



## EAGLE MOUNTAIN PLANNING COMMISSION MEETING

**OCTOBER 8, 2024, 5:30 PM**

EAGLE MOUNTAIN CITY COUNCIL CHAMBERS  
1650 EAST STAGECOACH RUN, EAGLE MOUNTAIN, UTAH 84005

### **5:30 PM – PLANNING COMMISSION WORK SESSION**

#### **1. DISCUSSION ITEMS**

1.A. DISCUSSION - General Plan Outline

### **6:30 PM PLANNING COMMISSION POLICY SESSION**

#### **2. CALL TO ORDER**

#### **3. PLEDGE OF ALLEGIANCE**

#### **4. DECLARATION OF CONFLICTS OF INTEREST**

#### **5. MINUTES**

5.A. September 24, 2024 Planning Commission Minutes

#### **6. STATUS REPORT**

#### **7. ACTION AND ADVISORY ITEMS**

7.A. ACTION ITEM/PUBLIC HEARING - Amending the Consolidated Fee Schedule for section 10.1 Master Development Fees, section 10.7 Other Development Fees, and section 13.1 Building Permit Fees

BACKGROUND: (Presented by Finance Director, Kimberly Reusch). A proposal to adopt a resolution amending the Eagle Mountain City Consolidated Fee Schedule to increase fees for a Hobby Breeder License Application, establish a Pet-Sitting License Application; reduce fees for a Master Development Agreement Amendment Application, reduce fees for Building Permits, and to eliminate the Fast Track Fee.

7.B. ACTION ITEM - First Amendment to the Master Development Agreement for the Triumph Subdivision

BACKGROUND: (Presented by City Attorney, Marcus Draper). Master Development Agreement for the Triumph Subdivision.

7.C. ACTION ITEM/PUBLIC HEARING - Strides Pediatric Therapy - Site Plan

BACKGROUND: (Presented by Planner, Steven Lehmitz). Proposed Site Plan application for Strides Pediatric Therapy, located at 18406 W. White Quest Drive (Parcel Number 59:051:0026), to add additional building locations and parking spaces.

7.D. ACTION ITEM/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah,

Amending the Eagle Mountain Municipal Code 17.10.30 Definitions and 17.59 Easements.

BACKGROUND: (Presented by Planner, Steven Lehmitz). The proposed code amendment adds the definition for an easement and proposes EMMC 17.59 as a new chapter that establishes standards related to easements.

7.E. ACTION ITEM/PUBLIC HEARING - Belle Street Seminary Building - Site Plan

BACKGROUND: (Presented by Planner I, Ashley Swensen). Proposed Site Plan application for the Belle Street Seminary Building, located at 1215 E Harmony Way (Parcel Number: 38:716:0002).

7.F. ACTION ITEM - Jenson Pet Sitting Expansion - Request/Petition

BACKGROUND: (Presented by Planner, Steven Lehmitz). Locke Pet Sitting Expansion, allowing the holder of the business license to have up to 10 dogs on the property at any given time, was approved by the Planning Commission at their June 11, 2024, meeting. The current applicant is seeking the same approval granted to Melanie Locke and for the same property (2322 E. Hawk Lane).

8. **DISCUSSION ITEMS**

9. **NEXT SCHEDULED MEETING**

10. **ADJOURNMENT**

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

By the Americans with Disabilities Act, Eagle Mountain City will make reasonable accommodations 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 2nd day of October, 2024, on the Eagle Mountain City bulletin boards, the Eagle Mountain City website [www.emcity.org](http://www.emcity.org), posted to the Utah State public notice website <http://www.utah.gov/pmn/index.html>, and was emailed to at least one newspaper of general circulation within the jurisdiction of the public body.

Fionnuala B. Kofoed, MMC, City Recorder



**EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING  
OCTOBER 8, 2024**

<b>TITLE:</b>	General Plan Outline
<b>ITEM TYPE:</b>	Discussion Item
<b>FISCAL IMPACT:</b>	N/A
<b>APPLICANT:</b>	City Staff

<b>CURRENT GENERAL PLAN DESIGNATION &amp; ZONE</b>	<b>ACREAGE</b>
N/A	N/A

**PUBLIC HEARING**

No

**PREPARED BY**

Beth Fewkes

**PRESENTED BY**

Beth Fewkes

**RECOMMENDATION:**

Staff is seeking input from the Planning Commission on the proposed outline for the General Plan.

**BACKGROUND:**

Staff has prepared a draft outline for the Eagle Mountain City General Plan update. This outline will be amended throughout the General Plan preparation process to incorporate direction from the City Council, recommendations from the Planning Commission, research findings, and public feedback. The outline is presented at the beginning of the process to ensure all desired aspects of the General Plan are considered.

**ITEMS FOR CONSIDERATION:**

N/A

**PLANNING COMMISSION ACTION/RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. General Plan Outline Draft Oct 2024

# General Plan Outline

## INTRODUCTION

- Context/Mayor's Letter
- General Plan Explanation
- General Plan Purpose
- General Plan Process
- Relationship to Other Plans

## COMMUNITY

- Community Identity
- Eagle Mountain Yesterday
- Eagle Mountain Today
- Eagle Mountain Tomorrow
- Strategies and Goals
- Action Plan

## VISION AND GOALS

- Strategic Vision
- Tagline – Ascend Together
- Core Values
- Strategic Goals, Objectives, and Actions

## LAND USE

- Context
- Development
- Challenges and Opportunities
- Resilience
- Planning
- General Plan Designations
- General Plan Designations with Corresponding Zoning

Maps  
Future Annexation  
Strategies and Goals  
Action Plan

## **HOUSING**

Context  
Eagle Mountain Housing History  
Eagle Mountain Housing Today  
The Future of Housing in Eagle Mountain  
Strategies and Goals  
Action Plan

## **MODERATE INCOME HOUSING**

Context  
Area Median Income Levels  
Pricing and Attainability  
Matching Market with Demographics  
Strategies and Goals  
Action Plan

## **TRANSPORTATION AND MOBILITY**

Context  
Existing Transportation Infrastructure  
Transportation Challenges  
Transportation Plans and Opportunities  
Strategies and Goals  
Action Plan

## **ECONOMICS**

Context  
Economic History  
Supporting Local Businesses

Attracting New Businesses  
Strategies and Goals  
Action Plan

## **PARKS AND OPEN SPACES**

Context  
Parks  
Trails  
Open Space  
Wildlife Corridor  
Strategies and Goals  
Action Plan

## **ENVIRONMENTAL STEWARDSHIP**

Context  
Conditions  
Resource Management  
Strategies and Goals  
Action Plan

## **WATER**

Water Supply Assessment  
Water Demand Projections  
Water Conservation Strategies  
Land Use and Water Integration  
Water Quality Protection  
Development Standards  
Water Reuse and Reclamation Opportunities

## **PUBLIC SERVICES AND SAFETY**

Context  
Public Service  
Public Safety

Potential Hazards and Emergency Situations  
Hazards and Emergency Situation Mitigation  
Strategies and Goals  
Action Plan

## **PLAN ADMINISTRATION**

The Plan Development Process  
General Plan Implementation  
Amending the General Plan  
Chapter Goals and Key Initiative Matrices

## **RESOURCES AND REFERENCES**

DRAFT



# EAGLE MOUNTAIN PLANNING COMMISSION MINUTES

SEPTEMBER 24, 2024, 5:30 PM

EAGLE MOUNTAIN CITY COUNCIL CHAMBERS

1650 EAST STAGECOACH RUN, EAGLE MOUNTAIN, UT 84005

COMMISSION MEMBERS PRESENT: Commissioners Jason Allen, Robert Fox, Rod Hess, Brent Strong, and Craig Whiting, and Alternate Commissioner Bryan Free.

ELECTED OFFICIALS PRESENT: Councilmember Brett Wright, Liaison to the Planning Commission.

CITY STAFF PRESENT: Brandon Larsen; Planning Director; Marcus Draper, City Attorney; Steven Lehmitz, Planner; Elizabeth Fewkes, Planner; and Lianne Pengra, Chief Deputy Recorder.

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

Commissioner Allen called the meeting to order at 5:31 PM.

### 1. DISCUSSION ITEMS

#### 1.A. DISCUSSION – Moderate Income Housing

Planner Elizabeth Fewkes presented the item. In 2023, Eagle Mountain City adopted strategies for Moderate-Income Housing as part of its General Plan, in accordance with Utah State Code Section 10-9a-403. Strategy 5 directs the adoption of a land use ordinance requiring 10% or more of new residential development in certain residential zones to be dedicated to moderate-income housing. The City Council has set a deadline of December 31, 2024, to adopt this ordinance. Staff has begun preliminary research and engaged with the City Council and stakeholders to explore potential housing types that meet both City and State requirements.

Please see the attached Report of Action for details regarding the discussion.

Commissioner Allen adjourned the work session at 6:26 PM.

## **6:30 P.M. EAGLE MOUNTAIN CITY PLANNING COMMISSION POLICY SESSION**

### 2. CALL TO ORDER

Commissioner Allen called the meeting to order at 6:30 PM.

### 3. PLEDGE OF ALLEGIANCE

Commissioner Allen led the Pledge of Allegiance.

### 4. DECLARATION OF CONFLICTS OF INTEREST

None.

### 5. MINUTES

#### 5.A. September 10, 2024 Planning Commission Minutes

**MOTION:** *Commissioner Whiting moved to approve the September 10, 2024 minutes with the changes to the Reports of Action, as noted. Commissioner Strong seconded the motion.*

<b>Jason Allen</b>	<b>Yes</b>
<b>Robert Fox</b>	<b>Yes</b>
<b>Rod Hess</b>	<b>Yes</b>
<b>Brent Strong</b>	<b>Yes</b>
<b>Craig Whiting</b>	<b>Yes</b>
<b>Bryan Free</b>	<b>Not Voting – Alternate</b>

*The motion passed with a unanimous vote.*

6. STATUS REPORT

Planning Director Brandon Larsen reviewed the planning items discussed and voted upon during the previous City Council meeting.

7. ACTION AND ADVISORY ITEMS

7.A. ACTION/PUBLIC HEARING – Dutch Bros Site Plan

Planner Steven Lehmitz presented the item. The proposed site plan for a Dutch Bros is located at 1231 E Eagle Mountain Boulevard, Utah County Parcel Number 59:044:0189.

Applicant representative Forrest Gaskill addressed the Planning Commission regarding the item.

*Commissioner Allen opened the public hearing at 6:44 PM. As there were no comments, he closed the hearing.*

Please see the attached Report of Action for details regarding the discussion.

**MOTION:** *Commissioner Allen moved to recommend approval to the City Council of the Dutch Bros Site Plan with the following conditions:*

- 1. The internal roadway in Area A is completed before a certificate of occupancy is issued (Marketplace ARMDA); and*
- 2. The external wall in Area A is completed before a certificate of occupancy is issued (Marketplace ARMDA).*

*Commissioner Fox seconded the motion.*

<b>Jason Allen</b>	<b>Yes</b>
<b>Robert Fox</b>	<b>Yes</b>
<b>Rod Hess</b>	<b>Yes</b>
<b>Brent Strong</b>	<b>Yes</b>
<b>Craig Whiting</b>	<b>Yes</b>
<b>Bryan Free</b>	<b>Not Voting - Alternate</b>

*The motion passed with a unanimous vote.*

7. DISCUSSION ITEMS

8. NEXT SCHEDULED MEETING

The next Planning Commission meeting is scheduled for October 8, 2024.

9. ADJOURNMENT

**MOTION:** *Commissioner Fox moved to adjourn the meeting at 6:50 PM. Commissioner Strong seconded the motion.*

<b>Jason Allen</b>	<b>Yes</b>
<b>Robert Fox</b>	<b>Yes</b>

<b>Rod Hess</b>	<b>Yes</b>
<b>Brent Strong</b>	<b>Yes</b>
<b>Craig Whiting</b>	<b>Yes</b>
<b>Bryan Free</b>	<b>Not Voting - Alternate</b>

*The motion passed with a unanimous vote.*

The meeting was adjourned at 6:50 PM.

Approved by the Planning Commission on October 8, 2024.

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Brandon Larsen  
Planning Director

DRAFT



# Eagle Mountain City Planning Commission Report of Action

September 24, 2024

ITEM #7.A. Forrest Gaskill requests site plan review and recommendation of a Dutch Bros, located at 1231 E. Eagle Mountain Boulevard (Parcel No. 59:044:0189). Steven Lehmitz (801) 789-6617  
[slehmitz@emcity.org](mailto:slehmitz@emcity.org) SITE-24-7

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The following action was taken by the Planning Commission on the above-described item at its regular meeting of September 24, 2024:

## RECOMMENDED APPROVAL

On a vote of 5:0, the Planning Commission recommended that the City Council approve the above-noted application.

Motion By: Jason Allen (**to Recommend Approval**)

Second By: Robert Fox

Votes in Favor of Motion: Robert Fox, Jason Allen, Brent Strong, Rod Hess, and Craig Whiting

Jason Allen was present as Chair.

Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

### LEGAL DESCRIPTION OF PROPERTY

LOT 302, MARKETPLACE AT EAGLE MOUNTAIN TOWN CENTER, PHASE 3 SUB AREA 0.816 AC.

### RELATED ACTIONS

None

### PROPOSED OCCUPANCY

N/A

### PROPOSED PARKING

- 8 Total parking stalls required
- 15 Total parking stalls provided

### DEVELOPMENT AGREEMENT

This site is subject to the Amended and Restated Development Agreement for The Marketplace at Eagle Mountain Town

Center.

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

CITY DEPARTMENTAL ISSUES

None

CONCERNS RAISED BY PUBLIC

None

APPLICANT RESPONSE

Key points addressed in the applicant's presentation to the Planning Commission included the following:

- Forrest Gaskill confirmed that they would ensure that the road and wall would be in before seeking certificates of occupancy for any of their tenet locations in Area A.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Commissioner Allen asked exactly where the wall would be located in Area A and about the placement of the menu board on the site.
- Commissioner Hess stated his preference to reduce the number of drive-throughs in the city.
- Commissioner Whiting agreed with Commissioner Hess and asked how that could be handled.
- Commissioner Fox stated that drive-throughs can be very beneficial for business owners.

FINDINGS / BASIS OF PLANNING COMMISSION DETERMINATION

The site met Eagle Mountain's standards for site plan development.

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Planning Director

See Key Land Use Policies of the Eagle Mountain General Plan, applicable Titles of the Eagle Mountain City Code, and the Staff Report to the Planning Commission for further detailed information.

Administrative decisions of the Planning Commission **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Planning Division, **within fourteen (14) calendar days of the Planning Commission's decision** (Eagle Mountain City office hours are Monday through Friday, 7:30 a.m. to 5:30 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

### 13.1. | BUILDING PERMIT FEES

Last Revision: 04/23/2024

<u>Total Valuation*</u>	<u>Fee</u>
\$1.00 to \$500	\$24
\$501 to \$2,000	\$24 for the first \$500, plus \$3 for each additional \$100, or fraction thereof, to and including \$2,000
\$2,001 to \$40,000	\$69 for the first \$2,000, plus <del>\$7</del> for each additional \$1,000, or fraction thereof, to and including \$40,000
\$40,001 to \$100,000	<del>\$487</del> <del>\$335</del> for the first \$40,000, plus <del>\$9</del> <del>\$5</del> for each additional \$1,000, or fraction thereof, to and including \$100,000
\$100,001 to \$500,000	<del>\$1,027</del> <del>\$635</del> for the first \$100,000, plus <del>\$7</del> <del>\$2</del> for each additional \$1,000, or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	<del>\$3,827</del> <del>\$1,435</del> for the first \$500,000, plus <del>\$5</del> <del>\$3</del> for each additional \$1,000, or fraction thereof, to and including \$1,000,000
\$1,000,001 to \$5,000,000	<del>\$6,327</del> <del>\$2,935</del> for the first \$1,000,000, plus \$3 for each additional \$1,000, or fraction thereof, to and including \$5,000,000
\$5,000,001 and up	<del>\$18,327</del> <del>\$14,935</del> for the first \$5,000,000, plus \$1 for each additional \$1,000, or fraction thereof.

*Plus 1% surcharge assessed against permit for per Building Permit, as per Utah Code 15A-1-209(5).*

*\*Building Permit Fee Schedule comes from the 2021 International Residential Code Appendix AL 101 and applies to total valuation, which is calculated using the current version of the International Code Council Building Valuation Table.*

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## 10.1. | MASTER DEVELOPMENT FEES

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Land Use Concept Plan* .....	\$250
Master Development Plan Application <del>or Amendment</del> .....	\$6,000
<u>Master Development Plan Amendment Application.....</u>	<u>\$3,350</u>
Capital Facility Plan Amendment Application, per Development .....	\$9,750
Concept Capital Facility Plan Amendment .....	\$1,000

*\*Concept fees shall be credited toward 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.*



**EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING  
OCTOBER 8, 2024**

<b>TITLE:</b>	First Amendment to the Master Development Agreement for the Triumph Subdivision
<b>ITEM TYPE:</b>	Master Development Agreement
<b>FISCAL IMPACT:</b>	
<b>APPLICANT:</b>	

<b>CURRENT GENERAL PLAN DESIGNATION &amp; ZONE</b>	<b>ACREAGE</b>

**PUBLIC HEARING**

No

**PREPARED BY**

Marcus Draper, City Attorney

**PRESENTED BY**

Marcus Draper

**RECOMMENDATION:**

**BACKGROUND:**

On July 6<sup>th</sup>, 2022, the parties entered into a Master Development Agreement for the Triumph Subdivision. Section VIII.a of the MDA includes requirements that the Developer within two years of the effective date submit its first final plat for approval and that the site work for the first final plat or site plan begin. To date, the Developer has failed to complete either of those benchmarks and more than two years has elapsed. The Developer is seeking to restart the clock on completing those benchmarks. The Developer is also looking to extend the expiration date to six years from the effective date of the first amendment, instead of six years from the original effective date.

**ITEMS FOR CONSIDERATION:**

**PLANNING COMMISSION ACTION/RECOMMENDATION:**

**ATTACHMENTS:**

1. First Amendment to Triumph MDA - Final

**WHEN RECORDED, RETURN TO:**

Eagle Mountain City  
Attn: Fionnuala B. Kofoed, City Recorder  
1650 Stagecoach Run  
Eagle Mountain, UT 84005

**FIRST AMENDMENT  
TO THE MASTER DEVELOPMENT AGREEMENT  
FOR THE TRIUMPH SUBDIVISION**

This First Amendment to the Master Development Agreement for the Triumph Subdivision (“First Amendment”) is made and entered into as of the \_\_\_\_ day of \_\_\_\_\_, 2024 (“Effective Date of First Amendment”), by and between Eagle Mountain City, a political subdivision of the State of Utah (“City”) and Belle Street Investments, LLC, a Utah limited liability company (“Developer”). The City and Developer are collectively referred to as the “Parties.”

**RECITALS**

A. On July 6<sup>th</sup>, 2022 (“Original Effective Date”), the Parties entered into a Master Development Agreement for the Triumph Subdivision (“Original MDA”).

B. Section VIII.a of the Original MDA includes requirements that the Developer within two (2) years of the Original Effective Date submit its first final plat for approval and that the site work for the first final plat or site plan begin (“Benchmarks”).

C. Due to unfavorable market conditions, Developer has failed to complete either of the Benchmarks and more than two (2) years have elapsed since the Original Effective Date.

D. The Original MDA also includes an expiration date of six (6) years from the Original Effective Date (“Original Expiration Date”).

E. The Parties now desire to extend the deadlines for the Benchmarks to allow Developer to complete the Benchmarks within two (2) years of the Effective Date of First Amendment and to extend the Original Expiration Date to six (6) years from the Effective Date of First Amendment.

F. The Parties have cooperated in the preparation of this First Amendment.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agrees as follows.

**AMENDMENT**

1. **Effect of First Amendment.** Other than as specifically amended herein by this First Amendment, the Original MDA shall remain in full force and effect.

2. **Extension of Deadline.** The deadline for completion of the Benchmarks is hereby extended to two (2) years from the Effective Date of First Amendment.

