



EAGLE MOUNTAIN CITY
City Council Staff Report

OCTOBER 7, 2014

Project: **Gateway Park (Eagle Mountain Business Park)**
Applicant: Scot Hazard
Request: (1) Rezone areas of the property to Commercial and Commercial Storage;
(2) Master Site Plan
(3) Preliminary Plat
Type of Action: Public Hearing; Ordinance Approval; Master Site Plan Approval; Preliminary Plat Approval
Planning Commission: Recommended Approval 4-0 (1 absent) on September 23, 2014

Staff & Planning Commission Recommendations

In our opinion the proposed rezone meets the rezone criteria for approval, so we recommend that the City Council approve the application as proposed. The Planning Commission recommended conditional approval of all three applications to the City Council for the following reasons:

1. The proposed rezone meets the rezone criteria for approval found in the City Code
2. As conditioned, the Master Site Plan and Preliminary Plat applications meet the code requirements for these applications.

The Council can approve, deny, or table these applications with findings of facts.

Conditions of Approval recommended by the Planning Commission

Rezone – no recommended conditions of approval

Master Site Plan

1. Individual site plan approvals are required for each lot, including Parcel A and Parcel B. Landscaping and architecture will be reviewed at that time.
2. Plans must be titled “Gateway Park,” rather than “Eagle Mountain Business Park.”

Preliminary Plat

1. Developer must provide a water model for the project and must comply with any requirements as a result of the water model.
2. Plans must be titled “Gateway Park,” rather than “Eagle Mountain Business Park.”
3. Parcels A and B must be changed to Lot 111 and Lot 112.

Location

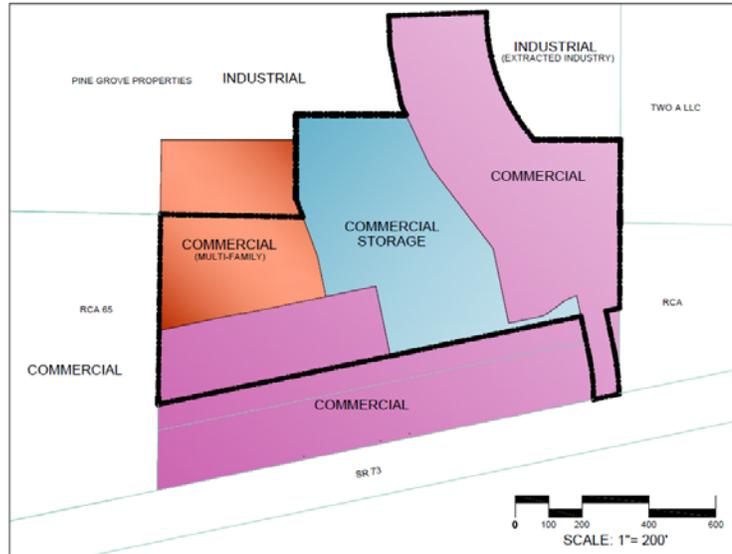
The proposed Eagle Mountain Business Park is located northwest of SR73 and Mt. Airey Drive. The properties have been referred to in the past as Talon Cove and the Smith Sisters properties.

Background

These properties were rezoned in 2013 from Industrial to Commercial Storage and Commercial in preparation for a storage unit development and commercial warehouse/office development. A preliminary plat was submitted in late 2013 and was tabled by the Planning Commission in January 2014 at the request of the applicant in order to work out the future of SR73 with UDOT, MAG, and the City.

PROPOSED ZONING

Mountainland Association of Governments has now approved money for UDOT to purchase a portion of this property for future ROW expansion. UDOT is also considering approval of additional funds in October for more ROW purchase. The agreed-upon property for ROW expansion is designated on the proposed plans. With the ROW now defined, the applicant is moving forward with plans for development. There is a chance that the ROW purchase may push everything to the north about 20-30 feet. If the project is approved, that adjustment would be considered approved as well, and not require a separate review by the City Council.



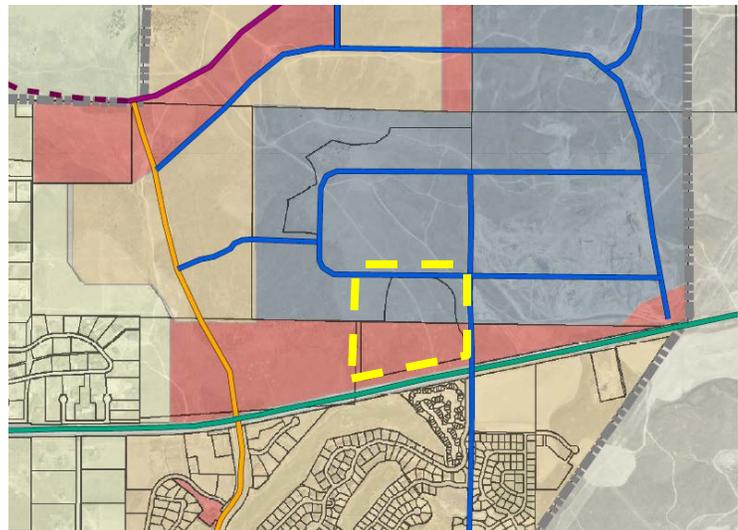
Proposal

The ROW expansion simply requires the project to move to the north, further into the current industrial zone. Due to elevation changes and reconfiguration to comply with UDOT's frontage road access standards, the zones have changed shape as well.

The proposed rezone includes the following changes:

- 2.66 Acres Industrial to Commercial
- 0.6 Acres Industrial to Commercial Storage
- 1.08 Acres Commercial to Commercial Storage
- 0.76 Acres Commercial Storage to Commercial

The City's current Future Land Use and Transportation Corridors Map (Map 2 of the General Plan) is displayed here, with the properties under rezone consideration outlined in the dashed yellow line.



Surrounding Zoning

These properties are bordered on the south by SR73, on the west by vacant commercial and Industrial property and on the east by agricultural and industrial land.

Commercial Zone

The purpose of the commercial zone is to provide for commercial businesses, professional offices, and shopping centers that will serve neighborhood, communitywide, and regional shopping demand, along with other commercial opportunities, which are reasonably separated or buffered from residential development. Mixed-use residential developments are allowed as a conditional use within the commercial zone.

Commercial Storage Zone

The purpose of the commercial storage zone is to provide for nonretail commercial sites for storage of vehicle, equipment, and inventory, and associated offices.

Rezoning Criteria for Approval

The rezoning of property does not require the Planning Commission or the City Council to take action based upon findings of facts. Rezoning proposals are evaluated using the following criteria:

- A. Compliance with Future Land Use Plan. As discussed earlier in this report, the City's Future Land Use Plan designated this area as Mixed Use Commercial and Industrial. This proposal complies with that plan.
- B. Compatibility Determination. The zoning must be reasonably compatible with adjacent land uses. Since the area proposed for commercial zoning is surrounded by commercial and industrial land, and is adjacent to Highway 73, we suggest that this proposed zoning is compatible with adjacent land uses. We do not have a Commercial Multi-Family Zone, although multi-family development is a conditional use in the Commercial Zone. We recommend that the zoning map simply designate the proposed Commercial MF area as Commercial, leaving it flexible for that property to either be developed with multi-family residential or commercial uses in the future.
- C. Buffering of Incompatible Uses. The Commercial Storage Zone would be surrounded by commercial and potential multi-family uses, very similar to what you see in neighboring communities, including the storage unit facility in Saratoga Springs (north of Walmart). Since storage units are not always the most attractive uses, nor neighbors, the commercial land provides an excellent buffer to this use.

