EAGLE MOUNTAIN
CITY COUNCIL MEETING MINUTES

March 2, 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; Pete Kane, Planning Manager; Tayler Jensen, Senior Planner; Jessa Porter, Planner; Fionnuala Kofoed, City Recorder; Elizabeth Fewkes, Recording Secretary; Chris Trusty, City Engineer; Bryce McRae, Engineer in Training; 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; and Ross Fowlks, Fire Chief.

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

1. CITY ADMINISTRATOR INFORMATION ITEMS

1.A. DISCUSSION – The Pinnacles Master Development Plan, Rezone, and General Plan

Planning Manager Pete Kane presented the item. The subject property is approximately 161 acres of land on the north side of Aviator Ave and west of the Brylee Farms development. The property is currently zoned Agriculture and identified on the City's Future Land Use Map as Employment Center/Campus and Neighborhood Residential One.

The applicant submitted a rezone and General Plan amendment request last summer that included a mix of single-family, multifamily, and business park uses. The Planning Commission recommended using the CC zone along Aviator Ave, noting the CC zone conflicted with the General Plan but would provide a buffer to the residential uses.

A master development plan (MDP) has been submitted and includes a rezone and General Plan amendment; the latest revised plans request a rezone to R3, RC, MF1, MF2, CC, and OS-I with no rezone request for the northern 65 acres. The General Plan amendment requests land designations of Neighborhood Residential One, Neighborhood Residential Two, Neighborhood Residential Three, and Community Commercial. The northern 65 acres would remain Employment Center/Campus.

The adjacent properties' General Plan land use designations include Employment Center/Campus to the north and west of the project and Business Park/Light Industry to the southwest. Adjacent property zoning includes commercial to the northeast and residential to the east and south.

The plan calls for three connections via Aviator Avenue, two connections into the northern Business Campus, a connection from the Business Campus to Brylee North at the northeast, and a potential connection under or over the future freeway to the property to the north.

The plan includes two large parks within the single-family portion of the development. These two parks would be dedicated to the City and meet the two-acre minimum size for dedication. Each of the multi-family areas will be required to provide open space and amenities as a part of the site plan and platting process.

The property's current General Plan land use designations include approximately 101 acres (representing 63% of the total acreage) of Employment Center/Campus and approximately 60 acres (27%) Neighborhood Residential One. The requested land use designations include 65.02 acres (40%) of Employment Center/Campus, 21.16 acres (13%) of Neighborhood Residential One, 31.7 acres (20%) of Neighborhood Residential Two, 26.55 acres (17%) of Neighborhood Residential Three, and 16.63 acres (10%) of Community Commercial.

The proposed General Plan amendments would retain 64% of the Employment Center/Campus; the remaining acreage would change to Neighborhood Residential One, Neighborhood Residential Two, Neighborhood Residential Three, and Community Commercial. For the Neighborhood Residential One portion, 35% of the land use would not change, and the remainder would change to Neighborhood Residential Two, Neighborhood Residential Three, and Community Commercial. Based on the proposed zoning, staff notes that the area proposed for MF1 zoning should receive a land use designation of Neighborhood Residential Two instead of Neighborhood Residential Three.

The rezone requests CC on 16.67 acres (representing 10% of the total acreage of the property), R3 on 11.21 acres (7%), RC on 31.86 acres (20%), MF1 on 12.41 acres (8%), MF2 on 13.88 acres (9%) and OS-I on 9.69 acres (6%). Staff recommends consideration of changing some of the RC zone to R3. The R3 zone has a minimum lot size of 6,500 square feet and an average lot size of 8,500 square feet. The RC zone has a minimum lot size of 4,500 square feet and an average lot size of 6,000 square feet. Staff also recommends consideration to change the CC zone to the CN zone due to the Brandon Park development to the south which has an approximate equivalency to an R2 zone under current standards.

The Planning Commission held a public hearing on the requests on February 23, 2021 and recommended approval with a unanimous vote to the City Council 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.

The Planning Commission recommended approval with a unanimous vote to the City Council 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 land use designation request.

The Planning Commission recommended approval with a unanimous vote to the City Council of the master development plan request 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 approximately one-acre parcel adjacent to the MF2 zone identified for the future freeway be dedicated for the right-of-way; and
4. That the northern approximately 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.

Assistant City Administrator/Community Development Director Steve Mumford verified that the land designated as Business Park/Light Industry to the southwest and designated as Employment Center/Campus to the west of the subject property is potential future annexation acquisition land and is located outside of the current City boundaries.

Councilmember Burnham expressed concern regarding the potential for the applicant to request residential uses for the northern portion of the land in the future due to similar occurrences with other developments.

Mr. Kane stated that language could be added to the MDP stipulating that the northern portion would be reserved for commercial uses. The developer could still request residential in that area in the future but the inclusion of the requirement in the MDP would reduce the likelihood of an amendment approval.

Applicant representative Andy Flamm stated their intention is to develop the northern portion of the property for commercial uses.

Councilmember Curtis expressed concern that since the last review of the project by the City Council, the density has increased and multifamily uses were added. The previous direction from Councilmember Curtis and former Councilmembers was to retain the commercial uses in the areas designated as Employment Center/Campus with a maximum residential portion of 60 acres, as currently indicated on the General Plan. He stated that he maintains that opinion.

Councilmember Gray stated he agrees with Councilmember Curtis but supports rezoning the southern portion of the property to CN and is willing to trade an equivalent approximate acreage. He objected to appropriating a portion of the acreage of the Employment/Center Campus area for residential uses. Although multifamily units would be appropriate adjacent to the future freeway, he advocated for a reduction in the overall residential unit count as the installation of the freeway is uncertain.

