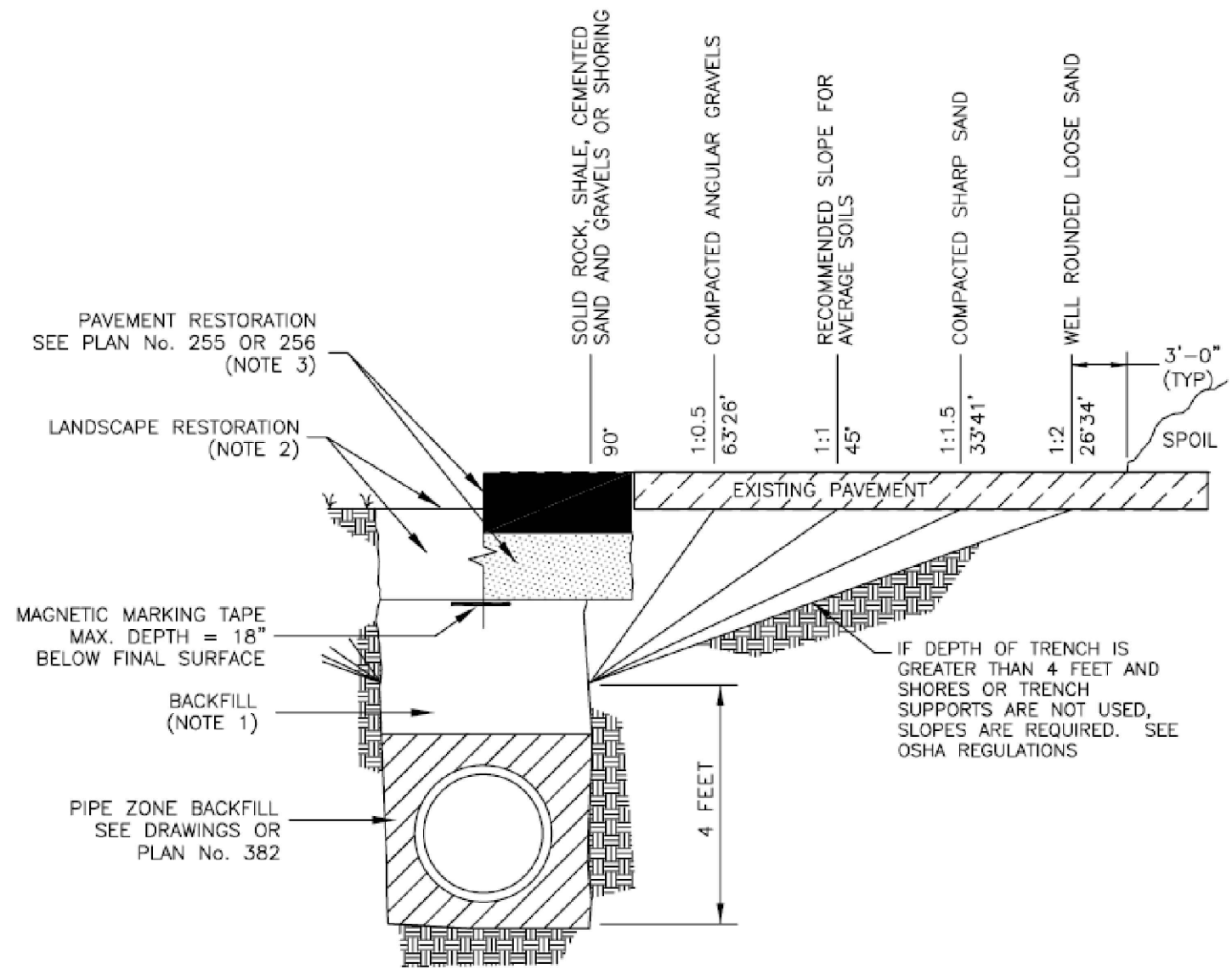
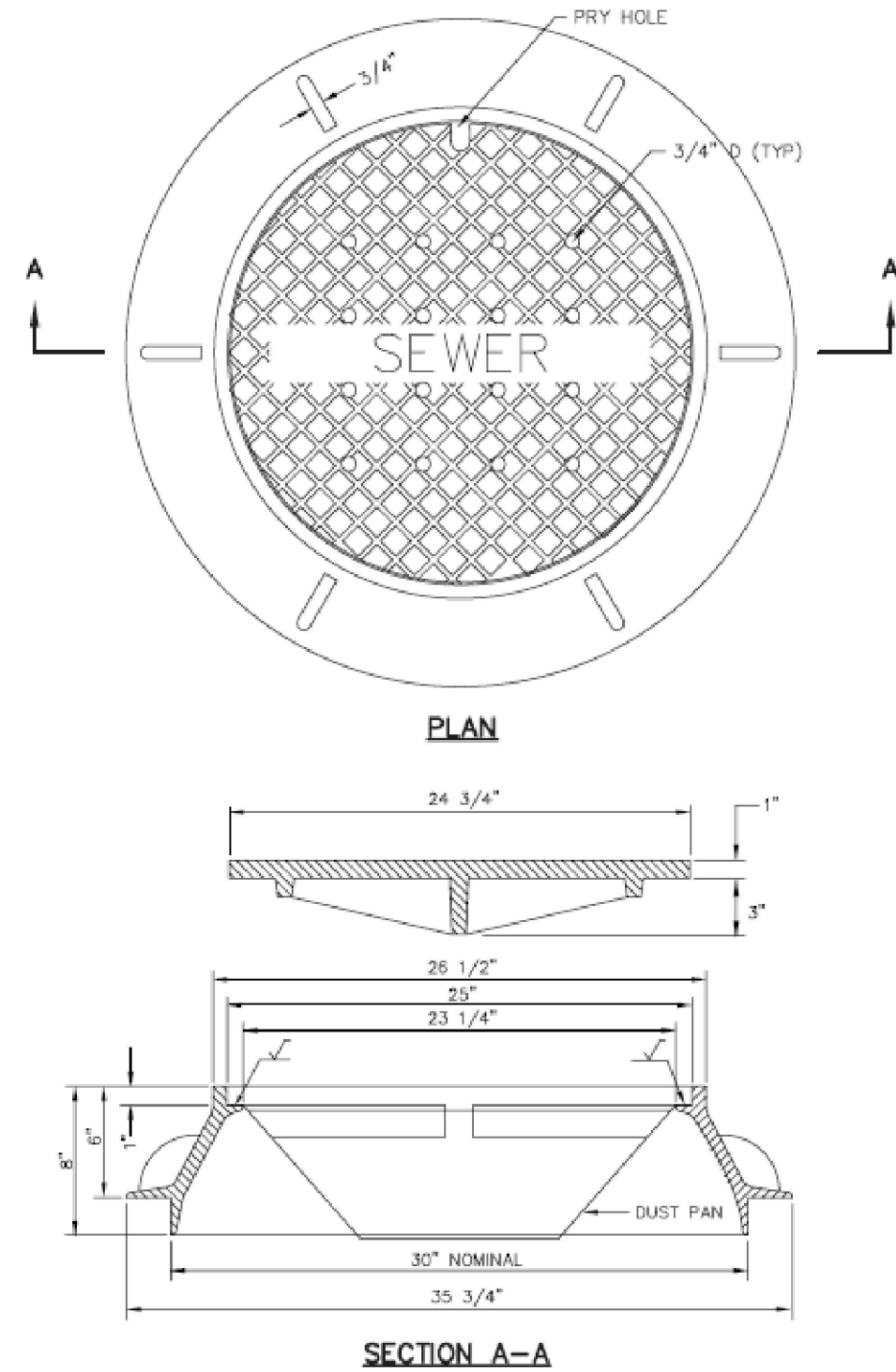
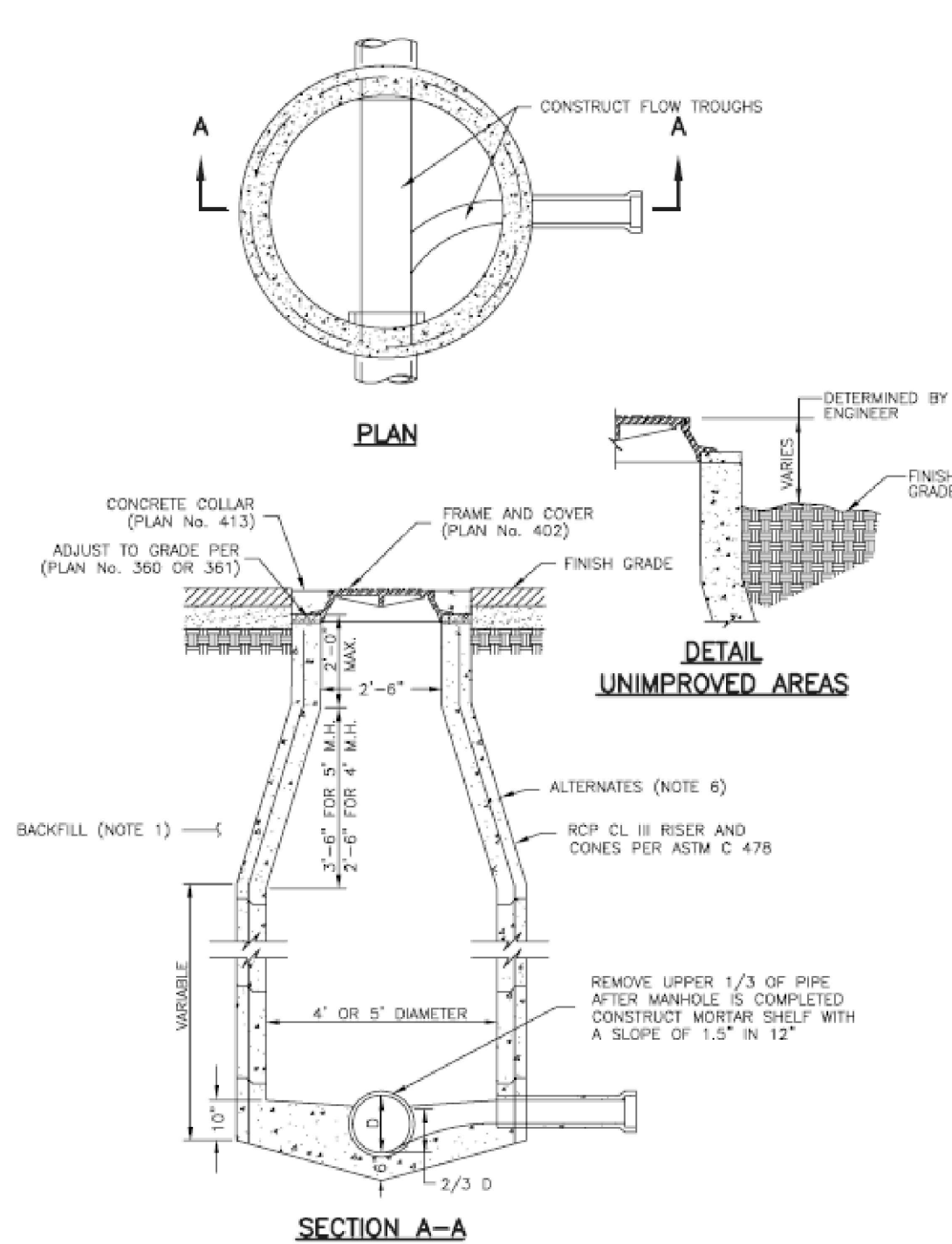
1. CASTINGS: Grey iron class 35 minimum per ASTM A 48.
2. COATINGS: Except machined surfaces, coat all metal parts with asphaltum paint.
3. INSCRIPTIONS: Cast the words "SEWER" on the cover flush with the surface finish.
4. HEAT NUMBER: Place foundry and heat number on the inside of the frame and on the bottom of the cover.
5. FIT: $\sqrt{}$ designates machined surface. Give the frame and cover a machine finish so the cover will not rock.
6. LOCKING: Provide covers for manholes located in easements, rights-of-way, alleys, parking lots, and all other places except paved streets, with allen socket set screw locking devices. Drill and tap two holes to a depth of 1 inch at 90 degrees to pry hole and install 3/4 x 3/4 inch allen socket set screws.
7. MANHOLE STRUCTURE: See Plan No. 411.

Pole Canyon Subdivision - Phase 1
Eagle Mountain, Utah
Detail Sheet
Utility Details



NO.	DATE	REVISION	BY

PROJECT NO.:	DATE:
13.032.101	12/01/2020
DRAWN BY:	CHECKED BY:
S. PRITCHETT	S. JACKSON
PROJECT MANAGER:	
S. JACKSON	



1. BACKFILL: Provide and place per APWA Section 31 23 23. Compact per APWA Section 31 23 26 to a modified proctor density of 95 percent or greater. Maximum lift thickness is 8 inches before compaction.
2. CONCRETE: Class 4000 per APWA Section 03 30 04. Place concrete per APWA Section 03 30 10. Cure per APWA Section 03 39 00.
3. MANHOLE SIZE: For sewers under 12" diameter, build a 4 feet diameter manhole. For sewers 12" and larger, and when 3 or more pipes intersect in the manhole, build a 5 feet diameter manhole.
4. GROUT: Grout around all pipe openings with 2:1 sand/cement mortar.
5. JOINTS: Place flexible gasket-type sealant in all manhole joints.
6. ALTERNATES:
 - A. Precast reinforced concrete walls 5 inches thick (to be acceptable to the ENGINEER.
 - B. Cast in-place concrete to be 8 inches thick minimum.
7. INVERT COVERS: Place invert covers over the top of pipe in all manholes during construction. See Plan No. 412.
8. WATER STOPS: Install rubber water-stop on all plastic pipes when connecting plastic pipes to manholes. Hold water-stop in place with stainless steel bands.

1. CASTINGS: Grey iron class 35 minimum per ASTM A 48.
2. COATINGS: Except machined surfaces, coat all metal parts with asphaltum paint.
3. INSCRIPTIONS: Cast the words "SEWER" on the cover flush with the surface finish.
4. HEAT NUMBER: Place foundry and heat number on the inside of the frame and on the bottom of the cover.
5. FIT: $\sqrt{}$ designates machined surface. Give the frame and cover a machine finish so the cover will not rock.
6. LOCKING: Provide covers for manholes located in easements, rights-of-way, alleys, parking lots, and all other places except paved streets, with allen socket set screw locking devices. Drill and tap two holes to a depth of 1 inch at 90 degrees to pry hole and install 3/4 x 3/4 inch allen socket set screws.
7. MANHOLE STRUCTURE: See Plan No. 411.

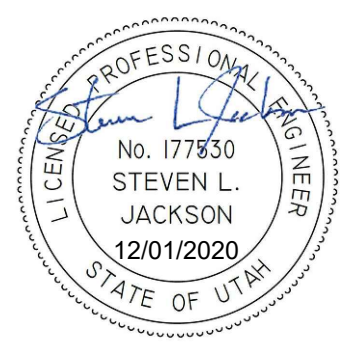
1. BACKFILL: Above the pipe zone.
 - A. Granular Fill. Limit maximum particle size to 6 inches. Place fill per APWA Section 33 05 20. Compact to a modified proctor density of 95 percent or greater. Maximum lift thickness is 8 inches before compaction. Do not use clay without ENGINEER's review and acceptance. Water jetting is NOT allowed in backfilling operation.
 - B. Flowable Fill. Provide and place controlled low strength material per APWA Section 31 05 15. Cure the fill before placing surface restorations.
2. LANDSCAPED RESTORATION: Provide landscaped surfaces with topsoil. Rake to match existing grade. Replace vegetation to match pre-construction conditions. See APWA Section 32 92 00 or APWA Section 32 93 13 requirements.
3. PAVEMENT RESTORATION: Do not install asphalt or concrete surfacing until trench compaction is accepted by ENGINEER.
4. PEA GRAVEL: Pea gravel is not allowed in any part of the trench.

Detail - Plan 411 - Sanitary Sewer Manhole
Not to Scale

Detail - Plan 402 - 30" Frame and Cover
Not to Scale

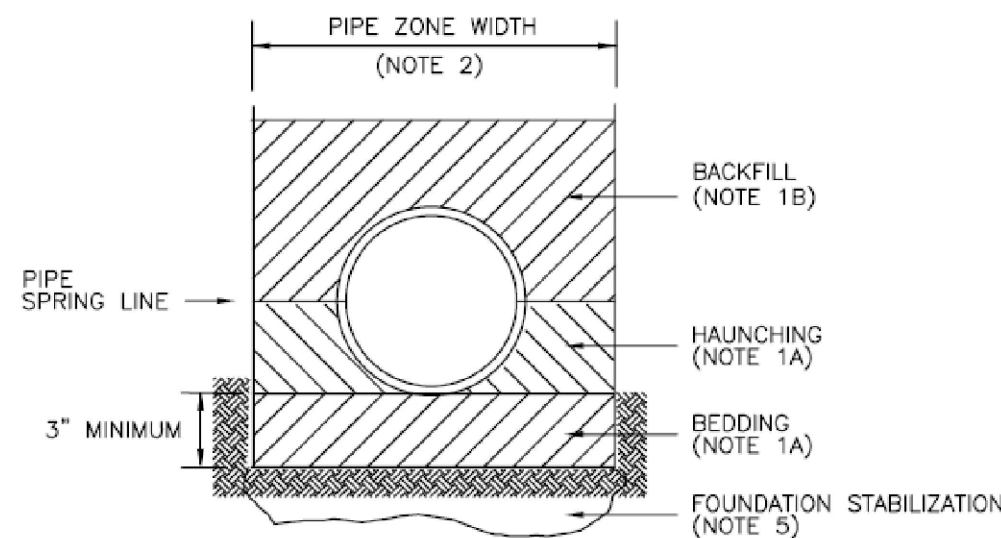
Detail - Plan 381 - Trench Backfill
Not to Scale

Pole Canyon Subdivision - Phase 1
Eagle Mountain, Utah
Detail Sheet
Utility Details



NO.	DATE	REVISION	BY

PROJECT NO.: 13.032.101	DATE: 12/01/2020
DRAWN BY: S. PRITCHETT	CHECKED BY: S. JACKSON
PROJECT MANAGER: S. JACKSON	



INSTALLATION

CONCRETE PIPE: FOLLOW ASTM C 1479
*STANDARD PRACTICE FOR INSTALLATION OF PRECAST CONCRETE SEWER, STORM DRAIN, AND CULVERT PIPE USING STANDARD INSTALLATIONS.

PVC AND HDPE PIPE: FOLLOW ASTM D 2321
*STANDARD PRACTICE FOR UNDERGROUND INSTALLATION OF THERMOPLASTIC PIPE FOR SEWERS AND OTHER GRAVITY-FLOW APPLICATIONS

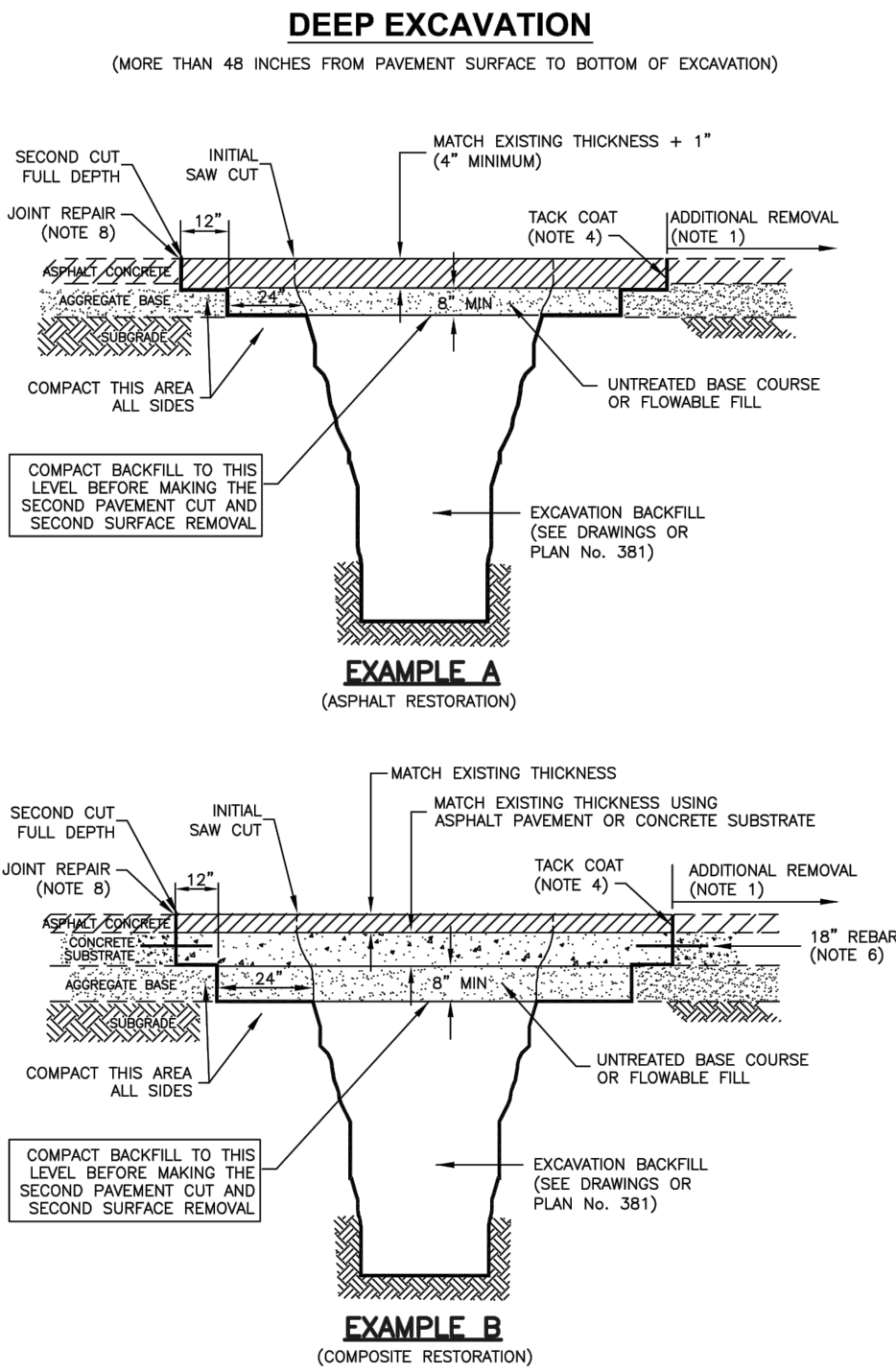
CORRUGATED METAL PIPE: FOLLOW ASTM A 798
*STANDARD PRACTICE FOR INSTALLING FACTORY-MADE CORRUGATED STEEL PIPE FOR SEWERS AND OTHER APPLICATIONS.

VITRIFIED CLAY PIPE: FOLLOW ASTM C 12.
*STANDARD RECOMMENDED PRACTICE FOR INSTALLING VITRIFIED CLAY PIPE LINES.

- BACKFILL: Do not use sewer rock or recycled RAP aggregate in the pipe zone without ENGINEER's written approval.
 - Granular Fill Below Pipe Spring Line.
 - Furnish 3/4 inch crushed aggregate base material, unless specified otherwise by pipe manufacturer. When using concrete, provide at least Class 2,000 per APWA Section 03 30 04.
 - Install and compact backfill material per pipe manufacturer' recommendations.
 - Water jetting is not allowed in backfilling operation.
 - Submission of quality control compaction test result data developed for haunching areas may be requested by ENGINEER at any time. CONTRACTOR is to provide results of tests immediately upon request.
 - Granular Fill Above Pipe Spring Line.
 - Furnish 3/4 inch crushed aggregate base material, unless specified otherwise by pipe manufacturer. Place in lifts not exceeding 8 inches before compaction.
 - Water jetting is not allowed in backfilling operation.
 - Compact per APWA Section 31 23 26 to a modified proctor density of 95 percent or greater unless pipe manufacturer requires more stringent installation.
 - Flowable Fill.
 - Provide and place controlled low strength material per APWA Section 31 05 15 if allowed by pipe manufacturer.
 - Prevent pipe flotation by installing in lifts and providing pipe restraints as required by pipe manufacturer.
 - Reset pipe to line and grade if pipe "floats" out of position.
- PIPE ZONE WIDTH: Provide width recommended by pipe manufacturer. Width of pipe zone is measured at the pipe spring line and includes any necessary sheathing. In trench box applications, follow manufacturer's recommendations.
- PIPE LOCATION: Install pipe in center of trench or no closer than 6 inches from wall of pipe to wall of trench.
- PEA GRAVEL: Pea gravel is not allowed in any part of the pipe zone.
- FOUNDATION STABILIZATION: Use sewer rock of APWA Section 31 05 13. Installation of stabilization-separation geotextile per APWA Section 31 05 19 will be required to separate backfill material and native subgrade materials if sewer rock cannot provide a working surface or to prevent soils migration.

Detail - Plan 382 - Pipe Zone Backfill

Not to Scale



ADDITIONAL PAVEMENT REMOVAL: Remove additional pavement to a painted lane stripe, a lip of gutter, a curb, an existing pavement patch, or an edge of the pavement if such street feature is within 2 feet of the second saw-cut.

UNTREATED BASE COURSE: Provide material specified in APWA Section 32 11 23.

- Do not use gravel as a substitute for untreated base course without ENGINEER's permission.
- Place material per APWA Section 32 05 10.
- Compact per APWA Section 31 23 26 to a modified proctor density of 95 percent or greater. Maximum lift thickness before compaction is 8 inches when using riding compaction equipment or 6 inches when using hand held compaction equipment.

FLOWABLE FILL: Provide 28 day 60 psi controlled low strength material as specified in APWA Section 31 05 15. Use fill material which flows easily and vibration is not required. Cure to initial set before placing aggregate base or asphalt pavement. Use flowable fill in excavations that are too narrow to receive compaction equipment.

TACK COAT: APWA Section 32 12 14. Full tack coat coverage on all vertical surfaces.

ASPHALT PAVEMENT: Use asphalt concrete specified in APWA Section 33 05 25.

- Install in lifts no greater than 3 inches after compaction.
- Compact to 94 percent of ASTM D 2041 (Rice Method) plus or minus 2 percent.

REINFORCEMENT: ASTM A 615, Grade 60, No. 5 galvanized or epoxy coated deformed steel 24 inches on center.

- Required if existing concrete thickness is 6 inches or greater.
- Not required if (1) existing concrete is less than 6 inches thick, (2) existing concrete is deteriorating, (3) excavation is less than 3 feet square, (4) asphalt pavement is substituted for concrete substrate.

CONCRETE SUBSTRATE: Class 4000 per APWA Section 03 30 04. Place concrete per APWA Section 03 30 10. Cure to initial set before placing new asphalt concrete patch.

JOINT REPAIR: If a crack occurs at the "T" patch connection to existing pavement or at any street fixture, seal the crack per APWA Section 32 01 17.

PATCH REPAIR: Repair the asphalt pavement patch if any of the following conditions occur within the patch.

- Pavement surface distortion exceeds 1/4 inch deviation in 10 feet. Repair option: Plane off surface distortions. Coat planed surfaces with a cationic or anionic emulsion that complies with APWA Section 32 12 03 and provide sand blotter.
- Cracks at least 1-foot long and 1/4 inch wide occur more often than 1 in 10 square feet. Repair option: Crack seal.
- Asphalt raveling is greater than 1 square foot per 100 square feet. Repair option: Mill and inlay.

Detail - Plan 255 - Asphalt Concrete "T"-Patch

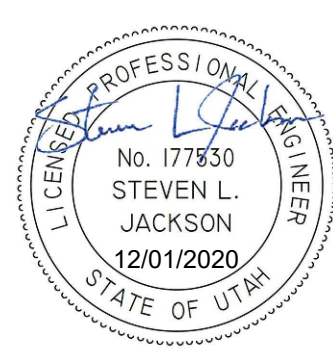
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SOUTH JORDAN, UT 84095

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Pole Canyon Subdivision - Phase 1 Eagle Mountain, Utah Detail Sheet Utility Details



NO.	DATE	REVISION	BY

PROJECT NO.: 13.032.101	DATE: 12/01/2020
DRAWN BY: S. PRITCHETT	CHECKED BY: S. JACKSON
PROJECT MANAGER: S. JACKSON	

Details
D1.3

POLE CANYON PHASE 1 TRAFFIC IMPACT STUDY

**Prepared For:
Oquirrh Wood Ranch, LLC**

Prepared By:

JACKSON ENGINEERING

3376 Stonehill Lane

Salt Lake City, UT 84121

(801) 558-5293

August 2013

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1.0 INTRODUCTION

Eagle Mountain City requires a traffic study for the proposed project. The City study requirements were met and are provided in this document. This document uses as a basis a 2008 study prepared by DMJM Harris for the greater Pole Canyon Master Plan area with specific focus on the impacts of the 22 lots associated with the Pole Canyon Phase 1 project. A description of the project, existing traffic conditions is provided followed by a project trip forecast and distribution for the proposed project. The results of a Level of Service (LOS) analysis are discussed and finally, the findings of the study are summarized and conclusions are provided.

1.1 Purpose and Objective of Study

This study evaluates the potential traffic impacts associated with the proposed 22 residential lots associated with the Pole Canyon Phase 1 in Eagle Mountain City, Utah County, Utah. Three scenarios analyzed including:

1. Existing,
2. Background 2018, and
3. Background 2018 and buildout of 22 residential lots.

These scenarios were evaluated at the intersection of Wilson Ave. and Hwy 73 to determine the potential project related traffic impacts to the existing transportation network.

1.2 Project Description and Location

The proposed development site is located in the western area of Eagle Mountain City approximately 1.7 miles south of Cedar Fort City. Figure 1 illustrates the location of the project in relation to nearby streets. The project site includes undeveloped residential property fronting existing roadways within the White Hills subdivision including Jackson Street, Eisenhower Street, and Jefferson Avenue. The proposed project consists of 22 residential single family units. Access to the project will be provided from the intersection of Wilson Ave. and SR-73. The proposed project is anticipated to be completed in 2015.

2.0 EXISTING TRAFFIC CONDITIONS

SR-73 is the only major road located near the proposed project. A single lane is provided in each direction on SR-73 with a two-way left turn lane and separate right-turn deceleration lane at the Wilson Ave. intersection which is currently unsignalized. The speed limit on SR-73 is posted at 55 miles per hour. Wilson Ave. provides access to SR-73 for the White Hills Subdivision which consists of an existing 112 residential lots.

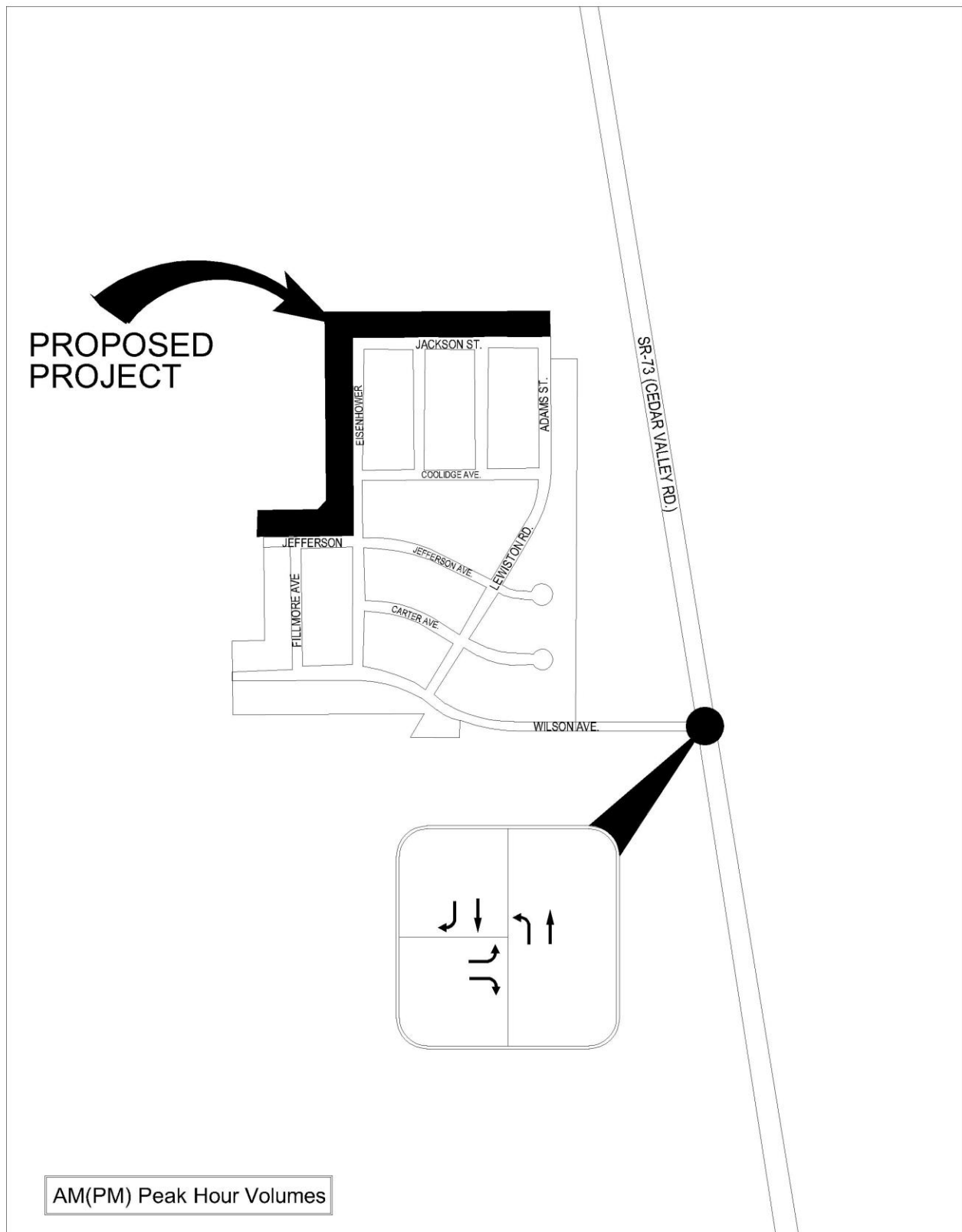


FIGURE 1
PROJECT VICINITY AND STUDY INTERSECTION

Existing turning movement counts were completed at the SR-73/Wilson Ave. intersection from 7:00 am to 9:00 am and 4:00 pm to 6:00 pm on July 10, 2008. No significant change has occurred to the population and development of the area since 2008, therefore, this data is considered to be valid for the purposes of this study. Detailed count sheets are provided in Appendix A. Figure 2 provides the existing peak hour traffic volumes during the am, and p.m. count peed.

A 5.8 percent annual growth rate was determined based on 20 years of AADT data collected by UDOT on SR-73. Comparing baseline and future traffic volumes on SR-73 from the regional travel demand model developed by Mountainlands Association of Governments (MAG) yielded an annual growth rate of 2 percent, Due to the relatively low volumes that currently exist on SR-73 there was found to be little difference in the calculated volumes for the two growth rates. The 5.8 percent annual growth rate was applied to the existing traffic volumes for five years to obtain the background 2018 volumes. The background 2018 volumes are also depicted on Figure 2.

3.0 PROJECT TRAFFIC FORECAST

3.1 Trip Generation

Table 1 shows the trip generation rate as well as the number of trips to be expected to be generated by the addition of the proposed 22 residential lots to the existing 112 lots within the White Hills subdivision based on a daily and peak hour basis. The trip generation forecast was completed for the proposed by using the standard rates for single-family homes from the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 7th Edition* (Land Use Codes 210). Peak hour trips were rounded to the nearest whole trip and daily trips were rounded to the nearest 10 trips.

Table 1 Residential Trip Generation Forecast

Description	AM PEAK HOUR			PM PEAK HOUR			DAILY
	Inbound	Outbound	Total	Inbound	Outbound	Total	
Rate: Single-Family Home Land Use Code 210 (Trip/Unit)	0.19	.56	.75	.64	.37	1.01	9.57
Existing 112 Lots	21	63	84	72	42	114	1,070
Proposed 22 Lots	4	12	16	14	8	22	210
Total 134 Lots	25	75	100	86	50	136	1,280

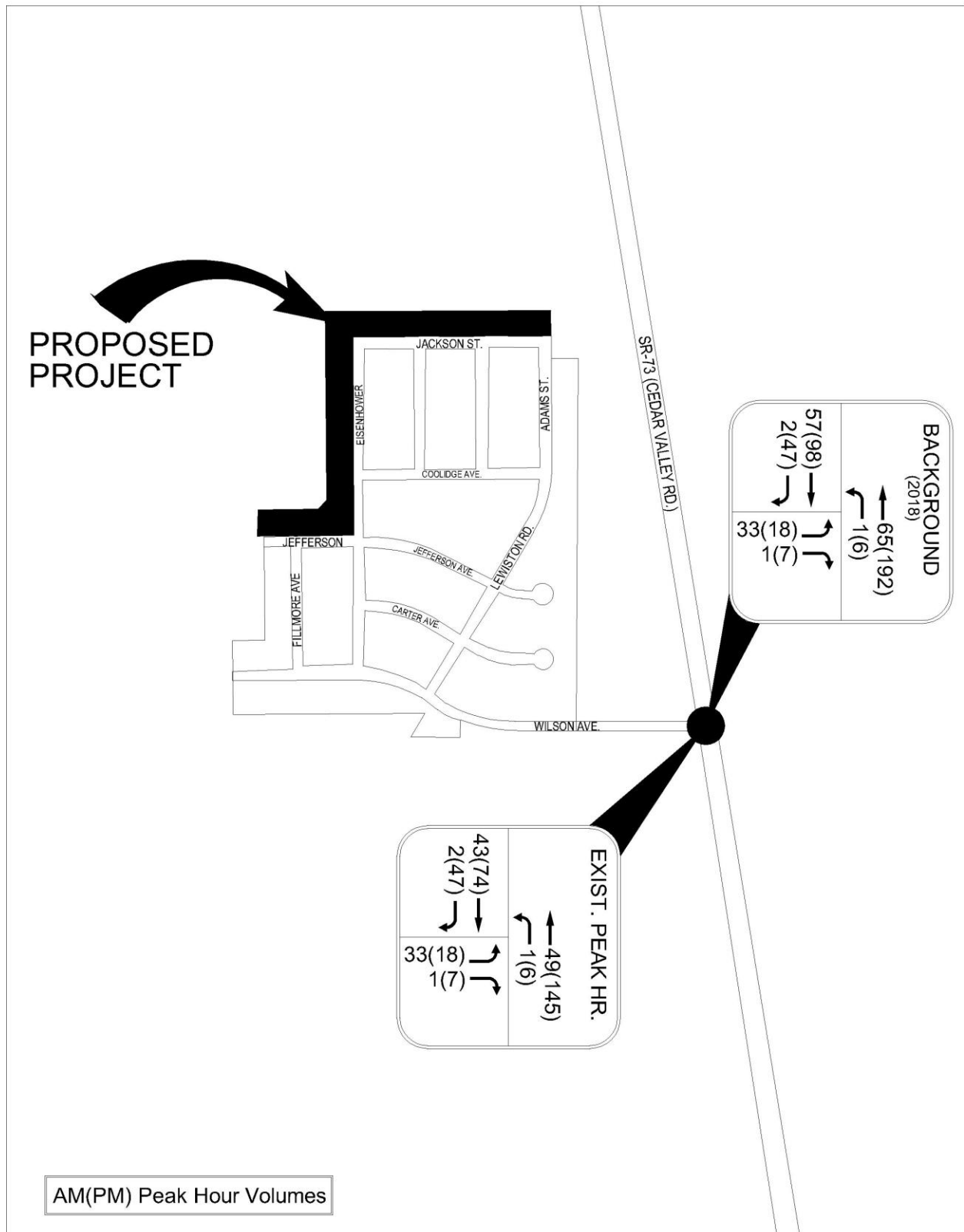


FIGURE 2
EXISTING 2008 PEAK TRAFFIC VOLUMES
AND 2018 BACKGROUND VOLUMES

The project is expected to raise the daily trips from Wilson Ave. to 1,280 (half inbound and half outbound) with 100 trips during the a.m. peak hour (25 inbound and 75 outbound) and 136 trips during the p.m. peak hour (86 inbound and 50 outbound).

3.2 Project Trip Distribution

The project trips were distributed based on the existing and anticipated traffic patterns. The general trip distribution for the project is provided in Figure 3.

Project traffic was added to background traffic to obtain conditions upon completion of the buildout of the project. Background 2018 plus full buildout project peak hour traffic volumes are presented in Figure 3.

4.0 LEVEL OF SERVICE ANALYSIS

A two-lane highway such as SR-73, the selected method for determining Level of Service (LOS) is based on mobility or volume divided by capacity (V/C).

4.1 Level of Service Concept

LOS is a qualitative measure describing traffic conditions and their perception by motorists. A LOS definition generally describes these conditions in terms of such factors as speed and travel time, freedom to maneuver, traffic interruptions, and delay. There are six levels of service describing these conditions ranging from A to F. The specific LOS criteria from the 1994 HCM are presented in Table 2. The selected method takes into account the volume in both directions. The total volume is divided by the total capacity of 2,800 vehicles per hour.

Table 2
Level of Service Criteria for General Two-Lane Highway Segments

Level of Service Criteria for General Two Lane Highway Segments																						
LOS	% Time Delay	Avg. ^b Speed	V/C Ratio ^a																			
			Level Terrain						Rolling Terrain								Mountainous Terrain					
			% No-Passing Zone						% No-Passing Zone								% No-Passing Zone					
			0	20	40	60	80	100	Avg. ^b Speed	0	20	40	60	80	100	Avg. ^b Speed	0	20	40	60	80	100
A	≤ 30	≥ 58	0.15	0.12	0.09	0.07	0.05	0.04	≥ 57	0.15	0.10	0.07	0.05	0.04	0.03	≥ 56	0.14	0.09	0.07	0.04	0.02	0.01
B	≤ 45	≥ 55	0.27	0.24	0.21	0.19	0.17	0.16	≥ 54	0.26	0.23	0.19	0.17	0.15	0.13	≥ 54	0.25	0.20	0.16	0.13	0.12	0.10
C	≤ 60	≥ 52	0.43	0.39	0.36	0.34	0.33	0.32	≥ 51	0.42	0.39	0.35	0.32	0.30	0.28	≥ 49	0.39	0.33	0.28	0.23	0.20	0.16
D	≤ 75	≥ 50	0.64	0.62	0.60	0.59	0.58	0.57	≥ 49	0.62	0.57	0.52	0.48	0.46	0.43	≥ 45	0.58	0.50	0.45	0.40	0.37	0.33
E	> 75	≥ 45	1.00	1.00	1.00	1.00	1.00	1.00	≥ 40	0.97	0.94	0.92	0.91	0.90	0.90	≥ 35	0.91	0.87	0.84	0.82	0.80	0.78
F	100	< 45	--	--	--	--	--	--	< 40	--	--	--	--	--	--	< 35	--	--	--	--	--	--

^a Ratio of flow rate to an ideal capacity of 2,800 passenger cars per hour in both directions.

^b Average travel speed of all vehicles (in mph) for highways with design speed ≥ 60 mph; for highways with lower design speeds, reduce speed by 4 mph for each 10-mph reduction in design speed below 60 mph; assumes that speed is not restricted to lower values by regulation.

≤ less than or equal to

≥ greater than or equal to

Source: Transportation Research Board, *Highway Capacity Manual, Special Report 209* (Washington, D.C., 1994), pp. 8-5.

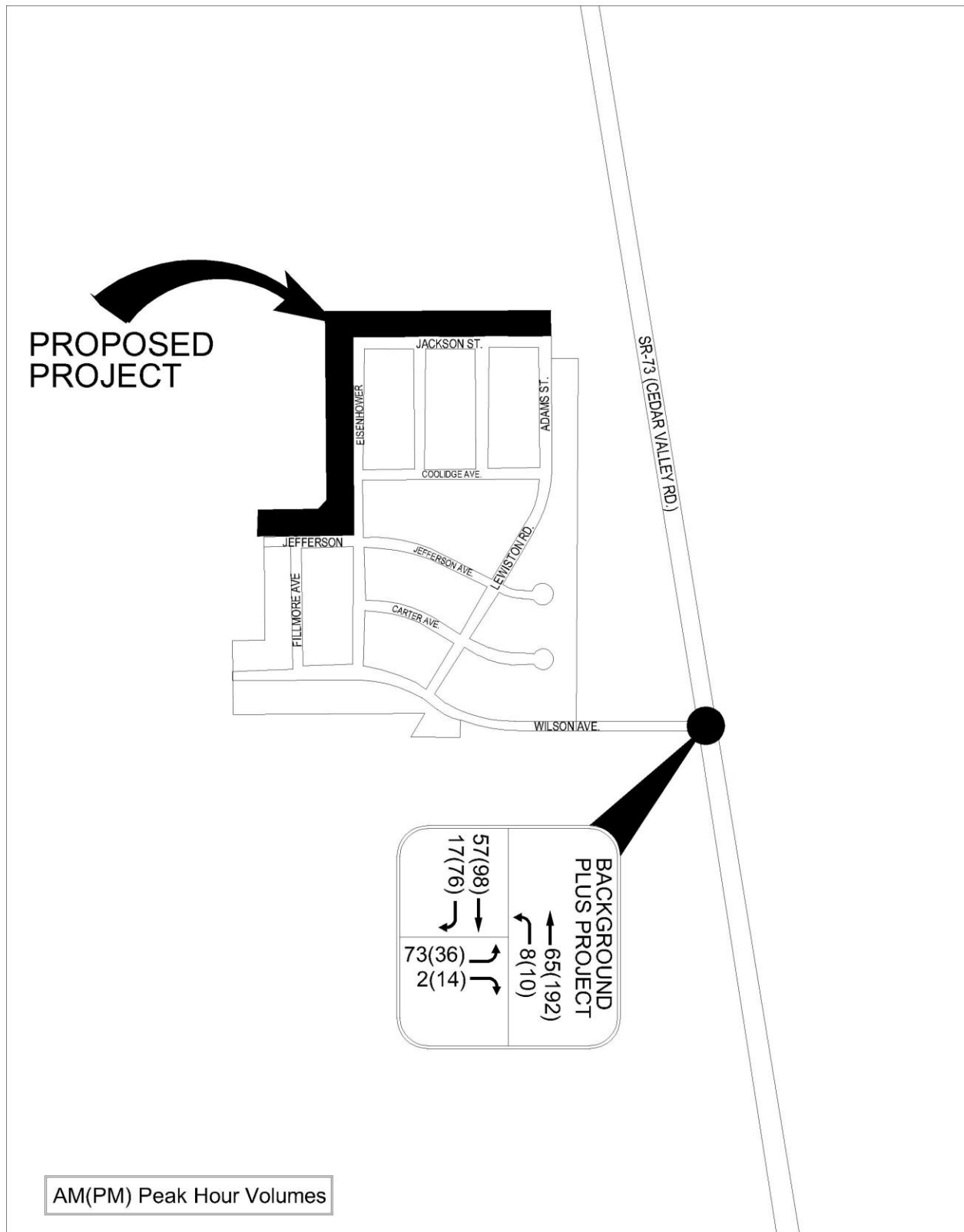


FIGURE 3
BACKGROUND 2018 PLUS PROJECT TRAFFIC
VOLUMES

4.2 Results of LOS Analysis

The results of the LOS analysis for existing, background and project scenarios at the SR-73/Wilson Ave. intersection are provided in Table 3.

Table 3 LOS Analysis

CASE	AM					PM				
	SR73 SB	SR73 NB	WILSON	TOTAL	LOS	SR73 SB	SR73 NB	WILSON	TOTAL	LOS
EXISTING	43	49	34	126	A	74	145	25	144	A
BACKGROUND	57	65	34	156	A	98	192	25	183	A
BACKGROUND PLUS PROJECT	57	65	100	222	A	98	192	136	426	A

The analysis results indicate that the LOS for SR-73 remains a LOS A with the anticipated background and project traffic loadings. The existing SR-73 configuration and traffic control system will support the additional 22 lots associated with the proposed project.

5.0 SUMMARY AND CONCLUSIONS

- The addition of this project to existing Wilson Ave. traffic loads is expected to generate 1,280 daily trips (half inbound and half outbound) with 100 trips during the a.m. peak hour (25 inbound and 75 outbound) and 136 trips during the p.m. peak hour (86 inbound and 50 outbound).
- The SR-73/Wilson Ave. intersection is expected to operate at LOS A during the a.m. peak hour and p.m. peak hour.
- Existing roadway configurations and traffic control will support the proposed 22 lot project.