Master Site Plan & Preliminary Plat

The preliminary plat contains the following breakdown:

- 1 commercial storage lot (7 acres)
- 9 commercial lots (8.63 acres)
- 1 detention pond parcel (0.34 acres)
- 2 parcels intended for future multi-family (2.79 acres)
- 2 parcels being preserved for UDOT right-of-way (5.30 acres)
- Mt. Airey Drive – a minor collector road
- Talons Drive and a stub road – standard 51-foot wide roads

UDOT is planning to expand SR73 (aka Cory Wride Memorial Highway) in the next 10 years to become a freeway, similar to the eventual buildout of 2100 North in Lehi, with freeway in the middle and 2-lane one-way frontage roads along each side. You can see the planned frontage road on the plans, which will eventually provide access to both Mount Airey Drive and Talons Drive. Lots 108, 109, 110, and Parcels A & B would not have access until either the frontage road is constructed or a road connects to Talons Drive from the north. Lots 108, 109, and 110 contain notes on the preliminary plat that state "Requires frontage road." Parcels A and B will require the same notes.

Parking & Design Standards

Two master site plans were submitted that include buildings, parking, access, etc. These layouts are conceptual, and are intended to provide context for the lot layout and lot sizes. One plan is laid out to comply with the City's Commercial Design Standards, with buildings in the front and parking in the back. This would be a good layout, except that it is not as conducive to the planned uses, which would be a contractor style building with the small offices at the front and the warehouse with roll-up doors in the back. The other site plan shows the buildings with the parking in the front and warehouse access in the back.

Since this specific use is different than standard retail or office, there may be a need to consider some alternative parking arrangements. The buildings and lots, for instance, could be redesigned to contain parking on the sides of the buildings rather than the front. This would likely result in two or three larger buildings, rather than five (on lots 102-106). If you feel inclined to approve the master site plan with the parking between the street and the buildings, then it should be clear that the landscaping treatments in this area should be fairly extensive, with shrubs and berms for headlight screening, trees, etc. You should also consider amending the City Code Chapter 17.72 Multi-Family and Commercial Design Standards to address office-warehouse uses.

A layout was not provided for the multi-family commercial area, as it would simply be too speculative at this time. An individual site plan approval is required for every lot in this development prior to development. Some uses will require a conditional use permit as well. Final plats are required as well.

Landscaping

This plat will not require parks or improved open space, except for future multi-family areas. This will be determined when the site plan for those parcels are submitted in the future. No landscaping plan was submitted with this application, as each site will provide a landscape plan with a site plan application.

Utilities

The utilities have been reviewed by the City Engineer. Water modeling is required for this project. The project must comply with any determinations from the water model, whether it means upsizing water lines, building a water tank, or some other solution. Utility plans will have to be finalized with final plat applications.

ORDINANCE NO. O- -2014

**AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH,
REZONING PORTIONS OF THE INDUSTRIAL, COMMERCIAL AND
COMMERCIAL STORAGE ZONES IN GATEWAY PARK**

PREAMBLE

The City Council of Eagle Mountain City finds that the lands described on Exhibit A are suitable for rezoning; to rezone approximately 2.66 Acres Industrial to Commercial, 0.6 Acres Industrial to Commercial Storage, 1.08 Acres Commercial to Commercial Storage, 0.76 Acres Commercial Storage to Commercial.

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

1. The City Council finds that all required notices, public hearings, and other prerequisites have been completed for the Council to rezone the lands described on Exhibit A.
2. The lands described on Exhibit A are hereby zoned for Commercial, Commercial Storage and Industrial use under the Eagle Mountain City Development Code.
3. This Ordinance shall take effect upon its first posting or publication.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 7th day of October, 2014.

EAGLE MOUNTAIN CITY, UTAH

Chris Pengra, Mayor

ATTEST:

Fionnuala B. Kofoed, City Recorder

CERTIFICATION

The above ordinance was adopted by the City Council of Eagle Mountain City on the 7th day of October, 2014.

Those voting aye:

- Adam Bradley
- Donna Burnham
- Ryan Ireland
- Richard Steinkopf
- Tom Westmoreland

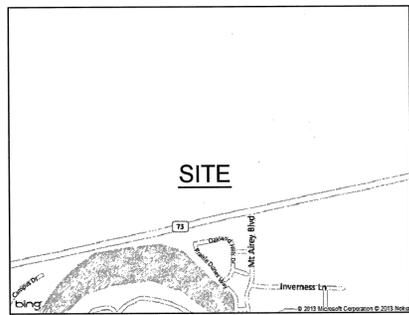
Those voting nay:

- Adam Bradley
- Donna Burnham
- Ryan Ireland
- Richard Steinkopf
- Tom Westmoreland

Fionnuala B. Kofoed
City Recorder

EXHIBIT A

EAGLE MOUNTAIN BUSINESS PARK



VICINITY SKETCH
SCALE 1" = 5000'

BOUNDARY DESCRIPTION

A PARCEL OF LAND BEING IN THE NE AND SE QUARTER OF SECTION 17, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS THE EAST QUARTER CORNER OF SAID SECTION 17, RUNNING:

THENCE S 00°16'01" W 253.42 FEET ALONG THE SECTION LINE; THENCE S 78°14'08" W 41.47 FEET; THENCE S 11°45'52" E 124.93 FEET TO A POINT ALONG A CURVE. THENCE ALONG THE ARC OF 638.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 125.88 FEET (CURVE HAVING A CENTRAL ANGLE OF 11°18'18" AND A CHORD S08°06'43" E 125.58 FEET); THENCE S 78°14'08" W 77.71 FEET TO A POINT ALONG A NON-TANGENT CURVE; THENCE ALONG THE ARC OF 562.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 126.12 FEET (CURVE HAVING A CENTRAL ANGLE OF 12°51'30" AND A CHORD N05°20'07" W 125.86 FEET); THENCE N 11°45'52" W 124.93 FEET; THENCE S 78°14'08" W 1285.91 FEET; THENCE N 00°41'47" E 565.84 FEET; THENCE S 88°54'08" E 423.77 FEET; THENCE N 20°26'59" W 58.37 FEET; THENCE NORTH 249.72 FEET; THENCE EAST 327.35 FEET; THENCE N 25°06'12" W 32.14 FEET; THENCE N 11°06'29" W 177.18 FEET; THENCE N 02°00'30" W 91.98 FEET; THENCE N 87°59'30" E 290.86 FEET TO A POINT ALONG A CURVE. THENCE ALONG THE ARC OF 562.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 415.38 FEET (CURVE HAVING A CENTRAL ANGLE OF 42°20'54" AND A CHORD S20°34'55" E 405.99 FEET); THENCE EAST 255.74 FEET; THENCE S 00°13'47" W 247.62 ALONG THE SECTION LINE TO THE POINT OF BEGINNING.