Councilmember Curtis clarified he desires to retain the total commercial acreage; however, he was willing to allow the uses to be relocated in other areas and/or changed to other types of commercial uses as proposed.

Mr. Flamm stated as the northern portion does not currently have road access, the intent is for the area to retain Agriculture zoning. He is amenable to include language in the MDP that the area be developed as commercial. He presented a review of the history of the concept plans for the project. After receiving feedback from the City Council, he prepared a plan with quarter-, third-, and half-acre lots that divided the property into rectangular commercial and residential portions. The plan was tabled by the Planning Commission with direction to add multifamily units along the future freeway. The updated plan was tabled by the Planning Commission with direction to add commercial uses along the south end of the project, which he agrees is more appropriate adjacent to Aviator Avenue. He submitted a plan with lower density to the City last October and was informed the plan did not comply with the recently adopted zone transition standards. He noted that incorporating the City's buffering requirements increased the density of the project. He concurs with the Planning Commission's recommendations to change the CC to CN to allow an increase in R3 units.

Councilmember Curtis thanked the applicant for explaining the history of the project. As the proposed freeway is not included in the 2040 Mountainland Association of Government plan, he feels it would be poor planning to allow an abundance of multifamily products.

Mr. Flamm clarified the multifamily acreage had been reconfigured but not increased from the October and November plans.

Councilmember Love suggested reducing the number of townhome units and expressed her support of the staff recommendation to increase the R3 units. She agreed with Councilmember Curtis' concerns regarding allowing high density prior to the infrastructure expansion to facilitate a high number of units in this area of the City.

Councilmember Burnham concurred with Councilmember Love to exchange some of the MF1 for additional R3 product.

Councilmember Curtis clarified he agrees with looking to the future regarding the potential of a freeway in this area but agrees with the recommendations to allow a smaller amount of higher density products to serve as a buffer with smaller acreages of transition areas.

Councilmember Clark concurred with the recommendations to reduce the density and advocated for balancing planning for the future with current City needs and the possibility of changes to current plans for the future.

Councilmember Gray stated that the majority of the units in the project should fall within the Neighborhood Residential One category which includes R1, R2, and R3 products, except in areas where deviation is necessary to buffer between uses.

Councilmember Clark expressed concern with conflicting feedback being provided to applicants, especially when the direction results in plans contrary to the General Plan. She promoted thoughtful adherence to the City's governing documents and Municipal Code.

Councilmember Curtis noted that the zoning transitioning standards are not operating in the manner intended and recognized the responsibility of the City in the process. He stated the standards should be clarified in order for developers and the Planning Commission to have a clearer understanding of Council expectations. He voiced his appreciation to the applicant for his willingness to adapt his plan.

Mr. Flamm expressed appreciation for the feedback and the Council's recognition of the challenges the plan has encountered. He summarized his understanding of the feedback was to provide fewer higher density units due to the uncertainty and timeframe regarding the installation of the future freeway. He noted the difficulty in adhering to both the General Plan and the zone transition standards due to the Neighborhood Residential One zones (R1, R2, and R3) being incompatible adjacencies to all the Employment Center/Campus-compatible zones (CC, CR, MEC, and OP).

The meeting was recessed from 4:47 p.m. to 5:02 p.m. due to technical difficulties.

2. AGENDA REVIEW

11. BID AWARDS

11.A. 2021 Eagle Mountain Spray Applied Seal Coat Project – M&M Asphalt Services

Streets and Storm Drain Manager Zac Hilton explained that the structure of the contract allows the City to move forward with preparing a Municipal Code amendment to set requirements for developers to fund the first seal coat application on new asphalt installation.

11.B. Lone Tree Parkway Traffic Signal Install – B Jackson

City Engineer Chris Trusty stated although the City only received one bid for the project, it was comparable to or lower than bids the City has received for similar projects.

Councilmember Curtis requested the Communications Department release a statement updating the public on the status of the project due to resident inquiries.

Mayor Westmoreland noted that public notifications regarding the project status have been ongoing.

15. SCARLET RIDGE ESTATES

15.A. PUBLIC HEARING/ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Transportation Master Plan of the General Plan and Rezoning Certain Lands Known as Scarlet Ridge Estates. This item was tabled at the February 16, 2021 City Council meeting.

15.B. PUBLIC HEARING/ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Approving a Master Development Plan for Scarlet Ridge Estates. This item was tabled at the February 16, 2021 City Council meeting.

15.C. MOTION – Scarlet Ridge Estates Preliminary Plat.

Items 15.A., 15.B., and 15.C. were presented and discussed concurrently.

Planning Manager Pete Kane explained the changes to the preliminary plat received since the previous meeting. The revised preliminary plat submitted on February 23, 2021, proposes a mix of 180 residential lots including 58 one-acre or larger lots, 29 three-quarter- to under one-acre lots, and 93 lots between a half-acre to under three-quarter-acre. A further revised preliminary plat submitted on February 24, 2021, proposes a mix of 176 residential lots including 58 one-acre or larger lots, 39 lots three-quarters to under one-acre, and 79 lots between a half-acre to under three-quarter-acre. The original plans called for five retention areas, and both revised plans include a reduction to three retention areas.