APPENDIX A - TURNING MOVEMENTS COUNTS

DMJM Harris

935 E. South Union Avenue Suite D-203
Midvale, UT 84047

Default Comments
Change These in The Preferences Window
Select File/Preference in the Main Scree
Then Click the Comments Tab

File Name : Wilson St & SR-73
Site Code : 00000000
Start Date : 7/10/2008
Page No : 1

Groups Printed- Vehicles - Trucks

Start Time	SR-73 Southbound					Westbound					SR-73 Northbound					Wilson Street Eastbound					Int. Total
	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	
07:00 AM	0	12	0	0	12	0	0	0	0	0	0	16	0	0	16	0	0	8	0	8	36
07:15 AM	1	12	0	0	13	0	0	0	0	0	0	11	0	0	11	1	0	12	0	13	37
07:30 AM	0	11	0	0	11	0	0	0	0	0	0	13	0	0	13	0	0	5	0	5	29
07:45 AM	1	8	0	0	9	0	0	0	0	0	0	9	1	0	10	0	0	8	0	8	27
Total	2	43	0	0	45	0	0	0	0	0	0	49	1	0	50	1	0	33	0	34	129
08:00 AM	0	17	0	0	17	0	0	0	0	0	0	5	0	0	5	1	0	7	0	8	30
08:15 AM	6	20	0	0	26	0	0	0	0	0	0	9	0	0	9	0	0	6	0	6	41
08:30 AM	2	14	0	0	16	0	0	0	0	0	0	3	0	0	3	0	0	4	0	4	23
08:45 AM	1	9	0	0	10	0	0	0	0	0	0	12	0	0	12	1	0	4	0	5	27
Total	9	60	0	0	69	0	0	0	0	0	0	29	0	0	29	2	0	21	0	23	121

*** BREAK ***

04:00 PM	7	16	0	0	23	0	0	0	0	0	0	22	0	0	22	2	0	2	0	4	49
04:15 PM	13	13	0	0	26	0	0	0	0	0	0	12	1	0	13	1	0	3	0	4	43
04:30 PM	4	11	0	0	15	0	0	0	0	0	0	24	1	0	25	2	0	0	0	2	42
04:45 PM	9	16	0	0	25	0	0	0	0	0	0	38	1	0	39	2	0	5	0	7	71
Total	33	56	0	0	89	0	0	0	0	0	0	96	3	0	99	7	0	10	0	17	205
05:00 PM	10	27	0	0	37	0	0	0	0	0	0	40	4	0	44	0	0	5	0	5	86
05:15 PM	12	15	0	0	27	0	0	0	0	0	0	41	1	0	42	2	0	2	0	4	73
05:30 PM	16	16	0	0	32	0	0	0	0	0	0	26	0	0	26	3	0	6	0	9	67
05:45 PM	12	15	0	0	27	0	0	0	0	0	0	13	1	0	14	0	0	11	0	11	52
Total	50	73	0	0	123	0	0	0	0	0	0	120	6	0	126	5	0	24	0	29	278
Grand Total	94	232	0	0	326	0	0	0	0	0	0	294	10	0	304	15	0	88	0	103	733
Apprch %	28.8	71.2	0	0		0	0	0	0		0	96.7	3.3	0		14.6	0	85.4	0		
Total %	12.8	31.7	0	0	44.5	0	0	0	0	0	0	40.1	1.4	0	41.5	2	0	12	0	14.1	
Vehicles	93	229	0	0	322	0	0	0	0	0	0	284	10	0	294	15	0	88	0	103	719
% Vehicles	98.9	98.7	0	0	98.8	0	0	0	0	0	0	96.6	100	0	96.7	100	0	100	0	100	98.1
Trucks	1	3	0	0	4	0	0	0	0	0	0	10	0	0	10	0	0	0	0	0	14
% Trucks	1.1	1.3	0	0	1.2	0	0	0	0	0	0	3.4	0	0	3.3	0	0	0	0	0	1.9

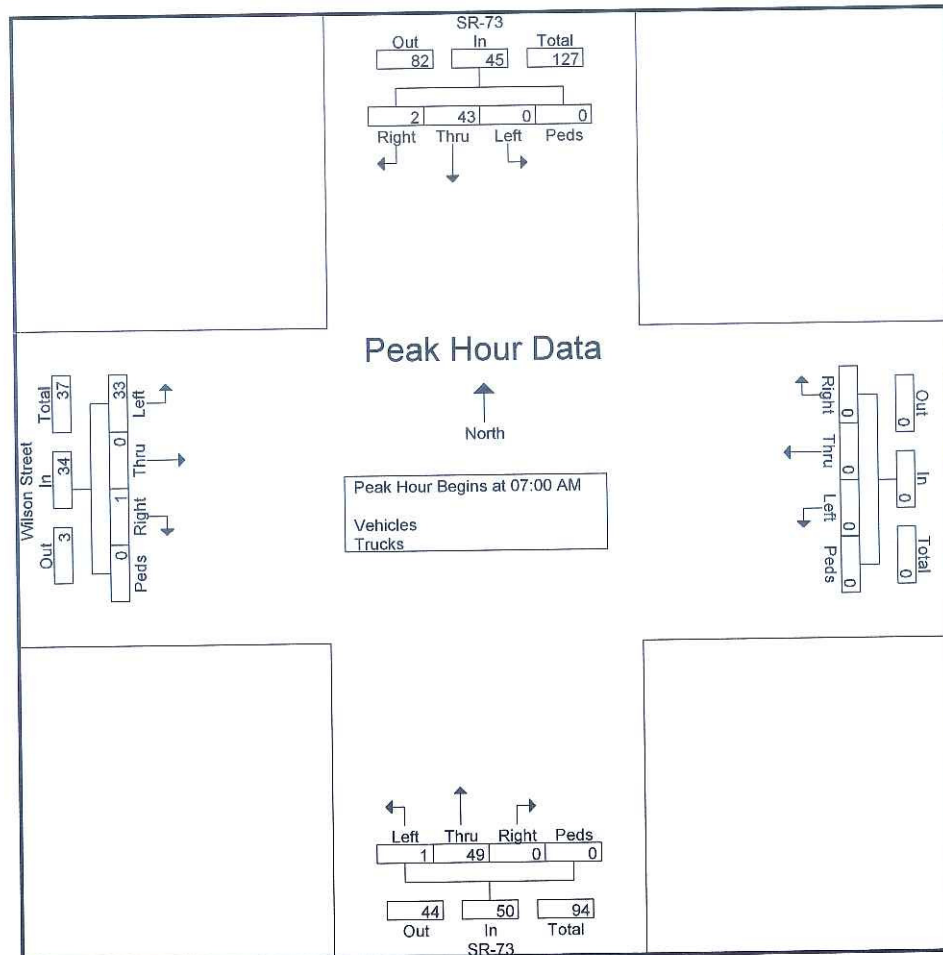
DMJM Harris

935 E. South Union Avenue Suite D-203
Midvale, UT 84047

Default Comments
Change These in The Preferences Window
Select File/Preference in the Main Scree
Then Click the Comments Tab

File Name : Wilson St & SR-73
Site Code : 00000000
Start Date : 7/10/2008
Page No : 2

	SR-73 Southbound					Westbound					SR-73 Northbound					Wilson Street Eastbound					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 11:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:00 AM																					
07:00 AM	0	12	0	0	12	0	0	0	0	0	0	16	0	0	16	0	0	8	0	8	36
07:15 AM	1	12	0	0	13	0	0	0	0	0	0	11	0	0	11	1	0	12	0	13	37
07:30 AM	0	11	0	0	11	0	0	0	0	0	0	13	0	0	13	0	0	5	0	5	29
07:45 AM	1	8	0	0	9	0	0	0	0	0	0	9	1	0	10	0	0	8	0	8	27
Total Volume	2	43	0	0	45	0	0	0	0	0	0	49	1	0	50	1	0	33	0	34	129
% App. Total	4.4	95.6	0	0		0	0	0	0		0	98	2	0		2.9	0	97.1	0		
PHF	.500	.896	.000	.000	.865	.000	.000	.000	.000	.000	.000	.766	.250	.000	.781	.250	.000	.688	.000	.654	.872



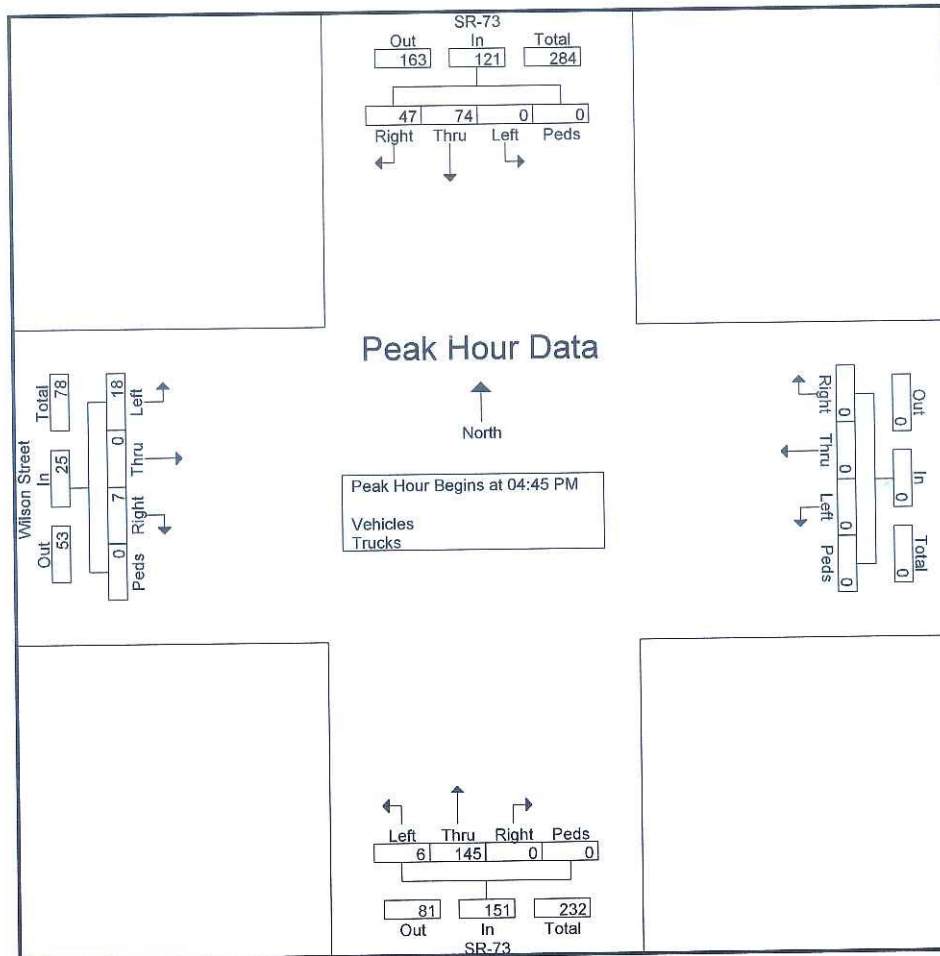
DMJM Harris

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Select File/Preference in the Main Scree
Then Click the Comments Tab

File Name : Wilson St & SR-73
Site Code : 00000000
Start Date : 7/10/2008
Page No : 3

	SR-73 Southbound					Westbound					SR-73 Northbound					Wilson Street Eastbound					
Start Time	Rig ht	Thr u	Left	Pcd s	App. Total	Rig ht	Thr u	Left	Pcd s	App. Total	Right	Thr u	Left	Peds	App. Total	Right	Thr u	Left	Peds	App. Total	Int. Total
Peak Hour Analysis From 12:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:45 PM																					
04:45 PM	9	16	0	0	25	0	0	0	0	0	0	38	1	0	39	2	0	5	0	7	71
05:00 PM	10	27	0	0	37	0	0	0	0	0	0	40	4	0	44	0	0	5	0	5	86
05:15 PM	12	15	0	0	27	0	0	0	0	0	0	41	1	0	42	2	0	2	0	4	73
05:30 PM	16	16	0	0	32	0	0	0	0	0	0	26	0	0	26	3	0	6	0	9	67
Total Volume	47	74	0	0	121	0	0	0	0	0	0	145	6	0	151	7	0	18	0	25	297
% App. Total	38.8	61.2	0	0		0	0	0	0		0	96	4	0		28	0	72	0		
PHF	.734	.685	.000	.000	.818	.000	.000	.000	.000	.000	.000	.884	.375	.000	.858	.583	.000	.750	.000	.694	.863



**POLE CANYON PHASE 1 SUBDIVISION
White Hills Water System
Water Model Report**

**Prepared For:
Oquirrh Wood Ranch, LLC**

Prepared By:

JACKSON ENGINEERING
3376 Stonehill Lane
Salt Lake City, UT 84121
(801) 558-5293

April 2016

1.0 INTRODUCTION

The proposed Pole Canyon Phase 1 subdivision will receive culinary water service from the existing White Hill water system. This report provides results of water system analysis of the existing water system to support the proposed Pole Canyon Phase 1 subdivision.

1.1 Purpose and Objective of Study

Eagle Mountain City will eventually have responsibility and operation of the existing White Hills water system. This analysis includes evaluation of the water distribution system to provide service within the requirements of the State of Utah Division of Drinking Water. Of primary importance is the analysis of maintaining a minimum of 20 psi system pressure under Peak Instantaneous flow conditions.

1.2 Project Description and Location

The proposed development site is located in the western area of Eagle Mountain City approximately 1.7 miles south of Cedar Fort City. The Pole Canyon Phase 1 project site includes undeveloped residential property fronting existing roadways within the White Hills subdivision including Jackson Street, Eisenhower Street, and Jefferson Avenue. The proposed project consists of 20 residential single family units. The existing water system is comprised of (2) ground water wells each capable of producing approximately 1,400 gpm, 770,000 gallons of water storage, 10" and 6" piping within the distribution system. The water distribution system is depicted in Figure 1.

2.0 WATER SYSTEM DEMANDS

This analysis evaluated Peak Day Demand with Fire Flow and Peak Instantaneous Demand without Fire Flow for evaluating the ability of the distribution system to maintain an minimum of 20 psi within the system. Analysis of existing White Hills lots indicated an average of 0.19 acres per lot. Demand consists of indoor use and outdoor use per the Division of Drinking Water Rule R309-510 Facility Design and Operation: Minimum Sizing Requirements as follows:

Peak Day Demand

Indoor Demand = 800 GPD/Residential Unit

Outdoor Demand = 2.26 GPM/Irrigated Acre (Zone 2)

Peak Instantaneous Demand

Indoor Demand (Q) = $10.8 \times N^{0.64}$ in GPM; where N = number of connections

Outdoor Demand = 5.60 GPM/Irrigated Acre (Zone 2)

The demands for each node within the model are shown in Table 1. For this analysis the water system demand included service to the following residential units:

Existing White Hills Lots - 113

Existing White Hills Country Estates Lots - 12

Proposed Pole Canyon Phase 1 Lots - 20

Total Lots for Peak Demand Analysis - 145

2.1 Peak Day Demand with Fire Flow

A Fire Flow test was conducted within the White Hills water system. A fire hydrant on Jefferson Ave. flowed at 1,034 GPM with a pitot pressure at 38 PSI. A fire hydrant on Eisenhower St. near Jackson St. was monitored during the flow test with residual pressure of 44 PSI. This flow test was conducted with the water tanks full. See flow test information in Appendix. Using this data the water model was checked for with a positive calibration. The water model was then run for 10 feet of water in the tank to simulate minimum storage condition. A 10 foot water depth represents the fire storage requirement in the tank. Results of Peak Day Demands with a Fire Flow of 1,034 GPM at Node 40 provide minimum pressure within the system of 24.30 PSI at Node 38. This scenario meets requirement of maintaining a minimum of 20 PSI during a fire flow event. Refer to Figure 2 and results reports in Appendix.

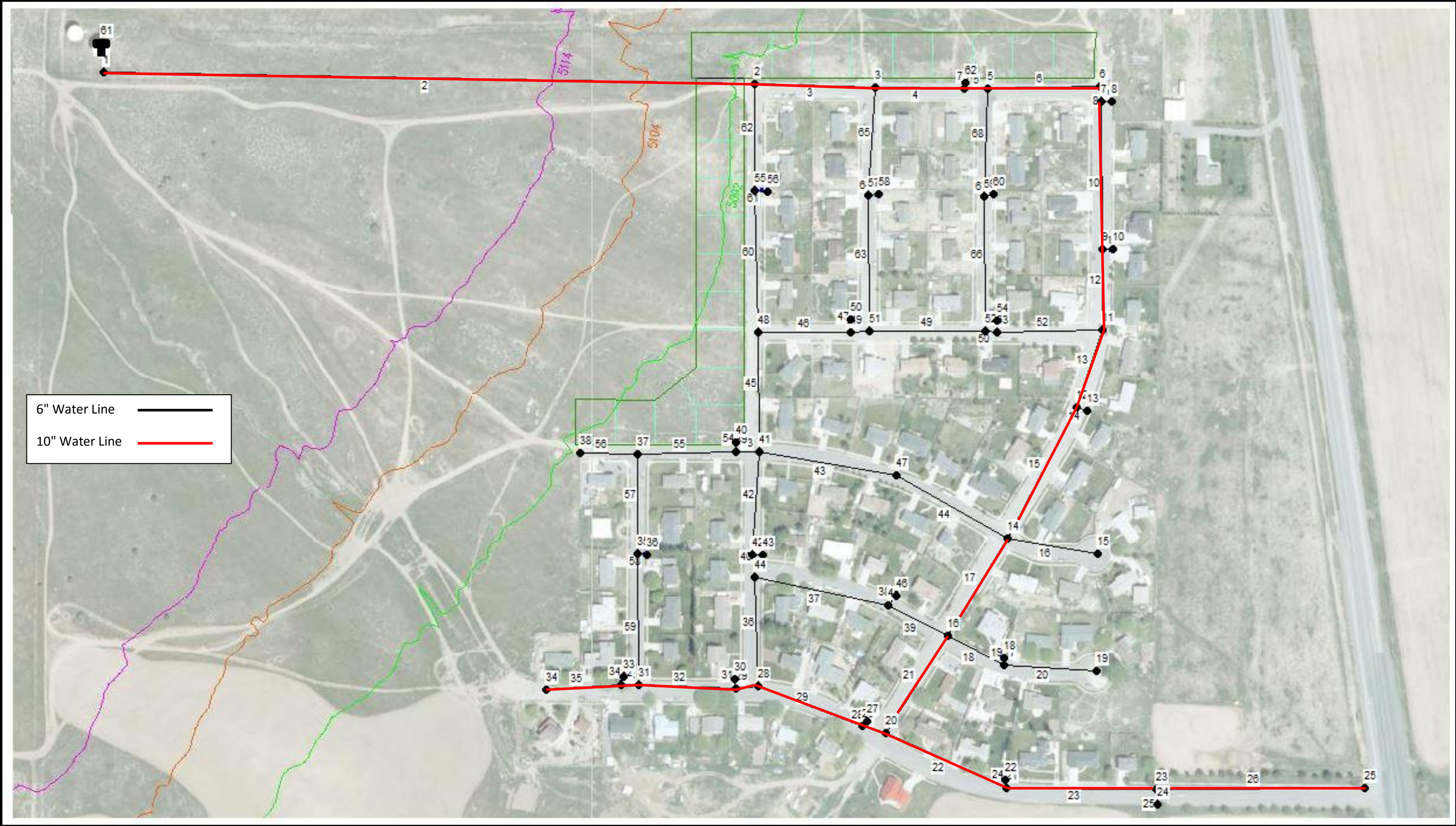
2.1 Peak Instantaneous Demand Model Run

The total system demand at Peak Instantaneous Demand is 898.17 GPM. The water model was then run for 10 feet of water in the tank to simulate minimum storage condition. Results of Peak Instantaneous Demands provide minimum pressure within the system of 31.97 PSI at Node 38. This scenario meets requirement of maintaining a minimum of 20 PSI during Peak Instantaneous demands. Refer to results reports in Appendix.

3.0 SUMMARY

Based on the water system model scenario for Peak Instantaneous Demand for indoor, outdoor, and fire flow the White Water distribution system with the addition of the Pole Canyon Phase 1 lots provides a minimum system pressure greater than 20 psi meeting the State DDW minimum requirements for a distribution system.

Figure 1 - White Hills Water System - Base Model

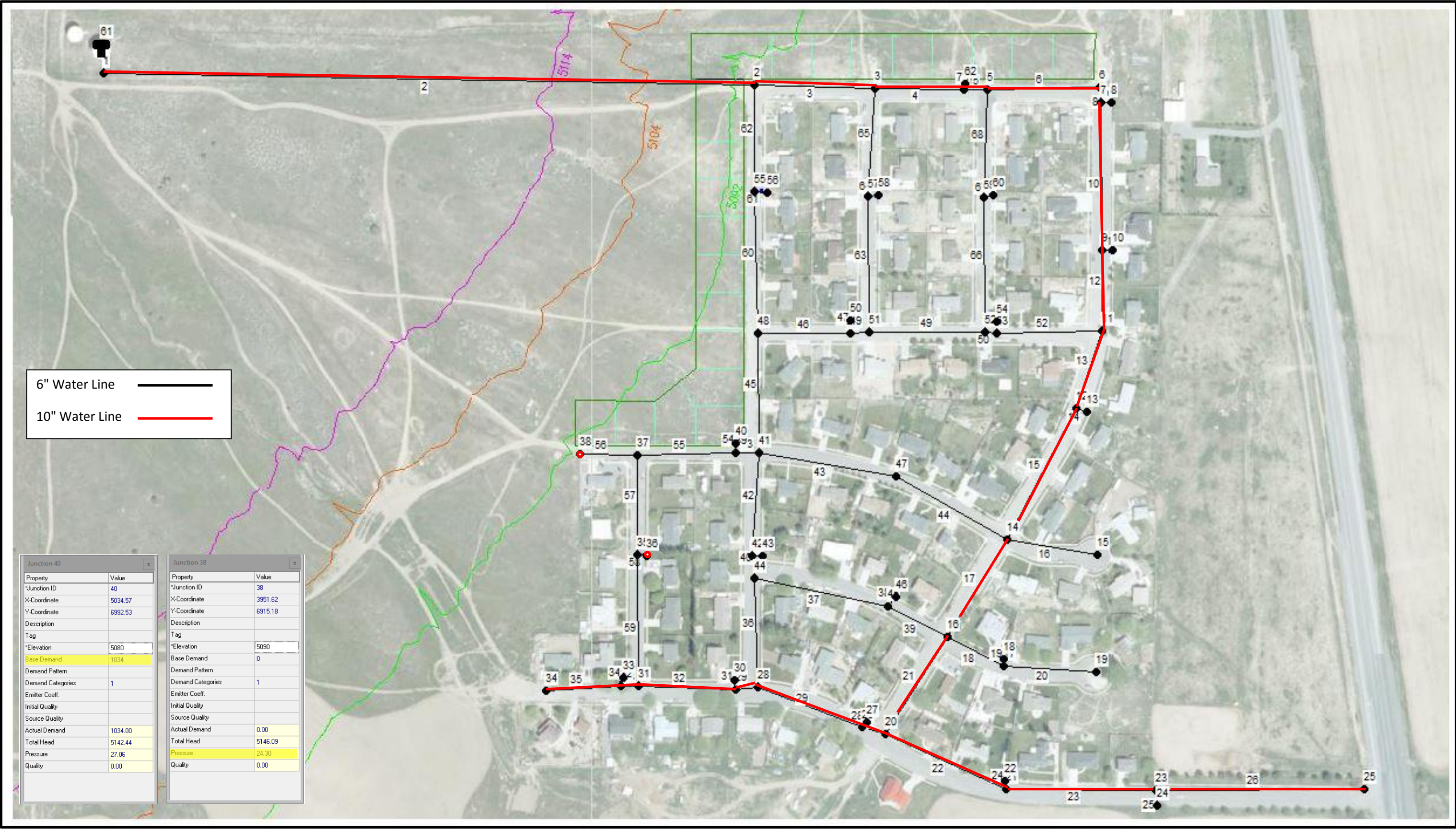


POLE CANYON PHASE 1 SUBDIVISION
WATER MODEL

Table 1 - Node Demands

			Peak Daily Demands				Peak Instantaneous Demands		
Node	# Lots	Node Elev.	Indoor Unit Demand (gpd)	Outdoor Unit Demand 0.19 acres x 2.26 gpm/acre (gpd)	Total Demand (gpd)	Total Demand (gpm)	Indoor Demand $Q=10.8 \times N^{0.64}$ (gpm)	Outdoor Demand 0.19 acres x 5.60 gpm/acre (gpm)	Total Demand (gpm)
3	5	5080	800	618	7,092	4.92	30.25	5.32	35.57
5	4	5070	800	618	5,673	3.94	26.23	4.26	30.48
9	10	5053	800	618	14,183	9.85	47.14	10.64	57.78
12	7	5049	800	618	9,928	6.89	37.52	7.45	44.97
15	4	5042	800	618	5,673	3.94	26.23	4.26	30.48
19	9	5034	800	618	12,765	8.86	44.07	9.58	53.65
20	6	5048	800	618	8,510	5.91	34.00	6.38	40.38
21	4	5045	800	618	5,673	3.94	26.23	4.26	30.48
24	12	5030	800	618	17,020	11.82	52.98	12.77	65.75
31	6	5072	800	618	8,510	5.91	34.00	6.38	40.38
35	10	5078	800	618	14,183	9.85	47.14	10.64	57.78
41	6	5078	800	618	8,510	5.91	34.00	6.38	40.38
42	7	5068	800	618	9,928	6.89	37.52	7.45	44.97
45	7	5059	800	618	9,928	6.89	37.52	7.45	44.97
47	11	5068	800	618	15,602	10.83	50.11	11.70	61.81
52	7	5060	800	618	9,928	6.89	37.52	7.45	44.97
55	10	5088	800	618	14,183	9.85	47.14	10.64	57.78
57	10	5075	800	618	14,183	9.85	47.14	10.64	57.78
59	10	5066	800	618	14,183	9.85	47.14	10.64	57.78
TOTALS	145				205,659	142.82	743.89	154.28	898.17

Figure 2 - White Hills Water System - Peak Day Demand and Fire Flow Event at Node 40; 10' of Water in Tank



APPENDIX

FIRE FLOW TEST RESULTS WATER MODEL REPORTS

PROTECTION CONSULTANTS, INC.

1199 SOUTH MAIN STREET, SUITE 101
CENTERVILLE, UTAH 84014

PAGE 1 OF 2

WATER FLOW TEST REPORT

PROJECT NAME: POLE CANYON SUBDIVISION - PHASE I - SECOND TEST

STREET ADDRESS: EISENHOWER STREET & COOLIDGE AVENUE

CITY: CEDAR FORT (EAGLE MOUNTAIN)

STATE: UTAH

CHRIS COZENS - WHITE HILLS WATER DEPT.

TESTED BY: PCI

WITNESSED BY: DERRICK ROWBERRY - EAGLE MOUNTAIN

TEST DATE: 02/12/2016

TEST TIME: 9:30 PM

TEMPERATURE: 27° F

PROJECT ELEVATION: FT.

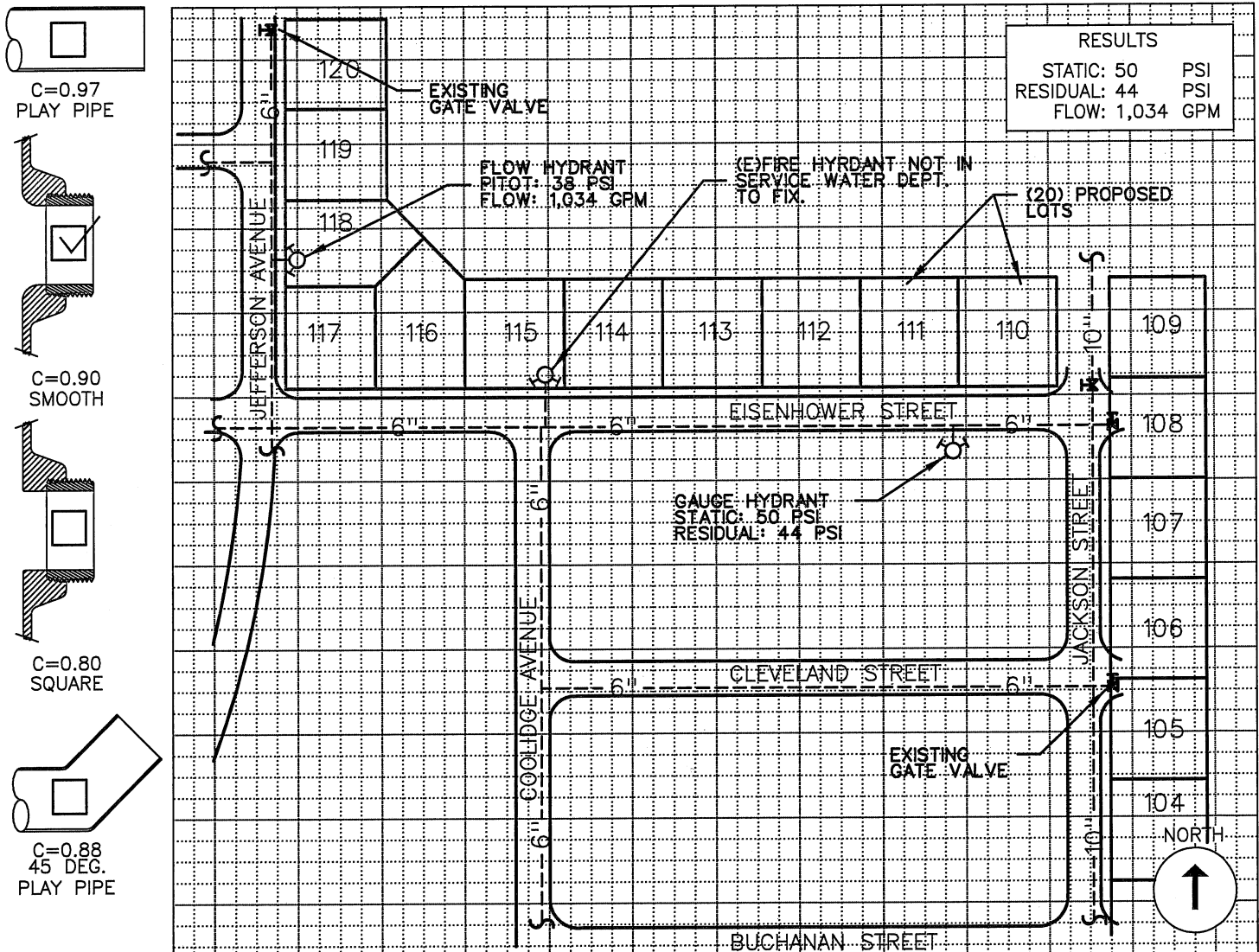
COMMENTS: FIRE FLOW: 2,466 GPM @ 20 PSI

HYDRANT & FLOW DATA

TEST HYDRANT (GAUGED):	STATIC:	<u>50</u>	PSI	RESIDUAL:	<u>44</u>	PSI	ELEVATION:	<u> </u>	FT.
FLOW OUTLET DIAMETER:	OUTLET 1:	<u>2.500</u>	INCHES	OUTLET 2:	<u> </u>	INCHES			
FLOW OUTLET C-FACTOR:	OUTLET 1:	<u>0.90</u>		OUTLET 2:	<u> </u>				
FLOW HYDRANT (PITOTED):	OUTLET 1:	<u>38</u>	PSI	OUTLET 2:	<u> </u>	PSI			
WATER FLOW VOLUME:	OUTLET 1:	<u>1,034</u>	GPM	OUTLET 2:	<u> </u>	GPM	TOTAL:	<u>1,034</u>	GPM

FORMULA: $Q = 29.83 C_d^2 \sqrt{P}$ Q: FLOW VOLUME d: OUTLET DIAMETER P: PITOT PRESSURE C: COEFFICIENT OF DISCHARGE

AREA MAP



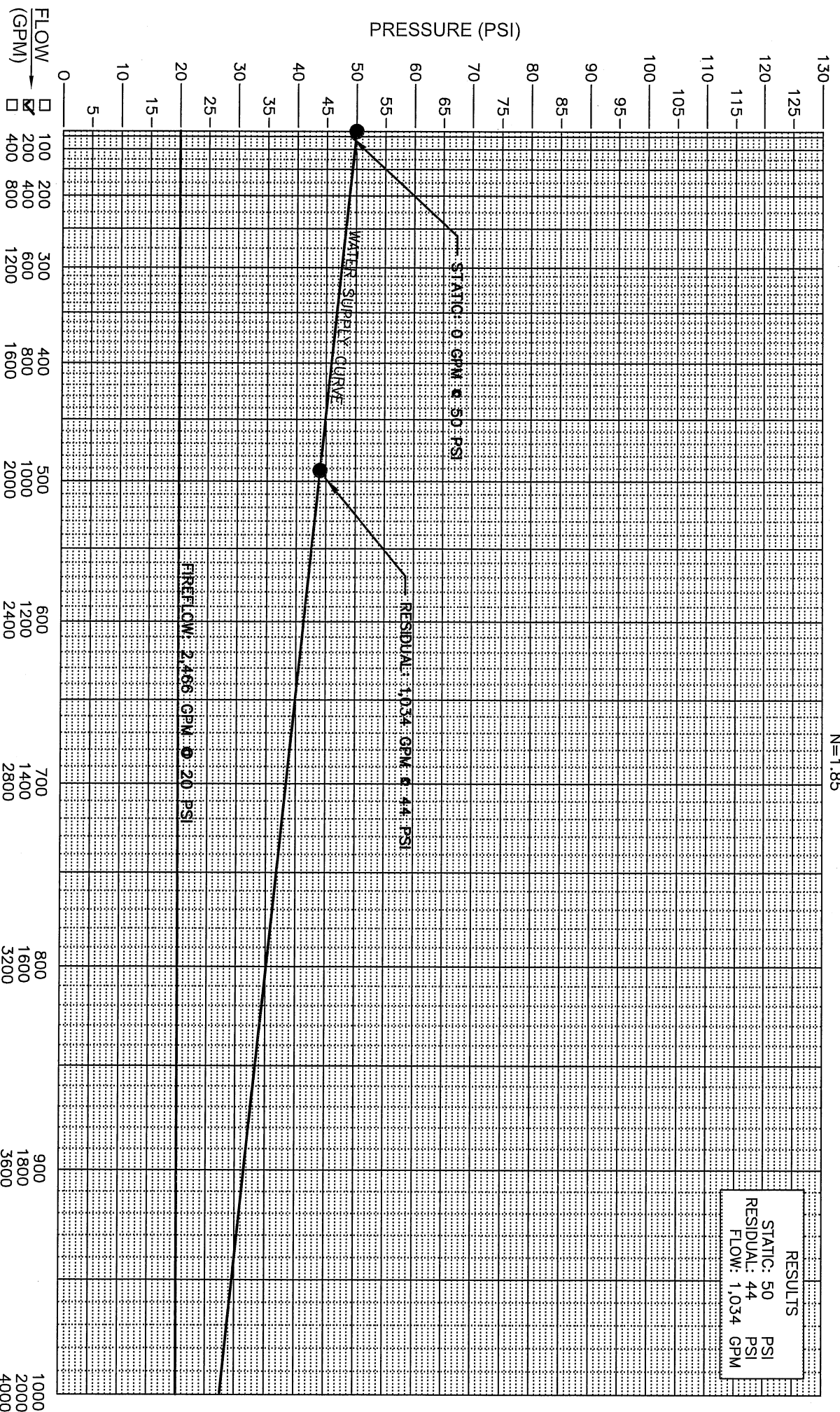
☒ FLOW TEST CONDUCTED IN ACCORDANCE WITH NFPA 291 "RECOMMENDED PRACTICE FOR FIRE FLOW TESTING AND MARKING OF HYDRANTS"

PROTECTION CONSULTANTS, INC.

1199 SOUTH MAIN STREET, SUITE 101
CENTERVILLE, UTAH 84014

WATER SUPPLY CURVE WATER FLOW GRAPH

N=1.85



EXPLAIN ANY VARIABLES IN OPERATION
 OF WATER SYSTEM THAT WOULD AFFECT
 EITHER STATIC PRESSURE OR FLOW
 VOLUMES AT A DIFFERENT TIME OF
 DAY OR DURING THE YEAR.

White Hills Water System - Peak Day Demand - Fire Flow Calibration

Network Table - Nodes

Node ID	Elevation ft	Base Demand GPM	Pressure psi
Junc 1	5168	0	15.74
Junc 2	5092	0	42.67
Junc 3	5080	4.92	46.88
Junc 4	5072	0	49.82
Junc 5	5070	3.94	50.66
Junc 6	5060	0	54.58
Junc 7	5060	0	54.54
Junc 8	5060	0	54.54
Junc 9	5053	9.85	57.05
Junc 10	5053	0	57.05
Junc 11	5051	0	57.63
Junc 12	5049	6.89	58.05
Junc 13	5049	0	58.05
Junc 14	5048	0	57.73
Junc 15	5042	3.94	60.33
Junc 16	5050	0	56.53
Junc 17	5042	0	60.00
Junc 18	5042	0	60.00
Junc 19	5034	8.86	63.46
Junc 20	5048	5.91	57.23
Junc 21	5045	3.94	58.53
Junc 22	5045	0	58.53
Junc 23	5030	0	65.03
Junc 24	5030	11.82	65.03
Junc 25	5011	0	73.26

White Hills Water System - Peak Day Demand - Fire Flow Calibration

Node ID	Elevation ft	Base Demand GPM	Pressure psi
Junc 26	5050	0	56.33
Junc 27	5050	0	56.33
Junc 28	5062	0	50.98
Junc 29	5064	0	50.10
Junc 30	5064	0	50.10
Junc 31	5072	5.91	46.56
Junc 32	5074	0	45.69
Junc 33	5074	0	45.69
Junc 34	5080	0	43.09
Junc 35	5078	9.85	42.88
Junc 36	5078	0	42.88
Junc 37	5085	0	39.04
Junc 38	5090	0	36.87
Junc 39	5080	0	40.45
Junc 40	5080	1034	39.62
Junc 41	5078	5.91	43.08
Junc 42	5068	6.89	48.09
Junc 43	5068	0	48.09
Junc 44	5068	0	48.22
Junc 45	5059	6.89	52.46
Junc 46	5059	0	52.46
Junc 47	5068	10.83	48.29
Junc 48	5084	0	43.41
Junc 49	5073	0	48.56
Junc 50	5073	0	48.56
Junc 51	5073	0	48.63

White Hills Water System - Peak Day Demand - Fire Flow Calibration

Node ID	Elevation ft	Base Demand GPM	Pressure psi
Junc 52	5060	6.89	54.24
Junc 53	5060	0	54.19
Junc 54	5060	0	54.19
Junc 55	5088	9.85	43.16
Junc 56	5088	0	43.16
Junc 57	5075	9.85	48.45
Junc 58	5075	0	48.45
Junc 59	5066	9.85	52.04
Junc 60	5066	0	52.04
Junc 62	5072	0	49.82
Tank 61	5166	#N/A	16.90

White Hills Water System - Peak Day Demand - No Fire Flow, 10' in Tank

Network Table - Nodes

Node ID	Elevation ft	Base Demand GPM	Pressure psi
Junc 1	5168	0	3.46
Junc 2	5092	0	36.27
Junc 3	5080	4.92	41.45
Junc 4	5072	0	44.91
Junc 5	5070	3.94	45.77
Junc 6	5060	0	50.10
Junc 7	5060	0	50.10
Junc 8	5060	0	50.10
Junc 9	5053	9.85	53.12
Junc 10	5053	0	53.12
Junc 11	5051	0	53.99
Junc 12	5049	6.89	54.85
Junc 13	5049	0	54.85
Junc 14	5048	0	55.28
Junc 15	5042	3.94	57.88
Junc 16	5050	0	54.41
Junc 17	5042	0	57.87
Junc 18	5042	0	57.87
Junc 19	5034	8.86	61.34
Junc 20	5048	5.91	55.27
Junc 21	5045	3.94	56.57
Junc 22	5045	0	56.57
Junc 23	5030	0	63.07
Junc 24	5030	11.82	63.07
Junc 25	5011	0	71.30

White Hills Water System - Peak Day Demand - No Fire Flow, 10' in Tank

Node ID	Elevation ft	Base Demand GPM	Pressure psi
Junc 26	5050	0	54.41
Junc 27	5050	0	54.41
Junc 28	5062	0	49.21
Junc 29	5064	0	48.34
Junc 30	5064	0	48.34
Junc 31	5072	5.91	44.87
Junc 32	5074	0	44.01
Junc 33	5074	0	44.01
Junc 34	5080	0	41.41
Junc 35	5078	9.85	42.27
Junc 36	5078	0	42.27
Junc 37	5085	0	39.24
Junc 38	5090	0	37.08
Junc 39	5080	0	41.41
Junc 40	5080	0	41.41
Junc 41	5078	5.91	42.28
Junc 42	5068	6.89	46.61
Junc 43	5068	0	46.61
Junc 44	5068	0	46.61
Junc 45	5059	6.89	50.51
Junc 46	5059	0	50.51
Junc 47	5068	10.83	46.61
Junc 48	5084	0	39.70
Junc 49	5073	0	44.46
Junc 50	5073	0	44.46
Junc 51	5073	0	44.46

White Hills Water System - Peak Day Demand - No Fire Flow, 10' in Tank

Node ID	Elevation ft	Base Demand GPM	Pressure psi
Junc 52	5060	6.89	50.09
Junc 53	5060	0	50.09
Junc 54	5060	0	50.09
Junc 55	5088	9.85	37.98
Junc 56	5088	0	37.98
Junc 57	5075	9.85	43.60
Junc 58	5075	0	43.60
Junc 59	5066	9.85	47.50
Junc 60	5066	0	47.50
Junc 62	5072	0	44.91
Tank 61	5166	#N/A	4.33

White Hills Water System - Peak Day Demand - Fire Flow 10' in Tank

Network Table - Nodes

Node ID	Elevation ft	Base Demand GPM	Pressure psi
Junc 1	5168	0	3.17
Junc 2	5092	0	30.10
Junc 3	5080	4.92	34.31
Junc 4	5072	0	37.26
Junc 5	5070	3.94	38.09
Junc 6	5060	0	42.02
Junc 7	5060	0	41.97
Junc 8	5060	0	41.97
Junc 9	5053	9.85	44.48
Junc 10	5053	0	44.48
Junc 11	5051	0	45.07
Junc 12	5049	6.89	45.48
Junc 13	5049	0	45.48
Junc 14	5048	0	45.16
Junc 15	5042	3.94	47.76
Junc 16	5050	0	43.97
Junc 17	5042	0	47.43
Junc 18	5042	0	47.43
Junc 19	5034	8.86	50.90
Junc 20	5048	5.91	44.66
Junc 21	5045	3.94	45.96
Junc 22	5045	0	45.96
Junc 23	5030	0	52.46
Junc 24	5030	11.82	52.46
Junc 25	5011	0	60.69

White Hills Water System - Peak Day Demand - Fire Flow 10' in Tank

Node ID	Elevation ft	Base Demand GPM	Pressure psi
Junc 26	5050	0	43.76
Junc 27	5050	0	43.76
Junc 28	5062	0	38.41
Junc 29	5064	0	37.53
Junc 30	5064	0	37.53
Junc 31	5072	5.91	33.99
Junc 32	5074	0	33.13
Junc 33	5074	0	33.13
Junc 34	5080	0	30.53
Junc 35	5078	9.85	30.32
Junc 36	5078	0	30.32
Junc 37	5085	0	26.47
Junc 38	5090	0	24.30
Junc 39	5080	0	27.89
Junc 40	5080	1034	27.06
Junc 41	5078	5.91	30.52
Junc 42	5068	6.89	35.52
Junc 43	5068	0	35.52
Junc 44	5068	0	35.65
Junc 45	5059	6.89	39.89
Junc 46	5059	0	39.89
Junc 47	5068	10.83	35.72
Junc 48	5084	0	30.84
Junc 49	5073	0	35.99
Junc 50	5073	0	35.99
Junc 51	5073	0	36.07

White Hills Water System - Peak Day Demand - Fire Flow 10' in Tank

Node ID	Elevation ft	Base Demand GPM	Pressure psi
Junc 52	5060	6.89	41.68
Junc 53	5060	0	41.63
Junc 54	5060	0	41.63
Junc 55	5088	9.85	30.59
Junc 56	5088	0	30.59
Junc 57	5075	9.85	35.89
Junc 58	5075	0	35.89
Junc 59	5066	9.85	39.47
Junc 60	5066	0	39.47
Junc 62	5072	0	37.26
Tank 61	5166	#N/A	4.33

White Hills Water System - Peak Day Demand & Fire Flow, 10' in Tank

Network Table - Links

Link ID	Length ft	Diameter in	Flow GPM	Velocity fps
Pipe 1	50	10	-1176.87	4.81
Pipe 2	1023	10	1176.87	4.81
Pipe 3	280	10	896.36	3.66
Pipe 4	230	10	703.49	2.87
Pipe 5	30	12	703.49	2.00
Pipe 6	280	10	557.25	2.28
Pipe 7	15	6	0.00	0.00
Pipe 8	30	10	557.25	2.28
Pipe 9	1000	12	0.00	0.00
Pipe 10	355	10	557.24	2.28
Pipe 11	15	6	0.00	0.00
Pipe 12	200	10	547.39	2.24
Pipe 13	200	10	702.40	2.87
Pipe 14	15	6	0.00	0.00
Pipe 15	340	10	695.50	2.84
Pipe 16	220	6	3.94	0.04
Pipe 17	285	10	487.24	1.99
Pipe 18	145	6	8.86	0.10
Pipe 19	15	6	0.00	0.00
Pipe 20	230	6	8.86	0.10
Pipe 21	275	10	350.46	1.43
Pipe 22	315	10	15.77	0.06
Pipe 23	350	10	11.83	0.05
Pipe 24	15	6	0.00	0.00
Pipe 25	1200	10	11.82	0.05

White Hills Water System - Peak Day Demand & Fire Flow, 10' in Tank

Link ID	Length ft	Diameter in	Flow GPM	Velocity fps
Pipe 26	500	10	0.00	0.00
Pipe 27	65	10	328.79	1.34
Pipe 28	15	6	0.00	0.00
Pipe 29	270	10	328.78	1.34
Pipe 30	45	10	241.54	0.99
Pipe 31	15	6	0.00	0.00
Pipe 32	230	10	241.54	0.99
Pipe 33	45	10	0.01	0.00
Pipe 34	15	6	0.00	0.00
Pipe 35	140	10	0.00	0.00
Pipe 36	285	6	87.24	0.99
Pipe 37	330	6	-121.02	1.37
Pipe 38	15	6	0.00	0.00
Pipe 39	150	6	-127.91	1.45
Pipe 40	45	6	208.26	2.36
Pipe 41	15	6	0.00	0.00
Pipe 42	250	6	201.36	2.28
Pipe 43	350	6	-193.49	2.20
Pipe 44	280	6	-204.32	2.32
Pipe 45	280	6	-419.29	4.76
Pipe 46	250	6	-148.63	1.69
Pipe 47	15	6	0.00	0.00
Pipe 48	50	6	-148.63	1.69
Pipe 49	280	6	29.46	0.33
Pipe 50	30	6	155.02	1.76
Pipe 51	15	6	0.00	0.00

White Hills Water System - Peak Day Demand & Fire Flow, 10' in Tank

Link ID	Length ft	Diameter in	Flow GPM	Velocity fps
Pipe 52	280	6	155.01	1.76
Pipe 53	50	6	808.24	9.17
Pipe 54	15	6	1034.00	11.73
Pipe 55	225	6	-225.76	2.56
Pipe 56	125	6	0.00	0.00
Pipe 57	245	6	-225.77	2.56
Pipe 58	15	6	0.00	0.00
Pipe 59	300	6	-235.62	2.67
Pipe 60	320	6	-270.66	3.07
Pipe 61	15	6	0.00	0.00
Pipe 62	250	6	-280.52	3.18
Pipe 63	320	6	-178.09	2.02
Pipe 64	15	6	0.00	0.00
Pipe 65	250	6	-187.95	2.13
Pipe 66	320	6	-132.45	1.50
Pipe 67	15	6	0.00	0.00
Pipe 68	250	6	-142.30	1.61

White Hills Water System - Peak Instantaneous Demands, 10' in Tank

Network Table - Nodes

Node ID	Elevation ft	Base Demand GPM	Pressure psi
Junc 1	5168	0	3.30
Junc 2	5092	0	32.82
Junc 3	5080	35.57	37.44
Junc 4	5072	0	40.65
Junc 5	5070	30.48	41.50
Junc 6	5060	0	45.67
Junc 7	5060	0	45.65
Junc 8	5060	0	45.65
Junc 9	5053	57.78	48.47
Junc 10	5053	0	48.47
Junc 11	5051	0	49.26
Junc 12	5049	44.97	49.99
Junc 13	5049	0	49.99
Junc 14	5048	0	50.26
Junc 15	5042	30.48	52.84
Junc 16	5050	0	49.30
Junc 17	5042	0	52.74
Junc 18	5042	0	52.74
Junc 19	5034	53.65	56.15
Junc 20	5048	40.38	50.14
Junc 21	5045	0	51.43
Junc 22	5045	0	51.43
Junc 23	5030	0	57.92
Junc 24	5030	65.75	57.89
Junc 25	5011	0	66.15

White Hills Water System - Peak Instantaneous Demands, 10' in Tank

Node ID	Elevation ft	Base Demand GPM	Pressure psi
Junc 26	5050	0	49.27
Junc 27	5050	0	49.27
Junc 28	5062	0	44.07
Junc 29	5064	0	43.20
Junc 30	5064	0	43.20
Junc 31	5072	40.38	39.73
Junc 32	5074	0	38.86
Junc 33	5074	0	38.86
Junc 34	5080	0	36.26
Junc 35	5078	57.78	37.13
Junc 36	5078	0	37.13
Junc 37	5085	0	34.14
Junc 38	5090	0	31.97
Junc 39	5080	0	36.35
Junc 40	5080	0	36.35
Junc 41	5078	40.38	37.22
Junc 42	5068	44.97	41.48
Junc 43	5068	0	41.48
Junc 44	5068	0	41.48
Junc 45	5059	44.97	45.38
Junc 46	5059	0	45.38
Junc 47	5068	61.81	41.55
Junc 48	5084	0	35.16
Junc 49	5073	0	39.94
Junc 50	5073	0	39.94
Junc 51	5073	0	39.94

White Hills Water System - Peak Instantaneous Demands, 10' in Tank

Node ID	Elevation ft	Base Demand GPM	Pressure psi
Junc 52	5060	44.97	45.49
Junc 53	5060	0	45.48
Junc 54	5060	0	45.48
Junc 55	5088	57.78	33.88
Junc 56	5088	0	33.88
Junc 57	5075	57.78	39.25
Junc 58	5075	0	39.25
Junc 59	5066	57.78	42.98
Junc 60	5066	0	42.98
Junc 62	5072	0	40.65
Tank 61	5166	#N/A	4.33

White Hills Water System - Peak Instantaneous Demands, 10' in Tank

Network Table - Links

Link ID	Length ft	Diameter in	Flow GPM	Velocity fps
Pipe 1	50	10	-867.66	3.54
Pipe 2	1023	10	867.66	3.54
Pipe 3	280	10	666.80	2.72
Pipe 4	230	10	487.82	1.99
Pipe 5	30	12	487.82	1.38
Pipe 6	280	10	339.82	1.39
Pipe 7	15	6	0.00	0.00
Pipe 8	30	10	339.82	1.39
Pipe 9	1000	12	0.00	0.00
Pipe 10	355	10	339.82	1.39
Pipe 11	15	6	0.00	0.00
Pipe 12	200	10	282.04	1.15
Pipe 13	200	10	357.72	1.46
Pipe 14	15	6	0.00	0.00
Pipe 15	340	10	312.75	1.28
Pipe 16	220	6	30.48	0.35
Pipe 17	285	10	238.36	0.97
Pipe 18	145	6	53.65	0.61
Pipe 19	15	6	0.00	0.00
Pipe 20	230	6	53.65	0.61
Pipe 21	275	10	139.51	0.57
Pipe 22	315	10	65.75	0.27
Pipe 23	350	10	65.75	0.27
Pipe 24	15	6	0.00	0.00
Pipe 25	1200	10	65.75	0.27

White Hills Water System - Peak Instantaneous Demands, 10' in Tank

Link ID	Length ft	Diameter in	Flow GPM	Velocity fps
Pipe 26	500	10	0.00	0.00
Pipe 27	65	10	33.38	0.14
Pipe 28	15	6	0.00	0.00
Pipe 29	270	10	33.38	0.14
Pipe 30	45	10	51.05	0.21
Pipe 31	15	6	0.00	0.00
Pipe 32	230	10	51.05	0.21
Pipe 33	45	10	0.00	0.00
Pipe 34	15	6	0.00	0.00
Pipe 35	140	10	0.00	0.00
Pipe 36	285	6	-17.67	0.20
Pipe 37	330	6	-0.23	0.00
Pipe 38	15	6	0.00	0.00
Pipe 39	150	6	-45.20	0.51
Pipe 40	45	6	-17.44	0.20
Pipe 41	15	6	0.00	0.00
Pipe 42	250	6	-62.41	0.71
Pipe 43	350	6	17.89	0.20
Pipe 44	280	6	-43.92	0.50
Pipe 45	280	6	-167.80	1.90
Pipe 46	250	6	-24.72	0.28
Pipe 47	15	6	0.00	0.00
Pipe 48	50	6	-24.72	0.28
Pipe 49	280	6	60.91	0.69
Pipe 50	30	6	75.69	0.86
Pipe 51	15	6	0.00	0.00

White Hills Water System - Peak Instantaneous Demands, 10' in Tank

Link ID	Length ft	Diameter in	Flow GPM	Velocity fps
Pipe 52	280	6	75.69	0.86
Pipe 53	50	6	47.11	0.53
Pipe 54	15	6	0.00	0.00
Pipe 55	225	6	47.11	0.53
Pipe 56	125	6	0.00	0.00
Pipe 57	245	6	47.11	0.53
Pipe 58	15	6	0.00	0.00
Pipe 59	300	6	-10.67	0.12
Pipe 60	320	6	-143.08	1.62
Pipe 61	15	6	0.00	0.00
Pipe 62	250	6	-200.86	2.28
Pipe 63	320	6	-85.63	0.97
Pipe 64	15	6	0.00	0.00
Pipe 65	250	6	-143.41	1.63
Pipe 66	320	6	-59.75	0.68
Pipe 67	15	6	0.00	0.00
Pipe 68	250	6	-117.53	1.33

Site Summary

Parcels Inside of Development Agreement Boundary
Neighborhood Planning Areas (NPA)

Area	Planning Area Type	Acres	Overall Density	Units
1	Residential	100.33	4.5	451
2	Residential	82.5	4.5	371
3	Residential	81.32	5.5	448
4	Residential	118.94	5.5	655
5	Residential	159.34	5.5	876
6	Residential	108.61	4.5	489
7	Residential	143.27	4.5	645
8	Residential	116.66	2.89	337
9	Residential	127.90	1.92	246
10	Residential	96.20	2.88	277
11	Residential	5.95	3.36	20
12	Residential	106.45	4.5	479
13	Residential	146.99	4.5	661
14	Residential	136.37	4.5	614
15	Residential	92.86	5.5	511
16	Residential	83.79	5.5	461
17	Residential	120.69	5.25	634
18	Residential	156.15	4.5	703

Total Residential Acres 1,984.32
Total Units 8,878
Residential Gross Density 4.47 du/ac

Commercial Planning Areas (CPA)				
1	Commercial	79.45	9.83	781
2	Commercial	5.57	n/a	n/a
3	Commercial	10.4	n/a	n/a
4	Commercial	63.18	n/a	n/a
5	Commercial	28.26	n/a	n/a

Industrial Planning Areas (IPA)			
1	Industrial	159.9	n/a
2	Industrial	142.04	n/a
3	Industrial	57.09	n/a
4	Industrial	92.33	n/a

Total Dev Agreement Acres 2,622.54
Total Residential Units 9,659
Gross Density 3.68

Parcels Outside of Development Agreement Boundary
Parcels

Area	Land Use/Owner	Acres	Density	Units
A	White Hills Subdivision	47.45	2.42	115
B	Cook Parcels	12.93	TBD	TBD
C	White Hills Country Estates	63.52	0.17	11
D	MMN, LLC	6.8	TBD	TBD
E	White Parcels	14.28	TBD	TBD
F	2B Investments, LLC	48.14	TBD	TBD
G	Jody B. Brown Trust	10.02	TBD	TBD
H	Bowles Property	83.61	TBD	TBD
I	"Checkerboard" Properties	197.36	TBD	TBD
J	Highway Right-of-way	18.62	n/a	n/a

Total Acres Outside Development Agreement 502.73 Acres

Total Acres		
Inside Development Agreement	2,622.54	
Outside Development Agreement	502.73	
Total Annexation Area Acres	3,125.27	

General Plan Key

Area	Description	General Plan Designation
Residential (NPA)	Mixed-Use Residential	
Residential	Mixed-Use Residential	
Residential	Rural Residential	
Commercial (CPA)	Mixed-Use Commercial	
Commercial	Mixed-Use Commercial	
Industrial (IPA)	Industrial	
Industrial	Industrial	

* Note: In NPA 11, all lots shall be a min 10,000 Sq Ft. In NPA 1 & 3, a street with min 10,000 Sq Ft lots on both sides shall abut the existing White Hills Subdivision

Planning Goals

- Maintain Rural/Country Atmosphere
- Maintain Quiet, Friendly, Safe Neighborhoods
- Prioritize Trails & Parks & Open Space
- Create Active Lifestyle Communities
- Provide Access to Recreation Areas
- Plan for Quality / Managed Growth
- Provide Needed Infrastructure
- Create Local Jobs & Tax Base
- Contribute to Valley-wide Amenities
- Emphasize Area's Incredible Views
- Plan CC&R's and Design Guidelines to Encourage Conservation & Eco-friendly development
- Emphasize Area's Natural Environment
- Protect/Maintain Green Space & Open Space

Plan Key

--- Planning Area Boundary

✳ Proposed Schools

✳ Proposed Public Safety Facility

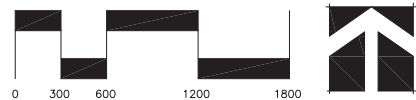
● Potential Church Site
Church sites will be located throughout each planning area on an as-needed basis

Project Road Classifications

- Arterial Road Corridors
- Major Collector Road Corridors
- Industrial Collector Road Corridors
- Minor Collector Road Corridors
- Local Street

Boundary Classifications

- Annexation Boundary
- Development Agreement Boundary
- Master Plan Area



Land Use Element Exhibit 2



EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, JUNE 14, 2016 AT 6:00 P.M.
Eagle Mountain City Council Chambers; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

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

COMMISSION MEMBERS PRESENT: Wendy Komoroski, Matthew Everett, John Linton, and Daniel Boles. EXCUSED: Mike Owens.

