



**EAGLE MOUNTAIN CITY**  
City Council Staff Report  
OCTOBER 18<sup>TH</sup> 2016

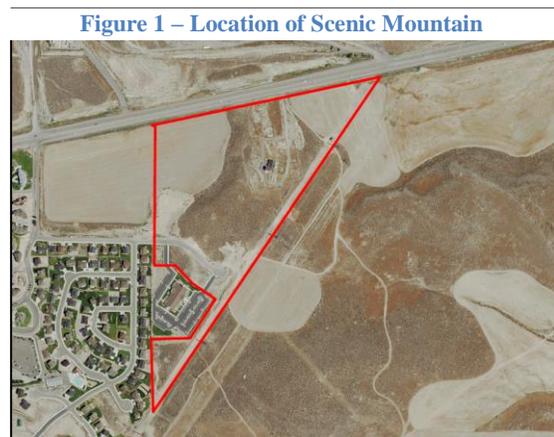
**Project:** Scenic Mountain  
**Applicant:** Dylan Young (Fieldstone Homes)  
**Request:** *Amendment of the Master Development Plan & Master Development Agreement*  
**Type of Action:** MDP Amendment - Public Hearing, Ordinance;  
MDA Amendment - Resolution

**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, has 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.

**October 4<sup>th</sup> City Council Meeting:**

On October 4<sup>th</sup> 2016 the City Council held a public hearing regarding the proposed Master Development Plan and Master Development Agreement Amendment for Scenic Mountain. Members from the public spoke and expressed concern with sending additional traffic to Mt. Airey via Inverness Lane, the proposal to locate high density housing at the entry to the city, as well as the existence of a flex use development pod.

Members of the Council also expressed concern with the flex use pod, the location of the high density residential units, and road access, particularly with  $\frac{3}{4}$  accesses which prevent left turns out of the project. Ultimately the City Council voted (5-0) to continue the Public Hearing to October 18<sup>th</sup> 2016 to allow the applicant to address concerns, as well as allowing the City and the Applicant to finalize the Master Development Agreement Amendment

### **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)*

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### **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 (shown in blue).

- 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 single family/cluster home area (salmon) and a townhome area (purple).

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.  $\{(1.74 * 16.70 = 29 \text{ units}) + (5.41 * 6.12 = 33 \text{ units})\}$