3. **Extension of Expiration.** The expiration of the Original MDA and this First Amendment shall be extended to six (6) years from the Effective Date of First Amendment.

4. **Recording.** The Parties shall cause this First Amendment to be recorded in the records of the Utah County Recorder.

**IN WITNESS WHEREOF**, the Parties hereto have executed this First Amendment by and through their respective, duly authorized representatives as of the day and year first herein above written.

*[signatures on following pages]*

**CITY**

**EAGLE MOUNTAIN CITY**

\_\_\_\_\_  
TOM WESTMORELAND, Mayor

ATTEST

\_\_\_\_\_  
FIONNUALA B. KOFOED, City Recorder

\_\_\_\_\_  
MARCUS DRAPER, City Attorney  
*Approved as to form and legality*

**DEVELOPER**

**BELLE STREET INVESTMENTS, LLC**  
A Utah limited liability company

\_\_\_\_\_  
SCOT HAZARD, Manager

**DEVELOPER ACKNOWLEDGMENT**

STATE OF UTAH                    )  
  :ss  
COUNTY OF UTAH                )

On the \_\_\_\_ day of \_\_\_\_\_, 2024, personally appeared before me SCOT HAZARD duly sworn, did say that he is the Manager of BELLE STREET INVESTMENTS, LLC, a Utah limited liability company and that the foregoing instrument was duly authorized by the company in compliance with its operating agreement and signed in behalf of said company.

\_\_\_\_\_  
NOTARY PUBLIC



**EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING  
OCTOBER 8, 2024**

<b>TITLE:</b>	Strides Pediatric Therapy Site Plan (Amendment)
<b>ITEM TYPE:</b>	Site Plan
<b>FISCAL IMPACT:</b>	N/A
<b>APPLICANT:</b>	Elizabeth Lebrecht

<b>CURRENT GENERAL PLAN DESIGNATION &amp; ZONE</b>	<b>ACREAGE</b>
General Plan Designation: Agricultural/Rural Density Two Zone: Under Review	9.79 Acres

**PUBLIC HEARING**

Yes

**PREPARED BY**

Steven Lehmitz, Planner

**PRESENTED BY**

Steven Lehmitz

**RECOMMENDATION:**

Staff recommends that the Planning Commission forward a positive recommendation to the City Council regarding the proposed site plan proposal.

**BACKGROUND:**

Address: 18406 W. White Quest Drive (Parcel No. 59:051:0026)

On April 16, 2019, the City Council approved a code amendment (O-09-2019) that added a definition for "Equine Assisted Therapy Centers" and added the same as a conditional use in the Agriculture zone. On May 28, 2019, the Planning Commission approved a conditional use permit and recommended approval of a site plan and preliminary plat. Then, on October 1, 2019, the City Council approved the site plan and preliminary plat. The applicant is now seeking an amendment to the past approvals for the purpose of adding three additional building locations on the site and more parking spaces.

**ITEMS FOR CONSIDERATION:**

Due to the agricultural nature of the site, there may be more flexibility in the development standards.

**EMMC 17.100.050 Site plan development standards. The following are standards required for all site plans in any zoning district:**

- A. Use of Property -- Complies
- B. Screening Requirements -- Complies
- C. Access Requirements -- Complies
- D. Off-Street Truck Loading Space -- Complies
- E. Utilities -- Complies
- F. Grading and Drainage -- Complies
- G. Dedication of Water Shares -- Will be ensured prior to building permit issuance
- H. Protection of Steep Slopes and Natural Drainages -- Complies

**EMMC 17.100.060 Architectural requirements.**

- A. Mechanical Equipment -- Complies
- B. Windows -- Complies
- C. Building Lighting -- Complies
- D. Trash Enclosures, Storage Areas, and External Structures -- Complies
- E. Exterior Materials -- Complies
- F. Landscape Guidelines -- Complies
- G. Parking Lot and Street Lighting -- Complies
- H. Enclosed Uses -- Complies
- I. Businesses Moving into Existing Buildings -- N/A
- J. Nuisances -- Complies

**EMMC 17.72.030 Site design.**

- A. Building Location -- Complies
- B. Commercial Parking Location -- Complies

**EMMC 17.72.040 Architectural standards.**

- A. Architectural Style/Theme -- Complies
- B. Main Entrance -- Complies
- C. Roof Design -- Complies
- D. Building Articulation -- Complies
- E. Architectural Detailing -- Complies
- F. Building Materials -- Complies
- G. Building Color -- Complies
- I. Lighting -- Complies
- K. Mechanical Equipment -- Complies
- L. Storage, Loading Areas, and Trash Enclosures -- Complies

**EMMC 17.55 Off-street Parking -- Complies**

**PLANNING COMMISSION ACTION/RECOMMENDATION:**

**ATTACHMENTS:**

1. Site Plan - Strides
2. Elevations and Landscaping - Strides
3. Maps- Strides
4. Planning Commission Minutes\_05.28.2019
5. City Council Minutes\_10.01.2019







STRIDES  
REHABILITATION CENTER  
Office and Check-in





WILLSCOT

STRIDES  
HEALTH & FITNESS











59:051:0033

59:051:0032

59:051:0031

55:320:0008

59:052:0022

59:051:0026

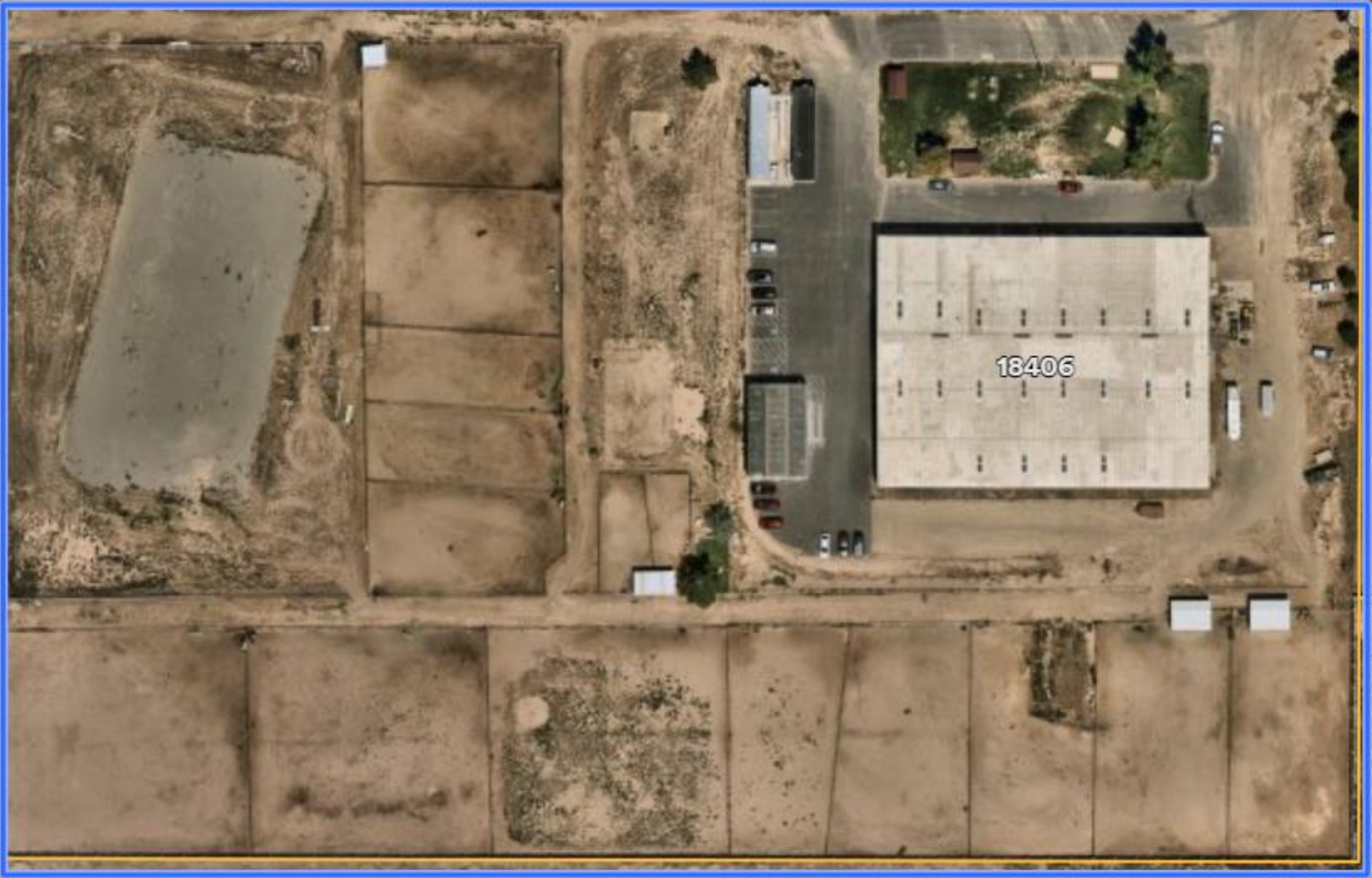
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# LEGEND



## Residential Categories:

-  Foothill Residential
-  Agricultural/Rural Density One
-  Agricultural/Rural Density Two
-  Neighborhood Residential One
-  Neighborhood Residential Two
-  Neighborhood Residential Three

## Mixed Use/Commercial Categories:

-  Community Commercial
-  Town Center Mixed Use
-  Regional Commercial
-  Employment Center/Campus
-  Business Park/Light Industry

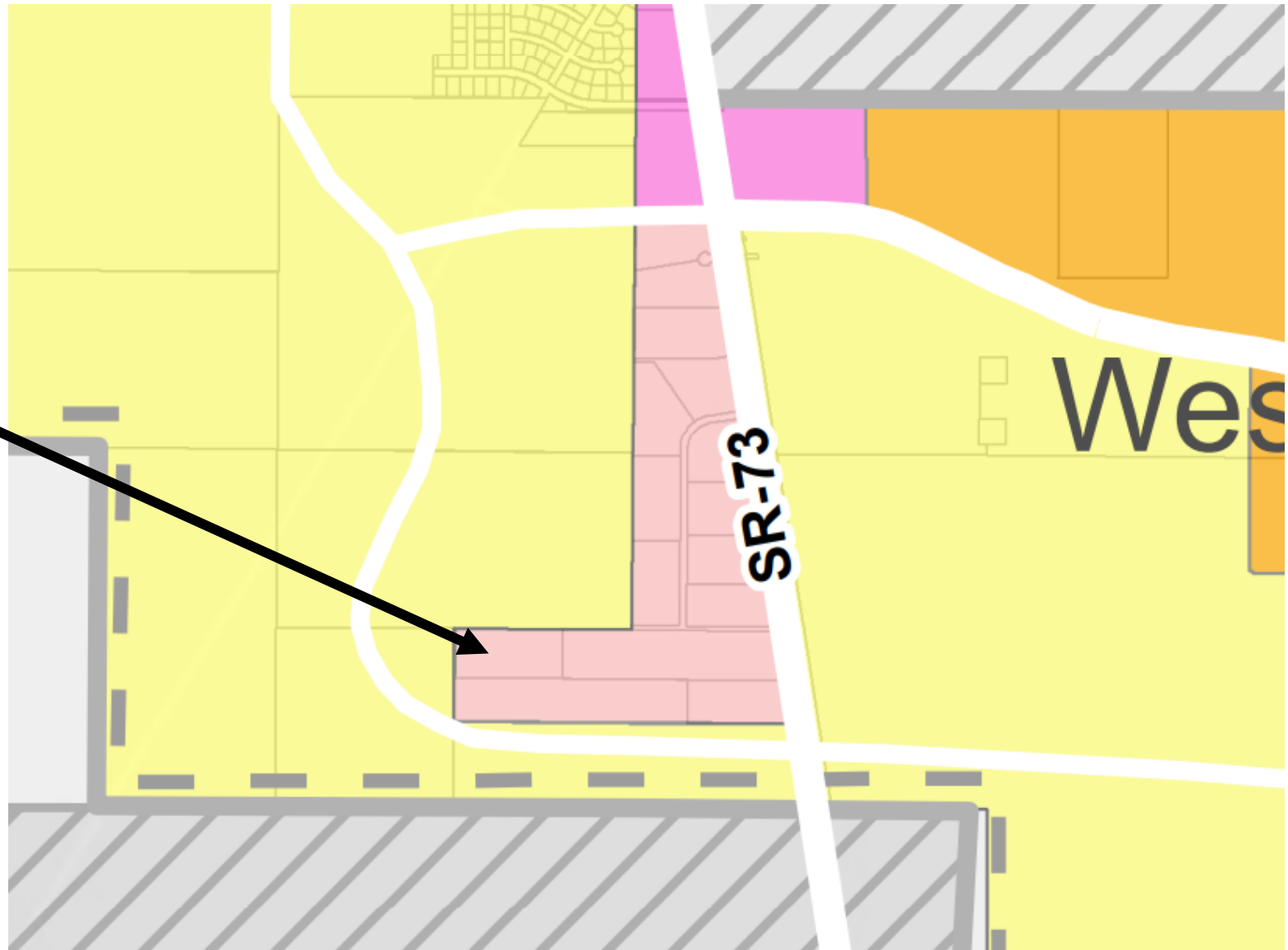
## Public/Civic Categories:

-  Civic Uses/Schools
-  Parks and Open Space

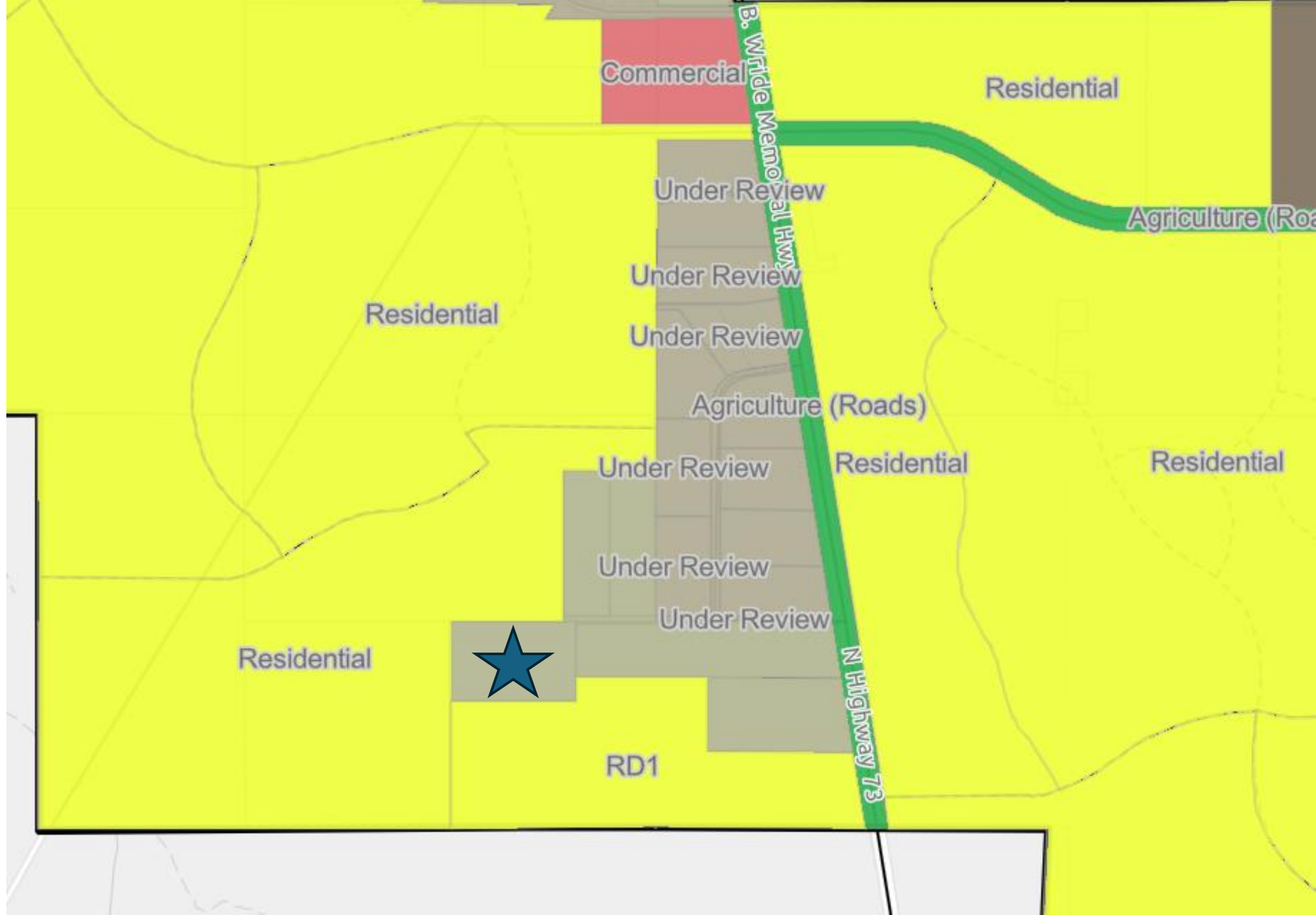
 NEIGHBORHOOD CHARACTER AREA

## TRANSPORTATION

-  UDOT Highway/Freeway
-  City Road Network - Collector & up



# Zoning





# EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

May 28, 2019, 5:30 p.m.  
Eagle Mountain City Council Chambers  
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

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

ELECTED OFFICIALS PRESENT: Councilmember Donna Burnham.

CITY STAFF PRESENT: Steve Mumford, Community Development Director; Michael Hadley, Planning Manager; Tayler Jensen, Planner; and Lianne Pengra, Recording Secretary.

Commissioner Everett called the meeting to order at 5:33 p.m.

### 1. Discussion Items

#### 1.A. Advant Auto Body

Planner Tayler Jensen explained the applicant has presented a concept plan to staff for an autobody shop in The Ranches at the corner of Half Mile Road and Ranches Parkway. The property was zoned as Commercial in The Ranches Master Development Plan; autobody shops are a conditional use in that area. Staff has spoken with potential buyers for the property who desired to build condominiums; however, all vested residential units in this pod have been used in the Willow Springs development.

Community Development Director Steve Mumford explained staff has expressed concerns to the applicant regarding this use adjacent to existing residential development.

Commissioner Everett expressed concerns regarding an autobody shop and vehicle storage near the existing residents.

Commissioner Wood stated residents in that area have expressed concerns regarding commercial development in the commercial parcel at the northeast corner of that intersection.

Commissioner Wright said commercial development is needed, but stated an autobody shop may not be the correct use.

#### 1.B. SilverLake South Preliminary Plat

Mr. Jensen said two of the four sections of this plat have been presented to staff, which include 724 units. This item will be presented in the next four weeks. Regarding connectivity, Mr.

Jensen stated stub roads, even if they stub into areas outside of the City, are encouraged, as they allow for better connectivity.

Commissioners Wood and Everett requested the new plans not include roundabouts.

Discussion ensued regarding road widths, open space areas, and townhome elevations. Commissioner Wood requested staff inform the applicant that the Planning Commission desires Silver Creek Way to connect to the adjacent plat.

#### 1.C. Scenic Mountain Phase C Preliminary Plat

Mr. Jensen explained this plat will complete the flex portion of the Scenic Mountain project. The multifamily unit elevations will be similar to Rock Creek with brick and hardy board. Staff has informed the applicant that greater architectural movement is important in the units' elevation designs.

#### 1.D. Brylee Estates Phase B

Planning Manager Michael Hadley said this project contains 162 multifamily units, down from the originally approved 180 units. The applicant has not submitted elevations at this point. The buildings are four- to seven-unit structures.

Commissioner Wood requested that buildings contain no more than six units.

Discussion ensued regarding open space and amenities. Mr. Hadley explained the applicant will likely propose covering the retention area, directing water to the City's storm drain system.

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

Commissioner Everett called the policy session to order at 6:04 p.m.

#### 2. Pledge of Allegiance

Commissioner Everett led the Pledge of Allegiance.

#### 3. Declaration of Conflicts of Interest

Commissioner Everett stated he serves on the Board of Directors for the Eagle Mountain Chamber of Commerce, which relates to item 5D. He does not have any financial interests in the Chamber and will participate in the discussion.