CITY STAFF PRESENT: Steve Mumford, Planning Director; Mike Hadley, Senior Planner; Tayler Jensen, Planner; and Johna Rose, Deputy Recorder.

ELECTED OFFICIALS PRESENT: Colby Curtis and Stephanie Gricius.

1. Pledge of Allegiance

Commissioner Linton led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes

A. May 24, 2016

MOTION: *Wendy Komoroski moved to approve the May 24, 2016 meeting minutes. Matthew Everett seconded the motion. Those voting aye: Matthew Everett, Daniel Boles, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

4. Items noticed but removed from the Agenda

A. City Center Commercial, Master Site Plan

B. Overland Phase A Preliminary Plat, Public Hearing, Action Item, Recommendation to City Council:

5. Action and Advisory Items (Recommendations to the City Council)

A. Gateway Park Phase B Preliminary Plat, Public Hearing, Action Item, Recommendation to City Council:

Mike Hadley explained that the proposed preliminary plat consists of 4 lots on 8.18 acres. The commercial subdivision is along Cory Wride Memorial Highway and Mt. Airey Drive. The Mountainland Association of Governments has approved money for UDOT to purchase a portion of the proposed preliminary plat property for future ROW expansion. The applicant has been working with UDOT but has been unable to finalize the purchase of the land, so the applicant is moving forward with this preliminary plat. UDOT's future

plans show expansion of Cory Wride Memorial Hwy (SR 73) to become a major transportation corridor.

Daniel Boles asked how much property is UDOT taking from this plat. Steve Mumford stated that the future expansion of Cory Wride Memorial would require all the property from this plat.

Commissioner Linton opened the public hearing at 6:11 p.m.

Lori Gilson, resident, was concerned about what type of businesses were planned for the development. She was also concerned about the beautification of the entrance to Eagle Mountain City and felt that industrial development was not appropriate for the entrance.

Jim Maxwell, resident, wanted to make sure the builders would have standards and setback to help beautify the entrance. He was also concerned about controlling the dust.

Jen Morrison, resident, felt that the City has not done their part in controlling the dust from the gravel pits.

Clara Bartell, resident, was concerned about the dust and the working hours of the gravel pits. She was also concerned about loose gravel from the gravel trucks on Cory Wride Memorial Highway. She felt that the City's enforcement for commercial business was lacking.

Bruno Hunziker, resident, suggested that the residents of Mount Airey subdivision get in contact with the EPA (US Environmental Protection Agency) to help control the dust.

Commissioner Linton closed the public hearing at 6:24 p.m.

Scott Hazard, applicant, explained that he has been working with UDOT since 2014 and UDOT has not given a written offer for the property. UDOT has not condemned the property so he would like to proceed with the planned development.

Commissioner Linton questioned if the lots would be marketable with a maximum lifespan of only ten years.

MOTION: *Wendy Komoroski moved to recommend approval of the preliminary plat for Gateway Park Phase B to the City Council. Daniel Boles seconded the motion. Those voting aye: Daniel Boles, Matthew Everett, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

B. Metro Ready Mix Concrete Plant, Site Plan, Public Hearing, Action Item, Recommendation to City Council:

Taylor Jensen explained that the proposal is for a concrete plant located north of Cory Wride Memorial Hwy (SR 73), on the Talons Cove property. The proposed concrete plant is located within the Extractive Industries Overlay Zone.

Buffering and Screening

The Eagle Mountain Municipal Code (EMMC) requires uses in the Extractive Industries Overlay Zone that produce substantial noise to be located at least a quarter of a mile or one thousand three hundred and twenty feet (1,320') from properties containing residential development. The proposed location does comply with this standard.

- Berms and landscaping may be required to buffer the use from public roads; however, the proposed concrete plant location is separated from public roads by a large hill, and staff doesn't believe any additional buffering is necessary.
- The applicant placed a 94' model at the site location on Google Earth, and street views confirmed that it could not be seen from any street in Eagle Mountain City staff has confirmed the results.

Truck Traffic.

The applicant has indicated that truck traffic to and from the concrete plant will leave through Saratoga Springs, and will not result in increased truck traffic in Eagle Mountain.

Noise Restrictions.

The use shall comply with the Eagle Mountain noise ordinance, which restricts sound to below sixty-five (65) decibels, measured at the property line from the hours of 9:00 PM to 7:00 AM Monday-Saturday, and 9:00 PM to 9:00 AM Sunday.

Commissioner Everett was concerned about how the City could enforce and fine the companies that are in violation of the noise and hours of operation ordinances. Mr. Mumford confirmed that the City is looking into ways to enforce and fine those companies with violations.

Commissioner Linton opened the public hearing at 6:39 p.m.

Clara Bartell, resident, was concerned about how the industrial properties are devaluing her home. She was also concerned about the health of the children in her neighborhood.

Richard Thomas, resident, was concerned about the noise and the air quality. He read a report from the EPA website about cement plants and how they contribute to air pollution.

Jen Morrison, resident, said that Saratoga Spring has cut off the access road before for trucks accessing through Saratoga Springs and has forced them to use Cory Wride Memorial Hwy. She requested that the concrete plant not be approved.

Lori Gilson, resident, was concerned about being surrounded by an industrial zone. She was also concerned about the air quality, dust, and noise from the industrial zone.

Lisa Maxwell, resident, said that Cory Wride Memorial Hwy is not being maintained by a sweeper. She explained that with the loose gravel along Cory Wride Memorial Hwy she has had to replace her car windshield twice.

DJ King, resident, was concerned about the air quality. He also wanted to know how long the gravel pit would be leasing the property. He was also concerned about the tower being visible once the mountain was removed.

Nate Bruisk, resident, requested that the City implement SWPPP (Storm Water Pollution Prevention Plan) requirements. He also stated that as a builder, the concrete plant would benefit the builders working in Eagle Mountain City.

Travis Jenson, resident, stated that he did not want a concrete plant in his backyard. He was also concerned about the truck destroying City roads and taxpayer having to pay to repair the roads.

Jennifer Lavorsen, resident, was concerned about the pollution, health of the residents, and the value of her home.

Carrie Jenson, resident, was concerned about the debris the high winds will carry from the plant into the neighborhood. She felt that industrial lots should be moved away from residential housing.

Commissioner Linton closed the public hearing at 7:14 p.m.

Commissioner Komoroski asked if an environmental impact study has been done for the plant. Mr. Mumford stated that the City could look into the health impact.

Commissioner Linton suggested that a code be implemented requiring that the gravel truck loads must be wetted down before leaving the plant.

John Dunn, president of Metro Ready Mix Concrete, explained that this plant has nothing to do with the gravel pits. He stated that this is a concrete plant and not a cement plant. He explained that cement plants do produce pollution. The Utah Division of Air Quality (DEQ) does regulate the concrete plants dust. He said that his other two concrete plants are located in West Valley City and Pleasant Grove next to residential neighborhoods.

Commissioner Everett was concerned with the hours of operation. His experience with concrete plants is that most orders for concrete are delivered to the job site around 5:00 am in the summer. The concrete plant would need to start at 4:00 am to get the order delivered. Mr. Dunn explained that his other concrete plants do not have time restrictions. Those morning orders could be dispatched from another concrete plant.

Mr. Mumford said that the Staker Parson gravel pit has been there for about 20 years and the TM Crushing gravel pit has been there for 5 years.

Commissioner Komoroski asked if the City would look into an ordinance that could help control the pollution and the debris on the road.

Commissioners felt that the gravel pit issues should not affect the concrete plant's application.

MOTION: *Wendy Komoroski moved to recommend approval of the site plan for the Metro Ready Mix Concrete Plant to the City Council.*
 Matthew Everett seconded the motion. Those voting aye: Daniel Boles, Matthew Everett, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.

C. Lakeview Estates Preliminary Plat, Public Hearing, Action Item, Recommendation to City Council:

Mr. Hadley explained that the property is located southeast of the Cory Wride Memorial Highway (SR 73) and Sunset Drive. The property sits between the Cedar Pass Ranch subdivision and the Westview Heights subdivision. The applicant has proposed a preliminary plat consisting of 65 lots. The lots range from ½ acre to 1.5 acres in size.

Remnant Piece of Ground

The proposed plat shows a leftover piece of property in the southwest corner of the plat. City staff feels that this piece should be incorporated into the plat.

Commissioner Linton opened the public hearing at 7:40 p.m.

DJ King, resident, requested that the Lakeview Estates subdivision mirror the Westview Heights neighborhood. He also felt that a second access road should be added to the new development.

Lou Carol, resident, requested a buffer zone of one acre lots adjacent to Cedar Pass Ranch. He also requested a second access road into the development for safety.

Nate Brusik, resident, said that he liked the new plat, but requested a second access road into the new development.

Jeff Morris, resident, would like to see a fence between Cedar Pass Ranch and Lakeview Estates. He felt that a fence would help preserve the horse trail between the developments.

Commissioner Linton closed the public hearing at 7:53 p.m.

Mr. Mumford explained that UDOT does not want another access road onto Cory Wride Memorial Highway. The development has been approved by the Fire Marshal with one access onto the highway.

Mr. Mumford suggested that the remnant piece of property be incorporated into the proposed plat, adding the piece to lot 137.

MOTION:

Wendy Komoroski moved to recommend approval of the preliminary plat for Lakeview Estates to the City Council with the following conditions:

- 1. The applicant shall submit a parks and open space amenities worksheet.***
- 2. Street lights be added to the utility plan.***
- 3. The street names for Church Way and Lake View be changed.***
- 4. The leftover piece of property in the southwest corner of the plat be incorporated into the proposed plat or an alternative plan for the piece be approved.***

Daniel Boles seconded the motion. Those voting aye: Daniel Boles, Matthew Everett, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.

D. Pole Canyon Phase 1 Preliminary Plat, Public Hearing, Action Item, and Recommendation to City Council: This is 20 lot preliminary plat, located within the Pole Canyon Master Development Plan area.

Mr. Jenson said that in 2010 the Pole Canyon area, which includes the White Hills development, was annexed into Eagle Mountain City. At the time of annexation, a Master Development Plan and a Master Development Agreement were also adopted. This project is located adjacent to the existing White Hills development, in Neighborhood Planning Area 11 (NPA 11) of the approved Pole Canyon Master Development Plan.

Infrastructure

No building permits shall be issued by the City for the construction in the Pole Canyon property, unless PCIG or its successor has substantially completed the required infrastructure to comply with City requirements for phasing of infrastructure and completion of off-site improvements required by the relevant project or proposed construction.

The water line is currently under construction, and is anticipated to be completed shortly, at which time it is planned that Wilson Avenue will be repaired. Sewer plans are currently being reviewed by the state.

Street Lights

The Eagle Mountain Municipal Code (EMMC) **15.10.390 Street Lighting** requires street lights to be placed in residential developments at a minimum of 250', apart and at a maximum of 350' apart. The applicant is asking for this requirement to be waived for Phase 1 of the Pole Canyon development as the existing White Hills community does not have street lights. The applicant does not believe street lights match the character of the existing community.

Commissioners Linton and Boles asked if there was leeway in the Municipal Code that would allow the Commissioners or the City to waive the street light requirement. Mr. Mumford explained that the Code allows a little bit of flexibility when it makes sense not to have street lighting. City staff recommended that street lights be installed for pedestrian safety.

Commissioner Linton opened the public hearing at 8:15 p.m.

Peggy Hunziker, resident, said that DAI has not complied with their agreements with the City in getting the park finished and turning over the water system to the City. She stated that the Pole Canyon Master Development Agreement states:

13.0 Building Permits. No Building Permit shall be issued by the City for construction in the PCIG property, unless PCIG or its successor has substantially completed the required infrastructure to comply with City requirements.

She was also concerned about only having one access road into the neighborhood.

Bruno Hunziker, resident, felt that the City should hold DAI to the Pole Canyon Master Development Agreement. He said that he has no problem with DAI building the development as long as DAI finishes the infrastructure and complies with the agreement.

Erika Douglas, resident, said that the developer has not finished the park to the agreement standards. She said that she was told that White Hills water pipes were being shattered by heavy equipment driving along the roads. She felt that the roads and pipes should be fixed before the City allows any more building in the area.

Amy Perry, resident, said that the City should hold the developer accountable for the infrastructure being done prior to building. She was also concerned for the safety of the children in the neighborhood with the amount of traffic the construction would bring. She likes that there is no light pollution in their area and did not feel street lights were necessary for White Hills neighborhoods.

Jessica Lewis, resident, sent an email disapproving of the development.

Commissioner Linton closed the public hearing at 8:29 p.m.

Mr. Mumford thanked Peggy Hunziker for her comment. He stated that the City Planner's new recommendation is that no building permits shall be issued until the infrastructure is complete.

Nate Shipp, applicant, said that he was not planning to start building in White Hills until the issues that were discussed are complete.

MOTION: *Daniel Boles moved to recommend approval of the preliminary plat for the Pole Canyon Phase 1 to the City Council with the following conditions:*

- 1. A community improvement fee of \$10,658 (\$2,000 per buildable acre) shall be paid at plat recording.*
- 2. Building permits shall not be issued for construction until infrastructure needed to comply with City requirements has been substantially completed (sewer, water, & Wilson Avenue repair).*
- 3. No plat approval until Wilson Avenue is repaired.*

Wendy Komoroski seconded the motion. Those voting aye: Daniel Boles, Matthew Everett, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.

E. Chapter 17.25 Development Code Amendments, Public Hearing, Action Item, Recommendation to City Council:

Mr. Jensen said that the applicant has proposed a reduce front and rear setback reduction from 50' to 35' in Base and Tier I residential developments on both sides of the road, when a road has been constructed with curb, gutter, and a trail way.

Commissioner Linton opened the public hearing at 8:43 p.m.

None

Commissioner Linton closed the public hearing at 8:43 p.m.

Scot Hazard, applicant, stated that this request came about due to an oversight in the design of 5 smaller lots in the Arrival development.

Mr. Mumford said that City staff recommendations went beyond the applicant's request. Staff has recommended a 25' setback instead of the 35' setback the applicant proposed. He stated that it would give residents a bigger back yard where they could keep their horses in the back yard instead of the side yard.

MOTION: *Wendy Komoroski moved to recommend approval of the amendment to Chapter 17.25 of the Eagle Mountain City Municipal Code to the City Council. Matthew Everett seconded the motion. Those voting aye: Daniel Boles, Matthew Everett, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

F. Chapters 17.10 & 17.70 Development Code Amendments, Public Hearing, Action Items, Recommendation to City Council

Mr. Jensen explained that the proposal is an amendment defining tiny homes on wheels and allowing them to serve as accessory apartments in Base and Tier I residential developments.

Commissioner Linton opened the public hearing at 8:50 p.m.

None

Commissioner Linton closed the public hearing at 8:50 p.m.

Commissioner Everett was concerned about how many tiny homes will be allowed on a property. Mr. Jensen said that the Code would only allow one tiny home on the property.

MOTION: *Wendy Komoroski moved to recommend approval of the amendments to Chapters 17.10 and 17.70 of the Eagle Mountain City Municipal Code to the City Council. Matthew Everett seconded the motion. Those voting aye: Daniel Boles, Matthew Everett, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

G. Chapter 17.10 & 17.25 Development Code Amendments, Public Hearing, Action Items, Recommendation to City Council:

Mr. Jensen explained that the City staff is proposing an amendment to clarify the definition of manufactured home or dwelling and create a minimum design standard for residential developments.

Commissioner Linton opened the public hearing at 8:52 p.m.

None

Commissioner Linton closed the public hearing at 8:52 p.m.

No discussion was held on this item.

MOTION: *Wendy Komoroski moved to recommend approval of the amendments to Chapters 17.10 and 17.25 of the Eagle Mountain City Municipal Code to the City Council. Daniel Boles seconded the motion. Those voting aye: Daniel Boles, Matthew Everett, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

H. Chapter 16.35.100 Development Code Amendment, Public Hearing, Action Item, Recommendation to City Council

Mr. Jensen and Mr. Mumford explained that the City Council and staff have requested an amendment to remove a clerical mistake from the Code, and increase the right-of-ways of the local streets to 53', allowing for 5' sidewalks, rather than the 4' sidewalks how allowed.

Commissioner Linton opened the public hearing at 8:57 p.m.

None

Commissioner Linton closed the public hearing at 8:57 p.m.

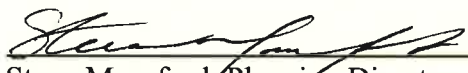
MOTION: *Wendy Komoroski moved to recommend approval of the amendment to Chapter 16.35.100 of the Eagle Mountain City Municipal Code to the City Council. Matthew Everett seconded the motion. Those voting aye: Daniel Boles, Matthew Everett, John Linton, and Wendy Komoroski. The motion passed with a unanimous vote.*

6. Next scheduled meeting: July 12, 2016

7. Adjournment

The meeting was adjourned at 9:00 p.m.

APPROVED BY THE PLANNING COMMISSION ON JULY 12, 2016


Steve Mumford, Planning Director



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 6, 2021**

TITLE:	O'Reilly Auto Parts - Site Plan		
ITEM TYPE:	Site Plan		
FISCAL IMPACT:			
APPLICANT:	Creed Richardson (Leading Tech Development)		
GENERAL PLAN DESIGNATION Community Commercial	CURRENT ZONE Commercial	ACREAGE 0.86	COMMUNITY Porter's Crossing

PUBLIC HEARING:

No

PREPARED BY:

Tayler Jensen, Planning

PRESENTED BY:

Tayler Jensen

RECOMMENDATION:

BACKGROUND:

Creed Richardson (Leading Tech Development) has proposed a site plan for an O'Reilly Auto Parts to be located at 4266 East Pony Express Parkway, which is southeast of Porter's Crossing Parkway and Pony Express Parkway (parcel 65.645.0003). The proposed O'Reilly Auto Parts is located adjacent to the recently-approved Dollar Tree and backs onto homes in the Oak Hollow subdivision. The parcel is zoned commercial and has already been platted.

On March 9, 2021, the Planning Commission recommended approval of the site plan to the City Council, and on March 23, the City Council reviewed the project during work session.

ITEMS FOR CONSIDERATION:

Buffering

Per **EMMC 17.100.050 B**, any commercial lot which abuts a

residential use shall be effectively screened by a combination of a wall, fencing, and landscaping of acceptable design. The proposed O'Reilly Auto Parts does back onto the Oak Hollow subdivision, which is buffered by an existing six-foot (6') masonry wall, however, as the wall follows the natural grade of the land, there are a few lots that are not "Effectively Screened." this is due in part to the grading on the site where the elevation at the bottom of the 6' wall is 4,790 feet while the elevation in the middle of the drive aisle is 4,795 which is five feet higher. The elevation of the parking lot does drop to 4,793.53 feet at the top back of curb but that is still nearly four feet above the grade of the wall. *(Page for of Site Plan attachment)*.

EMMC 17.35.050 F requires buffering or transitioning when built adjacent to residential uses, and **EMMC 17.60.110 D** requires applicants to provide a headlight screen. The applicant is required to provide effective screening and has been exploring ways to provide effective buffering. Potential solutions include the planting of evergreen trees, increasing landscaping, and/or increasing the height of the wall (or building a new wall) between the site and the residential units, or a combination of these mitigation strategies. The City Council shall review the applicant's proposed mitigation and determine if it is appropriate or not. *(Attachment #1 – Buffering)*.

Per **table 17.60.160 B** there shall be a minimum buffer of 10' which includes trees, wall, fence, and headlight screen with the residential uses to the south. While this buffer is largely provided, additional screening is required in a few locations due to the existing wall following the natural topography and not providing sufficient headlight screening.

Commercial Design Standards - Compliance with **EMMC 17.72**
Commercial and Multifamily Design standards are addressed below. As a commercial development, O'Reilly Auto Parts must comply with these standards.

Per **EMMC 17.72.030 A.1**, the primary entrance to the building

should orient toward the street, and if not, the street-facing façade should include entrances, display windows, awnings, increased architectural elements, increased landscaping, and other pedestrian-oriented features. The street-facing façade (North Elevation) does not include the primary entrance to the building, while it does feature windows. An awning and a sidewalk path are provided from the trail along Pony Express Parkway to the main entry (West Elevation incorrectly labeled “East Elevation”). The Planning Commission felt that the street-facing elevation was appropriate. (Attachment #2 – Elevations)

EMMC 17.72.040 A requires the building to be similar in style to adjacent buildings. The proposed building is similar in appearance to Dollar Tree, but the color palette is much lighter than both Dollar Tree and Eagle Vision. Staff recommended the elevations be updated to include stacked stone and materials similar in color to Dollar Tree and Eagle Vision, however, the Planning Commission did not include this in their recommendation. (Attachment #2 – Elevations)

EMMC 17.72.030 B requires the main entrance of a structure to orient to major sidewalks pedestrian ways, plazas, courtyards, or other public spaces. Main entrances shall also be clearly identifiable and consist of a sheltering element such as a porch, stoop awning, arcade, or portico. All parking in the proposed site plan is to the rear or side of the building. While the main entry is not oriented toward Pony Express Parkway, a pedestrian path is provided connecting the trail along Pony Express Parkway to the front door. The main entrance is clearly identifiable and does include a sheltering element. It is the opinion of staff that the main entrance complies with standards of EMMC 17.72.040 B.

EMMC 17.72.040 C states “The primary roof form of a structure should help reduce the perceived scale of the building. All commercial buildings shall contain either sloping roofs with overhanging eaves or a decorative parapet and multiple roof planes and heights. Decorative cornices and roof projections such as cupolas or towers are also encouraged.” The proposed elevations do not include sloping roofs, nor do they include decorative parapet, and

only very minor changes in rooflines. It was the opinion of staff that elevations should be amended to include a tower or to increase the height of the parapet above the main entry and columns to give the appearance of different roof planes and heights, however, this was not included in the Planning Commission recommendation.

(Attachment #2 – Elevations)

EMMC 17.72.040 D states “...Buildings shall include façade modulation (stepping portions of the façade), horizontal and vertical divisions (textures or materials), window patterns, offsets, recesses, projections, varied front setbacks or staggered and jogged unit planes within the same structure...to avoid large, featureless and/or panelized surfaces on commercial buildings.” The proposed development includes the use of different materials, proposes different colors and textures, and uses different planes. It is the opinion of staff that the elevations comply with the standards of EMMC 17.72.040 D.

EMMC 17.72.040 E states “Pedestrian-scaled architectural features/details shall be incorporated into commercial buildings to orient the building to pedestrian activity and to increase the overall visual appeal of the structure...Commercial buildings shall incorporate a majority of the following architectural details: reveals, canopies, awnings, popouts, columns, decorative trim and moldings, architectural lighting, ornamental cornices, decorative masonry pattern, decorative doors and windows, exposed timbers, and trellis structures. All sides of a building shall include the chosen details.” The proposed elevations include awnings, columns, decorative trim, and architectural lighting. Utilizing four (4) of the twelve (12) architectural features. It is the opinion of staff, and the recommendation of the Planning Commission, that at least three (3) additional architectural features should be added to the elevations to comply with EMMC 17.72.040 E 1. (Attachment #2 – Elevations)

EMMC 17.72.040 F states “Buildings should incorporate materials used throughout the city and be similar in character and architectural theme as significant neighboring structures...All commercial buildings shall avoid large panelized products or featureless surfaces.

Commercial buildings shall utilize an appropriate mixture of building materials on all sides." As the proposed building uses a mixture of materials that are used on all sides of the structure, avoids large panelized products, and is similar in style to surrounding buildings (namely Dollar Tree) it is the opinion of staff that the proposal largely complies with EMMC 17.72.040 F.

EMMC 17.72.040 G states "A building's color palette should be similar to that of significant neighboring structures. Franchise colors and elements may be incorporated but shall not overpower the architectural form/theme of the building and/or development." The proposed elevations are lighter in color than neighboring buildings. Staff recommends that the building color palette be amended to be similar to that used on the Eagle Vision and Dollar Tree developments, however, this was not included in the Planning Commission recommendation . (Attachment #2 – Elevations).

EMMC 17.72.040 I states "All lighting shall be designed and directed downward to prevent light glare from adversely affecting neighboring uses/properties. The light bulb or a light source of a building shall not be visible from beyond the property..." All lighting has been designed to comply with the Dark Sky Ordinance. The applicant has provided a photometric plan showing no light trespass onto neighboring properties, and confirming no more than 100,000 lumens per acre. Light poles are shown as 17' on top of a 2' base. Per EMMC 17.56.060 A "Parking lot lighting poles shall be sized in a manner that the top of any fixture does not exceed 17 feet above grade." Based on this, the Planning Commission recommended that all parking lot lighting be no more than 17' above the pavement.

EMMC 17.72.040 K states "All mechanical equipment shall be screened so as not to be visible from any public or private streets..." All mechanical equipment is screened and placed on the roof, and therefore this proposal complies with EMMC 17.72.040 K.

EMMC 17.72.040 L states "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.” Loading areas are located behind the building and are not visible from Pony Express Parkway. A masonry dumpster has been provided, however, the Planning Commission recommended that the dumpster enclosure be similar in materials and color to the building.

Other Items for Consideration

4266 East Pony Express Parkway is zoned Commercial, and the future land use designation is “Community Commercial.” As a general retail sales use, O’Reilly Auto Parts is a permitted use in this location.

This project has shared access onto Pony Express Parkway with Dollar Tree. The access road is less than forty feet (40’) in width, and stubs access to future development to the east, and sufficient off-street truck packing and loading space is provided putting it in compliance with **EMMC 17.100.050 C 1-4** and **17.100.050 D**.

Per **EMMC 17.55.120 table C**, retail establishments shall have a minimum parking requirement of 1 stall per 300 SF of gross floor area, and a maximum of 1 stall per 200 SF of gross floor area. With a building size of 7,400 SF, the parking requirement for this project is between 25 – 37 parking stalls. The applicant is proposing 28 parking stalls complying with this standard.

Per **EMMC 17.55.120 table B**, a minimum of two ADA parking stalls are required. The applicant is providing two ADA stalls, therefore this proposal complies with parking requirements.

Per **EMMC 17.35.050 K** “Convenient bicycle parking shall be

provided in locations that do not interfere with pedestrian circulation.” No bicycle parking is provided. The Planning Commission has recommended that bicycle parking be provided. A potential location is the hashed asphalt at the north end of the parking area at the front of the building or within the landscaped area to the east of the pedestrian access between Pony Express Parkway and the building.

A monument sign has been proposed in this site plan; the sign proposal shall comply with **EMMC 17.80**.

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 17.100.030.

PLANNING COMMISSION ACTION/RECOMMENDATION:

The Planning Commission held a public hearing on the site plan request on March 9, 2021. The Planning Commission voted 3-2 to recommend approval of the site plan with the following conditions:

1. The applicant to increase the height of the wall anywhere necessary to provide effective screening;
2. All parking lot lighting shall be no more than 17' above the pavement;
3. That the dumpster enclosure shall be similar in material and colors to the building;
4. Bicycle parking shall be provided in compliance with EMMC 17.35.050 K; and
5. At least three (3) additional design elements designated in EMMC 17.72.040 E.1 are added to all four elevations

The dissenting votes were by Commissioners Wells (who felt other staff recommendations should be included) and Wright (who felt other code elements identified by staff should be encouraged of the developer to adjust such as the roof line changes).

ATTACHMENTS:

[Site Plan](#)

[Elevations](#)

[Truck Loading](#)

[Buffering With Oak Hollow](#)

O'Reilly Auto Parts
Eagle Mountain, UT

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DEVELOPER:
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- EAGLE MOUNTAIN CITY GENERAL NOTES FOR CONSTRUCTION DRAWINGS:
- SEWER—
- PIPE BEDDING: ¾" GRAVEL REQUIRED 6" BELOW, ON THE SIDES & 12" ABOVE THE PIPE (MINIMUM).
 - DEPTH: SEWER MAIN/LATERALS TO MAINTAIN 4' OF COVER (MINIMUM) FROM FINISHED GRADE, 3' MINIMUM FROM TOP OF PIPE AT TIME OF INSTALLATION.
 - SEPARATION: SEWER MAINS & LATERALS TO MAINTAIN 10' SEPARATION (MINIMUM) FROM CULINARY WATER MAINS & LATERALS.
 - SEWER Y'S: 3' MINIMUM SEPARATION BETWEEN SEWER Y'S.
 - LATERAL STUBS: A) STUBS MUST EXTEND 15' INTO PROPERTY AND BE MARKED WITH 2X4 PAINTED GREEN. B) ALL LATERALS MUST BE GIS (SHOT IN) AT THE Y'S AND STUBS. ALSO SLOPES (2% MIN. ON 4" PIPE) TO BE CHECKED BEFORE BACKFILL.
 - MANHOLES: MANHOLES TO BE WITHIN 1' OF FINISHED GRADE. 12" OF WHIRLY GIG FORM (MAX) AND NO FLAT RINGS ALLOWED. 12" OF ¾" GRAVEL REQUIRED UNDER MANHOLES/BOXES.
- WATER—
- VALVES: 1. VALVES MUST BE FLANGED TO TEE'S (FITTINGS). 2. VALVES 12" AND LARGER TO BE BUTTERFLY VALVES.
 - BEDDING: SAND MUST MEET AASHTO (A-3) GRADATION WITH 100% PASSING THE #4 SIEVE. 6" BELOW PIPE ON THE SIDES & 12" ABOVE PIPE (MINIMUM).
 - DEPTH: WATER MAIN & LATERALS MUST MAINTAIN 4' COVER FROM FINISHED GRADE (MINIMUM), 3' MINIMUM FROM TOP OF PIPE AT TIME OF INSTALLATION. MAX DEPTH 72" FROM FINISHED GRADE.
 - SERVICES & FITTINGS: SERVICES & FITTINGS TO MAINTAIN 3' MINIMUM SEPARATION FROM PIPE JOINTS AND OTHER FITTINGS.
 - SETTERS: ALL SETTERS TO BE 21" TALL (MINIMUM), HAVE UNIONS AT THE BASE AND BE DUAL CHECK MODEL, ALSO ¾" SETTERS TO HAVE DOUBLE BRACES. SETTERS TO BE SET AT: 18" TO 22" FROM THE TOP OF SETTER TO TOP OF LID. 21" INSIDE DIAMETER CAN HDPE.
 - WATER CAN LID: ALL LIDS TO SAY "EAGLE MOUNTAIN" ON THEM RECESSED WITH A HOLE FOR THE ERT AND TO BE SET AT LEVEL TO 1" ABOVE THE PLANE OF THE CURB & SIDEWALK.
 - WATER CAN: THE WATER CAN FOR ¾" & 1" SERVICES WILL NEED TO BE A 21" TALL MINIMUM AND INSIDE DIAMETER. WATER CAN FOR 1-1/2" TO 2" SERVICE WILL NEED TO BE A 36" INSIDE DIAMETER CAN HDPE OR FOLLOW APWA SPECIFICATION.
 - HYDRANTS: HYDRANTS TO BE 5' BURY (MINIMUM).
 - LATERALS: ALL LATERALS NEED TO BE GIS (SHOT IN) AT THE CORP. STOP & SETTER, AND ALSO VISUAL INSPECTION ON POLY INSERTS BEFORE BACKFILL. WATER LATERALS TO EXTEND 15' INTO PROPERTY AND BE MARKED WITH A 2X4 PAINTED BLUE. ALL POLY LINES TO HAVE VISUAL POLY INSERT INSPECTION.
 - TRACER WIRE: RUN TRACER WIRE ALONG MAIN & EXTEND UP SETTERS AND HYDRANTS, DO NOT RUN UP VALVE BOXES.
 - WATER FITTINGS: ALL WATER FITTINGS TO BE CHECKED FOR THRUST BLOCKS (PRE & POST) AND GIS (SHOT IN) BEFORE BACKFILL.
 - VERTICAL SEPARATION: WATER MAIN TO MAINTAIN 12" MINIMUM SEPARATION FROM STORM DRAIN OR OTHER OBSTACLES/UTILITIES.
 - WATER LINE FITTINGS: ALL FITTINGS TO HAVE MEGA LUG FOLLOWERS.
 - WATER MAIN LINE: NO DEFLECTION OR BENDING OF PIPE WILL BE ALLOWED IN THE WATER LINES AND BEND FITTINGS WILL BE REQUIRED. ALL FITTINGS TO BE MEGA-LUG FITTINGS.
- STORM DRAIN—
- BEDDING: ¾" GRAVEL 6" BELOW AND ON SIDES OF PIPE & 12" ABOVE PIPE (MINIMUM).
 - ADS: ALL ADS PIPE TO BE "HP" BRAND.
 - COLLARS: COLLARS TO BE 1 'X1' AROUND PIPE, 4000 PSI CONCRETE, INSPECTION IS NEEDED PRE & POST COLLAR POUR.
 - MANHOLES: MANHOLES TO BE WITHIN 1' OF FINISHED GRADE. 12" OF WHIRLY GIG FORM (MAX) AND NO FLAT RINGS ALLOWED. 12" OF ¾" GRAVEL REQUIRED UNDER MANHOLES/BOXES.
- ROAD SECTION—
- PROOF ROLLS: PROOF ROLL REQUIRED ON ALL SECTIONS OF ROAD: I.E. SUB-GRADE, SUB-BASE, AND CURB BASE AND ROAD BASE. CURB STAKES REQUIRED FOR SUB-GRADE INSPECTION AND STRING LINE REQUIRED FOR SUB-BASE AND ROAD BASE INSPECTION.
 - UTBC: STATE SPEC. ROAD BASE REQUIRED FOR ALL ROADS, COMMERCIAL BASE ACCEPTABLE FOR THE SIDEWALKS & TRAILS.
 - COLLARS: ALL COLLARS TO BE 1' WIDE BY 1' DEEP WITH A 6000 PSI CONCRETE WITH 1.5# FIBER MESH PER CUBIC YARD (3/4" MONOFILAMENT) REQUIRED FOR ALL STREET COLLARS. MANHOLE COVERS AND WATER VALVE TOWERS TO BE ½" DOWN FROM ASPHALT EDGE AND CONCRETE TO BE ¼" TO 3/8" DOWN FROM ASPHALT EDGE.

INDEX

- C-0 Cover Sheet
- C-1 Site Plan
- C-1.1 Context Plan
- C-2 Grading and Drainage Plan
- C-3 Utility Plan
- C-4 Standard Details
- L-1 Landscape Plan
- Photometric Plan
- A.2 Elevations
- Signage Plans

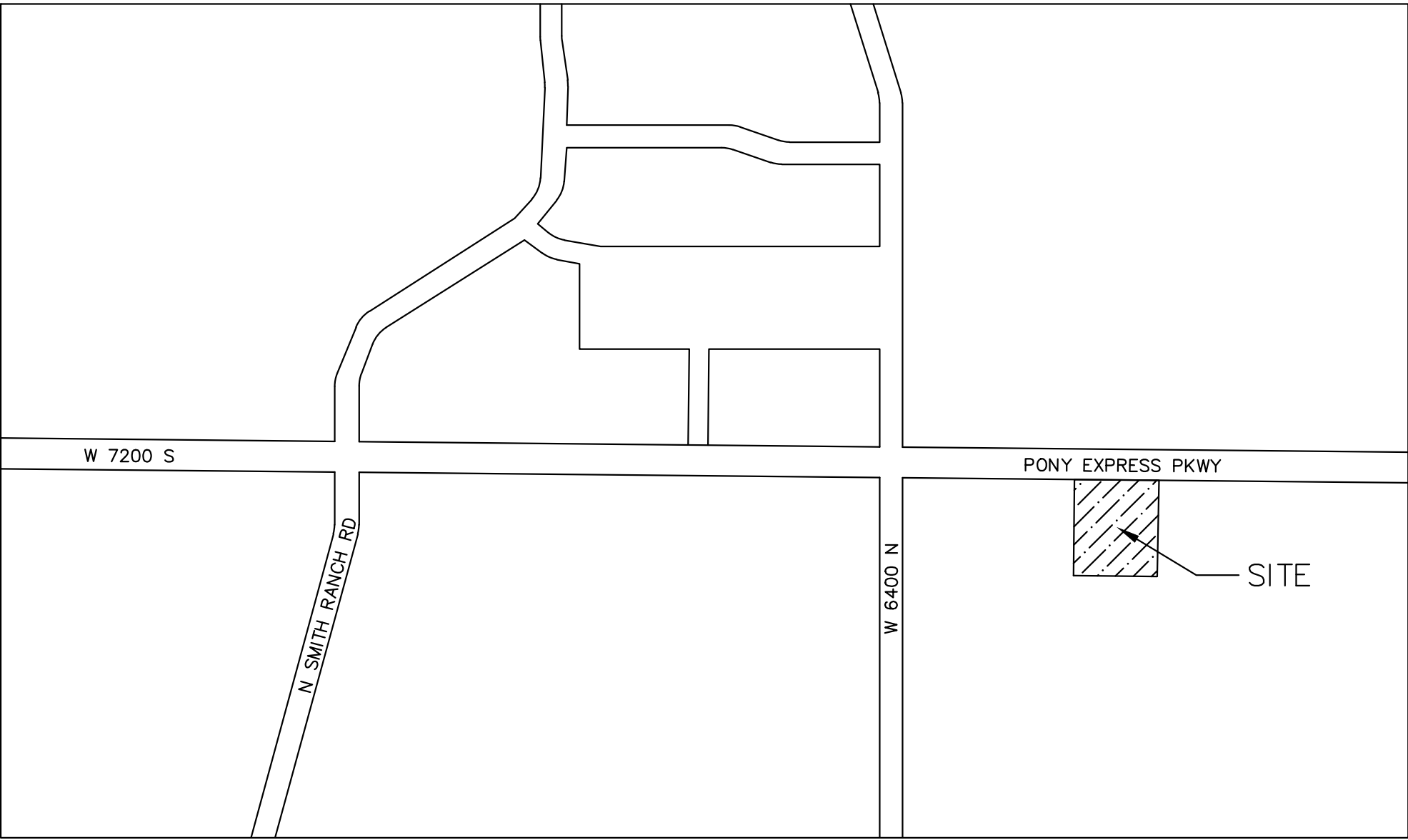
SITE DATA

LOT AREA:	37,528	SF (0.86± ACRES)
BUILDING AREA:	7,400	SF± 19.7%
PAVEMENT AREA:	22,972	SF± 61.2%
LANDSCAPE AREA:	7,156	SF± 19.1%
ZONING: COMMUNITY COMMERCIAL PERMITTED USE		

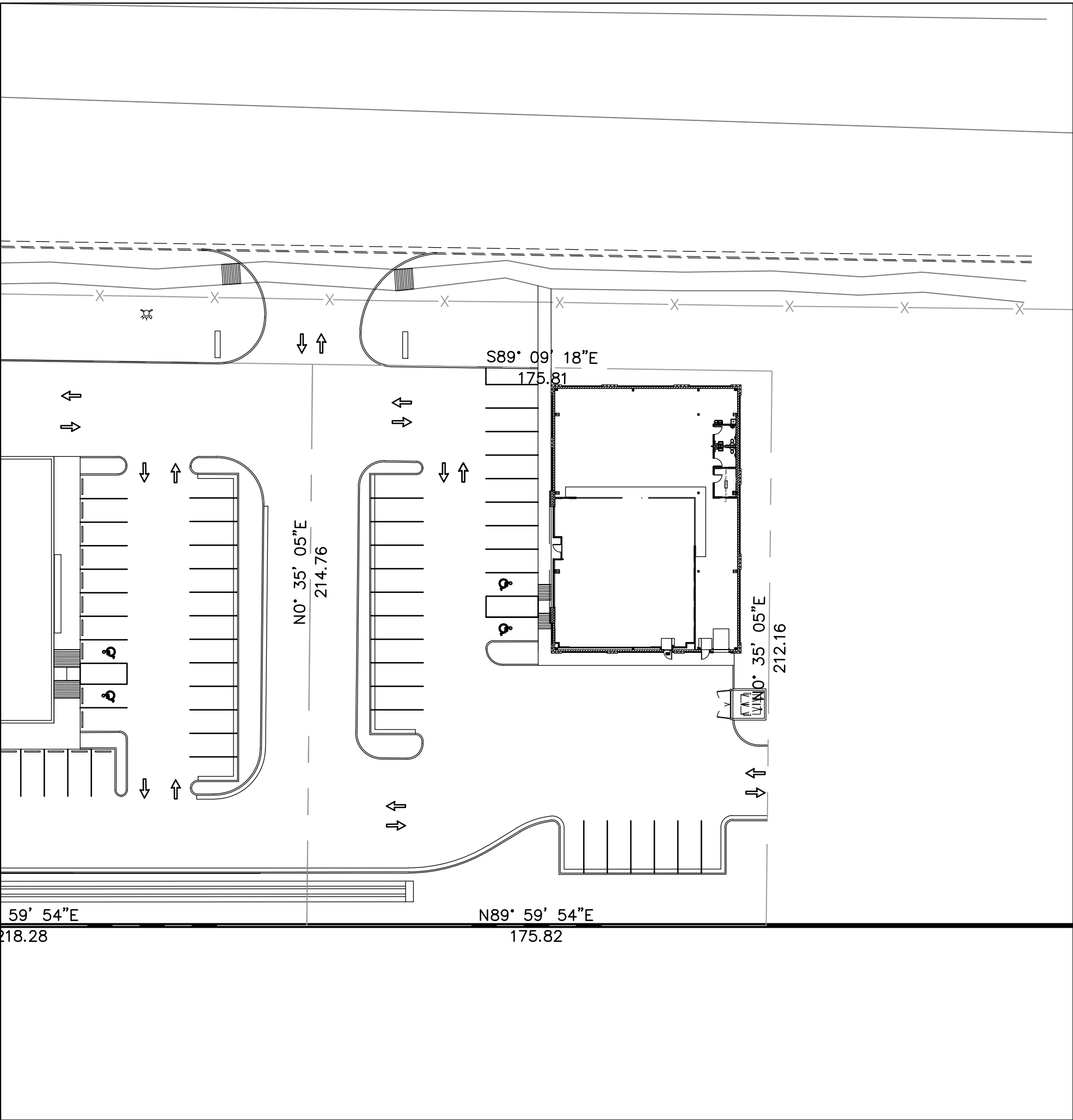
LEGEND & ABBREVIATION TABLE

R.O.W./PROPERTY LINE		EXISTING CURB AND GUTTER	
EASEMENT LINE		PROPOSED CURB AND GUTTER	
CENTER LINE		INVERT ELEVATION	
PROPOSED TRAIL		TOP BACK CURB	
PROPOSED WATER LINE		TOP ASPHALT	
PROPOSED PRESSURIZED IRRIGATION		TOP OF GRATE	
PROPOSED GROUND WATER DRAIN		FINISHED GRADE	
PROPOSED SEWER LINE		TOP OF CONCRETE	
PROPOSED STORM DRAIN LINE		HIGH WATER ELEVATION	
EXISTING SEWER LINE		CATCH BASIN	
EXISTING WATER LINE		SURFACE FLOW DIRECTION	
EXISTING STORM DRAIN LINE		PROPOSED STREET LIGHT	
EXISTING CONTOUR		STORM DRAIN MANHOLE	
FINISHED CONTOUR		SANITARY SEWER MANHOLE	
		PROPOSED WATER VALVE	

VICINITY MAP



NOT TO SCALE



SITE MAP
1"=40'

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PROJECT ENGINEER: LP

DESIGNER: DL

O'REILLY AUTO PARTS
COVER SHEET

6400 N & PONY EXPRESS PKWY EAGLE MOUNTAIN, UT 84005

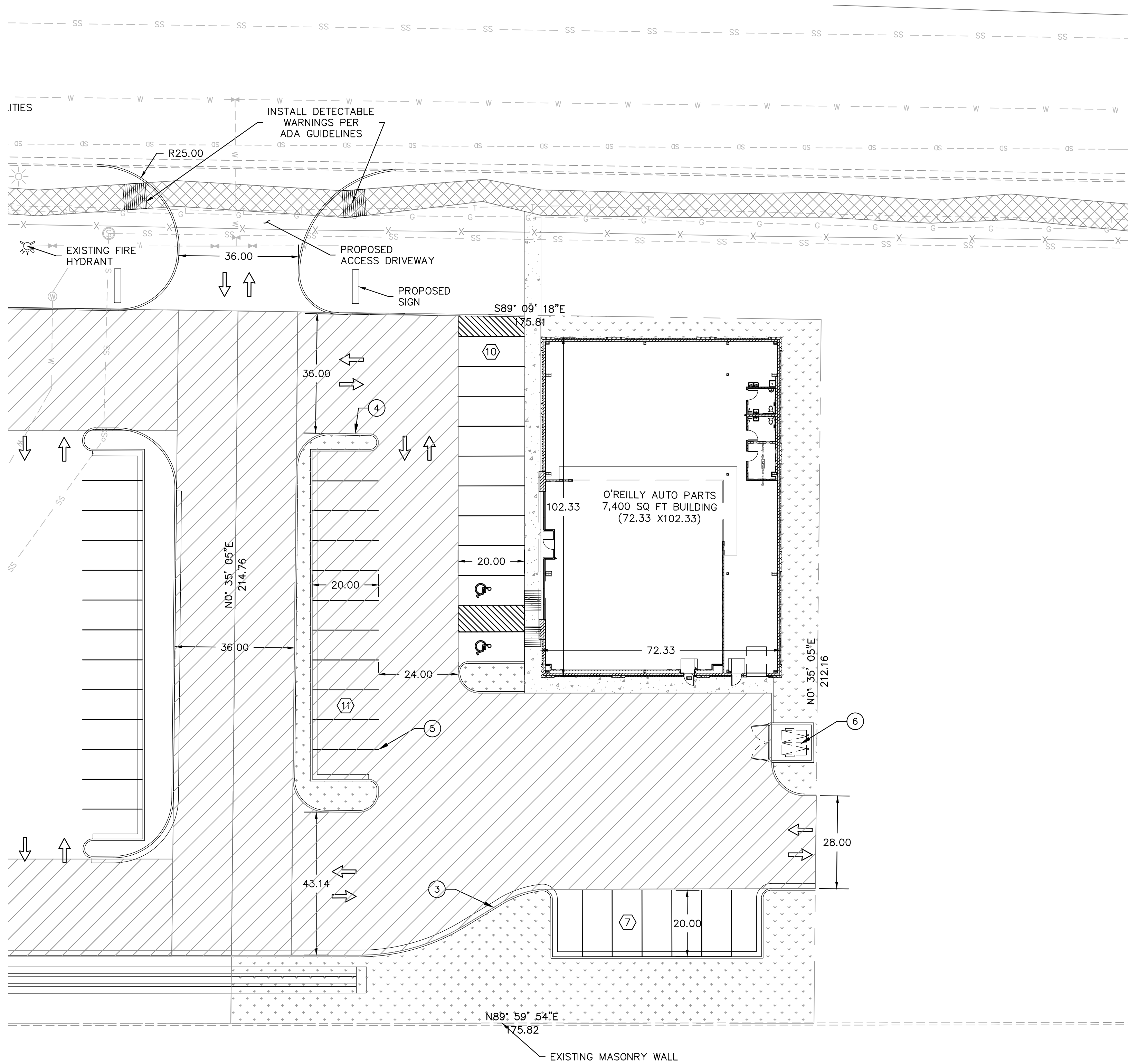
PROFESSIONAL ENGINEER
2/22/21
10664737
LARVIN POLLOCK
STATE OF UTAH

SHEET:
C-0

DATE:
Feb 22, 2021

NOTE: ALL APPLICABLE ELEMENTS OF THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES WILL BE ADHERED TO.