CONTAINS: 21.832 ACRES

TABULATIONS

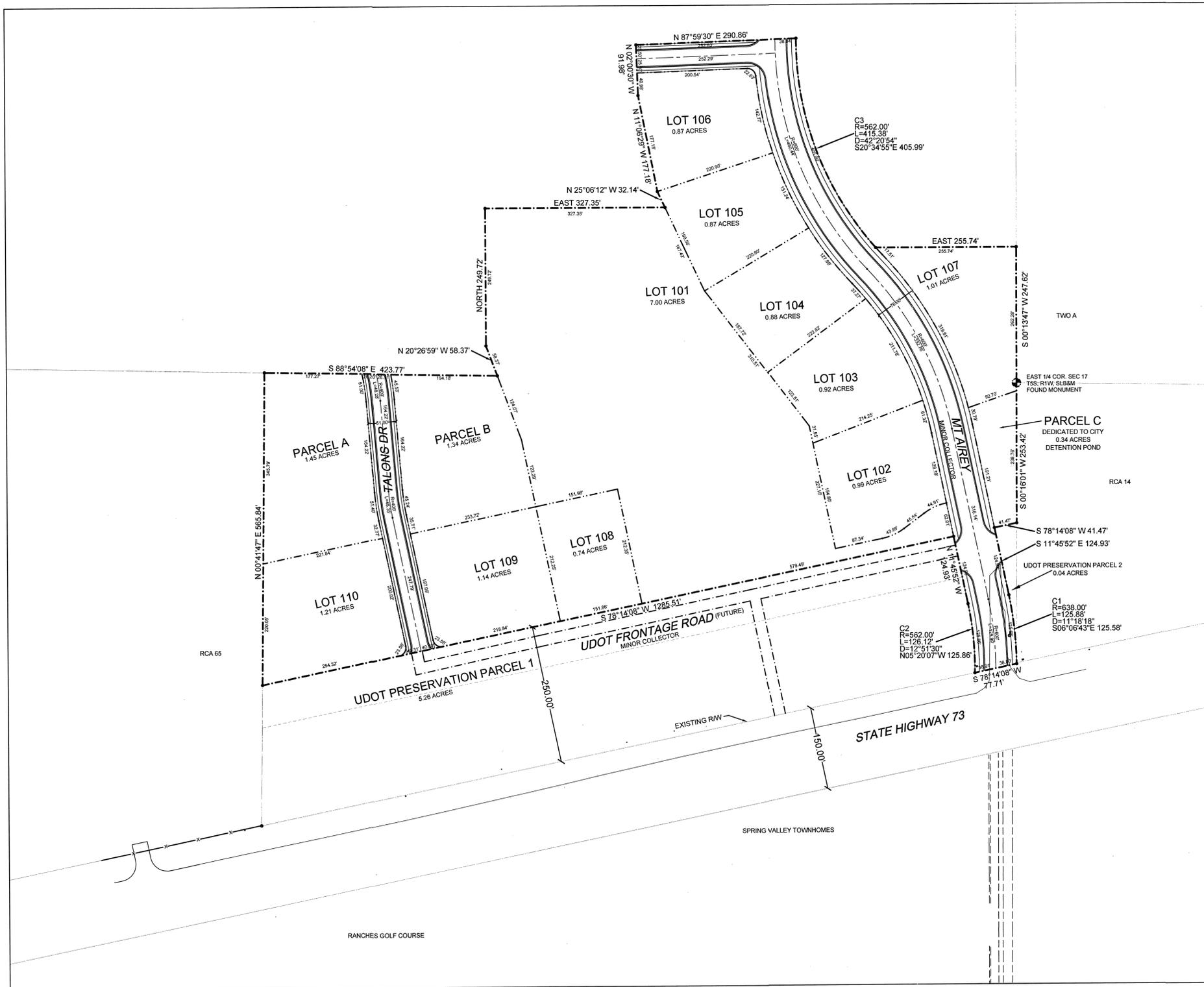
TOTAL ACREAGE	21.832 AC
TOTAL ACREAGE IN LOTS	18.420 AC
TOTAL ACREAGE IN STREETS	3.006 AC
AVERAGE LOT SIZE	1.54 AC
LARGEST LOT SIZE	7.00 AC
SMALLEST LOT SIZE	0.74 AC
TOTAL # OF LOTS	12

SHEET INDEX

C1	PRELIMINARY PLAT
C2	UTILITY PLAN
C3	GRADING & DRAINAGE PLAN
C4	PHASING PLAN
C5	SIGNAGE

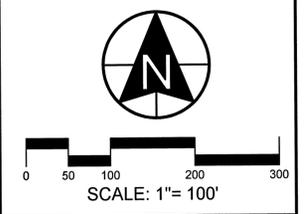
PRELIMINARY NOTES:

1. THE FOLLOWING DEVELOPMENT STANDARDS SHALL APPLY TO THE COMMERCIAL ZONE: LANDSCAPING. ALL LANDSCAPING SHALL BE COMPLETED IN ACCORDANCE WITH THE APPROVED SITE PLAN AND ALL CITY ORDINANCES, AND SHALL BE INSTALLED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE BUILDING. THE CITY BUILDING OFFICIAL MAY APPROVE EXCEPTIONS AS SEASONAL CONDITIONS WARRANT. IT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER TO MAINTAIN ALL APPROVED LANDSCAPING IN ACCORDANCE WITH THE APPROVED SITE PLAN AND IN COMPLIANCE WITH THE CITY'S PARKING AND LANDSCAPING REQUIREMENTS.



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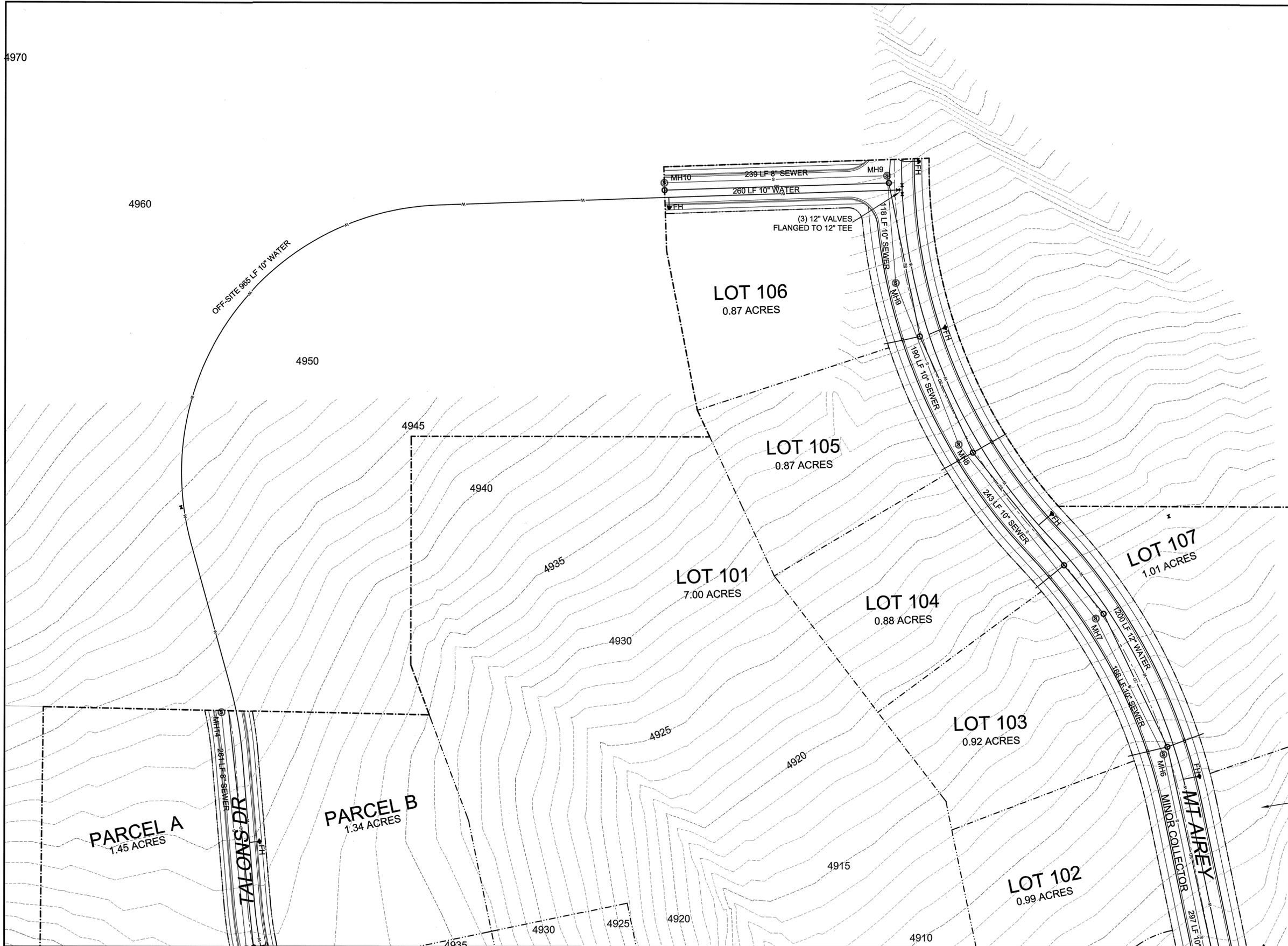
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ACTION	DATE
PRELIMINARY PLAN	8/12/14