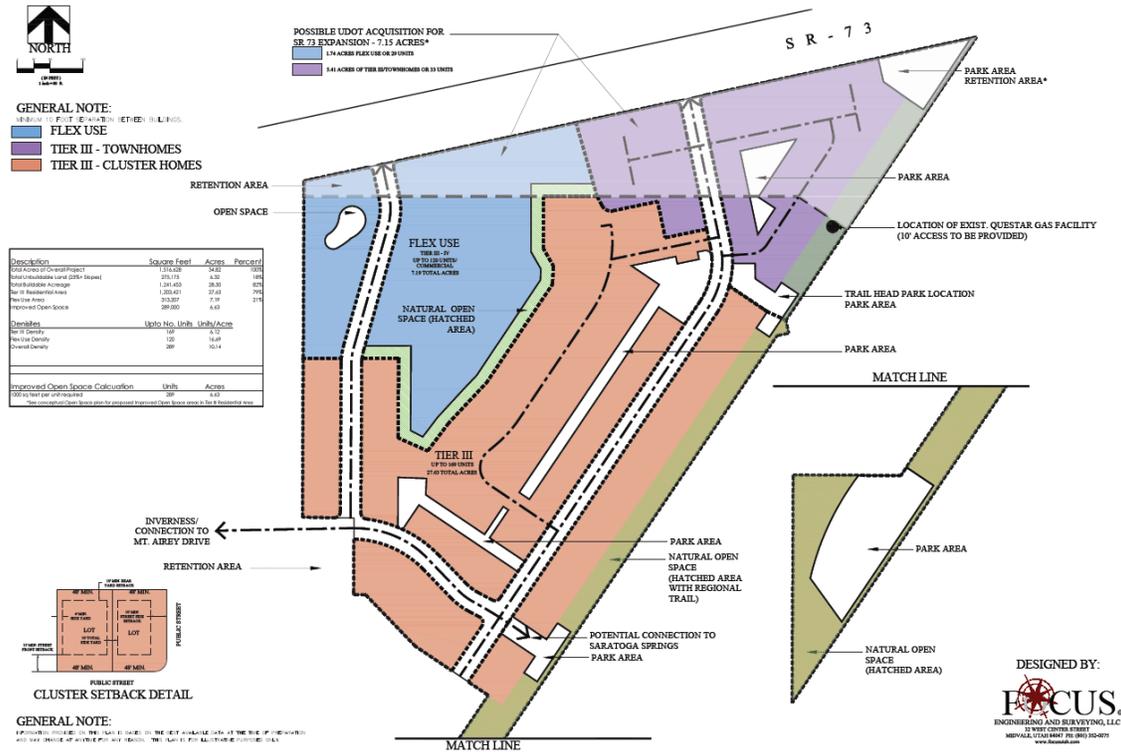


Figure 3 Proposed MDP

**Option “B” Map**

At the request of staff the applicant has provided an “Option B Map” which illustrates how the applicant envisions the project developing should UDOT purchase the entire 7.15 acre portion of property for road expansion. As seen below the proposed option “B” would allow for a maximum of 234 units with 134 units located within the Tier III area, and an addition 100 within the Flex Use Pod

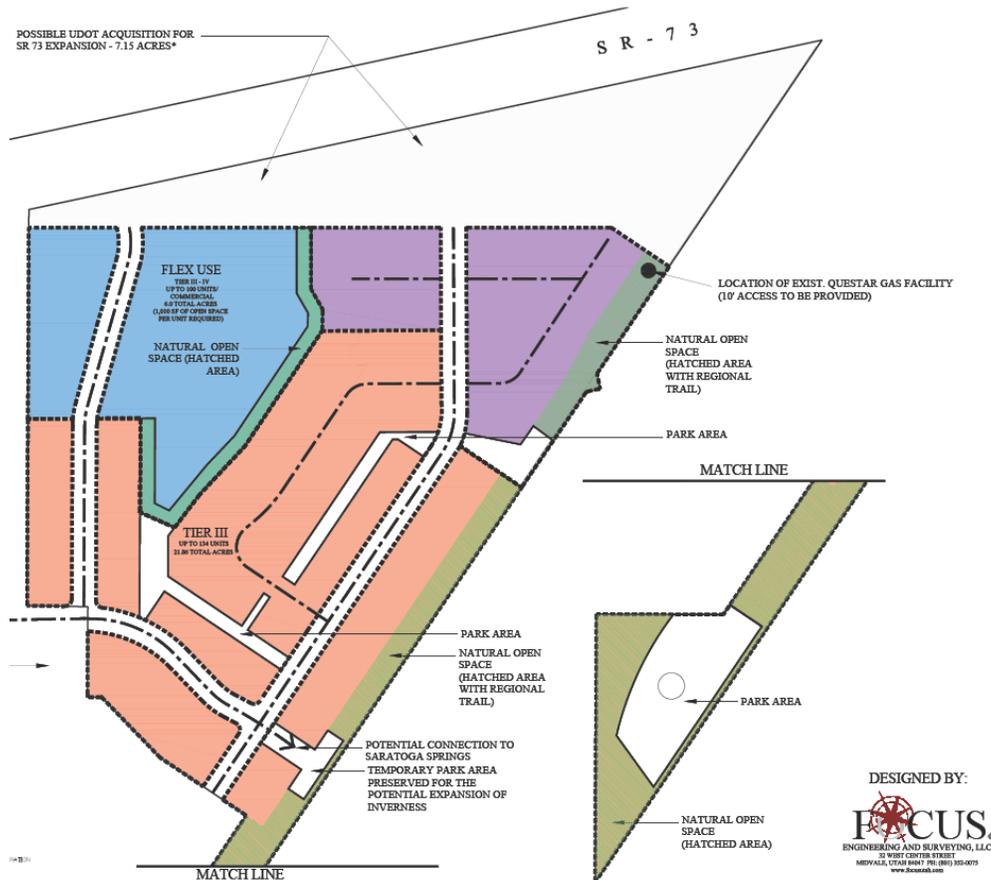


Figure 4 Option "B" Map

**Items for Consideration**

The following are items that require additional consideration.

