



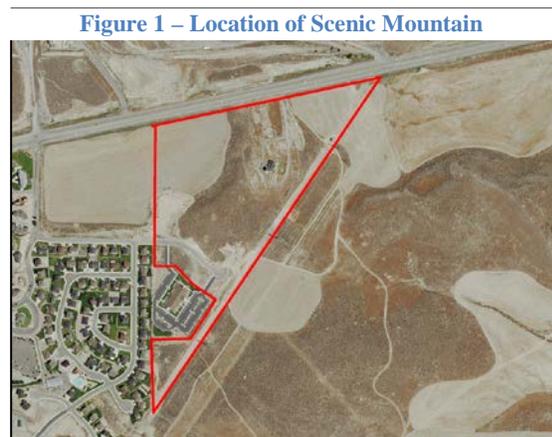
**EAGLE MOUNTAIN CITY**  
City Council Staff Report

OCTOBER 4<sup>TH</sup> 2016

**Project:** Scenic Mountain  
**Applicant:** Dylan Young (Fieldstone Homes)  
**Request:** *Amendment of the Master Development Plan & Master Development Agreement*  
**Type of Action:** MDP Amendment - Public Hearing, Ordinance;  
MDA Amendment - Resolution

**Preface**

This application is to amend the 34.82 acre Scenic Mountain Master Development Plan and the Scenic Mountain Master Development Agreement. Scenic Mountain is located east of Mt. Airey Drive, on Inverness Lane south of Cory Wride Memorial Highway (SR-73).



**Background**

On September 1<sup>st</sup> 2009 the Eagle Mountain City Council approved the Scenic Mountain Master Development Agreement which vested the Scenic Mountain project with **28 acres of Residential zoning at a density of 13 units per acre**, for a total of up to 364 units, while requiring not less than **6.6 acres of improved open space**.

On October 6<sup>th</sup> 2009 a **4.2 acre** church site was approved. That area, and the underlying residential units, have now been removed from the applicant's proposal.

A large portion of the project is expected to be affected by the planned expansion of SR-73. The applicant has been in contact with UDOT, and it is believed that 7.15 acres of property within the Scenic Mountain Master Development Plan will be acquired to facilitate road expansion.

**Planning Commission Recommendation**

On September 13<sup>th</sup> the Eagle Mountain Planning Commission held a public hearing regarding an amendment to the Scenic Mountain Master Development Plan. Five people addressed the Commission with concerns related to condominiums at the entrance to the City, the negative effect on residents' views, and concerns about the increase of traffic on Inverness Lane and Mt. Airey Drive. Ultimately the Planning Commission recommended approval to the City Council (5-0) with the following conditions (additional conditions in red have been added by Staff for the Council's consideration):

1. *Vested Density within the UDOT expansion area may not be transferred to the rest of the project*

2. A note shall be added limiting the maximum number of townhome units within the Tier III pod to 61 units
3. UDOT must approve the accesses onto SR-73
4. 53 feet shall be preserved to allow Inverness Lane to potentially be expanded to the east in the future, providing a connection into Saratoga Springs. A note shall be placed on the MDP.
5. 10' paved trail/access road, or width as required by Questar must be provided to Questar Facility
6. Open Space areas shall be shown in Green on the MDP
7. Unbuildable areas shall be shown as unimproved open space
8. Retention areas shall be shown on the MDP
9. Cluster lot setbacks shall be 15 feet in the front yard, 22 feet drive way, 10 feet in the rear yard, with a street side yard setback of 15 feet. Sideyard setback minimum of 4 feet with a minimum of 10 feet between buildings.
10. A street stub shall be provided to the west between the Flex Use area and the Tier III area, to provide another future connection to Mt. Airey Drive.
11. All condominiums and townhomes shall comply with the City's Multi-Family Design Standards (EMMC 17.72), and include a high standard of architecture and design as the entry to Eagle Mountain City.

\*(Recommended conditions from the Planning Commission, additional conditions may be added, and recommended conditions may be removed)

### Proposal

In addition to planning for the expansion of SR-73, the applicant has indicated that their desire to amend the Master Development Plan and the Master Development Agreement stems from a lack of flexibility within the currently approved MDA/MDP. The applicant's proposal realigns roads within the development, and creates the following development areas:

- Flex Use Pod. This 7.19-acre area contains Tier III & IV residential and potential commercial uses, allowing up to 120 residential units and/or commercial use, for a maximum density of 16.69 units per acre.
- Tier III Pod. This 27.63-acre area allows for up to 169 residential units for a maximum density of 6.12 units per acre. The area is divided into a clluster home area and a townhome area, but with flexibility built into the MDA to allow any kind of Tier III development.