PROJECT
EAGLE MOUNTAIN BUSINESS PARK

DESCRIPTION
PRELIMINARY PLANS

SHEET NAME	SHEET NUMBER
PRELIMINARY PLAT	C1



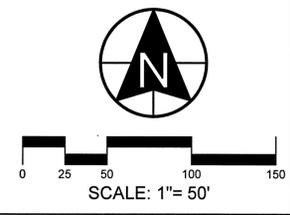
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PRELIMINARY PLAN	8/12/14

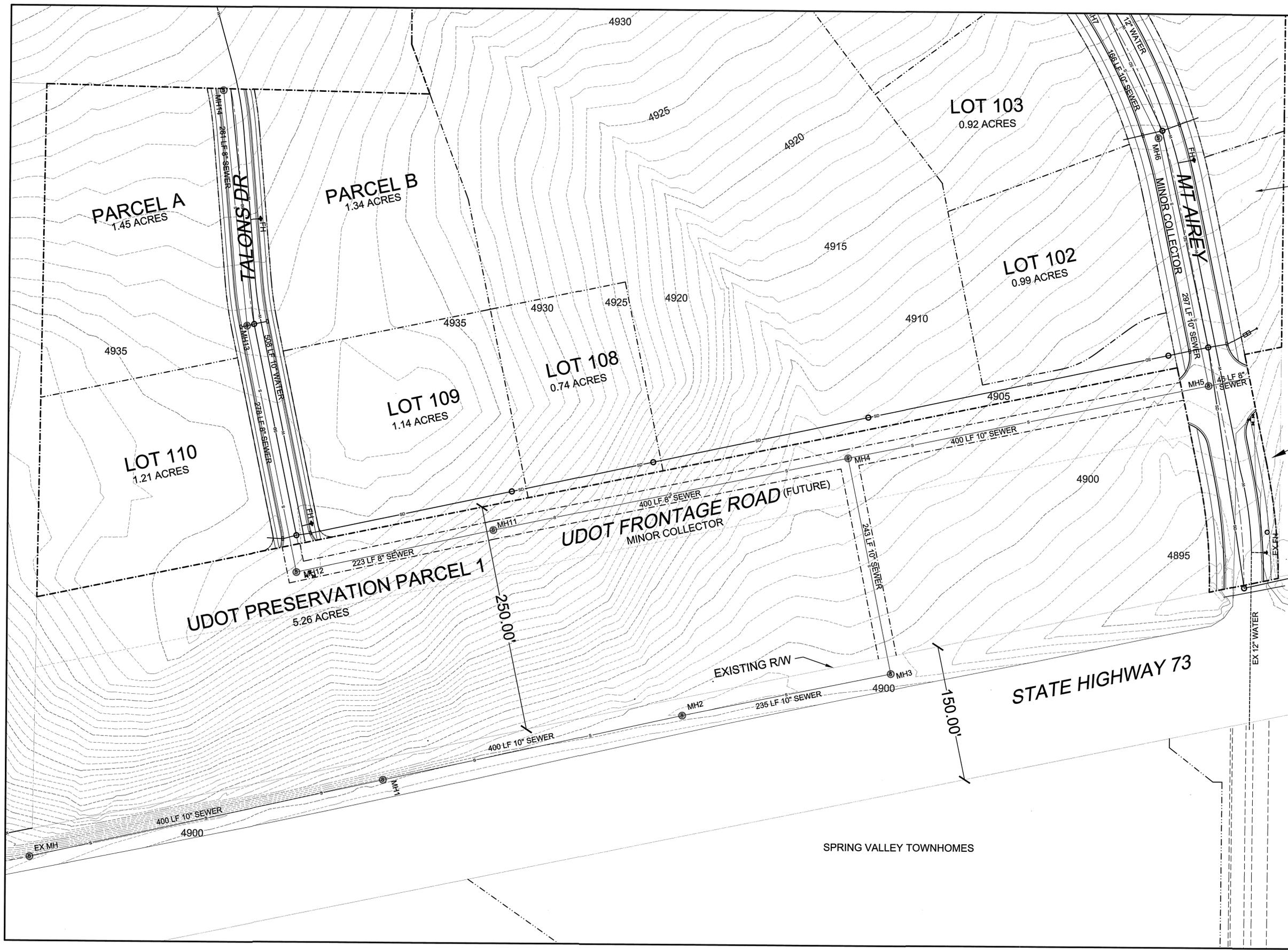
PROJECT

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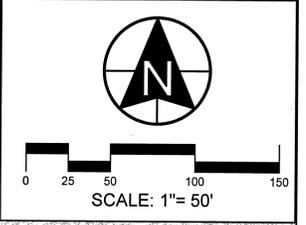
PRELIMINARY PLANS