**Master Development Agreement:**

It is the opinion of staff that the Master Development Agreement should be **tabled** until after the Council has adopted the Master Development Plan Map so that Staff and the Applicant may work out details of the agreement.

**Map:**

Master Development Plan Map: The applicant has provided multiple maps accounting for how the project will develop depending on what action (if any) UDOT takes. It is the opinion of staff that the applicant should anticipate UDOT purchasing the 7.15 acres and create the Master Plan Map accordingly, while including the UDOT purchase property with vested densities should it not be purchased.

The applicant should remove the small dashed street lines.

Planning Areas: The applicant should divide the project into three distinct planning areas, and indicated as such in a table on the map, staff recommends the areas be divided as follows:

1. Flex Use Area (Tier IV and/or Commercial)
2. Tier III Single Family/Cluster Lots
3. Townhome area.

Map should indicate “No Left Turn onto Highway” at both accesses to SR-73

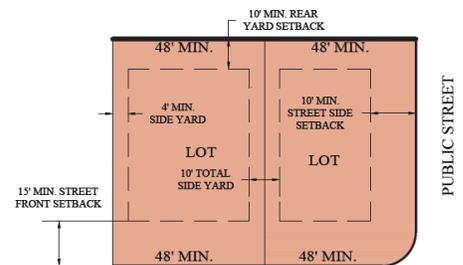
Parks: The applicant should remove all park areas from the Master Plan Map except the Trailhead Park, Temporary Park (inverness connection to Saratoga Springs) and the Hillside Park. The applicant should consider moving the Trailhead Park to just south of the Temporary Park, so park area would remain should the road connection be made.

Staff recommends using an asterisk or other symbol for the parks, rather than specifying their exact shape, while still indicating the minimum size for each park.

Natural Open Space: Staff recommends the map be updated with the *Natural Open Space* area between the Flex Use and Tier III pods being defined in a less exact way, indicating it is a natural open space transition area, noting some of the area may not be buildable.

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.



CLUSTER SETBACK DETAIL

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

Setbacks				
Tier Level	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	Minimum Street Side Yard
Base	25'	25'	12' Min 30' Total	20'
Tier I	25'	25'	12' Min 30' Total	20'
Tier II	15'/22' **	20'	5' Min 15' Total	15'
Tier III (Single Family)	15'/22' **	20'	5' Min 15' Total	15'
Distance between Multi-Family Housing Structures				
Tier III (Multi-Family)	20' Council may approve a standard that differs			
Tier IV	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).



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. At a minimum staff supports the flex use designation as it allows for the potential of office or commercial development within the pod.

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**

Staff recommends that the Master Development Agreement be tabled until after the Master Development Plan Map has either been adopted or additional feedback has been provided. Staff recommends the following options.

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

Option 2: Table both the master development plan map and the master development agreement for further changes.

Option 3: 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)
- Option "B" Map
- Townhome and Cottage Lot Renderings