Under the applicant's proposal the development would be vested with a maximum of **289** units and a maximum project density of 10.14 units per acre.

It should be Noted that under the approved MDP only 28 acres of property was vested with residential density, under the applicant's plan 34.82 acres of property is vested, including 6.32 acres of unbuildable property.

A total of 7.15 Acres of land has been marked for expansion of State Road 73, including 1.74 acres within the **Flex Use Pod**, and 5.41 acres within the **Tier III Pod**. Assuming UDOT purchases the entire 7.15 acre parcel, the project size would be reduced to 27.67 acres, and a maximum of 227 units – a reduction of 62 units.  $\{(1.74 * 16.70 = 29 \text{ units}) + (5.41 * 6.12 = 33 \text{ units})\}$

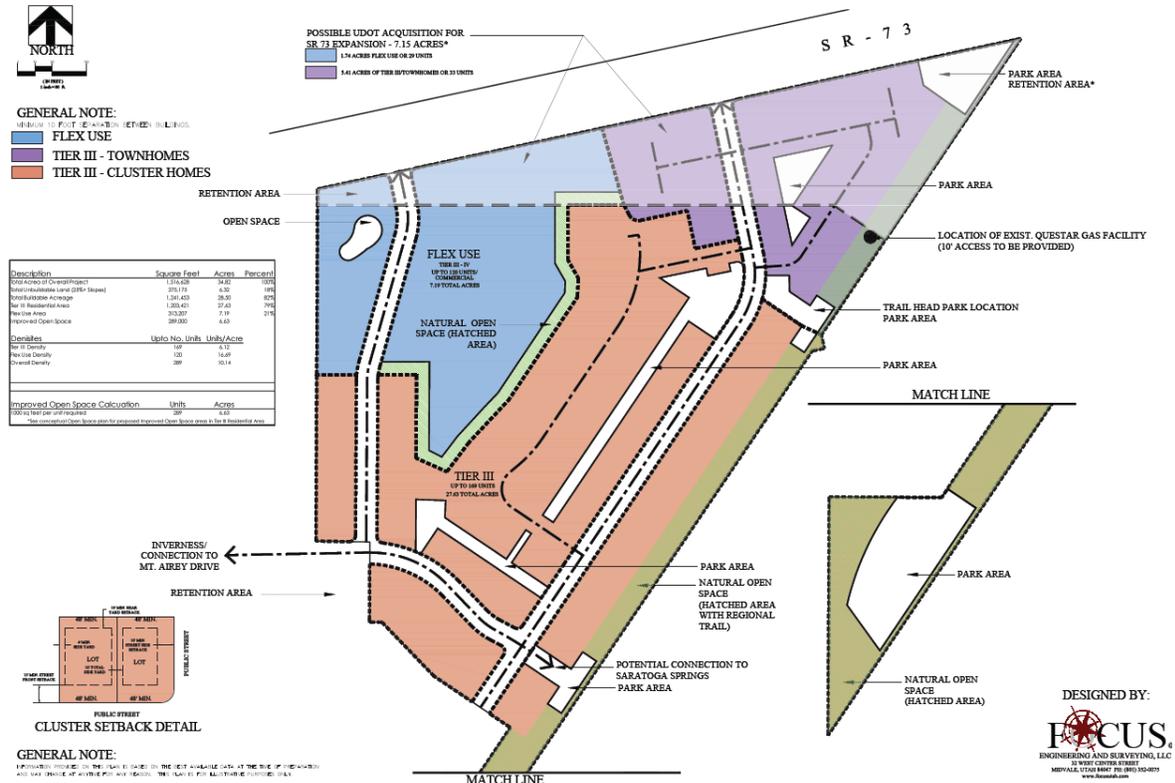


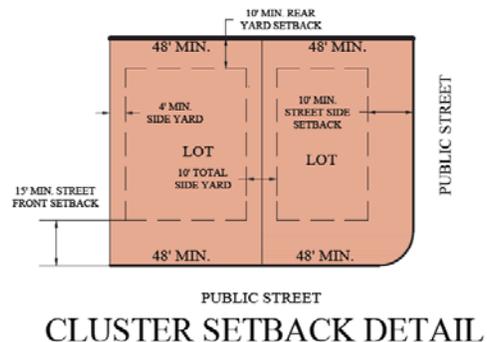
Figure 3 Proposed MDP

**Items for Consideration**

The following are items that require additional consideration. The Planning Commission provided feedback via their recommendation of approval and the nine (9) recommended conditions of approval.