PROJECT ENGINEER:
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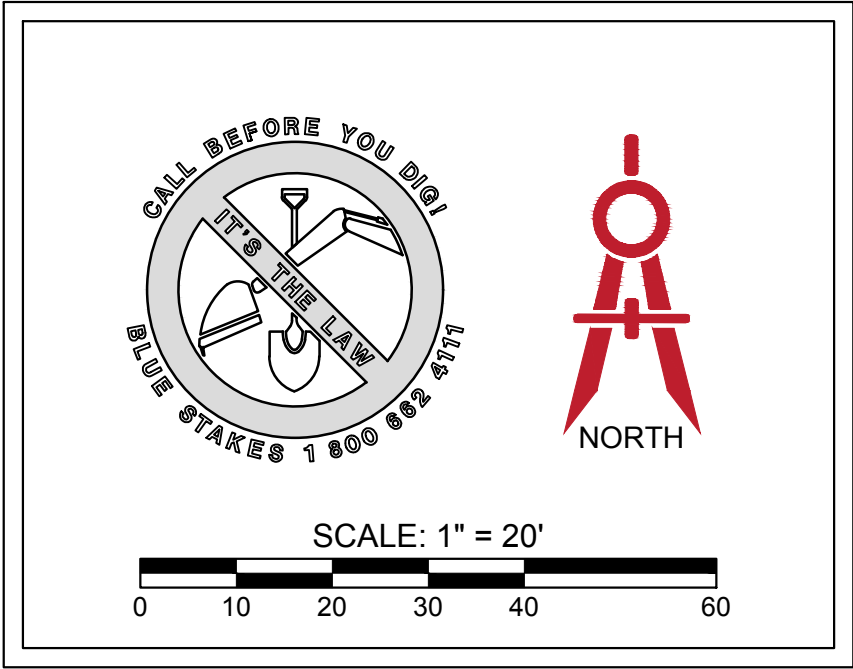


LEGEND

LOT LINES (PROPERTY)	
EXISTING CURB AND GUTTER	
PROPOSED CURB AND GUTTER	
EXISTING FENCE	
INVERT ELEVATION	IE
TOP OF ASPHALT	TA
TOP BACK OF CURB	TBC
PROPOSED	PROP
EXISTING	EX
FINISHED GRADE	FG
FINISHED FLOOR ELEVATION	FFE
LANDSCAPE AREA	
CONCRETE AREA	
SHARED DRIVE ISLE	

SITE DATA		
LOT AREA:	37,528	SF (0.86± ACRES)
BUILDING AREA:	7,400	SF± 19.7%
PAVEMENT AREA:	22,972	SF± 61.2%
LANDSCAPE AREA:	7,156	SF± 19.1%
ZONING: COMMUNITY COMMERCIAL PERMITTED USE		
BUILDING DATA		
CONSTRUCTION TYPE: V-B		
SPRINKLERS: NO		
SETBACKS:		
FRONT=20 FEET		
REAR=20 FEET		
SIDE=0		
PARKING TABULATION		
REQUIRED: 1 STALL PER 300 SQ. FT. (24 STALLS)		
PROVIDED: 28 STALLS		
2 ADA STALLS		

- NOTES:
- PROPOSED 5' SIDEWALK PER DETAIL 1, SHEET C-4.
 - ALL HANDICAP STALLS AND RAMPS TO BE INSTALLED PER ADA AND APWA STANDARDS. SEE SHEET C-4 FOR DETAILS.
 - PROPOSED CURB & GUTTER TYPE E PER APWA STANDARD PLAN 205. SEE SHEET C-4 FOR DETAILS.
 - PROPOSED CURB TYPE P PER APWA STANDARD PLAN 209. SEE SHEET C-4 FOR DETAILS.
 - PAINT 4" SOLID YELLOW PAINT STRIPE AS SHOWN (TYPICAL).
 - PROPOSED DUMPSTER LOCATION. SEE SHEET C-4.



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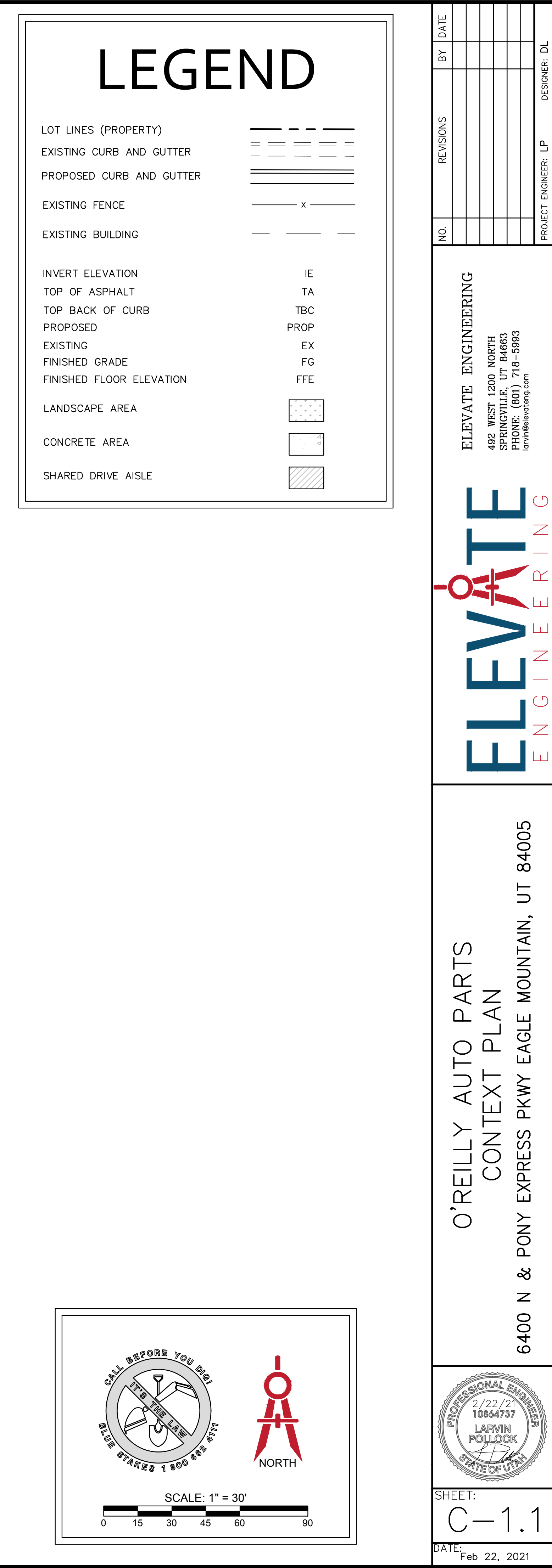
O'REILLY AUTO PARTS

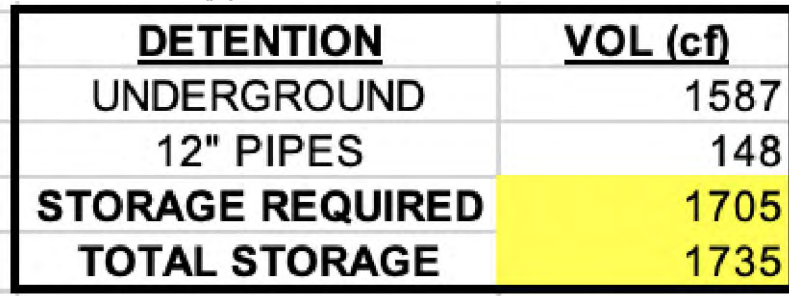
SITE PLAN

6400 N & PONY EXPRESS PKWY EAGLE MOUNTAIN, UT 84005

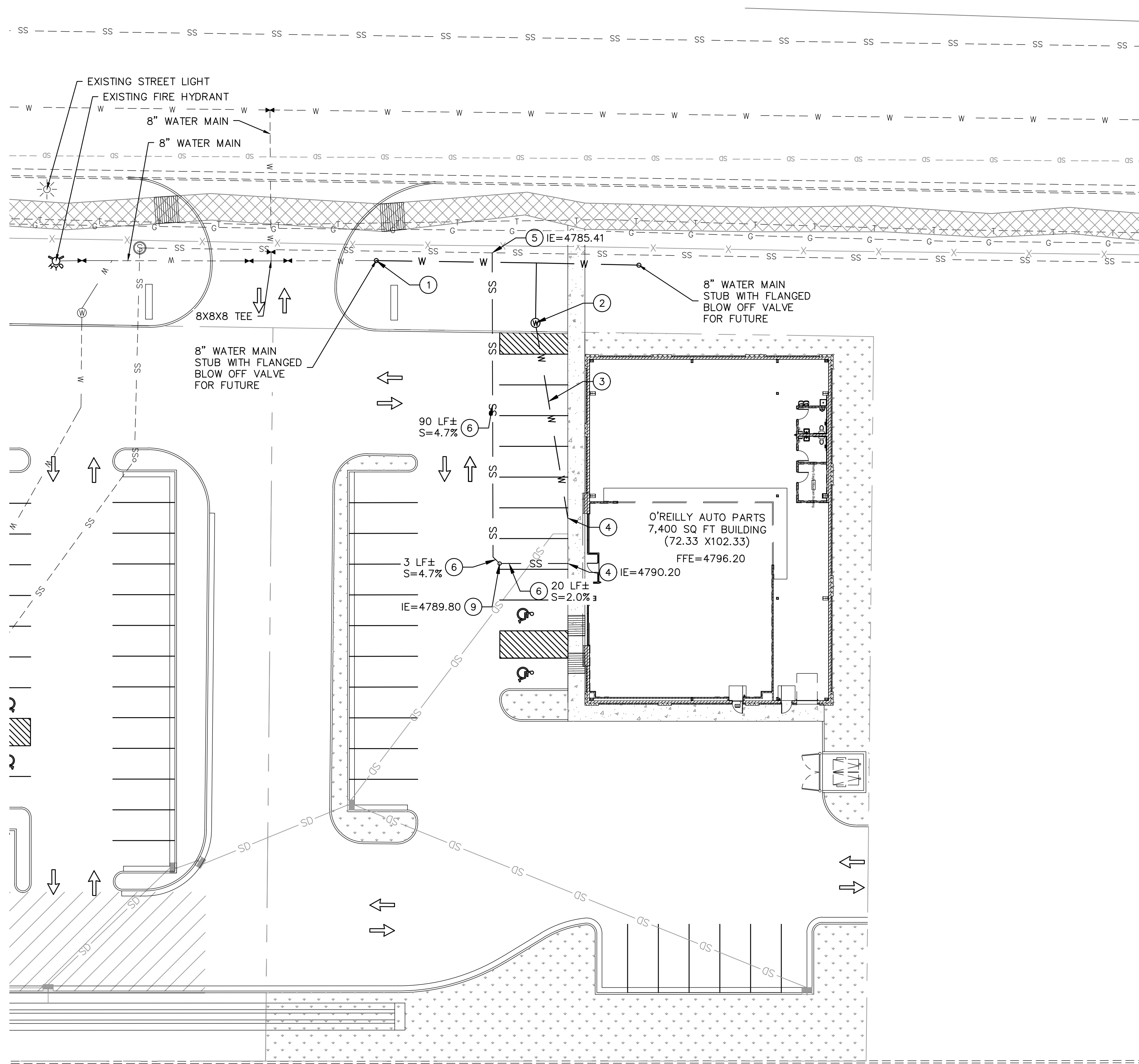


SHEET:
C-1
DATE:
Feb 22, 2021





DATE: Feb 22 2021



LEGEND

PROPERTY/ROW LINE	---
EXISTING CURB AND GUTTER	---
PROPOSED CURB AND GUTTER	---
PROPOSED STORM DRAIN LINE	SD
EXISTING STORM DRAIN LINE	SD
PROPOSED SEWER LINE	SS
EXISTING SEWER LINE	SS
PROPOSED WATER LINE	W
EXISTING WATER LINE	W
EXISTING FENCE	---
EXISTING GAS	G
EXISTING POWER	UGP
EXISTING IRRIGATION VALVE BOX	IVB
EXISTING ELECTRIC METER	EM
INVERT ELEVATION	IE
PROPOSED	PROP
EXISTING	EX
FINISHED GRADE	FG
FINISHED FLOOR ELEVATION	FFE

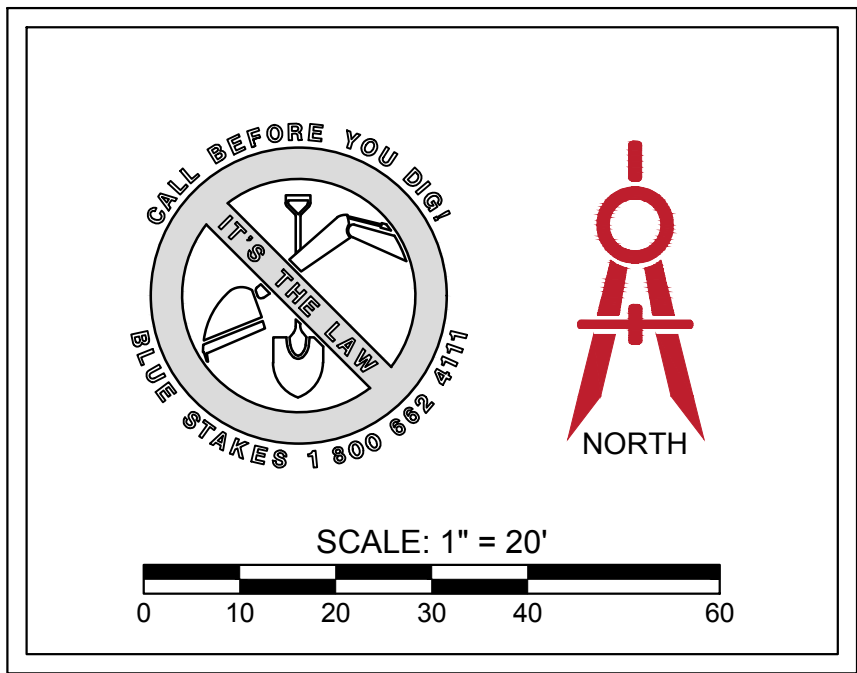
DESIGN NOTES:

- CONNECT TO EXISTING 8" WATER MAIN STUB PER CITY STANDARDS.
- INSTALL 2" METER BOX IN PER CITY STANDARDS.
- INSTALL 2" POLY WATER LINE PER CITY STANDARDS.
- END ALL UTILITIES 5' FROM BUILDING, SEE PLUMBING PLANS FOR CONTINUATION.
- CONNECT TO EXISTING 8" SEWER MAIN LINE. CONTRACTOR TO VERIFY LOCATION AND ELEVATION PRIOR TO ANY CONSTRUCTION.
- INSTALL 6" PVC SDR-35 SEWER PIPE AT 2.0% MIN. SLOPE.
- INSTALL 6" CLEANOUT PER EAGLE MOUNTAIN DWG SLSC-1. SEE SHEET C-4 FOR DETAILS.

- GENERAL NOTES:
- CONTRACTOR TO NOTIFY BLUE STAKES PRIOR TO CONSTRUCTION
 - CONTRACTOR TO VERIFY LOCATION AND ELEVATION OF ALL EXISTING UTILITY LINES AND STRUCTURES PRIOR TO CONSTRUCTION
 - ALL PROPOSED WATER LINES TO HAVE A MINIMUM OF 5' OF COVER
 - ALL SEWER, WATER AND STORM DRAIN PIPES SHALL BE BACKFILLED WITH SELECT GRANULAR FILL AS PER CITY STANDARDS.
 - ANY OFF SITE DAMAGE TO EXISTING ASPHALT, CURB & GUTTER, LANDSCAPING AND ALL UTILITIES TO BE REPLACED IN KIND.
 - SEE GRADING AND DRAINAGE PLAN FOR CONSTRUCTION OF SEWER AND WATER LINES.
 - ALL WORK TO BE ACCORDING TO CITY STANDARDS.

PRIVATE UTILITIES
CONTRACTOR TO CONTACT THE FOLLOWING COMPANIES PRIOR TO ANY CONSTRUCTION. EXACT LOCATION OF THESE UTILITIES TO BE DESIGNED AND COORDINATED BY THE FOLLOWING COMPANIES.

DOMINION ENERGY - 801-853-6597
ROCKY MOUNTAIN POWER - 801-756-1310
CENTURY LINK - 801-536-6975

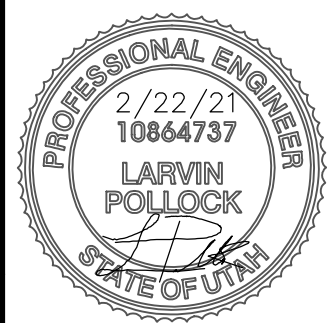


ELEVATE ENGINEERING
492 WEST 1200 NORTH
SPRINGVILLE, UT 84663
PHONE: (801) 718-5993
larvinelevating.com

ELEVATE
ENGINEERING

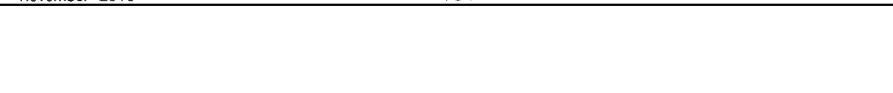
O'REILLY AUTO PARTS
UTILITY PLAN

6400 N & PONY EXPRESS PKWY EAGLE MOUNTAIN, UT 84005



SHEET:
C-3

DATE:
Feb 22, 2021



C-4

DATE: Feb 22, 2021

Quan.	Symbol	Botanical Name	Common Name	Size	Remarks
8		<i>Gleditsia triacanthos</i> 'Skyline'	Skyline Honeylocust	2" Caliper 8'-10' Height	Full Head Crown Straight Trunk
2		<i>Malus</i> sp. 'Spring Snow'	Spring Snow Crab	2" Caliper 8'-10' Height	Full Head Crown Straight Trunk
1		<i>Pinus nigra</i> 'Arnold's Sentinel'	Columnar Austrian Pine	6'-8" Height 4" DB	Full Throughout Specimen
4		<i>Pyrus calleryana</i> 'Chanticleer'	Chanticleer Flowering Pear	2" Caliper 8'-10' Height	Full Head Crown Straight Trunk

Quan.	Symbol	Botanical Name	Common Name	Size	Remarks
4		<i>Berberis thund.</i> 'Crimson Pygmy'	Crimson Pygmy Barberry	5 Gallon	15"-18" Height
6		<i>Caryopteris clandensensis</i>	Blue Mist Spirea	5 Gallon	15"-24" Height
4		<i>Physocarpus o.</i> 'Summer Wine'	Summer Wine Ninebark	5 Gallon	24"-30" Height
24		<i>Rhus aromatica</i> 'Grow-Low'	Grow Low Sumac	5 Gallon	18"-24" Spread
10		<i>Rosa</i> 'Knock Out Red'	Knock Out Red Rose	5 Gallon	18"-24" Height
3		<i>Rosa</i> 'Maidiland Red'	Red Groundcover Rose	5 Gallon	18"-24" Spread
3		<i>Spiraea bumalda</i> 'Goldmound'	Goldmound Spirea	5 Gallon	15"-18" Height
3		<i>Spiraea japonica</i> 'Neon Flash'	Neon Flash Spirea	5 Gallon	15"-18" Height
3		<i>Thuja occidentalis</i> 'Smaragd'	Emerald Green Arborvitae	10 Gallon	48"-54" Height
10		<i>Viburnum davidii</i>	David Viburnum	5 Gallon	15"-18" Height
4		<i>Yucca filam.</i> 'Golden Sword'	Golden Sword Yucca	5 Gallon	15"-18" Height

Quan.	Symbol	Botanical Name	Common Name	Size	Remarks
9	⊕	<i>Calamagrostis</i> a. 'Avalanche'	Avalanche Feather Grass	5 Gallon	24"-30" Height
41	⊕ ¹	<i>Calamagrostis</i> a. 'Foerster'	Foerster Feather Grass	5 Gallon	24"-30" Height
3	⊕ ⁺	<i>Miscanthus sinensis</i> 'Gracillimus'	Maiden Grass	5 Gallon	24"-30" Height
10	⊙	<i>Fernisetum</i> alop. 'Hamel'	Hamel Fountain Grass	5 Gallon	15"-18" Height

Quan.	Symbol	Botanical Name	Common Name	Size	Remarks
11	①	Agastache 'Sunset'	Sunset Hyssop	1 Gallon	Full Can
	②	Heimerocallis 'Stella d'Oro'	Stella d'Oro Day Lily	1 Gallon	Full Can
18	③	Salvia 'East Friesland'	East Friesland Sage	1 Gallon	Full Can

Symbol	Description	Remarks
	Landscape Boulder / 3'-4' Min. Size / Individually Placed	Boulder Type And Color Shall Be From Nearest Local Source. Blaine-Tan Colored Quartzite, Block Edges (Not Rounded).
	4" x 6" Extruded Concrete Mowstrip / Natural Color	Install In Straight True Lines And Uniform Curves, 4" Between All Lawn And Shrub Areas. Compact Sub-grade To 90% Prior To Installation.
	New Lawn Area / Water Conservantive Mixture	Install In Areas Shown Over A 6 Inch Depth Of Import Topsoil. Top Of Lawn To Be 1 Inch Below Finish Grade Of Concrete Surfaces.
	Rock ONLY Area / Cobble / 4" Minus Size / "Nephi Gray"	Install In Areas Shown To A Depth Of 6 Inches Over "Dellwitt" Brand Weed Barrier Fabric. Submit Gray Sample For Approval.
	New Shrub - Rock Area / 1 1/2" Min. Size / Earthtone Color	Install In Areas Shown To A Depth Of 4 Inches Over "Dellwitt" Brand Weed Barrier Fabric. Rock To Match Adjacent South Property.

1. All lawn areas shall receive a 6 inch depth of topsoil, shrub areas 4 inch depth. If topsoil is not available at the site it must be imported from an approved local source. All topsoil shall be of a sandy loam consistency. Provide a chemical analysis of all topsoil for approval.
2. Prior to placement of topsoil, all subgrade areas shall be loosened by scarifying the soil to a depth of 6 inches, by the use of mechanical means, in order to create a transition layer between existing and new soils.
3. All plant material holes shall be dug twice the diameter of the rootball and 6 inches deeper. Excavated material shall be removed from the site.
4. Plant backfill mixture shall be composed of 3 parts topsoil to 1 part humus additive (Soli Pap) or equal, and shall be rotary mixed on-site prior to installation.
5. Plant fertilizer shall be 'Agriform' brand 21 gram tablets used as per manufacturers recommendations.
6. Upon completion of planting operations, all shrub pits and tree wells shall receive a 4 inch depth of shredded bark mulch mixture as a cover. The overall shrub beds themselves (beyond plant wells) shall receive a 4" depth of decorative stone surfacing over Pro-5 weed barrier fabric.
7. In decorative stone beds, cut the fabric from around the water well of each plant, then apply fine ground bark mulch to the bed. The mulch shall be a minimum of 2 inches deep.
8. Landscape maintenance shall be required for a period through the second mowing of the lawn (30 days minimum) and shall include weeding, pruning and one fertilization.
9. The contractor shall comply with all warranties and guarantees set forth by the Owner, and in no case shall that period be less than two years following the date of completion and final acceptance.
10. As shown and noted, the irrigation system water supply shall be from a secondary water source, and it's availability shall be dependent on the climatic conditions with the normal season extending from mid April to mid October. If any interruptions in water availability occur, the contractor shall coordinate with the Owner on the availability of possible temporary watering measures to keep all plant materials in a healthy condition.

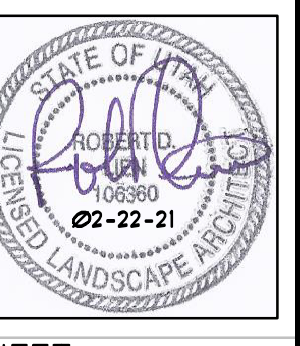
1. All bidding landscape contractors shall have a minimum of 5 years experience in the installation of commercial landscape and irrigation projects, and be able to supply the necessary staff to perform all tasks associated with these drawings, and at a professional and timely manner.
2. The landscape contractor, at all times, shall have personnel on-site experienced in being able to interpret the drawings correctly, and accurately measure the design layout using the specified scale.
3. The contractor shall verify the exact location of all existing and proposed utilities, and all site conditions prior to beginning work. The contractor shall coordinate his work with the project manager and all other contractors working on the site.
4. The finish grade of all planting areas shall be smooth, even and consistent, free of any humps, depressions or other grading irregularities. The finish grade of all landscape areas shall be graded consistently 1/2" below all walks, curbs, etc.
5. The contractor shall provide all materials, labor and equipment required for the proper completion of all landscape work as specified and shown on the drawings.
6. All plant materials shall be approved prior to planting. The Owner/Landscape Architect has the right to reject any and all plant material not conforming to the specifications.
7. The contractor shall plant all plants per the planting details, stakes/guy as shown. The top of the rootballs shall be planted flush with the finish grade.

1. **LAWN & SHRUB AREAS :** Eight (8) inches below finish grade. This will allow for the installation of a six inch depth (lawn) and 4 inch depth (shrub) of topsoil along with a four inch depth of bark mulch or decorative stone, leaving it slightly below finish grade and concrete areas.
2. **SUB-GRADE COORDINATION :** The Landscape contractor shall meet early on in the construction process with the site grading contractor, in order to ensure that all sub-grades, prior to final topsoil placement, are provided. Any discrepancies or questions shall be discussed and resolved at that time. Landscape operations shall not begin until the specified sub-grade elevations have been provided.

1. The contractor shall provide to the Owner/Engineer product samples of all landscape materials such as boulders, decorative stone, bark mulches, weed barrier fabric, soil amendments & import topsoil in order to obtain approval to be used on the project, and prior to shipment to the site. Failure to provide this in a timely manner will in no way affect or delay the construction schedule and time for project completion.
2. All plant materials shall be secured for the project a minimum of 60 days prior to shipment to the site. The contractor shall provide to the Owner/Engineer written confirmation of this a minimum of 30 days prior to planting of the project. No substitutions will be considered following this time period.



RDL Design Company, Inc.
1020 East Yale Avenue
Salt Lake City, Utah 84105
Phone : 801-647-3114
Email : rdl@comcast.net



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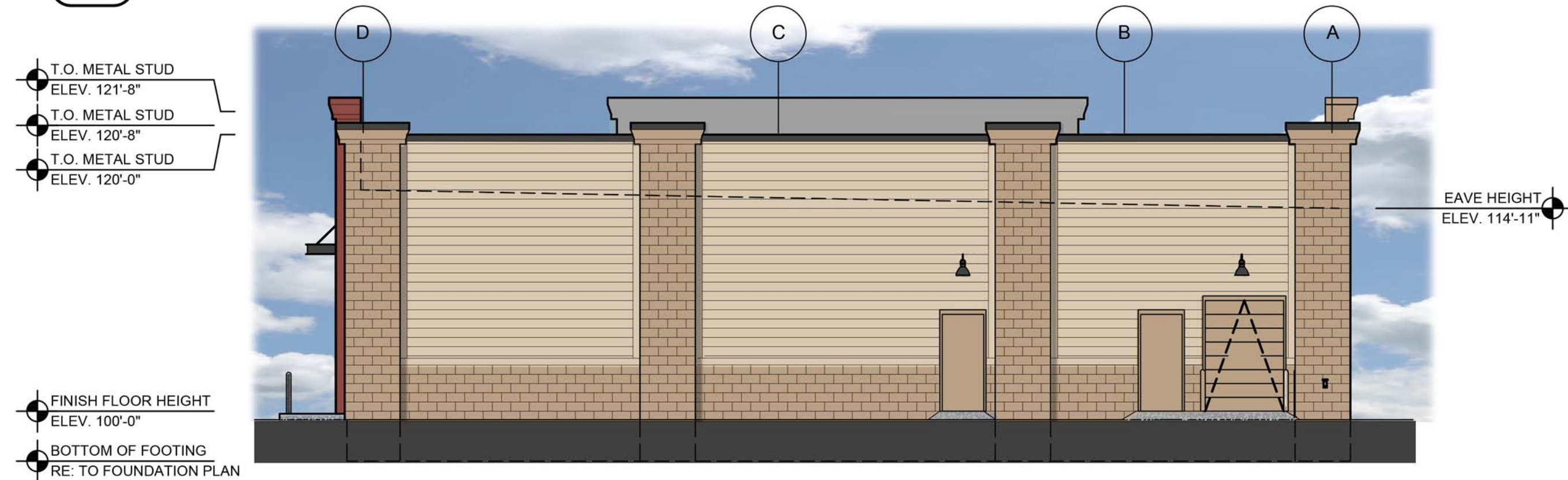
L-1

DATE: 02-22-2021



1 EAST EXTERIOR ELEVATION

A2.1 SCALE: 1/8" = 1'-0"



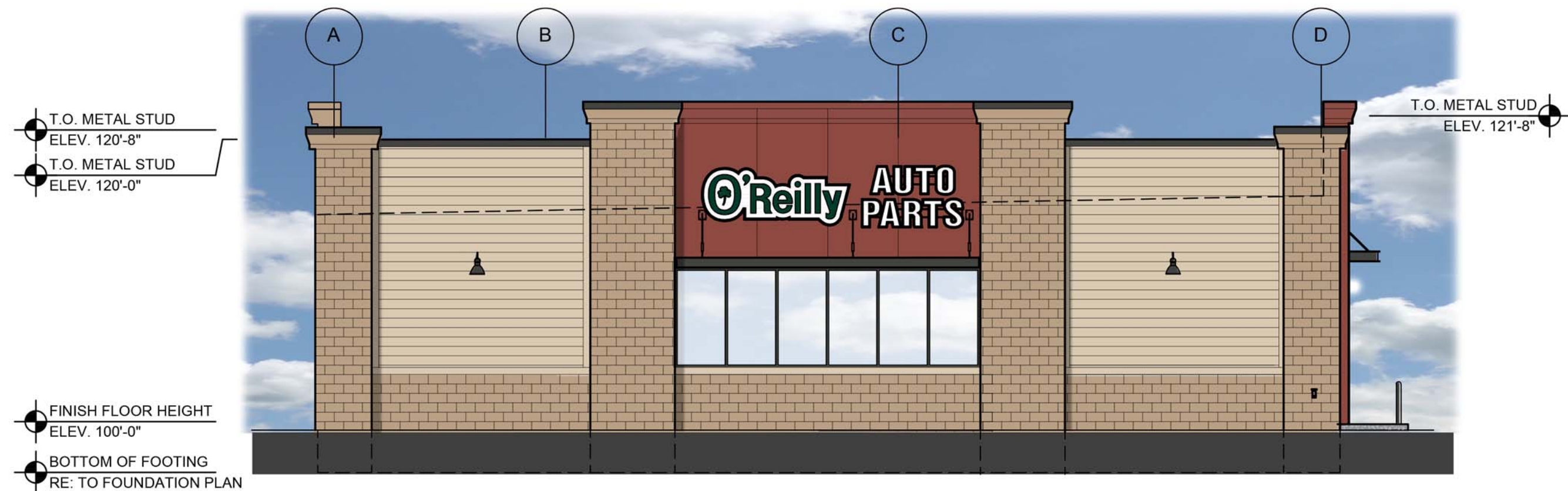
2 SOUTH EXTERIOR ELEVATION

A2.1 SCALE: 1/8" = 1'-0"



3 WEST EXTERIOR ELEVATION

A2.1 SCALE: 1/8" = 1'-0"



4 NORTH EXTERIOR ELEVATION

A2.1 SCALE: 1/8" = 1'-0"

EXTERIOR FINISH SCHEDULE

STUCCO SYSTEM

KEY NOTE NO. 1A:

MFG: STO SPECIFIED, OR MASTER BUILDERS (NO SUBSTITUTES)
SERIES: STO POWERWALL CI-OUTBOUND
TEXTURE: MEDIUM
COLOR STANDARD: STO COLOR "33141"

KEY NOTE NO. 1B:

MFG: STO SPECIFIED, OR MASTER BUILDERS (NO SUBSTITUTES)
SERIES: STO POWERWALL CI-BOUND
TEXTURE: MEDIUM
COLOR: SHERWIN WILLIAMS "SOFTER TAN" SW6141

KEY NOTE NO. 1C:

MFG: STO SPECIFIED, OR MASTER BUILDERS (NO SUBSTITUTES)
SERIES: STO POWERWALL CI-BOUND
TEXTURE: MEDIUM
COLOR: SHERWIN WILLIAMS "LATTE" SW6108

UNIT MASONRY

KEY NOTE NO. 2:

TYPE: CONCRETE MASONRY UNIT (CMU)
MFG: (REFER TO PROJECT MANUAL)
SIZE: 4"x8"x16" (NOM.)
TEXTURE: SPLIT FACE
COURSING: RUNNING BOND
FINISH: FIELD PAINT (FIELD COLOR)
COLOR: SHERWIN WILLIAMS "LATTE" SW6108 (SEMI-GLOSS)
MORTAR COLOR: NATURAL GRAY
NOTE: REFER TO "CONCRETE MASONRY UNIT SPECIAL SCHEDULE OF TREATMENTS" FOR ADDITIONAL REQUIREMENTS.

FLASHING AND SHEET METAL

KEY NOTE NO. 3:

TYPE: STANDING SEAM ROOFING SYSTEM
MFG: (REFER TO PRE-ENGINEERED METAL BUILDING SHOP DRAWINGS)
COLOR: GALVALUME

KEY NOTE NO. 4:

TYPE: CAP FLASHING AT MASONRY
MFG: (REFER TO PRE-ENGINEERED METAL BUILDING SHOP DRAWINGS)
FINISH: PREFINISHED
COLOR: EQUAL TO BUTLER BUILDING "COOL BIRCH WHITE"

KEY NOTE NO. 5:

TYPE: CAP FLASHING AT EXTERIOR INSULATION FINISH SYSTEM (EIFS)
MFG: (REFER TO PRE-ENGINEERED METAL BUILDING SHOP DRAWINGS)
FINISH: FACTORY PRIMED AND FIELD PAINT
COLOR: MATCH DRY-VIT COLOR PATCHWOOD

KEY NOTE NO. 6:

TYPE: SHEET METAL CONDUCTOR HEADS AND DOWNSPOUT SYSTEM
MFG: (REFER TO PROJECT MANUAL)
FINISHED: PREFINISHED
COLOR: EQUAL TO SHERWIN WILLIAMS "LATTE" SW6108

PRE-FINISHED SHEET METAL CONDUCTOR HEADS:

KEY NOTE NO. 2B:

TYPE: SHEET METAL OVERFLOW SCUPPER SYSTEM
MFG: REFER TO PROJECT MANUAL
FINISHED: PRE-FINISHED
COLOR: SHERWIN WILLIAMS "LATTE" SW6108

FIBER CEMENT SIDING AND TRIM:

KEY NOTE NO. 7A:

TYPE: HARDIEPLANK- SMOOTH
MFG: JAMES HARDIE
SIZE: 7 1/4" X 5/16"
COLOR: SHERWIN WILLIAMS "SOFTER TAN" SW6104

KEY NOTE NO. 7B:

TYPE: HARDIEPLANK- SMOOTH
MFG: JAMES HARDIE
SIZE: 6" X 3/4"
COLOR: SHERWIN WILLIAMS "SOFTER TAN" SW 6104

DOORS AND WINDOWS

KEY NOTE NO. 12:

TYPE: STEEL DOORS AND FRAMES (DOORS NO. 2 AND 7)
MFG: (OWNER FURNISHED / CONTRACTOR INSTALLED)
FINISH: FACTORY PRIMED AND FIELD PAINTED
COLOR: SHERWIN WILLIAMS (MATCH ADJACENT MASONRY COLOR) (SEMI-GLOSS)

KEY NOTE NO. 12:

TYPE: STEEL DOORS AND FRAMES (DOORS NO. 3)
MFG: (REFER PROJECT MANUAL)
FINISH: FACTORY PRIMED AND FIELD PAINTED
COLOR: SHERWIN WILLIAMS (MATCH ADJACENT MASONRY COLOR) (SEMI-GLOSS)

KEY NOTE NO. 13:

TYPE: (REFER TO WINDOW SCHEDULE)
MFG: EFCO, KAWNEER, OR OLD CASTLE (VISTA WALL), (NO SUBSTITUTES)
COLOR: EFCO "IVY", KAWNEER "DARK IVY", VISTA WALL "INTERSTATE GREEN"

PAINTING

KEY NOTE NO. 15:

TYPE: STEEL BOLLARDS (REFER TO CIVIL DRAWINGS)
FINISH: FIELD PRIMED AND PAINTED
COLOR: SHERWIN WILLIAMS "HUNT CLUB" SW6468 (SEMI-GLOSS)

PRE-FABRICATED METAL CANOPY:

KEY NOTE NO. 18:

TYPE: PRE-FABRICATED METAL CANOPY SYSTEM
MFG: PER LOCAL SUPPLIER
FINISH: KYNAR FINISH
COLOR: MATCH WINDOW SYSTEM

ROOF ACCESS LADDER:

KEY NOTE NO. 25:

TYPE: PRE-FINISHED ROOF ACCESS LADDER
MFG: LOCAL SUPPLIER
FINISH: FACTORY PRIMED AND FIELD PAINTED
COLOR: SHERWIN WILLIAMS "LATTE" SW6108

GENERAL NOTES

REFER TO PROJECT MANUAL FOR ADDITIONAL REQUIREMENTS.

REFER TO CIVIL DRAWINGS FOR ADDITIONAL REQUIREMENTS.

REFER TO PLUMBING, MECHANICAL, AND ELECTRICAL DRAWINGS FOR SYSTEM TYPES AND ADDITIONAL REQUIREMENTS.

REFER TO EXTERIOR FINISH SCHEDULE FOR MATERIAL TYPES.

REFER TO PRE-ENGINEERED METAL BUILDING SHOP DRAWINGS FOR ADDITIONAL REQUIREMENTS.

REFER TO SCOPE OF WORK SCHEDULE FOR ADDITIONAL REQUIREMENTS.

KEY NOTES

EXTERIOR STUCCO SYSTEM. (PORTAL)

EXTERIOR STUCCO SYSTEM. (ACCENT)

EXTERIOR STUCCO SYSTEM.

CONCRETE MASONRY UNIT (CMU) EXTERIOR WALL CONSTRUCTION. REFER TO PLANS, SECTIONS, AND DETAILS FOR ADDITIONAL REQUIREMENTS.

PRE-ENGINEERED METAL BUILDING SHEET METAL ROOFING SYSTEM.

PRE-ENGINEERED METAL BUILDING SHEET METAL FLASHING (AT MASONRY)

PRE-ENGINEERED METAL BUILDING SHEET METAL FLASHING (AT EIFS)

PRE-ENGINEERED METAL BUILDING SHEET METAL CONDUCTOR HEAD AND DOWNSPOUT SYSTEM.

FIBER CEMENT SIDING SYSTEM (FIELD). REFER TO EXTERIOR FINISH SCHEDULE.

FIBER CEMENT SIDING SCHEDULE (ACCENT). REFER TO EXTERIOR FINISH SCHEDULE

LINE OF ROOF BEYOND WITH 1/4":12" SLOPE MINIMUM.

SURFACE MOUNTED SIGN OWNER FURNISHED AND INSTALLED. PROVIDE BACKING FOR MOUNTING AND ROUGH-IN ELECTRICAL. COORDINATE REQUIREMENTS WITH OWNER. REFER TO SHEET SG2.1.

BUILDING ADDRESS NUMBERS IN 6" HIGH HELVETICA WHITE VINYL ADHERED TO EXTERIOR FACE OF GLAZING.

PRE-ENGINEERED METAL BUILDING THRU WALL SCUPPER SYSTEM.

EXTERIOR DOOR AND FRAME SYSTEM. REFER TO FLOOR PLAN AND DOOR SCHEDULE FOR TYPES.

EXTERIOR WINDOW SYSTEM. REFER TO FLOOR PLAN AND WINDOW SCHEDULE FOR TYPES.

APPROXIMATE LINE OF FOUNDATION, REFER TO STRUCTURAL DRAWINGS.

STEEL BOLLARDS, REFER TO CIVIL AND STRUCTURAL DRAWINGS.

HOSE BIB, REFER TO PLUMBING DRAWINGS.

LIGHT FIXTURE, REFER TO ELECTRICAL DRAWINGS.

PRE-FABRICATED METAL CANOPY SYSTEM. REFER TO WALL SECTIONS FOR DETAILS.

MECHANICAL ROOF TOP UNIT, REFER TO MECHANICAL DRAWINGS.

MECHANICAL WALL PENETRATIONS. REFER TO MECHANICAL DRAWINGS. PROVIDE FRAMING, FLASHING, AND SEALANT AS REQUIRED. INSTALL RESTROOM EXHAUST FANS 12" MINIMUM ABOVE INTERIOR CEILING FRAMING.

PLUMBING ROOF VENT, REFER TO PLUMBING DRAWINGS AND DETAIL 11/A4.2.

CONCRETE SPLASH BLOCK INSTALL AT EACH DOWNSPOUT.

MASONRY CONTROL JOINT. PROVIDE SEALANT OVER 1/2" DIAMETER FOAM BACKER ROD. COLOR TO MATCH ADJACENT MASONRY.

RUSTICATION JOINT, REFER TO DETAIL 6/A3.2.

ROOF ACCESS LADDER. REFER TO EXTERIOR FINISH SCHEDULE.

INDIVIDUAL ARCHITECTURAL
REGISTRATION NO.:
XXXX
FIRM ARCHITECTURAL REGISTRATION
NO.:
XXXX

PRELIMINARY
NOT FOR
CONSTRUCTION
OR PERMIT

SHEETS BEARING THIS SEAL ARE
AUTHENTICATED. RESPONSIBILITY FOR
ALL OTHER PLANS, SPECIFICATIONS
OR INSTRUMENTS ARE DISCLAIMED.

O'Reilly AUTO PARTS
CORPORATE OFFICES
233 SOUTH PATTERSON
SPRINGFIELD, MISSOURI 65802
(417) 862-2074 TELEPHONE

PROJECT:
NEW O'REILLY AUTO PARTS STORE
6400 N & PONY EXPRESS PKWY
EAGLE MOUNTAIN, UT

EXTERIOR ELEVATIONS

Buddy Webb & Company, Inc.
Architect - Consultant
3057 EAST CAIRO
SPRINGFIELD, MISSOURI 65802
(417) 877-1385 TELEPHONE
(417) 877-9736 FAX

DRAWN BY: RJD CHECKED BY: SB

DATE: 11/12/20

REVISION:

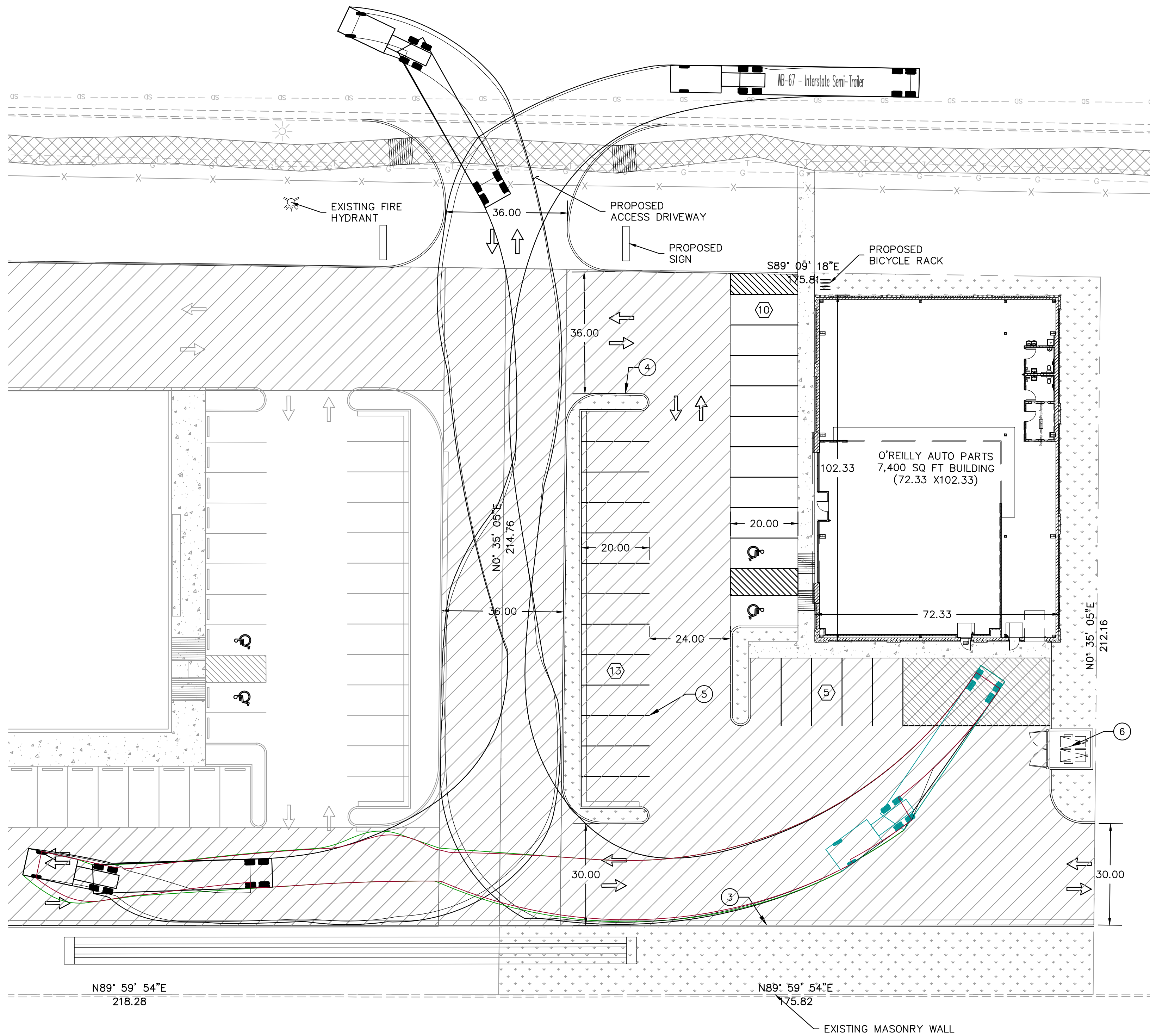
PROJECT NUMBER: EAGLE MOUNTAIN

SHEET NUMBER

A2.1

NOTE: ALL APPLICABLE ELEMENTS OF THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES WILL BE ADHERED TO.

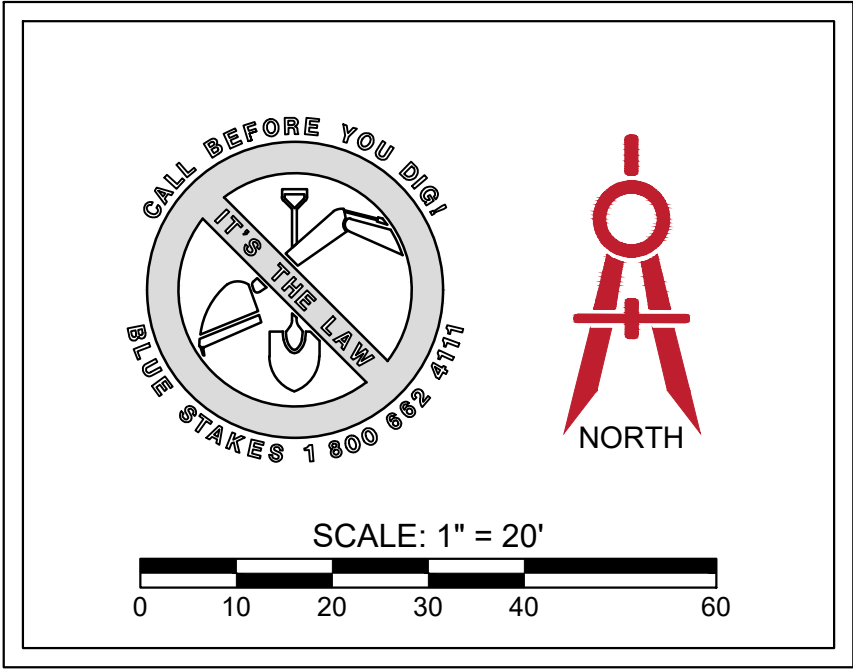
PROJECT ENGINEER:
LARVIN POLLOCK
ELEVATE ENGINEERING
492 WEST 1200 NORTH
SPRINGVILLE, UT 84663
(801) 718-5993
LARVIN@ELEVATENG.COM



LEGEND	
LOT LINES (PROPERTY)	---
EXISTING CURB AND GUTTER	==
PROPOSED CURB AND GUTTER	==
EXISTING FENCE	-x-
INVERT ELEVATION	IE
TOP OF ASPHALT	TA
TOP BACK OF CURB	TBC
PROPOSED	PROP
EXISTING	EX
FINISHED GRADE	FG
FINISHED FLOOR ELEVATION	FFE
LANDSCAPE AREA	[Pattern]
CONCRETE AREA	[Pattern]
SHARED DRIVE ISLE	[Pattern]

SITE DATA	
LOT AREA:	37,528 SF (0.86± ACRES)
BUILDING AREA:	7,400 SF± 19.7%
PAVEMENT AREA:	27,043 SF± 72.1%
LANDSCAPE AREA:	3,085 SF± 8.2%
ZONING: COMMUNITY COMMERCIAL PERMITTED USE	
BUILDING DATA	
CONSTRUCTION TYPE: V-B	
SPRINKLERS: NO	
SETBACKS:	
FRONT=20 FEET	
REAR=20 FEET	
SIDE=0	
PARKING TABULATION	
REQUIRED: 1 STALL PER 300 SQ. FT. (24 STALLS)	
PROVIDED: 28 STALLS	
2 ADA STALLS	

- NOTES:
- PROPOSED 5' SIDEWALK PER DETAIL 1, SHEET C-4.
 - ALL HANDICAP STALLS AND RAMP TO BE INSTALLED PER ADA AND APWA STANDARDS. SEE SHEET C-4 FOR DETAILS.
 - PROPOSED CURB & GUTTER TYPE E PER APWA STANDARD PLAN 205. SEE SHEET C-4 FOR DETAILS.
 - PROPOSED CURB TYPE P PER APWA STANDARD PLAN 209. SEE SHEET C-4 FOR DETAILS.
 - PAINT 4" SOLID YELLOW PAINT STRIPE AS SHOWN (TYPICAL).
 - PROPOSED DUMPSTER LOCATION. SEE SHEET C-4.



PROJECT ENGINEER: LP

DESIGNER: DL

NO.

REVISIONS

BY

DATE

ELEVATE ENGINEERING

492 WEST 1200 NORTH
SPRINGVILLE, UT 84663
PHONE: (801) 718-5993
larvin@elevateng.com

O'REILLY AUTO PARTS

SITE PLAN

6400 N & PONY EXPRESS PKWY EAGLE MOUNTAIN, UT 84005

PROFESSIONAL ENGINEER

3/18/21

10864737

LARVIN POLLOCK

STATE OF UTAH

SHEET:

C-1

DATE:

Mar 18, 2021







**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 6, 2021**

TITLE:	Macey's at Market Place - Site Plan		
ITEM TYPE:	Preliminary Plat & Site Plan		
FISCAL IMPACT:			
APPLICANT:	Jared Mitchell (Associated Food Stores)		
GENERAL PLAN DESIGNATION Community Commercial	CURRENT ZONE CC	ACREAGE 6.7 Acres	COMMUNITY South Town / City Center

PUBLIC HEARING:

No

PREPARED BY:

Tayler Jensen, Planning

PRESENTED BY:

Tayler Jensen

RECOMMENDATION:

BACKGROUND:

Associated Food Stores have applied for site plan approval for a Macey's grocery store located at the intersection of Eagle Mountain Boulevard and Pony Express Parkway, also known as Marketplace at Eagle Mountain Town Center. The Marketplace at Eagle Mountain Town Center Master Site Plan and Preliminary Plat were approved on August 18, 2020, with the development agreement being approved December 1, 2020. Macey's will be the anchor store for the Market Place at Eagle Mountain Town Center development. As part of the master development process, the property was zoned CC. That zoning allows for a number of permitted uses including grocery stores of 30,000 square feet or larger. The store is proposed at 58,854 square feet in size.