The project originally called for the development of an approximately 2.5-acre park with amenities. The applicant is seeking to pay a fee-in-lieu in place of providing improved open space, allowable per EMMC 16.35.105(A)(11). The open space improvements are required for properties zoned RD2 or smaller. Based on the 180 lots proposed in the February 23, 2021 preliminary plat, the fee-in-lieu for the RD2 zoning would be $337,500 plus the appraised value of the land determined to be used for the park improvement. Based on 176 lots proposed in the February 24, 2021 preliminary plat, the fee-in-lieu would be $330,000 plus the appraised value.

Councilmember Gray expressed concern that the frontages of some of the one-acre lots would allow for the lots to be subdivided in the future.

Mr. Kane clarified that fewer than half of the one-acre lots could be subdivided in the future due to one side of the lot being adjacent to a collector road and the prohibition of homes fronting on a collector.

Discussion ensued regarding concerns and the feasibility of residents or developers requesting to subdivide the larger lots in the future and the number of lots with sufficient buildable area and wide enough setbacks to fulfill the requirements to be divided.

Mr. Kane verified that if the 58 one-acre lots on the February 24, 2021 preliminary plat were to be zoned as RD1 it would prevent the lots from being able to be subdivided but would also reduce the amenities fee-in-lieu by $108,750.

Councilmember Gray stated that although zoning the larger lots to RD1 would reduce the amenities fee-in-lieu paid by the developer, he advocated zoning the lots as RD1 to prevent the lots from being divided in the future. He asked if there are any other differences to take into account when determining the appropriate zoning.

Assistant City Administrator/Development Director Steve Mumford verified that the City has the legal ability to zone lots individually. Should the entire development be zoned RD2, the master development agreement (MDA) could prohibit the subdivision of the lots; however, the restriction would expire with the expiration of the agreement and the lot could be divided if a home had not already been constructed in a central location on the lot.

Councilmember Love noted that the likelihood of a resident desiring or being able to subdivide the lot after the expiration of the MDA would be low.

Councilmember Gray emphasized his preference to zone the lots individually despite the loss of the $108,750 of the fee-in-lieu and felt it would be a goodwill gesture to the developer due to the reduction in revenue caused by developing larger lots.

Councilmember Clark concurred with Councilmember Gray's preference to individually zone the lots considering that the reduction in park space is less of a detriment to larger lots than small lots and the compromise would be mutually beneficial to the City and the applicant.

Councilmember Curtis expressed his appreciation for the applicant working with the City in implementing the desired changes.

Councilmember Gray advocated for the approval of the February 24, 2021 preliminary plat. The other Councilmembers concurred.

Mr. Kane verified that the unit count tabulation on the previous preliminary plat was incorrect; the unit counts on the new preliminary plats are correct.

Councilmember Clark recommended moving item 8.A. to the end of the agenda in consideration of the Scarlet Ridge Estates' applicant's time, and to allow sufficient time for a thorough discussion at the end of the meeting.

Mayor Westmoreland agreed to move item 8.A. to the end of the agenda and noted that the Budget Discussion is a focused discussion and not open-ended for all topics.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

No closed session was held. Mayor Westmoreland adjourned the meeting at 5:40 p.m.

7:00 P.M. POLICY 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; Pete Kane, Planning Manager; Tayler Jensen, Senior Planner; Jessa Porter, Planner; Fionnuala Kofoed, City Recorder; Elizabeth Fewkes, Recording Secretary; Chris Trusty, City Engineer; Bryce McRae, Engineer in Training; 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; and Ross Fowlks, Fire Chief.

4. CALL TO ORDER

Mayor Westmoreland called the meeting to order at 7:03 p.m.

5. PLEDGE OF ALLEGIANCE

City Recorder Fionnuala Kofoed led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- 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.
- Free meal pickup for seniors ages 60 and over is offered each Monday and Wednesday at the Senior Center until further notice. For details, please visit the City website.
- 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. Those who are ineligible groups who are interested in receiving a vaccine may now make an appointment at any location in the state. It is no longer restricted to your own county.

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 7:08 p.m.

Tia Soakai submitted the following comment: "In the Eagle Mountain Youth Council meeting, we discussed the topic about the land at the south end of eagle mountain. We were showed the latest layout of what the land might look like. We discussed how there were sufficiently more smaller lots than bigger lots. Us as a Youth Council felt there should be more of a compromise. We thought that there should be the same number of bigger slots as smaller slots. Thank you for your time and I hope you consider what we discussed."

Bettina Cameron submitted the following comment: "City Recorder: Please read the following as my verbal public comment. I'm unable to attend this meeting in person. Please address the email I sent to the City Planners, Planning Commission, and City Council on February 21, 2021. I would like to emphasize when reviewing the current zoning transition table it's more important, in my opinion, that it correlates with the General Plan land use definitions and map than worrying the City has too many transition steps. In some instances, taking this approach will also help eliminate the number of steps. For example, Rural Agriculture 1 (RA1. and Rural Agriculture 2 (RA2. can be combined into allowable transitions. Both RA1 and RA2 zones fall into the General Plan Category Lane Use of Agriculture Rural Density 1 (ARD1.. Our current city code must parallel the definitions/land use of our General Plan. As I pointed out in my Feb 21 email, the city code and General Plan conflict in several areas. Correcting this problem will help avoid further confusion with developers, City Planners, appointed officials, and elected officials. I also think it's just as important to include some statement in the 17.60.160 Zone Transition that a developer is to transition to the General Plan designated land use as soon as possible. If the City doesn't address this, developers will continue to concentrate their plans on the higher density allowed by the zone transition table. The table is to be used as a transition between land uses, not an excuse to build higher density. Lastly, I listened to the Planning Commission meeting on February 23, 2021. I appreciate the City Planners addressing previous developments that don't fall into our current zoning. I feel their proposed wording is crucial, especially if the City eliminates the lot transition table. Although I won't be able to attend in person, I will be listening to the meeting. If they have any questions/concerns with my email or this statement, I will address them via email. Thank you, Bettina Cameron"