**Setbacks:** The applicant is proposing the following setback details for Cluster Lots:

- 15 foot front yard setback
- 10 foot rear yard setback
- 4 foot side yard setbacks with a minimum of 10 feet between buildings (e.g. if lot A has a side yard setback of 4 feet lot B must have a side yard setback of at least 6' to maintain 10' between structures)
- 10 foot street side, side yard setback.



The proposed setbacks do not comply with Standard Tier III single family setbacks which are included below:

- 15 foot front yard setback
- 22 foot driveway setback
- 20 foot rear yard setback
- 5 foot minimum side yard setback with a 15 foot combined side yard setback
- 15 foot street side, side yard setback

A setback regulation that requires building inspectors to review the neighboring lots along with every building permit application creates difficulties and leaves room for potential mistakes. It should be noted that the City Council has approved setbacks for Cottage Lots which do not comply with EMMC in other developments. It is the opinion of Staff that the applicant should be allowed the same setbacks which were permitted within the Silverlake subdivision for cottage lots, which are provided below:

- 15 foot front yard setback
- 22 foot driveway setback
- 10 foot rear yard setback
- 5 foot minimum side yard setbacks
- 15 foot street side yard setback

Relevant Codes:

Table 17.25.180(A) Residential Setbacks

<b>Setbacks</b>				
<b>Tier Level</b>	<b>Minimum Front Yard</b>	<b>Minimum Rear Yard</b>	<b>Minimum Side Yard</b>	<b>Minimum Street Side Yard</b>
<b>Base</b>	25'	25'	12' Min 30' Total	20'
<b>Tier I</b>	25'	25'	12' Min 30' Total	20'
<b>Tier II</b>	15'/22' **	20'	5' Min 15' Total	15'
<b>Tier III (Single Family)</b>	15'/22' **	20'	5' Min 15' Total	15'
<b>Distance between Multi-Family Housing Structures</b>				
<b>Tier III (Multi-Family)</b>	20' Council may approve a standard that differs			
<b>Tier IV</b>	20' Council may approve a standard that differs			
** If accessed from the front, garage shall have a minimum front setback of 22'				

**17.25.130 C.3 Side Yard, Interior.** The two interior side yards on all lots shall not be less than a combination of 15 feet total and no smaller than five feet on one side. If a structure is constructed with less than an eight-foot setback, piping or other approved drainage systems shall be installed in that side yard prior to occupancy, sending the water at least 10 feet downhill away from the foundation (in conformance to the current International Residential Code).

**Maximum Number of Townhomes:** The proposed Master Development Plan is vague. To address this the applicant has provided staff with a concept plan illustrating how the project may develop; however, the MDP and not the concept plan will serve as the zoning document, and given the vagueness of the proposed map, it is possible that the entire Flex Use area could be condominiums, and the entire Tier III area could be townhome units.

Staff recommends that the number of townhomes within the Tier III pod be limited to a maximum of 61 townhome units as that is the number shown in the concept plan.



Figure 4 Park & Open Space Plan / Concept Plan

**Commercial Use:** Staff believes the area adjacent to SR-73 is ideally situated to be developed as commercial or office space. Negotiation with the applicant has resulted in commercial uses being included in the “Flex Use” area. Staff recommends that a separate commercial/office area be designated, to ensure commercial/office/retail is developed. Alternatively staff would support another mechanism that would ensure commercial uses developed within the Flex Use area in tandem with the high density units.

**Roads:**

**SR-73:** The applicant is proposing two ¾ accesses onto State Road 73 from the development; the applicant must obtain UDOT approval of the plan. These accesses would restrict the left-out movements, but allow all other movements.

**Inverness:** Eagle Mountain and Saratoga Springs have discussed a potential road link between the two cities in this area, with Inverness being the likely connection point. It is the opinion of staff that a minimum 53’ of open space shall be preserved allowing a potential future connection into Saratoga Springs, giving residents another route in an out of the City in case of emergencies or traffic jams. A note shall be placed on the MDP indicating the preserved open space is intended to allow Inverness to be extended east into Saratoga Springs in the future, and it is a temporary

park. An alternative would be to require that this road stub to the east, rather than providing for a “future road connection.”

*Stub road to the West:* Staff recommends that a stub road be included between the flex use pod, and the northwestern most single family lot to the south of the condos, stubbing to the property line. The purpose of the stub road is to allow for a potential connection to the west which may in the future relieve traffic on Inverness Lane.