#### 4. Approval of Meeting Minutes

##### 4.A. April 23, 2019 Minutes

**MOTION:** *Commissioner Wood moved to approve the April 23, 2019 Planning Commission meeting minutes. Commissioner Anderson seconded the motion. Those voting aye: Matthew Everett, DeLin Anderson, Brett Wright, and Rich Wood. The motion passed with a unanimous vote.*

5. Action and Advisory Items

5.A. Carson Commercial Corner Master Site Plan and Preliminary Plat – Public Hearing

Mr. Hadley stated this master site plan and preliminary plat is for five commercial pads in 6.84 acres. The property is zoned Commercial in the Oak Hollow master development plan. The parking will be located behind the buildings. The pad dimensions may change, depending on what businesses utilize space. The buildings will be congruent with the Eagle Vision building design.

Applicant representative Dan Ford explained a master site plan application was requested from staff for the entire area. They have interest from office-type businesses, but they are hoping to bring in retail uses as well.

Discussion ensued regarding the data used in the traffic impact study. Mr. Ford explained that after discussing this issue with City Engineer Chris Trusty, they determined that no users will fit in any of the pads that would require an additional lane or an acceleration or deceleration lane. He stated if a larger user chose to locate in this development, an updated traffic study will be required.

Commissioner Everett stated the access point to Bridleway Road is not acceptable. It is on a curve, and a community mailbox is located adjacent to the access point to the commercial development.

Mr. Ford explained the access onto Bridleway Road is important as it allows a left turn onto Pony Express Parkway.

The Commissioners and Mr. Ford discussed the four access points as noted in the traffic study versus the five access points presented to the Commissioners.

*Commissioner Everett opened the public hearing at 6:29 p.m.*

Joshua Hansen expressed concerns regarding traffic safety and possible conditional uses that would pollute air or ground water in the area.

Commissioner Everett stated all future conditional uses will be presented to the Planning Commission at a later meeting and residents will be notified.

Mr. Hadley said each business that locates in this site will present an application to the Planning Commission.

*Commissioner Everett closed the public hearing at 6:33 p.m.*

Commissioner Wood confirmed with staff that the developer will install street lighting.

Commissioner Everett stated his preference that the item be tabled until an updated traffic study can be presented, or until the City Engineer can clarify the requirements of the access point on to Bridleway Road. He said he is currently against an access point onto that road, but would welcome additional information.

Commissioner Anderson asked if Bridleway Road could be extended to three lanes to mitigate traffic concerns.

Mr. Mumford said the community mailbox is in a poor location. He explained the City may be able to request it be moved, and staff will research ways to require community mailbox locations to be noted on plats to mitigate this type of issue in the future.

**MOTION:**            *Commissioner Everett moved to table Carson Commercial Corner master site plan and preliminary plat. Commissioner Wood seconded the motion. Those voting aye: Matthew Everett, DeLin Anderson, Brett Wright, and Rich Wood. The motion passed with a unanimous vote.*

5.B.    Strides Pediatric Therapy Center Conditional Use Permit, Site Plan, and Preliminary Plat – Public Hearing

Mr. Jensen presented the preliminary plat which increases the lot size to over ten acres. The site plan is for a proposed equine assisted therapy center, which requires a conditional use permit. He stated staff feels the future modular buildings should be designed to look like ranch-style single-family homes to blend with the neighborhood. The applicant will be required to pave White Crest Drive, and the building will need to comply with fire and building codes.

Commissioner Wood asked about the possibility of customers attempting to use the private drive to access the business. Mr. Jensen said White Crest Drive will be paved, making the entrance obvious. He stated a gate is in place on the private drive, and the applicant can communicate with the other property owner regarding accessing their driveway from a connection on White Crest Drive.

Commissioner Wood asked what buffering will be in place between this site and the property to the east. Mr. Jensen explained the applicant initially had planned to install a fence, but instead they have moved potential future building sites to the north, away from the residential lot.

Strides Pediatric Therapy Center Director of Operations Marley Juarez said the future building sites were originally planned to be along the property line, but as they could not arrange them in such a way to be at least fifty feet from the property line, they have moved them to the north. The natural elevation causes their site to be higher than the residential property. A field fence currently is in place between the two properties. One of the existing buildings is a barn, and the

intent is to add four additional buildings as the business grows. The future buildings are modular office buildings with horizontal wood slats and pitched roofs. They envision the structures to appear as described: ranch-style single-family homes. She said her intent is to offer appointments Monday through Friday from 8:00 a.m. to 7:00 p.m., but the business would not necessarily be active during all of those hours. There are currently lights on the outside of the barn and they intend to light the parking lot and the entry driveway.

*Commissioner Everett opened the public hearing at 6:48 p.m.*

Kendell Saunders explained he owns the resident to the east and stated he is not opposed to the proposed use. He expressed a desire for screening between the two lots. He explained the barn was originally built as a residence and has a septic system. He expressed concerns that the septic tank may not be sized to accommodate commercial use and said the septic system's leech field may encroach onto his property near his well. He stated a sign directing customers to use White Crest Drive would be sufficient in keeping customers from accessing his driveway. He also stated the City paved a portion of the road to State Road 73. He said a portion of the road was not paved and asked the City to improve the unpaved area.

*Commissioner Everett closed the public hearing at 6:54 p.m.*

Commissioner Anderson asked what the water source is for Strides. Mr. Jensen said the Utah County Health Department regulates septic systems and stated the property uses City water.

Commissioner Wright stated it is important to review the septic system capacities to determine if the current system is adequate.

Commissioner Wood stated a barrier such as a fence should be in place between the properties.

Applicant Elizabeth Lebrith explained she has communicated with George Williams of West Coast Code Consultants, who reviews commercial plans for the City. Mr. Williams informed her that she needed to update the use information for the septic system and present that to the Utah County Health Department. She stated the current septic system has been designed for multiple kitchens, multiple laundry rooms, and five bathrooms. The commercial use will be approximately 100 people a day, but they will only be present for an hour each day. Mr. Williams communicated to her that the system is likely adequate, but that the Health Department will be the entity approving the updated use information. She explained she cannot submit that information to the Health Department until she has received a conditional use permit from the City.

Mr. Mumford explained the City does not regulate septic systems; a permit from the Utah County Health Department is required before building permits are issued.

**MOTION:**            *Commissioner Wright moved to approve conditional use permit for Strides Pediatric Therapy Center with the following condition:*

- 1. The appropriate officials shall review the current septic system. Said septic system shall be improved or modified to meet the requirements*

*of the approved commercial use. Additionally, the leech field shall be located in such a way as to not contaminate the neighboring property's water supply, as determined by the Utah County Health Department.*

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

**MOTION:** *Commissioner Wright moved to recommend approval to the City Council of the Strides Pediatric Therapy Center site plan and preliminary plat with the following conditions:*

- 1. Elevations for new structures shall be provided showing they appear like ranch-style single-family homes;*
- 2. Building and Fire Codes shall be met;*
- 3. White Crest Drive shall be paved to the property; and*
- 4. The appropriate officials shall review the current septic system. Said septic system shall be improved or modified to meet the requirements of the approved commercial use. Additionally, the leech field shall be located in such a way as to not contaminate the neighboring property's water supply, as determined by the Utah County Health Department.*

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

Commissioner Everett asked that Mr. Saunders' concerns regarding paving of the road to State Road 73 be communicated to the City Council.

#### 5.C. Chapter 17.80 Sign Regulations and Sign Permits ("Fly Boys")

Mr. Jensen said the applicant-proposed Municipal Code amendment relates to approved flags and signs.

Applicant Isaac Patterson stated the requested change is due to special event signage differing from permanent signage. He stated they would like to use temporary inflatable signage for grand openings or other special events at the Eagle Mountain Storage site. He said it brings enhanced visibility to businesses for a short period of time. Examples he noted include signage at tax preparation firms during tax season, for specials on haircuts at barber shops, or for grand opening events.

Commissioner Wood asked how the City would enforce the allowed fifteen-day time period for each business. Mr. Patterson said he worked with the City's Code Enforcement Officer to draft the proposed language. He stated it would be reasonable to pay a permit fee for temporary special event signs.

Mr. Jensen said the proposed language lists the signs in the Exempt Signs section of Municipal Code, so the City would not be able to impose a permit fee.

Commissioner Everett said fifteen days each quarter is reasonable, but expressed concerns regarding enforcement and regarding potential weather factors that would restrict sign use during the fifteen-day period. He stated he did not want the fifteen days to be spread throughout the quarter and would prefer a consecutive period of fifteen days. He also expressed approval of the 150-foot restriction from residential areas.

Commissioner Wood stated a paid permit is a better way to allow this type of signage. He stated the inflatable signs may create a nuisance to residents beyond the 150-foot restriction. He would like language added addressing location and distances from rights-of-way.

Commissioner Wright said it should be an allowed use as a paid permit, but not as an exempt sign.

Commissioner Anderson said he does not want the City's Code Enforcement Officer to have to police when inflatable signs are operating and stated a permit would mitigate that.

*Commissioner Everett opened the public hearing at 7:25 p.m. As there were no comments, he closed the hearing.*

Mr. Patterson explained he did not understand the impact of placing the amendment in the Exempt Signs section of Municipal Code and agreed that moving it to another area of Code would be appropriate. He requested the ability to discuss the language with staff and return to the next Planning Commission meeting with an updated draft. He asked the Planning Commissioners for their desired amendments to the drafted language.

Commissioner Wood stated it is not the Planning Commission's responsibility to rewrite an applicant-proposed code change and recommended the Commission recommend denial to the City Council.

Commissioner Everett stated he does not see concerns allowing temporary inflatable signage, but the signage is more appropriate as a permitted use.

Commissioner Anderson stated the number of inflatable signs should be addressed, as well as the size of the signs.

Mr. Jensen said staff concerns relate to traffic safety and that businesses inside of the 150-foot restricted area may not abide by that restriction.

**MOTION:**        *Commissioner Wood moved to recommend denial to the City Council of the applicant-proposed amendment to Chapter 17.80 Sign Regulations and Sign Permits to allow "fly boy" or temporary inflatable signs for special events. Commissioner Wright seconded the motion. Those voting aye: Matthew*

***Everett, DeLin Anderson, Brett Wright, and Rich Wood. The motion passed with a unanimous vote.***

5.D. Code Amendment - 17.80.080 Off-premises ladder signs.

Mr. Jensen said this staff-proposed amendment relates to ladder signs. For the last ten years, the Lehi Area Chamber of Commerce managed the ladder signs in the City. In 2018, the Eagle Mountain Chamber of Commerce (EMCC) was created, and staff and the Chamber have determined that ladder signs should be managed by the EMCC, and that proceeds go towards EMCC operations. Currently, there are twenty ladder signs in the City. The proposal would allow up to forty. The signs would not be installed all at once; they would be added as deemed appropriate by demand.

Commissioner Wood expressed concerns that the signs will be filled with developers' signs. Commissioner Everett stated the amendment has an advertising priority list. The intent is that all new signs and leases would follow the priority list presented.

Mr. Mumford explained a limit of signs per business can be added to mitigate the concern that a single developer may have the majority of available signs.

Commissioner Wood said he would not approve of signs advertising businesses or developments outside of the City and would like the sign leases to be less than twelve months.

Commissioner Everett explained there is enough demand to fill eight additional signs at this time.

Discussion ensued regarding length of lease terms. Mr. Jensen said contracts can be created for one year, as well as for shorter terms.

*Commissioner Everett opened the public hearing at 7:46 p.m. As there were no comments, he closed the hearing.*

Commissioner Wood stated the signs should have the community name, not only the builder's name.

Commissioner Wright said in order to have a sign, the business needs to be a member of the EMCC and must have an active City business license, if required.

Commissioner Wood stated the signs should be turned over more frequently than every twelve months. He said the new ladder signs to be installed could have shorter lease terms and the existing signs can remain annual leases.

Discussion ensued regarding the list style of the amendment; the Planning Commission requested that the amendment follow the same style existing in Municipal Code of numeral, capital letter, roman numeral, lowercase letter.

Mr. Hadley explained the City's business licenses previously expired throughout the year, but the renewal process became burdensome to staff. The City now issues business licenses for one year, with the renewal due on the first day of the thirteenth month. Commissioner Wood said the City can offer six-month and twelve-month leases. Commissioner Wright stated his preference that the lease period remains one year.

**MOTION:** *Commissioner Wood moved to recommend approval to the City Council the Chapter 17.80.080 Off-premises Ladder Signs Municipal Code amendment with the following changes:*

1. *Section E shall be changed to "Eagle Mountain City may bill advertisers on a semiannual or annual basis; signs may be removed for nonpayment"; and*
2. *Staff shall change the lettering and numbering to be consistent with existing Municipal Code structure.*

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

The meeting went into recess at 8:00 p.m. and reconvened at 8:05 p.m.

5.E. Residential Zone & Residential Zone Bonus Density Entitlements Development Code Amendment

Mr. Mumford said this version of the amendment removes the bonus density system and creates twelve residential zones. It includes a land use table that specifies permitted, conditional, special, and prohibited uses by zone. Standards will need to be created for special uses. It includes a table containing a majority of the residential development standards by zone, including setbacks, building heights, lot sizes, open space requirements, units per building in multifamily zones, lot frontage, and dwelling size minimums. Generally applicable provisions have been included as well. These include minimum architectural standards, yard landscaping, open space and trails, parking and garage dimensions, buffers and transitions, minimum architectural standards, hillside development/sensitive lands, parking and garage standards, buffers, transitions, lighting, rural infrastructure, street trees, landscaped entryways, monument signs, clubhouse, swimming pools and hot tubs. Standards regarding projections into setbacks are being updated and will be included for City Council review.

Mr. Mumford said he will add the average lot size of 6,500 square feet to the language regarding the RC zone. Commissioner Wood asked that language referencing cottage lots be removed in that section.

Mr. Mumford explained in the Residential Development Standards table, the lot frontage on cul-de-sacs and circles was mistakenly entered as 40 feet in the RR2-2 zone and stated that will be updated to 60 feet. He said the language was cut off on footnote number three on the table as well. That will be corrected to state the Planning Director has approval authority.

Commissioner Wood said the Rural Residential zones need to require asphalt trails on both sides of the road for safe walking routes. Mr. Mumford said that would require a change to the rural street cross section requirements, as Municipal Code currently only requires an 8-foot trail along one side of the road.

Commissioner Wright asked if aluminum and vinyl siding should be restricted building materials. Commissioner Wood said they should be prohibited, and said stucco should be limited, as it is not an attractive material.

Commissioner Wright expressed concern that a restrictive Code regarding building materials may negatively affect home buyers and home builders. He stated the front and sides of homes that face public roads should have a higher standard.

Commissioner Wood asked if the amendment included a standard for usable space in garages. He stated a requirement of 22 feet wide by 20 feet deep of usable space may get pushback from builders, but it is a reasonable standard. Commissioner Anderson agreed that garage standards should be 22 feet wide by 20 feet deep of usable space with a 16-foot garage door.

Mr. Mumford said he would prefer the standard only include garage dimensions and not include a requirement of usable space. He explained that an analysis of ten current building permits from multiple areas and multiple builders in the city found that custom homes in larger lot subdivisions have larger garages, up to 24 feet by 24 feet; homes in Spring Run have garages that are 22 feet wide by 23 feet deep, homes in Sage Park have garages that are 20 feet wide by 22 feet deep, and homes in Scenic Mountain have garages that are 22 feet by 22 feet.

Commissioner Wood said pools should only be allowed to serve 100 to 150 units. He stated his preference that multiple pools be required and said the Municipal Code should not allow larger pools based on square feet per unit.

Mr. Mumford explained a clubhouse, pool, and hot tub are required for all multifamily projects in the MF2 and MF3 zones that include 150 units or more. The code can be amended to require a pool for a certain number of units and the pool size be increased for additional units up to a maximum pool size.

Commissioner Wood stated the MF1 zone should also require a pool for multifamily projects. He said single-family homes should not exist in the same projects as twin homes and said the MF1 zone should prohibit single-family detached homes.

Commissioner Wood said clubhouses should have a requirement that dictates size of the community gathering room. He said the increase from 1,200 square feet to 1,500 square feet may just create larger kitchens and bathrooms.

*Commissioner Everett opened the public hearing at 9:01 p.m. As there were no comments, he closed the hearing.*

Commissioner Everett recognized staff has put much effort into the current draft of the amendment. He stated discussions have brought new items to the Commission's attention, which have been addressed, and said future applications will likely bring other concerns to staff's attention and will need to be addressed at that time.

Commissioner Wright said ten feet is not enough clearance for a single-car garage and stated it should be increased to twelve feet. He said exclusions should be in place regarding siding on homes, and said hot tubs should have a size requirement of a minimum capacity of twelve people. He said the pool requirement should be a square footage minimum based on the number of units, not to exceed a certain size, as determined by staff.

**MOTION:** *Commissioner Wood moved to recommend approval to the City Council the Chapter 17.25 and 17.30 Residential Zone and Residential Zone Bonus Density Entitlements Development Code amendments with the following conditions:*

- 1. The minimum dimensions for single-car garages shall be increased to 12 feet wide by 20 feet deep of usable space;*
- 2. Hot tubs shall accommodate a minimum of 12 people and shall be built in-ground;*
- 3. The amendment shall prohibit vinyl and aluminum siding as building materials;*
- 4. All RR1 and RR2 zones shall be required to install walking paths on both sides of the road; and*
- 5. Staff shall follow specific instructions regarding pools.*

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

## 6. Discussion Items

Mr. Mumford said staff will begin the process of amending additional zones after the Residential Zone amendment is finalized.

## 7. Next Scheduled Meeting – June 11, 2019.

## 8. Adjournment

**MOTION:** *Commissioner Wood moved to adjourn the meeting at 9:20 p.m. Commissioner Anderson seconded the motion. Those voting aye: Matthew Everett, DeLin Anderson, Brett Wright, and Rich Wood. The motion passed with a unanimous vote.*

The meeting was adjourned at 9:20 p.m.

Approved by the Planning Commission on June 11, 2019.

  
\_\_\_\_\_  
Steve Mumford  
Community Development Director



# EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

October 1, 2019, 4:00 p.m.  
Eagle Mountain City Council Chambers  
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

## 4:00 P.M. WORK SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor Tom Westmoreland, Councilmembers Colby Curtis, Donna Burnham, Stephanie Gricius and Melissa Clark. Councilmember Benjamin Reaves was excused.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Lianne Pengra, Recording Secretary; Steve Mumford, Community Development Director; Michael Hadley, Planning Manager; Jessa Porter, Planner; Chris Trusty, City Engineer; Aaron Sanborn, Economic Development Director; Linda Peterson, Communications Director; Dawn Hancock, Events Manager; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager; Jeff Weber, Facilities Operations Director; Brad Hickman, Parks and Recreation Director; Ross Fowlks, Fire Chief; and Eric McDowell, Chief Deputy.

Mayor Westmoreland called the meeting to order at 4:06 p.m.

1. CITY ADMINISTRATOR INFORMATION ITEMS
2. AGENDA REVIEW

### 10. BID AWARDS

#### 10.A. Rodeo Grounds Prefabricated Restrooms – CXT Concrete Buildings

Councilmember Clark requested items related to this project note the location as Pony Express Memorial Park, as the park includes more than the rodeo grounds.

#### 10.B. Eagle Mountain Influent Pump Station Upgrade – Corrio Construction

City Engineer Chris Trusty explained this bid award is to upgrade the pump that sends sewage into the City's treatment facility.

### 12. MINUTES

#### 12.A. September 3, 2019 Regular City Council Meeting Minutes

Councilmember Burnham requested a minor change to the minutes. She stated she will inform City Recorder Fionnuala Kofoed of the change.

### 13. PRELIMINARY PLATS & SITE PLANS

### 13.A. Holiday Oil Tank Expansion – Site Plan

Councilmember Curtis confirmed with Planning Manager Michael Hadley that staff agrees with the Planning Commission's recommendations of approval.

Councilmember Clark stated fuel tanks are required to be a certain distance from homes, and asked if the increased storage affects the required distance. Fire Chief Ross Fowlks explained the applicant must obtain a permit through the Fire Prevention Bureau; this will address that concern. Community Development Director Steve Mumford explained the Fire Marshal has informed the applicant of the permitting process.