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

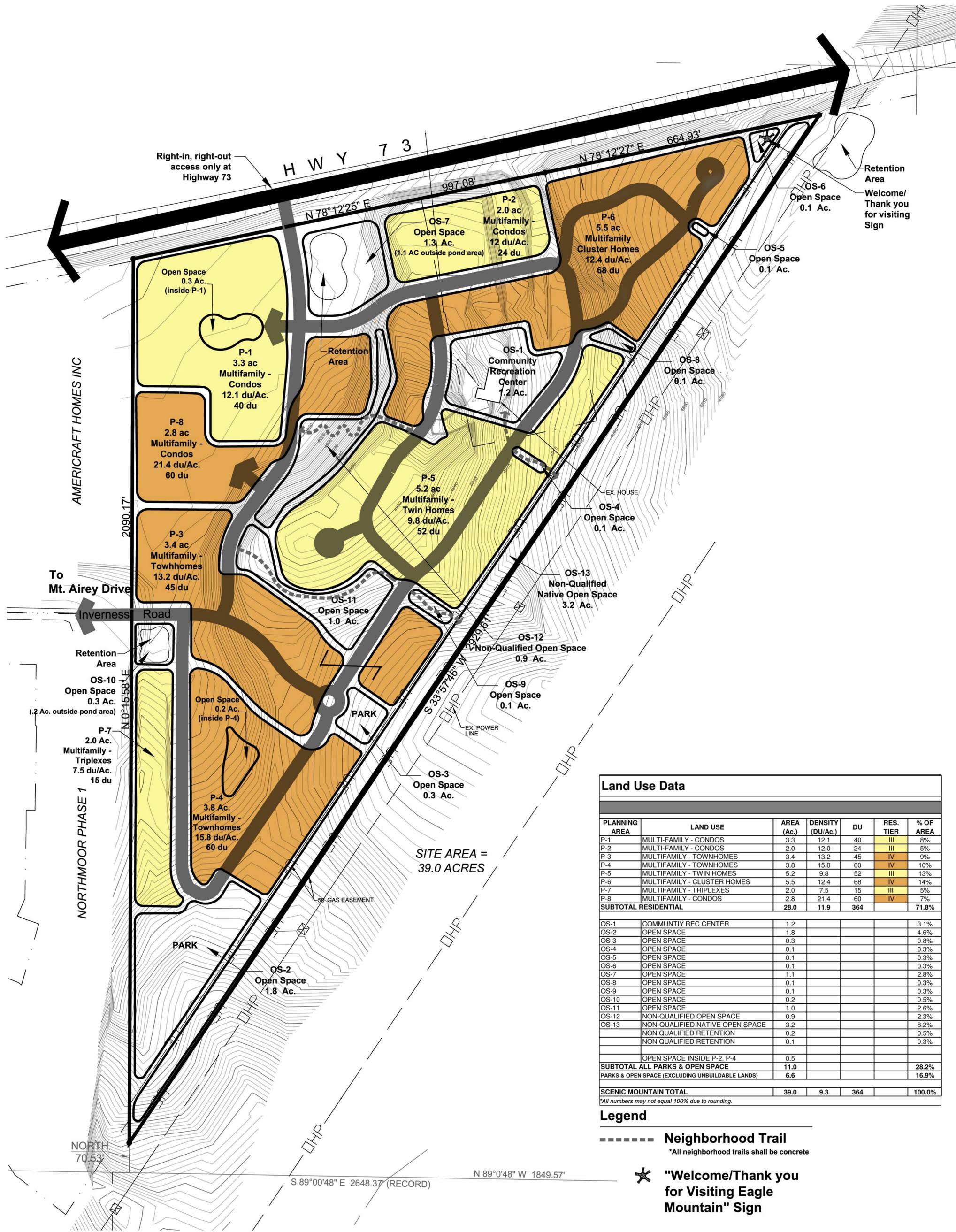
## Conceptual Site Plan

Scale: 1" = 100'  
November 10, 2008



**SAGE**  
COMMUNITIES





AMERICRAFT HOMES INC

To Mt. Airey Drive

NORTHMOOR PHASE 1

SITE AREA = 39.0 ACRES

**Land Use Data**

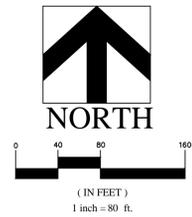
PLANNING AREA	LAND USE	AREA (Ac.)	DENSITY (DU/Ac.)	DU	RES. TIER	% OF AREA
P-1	MULTI-FAMILY - CONDOS	3.3	12.1	40	III	8%
P-2	MULTI-FAMILY - CONDOS	2.0	12.0	24	III	5%
P-3	MULTI-FAMILY - TOWNHOMES	3.4	13.2	45	IV	9%
P-4	MULTI-FAMILY - TOWNHOMES	3.8	15.8	60	IV	10%
P-5	MULTI-FAMILY - TWIN HOMES	5.2	9.8	52	III	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>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.