*Questar Access:* 10’ paved trail/access road, or width as required by Questar must be provided to the Questar Facility in the northeast area of the project. A note has been included on the Park and Open Space Plan to this effect.

Open Space:

*Improved Open Space:* The applicant must provide 1,000 square feet of improved open space for every approved unit. Improved open space shall not be located on slopes over 15%.

Relevant Code

**17.25.130 Tier II Residential Development Standards B. Open Space Requirements:**

The developer shall provide 1,000 square feet per lot to be dedicated as improved open space in all Tier II residential developments in Eagle Mountain City. The planning commission may recommend and the city council may approve that open space requirements are satisfied by the developer paying a fee in lieu according to EMMC 16.35.105(A)(11). Parks and trails must be improved as required by the standards set forth in Chapter 16.35 EMMC.

Elevations: The applicant has provided staff renderings of Townhome units and cottage lots. The renderings for the front loaded townhomes (below) don’t appear to comply with code.



FRONT LOADED FRONT ELEVATION  
1/8"

Relevant Code

**17.72.030 Site Design C. Multifamily Parking/Garages.** Garages and parking areas should be placed to the rear of buildings, accessed by a service drive. If garages are placed on the front façade, they shall be staggered and set back so as to minimize their appearance from the street. Garages shall *never* dominate the street-facing façade of a building.

Additional map concerns:

*Unbuildable Areas:* Unbuildable areas shall be shown on the MDP as unimproved open space.

*Retention Area:* Retention areas shall be shown on the MDP.

**Possible Action**

At the time of this report we are in the final stages of negotiation with the applicant concerning the language of the master development agreement. We have also requested an "Option B" map that shows how the property will develop if UDOT acquires the 7.15 acres, so there are no small townhome areas, etc. The MDA that we have included in the packet is a draft that may be amended prior to the meeting.

Option 1: Approve the master development plan map (with any changes) and table the master development agreement for further changes.

Option 2: Approve the master development plan map (with any changes) and approve the master development agreement (with any changes).

Option 3: Table both the master development plan map and agreement for further changes.

Option 4: Deny the proposal, stating justifiable reasons.

**Attachments**

- Approved Master Development Plan & Concept Plan
- Proposed Master Development Plan Proposed Park and Open Space Plan (Concept Plan)
- Townhome and Cottage Lot Renderings
- Draft Amended and Restated Master Development Agreement

**ORDINANCE NO. O-        -2016**

**AN ORDINANCE OF THE CITY COUNCIL OF EAGLE MOUNTAIN CITY, UTAH,  
AMENDING THE SCENIC MOUNTAIN MASTER DEVELOPMENT PLAN**

*PREAMBLE*

The City Council of Eagle Mountain City, Utah, finds that it is in the public interest to approve the Amendment to the Scenic Mountain Master Development Plan, as set forth more specifically in Exhibit A.

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

1. The City Council finds that all required notices and hearings have been completed as required by law to consider and approve the proposed Amendment to the Scenic Mountain Master Development Plan, as set forth in Exhibit A.
2. The Amendment to the Scenic Mountain Master Development Plan is hereby approved, as set forth more specifically in Exhibit A.
3. This Ordinance shall take effect upon its first publication or posting.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 4<sup>th</sup> day of October, 2016.

EAGLE MOUNTAIN CITY, UTAH

\_\_\_\_\_  
Chris Pengra, Mayor

ATTEST:

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

## CERTIFICATION

The above ordinance was adopted by the City Council of Eagle Mountain City on the 4<sup>th</sup> day of October, 2016.

Those voting aye:

- Adam Bradley
- Colby Curtis
- Stephanie Gricius
- Benjamin Reaves
- Tom Westmoreland

Those voting nay:

- Adam Bradley
- Colby Curtis
- Stephanie Gricius
- Benjamin Reaves
- Tom Westmoreland

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Fionnuala B. Kofoed, MMC  
City Recorder