SHEET NAME	SHEET NUMBER
UTILITY (NORTH)	C2A



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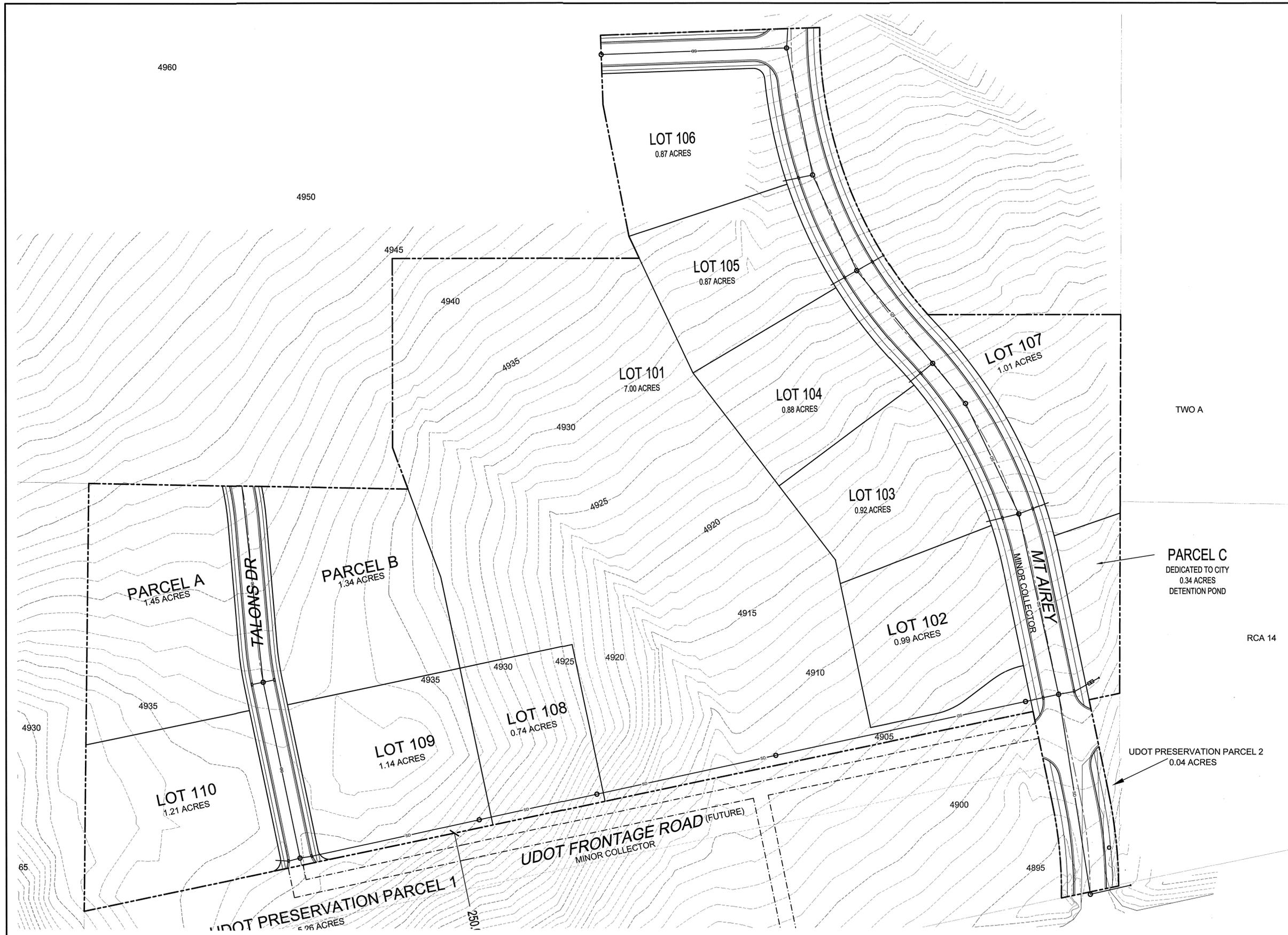
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PRELIMINARY PLAN	8/12/14

PROJECT
EAGLE MOUNTAIN BUSINESS PARK

DESCRIPTION
PRELIMINARY PLANS

SHEET NAME	SHEET NUMBER
UTILITY (SOUTH)	C2B



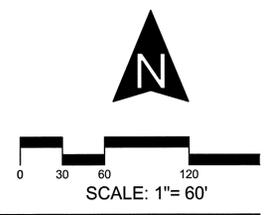
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ACTION	DATE
PRELIMINARY PLAN	8/12/14

PROJECT

EAGLE MOUNTAIN BUSINESS PARK

DESCRIPTION

PRELIMINARY PLANS

SHEET NAME SHEET NUMBER

GRADING PLAN **C3**

TWO A

PARCEL C
DEDICATED TO CITY
0.34 ACRES
DETENTION POND

RCA 14

UDOT PRESERVATION PARCEL 2
0.04 ACRES



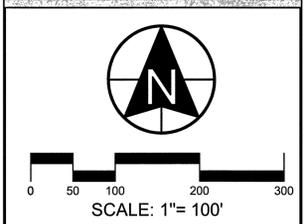
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PRELIMINARY PLAN	8/12/14

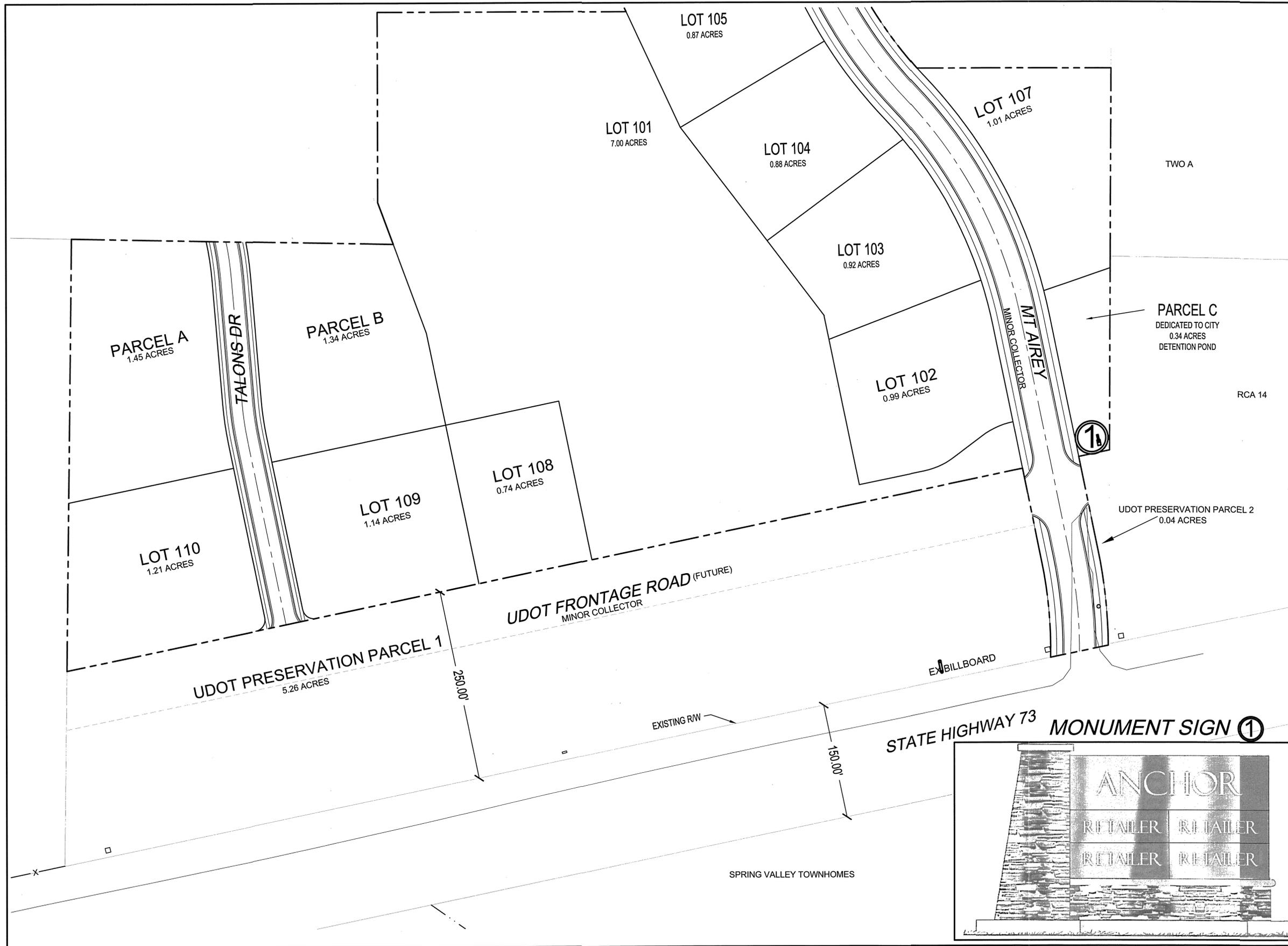
PROJECT

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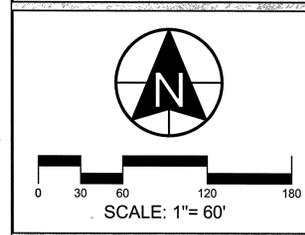
PRELIMINARY PLANS

SHEET NAME	SHEET NUMBER
PHASING PLAN	C4



SIGNAGE NOTES:
 1. COMBINED MONUMENT SIGNAGE LOCATIONS ARE SHOWN ON THIS PLAN.
 2. EACH COMMERCIAL LOT WILL ALSO BE ALLOWED TO CONSTRUCT AN INDIVIDUAL MONUMENT SIGN TO BE LOCATED ON EACH LOT AS APPROVED DURING SITE PLAN.