**Legend**

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





**GENERAL NOTE:**

MINIMUM 10 FOOT SEPARATION BETWEEN BUILDINGS.

- FLEX USE
- TIER III - TOWNHOMES
- TIER III - CLUSTER HOMES

Description	Square Feet	Acres	Percent
Total Area of Overall Project	1,516,628	34.82	100%
Total Unbuildable Land (25%+ Slopes)	275,175	6.32	18%
Total Buildable Acreage	1,241,453	28.50	82%
Tier III Residential Area	1,203,421	27.63	79%
Flex Use Area	313,207	7.19	21%
Improved Open Space	289,000	6.63	

Densities	Upto No. Units	Units/Acre
Tier III Density	169	6.12
Flex Use Density	120	16.69
Overall Density	289	10.14

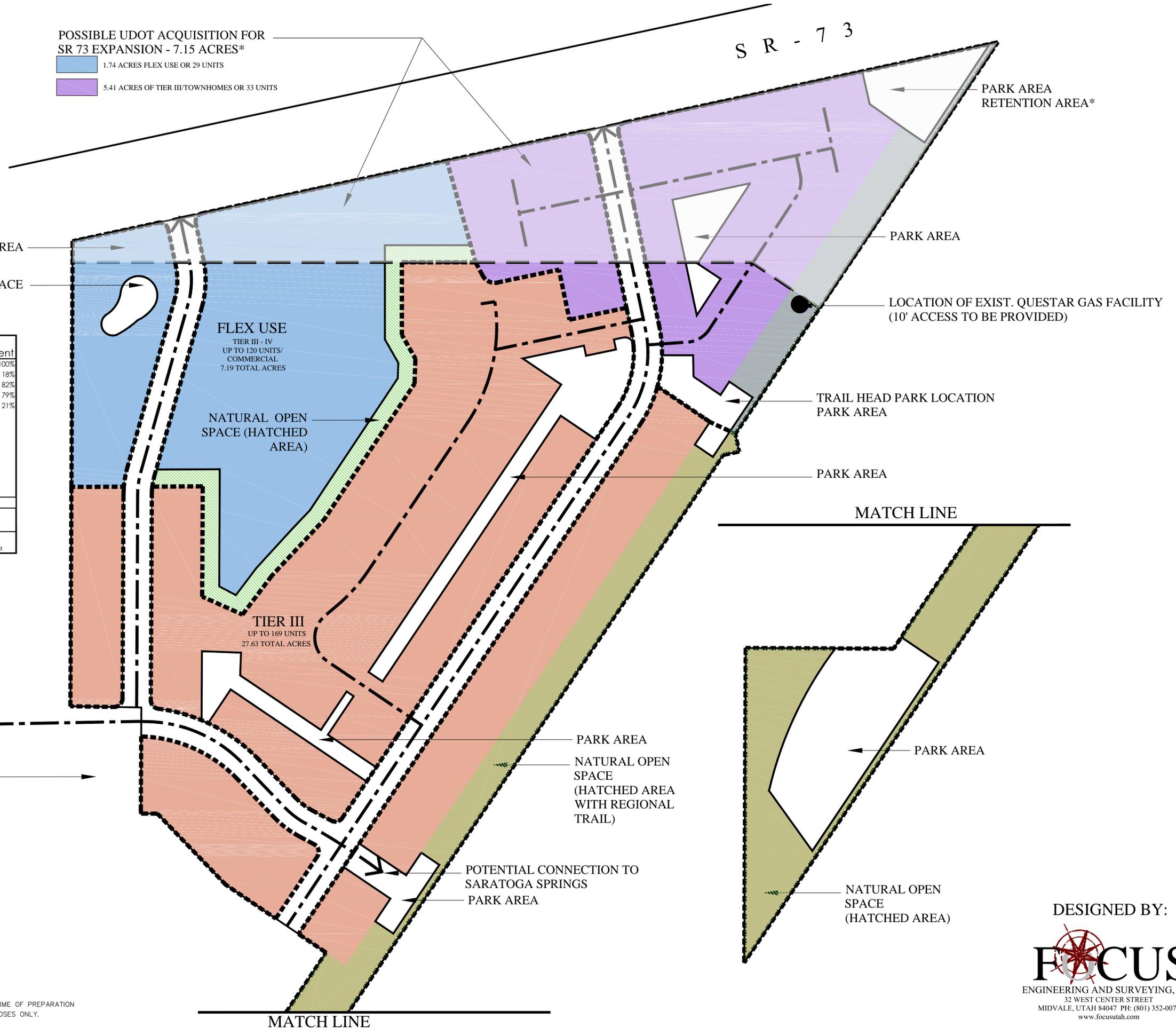
  

Improved Open Space Calculation	Units	Acres
1000 sq feet per unit required	289	6.63

\*See conceptual Open Space plan for proposed Improved Open Space areas in Tier III Residential Area

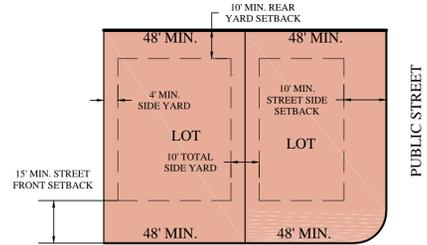
POSSIBLE UDOT ACQUISITION FOR SR 73 EXPANSION - 7.15 ACRES\*

- 1.74 ACRES FLEX USE OR 29 UNITS
- 5.41 ACRES OF TIER III/TOWNHOMES OR 33 UNITS



INVERNESS/  
CONNECTION TO  
MT. AIREY DRIVE

RETENTION AREA



PUBLIC STREET  