### 13.B. John Walden Clubhouse – Site Plan

This item was removed from the agenda at the applicant's request.

### 13.C. West Side Theatre Company – Temporary Site Plan

Mr. Hadley explained the application is for a temporary site plan to allow a temporary performance structure, storage units and necessary facilities to be installed on City property just east of the SilverLake Amphitheater. The site will include a forty-foot by sixty-foot structure where performances will be held, portable restrooms, garbage and recycling containers, shipping containers for storage, and canopies from the tent to the restrooms and to the shipping containers. An executed memorandum of understanding (MOU) indicates that the City intends to lease this property to the West Side Theatre Company for construction of a center for the arts building to be built and operated by the theater company for the benefit of City residents.

West Side Theatre Company (WSTC) Director Hannah Farr explained they have created a new plan that addresses concerns the Council had when the item was discussed approximately six months ago. She introduced theater volunteer member Rob Sciammarella, Fetzer Architectural Millwork Executive Vice President of Business Development. Mr. Sciammarella explained he has been involved with the design and construction of high-end theaters around the country, and his company assists smaller theater companies on a volunteer basis to build permanent structures. The intent of this application is to obtain approval for a temporary structure to begin fundraising. He stated the project presents very low risk to the City, as the structures are removable, except for the sprung tent's concrete pad foundation. WSTC has created a budget, and they believe the needed funds can be raised quickly. The original cost of the project was \$118,000 but will be increased by approximately \$20,000 for the upgraded tent structure. While the organization is a non-profit entity, their goal is that revenue from ticket sales and donations will cover all expenses, with additional revenue going to improvements to the theater operation. They will raise all of the funds needed for the entire project before beginning any construction.

Ms. Farr explained they held two performances in August which were well attended. WSTC has between 100 and 150 people who have volunteered over the last year.

Councilmember Curtis stated the MOU was granted to allow WSTC to fundraise and expressed concern that fundraising has not taken place and the organization is now requesting approval for a temporary site plan. He explained he is concerned that the City will incur costs such as utility use.

Councilmember Clark asked if they will have all of the funds raised by November of this year, as the construction timeline notes a start date of next month. Ms. Farr explained the intent is to place shipping containers on site next month for storage. They plan to install a larger sprung structure than was originally presented, which will include storage area, so the shipping containers will likely not remain on site. Mr. Sciammarella stated they would like approval for the shipping containers in order to utilize them during the construction period.

Councilmember Curtis stated shipping containers are not allowed for other construction processes. Mr. Mumford stated construction trailers and metal buildings are allowed during construction. He stated if the shipping containers are covered or wrapped, they would be viewed similarly to other buildings in construction sites in the City. Mr. Sciammarella stated if the shipping containers are not removed after construction, they would be wrapped and would not look like shipping containers.

Councilmember Clark expressed concern that the presented plan is not complete. Mr. Sciammarella explained their intent for this meeting is to receive approval for a temporary tent structure. They will go through the permitting and approval process once funds are raised.

Mr. Mumford explained the previous City Council discussion related to a permanent structure. He stated this application is to determine if the Council will consider a temporary structure at this location, as that was not included in the original discussions when the MOU was approved. He said the Council can update the MOU to include details regarding the type of structure allowed, or they can approve a temporary site plan, as was done for the temporary seminary building at Rockwell Charter High School.

Ms. Farr stated they are seeking a commitment from the Council that they will consider a temporary structure at this site. Once they have that commitment and have raised their funds, they will go through the City's required development process.

Councilmember Clark asked why the budget shows \$17,000 for production costs but only \$10,000 in revenue. Mr. Sciammarella explained the theater's previous history was used to create this budget, but they have not had a consistent location for productions. Once they have a final cost for construction, they will update the budget. They will raise additional funds if needed to cover construction and operational expenses.

Councilmember Curtis expressed concern that the WSTC budget is not realistic and that the sprung tent will be at this location permanently. Ms. Farr explained the estimated annual revenue for the first season is approximately \$26,000. This equates to ticket sales of sixty to seventy percent of theater capacity. The first season expenses are estimated to be between \$17,000 and \$20,000. She explained the sprung tents can be removed, and the condition of approval from the PC was that the agreement is readdressed in one year.

Councilmember Clark stated a show was cancelled previously due to lack of personnel. Ms. Farr explained one individual had a personal issue and rather than offer a production that was not the up to their standards, they determined that cancelling was the best decision. She said this space will allow them to obtain more volunteers and will help lower overhead costs as they will not be renting facilities. She requested the City Council allow them to try for one year.

Mr. Sciammarella stated he will present a more precise financial statement to the Council. Ms. Farr stated there are no facilities for rent on a monthly basis. They currently rent by the hour, which adds additional costs such as storage and personnel time with transporting equipment before and after each production.

Councilmember Gricius stated the plan is temporary, so if the Council does not like how it is functioning, it is only for one year. Mr. Sciammarella stated they can include removal of the concrete pad in their fundraising, if that will mitigate the Council's concerns. This location with the City's lease of \$1 per year will allow the theater company's revenue to cover the costs associated with daily operations.

Councilmember Clark asked if residents will be notified of the potential business.

Mr. Mumford said notification is required for residences within 600 feet, and a public hearing is held at the Planning Commission meeting. He stated many residences are closer than 150 feet to commercial locations throughout the City. Mayor Westmoreland stated the amphitheater's use is known to surrounding residents.

Discussion ensued regarding noise; Councilmember Gricius stated the noise ordinance will apply to this use.

Councilmember Curtis asked if a fence will be required and if the intent of WSTC is to be profitable. Ms. Farr stated any revenue received that exceeds expenses will be placed back into the company, and if the City requires a privacy fence, they will install one.

Councilmember Burnham stated generators should not be permitted at this location. Mr. Mumford explained the applicants can work with Rocky Mountain Power to bring power to the site. Mr. Sciammarella said they can work with the power company to determine the cost to bring power to this site, and they can include this expense in fundraising efforts.

Councilmember Clark asked the applicants to return with more concrete details.

Ms. Kofoed stated the applicant wanted to know whether the Council would consider a sprung structure; staff felt a temporary site plan was the best option to present to the Council.

Mr. Mumford explained the temporary site plan approval process allows the Council to waive application requirements. Councilmember Clark expressed concern that the structure will not be temporary.

Mr. Sciammarella stated the theater company's desire is to prove to the City that this concept is sustainable with the end goal of a permanent building.

City Administrator Ifo Pili explained the applicants are seeking confirmation that the Council will consider a sprung structure, not approval of the site plan. Once they have commitment from the Council that a temporary structure will be considered, they can raise funds and bring final, complete plans to the City Council with a site plan application.

Councilmember Clark stated concerns regarding the budgeted costs for the structure, as well as the impact to surrounding residences.

Councilmember Burnham stated she would approve a temporary structure, as long as it is aesthetically pleasing.

Councilmember Gricius said she would approve a temporary structure, as well.

Councilmember Curtis stated storage containers would cause concern for him, and he would not approve of any hard costs to the City, such as water and power.

Ms. Farr stated they do not want the City to fund any portion of the construction or operation.

Councilmember Clark requested this item be removed from the consent agenda for further discussion.

#### 13.D. Strides Pediatric Therapy – Site Plan and Preliminary Plat

Councilmember Curtis asked if the elevations meet Municipal Code. Mr. Mumford stated they do; however, the Planning Commission requested the elevations be similar to homes in the agriculture area and not look like commercial buildings. The applicants have not been able to find structures for their office space that look like homes. There are not specific elevation standards in Municipal Code for equine-assisted therapy centers.

Councilmember Curtis asked why the road to the site is adjacent to the current dirt road. Mr. Hadley explained the previous property owner had an access easement along the adjacent homeowner's driveway, but that homeowner did not want therapy center traffic

to utilize the driveway. The applicant purchased a strip of land north of the adjacent property owner's lot for access to the therapy center.

Councilmember Burnham said landscaping can improve the visual appeal of the structures. Mr. Mumford said the applicant has moved the structures to the west side of the existing barn to be less visible to adjacent residences.

Councilmember Clark asked if the Council could require siding or other material on the buildings. Mr. Mumford said this is a commercial use in an agriculture zone, so there is more flexibility in design standards. The Council can require the applicant to comply with all of the commercial design standards, or they can offer flexibility due to the agriculture setting. The resident adjacent to this property attended the previous meeting and only expressed concerns regarding the capacity of the septic system. The capacity has been verified as an appropriate size for the use.

Councilmember Burnham asked if the delay was due to the access easement. Mr. Mumford explained the delay was due to the septic system. The Utah County Health Department reviewed the system and has granted approval for the current phase of the project. If the business expands, a new septic system will be required.

### 13.E. SilverLake South – Preliminary Plat

Mr. Mumford stated the Planning Commission reviewed this project and expressed concerns regarding connectivity in the northwest area and southeast area, park sizes and locations, the street name of the street that will connect to Silver Creek Way, and that cluster lots may not strictly comply with the definition of cluster lots in Municipal Code or in the SilverLake Master Development Agreement.

The Planning Commission was concerned about traffic near the new elementary school. To mitigate these concerns, the developer has removed one access onto Golden Eagle Road and moved it to connect at SilverLake Parkway. Two road lengths are slightly over the allowed length, so the Council will need to determine if another pedestrian access is needed.

Mr. Mumford explained Golden Eagle Road was originally planned as a local residential road. Flagship Homes has agreed to widen the road in front of the new elementary school to allow for turn lanes. This school has more parking than any other school in the City. Councilmember Clark expressed concern that there is not enough room for vehicles to park on both sides of the road, in addition to through traffic. Mr. Mumford said any further widening of the road would utilize impact fees.

Councilmember Burnham said the difference between Black Ridge Elementary and this school is that many more children will walk to this school, versus parents driving as they do to Black Ridge Elementary.

Councilmember Gricius stated the biggest concern will be parents parking along SilverLake Parkway as the queue may stretch that long. She asked if they can prohibit parking with red curbs near the school. Mr. Trusty said the Utah County Sheriff's Office will likely prohibit parking on one side of the road.

Utah County Sheriff's Office Chief Deputy Eric McDowell said Brookhaven Elementary has the largest student population on the smallest lot in the district. The design of the new school will help alleviate the issues that exist at Brookhaven. The widened road alleviates traffic concerns, as does the increase in parking stalls.

Councilmembers Clark, Gricius, and Burnham requested the south side curb of Golden Eagle Road be painted red to prohibit parking.

Councilmember Clark asked about crossing guards at the traffic circle during school hours. Assistant City Administrator/Finance Director Paul Jerome stated the traffic circle does not have a traffic control device that stops vehicles. Flashing beacons are in place at the traffic circle at Eagle Mountain Boulevard and Pony Express Parkway to bring attention to pedestrian traffic, but these streets may not be long enough for a flashing beacon to be effective.

Chief Deputy McDowell suggested crosswalks be located along clear lines of sight on SilverLake Parkway, versus crosswalks at the traffic circle. He stated the meandering roads will assist in reducing traffic speed.

All Councilmembers agreed to require red striping along the south side of Golden Eagle Road across from the new elementary school.

Councilmembers Clark and Gricius said the applicant needs to provide a safe route to school in the straight areas of SilverLake Parkway, not at the traffic circle.

Councilmember Curtis said parks are not located within a quarter mile of every home, which is required in the SilverLake Master Development Agreement. He stated it is not reasonable to include the neighborhood park in phase 28, and asked if the powerline corridor is included in the required open space amenity points calculation. Mr. Mumford explained the Master Development Agreement allows the powerline corridor to be included, if improved. Councilmember Curtis expressed concern that the only improvement will be grass.

Mr. Mumford explained the detailed landscape plan is not included, as the site is so large. Staff has requested a detailed plan be presented to the Planning Commission for approval. The applicants have removed trails from the open space calculations at staff's direction.

Councilmember Clark requested the item return to the Council with an amenity calculation worksheet.

Mayor Westmoreland recommended this be removed from the consent agenda for further discussion.

#### 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.

Economic Development Director Aaron Sanborn explained this agreement transfers the maintenance and management of the ladder signs from the City to the Eagle Mountain Chamber of Commerce. This agreement is similar to the agreement the City had with the Lehi Area Chamber of Commerce, but includes a clause allowing the City final approval of all ladder sign locations and advertisers. As staff time will be utilized, five percent of the sign revenue will return to the City to cover those expenses. Mr. Sanborn explained that he and Councilmember Burnham are on the Chamber's Board of Directors and can provide City oversight.

Councilmember Curtis asked if the agreement restricts signs for developments outside of the City. Mr. Sanborn explained the agreement directs the applicant to the Municipal Code, which prohibits signs for developers with projects outside of the City. He said to clarify that point, he will remove the priority list and direct applicants to the City's Municipal Code.

Councilmember Clark asked if the goal is to have the Eagle Mountain Chamber of Commerce take over economic development events such as ShopFest, and how much time Mr. Sanborn spends on Chamber functions. Mr. Sanborn said he would like the Chamber to become more involved in City economic development events; this year, they have been involved with ShopFest and the Limitless Car Show. Before the Chamber brought on a director, he spent approximately one quarter of his time on Chamber functions.

Councilmember Curtis expressed concern that the City is funding Chamber functions and events. He stated the sign fund should be utilized for event expenses such as City staff time. The City should not subsidize the Chamber.

Councilmember Burnham stated the Chamber is offering services to businesses that the City has not previously been able to offer.

Mr. Pili explained the City started the Chamber to offer services to City residents. The City was going to remove all ladder signs, but came up with a creative way to keep the signs to help local businesses. He said they can have a discussion in the future regarding economic development and Chamber functions.

Councilmember Clark asked if the percentage of revenue noted in the agreement will cover City staff time.

Councilmember Burnham explained that Mr. Sanborn was previously managing the ladder signs; the agreement removes that responsibility from him and frees his time up for economic development.

Councilmember Clark asked if the Chamber receives funds from the City's budget. Mr. Sanborn said the City pays membership dues and anything above that membership payment has come from the ladder sign revenue. Of the budgeted \$30,000 for the Eagle Mountain Chamber of Commerce, \$5,000 is for membership dues and the remaining is a pass through for the ladder sign revenue. The City collects the revenue for the ladder signs and passes those funds on to the Chamber. With this agreement, the ladder sign revenue will go directly to the Chamber. A budget amendment will be presented reflecting this change.

### 3. ADJOURN TO A CLOSED EXECUTIVE SESSION

No closed session was held. Mayor Westmoreland adjourned the meeting at 6:13 p.m.

### 7:00 P.M. POLICY SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor Tom Westmoreland, Councilmembers Colby Curtis, Donna Burnham, Melissa Clark, and Stephanie Gricius. Councilmember Benjamin Reaves was excused.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Lianne Pengra, Recording Secretary; Steve Mumford, Community Development Director; Michael Hadley, Planning Manager; Aaron Sanborn, Economic Development Director; Chris Trusty, City Engineer; Linda Peterson, Communications Director; Ross Fowlks, Fire Chief; and Eric McDowell, Chief Deputy.

### 4. CALL TO ORDER

Mayor Westmoreland called the meeting to order at 7:06 p.m.

### 5. PLEDGE OF ALLEGIANCE

Councilmember Burnham led the Pledge of Allegiance.

### 6. INFORMATION ITEMS/UPCOMING EVENTS

- Farmers Market – The Eagle Mountain Farmers Market is held each Saturday from 9:00 a.m. to 1:00 p.m. at Wride Memorial Park through the end of this month, weather permitting. Information and vendor or entertainer applications are available at [eaglemountainfarmersmarket.org](http://eaglemountainfarmersmarket.org).

- Business After Hours – The Eagle Mountain Chamber of Commerce will hold their monthly Business After Hours networking event at Eagle Mountain Storage, 9469 N. Mt. Airey Drive, from 5:30 p.m. to 7:30 p.m.
- Witches & Wizards Movie Night – Enjoy a free showing of Hocus Pocus at SilverLake Amphitheater on Friday, October 4 at 7:00 p.m. Come dressed as a witch or wizard and get a prize. Free popcorn while supplies last. Food trucks will have hot drinks, food, and treats for purchase.
- Halloween Town – Eagle Mountain City’s traditional Halloween event, Halloween Town, will be held Saturday, October 26 from 11:00 a.m. to 2:00 p.m. at Nolen Park. Businesses and organizations are invited to register for a free informational booth. Visit [emcity.org/events](http://emcity.org/events) and click on the Halloween Town link to register. Bring the kids in costume for trick-or-treating, a free car show, and a dog costume contest. Food trucks will be on site with food for purchase.
- Christmas Village Vendors – Eagle Mountain City is accepting applications for holiday gift and craft vendors for the Christmas Village Boutique on December 7. Please visit [emcity.org/events](http://emcity.org/events) and click on the Christmas Village link on the calendar.
- Seniors Meal Service – The Eagle Mountain Senior Council is offering meal service at the Senior Center on Wednesdays and Thursdays, except for the first Thursday of the month. For details and menu offerings, please visit [emcity.org/events](http://emcity.org/events) and click on the Lunch at Senior Center links.
- City Notifications – We encourage residents to sign up for City notifications to be aware of public safety emergencies and stay informed about road construction projects, City news and events. Register at [www.emcity.org/notifyme](http://www.emcity.org/notifyme). Notifications can be received by email and/or text.

## 7. PUBLIC COMMENTS

*Mayor Westmoreland opened public comment at 7:11 p.m.*

Zac Summers expressed concerns regarding traffic flow at the West Side Theatre Company, and stated the structure will be unusable for half of the year. He said storage containers are not permitted, and portable restrooms should not be permanently located in residential back yards. He also asked how the concrete pad will accommodate drainage.

Mayor Westmoreland confirmed with Community Development Director Steve Mumford that the details of the parking will be similar to parking for concerts at this location. Mr. Mumford explained the applicant performed an informal traffic study, which was presented at the previous Planning Commission meeting. He stated the commercial center to the west of this site is different regarding traffic concerns, as there are five commercial businesses at that location. He said the applicant has indicated other entities can use the building and stated he is unsure if it will

be used year-round. These and other items such as restrooms will be determined later in the application process.

Elizabeth Evans with the Board of Directors for Eagle Mountain Arts Alliance stated art programs are expanding in the City. She expressed concern regarding the possibility that the West Side Theatre Company building will be the only location for City-sponsored art programs. She stated if the City would consider other art center locations in addition to the West Side Theatre Company site, she supports the proposal.

Mayor Westmoreland stated if the arts community continues to grow in the City, the Council would likely entertain the idea of a more comprehensive building elsewhere in the City.

Jeff Ruth stated if the West Side Theater Company parking lot fills up, vehicles will likely park on Pony Express Parkway and in the residential areas near the site. He also requested penalties be increased for loose dogs.

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

## 8. CITY COUNCIL/MAYOR'S ITEMS

### Councilmember Gricius

Councilmember Gricius expressed appreciation for those in attendance and to the new Youth Council. She stated the State and Utah County are updating animal laws and said an upcoming podcast will address this issue as well.

### Councilmember Clark

Councilmember Clark stated she is excited to see the youth in attendance. Be Ready Eagle Mountain is offering a free HAM radio class every Wednesday in October at City Hall. The class will be from 7:00 p.m. to 8:30 p.m. The test at the end of the class is \$14. Also, the Military and Veterans Advisory Board is planning the veterans' pancake breakfast.

### Councilmember Burnham

Councilmember Burnham expressed gratitude to the youth in attendance, particularly to the Youth Council. Her son was a Youth Council Mayor and received a two-year scholarship at Utah Valley University due to his involvement with Youth Council.

### Councilmember Curtis

Councilmember Curtis thanked those in attendance and those who spoke during public comment.

## 9. APPOINTMENTS

### 9.A. Youth Council - 1-year terms

City Recorder Fionnuala Kofoed stated Brooke Bytheway was the sole individual who ran for Youth Council this year and as such, should be appointed as Youth Mayor. Five of the ten individuals in attendance at the meeting on September 18 submitted letters of interest to fill the

Youth Council vacancies, and a sixth letter of interest was sent to an incorrect email address. She encouraged all youth to participate in Youth Council, even if not appointed. Utah State representatives will be in attendance at the November 13 Youth Council meeting.

