

NOTICE OF PUBLIC MEETING AGENDA - AMENDED

Notice is hereby given that the Elk Ridge Planning Commission will hold a regular Planning Commission Meeting on Thursday, January 4th, 2007 beginning at 7:00 p.m., the Planning Commission Meeting will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT. During the meeting time consideration will be given to the following:

- 7:00 P.M.** **Opening Remarks & Pledge of Allegiance**
Roll Call
Approval of Agenda
- 1. Public Hearing: General Plan Circulation Map Amendment**
 - Review and Discussion – Shawn Eliot
 - Motion on Circulation Map Amendment
 - 2. Public Hearing: Proposed City Code Amendment – Entitlement to Land Use Applications, Section 10-4-5**
 - Review and Discussion
 - Motion on Code Amendment
 - 3. Code Amendment Regarding Impact Fee Payment**
 - Review and Discussion
 - Set Public Hearing
 - 4. Discussion of Potential Need for Traffic Calming Measures on Arterial Roads**
 - Review and Discussion
 - 5. Fire Sprinkler Requirement Discussion**
 - Review and Discussion – Shawn Eliot and Ed Christensen
 - 6. Hillside Development Code Discussion**
 - Change curbing type, require guard rails
 - Review and Discussion
 - 7. Approval of Minutes of Previous Meetings – December 7, 2006**
 - 8. Planning Commission Business**
 - Approve Meeting Schedule for 2007
 - 9. Follow-up Assignments / Misc. Discussion**
 - Agenda Items for January 18, 2007 Planning Commission Meeting

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 3rd Day of January, 2007.


 Planning Commission Coordinator

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 3rd Day of January, 2007.


 Planning Commission Coordinator

ELK RIDGE PLANNING COMMISSION MEETING

January 4, 2007

TIME AND PLACE OF PLANNING COMMISSION MEETING ROLL CALL

A regular meeting of the Elk Ridge Planning Commission was held on Thursday, January 4, 2007, 7:45 p.m., at 80 East Park Drive, Elk Ridge, Utah.

Commissioners: Chad Christensen, Shawn Eliot,, Russ Adamson Kevin Hansbrow, Ed Christensen, Robert Wright

Absent: Scot Bell, Dayna Hughes

Others: Ken Young, City Planner
Margaret Leckie, Planning Commission Coordinator
Ryan Snow, Anthony Bocchino

OPENING REMARKS & PLEDGE OF ALLEGIANCE

Chairman, Chad Christensen, welcomed the commissioners and guests. Opening remarks were given by Ed Christensen followed by the Pledge of Allegiance.

A MOTION WAS MADE BY CHAD CHRISTENSEN AND SECONDED BY ED CHRISTENSEN TO ALLOW ALTERNATE PLANNING COMMISSION MEMBER, KEVIN HANSBROW, TO PARTICIPATE AS A VOTING MEMBER TONIGHT AS THERE ARE SEVERAL MEMBERS ABSENT. VOTE: YES (4), NO-NONE (0), ABSENT (2) DAYNA HUGHES AND SCOT BELL, LATE (2) ROBERT WRIGHT AND RUSS ADAMSON.

APPROVAL OF AGENDA

The agenda order and content was reviewed. The agenda was approved as outlined.

A MOTION WAS MADE BY CHAD CHRISTENSEN AND SECONDED BY KEVIN HANSBROW, TO APPROVE THE AGENDA FOR THE PLANNING COMMISSION MEETING FOR JANUARY 4, 2007, AS OUTLINED. VOTE: YES (4), NO-NONE (0), ABSENT (2) DAYNA HUGHES AND SCOT BELL, LATE (2) ROBERT WRIGHT AND RUSS ADAMSON.

PUBLIC HEARINGS

1. PROPOSED AMENDMENT TO ELK RIDGE CITY GENERAL PLAN CIRCULATION MAP

Chad Christensen opened the public hearing on the proposed amendment to the Circulation Element of the General Plan – the Circulation Map, at 7:15 p.m. Shawn Eliot explained that the map under consideration is the same one that was presented to the Commissioners in December, 2006.

Shawn Eliot explained that changes 4, 5, 6 and 7 on the map were taken before the City Council for consideration and were approved. These being:

4. Sky Hawk Lane – lower to Minor Collector
5. Meadow Lark Lane (to Canyon View Drive) – Raise to and make Minor Collector
6. Cotton Tail Lane (Elk ridge Dr. to 112000 S) – New Minor Collector
7. New N/S road, Goosenest Dr. to 11200 South – New Minor Collector (not part of gated community)

The City Council wanted an explanation of why the Planning Commission wanted change #1 – making an extension of Canyon View Drive rather than Loafer Canyon Drive the north/south road going into Salem. They didn't understand why Loafer should merge into the extension of Canyon View rather Canyon View merge into the extension of Loafer Canyon. Shawn Eliot explained that as Canyon View has fewer homes existing, it would be easier to define the usage along that road.

Chad Christensen opening the public hearing for comments. There were none so the public hearing was closed at 7:30

A MOTION WAS MADE BY SHAWN ELIOT AND SECONDED BY KEVIN HANSBROW, TO RECOMMEND APPROVAL OF THE PROPOSED AMENDMENT OF THE CIRCULATION MAP IN THE CIRCULATION ELEMENT OF THE ELK RIDGE CITY GENERAL PLAN. VOTE: YES (4), NO-NONE (0), ABSENT (2) DAYNA HUGHES AND SCOT BELL, LATE (2) ROBERT WRIGHT AND RUSS ADAMSON.

Robert Wright arrived at the meeting at 7:35 p.m.

Ryan Snow arrived late. He was a part of the group developing in the southern CE-1 section and wanted to make sure the new proposed circulation map was not detrimental to development in that area.

**2. PUBLIC HEARING:
PROPOSED
AMENDMENT TO
THE ELK RIDGE
CITY CODE
REGARDING
ENTITLEMENT,
ADDING SECTION 10-
4-5, ENTITLEMENT
TO LAND USE
APPLICATIONS**

Ken Young explained that we have discussed this in Planning Commission meetings prior to this evening. The issue was brought up when some of the developers wondered at what point they were vested in City code, especially code that was in the process of being amended. Ken stated that he borrowed the verbiage from state code in regards to entitlement or vesting. This code was recommended to the City by the staff of Utah League of Cities and Towns.

He read the following from the proposed code:

“An applicant is entitled to approval of a land use application if the application conforms to the requirements of the City’s land use maps, zoning map, and applicable land use ordinance in effect when a complete application is submitted and all fees have been paid, unless:

1. the land use authority, on the record,, finds that a compelling, countervailing public interest would be jeopardized by approving the application; or
2. in the manner provided by local ordinance and before the application is submitted, the City has formally initiated proceedings to amend its ordinances in a manner that would prohibit approval of the application as submitted.

The following points were made by Ken Young:

- a. This allows the City still an opportunity to amend it’s ordinances and still have the amendments binding on the applicant based on these two exceptions. Otherwise, whatever the code is presently is what the applicant would be held to.
- b. If code has not been worked on in the last 6 months prior to application, amendments would not apply to the applicant.
- c. The rest of the verbiage clarifies the process. He felt it was good verbiage
- d. This is specific to land use applications: subdivisions, re-zones and such, not safety or emergency issues.
- e. Shawn Eliot expressed concern that if a fee is paid at concept level, is an applicant vested at concept. He stated that the City Council did not want to vest applicants at concept. The PUD ordinances states in detail that an applicant is not vested until preliminary. Shawn stated that the attorney, David Church, suggested maybe raising the preliminary application fee and not charging a concept fee.
- f. Shawn Eliot stated that many cities do not have a concept level except in the case of large-scale development.
- g. Ken Young stated that we do do a concept review for most of our development but do not bring them forward for approval. He stated that concept is not required by ordinance to be approved by Planning Commission or City Council. Staff usually handles the review of concept plans other than large-scale developments. The development in the southern portion requires a concept review as there is so much involved in the roads and slopes. Ken wondered if we could add the following verbiage: “that when the complete application is submitted for review by the land use authority” to the wording “and all applications have been paid.” This would take care of the problem. As concept is only reviewed by staff and not the land use authority, there would be no vesting. You could add (as in the case of a PUD) “or as otherwise provided in the code” to handle exceptions.

Chairman Christensen asked if there was any other public comment, there was none, so the public hearing was closed at 7:35 p.m.

A MOTION WAS MADE BY CHAD CHRISTENSEN AND SECONDED BY ED CHRISTENSEN, TO RECOMMEND APPROVAL TO THE CITY COUNCIL THE PROPOSED AMENDMENT TO THE ELK RIDGE CITY CODE, ADDING SECTION

10-4-5 REGARDING ENTITLEMENT TO LAND USE APPLICATIONS AS OUTLINED WITH THE TWO FOLLOWING ADDITIONS AS TO WHEN ENTITLEMENT OCCURS:

1. **ADDING VERBIAGE “THAT WHEN THE COMPLETE APPLICATION IS SUBMITTED FOR OFFICIAL REVIEW BY THE LAND USE AUTHORITY”**
2. **ADDING VERBIAGE “OR AS OTHERWISE PROVIDED IN THE CITY CODE” (THIS INCLUDES THE EXCEPTION IN THE PUD CODE)**

VOTE: YES (5), NO-NONE (0), ABSENT (2) DAYNA HUGHES AND SCOT BELL, LATE (1) RUSS ADAMSON.

(Chad Christensen left the meeting early, Russ Adamson arrived late)

**3. CODE
AMENDMENT
REGARDING PARK
IMPACT FEE
PAYMENT**

A handout was passed out explaining an oversight by City staff in not collecting from developers half-park impact fees at the time of final plat. The total of fees not collected amounts to over \$30,000.

Ken Young explained that the City has had some problems with the collection of a portion of the park impact fees that should have been charged to developers prior to the recording of final plat. There was some confusion and administrative problems. There are some subdivisions with final plats recorded who have not paid these fees. We are trying to fix that. The Mayor has decided he would like to bring this forward to the City Council. We just wanted to let you know where we are at with that.

By resolution, half park impact fees are to be paid at the time of final plat recording and half by the building permit applicant. It has been overlooked at the time of final plat. It was not a part of the final plat checklist and this discovery was just made.

We have added this item to the checklist but are wondering if we need to change the code so the fee is collected at just one time rather than having it split. This will be brought forward to the City Council. There was not intention for a motion on your part tonight, we just wanted to let you know what is happening.

Ken Young stated that because the debt was not paid at final plat, does not erase the debt payable. There is nothing in the code or resolution that states the developer should pay this half and permit applicant pay this half, it just states when it is due and payable. We can go back to the developer and tell him this should have been paid and if you don't pay it we are going to charge it to your builder and you should let your builder know this.

Now that this problem has come to light, we have added it to our Final Plat check-list and it won't be a problem any more. It is just a matter of do we want to continue to collect in halves or do we want to change the code and make the whole park impact fee payable all at one time.

Chad Christensen had to leave the meeting early at this point. (Margaret Leckie gave Chad handout for determining when Planning Commission meetings will be held next year.)

**4. DISCUSSION OF
THE NEED OF
TRAFFIC-CALMING
MEASURES ON
ARTERIAL ROADS**

As Dayna Hughes had wanted to lead the discussion on traffic-calming measures, and was absent, this item was tabled until our next meeting.

ED CHRISTENSEN MADE A MOTION THAT WAS SECONDED BY SHAWN ELIOT TO TABLE ITEM 4: DISCUSSION OF TRAFFIC CALMING MEASURES, UNTIL OUR JANUARY 18, 2007 PLANNING COMMISSION MEETING. VOTE: YES (5), NO-NONE (0), ABSENT (2) DAYNA HUGHES AND SCOT BELL, LEFT EARLY (1) CHAD CHRISTENSEN.

**5. FIRE SPRINKLER
REQUIRMENTS**

Shawn Eliot spoke with the Fire Chief, Craig Olson. The Fire Chief would like a city-wide requirement for fire sprinklers but the Planning Commission is a little uncomfortable with that. He would at least like to see the requirement in CE1 and CE2 zones and for homes over a certain number of square feet. The minimum square footage still needs to be worked out.

The other problem is that the code that we were borrowing from (Woodland Hills) talks about all applicable fire codes and City development standards. We don't have any City development

standards for this. Shawn stated that he needs to do some more research on these fire sprinkler development standards. We don't want to pass a code that refers to a standard we don't have. He will do some homework on the development standard code for fire sprinklers.

The Fire Chief said he would write a memo regarding his recommendation for a fire sprinkler requirement.

Shawn stated he needs to do a little more homework on the development standard. He has the code.

Kevin Hansbrow asked if there was any monetary incentive for installing a system that we could offer people. No one had any suggestions. Shawn Eliot mentioned this could be brought up at City Council.

6. HILLSIDE DEVELOPMENT CODE DISCUSSION

The discussion of the Hillside Development code amendment was tabled until the January 18 Planning Commission meeting as Scot Bell was going to discuss this and is absent tonight.

7. APPROVAL OF MINUTES OF PREVIOUS MEETING – DECEMBER 7, 2006

Ed Christensen

- p.1 – Ed Christensen was listed as absent in the motion regarding the agenda approval, and it was Rob Wright who was absent.
- p.1 – regarding who seconded the motion on the driveway slope exception, it was Ed Christensen
- p.3 – It was Ed Christensen who seconded the motion on the Cloward Preliminary Plat.
- p.4 – get verbiage read by Shawn on Woodland Hills Fire Sprinkler code.

A MOTION WAS MADE BY SHAWN ELIOT AND SEONDED BY KEVIN HANSBROW TO APPROVE THE MINUTES OF THE DECEMBER 7, 006 PLANNING COMMISSION MEETING WITH THE ABOVE NOTED CORRECTIONS. VOTE: YES (5), NO-NONE (0), ABSENT (2) DAYNA HUGHES AND SCOT BELL, LEFT EARLY (1) CHAD CHRISTENSEN.

5. PLANNING COMMISSION BUSINESS

1. APPROVAL OF 2007 PLANNING COMMISSION MEETING SCHEDULE:
 - a. Margaret Leckie passed out a 2007 Calendar and the Planning Commissioners decided to continue holding meetings on the first and third Thursdays of each month. Other than only having one meeting the first week of December, it was decided to hold meetings on all other first and third Thursdays. There was some discussion whether to have the meeting on July 5th. It was decided to wait and see if we will have a quorum, and cancel the meeting if it is determined we don't.
2. Agenda Items for January 18, 2007 Planning Commission Meeting
 - a. The Mayor would like to take 20 minutes to half an hour at the beginning of our next meeting to review two items: 1) Planning Commission review of the General Plan and 2) Discussion of Appeals and Variance Reviews: Board of Adjustments or Hearings Examiner approach
 - b. Hillside Development Code
 - c. Discussion of Traffic-calming Measures
 - d. Jolley Lot Split
 - e. Autumn View Concept for Autumn View development in southern CE1 portion of City
3. Margaret passed out a map of current Elk Ridge City developments.
4. Shawn Eliot mentioned that Mapleton Planning Commission meets twice a month, but one of those meetings is strictly a work session where no approvals or public hearings are held. It would be nice to have a meeting where we only had a work session. Russ Adamson mentioned some cities (and our City Council) holds a work session prior to the regular meeting.. Ken Young stated that in order to be development friendly, meeting only once a month would slow their process down.
5. Shawn Eliot stated from our code regarding review of subdivision plats from Section 10-15A-2 which states that if a development comes in and is not up to code that the Planning Commission can withhold their approval until the project meets code. There are certain things where we review, approve and recommend approval to City Council and the Planning Commission does not have to send subdivisions forward to City Council until they approve them.

ADJOURNMENT

Russ Adamson adjourned the meeting at 8:20 p.m.



Planning Commission Coordinator

NOTICE OF PUBLIC MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold a regular **Planning Commission Meeting on Thursday, January 18, 2007 beginning at 7:00 p.m.**, the Planning Commission Meeting will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT. During the meeting time consideration will be given to the following:

7:00 P.M.

Opening Remarks & Pledge of Allegiance

Roll Call

Approval of Agenda

1. Appeals and Variance Process

- Review and Discussion – Mayor Dunn

2. General Plan Review by Planning Commission

- Review and Discussion – Mayor Dunn

3. Amendment to City Code (CE1, CE2 and Subdivision) Regarding Road Grades

- Review and Discussion – Ken Young

- Set Public Hearing

4. Traffic Calming Measures on Arterial Roads

- Review and Discussion – Dayna Hughes

5. Ordinance Amendment to Code re: Hillside Development Standards

- Guard rail and curb type discussion

- Review and Discussion – Scot Bell

6. Fire Sprinkler Requirement in New Development

- Review and Discussion – Shawn Eliot

7. Approval of Minutes of Previous Meetings – January 4, 2007

8. Planning Commission Business

- Review of Commissioners Terms

9. Follow-up Assignments / Misc. Discussion

- Agenda Items for January 18, 2007 Planning Commission Meeting

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 11th Day of January, 2007.




Planning Commission Coordinator

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 11th Day of January, 2007.



Planning Commission Coordinator

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ELK RIDGE PLANNING COMMISSION MEETING
January 18, 2007

**TIME AND PLACE OF
PLANNING
COMMISSION
MEETING
ROLL CALL**

A regular meeting of the Elk Ridge Planning Commission was held on Thursday, January 18, 2007, 7:05 p.m., at 80 East Park Drive, Elk Ridge, Utah. A quorum of commissioners was not present so no motions could be made.

Commissioners: Chad Christensen, Dayna Hughes, Russ Adamson
Absent: Scot Bell, Robert Wright, Ed Christensen, Shawn Eliot, Kevin Hansbrow
Others: Ken Young, City Planner
Margaret Leckie, Planning Commission Coordinator
Karl Shuler

**OPENING REMARKS
& PLEDGE OF
ALLEGIANCE**

Chairman, Chad Christensen, welcomed the commissioners and guests. Opening remarks were given by Dayna Hughes followed by the Pledge of Allegiance.

**APPROVAL OF
AGENDA**

The agenda order and content was reviewed. The agenda was approved with the following changes.

1. Table Item 5 – Ordinance Amendment to Code re: Hillside Development Standards as Scot Bell is not present to review.
2. Table Item 6 – Fire Sprinkler Requirement in New Development as Shawn Eliot is not present.

**1. APPEALS AND
VARIANCE PROCESS
– Presentation by Mayor
Dunn**

Though a quorum was not present, it was decided to proceed with the Mayor's presentations.

Mayor Dunn made the following points:

1. The Mayor explained that the Board of Adjustments is usually 5 citizens who should be trained, who should know code, ordinances, construction standards and the General Plan, and have no biases or influences based on relationships in the community. We have only used the Board twice in the last five years. It is difficult to find people willing to serve on this board.
2. The Mayor, through research in September, found there is a position called "Hearings Adjustor." This is a single individual who has the power and authority of the Board of Adjustments. There is a real certification process to choose this person because their decisions can only be reversed in a legal court system.
3. If a person is denied a request by the Planning Commission or City Council they can appeal to the Board of Adjustments. It is up to the person making the appeal to prove to the Board the merits of their case.
4. The City of Highland uses a Hearings Adjustor for appeals. The Mayor spoke with the City Manager as to why they went this route. They did not feel the decisions their Board of Adjustments had been making in the last 10 years had been accurate because of bias, public influence, and lack of knowledge on the part of their board.
5. Their Hearings Adjustor is a citizen in the community who is a Land Use Attorney who has a practice in Provo. He has a professional background, is an officer of the court and understands land use issues. When a case is presented the applicant pays a fee (about \$150), present their papers to the staff. He then picks up the papers so there is no direct contact until the case is heard.
6. He has time to go over the case then sit down and go over the case with the applicant, who may bring a representative with him. The City has been very pleased with his decisions.
7. The idea of using a Hearings Adjustor was discussed at the Elk Ridge City Council. They liked the idea. The fee for the individual's time would be paid for by the applicant, not by the City.
8. The Mayor talked to our City Attorney, David Church. He said there are not a lot of communities using Hearings Adjustors at present, but as time goes on, there are getting to be more and more as communities find that the Board of Adjustments is not an efficient setup.
9. Our City Council would like to use the same person that Highland uses if he has the time.
10. The Mayor stated that being a member of the Board of Adjustments "requires knowledge of the law and the courage to obey it." He explained that members of the Board do not always become as knowledgeable about the code as they should.
11. The City Council is really encouraged to have the code regarding the Appeal Authority become a part of our City Code. The City Council and Mayor would like to see these appeals and variance decisions made properly.

12. The Council would like to have an Appeals Authority with experience in land use issues. They want someone who does not live in the City so there will be no contention. City Attorney, David Church, does have some ideas of people who might be available.

Questions by Commissioners:

13. Chad Christensen: If the person who appeals disagrees with the opinion of the Appeals Authority, what are his options. Mayor Dunn: The case would then go before the Circuit Court.
14. Dayna Hughes: I like this setup because we all agree that it is very difficult to throw together a Board of Adjustments that is qualified and up to speed. I like the idea of having one person who is qualified. I also like the idea of not having the appeal authority live in the City. Russ Adamson: I am also all in favor of having a knowledgeable person in this position if it just involved interpreting code and law. I had a personal appearance before the Board of Adjustments in the City and did not feel they were adequately qualified. As we are putting a lot of trust on one person, however; we do need to get the right person.
15. Mayor Dunn: The term as specified in the Highland code is 2 years. After 2 years the person can re-up or another person can be appointed.
16. Mayor Dunn: An applicant coming before the Appeals Adjustor is required to prepare their case prior to appearance and prove their position. They must be prepared ahead of time. These meetings of the applicant and appeals authority are public meetings.
17. Mayor Dunn: I wanted to hear your concerns tonight. Chad Christensen: was there another person involved? Ken Young: There was a possibility of having 2 different people: an appeals examiner and a variance examiner. A variance is a request to deviate from the code requirement because of a non-self-imposed hardship. An appeal is having someone else look at a decision (say by the City Council) that you think is unjust.

2. GENERAL PLAN REVIEW

The Mayor introduced this topic by stating our City's General Plan is needing to be reviewed and updated.

He passed out to the commissioners binders containing returned copies of the Feedback Forms he sent out with the newsletter a couple of months ago. In revising the General Plan he advised the commissioners to consider the comments made by citizens in these forms. Twenty-seven percent (27%) of the citizens returned these forms. That is a very impressive percentage. (Five of these binders need to be returned so they can be passed on to the City Council).

The Mayor reviewed the nine elements of the General Plan as follows:

1. The Community Vision Element
2. The Land Use Element – (where zoning descriptions take place, etc.)
(Dayna Hughes mentioned the need to change the descriptions in the pie chart in this element as it implied that the critical environment area was not also residential in certain places)
3. The Circulation and Transportation Element
4. The Public Facilities Element
5. The Moderate Income Housing Element
6. The Economic Element
7. The Environmental Element
8. The Annexation Policy Element
9. The Implementation Element

Some of the points made by the Mayor include the following:

- a. In concept to final phase, we now have about 561 units to be added to our city. That is not counting Phase 4 of Elk Ridge Meadows PUD. That could add another 50-74 units.
- b. The Mayor met this afternoon with all the developers, property owners and professional help of those owning property or developing along 11200 South. They discussed the preservation of 11200 South as a major County arterial. This road is owned and will stay owned by the County. The City will never own this road. It needs to be maintained as a corridor to collect major growth out of our city and Woodland Hills. It may change to a 4-lane road. They do not want a lot of access on and off of this road. There will be studies done by the County on how to preserve these corridors. The Mayor promised the County he would help to preserve this corridor. This type thing would be considered in the Transportation Element of the General Plan.

- c. The Public Facilities Element would consider such things as our percentage ownership of the Salem Sewer Facility (which we will be selling back to Salem). FYI – Payson started installing the new sewer system coming into Elk Ridge about a month ago. They are adding about 400 feet a day. Discussions are currently underway for a new City Center. This would be an item in the Public Facilities Element. The City has talked to two property owners about getting some land for a new City Center. The building we are in now would be rolled over into a Safety Building. It would house an ambulance and the equipment for CERT team response. There would also be a training room, a shower room and changing room for firemen, etc. Also part of this Public Facilities Element would be the collection of impact fees. A study is now underway for road impact fees – this study is being done by Aqua Engineering and will be brought to the City Council next month. Mountainland wrote our Park Impact Fee study in 1999. They are redoing these now. Andrew Jackson and Jim Bolser of Mountainland helped write our last General Plan. We will have in place road, water, sewer and park impact fees which will help to pay for the impact of the new housing on the community.
- d. The Moderate Income Housing Element is required by law. This element was just updated a couple of years ago. This estimates the supply and need for moderate income housing. This is not low-income housing. It is based on the median income for the entire County. We were the third richest median income city in the state last year. It would be unfair to use this standard in determining moderate income levels. Every once in a while this bill is being looked at. They are trying to determine how to punish communities who do not include this in their General Plan. They are looking at withholding any state funding requests from these communities who do not comply. There are no penalties in place now for non-compliance. None of the developers that I am aware of have offered moderate-income-housing. Our code currently provides for moderate-income housing. Mother-in-law apartments in the community have been used to meet the requirements for moderate-income-housing. Some cities encourage developers to put 2 or 3 of the moderate income homes in their developments.
- e. The Economic Element is very short. This is mainly in our City having to do with businesses in the homes. The feedback forms indicate people are wanting something more in the community.
- f. The Annexation Policy Element is an important one. When Mr. Tervort came and requested annexation into Salem rather than Elk Ridge. The City Council told him they did not want that. Salem did not have an annexation policy element. He could not sue Elk Ridge as we have an Annexation Policy. The weak link was that Salem did not have the same protection. They were threatened with suit. We did not protest. We have a written annexation policy with Salem. In that agreement we state that we will not go west of 1600 West, north of our existing boundary, west of the Goosenest existing boundary, or encroach on the golf course. There are several pieces still to be annexed in. The Mayor talked to Woodland Hills mayor and they agreed verbally that we would not annex east of Loafer Canyon Road. This conversation took place about a year ago.
- g. The Implementation Element states that the General Plan is exactly that – a general plan. It needs to be changed as the demographics of the community changes. It needs to be altered and updated. There is some counsel in this element. Changes can cause a dominoes effect and precipitate changes in the City Code.
- h. The reason this is in front of you, is it is the duty of the Planning Commission to review the General Plan and update it. Russ Adamson asked how much of Ken's time we had and if it were appropriate to get his help. We are a small community in the throngs of growth and other cities use staff to do this type work. The Planning Commission is very busy, can we get some help and what are the options. The Mayor stated that there are a few options. Some cities use ad hoc committees to gather the information and write up the element, present it to the commissioners in their packets, who address the concerns and pass the information on to the City Council who adopts or changes. Russ:
- i. The Mayor said he would get the commissioners some help with the General Plan review. He said that after talking to Andrew Jackson at Mountainland (MAG) he was told they had a professional there that could be assigned that task and could use some grant money that they have. The Mayor has written 2 letters to them requesting help in the General Plan re-write

and help rewriting the park impact fee code.

- j. Chad Christensen stated that he felt all our code needs a general review. Dayna Hughes mentioned it would be nice to hear from the City Council to see if we are on the same page regarding the issues the Commission is working on. Also there needs to be better communication so that when they vote on issues, they understand the discussion and concerns of the planning commission regarding those issues. The Mayor mentioned that the information in the packets hopefully causes this communication to occur and stressed the importance of the Council members reading the information in these packets.
- k. The Mayor cautioned the Commissioners to make sure they are not working on their own agendas as they work through issues in Planning Commission.
- l. Ken Young offered the option of having him do the rewrite of the General Plan. He would present a proposal to the City with his fees. He would do the work on week-ends. Possibly some of the grant money MAG has available could be used to pay him. He has had involvement in other communities writing General Plans. He can give us copies of other general plans he has written. This would be done separately from what he does now for the City.

The Mayor thanked the commissioners for listening to his presentation and also for the time and effort they put into their City responsibilities on the Planning Commission and the good work they do. He asked them to take time to read the feedback and use it where they could in applying the changes in the General Plan. He reminded the commissioners that there are three council positions opening up in July and invited them to apply if interested.

3. AMENDMENT TO ELK RIDGE CITY CODE (CE1, CE2, AND SUBDIVISION CODE) REGARDING ROAD GRADES

Ken Young stated that we have updated the Development and Construction Standards with the new road grades but we also need to update the City Code. Russ Adamson mentioned the intersection code change and that there were inconsistencies in the code that needed to be updated.

Ken Young stated that staff can set the public hearing without a motion. The attending commissioners asked him to go ahead and do that. The proposed date was February 15th.

4. TRAFFIC CALMING MEASURES ON ARTERIAL ROADS

Dayna Hughes did some research on traffic calming measures. Her discussion included the following points:

- a. People are going too fast. Especially down Canyon View Drive near Alexander, and down Hillside Drive near Alexander, as well.
- b. For roads currently in place there are some traffic calming options. The one with the highest percentile of effectiveness was the speed hump (not a speed “bump”). She passed out a photo which showed that it is a gradual raising. The effected change in speed is 7 miles an hour. This is a 22% change. The cost of the hump is about \$2,000.
- c. There are also speed tables, raised intersections, traffic circles, narrowing shoulders, half closures, diagonal diverters, etc. etc. None of these are as effective as the speed hump. Their average speed change is only 1 or 2 mph. She also mentioned that trees are hugh traffic calming alternatives.
- d. If we were to put in a speed hump that is 14 feet long, statistics show that it would decrease speed by 22%. In these humps, you can cut out space for emergency vehicles to go thru at a normal or increase speed. The base is wide enough that a normal car cannot use them.
- e. The City snow plow person said that this hump out would be a problem for the snow plow and the blade would destroy it. He said the only method that would work would be dips. Dayna found no information on dips. In the winter the dips would collect water and snow.
- f. At this point Dayna would like to ask for a study to be done in the City to determine where people are going too fast. She wondered what the impact would be on having a 5' wide shallow 1-2" deep detention in the road. Ken Young did not feel this variance is significant enough to do any good. She wondered how we collect this data without funds for a professional. Possibly get volunteers.
- g. Chairman Christensen suggested going before the City Council to see if this is even an issue

which they want tackled. Dayna Hughes will go before the City Council to check this out.

Ken Young left the meeting at this point.

**5. ORDINANCE
AMENDMENT TO
CODE RE: HILLSIDE
DEVELOPMENT
STANDARDS**

This item was tabled as Commissioner Bell was not present and was going to lead the discussion.

**6. FIRE SPRINKLER
REQUIREMENT IN
NEW DEVELOPMENT**

This item was tabled as Commissioner Eliot was not present and was going to lead the discussion.

**7. APPROVAL OF
MINUTES OF
PREVIOUS MEETING
– DECEMBER 7, 2006**

This item was tabled until the next meeting.

**5. PLANNING
COMMISSION
BUSINESS**

Chairman Christensen announced that he will have to step down from the Commission due to personal reasons and tonight is his last night. At our next meeting we will need to choose a new Planning Commission Chairman and Vice Chairman. Scot Bell's term also expires.

Dayna Hughes asked that we add as an agenda item at our next meeting a discussion on gated communities.

ADJOURNMENT

Russ Adamson adjourned the meeting at 8:42 p.m.