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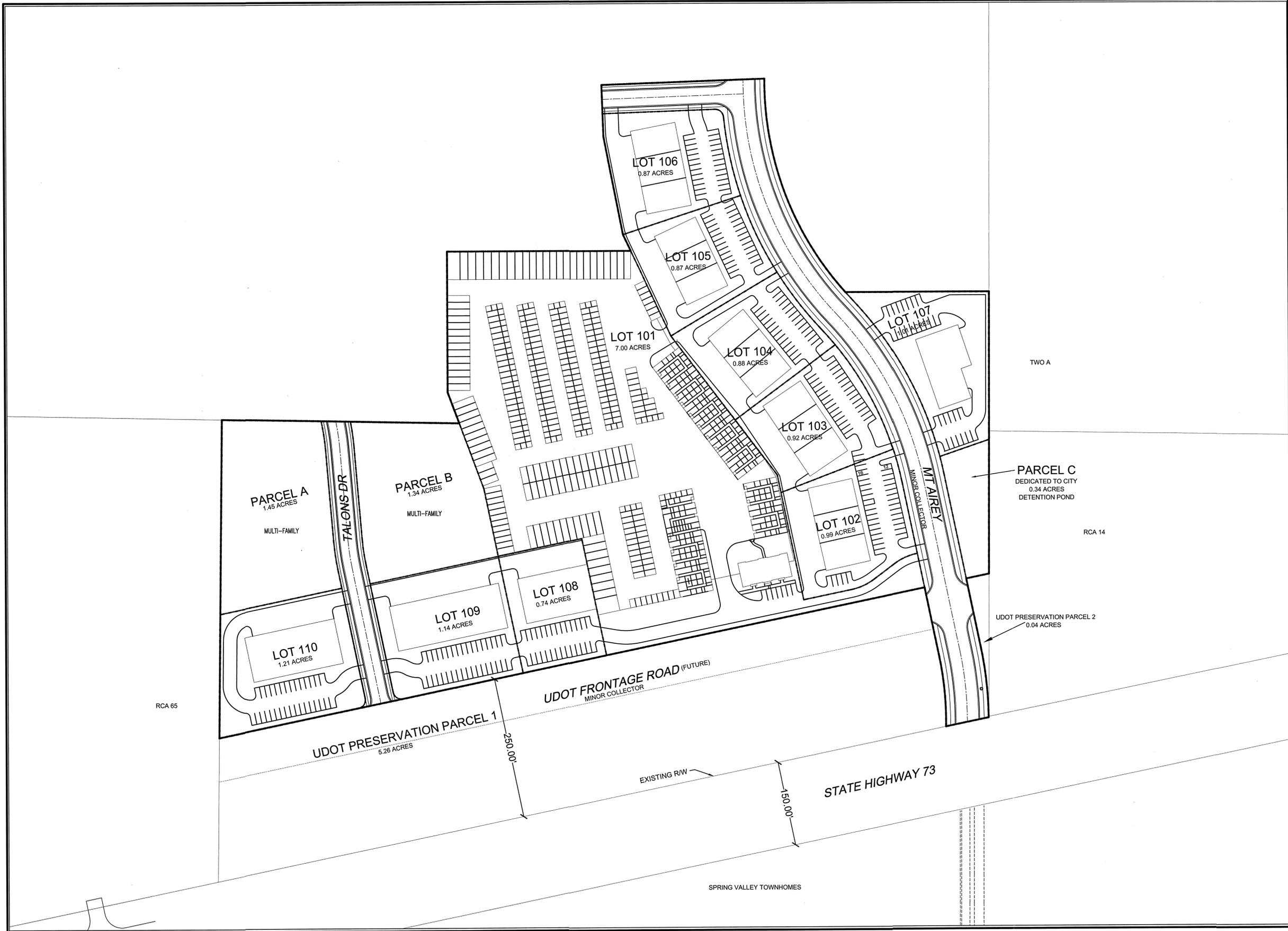
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ACTION	DATE
PRELIMINARY PLAN	8/12/14

PROJECT
EAGLE MOUNTAIN BUSINESS PARK

DESCRIPTION
PRELIMINARY PLANS

SHEET NAME	SHEET NUMBER
SIGNAGE PLAN	C5



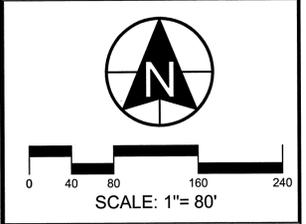
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ACTION	DATE
PRELIMINARY PLAN	7/29/14

PROJECT

EAGLE MOUNTAIN BUSINESS PARK

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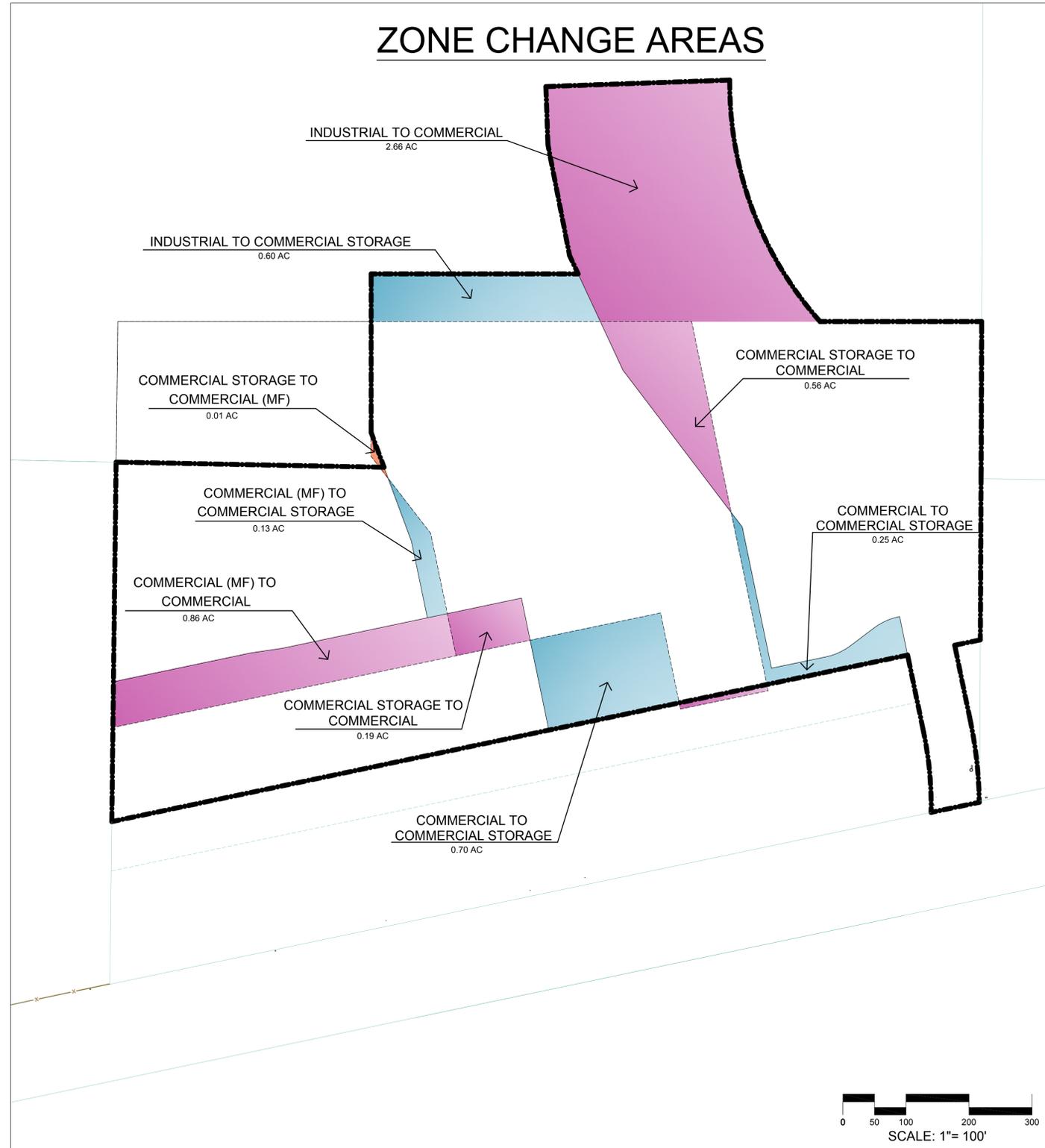
CONCEPT PLAN