**MOTION:** *Councilmember Clark moved to appoint Ilse Jessup to the Youth Council for a one-year term. Councilmember Curtis seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

**MOTION:** *Councilmember Clark moved to appoint Ela Rose to the Youth Council for a one-year term. Councilmember Gricius seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

**MOTION:** *Councilmember Clark moved to appoint Tyler Selis to the Youth Council for a one-year term. Councilmember Gricius seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

**MOTION:** *Councilmember Clark moved to appoint Salem Shimakonis to the Youth Council for a one-year term. Councilmember Gricius seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

**MOTION:** *Councilmember Clark moved to appoint Sydney Williams is to the Youth Council for a one-year term. Councilmember Curtis seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

**MOTION:** *Councilmember Clark moved to appoint Brooke Bytheway as Youth Council Mayor for a one-year term. Councilmember Burnham seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

Ms. Kofoed administered the oath of office to the appointed individuals.

## **CONSENT AGENDA**

### **10. BID AWARDS**

10.A. Rodeo Grounds Prefabricated Restrooms – CXT Concrete Buildings

10.B. Eagle Mountain Influent Pump Station Upgrade

### **11. BOND RELEASES**

- 11.A. Brandon Park Phase A Plat 2 Bond Release – Into Warranty
- 11.B. Overland Phase A Plat 1 Bond Release – Out of Warranty
- 11.C. Spring Run Phase A Plat 2 Bond Release – Out of Warranty
- 11.D. Spring Run Phase B Plat 2 Bond Release – Out of Warranty
- 11.E. Colonial Park Phase 3 – Out of Warranty

12. MINUTES

- 12.A. September 3, 2019 Regular City Council Meeting Minutes

13. PRELIMINARY PLATS & SITE PLANS

- 13.A. Holiday Oil Tank Expansion – Site Plan
- 13.B. John Walden Clubhouse – Site Plan
- 13.C. West Side Theatre Company – Temporary Site Plan
- 13.D. Strides Pediatric Therapy – Site Plan and Preliminary Plat
- 13.E. SilverLake South – Preliminary Plat

**MOTION:** *Councilmember Curtis moved to approve the consent agenda, removing item 13.B. from the agenda, at the applicant's request, and moving items 13.C. and 13.E. to the scheduled items. Councilmember Burnham seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

Councilmember Curtis requested staff prepare a checklist of what Councilmembers should review when releasing bonds. City Engineer Chris Trusty explained staff has items they look for such as defects of material and workmanship when determining the eligibility of developments for bond releases. They want to ensure developers are not held accountable for damage caused by builders. He will send a list to the Councilmembers showing what staff reviews and will inform the Council of extenuating circumstances such as releasing a bond in the winter with the understanding that a slurry seal will be applied to a subdivision street once the weather improves.

**SCHEDULED ITEMS**

13. PRELIMINARY PLATS & SITE PLANS

- 13.C. West Side Theatre Company – Temporary Site Plan

Councilmember Clark asked for guidance regarding the motion for this item, as the Council did not receive an actual temporary site plan. Ms. Kofoed stated the Council can make a motion they are comfortable with regarding the item. The Council can state a certain structure type will be allowed and condition the approval on a site plan returning to the Council, with required documentation.

Councilmember Curtis stated he is comfortable approving a sprung structure and amending the memorandum of understanding (MOU), but not approving the site plan.

Councilmember Clark stated the Council did not draft the MOU and asked if it is appropriate for the Council to make a motion to amend it.

Councilmember Burnham stated the Council needs to determine if a sprung structure will be allowed at this location and if the Council will permit a fee waiver. If not, the applicant will not continue moving forward with their current plan. They want that assurance before drafting final budgets and plans.

City Attorney Jeremy Cook stated the MOU is non-binding. The City has indicated the current administration's intent is to lease the land to the applicant. If the Council would like to have a more binding commitment, a motion can be made to update the MOU with appropriate language.

City Administrator Ifo Pili asked the Council if they would like the MOU changed. Councilmember Curtis stated the MOU can be updated to state the Council may consider a sprung structure, but he wants to ensure the applicant knows that plans presented would not be approved automatically. Mr. Pili explained if the Council will genuinely consider a sprung structure, amending the MOU is the best option at this point.

Councilmember Clark stated there are only so many fundraising dollars in the community. A resident communicated to her that donations are decreasing due to the increased number of schools and programs in the area.

Mr. Pili reiterated the applicant simply wants to know if the Council will consider the idea of a sprung structure.

Councilmember Gricius stated she would consider a sprung structure and those types of buildings can be aesthetically pleasing. She stated she would not approve of storage containers at the site before the funds are raised.

Councilmember Burnham agreed and stated she appreciates that the applicant committed to not beginning any construction until all funds have been raised. She stated the location is not ideal, but the City is not the entity paying for or building the structure.

Councilmember Clark stated the Eagle Mountain Arts Alliance previously did not approve of this project due to the fact that the location is not centrally located in the City. Assistant City Administrator/Finance Director Paul Jerome explained the extra distance to Cory Wride Park

will decrease the number of volunteers, as they draw talent from surrounding areas, as well as from within the City.

Councilmember Clark said that the stated position of West Side Theatre Company (WSTC) is to not only serve the residents of Eagle Mountain, but to also provide an arts venue for Saratoga Springs and Lehi. She asked why the City would subsidize a project that serves more than just Eagle Mountain residents.

Councilmember Burnham said the Eagle Mountain Arts Alliance is not proposing any plan at this time. She explained that allowing WSTC to build a theater does not mean that the Council will not consider a proposal from the Eagle Mountain Arts Alliance.

Councilmember Gricius agreed and stated it is not an either/or option.

Councilmember Curtis stated the City will not subsidize the project at all. He asked if a gravel road would be permitted, versus a permanent road, and expressed concerns that the applicant may not understand all of the requirements of a site plan.

Planning Manager Michael Hadley stated a letter from WSTC committed to providing all required documentation for a site plan during the development process.

**MOTION:**        *Councilmember Burnham moved to add the following language to the memorandum of understanding with West Side Theatre Company: “The Eagle Mountain City Council is not opposed to a temporary tent structure similar to the rendering attached hereto as Exhibit A, provided that West Side Theatre Company complies with all City standards and approval processes, and resolves any concerns of the Council with respect to noise, parking, restroom facilities, and storage,” and the fee for the approval is waived. Councilmember Gricius seconded the motion.*

Councilmember Curtis asked what the definition of temporary is. Mr. Cook stated the lease can dictate how long the structure can be in place and can include any requirements the Council feels appropriate. Councilmember Burnham said the agreement with Pony Express Events was initially readdressed every year.

Councilmember Clark expressed concerns regarding temporary site plan requirements; the motion requires the applicant to comply with City standards, but Municipal Code does not require temporary site plan applications to include details that the Council would like to review. Mr. Mumford explained Municipal Code does not have fewer requirements for temporary site plans; it gives the Planning Commission and City Council the ability to waive requirements.

Mr. Cook stated the motion is to amend the MOU, not to approve of a site plan, and reiterated that the MOU is a non-binding agreement.

Councilmember Curtis asked if the agreement can include a time limit for the temporary structure. Councilmember Burnham stated that will be included in the site plan approval. She

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.

Councilmember Clark stated the City should not allow the Chamber to receive sign revenue in addition to financial support from the City.

Economic Development Director Aaron Sanborn explained \$25,000 of the \$30,000 line item in the City's budget is included as a pass through of the ladder sign revenue. The City pays \$5,000 to the Chamber for annual dues. An additional \$48,000 was placed in the budget in case the City retained management of the sign program and the signs needed to be replaced.

Councilmember Clark asked if staff will prepare a budget amendment. Mr. Pili explained that budget amendments are not typically presented for lowered expenses. He reiterated that the City is not paying the Chamber anything other than the annual dues.

Councilmember Curtis asked how much staff time is spent on Chamber matters. Mr. Pili stated economic development directors attend chamber events. These events are the City's opportunities to support local businesses.

Councilmember Curtis stated other City departments are not involved in related programs the way the Economic Development Director is with the Chamber. Mr. Pili explained the City provides a venue to Pony Express Events and paid \$5,000 for their fireworks display.

Councilmember Curtis stated the lines are blurred between government and private entities. It creates problems to have the Economic Development Director focused on the Chamber. He expressed frustration that the City is so focused on economic development that other areas are lacking.

Regarding staff time, Mr. Sanborn stated it will take approximately thirty minutes to approve a sign slat; with an average wage of \$30 an hour, it will cost approximately \$500 a year for City staff to provide the required oversight to the ladder sign program. The 5% of revenue that the Chamber will pay the City will be more than \$500 a year.

**MOTION:** *Councilmember Gricius moved to approve an agreement between Eagle Mountain City, Utah and the Eagle Mountain Chamber of Commerce for the management and maintenance of the ladder signs with the condition that Article 4 Section 1 is amended to the following: "Compliance with Municipal Code. All ladder signs must comply with the Eagle Mountain City Municipal Code and Exhibit A, including but not limited to size, content, colors, designs, and priority. Minor modifications such as dimensions of sign slats are permissible as long as all slats on the single sign are the same dimension." Councilmember Burnham seconded the motion. Those voting aye: Stephanie Gricius, Donna Burnham, and Melissa Clark. Those voting nay: Colby Curtis. The motion carried with a vote of 3:1.*

## 15. CITY COUNCIL/MAYOR'S BUSINESS

None.

16. CITY COUNCIL BOARD LIAISON REPORTS

None.

17. COMMUNICATION ITEMS

17.A. Upcoming Agenda Items

18. ADJOURNMENT

**MOTION:** *Councilmember Gricius moved to adjourn the meeting at 9:19 p.m. Councilmember Burnham seconded the motion. Those voting aye: Colby Curtis, Stephanie Gricius, Donna Burnham, and Melissa Clark. The motion passed with a unanimous vote.*

The meeting was adjourned at 9:19 p.m.

Approved by the City Council on October 15, 2019.

  
\_\_\_\_\_  
Fionnuala B. Kofoed, MMC  
City Recorder



**EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING  
OCTOBER 8, 2024**

<b>TITLE:</b>	Easement Code Amendment
<b>ITEM TYPE:</b>	Development Code Amendment
<b>FISCAL IMPACT:</b>	N/A
<b>APPLICANT:</b>	City-initiated

<b>CURRENT GENERAL PLAN DESIGNATION &amp; ZONE</b>	<b>ACREAGE</b>
N/A	N/A

**PUBLIC HEARING**

Yes

**PREPARED BY**

Steven Lehmitz, Planner

**PRESENTED BY**

Steven Lehmitz

**RECOMMENDATION:**

Staff recommends that the Planning Commission consider the proposed code amendment and forward a positive recommendation to the City Council.

**BACKGROUND:**

The City is sometimes approached with proposals to locate permanent structures within easements. The proposed code amendment establishes a general definition of an easement and a definition of a public utility easement. It also provides a process for the City to consider and approve vacation, release, and encroachment requests for an easement.

**ITEMS FOR CONSIDERATION:**

Ordinances pertaining to development Code amendments, and processing of the same, may be found in EMMC 17.05.120 & USC 10-9a-501.

**PLANNING COMMISSION ACTION/RECOMMENDATION:**

**ATTACHMENTS:**

1. Easement Code Amendment

### **17.10.030 Definitions.**

“Easement” means a nonpossessory property interest that provides a right to enter, use, or enjoy real property owned by or in the possession of another and imposes on the owner or possessor a duty not to interfere with the entry, use, or enjoyment permitted by the instrument creating the easement or, in the case of an easement not established by express grant or reservation, the entry, use, or enjoyment authorized by law.

“Public utility easement” means the same as that term as defined in Utah Code Section 54-3-27, as amended.

## **Chapter 17.59** **EASEMENTS**

### **17.59.010 Purpose.**

The purpose of this chapter is to provide standards and practices for the protection, use, and release of easements throughout the city.

### **17.59.020 General standards.**

The following standards shall apply to all easements located within the city unless otherwise noted:

A. Structures. No structure which cannot be removed shall be constructed across or within an easement.

1. Exception: Fencing, excluding screen walls, retaining walls, and golf course netting, may be placed across or in easements provided that the fencing does not interfere with the rights of the easement holder.

B. Developers and subdividers may be required to grant easements for utilities, maintenance, or other public purposes.

### **17.59.030 Easement vacations, releases, and encroachments.**

Except as otherwise provided for or restricted by law, persons may petition for an easement to be vacated, released, or encroached upon, though approval may only be given on a case-by-case basis. To vacate, release, or encroach upon an easement, the petitioner must obtain and submit the following to the Planning Department:

A. A letter from each individual, corporation, partnership, organization, association, trust, governmental agency, or any other legal entity that holds a right to the easement. The letter must specify that the holder of the easement is willing to vacate, release, or allow encroachment within the easement.

B. A letter from the City Engineer stating that the City is willing to vacate, release, or allow encroachment with the easement.

C. Notwithstanding any other provision of this chapter, encroachment in a public utility easement by a structure which cannot be removed shall not be permitted.

### **17.59.040 Approval process.**

A. Planning Director. Upon receiving all necessary letters from easement holders and the City Engineer as required in EMMC 17.59.030, the Planning Director shall prepare a notice of decision to be sent to the applicant and the City Recorder.

B. City Recorder. The City Recorder shall file the notice of decision and record any documents pertinent to the requested vacation, release, or encroachment of an easement.

C. Agreement. Upon receiving approval from the Planning Director to encroach upon an easement, the applicant shall enter into an agreement with the City governing the terms of any encroachment. This subsection shall not apply in cases where the easement is vacated or released.

**This is not included in the proposed code amendment, but is included as a reference since it is the definition being used for a "Public utility easement"**

#### **54-3-27. Public utility easement.**

- (1) As used in this section:
  - (a) "Protected utility easement" means a recorded easement or right-of-way:
    - (i) for the use and installation of a utility facility; and
    - (ii) the ownership of which a gas corporation, electric corporation, or telephone corporation acquires and holds by any lawful means.
  - (b) "Public utility easement" means the area on a recorded plat map or other recorded document that is dedicated to the use and installation of public utility facilities.
- (2) (a) A public utility easement provides a public utility with:
  - (i) the right to install, maintain, operate, repair, remove, replace, or relocate public utility facilities; and
  - (ii) the rights of ingress and egress within the public utility easement for public utility employees, contractors, and agents.

(b) Notwithstanding Subsection (3), a public utility shall restore or repair, at the expense of the public utility, any fence, grass, soil, shrubbery, bushes, flowers, other low level vegetation, sprinkler system, irrigation system, gravel, flat concrete, or asphalt damaged or displaced from the exercise of the easement rights described in Subsection (2)(a).
- (3) Except as provided in Subsection (2)(b), if a property owner places improvements to land that interfere with the easement rights described in Subsection (2)(a), the property owner shall bear the risk of loss or damage to those improvements resulting from the exercise of the easement rights described in Subsection (2)(a).
- (4) (a) Except as provided in Subsection (4)(b), a public utility easement is nonexclusive and may be used by more than one public utility.

(b) Notwithstanding Subsection (4)(a), a public utility may not:
  - (i) interfere with any facility of another public utility within the public utility easement; or
  - (ii) infringe on the legally required distances of separation between public utility facilities required by federal, state, or local law.
- (5) A subdivision plat that includes a public utility easement may not be approved by a county or municipality unless the subdivider has provided the county or municipality proof that the subdivider has, as a courtesy, previously notified each public utility that is anticipated to provide service to the subdivision.
- (6) A person may not acquire, whether by adverse possession, prescription, acquiescence, or otherwise, any right, title, or interest in a public utility easement or protected utility easement that is adverse to or interferes with a public utility's full use of the easement for the purposes for which the easement was created.

- (7) A gas corporation's, electric corporation's, or telephone corporation's failure to possess, occupy, or use a protected utility easement does not diminish or extinguish any right that the gas corporation, electric corporation, or telephone corporation has under the easement.
- (8) Nothing in this section may be construed to affect the right of a condemnor to condemn a public utility easement as provided by law.

Amended by Chapter [245](#), 2009 General Session



**EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING  
OCTOBER 8, 2024**

<b>TITLE:</b>	Belle Street Seminary Site Plan
<b>ITEM TYPE:</b>	Site Plan
<b>FISCAL IMPACT:</b>	N/A
<b>APPLICANT:</b>	Mike Davey

<b>CURRENT GENERAL PLAN DESIGNATION &amp; ZONE</b>	<b>ACREAGE</b>
Current General Plan Designation: Agricultural/Rural Density Two Zone: Residential Tier 1	0.62

**PUBLIC HEARING**

Yes

**PREPARED BY**

Ashley Swensen, Planner

**PRESENTED BY**

Ashley Swensen

**RECOMMENDATION:**

Staff recommends that the Planning Commission forward a positive recommendation to the City Council of the Belle Street Seminary Site Plan.

**BACKGROUND:**

Site plan review and recommendation of a seminary building for the new junior high school, located at 1215 E Harmony Way (Parcel ID - 38:716:0002)

This property is part of the Clearview Estates Master Development Agreement, however, development standards for this parcel will default to the city code as it has been set aside for the building and use of a seminary building, which use will not be found in the existing Master Development Agreement.

**ITEMS FOR CONSIDERATION:**

**EMMC 17.100.050 Site plan development standards. The following are standards required for all site plans in any zoning district:**

- A. Use of Property -- Complies
- B. Screening Requirements -- Complies
- C. Access Requirements -- Complies
- D. Off-Street Truck Loading Space -- Complies
- E. Utilities -- Complies
- F. Grading and Drainage -- Complies
- G. Dedication of Water Shares -- Will be ensured prior to building permit issuance
- H. Protection of Steep Slopes and Natural Drainages -- N/A

**EMMC 17.100.060 Architectural requirements.**

- A. Mechanical Equipment -- Complies

- B. Windows -- Complies
- C. Building Lighting -- Complies
- D. Trash Enclosures, Storage Areas, and External Structures -- Complies
- E. Exterior Materials -- Complies
- F. Landscape Guidelines -- Complies
- G. Parking Lot and Street Lighting -- Complies
- H. Enclosed Uses -- Complies
- I. Businesses Moving into Existing Buildings -- N/A
- J. Nuisances -- Complies

**EMMC 17.72.030 Site design.**

- A. Building Location -- Complies
- B. Commercial Parking Location -- N/A

**EMMC 17.72.040 Architectural standards.**

- A. Architectural Style/Theme -- Complies
- B. Main Entrance -- Complies
- C. Roof Design -- Complies
- D. Building Articulation -- Complies
- E. Architectural Detailing -- Complies
- F. Building Materials -- Complies
- G. Building Color -- Complies
- I. Lighting -- Complies
- K. Mechanical Equipment -- Complies
- L. Storage, Loading Areas, and Trash Enclosures -- Complies

**EMMC 17.55 Off-street Parking -- Complies**

**PLANNING COMMISSION ACTION/RECOMMENDATION:**

**ATTACHMENTS:**

1. Site Plan - Belle Street Seminary
2. Elevations - Belle Street Seminary
3. Landscape Plan - Belle Street Seminary
4. Belle Street Seminary Site Plan Maps

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**General Notes**

- This and any other demolition drawings are not intended to be all-inclusive, nor to define the scope of all demolition work required for this project. Demolition drawings are shown only to aid the contractor in preparing his bid and performing the work. The contractor shall examine all contract documents and visit the site during bidding as required to determine the total extent and scope of the demolition portion of this work. All items that are not required to remain shall be of the demolition work whether shown specifically or not. Contractor shall be responsible for all demolition work required to carry out the work as shown in the contract documents.
- All noted items are new unless noted otherwise.
- The contractor shall verify all existing site conditions prior to bidding. Coordinate all work affecting adjacent properties with the respective property owners prior to any demolition or construction work. Repair and replace all existing items on adjacent properties damaged or affected during construction to the satisfaction of the property owner.
- Contractor shall enclose the entire area of work with a temporary fence throughout construction - coordinate timing & location with the FM Group.
- Refer to the Specifications for required locations of expansion joints. Submit a proposed expansion joint plan to the Architect for approval prior to installation of site concrete.
- The building and parking lot are parallel or perpendicular to the south and north property lines.