Planning Commission Coordinator

NOTICE OF PUBLIC MEETING – AMENDED AGENDA

Notice is hereby given that the Elk Ridge Planning Commission will hold a regular **Planning Commission Meeting on Thursday, February 1, 2007 beginning at 7:00 p.m.**, the Planning Commission Meeting will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT. During the meeting time consideration will be given to the following:

7:00 P.M.

Opening Remarks & Pledge of Allegiance
Roll Call
Approval of Agenda

- 1. Crestview Estates II – Final Plat**
 - Review and Discussion – Ken Young
- 2. Doe Hill Estates, Plat A – Final Plat**
 - Review and Discussion – Ken Young
- 3. Ordinance Amendment to Code re: Hillside Development Standards**
 - Guard rail and curb type discussion
 - Review and Discussion – Scot Bell
- 4. Discussion on Gated Communities**
 - Review and Discussion – Dayna Hughes
- 5. Approval of Minutes of Previous Meetings – January 4 and January 18, 2007**
- 6. Planning Commission Business**
 - Elect New Chairman and Co-chairman
 - Review of Commissioners Terms
- 7. Follow-up Assignments / Misc. Discussion**
 - Agenda Items for February 15, 2007 Planning Commission Meeting

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 27th Day of January, 2007.



 Planning Commission Coordinator

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 27th Day of January, 2007.



 Planning Commission Coordinator

ELK RIDGE PLANNING COMMISSION MEETING

February 1, 2007

**TIME AND PLACE OF
PLANNING
COMMISSION
MEETING
ROLL CALL**

A regular meeting of the Elk Ridge Planning Commission was held on Thursday, February 1, 2007, 7:00 p.m., at 80 East Park Drive, Elk Ridge, Utah.

Commissioners: Dayna Hughes, Kevin Hansbrow, Russ Adamson, Scot Bell, Ed Christensen, Shawn Eliot

Absent: Robert Wright,

Others: Ken Young, City Planner
Margaret Leckie, Planning Commission Coordinator
Jed Shuler, Griff Johnson, Todd Trane, Wade Payne, Eric Allen

**OPENING REMARKS
& PLEDGE OF
ALLEGIANCE**

Co-chairman, Russ Adamson, welcomed the commissioners and guests at 7:00 p.m.. Opening remarks were given by Ed Christensen followed by the Pledge of Allegiance.

**APPROVAL OF
AGENDA**

The agenda order and content was reviewed and approved.

**MOTION TO MAKE
ALTERNATE, KEVIN
HANSBROW, A
VOTING MEMBER**

RUSS ADAMSON MADE A MOTION THAT WAS SECONDED BY ED CHRISTENSEN TO MAKE ALTERNATE PLANNING COMMISSION MEMBER, KEVIN HANSBROW, A VOTING MEMBER TONIGHT AS THERE WAS AN ABSENT COMMISSIONER. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (1) ROBERT WRIGHT.

**1. CRESTVIEW
ESTATES II – FINAL
PLAT**

Ken Young summarized that we have seen the Crestview Estates II plat before in preliminary form. Staff has worked with the developers on various issues. The two remaining issues are

1. Showing the pressurized irrigation lines (secondary water). The developer will get the format from our City engineers at Aqua Engineering.
2. Showing the addresses for each lot. (The addresses were shown)

Dayna Hughes asked what the status was on bringing secondary water to the City. She mentioned that in reviewing the feedback forms, this was a major concern of citizens. Ed Christensen said that maybe we should have Alvin Harward address the commissioners on this subject as he is the City Councilman assigned to water issues. Scot Bell stated that CUP is the only secondary water source possibility for Elk Ridge.

Ken Young stated that Staff recommends that we recommend approval of Crestview Estates II final plat, subject to the above condition that secondary water lines and addresses be shown. The conduit is shown but not the laterals. Eric Allen, Crestview Estates II owner, stated that the addresses are on the latest version of the plat.

Russ Adamson questioned whether the relocation of the sumps had been addressed. Eric Allen said it had.

RUSS ADAMSON MADE A MOTION THAT WAS SECONDED BY KEVIN HANSBROW TO RECOMMEND APPROVAL OF CRESTVIEW ESTATES II, FINAL PLAT, WITH THE ADDITION TO THE PLAT OF SHOWING LOCATIONS OF THE DRY PRESSURIZED IRRIGATION LATERALS (SECONDARY WATER). VOTE: YES-ALL (6), NO-NONE (0), ABSENT (1) ROBERT WRIGHT.

**2. DOE HILL
ESTATES, PLAT A –
FINAL PLAT**

Ken Young summarized that there were items shown on the last staff report on Doe Hill Estates, Plat A which have been addressed and corrected including:

1. Meandering sidewalks.
2. Curbing
3. Access limitation on 11200 South

The same two issues also need to be addressed on this plat:

1. Pressurized irrigation laterals need to be shown (secondary water).
2. Addresses for each lot need to be shown.

Russ Adamson questioned regarding 11200 South being preserved as a main corridor. If developments go along there and it will eventually need expanding, what are we doing to preserve this. Ken Young did not feel it would ever become a major street. Shawn Eliot mentioned MAG is doing a study which indicated a possibility of 11200 South being a part of a beltway system connecting to I-15.

Russ also questioned the names of the roads. Ken Young stated the road names have been approved by City Council so unless there was a major concern, they would remain as shown on the plat.

THE CONCEPT OF MEANDERING SIDEWALKS WAS DISCUSSED: The following points were brought out:

- a. Ken Young mentioned that this issue has been recently discussed by staff. With a nine-foot easement area, you cannot accomplish a true aesthetic 5-foot wide meandering sidewalk. You would need to meander each side at least the width of the sidewalk.
- b. Ken Young illustrated on the white-board the amount of meandering you could get with a 5' sidewalk in a 9' easement. It is only 2 feet. With this small amount it looks very poor.
- c. Ken Young recommended approving the plat, but passing on the concern of the meandering sidewalk and letting the City Council decide if they want to change the City standard from meandering to straight.
- d. The Council can allow a deviation from the standard for this particular subdivision through a development agreement and that is what the commissioners recommend..
- e. Currently the meander is in the Development and Construction Standards and not in the City Code. The Code refers you to the Development and Construction Standards.
- f. With a straight five foot strip you would have a more visible lawn area, more of an ability to plant trees.
- g. Clearing sidewalks and mowing lawns would be difficult with the meander.
- h. It does not appear to be a good plan.
- i. Ken proposed the following amendment to the Development and Construction Standard:

City of Elk Ridge Sidewalk Standards

- Use 1, 2, 4, 5, and 6 below for construction of sidewalks
- Sidewalks shall be:
 - Required on both sides of street
 - Required in all new developments requiring curb and gutter
 - Five ~~Four~~ feet (5 ~~4~~') in width
 - Meandering or straight
- Planter Strips shall ~~be between two (2) and four (4)~~ have a minimum of five (5) feet in width

- j. Griff Johnson, a member of the Doe Hill Estates development team, felt Ken Young had expressed the developer's feelings well. Meandering looks really good if you have 25' or 30' to play with. He mentioned the difficulty four-wheelers would have clearing these meandering sidewalks. He imagined sprinkler heads and landscaping being ruined in the process.
- k. If they have sidewalks at all, they want them straight. They are not even in favor of having sidewalks. Shawn Eliot refreshed the discussion by the City Council where they decided they did want sidewalks for the City, so not having sidewalks is not an option. Sidewalks are required in new developments but not in infill areas of the City. Shawn also stated that most meandering sidewalks he has seen in developments are on main roads only.
- l. Shawn Eliot mentioned that Provo has determined that a 7' planter strip is the best width when planting trees so the sidewalk and street will not be disturbed. He stated that maybe the City may want to relook at our street cross-section and narrow the street down (which would be traffic-calming) and allow for a wider easement and planter strip.

- m. Ken stated the Planning Commission doesn't need to amend the standard at this point, but in the motion on this plat, include that issue and the City Council can then deal with it.
- n. Todd Trane, engineer for Doe Hill Estates, mentioned that when they met with Jeff they were not required to put in P.I Laterals, but just conduit. They will put in the 3" conduit. Ken Young mentioned that in the other developments in the City have been required to put in the laterals. The plan shows conduits going across the street and the secondary line will go in behind the curb in the planter strip.. Todd explained that the conduit is the PVC pipe they will run the lateral through. They will dig into the planter and tie the lateral onto that line and run it through the conduit underneath the street to the other side. The purpose for that is because in the future we don't know what type of laterals will be required, when or if secondary water will actually be a reality.
- o. They will show a main line going 2' behind the curb and conduits going across the street. Todd said the main PI line is not on the plans. Ken Young stated that that is what we are looking to be shown on the plan. Shawn asked what the City standard shows. Margaret Leckie answered that we are in the process of having Aqua draw those standards to include in our Development and Construction Standards.
- p. Ken Young stated that we are trying to say the same thing and that he was confusing "main line" with "lateral". Todd stated that when he started the plans, Aqua did not have a place to specify where the main line went, they are now saying 2 feet behind the curb.

DAYNA HUGHES MADE A MOTION THAT WAS SECONDED BY ED CHRISTENSEN TO RECOMMEND APPROVAL OF DOE HILL ESTATES, PLAT A, FINAL PLAT WITH THE FOLLOWING CONDITIONS:

- 1. **DEVELOPER SHOW LOT ADDRESSES ON THE FINAL PLAT (GRIFF SAID THEY ARE ON THE LATEST RENDITION OF THE PLAT)**
- 2. **THE SIDEWALK STANDARDS WILL INCLUDE A FOUR (4) FOOT SIDEWALK AND FIVE (5) FOOT PLANTER STRIP AND CAN BE MEANDERING OR STRAIGHT.**
- 3. **THE SECONDARY WATER (PRESSURIZED IRRIGATION) SYSTEM MAIN LINE BE SHOWN ON THE PLAT.**
- 4. **THE CITY ENGINEER REVIEW WHERE TO PUT THE CONDUIT AND MAIN LINE FOR THE SECONARY WATER SYSTEM, SO IF IN THE PLANTER STRIP, IT WILL NOT DISTURB OR PRECLUDE THE PLANTING OF TREES.**

VOTE: YES-ALL (6), NO-NONE (0), ABSENT (1) ROBERT WRIGHT.

**3. ORDINANCE
AMENDMENT O DOE
REGARDING
HILLSIDE
DEVELOPMENT
STANDARDS**

Scot Bell spoke with Steve Parks, a UDOT design engineer for roads and construction of roads. He asked at what point should cities implement the use of guard rails. The following comments ensued:

- a. Scot Bell: Mr. Parks asked what the highest speed anticipated on the road. According to UDOT it is not mandatory to implement any guard rails on roads with speeds of 30 mph. This is the case as long as you have a minimum of a six (6) inch high-back curb.
- b. Mr. Parks also said that this is only a general guide. Once you take into account grade, curbs, and the shoulders; you may wish to implement guard rails.
- c. Scot asked Mr. Parks if there were any standards available for guard rails. He referred him to the AASHTO Bookstore (<https://bookstore.transportation.org/search.aspx?Text=rsdg-3-m>) where the following book is available for purchase: "Roadside Design guide, 3rd Edition". AASHTO – American Association of State Highway and Transportation Officials.
- d. Scot called Aqua – the City engineers and asked them if they were familiar with this book. They said they had it.
- e. Scot stated that 3:1 slopes with cuts and fills – are deemed by AASHTO as a non-recoverable slope and may have some merit for guardrails. Historically Scot stated we have slow speeds here in Elk Ridge but people have gone off Loafer Ridge accidentally and we have implemented, for the health, safety and welfare of the community, guardrails.
- f. Elk Ridge Drive by the golf course has been a bit treacherous, people have gone off but

they are not going into steep drop-off when they go off the road.

- g. Shawn Eliot mentioned it might be a good idea to contact the city of Draper. They have had some steep areas to deal with.
- h. Scot felt we should have highback curbs in the CE1 area. He likes consistency so would recommend keeping this curb design uniform in that zone. He would not recommend changing the standard for the other areas of Elk Ridge, so recommends ultimately to adopt two types of standards for curb and gutter.
- i. Shawn Eliot mentioned that if we do go to high-back curbs we would have to come up with a curb-cutting type thing. There is a lot of work for driveway approaches, etc.
- j. Scot thought he recalled that NEBO school buses would not go down the dugway because there were no guard rails. He is not sure about that. We need to make sure that this is not a reason for NEBO to deny access to the residents in the new development.
- k. Co-chairman Russ Adamson asked Scot to research further NEBO School District bus service criteria.
- l. Scot mentioned that he did have one copy of the book recommended by UDOT and if the City Council wants to know what the national recommended standard is they can approve the appropriate funds and request the information from Aqua.
- m. Shawn felt that the new connection road for which concept has been approved (Karl Shuler, John Money, Elk Haven Subdivision) with a big bend in it would probably be a likely one that would need a guard rail.
- n. SUMMARY: Scot will check out the City of Draper standards and NEBO bus requirements, then we will make a recommendation to City Council.

4. DISCUSSION ON GATED COMMUNITIES

Dayna Hughes mentioned that when she and Ed Christensen attended the Planner Training Seminar the issue of gated communities was brought up. The following discussion ensued in planning commission meeting:

- a. The experts say that if you don't want something in your city, put it in your code before the issue comes up, so she is bringing up this issue of gated communities.
- b. The only gated community she is aware of is Pepperwood, in Sandy. They have substandard roads and signage because they are not required to meet City code for these items. Once you get a gated community you apparently can do whatever you want. They want to give the roads back to the city, but they won't take them until they are brought up to standard.
- c. Gated communities also create an "us" verses "them" situation which is not good. She sees no reason for a gated community other than exclusivity. Some people feel they are safer in a gated community but statistics show the crime rate is greater in gated communities, actually.
- d. Shawn Eliot mentioned that Burke Cloward is considering a gated community development.
- e. Dayna would like to propose that as this is now an agenda review item, if someone comes in and requests a gated community, we not allow it yet as the code is under review. Dayna mentioned that she will review other cities' code for gated communities.

5. APPROVAL OF MINUTES OF PREVIOUS MEETINGS – JANUARY 4 AND 18, 2007

Minutes of January 18, 2007 - corrections

Shawn – p.3, item f, center of paragraph, change "Salem" to "Payson"

Dayna - same paragraph – first sentence – remove second "and"

Ken – p.2, item 17, change "personal hardship" to "non-self-imposed hardship"

Russ – p.2 – remove last sentence starting with "Russ: If.."

second to last sentence, change "the to" to "to the"

Change header on pages to "January 28, 2007", change date in first paragraph on page 1 from January 4th to January 18th.

SHAWN ELIOT MADE A MOTION THAT WAS SECONDED BY ED CHRISTENSEN TO APPROVE THE MINUTES OF THE JANUARY 18, 2007 PLANNING COMMISSION MEETING MINUTES WITH THE ABOVE CORRECTIONS. VOTE: YES-ALL (6), NO-NONE (0), ABSENT (1) ROBERT WRIGHT.

Minutes of January 4, 2007 – corrections:

Shawn Eliot – p.2, item b: removed the ??? following the comments made by Ken Young

DAYNA HUGHES MADE A MOTION THAT WAS SECONDED BY ED CHRISTENSEN TO APPROVE THE MINUTES OF THE JANUARY 4,, 2007 PLANNING COMMISSION MEETING MINUTES WITH THE ABOVE CORRECTION. VOTE: YES-ALL (6), NO-NONE (0), ABSENT (1) ROBERT WRIGHT.

6. PLANNING COMMISSION BUSINESS

Co-chairman, Russ Adamson, stated that last week, chairman Chad Christensen resigned from the Planning Commission for personal reasons. The Commission now needs to elect a new chairman.. We appreciate the great job he did. He opened nominations for a new chairman and co-chairman.

Dayna Hughes nominated Russ Adamson as Planning Commission Chairman. Shawn Eliot seconded the nomination. All voted yes. Russ Adamson is now the new chairman of the Elk Ridge City Planning Commission.

Ed Christensen nominated Dayna Hughes for co-chairman of the Planning Commission. Kevin Hansbrow seconded the nomination. All voted yes. Dayna Hughes is not the new co-chairman of the Elk Ridge City Planning Commission.

A. Dayna Hughes had the following items of business:

1. As an update to her recommendation for traffic calming measures regarding speed bumps and speed depressions. She has decided not to pursue this issue after reading the feedback forms as it does not appear to be a major issue. There were not a large number of citizens who complained about the speeding. The only reference was to current laws and ordinances not being enforced.
- 2.. She was alarmed that there were so many negative comments toward Mayor, City Council and other things. As long as it is reasonable she feels our decisions should be based on what the residents want. It feels that one of the main problems from the citizen's perspective is the City Council has their minds made up and will not listen to what the residents want. She feels we should represent the people instead of being career politicians. She identified four main issues of concern.
 - 1) WATER – many residents fear not being able to afford to keep yards nice because water costs are so high. The impression is (whether realistic or not) that water costs keep going up to pay for new development. Also, under the category of water, is getting a secondary water system.
 - 2) RESTRICT GROWTH – She wrote down the following questions:
 - How do you keep a small-town atmosphere while allowing controlled growth?
 - How do you slow the growth while protecting property owner's rights
 She feels that one of the concerns is the residents are being taxed to support the infrastructure for the new growth and they are not happy about that.

Russ Adamson stated that the road impact fee is a major part of this and stated that Margaret Leckie had told him the Mayor is also aware of this and there is currently a study underway that will lead into the implementation of this impact fee.

- 3) CLEAN UP THE CITY – Landscape unfinished yards, etc. There is a current ordinance now that stipulates you must have your landscaping in within two years of occupancy. There is no way to go back and require current residents to landscape their yards. The nuisance issue would be in effect for especially messy or hazardous yards.

- 4) NON-ENFORCEMENT OF LAWS – ATV laws, leash laws, etc. A lot of people feel we need a full-time police officer in Elk Ridge.
3. A lot of people wanted a cemetery. No one mentioned a new City Center. Shawn Eliot mentioned that there is a lot of information and research that the City has that most people are unaware of.
4. Regarding Economic Development, the forms seems to reflect a 70-30 negative response to economic development of any kind. They seemed to feel we are close enough to stores and amenities.
5. No one appeared to be against side-walks.

In summary Dayna felt the questionnaires seemed to ebb and flow with varying sentiments and strongly suggested the commissioners take the time to read them.

- B. Chairman Adamson made the assignment to the commissioners to read the feedback forms before coming to Planning Commission on the 15th. He made the following comments:

UPDATING THE GENERAL PLAN:

The Mayor has asked us to update the General Plan and in order to do that we need to read the feedback forms. We should start by talking about Elements 1 and 2 – The Community Vision and the Land Use Element. We should take the next two meetings to discuss these elements.

Shawn Eliot mentioned that he spoke with the planner at work (MAG) who was going to help Elk Ridge update their General Plan. One of the things he talked about was getting public input with specifically designed questionnaires to get quantified or “yes” or “no” answers.

C. DISCUSSION ON HEARINGS ADJUSTOR:

1. Dayna Hughes mentioned that at our last meeting when the Mayor discussed the concept of having a single hearings examiner as opposed to a Board of Adjustments, there were many positive comments. Ken Young stated maybe we want to send a message to the City Council to pursue finding a qualified person we are comfortable with. The fellow the Mayor made reference to at the last meeting sounded great to the commissioners.

D. CITY COUNCIL DISCUSSION OF CIRCULATION ELEMENT - MAP

1. Shawn Eliot attended the last City Council meeting where the proposed Circulation Map was discussed. They passed everything but Canyon View Road extending to Salem rather than Loafer Canyon Road. The City Council asked Shawn to meet with Salem.

The Council asked that Shawn meet with Payson regarding the proposed Nebo Loop Road in the southern portion of the CE1 zone of the City.

E. DISCUSSION OF PUBLIC HEARINGS FOR SUBDIVISION PLATS

1. Shawn Eliot mentioned that public hearings for subdivision plats, though not required, might be a good idea. We are such a small town that when things like this effect people it would be good. We might put this on the agenda.
2. Scot Bell suggested requiring future developers to post a sign on property to be developed and show a time when the subdivision will be discussed at a public hearing.

DAYNA HUGHES MADE A MOTION THAT WAS SECONDED BY SHAWN ELIOT TO MAKE KEVIN HANSBROW A FULL VOTING MEMBER (RATHER THAN ALTERNATE MEMBER) OF THE ELK RIDGE CITY PLANNING COMMISSION. VOTE: YES-ALL (6), NO-NONE (0), ABSENT (1) ROBERT WRIGHT.

ADJOURNMENT

Russ Adamson adjourned the meeting at 8:20 p.m.


Planning Commission Coordinator

NOTICE OF PUBLIC MEETING – AGENDA

Notice is hereby given that the Elk Ridge Planning Commission will hold a Public Hearing on a proposed amendment to the Elk Ridge City Code providing for Streets and Roads regulations in the CE-1, CE-2 Zones and Subdivision Codes on **Thursday, February 15, 2007, beginning at 7:00 p.m.** prior to the regularly scheduled **Planning Commission Meeting on Thursday, February 15, 2007 beginning at 7:10 p.m.** The meetings will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT, at which time consideration will be given to the following:

7:00 P.M. **Opening Remarks & Pledge of Allegiance**
Roll Call
Approval of Agenda

- 1. Public Hearing – Proposed Amendment to Elk Ridge City Code providing for Streets and Road regulations in the CE-1, CE-2 Zones and Subdivision Code**
 - Motion on Public Hearing
- 2. Fairway Heights, Plat C – RL Yergensen**
 - Review and Discussion – Ken Young
- 3. Elk Ridge City General Plan Review**
 - Element 1 - The Community Vision of Elk Ridge**
 - Element 2 – Land Use Element**
 - Review and Discussion
- 4. CE-1 and CE-2 Zone Code Amendment**
 - Guard rail and curb type discussion
 - Review and Discussion – Scot Bell
- 5. Amendment to Code Regarding Gated Communities**
 - Review and Discussion – Dayna Hughes
- 6. Approval of Minutes of Previous Meetings – February 1, 2007**
- 7. Planning Commission Business**
- 8. Follow-up Assignments / Misc. Discussion**
 - Agenda Items for March 8, 2007 Planning Commission Meeting

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 8th Day of February, 2007.



Planning Commission Coordinator

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 8th Day of February, 2007.



Planning Commission Coordinator

ELK RIDGE PLANNING COMMISSION MEETING
February 15, 2007

**TIME AND PLACE OF
PLANNING
COMMISSION
MEETING
ROLL CALL**

A regular meeting of the Elk Ridge Planning Commission was held on Thursday, February 15, 2007, 7:00 p.m., at 80 East Park Drive, Elk Ridge, Utah.

Commissioners: Dayna Hughes, Scot Bell, Sean Roylance, Shawn Eliot, Russ Adamson
Absent: Kevin Hansbrow, Ed Christensen
Others: Ken Young, City Planner
 Margaret Leckie, Planning Commission Coordinator
 Teresa Cain, Tony Trane, RL Yergensen, Isaac Workman, Derrek Johson, Jed Shuler, Lyndell Lutes, Cheyn Gunnerson, John Calcote, Michelle Calcote, Paula Eppley, Shane Eppley and Brian Ewell

**OPENING REMARKS
& PLEDGE OF
ALLEGIANCE**

Chairman, Russ Adamson, welcomed the commissioners and guests at 7:00 p.m.. Opening remarks were given by Russ Adamson followed by the Pledge of Allegiance.

**INTRODUCTION OF
NEW PLANNING
COMMISSION
MEMBER**

Sean Roylance was introduced as the new Alternate Planning Commission member. He told a little about himself. He has lived in Elk Ridge close to a year. A few months ago there were some issues that affected his part of Elk Ridge and he attended some Planning Commission meetings. He was intrigued by the process and after speaking with Chad Christensen decided to join the Planning Commission.

**APPROVAL OF
AGENDA**

The agenda order and content was reviewed and approved.

**1. PUBLIC HEARING –
PROPOSED
AMENDMENT TO
THE ELK RIDGE
CITY CODE
PROVIDING FOR
STREETS AND ROAD
REGULATIONS IN
THE CE-1, CE-2 AND
SUBDIVISION CODE**

Chairman Adamson opened the public hearing at 7:05 p.m. Ken Young introduced the topic by explaining that what we are doing is trying to take the information that has been approved in certain parts of the code and in the CE-1 zone and Subdivision code and put it in all the appropriate areas of the ordinance.. The code includes street grades and other requirements for streets and roads. The sections of the code that would be effected are 10-9A-6, 10-9B-10, and 15C-2 . Some of these sections had part of the information but not all of it.

Basically the information being added is:

- No roads greater than 8% shall be allowed in the community on arterial streets
- No greater than 10% slopes on local streets
- An additional 2% can be approved on a case-by-case basis
- Intersection grade was 4% for 100 feet, an added alternative is 3% for 50 feet.

Chairman Adamson asked for public comment. The following comments and questions ensued:

1. Shawn Eliot mentioned that the 10% and 8% road grades have already been passed and approved by the City Council in the CE-1 and Subdivision Code. As a house-cleaning measure, we are now putting these standards into our code so it is more accessible to developers. Right now any developer in the CE-1 area does have to follow these standards.
2. He read the code which will be inserted as follows:

"Grade: No major collector / arterial street shall have a grade of more than 8% and no local street shall have a grade of more than 10%, except that the city council may approve up to an additional 2% grade for short stretches of roadway where, in its opinion, the 8/10% standard would result in undesirable extra earthwork or circuitous routes and that the proposed steep grade section will not result in the establishment of a hazardous condition. It is the responsibility of the developer to present evidence that the additional allowance in grade is desirable. The City Engineer shall provide recommendation regarding hazardous conditions and any other concerns on the proposed steep grade sections.

 1. Roads that cross slopes greater than thirty percent (30%) must be reviewed by the Planning Commission and the City Engineer; they must conclude that such streets or roads will not have significant adverse visual, environmental, or safety impacts.
 2. Streets and roads proposed to cross slopes greater than (10%) are allowed, subject to the following:
 - a. Proof that such street and/ or road will be built with minimum environmental damage and within acceptable public safety parameters.
 - b. Such street and road design follows contour lines to preserve the natural character of the land, and are screened with trees or vegetation.

3. *Cutting and filling is minimized and must be stabilized and re-vegetated to a natural state within 1 year. A stabilization and re-vegetation plan must be approved by the Planning Commission and City Engineer.*

Intersection Grade: The maximum grade of intersecting roads shall be either 4% extending a minimum of 100 feet on each leg of the intersection, or 3% extending a minimum of 50 feet on each leg of the intersection. The grade shall be measured from the edge of the asphalt of the intersecting roadway to the nearest grade break/vertical curve.

Slope: No street providing access to a lot shall be constructed in a location or in such a manner which results in the creation of a slope arch exceeding the critical angle of repose or a disturbed cross section which exceeds the cut and fill slope standards for streets in the city. Any driveway providing access to a buildable area shall have a slope of not more than 12% and shall not result in any cut or fill slopes greater than 7 feet. Any cut or fill between 5 feet and 7 feet shall be subject to planning commission approval."

3. Ken Young mentioned there is nothing new or that is changing other than the intersection code allowing 3% for 50 feet prior to an intersection. Right now our code states you must have 4% grade for 100 feet prior to an intersection. Shawn Eliot mentioned there are a lot of city intersections that do not meet this standard.
4. Shawn Eliot mentioned that this code would make it so that roads followed more closely the contours of the land rather than cutting across large slopes.
5. Scot Bell stated that we are not to alter any land in excess of 30% slope. He felt we needed more restrictions on allowing increases to the 8% and 10%. He felt adding verbiage "*when all other alternatives have been exhausted*" to the wording that talked about going beyond the required grades. Russ Adamson interjected that in these cases, the protection is that these variations must be approved by the Planning Commission. He definitely felt that 30% slopes should not be disturbed by building or roads.
6. Scot also discussed the revegetation concept. He felt we needed to add some verbiage indicating it needed not only to be revegetated but also be maintained for 2 years.
7. Russ Adamson suggested not voting on this motion tonight but having further review how this code applied to the some of the proposed developments.
8. Ken Young felt that additional discussion might need to occur in relation to slopes or language or whatever, but felt tonight's motion is a simple house-keeping motion and needs to go forward. If further review is desired, it can be done at a later date; but we need to go forward with this motion and not add any changes. The intent is to make all the chapters fit together and be consistent. We can continue this discussion at another time and bring it forward as a different proposal.

Chairman Russ Adamson closed the public hearing.

A MOTION WAS MADE BY SHAWN ELIOT AND SECONDED BY DAYNA HUGHES THAT THE PLANNING COMMISSION RECOMMEND TO THE CITY COUNCIL ADOPTING THE PROPOSED AMENDMENT TO THE ZONING CODE PERTAINING TO STREETS AND ROADS IN SECTIONS 10-9A-6, 10-9B-10 AND 10-15-C2, SUCH THAT THE LANGUAGE WILL BRING THE CODE UP TO WHAT THE CURRENT DEVELOPMENT STANDARDS ARE. VOTE: YES-ALL (4), NO-NONE (0), ABSENT (2) KEVIN HANSBROW, ED CHRISTENSEN.

Ken Young, City Planner, suggested that all further agenda items relating to CE-1 code be grouped together (including the above discussed items by Scot Bell and Agenda Item 4 regarding guard rails and curb types in the CE-1 and CE-2 zones) and discussed at one time.

2. FAIRWAY HEIGHTS, PLAT C, CONCEPT

Ken Young introduced the topic by referring to Shawn's comments in the staff report which summarized the problem issues. There are 30 lots being proposed on almost 20 acres with a density of about 1.5 units per acre. The connection of Fairway Drive to Salem Hills Drive is the area of the proposed subdivision.

Ken began by pointing out where the applicant has come into compliance with the code:

1. Show the average slope on each lot.
2. Show missing contour lines on the east and west sides of the development.
3. Change slope of road on Fairway Drive to be under 10% as much as possible.
4. Show buildable area on lots with over 20% slope (Lots 11 and 12)

5. Correct buildable areas to not include any areas which exceed 30% slope.
6. Show secondary water system lines.
7. Correct the typical street section to show 2-1/2" asphalt and a 1" overlay.
8. Meet all engineering, drainage and public works requirements

Ken Young then addressed some of the concerns and questions of the commission:

The following issues have been identified by staff and Planning Commissioner Shawn Eliot in review of this proposal, which will need to be addressed by the Commission and City Council:

1. Does this development meet the intent of the CE-1 Zone?
2. Is the clustering of lots proposed meeting the objective of using flatter terrain?
3. Are the building envelopes meeting the objective of conforming to the natural terrain?
4. Is the Planning Commission willing to approve building upon lots #11 and #12, which have an average slope of over 20%?
5. Are there significant adverse visual, environmental, or safety impacts to the plan for Fairway Drive to go through an area having 30% slopes?
6. Where the road is planned to have a slope of 12%, is there evidence that road will be built with minimum environmental damage and within acceptable public safety parameters?
7. Is cutting and filling minimized?
8. Is the plan for cul-de-sacs meeting the objective for use under unusual circumstances, and is the Planning Commission willing to approve them?
9. Does the plan provide for good location of buildings, roadways, open areas and other elements to accommodate the natural conditions, and will not result in adverse or unsafe conditions?
10. Does the plan provide for re-vegetation of disturbed areas?

He presented these in question form as many of the requirements can be subjective. If anyone has concerns on something that is subjective, we need to understand what they are.