Justin Pinkham submitted the following comment: "I've lived in EM for 20+ years, and love it. I really appreciate the focus on families and the wonderful communities that we have here. Over the past few years, I have become quite concerned about the progress and development of our city. We attract a lot of new homeowners, as one of the best places to live in Utah (my opinion. and most affordable housing. The concern I have is the High-density housing, specifically Townhomes, duplexes, fourplexes, condos, and apartments. Most of the concern is parking and aesthetics. It seems that our city is selling out to the developers greed for money and the number of units. When driving through these communities is really difficult and dangerous. If there were a fire, in any of these complexes it would likely burn down, I can't drive my sedan through many of these high-density housing developments because of parking issues. there are not enough green spaces for children to play in so they are running in and out of cars into the street. The situation is very concerning. I propose that if you permit high-density housing that you also require that the developers have parking for at least 3 vehicles per unit. It is absurd to think that individuals purchasing these $300-$500,000 condos, or townhomes are doing so on a single income with a single driver. That doesn't even include the potential for a 3rd or 4th (youth driver. that may also have a car or any visitors. Children also need more green space, The limited parks and green spaces are overwhelmed when the sporting season hits, with practices, and competition events, many are overrun again without enough parking. Thank you for your service, I do appreciate your willingness to keep Eagle Mountain a great place to live, as I do not wish to move. However, the direction of the living environment here is degrading. -Concerned Citizen Justin Pinkham"

Mayor Westmoreland closed public comment at 7:14 p.m.

8. CITY COUNCIL/MAYOR'S ITEMS

Councilmember Clark

Councilmember Clark thanked the meeting participants and staff for facilitating the meeting. She is grateful for the new program celebrating community members. She requested discussion regarding steps to return to meeting in person.

Councilmember Burnham

Councilmember Burnham welcomed the meeting participants and expressed appreciation to the events staff for their efforts and ingenuity in fostering a sense of community during the pandemic.

Councilmember Curtis

Councilmember Curtis thanked the attendance and Tia Soakai for her comment on behalf of the Youth Council. He also thanked Ms. Cameron for her comments regarding the consequences of Municipal Code. He noted the Council's responsibility to identify and address such consequences. He stated he would like to move to in-person or hybrid meetings as soon as possible.

Councilmember Love

Councilmember Love echoed the sentiments of her fellow Councilmembers.

Councilmember Gray

Councilmember Gray thanked the Youth Council for their participation and welcomed the meeting participants. He recognized long-term residents Ryan and Tani Ireland. He thanked Mr. Ireland for his service on the Planning Commission and two terms on the City Council. He commended the Irelands for volunteering as Youth Council Advisors and their other forms of community service, mentorship, and example.

Mr. Ireland thanked the Council for their recognition and stated it is always a pleasure and a privilege to serve. He is grateful for the lessons he learned and the associations he made. He thanked the current Council for their service.

8.A. City Council Budget Discussion

This item was moved to after item 15.C.

9. APPOINTMENTS

9.A. Library Advisory Board

MOTION: ***Councilmember Curtis moved to appoint Andrea Hecklinger to the Library Advisory Board completing the term through December 2022. 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.***

9.B. Parks and Recreation Advisory Board

MOTION: ***Councilmember Clark moved to appoint Zack Priestly to the Parks and Recreation Advisory Board completing the term through December 2022. 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.***

CONSENT AGENDA

10. AGREEMENTS

10.A. Technical Planning Assistance Agreement – UDOT

11. BID AWARDS

11.A. 2021 Eagle Mountain Spray Applied Seal Coat Project – M&M Asphalt Services

11.B. Lone Tree Parkway Traffic Signal Install – B Jackson

12. BOND RELEASES

12.A. Overland Trails Plat III-B – Into Warranty

13. MINUTES

13.A. February 16, 2021 – Regular City Council Meeting

14. RESOLUTIONS

14.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Adopting the Municipal Wastewater Planning Program, 2020 Annual Survey.

MOTION: ***Councilmember Clark moved to approve the consent agenda. Councilmember Gray seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, Jared Gray, and Carolyn Love. The motion passed with a unanimous vote.***

SCHEDULED ITEMS

15. SCARLET RIDGE ESTATES

15.A. PUBLIC HEARING/ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Transportation Master Plan of the General Plan and Rezoning Certain Lands Known as Scarlet Ridge Estates. This item was tabled at the February 16, 2021 City Council meeting.

Items 15.A., 15.B., and 15.C. were presented and discussed concurrently.

Planning Manager Pete Kane presented the item. The subject property is approximately 160 acres east of Lake Mountain Road and south of the future Tiffany Lane extension. The property is currently zoned Agriculture and is designated Agriculture/Rural Density Two in the General Plan. The Planning Commission's review of the 2019 concept plan resulted in feedback regarding concerns about the placement and distances of roads and equestrian trails, connectivity, and a recommendation of zoning the smaller lots to RD2 and the larger lots to RD1.