SHEET NAME	SHEET NUMBER
OVERALL	A

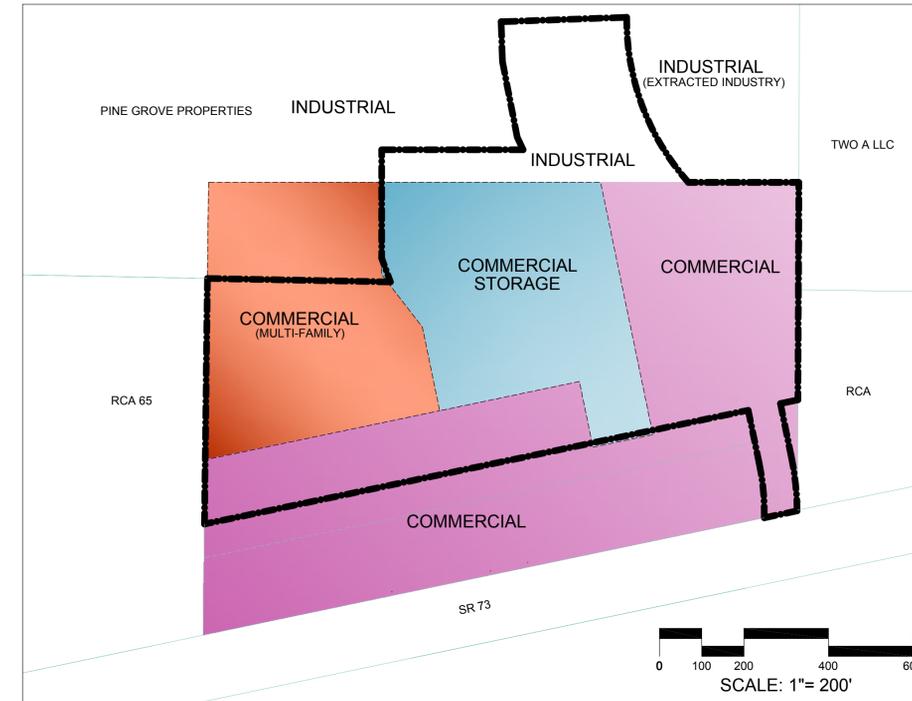
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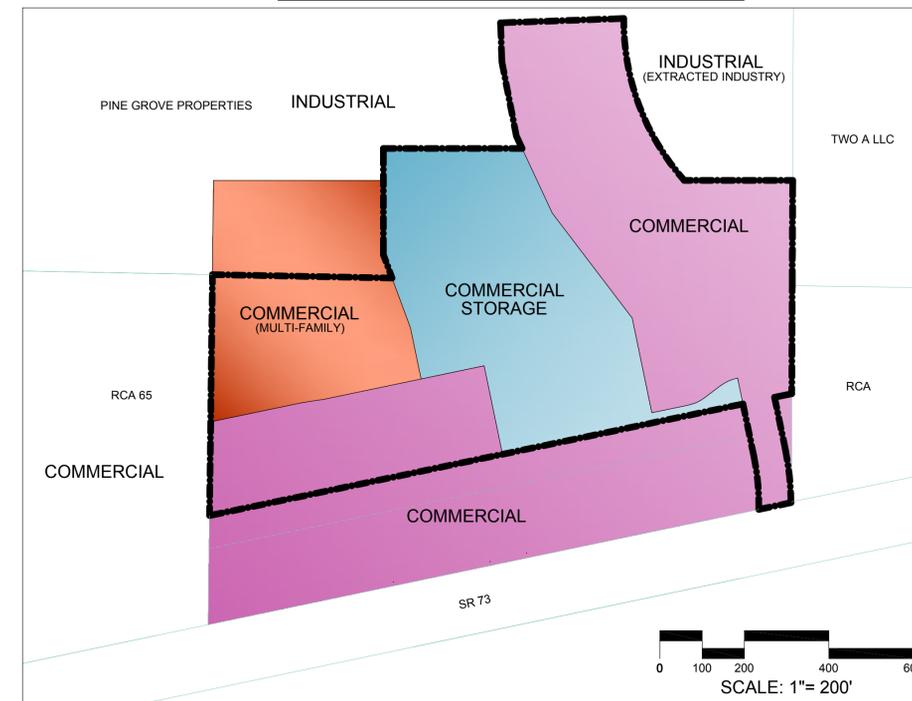
ZONE CHANGE AREAS