The following discussion ensued:

- a. Shawn Eliot read the following from our code regarding the CE-1 zone: He stated that the intent has never changed for the zone. He read from the code:

"The CE-1 zone consists of those areas of the city which, because of the presence of steep slopes, unique soil characteristics, natural vegetation, or similar natural condition, are susceptible to erosion, flooding, wildfire hazard, or are otherwise environmentally sensitive.

It is hereby declared the intent and purpose of the CD-1 zone is to:

1. *Delineate environmentally sensitive areas within the city and to establish standards and guidelines for the uses and development activities occurring therein which recognize and appropriately balance the diverse interests arising from development, including: 1) the need to the preservation of the natural environmental conditions; b) the need to mitigation of potentially adverse or unsafe conditions arising from development activities; c) the protection of the interests of subsequent purchasers and occupants; and d) the rights of current owners to the reasonable use of the property.*
2. *Avoid or mitigate the potential impact of natural hazards from earthquakes, landslides, floods, fires and similar calamities upon development, and reduce the extent of public involvement of expenditure in subsequent mitigation of the adverse or unsafe conditions.*
3. *Protect and conserve the culinary water supply, sensitive vegetation, soil, wildlife habitat and other natural resources within the area.*
4. *facilitate and encourage the location, design and construction of uses, development projects and building sites in the zone area, which provide maximum safety and human enjoyment, consistent with the natural limitations and the need for protection of the environment.*
5. *Preserve the aesthetic appearance of the landscape. Because of the sensitive nature of the land in this zone, special conditions and requirements are attached to developments occurring therein to promote the implementation of the purposes stated above and to mitigate the potential adverse aspects of developments in the area. The requirements hereinafter set forth are considered the minimum required for the accomplishments of the intent of this*

zone.

- b. Shawn Eliot summarized by stating we are supposed to “tread lightly” in this area.
- c. Dayna Hughes pointed out that in the Land Use Element of the General Plan (Policy No. 10) states *“In order to minimize the environmental hazards and protect the natural character of the hillside, potential development on drainage ways and hillsides should be transferred to land more suitable for development.”*
- d. Shawn stated that the developers are invoking the density bonus in this development. The zone currently allows for 1-acre lots on any slope (building envelope for the house has to be on 30% or less slopes; half-acre lot homes can be on 15% slope or under). If you trade open space for a higher density and build on flatter areas you can do that and have 15,000 sq. ft. lots. The density bonus is trading ability to build on steeper slopes and keep the building on the flatter slopes. There is a 20% minimum requirement of land that can be given.
- e. Regarding the building envelopes meeting the requirement of conforming to the natural terrain, our code states that the building envelope must conform to the natural terrain and can be much smaller than the actual lot. The normal setbacks give you a large envelope on a large lot. You can have a much smaller envelope so it will conform to the slopes.
- f. The dark blue areas on the maps passed out by the developer represent slopes between 20% and 30%. Normally you would want the houses off this area. The proposal here is to flatten that area. This goes against the portion of the code which talks about staying with the natural terrain.
- g. Shawn added that on the road plan the road does not follow the natural terrain in order to avoid property owned by another person who does not want to be a part of this development. Our code discourages cul-de-sacs. We might allow a stub road longer than 400 feet so that when these people do want to develop, the road can go through as planned. This might be one option – to change our code to allow for a longer cul-de-sac. Looking at other cities, we are one of most restrictive in the cul-de-sac requirements.
- h. Our code talks about trying to avoid hillsides and ravines – this area has an underlying requirement of one-acre lots. If you can do one-half-acre lots on really flat land that is great. The code is written to keep the density low. This proposed development is high density.
- i. Russ Adamson mentioned that this development does not meet the intent of the zone.

The applicants were invited to speak

- j. Tony Trane mentioned that commissioner Eliot has gone through a number of iterations of possibilities with them. Scot Bell showed an iteration. He felt if we shifted one of the roads it would minimize the cut by 30%.
- k. Tony mentioned there are two reasons they keep coming back with this same plan:
 - The more they move the road down the hill, the more they impact the natural corridor they want to preserve.
 - They have exhausted the issue of working with Randy Peterson who owns the property in the lower corner. They are trying to impact his property as little as possible.
- l. Tony mentioned three items that are in nonconformance with the code:
 - That they go across the 30% slope
 - That they utilize the 12% slope; (this is workable)
 - They have two lots that cross into higher than 20% ground. They felt that if they request this extra slope, it allows for a straighter, less steep road.
- m. Chairman Adamson asked, re: Lots 10-13, is this terrain all graded such that the original terrain is all gone. Tony answered that this is a hilltop, and typically developments flatten these domes down and it will be graded to be flat. RL Yergensen said the dirt will be removed and not just pushed down.
- n. Chairman Adamson mentioned his concern being that the code calls for maintaining the original condition of the land. When you take the top of the knoll off you have removed all the topographical uniqueness of this area. This goes against the whole intent of the CE-1 code and is where you will have challenges with the commission and with residents in the community.
- o. RL stated that if they did not cut off that area, they would not have fill for another area of the development. Russ asked what the problem would be with leaving those areas for the open space so you don't change the permanent contour, and build the development where it is flatter? RL said they feel this plan will create a more beautiful place, with more desirable lots than any other place in Elk Ridge and people would like to buy them and would build beautiful homes there. To him this is the proper use of land. To provide something for someone to have a house on. Russ reiterated that the vision of the people in the community

- was that the natural hilltop was more beautiful than homes and they want to preserve it. There is a difference of opinion on what beauty is. We have some challenges to overcome.
- p. Shawn Eliot mentioned that the first development RL did which included his home, 75% of the land was left in it's natural state and RL did tread more lightly. When the Mahogany Development was approved it was done so reluctantly with the intention that no more of this type development would be approved. We feel there is too much cutting and filling going on that takes away from the natural environment. RL mentioned there is a wildlife corridor being preserved. RL mentioned there is very little cut.
 - q. One of the residents told RL that the cutting is creating an eyesore in the community. Russ stated that there are a lot of people in the community have seen this development and do not like it and do not want to see more. Someone else complained that this area (RLs unfinished development on Mahogany) is nothing more than a gravel pit and storage area.
 - r. RL Yergensen showed a sample of what the homesites will look like once the Mahogany development is done. Shawn Eliot mentioned that the issue with Mahogany is that it did not conform like it should have, with the terrain of the land. It is almost a complete cut and fill development.
 - s. Shawn Eliot mentioned that the homes on the top of the hill mostly conform to the code, but it is getting up to it that does not conform. Following contour lines and keeping 20% slopes is not adhered to in the design.
 - t. Tony Trane said the City Council has told them they don't want them to come off Salem Hills Drive, and they like this design. They have met with the City Engineer and the City Council a number of times. Trane said they wanted to limit the impact to 30% slope but the people they have talked to have not been as concerned about the hillside as they have with the road coming through and preserving the corridors with significant oak brush. Shawn helped them with one of the designs. Shawn again reiterated the concern with the amount of cutting and filling in taking the hillside down. Filling the ravine to the extent they are doing is a concern. Salem Hills Dr. is high and there will have to be a lot of fill to join into it.
 - u. Tony Trane felt that some of the scenarios Shawn had given them earlier would still have impact in the ravine. Shawn did not feel they would have as much impact as the present plan.
 - v. Shawn mentioned that many of the roads in this area are stub roads, such as Fairway Drive. He did not see a problem stubbing the road into Petersons in order to preserve the Hillside.
 - w. Shawn read from the code regarding slopes greater than 20% *"All land surface outside the buildable area delineated in a grading plan and site plan having a slope of 20% or greater shall remain in its natural state and shall not be graded or otherwise disturbed except for the planting of additional vegetation, or sprinkler irrigation systems. If the establishment of fire breaks and/or access easements is required, or when such disturbance is specifically provided under an approved site plan these areas will be required to be retained or revegetated in manner that can stabilize the slope while maintaining fire breaks."*

...Removal of natural vegetative material. Natural vegetative material shall not be removed except for those portions of the site committed to the dwelling and attendant yard area generally thirty (30) feet around the dwelling and required to accommodate roadways, driveways, retention walls and fire breaks. All areas proposed for removal of vegetative material shall be shown on the grading plan, the site plan, and required revegetation shall be shown.

- x. Tony Trane, engineer, stated that they only wanted to remove vegetation for the dwelling and the attending yard which would be thirty feet around the home.
- y. Chairman Adamson stated that this is a very powerful paragraph that Shawn read and if you go with the letter of our zone we have to deny this whole development because it states that *"all land surfaces outside the buildable area delineating grading plan and site plan having a slope of 20% or greater shall remain in it's natural state."* The fact that you want to flatten that whole area flies in the face of that sentence. Flattening something is not leaving it in it's natural state. We have a major disconnect, you as a developer and we as a Planning Commission. Our code is very clear. The CE-1 zone does not allow for what you have presented. You have got to start over. It does not work.
- z. Scot Bell made the comment that using the development that is about to happen in the south area of town as an example, the precedence has been set that you can cut across 30% with a road. One other problem we have is up in the Oak Bluff Estates Area – there is a lovely cul-de-sac but it has many of the similar challenges this has. Russ Adamson brought up the fact that that area is not in the CE-1 zone. Scot stated that if RL flat topped that knoll and did not

push the dirt out, but left the natural vegetation, when it comes to cuts and fills and developing land, that concept will do more to preserving the natural vegetation than burying it with a backhoe.. Shawn Eliot mentioned that it is not R-1 15,000 and the current code does not allow for that to take place. Tony Trane said the code is subjective and the development is appropriate. He said they could just not push the dirt back though it would decrease the yard and not give a trail for the game to go through. They could just do the home and buildable pad and not push back 30 feet.

- aa. Shawn asked when the City Council had seen this. Ken said they have met with some of the members but it has not gone officially before the City Council.
- bb. Dayna asked if there was any way to use this land and comply with the intent of the CE-1 zone. Many of the feedback forms referred to the fact that they want to keep as much natural environment as possible.
- cc. Russ Adamson said maybe the cold reality of the issue is that the area is not buildable. Maybe you can't get 30 homes in there. Maybe there is only a fourth of it that is really developable. RL stated that it might not be worth developing unless it is done in the way it is presented. Russ stated that that is the risk of being a developer. Right now this does not meet our code. Tony Trane stated that if that land is developed, the hilltop will come down. Chairman Adamson stated that the community's vision is not to cut hilltops down. This commission has to approve this proposal before it can be developed. Right now it does not meet the intent, nor the letter, of the code. You will have to come up with something more creative than you have presented here that maximizes the number of lots using the bonus to the nth degree using the terrain you've got. Again, the intent of the CE-1 zone is to preserve the natural features of the land. I know that is hard for you to hear but that is the reality. If you want to apply for an R-1 15,000 zone change, you can, but right now, it is CE-1.
- dd. RL Yergensen said that in our code it says that for short spaces we are able to do these things we have asked to do. Cut the road in and take off the top of the hill.
- ee. Dayna Hughes said there are too many violations. If there were just one little issue, but there are too many things that do meet the intent of the code.
- ff. Developer's engineer, Tony Trane, stated that Ken did a good job putting the questions together and maybe his (Tony's) recommendation would be to have the commissioners quickly state why these statements (or questions) are not met, then pass the project on to the City Council and get their recommendations after a presentation by the developers. Tony asked if this were an appropriate request.
- gg. Commissioner Eliot stated that our code states that if a project does not meet the code the commission can deny it and withhold it from going to the City Council until it comes back to us in a manner that we feel meets the code.
- hh. Tony Trane: If we could present to City Council with your recommendations and comments on those ten questions, I would think that would be an appropriate request.
- ii. Shawn Eliot: I will say that the characteristics of the land up by the Peterson property is more R-1 15,000-type. The upper area is not. You could come back and present two subdivisions here. Doing the hillside ravine with one acre lots would be good. Going back and forth is not fun, but this plan does not look a whole lot different than what we looked at in December.
- jj. Tony Trane stated that the three criteria they are asking for had been suggested to them as appropriate requests. That is why we presented it as we did to you. (The location of the road in the 30% that cuts across contours).

Chairman Adamson invited public comment. Since this is not a public hearing and we want to keep this short, Ken Young suggested taking comments but with the admonition that if someone else has already said something, don't repeat it. The following comments ensued.

- a. Michelle Calcote: That hilltop may not have tall pine trees on top of it, but you can see it for miles and if you cut it down and put a house on it, it will be an eyesore. It should be protected by its zoning.
- b. Isaac Workman: I think we have an issue here. There is a big disparity here tonight between what you can do and what the code is allowing for. I think the commission has done a good job of focusing on the code itself and preserving the vision of the community. Commissioner Adamson summed it up nicely when he said there is no question that those hilltop lots would have fabulous views and have beautiful homes on them; but the terrain as it is now is far more beautiful and desirable to the residents of Elk Ridge.
- c. Paula Eppley: Maybe the perspective that this retaining wall in no way personifies beauty to

- me compared to the view I have in my back window. The fall colors and wildlife.
- d. Derek Johnson: A question... You stated that right now this project could be dead until it meets the code. Mr. Trane asked if he could at least present to City Council. Personally, I have some fears because of the pro-developer bent of the City Council. Can we keep this in the planning commission until it meet code? Chairman Adamson: That is the plan and the rules.
 - e. Brian Ewell: I understand what the residents here are saying about the hill and preserving it. From my point of view (I am the owner of the hill), it wasn't my intent to buy the hill and make money off it. I wanted to live there. That did not work out. As we looked at our options we considered the residents and that is why we have volunteered to donate almost half of all our property to the City and proposed putting in a nice trail the citizen's can use. If it is in acre lots it is all private property and cannot be used by the citizens of the town.
 - f. Teresa Cain: The residents in the subdivision down below (where Holmans and Grahms live) [Cove Drive] get water in their basement regularly. With the big open center you will have a giant retention pond down there.
 - g. Scot Bell: Question for Ken Young. Can the owner contour as he desires anything under 20%. If any of this development were to encroach on 20.1% that is where we draw the line and there is no flat-topping? Ken Young: I don't know if this applies over the whole property. My understanding is that it is applied to the lots and where you are developing. I don't know if that means you can't do anything to land outside the buildable area greater than 20%.

Chairman Adamson wrapped up this session after going through the 10 questions.

1. Does this development meet the intent of the CE-1 Zone?
Russ Adamson: I don't think anyone here feels it does. Dayna Hughes: because of the terrain. Shawn Eliot: the road code following contours and cutting across 30% slopes is a major factor also.
2. Is the clustering of lots proposed meeting the objective of using flatter terrain?
I don't think it meets the code which encourages aggregating the homes in the flat terrain.
3. Are the building envelopes meeting the objective of conforming to the natural terrain?
No.
4. Is the Planning Commission willing to approve building upon lots #11 and #12, which have an average slope of over 20%?
No.
5. Are there significant adverse visual, environmental, or safety impacts to the plan for Fairway Drive to go through an area having 30% slopes?
Yes, because of the cut and fill.
6. Where the road is planned to have a slope of 12%, is there evidence that the road will be built with minimum environmental damage and within acceptable public safety parameters?
Russ: I think the question there is why do we have to go 12%. Is there some way we can follow the natural terrain. I don't think enough ways have been explored to avoid the 12%.
7. Is cutting and filling minimized?
Dayna: No. There is a great deal of cutting and filling.
8. Is the plan for cul-de-sacs meeting the objective for use under unusual circumstances, and is the Planning Commission willing to approve them?
Ken Young: The code recommends not using cul-de-sacs unless there is not another way to develop the land. You would probably need some cul-de-sacs.
9. Does the plan provide for good location of buildings, roadways, open areas and other elements to accommodate the natural conditions, and will not result in adverse or unsafe conditions?
Dayna: We are not accommodating natural conditions.
10. Does the plan provide for re-vegetation of disturbed areas?
Russ: We haven't seen the re-vegetation plan. Ken Young: there are some comments on the plan referring to re-vegetation.

Chairman Russ Adamson asked the commissioners what recommendations we have for these developers.

Tony Trane asked if there was a more appropriate location for a through-street other than through Peterson's property. Is this the only alternative the planning commission will send forward to the City Council? Shawn Eliot stated that taking it to the Peterson's and stubbing it would provide for less cuts and fills. The road system is providing all the fill at the expense of cutting out the ravine. Russ: I think we would be more accommodating if the road was less impactful. If stubbing at Petersons would cause less impact then we would be much more open to it.

Tony Trane: either way you go you would probably end up with a section of 12% road.

Ken Young: In conversation with the Mayor today prior to the meeting, (I am not sure where this comes from) but he mentioned that perhaps there is not a dead-end with the Peterson property and the door is not necessarily closed. Before the City makes this determination we should have some official statement from the Petersons. Brian Ewell: For the record, I talked to them for about an hour a week ago and he is very much against doing anything with his property.

Shawn Eliot: The Fitzgerald property is flatter and can handle smaller lots. The other portion of the property is much like Woodland Hills and we ought to do something to keep the open feeling of the area and preserve the terrain. I feel having larger lots would do that.

SHAWN ELIOT MADE A MOTION THAT WAS SECONDED BY DAYNA HUGHES THAT WE DENY THIS REQUEST FOR FAIRWAY HEIGHTS, PLAT C CONCEPT APPROVAL AND WE ASK THE DEVELOPER TO GO BACK AND LOOK AT OTHER OPTIONS;

1. **WORK WITH THE PETERSONS, EITHER STUBBING THE ROAD TO THEIR LOT FOR FURTHER ACCESS OR WORKING SOMETHING ELSE OUT WITH THEM.**
2. **LOOK AT THE OTHER SIDE OF THE PROPERTY WHICH HAS THE HILLSIDE AND THE RAVINE, CREATING LARGER LOTS, WHICH FOLLOWS MORE CLOSELY THE INTENT OF THE CODE.**
3. **IN YOUR ROAD AND LOT DESIGN, GO MORE WITH THE LAY OF THE LAND AND FOLLOWING THE NATURAL TERRAIN, THUS MEETING THE INTENT OF THE CE-1 CODE.**

VOTE: YES-ALL (4), NO-NONE (0), ABSENT (2) KEVIN HANSBROW, ED CHRISTENSEN.

MOTION TO MAKE SEAN ROYLANCE, ALTERNATE MEMBER, A VOTING MEMBER FOR TONIGHT.

SCOT BELL MADE A MOTION THAT WAS SECONDED BY SHAWN ELIOT TO MAKE SEAN ROYLANCE, ALTERNATE PLANNING COMMISSION MEMBER, A VOTING MEMBER FOR THE REMAINDER OF TONIGHT'S PLANNING COMMISSION MEETING. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (2) KEVIN HANSBROW, ED CHRISTENSEN.

3. ELK RIDGE CITY GENERAL PLAN REVIEW

Element 2 – The Land Use Element.

Chairman Adamson explained that for tonight we will go through any comments and will revisit the assignment of asking commissioners to read sections 1 and 2 and we will revisit the review for next week. Updates will be drafted. The following discussion ensued:

1. Russ Adamson's changes he suggested last year, which were handed out, were never incorporated into the General Plan.
2. Dayna Hughes reviewed Element 1 using Russ's update.
 - She found one typographical error on page 1 in the last paragraph. It reads "*The community will come full circle...*" There either needs to be a semi-colon or a new sentence started after that statement.
 - On page 2.3, in the middle, there is a pie chart – it should be re-titled so it does not appear that Critical Environment is not residential. That is how it appears now. Shawn Eliot mentioned that when he went before the City Council they stated that the title "Critical Environment" is not good because it leads people to think that this area is not buildable. It might be in our good interest to find a new name, for example "Hillside Zoning" or something similar. Russ Adamson questioned whether we want to

differentiate between CE-1 and CE-2. Ken Young stated that maybe a zoning pie chart would be better, otherwise it could just be eliminated. If it remains, Dayna suggested that Critical Environment be included in the Residential Zone.

Chairman Adamson liked the idea of having “Zoning” be the title for the pie chart. Ken Young stated that it would be a good idea after the “Critical Environment” designation to add in parentheses (Residential).

Shawn suggested possibly changing the titles “CE-1 and CE-2” to “Hillside 1 and Hillside 2”. Ken Young state that if any text is changed in the code, no matter how minor, a public hearing is required.

- On page 6 of Russ’s edits, regarding the “High Density Residential, R-1 12,000 The question was posed whether a developer could put in a 4-dwelling-unit per acre PUD in the CE-1 zone. Ken Young stated that you would only be able to do this as the bonus density in CE-1 allows so you would not be able to put in a 4-unit per acre development. Shawn Eliot mentioned that PUDs are a conditional use and the code states that PUDs are allowed throughout the City. This could be construed as allowing them in the CE-1 zone, though in the CE-1 zone section under “Conditional Uses,” PUD is not listed. This is an area where our code could be cleaned up for clarification.
- On page 9, Policy No. 7, Scot Bell discussed how to use this open space that we are trading for. This states that we should encourage developers to leave open space in it’s natural form. Do we need to update the policy to include the desire for open space to also include parks, ball fields, etc. Shawn Eliot did feel that since we required such a large amount of open space in order to invoke the density bonus, maybe we do need some clarification, as exists in the PUD code. Russ Adamson mentioned he had suggested this on page 12 – stating that the open space referred to in the following text needs to be turned into some type of public facility. He, in his edit, added some verbiage to the public facility section as follows:

“As the community continues to grow care must be taken to adequately plan for adequate public parks, ball fields, picnic areas, swimming pool, etc. The intent should always be to maintain adequate facilities within our boundaries to accommodate our growing population. As established in the Public Facilities Element the City should plan for a minimum of 10 acres of park and trails for every 1000 residents...”

If there was some code that reflected this, then we can say that certain open space, to meet this requirement, has to be turned into some type of public facility. Shawn stated there are about 2,300 residents in Elk Ridge presently. Dayna Hughes induced that we then should have about 20 acres of park space in the City. We now only have a few acres, the City Park. Ken Young mentioned we are acquiring the golf holes and when Randy Young’s development comes in, we will get much more, though the population will also increase. Dayna mentioned we really need to work on the “Public Facilities” section. The General Plan is very important, though, as Shawn stated, it does need to be implemented in the City code. We need to fix the PUD code to reflect the General Plan. Dayna asked Margaret to add this to the agenda (reviewing the Public Facilities Section).

- Dayna Hughes referred to Policy 6 on page 13 – *“Transitions between different land uses and intensities should be gradually with compatible uses, particularly where natural or man-made buffers are not available.”*
I am not sure this really applies to us. This is talking about putting a sound barrier up when you put a freeway in. I wonder if we are doing a good job in transitioning between the PUD and the R-1 15,000 zone. Ken Young mentioned we need a new zoning map as this area designated as animal rights (near the new church) has been changed, and is no longer allowing animals.
- Policies 9 and 10 on page 14. Dayna read:
“Density increases should be considered only upon demonstration of adequate infrastructure and resource availability and amenities and/or open

space preservation.

In order to minimize environmental hazards and to protect the natural character of the hillside, potential development on drainageways and hillsides should be transferred to land more suitable for development."

The message I got tonight as we reviewed RL's project is that they need to supply some density bonus as this land is too steep. That is not a reason, just because they cannot build the way they want. This statement backs up tonight's actions regarding Fairway Heights, Plat C. A good job was done tonight in sticking with the code.

Chairman Adamson asked that for the next meeting, we read again, Element 1, Community Vision, and Element 2, the Land Use Element.

Shawn Eliot mentioned that as he read through these in preparation for tonight, these sections seemed very mechanical and there was a lot of things in them that did not relate to the City of Elk Ridge. They appeared to be "boiler-plated". As an example, they took UDOT's definition for the various types of roads. When we read through we should think of our citizens and make the General Plan more understandable for the lay person..

4. CE-1 & CE-2 CODE AMENDMENT RE: GUARD RAIL AND CURB TYPE

Scot Bell explained that his assignment was to determine whether or not guard rails had any bearing on Nebo School District's willingness to service certain areas. The answer is "yes" and was confirmed by City Recorder, Jan Davis. The question to the commission is do we want to approach Nebo or our City Engineer and find out what the national standard is for guard rails and railings. We need to check with the Mayor to see if we can ask them.

The recommendation by UDOT was to utilize a specific handbook of instructions, which our City Engineer does have. Our Engineer will do that research once he gets authorization from the City Council. Nebo turned Elk Ridge down for bus transportation on the dugway for two reasons. The grade, and no guard rails.

The proposed development on the south end of town is in the same situation slope-wise as the dugway.

Chairman Adamson suggested having the Mayor get our City Engineer to talk to Nebo School District. If this is going to cost money we need to get the Mayor involved. The standard to refer to is: The American Standard Travel Edition. This will then comply to Federal regulations. We can then take these recommendations to Nebo School District and ask if we comply to this, will they take their buses up into that area?

Shawn Eliot mentioned that the fact that we will have shoulders on the roads in this area will make the situation better than that of the dugway. Our current curb and gutter standards did come out of this manual. This manual is also online.

Russ stated that if the cost is under \$500 the Mayor can approve it without having to go to the City Council.

5. PROPOSED AMENDMENT TO CODE REGARDING GATED COMMUNITIES

In doing research, Dayna Hughes had a hard time finding code from other cities related to gated communities. What she would like to see in our code is a statement which says that the vision for Elk Ridge is that it is a community-based, family-oriented community and gated communities are discouraged in the community.

Shawn Eliot asked if we currently allow private roads. City Planner, Ken Young, responded that there is a provision in the code allowing for private roads but it would be a good policy to not have them when we don't need to.

Dayna suggested including this topic with the gated community discussion in the code. She requested that City Planner, Ken Young, write verbiage for the code which discourages or prohibits gated communities or private

Shawn Eliot suggested putting in our street code the statement that private streets are not allowed.

6. APPROVAL OF MINUTES OF PREVIOUS MEETING – FEBRUARY 1, 2007

There were no corrections to the minutes.

DAYNA HUGHES MADE A MOTION THAT WAS SECONDED BY RUSS ADAMSON TO APPROVE THE MINUTES OF THE FEBRUARY 1, 2007 PLANNING

COMMISSION MEETING. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (2) KEVIN HANSBROW, ED CHRISTENSEN.

**7. PLANNING
COMMISSION
BUSINESS AND
FOLLOW-UP
ASSIGNMENTS**

Review Elements 1 and 2 of the General Plan and please make sure you have read the feedback forms.

The feedback forms were discussed.

- Dayna Hughes asked the commissioners what they felt about the citizen response towards economic development.
- Russ Adamson felt that they wanted very limited development.
- Shawn Eliot was surprised at the number of people who would like a small neighborhood commercial.
- Scot Bell felt there are those who would not mind annexing into Salem, taking advantage of their commercial tax base and lower our tax base.

ADJOURNMENT

Dayna Hughes made a motion to adjourn the meeting at 9:30 p.m.



Planning Commission Coordinator

NOTICE OF PUBLIC MEETING – AGENDA

Notice is hereby given that the Elk Ridge Planning Commission will hold a regularly scheduled **Planning Commission Meeting on Thursday, March 1, 2007 beginning at 7:00 p.m.** The meeting will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT, at which time consideration will be given to the following:

- 7:00 P.M.** **Opening Remarks & Pledge of Allegiance**
 Roll Call
 Approval of Agenda
- 1. Planning Commission Business**
 - Welcome and introduce new members:
 Kelly Liddiard, Planning Commission Member
 Sean Roylance, Alternate Planning Commission Member
 - 2. Roadway Right-of-ways Including Sidewalks**
 - Review and Discussion – Shawn Eliot
 - 3. Elk Ridge City General Plan Review**
 - Element 1 – The Community Vision of Elk Ridge**
 - Element 2 – Land Use Element**
 - Element 4 – Public Facilities**
 - 4. Approval of Minutes of Previous Meetings – February 15, 2007**
 - 5. Follow-up Assignments / Misc. Discussion**
 - Agenda Items for March 15, 2007 Planning Commission Meeting

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 27nd Day of February, 2007.



Planning Commission Coordinator

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 27th Day of February, 2007.



Planning Commission Coordinator

ELK RIDGE PLANNING COMMISSION MEETING

March 1, 2007

TIME AND PLACE OF
PLANNING
COMMISSION
MEETING
ROLL CALL

A regular meeting of the Elk Ridge Planning Commission was held on Thursday, March 1, 2007, 7:00 p.m., at 80 East Park Drive, Elk Ridge, Utah.

Commissioners: Russ Adamson, Shawn Eliot, Sean Roylance, Kelly Liddiard, Scot Bell
Absent: Kevin Hansbrow, Dayna Hughes, Ed Christensen
Others: Ken Young, City Planner
 Margaret Leckie, Planning Commission Coordinator
 Nate Richardson

OPENING REMARKS
& PLEDGE OF
ALLEGIANCE

Co-chairman, Russ Adamson, welcomed the commissioners and guests at 7:00 p.m.. Opening remarks were given by Sean Roylance followed by the Pledge of Allegiance.

APPROVAL OF
AGENDA

The agenda order and content was reviewed and approved.

CHAIRMAN ADAMSON MADE A MOTION THAT WAS SECONDED BY SHAWN ELIOT, TO APPROVE AS IS THE AGENDA EXCEPT FOR ITEM 4 – APPROVAL OF THE MINUTES, WHICH WILL BE DONE AT THE NEXT MEETING. VOTE: YES-ALL (4), NO-NONE (0), ABSENT-(3) DAYNA HUGHES, ED CHRISTENSEN, KEVIN HANSBROW

1. PLANNING
COMMISSION
BUSINESS

Chairman Adamson asked Margaret to check the schedule for the upcoming Citizen Planner Training Seminars, put on by Utah Local Governments Trust, for the new commissioners and encouraged them to attend the seminar as soon as possible. Margaret was also asked to get them each a set of code books.

VOTE TO MAKE
ALTERNATE
MEMBER A VOTING
MEMBER FOR
TONIGHT

RUSS ADAMSON MADE A MOTION THAT WAS SECONDED BY SHAWN ELIOT TO MAKE ALTERNATE COMMISSION MEMBER, SEAN ROYLANCE, A VOTING MEMBER FOR TONIGHT'S MEETING. VOTE: YES-ALL (4), NO-NONE (0), ABSENT-(3) DAYNA HUGHES, ED CHRISTENSEN, KEVIN HANSBROW

Chairman Adamson invited the new Planning Commission member, Kelly Liddiard, to introduce himself. Kelly was born and raised in Provo. After getting married, he lived for 10 years in Orem, then for 10 years in Pleasant Grove. He has been in law enforcement for 12 years. He worked 11 years with Pleasant Grove City in law enforcement. He worked in their zoning department. He worked part-time in law enforcement in Orem. He is currently working with the UVSC police department. They moved to Elk Ridge because they liked the small town setting. They have been very happy here.

2. ROAD RIGHT-OF-
WAYS INCLUDING
SIDEWALKS

Included in tonight's packet was a sheet from Shawn summarizing the road right-of-way requirements in several neighboring cities. After the discussion at the last meeting of changing the code regarding meandering sidewalks, in relation to the Doe Hill subdivision, Shawn did some research on other city's standards.

The following points were made.