**Keyed Notes**

- 01-5 Trash containers. Furnished and installed by owner.
- 02-6 Existing fire hydrant to remain.
- 02-10 Existing water meter to remain.
- 02-12 Existing sidewalk to remain.
- 02-13 Existing curb and gutter to remain.
- 02-14 Existing curb ramp to remain.
- 02-15 Existing property line.
- 02-16 Existing power pole to remain.
- 02-21 Existing paving to remain.
- 02-22 Existing storm drain structure to remain.
- 02-27 Existing manhole to remain.
- 02-31 Existing sign to remain.
- 02-39 Existing public utilities easement.
- 02-40 Required building setback line.
- 03-8 CMU planter wall with manufactured stone veneer and precast concrete seating cap. Install waterproofing at the inside of the wall.
- 03-11 Concrete sidewalk. See A/C513. Typical.
- 03-12 Integral sidewalk. See B/C511.
- 03-14 Concrete mow curb. See K/C511.
- 03-15 Concrete curb and gutter. See C and D/C511.
- 03-17 Sloped section of concrete sidewalk at <math>\leq 5\%</math> slope. See grading plan for exact slope.

**Keyed Notes**

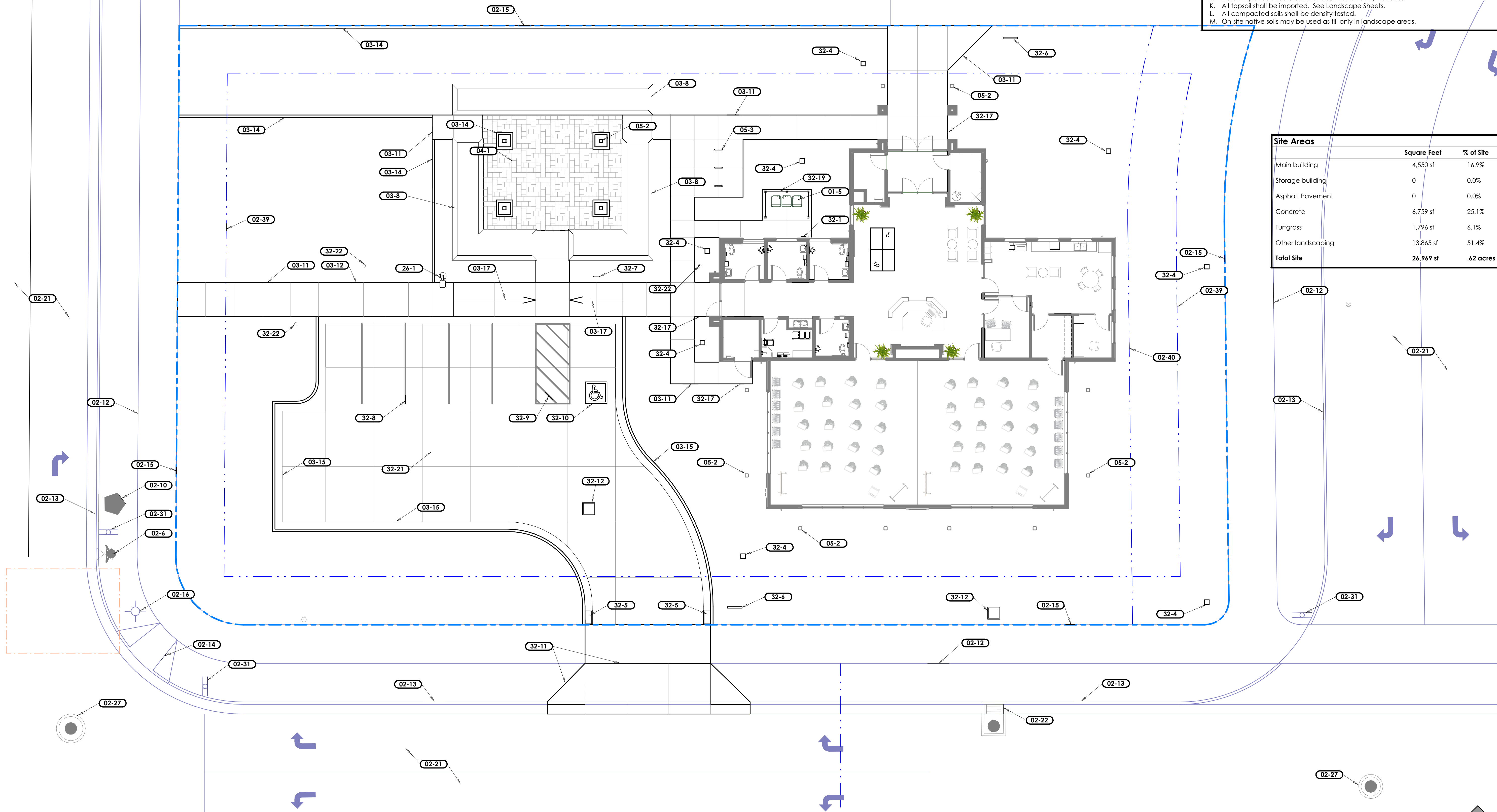
- 04-1 Masonry paver system. See grading plan for elevations.
- 05-2 Pergola. Typical. See pergola details.
- 05-3 Stainless steel bike rack. See L/C511.
- 26-1 New pole light and concrete base. See A/C513 and electrical sheets.
- 32-1 Irrigation controller. See landscape sheets.
- 32-4 Area drain box. See C/C512 and Grading and Drainage Plan.
- 32-5 Curb inlet box. See Site Details.
- 32-6 Post-mounted seminary sign.
- 32-7 Accessible parking sign.
- 32-8 Painted parking lines. Parking lines shall be 6" wide black paint with 4" wide reflective white paint centered on top. Typical.
- 32-9 Accessible parking access aisle. Paint lines shall be 6" wide black with 4" wide reflective white, at a 45° angle, and have 2'-0" spacing.
- 32-10 Blue & white painted accessible parking symbol.
- 32-11 Concrete drive approach per city standards. Remove existing curb and gutter in the area of the new drive approach curb and gutter. Remove existing sidewalk in the area of new sidewalk as necessary to meet city standards for drive approach sidewalks.
- 32-12 Storm drain box, catch basin, yard drain, curb inlet, or other structure. See Civil Sheets.
- 32-17 Building landing. 2% slope maximum.
- 32-19 Garbage enclosure fence. See 1/C513.
- 32-21 Concrete paving. See Site Details and Overexcavation and Fill Notes.
- 32-22 Sewer cleanout. See Civil Sheets.

**Overexcavation and Fill Notes**

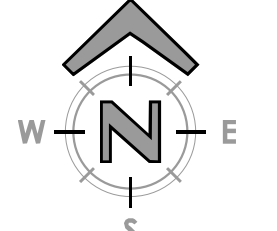
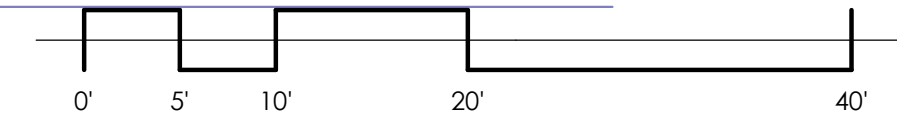
- For Overexcavation Detail see C/C513.
- Remove all unconsolidated fill and deleterious materials from the entire site prior to construction.
- In the area of the building: Overexcavate the entire footprint and 60" beyond at a 1:1 slope to 12" below the footing elevation. Install imported structural fill beneath footings and out to the overexcavation limits. Install imported structural fill up to the base course under the building slab.
- At pergolas adjacent to the building: All foundations for these pergolas will be within the overexcavation area for the building. Install structural fill up to the bottom of the foundations for the pergolas.
- At the pergola on site: Overexcavate the area of foundations for the pergola columns and 12" beyond to 12" below the footing elevation. Install imported structural fill beneath the footings out to the overexcavation limits.
- Install crushed rock base beneath sidewalks at all building entries and exterior doors to the building as shown on Detail J/C511. All crushed rock base shall be 3/4" and shall be compacted by procedural compaction.
- At paving areas: Overexcavate as required for base as shown on the Site Details 36" beyond the back of the gutter. Where paving abuts a sidewalk, extend the overexcavation to 36" beyond the sidewalk.
- Excavate and backfill at all test pits from the geotechnical investigation. Coordinate locations and depths with the geotechnical engineer.
- All structural fill shall be imported.
- Install imported structural fill full depth at all utility trenches.
- All topsoil shall be imported. See Landscape Sheets.
- All compacted soils shall be density tested.
- On-site native soils may be used as fill only in landscape areas.

**Site Areas**

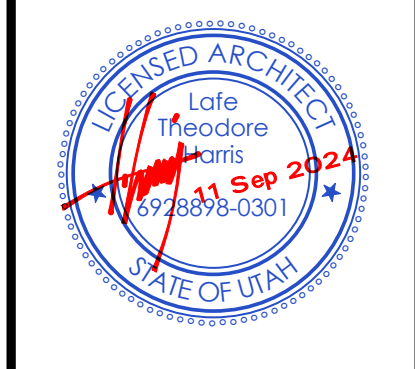
	Square Feet	% of Site
Main building	4,550 sf	16.9%
Storage building	0	0.0%
Asphalt Pavement	0	0.0%
Concrete	6,759 sf	25.1%
Turfgrass	1,796 sf	6.1%
Other landscaping	13,865 sf	51.4%
<b>Total Site</b>	<b>26,969 sf</b>	<b>.62 acres</b>



**1 Site Architectural Plan**  
Scale: 1" = 10'-0"



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Suite 205 Draper, Utah 84020



**Eagle Mountain UT Jr Seminary**  
9138 N Belle Street, Eagle Mountain, Utah 84005  
Date: 10 July 2024  
BHD #: 2407  
County Parcel: 88-044-0-0164  
Plan Series: Custom 2 CR  
Owner #: 502-0475

**Sheet Issue and Revision Schedule**

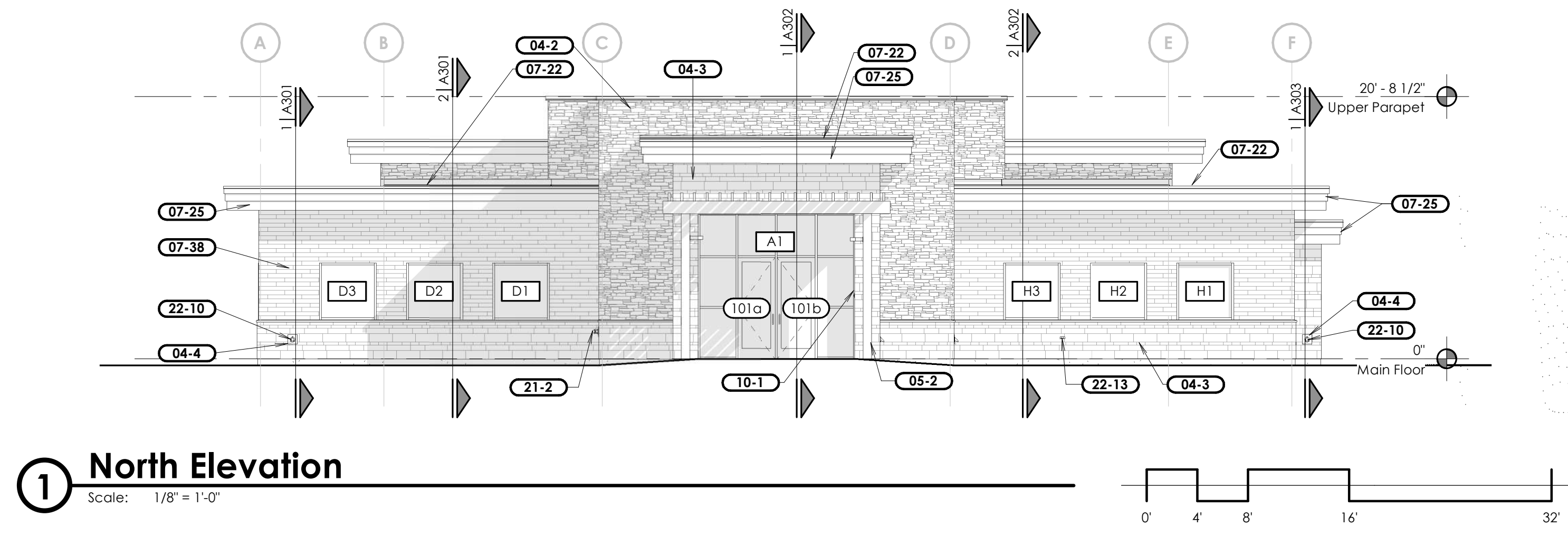
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**Site Architectural Plan**

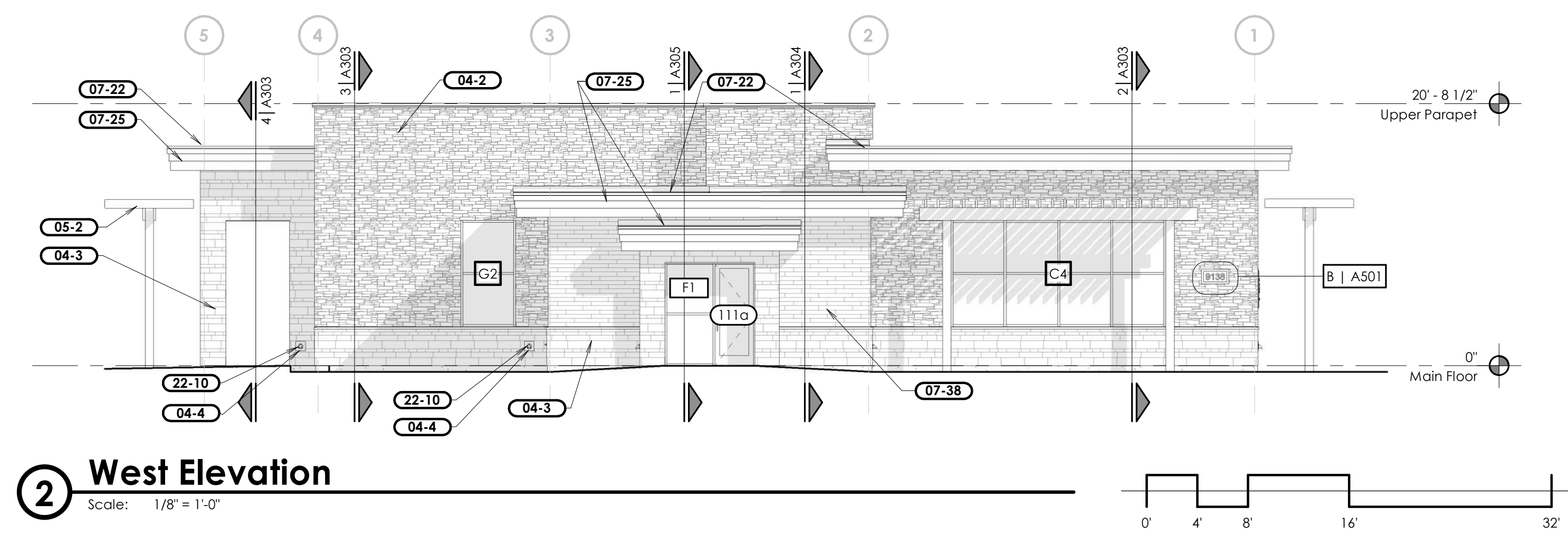
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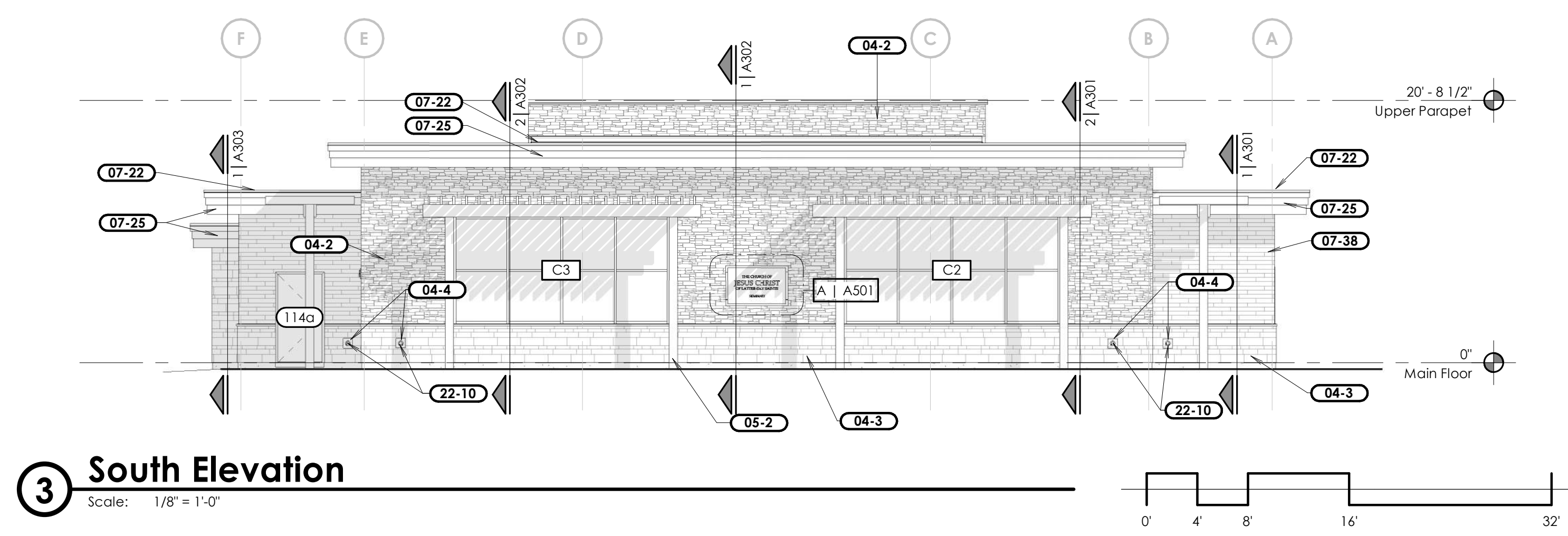
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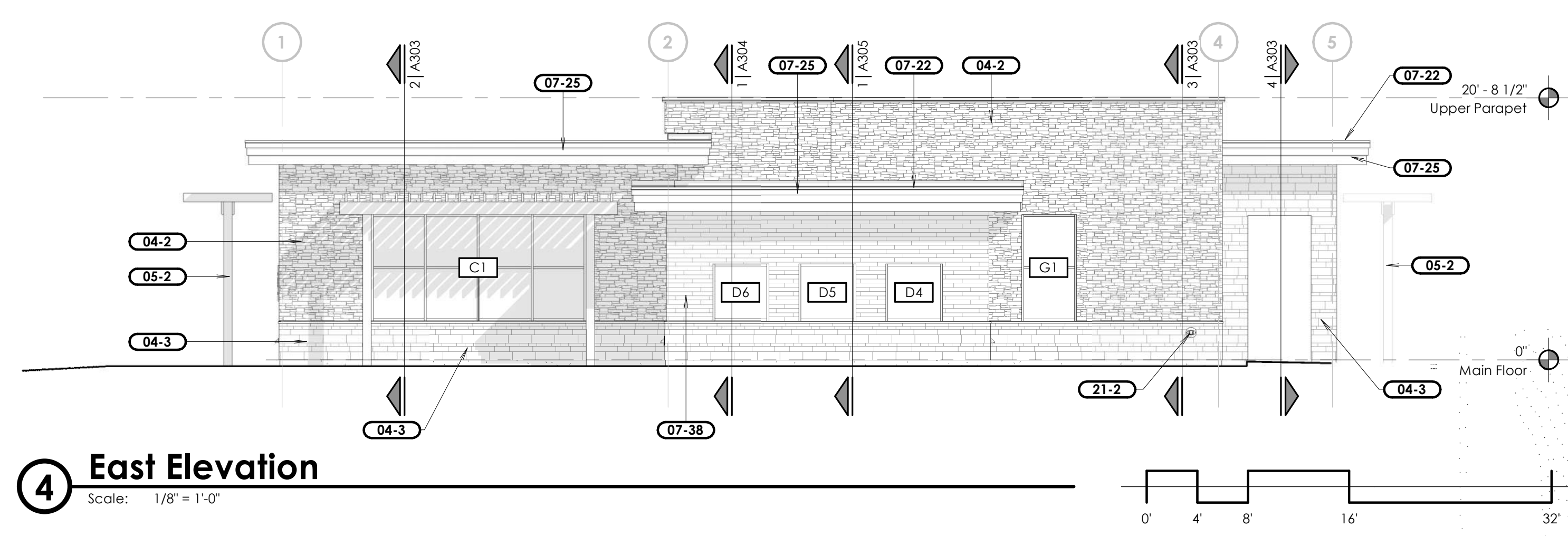
**1 North Elevation**  
Scale: 1/8" = 1'-0"



**2 West Elevation**  
Scale: 1/8" = 1'-0"



**3 South Elevation**  
Scale: 1/8" = 1'-0"



**4 East Elevation**  
Scale: 1/8" = 1'-0"

**General Notes**

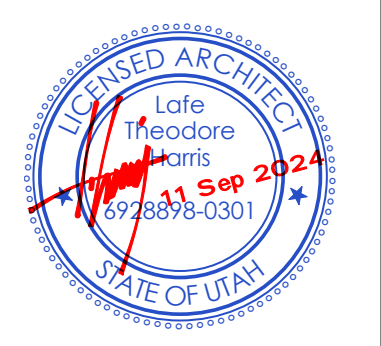
- At all exterior wall-mounted equipment mounted on manufactured stone veneer, including the FDC, electrical panels and equipment, hose bibbs, fire alarm strobes, roof drain scuppers, door operators, etc., install a precast trim in the manufactured stone veneer flat behind the equipment prior to installation. See A/A502.