# EXHIBIT A



Land Use Data

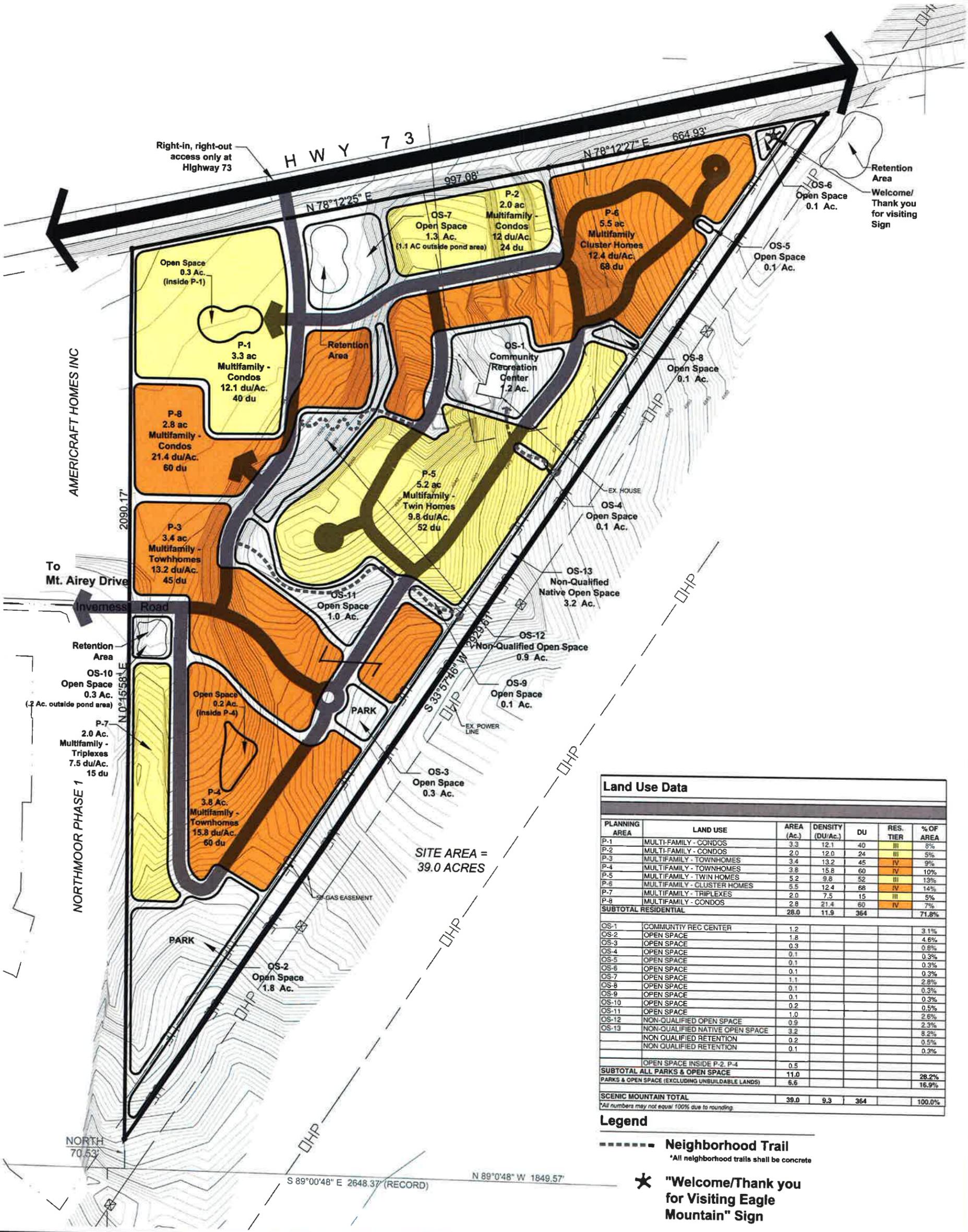
PLANNING AREA	LAND USE	AREA (Ac)	DENSITY (DU/Ac)	DU	RES TIER	% OF AREA
P-1	MULTIFAMILY - CONDOS	3.5	12.1	40	III	8%
P-2	MULTIFAMILY - CONDOS	2.0	12.0	24	III	5%
P-3	MULTIFAMILY - TOWNHOMES	3.4	15.2	45	IV	9%
P-4	MULTIFAMILY - TOWNHOMES	3.8	15.8	60	IV	10%
P-5	MULTIFAMILY - TWIN HOMES	5.2	9.8	52	III	13%
P-6	MULTIFAMILY - CLUSTER HOMES	5.5	12.4	68	IV	14%
P-7	MULTIFAMILY - TRIPLEXES	2.0	7.5	15	IV	5%
P-8	MULTIFAMILY - CONDOS	2.8	21.4	60	IV	7%
<b>SUBTOTAL RESIDENTIAL</b>		<b>28.0</b>	<b>11.9</b>	<b>364</b>		<b>71.8%</b>
OS-1	COMMUNITY REG CENTER	1.2				3.1%
OS-2	OPEN SPACE	1.6				4.6%
OS-3	OPEN SPACE	0.3				0.8%
OS-4	OPEN SPACE	0.1				0.3%
OS-5	OPEN SPACE	0.1				0.3%
OS-6	OPEN SPACE	0.1				0.3%
OS-7	OPEN SPACE	0.1				0.3%
OS-8	OPEN SPACE	0.1				0.3%
OS-9	OPEN SPACE	0.1				0.3%
OS-10	OPEN SPACE	0.2				0.5%
OS-11	OPEN SPACE	1.0				2.8%
OS-12	NON-QUALIFIED OPEN SPACE	0.9				2.5%
OS-13	NON-QUALIFIED NATIVE OPEN SPACE	3.2				8.2%
	NON-QUALIFIED RETENTION	0.2				0.5%
	NON-QUALIFIED RETENTION	0.1				0.3%
	OPEN SPACE INSIDE P.2 P.4	0.5				1.4%
<b>SUBTOTAL ALL PARKS &amp; OPEN SPACE</b>		<b>11.0</b>				<b>28.2%</b>
<b>PARKS &amp; OPEN SPACE (EXCLUDING UNBUILDABLE LANDS)</b>		<b>6.6</b>				<b>16.9%</b>
<b>SCENIC MOUNTAIN TOTAL</b>		<b>39.0</b>	<b>9.3</b>	<b>364</b>		<b>100.0%</b>