1. Elk Ridge has a 56' right-of-way on our local streets, smaller than most cities.
2. Street widths in the various cities range from 32' to 36'. We are in the middle at 34'.
3. Planter strips range from 4' to 10' (in Provo). Sidewalks range from 4' wide to 6' wide.
4. In our city, both minor collectors and local roads have a 56' right-of-way. Most other cities have larger minor arterials. Hillside Drive is a narrow road, yet a minor arterial in our city and gets a lot of speeders. We have the smallest right-of-way for minor arterials.
5. We have a 66' right-of-way for major collectors (Salem Hills Drive, Park Drive). We have a 42' pavement and are on the small side in comparison to other cities.
6. 11200 So. is a 66 ft. right-of-way. The road coming into town in the new PUD is 100' wide.

11200 So. has the potential of becoming a very busy road according to a recent County study. The only other arterial in our plan is Loafer Canyon Drive. Salem City is in the middle of doing their transportation plan and would like to work with us on making that a properly designed arterial. Salem has now annexed all that land north of the County road and east of Elk Ridge Meadow's PUD.

7. We are working with the City Council to make Canyon View Drive rather than Loafer Canyon Drive the main arterial leaving town. If Canyon View is designated the major arterial, maybe we upgrade Loafer Canyon Drive to a major collector. It is 60' wide now. The City will not come back in and widen the road.
8. Shawn Eliot mentioned that one option would be to leave the road standard as is and go with a 4' sidewalk and 5' planter on local roads but making the major collectors and arterials 5' and 5'. Chairman Adamson liked that idea. Ken Young suggested on the larger roads keeping the sidewalk at 4' and increasing the planter strip to 6'. Along the major streets there are trails planned.
9. After some discussion, the final recommendation was that the City adopt a 4' sidewalk and 5' planter standard, except on the arterial and major collectors increase the planter to 6'. Shawn will draft a recommendation to go forward to City Council for the commissioners to review at the March 15th Planning Commission Meeting.

COMMENTS FROM MAYOR DUNN

Mayor Dunn attended the meeting for a short time to discuss a few issues and answer any questions from the commissioners. The following discussion ensued:

1. Gated Communities:

Mayor Dunn had heard the commission was discussing gated communities. He brought up the following:

- a. In the past, gated communities have been allowed to develop with different standards than the city in which they resided (lower street standards, etc.). If we allowed gated communities we would change the code to disallow any variance of standards. As long as gated communities are developed according to City Standards, the City Council is fine with allowing them.
- b. We currently have one gated community – the Loafer Canyon Recreation area. He is aware of two others that might possibly be proposed in the future – to be developed by Burke Cloward. One for his family and one for older people. Payson is planning one where the RV area is by the golf course. The entrance would be from Elk Ridge and we would revenue water to them for that and allow them to hook on to our sewer. We are OK with that.
- c. Chairman Adamson stated that at the training seminar, gated communities were discouraged. The reason for this is because of the separatist culture they created in a community (which the Mayor said already exists without the gated community); and also, the crime rate increases in these communities.
- d. Mayor Dunn asked the Planning Commission to write a memo of what they recommend to the City Council, who will discuss the issue at their meeting on the 13th of March. Dayna will be doing the research. The possibility of Margaret drafting the memo was discussed.
- e. Shawn Eliot did not feel that gated communities were in line with the Elk Ridge Vision of a rural community.

2. CE-1 Problem – Grading Permits

There is an issue now in one of the developments underway in the CE-1 zone (RL Yergensen's extension of Mahogany) that the Mayor is not comfortable with. The code states that a grading plan has to be approved by the Planning Commission and signed off by the Building Inspector before the road can be cut. This permit was signed, not by the building inspector, but by our public works director. The cutting work has been going on since last April.

In all cases, except in the CE-1 zone, no one can alter the ground until after final plat and after the bonding is in place. We need to upgrade the CE-1 and CE-2 code to reflect this code already in other zones. RL is in preliminary stage but has been cutting the ground since last year. We have no protection. If he were to die, the ground would stay in this altered state until his estate was cleared and someone else took over and finished the project.

I have suggested language to change the code to prohibit this in the CE-1 zone and bring the standard more in line with the code for the other zones. Ken Young, City Planner, has prepared this ordinance, which also encompasses the CE-2 zone. This code also includes provision for revegetation of the disturbed area.

The proposed code also changes the required signature from the Building Inspector to the City Engineer, who would be more qualified in this area.

The Mayor reinforced the correctness of the decision the Planning Commission had made at their last meeting denying the Fairway Heights, Plat C, proposed preliminary plat in the CE-1 zone due to the fact it did not comply with the CE-1 City code. The Mayor spoke with the engineer, Tony Trane, regarding this development and told him we did not want to see this plat again until it was more in balance with our CE-1 code. This plan had been shown to council member Alvin Harward, but not to the rest of the City Council, as implied at the last meeting.

This code will not be retroactive to projects started before it is adopted. (Cove Drive and Mahogany).

3. Feedback Forms

The Mayor has read these several times. Regarding water issues, he encourages xeri-scape design and putting in drought tolerant plants. We are the second driest state in the nation, but our state is second in the amount of water used.

Some of our secondary water possibilities would be even more expensive than our culinary water.

A lot of misinformation comes back to the Mayor. When you hear something try to double-check it.

4. Citizen Planner Training

The Mayor encourage Sean Roylance and Kelly Liddiard (new Planning Commission members) to attend the training put on by Utah League of Citizens and Towns.

5. Response to Questions Regarding Water Issues

There has been discussion about not changing the base rate, but changing the number of gallons in the base rate (increase), and change some of the numbers in the tiered rates. We are the second highest priced in the County for our base rate. Our neighbors to the east are higher.

The Mayor discussed the wells, pumps, maintenance costs of wells, etc. Based on the growth in the CE-1, we will need another water tank up in that area. The million-gallon tank we are putting in this year will handle all of the northern part of Elk Ridge. We will end up with 2.5 million gallons of storage. That is all this community will ever need.

One of our main concerns is one of our wells going out. If this were to happen we would have to ration water. When the snow is melted, the state is coming down to look at a possible artesian-flow well in the southern CE-1 part of the City.

6. Impact Fees

A study of City impact fees is currently underway.

3. ELK RIDGE CITY GENERAL PLAN REVIEW

A. ELEMENT 1 – THE COMMUNITY VISION OF ELK

Ken Young had to leave the meeting early so gave his suggestions before he left for revisions. His comments were as follows:

RIDGE**EXECUTIVE SUMMARY AND INTRODUCTION**

1. He felt the executive summary and the introduction section are redundant. He felt they could all be put together in an introduction. They appear to both be saying the same thing.

B. ELEMENT 2 – LAND USE ELEMENT**LAND USE ELEMENT****C. ELEMENT 4 – PUBLIC FACILITIES**

2. In the Land Use Element, Element 2, on p. 2.2 the “Land Use Today” portion needs to be updated.
3. Page 2.3 – as Dayna Hughes had mentioned, the title should be “Zoning Pie Chart” and the designation “Critical Environment” should have the word “Residential” in parenthesis after it.
4. We need to update the Future Land use Map on page 2.14 and the Zoning Map on page 2.15 showing the correct boundaries and recent changes.

PUBLIC FACILITIES ELEMENT

5. In the Public Facilities – Element 4, the Water Source Chart on page 4.4 and the Water Rights Chart on page 4.5 may not be appropriate for a General plan as they need constant updating. Maybe some general language that covers this and a reference that states: “see such and such document.”. That constant updating is not the purpose of the General Plan.
6. On page 4.6 the information in the first paragraph under “Water Storage” needs to be updated or removed.
7. The Culinary Water Map on page 4.9 needs to be updated with the new boundaries, etc.
8. On page 4.10 the Sewage information at the bottom of the page needs to be updated or removed.
9. Page 4.13, the Sewer Map needs to be updated.
10. Page 4.17 – The section “Parks, Recreation, and Trails” needs to be updated.

Chairman Adamson asked who is the “keeper” of the General Plan. He was told by Ken Young that it is the responsibility of the Planning Commission to upgrade the general plan. Margaret Leckie mentioned that she has this in Word format. Shawn Eliot mentioned that it was Mountainland that wrote it. Ken Young stated that we as commissioners and Margaret need to keep it current.

Ken Young’s recommendation was to make a more user-friendly General Plan. He brought a sample of one he had prepared for another city. He passed out some copies so the commissioners could see the format. Using color, dividing the plan into sections with charts and graphs makes it a nicer, easier, read. We could take the content of the current plan and put it into a similar format. He formatted this on the computer and could plug our updated text into this type format.

This General Plan would also be good to have on the website. If you have a document that is heavily text-loaded, no color, few pictures or graphics, people will not take the time to look at it. Shawn Eliot mentioned people will feel good about it when there are pictures of their community in it. Chairman Adamson liked the look of Ken’s sample plan.

Ken Young stated that it would be more beneficial to the City and the residents to have this type of format. He suggested that he could do this. He did not feel the cost would be a major increase over what he is already doing for the City. This plan was done in Microsoft Word. Ken Young stated it could be converted to a pdf for the web.

Sean Royslance, who has worked with web documents, felt that the pdf format is sometimes a barrier to people looking at the the complete document. If it were in some format where it was all nicely linked together it might work better. He felt that PDFs are not conducive to read and consume online. Ken mentioned you could do pdf’s by chapter.

Shawn Eliot mentioned that the Mayor has contacted Mountainland to help us with the General Plan and wondered where that approach stood? Margaret will check that out with the Mayor. They create surveys to draw out community input during General Plan reviews.

COMMUNITY VISION ELEMENT:

Chairman Adamson asked for comments on the Community Vision Element. The following comments ensued:

1. Shawn Eliot asked Scot Bell, who was a member of the Planning Commission when the General Plan was drafted, if community workshops were held for input. He stated that when Payson redid their General Plan, they had a big gathering with the Citizens for each section. We need to know if what is in the General Plan is what the community wants. An example would be trails, which is heavily included in the plan; PUDs being encouraged for clustering in order to leave open space, etc.
2. Scot Bell felt the plan (trails, etc.) has always been there but we have not been diligent in having the developers stick to the plan (put in trails, etc.). There is a lot of apathy in the community.
3. Chairman Adamson reviewed the Goals in the Community Vision Element and asked the commissioners if they felt they were still appropriate according to what the community now feels. The following comments ensued:
 - *Goal 1: Provide a small-town rural atmosphere:* Scot Bell mentioned that we might say to provide a blend of...
 - *Objective 1 – Encourage the preservation of agricultural lands within and surrounding the City:* Chairman Adamson felt this was outdated as we do not have many agricultural areas left and where our City is going. The PUD ate up a good portion of this. Shawn Eliot mentioned that even more important is preserving some of the open space and views.
 - *Policy 1: Utilize the Planned Unit Development ordinance to cluster dwellings:* This is no longer up to date.
 - *Policy 2: Continue to allow large animal rights.* This was skipped, as felt not important any more.
 - *Policy 3: Permit future annexations of land that has marginal agricultural value.* The commissioners questioned the need of the keeping this policy in the General Plan.
 - *Objective 2: Encourage rural development design.* Scot Bell felt the community has evolved from a small rural town to a small city community. They like a curb. It is a more metropolitan rather than rural. Rather than describe Elk Ridge as “rural,” it might be described as a small community. “Hillside City” might be a better description than “rural.” It might be described as having the benefits of living in the city with the feel of the smaller community. Maybe the right wording might be Elk Ridge is a “blend” of...
 - *Policy 1: Discourage the use of sidewalks in certain zones:* Outdated.
 - *Policy 2: Encourage the use of rural design themes such as rail fencing.* Not apply for the major portion of town.
 - *Goal 2: To provide well-planned open space and recreational areas:* Chairman Adamson felt this was still appropriate. Scot Bell mentioned we are anemic when it comes to recreation: i.e. parks, trails, etc., but we still do want this as a goal.
 - *Policy 1 – Require development to mitigate its impact on parks through the payment of park and recreation impact fees:* Scot said we have been collecting impact fees but not requiring developers to put in recreational amenities.
 - *Policy 2: Determine appropriate locations for parks, trails and other recreational facilities and preserve them through development agreements:* Russ Adamson stated that with Elk Ridge Meadows PUD we did implement this and will be getting open spaces and trails. Shawn Eliot added that we have acquired some of the golf course and will be putting in

some park area. This is our second year of applying for trail funding. We do have a problem in telling developers where to put trails but we are making some progress. Sean Roylance felt this policy still fits.

- *Policy 3: Encourage cluster type development to preserve open space and Planned Unit Developments to provide recreational areas.* Chairman Adamson questioned using the wording “Planned Unit Development”. Maybe cross out this wording.
- *Goal 3: To create a family-oriented and friendly community that is a great place to live.*
 - *Objective 1: To create a family-oriented community:*
 - *Policy 1: Provide recreational opportunities that would be of interest to families:* Still applies.
 - *Policy 2: Encourage neighborhood design which provides for safe areas for children..*
 - *Policy 3: Ensure traffic calming measures are incorporated in the design of projects and developments.* Shawn Eliot questioned whether we have been doing this.
 - *Objective 2: To create a friendly community that is a great place to live:* Chairman Adamson stated this is a rather general statement
 - *Policy 1: Promote the development of opportunities for diversity within the community:* Still applies.
 - *Policy 2: Encourage neighborhood as well as city-wide functions to further interactions among residents.* Shawn Eliot – How do we do this? Neighborhood block parties?.
 - *Policy 3: Establish a community beautification program.*
 - *Policy 4: Create mechanisms to increase citizen input on ways to make Elk Ridge a better community.* The feedback forms were a good start (Shawn Eliot). Russ Adamson suggested creating a website that is interactive. This website could be more useful.
 - *Policy 5: Encourage the use of Planned Unit Developments (PUD) as a method of preserving open space and other significant community amenities.* Shawn Eliot stated we have done this but now need to determine if we want to do more of this type development.

Shawn Roylance questioned how much public input we want to solicit in the review of the General Plan. Shawn Eliot stated we could use the newsletter and website to solicit public opinion. Chairman Adamson felt we should utilize the internet much more. We should have a campaign to get everyone's email addresses. A resident could then opt to not get the hardcopy newsletter, but instead get the electronic version.

Regarding getting input for the General Plan update, Chairman Adamson stated we could put a statement in the newsletter that “*we are updating the Community Vision Element of our General Plan this month, please go to the website to give feedback.*” We could then put a link on the website where they could give their input. There are lots of ways that we can use this electronics age.

Margaret Leckie mentioned that the Mayor had put out the idea that it would be nice to get certain portions of the web page so that office staff could put things on it and update certain portions of it. Sean Roylance said there are blogs not that are easy to put up that allow people to put up comments but can be restricted as to who posts the original blog topic post. Margaret questioned that if our webmaster created a link to such a blog, it would be a step to becoming interactive with the community.

Sean stated that the nice thing about a blog is that it is very easy to create new pages but the style is already there. It would be a good place to create separated topics of interest. Add to the agenda for next time: *Interactive Ways to Get Community Feedback.* Shawn Eliot felt this would be an important item to make the community feel more a part of things.

Sean Roylance said you can implement security issues. BYU keep the comments cleaned up on

their sport input blogs by requiring people use their full real name.

**4. APPROVAL OF
MINUTES OF
PREVIOUS MEETING**

The minutes were not completed. They will be reviewed, along with the minutes of this meeting, at our March 15, 2007 meeting.

**5. FOLLOW-UP
ASSIGNMENTS /
MISC. DISCUSSIONG**

Chairman Adamson asked if everyone had a copy of the Feedback Forms the Mayor had copied. Russ gave Sean Roylance his to review and asked Margaret to get Kelly Liddiard a copy or Shawn said he could give his to Kelly.

Everyone please read Elements 2 and 4. Make notes on things you obviously want to change so we can get a draft form of the changes. Shawn Eliot suggested that each Planning Commission Member take a section that was of particular interest to them to be in charge of. Shawn Eliot was asked to be in charge of the Land-Use Element. Russ said he would review that with Shawn. Scot Bell volunteered to be in charge of the Public Facilities Element.

Russ said he will make a stab at updating the Community Vision Element.

Shawn Eliot reported on information from the last City Council Meeting which he attended last Tuesday.

1. The Road Ordinance which we proposed was accepted with two changes. They wanted to remove reference to accepting 10% slopes on major roads and 15% on local roads so proposed that code be changed in the CE-2 code also. Regarding cutting roads to a minimum – they wanted more definition on what specifics are involved in keeping cutting and fills to a minimum means.
2. The Council is very concerned about what RL is doing with his property (extension of Mahogany). It appears to have been turned into a gravel pit. We need to do a better job of stopping further actions similar to that. RL had tried to have a neighborhood meeting to boost support of his proposed Fairway Heights, Plat C proposal. He was told by the neighbors that the Planning Commission is doing a good job in that regard, and there is no need for a neighborhood meeting.

ADJOURNMENT

Russ Adamson adjourned the meeting at 9:30 p.m.


Planning Commission Coordinator

NOTICE OF PUBLIC MEETING – REVISED AGENDA

Notice is hereby given that the Elk Ridge Planning Commission will hold a regular Planning Commission Meeting on Thursday, March 15, 2007 beginning at 7:00 p.m., the Planning Commission Meeting will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT. During the meeting time consideration will be given to the following:

- 7:00 P.M. Opening Remarks & Pledge of Allegiance**
Approval of Agenda
- 1. Essential Roadway Improvements Impact Fee**
 - Review and Discussion – Brent Arns
 - Set Public Hearing re: Road Impact Fee Analysis and Recommendations, for April 5, 2007
 - 2. Cloward Estates, Plat B, Final**
 - Review and Discussion – Ken Young
 - 3. Loafer Heights Subdivision – Lot Line Adjustment**
 - Review and Discussion – Ken Young
 - 4. Set Public Hearing for Ordinance Amendment to City Code re: Flag Lots April 5, 2007**
 - Review and Discussion – Ken Young
 - 5. Set Public Hearing for Ordinance Amendment to City Code re: Grading Plan and Permit for Development in CE-1 and CE-2 Zones for April 5, 2007**
 - Review and Discussion – Ken Young
 - 6. Elk Ridge City General Plan Review**
 - Element 1 – The Community Vision of Elk Ridge – Russ Adamson
 - Element 2 – Land Use Element – Shawn Eliot
 - Element 4 – Public Facility Element – Scot Bell
 - 7. Interactive Ways to Get Community Feedback**
 - Review and Discussion
 - 8. Approval of Minutes of Previous Meetings – March 1 and March 15, 2007**
 - 9. Planning Commission Business**
 - 10. Follow-up Assignments / Misc. Discussion**
 - Agenda Items for March 8, 2007 Planning Commission Meeting

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 14th Day of March, 2007.


 Planning Commission Coordinator

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 14th Day of March, 2007.


 Planning Commission Coordinator

ELK RIDGE PLANNING COMMISSION MEETING
March 15, 2007

**TIME AND PLACE OF
PLANNING
COMMISSION
MEETING
ROLL CALL**

A regular meeting of the Elk Ridge Planning Commission was held on Thursday, March 15, 2007, 7:00 p.m., at 80 East Park Drive, Elk Ridge, Utah.

Commissioners: Russ Adamson, Shawn Eliot, Scot Bell, Kelly Liddiard, Kevin Hansbrow
Absent: Sean Roylance, Dayna Hughes
Others: Ken Young, City Planner
 Margaret Leckie, Planning Commission Coordinator
 Brent Arnes, City Engineer
 Joanne Bigler, Dennis Jacobson, Carissa Nosack, Ron Cutler

**OPENING REMARKS
& PLEDGE OF
ALLEGIANCE**

Chairman, Russ Adamson, welcomed the commissioners and guests. Opening remarks were given by Kevin Hansbrow, followed by the Pledge of Allegiance.

**APPROVAL OF
AGENDA**

The agenda order and content were reviewed. There were no corrections or changes.

A MOTION WAS MADE BY RUSS ADAMSON AND SECONDED BY KELLY LIDDIARD, TO APPROVE THE AGENDA FOR THE PLANNING COMMISSION MEETING FOR MARCH 15, 2007. VOTE: YES (5), NO-NONE (0), ABSENT (2) DAYNA HUGHES AND SEAN ROYLANCE.

**1. ESSENTIAL
ROADWAY
IMPROVEMENTS
IMPACT FEE**

Brent Arnes, from Aqua Engineering, the City Engineering firm contracted by the City, discussed the proposed Road Impact Fee. He brought along a copy of the Impact Fee Study. None of the commissioners had seen this document prior to the meeting.

The following discussion points followed:

- a. The impact study done by Aqua included water, sewer and roadway improvements. The Park Impact Fee was not reviewed. The fee under discussion tonight is the Essential Roadway Improvement Impact Fee.
- b. The first thing reviewed was the demographics, or the number of residential connections. The projected build-out of Elk Ridge is 9,860 residents. Currently we are approximately 2,000 residents. When considering the number of units serviced (one home being one unit), this takes into account the churches, etc. There are currently about 542 units in town. Projected build-out is 2,240 units (build-out is project to 2040 AD).
- c. The water and sewer impact fees were presented to City Council on Tuesday. The sewer will be contracted with Payson.
- d. There were 7 essential road projects the City wanted to accomplish that were selected by the Mayor and City Council as follows:
 1. Add curb and gutter on the side of Loafer Canyon road to help prevent erosion onto the hillside.
 2. Finish Salem Hills Drive, between the current east and west finished portions.
 3. Extend Salem Hills Drive next to Canyon View Drive, add curb and gutter and widen it where it comes out on the South end.
 4. Extend Goosenest near Cloward's subdivision and install curb and gutter.
 5. Extend the north end of Hillside Drive down to Elk Ridge Drive.
 6. Widen High Sierra. *(there was much reaction among the commissioners and they wondered if this was something that was not caught and updated after recent discussions of taking a road behind Hillside Drive.)* Shawn mentioned that the City Council approved a road behind High Sierra about a month ago. Ken Young mentioned that at one point there was discussion about widening High Sierra and use it as the main arterial to that area, and maybe that is where this mistake was made.

7. Build some commercial roads in the commercial district where the possible new City Infrastructure will be built down in the north east corner of the City. This would include the new round-about.
- e. Brent mentioned this is just the direction they are taking and nothing is final yet.
 - f. Brent stated the City Council did identify some other areas of concern: Elk Ridge Drive near the church where rocks in the road are a problem. You commissioners can also input other areas.
 - g. Scot Bell mentioned that the Circulation Element that was approved in the south end of town clearly stated that there would be two egress roads and the next development would include one out the Loafer end of town. Before we expand High Sierra we need to look at this. Shawn Eliot understood that when they took the concept road plan for this area to City Council, they said they would not let the development go forth with just one egress.
 - h. Chairman Adamson asked that if the premise of the study was “what do we charge developers for their share of the improvements in the new area?” Do we collect just enough money to pay for the roads in the new development? He quoted the new mayor in Highland who said that no matter how much they collected it will not pay for the actual improvements. Brent responded that we cannot collect impact fees for above and beyond the cost of the actual improvement. He stated that the road impact fees are a bit unique. Every 4 or 5 years the fee structure should be reviewed.
 - i. Scot Bell asked if impact fees covered storm drainage systems? This is part of the development. Brent mentioned that this has not been added in. Brent said it is possible to still add these fees in. Another impact fee Russ mentioned that the Mayor of Highland recommended is a Public Safety Impact Fee. This would include funds for a police force, and funds for dealing with traffic calming, etc. The road projects have been costed and the proposed impact fees will pay for them. We have put them in as being installed at the rate of one per year.
 - j. You cannot bond for road improvements. If the developer puts in the improvements, for example finishing the unfinished portion of Salem Hills Drive. The developer can put it all in now and be reimbursed through impact fees.
 - k. The road impact fees are hard to manage on the secretarial and accounting side.
 - l. Russ Adamson asked for a feel of what fees might be assessed for roads. Brent responded that the water impact fee increased the most. It went to about \$4,640. Currently it is \$3,500. The road impact fee is only \$615 per unit.
 - m. Scot Bell asked when the park impact fee was last reviewed. Russ Adamson mentioned we do not collect a Public Safety Impact Fee. Scot Bell added that neither do we collect a storm drainage impact fee. This is part of our infrastructure and needs to be addressed.
 - n. Russ asked what our responsibility was regarding setting the public hearing. Ken Young felt that the Planning Commission setting the public hearing might not be the correct action. It is his understanding that impact fees are adopted by cities by resolutions at the City Council level. He did not think there is a public hearing required by the Planning Commission. Ken Young said if there was a hearing required, it was done at the City Council level, then they adopt it by resolution. He did not think there was any further action required by the City Council other than a review. This is just for information, discussion and recommendation.
 - o. Kevin Hansbrow felt that a Public Safety Impact Fee would also be a good idea and should be discussed at the joint meeting. Chairmain Adamson also felt that an update to the Parks and Recreation Impact fee should be done. Scot Bell felt an impact fee should be put in place to cover maintenance on our storm drains and sewage drain system. Shawn Eliot felt that the portion of Elk Ridge Drive by the church that is falling apart should be a higher priority than Salem Hills Drive. Chairman Adamson also suggested some improvements on the dugway be added to the list of improvements needed.

- p. Russ Adamson remembered that the City already had a commitment from the developer to upgrade the southernmost portion of High Sierra where it stub ends.

The issues to be addressed at the joint work session with the City Council, as summarized by Chairman Adamson, were:

1. Improvement to the dugway be made a priority. Scot Bell stated that we forfeited an opportunity for the developer to put curb and gutter in along the dugway, and now the residents are going to have to pay for it. Scot said that UDOT has told us that curb and gutter along CE streets is imperative if you are not going to have guard rails.
 2. Elk Ridge Drive between the church and Goosenest on the east side should be added to the project list.
 3. Item no. 6 – High Sierra Widening – should be replaced as noted on the adopted transportation plan which shows the major collector being a new road behind High Sierra Drive.
 4. The assigned priorities to the improvement projects need to be changed.
 5. An update to the Parks Impact Fees be looked at.
 6. Look at the possibility of adding a Public Safety Impact Fee and making sure we are covered on drainage and storm drain issues in the Road Impact Fee.
- Kevin Hansbrow said he had spoken with the assistant Fire Chief and he had spoken of wanting to acquire another fire engine in order to service the new growth. Chairman Adamson added that the Mayor of Highland had strongly emphasized that we should be collecting for a police force now. These both would be covered under a Public Safety Impact Fee.

Chairman Adamson requested that Margaret set up a joint work session with the City Council to discuss the above-mentioned items relating to the impact fee study

2. CLOWARD ESTATES, PLAT B – FINAL PLAT

Ken Young mentioned that the developers of this project had been given a list of items to be completed according to staff before this project can be recommended to City Council for approval. There are 8 items as listed on the memo included in tonight's packet. Those items are:

1. Show a signature line for SEDS.
2. Add City Development Standards detail for sumps.
3. Show the installation of curb and gutter on Goosenest Drive along Lots 28 and 29.
4. Show a fire hydrant top be installed on the corner of Lot 28, or across the street in the Plat A area.
5. Show a pressure-reducing valve at the corner of Goosenest and Burke Lane.
6. Show the addition of an 8" water line up to Dot Drive and continuing along to Lots 28 and 29.
7. Show a note to cap the ends of the pressurized irrigation lines.
8. Correct lot width on Lot 28 to show a minimum of 100 feet (there is sufficient width on neighboring lots to make this correction).
9. One item not caught at the TRC and mentioned by Ken Young as not being on the plat is sidewalks.

Russ Adamson questioned sidewalks, full roads and sump locations.

- a. Shawn Eliot mentioned that on Dot Drive it shows a 47-foot wide road and it should be a 56-foot wide road.
- b. Scot Bell asked whether the secondary water lines would be laid in the middle of the street with lines going off to the homes or would that main go under the park strip where trees would be planted on top of it? Ken Young stated that it was his understanding the recommendation from engineering was that it be placed in the park strip. The pipe will be about 4' deep. Russ Adamson discussed the trade-offs. If it is in the street you have to dig up the street. If in the park strip, you may have to deal with tree roots. Kevin Hansbrow and others discussed the possibility of coming up with a list of acceptable trees that could be planted in the strip that would probably not create root problems.
- c. The first page of the submittal does not show Goosenest as a 66-foot wide road, but in the detail drawings, it is shown as a 66-foot wide road. This needs to be corrected on the first page.
- d. Brent Arnes, from Aqua Engineering, stated, when questioned by Scot Bell, that this

- subdivision is not in the well-head protection area.
- e. The name of Dot Drive was questioned. As it has been approved by the City Council at the preliminary level, Ken Young suggested that if the commissioners had a big problem with the name, to approach Mr. Cloward directly as this is the developer's prerogative to name the road.
 - f. Shawn Eliot mentioned that a trail had been approved along Dot Drive and it is not shown on the Plat.

A MOTION WAS MADE BY RUSS ADAMSON AND SECONDED BY SHAWN ELIOT TO DENY CLOWARD, PLAT B – FINAL PLAT AND NOT SEND IT FORWARD TO THE CITY COUNCIL FOR CONSIDERATION UNTIL THE FOLLOWING CONDITIONS ARE MET:

- a. **SIDEWALKS BE INCLUDED**
- b. **FULL-WIDTH ROADS BE SHOWN, PARTICULARLY ON DOT DRIVE**
- c. **THE TRAIL BE INCLUDED**
- d. **GOOSENESS BE SHOWN AS A 66-FOOT WIDE ROAD**
- e. **OTHER ITEMS MENTIONED, BUT NOT YET COMPLETED, IN ITEMS 1-8 ABOVE.**

VOTE: YES-ALL (5), NO-NONE (0), ABSENT (2) DAYNA HUGHES, SEAN ROYLANCE.

3. LOAFER HEIGHTS SUBDIVISION, LOT LINE ADJUSTMENT

Ken Young, City Planner, mentioned that basically, what the applicant is doing in this request, is adjusting the lot lines on Lots 3, 4 and 5 to allow a larger buildable area on Lot 5 as there is an easement on Lot 5 which makes it difficult to meet the set-back requirements.

SHAWN ELIOT MADE A MOTION THAT WAS SECONDED BY KEVIN HANSBROW TO RECOMMEND APPROVAL OF THE LOAFER HEIGHTS SUBDIVISION, PLAT A LOT-LINE ADJUSTMENT FOR LOTS 3, 4 AND 5 AS SHOWN ON THE DRAWING IN TONIGHT'S PACKETS. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (2) DAYNA HUGHES, SEAN ROYLANCE.

4 SET PUBLIC HEARING FOR ORDINANCE AMENDMENT TO CITY CODE REGARDING FLAG LOTS

Ken Young stated that our current code allows one lot to be serviced by a flag pole stem. Some cities do allow more than one lot to be serviced by a single stem. The code in tonight's packet was borrowed from Pleasant Grove. They allow up to three lots to be serviced by a common stem. The stem would be a separately platted lot which would be maintained by the lots serviced by the stem. This code was presented to the commissioners.

Mr. Young went on to state that this stem is a private drive but also is the right-of-way for all the utilities. He stated that some communities do not allow any flag lots, but most allow some form of flag lots. The middle-of-the-road is to allow one lot to be serviced by a stem. The applicant is proposing allowing 3 flag lots.