**Keyed Notes**

- 04-2 Manufactured stone veneer system. Stone Type #1.
- 04-3 Manufactured stone veneer system. Stone Type #2. See stone coursing detail J/A501.
- 04-4 Precast trim. See A/A502.
- 05-2 Pergola. Typical. See pergola details.
- 07-22 Prefinished metal wall cap with standing seam joints and 1" drip edge each side. Install membrane roofing beneath wall cap.
- 07-25 Prefinished metal fascia.
- 07-38 Prefinished aluminum cladding system.
- 10-1 Fire department Knox Box recessed in stone veneer (verify type of box and location with fire department).
- 21-2 Fire department connection.
- 22-10 Secondary roof drain wall scupper. See plumbing sheets.
- 22-13 Hose bibb. See plumbing sheets.



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**Eagle Mountain UT Jr Seminary**

9138 N Belle Street, Eagle Mountain, Utah 84005  
BHD #: 2407  
County Parcel: 58-044-0-0164  
Date: 10 July 2024  
Plan Series: Custom 2 CR  
Owner #: 502-0475

Sheet Issue and Revision Schedule

#	Date	Description
1	11 SEP 2024	Iss Documents

Exterior Elevations

**A201**



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1 Perspective  
Not to Scale:



2 Perspective  
Not to Scale:



3 Perspective  
Not to Scale:



4 Perspective  
Not to Scale:



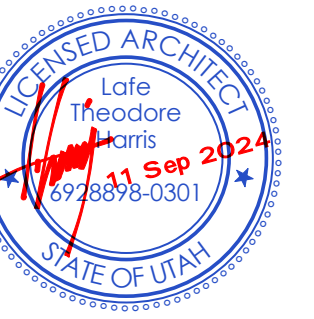
5 Perspective  
Not to Scale:



6 Perspective  
Not to Scale:



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**Eagle Mountain UT Jr Seminary**

9138 N Belle Street, Eagle Mountain, Utah 84005

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**Sheet Issue and Revision Schedule**

#	Date	Description
1	11 Sep 2024	Rev Documents

Exterior Perspectives

**A901**

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SHRUB LEGEND								
Symbol	Type	Scientific Name / Common Name	Planting Size		Mature Size		Quantity	
			Description	Height	Width	Height		Width
●	Evergreen	<i>Pinus mugo</i> 'Mughus - Tyrolean' Dwarf Mugo Pine	5 GAL. Container	12"	18"	4'	5'	17
○	Evergreen	<i>Cotoneaster dammeri</i> 'Low Fast' Low Fast Cotoneaster	5 GAL. Container	6"	12"	12"	4-5'	46
○	Evergreen	<i>Yucca filamentosa</i> Yucca	5 GAL. Container	12"	12"	3'	3'	27
○	Deciduous	<i>Caryopteris clandonensis</i> Blue Mist Spirea	5 GAL. Container	14"	12"	3'	4'	19
●	Deciduous	<i>Euonymus alatus</i> 'Compacta' Dwarf winged Euonymus	5 GAL. Container	18"	12"	4'	4'	18
○	Deciduous	<i>Berberis thunb. atrop.</i> 'Nana' Crimson Pigmy Barberry	5 GAL. Container	18"	12"	2'	3'	19
○	Deciduous	<i>Rosa 'Knockout'</i> Knockout Rose	5 GAL. Container	24"	12"	3'	2'	9
○	Deciduous	<i>Potentilla fruticosa</i> 'Red Ace' Red Ace Potentilla	5 GAL. Container	4"	18"	30"	3'	35
●	Deciduous	<i>Cornus sericea</i> 'Kelsey' Kelseys Dwarf Red Twig Dogwood	5 GAL. Container	4"	18"	3'	30"	18

GRASS & PERENNIAL LEGEND								
Symbol	Type	Scientific Name / Common Name	Planting Size		Mature Size		Quantity	
			Description	Height	Width	Height		Width
○	Perennial	<i>Perovskia atriplicifolia</i> 'Filigran' Filigran Russian Sage	1 GAL. Container	6"	12"	3'	3'	13
○	Grass	<i>Calamagrostis s. acutiflora</i> 'Karl Foerster' Feather Grass	5 GAL. Container	18"	6"	4'	2'	14
○	Grass	<i>Pennisetum alopecuroides</i> 'Hameln' TE	5 GAL. Container	12"	6"	30"	30"	3
○	Perennial	<i>Hemerocallis 'Texas Sunlight'</i> Daylily	1 GAL. Container	10"	6"	24"	18"	55
○	Perennial	<i>Nepeta faassenii</i> Catmint	5 GAL. Container	8"	12"	24"	24"	64
○	Perennial	<i>Shasta Daisy</i> <i>Leucanthemum x superbum</i>	1 GAL. Container	10"	6"	24"	2'	7
○	Perennial	<i>Campsis radicans</i> Trumpet Vine - Tangerine Beauty	5 GAL. Container	8"	6"	24"	2'	24

TREE LEGEND								
Symbol	Plant Type	Scientific Name / Common Name	Planting Size		Mature Size		Quantity	
			Description	Height	Width	Height		Width
○	Deciduous	<i>Quercus rubra</i> 'Shumardii' Shumard Red Oak	25 Gal. Container 1.75" Cal. Min.	8'	3'	40'	35'	7
○	Deciduous	<i>Celtis occidentalis</i> Common Hackberry	25 Gal. Container 1.75" Cal. Min.	8'	3'	40'	30'	6
○	Deciduous	<i>Prunus virginiana</i> 'Canada Red' Canada Red Choke Cherry (3 Tr.)	25 Gal. Container Single Stem	7-8'	4'	20'	20'	9
○	Deciduous	<i>Amelanchier x grandiflora</i> Autumn Brilliance Serviceberry	25 Gal. Container Single Stem	7-8'	3'	20'	15'	6
○	Evergreen	<i>Pinus flexilis</i> g. 'Vanderwolf' Vanderwolf Pine	Container	8'	3'	25'	12-15'	10

**Landscape Notes**

- TOPSOIL: ALL LAWN AREAS SHALL RECEIVE SIX (6) INCHES OF IMPORTED TOPSOIL. OTHER AREAS DO NOT NEED IMPORTED TOPSOIL. ACHIEVE FINISH GRADE USING ONSITE STOCKPILED SOILS. PLACE TWELVE (12) INCHES OF STOCKPILED SOILS IN TREES AND SHRUB PLANTER AREAS. EACH PLANT MATERIAL PIT WIDTH WILL BE REQUIRED TO BE (3) THREE TIMES THE DIAMETER OF THE ROOT BALL AND BE BACKFILLED WITH A MIX OF 50% IMPORTED TOPSOIL AND 50% EXISTING SOILS. SUBMIT A RECENT, WITHIN 60 DAYS, TOPSOIL ANALYSIS ON PROPOSED IMPORTED TOPSOIL FOR REVIEW AND APPROVAL. DO NOT INSTALL ANY TOPSOIL UNTIL THE SUB-GRADE HAS BEEN CHECKED AND APPROVED FOR PROPER DEPTH BY THE ARCHITECTS.
- COBBLE ROCK TO BE INSTALLED THREE (3) INCHES DEEP MINIMUM AND DEEP ENOUGH TO COMPLETELY COVER THE FABRIC. COBBLE ROCK TO BE FINISH GRADED ONE (1) INCH BELOW ALL ADJACENT CONCRETE EDGES. SUBMIT ROCK PRODUCT SAMPLES FOR OWNER AND ARCHITECT APPROVAL BEFORE DELIVERY AND INSTALLATION. SEE LEGENDS THIS SHEET. ALL COBBLE ROCK SHALL BE DIRT AND CLOD FREE.
- WEED BARRIER FABRIC TO BE PLACED UNDER ALL COBBLE ROCK MULCH M1 AND M2. OVERLAP 6" AT JOINTS AND ADHERE TO GROUND USING 1" BY 6" STEEL WIRE STAKES PLACED 4' O.C.
- LAWN SHALL BE A BLEND OF DROUGHT TOLERANT KENTUCKY BLUEGRASS. LAWN SHALL BE INSTALLED IN THE FORM OF BIO-BLU BLEND SOD FROM BIOGRASS SOD IN WEST JORDAN OR APPROVED EQUAL.
- INSTALL DRAIN CATCH BASINS PER DETAIL C1002. MAKE SURE LOCATIONS ARE NOTED ON RECORD DRAWINGS.
- FREE STANDING BOULDERS TO BE SIZES INDICATED ON THE DRAWINGS. BOULDERS TO BE OF A NATURAL APPEARANCE, QUARTZ OR OTHER HARD ROCK, OF A BROWN COLOR. SEE LEGEND THIS SHEET. SUBMIT A FULL SIZED SAMPLE FOR APPROVAL BEFORE DELIVERY. SLIGHTLY BURY AND PLACE BOULDERS SO THEY HAVE A NATURAL LOOKING APPEARANCE. SEE DETAIL "J" ON DRAWING L501. BOULDERS SHALL BE THE SPECIFIED DIMENSIONS ON ALL THREE SIDES OF THE BOULDER.
- CONCRETE MOW CURB INSTALLATION IS DESCRIBED ON THE SITE PLAN DETAILS AND CONCRETE SPECIFICATIONS.
- MAKE SURE ALL LANDSCAPE AREAS HAVE POSITIVE DRAINAGE OUT OF PLANTERS FOLLOWING FINISH GRADING AS PER GRADING AND DRAINAGE DRAWINGS.
- INSTALL VINES AS CLOSE TO POSTS AS POSSIBLE. CONNECT VINES TO POSTS WITH PLANT TIE RIBBON ATTACHED TO HEAVY DUTY BLACK ZIP TIES ATTACHED AROUND POSTS.
- EACH PLANT MATERIAL PIT WIDTH WILL BE REQUIRED TO BE (3) THREE TIMES THE DIAMETER OF THE ROOT BALL AND BE BACKFILLED WITH A MIX OF 40% IMPORTED TOPSOIL AND 40% EXISTING SOILS AND 20% SOIL PEP.

**Landscape Objects Legend**

M1	CRUSHED ROCK 1.5" DIA. Light colored - Some Utah Landscape in Nephi
M2	CRUSHED ROCK 3-5" DIA. Dark Colored - South Town Utah Landscape in Nephi
M3	ROUNDED COBBLE ROCK 1" DIA. River Cobble Rock Landscape Supply of Utah
○	LAWN SOD Bio Blue Bluegrass
○	BOULDERS - Quartz Browns Canyon Tan
—	CONCRETE MOW CURB 6"x6" SEE CIVIL DRAWINGS

NOTE: Rock mulch will not be the same color or appearance as concrete.

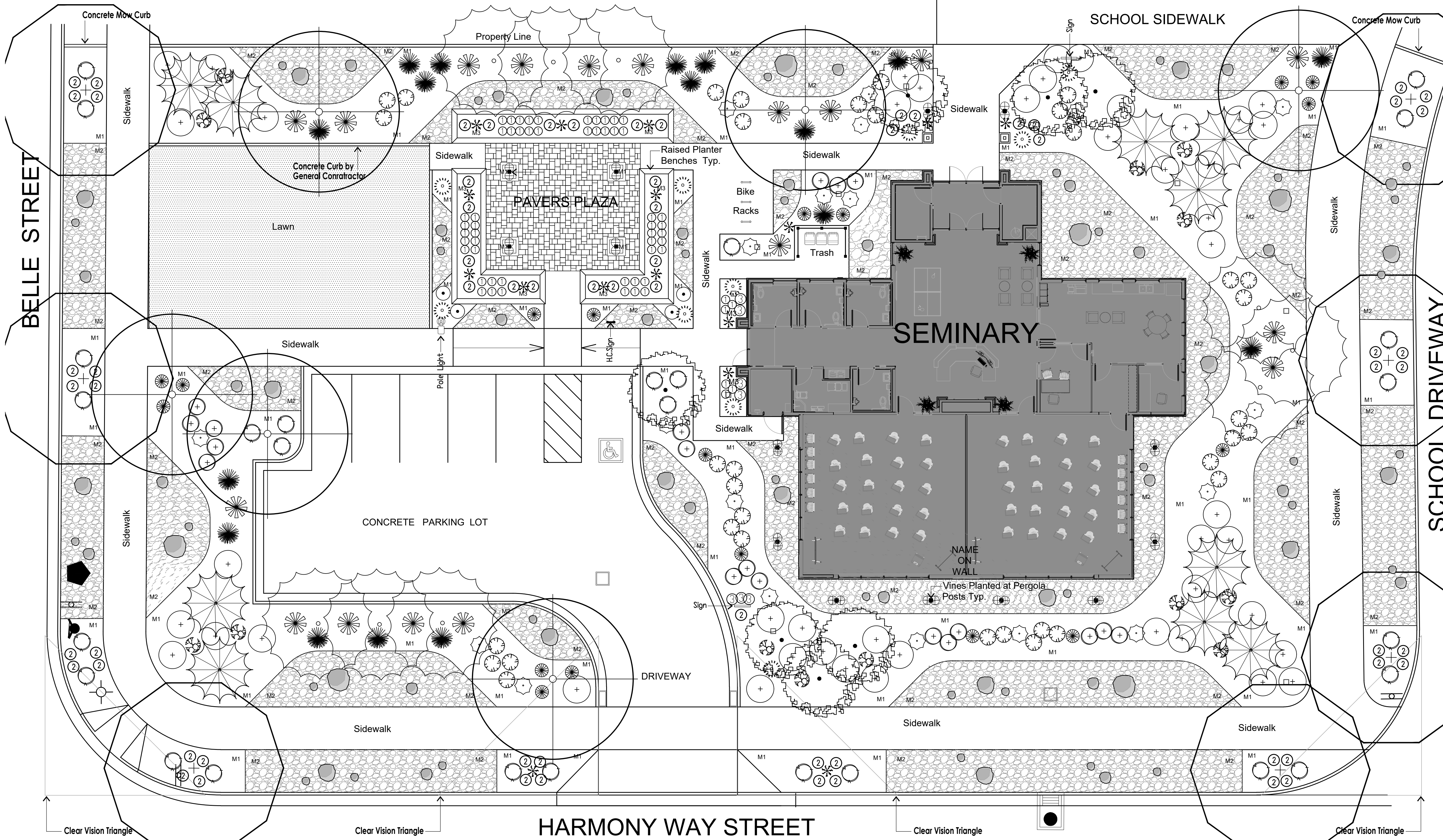
**Landscape Coverage Notes**

- Park strip plant materials to have a minimum coverage density of 30% at maturity, counting tree canopies.
- Other landscape areas to have a minimum coverage density of 50% at maturity, counting tree canopies.
- In common landscape areas lawns shall not exceed 20% of total landscape areas, not counting recreation area lawns.
- Deciduous Trees: Minimum 1.5" Caliper
- Shrubs: Minimum of 1 Gallon size
- Evergreen Trees: Minimum of 6' Tall
- 1 Tree per 1000 SF Required.

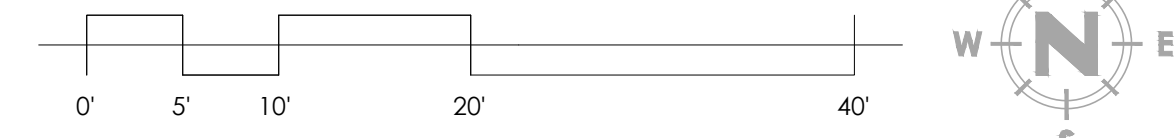
**Site Data**

Asphalt	0 sf (0%)
Concrete Pavement	6,759 sf (25.1%)
Building	4,550 sf (16.9%)
Landscape	15,661 sf (56.5%)
Live Vegetation	7,975 sf (29.3%)
Grass	1,796 sf
Shrub Area	6,179 sf
Cobble Rock Area	7,640 sf (28.0%)
Total Site Area	26,969 sf (100%)

**SCHOOL LANDSCAPE**



**1 Landscape Plan**  
Scale: 1" = 10'-0"



www.bhdarchitects.com  
Phone 801.571.0010  
Fax 801.571.0303  
Toll Free 888.571.0010  
65 East Wadsworth Park Drive  
Suite 205 Draper, Utah 84020



**earthwise** DESIGN  
LANDSCAPE - IRRIGATION - PLANNING  
801-619-4040  
greg@earthwisedesign.com

THE CHURCH OF  
**JESUS CHRIST**  
OF LATTER-DAY SAINTS

**Eagle Mountain UT Jr Seminary**  
9138 N Belle Street, Eagle Mountain, Utah 84005  
Owner #: 502-0475  
Plan Series: Custom 2 CR  
County Parcel: 58-044-0-0164  
BHD #: 2407  
Date: 10 July 2024