The concept plan was revised and reviewed by the City Council in August 2020. Feedback included a request for a minimum of 30 one-acre lots and an increase in aesthetic appeal by adjusting lot widths and including curvature in the roads. Applications for a preliminary plat, rezone, and General Plan amendment have also been submitted. Based on the City Council hearing on February 16, 2021, the applicant has submitted a revised preliminary plat. After the posting of the agenda and staff report, the applicant submitted an additional revised preliminary plat.

The applicant is seeking to amend the future transportation plan as it relates to plans for future road expansions to future development of Tiffany Lane between Airport Road and the north-south collector along the eastern edge of the subject property. The request is to change the classification to a collector road for the portion between Airport Road and the northwest corner of the subject property, and then to a residential road with a 53-foot width for the portion running along the northern edge of the property to the north-south collector on the eastern edge of the property. Staff agrees with changing this to a collector road but for the entire length between Airport Road and the future north-south collector to Eagle Mountain Boulevard. Although a revised General Plan amendment exhibit was not submitted, the applicant's revised preliminary plat matches the staff recommendation setting Tiffany Lane as a collector road along the northern edge.

The applicant is seeking to rezone the property from Agriculture to RD2. The RD2 zone is an appropriate zone for the Agriculture/Rural Density Two land use designation.

Mr. Kane reviewed the proposed preliminary plats and park amenity changes presented during the work session portion of the meeting.

The application identifies the development to be constructed and platted in seven phases. The proposed road network includes multiple connections: two road connections at the north to Tiffany Lane, three connections to the east to the future collector road that will run along that side of the development, two connections to the south to the future collector road that will run along that side of the development, and three connections to the west to the concepted Triumph residential development. As requested, the applicant has revised the plans to incorporate half-width dedications for a 53-foot right-of-way on the eastern and southern edges of the property. Collector roads are required to have street trees and residential lots with side or rear lot lines along collector roads are required to have privacy fencing.

The Planning Commission held a public hearing on the requests on January 12, 2021, and unanimously voted 4 to 0 with one absentee to recommend approval of the master development plan request with the following conditions:

- That Phases 1, 2, and 3 are adjusted into two phases, and the park feature constructed as part of Phase 2;
- Revisions to the park plan as outlined in the staff report;
- Consideration of utilizing park strip drainage, swales, or other low impact development method in place of multiple retention areas; and
- Incorporation of the half-width of the east and south collector roads.

Based on the Planning Commission recommendation and the revisions made to the plans by the applicant, staff recommends that the City Council motion to approve the ordinance for the requested rezoning and General Plan amendment with the following conditions:

1. That the amendment revises the Transportation Master Plan map for the road running along the north edge of the subject property between the future Airport Road and the future collector road to the east of the subject property from a "major arterial" to a "collector;" and
2. The approval is contingent upon the approval of the project's master development agreement.

Staff recommends that the City Council motion to approve the master development plan with the following conditions:

1. A fee-in-lieu payment, per EMMC 16.35.105(A)(11), shall be paid with recordation of the final plat;
2. Improvement of retention areas as required by EMMC 15.50.060(A) and (B); and
3. The approval is contingent upon the approval of the project's master development agreement.

Staff recommends that the City Council motion to approve the preliminary plat with the following conditions:

1. A fee-in-lieu payment, per EMMC 16.35.105(A)(11), shall be paid with recordation of the final plat;
2. Streetlighting is required to comply with EMMC 15.10.390;
3. Privacy fencing must be installed for residential lots with a rear and/or side lot adjacent to a collector road in compliance with EMMC 16.35.090, specifically the roads along the north, east, and south edge of the project; and
4. The approval is contingent upon the approval of the project's master development agreement.

Discussion ensued verifying that traffic concerns had been addressed and resolved by the applicant.

Mayor Westmoreland opened the public hearing at 7:49 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.

Councilmember Clark inquired if the applicant was amenable to approving the equine overlay for the RD2 portions of the development.

Applicant representative Ryan Kent expressed his support of approving the Equine Overlay Zone on the RD2 zone portion of the development.

MOTION: ***Councilmember Clark moved to approve an ordinance of Eagle Mountain City, Utah, amending the Transportation Master Plan of the General Plan and rezoning certain lands known as Scarlet Ridge Estates with the following conditions:***

1. ***The amendment shall revise the Transportation Master Plan map for the road running along the north edge of the subject property between the future Airport Road and the future collector road to the east of the subject property from a "major arterial" to a "collector;"***
2. ***The approval shall be contingent upon the approval of the project's master development agreement; and***
3. ***For reference purposes of this motion, the February 24, 2021 preliminary plat shall be used;***
4. ***All one-acre and large lots shown on the February 24, 2021 preliminary plat shall be rezoned to the RD1 zone;***
5. ***All lots less than one-acre shown on the February 24, 2021 preliminary plat shall be rezoned to the RD2 zone with the Equine Overlay Zone.***

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.

15.B. PUBLIC HEARING/ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Approving a Master Development Plan for Scarlet Ridge Estates. This item was tabled at the February 16, 2021 City Council meeting.

Mayor Westmoreland opened the public hearing at 7:50 p.m. No comments were submitted to the City Recorder's Office and no public was in attendance to make comment. As there were no comments, Mayor Westmoreland closed the hearing.

MOTION: ***Councilmember Clark moved to approve an ordinance of Eagle Mountain City, Utah, approving a Master Development Plan for Scarlet Ridge Estates with the following conditions:***

1. ***A fee-in-lieu payment, per EMMC 16.35.105(A)(11), shall be paid with recordation of the final plat;***
2. ***Improvement of retention areas shall be required by EMMC 15.50.060(A) and (B);***

3. ***The approval shall be contingent upon the approval of the project's master development agreement.; and***
4. ***The approved master development plan will include the February 24, 2021 preliminary plat as the referenced exhibit.***

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.