ITEMS FOR CONSIDERATION:

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. The Marketplace at Eagle Mountain Town Center master development agreement should also be considered when

reviewing this application.

REQUIRED FINDINGS:

The following items should be taken into consideration when making a motion. All referenced code chapters refer to the Eagle Mountain Municipal Code (EMMC) unless otherwise noted in the staff report.

Flagpole: One of the key identifying features for Macey's stores around the state are large flagpoles flying the American flag. In conversations with the applicant, their preferred flagpole height is 80', or as tall as will be allowed by the city. As City Code is silent on the maximum height of flagpoles in commercial zones, the maximum height of the flagpole shall be determined by the City Council.

Parking

17.55.090 requires pedestrian walkways of 10' through parking lots, which the the applicant provides in compliance with this section.

17.55.080 C a maximum of 12 parking spaces may be in a row between landscaped islands. The proposed site plan includes landscaped islands every 12 parking stalls in compliance with this section.

17.55.120 C requires 1 parking stall per 200 SF of building is required. As the square footage of the building is 58,854 square feet, 295 parking stalls are required (58,854/200). The applicant has provided 301 parking stalls *complying* with this section.

Per **17.55.120 B**, 8 ADA stalls must be provided, the applicant is providing 9 ADA stalls. Therefore, the proposal *complies* with parking requirements.

Outdoor Lighting Standards per **17.56.060** state that a the maximum height for parking lot lights is 17' above grade. The applicant has amended their photometric plans to show all parking lights at a maximum height of 17' above the pavement.

Site Plan Reviews

Per **17.100.040**, all development proposals on sites larger than five acres shall submit a master site plan application. The Market Place at Town Center did receive a Master Site Plan approval, which created the 6.665-acre lot in which this development is proposed, therefore, the application *complies* with this section.

Per **17.100.050**, the entire parcel shall be built upon or landscaped, and screening shall be provided for any commercial lot that abuts a residential or agricultural use. This section also requires access onto public rights-of-ways and off-street truck loading locations. The applicant's proposal does build, landscape, or pave the entire site, does not abut a residential or agricultural use, provides adequate truck loading locations, and provides approved access onto both Eagle Mountain Boulevard and Pony Express Parkway, therefore, the application *complies* with this section.

Development Agreement Building Standards per **Paragraph 10 of the Market Place at Eagle Mountain Development Agreement** states "Building Layout and Architecture. Architectural theming (Materials, colors, detailing, style) of commercial buildings shall be consistent throughout the project. Developer agrees, as much as possible, to locate buildings near the minimum front setback line, with pedestrian access leading to the primary entrance and landscaping between the building and the street. Building Elevations shall comply with EMMC Chapter 17.72 by adding Hardie board accents, architectural detailing, building materials mixtures and additional vertical articulation/modulation." By complying with the following provisions the proposal will be in compliance with this section.

Architectural Requirements

The following are architectural requirements of EMMC 17.100:

17.100.060 A requires that all mechanical equipment be located or screened so as to not be visible from any public or private streets. The proposed building locates mechanical equipment on the roof, in a location that is screened from view of the ground, therefore, the proposal *complies* with this provision.

17.100.060 B states “windows are encouraged as accents and trim.” The proposed elevations provide windows on the south elevation and the south-east corner of the building, and over the entrance on the west elevation. The Planning Commission determined no additional windows were needed.

17.100.060 C requires building lighting to be fully shielded and directed downward so that the light source is not visible from beyond the property where the structure is located, and that lighting complies with dark sky standards in 17.56. All proposed lighting is full cut-off and dark sky compliant. The proposal is for a total of 400,188 lumens which is 60,178 lumens per acre, this is well under the maximum of 100,000 lumens per acre. While there is some light trespass off the lot, it goes onto adjacent commercial lots in the same Master Site Plan. Staff feels this is acceptable to maintain uniformity in parking lot lighting. It is the opinion of staff that the proposal *complies* with 17.100.060 C.

17.100.060 D requires trash enclosures, storage, areas, and external structures to be comparable to the proposed building and surrounding areas and oriented away from the public views and encourages the consolidation of trash areas and the use of modern disposal and recycle techniques. The proposed building has a trash compactor that is located inside the store; thus, the proposal *complies* with this section of code.

17.100.060 F – J requires that plans comply with city code regulating landscaping, parking lot lighting, enclosed uses, and nuisances. This proposal is *in compliance* with these provisions.

Commercial Design Standards

17.100.060 E requires “Buildings shall be finished with high-quality materials. Building elevations shall be submitted that indicated all colors, styles and materials.” The applicant has provided color elevations to staff that include all colors, styles, and materials, complying with this provision.

17.72.030 A requires buildings to be located at or near the front setback line. The proposed Macey’s is not near the front setback line, however, as the master site plan has been designed with “pad” buildings next to the road, it is appropriate to have the grocery store located off of the road behind a parking lot which is *in compliance* with **17.72.030 B**.

17.72.040 A requires that commercial buildings should be similar in style as significant adjacent buildings. All facades of commercial structures shall be designed with consistent architectural style, detail, and trim features as the primary façade. It is worth noting that the proposed elevations vary significantly in color, appearance and material from the “Shops at City Center the commercial development located across Eagle Mountain Boulevard from this development (south). During the original approvals of the Master Site Plan and Development Agreement, these elevations were considered and the City Council approved pad site elevations on August 18, 2020. As **17.72.040 A** requires that all buildings in the project have similar styles, the colors, details, and materials from the approved pad site, elevations shall be incorporated into the Macey's elevations. The Planning Commission motioned that elevations should be updated to use similar materials, and design elements as the pad site buildings.

Per **17.72.040 B**, the main entrance of a structure should orient to major sidewalks, pedestrian ways, plazas, courtyards, or other public

spaces. The entrance shall also be clearly identifiable and consist of a sheltering element such a porch, stoop, awning, arcade, or portico. The proposed development orients toward the main parking lot, including pedestrian pathways through the parking lot and has clearly identifiable entries. It is the opinion of staff that this proposal *complies* with 17.72.040 B.

17.72.040 C states “The primary roof form of a structure should help reduce the perceived scale of the building. All commercial buildings shall contain either sloping roofs with overhanging eaves, or a decorative parapet and multiple roof planes and heights. Decorative cornices and roof projections such as cupolas or towers are also encouraged.” The Planning Commission recommended that "North and West elevations should be amended to contain varied roof planes."

17.72.040 D states “...Buildings shall include façade modulation (stepping portions of the façade), horizontal and vertical divisions (textures or materials), window patterns, offsets, recesses, projections, varied front setbacks or staggered and jogged until planes within the same structure, and other techniques...to avoid large, featureless and/or panelized surfaces on commercial buildings. Large uninterrupted expanses of a building wall are prohibited.” The Planning Commission recommended that "Additional articulation shall be provided for the North, West, and East elevations."

17.72.040 E states “Commercial buildings shall incorporate a majority of the following architectural details: reveals, canopies, awnings, popouts, columns, decorative trim and moldings, architectural lighting, ornamental cornices, decorative masonry pattern, decorative doors and windows, exposed timbers and trellis structures. All sides of a building shall include the chosen details.” The Macey’s elevations include reveals, awnings, columns, architectural lighting, popouts, ornamental cornices and decorative doors/windows, on all but the north (rear) elevation which does not include any awnings or columns.

17.72.040 F states "Buildings should incorporate materials used throughout the city and be similar in character and architectural theme as significant neighboring structures. All commercial buildings shall avoid large, panelized products or featureless surfaces. Commercial buildings shall utilize an appropriate mixture of building materials on all sides, including brick, rock, fiber/cement siding, wood, glass, stucco, and colored architectural CMU. Stucco may not be used on more than 50 percent of a building. Metal, plain CMU, or other materials deemed appropriate by the Planning Commission and City Council may be used as accents only." The Planning Commission recommended additional features be added to the north, west, and east elevations.

17.72.040 G states "Buildings should not be restricted to using desert landscape colors, such as beige, tan, greys, brown etc. A wide palette of colors is recommended." The proposed elevations use desert landscape colors of tans and browns with some red. The Planning Commission recommends the elevations be updated to use similar colors and materials as the approved pad sites.

17.72.040 I requires lighting to be shielded and directed downward to prevent light glare. The proposed elevations use dark sky lighting and direct lighting downward *in compliance* with this section.

17.72.040 K requires mechanical equipment to be screened so as to not be visible from public or private streets. The proposal places mechanical equipment on the roof and it is not visible from the ground, therefore, *complying* with this provision.

17.75.069 D Stacking lanes requires "1 a minimum of 120 feet for a single stacking lane, or 60 feet per lane when there is more than one stacking lane. A stacking lane is measured back to the point of service or final service window." "2 stacking lanes shall be designed so that they do not interfere with parking, pedestrian and vehicle circulation, and 3 stacking lanes shall be clearly identified through the use of means such as striping, landscaping, and signs" The applicant provides over 120' of stacking for the east window, in

compliance with this provision.

CC Zone Development Standards per **17.35.040** developments in the CC (Community Commercial) zone have the following development standards:

- Maximum Height of 50'
- Front Setbacks of between 10 and 25'
- Rear Setbacks of 20'
- No Side Setbacks

The building height is under 50' and the project largely *complies* with setback standards. While the front setbacks are further than the maximum front setback, the site has been master planned with pad sites that meet this setback requirement, thus the project *complies* with 17.35.040.

PLANNING COMMISSION ACTION/RECOMMENDATION:

The Eagle Mountain Planning Commission voted to recommend approval of the Macey's at Market Place Site Plan to the City Council with the following conditions:

1. All parking lot lights shall be no more than 17' in height from grade.
2. Elevations shall be updated to use similar materials and design elements as the approved pad site elevations.
3. North and West elevations should be amended to contain varied roof planes.
4. Additional Articulation shall be provided for the North, West, and East elevations.
5. An additional 3 (7 total) architectural detail features shall be used on all four sides of the structure.
6. Drive through on east shall be mitigated and conform to 17.75.069 D of EMMC.

The recommendation passed on a 4-1 vote with Commissioner Pengra voting against. Mr. Pengra explained he voted no because he didn't feel like conditions 2, 3, 4, or 5 should be included.

Plan revisions made in response to Planning Commission recommends.

Condition #1 - "All parking lot lights shall be no more than 17' in height from grade" - *Applicant has updated the plans to show all parking lot lights at 17'.*

Condition #2 - Elevations shall be updated to use similar materials and design elements as the approved pad site elevations - *Applicant has added architectural elements on the front, back and sides to add greater variation in the roofline (particularly on the north elevation), the addition of decorative light fixtures, variation in masonry from split and honed block, additional roof planes, and extending the decorative lower block all the way around the building.*

Condition #3 - North and West elevations should be amended to contain varied roof planes. - *Applicant has amended the north elevation to have six different roof planes, while columns on the west elevations are taller than the rest of the wall.*

Condition #4 - Additional Articulation shall be provided for the North, West, and East elevations. - *The loading dock on the North elevation extends nearly 30' from the main building, the red columns on the West and East elevations extend nearly 2 feet from the wall, and there is an awning/trellis over the door on the west elevation and over the window feature on the East elevation.*

Condition #5 - An additional 3 (7 total) architectural detail features shall be used on all four sides of the structure. - *Applicant has used architectural lighting, decorative windows, awnings/trellis structures, columns, popouts, decorative cornices, and reveals. Some features were not included on the north elevation as the loading dock being necessary in the area of the building, the applicant found it problematic to add additional reveals or architectural elements that extend from the building as they would pose a large risk of damage to delivery trucks.*

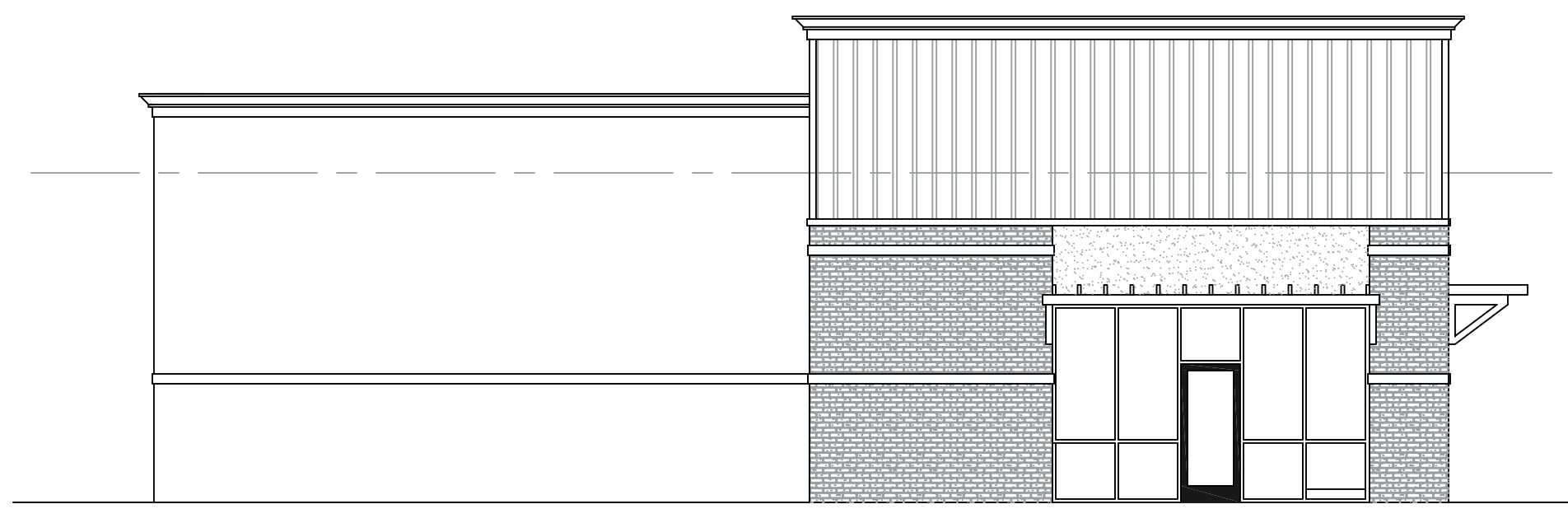
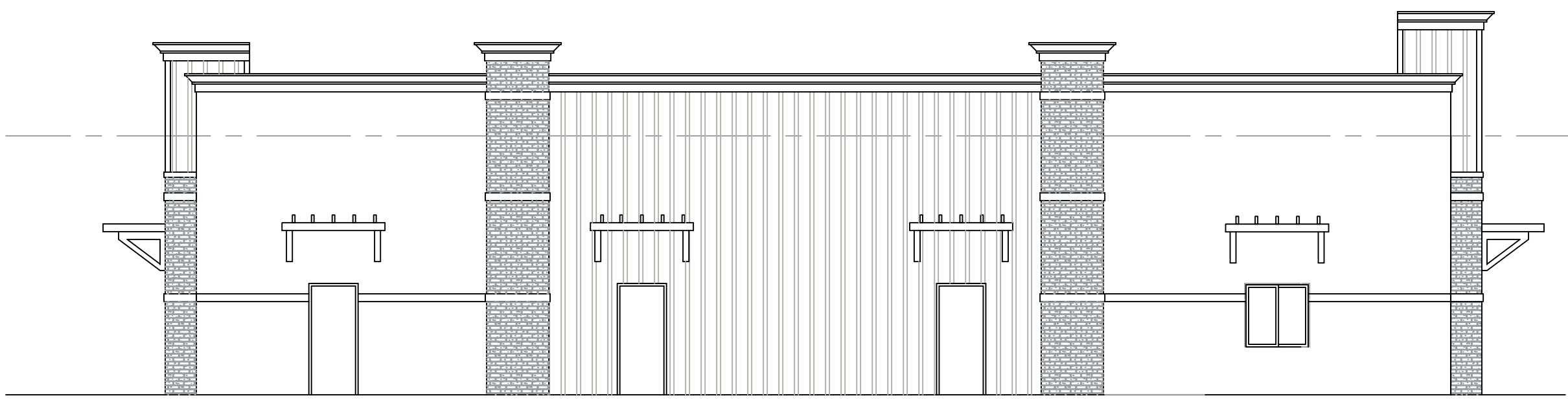
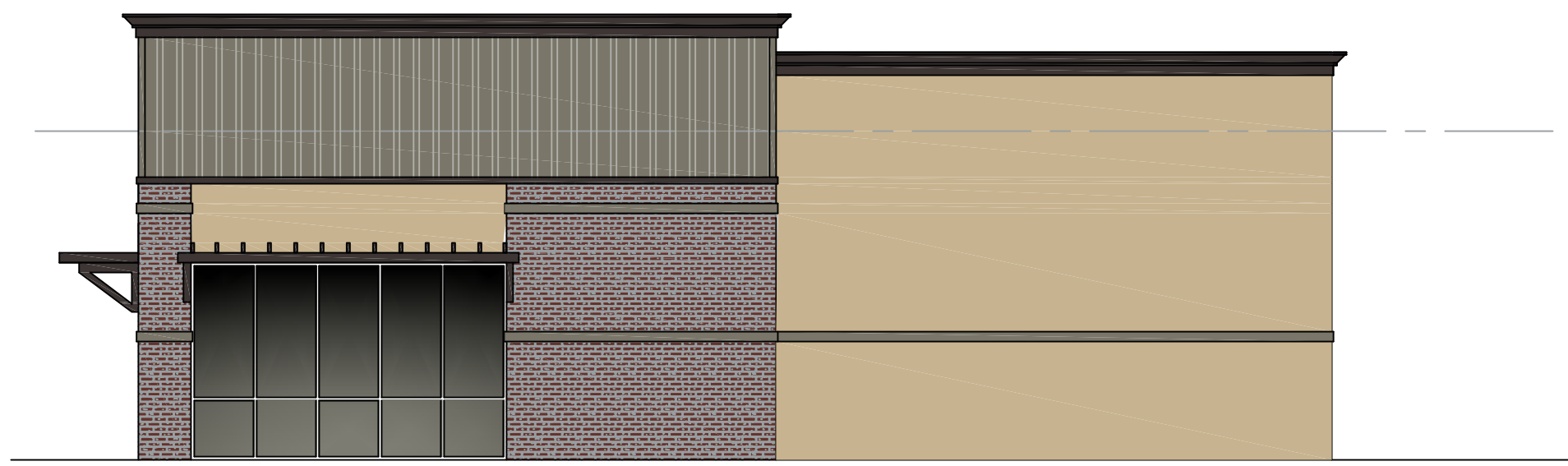
Condition #6 - Drive through on east shall be mitigated and conform to 17.75.069 D of EMMC - *The applicant has removed a row of parking, and created a drive-through aisle.*

ATTACHMENTS:

[Pad Site Approval](#)

[Proposed Elevations](#)

[Macey's Site Plan](#)



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PROPOSED NEW STRIP BUILDING:
EAGLE MOUNTAIN TOWN CENTER

EAGLE MOUNTAIN
ELEVATIONS

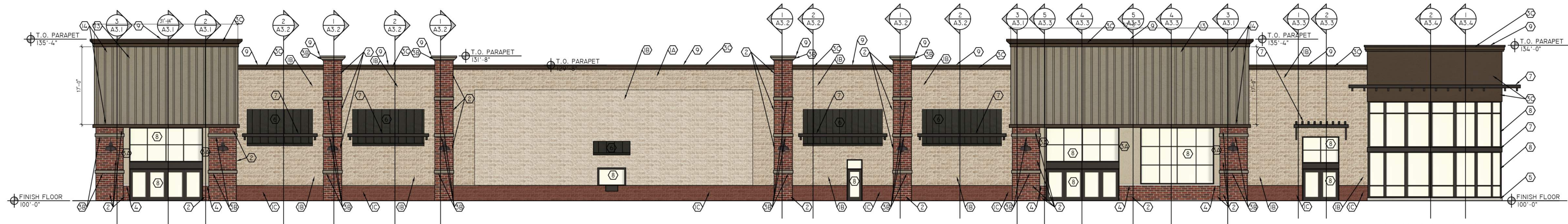
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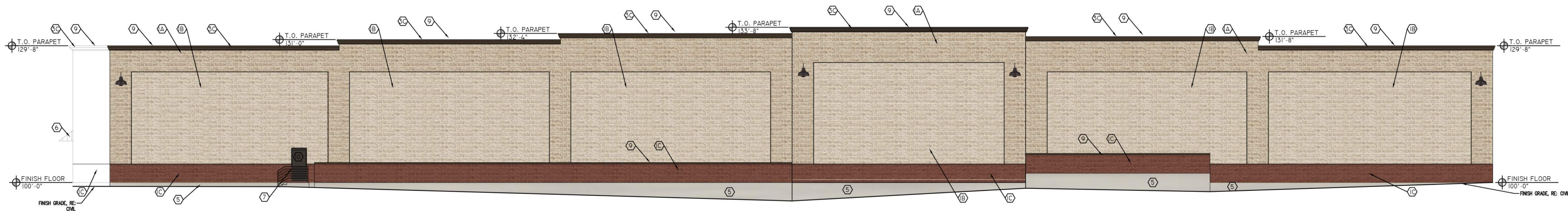
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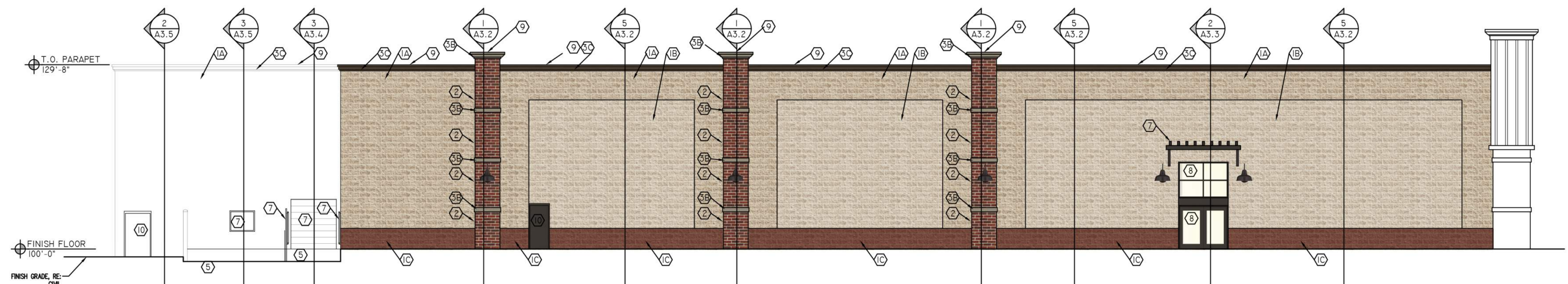
SOUTH ELEVATION

SCALE: 3/32" = 1'-0"



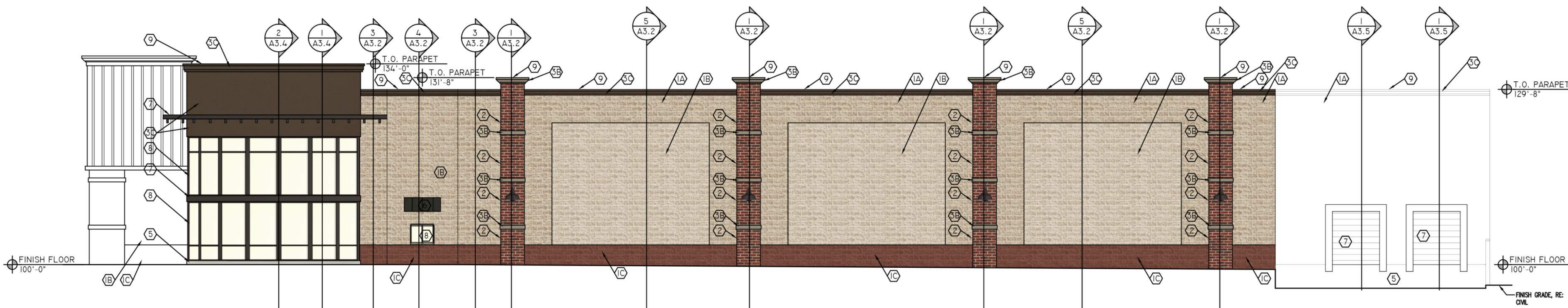
NORTH ELEVATION

SCALE: 3/32" = 1'-0"



WEST ELEVATION

SCALE: 3/32" = 1'-0"



EAST ELEVATION

SCALE: 3/32" = 1'-0"

MATERIAL SCHEDULE

MARK	MATERIAL	FINISH/COLOR
1A	8" x 16" SPLIT FACE CMU	AMCOR - HONEY
1B	8" x 16" HONED FACE CMU	AMCOR - HONEY
1C	8" x 16" SPLIT FACE CMU	AMCOR - MOUNTAIN RED
2	THIN BRICK	INTERSTATE - MONTEREY
3A	EPS	COLOR 1 - ACCESSIBLE BEIGE SW7036
3B	EPS	COLOR 2 - TONY TAUPE SW7038
3C	EPS	COLOR 3 - VAN DYKE BROWN SW7041
4	PRECAST CONCRETE SILL	NATURAL
5	ARCHITECTURAL FINISH CONCRETE FOUNDATION	NATURAL
6	PREFINISHED STRUCTURAL STANDING SEAM METAL ROOFING	DARK BRONZE
7	PAINTED STEEL	MATCH DARK BRONZE, VERIFY COLOR
8	GLASS AND ALUMINUM STOREFRONT, RE: WINDOW AND DOOR SCHEDULE	DARK BRONZE STOREFRONT WITH CLEAR GLAZING
9	PREFINISHED METAL COPING	DARK BRONZE
10	PAINTED HM DOOR AND FRAME	MATCH DARK BRONZE, VERIFY COLOR
11	COWS TONGUE DOWNSPOUT NOZZLE, INSTALL AT 24" ABOVE FINISH GRADE, RE: PLUMBING	-
12	LIGHT FIXTURE, RE: ELECTRICAL	-
13	SIGNAGE PROVIDED AND INSTALLED BY OWNER. G.C. TO PROVIDE ELECTRICAL CONNECTIONS, RE: ELECTRICAL. G.C. TO PROVIDE CORE DRILLED HOLES THROUGH MASONRY FOR CONDUIT FROM J BOXES MOUNTED AT THE INTERIOR OF THE BUILDING. COORDINATE NUMBER AND LOCATION WITH SIGNAGE SUPPLIER.	-
14	BOARD AND BATTEN CEMENT BOARD SIDING	HARDIE BOARD - TIMBER BARK

EXTERIOR ELEVATION NOTES:

- ALL COLOR SELECTIONS ARE PRELIMINARY. G.C. TO VERIFY FINAL COLOR SELECTIONS WITH ARCHITECT AND OWNER PRIOR TO ORDERING.
- ALL EXPOSED STEEL TO BE PAINTED AS DESCRIBED IN SPEC, VERIFY COLOR WITH ARCHITECT AND OWNER.
- UNDERSIDE OF PREFINISHED METAL STANDING SEAM ROOFING TO BE PAINTED. VERIFY COLOR WITH ARCHITECT AND OWNER.
- PROVIDE MASONRY CONTROL JOINTS AS SHOWN, RE: 7/A5.2.
- PROVIDE COLORED MORTAR AT CMU AND BRICK. COLOR TO BE SELECTED BY THE ARCHITECT FROM THE MANUFACTURERS FULL LINE OF COLORS.

MACEY'S
EAGLE MOUNTAIN

EAGLE MOUNTAIN, UTAH

MARK	DATE	DESCRIPTION

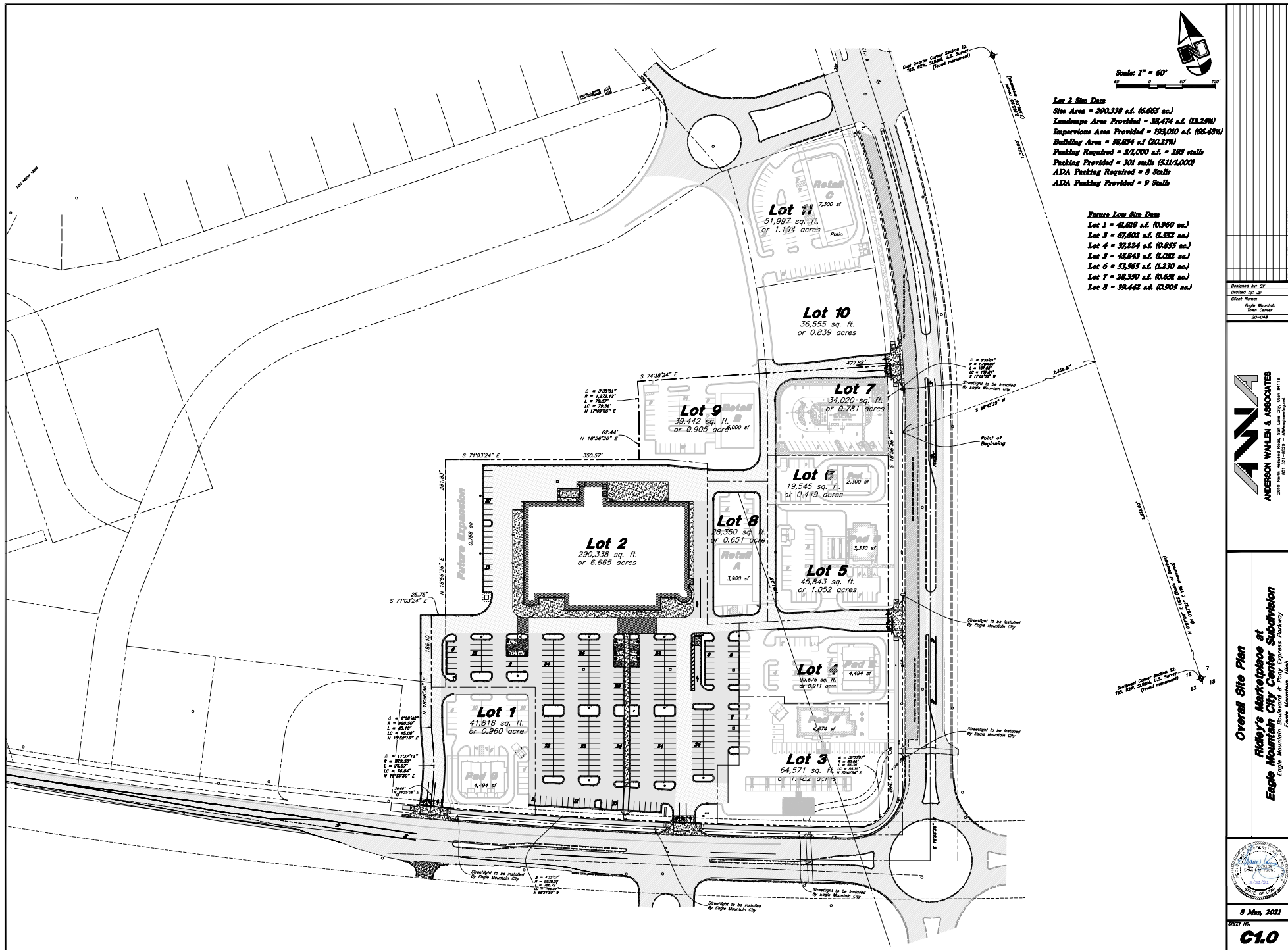
DATE: JANUARY 8, 2021
AGENCY PROJECT NO:
DESIGN SEQUENCE PROJECT NO: 2021.01
CAD DWG FILE NO:

DRAWN BY: KV
DESIGNED BY: KV
DWG TYPE:
ARCHITECTURAL PHASE: PERMIT SET

SHEET TITLE

EXTERIOR
ELEVATIONS

A2.1





**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 6, 2021**

TITLE:	Request to Amend Condition of Approval - SilverLake South Preliminary Plat		
ITEM TYPE:	Preliminary Plat		
FISCAL IMPACT:			
APPLICANT:	Flagship Homes - Bronson Tatton		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY SilverLake

PUBLIC HEARING:

No

PREPARED BY:

Fionnuala Kofoed, Planning

PRESENTED BY:

RECOMMENDATION:

We recommend that the City Council approve an amendment to the conditions of approval for the SilverLake South preliminary plat by replacing condition #8 "The neighborhood park shall be installed prior to the recording of a plat containing the 300th lot in this project, in addition to the 278 already recorded in SilverLake Plats 16 through 20." with "The neighborhood park shall be installed by August 1, 2021. No building permits or recordings of plats may be granted or take place after this date unless the park has been completed."

BACKGROUND:

On October 1, 2019, the City Council conditionally approved the SilverLake South preliminary plat, containing 791 units. That approval included a number of conditions including #8 "The neighborhood park shall be improved prior to recording a plat containing the 300th lot in this project."

At this time, the developer has recorded just over 300 lots in SilverLake South and is ready to record the final plats for SilverLake 28 and 29 (these plats are located adjacent to the required neighborhood park). The park for this portion of the project has not yet been completed, though the developer has started that process and believes they should have it completed during the summer of 2021. The City Parks Director has met the developer on site and has seen the work on the park already underway. The City has also been

collecting park escrows with every recorded plat and is holding much of the escrowed money until the park is completed. The current escrow balance is about \$1.7 million.

The park plan reviews were delayed by a combination of City staffing transitions, COVID-related changes and delays, and weather/season.

The applicant has submitted a letter requesting the City Council to amend the conditions of approval for the SilverLake South preliminary plat so that they may record additional portions of the project while they continue and finish work on the neighborhood park. They have offered two options to amend the condition:

1. Remove the condition, or
2. Amend the condition to allow plats 28, 29, and 30 to be recorded.

Plat 28 includes 74 lots/units, plat 29 includes 77 lots/units, and plat 30 includes 65 lots/units.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

[Letter to Request Condition Amendment](#)
[SilverLake South Recorded Lots Status](#)
[City Council Minutes - October 2, 2019](#)

Eagle Mountain City
Attn: City Council
March 31st, 2021

A few weeks ago we were made aware that condition #7 placed on the Silver Lake South preliminary plat approval dated October 1st 2019 has come into play. The condition states "The neighborhood park shall be improved prior to recording a plat containing the 300th lot in this project (in addition to the 278 already recorded in Silver Lake 16-20)".

Since that time, we have recorded plats 21-27 and have submitted plats 28, 29, & 30 to be recorded as well. This puts us over the 300 lots that could be recorded prior to the park to be improved. We are requesting 1 of 2 options be considered in adjusting this condition of approval.

Option 1 – remove the condition, or

Option 2 – allow plats 28, 29, and 30 to be recorded.

A few considerations we ask the council to evaluate in granting this request include current progress and proposed schedule of the park construction, the lack of timely review and feedback from city staff on designs submitted, and park cash escrow being collected at the time of recording.

Construction Progress & Proposed Schedule

Mass grading of the site started a month ago (prior to hearing we had hit the conditional approval limit) in conjunction with phases 29 and 30. We have had a pre-construction meeting with Brad and have outlined the following schedule:

Earthwork – complete by mid-April

Utilities – complete by next week

Roadway – complete by end of April

Site Amenities – complete by end of May

Landscaping – complete by mid-June

Park turn over to the City is anticipated to take place after a maintenance period of the landscaping. The park dedication is included in Silver Lake Phase 29 which we are asking to record as soon as possible if the city grants our request of adjusting the preliminary plat condition #7.

Lack of Timely Review

I'll give a brief background on the design process and review that has been completed to date.

Our intent was to start the park construction during the growing season of 2020 (April thru October) and complete the park in the Fall of 2020. However, we were unable to move the design along through the City review process to meet that schedule. The design process began in September of 2019 prior the October City Council meeting. This concept design was shared with staff and preliminarily approved to move into the next phase of design development. Landscape plans then developed and submitted to the City in June 2020. No feedback was received on these plans. In an effort to get feedback on the

design and continue to move toward approval, we included the neighborhood park design in the Silver Lake 28 Site Plan application which was submitted on 8/20/2020 for review. The reviews that came back dealt more with the engineering construction drawings of the subdivision and did not receive any comments on the park. Play equipment was also submitted at this time and no feedback was given so we held off on purchasing the equipment.

At this point it became apparent we would miss the construction window of completing the park before the landscape growing season. We set a meeting on 10/20/2020 to discuss the park design with staff and they for asked for additional time to have other departments provide feedback. After receiving none we moved forward and purchased play equipment for the park in December 2020. That play equipment is currently in storage in Davis County until the site is ready for the install to take place. We have since purchased pergolas as well and those are currently being manufactured.

Even though it has taken longer to get the park design approved, we have received approval to move into construction and as mentioned we anticipate to deliver the park fully improved by mid-June.

Park Escrow

In addition to the current progress of the park construction, we ask the council to also consider the amount of park cash escrow the City has collected. Perhaps Finn can pull the total dollar amount in escrow for parks in Silver Lake and present them to the council for consideration of the condition. To date, we have not collected refunds for the 3 parks and clubhouse we have constructed since constructed.

Again, had we received more timely reviews, the conditions of approval could have been met and the park could have been completed last fall. However, given the current situation and the proposed schedule outlined above we request the council remove the condition or allow plats 28, 29, and 30 to be recorded while we finish up the park improvements.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "Bronson Tatton".

Bronson Tatton, PLA
Licensed Landscape Architect & Project Manager
Flagship Homes

SilverLake South Neighborhood Park Timing - 300 Lots, not including the 278 in SL 16-20

Phase	Recorded Date	Lot Numbers	Lots in Plat	Total Lots Recorded	Lots Remaining
SL 16	12/7/2017	1601-1631	31	31	--
SL 17	6/12/2018	1701-1752	52	83	--
SL 19	7/19/2018	1901-1952	52	135	--
SL 18	3/28/2019	1801-1855	55	190	--
SL 20	4/23/2019	2000-2088	88	278	--
SL 27	3/31/2020	2701-2715	15	15	285
SL 21	5/21/2020	2101-2159	59	74	226
SL 23	7/2/2020	2301-2330	30	104	196
SL 22	8/28/2020	2201-2239	39	143	157
SL 26	10/2/2020	2601-2609 & 2611-2661	60	203	97
SL 24	10/5/2020	2401-2472	71	274	26
SL 25	10/5/2020	2501-2543	42	316	-16

***Condition of Approval from the 10.01.2019 City Council Meeting - SilverLake South Prelim Plat**

said if the Council decides that the temporary structure will only be allowed for two years, it will not be cost effective to the applicant.

Councilmember Clark stated she supports the arts but is not open to a sprung structure at this location.

Those voting aye: Stephanie Gricius and Donna Burnham. Those voting nay: Colby Curtis and Melissa Clark. Mayor Westmoreland voted aye, breaking the tie. The motion carried with a vote of 3:2.

13.E. SilverLake South – Preliminary Plat

Councilmember Curtis stated the cluster homes must have a component of open space, and every home must have a park within a quarter-mile radius. Councilmember Burnham asked if cluster homes are supposed to be designed similarly to Colonial Park.

Mr. Mumford said Colonial Park is more defined as a garden court. Municipal Code does not require open space to be immediately adjacent to the home, but the open space must be close. The intent is that open space is provided in lieu of a back yard.

Councilmember Curtis stated a painted red curb on the south side of Golden Eagle Road across from the elementary school will mitigate parking and traffic issues.

Pete Evans with Flagship Homes stated he understands that a preliminary plat this large is unusual. They anticipate returning to the Planning Commission and possibly the City Council with a detailed parks plan. Regarding the school site, it has two fronts, versus the single front at Brookhaven Elementary. He explained the parent drop off will be located on the west side of the building with the kindergarten drop off located to the north, which removes traffic from Golden Eagle Road. They also removed an access from the residential area to Golden Eagle Road and relocated the access point to SilverLake Parkway.

Councilmember Clark stated a safe route to school needs to be planned in a location away from the traffic circle. Mr. Evans stated if lots to the west of the school have not been sold, they can include a walking path through that area to the school. If the lots have already been sold, they will consider other areas to include a path away from the traffic circle.

Regarding the cluster home open space issue, Mr. Evans said they have consolidated open space to make it more usable. The SilverLake Master Development Agreement (MDA) has a restriction on the number of townhomes in any given area. They have planned each open space area to be large enough to serve all cluster homes. He requested a variance of the quarter-mile distance requirement for the homes in the southwest portion of the plan, due to the programmed open space at the school and church. They feel they have met the intent of the MDA and of Municipal Code.

Councilmember Curtis said if the amenities are not required now, they will not be installed. Mr. Evans explained the MDA lists what amenities are required and they will return with a parks plan that notes the amenities in each park.

Councilmember Curtis stated in his subdivision in SilverLake, they have grass and two pocket parks. He stated they were told a neighborhood park would come with development of future phases, but the neighborhood park is not planned until phase 28. Councilmember Clark asked if Municipal Code requires parks at specific times during development.

Bronsen Tatton with Fieldstone Homes explained the MDA requires the clubhouse at a certain number of building permits, but does not determine how many building permits can be issued before parks are developed. He said phases 19 and 20 will contain a park for two- to five-year-olds with a nest swing, spinning bowl, and slide tower. The park for five- to twelve-year-olds will contain a pendulum swing, as well as a spinning plate. They intend to bring the park programming back for Planning Commission review. The MDA includes requirements for the park amenities, with which they intend to comply.

Councilmember Clark asked what phase does not meet the quarter-mile park requirement. Mr. Mumford said not all homes in phase 26 are within a quarter-mile of a park. Mr. Tatton stated they may be able to remove a portion of another park and locate it in phase 26. He explained the phasing may be updated to accommodate the construction of a church building; the neighborhood park may be developed sooner than originally anticipated.

Councilmember Curtis expressed concern that parks are not in this area and said a requirement can be included that the park is built before a certain number of building permits are granted. Mr. Evans asked if the Council has the ability to impose that condition of approval. Mr. Cook stated if the Council is uncomfortable with the proposed plan, the application can be tabled.

Mr. Evans explained he is not saying they will not commit to building the park by a certain number of building permits, but stated they have an MDA and are meeting the requirements.

Councilmember Curtis expressed frustration that the completed areas of this development do not have parks and stated all homes could potentially be built without any completed parks. Mr. Evans explained that they bond approximately \$2,800 per lot for improvements.

Councilmember Clark stated she cannot approve the preliminary plat with the incorrect phasing, but knowing that the park will be installed by a certain number of building permits could mitigate that concern.

Councilmember Curtis stated he could not approve the preliminary plat without an amenity plan. Mr. Evans stated there are approximately 1,200 approved lots in this area under the MDA. The plan submitted includes 1,069 lots, including the 278 previously approved lots. He committed to include the park by the 300th building permit issued after this meeting.

Discussion ensued regarding the City Council approving the preliminary plat with the condition that staff reviews the parks plan, and the neighborhood park is installed by the 300th building permit.

Mr. Mumford stated the Planning Commission recommended condition of approval is that the parks plan returns to the Planning Commission for approval. He explained the landscape plan has to meet Municipal Code. The MDA is specific to acreage of parks and trail systems, and states the City's parks and amenities standards must be met. Mr. Evans explained that the site plan application for the townhomes will include park plans.

Councilmember Curtis confirmed that the Councilmembers will approve the preliminary plat as long as an amenity worksheet is approved by the Parks and Recreation Director and the neighborhood park is completed by the 300th building permit south of the wash, not including currently issued permits.

Discussion ensued regarding removing a portion of a larger park and placing the park area in an area that does not meet the quarter-mile distance requirement. The Council determined that leaving the large park as it is currently planned is best.

Regarding the connectivity issue, the Council stated the proposed plan will be approved.

Mr. Mumford suggested the crossing on SilverLake Parkway not be adjacent to the parent drop off at the elementary school. Councilmember Clark stated the applicant can work with staff to determine the best location for a crosswalk.

Councilmember Curtis asked if split rail fencing is required along Tickville Wash and requested one be installed for safety. Mr. Mumford said the City is responsible to install a trail and fence along the north end of the wash. Mr. Trusty is researching a grant to improve the safety of the wash areas where the slopes are significantly steep.

Mr. Mumford presented Saratoga Springs City's future transportation map. Saratoga Springs has requested Golden Eagle Road be a local road. Foothill Boulevard is the next priority for Saratoga Springs.

Discussion ensued regarding the condition of approval related to the neighborhood park. The Council agreed to the condition that the park is completed by the 578th recorded lot south of Tickville Wash.

Councilmember Curtis asked about the condition regarding the name of Silver Creek Way. Mr. Mumford said Tickville Wash can serve as a good location to switch street names, but the Planning Commission requested the road name remain consistent. Mr. Evans said one homeowner lives on that street, but they are willing to update the name.

MOTION: *Councilmember Curtis moved to approve the SilverLake South preliminary plat with the following conditions:*

1. *Applicant shall pay a cash escrow to the City of \$2,810.40 per lot at plat recording.*
 2. *Detailed landscape plans, including the design and amenities with point calculations, for the parks shall be submitted for approval by the Parks and Recreation Director and Planning Director along with the associated final plat.*
 3. *Fencing along SilverLake Parkway and Golden Eagle Road shall match the collector road fencing approved for the Silverlake South area.*
 4. *The road connection to Silver Creek Way across Tickville Wash shall be built prior to recording any plat north of Harvest Crop Drive.*
 5. *The road that will connect to Silver Creek Way shall continue that name to the south.*
 6. *Developer shall construct an upgraded entryway monument at either the western edge of the project along Golden Eagle Road, or the southern end of the project at SilverLake Parkway. Improvements shall consist of a landscaped entryway with a permanent monument sign bearing the name of the subdivision.*
 7. *The applicant shall construct the walking path as presented.*
 8. *The neighborhood park shall be installed prior to the recording of a plat containing the 300th lot in this project, in addition to the 278 already recorded in SilverLake Plats 16 through 20.*
 9. *The applicant shall work with City staff to provide safe crossing routes to the elementary school.*
- Councilmember Burnham seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

14. AGREEMENTS

14.A. AGREEMENT – Agreement between Eagle Mountain City, Utah and the Eagle Mountain Chamber of Commerce for the Management and Maintenance of the Ladder Signs.

Mr. Pili explained the history of ladder signs in the City. He stated to establish the Eagle Mountain Chamber of Commerce, the City needed to assist the Chamber during the initial creation of the organization.

Mayor Westmoreland explained the City chose to fund a local Chamber instead of the Lehi Area Chamber of Commerce. Mr. Pili stated creating the Eagle Mountain Chamber of Commerce took time, effort and funding. Using the ladder signs for Chamber funds was a creative way to establish the Chamber. These funds are not tax dollars.

Councilmember Curtis stated the signs are on City land using City capital improvements.

ORDINANCE NO. O- -2021

**AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH,
AMENDING THE FUTURE LAND USE MAP OF THE GENERAL PLAN
AND REZONING CERTAIN LANDS KNOWN AS THE PINNACLES**

PREAMBLE

WHEREAS, the City Council of Eagle Mountain City finds that it is in the public interest to amend the Future Land Use Map of the General Plan and rezone certain lands known as The Pinnacles, as set forth more specifically 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 Future Land Use Map of the General Plan and the rezoning of certain lands known as The Pinnacles, as set forth in Exhibit A.
2. The General Plan is hereby amended, and the lands depicted and described in Exhibit A are hereby rezoned to the density and uses as set forth more specifically in Exhibit A.
3. This Ordinance shall take effect upon its first posting or publication.

ADOPTED by the City Council of Eagle Mountain City this 6th day of April, 2021.

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 6th day of April, 2021.

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

Those abstaining:

☐ 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
CITY COUNCIL MEETING
APRIL 6, 2021**

TITLE:	PUBLIC HEARING/ORDINANCE - An Ordinance of Eagle Mountain City, Utah, Approving the Master Development Plan for The Pinnacles.		
ITEM TYPE:	Master Development Plan		
FISCAL IMPACT:			
APPLICANT:	Allegiant Real Estate (Andy Flamm)		
GENERAL PLAN DESIGNATION "Employment Center / Campus" and "Neighborhood Residential One"	CURRENT ZONE Agriculture	ACREAGE 161	COMMUNITY

PUBLIC HEARING:

Yes

PREPARED BY:

Pete Kane, Planning

PRESENTED BY:

Pete Kane

RECOMMENDATION:

This is a combined staff report for both items for The Pinnacles. The City Council will hold two separate public hearings: one for the General Plan Amendment and Rezone and one for the Master Development Plan. The City Council will make two individual motions: one for the General Plan Amendment and Rezone and one for the Master Development Plan.

Based on the Planning Commission recommendation and the revised plans as attached in this staff report, we recommend the following:

- We recommend the City Council approve the rezone and General Plan amendment requests.
- We recommend the City Council approve the master development plan with the following conditions:
 1. That the ~1 acre parcel adjacent to the MF2 zone identified for the future freeway be dedicated for the right-of-way;
 2. That the northern ~65 acres of land be noted as "Future Development / Business Campus" for a later amendment to the MDP; and
 3. That a future amendment to the MDP for the northern ~65 acres must be appropriate for the current "Employment Center / Campus" land use designation.

BACKGROUND:

The subject property (~161 acres) is a parcel of land on the north side of Aviator Avenue (5000 N) and west of the Brylee Farms development. The property is currently zoned Agriculture and is identified in the General Plan Future Land Use Map for "Employment Center / Campus" and "Neighborhood Residential One."

The applicant (Allegiant Real Estate) for the proposed development (The Pinnacles) has submitted a master development plan. The Planning Commission held a hearing on the application requests on February 23, 2021. This was then followed by a "work session" review by the City Council on March 2. During that work session, the Councilmembers provided additional feedback to the applicant including: desire to ensure the business campus portion does not get reduced/changed in future amendments, a general reduction in residential density more in line with the current "Neighborhood Residential One" land use designation on the property (such as reducing the amount of MF1 and MF2), and support for the CN zone along Aviator Avenue.

Based on the Council feedback, the applicant has submitted revised plans which call for:

Rezoning

The master development plan proposes a rezoning from Agriculture to a mix of: R2, R3, RC, MF1, MF2, CN, and OS-I. The northern ~65 acres are intended for future development and not requested for rezoning at this time.

General Plan Amendment

The master development plan proposes an amendment to the Future Land Use Map of the General Plan from "Employment Center / Campus" and "Neighborhood Residential One" to "Neighborhood Residential One," "Neighborhood Residential Two," "Neighborhood Residential Three," and "Community Commercial." The northern ~65 acres would remain in the "Employment Center / Campus" land use designation.

ITEMS FOR CONSIDERATION:

PROJECT SCOPE

The parcel includes ~161 acres of land. The project proposal is for the southern ~96 acres of land. The applicant has requested not to take action on the northern 65 acres at this time. If the master development plan (MDP) is approved, it may note the northern portion as "Future Development" to be handled as an amendment to the MDP or have the northern portion treated as a separate MDP.

ROAD NETWORK

The development is proposed to include three road connections onto Aviator Avenue. It also includes two connections to the "Business Campus" portion to the north which may then have at least one connection to the Brylee North development to the east. There are a number of residential roads proposed throughout including a curved road as well as a few private roads within the two proposed multifamily developments. A future UDOT freeway is anticipated to cut through the northwest corner of the property for which the applicant has anticipated within the MDP. This freeway is also noted in the City's Transportation Master Plan. The timing of the freeway is unknown, but the Council should consider approving the proposed changes in higher density residential in exchange for some of the future freeway right-of-way to be dedicated to the City along with this project.

TECHNICAL STUDIES

A number of studies have been performed to evaluate the project proposal. Those studies are attached to this staff report. A complete traffic study has been completed with the executive summary attached here. Due to that report's length, the full study is available upon request.

OPEN SPACE & PARKS

The plan calls for one large park within the development, surrounded by single-family homes. The park is adequately sized to be dedicated to the city. The multifamily developments would also include common space and amenities as required by City Code.