The following discussion ensued:

1. Russ Adamson mentioned he is aware of where the Elk Haven developers want the flag lots. He mentioned concern due to slopes and the amount of run-off common in that area.
2. Ken Young showed the flag lots proposed in the Elk Haven Subdivisions. One is in Plat C, where there are two flag lots proposed off one stem. In Plat E there are three lots proposed which would come off one stem.
3. Shawn Eliot stated that we are basically saying this is a private road and we are allowing it to have a sub-standard width.
4. Currently the code does allow for one flag lot on one stem. Ken Young stated it would be assumed it would have to meet driveway standards. He stated that the maximum length of 150 feet would not work. That would have to be extended to about 180 feet.
5. Shawn Eliot suggested having the fire marshal look at the proposed flag lots and give his input.
6. The slope study of this area was examined.
7. Russ Adamson discussed the concept of the flag lot road. He questioned whether it was to follow the road standard, or the driveway standard. Kevin Hansbrow suggested that if it is under a certain length (say 150-feet) that it adhere to driveway standards; if over that length, then it adhere to road standards. Shawn Eliot read outloud from the code that the stem is a

- “driveway connected to a public street.
8. Scot Bell stated that according to our code re: slopes, what the developer has proposed is allowable. You are not supposed to build on anything over 20% and not cut any slopes greater than 30% (for roads, etc.)
 9. Shawn Eliot stated that you can put a building envelope on 20-30% slopes, with approval. Anything over 20%, and not in the building envelope, must be preserved.
 10. Shawn Eliot expressed concern over the 24-foot wide entrance with no required turnaround for a fire truck. Again, Shawn suggested having the fire marshal look at the proposed lot configuration.
 11. Scot Bell asked if there was a limit on the length of the driveway. Shawn Eliot stated the back of the house can be up to 500 feet from the city street and the driveway can be long enough to reach the front of the house.
 12. Ken Young stated that it would be the burden of the developer to show the lot was not developable under normal procedures before a flag lot would be approved.
 13. When questioned about a cul-de-sac, Ken Young replied that a downhill sloped driveway situation, which exists here, is not the best arrangement for a cul-de-sac.
 14. Shawn Eliot mentioned that a fire hydrant should be required on the stem.
 15. Russ Adamson stated that a dead-ended, sloped cul-de-sac as this one would be, is a very bad situation.
 16. Ken Young stated that just because we amend the code to allow for 3 lots on a stem, does not mean that the City Council will approve this configuration on this property.
 17. The current code allows one lot per stem. This code would allow up to 3 lots off of one stem. You could not get a variance if the code only allowed one lot in order to get three off one stem. Ken Young stated that you get variances on hardships that are non-self-imposed. This is a difficult thing to get.
 18. Russ Adamson stated we will proceed in setting the public hearing, but what he is hearing is one lot off a stem is sufficient, and second, any kind of road or driveway will need some restrictions placed on it.
 19. Scot Bell questioned whether there was a limit to the number of flag lots that could be developed in a single subdivision or neighborhood. Ken Young stated there is no limitation at this point but it is intended to be subject to the condition that there is no other way to develop the ground, so it would be difficult to approve a subdivision with many flag lots. Shawn mentioned that looking at their proposal, they are only doing this in 2 situations so they have been trying to develop in the conventional manner.

SCOT BELL MADE A MOTION THAT WAS SECONDED BY KELLY LIDDIARD TO SET A PUBLIC HEARING FOR APRIL 5TH, 2007, TO CONSIDER AMENDING THE ELK RIDGE CITY CODE REGARDING FLAG LOTS IN SECTIONS 10-2-2 AND 10-12-25. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (2) DAYNA HUGHES, SEAN ROYLANCE.

5. SET PUBLIC HEARING FOR ORDINANCE AMENDMENT TO CITY CODE REGARDING GRADING PLAN AND BUILDING PERMIT FOR DEVELOPMENT IN CE-1 AND CE-2 ZONES

Chairman Adamson stated that the Mayor gave us some information, and based on that information, Ken Young put together some verbiage to make the CE-1 and CE-2 zones come into the same compliance as other zones regarding issuance of grading permits. This is basically a house-cleaning step.

The following discussion ensued:

- a. Shawn Eliot asked if this referred to the final plat? He thought there was some place in the code that stated you could have your grading plan approved at the same time as preliminary plat approval. Ken Young explained that the approval of a grading plan does not necessarily allow you to get a grading permit and begin grading. You must have final approval, all fees paid, bonding in place, etc., before you can get a grading permit.
- b. Part of the required grading plan would be the revegetation plan.
- c. Scot Bell stated that he felt that a time limit needs to be put on the grading portion of a project. Shawn Eliot mentioned the City Council was aware of this. Ken Young felt the bonding requirements would be a natural time limiting element as it is only good for two years. Shawn stated he would still be more comfortable with a stated time limit, if only as a reminder. Scot felt it was also a safety issue. Chairman Adamson suggested some added

verbiage to address the time limit before the public hearing. Ken Young asked the commissioners to come up with that verbiage.

- d. Ken Young stated that unfortunately, RL fell through the cracks on his Mahogany project (Oak Hill Estates, Plat D). This is what we are trying to prevent from happening again with this code amendment.
- e. Scot Bell brought up another situation where the road was torn up for several months and the project should have proceeded at a faster rate without having the road out of commission for so long. He felt there was a lot of settling that took place that might not have otherwise.

SHAWN ELIOT MADE A MOTION THAT WAS SECONDED BY KELLY LIDDIARD TO SET A PUBLIC HEARING FOR APRIL 5TH, 2007, TO CONSIDER AMENDING THE ELK RIDGE CITY CODE REGARDING THE ISSUANCE OF GRADING PERMITS, IN SECTIONS 10-91-7 AND 10-9B-9. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (2) DAYNA HUGHES, SEAN ROYLANCE.

6. ELK RIDGE GENERAL PLAN REVIEW, ELEMENTS 1, 2 AND 4

The following commissioners were to report on the following Elements of the General Plan:

Chairman Adamson Element 1 – Community Vision
Shawn Eliot Element 2 – Land Use Element
Scot Bell Element 4 – Public Facilities Element

The discussions were postponed. It was decided to take the Planning Commission meeting scheduled for April 19th for these review, and not schedule any other agenda items unless urgent.

7. INTERACTIVE WAYS TO GET COMMUNITY FEEDBACK

The following discussion ensued on this matter:

- a. This item was tabled until Sean Roylance could be present. He has put up a simple interactive blog for display. This would be a place where the public could comment and leave the opinions about city happenings.
- b. Shawn Eliot said that one of the main topics of community interest is new subdivisions. He did some research on other city's codes to see how they handled this community interaction. Provo has neighborhood chairmen who help decide whether a public hearing is necessary on new subdivisions. Saratoga Springs does public hearings for everything. Salt Lake City only has public hearings for their hillside zones. Sandy City holds a public hearing on all their subdivisions at the Planning Commission level. It is the responsibility of the developer to provide the city with addresses of residents within 300 feet of the subdivision for notification of the public hearing. Shawn was not sure what the LUDMA law stipulated regarding public hearing.
- c. Dennis Jacobson, an Elk Ridge resident in attendance at this meeting, expressed dismay that his neighbor did a lot split and he was never informed of the split until after it happened. Shawn Eliot responded that if the ordinance allows for these projects, they can go forward regardless of the public opinion. Having a public hearing would, however, allow the developer the option of revising a project to more comply with the wishes of the neighbors, if he so chose. Most of the commissioners were in favor of holding public hearings to inform the public of projects.
- d. Mr. Jacobson asked if the public was informed of Elk Meadows PUD. Ken Young explained that, according to the statutes, notices were sent to people within 300 feet of the project. Those in the south end of town were not notified. This is what the requirement is regarding a zone change, or change in land use ordinance.
- e. Ken Young stated that we need to decide, whether it is required in state code, or not, whether we require a public hearing for subdivision approval. Right now when we do send notices, we are also required to place notice on the web and in 3 places in town.
- f. It was suggested by Russ Adamson that we develop a table similar to the one that Shawn Eliot passed out tonight stating when public hearings are required and at what level. Russ Adamson suggested we make some code changes to require public hearings for subdivisions. Ken Young suggested checking the state code and if they require it, update our code. If not, we may want to add it anyway so public hearings are required in

the subdivision process. The commissioners just have to remember, that regardless of the clamor, if the code allows for a subdivision then they must recommend approval.

**7. APPROVAL OF
MINUTES OF
PREVIOUS
MEETINGS – MARCH
1, 2007 and MARCH 15,
2007.**

March 1, 2007 review of minutes:

1. Russ Adamson pointed out the question marks on page 5 in reference to Policy 3. Margaret wondered what the feelings of the commissioners were regarding keeping this policy regarding annexation. It was decided to add to that paragraph "*The commissioners questioned the need of the keeping this policy in the General Plan.*"
2. Shawn Eliot pointed out on Page 2, there is a "10" with nothing after it. That should be deleted.
3. Margaret Leckie suggested on Page 4, second to last paragraph, removing the last half of the sentence "*rather than throw it on Margaret*".

RUSS ADAMSON MADE A MOTION THAT WAS SECONDED BY SCOT BELL TO APPROVE THE MINUTES OF THE MARCH 1, 2007 PLANNING COMMISSION MEETING WITH THE ABOVE CORRECTIONS. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (2) DAYNA HUGHES, SEAN ROYLANCE.

February 15, 2007 review of minutes:

1. Theses minutes were delivered to the commissioners under separate cover and were not in their packets. Several of them had not reviewed these minutes. It was at this meeting that Fairway Heights, Plat C, was reviewed in detail and denied. It was decided to review these at the next meeting.

**7. FOLLOW-UP
ASSIGNMENTS, MISC.
DISCUSSION**

- a. Chairman Adamson felt we had all the positions on the Planning Commission filled.
- b. Margaret Leckie discovered after the meeting that there is one position open. We lost 3 commissioners: Chad Christensen, Robert Wright and Ed Christensen. We have only replaced two of them. Sean Roylance was appointed as an alternate member and Kelly Liddiard as a regular member.
- c. The Citizen Planner Training was discussed for the new members. Margaret was asked to follow up on which session would be best for the new members. The April session is filled and the next two sessions are in May and September.
- d. Chairman Adamson reminded Margaret to set up a joint work session with the City Council and to let the Mayor know of the concerns of the Planning Commissioners. Margaret reviewed the items listed in the Impact Fee Agenda item, Item No. 1.

ADJOURNMENT

Russ Adamson adjourned the meeting at 9:00 p.m.

Margaret Leckie

NOTICE OF PUBLIC MEETING – AMENDED AGENDA

Notice is hereby given that the Elk Ridge Planning Commission will hold two Public Hearings: one on a proposed amendment to the Elk Ridge City Code regarding Flag Lots and one on a proposed amendment to the Elk Ridge City Code regarding amending the CE-1 and CE-1 code regarding grading permits. These hearings will be held on Thursday, April 5, 2007, beginning at 7:00 p.m. prior to the regularly scheduled Planning Commission Meeting on Thursday, April 5, 2007 beginning at 7:10 p.m. The meetings will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT, at which time consideration will be given to the following:

7:00 P.M.

Opening Remarks & Pledge of Allegiance

Roll Call

Approval of Agenda

1. **Public Hearing for Ordinance Amendment to City Code re: Flag Lots in Sections 10-2-2 and 10-12-25.**
 - Review and Discussion – Ken Young
 - Motion on Public Hearing
2. **Public Hearing for Ordinance Amendment to City Code re: Grading Plan and Grading Permit for Development in CE-1 and CE-2 Zones in Sections 10-9A-7 and 10-9B-9**
 - Review and Discussion – Ken Young
 - Motion on Public Hearing
3. **Possible consideration of Hansen/Thornock Grading Plan – John Henry**
4. **Cloward Estates, Plat B, Final**
 - Review and Discussion – Ken Young
5. **Elk Haven Estates, Plats A-E, Preliminary Plat**
 - Review and Discussion – Ken Young
6. **Set Public Hearing for Approval of Preliminary and Final Plat of Burton Subdivision and Plat Vacation of Salem Hills Subdivision, Plat B, Lot 3**
 - Review and Discussion – Ken Young
7. **Discussion on Gated Communities**
 - Review and Discussion – Dayna Hughes
8. **Set Public Hearing on Amending Elk Ridge City Code re: Durability Retainers**
 - Review and Discussion – Ken Young
9. **Discussion regarding Density Cap in CE Zones**
 - Review and Discussion – Shawn Eliot
10. **Interactive Ways to Get Community Feedback**
 - Review and Discussion – Sean Roylance
11. **Approval of Minutes of Previous Meetings – February 15 and March 15, 2007**
12. **Planning Commission Business**
 - Welcome new member – Paul Squires
 - Upcoming Citizen Planner Seminar, May 31 or September 27
13. **Follow-up Assignments / Misc. Discussion**
 - Agenda Items for April 19, 2007 Planning Commission Meeting – General Plan Review

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 29th Day of March, 2007.


Planning Commission Coordinator

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 29th Day of March, 2007.


Planning Commission Coordinator

ELK RIDGE PLANNING COMMISSION MEETING

April 5, 2007

TIME AND PLACE OF PLANNING COMMISSION MEETING ROLL CALL

A regular meeting of the Elk Ridge Planning Commission was held on Thursday, April 5, 2007, 7:00 p.m., at 80 East Park Drive, Elk Ridge, Utah.

Commissioners: Russ Adamson, Shawn Eliot, Scot Bell, Kevin Hansbrow, Sean Roylance, Dayna Hughes, Paul Squires
Absent: Kelly Liddiard
Others: Ken Young, City Planner
 Margaret Leckie, Planning Commission Coordinator
 John-Henry Schroemges, Tracey Snyder, Lee Pope, Brad Shuler, Gayle Evans, Jed Shuler, Karl Shuler, John Money, Steve Shepherd, Craig Peay, Rob Dean

OPENING REMARKS & PLEDGE OF ALLEGIANCE

Chairman, Russ Adamson, welcomed the commissioners and guests and opened the meeting at 7:00 p.m.. Opening remarks were given by Russ Adamson, followed by the Pledge of Allegiance.

INTRODUCTION OF NEW PLANNING COMMISSION MEMBER: PAUL SQUIRES.

New Planning Commissioner, Paul Squires, introduced himself. He just retired from 33 years in the Air Force Reserves. He was in the Civil Engineering Squadron and worked for the US Department of the Interior, Bureau of Reclamation, as a Facilities Manager. Right now he is one of the contracting officers for the improvement of large recreation plan for Deer Creek Reservoir. He is married and has 4 children and 7 grandchildren and loves living in Elk Ridge. Lee Pope and Dayna Hughes mentioned that he is an excellent scout master and the best merit badge pow-wow counselor in the district.

A MOTION WAS MADE BY RUSS ADAMSON AND SECONDED BY KEVIN HANSBROW TO MAKE ALTERNATE MEMBER, SEAN ROYLANCE, A FULL VOTING MEMBER FOR TONIGHT'S MEETING. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (2) KELLY LIDDIARD, LATE (1) SHAWN ELIOT.

APPROVAL OF AGENDA

The agenda order and content was reviewed. Item No. 3: Possible Consideration of the Hanson-Thornock Grading Plan, which was a last minute added item, was moved to the end of the meeting. It became Item 12 and it was decided if the meeting goes too long, this item will be tabled.

A MOTION WAS MADE BY RUSS ADAMSON AND SECONDED BY KEVIN HANSBROW, TO APPROVE THE AGENDA FOR THE PLANNING COMMISSION MEETING FOR APRIL 5, 2007 WITH THE ONE CHANGE MENTIONED ABOVE. VOTE: YES-ALL (6), NO-NONE (0), ABSENT (1) KELLY LIDDIARD, LATE (1) SHAWN ELIOT.

1. PUBLIC HEARING FOR ORDINANCE AMENDMENT TO ELK RIDGE CITY CODE REGARDING FLAG LOTS (SECTIONS 10-2- 2 AND 10-12-25)

The public hearing was opened at 7:15. Chairman Adamson read the following from City Planner, Ken Young's memo and recommendation:

Applicant Gayle Evans has requested that the City Code be amended to allow more than one flag lot to be approved, utilizing a common stem. In the proposed Elk Haven Plats "C" and "E" there are areas where the applicants have determined the best use of the land would be to develop flag lots to access deep corners of the paoperty.

The maximum number of lots permitted to use a common stem under this request is three. As with all flag lot proposals, these would be subject to the finding of the Planning Commission and City Council that the land is "not practically developable under conventional development procedures and that approval of a flag lot(s) will not preclude the proper development of any residual parcel or the adjacent properties.

The proposed verbiage to allow a maximum of 3 lots on a common stem comes from the Pleasant Grove City Code, and represents a common approach to flag lot development.

Three lots served by a common stem may be practical in some circumstances, especially in other regular residential zones in areas where the land has less concerns for environment and slope.

Staff questions whether this is the best approach for development in the CE-1 and CE-2 zones. If property in a critical environment cannot be well served through regular street patterns, then perhaps larger lots or more open space is the best answer.

Recommendation: It is recommended that, following a Public Hearing, the Planning Commission recommend to the City Council denial of this request.

Chairman Adamson invited public input regarding the recommendation from the City Planner: The following discussion ensued:

1. Galye Evans, owner of the property, mentioned that there were many areas that required so much cut and fill to meet the road requirements, that they were left unusable by any means. The flag lot allows this land to be usable and not require the City to maintain that road (stem) into the lots. To put a cul-de-sac in there would create so much adverse effects to the terrain of the mountain and would not keep it as natural as possible.
2. A letter was included in the packet from the Fire Chief, Craig Olson, regarding his feelings on the proposed amendment. It read as follows:
I have only a few concerns on changing city ordinance to allow this type of lot. My first concern is water supply in the event of a fire. I would like to see a hydrant placed at the end of the drive leading into the lots.
Second is the ability to safely get a fire engine into the lot. I would suggest a slope of not more than 10% grade on the drive.
Lastly the issue of addressing a home that is behind another home. I think there needs to be a clearly marked address on the main road incicating the homes that are not seen from that road.
3. Chairman Adamson stated the code currently allows for only one lot on a stem for flag lots and they are asking for 3 lots on one stem. In Plat C he mentioned concern that the stem was approaching 15%-20% slope to get to the 2 Lots. Even if we were to allow the one flag lot. About half of the stem is in 15% slopes. Gayle thought that the engineer had taken this in consideration.
4. Shawn Eliot mentioned looking in other city's codes re: flag lots. In most instances they were looking at infill area. He mentioned concern as this is a downhill driveway and the back of the lots slope down with lots below. He feared drainage problems onto the lots below. This is a Conditional Use Permit so we would have to allow it.
5. Shawn mentioned there are two separate issues:
 - do we want to approve new code allowing for more than one house on the stem of a flag lot?
 - do we want to approve the whole plat?
6. Ken Young did not think, as a general rule, flag lots are a bad idea; but, should only be used as a last resort to provide access to a property. Flag lots normally work best in an area where the slope is much less. In taking into consideration, also, the overall intent of the CE-1 zone, he was not convinced flag lots are the best option for the City, in particular, on this property.
7. Jed Shuler mentioned on Plat A they were planning on a flag between two existing properties. There is frontage on the main road, but due to slopes this would be a safer way to provide access. On Lot 23 access between Lots 19 and 20 have been considered. They wanted to get the opinion of the Planning Commission as to whether they though this would be better access to that lot so they wouldn't have to deal with the slopes along the street side.
8. Shawn Eliot felt this situation would fit under our current code now, and the slopes between Lots 19 and 20 are not an issue.
9. Chairman Adamson felt that the consensus had been that in the CE-1 zone developers should tread lightly. The CE-1 originally was to have one-acre lots or larger. He felt larger lots reflected the feeling of the code better.
10. Scot Bell, regarding Plat C, said if you cut the contour lines the City will need a 24' deep sewer as the contour lines show the building will be 20' below the road.
11. Dayna Hughes asked if the stems would be considered as private roads. Ken Young said they would be required to meet private driveway requirements. They would be required to be paved and have a certain thickness of asphalt or concrete. The snow plow would not be an issue as the owners would be required to keep this road (stem) cleared.
12. Scot Bell mentioned there is no turn-around radius shown. Ken Young said that was a good point.
13. Craig Paey, owner of Plat E, suggested each Plat be looked at individually as there are unique

conditions on each Plat. He felt on his Plat the stem would be flatter and a turn-around would be possible. It is not steep and is relatively flat. Chairman Adamson asked why not consider a cul-de-sac to access Lots 7-9 as opposed to a flag lot situation? Craig said that he asked the engineer, Barry Prettyman, the same question. It is possible to do that.

14. Dayna Hughes asked whether the flag lot in Plat C would be a reverse slope driveway and was told it was. Gayle Evans said she was told the driveway did meet the City's slope criteria.
15. Chairman Adamson delayed the motion on the public hearing until the Elk Haven plat discussions. Ken Young reminded him that no motions can be made on the plats until the motion is made on the flag lot issue. A flag lot recommendation is made on a case-by-case basis, but under current code there can only be one lot per stem.
16. Chairman Adamson summarized what the commissioner's discussion was concerning flag lots thus far as follows:
 - On Plat C there are nice, big, deep lots. If this strategy was continued, with no flag lots, that would be fine. There is not enough of a hardship to indicate a necessity for a flag lot as it has been shown a nice configuration using the larger lots.

Scot Bell and Russ Adamson calculated a 15% to 20% grade on the portion of the stem which accessed Lot 30. This is a problem.

Gayle Evans stated that it is a problem in that there are only 9 lots created off of 20 acres of land. This may not be financially feasible to pay for the road.

Chairman Adamson stated that may be a problem but that is the risk of being a developer

- On Plat E, the feeling was the commissioners would rather see a cul-de-sac rather than start a precedence of having three flag lots off a stem. Scot Bell mentioned there may be enough property there for a full-blown loop road.
17. Shawn Eliot mentioned that in our code, under Subdivisions, Section 10-15-G1 and 10-15-G2 it talks about access to dwellings. It states that if the access is longer than 150 feet to a dwelling, special conditions apply. It states that in no event shall any exception be granted for placement of a dwelling to be further than 500 feet from the nearest street. He questioned why we were stating a flag lot stem can be no longer than 180'. Ken Young mentioned that the current code is 150', so what they are proposing would actually be a change to the code. 10-15-G2 gives illustrations of the driveways and turn-arounds. They allow you to do turn-arounds on a dead-end access.
 18. Shawn Eliot mentioned that if cul-de-sacs were done in some of these proposed flag lot areas, they would also be steep, or would have to be considerably built up.
 19. Chairman Adamson closed the public hearing on flag lots at 7:45

2. PUBLIC HEARING FOR ORDINANCE AMENDMENT TO ELK RIDGE CITY CODE REGARDING GRADING PLANS AND GRADING PERMITS FOR DEVELOPMENT IN CE-1 AND CE-2 ZONES – SECTIONS 10-9A-7 AND 10-9B-9

City Planner, Ken Young, explained that this amendment is a house-keeping type item. Concerns have arisen regarding the issuance of grading permits in the CE-1 zone prior to the necessary elements being in place. There are no specific requirements for the issuance of grading permits in the CE zones as there are in other zones. He was asked by the Mayor to add some verbiage to our CE code to clarify and update some of these issues. The proposed text amendments would:

1. Require that a grading permit be issued by the City Engineer, rather than the Building Inspector, who shall not issue such permit until a grading plan, endorsed by a licensed civil engineer, shall have been approved by the Planning Commission.
2. Require that *"A grading permit shall not be issued and shall not become active until the proposed development has reached final approval status, all fees have been paid, and the bonding has been posed, guaranteeing the construction of all uncompleted required improvements.."*

The proposed ordinance was sent out as an attachment in the packets for this evening's meeting.

1. Commissioner Hughes asked if RL's excavating on his Mahogany extension project was prior to receiving final approval. Ken Young stated that what RL did was permissible under the current code but would not have happened in other zones, so this amendment would prevent such incidents in the future.
2. Shawn Eliot asked about adding verbiage stating a time limit. He pointed out in the code, Section 10-9A-6-3C – the new code passed a few months ago on the road grades. It stated that revegetation must occur on cuts and fills on a road during the first year. This is more

restrictive than the two-year limit in the durability retainer. Chairman Adamson stated that we would address this separately.

3. Chairman Adamson closed the public hearing on amending the City code regarding grading permits at 7:50 p.m.

A MOTION WAS MADE BY DAYNA HUGHES AND SECONDED BY SHAWN ELIOT TO RECOMMEND TO THE CITY COUNCIL APPROVAL OF THE PROPOSED AMENDMENT TO THE CITY CODE REGARDING GRADING PLANS AND GRADING PERMITS IN SECTIONS 10-9A-10(D) and 10-9B-9(E). VOTE: YES-ALL (7), NO-NONE (0), ABSENT (1) KELLY LIDDIARD.

3. CLOWARD ESTATES, PLAT B, FINAL.

Ken Young mentioned that this plat had come before us previously on March 13th, 2007. It is a 39-lot subdivision on 10.49 acres in the R-1-15,000 Zone. We have a new subdivision plat that has been passed out tonight with the requested corrections which include:

1. The City development standard profile be shown for detail on sumps.
2. Dot Drive be shown to be constructed at a 56' ROW, not 47'.
3. The General Plan calls for a 10' trail along Dot Drive – on either the east or west side of the road.
4. Correction of road name is needed on profile sheet for Dot Drive (change Rocky Mountain to Goosenest Drive)

The street section detail in the upper left corner shows the ROW detail at 56' but the road is still shown at 47' on the plat. On the west side we are adding the future 10' trail corridor dedication which will replace the 9' easement area which would make up the 56' ROW. The requirement for putting the 10' trail in this area is being addressed in this manner.

The following discussion ensued:

1. Ken Young: One additional recommendation that was brought forward today is that there is concern that water rights have not yet been procured for this property. We recommend that if your recommendation be for approval tonight, that it be contingent on water rights being dedicated to the City. This should be in place prior to City Council, or their approval being conditional on this being in place.
2. Ken Young stated that from a staff perspective, all items, except dedication of water rights, have been addressed with this submittal.
3. The name of Dot Drive will not be changed.
4. Burke Cloward's engineer, Tony Trane, was present. He explained that Burke is in the process of transferring some water shares. He has been working with Jan Davis, City Recorder and it has been worked out that these shares will be assigned to the individual lots and that building permits on the lots will not be given until the water has been transferred. (The condition placed on the lot would be a waiver of entitlement). Jan will address this when the project goes to City council

SCOT BELL MADE A MOTION THAT WAS SECONDED BY SHAWN ELIOT TO RECOMMEND TO THE CITY COUNCIL FINAL APPROVAL OF CLOWARD ESTATES SUBDIVISION, PLAT B WITH THE CAVIAT THAT BUILDING PERMITS NOT BE GRANTED ON ANY LOT UNTIL SUFFICIENT WATER SHARES FOR THAT LOT ARE DEDICATED TO THE CITY. VOTE: YES-ALL (7), NO-NONE (0), ABSENT (1) KELLY LIDDIARD.

4. ELK HAVEN ESTATES, PLATS A-E, PRELIMINARY PLAT

The following general discussion took place before addressing the individual plats:

1. Chairman Adamson's first question was regarding the paved trail. A handout was included in tonight's packets from the developers showing a proposed trail along the Hillside Drive extension as a part of trail system to replace sidewalks in the Elk Haven Development. Their letter explained that the intent in this zone is to preserve the natural environment and aesthetic appearance of the landscape and sidewalks would be a distraction. Trails would be more conducive to the intent for this zone. Also, due to the large lots and low density, the sidewalks would largely go unused. They also pointed out that the adjacent streets, High Sierra Drive and Hillside Drive, do not have sidewalks to tie into. If granted, their trail system would be constructed to the Elk Ridge Construction specifications and tie into the existing trail plan as designated in the City's General Plan (as shown on their attached trail system concept design).

2. Shawn Eliot stated that our new code states that on a road with no sidewalks you can do a 10'-wide trail and 4' planter, and a 4' ROW across the street; or, you can do a 6' trail with a 3' planter and a sidewalk across the street. There are two options on a street. It is an issue. Do we want sidewalks as a safety issue. A 10' trail is nice but if you do a 6', it requires a sidewalk on the other side of the street.
3. Ken Young explained that the developers were questioning the need for such a sidewalk system because of the slopes on the road and hills and the nature of the property. Are sidewalks along roads in such a sloped area appropriate for this development? Is a trail a better way to deal with that? Most of the trail is contiguous with the alignment of the road. There may be landscaping or guard rail installed to separate the trail from the road.
4. Scot Bell mentioned if we use the highback curb and gutter in the CE zone, this will give some separation between the curb and trail. Ken Young stated we could make our recommendation as to what type curb we wanted to see.
5. Shawn Eliot pointed out that the map on the wall showing the trail is incorrect. It does not show the trail along High Sierra, south of Hillside Drive. Last August the Council approved a map which showed a trail on Hillside as the developers show, but it should also show a trail up High Sierra and Elk Ridge Drive and continuing up High Sierra and looping into Hillside Drive (Valley View Way). Ken Young stated that the question was, do we want the trail going up High Sierra, or do we prefer having it on the other road behind High Sierra.
6. Gayle Evans mentioned that their main concern was the look of the mountainous community versus the city, and the effect of the cuts and fills on the terrain the wider you go. John Money mentioned that one of the issues mentioned in their letter was that a sidewalk on a hillside causes a cut in the native ground a lot deeper, which is an eyesore. It does not fit the CE1 zone. A safety issue is riding bikes, etc. down steep sidewalks. Also, there will be huge cuts and fills which takes away from the natural beauty they want to maintain in this zone.
7. Dayna Hughes also questioned the continuity between the other plats in this area. She did not think it would look good to have some sidewalks, and some trails. She questioned whether there could just be trails only up in that area? Gayle Evans responded that that is what the developers are asking for – a trail system only.
8. Shawn Eliot mentioned concern that we have a trail plan that is supposed to be our backbone network for people having recreation, but the sidewalk requirement is for the safety of the people living there. It makes it possible for people to walk to their neighbor's without having to walk in the street. He would at least propose, as a compromise, that we do the trails along one side of the street, but do them on all the streets, not just the main road. This would follow more closely with what our standard says.
9. Scot Bell mentioned that the people who lay the trail, have said it is easier to do a 10' trail with their machines, rather than a 6' trail. He also mentioned problems in maintaining a 6' trail. We have taken a lot of time for funding proposals which were submitted showing a 10' trail. It would be a shame to forfeit future potential trail funding because we did not put in a 10' trail.
10. Sean Royslance confirmed a safety issue of having steep hills and nowhere to walk along the road. Scot Bell felt it was a safety issue also for children walking along the road with no trail or sidewalk and competing for the same space the snow plow does. We should give them a raised trail or raised sidewalk and something to keep the snow plows away from the kids.
11. Chairman Adamson stated that this could be very nice, as far as having a trail system. This could be a fantastic area. He was concerned, however, that there are quite a few homes with no proposed sidewalk or trail. In Plat E there would be many kids walking to the bus stop with no trail.
12. Developer, Craig Paey, mentioned he would rather have the trail next to the road. Ken Young mentioned that the clustering in Plat E required dedication of 15% open space, which was done. There is, in the code, a requirement for trails to connect open space areas. The trail going

thru this open space area is a challenging thing. Perhaps the trail should follow the road rather than going through the open space.