Drawn	Issue and Revision Schedule
1	11 Sep 2024 Plan Review

**Landscape Plan**

**L101**

# Vicinity Map



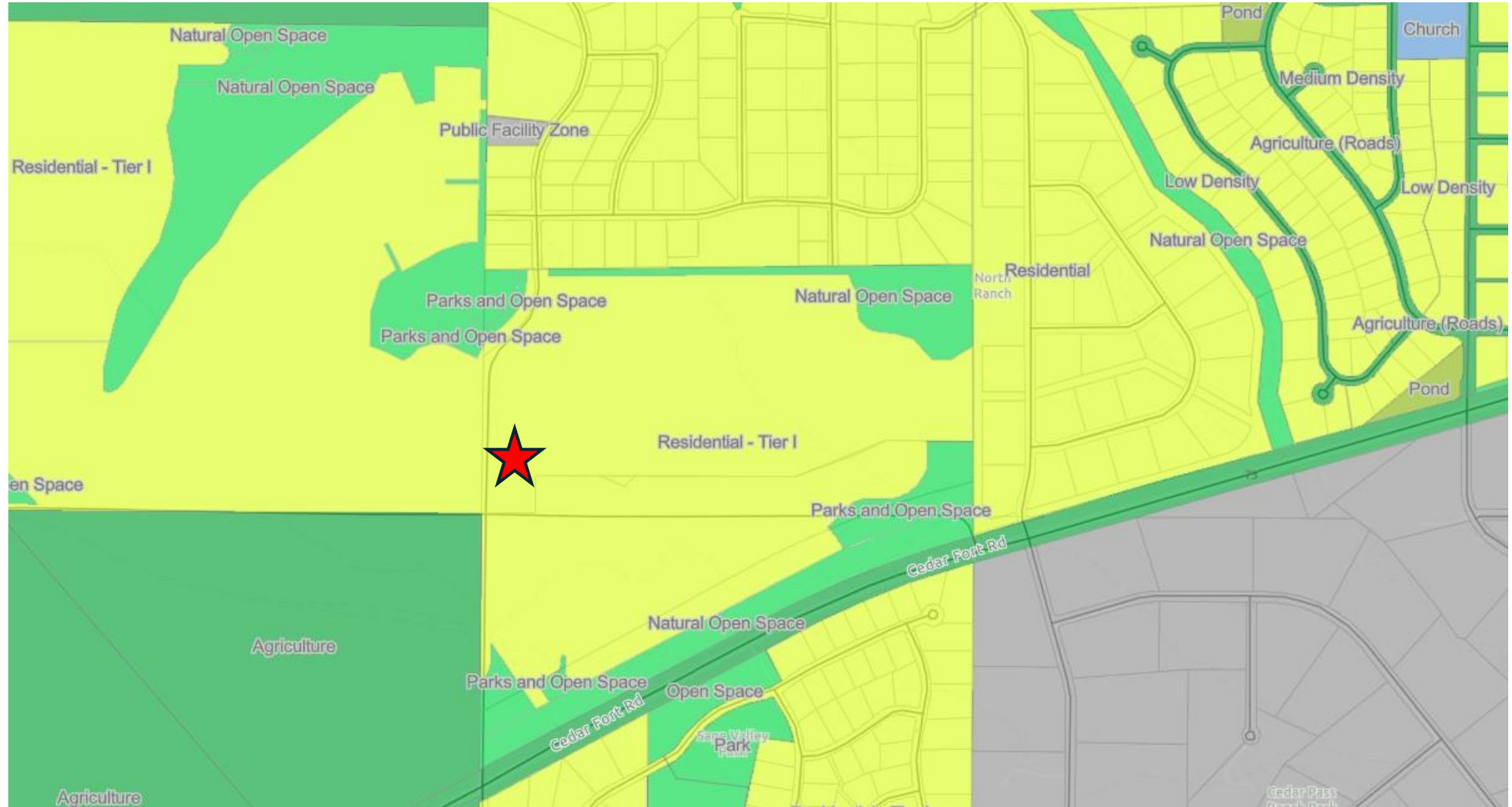
# Aerial View



# Site Plan Map



# Zoning Map



# General Plan Map

## LEGEND

### Residential Categories:

- Foothill Residential
- Agricultural/Rural Density One
- Agricultural/Rural Density Two
- Neighborhood Residential One
- Neighborhood Residential Two
- Neighborhood Residential Three

### Mixed Use/Commercial Categories:

- Community Commercial
- Town Center Mixed Use
- Regional Commercial
- Employment Center/Campus
- Business Park/Light Industry

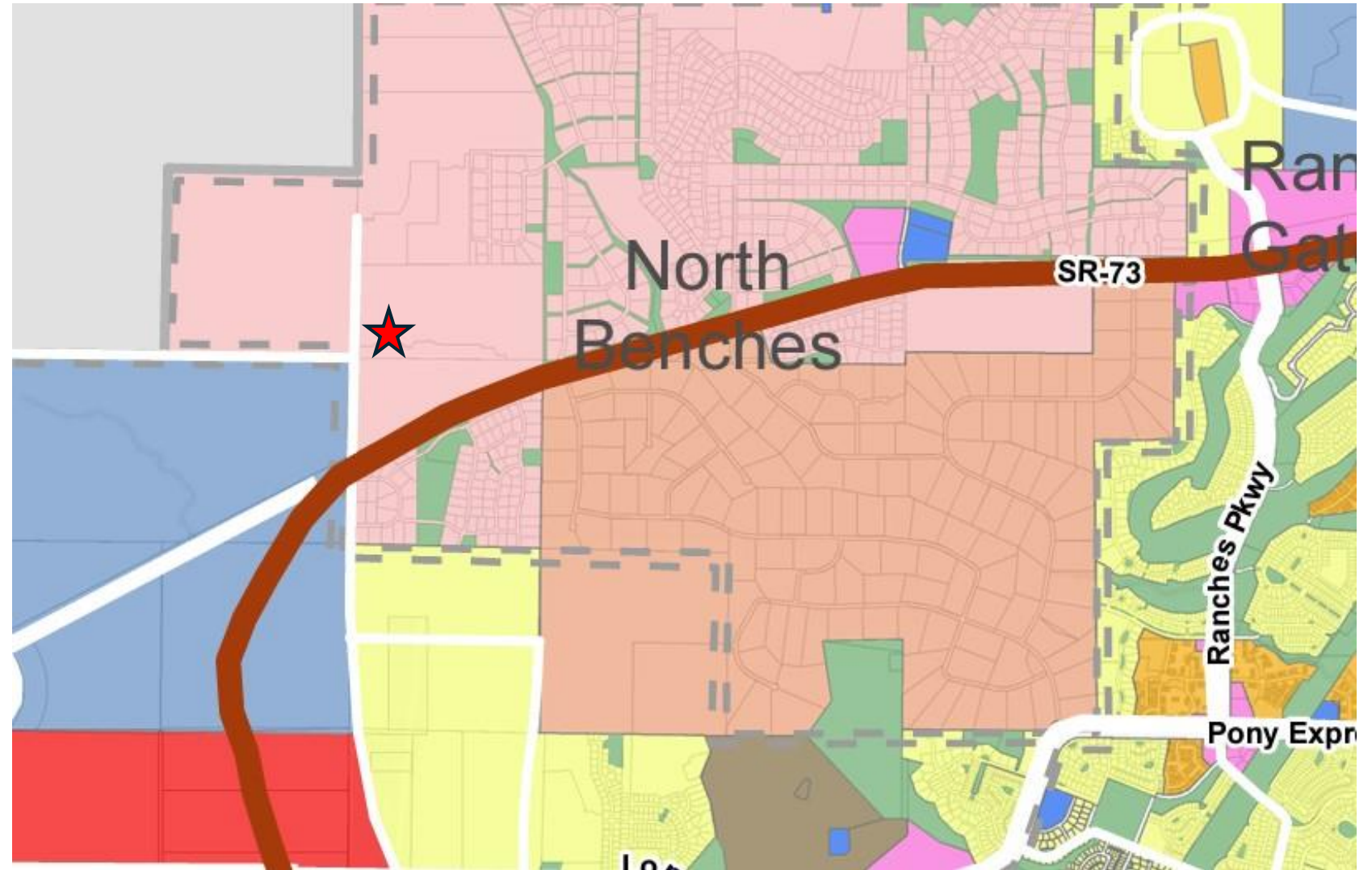
### Public/Civic Categories:

- Civic Uses/Schools
- Parks and Open Space

NEIGHBORHOOD CHARACTER AREA

### TRANSPORTATION

- UDOT Highway/Freeway
- City Road Network - Collector & up





**EAGLE MOUNTAIN CITY  
PLANNING COMMISSION MEETING  
OCTOBER 8, 2024**

<b>TITLE:</b>	Jenson Pet Sitting Expansion
<b>ITEM TYPE:</b>	Motion
<b>FISCAL IMPACT:</b>	N/A
<b>APPLICANT:</b>	Andrew Jenson

<b>CURRENT GENERAL PLAN DESIGNATION &amp; ZONE</b>	<b>ACREAGE</b>
General Plan Designation: Agricultural/Rural Density Two Zone: Residential - Base Density	1.26 Acres

**PUBLIC HEARING**

No

**PREPARED BY**

Steven Lehmitz, Planner

**PRESENTED BY**

Steven Lehmitz

**RECOMMENDATION:**

Staff recommends no more than 10 dogs be allowed on the property. For perspective, EMMC Table 6.05.260(a) permits 12 dogs on lots of 10 acres or more. We also recommend this approval run with the owner's short-term pet sitting license and not the land.

**BACKGROUND:**

At the June 11, 2024, Planning Commission meeting, the Commission approved (5-0) the Locke Pet Sitting Expansion, allowing the holder of the business license to have up to 10 dogs on the property at any given time. The current applicant is seeking the same approval granted to Melanie Locke and for the same property (2322 E. Hawk Lane).

**ITEMS FOR CONSIDERATION:**

EMMC Table 6.05.260(a) designates how many dogs are allowed on lots based on the lot size. It also provides the Planning Commission the ability to increase the allowed number of dogs allowed on properties of 1 acre and more.

**PLANNING COMMISSION ACTION/RECOMMENDATION:**

At the June 11, 2024, Planning Commission meeting, the Commission approved (5-0) the Locke Pet Sitting Expansion, allowing the holder of the business license to have up to 10 dogs on the property at any given time.

**ATTACHMENTS:**

1. Applicant's Request
2. Letters of Endorsement
3. Site Plan

## **Request for 10 Dog Limit Permit at 2322 East Hawk Ln.**

Honorable members of the Planning Committee, thank you very much for taking the time to discuss my request in this planning meeting. Having read through nearly the entire city code regarding home businesses and animal allowances, it is very clear that Eagle Mountain City makes it a priority to accommodate small businesses of all kinds. As a professional dog trainer with nearly a decade of experience, I respectfully request a permit to care for up to 10 dogs on the property at 2322 East Hawk Lane, from the standard 8. This request aligns with the current permit in place and previous decisions at this address for Melanie Locke, ensuring I can continue to contribute to the community with my professional services the same as she has done for years.

For nearly a decade, I have dedicated my life to helping dog owners have more fulfilling lives with their animals. During this time, I have had the opportunity to work with people from diverse backgrounds, from individuals facing challenging circumstances to successful professionals, all with one thing in common: their love for their dogs. I have been incredibly blessed to build a reputation of excellence, allowing me the opportunity to move to Eagle Mountain and continue the work I love.

Over the last several weeks, I have had multiple conversations with Steven, who has provided invaluable insight into how Eagle Mountain operates compared to other cities I have lived in. I am excited to make Eagle Mountain my home. I understand that a previous request at this address was granted for an increase from 8 to 10 dogs, as the planning commission determined that allowing 30 dogs was excessive. I am requesting the same permit for 10 dogs that was previously allowed at this address, which I believe is a reasonable number to support my dog training business while respecting the community's needs.

In my professional experience, maintaining up to 10 dogs is more than manageable and does not negatively impact the neighborhood. I take measures to ensure cleanliness, manage noise, and maintain a positive relationship with my neighbors. My approach includes regular grooming, frequent cleaning, and continuous communication with neighbors to ensure my work does not become a nuisance. Noise management is also a priority; as a trainer, I teach dogs that excessive barking is unacceptable, ensuring a quiet environment.

My goal is to continue providing professional dog training services while maintaining the highest standards of care and respect for the community. I respectfully request the committee approve my permit to care for up to 10 dogs on my property. I am confident this will allow me to contribute positively to the community without causing disruption.

Along with this request, I have also submitted multiple character endorsements from colleagues, clients, members of the eagle mountain community, and past neighbors, all attesting to my strive for excellence within the community.

Again, I sincerely thank you for your time in bringing this matter before the commission and look forward to your decision.

Andrew Jenson

To Whom It May Concern,

I am writing to provide a character reference for Andrew Jenson, who I have had the pleasure of knowing for the past couple of years. Throughout this time, Andrew has demonstrated exceptional skills in managing and caring for multiple dogs simultaneously. His ability to handle the unique needs and temperaments of each dog is truly impressive, ensuring that they are all well-attended and cared for in a calm and professional manner.

In addition to his care-taking abilities, Andrew maintains an incredibly clean and well-kept environment, which speaks to his dedication to both the animals and their surroundings. His attention to detail and commitment to cleanliness ensures a safe and comfortable space for the dogs, making him a highly reliable caretaker.

Andrew is also an outstanding dog trainer, consistently displaying patience, expertise, and an intuitive understanding of canine behavior. His training methods are effective and humane, and he has a natural ability to connect with dogs, helping them learn and thrive under his guidance.

I have no hesitation in recommending Andrew for any role that requires dog care, training, or management. His professionalism, reliability, and passion for animals are evident in everything he does.

Sincerely,

Alexis Rayburn

Fellow Dog Trainer

Email: [alexisrayburn216@gmail.com](mailto:alexisrayburn216@gmail.com)

## Character Attestation for Andrew

To Whom It May Concern,

We are writing to provide a character witness statement for Andrew, whom we've had the pleasure of knowing for the past three years. During this time, Andrew has not only trained our dogs but has also been a reliable and supportive resource whenever we've needed him to care for our pets while we were away. His dedication and attention to detail have always stood out, ensuring our dogs were well-treated, happy, and healthy in his care.

In the last five years, we've worked with multiple dog trainers and boarding facilities, but none have provided the level of service and professionalism that Andrew has. His approach to dog care is unmatched, and his passion for working with animals is clear in everything he does. He's consistently gone above and beyond to accommodate our needs, making him the best resource we've had in managing our dogs' training and care.

Additionally, Andrew's home and place of work are always impeccably maintained. Whether we were visiting or dropping off our dogs, his space was clean, odor-free, and quiet, despite him frequently caring for multiple dogs. There has never been a time where barking or other disruptions caused any sort of disturbance, which speaks to his ability to run a smooth, controlled environment. We have no doubt that Andrew's business will operate in a similar fashion and will not cause any nuisance to the surrounding neighborhood.

We fully support Andrew's application for this permit, as we are confident that his business will continue to reflect the high standards he's demonstrated throughout the time we've known him.

Sincerely,

Anthony & Sierra Sladkov

(630)441-8543

AnthonySladkov@gmail.com

Dear Eagle Mountain Planning Commission or Who it may Concern,

My wife and I lived next to Andrew for several years, where he has undergone Dog Training at his home. Shortly after moving in, he shared with us, and I assume other neighbors, his plan to do dog training via a very nice note, including his contact info if any issues were to arise.

Andrew created a space for the dogs within their garage, after showing me the space, I was extremely impressed with how nice the climate-controlled space was for the animals as well as his backyard. Andrew went to great lengths to ensure cleanliness and a quiet space for all the neighbors, checking in on the dogs regularly and even a camera system to listen in during the nighttime.

I met some of Andrew's clients in passing, and all seemed to be very impressed with his ability to train their animals as well as training them to use proper commands.

I know that it's extremely important to Andrew and his clients that the yard remains in good condition to aid in training exercises. I would highly recommend Andrew for approval from the commission to do dog training at his new home. He will be an excellent addition to your community, we very much miss having him as a neighbor.

Thank you for your time,

Dustin Stone

[dstoney2222@hotmail.com](mailto:dstoney2222@hotmail.com)

801-598-0251

To Whom It May Concern,

Andrew Jenson and I have a long history together - we have worked together in a college setting for group projects and homework, in business settings for various businesses he or I have owned, and been friends for over twelve years. I have observed Andrew as a dog trainer for the last 7+ years, spent time at his homes where training was taking place, and had lengthy conversations with him about training. If there is one thing that Andrew has a thorough understanding of, it's training dogs. He cares deeply about his work, and he is an excellent trainer, and always puts the safety of the dogs under his care first. Andrew is responsible and logical in his approach to his career as a trainer, and I plan on having him train any potential dog I get in the future. Additionally, Andrew is business savvy. We both studied business when we were in college together, and to this day I call him to discuss business opportunities and decisions because I trust his opinions and experience.

If you would like to ask me any additional questions, I would be happy to chat. I can be reached at 801-920-1265

Thank you,

Janaye Lakey

Melanie Locke  
Owner, Eagle Mountain Dog Boarding and Grooming  
850-879-4293  
[eaglemountaindogboarding@gmail.com](mailto:eaglemountaindogboarding@gmail.com)  
October 1, 2024

Eagle Mountain City Planning Commission  
Eagle Mountain, UT 84005

Dear Members of the Eagle Mountain City Planning Commission,

I am writing to express my strong support for Andrew Jenson as he continues to manage the operations of Eagle Mountain Dog Boarding and Grooming. Over the time I have worked with Andrew, I have found him to be highly professional, reliable, and deeply committed to providing quality care for the animals and service to the community.

Andrew has demonstrated not only a passion for his work but also the ability to manage the daily operations of the business with integrity and dedication. His focus on maintaining a safe, healthy, and welcoming environment for all pets has earned him the trust of many clients. I believe he is more than capable of successfully continuing to manage this business in good faith.

Thank you for your consideration of Andrew's continued role at Eagle Mountain Dog Boarding and Grooming. Should you have any questions or require further information, please do not hesitate to contact me.

Sincerely,  
Melanie Locke  
Owner, Eagle Mountain Dog Boarding and Grooming  
850-879-4293  
[eaglemountaindogboarding@gmail.com](mailto:eaglemountaindogboarding@gmail.com)

To whom it may concern,

I am writing to wholeheartedly recommend Andrew Jenson for his upcoming adventure with the purchase of the dog training business he is involved in. Having known Andrew for nearly 10 years, I can confidently say that he is one of the most hardworking, honest, and dedicated individuals I have ever met.

In the dog training and boarding industry, Andrew stands out as a truly honest businessman. His integrity is evident in every aspect of his work. He operates his business with transparency, ensuring that clients understand the services provided and the care their pets will receive. Andrew prioritizes the well-being of the animals entrusted to him, and his reputation in the community reflects his commitment to ethical practices and exceptional service.


Andrew exemplifies the qualities of an upstanding citizen. He consistently goes above and beyond in his efforts to contribute to our local community, often seeking out ways to help others without any prompting. Whether it's volunteering at local events, supporting his neighbors, or mentoring youth, Andrew's commitment to giving back is truly inspiring.

In addition to his strong character, Andrew has a natural ability to connect with others. He treats everyone with respect and kindness, fostering a positive environment wherever he goes. His infectious enthusiasm and genuine care for people make him a joy to be around.

I have no doubt that Andrew will continue to make a positive impact wherever he goes. I strongly recommend him and believe that he will exceed your expectations. Please feel free to contact me if you would like any further information.

Sincerely,

Nik Krohn

A handwritten signature in black ink, appearing to read "Nik Krohn". The signature is written in a cursive, flowing style.

To Whom It May Concern,

I am pleased to provide this reference for Andrew Jenson, a highly skilled dog trainer. I have known Andrew for many years, and during this time, I have consistently been impressed by his dedication, expertise, and passion for working with dogs.

Andrew maintains a welcoming and safe environment in his home, ensuring that each dog receives personalized attention and care. His training methods are personalized to each dog and their needs, fostering trust and confidence in both dogs and their owners. I have witnessed numerous positive transformations in dogs under his guidance, and his reliability in handling any situation is truly commendable.

I wholeheartedly recommend Andrew for anyone seeking boarding and training services. He can manage multiple dogs at a time and I am confident that his skills and commitment will benefit any dog while in his care.

Sincerely,

Sarah Nehring

## Site plan - 2322 East Hawk Lane



The property sits on 1.26 acres of Equestrian land. With three separate structures, there is plenty of space for various roles. Because I don't have horses, and don't intend to own any, I will convert the horse barn into the main housing and training structure on the property. With 3,000 square feet of interior space, there is ample room to have separate and spacious kennels for each dog that provides enough space as outlined in the city code. There are three individual horse stalls that will act as potty yards to have a more easily manageable space to quickly pick up any waste and disinfect the area. The rest of the horse area outside is for exercise and play. There is a multi layer fence around the outside perimeter of the exercise yard. The barn itself has insulation and plenty of ventilation to keep a comfortable environment and air flow in both winter and summer. The second structure is a fully insulated grooming shed to ensure all dogs are well groomed and maintained properly. The third structure is the main residence. In the garage it is climate controlled, insulated, and is a comfortable space for kennels. There is a side door that leads to the backyard where there are multiple spaces for the dogs to run and be held as well.











Surrounding the property there are a substantial amount of trees that line the road, ensuring noise does not travel. The neighbors behind own and operate a nursery business on their property and have plenty of noise insulation, and can easily supply me with any more trees and or shrubbery that the commission sees fit to ensure noise for the neighbors are kept to a minimum. To the east of the property there is substantial pasture between homes. To the west, there is plenty of space between the lot lines and the neighboring house as well. In front of the barn there is ample parking space on property so no one will have to park on the street and cause any traffic or congestion for the neighborhood.

Overall, the property is immaculately outfitted and has performed as a smoothly run business offering excellent service for clients that will continue to make the clients and community proud to have. I am extremely excited to have the opportunity to continue the legacy that has been built here.

Andrew Jenson