EXISTING ZONING



PROPOSED ZONING



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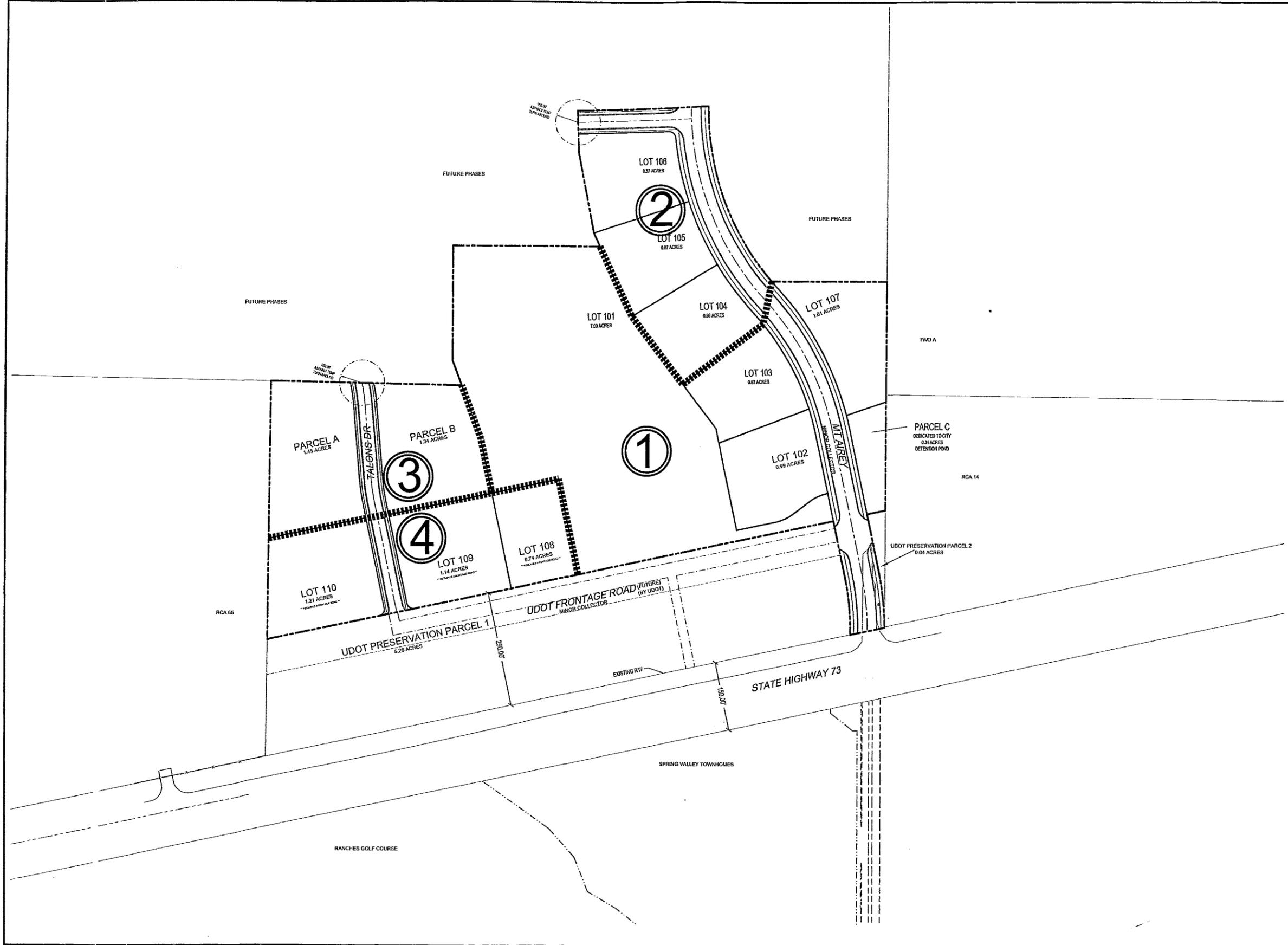
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PRELIMINARY PLAN	8/12/14

PROJECT
EAGLE MOUNTAIN BUSINESS PARK

DESCRIPTION
PRELIMINARY PLANS

SHEET NAME SHEET NUMBER
PRELIMINARY PLAT **ZONE**

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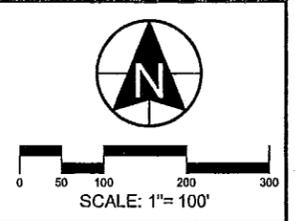
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ACTION	DATE
PRELIMINARY PLAN	9/10/14

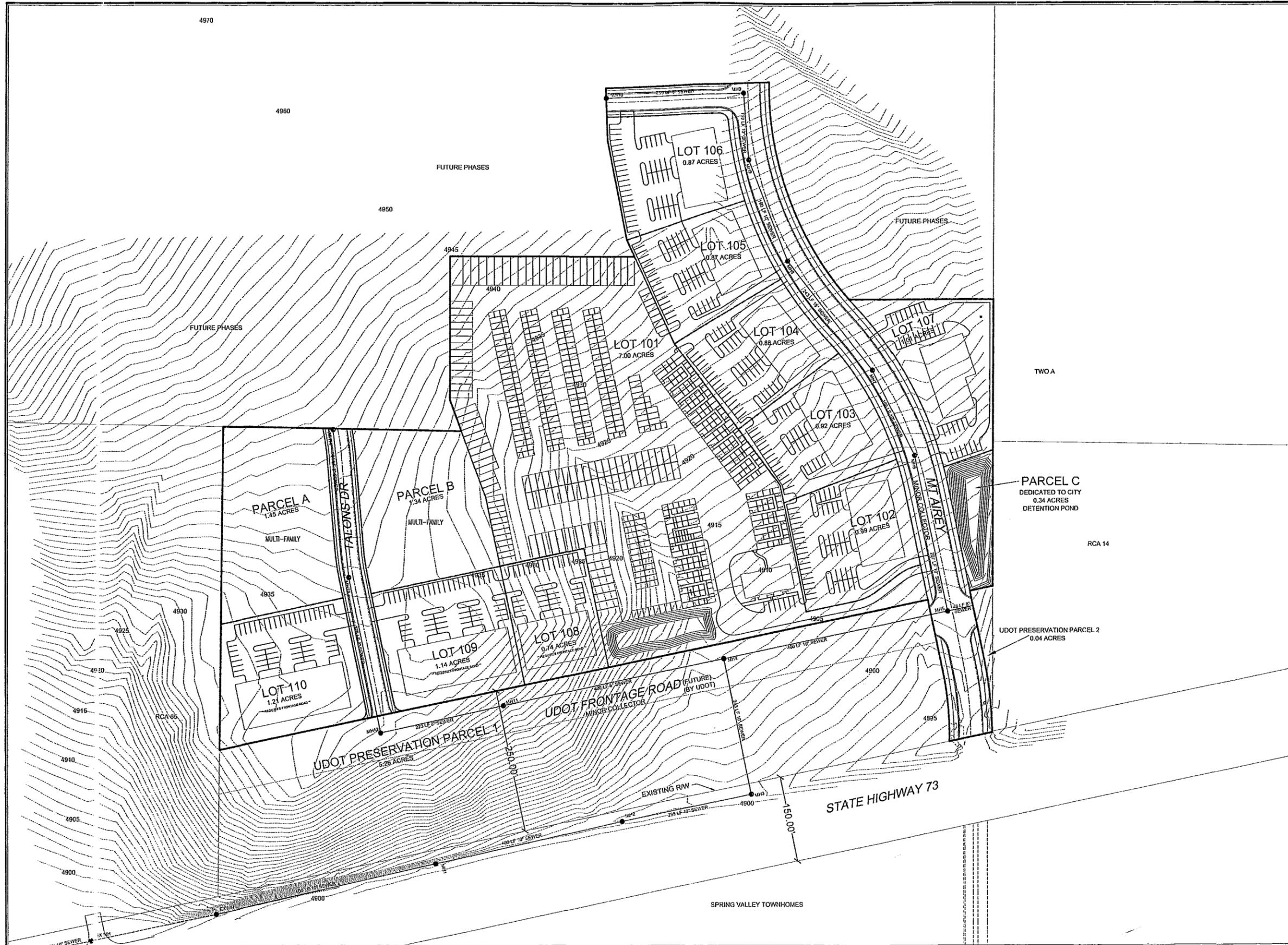
PROJECT

EAGLE MOUNTAIN BUSINESS PARK

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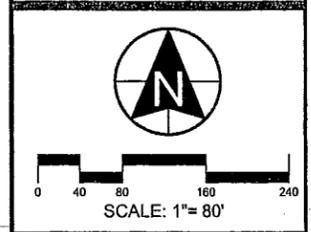
PRELIMINARY PLANS

SHEET NAME	SHEET NUMBER
PHASING PLAN	C4



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PRELIMINARY PLAN	9/10/14

PROJECT
EAGLE MOUNTAIN BUSINESS PARK

DESCRIPTION
CONCEPT PLAN

SHEET NAME: **OVERALL** SHEET NUMBER: **A**