**CLUSTER SETBACK DETAIL**

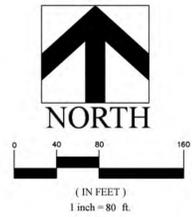
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DESIGNED BY:



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**PARK AND OPEN SPACE PLAN**

Description	Square Feet	Acres	Percent
Total Acrea of Overall Project	1,516,628	34.82	100%
Total Unbuildable Land (25%+ Slopes)	275,175	6.32	18%
Tier III (Single Family, Pad, and Townhomes)	1,203,421	27.63	79%
Tier IV (Condo Development)	313,207	7.19	21%
Improved Open Space (Six Park Areas)	168,953	3.88	
Undeveloped Open Space	306,988	7.05	
Total Open Space	475,941	10.93	

Denisites	No. Units	Units/Acre
Tier III Density	169	6.12
Tier IV Density	120	16.69
Overall Density	289	8.30

Unit Counts	Unit Count
Single-Family Lots	100
Townhomes (East Village)	61
Condominiums	120
Total	281

Description	Square Feet	Acres	Percent
Park Area 1	24,825	0.57	15%
Park Area 2	12,322	0.28	7%
Park Area 3	35,582	0.82	21%
Park Area 4	16,054	0.37	10%
Park Area 5	10,584	0.24	6%
Park Area 6	53,758	1.23	32%
Park Area 7	15,828	0.36	9%
Total Improved Open Space	168,953	3.88	100%
Total Trail Length (8" Wide)	4,314	Lineal Feet	