13. Shawn Eliot mentioned that when we wrote that into the code, we were thinking that there was an overall trail plan that goes along roadsides for the most part, but for the large open space areas, we would allow a nature trail through them so people could use the open space and be in the open area, not just on the road.
14. Developer of Plat E, Craig Paey, felt that some of the benefits of having the trail along the road would be maintenance is easier. The area where the trail is proposed in Plat E is very steep. He is fine with a 10' trail. If allowed, he would much rather have the trail along the street. Dayna Hughes asked it if would be possible to have both. Craig Paey mentioned that would be a tremendous expense.
15. Karl Shuler, Developer of Plat A, mentioned they had a hard time finding out what the City's specification was for the trail. What they put in there will tie into existing trail plans and meet our development construction standards, as designated by the City. They will do what the City wants, but had a hard time determining what that was.
16. Scot Bell mentioned that diversity in what you see as you walk along a trail makes it more interesting. These trails with that characteristic are more utilized. A trail along a road may not provide this. Sean Roylance questioned having the trail through the open space be 6' and having a sidewalk along the road. Craig Paey again mentioned the difficulty of maintaining any trail in this area. Commissioner Hughes stated that it might not be maintained. Karl Shuler again pointed out that the trail contributed to the aesthetics and natural intent of this zone.
17. Commissioner Hansbrow stated that he felt it would be safer to have the trail along the road. He would rather his wife do her running in this area rather than behind homes on a secluded trail. The asphalt would be a better choice than a sidewalk and would be more natural looking.
18. Shawn Eliot read from the code regarding natural open spaces: *For useable open space, improved trails are allowed in the natural open space areas and required in open space clusters to allow connectivity in the open space area.* It does not say what a trail is, whether it is a dirt or gravel trail. It doesn't say how wide. He pointed out that looking at that area, a lot of people walk in that area to get out into nature. Would there be a way on some of these other plats to allow some sort of pedestrian easement to allow people to go up into the natural hillside? He did feel that in the natural open space, the code stated there should be something. Kevin Hansbrow stated that that might be a bark or dirt trail, but keep the asphalt trail along the road.
19. Dayna Hughes questioned whether there were any natural animal corridors in the Elk Haven area.
20. Craig Paey mentioned that it is the City's option, in this dedicated open space, to go in and improve it more than it naturally is.
21. Russ summarized by suggesting a 10' trail system on one side of the street on all roads instead of sidewalks. Shawn Eliot mentioned that the code states that if you put in a 10' trail the ROW on the other side moves over a little bit, so you only end up with a 4' or 5' easement on the other side.
22. Karl Shuler felt that a 10' trail was pretty wide. It is half a road. He felt there would be a big problem with people using it like a road. Russ questioned the width of the trail going up Provo Canyon and was told it was at least 10'. Ken Young mentioned that for a recreational trail, 10' is very standard. It allows for pedestrians and bicycles. Bollards can be installed at the ends to keep vehicles off the trail.
23. Shawn Eliot questioned whether the main road, Hillside Drive, was a 56' or 66' ROW. He could not tell from the map. He was concerned because the map on the wall in incorrect as to what the Council actually passed. Hillside Drive should be a major collector with a 66' ROW. All the green roads shown in the Elk Haven areas are main collectors and should be 66' ROW.

Ken Young felt that the road itself had been approved and as he recalled there was consideration for the existing width of both High Sierra Dr. and Hillside Drive. Even though the classification may say one thing it may have been approved with the 56' ROW. Shawn questioned whether vesting occurred at concept and felt that the City Council did not want it to. Ken said the street itself was not a concept but was a street alignment plan.

Ken felt the street alignment plan was accepted. Shawn mentioned that when we initiate changing the code (in this case the map) that you are not vested while we are working on it. Ken Young suggested Shawn make a recommendation and let it be resolved at the City Council level.

4A. ELK HAVEN ESTATES, PLAT A, PRELIMINARY

The following discussion took place regarding concerns on Plat A:

- a. There had been discussion about a stub off the road on the west side. Craig Paey said it would have to be lower than the dashed line shown on the proposed trail overview plat. It will approximately follow the dotted trail. The placement of this stub was discussed. On the City Circulation Map Karl Shuler, owner/developer, stated it will tie into the furthest southern loop road. Ken Young mentioned the concept we are trying to get is that Hillside drive will eventually come over and connect to Elk Ridge Drive. Karl stated that there is a loop that would tie in with the City Plan. It will give the City access to the collection basin.
- b. Chairman Adamson expressed a concern regarding Lot 24. He questioned whether it was buildable based on the fact that most of it is over 20%. Karl Shuler mentioned that the building pad does meet the slope requirements. Russ questioned how they were going to get an acceptable access. Karl stated their thought was the only way would be to bring the road up from the south boundary at 12% to get to the building pad.

Ken Young mentioned that in his staff report, this was one of the lots mentioned that would have to get special approval because of the average slope being over 20% and incidental 30% slope on the lot. The code states there must be approval for any lots over 20% average slope and any lots with incidental 30% slope on the lot. He has identified the lots in his report where these conditions occur.

- c. Russ quoted from the City Planner's report that Lots 1, 2, 3, 4, 5, 6, and 24 all average over 20% and there are incidental slopes over 30% on Lots 1, 2, 3, 23 and 24. Commissioner Hughes mentioned she has no problem with Lot 4, but does with Lots 1, 2 and 3. She mentioned the slopes along the golf course road looking like they have been strip-mined and did not want to see that happen here. Ken Young mentioned that the concerns would only apply to Lots 23 and 24 as you would be looking uphill from the road, but Lots 1-6 would be going downhill.
- d. Scot Bell mentioned they would be reverse fill driveways. He brought up the homes being built on Salem Hills Drive and mentioned this area is similar. The code does allow 20% to 30% for the house and attendant yard, with approval from the City Engineer. You can only disturb the area that your house and attendant yard are on.
- e. Karl Shuler stated that if you look at lots 1-6, there is more yellow (20%) than if you take the west side of High Sierra where commissioners Bell and Roylance live. *(This was discussed at the next meeting and is inaccurate.)* That is more orange (30%) and these are one-acre lots and will have open space in the back because you can only touch what is in the immediate building area.
- f. Scot Bell mentioned on Lot 2, he counted contour lines and said there would be about 12' of fill along High Sierra Drive which would mean you would be putting probably 12' of backfill material and then building on a 20-30% slope on top of the backfill. If you take the average slope then, that will be very steep.
- g. Shawn Eliot mentioned that the code states that your building envelope can be considerably smaller than the lot size, down to 4,000 sq. ft. That is one question he posed on Lots 1-3 – Could the building envelopes be made smaller so that more of the 20% slopes remain natural. Ken Young felt that a 4,000 sq. ft. home footprint was pretty big. No matter what happens the house will still leave a lot of area open whether or not you change the buildable area.

- h. Developer/owner John Money stated that the law requires a geo-tech report for each building permit. Jed Shuler stated that basic economics will put the house where it is best, due to the cost of cuts and fills.
- i. Russ Adamson mentioned that we already have the precedence of houses just south of there on similar terrain. He is not as concerned with Lots 1-4. His only concern is Lot No. 24, as mentioned before. Ken Young stated that it still exceeds 4,000 sq. ft.
- j. Scot Bell mentioned the problem for access on Lot No. 3. There is so much red (30% or over) along the road. It appears there would be about 18' of backfill. The engineer stated you would bring it up the side on the contour. Scot mentioned the house is almost below the road grade just getting down to the 20%. He mentioned that if you drop from the street on Lot 3 that would be an 18% driveway – we don't allow that. 150/18 is less than 12, going from property line to property line. Karl Shuler stated that when he went over this with the engineer, he stated it was do-able, but not good.
- k. Shawn asked if the 30% slopes along the road were the cuts. Karl Shuler stated that that was his understanding.
- l. Scot Bell asked if we have received any recommendations from Aqua on this? Ken Young stated that they have reviewed the plats in technical reviews.
- m. Karl mentioned they had thought of connecting Lot 23 to Hillside Drive through Lot 19 and 20. Kevin Hansbrow felt this would be a better option than having another driveway come out onto High Sierra Drive on the steep sloped bend in the road. Ken Young recommended that this be considered as a flag lot as the motion goes forward as described by Karl.
- n. Shawn Eliot mentioned that as part of the grading plan we are supposed to see what the current non-disturbed conditions are, including the vegetation. The reason they want that is to see where vegetation is removed and where revegetation will occur after development. He assumed it would just be along the roads. Karl Shuler mentioned that cuts and fills would be revegetated. The code does state, however, that part of the grading plan is showing which areas will be revegetated. John Money stated that there is a portion on Lot 23 where the developer will have to show what they will put there to revegetate. Retention walls, rocks and erosion control during grading also needs to be shown.
- o. Shawn Eliot stated that the grading plan in a CE-1 development was to be turned in at Preliminary Plat. City Planner, Ken Young, said it could be turned in later. *When Shawn reviewed the code it did state that you turn your grading plan in either prior to preliminary or at preliminary. You can't approve the preliminary is you don't know what is being cut up and graded.*
- p. Shawn mentioned the open space can either be deeded to the City, with their permission; or it can be part of private lots. In Plat A it will all be in private lots. Craig Paey (Plat E), would like his open space deeded to the City.
- q. Shawn Eliot questioned whether there is pressurized irrigation required in the upper end of town. It is not shown on the Plat submittals for the Elk Haven Plats A-E. The City Council will need to look at that issue.
- r. Shawn also mentioned the code talks about unique soils and that the plats shall identify fill and cut depths. Karl mentioned there were no unique soils identified by his engineer or by aqua.
- s. Sean Royslance was uncomfortable with basing decisions on precedence rather than current requirements. He did not see any way Lot 2 could be developed. Chairman Adamson felt if the developer did a creative driveway, they could make it work. Dayna Hughes said she would vote "no" due to slopes, on approving Lots 1, 2 and 3. Shawn Eliot stated that it does stand out that most of the Lot is over 20% slope. John Money mentioned there are a lot of things you can do with 500' of frontage to meet code. Commissioner Bell felt with the frontage on Lots 1 and 2 you could do a creative driveway but did not see how that could be done with Lot 3.
- t. Shawn Eliot questioned, regarding widening the already developed portion of High Sierra Drive, is this a part of the agreement. Scot Bell stated that the recommendation was the

opposite side of High Sierra would be completed, not widened.

- u. Ken Young mentioned another item that needs to be dealt with is on Lots 6 and 7. They are not requiring a turn-around, but will require access to these two lots on High Sierra Dr. and not on Hillside Dr. This is not being shown as a note on the plat, yet needs to be.
- v. Shawn Eliot would like included in the motion that Hillside Drive needs to be a 66' ROW. Gayle Evans thought the goal was to keep it at 56' and not have all the traffic come down. Shawn Eliot explained there will be a large number of lots up there and the traffic will use the road. Gayle felt the road was already approved. Shawn stated that what he mentioned was on the map and would be put in the motion.
- w. Scot Bell stated this project was approved based on High Sierra Drive remaining in its current state. He stated that when the Elk Haven subdivisions are developed, the City plans to take impact fees from the new lots and widen High Sierra Dr. This will be discussed at the work session re: impact fees with the City Council tonight. Widening High Sierra was on the list of improvements to be paid for by these impact fees. For tonight's discussion, Chairman Adamson stated we will assume High Sierra will not be widened as that is what was in the original discussion.
- x. Shawn, again mentioned that the roads are not properly shown on our Circulation Map as to what roads are major and minor collectors and arterial roads. He stated that when the City Council approved the map they left High Sierra as it was and said there would be a street added behind High Sierra that would become the major collector. (Major collectors are shown in blue). The City Council left High Sierra, from Elk Ridge Drive on up, as a local street.
- y. Scot Bell felt that putting major collectors in CE-1 zones would be a major burden and hardship on a developer. He also felt the cuts and fills for wide roads would scar the terrain and would not be in harmony with the intent of the area.
- z. Russ Adamson stated that Lot 23 will be easier to access than Lot 24 and this should be addressed in the motion.

RUSS ADAMSON MADE A MOTION THAT WAS SECONDED BY KEVIN HANSBROW TO RECOMMEND FOR APPROVAL PRELIMINARY PLAT OF ELK HAVEN SUBDIVISION, PLAT A WITH CONSIDERATION GIVEN TO THE FOLLOWING ITEMS:

1. LOT 23 – ACCESS FROM HILLSIDE DRIVE, CONSIDERED AS A FLAG LOT WITH THE DRIVEWAY SLOPE 12% OR UNDER WITH NO DEVIATION ALLOWED.
2. LOT 24 – THE DRIVEWAY IS TO BE 12% OR UNDER WITH NO DEVIATION
3. A TEN-FOOT (10') ASPHALT TRAIL BE CONSTRUCTED PARALLEL TO EACH OF THE ROADS ON ONE SIDE.
4. LOTS 6 AND 7 BE ONLY ACCESSIBLE FROM HIGH SIERRA.
5. LOTS 3, 23 AND 24 – DEMONSTRATE FEASIBLE DRIVEWAYS WITH SOME SORT OF CONCEPT DRAWINGS.

VOTE: YES (3) - PAUL SQUIRES, RUSS ADAMSON, KEVIN HANSBROW; NO (4) – SHAWN ELIOT, SCOT BELL, SEAN ROYLANCE, DAYNA HUGHES; ABSENT (1) KELLY LIDDIARD.

The motion did not pass.

In discussing why the motion did not pass the following comments:

1. Dayna Hughes asked about the possibility of taking Lots 1, 2, 3 and 24 and deeding them to the City as open space and doing more clustering in the flat areas so we stay off the 20% slopes. Gayle Evans stated the road requirements would not make this possible. Dayna voted "NO" because of the slope on Lots 1, 2, 3 and 24.
2. Shawn Eliot commented that if we are going to approve a flag lot just to access Lot 23, then that is telling him that it is not possible to use that lot any other way, so his main problem is Lot 24. He also felt that Lot 24 should be excluded.
3. Scot Bell felt you could get a driveway into Lots 1 and 2; but, Dayna commented she is not concerned about the driveway, it is the overall lot slope which caused her "NO" vote.

She feels in voting that way she is protecting the best interest of Elk Ridge. Again, her problems were with Lots 1, 2, 3 and 24.

4. Shawn Eliot also agreed – especially with Lots 2 and 1, which contain mainly 20% and 30% slopes. Chairman Adamson asked how Shawn would feel about realigning Lots 2 and 3 into one lot and keeping the building envelope in the yellow (20% slope) area? Dayna Hughes stated she would have no problem putting the house in the large yellow (20%) area on Lot 3. She would want to know what the overall slope was. The overall slope on Lot 3 is about 23.5%, above the allowable 20% slope. She could live with Lot 3 if the building envelope included more of the 20% or less slope. She could not see how that work on Lots 1 and 2.

A new motion was made:

DAYNA HUGHES MADE A MOTION THAT WAS SECONDED BY SHAWN ELIOT TO RECOMMEND APPROVAL TO CITY COUNCIL OF THE PRELIMINARY PLAT OF ELK HAVEN SUBDIVISION, PLAT A, WITH THE FOLLOWING CONDITIONS:

1. LOT 6 AND 7 – ACCESS BE ALLOWED ONLY FROM HIGH SIERRA DRIVE.
2. LOTS 2 AND 3 – BE COMBINED INTO ONE LOT WITH THE BUILDING ENVELOPE ENCIRCLING THE YELLOW AREA WHICH IS LESS THAN 20% SLOPE.
3. LOTS 1 AND 24 – BE DEEDED TO THE CITY AS OPEN SPACE
4. THERE IS A TEN-FOOT (10') TRAIL ON ALL ROADS IN LIEU OF SIDEWALKS ON ONE SIDE OF THE ROAD.

VOTE: YES (6) – SHAWN ELIOT, DAYNA HUGHES, KEVIN HANSBROW, SEAN ROYLANCE, PAUL SQUIRES, SCOT BELL; NO (1 – RUSS ADAMSOM; ABSENT (1) KELLY LIDDIARD.

Chairman Adamson voted “NO”. He did; however, state that he would rather see open space, than have flag lots going into every nook and cranny of the CE-1 zone. In general, open space is preferable to flag lots. Dayna’s motion did not include any flag lots. Her motion on Lot 23 did include a driveway of 12% or less slope.

Ken Young stated that the developer can either re-do the plat and come back to Planning Commission or go forward to City Council with the comments and recommendations of the Planning Commission.

Ken Young stated to the developers, that in the technical review he did make it clear that there would need to be specific approval for anything about 20% slopes. The fact that they kept some of their lots a little over 20% average slope was a bit of a gamble for them.

4B. ELK HAVEN ESTATES, PLAT B, PRELIMINARY

The following discussion took place regarding concerns on Plat B of Elk Haven Subdivision:

- a. Shawn Eliot expressed that he would like to see the building envelope a little smaller on Lot 4. It should stay out of the orange area.
- b. The percent slope shown on the plat for Lot 5 is an error, they took into account the slope change caused by the turn-around. Lot 5 does meet the 15% or under requirement.

SHAWN ELIOT MADE A MOTION THAT WAS SECONDED BY DAYNA HUGHES TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE PRELIMINARY PLAT OF ELK HAVEN SUBDIVISION, PLAT B WITH THE FOLLOWING STIPULATIONS:

1. TEN-FOOT (10') TRAILS BE INSTALLED ON ONE SIDE OF THE ROAD ON ALL ROADS THROUGHOUT THE DEVELOPMENT.
2. LOT 4 HAVE A SMALLER BUILDING ENVELOPE THAT STAYS WITHIN THE 20% OR LESS SLOPES.

VOTE: YES (6) – SHAWN ELIOT, DAYNA HUGHES, KEVIN HANSBROW, SEAN ROYLANCE, PAUL SQUIRES, RUSS ADAMSOM; NO (1) – SCOT BELL; ABSENT (1) KELLY LIDDIARD.

Scot Bell voted “NO” due to a trail issue. He felt the City would benefit by having sidewalks along the road and independent trails in the CE-1 zone due to the views and the variety. He felt there would be less cuts and fills. Kevin Hansbrow questioned whether there would be more effect, as the sidewalks would have to be on both sides. Ken Young mentioned that since we have already

passed a motion for trails along the street rather than sidewalks, in another plat, we would want to be consistent.

**MOTION ON
PROPOSED
AMENDMENT TO
FLAG LOT
ORDINANCE –
PUBLIC HEARING
(SECTIONS 10-2-2 AND
10-12-25)**

A MOTION WAS MADE BY DAYNA HUGHES AND SECONDED BY SEAN ROYLANCE TO RECOMMEND TO THE CITY COUNCIL DENIAL OF THE PROPOSED ORDINANCE AMENDMENT TO CHANGE THE ELK RIDGE CITY CODE REGARDING FLAG LOTS (SECTIONS 10-2-2 AND 10-12-25). VOTE: YES-ALL (7); NO-NONE (0); ABSENT (1) KELLY LIDDIARD.

In tonight's particular discussion, the commissioners did not feel the land was undevelopable by conventional means and also did not want flag lots in the CE zones, thus they saw no need to change the flag lot code for this situation.

**4C. ELK HAVEN
ESTATES, PLAT C,
PRELIMINARY**

The following discussion took place regarding concerns on Plat C of Elk Haven Subdivision:

- a. Lot 1 – Chairman Adamson expressed concern regarding the steepness of this lot. As there are long, deep lots for the most part, which would give a nice open space view from the valley, he would continue this effect all the way across the development. He does not think we should have flag lots in the CE-1 zone. He suggested re-laying out Lots 1-5. He stated that the developer is not really losing a lot, because there never was an approved lot in the first place.
- b. Shawn Eliot mentioned that the area where the flag lots are shown a natural drainage area occurs. In the winter natural drainage occurs about where the stem of the proposed flag pole is for the flag lots. Maybe an access to the natural area should occur.
- c. Dayna Hughes felt that due to the slopes on Lot 1 – it should be dedicated as open space. She felt it might work if Lots 1 and 2 merged together to form one lot.
- d. Russ Adamson asked the developers how they felt about having a drainage/wildlife corridor in the southern part of the Lot 2 and Lot 5 area. Sean Roylance was concerned about Lot 2 getting flooded every year. Ken Young stated the developers engineer would have to take care of the drainage issues.
- e. City Planner, Ken Young worked with the drawing and stated that he saw no way to keep 5 lots where they are now shown as Lots 1-5. He said they will have to lose one lot in that grouping to have the required road frontage. He can see three lots, but four lots would even be difficult. He felt Lots 1-5 needed to be reconfigured to make 3 lots with Lot 1 configured to include more of the buildable area.

A MOTION WAS MADE BY RUSS ADAMSON TO RECOMMEND APPROVAL OF ELK HAVEN, PLAT C, PRELIMINARY PLAT WITH THE FOLLOWING CONDITIONS:

1. **THAT THE FLAG LOTS BE ELIMINATED AND ACCEPTABLE LOTS FOR THAT ZONE REPLACE IT**
2. **LOT 1 BE EXTENDED TO INCLUDE MORE BUILDABLE AREA.**
3. **TEN-FOOT (10') TRAILS BE INSTALLED ON ONE SIDE OF THE ROAD ON ALL ROADS THROUGHOUT THE DEVELOPMENT.**

VOTE: YES-(3) RUSS ADAMSON, KEVIN HANSBROW, PAUL SQUIRES; NO-(4) SHAWN ELIOT, SEAN ROYLANCE, DAYNA HUGHES, SCOT BELL; ABSENT (1) KELLY LIDDIARD.

The motion was denied.

Chairman Adamson advised the developers to consider an easement through the drainage area on Lot 2.

City Planner, Ken Young, stated it would be best to have a redrawing of the plat come back before the commissioners.

SCOT BELL MADE A MOTION THAT WAS SECONDED BY RUSS ADAMSON TO REQUIRE THAT ELK HAVEN, PLAT C PRELIMINARY BE DENIED AND REQUIRED TO COME BACK BEFORE THE PLANNING COMMISSIONERS. VOTE: YES-(6); ABSTAIN-(1) KEVIN HANSBROW; ABSENT (1) KELLY LIDDIARD.

**4D. ELK HAVEN
ESTATES, PLAT D,
PRELIMINARY**

The following discussion took place regarding concerns on Plat D of Elk Haven Subdivision:

- a. Lot 12 – Shawn Eliot mentioned Lot 12 is shown to have an average slope of 17%. As it is not an acre lot that exceeds the slope requirement
- b. Sean Roylance again expressed concern about drainage issue. On this Plat that problem occurs on Lots 11 and 13. There is plenty of space on these lots to keep the building envelope out of these areas. On Lot 13 there may be two building envelope options.
- c. Shawn Eliot agreed with having a smaller building envelope on Lot 13. He would prefer seeing a shorter building envelope that stayed away from the steeper slopes.

RUSS ADAMSON MADE A MOTION THAT WAS SECONDED BY SCOT BELL TO DENY APPROVAL OF ELK HAVEN SUBDIVISION, PLAT D, PRELIMINARY PLAT AS LOT 12 DOES NOT MEET CODE REQUIREMENT FOR LOT SIZE AND THERE ARE DRAINAGE ISSUES ON LOTS 11 AND 13. VOTE: YES-ALL (7); NO-NONE (0); ABSENT (1) KELLY LIDDIARD.

**4E. ELK HAVEN
ESTATES, PLAT E,
PRELIMINARY**

The following discussion took place regarding concerns on Plat E of Elk Haven Subdivision:

- a. Commissioner Hughes loved the open space.
- b. Shawn Eliot pointed out that Lot 41 exceeds the 20% slope allowed but felt it could be re-worked to comply. As the density bonus has been invoked for this development, the density bonus rules apply. There followed a review of the code. Ken Young felt that if the code did not specifically say that these rules apply on one-acre lots. (10-9A-1 - A one-acre lot is allowed on slopes not over 15%), so he felt it would be permitted. That might have been the intent of where you were headed with this code, but it does not specifically say that. Shawn agreed that for 1% he would not worry about that.
- c. Shawn expressed concern about Lots 25-29. They are 15,000 square foot lots with the entire back yards on very steep, cliff-like, slopes. The code states 30% must be approved for incidental areas. Scot Bell mentioned this is similar to Canyon View Dr. lots overlooking Loafer Canyon. Ken Young felt that this could be solved by having the developer re-draw the buildable area to stay off the slopes. There is sufficient space to do this. Shawn was more concerned about the fact that the back of the lots is right on the cliff. He felt that the layout of Valley View Drive should be re-worked so the homes were not right on the edge of the ravine.
- d. Chairman Adamson expressed concern over Lot 23 having excessive slope. Ken Young felt it would be best to redraw the lot lines on Lots 21-23 creating only 2 instead of 3 lots.
- e. Chairman Adamson mentioned that Lots 7-9, which are 3 flag lots on one stem, might be reconfigured using a cul-de-sac.
- f. Shawn Eliot used this plat as an example of how the code works and does not work in the CE1 zone. In order to get smaller lots, open space is deeded, but it is so steep it is unusable. The intent of the code was to get developable steeper land but what we are getting is steep undevelopable land. This is a broken part of our code. They are getting smaller lots for open space that could never be built on anyway. Russ Adamson mentioned that the former code would never have allowed anything that looks like this.
- g. Shawn Eliot mentioned concern because this area is adjacent to the R-1 20,000 area that just came to the commissioners and was kept as larger lots. Now it is adjacent to even smaller lots.
- h. Craig Paey, owner and developer, stated that unless the owner of the adjoining property to the west agrees, the turn-around will have to be built on Lots 29 and 30. They will talk to the neighbor and see if they can negotiate or trade property and allow the turn-around to be built as shown.
- i. Shawn Eliot also pointed out that the code states that on the final plat map the 30% unbuildable slopes on lots is to be designated by hatched lines as non-buildable area.
- j. The name "Valley View Drive" cannot be used as we have a "Valley View Circle." Planner, Ken Young, stated that name has been changed to "Summit Drive."

SCOT BELL MADE A MOTION THAT WAS SECONDED BY SEAN ROYLANCE TO TABLE THIS ITEM UNTIL THE FOLLOWING CONDITIONS ARE CONSIDERED

1. A CUL-DE-SAC OR LOOP REPLACE THE FLAG LOT CONFIGURATION IN LOTS 1-12 AREA.
2. RE-DEFINE WHAT IS GOING TO HAPPEN WITH LOTS 29 AND 30.
3. FIGURE OUT A DIFFERENT WAY TO GET BUILDABLE SPACE IN LOT 23.
4. MAKE SURE THE BUILDING ENVELOPES COME BACK OFF THE SLOPES IN LOTS 24-29 BY REDUCING THE BUILDING ENVELOPE.
5. REDUCE THE BUILDABLE ENVELOPE ON LOT 14 TO GET IT OFF THE SLOPE.

VOTE: YES-ALL (7); NO-NONE (0); ABSENT (1) KELLY LIDDIARD.

City Planner, Ken Young, recapped the motions. Plats A and B were approved with conditions. Plats C and D were denied with a request to come back. Plat E was continued to come back. He questioned whether it would be a better situation to have all five plats come back. The owners of Plats A and B did want to go forward to City Council with the record of the commissioner's conditions.

5. SET PUBLIC HEARING FOR APPROVAL OF PRELIMINARY AND FINAL PLAT OF BURTON SUBDIVISION AND PLAT VACATION OF SALEM HILLS SUBDIVISION, PLAT B, LOT 3

This item was going to be on the agenda for your approval until we realized we were missing the required step of having a public hearing.

DAYNA HUGHES MADE A MOTION THAT WAS SECONDED BY RUSS ADAMSON TO SET A PUBLIC HEARING FOR THE PRELIMINARY AND FINAL PLAT OF THE BURTON SUBDIVISION INCLUDING A VACATION OF SALEM HILLS, PLAT B, LOT 3 FOR MAY 3, 2007. VOTE: YES-ALL (7); NO-NONE (0); ABSENT (1) KELLY LIDDIARD.

Ken Young stated that is allowable to set public hearings for items that are not on the agenda. With this in mind, the following three items need public hearings set: 1) Bean Subdivision, 2) Jolley Subdivision (Salem Hills, Plat K subdivision) and 3) the Cloward Subdivision.

A MOTION WAS MADE BY RUSS ADAMSON AND SECONDED BY KEVIN HANSBROW TO SET PUBLIC HEARINGS FOR THE FOLLOWING ITEMS FOR THE MAY 3, 2007 PLANNING COMMISSION MEETING:

1. BEAN SUBDIVISION
2. SALEM HILLS, PLAT K SUBDIVISION
3. CLOWARD SUBDIVISION

VOTE: YES-ALL (7); NO-NONE (0); ABSENT (1) KELLY LIDDIARD.

6. DISCUSSION ON GATED COMMUNITIES

The discussion on gated communities was tabled until the May 3, 2007 Planning Commission meeting. Dayna Hughes did want to clarify that since gated communities is on the agenda, developers must know that we are discussing it and there may be a possible change to the code.

7. SET PUBLIC HEARING FOR AMENDING ELK RIDGE CITY CODE REGARDING DURABILITY RETAINERS

RUSS ADAMSON MADE A MOTION THAT WAS SECONDED BY KEVIN HANSBROW TO SET A PUBLIC HEARING FOR AMENDING THE ELK RIDGE CITY CODE REGARDING DURABILITY RETAINERS FOR MAY 3, 2007. VOTE: YES-ALL (7); NO-NONE (0); ABSENT (1) KELLY LIDDIARD.

**8. DISCUSSION
REGARDING DENSITY
CAPS IN CRITICAL
ENVIRONMENT
ZONES (CE-1 & CE-2)**

The following discussion ensued regarding density caps:

- a. Chairman Adamson expressed concern regarding Elk Haven Subdivision, Plat E, the configuration of which would not have been allowable under Elk Ridge City code prior to the recent changes. RL's plan (extension of Mahogany), which should not have been acceptable in CE zones, was approved. Russ felt that if we put some density caps on the CE-1 zone, that will prevent this type of approval in the future. Ken Young felt that the reason for denying RL Yergensen's recent plan (Fairway Heights, Plat C), was not because he had so many lots, but because it wasn't working well with the other requirements of the code which are in place. He failed to see a reason to have a density cap, as all the other requirements constitute the density cap. The cap is the slope requirement, etc.
- b. Chairman Adamson asked Ken Young if he felt that our code is sufficient as it stands to prevent this type development from occurring in the future? A density cap is saying you can not have more than so many units in an area. Shawn Eliot mentioned he had called the Utah League of Cities and Towns and was told that setting density caps is a legal approach.
- c. Russ stated that the way our code is now written we will never get any flat open space for ballparks, etc. in the CE-1 area. It will all be steeply sloped areas. Are we OK with that?
- d. Shawn Eliot mentioned this concern: RL's development is 20 acres with extremely steep slopes on half of it and was turned down, but what to we do when someone comes in with 20% slope and they can do 31 lots.
- e. Russ is proposing not necessarily a density cap, but saying "if you go to 1/2 units per acre, then maybe there needs to be a trade-off of useable open space. Dayna Hughes mentioned that Elk Ridge is a steep mountain community and there are not a lot of spaces that you could get a soccer field in. Sean Roylance stated that even some 15% sloped areas would be nice.
- f. Russ Adamson questioned whether the City Council would approve any further changes to the Critical Environment (CE) code?
- g. Shawn Eliot passed around a handout with some amended code that he felt would address this issue: (Exclusions are crossed out and additions are underlined)

Regarding the characteristic uses (10-9A-1-C): He removed ~~Additionally, third acre lots can be approved on lots with an average slope of 20% or less in return for larger areas of open space.~~ and added: Smaller lots down to a third of an acre in size on 20% or less slopes are allowed in return for larger areas of natural or park space. This is considered the bonus density of the CE-1 zone. Developments using the bonus density must be 10 acres or larger. The overall dwelling per acre cap for a development using the bonus density is 1/2 dwellings per acre.