\*All numbers may not equal 100% due to rounding

# Scenic Mountain Conceptual Site Plan

Scale: 1" = 100'  
November 10, 2008





**Land Use Data**

PLANNING AREA	LAND USE	AREA (Ac.)	DENSITY (DU/Ac.)	DU	RES. TIER	% OF AREA
P-1	MULTI-FAMILY - CONDOS	3.3	12.1	40	III	8%
P-2	MULTI-FAMILY - CONDOS	2.0	12.0	24	III	5%
P-3	MULTI-FAMILY - TOWNHOMES	3.4	13.2	45	IV	9%
P-4	MULTI-FAMILY - TOWNHOMES	3.8	15.8	60	IV	10%
P-5	MULTI-FAMILY - TWIN HOMES	5.2	9.8	52	III	13%
P-6	MULTI-FAMILY - CLUSTER HOMES	5.5	12.4	68	IV	14%
P-7	MULTI-FAMILY - TRIPLEXES	2.0	7.5	15	III	5%
P-8	MULTI-FAMILY - CONDOS	2.8	21.4	60	IV	7%
<b>SUBTOTAL RESIDENTIAL</b>		<b>28.0</b>	<b>11.9</b>	<b>364</b>		<b>71.8%</b>
OS-1	COMMUNITY REC CENTER	1.2				3.1%
OS-2	OPEN SPACE	1.8				4.6%
OS-3	OPEN SPACE	0.3				0.8%
OS-4	OPEN SPACE	0.1				0.3%
OS-5	OPEN SPACE	0.1				0.3%
OS-6	OPEN SPACE	0.1				0.3%
OS-7	OPEN SPACE	1.1				2.8%
OS-8	OPEN SPACE	0.1				0.3%
OS-9	OPEN SPACE	0.1				0.3%
OS-10	OPEN SPACE	0.2				0.5%
OS-11	OPEN SPACE	1.0				2.6%
OS-12	NON-QUALIFIED OPEN SPACE	0.9				2.3%
OS-13	NON-QUALIFIED NATIVE OPEN SPACE	3.2				8.2%
	NON QUALIFIED RETENTION	0.2				0.5%
	NON QUALIFIED RETENTION	0.1				0.3%
	OPEN SPACE INSIDE P-2, P-4	0.5				
<b>SUBTOTAL ALL PARKS &amp; OPEN SPACE</b>		<b>11.0</b>				<b>28.2%</b>
<b>PARKS &amp; OPEN SPACE (EXCLUDING UNBUILDABLE LANDS)</b>		<b>5.6</b>				<b>16.9%</b>
<b>SCENIC MOUNTAIN TOTAL</b>		<b>39.0</b>	<b>9.3</b>	<b>364</b>		<b>100.0%</b>

\*All numbers may not equal 100% due to rounding.

- Legend**
- Neighborhood Trail  
\*All neighborhood trails shall be concrete
  - ★ "Welcome/Thank you for Visiting Eagle Mountain" Sign

# Scenic Mountain Master Development Plan

Scale: 1" = 100'  
November 10, 2008