PUBLIC FACILITIES

The submitted materials do not include designation for potential public facilities. The applicant is encouraged to discuss the development with the school district and church organizations. Any

rezoning to commercial or residential zoning would allow for these uses (permitted in commercial districts; special use in residential districts). Any site selection for these public and civic uses after the approval of the MDP and rezoning would not result in permitted additional density within the development. Although not required, the school district and church organizations are encouraged to request a rezoning of selected sites to the Public Facilities Zone.

REZONE REQUEST

Based on the latest materials, the northern portion (~65 acres) identified as "Business Campus" is not requested for a rezoning at this time. As noted above, this portion may be handled as an amendment to an approved MDP for the project or as a separate MDP.

The proposal requests CN zoning along Aviator Avenue totaling 16.67 acres of land. The applicant originally sought CC zoning for this portion of the property, but agreed to change it to CN based on staff, Planning Commission, and City Council feedback. The CN zoning district is described in EMMC 17.35.020 as providing "small scale commercial retail, office, and services, located to accommodate the daily needs of local residents. Uses should be integrated with adjacent neighborhoods and impose minimal impacts resulting from traffic, lighting, noise, etc." Although much of this portion of the property is currently designated in the General Plan as "Neighborhood Residential One," the applicant has requested the commercial zoning based on previous plan reviews with the Planning Commission.

The R2 residential zoning district is proposed on ~11.5 acres within the eastern half of the property. This area was previously proposed for R3 zoning, but the applicant has revised the plans to reduce the density. This portion of the project is designated as "Neighborhood Residential One" in the General Plan, and the R2 zone is an appropriate zoning district for that land use designation. The applicant anticipates 31 residential lots within this district.

R3 residential zoning is proposed on just under 29 acres of land in the center and eastern half of the property. This portion of the project is designated as "Neighborhood Residential One" in the General Plan, and the R3 zone is an appropriate zoning district for that land use designation. The applicant anticipates 108 residential lots within this

district (previously ~14 acres with 40 residential lots).

RC zoning is proposed around a portion of the R3 zoning. As noted in EMMC 17.25.020(E)(1), the "RC zone is for single-family homes on small lots in walkable neighborhoods with improved parks and trails that connect the neighborhoods with surrounding land uses." The RC zone acts as a buffer and transition between the multifamily to the west and the future business campus to the north. Brylee Farms (to the east) includes townhomes which would be directly adjacent to the proposed RC on the east side of the subject property. The RC zone allows for a minimum lot size of 4,500 square feet and requires an average lot size of 6,000 square feet. The applicant proposes the RC zone on 18.75 acres of land with 88 units (previously 39 acres and 148 residential lots).

An MF1 zone is proposed on ~8.3 acres of land and located adjacent to the CN, RC, and MF2 zones. The MF1 zone is described in EMMC 17.25.020(E)(2) as a zone "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." It allows for a maximum density of 10 dwelling units per acre. The applicant's conceptual layout for this area anticipates 83 units, which is just over the permitted density. The unit count will likely need to be reduced to 82 units to not exceed the density allowance of the proposed district. An approval of this zoning district will require a master site plan approval for a multifamily development. The previous plans called for the MF1 on ~12.4 acres with 123 units.

An MF2 zone is proposed on ~5.6 acres of land and located on the western edge of the property. It's proposed to be adjacent to the RC and MF1 zones as well as the future business campus to the north. EMMC 17.25.020(F)(1) states that this 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 permitted for this district is 20 dwelling units per acre. The applicant's conceptual layout for this area anticipates a mix of two- and three-bedroom units totaling 96 units, which is about

17.2 units per acre. The previous plans called for the MF2 on 13.85 acres with 240 units, at a density of 17.3 units per acre.

The final zoning request for the property is OS-I (improved open space zone) for about 4.9 acres of land. The zoning district is proposed on the public park that would be developed within the single-family portion of the project.

Based on EMMC 17.60.160, the proposed zones do meet the allowed zoning transition and adjacencies.

GENERAL PLAN AMENDMENT

In general, the land use amendment exhibit reflects the land use designations that are appropriate based on the requested zoning districts and EMMC 17.60.160.

The current land use designations on the property are "Employment Center / Campus" on about 107 acres and "Neighborhood Residential One" on about 54 acres.

The proposed land use designations would leave 65 of the 107 acres of "Employment Center Campus" unchanged. Additionally, the "Neighborhood Residential One" be reduced to ~46.5 acres. The remainder of the property is requested to be amended to "Community Commercial" on ~16.6 acres of land for the CC zone, "Neighborhood Residential Two" on ~27 acres of land for the RC and MF1 zones, and "Neighborhood Residential Three" on ~5.9 acres of land for the the MF2 zones and a sliver of land that it proposed for the future freeway.

REQUIRED FINDINGS:

Amendments to the General Plan are legislative actions and do not require approval based upon findings of facts. The Council should consider the health, safety, and welfare of the community.

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.

Master development plan approvals are based upon compliance with City Code requirements. The approval criteria for a master

development plan can be found in EMMC 16.10.070.

PLANNING COMMISSION ACTION/RECOMMENDATION:

The Planning Commission held a public hearing on the requests on February 23, 2021. The Planning Commission made the following recommendations, with a unanimous vote on each:

Rezone Request

The Planning Commission recommends approval of the rezone request with the following conditions:

1. That the CC zone be changed to the CN zone;
2. That the RC zone north of the CN zone and south of the OS-I zone be changed to the R3 zone; and
3. That the RC zone outlined in the staff presentation be changed to the R3 zone with exception of properties adjacent to multifamily properties to the east and west.

General Plan Amendment

The Planning Commission recommends approval of the general plan amendment with the following conditions:

1. That the areas to be zoned MF1 be amended to "Neighborhood Residential Two;"
2. That the areas to be zoned R3 be amended to "Neighborhood Residential One;" and
3. That any requested changes to the proposed zoning districts be reflected in the appropriate request for land use designation.

Master Development Plan

The Planning Commission recommends approval of the master development plan with the following conditions:

1. The concept plan should be updated to indicate proposed road widths;
2. That any conditions approved for rezoning and the General Plan amendment be revised within the plans;
3. That the ~1 acre parcel adjacent to the MF2 zone identified for the future freeway be dedicated for the right-of-way; and
4. That the northern ~65 acres of land either be noted as "Future Development / Business Campus" for a later amendment to the MDP or permitted to be applied for as a separate MDP.

ATTACHMENTS:

ORD--The Pinnacles Master Development Plan
Master Development Plan Exhibits (revised)
Utility, Grading, and Phasing Plans (revised)
Compatibility Statement
Traffic Study Executive Summary
Environmental Impact Report
Drainage Study
Infrastructure Analysis Report

ORDINANCE NO. O- -2021

**AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH,
APPROVING THE PINNACLES MASTER DEVELOPMENT PLAN**

PREAMBLE

WHEREAS, the City Council of Eagle Mountain City finds that it is in the public interest to approve The Pinnacles Master Development Plan, as set forth more specifically 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 and approve The Pinnacles Master Development Plan, as set forth in Exhibit A.
2. The Pinnacles Master Development Plan is hereby approved, as set forth more specifically in Exhibit A.
3. This Ordinance shall take effect upon its first posting or publication.

ADOPTED by the City Council of Eagle Mountain City this 6th day of April, 2021.

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 6th day of April, 2021.

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

Those abstaining:

☐ Donna Burnham

☐ Melissa Clark

☐ Colby Curtis

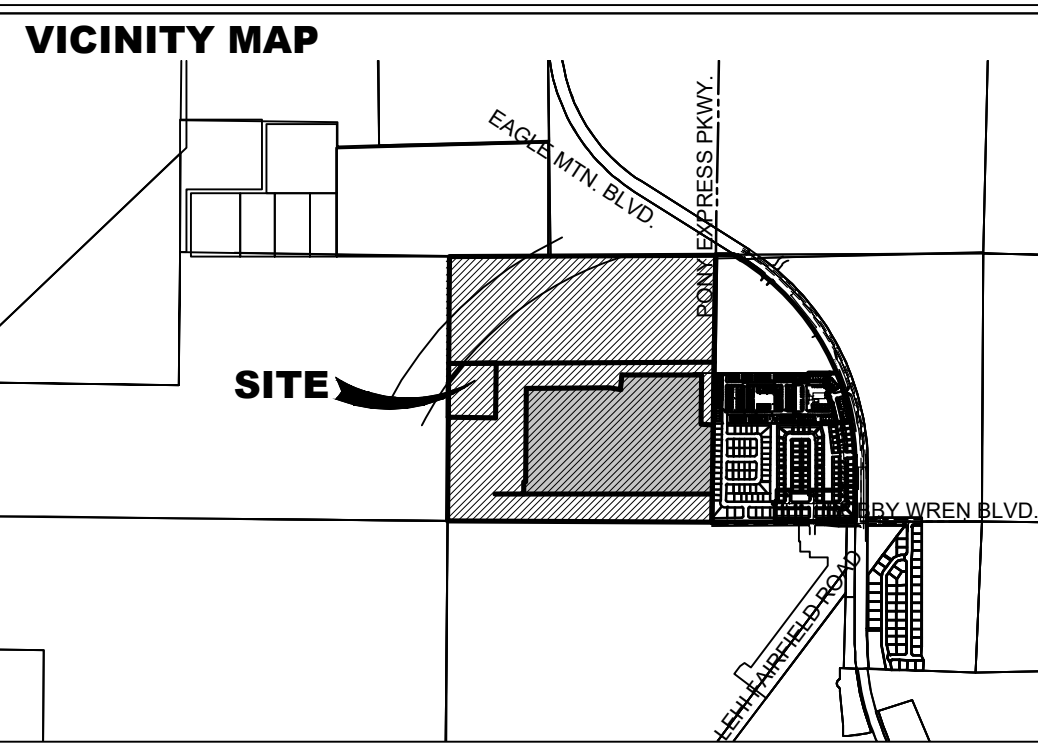
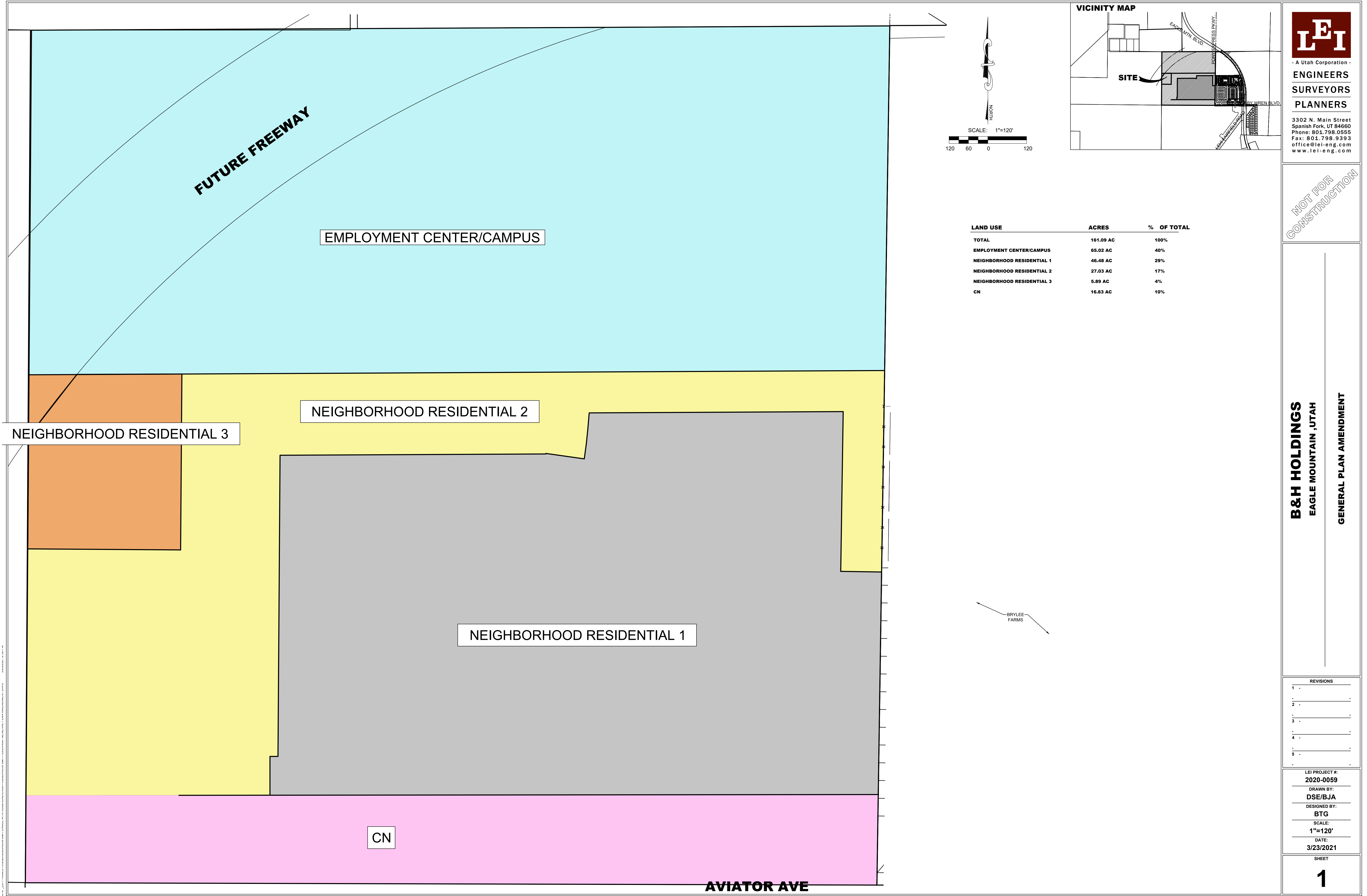
☐ Jared Gray

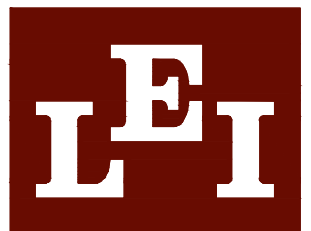
☐ Carolyn Love

Fionnuala B. Kofoed, MMC
City Recorder

Posted to City Bulletin Boards on _____ by _____ .

Exhibit A





- A Utah Corporation -
**ENGINEERS
SURVEYORS
PLANNERS**

3302 N. Main Street
Spanish Fork, UT 84660
Phone: 801.798.0555
Fax: 801.798.9393
office@lei-eng.com
www.lei-eng.com

NOT FOR
CONSTRUCTION

LAND USE	ACRES	% OF TOTAL
TOTAL	161.09 AC	100%
EMPLOYMENT CENTER/CAMPUS	65.02 AC	40%
NEIGHBORHOOD RESIDENTIAL 1	46.48 AC	29%
NEIGHBORHOOD RESIDENTIAL 2	27.03 AC	17%
NEIGHBORHOOD RESIDENTIAL 3	5.89 AC	4%
CN	16.63 AC	10%

B&H HOLDINGS
EAGLE MOUNTAIN ,UTAH

GENERAL PLAN AMENDMENT

REVISIONS
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2 -
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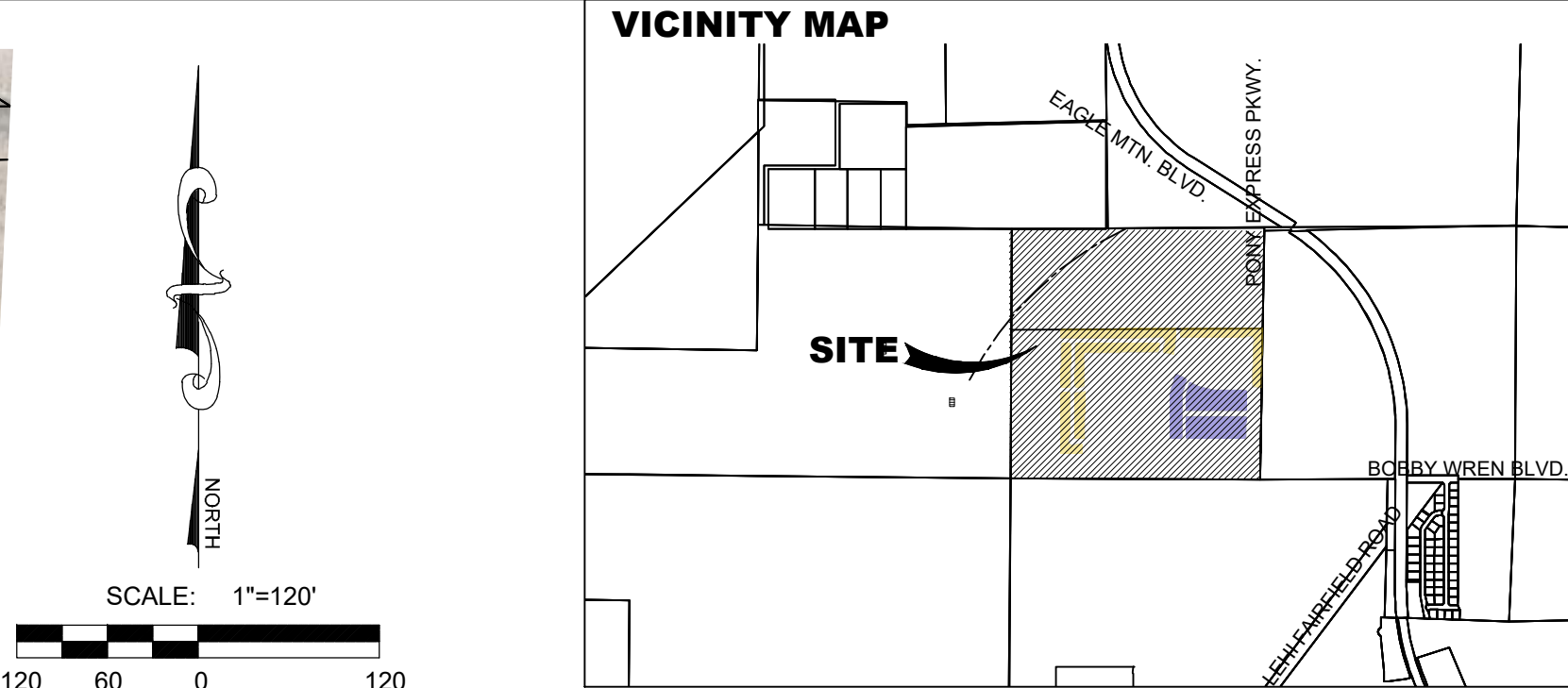
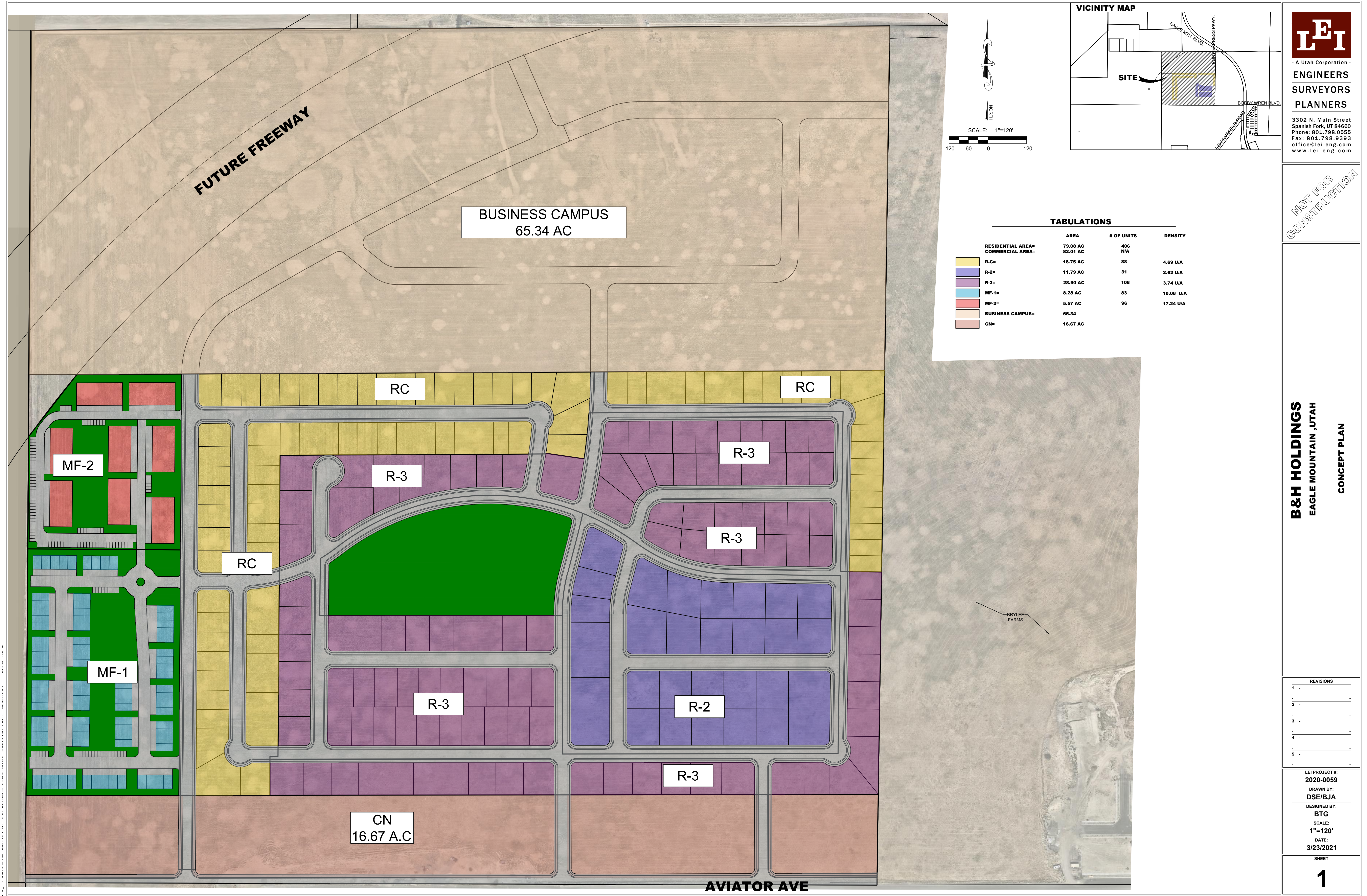
LEI PROJECT #:
2020-0059

DRAWN BY:
DSE/BJA

DESIGNED BY:
BTG

SCALE:
1"=120'

DATE:
3/23/2021



TABULATIONS			
	AREA	# OF UNITS	DENSITY
RESIDENTIAL AREA=	79.08 AC	406	
COMMERCIAL AREA=	82.01 AC	N/A	
R-C=	18.75 AC	88	4.69 U/A
R-2=	11.79 AC	31	2.62 U/A
R-3=	28.90 AC	108	3.74 U/A
MF-1=	8.28 AC	83	10.08 U/A
MF-2=	5.57 AC	96	17.24 U/A
BUSINESS CAMPUS=	65.34		
CN=	16.67 AC		

A Utah Corporation
**ENGINEERS
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PLANNERS**
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Spanish Fork, UT 84660
Phone: 801.798.0555
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www.lei-eng.com

NOT FOR CONSTRUCTION

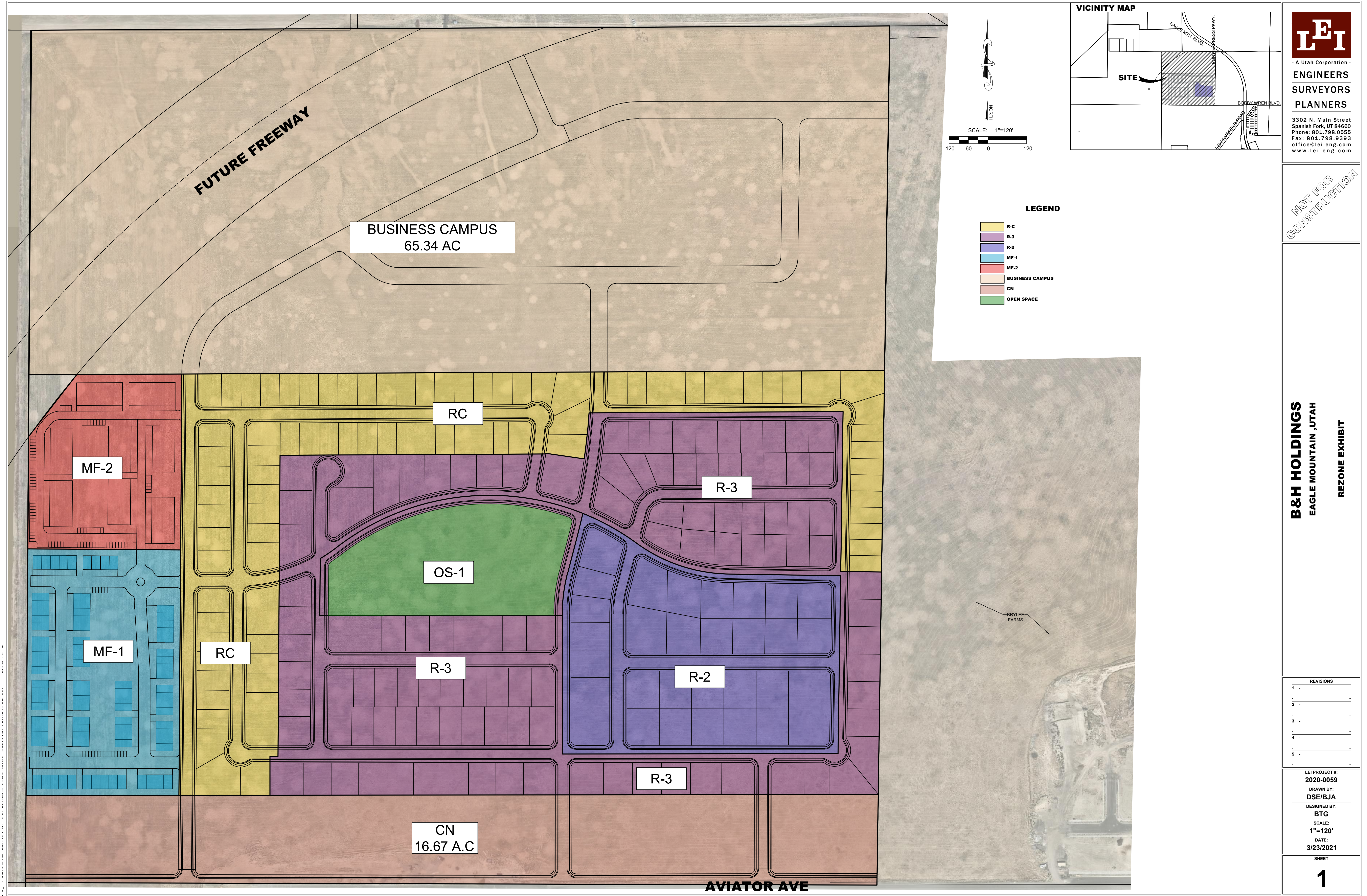
B&H HOLDINGS
EAGLE MOUNTAIN, UTAH

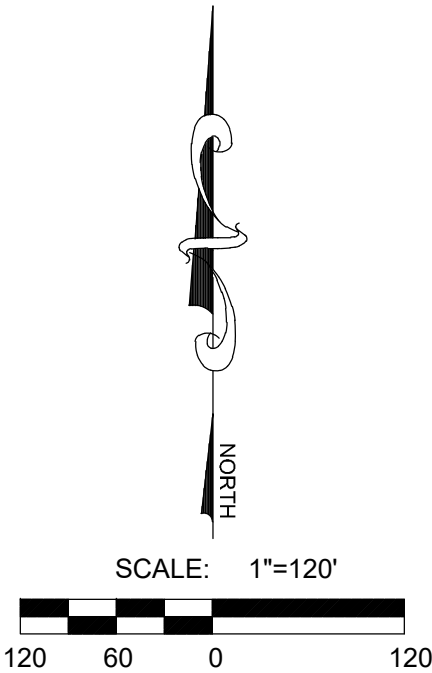
CONCEPT PLAN

REVISIONS
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LEI PROJECT #: 2020-0059
DRAWN BY: DSE/BJA
DESIGNED BY: BTG
SCALE: 1"=120'
DATE: 3/23/2021

SHEET
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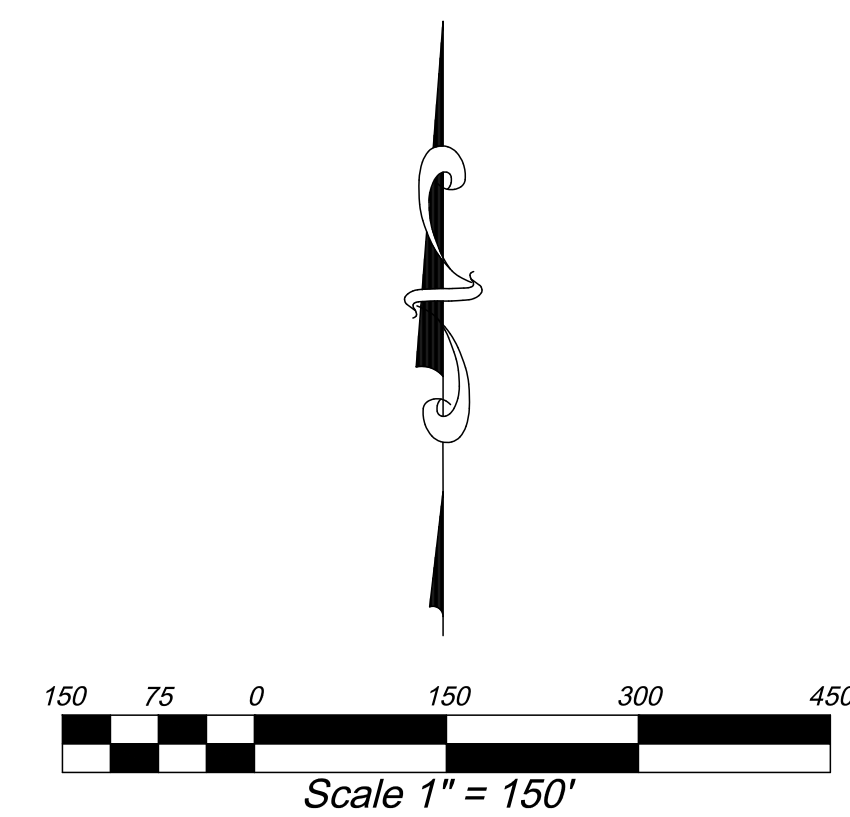
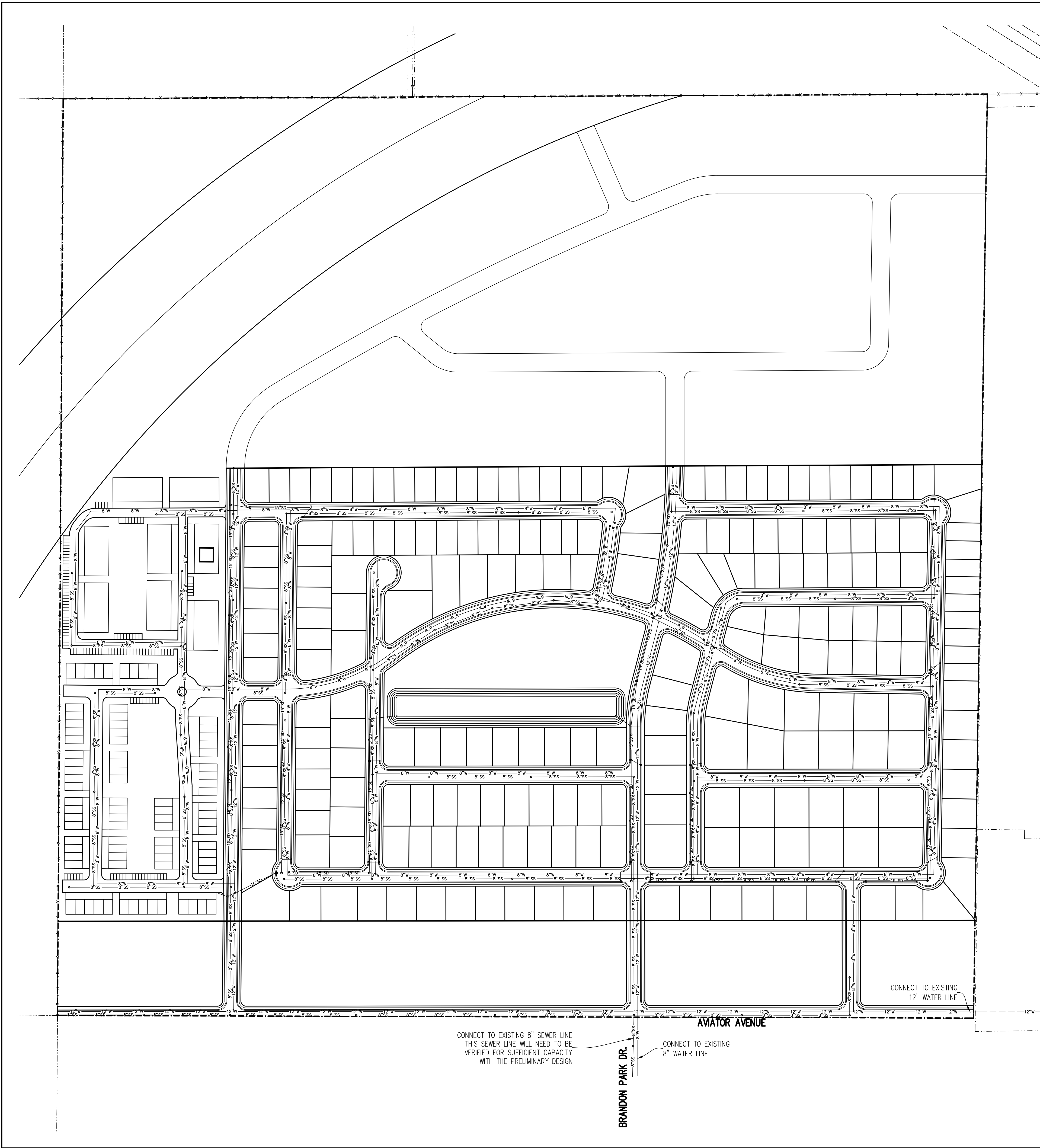
NOT FOR
CONSTRUCTION

B&H HOLDINGS 160± ACRES
EAGLE MOUNTAIN ,UTAH
OPEN SPACE EXHIBIT

REVISIONS	
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LEI PROJECT #:
2020-0059
DRAWN BY:
DSE/BJA
DESIGNED BY:
BTG
SCALE:
1"=120'
DATE:
3/23/2021

SHEET



WATER MODELING NOTE:
WITH THE PRELIMINARY PLAN APPLICATION, A WATER MODEL WILL BE PREPARED TO SHOW SUFFICIENT FLOWS AND PRESSURES. THE WATER LINE IS TO BE LOOPED WITH A MINIMUM OF TWO POINTS OF CONNECTION.

UTILITY NOTE:
FIRE HYDRANTS, VALVES, ETC. WILL BE INCLUDED WITH PRELIMINARY PLAN.

REVISIONS		
Rev.	Date	Description
1	02/10/21	REVISED PER CITY COMMENTS
2	03/30/21	REVISED PER CITY COMMENTS



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

EAGLE MOUNTAIN

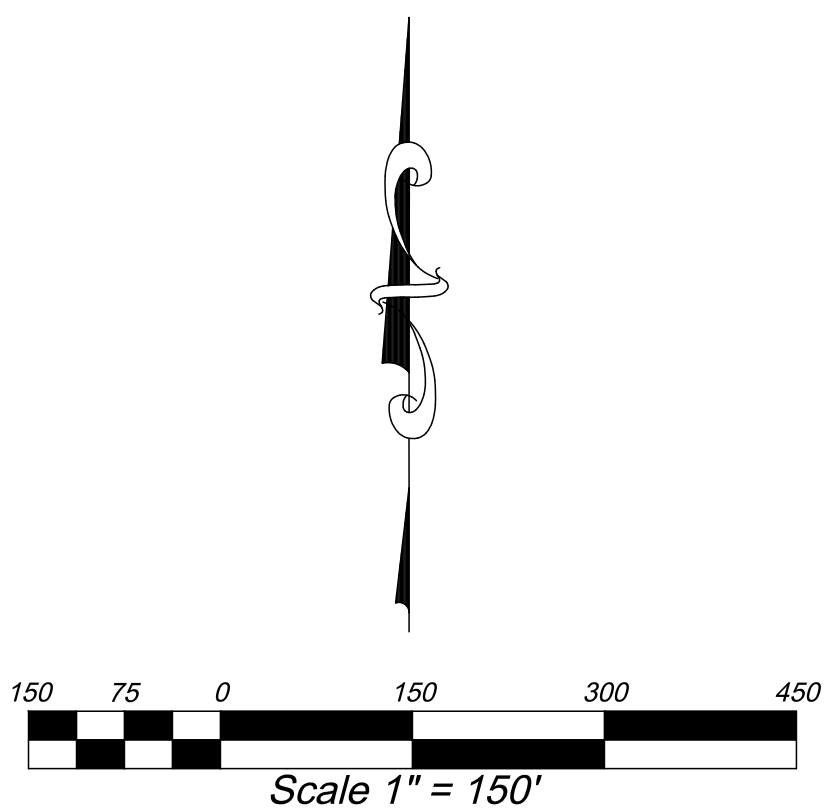
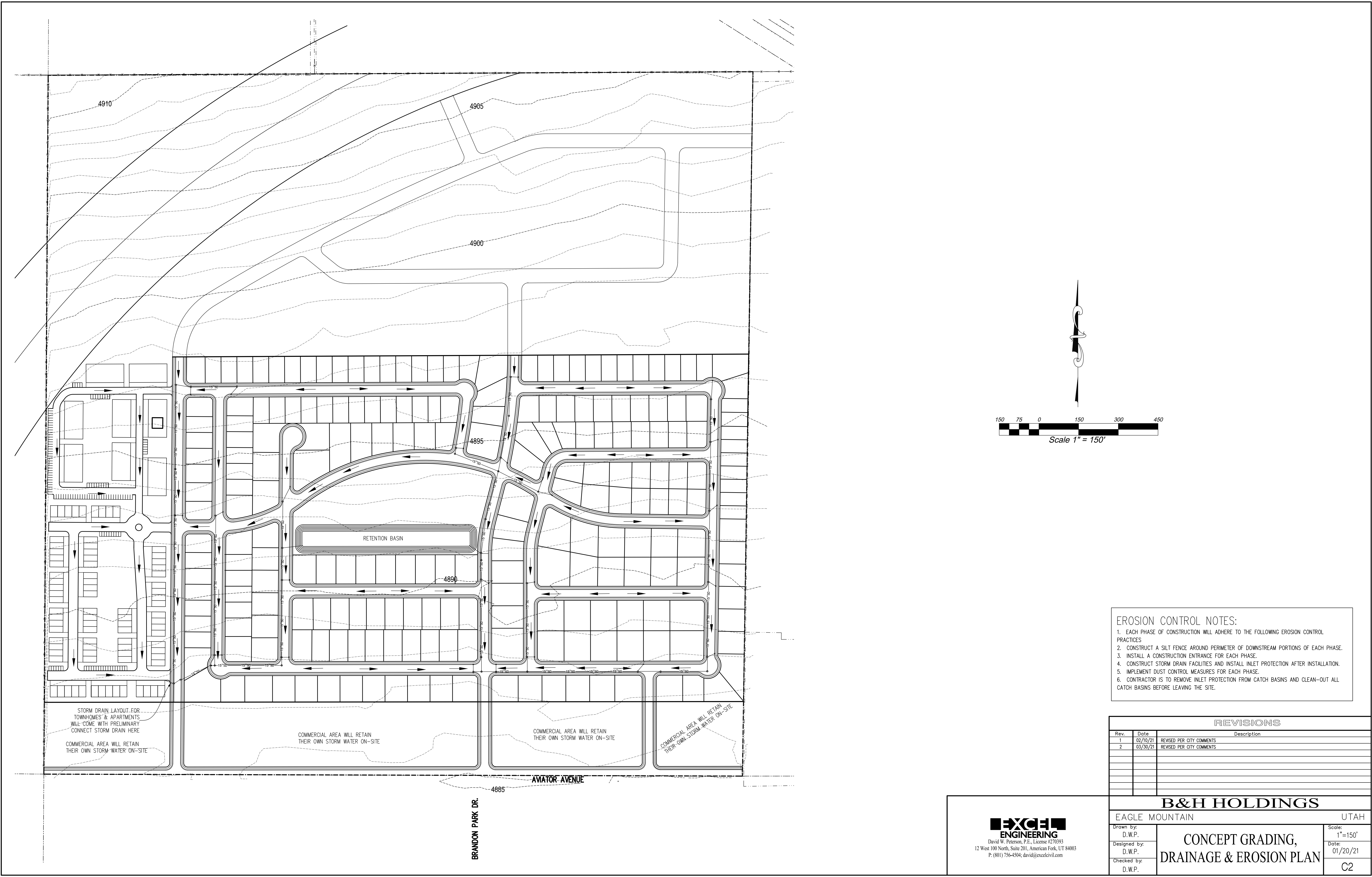
UTAH

CONCEPT UTILITY PLAN

Scale:
1"=150'

Date:
01/20/21

C1



- 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.

REVISIONS		
Rev.	Date	Description
1	02/10/21	REVISED PER CITY COMMENTS
2	03/30/21	REVISED PER CITY COMMENTS



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

B&H HOLDINGS

EAGLE MOUNTAIN

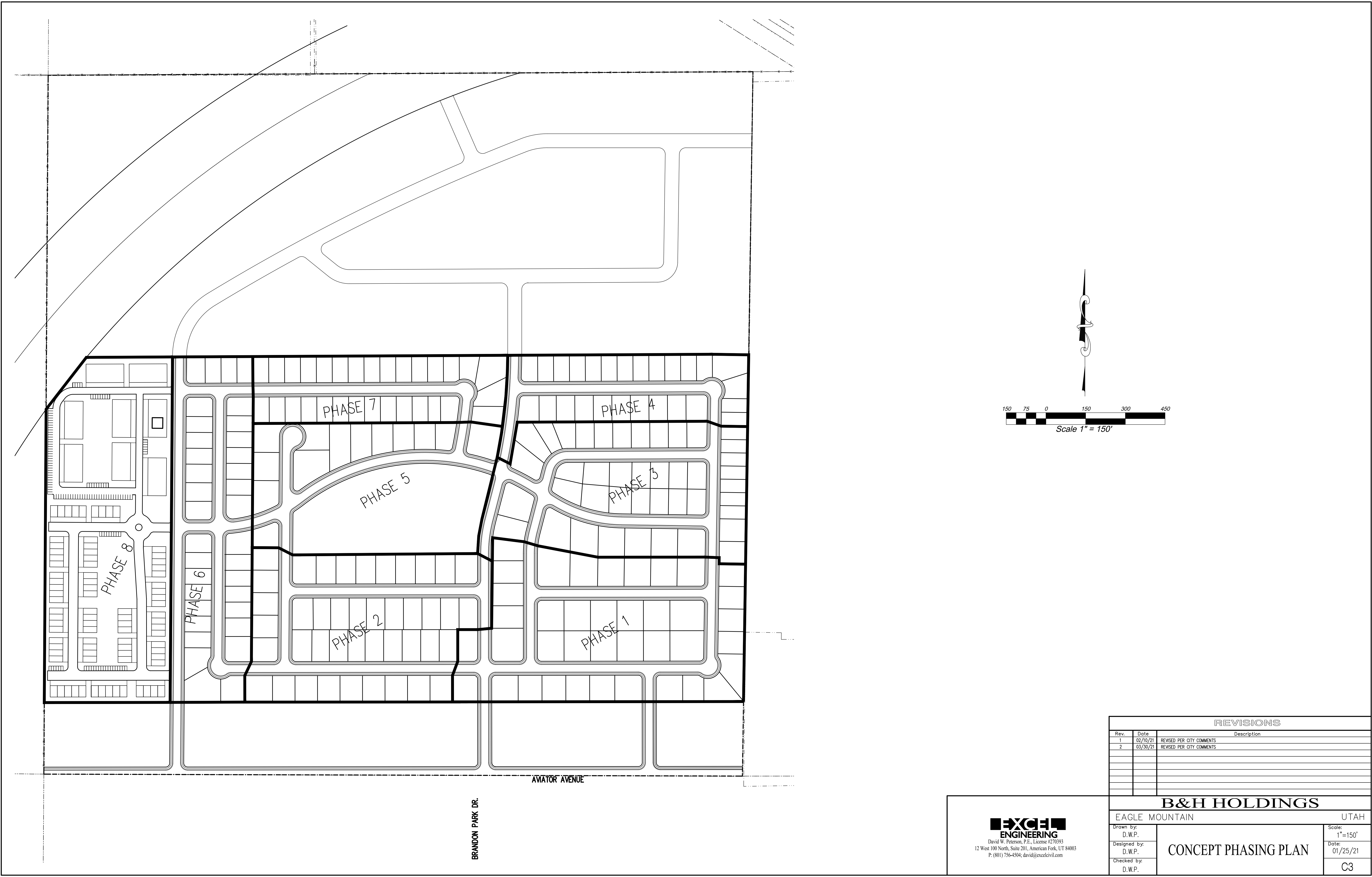
UTAH

Scale: 1"=150'

Date: 01/20/21

C2

CONCEPT GRADING,
DRAINAGE & EROSION PLAN



REVISIONS			
Rev.	Date	Description	
1	02/10/21	REVISED PER CITY COMMENTS	
2	03/30/21	REVISED PER CITY COMMENTS	

EXCE ENGINEERING

David W. Peterson, P.E., License #270393

12 West 100 North, Suite 201, American Fork, UT 84003

P: (801) 756-4504; david@excivil.com

UTAH

Scale: 1"=150'

Date: 01/25/21

C3

EAGLE MOUNTAIN

CONCEPT PHASING PLAN

B&H Land Holdings – Compatibility Statement

The subject property being evaluated is a 161-acre parcel adjacent to Brylee Estates and Brandon Park, which are both residential communities. Brandon Park is located adjacent to the south, on the opposite side of Aviator, and has mostly larger lots that fall within the Neighborhood Residential One category. Brylee Estates is located adjacent to the east and is mostly residential, with a section of commercial. Brylee Estates has smaller single-family lots and a section of multifamily housing.

This master development plan is compatible with surrounding uses because the proposed zones follow the new zone transition ordinance (17.60.160), with one exception that will be addressed later. The lots on the eastern perimeter are RC, which are a compatible buffer to the MF1 and RC zones directly to the east in Brylee Estates. The northern portion of the proposal is business center/campus, which follows the general plan. The southwestern part of this property has been proposed as multifamily housing, which will be adjacent to the proposed freeway.

The one section on this property that does not follow the zone transition ordinance is the proposed community commercial acreage along the southern perimeter of the property. This zone is being proposed because Aviator is a future arterial road and will have greater traffic than surrounding roads. The commercial ground will act as a buffer between Aviator and the residential units in this project.

Compatibility will be maintained through the platting process by working with the various departments, including the parks, planning, and engineering departments, to ensure that the plats follow the zoning ordinance.

THE PINNACLES DEVELOPMENT

TRAFFIC IMPACT STUDY

EAGLE MOUNTAIN, UT



December, 2020

1.0 Executive Summary

1.1 DESCRIPTION OF PROJECT

This report presents the results of a traffic impact analysis for the Pinnacles Development, located in Eagle Mountain, Utah. The project site is located west of Eagle Mountain Blvd., and north of Aviator Avenue. To the east of the proposed development is the Brylee Estates and to the south is Brandon Park. North and west of the proposed site is vacant land. The proposed parcel of land for the Pinnacles Development is also currently vacant land. The closest major intersections are Eagle Mountain Blvd. and Aviator Avenue, as well as Pony Express Parkway and Aviator Avenue. Figure 1 illustrates the Vicinity Map and the location of this development in relation to the adjacent roadway network.

The proposed Pinnacles Development will consist of 168 single-family residential homes, 385 multi-family residential units, and 145,000 sq. ft. of commercial property. For purposes of this study, the analysis will consist of one phase at full build-out of all units. The currently site plan illustrates 3 proposed accesses onto Aviator Avenue. Refer to Figure 2 for the Site Plan of the Pinnacles Development and the proposed access locations.

This study projects the traffic associated with the Pinnacles Development at full build-out. It should be noted the opening year of operation for this site is anticipated for the end of 2025. The traffic associated with this development is generated using the latest version of the Trip Generation Manuals published by the Institute of Transportation Engineers (ITE). It is anticipated the Pinnacles Development will generate 9,878 Average Daily Trips (ADT) with 431 AM peak hour trips and 730 PM peak hour trips on an average weekday.

1.2 PRINCIPAL FINDINGS AND RECOMMENDATIONS

2020 Existing Scenario

Figure 3 illustrates the 2020 Existing AM and PM peak hour traffic volumes that were collected on December 3rd, 2020 at the Eagle Mountain Blvd and Aviator Avenue intersection as well as the Aviator Avenue and Pony Express Parkway intersection.

At the time the existing traffic volumes were collected, the Eagle Mountain Blvd and Aviator Avenue intersection was stop controlled along Aviator Way. However, a new traffic signal is currently under construction. For purposes of this analysis, the 2020 Existing traffic volumes were analyzed under the stop-controlled conditions and lane configuration. All legs of this intersection currently function at acceptable LOS "C" or better, except the eastbound movements under the PM peak hour conditions, which currently function at a LOS "D".

The Pony Express Parkway and Aviator Avenue intersection currently functions as a signalized intersection. This intersection function with an overall LOS "A" in both the AM and PM peak hours.

2025 Opening Year Scenario

It is assumed 2025 will be the full build-out year of the Pinnacles Development. Using projected growth rates from the City's General Plan and from other studies performed in this area, the 2025 Opening Year traffic volumes were generated. These traffic volumes can be found in Figure 4 of this report. The 2025 Opening Year scenario was analyzed with the assumption the Eagle Mountain Blvd and Aviator Ave intersection will be signalized. It is also assumed by 2025, Pony Express Parkway will be fully constructed to its full width, two lanes in each direction as a Parkway, as proposed in the City's General Plan and Future Transportation Map.

With these assumptions, the Eagle Mountain Blvd and Aviator Ave intersection will function with an overall LOS "A". The Pony Express Pkwy and Aviator Ave intersection will continue to function at an acceptable LOS "B" or better in the AM and PM peak hours.

2025 Opening Year with Project Scenario

With the addition of the Pinnacles Development, the 2025 Opening Year with Project traffic volumes are illustrated in Figure 9. These traffic volumes were analyzed with the same assumptions as in the 2025 Opening Year scenario. The Eagle Mountain Blvd and

Aviator Avenue intersection will continue to function at an overall acceptable LOS "B" or better during the AM and PM peak hours as a signalized intersection.

The intersection of Aviator Avenue and Pony Express Parkway will function at an overall LOS "B" or better in the AM and PM peak hours. It is assumed by 2025 Pony Express Pkwy will be fully constructed with two lanes in each direction and separate right and left turns at this intersection.

With the addition of the Pinnacles Development, there will be three accesses onto Aviator Avenue. These are listed as Access #1, Access #2, and Access #3 in the figures of this report. It is recommended these accesses be constructed with one lane entering the development and one lane exiting development. It is also recommended Aviator Avenue be fully constructed to one lane in each direction and center two-way left turn lane to accommodate the vehicles turning left into all developments. With full build-out of the Pinnacles Developments, the movements entering and exiting the proposed site will function at a level of service "C" or better during both the AM and PM peak hours.

2030 Future Year Scenario

Five years after Opening Year is anticipated to be the year 2030. Using the projected growth rates as outlined in the City's General Plan and the previously performed traffic studies for other developments in this area, Figure 5 illustrates the projected 2030 Future Year traffic volumes. These are the anticipated traffic volumes at the study area intersections, without the addition of the Pinnacles Development.