Shawn stated that maybe we also need to add some clarification that once you invoke the density bonus, the whole subdivision must follow these guidelines. Ken Young still felt that one-acre lots in any subdivision should be treated the same. The third-acre lots should be more strict.

In the section for Special Provisions (10-9A-10) regarding what natural open space can include, Shawn proposed the following change:

...Natural open space areas ~~shall~~ can include all areas of 30% or greater slopes, but to arrive at the 20% natural open space requirement, ~~and any only~~ areas under 30% slope ~~required~~ can be used to arrive at the 20% natural open space requirement for third acre lot developments.

- h. Shawn stated that whole intent of the old code was to keep one-acre lots in the CE-1 zone. Then we added the half-acre on 15% or less slopes as it was flatter. By doing this we allowed more density in this zone. Woodland Hills is composed of one-acre lots except for the PUD with the soccer field, where they have half-acre lots. Part of the problem is we proposed too many changes at that time. Now we have some history of seeing some plans coming in. RL's Fairway Heights, Plat C may be approved by the City Council. Russ Adamson stated that we need to make our code crystal clear as to what is

acceptable.

- i. Russ Adamson questioned whether we want a public hearing on the changes proposed by Shawn. Shawn asked if we want a 1.2 only on the density bonus or on the entire zone. Russ stated that original intent was one-acre lots, and you could get a density bonus. A 1.2 made sense to Shawn Eliot, and for the third-acre lots we should get some useable open space. Scot Bell mentioned that tonight, we got no useable open space.
- j. Scot Bell stated that by the time you put in a road, and get a buildable envelope, you will not get useable open space. The developer would be crazy to donate useable buildable space.
- k. Shawn has sent our CE-1 code to Utah League of Cities and Towns expert, Meg Ryan, to review (not new proposed changes mentioned tonight). He also asked her to review the option of the density cap.
- l. Chairman Adamson asked if anyone had interest in working on this code with Shawn. Ken Young asked if the purpose was to achieve more useable open space? Kevin Hansbrow felt that by changing the code we would not get clustered third-acre lots but would get one-acre lots with a lot of 30% slope on them in order to increase the size of the lot to meet requirement.
- m. Sean Roylance posed the question that we need to answer is: what do we need to change to get the useable open space?
- n. Scot Bell felt saw one possibility on Plat C where there were long lots. If they could not be accessed via the road, cul-de-sacs, flag lots, but maybe by trails. Ken Young felt the clustering with open space is better than open space not accessible because of fences and being in the back of lots. Kevin Hansbrow stated that if we do what we are proposing, all the sloped area will be private property and the kids won't be able to play there.
- o. Shawn Eliot said maybe we are offering too many choices. Dayna Hughes stated that once you take out the roads and unbuildable terrain, we will still average only one unit per acre in the southern CE-1 zone. The developers have told us they cannot achieve any higher density than that.

Sean Roylance volunteered to work with Sean Eliot in reviewing these CE-1 code issues.

9. INTERACTIVE WAYS OF GETTING COMMUNITY FEEDBACK

The discussion of Interactive Ways to Get Community Feedback was tabled until the next meeting.

10. APPROVAL OF MINUTES OF PREVIOUS MEETINGS – FEBRUARY 15 AND MARCH 15, 2007

February 15, 2007 review of minutes:

Shawn Eliot

- P1, Item 1 – change “*development standards*” to “*in the CE-1 and Subdivision code*”.
- P2, Item 5 – change “*in land*” to “*any land*”
- P4, Item 1 – change “*mentioned there three items*” to “*mentioned three items*”
- P5, Item p – remove “*When this*” and add “*When the Mahogany development*”
- P9, 2nd bullet, 6th sentence down – change “*CE-1 code*” to “*PUD code*” and delete “*the PUD code needs this also*”
- P11, 3rd bullet – change “*little neighborhood something*” to “*small neighborhood commercial*”

Dayna Hughes

- P2, Item 5 – change “*in land*” to “*land*”
- P3, first sentence – delete “*on*”
- P4, Item 1 – change “*there three*” to “*there are three*”
change “*is it allows*” to “*it allows*”
- P6, Item jj – change “*state*” to “*stated*”
- P7, Item 6 – change “*that road*” to “*that the road*”
- P7, Item 9 – change “*I don't know that we are*” to “*we are not*”
- P8, 1st pp – correct spelling “*accommodating*”
- 3rd pp – change “*deadend*” to “*dead end*”
- 4th pp – change “*preservice*” to “*preserve*” and “*fell*” to “*feel*”

in motion – change DAYNE to DAYNA
P9 – 1st bullet – 7th sentence – delete “maybe”

RUSS ADAMSON MADE A MOTION THAT WAS SECONDED BY DAYNA HUGHES TO APPROVE THE MINUTES OF THE FEBRUARY 15,, 2007 PLANNING COMMISSION MEETING WITH THE ABOVE CORRECTIONS. VOTE: YES- (5), NO-NONE (0), ABSENT (2) DAYNA HUGHES, SEAN ROYLANCE. VOTE: YES (6); NO (0); ABSTAIN (1) – KEVIN HANSBROW; ABSENT (1) KELLY LIDDIARD.

Kevin Hansbrow abstained as he was absent during the February 15th meeting.

March 15, 2007 review of minutes:

Shawn Eliot

- P1, Item a – delete sentence “*It is not necessarily an impact fee*”.
- Item c – change “*Salem*” to “*Payson*”
- Item d1 – change “*help erosion*” to “*help prevent erosion*”
- P2, Item m – change “*storm drainage fee*” to “*storm drainage impact fee*”
- P6, Item c, sentence 4 – change “*This would*” to “*Having a public hearing would*”

Dayna Hughes

- P3, Item 6 – remove word “*and*”
- Item b – change “*part*” to “*park*”
- Item b, end of 3rd sentence – remove “*the*”
- P5, Item 18 – change “*of a stem*” to “*off a stem*”

RUSS ADAMSON MADE A MOTION THAT WAS SECONDED BY KEVIN HANSBROW TO APPROVE THE MINUTES OF THE MARCH 15,, 2007 PLANNING COMMISSION MEETING WITH THE ABOVE CORRECTIONS. VOTE: YES-ALL (7), NO-NONE (0), ABSENT (1) KELLY LIDDIARD.

11. PLANNING COMMISSION BUSINESS

Dayna Hughes reminded Margaret to be put on the next agenda to discuss Gated Communities. Margaret mentioned that since the next meeting is dedicated to a review of the General Plan, she would put her on the May 3, 2007 agenda.

Shawn Eliot mentioned that it would be nice to have our engineer present at some of the portions of some of the meetings to answer developer questions – in particular, it would have been nice to have him here when the Elk Haven subdivisions were being discussed, or at least to have written comments.

Sean Roylance will be made a full member of the Planning Commission and Paul Squires will become the alternate member.

12. . FOLLOW-UP ASSIGNMENTS, MISC. DISCUSSION

Russ reminded those with assignments to review the General Plan if they all remembered what their assignments were.

- Element 1: Communtiy Vision.....Russ Adamson and Dayna Hughes
- Element 2: Land Use Element.....Shawn Eliot and Sean Roylance
- Element 3: Circulation ElementShawn Eliot
- Element 4: Public Use Element.....Scot Bell and Paul Squires

He also reminded the commissioners to come to the City Council work session on Tuesday, April 10, to discuss impact fees and any other joint concerns.

ADJOURNMENT

Russ Adamson adjourned the meeting at 11:00 p.m.



Planning Commission Coordinator

NOTICE OF PUBLIC MEETING – AGENDA

Notice is hereby given that the Elk Ridge Planning Commission will hold a regularly scheduled **Planning Commission Meeting on Thursday, April 19, 2007, beginning at 7:00 p.m.** The meeting will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT, at which time consideration will be given to the following:

7:00 P.M. **Opening Remarks & Pledge of Allegiance**
Roll Call
Approval of Agenda

- 1. Hanson/Thornock Subdivision – Grading and Revegetation Plan / Final Plat**
 – Review and Discussion – Ken Young and John-Henry
- 2. Elk Ridge City General Plan Review**
 - Element 1 – The Community Vision of Elk Ridge**
 – Review and Discussion – Russ Adamson and Dayna Hughes
 - Element 2 – Land Use Element**
 – Review and Discussion – Shawn Eliot and Sean Roylance
 - Element 4 – Public Facilities**
 – Review and Discussion – Scot Bell and Paul Squires
- 3. Review of CE-1 Code**
 – Review and Discussion
- 4. Approval of Minutes of Previous Meetings – April 5, 2007**
- 5. Planning Commission Business**
- 6. Follow-up Assignments / Misc. Discussion**
 – Agenda Items for May 3, 2007 Planning Commission Meeting

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 12th Day of April, 2007.



 Planning Commission Coordinator

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 12th Day of April, 2007.



 Planning Commission Coordinator

ELK RIDGE PLANNING COMMISSION MEETING

April 19, 2007

TIME AND PLACE OF PLANNING COMMISSION MEETING ROLL CALL

A regular meeting of the Elk Ridge Planning Commission was held on Thursday, April 19, 2007, 7:05 p.m., at 80 East Park Drive, Elk Ridge, Utah.

Commissioners: Russ Adamson, Shawn Eliot, Sean Roylance, Paul Squires, Dayna Hughes, Kelly Liddiard

Absent: Scot Bell, Kevin Hansbrow

Others: Ken Young, City Planner
Margaret Leckie, Planning Commission Coordinator
John-Henry Schroemges, Tracey Snyder, and Chyril J. Snyder

OPENING REMARKS & PLEDGE OF ALLEGIANCE

Chairman, Russ Adamson, welcomed the commissioners and guests and opened the meeting at 7:05 p.m.. Opening remarks were given by Shawn Eliot, followed by the Pledge of Allegiance.

MOTION TO MAKE ALTERNATE MEMBER SQUIRES A VOTING MEMBER

A MOTION WAS MADE BY RUSS ADAMSON AND SECONDED BY KELLY LIDDIARD TO MAKE ALTERNATE MEMBER, PAUL SQUIRES, A FULL VOTING MEMBER FOR TONIGHT'S MEETING. VOTE: YES-ALL (6), NO-NONE (0), ABSENT (2) SCOT BELL, KEVIN HANSBROW.

APPROVAL OF AGENDA

The agenda order and content was reviewed.

A MOTION WAS MADE BY RUSS ADAMSON AND SECONDED BY PAUL SQUIRES, TO APPROVE THE AGENDA FOR THE PLANNING COMMISSION MEETING FOR APRIL 19, 2007. VOTE: YES-ALL (6), NO-NONE (0), ABSENT (2) SCOT BELL, KEVIN HANSBROW.

1. HANSEN THORNOCK SUBDIVISION – GRADING AND REVEGETATION PLAN, FINAL PLAT

Russ Adamson read from the packet that the applicant requests that the commissioners review and approve the grading site plan for Lot 2 of the Hanson/Thornock Subdivision and review a new final plat to create a single lot subdivision on Lot #2.

The existing Final Plat was approved for this subdivision on September 12, 2006 by the City Council. The Grading Site Plan submitted addresses all of the required detail and has been reviewed and forwarded by the Technical Review Committee to the Commission for approval. Information previously missing is now shown, including 2-foot contours, cuts and fills, proposed retaining wall areas, building envelope, area of vegetation to be removed and replanted, average slope on lot, and drainage and retention plans. Following approval of the grading site plan, the applicant will be able to build on the property.

The City Planner, Ken Young, recommended approval of the Final Plat to the City Council. Tonights' packet included a recommendation letter from the City engineers – Aqua Engineering.

The commissioners reviewed the plat. Nothing had changed on the plat except the subdivision is now a single lot subdivision. The drainage concerns were discussed.

The subdivision is in CE-1 Zone. Shawn Eliot questioned if there were areas on the lot that were 30% or over slopes. John-Henry showed him some areas on the lot that were over 30%. Shawn mentioned that our code states that you are to show areas on the preliminary and final plat that are 30% or over slopes. This needs to be on the final plat map, not just one of the detail maps. Shawn explained that this needs to be on the plat map so that if the property ever gets sold, the new owners will be aware of these areas which are not to be disturbed.

Shawn Eliot also explained that on the building pad you can tear out the scrub oak but it needs to be left undisturbed if the slope is over 20% and is outside the buildable area.

Shawn Eliot mentioned that slopes over 30% need to be labeled on the plat as open space.

Sean Roylance stated that the code reads that for lots in the CE-1 Zone if your lot has slopes over

30%, you should have a Preservation Agreement attached to the final plat. This is in Section 10-9A-10-G2 – under Open Space. Shawn Eliot mentioned that during construction these areas also need to be cordoned off.

A MOTION WAS MADE BY DAYNA HUGHES AND SECONDED BY KELLY LIDDIARD, TO RECOMMEND APPROVAL OF THE GRADING PLAN FOR THE HANSON/THORNOCK SUBDIVISION AT 412 S. HILLSIDE DRIVE WITH THE ONE CONTINGENCY: THAT ON THE PLAT MAP OUTSIDE THE BUILDABLE PAD, SLOPES GREATER THAN 30% BE DESIGNATED AS UNBUILDABLE AREAS AND FOR SLOPES GREATER THAN 30%, A PRESERVATION AGREEMENT WITH THE CITY BE ATTACHED TO THE PLAT MAP FOR THE CITY. VOTE: YES-ALL (6), NO-NONE (0), ABSENT (2) SCOT BELL, KEVIN HANSBROW.

SHAWN ELIOT MADE A MOTION THAT WAS SECONDED BY SEAN ROYLANCE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE FINAL PLAT OF THE HANSON/THORNOCK SUBDIVISION WITH THE ADDITION THAT ALL 30% AND ABOVE SLOPE BE SHOWN ON THE PLAT AS HATCHED AND THAT THERE BE A PRESERVATION AGREEMENT ENTERED INTO WITH THE CITY FOR THAT OPEN SPACE. VOTE: YES-ALL (6), NO-NONE (0), ABSENT (2) SCOT BELL, KEVIN HANSBROW.

John Henry asked if this needed to be on the mylar final plat. It was decided a note needs to be on the mylar and a separate agreement signed that will also be recorded with the mylar.

2. ELK RIDGE CITY GENERAL PLAN REVIEW

A. ELEMENT 1 – COMMUNITY VISION

Russ Adamson felt it is hard to get the community vision updated without first surveying the community. A survey form was passed out tonight (will be on file in the office with tonight's packet). This form was given to the commissioners by Bob Allen (Planner at Mountainland Association of Governments) at the last City Council meeting. Chairman Adamson recommended that we review the survey and make sure we have the right questions to get the desired feedback from the community.

It was decided that rather than review the other two elements as scheduled tonight, it would be more beneficial to review the survey. Shawn Eliot felt that the General Plan almost needs to be totally re-written.

Chairman Adamson said the idea behind each question should be to gain useful information in redoing the vision, the General Plan and the City code. All italicized verbiage is from the survey.

Questions:

(1) Prior to this survey, have you ever read the "Elk Ridge City Vision Statement?"

☐ Yes ☐ No

The commissioners felt this question was unnecessary.

Elk Ridge Vision Statement: To provide a small town rural atmosphere with well planned open space and recreation areas. Also to create a family oriented friendly community that is a great place to live.

The commissioners mentioned that the vision statement on the wall and in the General Plan are different. After some discussion they decided on amending the vision statement as follows:

Chairman Adamson with input from others, read the amended proposed statement:

"Elk Ridge Town's General Plan Vision: To create an environmentally sensitive residential community with limited commercial activity in a rural, beautiful and safe family-oriented city with well-planned open spaces and recreational areas, wildlife habitat, trails, and placement of development in the most suitable locations."

The following discussion followed:

1. Dayna Hughes questioned the legal right of the citizens to decide where development occurs.
2. Shawn Eliot said some communities have what is called “predominate ridgetops”. The code in these cities states that there are hilltops that homes cannot be built on because they are predominate locations. Another way to do this is the TDRs (Transfer of Development Rights). This is actually in our code. Basically you have a sending and a designation area. Our problem in our City is finding suitable designation areas. We could put ascending areas in the flatter areas of the CE-1 Zone and keep the rest off limits. I don’t know how to do this but if the citizens said this is what they wanted to do, we could attempt to figure out how.
3. Russ Adamson felt the need to add “well planned open spaces and recreation areas” to the vision statement.
4. Dayna Hughes questioned the reality of getting actual recreational open space in the CE-1 Zone. Shawn Eliot mentioned that RL’s revision of Fairway Heights, Plat C, in the CE-1 zone did contain a park. You can dedicate less open space (10% as opposed to 20%) if you are dedicating a park as open space.
5. Dayna Hughes felt we should keep the verbiage “family-oriented” community as that is much of the make-up of Elk Ridge currently.
6. It was recommended by Kelly Liddiard that before the townhomes go in, we address in our code how many non-related people can live in one dwelling. He is aware of a situation in some townhomes where there are 3 different family members and 10 cars. Because of the Fair Housing Act, as long as the residents are related, you cannot limit the number in a dwelling. If they are unrelated, you can.
7. Shawn Eliot mentioned that in Provo, in the tree streets, they enacted a similar law. It is either 2 or 3 non-related persons can live in a dwelling.

This is the proposed vision of the Planning Commission to be included in the General Plan.

(2) Do you agree with the Elk Ridge City Vision Statement?

☐ Strongly Agree ☐ Agree ☐ Disagree ☐ Strongly Disagree

The commissioners agreed this question should be left in.

(3) What is the main reason you decided to live in Elk Ridge?

☐ Rural ☐ Family ☐ Schools ☐ Job ☐ Leave congested areas
☐ Quiet ☐ Scenery ☐ Born here ☐ Low crime
☐ Affordable ☐ Small ☐ Mountains ☐ Property rights

The commissioners felt this question should be changed to “What are the main reasons...”, which would allow people to list several reasons..They felt that the question should ask residents for the top 3 reasons, in ranked order. They felt *Property Rights* should be removed as an option.

(4) How long have you lived in Elk Ridge?

☐ Under 1 year ☐ 16-20 years
☐ 1-5 years ☐ 21-25 years
☐ 6-10 years ☐ 26-30 years
☐ 11-15 years ☐ Over 30 years

The following discussion followed regarding Question 4:

1. Russ Adamson felt this would help us understand the demographics..
2. Dayna Hughes stated she would like to know how many retired senior citizens we have in Elk Ridge.
3. Sean Roylance questioned adding ‘How long have you lived in Elk Ridge.’ It was

decided to move this to the end.

4. Dayna Hughes questioned whether all these questions will be tied together so we will know how long time residents answer certain questions, etc. Shawn Eliot said “yes.”.

Recognize that while many of us would like things to stay as they are, change will eventually come. People will sell land. Others will want to develop theirs. Our challenges as a city will be to guide change in such a way that the quality of life we all enjoy can be preserved. Therefore, think carefully as you answer these questions. Your answers will have much to say about what our future will be like.

(5) Do you favor or oppose encouraging **residential** growth in the city?

☐ Favor ☐ Oppose ☐ Undecided

The following discussion followed regarding Question 5:

1. Dayna Hughes felt this question should be removed from the survey. Residents don't realize that most of the land being developed in Elk Ridge is private land.
2. Shawn Eliot felt that somewhere in that paragraph it should state that people do have rights concerning developing.
3. The commissioners decided to DELETE QUESTION NO. 5.

(6) If you **favor** residential growth, where in the City would you like to see that growth occur?

☐ Northeast ☐ Northwest
☐ Southeast ☐ Southwest

The following discussion followed regarding Question 6:

1. Chairman Adamson felt the first part of the sentence “If you favor residential growth” should be removed. .
2. Dayna Hughes stated that we cannot drive where development occurs. Developers will drive that.
3. Shawn Eliot mentioned that you can say “What kind of density would like...” We do that now. The south end is the lower density and the north end is the higher density.
4. Russ Adamson said that we would re-do question No. 6 after considering No. 7.

(7) Do you feel Elk Ridge City is adequately regulating growth in the community?

☐ Strongly Agree ☐ Neutral ☐ Disagree
☐ Agree ☐ Strongly Disagree

The commissioners agreed this question should be left in.

The following discussion occurred:

1. Chairman Adamson mentioned this question might be followed up with “Where in the City would you like to see more regulated growth?”.
2. Dayna Hughes felt we needed to be careful about implying that the residents had a say where development could occur, as they don't.
3. Shawn Eliot suggested adding a question “Currently the City has lower densities in the hillside areas and higher densities to the north, are we on the right course?”.
4. Russ Adamson suggested being more specific regarding the CE-1 Zone. Dayna Hughes suggested the following (with input from Shawn Eliot):

“Currently the CE-1 Zone or hillside zoning allows for approximately 1 home per acre and clustering of smaller lots with dedication of open space. Do you agree with this policy?”

or

“Most of the private undeveloped land right now lies in the CE-1 Zone or hillside area. In the hillside area the code currently allows one-acre lots, and half-acre and third-acre lots with dedicated open space.”.

5. Kelly Liddiard asked if people disagree with this statement, will we try and re-write the code? Shawn and Dayna both said yes. Shawn Eliot stated we tried to do this last fall and go turned down.
6. Russ Adamson asked whether the density of one residence per acre was too much, or too little? This might be an appropriate question. He phrased the survey question:
“Do you prefer to have one-acre lots in the hillside zone or smaller lots with more dedicated open space.?”.
7. Dayna Hughes felt it should be a density question:
8. The commissioners decided to break it into two questions. The first question asking about the overall density and the second question asking Are you in favor of one-third acre lots in hillside zones if open space is preserved for all to use? Then ask another question: “How much open space should be required for dedication?”
9. Shawn Eliot mentioned he had just returned from some national meetings where some of these issues had been discussed. He stated that there are some cities who require 50-70% open space dedication for smaller lots in hillside zones. This was a town in Oregon.
10. Dayna Hughes rephrased her question with input from the other commissioners:

6) Most of the current undeveloped private hillside land is currently zoned to be developed with an average of one house per acre. Is this density () Too High, () Too Low, or () Adequate?”

The commissioners agreed that this was a good question for the survey.

11. Shawn Eliot suggested asking

7) Would you prefer one acre or larger lots of private land without public open space, over clustered homes on smaller lots (one-third acre) with public open space if the overall density remains the same?”

Dayna mentioned that this is one of the issues she is going to bring up regarding gated communities: they are private and the public cannot take walks through gated communities.

12. Sean Roylance stated that with clustered lots the development would be more dense. Russ Adamson said that was not necessarily the case. It would depend on what percentage open space dedication was required from the developer in exchange for the clustering.

(8) Do you favor or oppose encouraging limited **commercial** growth in the City?

☐ Favor

☐ Oppose

☐ Undecided

The commissioners agreed to keep this question in the survey.

(8:30 Kelly Liddiard had to leave the meeting early)

Russ Adamson proposed the following additional question:

“Currently the General Plan calls for 10 acres of park per 1,000 residents. We are way low at present. Do you agree? Yes or No?.”.

Shawn Eliot mentioned that once we purchase the 7th hole of the Payson Golf Course, and make this into a park, we will be closer to that percentage. Randy Youngs parks will also help. The commissioners agreed on asking the following question:

Is the current park space adequate? yes or no?

If you want more park space, what park facilities would you like to see in Elk Ridge? (swimming

pools, etc).

Many people in the past have said they would like to have public facilities in the community such as swimming pools, ballparks, pavillions and play areas. Would you be willing to add a monthly recreation charge to your monthly utility billing to pay for developing more these amenities in our community?

If so, how much. (Maybe add a question that gives ranges of fees they would be willing to pay).

☐ None ☐ \$10-\$20 ☐ \$21-\$30 ☐ \$31 to \$40 ☐ \$41-50

1. Shawn mentioned that in his meetings he heard about a city in Long Island, New York where they passed a property tax to purchase open space. The citizens passed the tax. It was farm land. The farmers could farm but could farm the land, but not develop it.
2. Dayna Hughes suggested the following question in response to Shawn's comment:

Most of the undeveloped hillside area of Elk Ridge is currently privately owned and can be developed.. Would you be willing to increase your taxes to pass a bond to purchase some of these areas to keep them as open space?

Shawn Eliot suggested asking

If the City acquires open space land in hillside areas, do you want the land left as undisturbed natural open space or should there be a possibility for some of it to be developed as parks?

Chairman Adamson suggested that each of the commissioners go through the rest of the survey on their own, then reschedule a followup work session.. It was discussed postponing the normal meeting until 7:30 p.m. and having the work session from 6:30 to 7:30 p.m. prior to the meeting on the 19th of May..

3. REVIEW OF CE-1 CODE

Sean Roylance mentioned that as he reviewed for tonight's meeting, he came to understand the CE-1 Zone code better.

Shawn Eliot passout out a handout which will be included in tonight's packet. Shawn went through the proposal given to the City Council last fall, which was denied, and made some minor changes. The greyed portions are minor clarification changes. The areas highlighted in red are major changes (i.e. changing the overall cap to 1.2 units per acre).

The following discussion ensued:

1. Rather than trying to change the code all at once, we will take one major issue at a time to the City Council for consideration.
2. The major changes were getting rid of the half-acres and not allowing 30% slopes as part of the calculation of natural open space dedications. Right now Elk Haven E is getting smaller lots in exchange for undevelopable open space.
3. Sean Roylance referred to Page 5, No. 7, Items a and b on his handout. It states that everything 30% or greater is open space anyway. In the last meeting the Elk Haven developers had some small lots backed up against the open space as part of their lots. The code says that using this 30% as part of the lots has to be approved and that the 30% should be small incidental parts of the building envelope.
4. Shawn Eliot mentioned that the code did say that natural open space can include areas of 30% or greater. That is where we erred. This is why Item 8 has been changed to "Natural and Park Open Space Requirement for Bonus Density Third-Acre Lots..." This is what you turn over to get more density on your lots. The red area in No. 8 is asking whether we should allow that 30% open space to be part of the area they turn over in lieu of density. Sean Roylance felt that we should not as we were already getting this area of 30% or over. The developer can deed this area over to the City or they can just keep it on their plat map. He can mark it as unbuildable open space, but it is not public open space unless deeded to the city. He cannot

alter it or build upon it, but it is not public.

5. Basically, Shawn Eliot explained, No. 8 states that to arrive at the 20% open space dedication for density, the developer must use areas under 30% slope. This will allow for clustered small lots. Also, once you cross the threshold of wanting your property to invoke the density bonus, your whole development is under that rule. The other night City Planner, Ken Young, said it doesn't state this in the code. We were thinking it did so we clarified this in the changes proposed tonight.
6. Right now in Plat E, Elk Haven, all their density bonus exchange is this 30% or greater land. On the one-acre base density, there is no requirement for public open space at all. It will be kept in its natural state, but will not be available to the public.
7. When Shawn spoke to the Mayor, the Mayor said the benefit of allowing the 30% as part of the calculation was that the open space would be public and turned over to the City. We need to determine whether our No. 1 goal is to have open space or have open space that is dedicated to the City Shawn Eliot thought the Council did not want a lot of open space that the City owned and needed to maintain.
8. Shawn Eliot felt this should go to the City Council in three sections:
 - The greyed clarification code amendments
 - The red on page 3 talking about the development cap that gets rid of the half-acre lots unless a part of the density bonus
(there are 3 issues in red 1) density cap, 2) getting rid of half-acre lots and 3) 20% slope requirement for natural open space.
 - The natural open space requirement not allowing 30% or over dedication.
9. Shawn mentioned that The City Council is wondering why we are revisiting the CE-1 code. We sort of rushed it through then as it is implemented, we saw holes. RL's development brought up some issues. Maybe we need to ask for another work session on the CE-1 Zone. Let them know that with the developments coming in, we are seeing issues and want to run them by the Council.
10. Russ suggested the Planning Commission review Shawn's handout. Shawn said maybe we could come back at the meeting after next week with this discussion. We will have a one-hour work session discussing CE-1 code and general plan review as discussed above, at the 6:30 to 7:30 p.m. slot prior to the delayed 7:30 p.m. regular meeting.
11. Shawn Eliot said another thing we could look at is getting rid of one-third acre lots as density bonus and only allowing one-half acre lots. This is what Woodland Hills has as density bonus. They do not allow one-third acre lots.
12. Sean Roylance wants to put together a spread sheet that shows potential results on density of various CE-1 choices for code.
13. Shawn Eliot reiterated that there has to be a way to do true clustering. Again, at the meeting he recently attended, one city achieved this by requiring a 50% to 70% open space dedication. This sounds extreme, but 10% and 20% seem low. Our PUD requires 25%.
14. Chairman Adamson expressed concern that we are still working on CE-1 but we allow developers to be vested. Shawn Eliot mentioned we had tried to rework the code, but were turned down by the City Council.

4. APPROVAL OF MINUTES OF PREVIOUS MEETING – APRIL 5, 2007

The following corrections to the April 5, 2007 minutes were brought forth:

- P1 – Paul Squires finished his sentence “for the improvement of large recreation plan for Deer Creek Reservoir.” following “*officers for.*”
- P2 - Item 10, Remove first sentence. Item 3, delete that item.
- P3 - Item 16 – remove first part of sentence ending with “7:45”, add “Chairman Adamson” just prior to “delayed...”
- Item 17 – end of first bullet, replace “big” with “larger”
- P5 - Item 5 – replace ??? with “...behind High Sierra”
- Item 8 – delete that whole item.
- P6 - Item 17 – last sentence, change “sidewalk” to “trail”

- P7 - Item 23 – first sentence, change “Ballard” to “Bollard”
- Item 24 –remove 1st sentence in 2nd paragraph “Shawn felt....”
- Item 4A-e –re: The comment made regarding commissioners’ Bell and Roylances’ lots being similar to some steep Elk Haven lots is not true, the developer made a claim with no proof, add comment (*this was discussed at the next meeting and is inaccurate*).
- Item 4A-b – change “was” to “way”
- P8 - Last sentence on page change “the” to “that”
- Item o - Shawn Eliot stated that at that the grading plan in a CE-1 development was to be turned in at Preliminary Plat. City Planner, Ken Young said it could be turned in later. When Shawn reviewed the code it did state that you turn your grading plan in either prior to preliminary or at preliminary. You can’t approve the preliminary if you don’t know what is being cut up and graded.
- P9 - Item v – change “approve” to “approved”
- P10 - following motion, remove remainder of sentence after “NO” ending with “open space”
- P11 - In second motion change “3” to “4” in the number of NO votes
- P14 - Item g, last paragraph (remove note to Shawn)
- P15 - Item i, remove “but.....to.....sense to me”, change “me” to “Shawn”, change “something useful” to “some useable open space”

RUSS ADAMSON MADE A MOTION THAT WAS SECONDED BY SEAN ROYLANCE TO APPROVE THE PLANNING COMMISSION MEETING MINUTES FOR APRIL 19, 2007 WITH THE ABOVE MENTIONED CHANGES. VOTE: YES-ALL (6), NO-NONE (0), ABSENT (2) SCOT BELL, KEVIN HANSBROW.

5. PLANNING COMMISSION BUSINESS

Dayna Hughes will be gone May 3 and May 17, 2007.

6. FOLLOW-UP ASSIGNMENTS / MISC. DISCUSSION

Dayna Hughes will email her comments on the survey. Shawn Eliot mentioned it would be nice to have everyone email their comments so we could have them printed out and look them over.