**PARK AREA 4**  
TURF, 8' ASPHALT TRAIL AND TREES

**PARK AREA 5**  
8' ASPHALT TRAIL AND TREES

**PARK AREA 6**  
TURF, 8' ASPHALT TRAIL, BENCH W/SHADE TREES, AND TREES

**PARK AREA 3**  
8' ASPHALT TRAIL, CLUBHOUSE, POOL TREES, AND TURF

**PARK AREA 7**  
TRAILHEAD, PARKING (5 STALLS), TURF, TREES, 10' ASPHALT TRAIL TO QUESTAR FACILITY

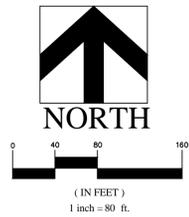
**PARK AREA 2**  
BENCHES W/SHADE TREES  
PLAYGROUND - \$35,000  
TREES AND TURF

**PARK AREA 1**  
EAGLE MTN SIGN  
TURF, TREES, AND 8' ASPHALT TRAIL

**GENERAL NOTE:**  
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DESIGNED BY:  
**FOCUS**  
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502 WEST 8360 SOUTH  
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POSSIBLE UDOT ACQUISITION FOR SR 73 EXPANSION - 7.15 ACRES\*

SR - 73

**GENERAL NOTE:**

MINIMUM 10 FOOT SEPARATION BETWEEN BUILDINGS.

- FLEX USE
- TIER III - TOWNHOMES
- TIER III - CLUSTER HOMES

Description	Square Feet	Acres	Percent
Total Area of Overall Project	1,189,518	27.31	100%
Total Unbuildable Land (25%+ Slopes)	250,700	5.76	21%
Total Buildable Acreage	938,818	21.55	79%
Tier III Residential Area	952,245	21.86	80%
Flex Use Area	261,355	6.00	22%
Improved Open Space	234,000	5.37	

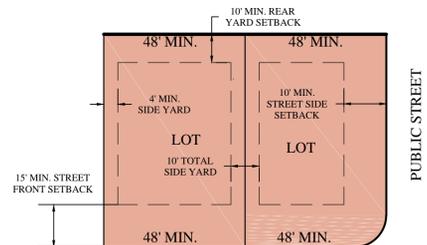
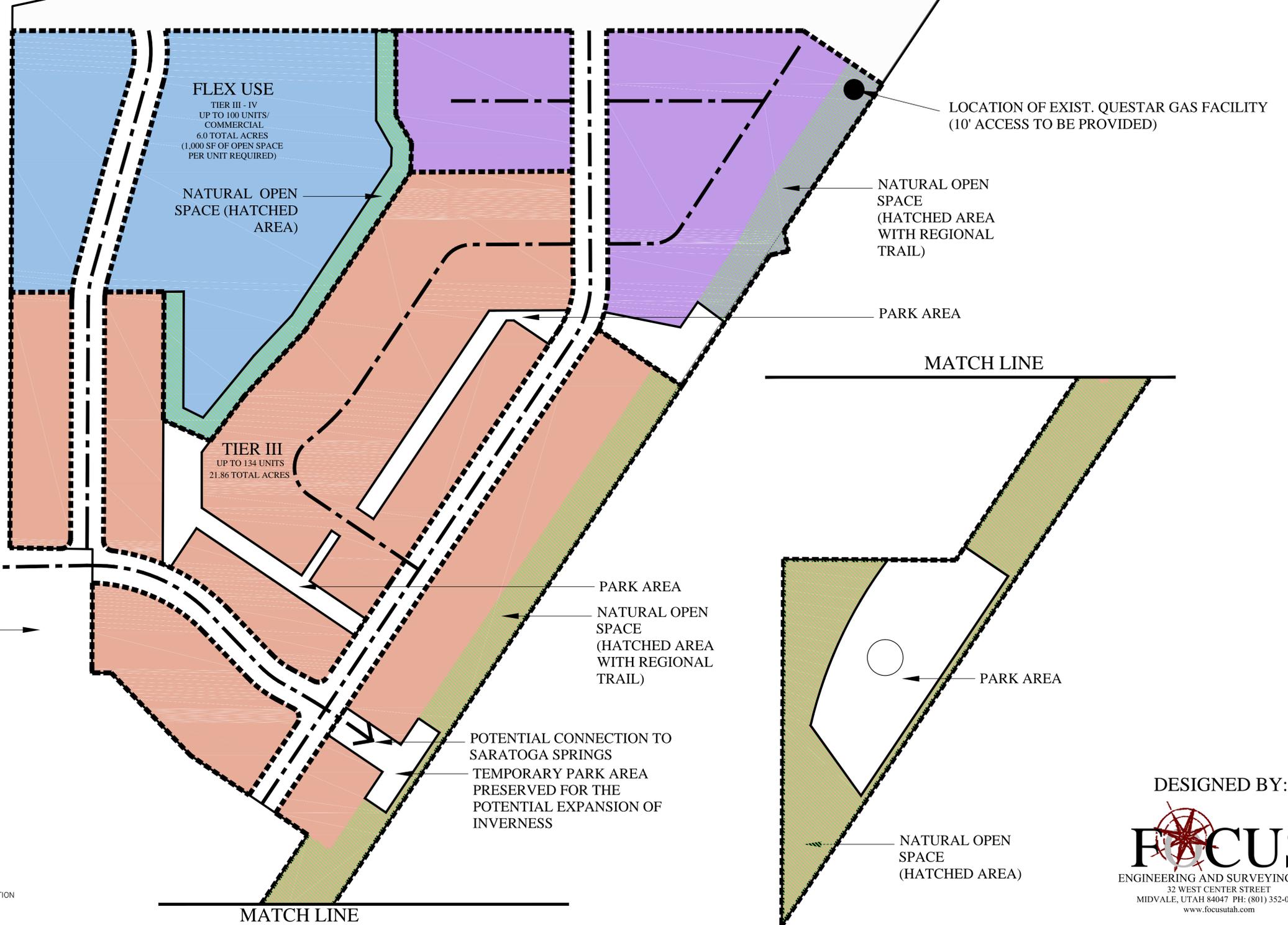
  