The Eagle Mountain Blvd and Aviator Avenue will be a signalized intersection, and is anticipated to function at a LOS "A" in both the AM and PM peak hours.

With two lanes in each direction and separate left and right turn lanes at the Pony Express Pkwy and Aviator Ave intersection, it is anticipated to function at a LOS "C" in the AM peak hour and a LOS "A" in the PM peak hour. IT should be noted, as part of the City's General Plan, it is anticipated the east leg of this intersection will constructed as

development to the east occurs. With development in this area unknown at the time of this study, this leg of the intersection was not analyzed.

2030 Future Year with Project Scenario

With the addition of the Pinnacles Development, the 2030 Future Year with Project traffic volumes are illustrated in Figure 10. With the proposed widening of Pony Express Pkwy to two lanes in each direction and separate left and right turn lanes, this intersection is anticipated to function at a LOS "D" in the AM, which is still considered acceptable under Future Year conditions, and a LOS "A" in the PM peak hour.

The Eagle Mountain Blvd and Aviator Ave intersection will continue to function at an acceptable LOS "B" or better under both the AM and PM peak hours as a signalized intersection.

With the addition of the Pinnacles Development's three access along Aviator Ave, all legs of the three accesses will continue to function with a LOS "C" or better in the AM and PM peak hours.

2045 Future Year Scenario

Twenty years after Opening of the Pinnacles Development is anticipated for 2045. Using the projected growth rates similar to those in the previous scenarios, the 2045 Future Year traffic volumes were generated and are illustrated in Figure 6. Using the same assumptions for intersection control and lane configuration, it is anticipated the Pony Express Pkwy and Aviator Ave intersection begin to experience large delays and function at a LOS "F" in the AM peak hour, however continue to function at LOS "A" in the PM peak. With the growth anticipated to occur in Eagle Mountain and the addition of multiple new roadways and freeways according to the City's General Plan, traffic patterns will be adjusted and are assumed will be drastically different than they are today.

Using these growth projections at the Eagle Mountain Blvd and Aviator Ave intersection, it is anticipated this signalized intersection will continue to function at a LOS "B" under both the AM and PM peak hours.

2045 Future Year with Project Scenario

Using the 2045 Future Year traffic volumes, combined with the Pinnacles project generated traffic volumes, the 2045 Future Year with Project traffic volumes are generated. These traffic volumes are illustrated in Figure 11. The Pony Express Pkwy and Aviator Ave intersection will continue to function at a LOS "F" under the AM peak hour and a LOS "A" in the PM peak hour.

Under the 2045 Future Year with Project scenario, the signalized intersection of Eagle Mountain Blvd and Aviator Ave will continue to function at an acceptable LOS "C" in the AM and PM peak hours.

Each of the three project accesses will also continue to function at an acceptable LOS "D" or better under the Future with Project scenario.

The proposed internal roadway network of the Pinnacles is designed to provide an efficient flow of traffic throughout the development also providing safe ingress and egress to the existing roadway network.

Summary of Recommendations

Recommendations to improve the flow of traffic within this study area are as follows:

- By 2025 is assumed the traffic signal at Eagle Mountain Blvd and Aviator Ave will be fully operating. It is recommended all legs of this intersection be constructed with a minimum, separate left and right turn lanes with a separate thru lane.
- By 2025 it is recommended that Pony Express Parkway be constructed to its full width of two lanes in each direction and separate left and right turn lanes at the intersection of Aviator Ave as outlined in the City's General Plan.

- It is recommended Access #2 to the Pinnacles Development be aligned with the existing access to the development to the south (Brandon Park). It is recommended to align as many accesses as possible between the two development.
- Each of the site accesses will be designed and constructed with one receiving lane and one exiting lane that will allow left and right turn movement out of the development.
- As Aviator Ave is constructed along the frontage of the Pinnacles Development, it is recommended a center two-way left turn lane and one lane in each direction be constructed to allow left turn movements into the development. The projected traffic volumes entering and exiting the proposed development along Aviator Ave will not warrant separate right turn lanes once all accesses are constructed.

B&H Holdings Environmental Impact Report

February 10, 2021

The purpose of this report is to detail potential impacts of the proposed subdivision on existing vegetation and wildlife, water courses, sources of water, waste generation, noise, etc.

Vegetation and wildlife:

The subject property has been using for dry farming. The primary wildlife on this property would be those insects and small wildlife that surround farming operations. Deer and Antelope do occasionally graze in the area. Hawks have been seen in the area. No known endangered plants are located on this property. The impact on vegetation and wildlife will be minimal.

Water courses and sources of water

There are no continuous flowing water sources on or near this property. Additionally, there are no ground water wells or other sources of water located on this property.

Waste Generation

All waste generated during land development and home construction will be disposed of properly by the respective contractors. Waste generated from the proposed residences will be handled by the city waste disposal services.

Noise

The primary sources of noise generated from this site will be associated with land development construction, home construction, and vehicle travel. This noise generation is temporary in nature and is consistent with land development activities and long-term residences.

Sensitive Lands

There are no known sensitive lands located on this property.

Historical Sites

There are no known historical sites on this vacant property.

B&H Holdings

Master Development Plan Drainage study

January 20, 2021

Introduction:

The purpose of this study is to prepare conceptual storm drain calculations to demonstrate that the master development plan concept has adequate area for storm drain retention. All rainfall data was obtained from NOAA Atlas 14, Volume 1, Version 5 for this area of Eagle Mountain. The area of the residential development is intended to be collected into 1 large retention basin located in the center of the project.

The Commercial areas will be required to retain storm water on-site as part of site plan design requirements.

The Business Campus area at the North end of the property will provide retention as part of that area of development.

The subject property is outside any FEMA flood areas. The general drainage pattern for the property flows from North to South at an approximate slope of 1%.

Prior to discharge into the retention basin, a treatment device will be installed to separate out any solids or debris prior to discharge into the basin.

Retention Basins Calculations:

The storm water runoff from B&H Holdings is designed to flow into a large retention basin and infiltrate into the ground. The calculations for the retention basin sizing are shown on the attached spreadsheet.

Pipe Calculations:

Pipe size calculations will be provided with the preliminary plat storm drain report.

Conclusion:

The proposed retention basin has a capacity of 180,164 c.f. which exceeds the required volume of 178,774 c.f.. The basin can store the 100-year storm event.



B&H Holdings
100-Year Storm Water Calculations
Retention Calculations
19-Jan-21

The storm drain calculations were performed using the rational method.

Hydrologic Calculations

CA CALCULATION

	C	Area (sf)	C * A
Residential area	0.5	2907194	1453597
Open Space Area	0.15	537705	80656
Total CA		3444899	1534253

The assumed percolation rate used was 10 minutes per inch.

The infiltration area will be the average depth surface area of the pond.

The infiltration area is 28,573 s.f.

The infiltration rate = (28,573 s.f.)(0.1 inch/min.)(1 ft/12 inch)(1 min./60 sec.) = 3.97 cfs

Retention calculations

Lapsed Time (min.)	Rainfall intensity (in/hr)	Total Rainfall (in)	Rainfall Volume (cu.ft.)	Release Volume (cu.ft.)	Required Storage (cu.ft.)
A	B	C	D	E	F
5	5.76	0.48	61370	1191	60180
10	4.39	0.73	93462	2381	91080
15	3.62	0.91	115836	3572	112264
30	2.44	1.22	155982	7143	148839
60	1.51	1.51	193060	14287	178774
120	0.81	1.61	205846	28573	177273
180	0.56	1.67	213517	42860	170657
240	0.45	1.79	228859	57146	171713
1440	0.08	1.89	241645	342876	-101231
2880	0.04	2.05	262102	685752	-423650

Required Retention Storage = 178,774 cf

Notes:

A, B, & C are based upon NOAA Atlas 14, Volume 1, Version 5 rainfall data for Eagle Mountain

$D = C / (12 \text{ inches/foot}) \times \text{total acreage of site} \times 43,560 \text{ sf/acre} \times \text{run-off coefficient}$, where $Q=CIA$ and $V=CiA$

$E = \text{infiltration rate} \times A \times 60 \text{ sec.}$

$F = D - E$ to determine storage volume

Retention pond

Elevation	Volume (cf)	
4889	246,428	1' foot of freeboard
4888	180,164	Top of water surface
4887	122,547	
4886	73,418	
4885	32,622	
4884	0	Bottom of Pond

Discussion

- Retention basin provides storage volume of 180,164 cf which exceeds required storage volume of 178,774 cf

B&H Holdings Economic Analysis

January 20, 2021

There are no offsite improvements needed for this development.

Sewer is located approximately 90 feet South of the property in Brandon Park Drive. The construction of this sewer connection and pavement patching and repair will be included as part of the subdivision improvement costs.

Culinary water has been stubbed at the East end of the development in Aviator Avenue and is approximately 120 feet South of the property line in Brandon Park Drive. The construction of this water connection in Brandon Park Drive with pavement patching and repair will be included as part of the subdivision improvement costs. Water looping will be made by connecting to these water stubs.

Storm drain will be retained on-site; therefore, no off-site improvements are needed.

The existing property slopes from North to South at an approximate slope of 1%. As such, there will be no substantial grading or need for any retaining walls as part of this development.



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 6, 2021**

TITLE:	ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Approving the Recorded Plat Amendment for the Eagle Mountain Business Campus.		
ITEM TYPE:	Recorded Plat Amendment		
FISCAL IMPACT:			
APPLICANT:	Dan Ford		
GENERAL PLAN DESIGNATION Community Commercial	CURRENT ZONE Commercial	ACREAGE 2.889	COMMUNITY The Ranches

PUBLIC HEARING:

Yes

PREPARED BY:

Tayler Jensen, Planning

PRESENTED BY:

Tayler Jensen

RECOMMENDATION:

BACKGROUND:

Eagle Mountain Business Park (also sometimes referred to as Prairie Gate) is a five (5) lot business campus project located in the Ranches Gateway neighborhood of Eagle Mountain, at the southeast corner of Ranches Parkway and State Road 73. Originally approved on June 1, 1999, the plat was recorded on April 5, 2000. To date, all development in the campus has been on the south side of Campus Drive and includes Garden Near the Green, the Direct Communications building, Miller Chiropractic, and current construction of the Eagle Mountain Counseling building.

Of the two lots north of Campus Drive within the currently approved plat (Lots 1 and 5), only Lot 1 (parcel 38:302:0001) is allowed access onto Campus Drive. Lot 5 has no access to Campus Drive and is deeded as Private Open Space to The Ranches LC on the plat (and is currently owned by Eagle Mountain City). Lot 5 includes only open space, including the Ranches waterfall sign.

The applicant (Dan Ford) is proposing the following amendment to the plat.

- Creation of "Parcel A" which would include open space

(including the Ranches waterfall Sign). Eagle Mountain City would retain ownership of this parcel.

- Creation of two lots from the remaining land, both with access onto Campus Drive. (Attachment #3: Petition for Recorded Plat Amendment)

The purpose of this request is to ensure that the improved open space is owned and maintained by Eagle Mountain City while creating two commercial lots of 1.279 acres with access onto Campus Drive. This request would add approximately 0.958 acres of commercial space to the development and would not remove any improved open space. It should be noted that although this proposal makes no changes to existing rights-of-way, it does create an additional lot which requires a Recorded Plat Amendment. (Attachment #1: Current plat, proposed plat, and aerial)

It should be noted that a portion of the property within the current Lot 5 is owned by the City of Eagle Mountain and will be required to be purchased by the applicant should this request be approved. In 2018 the Eagle Mountain City Council approved the disposal and real estate purchase contract for this property, and creates a closing date for the Buyer to purchase the City property of June 17, 2021.

This item was reviewed by the Eagle Mountain Planning Commission on March 9, 2021 where it received a recommendation of approval.

ITEMS FOR CONSIDERATION:

The future land use designation for the Eagle Mountain Business Campus is Community Commercial. The current and proposed change to the plat both comply with this designation. The Eagle Mountain General Plan Framework map anticipates a “Community Node” in this location. A Community Node is defined as a business district of commercial and office uses serving surrounding neighborhoods. It is the opinion of staff that the proposed change promotes this use and is appropriate in this location. (Attachment #2 Eagle Mountain General Plan)

Cory Wride Memorial Highway (State Road 73) is currently being designed to expand to a freeway. It is the opinion of staff that it is appropriate to have two commercial lots adjacent to this future

expansion, in contrast to the current plan which only has open space adjacent to the road system.

REQUIRED FINDINGS:

Recorded Plat Amendment approvals are based upon compliance with City Code requirements and the requirements of any applicable development agreements. The approval criteria for a recorded plat amendment can be found in Eagle Mountain Municipal Code (EMMC) Title 16.55 Plat Amendments.

PLANNING COMMISSION ACTION/RECOMMENDATION:

The Planning Commission held a public hearing on the recorded plat amendment request on March 9, 2021.

The Planning Commission voted unanimously, 5-0, to recommend approval of the request with the following conditions:

1. Purchase of City property must be finalized prior to recording the plat; and
2. That the City be granted an easement through one of the lots to access the City-owned property.

ATTACHMENTS:

[ORD--Eagle Mountain Business Campus Recorded Plat Amendment](#)
[Petition for Recorded Plat Amendment](#)
[Current Plat, Proposed Plat, and Aerial Image](#)
[General Plan Page 30-31](#)

ORDINANCE NO. O- -2021

**AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH, AMENDING THE
RECORDED PLAT OF “EAGLE MOUNTAIN BUSINESS CAMPUS PLAT A” AND
APPROVING THE “EAGLE MOUNTAIN BUSINESS CAMPUS PLAT C”**

PREAMBLE

WHEREAS, the City Council of Eagle Mountain City finds that it is in the public interest to amend the Eagle Mountain Business Campus Plat A and approve the Eagle Mountain Business Campus Plat C, as set forth more specifically 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 Business Campus Plat A and approve the Eagle Mountain Business Campus Plat C, as set forth more specifically in Exhibit A.
2. The Eagle Mountain Business Campus Plat A is hereby amended, and the Eagle Mountain Business Campus Plat C is approved, as set forth more specifically in Exhibit A.
3. This Ordinance shall take effect upon its first posting or publication.

ADOPTED by the City Council of Eagle Mountain City this 6th day of April, 2021.

EAGLE MOUNTAIN CITY, UTAH

Tom Westmoreland, Mayor

ATTEST:

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Ordinance was adopted by the City Council of Eagle Mountain City, Utah on this 6th day of April, 2021.

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

Those abstaining:

☐ 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

Petition for Recorded Plat Amendment

Date: 2/5/2021

Location: 3709 Ranches Parkway, Eagle Mountain

Tax Parcels: 38:302:0001, Stewart Grow and 38:032:0005, Eagle Mountain City

Purpose of the Proposed Amended Plat:

There are two parcels located at the Northeast Entrance to the Ranches at the crossroads of SR 73 and Ranches Parkway. Stewart Grow owns parcel 38:032:0001 and is purchasing from Eagle Mountain City a portion of parcel 38:032:0005. The current plat map only allows access to Campus Drive from parcel 38:3032:0001. The purpose of amending the current plat is to create Parcel A, which the City of Eagle Mountain would retain, and create two parcels that shift the layout of the lots creating access onto Campus Drive from the newly created Lot 1 and Lot 2. (See Exhibit 1 and 2).

Owners on Record

Parcel 38:302:0001 Stewart Grow
4000 Browns Canyon Rd
Peoa, UT 84061-9710

Parcel 38:032:0005 Eagle Mountain City
1650 Stage Coach Run
Eagle Mountain, UT 84005

Owners Consent to Petition

The owners of parcel 38:302:0001 and parcel 38:032:005 agree to this petition to amend the recorded plat to the changes indicated in this petition.

	dotloop verified 02/05/21 1:15 PM MST CUFW-MA0B-CUVQ-YORL
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Stewart Grow

Eagle Mountain City

Exhibit 1
Current Plat Map

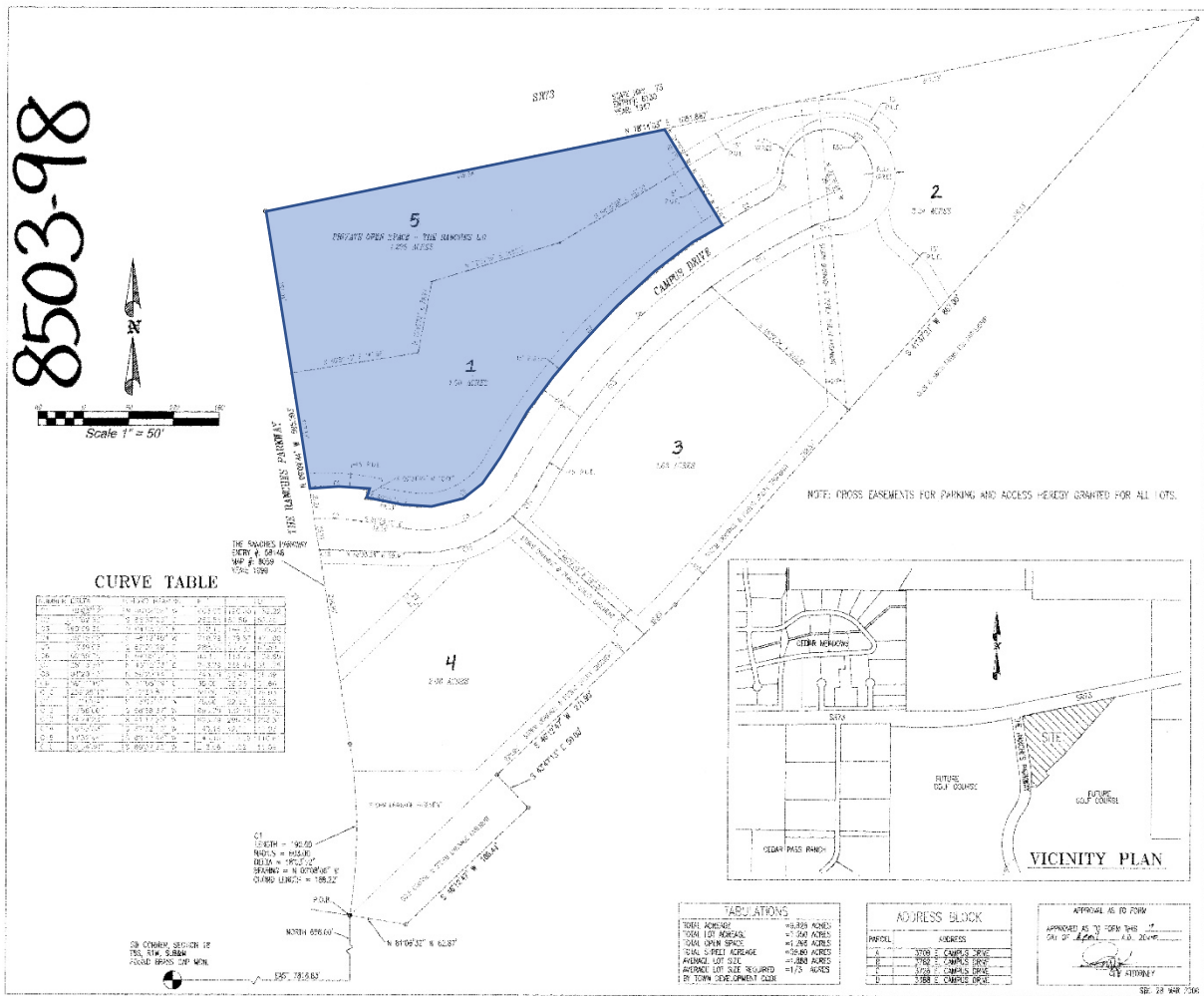
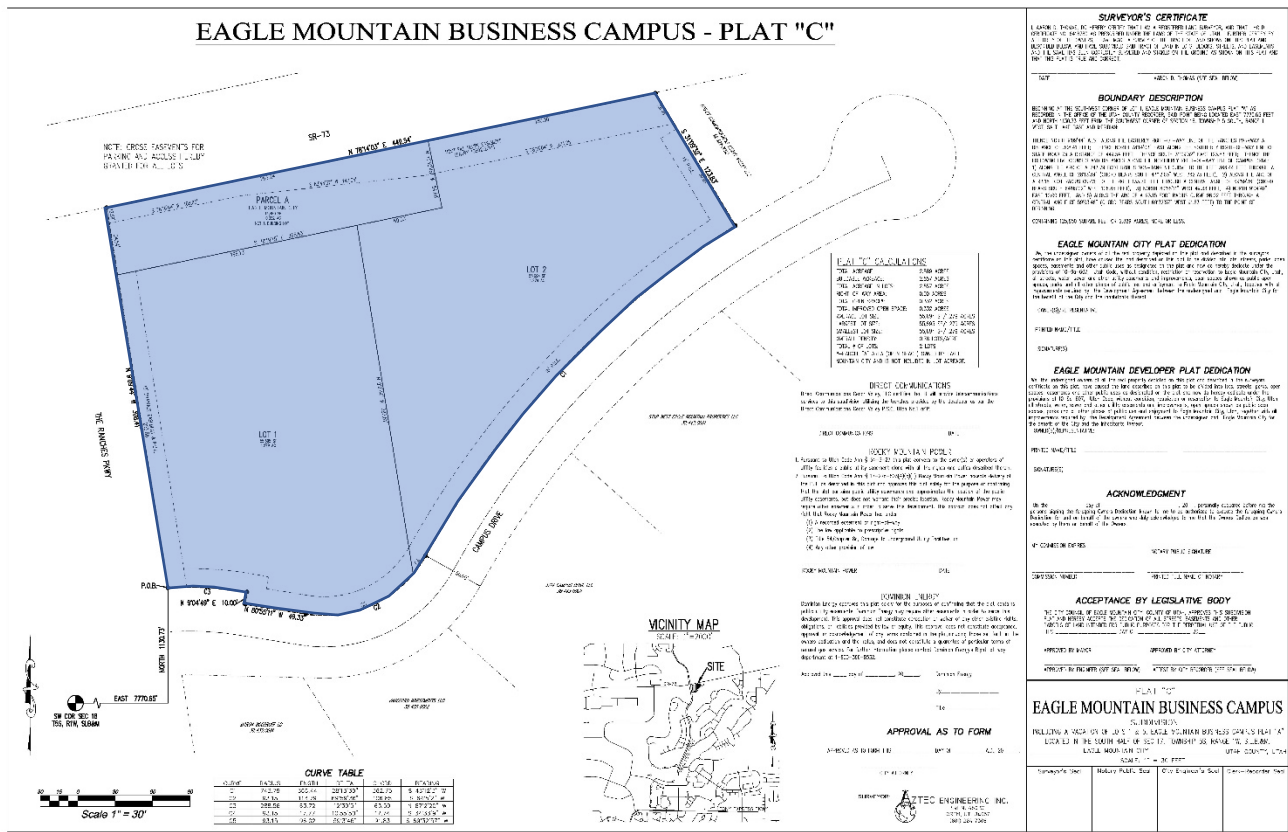
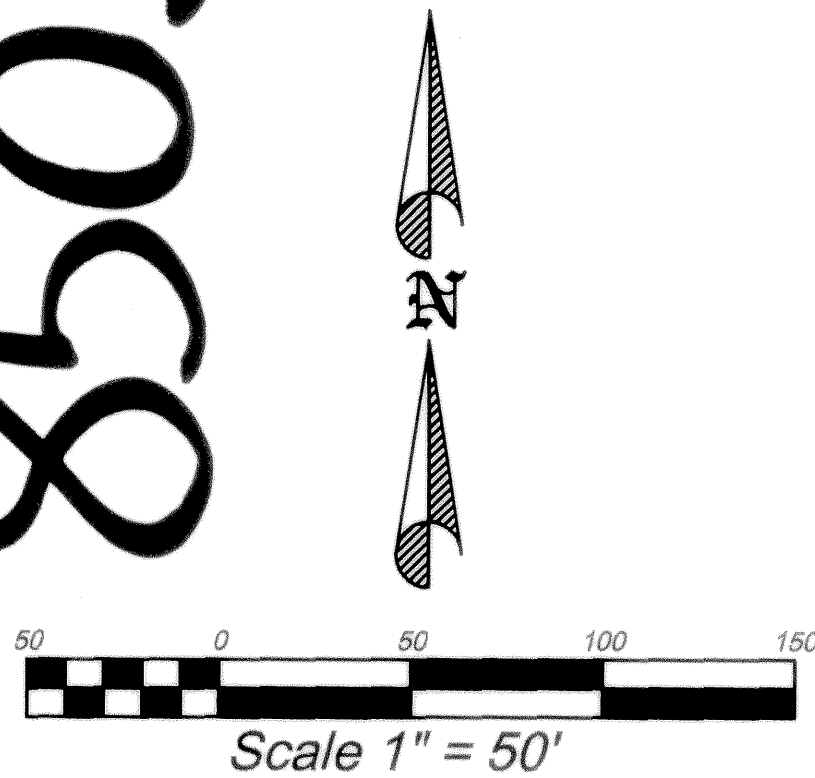


Exhibit 2

Proposed Plat Map



8503-98



CURVE TABLE

NUMBER	DELTA	CHORD BEARING	R	L	LC
C1	18°03'12"	N 00°08'08" W	603.00	190.00	189.22
C2	11°52'35"	S 86°37'23" E	253.56	52.56	52.46
C3	69°59'36"	N 64°05'02" E	118.15	144.33	135.52
C4	38°15'02"	S 48°12'45" W	718.79	479.87	471.00
C5	12°39'05"	S 87°02'20" E	288.56	63.72	63.59
C6	69°59'36"	N 64°05'02" E	93.15	113.79	106.85
C7	28°13'39"	N 43°12'03" E	743.79	366.44	362.75
C8	04°20'42"	N 59°29'14" E	743.79	56.40	56.39
C9	59°21'10"	N 31°58'59" E	35.00	36.26	34.66
C10	259°25'17"	S 47°58'57" E	50.00	226.39	76.93
C11	17°16'04"	S 73°05'39" W	75.00	22.60	22.52
C12	10°58'00"	S 58°58'37" W	693.79	132.79	132.59
C13	24°24'23"	S 41°17'25" W	693.79	295.54	293.31
C14	16°53'53"	S 37°32'10" W	143.15	42.22	42.07
C15	44°32'44"	S 68°42'44" W	143.15	113.56	110.61
C16	02°54'30"	S 89°57'22" W	218.56	11.09	11.09

C1
LENGTH = 190.00
RADIUS = 603.00
DELTA = 18°03'12"
BEARING = N 00°08'08" W
CHORD LENGTH = 189.22'

SW CORNER, SECTION 18
T5S, R1W, SLB&M
FOUND BRASS CAP MON.



NORTH 658.00'
EAST 7816.83'

THE RANCHES PARKWAY
ENTRY # 58148
MAP # 8059
YEAR: 1999

5
PRIVATE OPEN SPACE - THE RANCHES L.C.
1.296 ACRES

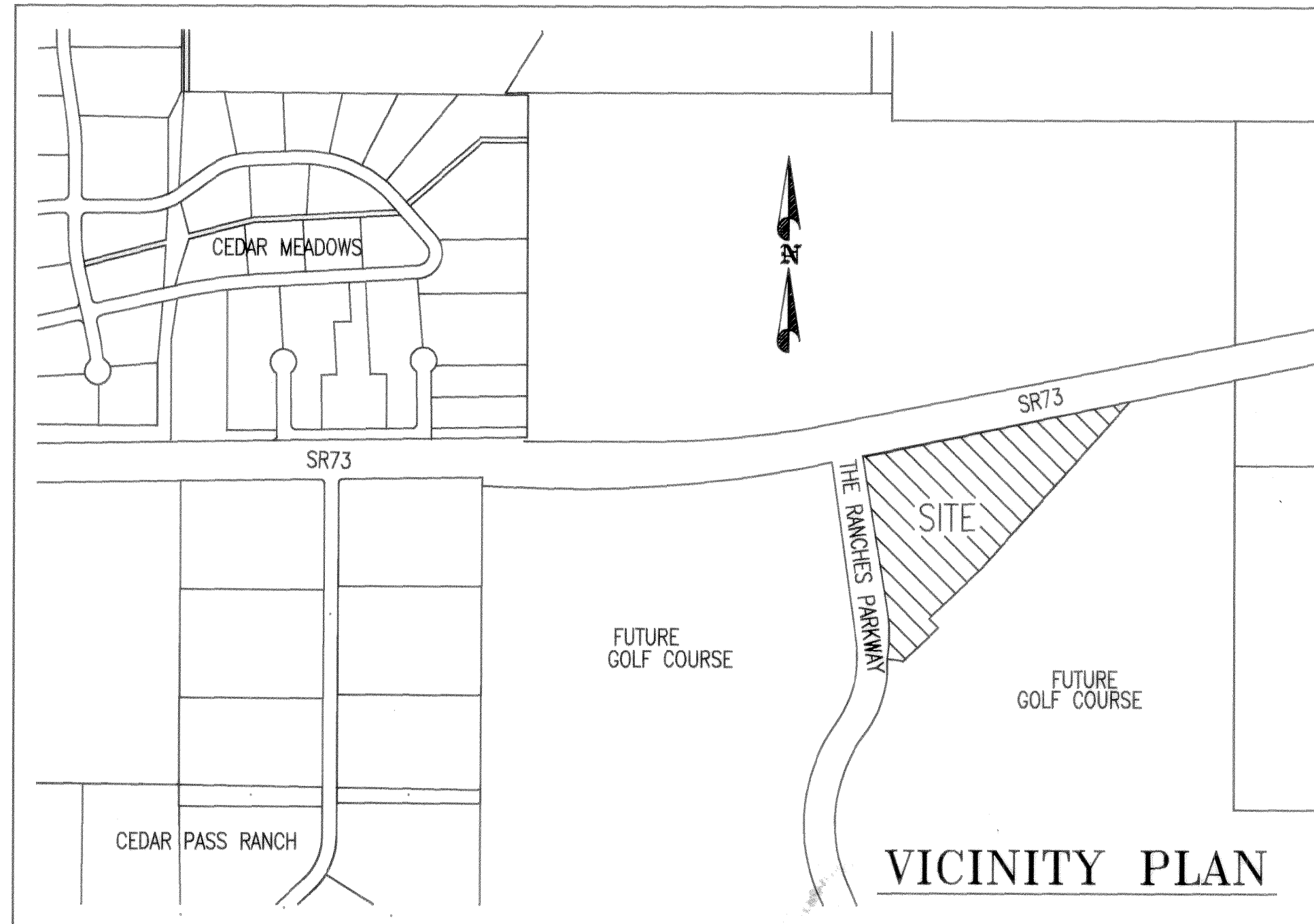
1
1.60 ACRES

3
1.63 ACRES

4
2.08 ACRES

2
2.24 ACRES

NOTE: CROSS EASEMENTS FOR PARKING AND ACCESS HEREBY GRANTED FOR ALL LOTS.



TABULATIONS

TOTAL ACREAGE	=9.826 ACRES
TOTAL LOT ACREAGE	=7.550 ACRES
TOTAL OPEN SPACE	=1.296 ACRES
TOTAL STREET ACREAGE	=09.80 ACRES
AVERAGE LOT SIZE	=1.888 ACRES
AVERAGE LOT SIZE REQUIRED BY TOWN DEVELOPMENT CODE	=1/3 ACRES

ADDRESS BLOCK

PARCEL	ADDRESS
A	3709 E. CAMPUS DRIVE
B	3782 E. CAMPUS DRIVE
C	3726 E. CAMPUS DRIVE
D	3688 E. CAMPUS DRIVE

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 7
DAY OF April, A.D., 2000

CITY ATTORNEY

SBC 28 MAR 2000

SURVEYOR'S CERTIFICATE

I, DAVID V. THOMAS DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 163947 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, PUBLIC OPEN SPACE, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.
DATE MARCH 31, 2000 SURVEYOR David V. Thomas (SEE SEAL BELOW)

BOUNDARY DESCRIPTION

Beginning at a point which is East 7816.83 feet and North 658.00 feet from the Southwest corner of Section 18, Township 5 South, Range 1 West, Salt Lake Base & Meridian;

thence along the arc of a 603.00 foot radius curve to the left 190.00 feet (Curve has a central angle of 18°03'12" and a chord bearing North 00°08'08" West 189.22 feet); thence North 09°09'44" West 595.593 feet; thence North 78°14'03" East 1051.667 feet; thence South 41°37'21" West 867.00 feet; thence South 46°12'47" West 271.90 feet; thence South 43°47'13" East 50.00 feet; thence South 46°12'47" West 186.44 feet; thence North 81°06'32" West 62.87 feet to the point of beginning.

Area contained: 428,029 sf or 9.849 acres

EAGLE MOUNTAIN DEVELOPER PLAT 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 THE PLAT TO BE DIVIDED INTO LOTS, STREETS, OPEN SPACE, EASEMENTS AND OTHER PUBLIC USES AS DESIGNATED ON THIS PLAT AND NOW DO HEREBY DEDICATE UNDER THE PROVISIONS OF 10-9-807 UTAH CODE, WITHOUT CONDITION, RESTRICTION OR RESERVATION TO THE TOWN OF EAGLE MOUNTAIN, UTAH, ALL STREETS, WATER, SEWER AND OTHER UTILITY IMPROVEMENTS, OPEN SPACES SHOWN AS PUBLIC OPEN SPACES, PARKS, EASEMENTS AND ALL OTHER PLACES OF PUBLIC IMPROVEMENTS REQUIRED BY THE DEVELOPMENT AGREEMENT BETWEEN THE UNDERSIGNED AND THE TOWN OF EAGLE MOUNTAIN FOR THE BENEFIT OF THE TOWN AND THE INHABITANTS THEREOF.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS 5th
DAY OF April, A.D. 2000

The Ranches L.C. BY GLENN E. SMITH
GLENN E. SMITH, Managing Partner

ACKNOWLEDGMENT

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

ON THE 5th DAY OF April, A.D. 2000 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 ACKNOWLEDGED TO ME THAT THE OWNERS DEDICATION WAS EXECUTED BY THEM ON BEHALF OF THE OWNERS.

MY COMMISSION EXPIRES Sept. 20, 2003 Jana Kay Schach
NOTARY PUBLIC

ACCEPTANCE BY LEGISLATIVE BODY

THE TOWN COUNCIL OF EAGLE MOUNTAIN TOWN
COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS
DAY OF April, A.D. 2000
Tal R. Bond, Jr.
MAYOR

APPROVED Kay C. Smith ATTEST Janet B. Valentine
CITY ENGINEER CITY CLERK-RECORDER
(SEE SEAL BELOW) (SEE SEAL BELOW)

PLANNING COMMISSION APPROVAL

APPROVED THIS 10th DAY OF April, A.D. 2000 BY THE
EAGLE MOUNTAIN TOWN PLANNING COMMISSION
DIRECTOR - SECRETARY Michael L. CHAIRMAN, PLANNING COMMISSION

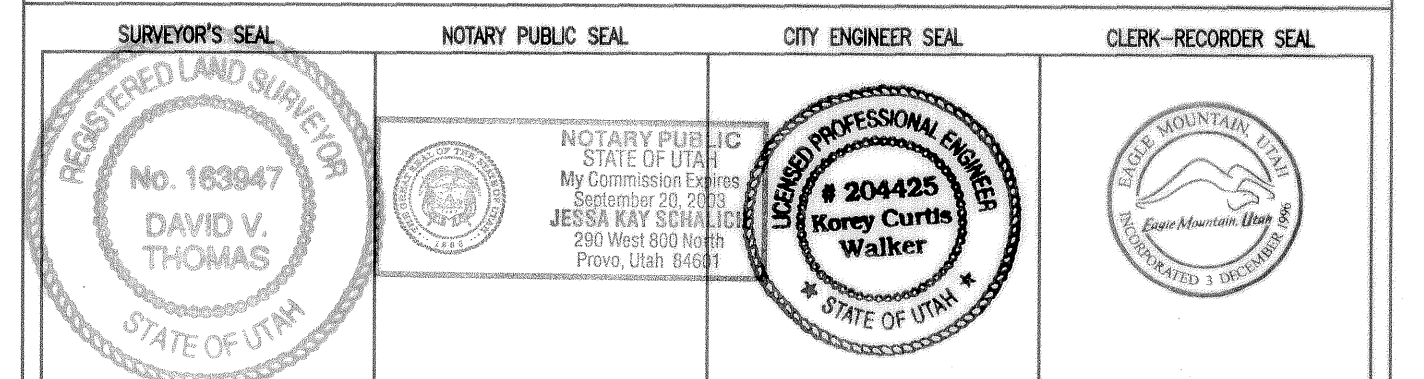
PLAT "A" BOOK 27, PAGE 209, UTAH COUNTY RECORDER
RECORDED FOR TOWN OF EAGLE MOUNTAIN

EAGLE MOUNTAIN BUSINESS CAMPUS

LOCATED IN THE SE 1/4 OF SECTION 17, T5S, R1W, SLB&M

SUBDIVISION, EAGLE MOUNTAIN TOWN, UTAH COUNTY, STATE OF UTAH

SCALE: 1" = 50 FEET



R36114/5/6/5/B38

EAGLE MOUNTAIN BUSINESS CAMPUS - PLAT "C"

NOTE: CROSS EASEMENTS FOR PARKING AND ACCESS HEREBY GRANTED FOR ALL LOTS.

PARCEL A
EAGLE MOUNTAIN CITY
14,460 SF
0.332 AC
NOT A BUILDING LOT

LOT 2
55,694 SF
1.279 AC

LOT 1
55,695 SF
1.279 AC

PLAT "C" CALCULATIONS

TOTAL ACREAGE:	2.889 ACRES
BUILDABLE ACREAGE:	2.557 ACRES
TOTAL ACREAGE IN LOTS:	2.557 ACRES
RIGHT-OF-WAY AREA:	0.00 ACRES
TOTAL OPEN SPACE*:	0.332 ACRES
TOTAL IMPROVED OPEN SPACE:	0.332 ACRES
AVERAGE LOT SIZE:	55,694 SF/1.279 ACRES
LARGEST LOT SIZE:	55,695 SF/1.279 ACRES
SMALLEST LOT SIZE:	55,694 SF/1.279 ACRES
OVERALL DENSITY:	0.78 LOTS/ACRE
TOTAL # OF LOTS:	2 LOTS
*-PARCEL "A" AREA (OPEN SPACE) OWNED BY EAGLE MOUNTAIN CITY AND IS NOT INCLUDED IN LOT ACREAGE.	

DIRECT COMMUNICATIONS

Direct Communications Cedar Valley, LLC certifies that it will provide telecommunications services to this subdivision utilizing the trenches provided by the developer as per the Direct Communications Cedar Valley P.S.C. Utah No.1ar1arf.

DIRECT COMMUNICATIONS

DATE

ROCKY MOUNTAIN POWER

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

ROCKY MOUNTAIN POWER

DATE

DOMINION ENERGY

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

Approved this ____ day of _____, 20____, Dominion Energy

By _____

Title _____

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____DAY OF _____, A.D., 20____

CITY ATTORNEY

SURVEYOR:



AZTEC ENGINEERING INC.
491 N. 450 W.
OREM, UT. 84057
(801) 224-7308

SURVEYOR'S CERTIFICATE

I, AARON D. THOMAS, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 6418780 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND IN LOTS, BLOCKS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

DATE

AARON D. THOMAS (SEE SEAL BELOW)

BOUNDARY DESCRIPTION

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, EAGLE MOUNTAIN BUSINESS CAMPUS PLAT "A" AS RECORDED IN THE OFFICE OF THE UTAH COUNTY RECORDER, SAID POINT BEING LOCATED EAST 7770.65 FEET AND NORTH 1130.73 FEET FROM THE SOUTHWEST CORNER OF SECTION 18, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN;

THENCE NORTH 9'09'44" WEST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF THE RANCHES PARKWAY A DISTANCE OF 308.41 FEET; THENCE NORTH 78'14'03" EAST ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 73 A DISTANCE OF 449.54 FEET; THENCE SOUTH 31'09'32" EAST 123.83 FEET; THENCE THE FOLLOWING FIVE COURSES AND DISTANCES ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF CAMPUS DRIVE: 1) ALONG THE ARC OF A 743.79 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT 366.44 FEET THROUGH A CENTRAL ANGLE OF 28'13'39" (CHORD BEARS SOUTH 43'12'03" WEST 362.75 FEET), 2) ALONG THE ARC OF A 93.15 FOOT RADIUS CURVE TO THE RIGHT 133.79 FEET THROUGH A CENTRAL ANGLE OF 09'59'36" (CHORD BEARS SOUTH 64'05'02" WEST 106.85 FEET), 3) NORTH 80'55'11" WEST 49.33 FEET, 4) NORTH 9'04'49" EAST 10.00 FEET, AND 5) ALONG THE ARC OF A 93.15 FOOT RADIUS CURVE 96.02 FEET THROUGH A CENTRAL ANGLE OF 59'03'46" (CHORD BEARS SOUTH 69'32'57" WEST 91.83 FEET) TO THE POINT OF BEGINNING.

CONTAINING 125,850 SQUARE FEET OR 2.889 ACRES, MORE OR LESS.

EAGLE MOUNTAIN CITY PLAT 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.

OWNER(S)/REPRESENTATIVE:

PRINTED NAME/TITLE

SIGNATURE(S)

EAGLE MOUNTAIN DEVELOPER PLAT 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.

OWNER(S)/REPRESENTATIVE:

PRINTED NAME/TITLE

SIGNATURE(S)

ACKNOWLEDGMENT

On the _____ day of _____, 20____, personally appeared before me the persons signing the foregoing Owners Dedication known to me to be authorized to execute the foregoing Owners Dedication for and on behalf of the owners who duly acknowledged to me that the Owners Dedication was executed by them on behalf of the Owners.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC SIGNATURE

COMMISSION NUMBER

PRINTED FULL NAME OF NOTARY

ACCEPTANCE BY LEGISLATIVE BODY

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

APPROVED BY MAYOR

APPROVED BY CITY ATTORNEY

APPROVED BY ENGINEER (SEE SEAL BELOW)

ATTEST BY CITY RECORDER (SEE SEAL BELOW)

PLAT "C"

EAGLE MOUNTAIN BUSINESS CAMPUS

SUBDIVISION

INCLUDING A VACATION OF LOTS 1 & 5, EAGLE MOUNTAIN BUSINESS CAMPUS PLAT "A" LOCATED IN THE SOUTH HALF OF SEC 17, TOWNSHIP 5S, RANGE 1W, S.L.B.&M.

EAGLE MOUNTAIN CITY, UTAH COUNTY, UTAH

SCALE: 1" = 30 FEET

Surveyor's Seal

Notary Public Seal

City Engineer's Seal

Clerk-Recorder Seal



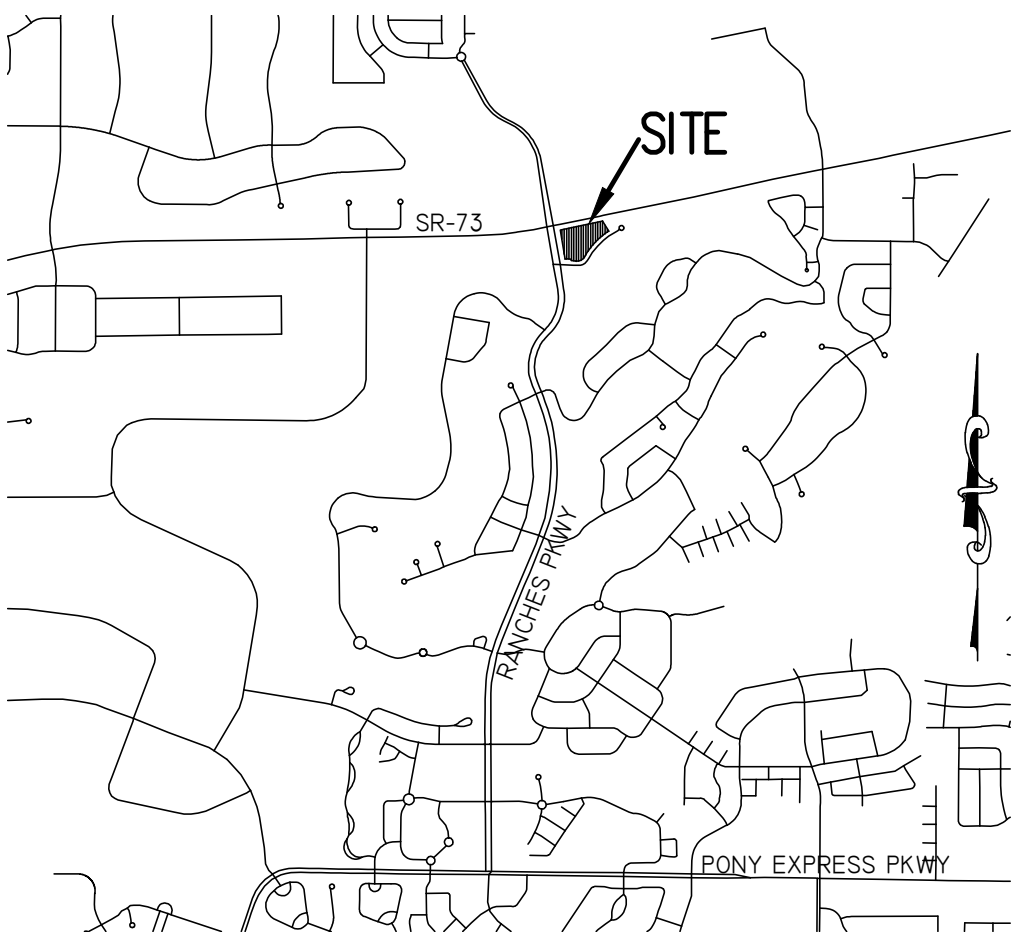
Scale 1" = 30'

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	743.79	366.44	28'13'39"	362.75	S 43'12'3" W
C2	93.15	113.79	69'59'36"	106.85	S 64'5'2" W
C3	288.56	63.72	12'39'5"	63.59	N 87'2'20" W
C4	93.15	17.77	10'55'50"	17.74	S 34'33'9" W
C5	93.15	96.02	59'3'46"	91.83	S 69'32'57" W

VICINITY MAP

SCALE: 1"=2000'





3.3 GROWTH STRATEGY FRAMEWORK MAP & KEY INITIATIVES

The Framework Map and the integrated Key Initiative Maps on the following pages represent the preferred scenario for planning and managing future growth in Eagle Mountain.

The Framework Map reflects the overall characterization and general location of future nodes and regional centers of employment and shopping.

The Key Initiative Maps reflect an integrated approach to four areas identified as priorities for future planning within Eagle Mountain City. The Four Key Initiatives support the overall Growth Strategy and the ideas captured in Framework Map. These initiatives are:

1. Key Initiative #1 - Meaningful Open Space & Amenities
2. Key Initiative #2 - Distinctive Development Patterns
3. Key Initiative #3 - Centers Of Employment And Activity
4. Key Initiative #4 - Sustainable & Resilient Systems

A description of the key nodes for the Framework Map are provided below.



City Center Node

A “Downtown” Main Street style of commercial and office uses. Mixture of uses in a horizontal or vertical format (e.g. residential or office above retail; residential above office). Regional examples include Downtown Provo, Ogden 25th Street, and Downtown Murray.



Community Node

A community business district style of commercial and office uses serving multiple surrounding neighborhoods. Mixture of uses in a horizontal or vertical format (e.g. residential or office above retail; residential above office). Regional examples include the Sugar House Business District, SoDa Row in Daybreak, and Lehi Main Street.



Neighborhood Node

A small collection of retail and service uses focused on a corner or single block, serving the immediate surrounding neighborhood. Mixture of uses in a horizontal format (e.g. different uses adjacent to each other). Regional examples include 9th & 9th in Salt Lake City and 15th & 15th in Salt Lake City.



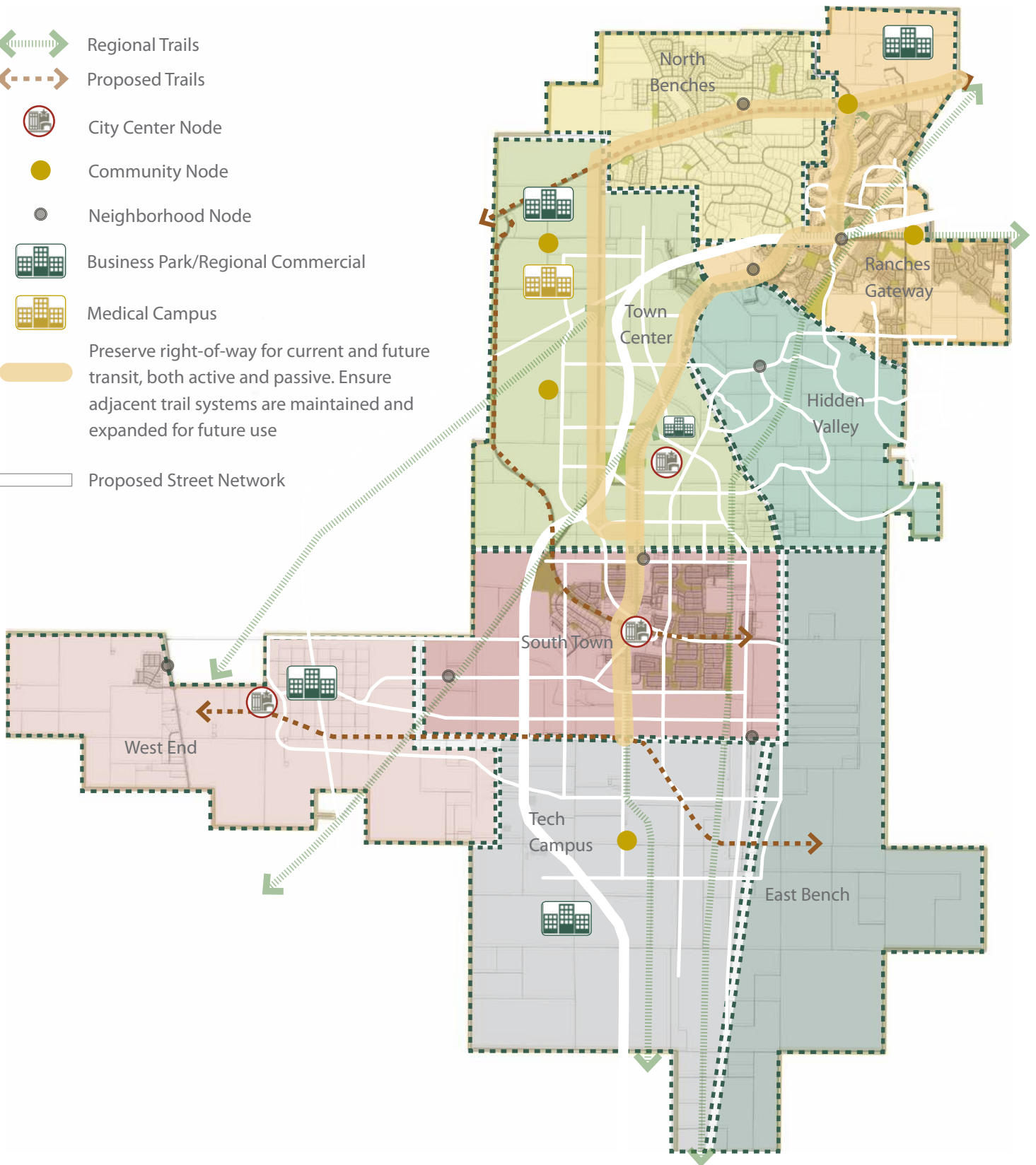
Business Park/Regional Commercial

A larger, campus-like collection of primarily office uses (Business Park) or retail uses (Regional Commercial) that are typically oriented to users arriving from the entire City and also the surrounding region. Uses may be mixed, but are built at a larger scale and grained urban form than the above nodes. Regional examples include the Thanksgiving Point area in Lehi, The District in South Jordan, Decker Lake Business Park in West Valley City, and the International Center at Salt Lake City Airport.