15.C. MOTION – Scarlet Ridge Estates Preliminary Plat.

MOTION: ***Councilmember Clark moved to approve the Scarlet Ridge Estates February 24, 2021 Preliminary Plat with the following conditions:***

1. ***A fee-in-lieu payment, per EMMC 16.35.105(A)(11), shall be paid with recordation of the final plat;***
2. ***Streetlighting shall be required to comply with EMMC 15.10.390;***
3. ***Privacy fencing must be installed for residential lots with a rear and/or side lot adjacent to a collector road in compliance with EMMC 16.35.090, specifically the roads along the north, east, and south edge of the project; and***
4. ***The approval shall be contingent upon the approval of the project's master development agreement.***

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.

8. CITY COUNCIL/MAYOR'S ITEMS

8.A. City Council Budget Discussion

Councilmember Curtis

- Increase the reserve fund to 35 percent as now allowable under State statue
- Review investments and debts to guard against financial repression and depression
- Procure staff and/or technology necessary to resume in-person or hybrid meetings via a budget amendment, if necessary
- Prioritize Airport Road funding and land acquisition
- Provide information regarding pending and approved applications on the City website
- Eliminate miscellaneous budgets
- Implement the ability to search previous City Council decisions
- Resident land use survey
- Track and tabulate housing product percentages and set goals and targets

Mr. Jerome explained that the State limits the number of general ledger accounts included in transparency reports. To remain within the allowable number of accounts, staff adds comments on the spreadsheet with specifics regarding the expense and more detailed information can be provided to the Council, if desired.

Councilmember Curtis acknowledged the impediments to his request to further subdividing the budget.

Ms. Kofoed explained that as the desired search functionality is unavailable with Granicus, the City would need to either change to a more expensive option with a search feature or determine another method to search the finalized documents.

Discussion ensued clarifying the features desired by the Council and potential document search programs and methods.

Councilmember Curtis clarified he desires macro-level data regarding vested product types to better inform Council decisions to be in harmony with goals for the future of the City.

Mr. Mumford explained that the Planning Department has data available for permitted and completed projects and is in the process of researching vested approvals, although the data will not be exact due to variance between approved vesting and final projects. He recognized the value in providing the information requested by Councilmember Curtis; however, additional staff would be necessary to compile the data for the housing product types and to provide residents with information regarding pending and approved applications.

Councilmember Curtis voiced his support to approve hiring additional staff to meet his goals especially in consideration of the rapid growth within the City.

Councilmember Love agreed with Councilmember Curtis and requested the housing information include lot size in addition to product type.

Councilmember Love

- Prioritize Airport Road
- Compile planning data
- Secure water supply
- Install secondary water infrastructure
- Provide utility billing data
    - Comparisons of usage to other residents
    - Rankings
    - Potential savings methods
    - Conservation tips and resources
- Conduct a traffic light study for the intersection of Woodhaven Boulevard and Pony Express Parkway
- Move forward with the Wildlife Corridor implementation

Mr. Jerome explained that the intersection of Woodhaven Boulevard and Pony Express Parkway is located within Saratoga Springs City limits. The City has been in discussions with Saratoga Springs regarding traffic concerns at the location. Saratoga Springs plans indicate a traffic light on a street near Woodhaven Boulevard and the City is considering access from Woodhaven Boulevard to another traffic light and other options.

Councilmember Curtis noted that a few years ago, Saratoga Springs had refused to allow Eagle Mountain to install a traffic light at that location.

Discussion ensued regarding the appropriate and available next steps regarding a traffic light, especially in consideration of the spacing requirements for traffic lights should Saratoga Springs install the planned traffic light.

<u>Councilmember Clark</u>

- Secure Memorandums of Understanding with local businesses to increase emergency preparedness
- Prioritize Airport Road and resolve legal issues regarding "private road" signage and road blocking measures
- Determine and schedule the appropriate widening of Eagle Mountain Boulevard
- Conduct a comprehensive housing analysis
    - Potentially hire a firm to compile the current data
    - Present the data by acreage and quantity distribution
    - Create a housing dashboard displaying the data
    - Allocate funding to prioritize implementation
- Provide information regarding pending and approved applications on the City website
    - Include concept plans with disclaimers indicating the plans are not final
    - Allocate funding to prioritize implementation
- Invite all Councilmembers to attend Development Review Committee meetings on a rotating schedule
- Require purple pipe installation for new development
- Provide a green waste drop off to mulch wood and utilize the surplus in the Solid Waste Fund for implementation
- Provide glass recycling drop off points, potentially partnering with the current recycling company
- Facilitate the automated utility metering to reduce the implementation timeline
- Support School Resource Officers (SROs) program
    - Obtain data regarding SROs impact on crime reduction
    - Encourage and facilitate positive law enforcement and youth interactions
- Implement public safety impact fees
- Increase financial support of non-profit organizations such as Volunteers in Police Services
    - Encourage business partner donation support
- Create a digital recreation catalog, including resident classes and services
- Mechanize a process to facilitate resident requests, concerns, and proposals
- Utilize the Match Grant program
- Install a skate park in Smith Ranch or another impact fee-eligible area
- Research an appropriate location for a dog park
- Create a "Heroes Boulevard" to honor military and first responders, consider Mid Valley Road as a potential location
- Determine and implement legislative goals
    - Multifamily design standards
    - Private roads

    - Parking requirements
- Discuss zone transitioning Municipal Code standards with the Planning Commission in a joint meeting

City Attorney Jeremy Cook stated he would research the legal issues with Airport Road.