Densities	Upto No. Units	Units/Acre
Tier III Density	134	6.12
Flex Use Density	100	16.69
Overall Density	234	10.85

Improved Open Space Calculation	Units	Acres
1000 sq feet per unit required	234	5.37

\*See conceptual Open Space plan for proposed Improved Open Space areas in Tier III Residential Area



CLUSTER SETBACK DETAIL

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DESIGNED BY:

**FOCUS**  
ENGINEERING AND SURVEYING, LLC  
32 WEST CENTER STREET  
MIDVALE, UTAH 84047 PH: (801) 352-0075  
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**FRONT LOADED FRONT ELEVATION**

1/8"



**ALLEY LOADED FRONT ELEVATION** 1/8"



**ALLEY LOADED FRONT ELEVATION** 1/8"



**ALLEY LOADED FRONT ELEVATION** 1/8"

**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 18<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 18<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

**RESOLUTION NO. R- -2016**

**A RESOLUTION OF EAGLE MOUNTAIN CITY, UTAH,  
AMENDING AND RESTATING THE SCENIC MOUNTAIN  
MASTER DEVELOPMENT AGREEMENT**

*PREAMBLE*

The City Council of Eagle Mountain City, Utah finds that it is in the public interest to approve the Amended and Restated Scenic Mountain Master Development Agreement 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 Amended and Restated Scenic Mountain Master Development Agreement as set forth in Exhibit A.
2. The Amended and Restated Scenic Mountain Master Development Agreement is hereby approved as set forth more specifically in Exhibit A.
3. This Resolution shall take effect upon its first publication or posting.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 18<sup>th</sup> day of October, 2016.

EAGLE MOUNTAIN CITY, UTAH

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Chris Pengra, Mayor

ATTEST:

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Fionnuala B. Kofoed, MMC  
City Recorder

## CERTIFICATION

The above resolution was adopted by the City Council of Eagle Mountain City on the 18<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

---

Fionnuala B. Kofoed, MMC  
City Recorder

# EXHIBIT A