FRAMEWORK MAP

LEGEND

-  Regional Trails
-  Proposed Trails
-  City Center Node
-  Community Node
-  Neighborhood Node
-  Business Park/Regional Commercial
-  Medical Campus
-  Preserve right-of-way for current and future transit, both active and passive. Ensure adjacent trail systems are maintained and expanded for future use
-  Proposed Street Network





**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 6, 2021**

TITLE:	ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code, Chapter 15.60 Street Improvements.		
ITEM TYPE:	Ordinance		
FISCAL IMPACT:	N/A		
APPLICANT:	City Staff		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Zac Hilton, Public Works

PRESENTED BY:

Streets and Storm Water
Manager Zac Hilton

RECOMMENDATION:

Staff recommends the City Council adopt an ordinance of Eagle Mountain City, Utah, amending the Eagle Mountain Municipal Code, Chapter 15.60 Street Improvements.

BACKGROUND:

Staff is proposing the requirement to collect a seal coat fee prior to plat recordation that shall be paid by developers based on the total cost for the seal coat at the time of installation. The current city seal coat contract allows for a yearly renewal for up to five years with a price escalation of 3% per year. This will provide knowledge of anticipated future costs at the time of installing the seal coat.

Staff spent the last year researching local cities that require a seal coat fee or a type of seal coat placed before plat acceptance and has found it to be a common requirement. After weighing which option is most appropriate, staff recommends collecting the fee and installing the seal coat one year after final acceptance of the subdivision. This provides the opportunity for the majority of home construction to be completed, which typically produces significant construction traffic and debris. Placing the seal coat after most of the construction is completed will present the best setting for the application to be applied to a clean road, increasing the life of the product for Eagle Mountain City and its residents. It gives the City the ability to have one product standard specification and to hold the

City's contractor responsible for quality control. The developers may receive final acceptance when it is too cold to apply a seal coat or in peak season when it may be difficult to find a contractor to complete the work. It will address minor defects in the asphalt that the developer would otherwise have to repair themselves, before final acceptance of the subdivision.

The purpose for the seal coat is to preserve new, good quality pavement from the environment such as oxidization and moisture. It should be considered part of the finished product to the pavement just as it is to seal coat new metal or wood when placed outdoors. The reasons it should not be done at the time of installing the new pavement is to provide the warranty period to address any road failures such as trench settling that would have to be repaired before the seal coat is applied. It will also last longer if installed after the construction phase of the development and home building.

If the City Council approves the seal coat fee, staff will provide 90 days (July 6, 2021) before collecting the fee from the developer, prior to plat recordation.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

[ORD--EMMC 15.60 Street Improvements](#)
[15.60.080 Seal Coat - Proposed.docx](#)

ORDINANCE NO. O- -2021

**AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH,
AMENDING THE EAGLE MOUNTAIN MUNICIPAL CODE,
CHAPTER 15.60 STREET IMPROVEMENTS**

PREAMBLE

WHEREAS, the City Council of Eagle Mountain City finds that it is in the public interest to amend the Eagle Mountain Municipal Code, Chapter 15.60 Street Improvements, 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 Chapter 15.60 Street Improvements.
2. The amendment described in Exhibit A is hereby approved.
3. This Ordinance shall take effect 90 days after adopted.

ADOPTED by the City Council of Eagle Mountain City this 6th day of April, 2021.

EAGLE MOUNTAIN CITY, UTAH

Tom Westmoreland, Mayor

ATTEST:

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Ordinance was adopted by the City Council of Eagle Mountain City, Utah on this 6th day of April, 2021.

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

STREET IMPROVEMENTS

Chapter 15.60

15.60.080 SEAL COAT

A seal coat fee shall be required for all new roads the purpose of installing a seal coat on all new asphalt pavement approximately one year after final acceptance of development and/or minimum of 80% construction completion to be determined by the City. The seal coat fee shall be a cash payment at the time of plat recording. The seal coat fee shall be paid by developer based on the total cost for seal coat at the current contract rates for the City for the anticipated date of the installation of the seal coat. The installation of seal coat shall be the responsibility of the City unless, at the time of payment of the seal coat fee, Developer requests that the City allow developer to install the seal coat. If developer requests that City allow developer to install the seal coat, the City shall notify the developer at the time the City requires installation of the seal coat and provide developer ninety days to complete installation of the seal coat. The seal coat must meet all standards, specifications and warranties of the seal coat that would be installed by the City. Upon completion of the seal coat by the developer, the City shall refund the seal coat fee to the developer.



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
APRIL 6, 2021**

TITLE:	RESOLUTION - A Resolution of Eagle Mountain City, Utah, Amending the Consolidated Fee Schedule for Street Improvements.		
ITEM TYPE:	Resolution		
FISCAL IMPACT:			
APPLICANT:			
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

Yes

PREPARED BY:

Lianne Pengra, Recorder's Office

PRESENTED BY:

RECOMMENDATION:

Staff recommends that the City Council adopt a Resolution of Eagle Mountain City, Utah, approving a \$0.196 per square foot fee, to be collected prior to subdivision plat recordation, for an Asphalt Seal Coat.

BACKGROUND:

The entire Consolidated Fee Schedule is attached, as it has been reformatted and re-numbered. Moving forward, staff reports for proposed changes to the Consolidated Fee Schedule will only include the specific section with the amendment(s).

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

[RES--Consolidated Fee Schedule - Street Improvements](#)

RESOLUTION NO. R- -2021

**A RESOLUTION OF EAGLE MOUNTAIN CITY, UTAH, AMENDING THE
EAGLE MOUNTAIN CITY CONSOLIDATED FEE SCHEDULE**

WHEREAS, the City Council of Eagle Mountain City is empowered by law to adopt resolutions establishing fees for municipal services and has established an equitable system of fees for providing municipal services; and

WHEREAS, the City Council has determined that it is necessary and appropriate to amend the street improvement fees within the City; and

WHEREAS, the City Council finds that it is in the public interest to reaffirm all fees and charges previously enacted in the Eagle Mountain City Consolidated Fee Schedule except for those fees and charges which are specifically amended or changed in this Resolution.

NOW, THEREFORE, be it resolved by the City Council of Eagle Mountain City as follows:

1. The Consolidated Fee Schedule attached hereto as Exhibit A and the fees and charges set forth therein are hereby enacted and adopted for services received from Eagle Mountain City.
2. This Resolution is not intended to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other resolutions, ordinances, or laws except to effect modification of the fees reflected in the Consolidated Fee Schedule. The fees listed in the Consolidated Fee Schedule supersede present fees for services specified, but all fees not listed remain in effect. Where this Resolution imposes a higher fee than is imposed or required by existing provisions, resolution, ordinance, or law, the provisions of this resolution shall control.

This Resolution shall take effect at 12:01 a.m. on July 6, 2021.

EAGLE MOUNTAIN CITY, UTAH

ATTEST:

Tom Westmoreland, Mayor

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Resolution was adopted by the City Council of Eagle Mountain City, Utah on this 6th day of April, 2021.

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

Those abstaining:

☐ 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
CONSOLIDATED FEE SCHEDULE
UPDATED JULY 1, 2020



1. MISCELLANEOUS FEES.....	1	7.9. OTHER COMMUNITY DEVELOPMENT FEES.....	8
1.1. PHOTOCOPIES.....	1	8. UTILITY RATES AND FEES.....	8
1.2. MAPS.....	1	8.1. CONCRETE INSPECTION PERMITS	8
1.3. DIGITAL MEDIA	1	8.2. EXCAVATION PERMITS, ASPHALT/CONCRETE CUTS, UNIMPROVED SURFACE	8
1.4. SOLID WASTE COLLECTION.....	1	8.3. GRADING PERMIT	8
1.5. LADDER SIGN FEES.....	1	8.4. BLASTING PERMIT	8
1.6. CITY HALL USE	1	8.5. UTILITY DEPOSIT.....	8
1.7. OTHER FEES.....	2	8.6. WATER RATES AND SERVICES FEES.....	9
2. LIBRARY FEES.....	2	8.7. RESIDENTIAL TIERED WATER RATES.....	9
2.1. PHOTOCOPIES.....	2	8.8. COMMERCIAL AND INDUSTRIAL TIERED WATER RATE TABLE.....	9
2.2. FAXES	2	8.9. WATER METER CONNECTION FEES.....	9
2.3. FEES	2	8.10. CWP WATER USE RATE.....	10
2.4. MEDIA COLLECTION FEES	3	8.11. BANKED WATER TRANSFERS	10
2.5. PROCTORING FEE.....	3	8.12. SEWER RATE AND FEES – NORTH SERVICE AREA	10
2.6. ELECTRONIC DEVICES	3	8.13. SEWER RATE AND FEES – SOUTH SERVICE AREA	10
3. ANIMAL CONTROL.....	3	8.14. SEWER RATE AND FEES – WEST SERVICE AREA..	10
3.1. ANIMAL CONTROL FEES	3	8.15. REUSE WATER.....	10
4. BUILDING DEPARTMENT FEES.....	3	8.16. SEWER CONNECTION FEES	10
4.1. PERMIT FEES.....	3	8.17. STORM WATER	11
4.2. INSPECTIONS AND FEES	4	9. PARKS	11
4.3. PLAN REVIEW FEES	4	9.1. PARK USE DEPOSIT.....	11
4.4. OTHER BUILDING FEES.....	4	9.2. PARK PAVILION RENTAL FEES*	11
5. BUSINESS LICENSE FEES	5	9.3. PARK FIELD RENTAL FEES	12
5.1. LICENSE FEES	5	9.4. PONY EXPRESS MEMORIAL PARK ARENA RENTAL FEES*	12
5.2. TEMPORARY LICENSES (CANVASSERS, SOLICITORS, AND OTHER ITINERANT MERCHANTS).....	5	9.5. UTAH COUNTY SHERIFF’S OFFICE	13
6. ORDINANCE ENFORCEMENT.....	5	9.6. PUBLIC WORKS DEPARTMENT	13
6.1. ABATEMENT	5	10. PONY EXPRESS MEMORIAL CEMETERY	13
6.2. SIGN ENFORCEMENT.....	5	10.1. RIGHT TO BURIAL PURCHASE*.....	13
6.3. PARKING FINES.....	5	10.2. INTERMENT	13
6.5. BLOCKING STREETS AND/OR SIDEWALKS ILLEGALLY	6	11. SPECIAL EVENTS.....	13
6.6. SOLID WASTE MANAGEMENT VIOLATIONS – ILLEGAL DUMPING.....	6	11.1. MOBILE STATE RENTAL FEES	13
6.7. SOLID WASTE MANAGEMENT VIOLATIONS – ACCUMULATION OF CONSTRUCTION, DEBRIS, MUD, ETC. ON CITY STREETS.....	6	12. GENERAL UTILITY FEES	14
7. COMMUNITY DEVELOPMENT.....	6	12.1. DEVELOPMENT REVIEW AND APPROVAL – ADDITIONAL FEES.....	14
7.1. MASTER DEVELOPMENT.....	6	12.2. DEVELOPMENT REVIEW AND APPROVAL – BILLING	14
7.2. REZONING REQUEST	6	12.3. DEVELOPMENT REVIEW AND APPROVAL – DISPUTED BILLING.....	15
7.3. CONDITIONAL USE.....	6	12.4. DEVELOPER APPLICANTS MUST REMAIN IN GOOD STANDING	15
7.4. SUBDIVISIONS	6	12.5. UTILITY CUSTOMER ACCOUNTS.....	16
7.5. SITE PLAN REVIEW FEES	7	12.6. OTHER FEES.....	17
7.6. ANNEXATION	7		
7.7. SIGNS	7		
7.8. STREETS.....	8		

1. Miscellaneous Fees

1.1. | Photocopies

Black and White Copy 8 ½ x 11.....	\$0.10/page
Black and White Copy 11 x 14.....	\$0.15/page
Black and White Copy 11 x 17.....	\$0.20/page

1.2. | Maps

Black and White, 8 ½ x 11 (under 5 pages).....	Free
Black and White, 8 ½ x 11, with Aerials.....	\$1.00
Black and White, 11 x 17	\$1.00
Black and White, 11 x 17, with Aerials.....	\$3.00
Black and White, 24 x 36	\$10.00
Black and White, 24 x 36, with Aerials.....	\$12.00
Black and White, 36 x 48	\$15.00
Black and White, 36 x 48, with Aerials.....	\$16.00
Color, 8 ½ x 11	\$5.00
Color, 24 x 36.....	\$15.00
Color 36 x 48.....	\$20.00

1.3. | Digital Media

Electronic Copy of Minutes of Meetings.....	\$30.00/meeting
Electronic Copy of Documents on CD	\$3.00/CD

1.4. | Solid Waste Collection

One Container.....	\$9.50
Second Container.....	\$6.25
Recycling Container	\$5.00
Surcharge.....	Varies Monthly According to Energy Information Administration Index

1.5. | Ladder Sign Fees

Full Ladder Sign	\$2,400/year
Top Double Slat Ladder Sign	\$1,020/year
Bottom Double Slat Ladder Sign.....	\$900/year
Single Slat Ladder Sign	\$540/year

1.6. | City Hall Use

Weekday Small Events (accommodating less than 25 people), not involving food.....	\$50.00 + \$15.00/hour
Weekend Small Events (accommodating less than 25 people), not involving food.....	\$50.00 + \$35.00/hour
Weekday Small Events (accommodating less than 25 people), with snacks and beverages.....	
.....	\$100.00 + \$15.00/hour, of which \$50 is kept by the City for deep cleaning

Weekend Small Events (accommodating less than 25 people), with snacks and beverages	
.....	\$100.00 + \$35.00/hour, of which \$50 is kept by the City for deep cleaning
Large Events (accommodating 26 or more people).....	
.....	\$600.00 + \$15.00/hour, of which \$200 is kept by the City for deep cleaning

1.7. | Other Fees

Compiling of Records*	Actual Cost to City, Minimum of \$10.00
Other Costs Allowed by Law	Actual Cost to City
Postage.....	Actual Cost to City
Certification of Records.....	\$1.00/certification
Development Code, Bound Copy	\$22.00
Street Guide, Bound Copy.....	\$8.00
Standard Specifications	\$20.00
Policies and Procedures Manual.....	\$20.00
Subdivision Ordinance Packet.....	\$5.00
Recreation Master Plan, Bound Copy	\$30.00
Capital Facilities Plan.....	\$15.00
Candidate Filing Fee.....	\$50.00
Easement Review Fee.....	\$750.00
Franchise Agreement Application	\$750.00
Motor Vehicle Access to Open Space Permit.....	\$25.00
Motor Vehicle Access to Open Space Damage Deposit (may be waived by Asst PW Director) ..	\$2,000.00
Motor Vehicle Access to Open Space Monitoring Fee (if required by Asst PW Director).....	\$50.00/hour

**Cost of compiling of records in a form other than that maintained by the City includes actual cost and expense for employee time or time of any other person hired, plus supplies and equipment.*

2. Library Fees

2.1. | Photocopies

Black and White (Copier or Computer).....	\$0.10/page
Color (Copier or Computer)	\$0.25/page
Scan/Email for each Increment of 10 Pages	\$1.00

2.2. | Faxes

Faxes for each Increment of 10 Page.....	\$1.00
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2.3. | Fees

Lost/Stolen Library Card Replacement	\$3.00
Inter-Library Loan Fee	\$3.00/item
Non-Resident Fee	\$80/family per year or \$40/family for 6 months
Processing Fee for Lost/Damaged Items	\$5.00/item + Cost Determined by Director

Returned Check Fee.....	\$25.00
Sent to Collections.....	\$20.00
Missing Barcode	\$1.50/occurrence
Missing Radio Frequency Identification (RFID) Tag	\$2.50

2.4. | Media Collection Fees

Missing Audio Book CD	\$7.00/item
..... If Library cannot replace one disk, patron will be charged full replacement cost	

2.5. | Proctoring Fee

Non-Residents of Eagle Mountain.....	\$10.00
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2.6. | Electronic Devices

LaunchPad Replacement	\$130.00
LaunchPad Missing Orange Bumper	\$12.00
LaunchPad Damaged/Missing Box	\$10.00
LaunchPad Damaged/Missing USB	\$8.00
LaunchPad Damaged/Missing AC Adaptor	\$12.00
LaunchPad Cracked Screen or Broken/Unusable LaunchPad.....	Full Replacement Cost
Kindle Fire Replacement	\$70.00
Kindle Fire Missing Leather Case	\$15.00
Kindle Fire Damaged/Missing Sleeve Bag.....	\$7.00
Kindle Fire Damaged/Missing USB.....	\$8.00
Kindle Fire Damaged/Missing Power Cord	\$12.00
Kindle Fire Cracked Screen or Broken/Unusable Kindle Fire	Full Replacement Cost
Return of LaunchPad or Kindle Fire in Book Drop instead of In Person.....	
.....\$10.00 + any damages that may occur from other items being dropped onto LaunchPad or Kindle Fire	

3. Animal Control

3.1. | Animal Control Fees

Dog License Fee	\$1.00 Admin Fee + fees per Utah County Animal Control Shelter Fee Schedule
Redemption Fee	
.....	per Utah County Animal Control Shelter Fee Schedule and associated pickup and impound costs

4. Building Department Fees

4.1. | Permit Fees

<u>Total Valuation</u>	<u>Fee</u>
\$1.00 to \$500	\$23.50
\$501 to \$2,000	\$23.50 for the first \$500, plus \$3.05 for each additional \$100, or fraction thereof, to and including \$2,000.

\$2,001 to \$25,000	\$69.25 for the first \$2,000, plus \$14.00 for each additional \$1,000, or fraction thereof, to and including \$25,000.
\$25,001 to \$50,000	\$391.75 for the first \$25,000, plus \$10.10 for each additional \$1,000, or fraction thereof, to and including \$50,000.
\$50,001 to \$100,000	\$643.75 for the first \$50,000, plus \$7.00 for each additional \$1,000, or fraction thereof, to and including \$100,000.
\$100,001 to \$500,000	\$993.75 for the first \$100,000, plus \$5.60 for each additional \$1,000, or fraction thereof, to and including \$500,000.
\$500,001 to \$1,000,000	\$3,233.75 for the first \$500,000, plus \$4.75 for each additional \$1,000, or fraction thereof, to and including \$1,000,000.
\$1,000,001 and up	\$5,608.75 for the first \$1,000,000, plus \$3.65 for each additional \$1,000, or fraction thereof.

One-percent surcharge per Building Permit (Utah Code); 80% submitted to Utah State, 20% retained by City for administration of State Collection.

4.2. | Inspections and Fees

Inspections outside of normal business hours (minimum charge of two hours)*.....	\$50.00/hour
Reinspection Fee*.....	\$50.00/hour
Inspections for which No Fee is Specifically Indicated*	\$50.00/hour
Additional Plan Review Required by Changes, Additions, Revisions to Plan (minimum charge of ½ hour)*	\$50.00 per hour
Use of Outside Consultants for Plan Checking, Inspections, or Both**	Actual Cost

**Or the total hourly cost to the jurisdiction, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.*

***Actual costs include administrative and overhead costs.*

4.3. | Plan Review Fees

Commercial Plan Review Fee	65% of the Permit Fee
Residential Plan Review Fee	40% of the Permit Fee
Plan Review Fee for Registered Plans.....	25% of the Permit Fee

Refunds for permits issued will be limited to 80% of the permit costs, no later than 90 days after the date of fee payment. No refunds for plan review costs will be given if the plan review has been conducted.

Buildings of unusual design, excessive magnitude, or potentially hazardous exposures, may, when deemed necessary by the Building Official, warrant an independent review by a design professional chosen by the Building Official. The cost of this review may be assessed in addition to the building permit fee set forth in this subsection.

4.4. | Other Building Fees

Temporary Occupancy Fee.....	\$100 + 120% of Value of Uncompleted Items
Board of Appeals (Current Building Code).....	\$100.00
Plan Review Fees for Re-checking of Plans.....	\$200 + \$50/hour after 1 st hour
Fast Track Fee, Residential Only.....	\$400.00

Reinspection Fee.....	\$50.00/trade
Temporary Power Inspection.....	\$100.00
Sales Office and Construction Trailer*	\$200 + State Surcharge
<i>*Fee may be increased for trailers over 400 square feet, as deemed necessary by the Building Official.</i>	

5. Business License Fees

5.1. | License Fees

Commercial Business License.....	\$75.00
Home-based Business License	\$25.00
Home-based Business License with Inspections	\$75.00
Business License Renewal Late Charge, 45 Days after Expiration.....	25% Additional
Duplicate License (Lost Original, Updated Address, Name of Business).....	\$10.00
Background Checks, When Applicable	\$7.00 (As Charged to City)
Bond for Contracting Bonding License	\$5,000.00
Liquor License.....	\$300.00
Film Permit (Non-profit organizations and student productions are exempt)	\$75.00

5.2. | Temporary Licenses (Canvassers, Solicitors, and Other Itinerant Merchants)

Application Fee.....	\$75.00
License Fee	\$10.00 for Ten Consecutive Calendar Days
Home Sales License Fee.....	\$2.00 for Ten Consecutive Calendar Days
License for Public Assemblies of 30 or More People	\$100/day

6. Ordinance Enforcement

6.1. | Abatement

Abatement of Injurious and Noxious Real Property and Unsightly or Deleterious Objects of Structures....	
.....	Actual Cost of Abatement + 20% of Actual Cost

6.2. | Sign Enforcement

First Sign Violation	Written Warning
Second Sign Violation	\$10
Third Sign Violation.....	\$25/sign per day, until in Compliance
Fourth and Subsequent Violations.....	\$50/sign per day, until in Compliance
Sign Impound Release Fee	\$150/sign, Except as Abated by the City Council

6.3. | Parking Fines

First Violation.....	Written Notice
Second Violation	\$25
Third Violation	\$50
Vehicle and Trailer Towing.....	Owner's Expense

6.4. | Blocking Streets and/or Sidewalks Illegally

First Violation.....	Written Notice
Second Violation	\$25
Third Violation	\$50

6.5. | Solid Waste Management Violations – Illegal Dumping

First Violation.....	Written Notice
Second Violation	\$200
Third Violation	\$400
Fourth and Subsequent Violations.....	\$600

6.6. | Solid Waste Management Violations – Accumulation of Construction, Debris, Mud, etc. on City Streets

First Violation.....	Written Notice
Second Violation	\$50
Third Violation	\$100 and Stop Work Progress until Fines are Paid

7. Community Development

7.1. | Master Development

Land Use Concept Plan*	\$250
Master Development Plan Application or Amendment.....	\$6,000
Capital Facility Plan Amendment Application, per Development	\$9,750
Concept Capital Facility Plan Amendment	\$1,000

**Concept fees shall be credited towards additional application fees. Specifically, the processing fee required by the next application process shall be reduced by the amount paid for the concept plan review.*

7.2. | Rezoning Request

Rezone Request Application	\$1,350
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7.3. | Conditional Use

Conditional Use, New.....	\$500
Conditional Use, Amendment	\$200
Accessory Apartments.....	\$230
Alternative Animal Management Plan Application Fee.....	\$25
Hobby Breeder License Application Fee.....	\$75

7.4. | Subdivisions

Subdivision Concept Plan*	\$300 + \$5 for each ERU over 40
Revised Approved Plat and Recorded Plat Amendment Fee	\$1,500 + \$25/Lot
Preliminary Plat Processing Fee	\$400 + \$60/Lot

Condominium Conceptual Review*	\$650 + \$10/ERU
Condominium Preliminary Plat Review	\$1,500 + \$50/ERU
Condominium Site Plan and Final Plat Review	\$1,900 + \$50/ERU
Final Plat and Development Agreement Processing Fee	\$400 + \$95/Lot
Inspection Fees, Based on Engineers' Estimate of Project Cost	3.2% of the First \$750,000 Estimate; 1% of the Estimate Amount Exceeding \$750,000
New Asphalt Seal Coat	\$0.196 per square foot
Contractors, Subdivisions, and Building Bond – Performance and Guaranty	110% of the Value, Plus 2-year Warranty
Contractors, Subdivisions, and Building Bond – Contractor Infrastructure Protection Deposit	 \$1,000 Cash Deposit for 1 Home, or \$5,000 Cash Deposit for more than 1 Concurrent Home or Project
Contractors, Subdivisions, & Building Bond – Owner Builder Protection Deposit	 \$1,000 Cash Deposit
Lot Split Application Fee	\$1,600
Lot Line Adjustment Fee	\$575
Revised Approved Construction Plans	\$600
Recordation Fee	\$800
Minor Plat Recording Fee	Staff Time + Utah County Recording Fee
<i>*Concept fees shall be credited towards additional application fees. Specifically, the processing fee required by the next application process shall be reduced by the amount paid for the concept plan review.</i>	

7.5. | Site Plan Review Fees

Residential Master Site Plan Review Fee, 5-10 Acres	\$2,000
Residential Master Site Plan, 10+ Acres	\$4,000
Residential Site Plan Review Fee	\$60/Dwelling Unit
Non-residential Master Site Plan Review Fee, 5-10 Acres	\$2,000
Non-residential Master Site Plan Review Fee, 10+ Acres	\$4,000
Non-residential Site Plan Review Fee, 0-5 Acres	\$2,000
Non-residential Site Plan Review Fee, 5-10 Acres	\$4,000
Non-residential Site Plan Review Fee, 10-50 Acres	\$6,000
Non-residential Site Plan Review Fee, 50+ Acres	\$8,000
Temporary Non-residential Site Plan Review Fee	\$1,580

7.6. | Annexation

Annexation Application Fee	\$1,500 + \$5/Acre
Capital Facility Plan Amendment Application Fee, per Development	\$9,750

7.7. | Signs

Permit Fee, per Sign Face	\$50, Except as Abated by the City Council
Sign Lease Fee	As Determined by the City Council
Sign Lease Application Fee	\$50

7.8. | Streets

Street Dedication or Vacation.....	\$300
Street Name Change Application	\$100
New Street Sign for Name Change Approval.....	\$175/sign

7.9. | Other Community Development Fees

Board of Adjustment: Variance, Non-conforming Use, Conditional Use Appeal, Appeal of Zoning Administrator.....	\$100
Disposal of City Property	An amount to be set by action of the City Council on a case-by-case basis, depending on the cost to the City and a fair and equitable charge to the applicant.
Land Disposal Application Fee	\$150
Utah County Surveyor Review Fee	\$125
Application for Amendment to General Plan and Development Code, Including Text and Map Amendments in the Nature of Property Rezoning*	\$400

**No fee is associated with suggestions from the public in the nature of improvements in the law to amend the Development Code or General Plan.*

8. Utility Rates and Fees

8.1. | Concrete Inspection Permits

Curb and Gutter	\$1.00/Linear Foot
Sidewalk	\$0.75/Linear Foot

8.2. | Excavation Permits, Asphalt/Concrete Cuts, Unimproved Surface

Minimum Fee for Cuts in a Paved Surface more than 3 Years Old	\$300
Minimum Fee for Cuts in a Paved Surface 3 Years Old or Less.....	\$2,000

8.3. | Grading Permit

101 to 1,000 Cubic Yards	\$27 (1 ½ Hours Staff Time)
1,001 to 10,000 Cubic Yards	\$54 (3 Hours Staff Time)
10,001 to 100,000 Cubic Yards	\$108 (6 Hours Staff Time)
Over 100,000 Cubic Yards	\$216 (12 Hours Staff Time)

8.4. | Blasting Permit

Blasting Permit, not within 1,320 feet of an Existing Structure	\$1,000
Blasting Permit, within 1,320 feet of an Existing Structure, Requires City Council Approval	\$5,000
Onsite Fee	\$250/Blast

8.5. | Utility Deposit

Utility Deposit	\$40
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8.6. | Water Rates and Services Fees

Monthly Base Rate	\$20/ERU
Construction Water Fee	\$100
Construction Water Hydrant Rental Deposit.....	\$1,500
Construction Water Hydrant Rental Fee, First 30 Days	\$10 per day + \$0.80/kgal
Construction Water Hydrant Rental Fee, After 30 Days	\$100 per Calendar Month + \$0.80/kgal
Open Space Usage Rate.....	\$0.80/kgal

8.7. | Residential Tiered Water Rates

<u>Small Lots Usage</u>	<u>Large Lots Usage</u>	<u>Rate</u>
Up to 65 kgal	Up to 120 kgal	\$0.80/1,000 Gallons
65 to 115 kgal	120 to 170 kgal	\$0.85/1,000 Gallons
115 to 165 kgal	170 to 230 kgal	\$0.90/1,000 Gallons
Over 165 kgal	Over 230 kgal	\$0.95/1,000 Gallons

8.8. | Commercial and Industrial Tiered Water Rate Table

Base Rate:		Commercial	Industrial
		\$20.00	\$20.00
Tier 1	Low	0	0
	High	170	500
	Cost	\$0.80	\$0.80
Tier 2	Low	170	500
	High	220	750
	Cost	\$0.85	\$0.85
Tier 3	Low	220	750
	High	-	-
	Cost	\$0.90	\$0.90

8.9. | Water Meter Connection Fees

Single-family Residential ¾" or 5/8" Meter Size	\$450
Commercial, Industrial, or Multifamily Residential, ¾" Meter Size.....	\$450
Commercial, Industrial, or Multifamily Residential, 1" Meter Size	\$640
Commercial, Industrial, or Multifamily Residential, 1 ½" Meter Size.....	\$1,260
Commercial, Industrial, or Multifamily Residential, 2" Meter Size	\$1,920
Commercial, Industrial, or Multifamily Residential, 3" Meter Size	\$3,600
Commercial, Industrial, or Multifamily Residential, 4" Meter Size	\$5,120
Water Meter Impact Fee	In Addition to Meter Connection Fee, Where Applicable
Customer Requested Reconnect/Disconnect Fee	\$25
<i>Damage to hydrant or hydrant meter by contractor will be deducted from the water hydrant deposit.</i>	

Contractors shall provide a PVC construction water jumper approved by the City. A fee will be charged for construction water usage prior to a water meter installation by the City. In addition to the regular fee, any damage to the water system by the contractor will be repaired by the contractor at his expense, plus any additional City fees.

8.10. | CWP Water Use Rate

Cost per Acre Foot.....	\$11,420
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8.11. | Banked Water Transfers

Banked Water Transfer Fee.....	\$250
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8.12. | Sewer Rate and Fees – North Service Area

Single-family Residential Usage Rate, per ERU	\$15.25/Month
Treatment Fee (TSSD), per ERU.....	\$25.89/Month

8.13. | Sewer Rate and Fees – South Service Area

Single-family Residential Usage Rate, per ERU	\$15.25/Month
Treatment/Capital Bond Payment, per ERU	\$27.75/Month

8.14. | Sewer Rate and Fees – West Service Area

Single-family Residential Usage Rate, per ERU	\$15.25/Month
Treatment/Capital Bond Payment/Loan Payment, per ERU	\$29.80/Month
Wastewater Grant Reimbursement Fee for New Connections, per ERU*	\$5,325.60

**Reduced \$266.28 per year for each calendar year after the Division of Water Quality Project #202 Loan/Grant closing.*

8.15. | Reuse Water

Reuse Water Rate	\$0.70/kgal
Schools, Businesses, and Churches	80% of Water Used for Culinary Purposes

8.16. | Sewer Connection Fees

Single-family Residential	\$100 per ERU + Impact Fee Where Applicable
Commercial, Industrial, or Multifamily.....	Estimated Cost of Connection + 15% Administration Fee
North Service Area Facilities, Extraterritorial Service Connection Fee, Each Single-family Residential Connection.....	\$150
North Service Area Facilities, Extraterritorial Services Line Capacity Fee for SID 98-1, Each Single-family Residential Unit	\$470
North Service Area Facilities, Timpanogos Special Service District Connection Fee, Each Single-family Residential Unit (\$2,475 for TSSD; \$10 for EMC Administration Fee).....	\$2,485

8.17. | Storm Water

Storm Water Fee	\$5.00/ERU
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9. Parks

9.1. | Park Use Deposit

Deposit*	Up to \$1,000
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**Set at time of application; may be up to \$1,000, depending on the use and rental time.*

9.2. | Park Pavilion Rental Fees*

Autumn Ridge Pavilion, Resident Fee.....	\$15 for Half Day; \$30 for Full Day
Autumn Ridge Pavilion, Non-resident Fee.....	\$25 for Half Day; \$50 for Full Day
Bike Park Pavilion, Resident Fee	\$15 for Half Day; \$30 for Full Day
Bike Park Pavilion, Non-resident Fee	\$25 for Half Day; \$50 for Full Day
Eagle Park Commons Pavilion, Resident Fee	\$15 for Half Day; \$30 for Full Day
Eagle Park Commons Pavilion, Non-resident Fee	\$25 for Half Day; \$50 for Full Day
Eagle Point C Pavilion, Resident Fee.....	\$25 for Half Day; \$50 for Full Day
Eagle Point C Pavilion, Non-resident Fee	\$50 for Half Day; \$75 for Full Day
Eagle's Gate Park Pavilion, Resident Fee	\$15 for Half Day; \$30 for Full Day
Eagle's Gate Park Pavilion, Non-resident Fee	\$25 for Half Day; \$50 for Full Day
Lakeview Estates Park Pavilion, Resident Fee.....	\$15 for Half Day; \$30 for Full Day
Lakeview Estates Park Pavilion, Non-resident Fee	\$25 for Half Day; \$50 for Full Day
Meadow Ranch (Autumn) Pavilion, Resident Fee	\$15 for Half Day; \$30 for Full Day
Meadow Ranch (Autumn) Pavilion, Non-resident Fee	\$25 for Half Day; \$50 for Full Day
Meadow Ranch Park B Pavilion, Resident Fee	\$25 for Half Day; \$50 for Full Day
Meadow Ranch Park B Pavilion, Non-resident Fee	\$50 for Half Day; \$75 for Full Day
Nolan Park East Pavilion, Resident Fee	\$25 for Half Day; \$50 for Full Day
Nolan Park East Pavilion, Non-resident Fee	\$50 for Half Day; \$75 for Full Day
North Ranch Park Pavilion, Resident Fee	\$25 for Half Day; \$50 for Full Day
North Ranch Park Pavilion, Non-resident Fee	\$50 for Half Day; \$75 for Full Day
Overland Trails Park Pavilion, Resident Fee.....	\$15 for Half Day; \$30 for Full Day
Overland Trails Park Pavilion, Non-resident Fee.....	\$25 for Half Day; \$50 for Full Day
Pioneer Park Pavilion, Resident Fee.....	\$15 for Half Day; \$30 for Full Day
Pioneer Park Pavilion, Non-resident Fee.....	\$25 for Half Day; \$50 for Full Day
Pony Express Park Pavilion, Resident Fee	\$15 for Half Day; \$30 for Full Day
Pony Express Park Pavilion, Non-resident Fee	\$25 for Half Day; \$50 for Full Day
Sage Valley Park Pavilion, Resident Fee	\$15 for Half Day; \$30 for Full Day
Sage Valley Park Pavilion, Non-resident Fee.....	\$25 for Half Day; \$50 for Full Day
SilverLake Amphitheater, Resident Fee	\$25 for Half Day; \$50 for Full Day
SilverLake Amphitheater, Non-resident Fee	\$50 for Half Day; \$75 for Full Day
SilverLake Amphitheater Pavilion, Resident Fee.....	\$15 for Half Day; \$30 for Full Day

SilverLake Amphitheater Pavilion, Non-resident Fee	\$25 for Half Day; \$50 for Full Day
Skyline Ridge Park Pavilion, Resident Fee	\$15 for Half Day; \$30 for Full Day
Skyline Ridge Park Pavilion, Non-resident Fee	\$25 for Half Day; \$50 for Full Day
Smith Ranch Park Pavilion, Resident Fee	\$15 for Half Day; \$30 for Full Day
Smith Ranch Park Pavilion, Non-resident Fee	\$25 for Half Day; \$50 for Full Day
Spring Run Park Pavilion, Resident Fee.....	\$25 for Half Day; \$50 for Full Day
Spring Run Park Pavilion, Non-resident Fee.....	\$50 for Half Day; \$75 for Full Day
Sunset Ridge Park Pavilion, Resident Fee.....	\$15 for Half Day; \$30 for Full Day
Sunset Ridge Park Pavilion, Non-resident Fee.....	\$25 for Half Day; \$50 for Full Day
Sweetwater Park Pavilion, Resident Fee	\$25 for Half Day; \$50 for Full Day
Sweetwater Park Pavilion, Non-resident Fee	\$50 for Half Day; \$75 for Full Day
Three's Crossing Park Pavilion, Resident Fee	\$15 for Half Day; \$30 for Full Day
Three's Crossing Park Pavilion, Non-resident Fee.....	\$25 for Half Day; \$50 for Full Day
Valley View Park Pavilion, Resident Fee.....	\$25 for Half Day; \$50 for Full Day
Valley View Park Pavilion, Non-resident Fee.....	\$50 for Half Day; \$75 for Full Day
Walden Park Pavilion, Resident Fee	\$25 for Half Day; \$50 for Full Day
Walden Park Pavilion, Non-resident Fee.....	\$50 for Half Day; \$75 for Full Day
Cory Wride Memorial Park Lg Pavilion, 8 Tables, Resident Use.....	\$25 for Half Day; \$50 for Full Day
Cory Wride Memorial Park Lg Pavilion, 8 Tables, Non-resident Use.	\$50 for Half Day; \$100 for Full Day

**Half days from 8:00 AM to 2:00 PM or 3:00 PM to 9:00 PM; full days from 8:00 AM to 9:00 PM.*

9.3. | Park Field Rental Fees

Baseball Field Rental	\$25/hour
Additional Field Prep, Monday through Friday	\$40
Additional Field Prep, Saturday or Holidays.....	\$60
Baseball Field Lighting	\$15/hour
Cory Wride Memorial Park Baseball Complex, up to 7 Hours	\$250
Cory Wride Memorial Park Baseball Complex, over 7 Hours	\$500
Turf Field Rental	\$15/hour
Turf Field Lighting.....	\$15/hour

9.4. | Pony Express Memorial Park Arena Rental Fees*

Arena Rental with Arena Preparation, over 5 Hours	\$350
Arena Rental, less than 5 Hours	\$30/hour
Full Arena Preparation with Water.....	\$75
Groomed Preparation, Single Pass	\$25
Annual Single Riding Pass	\$50
Annual Family Riding Pass, Includes Dependents Living at Home.....	\$100
Stall Rental	\$15 First Day + \$5 Each Additional Day
Day Usage	\$5/day per Horse

**Arena users must execute an application for arena use for each rental or have an arena use application on file at City Offices to verify availability of the arena for rental. Hourly and daily arena and stall rentals will include a deposit set at the time of application, which may be up to \$1,000.00, depending on the use and rental time. Rentals and animal stall storage areas do not include feed or water (water is available on site). Care of the rented space and the animals within is the renter's responsibility. Rentals are interruptible at any time by the City to sponsor an event.*

9.5. | Utah County Sheriff's Office

Personnel Fee – Deputy	\$67.50/Deputy per hour, 4-hr Minimum
Vehicle Fee	\$0.50/mile per Vehicle

9.6. | Public Works Department

Personnel Fee.....	Direct Cost + 100% (Overtime and Benefits)
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10. Pony Express Memorial Cemetery

10.1. | Right to Burial Purchase*

Resident	\$550
Non-resident	\$1,000
Angel Garden, Resident.....	\$275
Angel Garden, Non-resident.....	\$500
Transfer of Right to Burial	\$50/Certificate

**Non-resident City employees are eligible for resident rates.*

10.2. | Interment

Adult, Monday through Friday	\$300
Adult, Saturday or Holiday	\$600
Child, Monday through Friday	\$200
Child, Saturday or Holiday	\$500
Cremation/Urn, Monday through Friday	\$200
Cremation/Urn, Saturday or Holiday.....	\$500
Disinterment	\$1,500
Headstone Inspection Fee	\$35

11. Special Events

11.1. | Mobile State Rental Fees

Stage Rental Deposit	\$500
Partial Stage Rental, with Move	\$1,000/day
Partial Stage Rental, without Move	\$1,000 First Day + \$750 Each Additional Day
Full Stage Rental, with Move	\$1,500/day
Full Stage Rental, without Move	\$1,500 First Day + \$750 Each Additional Day
Transportation Fee, Outside of Eagle Mountain.....	\$200/hour

Stage Cleaning Fee (*Retained from Deposit, if Necessary*)..... \$200

12. General Utility Fees

PAYMENT OF CHARGES, REIMBURSEMENT FOR PROFESSIONAL FEES, AND COLLECTION OF PAST DUE ACCOUNTS. This section amends, enacts new provisions and restates and consolidates prior resolutions of the City Council of Eagle Mountain City and clarifies the requirement for collection of facilities, construction payments, past due accounts and other remedies to collect past due accounts from development applications and others.

12.1. | Development Review and Approval – Additional Fees

As additional fees for development review and approval, each development applicant shall be responsible to reimburse the City of Eagle Mountain for all excess fees and charges plus 10% administrative costs incurred by the City of Eagle Mountain in the review and processing of the development applicant's application for subdivision, site plan review, building permit, master site plan (original or amended), or other development review. Existing application fees stated above payable by applicants include reasonable monetary charges for professional services required of the City to review and process the developer's application; however, if the project or development review requires more professional or other third-party services than anticipated and provided for in the original application fee, the developer shall be responsible to reimburse the City for the excess reasonable fees and charges incurred in the review, processing and compliance assurance required by the City to complete consideration of the developer's application. Such fees and charges shall accrue to, and are payable by, the development entity which executes the development application, or enters into a development agreement with the City of Eagle Mountain, as required under the City Development Code.

12.2. | Development Review and Approval – Billing

- 12.2.1. The City shall bill developers for excess reimbursable fees accruing under Section 12.1 above and all other charges on a regular basis within forty-five (45) days of the payment of such reimbursable fees and/or accrual of other charges to the developer by the City. The billing by the City shall be in reasonable detail to permit the developer applicant to determine the reason for the expenditure, the project for which the fees or charges were incurred, and the rate or other basis for the reimbursement or other charge. Billings for reimbursable fees are due upon receipt, and if the balance due is not paid within thirty (30) days of mailing, the developer applicant account is delinquent and the developer applicant is in default on its reimbursement fee obligations to the City. Every billing statement from the City to a developer shall be deemed correct, accurate, undisputed and due in full unless the City Treasurer is notified in writing of a dispute bill in reasonable detail to ascertain the exact question or matter in dispute within thirty (30) days of the postmarked date on the mailed statement or the date of hand-delivery if the statement is not delivered through the U.S. Mail.
- 12.2.2. Developer applicants, or their representatives, may informally confer with City staff to obtain further information, ask questions, and receive clarification of charges included on the billings. An informal conference may result in changes to the invoice from the City to the developer applicant.
- 12.2.3. If the invoice is corrected or changed, the developer applicant shall pay the corrected invoice within fifteen (15) days after receipt of a corrected invoice.
- 12.2.4. If the developer applicant does not dispute the billing, request information, and engage in an informal conference with staff concerning the billing, the invoice shall be due thirty (30) days from

the date of the invoice. Billed invoices shall be due and payable to the City thirty (30) days from the date of the invoice in the case of undisputed invoices and fifteen (15) days after receipt of a corrected invoice in the case of an invoice corrected after an informal conference or corrected after a decision by the City Council.

12.3. | Development Review and Approval – Disputed Billing

- 12.3.1. If the developer applicant disputes any charge on the invoice from the City to the developer applicant, the developer applicant shall pay the amount of the invoice and notify the City in writing of the dispute, indicating each disputed item and the reason each disputed item is disputed. The total sum of all disputed items shall constitute the contested amount of the payment by the developer applicant to the City.
- 12.3.2. The City Treasurer shall receive the disputed payment and the contested amount and shall notify the City Recorder of the contested payment. The City recorder shall notify the Mayor and provide the Mayor and Council with the statement of dispute received from the developer applicant.
- 12.3.3. The City Council shall consider the payment dispute in a regularly scheduled City Council meeting. Notice of the time, date and place of the meeting where the disputed statement will be considered by the City Council will be mailed to the developer applicant not less than five (5) days before the date of the meeting. The developer applicant may be present and present any statement or evidence supporting the developer applicant's position with respect to the dispute.
- 12.3.4. The City Council shall cause the party to whom disbursement was made by the City to be present at the hearing on the disputed amount and after hearing all of the relevant evidence and statements of parties and staff, the City Council shall vote on each disputed item and determine whether or not to direct a refund to the developer applicant for any disputed charge. A final decision by the City Council may be made in the absence of the developer applicant disputing the statement in dispute.

12.4. | Developer Applicants Must Remain in Good Standing

- 12.4.1. Developer applicants must remain in good standing with all amounts due and payable to the City paid as such amounts become due. Developers or Master Developers who are delinquent in payment of reimbursable fees and charges to the City except facilities construction fee payments under Sections 12.4.2, 12.4.3 and 12.4.4, or other charges to the City, are deemed to be in default and all processing of all applications before the City staff, Planning Commission or City Council shall be tabled until the developer applicant's default is cured by the timely payment of all fees and charges, or the execution of an agreement for the payment of all fees and charges acceptable to the City Treasurer or Administrator. Except as provided below, City staff are specifically instructed to verify that each Master Developer or developer applicant is in good standing with respect to all fees and charges owed to the City before placing developer applications on the Planning Commission agenda or the City Council agenda, and specifically before recordation of plats or final signing and approval of site plans, building permits, or other development approval applications.
- 12.4.2. Master Developers obligated to facilities construction fee payments to the City who are not current in the payment of all facilities fee construction payments and all major development applicants within the respective master development areas where the Master Developer is not current on all facilities fee construction payments, may qualify to continue to process major development

subdivision applications as provided by the Development Code under special rules established in this Section 12.4.2, and in Sections 12.4.3 and 12.4.4.

- 12.4.3. Whenever a Master Developer is not current in the payment of facilities fee construction obligations, major development subdivision applications may be processed by the Planning Commission and City Staff and City Engineer up to consideration of the final plat of the subdivision by the City Council. No final vote shall be taken on the final plat or on the approval of a development agreement if the Master Developer or subdivider is in default in the payment of facilities fee construction obligations to the City. The Council shall not vote on the final plat or the subdivision development agreement for the period of time the Developer remains in default in the payment of the facilities fee obligations. The vote may be scheduled on the final plat and subdivision development agreement after the expiration of the period of time equal to the time between the date the facilities fee payment should have been paid to the City by the Master Developer and the date the payment was received by the City.
- 12.4.4. Master Developers may qualify for the alternative processing provisions described in Sections 12.4.2 and 12.4.3, but shall only be qualified for the alternative processing if the Master Developer is current at the date of each processing request in the completion of all outstanding projects required to be completed at the date of the processing request. Master Developer projects include, but are not limited to, the completion of all subdivision development improvements required to be constructed by the Master Developer, the completion of parks or other improvements, or the completion of other public improvements or dedication of open space consistent with the Master Developer's project.

12.5. | Utility Customer Accounts

- 12.5.1. Utility customers' accounts are due and payable by the last day of each month. Customers who do not pay the full amount of the utility billing invoice on or before the last day of the month are in default and are subject to disconnection of utilities and collection of the delinquent amounts. This section describes the process for notification, termination of services, penalty/reconnection fees, and provision for deferred payments schedule contracts.
- 12.5.2. Delinquent utility accounts will be charged a fee of the greater of \$15.00 (fifteen dollars) or 1% of the delinquent balance amount at the beginning of each month the accounts are delinquent.
- 12.5.3. A final notice will be sent to the billing address within ten (10) days after the first working day of the month notifying the customer that if full payment of the past due balance is not received by the date listed on the notice that their service(s) will be subject to termination at any time after the date listed. Customers will be invited to contact City staff during this period to make special arrangements under extenuating circumstances, which may be approved by the City under the provisions of Section 12.5.5 below.
- 12.5.4. Services terminated for non-payment shall not be reinstated (reconnected) until payment of the past due account balance along with a shut-off processing fee of \$50 has been paid to the City. The shut-off processing fee shall be charged, unless the City has received payment at or before 5:30 p.m. on the day specified by the City, regardless of whether or not the service(s) were actually terminated. The City will reconnect services by the end of business on the following business day after receiving full payment or after special arrangements have been made subject to the provisions of Section

12.5.5 below. City employees who perform the actual shutoff are not allowed to receive payment for Utility Services.

- 12.5.5. A deferred payment schedule contract may be entered into with a delinquent customer, provided that the deferred payment schedule does not extend for a period of more than (1) year, provides for a specific amount in addition to payment of their current bill, to be paid each month together with interest as provided in Section 12.5.7 below. Utility customers who do not comply with the terms of an executed deferred payment schedule contract, are subject to termination of service after the City provides the final notice provided in Section 12.5.3 above. Service terminated after default on a deferred payment contract shall not be reinstated until the past due balance has been paid in full. The City may, at its discretion, require an additional utility deposit be paid up to an amount equal to two (2) times the average monthly billing for the utility service.
- 12.5.6. Customers will be charged a \$50.00 fee to turn utilities on for three business days. If the request is made for the utilities to be activated on Friday, then Saturday and Sunday would count as one business day and their 3-day period would then go from Friday through Monday.
- 12.5.7. All delinquent bills for utility service, invoices for reimbursable fees, or other charges owed to the City of every kind and nature except for returned checks shall be charged a fee of the greater of \$15.00 (fifteen dollars) or 1% of the unpaid balance at the beginning of each month the bill, invoice, or charge is delinquent.
- 12.5.8. Each check or other instrument tendered to the City for payment of an obligation to the City and returned to the City as a dishonored instrument shall accrue the maximum penalty, services charges and other allowable fees for recovery of the amount due allowed by Utah law.
- 12.5.9. Unpaid City accounts may be sent to Collections after a reasonable attempt has been made to collect the unpaid amounts. Collections will be pursued to the full extent of the law. A fee will be charged equal to the amount billed to the City by the collection agency used, up to 40% of the unpaid balance, as allowed by Utah State Code 12-1-11(3)b.

12.6. | Other Fees

This Consolidated Fee Schedule is not intended to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other resolutions, ordinances, or laws except to effect modification of the fees reflected above. The fees listed in the Consolidated Fee Schedule supersede present fees for services specified, but all fees not listed remain in effect. Where this Consolidated Fee Schedule imposes a higher fee than is imposed or required by existing provisions, resolution, ordinance, or law, the provisions of this Resolution shall control.

UPCOMING AGENDA ITEMS

April 20

Community Mailboxes – Discussion Item
Residential Zone Code Changes MF1 and RD2 – Discussion Item
Overland Village 2 Phase A Preliminary Plat & Site Plan – Discussion Item
Sweetwater Industrial Park – General Plan Amendment and Rezone
Macey's at Market Place – Site Plan

Other Projects

Stonebridge Montessori Concept Plan
7-Eleven The Ranches Concept Plan
Coyote Run Concept Plan
2B Investments Concept Plan
White Hills Country Estates Lot Split
Pole Canyon NPA-17 MDP, Rezone, GP Amendment, Preliminary Plat
Sunset Flats Amended Preliminary Plat
Ault Farms
Spring Run MDP and Preliminary Plat Amendment
Eagle Commons & MF 3 Code
Stratton Estates
La Petite Pet Grooming – Conditional Use Permit

Code Amendments in Progress

Removal of Single Family from MF1
Parking Requirements and Standards
Community District Node Overlay (TOD)
Commercial Zoning in The Ranches
Shooting Range Ordinance
Accessory Apartments/Landlord Licensing
Industrial Zone
Zoning Map
Title 6 Animals
Multifamily Design Standards
Multifamily Amenities Distance Requirements
Residential Zone Livestock Requirements