Discussion ensued regarding the status of the Match Grant program, the lack of submissions, the funds having been potentially reallocated to the recreation center fund, methods to reimplement the program, and obstacles with previous Match Grant applications and property ownership.

Councilmember Clark clarified the Match Grant program had been discussed at a recent Parks and Recreation Advisory Board meeting and she was unsure of the status of the program and funding. She feels the program is beneficial and encouraged the continuation of the program.

Councilmember Gray expressed his support of the program but expressed concern with specifically allocating a set amount of funds to the program. He preferred to address the funding of requests on an individual basis. Councilmembers Curtis and Clark expressed support of this suggestion.

Councilmember Clark recommended having the Parks and Recreation Advisory Board evaluate and vet Match Grant applications and projects prior to presentation to the City Council.

Mayor Westmoreland requested staff present updated road project statuses at a future meeting.

Mr. Jerome stated the City is exploring bond options for Airport Road. As the road is not regionally significant, it is precluded from other budget sources. The first portion of the project is planned for this year's budget and is currently under budget. Eagle Mountain Boulevard is also included in the budget and hopefully will be funded through impact fees.

Discussion ensued regarding road infrastructure bonding and funding options and the impact of transportation impact fees.

<u>Councilmember Burnham</u>

- Prioritize Airport Road
    - Land acquisition
    - Bonding
- Widen Eagle Mountain Boulevard
- Advocate for City infrastructure needs outside of Eagle Mountain City boundaries with State Legislature
- Partner with Saratoga Springs to install a road "over the mountain"
- Prioritize road maintenance
- Install secondary water and water reuse systems
- Meet staffing needs
- Facilitate the Wildlife Corridor
- Update City parks
- Increase the reserve fund

- Transition to in-person and virtual hybrid meetings
- Track housing development percentages
- Reserve land for mass transit
- Pursue a hospital

Councilmember Gray
- Create an electronic City budget ledger
- Prioritize land acquisition and funding for utility and infrastructure expansion
- Prioritize Airport Road
- Install secondary water system
    - Require developers to install purple pipe for new developments
- Pursue a hospital
- Pursue a college satellite campus

Mr. Jerome stated that staff can provide the Council with a detailed copy of the ledger and discussed some of the potential options. He explained and clarified budget categories and how the information is presented in the City budget book including expenses and employee compensation that overlap departments. The City has allocated the funds and is in discussions to expand the City's utilities and infrastructure. The projections for infrastructure needs have been anticipated for full City build-out. The City will likely need to fund the expansion through bonding in addition to the allocated budget funds.

16. CITY COUNCIL/MAYOR'S BUSINESS

Councilmember Gray
Councilmember Gray expressed concern that the Municipal Code standards for the RD1 and RD2 zones exclude lots size average requirements. He advocated for support from his fellow Councilmembers to have an amendment with lot size average requirements to be placed on a future agenda.

Councilmember Curtis stated he would support an average lot size requirement for RD2 but not RD1 due to concern that a lot size average requirement in the RD1 zone would inadvertently discourage RD1 zone developments.

Councilmember Love endorsed adding Councilmember Gray's request to the agenda for further discussion.

Mr. Mumford explained that the recommended method to address Councilmember-proposed amendments requires the support of three Councilmembers before staff drafting an amendment and preparing an agenda item for the Planning Commission.

Councilmember Gray clarified his intention is to petition support from the other Councilmembers to formalize the request to direct staff to prepare the item.

Councilmember Clark expressed her support of the item especially in consideration of concerns that arose regarding lot size averages during the Scarlet Ridge discussion.

Councilmember Gray advocated for an amendment to the verbiage to require a variety of lot sizes over the minimum one-acre lot size in the RD1 zone.

Mayor Westmoreland spoke against requiring an average lot size for the RD1 zone, but stated his approval to include the topic as a discussion item on a future agenda.

Councilmember Curtis expressed concern with the logistics of implementing acreage size variety requirements.

Councilmember Clark stated she would be willing to have a discussion regarding lot size variety in the RD1 zone, although she would likely be in favor of developments with only one-acre lots as a benefit to the City. She concurred with concerns that a zone size variety requirement would inadvertently discourage RD1 zone requests.

Councilmember Gray noted that as the Agricultural/Rural Density Two General Plan category is intended for large lot development in the City, he feels it appropriate to require lots above one-acre.

Discussion ensued debating the benefits and concerns regarding requiring lots over the one-acre minimum acreage requirement in the RD1 zone.

Councilmember Burnham suggested that in the interest of time, the Councilmembers could email Mr. Mumford regarding their support or opposition to Councilmember Gray's amendment request. She stated favor for the requirement for the support of multiple Councilmembers to prevent staff from preparing amendments that will fail due to lack of Councilmember support.

Councilmember Clark suggested bringing back the item as a discussion item to determine Councilmember support before staff preparing an amendment.

Councilmember Curtis expressed concern that City Council and Mayor's Business are placed at the end of the agenda rather than being discussed earlier in the meeting. He advocated formalizing a clear mechanism for Councilmember requests, such as a form.

Councilmember Clark advocated for Councilmembers to be able to request a discussion item to be added to an agenda in order to be allotted adequate time to present their proposal to the Council prior to polling Councilmember support for a policy item and/or amendment.

Ms. Kofoed explained that twice during the meeting, once at the beginning and once at the end, the Councilmembers have the opportunity for three or more members to make a formal request for items to return to a future meeting for further discussion to allow staff to properly fulfill the legal public notification requirements for agenda items prior to the official discussion of the topic.

Councilmember Clark stated that although she agreed that the support of three Councilmembers is an appropriate requirement to initiate the formal process for an agenda item, she feels that the request of two Councilmembers should be sufficient for an item to be placed as a work session discussion item on a future agenda.

Councilmember Gray expressed concern that the Mayor appeared to be uninterested in the topic and stated his desire to adjourn the meeting due to the later time zone of the Mayor's location..

Mayor Westmoreland stated he was confused by Councilmember Gray's concern as he had already declared his approval for the item to return as a discussion item at a future meeting.

Councilmember Burnham reiterated that in order to hold an official discussion on a topic, the item must be publicly noticed, and noted that the Mayor had already indicated his approval several times for the item to be placed on a future agenda.

Councilmember Clark expressed appreciation of Mayor Westmoreland's support of this item; however, she clarified she is concerned with requiring the support of three Councilmembers due to the possibility of a mayor not agreeing to place an item on the agenda. Councilmember Burnham concurred with her concern.

Mr. Mumford clarified he had told Councilmember Gray that he needed the support of two additional Councilmembers due to the need for a vote of three Councilmembers to pass an amendment. He stated that an item may be added as a discussion item with the support of two Councilmembers if that is the preferred policy. He noted that a Municipal Code amendment would need to be presented to the Planning Commission before being placed as an action item on a City Council agenda; however, the topic could be added as a discussion item to the Council first, if desired.

Councilmember Gray recommended that an amendment for the RD2 zone to move forward to Planning Commission without an amendment to the RD1 zone as it appears the other Councilmembers disagree with requiring an average lot size for the RD1 zone.

Mr. Mumford stated that as the amendment had received the support of three Councilmembers, staff can move forward with an amendment to the RD2 zone to present to the Planning Commission rather than having the item return for further discussion. He noted that potentially amending the RD1 zone requirements could be discussed in conjunction with the RD2 amendment and determined to be added or excluded from the amendment.

Councilmember Love stated that as two Councilmembers had indicated support of a discussion regarding the RD1 zone, it should be included on an agenda as a discussion item.

Mr. Mumford stated that if that is the desire of the Council, the items will return for discussion with the City Council rather than being added to the Planning Commission agenda.

Councilmember Curtis expressed concern with single-family products being allowed in the MF1 zone due to the reduced standards included in other single-family zones and feels it is problematic to allow single-family and multifamily in the same zone.

Mr. Mumford confirmed that concerns regarding MF1 products are scheduled to be discussed during the next Planning Commission meeting.

17. CITY COUNCIL BOARD LIAISON REPORTS

Councilmember Clark
Councilmember Clark is excited to promote the Ham Radio examination at 10:00 a.m. on Saturday, March 27, 2021, following COVID-19 precautions including the ability to take the test in participants' vehicles. At the Youth Council meeting, they discussed the Youth Council's plans to coordinate service projects and events with local high schools and clubs. She appreciates that the Youth Council was encouraged to participate in the City Council meeting.

Councilmember Burnham
Councilmember Burnham said the Senior Citizen Advisory Council is hoping to hold an Easter bingo event in late April if permitted under State guidelines and restrictions once the majority of the seniors have been able to receive vaccinations.

Councilmember Love
Councilmember Love stated the Cemetery Advisory Board is planning a Memorial Day Observance. The Eagle Mountain Chamber of Commerce held a networking luncheon with other local chambers and will tour Tyson Foods on March 11, 2021.

Councilmember Gray
Councilmember Gray stated that Pony Express Events will hold a meeting on March 3, 2021, and invited one of his fellow Councilmembers to attend.

Councilmember Curtis
Councilmember Curtis reported the Military and Veterans Advisory Board requested information regarding their budget and fundraising, an email distribution group, a form to provide emails to the board, a welcome packet including Post Traumatic Stress Disorder resources, and a link on the City website. They are planning an outreach event in May for the children of military servicemembers.

Ms. Kofoed stated she will follow up with staff regarding the requests and will finalize setting up the board email. She explained that she had met with previous Military and Veteran Advisory Board members and explained their budget to them in detail and expressed her willingness to review the material with current board members. She clarified that it is appropriate for the Council to report on their liaison assignments and that discussions become problematic if the item topic has not been properly noticed prior to the meeting.

Discussion ensued explaining and clarifying the Military and Veterans Advisory Board budget allocation of $2,100 and City policies and procedures regarding fundraising.

Councilmember Curtis recommended the Council facilitate a transition process to ensure information is passed on to new board members.

Mr. Jerome stated that Finance Director Kimberley Ruesch is willing to meet with board members to answer financial questions.

18. COMMUNICATION ITEMS

18.A. Upcoming Agenda Items

19. ADJOURNMENT

MOTION: ***Councilmember Clark moved to adjourn the meeting at 10:00 p.m. Councilmember Love seconded the motion. Those voting aye: Donna Burnham, Melissa Clark, Colby Curtis, and Carolyn Love. Those voting nay: Jared Gray. The motion carried with a vote of 4:1.***

The meeting was adjourned at 10:00 p.m.

Approved by the City Council on March 16, 2021.

Fionnuala B. Kofoed, MMC
City Recorder

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