ADJOURNMENT

Russ Adamson adjourned the meeting at 9:40 p.m.


Planning Commission Coordinator

NOTICE OF PUBLIC MEETING – AMENDED AGENDA

Notice is hereby given that the Elk Ridge Planning Commission will hold two Public Hearings: one on a proposed amendment to the Elk Ridge City Code regarding Flag Lots and one on a proposed amendment to the Elk Ridge City Code regarding amending the CE-1 and CE-1 code regarding grading permits. These hearings will be held on **Thursday, May 3, 2007, beginning at 7:00 p.m.** prior to the regularly scheduled **Planning Commission Meeting on Thursday, May 3, 2007 beginning at 7:10 p.m.** The meetings will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT, at which time consideration will be given to the following:

7:00 P.M.

Opening Remarks & Pledge of Allegiance
Roll Call
Approval of Agenda

1. **Public Hearing for Plat Vacation of Salem Hills, Plat B, Block 5, Lot 3 and Preliminary and Final Plat, Burton Subdivision, Plat A**
 - Review and Discussion – Ken Young
 - Motion on Public Hearing
2. **Public Hearing for Plat Vacation of Salem Hills Subdivision, Plat C, Lot 9 and Preliminary and Final Plat of Salem Hills, Plat K (Jolley)**
 - Review and Discussion – Ken Young
 - Motion on Public Hearing
3. **Public Hearing for Plat Vacation of Salem Hills Subdivision, Plat B, Block 9, Lot 6 and Preliminary and Final Plat of Bean Subdivision, Plat A**
 - Review and Discussion – Ken Young
 - Motion on Public Hearing
4. **Public Hearing for Cloward Subdivision, Plat B**
 - Review and Discussion – Ken Young
5. **Public Hearing for Elk Ridge City Code Amendment Regarding Durability Retainer (Section 10-16-7)**
 - Review and Discussion – Ken Young
 - Motion on Public Hearing
6. **Amend Elk Ridge City Development and Constructions Standards re: PUD Right-of-way for Horizon View Farms, Elk Ridge Meadows, Phase 4**
 - Review and Discussion – Ken Young
7. **Horizon View Farms, Elk Ridge Meadows Phase 4 - Concept**
 - Review and Discussion – Ken Young
8. **Approval of Minutes of Previous Meetings – April 5, 2007**
9. **Planning Commission Business**
 - Upcoming Citizen Planner Seminar, May 31
10. **Follow-up Assignments / Misc. Discussion**
 - Agenda Items for May 17, 2007 Planning Commission Meeting – General Plan Review

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 30th Day of April, 2007.


 Planning Commission Coordinator

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 30th Day of April, 2007.


 Planning Commission Coordinator

May 3, 2007

TIME AND PLACE OF PLANNING COMMISSION MEETING	A regular meeting of the Elk Ridge Planning Commission was held on Thursday, May 3, 2007, 7:05 p.m., at 80 East Park Drive, Elk Ridge, Utah.
ROLL CALL	<p><i>Commissioners:</i> Russell Adamson, Shawn Eliot (arrived 7:25 p.m.), Kelly Liddiard, Scot Bell, Dayna Hughes</p> <p><i>Absent:</i> Kevin Hansbrow, Sean Roylance, Paul Squires</p> <p><i>Others:</i> Ken Young, City Planner Margaret Leckie, Planning Commission Coordinator Clifford Ammons, Ray Day, Susan Meyer, Elliot Smith, Jason Smith, Lilakee Branam, Loy Jolley, Kendall Jolley, Vint Jolley, Alvin Harward, Jerrold N. Patterson, Julie Patterson, Travis Russell, Brooke Russell</p>
OPENING REMARKS & PLEDGE OF ALLEGIANCE	Chairman, Russell Adamson, welcomed the commissioners and guests. Opening remarks were given by Scot Bell followed by the Pledge of Allegiance.
APPROVAL OF AGENDA	<p>The agenda order and content were reviewed. The one correction to the agenda was in Item 7. "Concept" Plat should be changed to "Preliminary" Plat for Horizon View Farms</p> <p>A MOTION WAS MADE BY RUSS ADAMSON AND SECONDED BY SCOT BELL, TO APPROVE THE AGENDA FOR THE PLANNING COMMISSION MEETING FOR MAY 5, 2007 WITH THE ONE CORRECTION LISTED ABOVE. VOTE: YES-ALL (4), NO-NONE (0), LATE (1) SHAWN ELIOT, ABSENT (3) SEAN ROYLANCE, KEVIN HANSBROW AND PAUL SQUIRES.</p>
1. PUBLIC HEARING ON PLAT VACATION OF SALEM HILLS, PLAT B, BLOCK 5, LOT 3 AND PRELIMINARY AND FINAL PLAT, BURTON SUBDIVISION, PLAT A (BURTON LOT SPLIT)	<p>Chairman Adamson opened the public hearing at 7:10 p.m. and read from the memo in tonight's packet written by Ken Young, City Planner:</p> <p>The applicants (Burton's) have requested to split the lot as shown on the attached plat. Lot 1 will have access on Park Drive with a circular driveway. Lot 2, with the existing Burton home, will maintain access on Autumn Circle. The proposed two new lots meet the minimum square footage and lot frontage requirements of the R-1 15,000 zone. The Technical Review Committee has reviewed this application and has found no further concerns. Curb and gutter are not recommended since the area is mostly developed and none exist nor are anticipated to be installed in the area in the future. It is recommended that the Planning Commission recommend approval of this simultaneous submission of a preliminary and final plat for the Burton Subdivision, Plat A.</p> <p>Chairman Adamson opened the floor for public comment and commissioners comments. The following comments were made:</p> <ol style="list-style-type: none"> 1. Lila Branum, neighbor, wondered what the lot size was now. She thought that the Burton's had tried to split the lot 10 years ago and the lot was too small. City Planner, Ken Young, read from the plat that the lots are both over 15,000 sq. ft., which is the minimum required in that zone. He also found in the old code that the minimum lot size was 11,000 sq. ft. at one time. 2. Russ Adamson questioned why the lot fronted the busier street when there were two frontage options. It was stated that the frontage requirements could not be met on Autumn Circle. 3. Scot Bell expressed concern about having a back fence for the lot with the Park Drive frontage on Autumn Drive. Having the back of a lot next to the front of a lot is not good. There was some discussion about the front of the lot being along the busier street when the lot did have access on a less busy street, Autumn Circle. The circular driveway does meet the requirement for a lot with access on a major collector. When the commissioners got in a discussion about how to design the lot to be more aesthetically pleasing, Councilman Harward reminded them that as long as the design meets the code, it is improper for them to get involved in the design. 4. Shawn Eliot read from Section 10-12-13 <ul style="list-style-type: none"> <i>E. Double Frontage Lots: On double frontage lots, a sight obscuring fence, wall or hedge or similarly enclosing planting or structure may be placed along the rear property line provided that the placement will not result in the establishment of a hazardous condition to adjacent properties, as determined by the zoning administrator.</i> <p>The zoning administrator, Ken Young, thus, will be responsible for determining the appropriate</p>

fencing on the rear of the lot.

5. Scot Bell also questioned whether the lot facing Autumn Circle (cul-de-sac) met the minimum frontage requirement for the R-1-15,000 zone. Planner, Ken Young, explained that the cul-de-sac frontage requirements are different than normal lots. The frontage is measured 30 feet back on a line drawn perpendicular to the tangent line drawn from the cul-de-sac.
6. There was concern mentioned by Vint Jolley that the large lots are hard to maintain, are unsightly, fire hazards and prevent realistic use of land as more people occupy the state. Also, some of these larger lots were bought with the intent that dividing them in later life and selling a portion would help provide for retirement.

A MOTION WAS MADE BY DAYNA HUGHES AND SECONDED BY KELLY LIDDIARD, TO RECOMMEND APPROVAL OF THE PROPOSED PLAT VACATION OF SALEM HILLS, PLAT B, BLOCK 5, LOT 3 AND PRELIMINARY AND FINAL PLAT OF THE BURTON SUBDIVISION, PLAT A. VOTE: YES (4), NO (1) SCOT BELL, ABSENT (3) SEAN ROYLANCE, KEVIN HANSBROW AND PAUL SQUIRES.

**2. PUBLIC HEARING
ON PLAT VACATION
OF SALEM HILLS
SUBDIVISION, PLAT
C, LOT 9 AND
PRELIMINARY AND
FINAL PLAT OF
SALEM HILLS
SUBDIVISION, PLAT
K (JOLLEY LOT
SPLIT)**

Chairman Adamson opened the public hearing at 7:25 p.m. and read from the City Planner's memo which contained the following information:

The Jolley's have requested to split their lot as shown on the plat in tonight's packet. A portion of the lot in the southeast corner has been sold to the adjoining property owner to the south, Brad Turner. The proposed two new lots meet the minimum square footage and lot frontage requirements of the R-1 20,000 zone. The Technical Review Committee has reviewed this application and found no concerns. Curb and gutter are not recommended since the area is mostly developed and none exist nor are anticipated to be installed in the area in the future. It is recommended that the Planning Commission recommend approval of this simultaneous submission of a preliminary and final plat for Salem Hills Subdivision, Plat K.

Chairman Adamson opened the floor for public comment and commissioners comments. The following comments were made:

1. There were no public comments. Commissioner Dayna Hughes had questions about the Turner portion of the Jolley lot and how that would end up after the plat vacation and final plat. Planner, Ken Young, explained that the original intention was for the Jolley's and Turner's to vacate and form a new subdivision but that did not work out. This portion would now be an unplatted piece of land after the vacation and when the Turner's do their lot split (plat vacation and new plat), they will include this portion of land in their new plat.
2. It was noted by the planner that the frontage, though looks substandard at 98.95 feet, includes a 10 foot easement which meets the minimum frontage requirement.

The public hearing was closed at 7:30 p.m.

A MOTION WAS MADE BY DAYNA HUGHES AND SECONDED BY RUSS ADAMSON, TO RECOMMEND APPROVAL OF THE PROPOSED PLAT VACATION OF SALEM HILLS, PLAT C, LOT 9 AND PRELIMINARY AND FINAL PLAT, OF THE SALEM HILLS SUBDIVISION, PLAT K. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (3) SEAN ROYLANCE, KEVIN HANSBROW AND PAUL SQUIRES.

**3. PUBLIC HEARING
ON PLAT VACATION
OF SALEM HILLS
SUBDIVISION, PLAT
A, BLOCK 9, LOT 6;
PRELIMINARY AND
FINAL OF BEAN
SUBDIVISION, PLAT
A**

Chairman Adamson opened the public hearing at 7:30 p.m. and read from the City Planner's memo which contained the following information:

The applicants, the Beans, have requested to split the lot into 3 new lots as shown on the attached plat. Lot 1 will have access on Canyon View Drive, while Lots 2 and 3 will have access on Alpine Drive. The proposed three new lots meet the minimum square footage and lot frontage requirements of the R-1 15,000 zone. Corrected rear yard setbacks have been requested showing 30' setbacks on all lots. The Technical Review Committee has reviewed this application and has found no further concerns. Curb and gutter are not recommended since the area is mostly developed and none exist nor are anticipated to be installed in the area in the future. It is recommended that the Planning Commission recommend approval of this simultaneous submission of a preliminary and final plat for the Bean Subdivision.

Chairman Adamson opened the floor for public comment and commissioners comments. The following comments were made:

1. It was requested that prior to the City Council meeting where this project is reviewed, a new plat be submitted containing the correct setbacks. If the County is amenable to having the current plat marked with the correct setbacks that was acceptable by the Planning Commission.
2. Susan Meyer, a neighbor, spoke up. She had no objections but wanted to know the time line as she is doing some work on her property and was using the Bean property for access.
3. Scot Bell questioned whether the frontage on the plat of one of the lots was under the required footage. The Beans pointed out that the frontage included the easement shown next to the lot so the actual frontage was a sum of the two figures on the plat.

The public hearing was closed at 7:40 p.m. There was no further public comment.

A MOTION WAS MADE BY SCOT BELL AND SECONDED BY RUSS ADAMSON, TO RECOMMEND APPROVAL OF THE PROPOSED PLAT VACATION OF SALEM HILLS, PLAT B, BLOCK 9. LOT 5 AND PRELIMINARY AND FINAL PLAT, OF THE BEAN SUBDIVISION, PLAT A; WITH THE CONDITION THAT THE 30-FOOT CORRECTED REAR SETBACKS BE SHOWN. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (3) SEAN ROYLANCE, KEVIN HANSBROW AND PAUL SQUIRES.

**4. PUBLIC HEARING
ON CLOWARD
ESTATES
SUBDIVISION, PLAT B**

Chairman Adamson opened the public hearing at 7:40 p.m. and read from the City Planner's memo which contained the following information:

The preliminary plat of the Cloward subdivision was reviewed and approved by the City Council and the applicant now desires approval of the final plat for this 39-lot subdivision. The Planning Commission reviewed the final submittal on 3/15/07 and found four corrections needed:

1. Show City development standard profile for detail on sumps.
2. Dot Drive needs to be shown to be constructed at a 56' ROW, not 47'.
3. The General Plan calls for a 10' trail along Dot Drive – either east or west side.
4. Correction of road name needed on profile sheet for Dot Drive (change Rocky Mountain Way to Goosenest Drive.)

These corrections have been submitted. It is recommended that the Planning Commission approve the plat based on the corrections made.

Chairman Adamson opened the floor for public comment and commissioners comments. The following comments were made:

1. Ken Young mentioned that there is a problem with water rights for the Cloward Estates Subdivision, Plat B. The developer is in the process of transferring water rights but this could take some time. The City Council is considering granting final approval with the condition that there be a waiver of entitlement (similar to a lien) on each lot stating that building permits will not be issued until water rights are provided for that lot.
2. Shawn Eliot pointed out on the final plat page, Dot Drive was not showing a 56' ROW. Ken Young mentioned that the detail in the upper corner shows it correctly with a 10' trail on the west side of the street.
3. Russ Adamson questioned why City code was not invoked which prohibits lots fronting on two streets. Elk Ridge City code, section 10-15-F3 reads:
10-15F-3: LOTS ABUT ON PUBLIC STREET; DOUBLE FRONTAGE LOTS PROHIBITED, EXCEPTIONS:
Each lot in a subdivision shall abut on a street dedicated to the city by the subdivision plat or an existing public street, either dedicated or which has become public by right of use, and is more than fifty six feet (56') wide. Interior lots having frontage on two (2) streets are prohibited except in instances where topographic conditions make such design desirable.
(Ord. 97-7-8-8, 7-8-1997)
City Planner, Ken Young, stated that this was overlooked in the review but the plat design would be grandfathered as it has already received approval. Ken Young will write a memo to City Council explaining this situation in case they want to look at this issue.

The public hearing was closed at 7:45 p.m. There was no further public comment.

A MOTION WAS MADE BY SCOT BELL AND SECONDED BY DAYNA HUGHES, TO RECOMMEND APPROVAL OF THE FINAL PLAT OF THE CLOWARD ESTATES SUBDIVISION, PLAT B SUBDIVISION, WITH THE CONDITION THAT MR. CLOWARD SIGN WAIVERS OF ENTITLEMENT FOR EACH LOT STATING THAT BUILDING

PERMITS WILL NOT BE ISSUED UNTIL WATER RIGHTS ARE PROVIDED FOR EACH LOT. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (3) SEAN ROYLANCE, KEVIN HANSBROW AND PAUL SQUIRES.

The public hearing was closed at 7:45 p.m. There was no further public comment.

**5. PUBLIC HEARING
ON ELK RIDGE CITY
CODE AMENDMENT
REGARDING
DURABILITY
RETAINERS**

Chairman Adamson opened the public hearing at 7:45 p.m.

Ken Young explained in his memo that concerns have arisen regarding the requirements for the posting of durability bonds. It is felt there should be more flexibility in the form of the bond. The Mayor asked that a public hearing be held to consider amending the portion of the Elk Ridge City code which deals with this issue.

The proposed amendment allows a tiered amount for the 6% portion of the bond for Engineering inspection from 6% to 3% depending on the estimated cost of improvements, and graduated amounts for the Bond Fee and Administration Fee depending on estimated cost of improvements (see table on memo for tonight's meeting in packet).

There was no comment during the public hearing. The public hearing was closed at 7:55.

A MOTION WAS MADE BY RUSS ADAMSON AND SECONDED BY KELLY LIDDIARD, TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE PROPOSED AMENDMENT TO THE ELK RIDGE CITY CODE REGARDING DURABILITY RETAINERS. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (3) SEAN ROYLANCE, KEVIN HANSBROW AND PAUL SQUIRES.

**6. AMEND ELK
RIDGE
DEVELOPMENT AND
CONSTRUCTION
STANDARDS RE: PUD
RIGHT-OF-WAY –
HORIZON VIEW
FARMS – ELK RIDGE
MEADOWS PUD,
PHASE 4**

Ken Young read from his memo in tonight's packet explaining this request from the developers of Horizon View Farms (purchasers of Phase 4 of Elk Ridge Meadows PUD).

In review of a concept plan for the proposed development, which plans for 75 town homes, a need was determined by the applicant to request a revised version of the City's minimum 56' right-of-way requirement. The proposed concept layout of the town home units shows sidewalks at the "front" of the unit, and driveways at the "rear".

The requested new PUD right-of-way maintains the same amount of actual roadway, with two 17-foot drive lanes with type "B" curb, but alters the sidewalk and easement area outside of the roadway. (An example of the new PUD right-of-way cross section is shown on sheet 3 of the Horizon View Farms concept plan in tonight's packet). Utility easements are still maintained within the right-of-way, but the sidewalks are moved to the other side, or "front" of the units. This will better serve the needs of the design for the town home community, and will meet the City's needs for sufficient road width. The proposed layout of the town homes development will present a nice, front-door appearance from the surrounding City streets.

This is the first such development in Elk Ridge, and our code has not yet addressed the various development needs and possible options for multiple family projects. This is a reasonable request for this type of development.

RECOMMENDATION: (from memo) It is recommended that the Planning Commission move to recommend to the City Council that the Development and Construction Standards be amended to allow the proposed PUD 56' right-of-way.

The following discussion from the public and commissioners ensued:

1. Eliot Smith, purchaser of Phase 4 Elk Ridge Meadows (now called Horizon View Farms) stated there are two approaches. 1) to amend the Elk Ridge City Development and Construction Standards as explained above; or 2) ask for an exception to be made to the standards. Ken Young stated it may be difficult to get an exception from the City Council as you must find that standard unnecessary for the subdivision or that it would cause unreasonable hardship.
2. Eliot stated that they have formed a joint partnership with a builder who will build the town homes and they are in the project for the duration. He stated that for these type of developments you usually get 12-13 units per acre. Their proposed development is much less, it is closer to 7 units per acre. There is a significant amount of open space. They have take care to make sure that

there will be a nice front view from all the major streets abutting the development. Street view will be the front rather than the backs of the homes.

3. They have redone their original concept plan which had a 24' road and now have included in their concept the standard right-of-way, which is 56', with one modification. The amount of asphalt is the same, the curb and gutter is the same and there are 18' long and 19' wide driveways, which will allow for one and possibly two extra spaces per unit (a 20' driveway is what the standard is for two cars parking side-by-side). The only thing not on their design which is in the standard, is the sidewalk along the street. They will dedicate 8 feet on either side of the street to the City but the actual sidewalks will be at the front of the town home unit in the open space. Shawn Eliot stated that all the City would have to do to amend the Development and Construction standards is state:

Within PUDs sidewalks can be moved from alongside the road to within the development.

4. Ken Young felt the whether they achieve this via an exception, or an amendment to the Development and Construction Standards, the Planning Commission can recommend approval and let the City Council decide which process they want to use.
5. Chairman Adamson questioned what the developer's intentions were for the open space? Sod? Xeri-scape? Eliot Smith explained that the interior of the development will be sod, and the exterior will be a combination of sod and xeri-scape. The development contains about 70% open space. There are plans for a retention basin in the northwest corner of the project.
6. Eliot Smith stated that one of the projects their builder has done are the Salsbury Homes in Spanish Fork. They mentioned this when Russ Adamson asked if they had done any alley-load developments.
7. A Home Owner's Association would be formed or hired to maintain the grounds. Ken Young mentioned that this development contains significantly more open space than is usually the case for this type of development.
8. Shawn Eliot mentioned that the wider street allows for off-street parking but there is no where to do that near the units as the driveways are so close together. Eliot Smith mentioned their original concept had some off-street visitor stalls but when they were asked to do the wider roads, this was the exchange they made. He again mentioned there is room in the driveway for two cars to park. He did not feel it was necessary to have both options available. The streets will be dedicated to the City.
9. This particular design is not conducive to having individual patios for each unit.
10. The sidewalks are figured in as part of the calculation of open space.

The following discussion ensued regarding the exterior streets, Cotton Tail Lane and Sky Hawk Way:

11. Chairman Adamson summarized the original concern was that the developers wanted to do half-plus-nine roads. In meeting with the Mayor it was reiterated that Elk Ridge only allows full-width roads. Eliot Smith clarified that this issue is really between the City and Development Associates (Bob Peavley and Dave Milheim). The purchase of Elk Ridge Phase 4 was with the understanding that Development Associates would install Cotton Tail Lane and Sky Hawk Way. It was originally presented as half-width and that was missed in the early City reviews. When Pangea Development purchased the property it was with the understanding there would be half plus-nine roads installed. He understands why half-width roads are not allowed. He does not care how the issue gets resolved but when asked for another 34' on his property for the new full width road that was not planned on, it pinches into his property. Thus, putting in the full-width road would double the cost for Development Associates and Horizon View Farms would lose property they had purchased from DAI which they would have to purchase back for the road.

Being faced with coming up with alternatives, they met with the Mayor on Monday and had a follow-up meeting with David Church (City Attorney) on Wednesday. The four options discussed with David Church were:

- a. Eminent Domain – where the City comes in and condemns Lyle Smart's property (owner adjacent to Horizon View Farms on the west). There was not much interest in this option. The other side of the half-plus-nine originally shown road would be on his property and built by him when he develops his property, which is not in the foreseeable future.

- b. Shift all the road onto Horizon View Farms property. Horizon View Farms is not interested in this option, nor is DAI.
- c. Go thru a findings process and get into the legalities of how the project was approved in the first place. Development Associates can then get an exception from the ordinance and build a half-plus-nine road. David Church and the Mayor did not like this option.
- d. Horizon View Farms (Eliot Smith and Jason Smith) came up with a suggestion to do an alternative layout which was presented to the Planning Commission. (See added handout in tonight's packet). They would still give up property but the ROW would shift back and forth, but down south the alignment would remain the same for the other connecting subdivisions and proposed round-about. It was mentioned earlier this evening that one possibility was to do away with the road (portion of Cotton Tail Lane between 11200 S. and Sky Hawk Way). This option does not do away with the road but provides an alternative layout. They would dedicate to the City the area of right-of-way in the southern portion (but not build it) and DIA would develop the northern portion of the road (full-width) to the Sunset Lane entrance and stub at the other side of Sunset Lane. DIA would give the City cash to build their portion of the remaining right-of-way once the Lyle Smart property is developed. That way Horizon View Farms gets their access from 11200 South on the north and from Sky Hawk Way on the South.

Though this is not their issue (Horizon View Farms), it is to their advantage to get this issue resolved in a timely manner. Because of the shift, Horizon View Loop shifted to the east side of the east units. This puts all the fronts of the units facing the center of the project, which gives more of a courtyard feel. Dayna Hughes felt this was a better plan because as the kids played in the interior play area (tot lot and sports court), they would be visible from the front of the units.

- 12. Eliot Smith mentioned that the open space percentages and amenities would remain the same, but based on what was decided with the roads, the layout could change.
- 13. Ken Young had an even different suggestion. He did state that the portion of Cotton Tail Lane that would not be developed under Eliot's proposal does not have a significant need. It's only need was for the Phase 4 development. The new proposal addresses all the access issues.
- 14. Ken Young showed another possibility he discussed with the Mayor today. That was to reconfigure the project so that the accesses would be from 11200 South and Sky Hawk and the whole portion of Cotton Tail Lane adjoining Lyle Smart's property be eliminated. Eliot Smith stated they are open to that option.

Chairman Adamson summarized what was needed by the Planning Commission in this topic tonight.

- 15. The memo stated that the Planning Commission needed to decide whether to recommend, in regards to the interior road, Horizon View Loop, and exception be granted or the Development and Construction Standards regarding the 56- ROW be amended.
- 16. Shawn Eliot did bring up another code issue regarding off-street parking and the number of cars that would be parked per unit. Eliot Smith stated they would put very strict verbiage in the CC&Rs regarding a rental cap on the units. Kelly Liddiard mentioned this effects property value and ability to sell units also. Eliot mentioned they want this to be not affordable housing, but less expensive housing where the end product is more affordable for retirees and newlyweds. Putting this rental cap in the CC&Rs helps the integrity of the community.
- 17. Shawn Eliot read from the code regarding the number of spaces for off-street parking required. Ken Young mentioned we do not have code for multiple family dwellings. Eliot Smith mentioned that his project, even though it was multiple family dwelling, did meet the parking space standard read by Shawn Eliot.
- 18. Ken Young responded to a question by Chairman Adamson that it would be a good idea to make a recommendation to the City Council regarding the Cotton Tail Lane Issue, as well as the motion on the ROW code amendment or exception.
- 19. City Planner, Ken Young, felt that there were enough issues regarding Cotton Tail Lane which can have a big impact on the design of the development, that his recommendation would be to first resolve the road issue and have the developer then come back with a preliminary design based on what the City Council decides to do with the road. He felt it was premature to make any

decision now on the Preliminary Plat (Agenda Item No. 7).

A MOTION WAS MADE BY RUSS ADAMSON AND SECONDED BY DAYNA HUGHES TO RECOMMEND TO THE CITY COUNCIL, REGARDING THE INTERIOR ROAD, HORIZON VIEW LOOP, IN HORIZON VIEW FARMS (ELK RIDGE MEADOWS, PHASE 4) THAT EITHER AN EXCEPTION BE MADE OR AN AMENDMENT BE MADE TO AMMEND THE ELK RIDGE CITY DESIGN AND CONSTRUCTION STANDARDS TO ALLOW THE LOCATION OF SIDEWALKS ON THE 56' RIGHT-OF-WAY STREETS IN PUD'S TO NOT HAVE TO BE ALONGSIDE THE STREET. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (3) SEAN ROYLANCE, KEVIN HANSBROW AND PAUL SQUIRES.

7. HORIZON VIEW FARMS (ELK RIDGE MEADOWS, PHASE 4), PRELIMINARY PLAT

Ken Young stated that since he wrote the memo included in tonight's packet the road issue has come up and the memo no longer applies. He felt we need to set aside a recommendation on the preliminary plat and just give a recommendation on the road, Cotton Tail Lane.

The Agenda mistakenly listed this project as a concept stage when in reality, it is in preliminary stage. He stated that the design issues will be steered by the roads when commissioners started discussing which way the units might face.

Ken Young mentioned, concerning Eliot Smiths alternate plan presented tonight, that he has concern about putting money into escrow for a future road (the southern portion of Cotton Tail Lane) causes financial problems for the City as the cost of roads goes up that this escrow amount may not cover the future cost of the road. The Mayor was not in favor of this idea. Eliot Smith stated that an interest bearing account would help counteract this road construction cost increase. Also the City could approach this with DAI, that if the funds were short they could make up the difference between what is in escrow and what the actual cost turns out to be. Ken Young stated this is an issue that will have to be ironed out between the City and DAI (Development Associates).

A MOTION WAS MADE BY RUSS ADAMSON AND SECONDED BY KELLY LIDDIARD TO

- 1) TABLE THE DECISION ON THE PRELIMINARY PLAT OF HORIZON VIEW FARMS, AND**
- 2) TO RECOMMEND TO CITY COUNCIL THAT THE COTTON TAIL LANE NOT BE ABANDONED, AND THAT**
- 3) A WAY BE WORKED OUT TO KEEP COTTON TAIL LANE. THAT THE CITY WORK OUT SOMETHING WITH THE DEVELOPER THAT THE CITY WILL NOT BE LEFT SHORT-HANDED FUNDS-WISE TO PAY FOR THEIR PORTION OF COTTON TAIL LANE WHEN IT IS DEVELOPED.**

VOTE: YES-ALL (5), NO-NONE (0), ABSENT (3) SEAN ROYLANCE, KEVIN HANSBROW AND PAUL SQUIRES.

8. APPROVAL OF MINUTES OF PREVIOUS PLANNING COMMISSION MEETING – APRIL 19, 2007

The following corrections were made to the minutes.

- P.1, last sentence, add "s" to "read"
- P.3, Item 6, change "life to "live"

A MOTION WAS MADE BY DAYNA HUGHES AND SECONDED BY RUSS ADAMSON TO APPROVE THE MINUTES OF THE APRIL 19, 2007 PLANNING COMMISSION MEETING WITH THE ABOVE CORRECTIONS. VOTE: YES-ALL (4), NO-NONE (0), ABSENT (3) SEAN ROYLANCE, KEVIN HANSBROW AND PAUL SQUIRES, ABSTAIN (1) SCOT BELL.

Scot Bell abstained as he was not in attendance at the April 19, 2007 Planning Commission meeting.

9. PLANNING COMMISSION BUSINESS

In the minutes, Shawn Eliot suggested scheduling a work session with the City Council on the CE-1 zone. Russ Adamson asked Margaret to make sure we rescheduled another work session if the scheduled one on Tuesday, May 8, does not take care of the concerns.

Included in tonight's packets were some memos from the Mayor. The following discussion took place regarding the memos:

ROAD IMPACT FEE MEMO

1. Chairman Adamson read from the Mayor's memo requesting that the Planning Commission do a comprehensive and complete study as to:

- Do the roads being considered in the impact fee fill the intent and purpose of the impact fee?
- Is the list complete?
- Are we comfortable with the list?
- Can we take action with the list?
- Are there additional concerns re: the Road Impact Fee Study?

Let the City Council know ASAP. The City Engineer is available for clarification of study.

2. The commissioners discussed the memo as follows:
 - a. Ken Young mentioned that in his discussion with the Mayor, the commissioners, in using the engineer, are not to direct any further reviews but to use him to ask questions and clarify. If the Planning Commission feels more research on the part of the engineer is necessary, they need to get that approved by the City Council.
 - b. Russ Adamson commented that this was discussed during the last joint work session with the City Council. Alvin Harward suggested (Russ was not sure if this was approved in the City Council meeting in the form of a motion) that they drop the High Sierra widening off the list and drop the Hillside connection to Elk Ridge Drive off the list and let the developers pay for these. Dayna Hughes felt the discussion was a little ambiguous. It was stated that this is the list, but it can all change.
 - c. Ken Young stated that the Mayor and City Council would like recommendations from the Planning Commissions as soon as possible. They have asked him to write a resolution adopting the portions of the impact fee analysis that relate to the culinary water system and waste-water collection system, but not including the roads. They hope to adopt the rest as soon as possible.
 - d. Chairman Adamson said that we will put it on our next agenda and asked Ken if that were soon enough. Ken Young felt that would be good. Most of the commissioners felt that they had already discussed most of this and just needed to get it in writing. Shawn Eliot mentioned that if the list is changed, it will require some further analysis.
 - e. All the commissioners have in their possession a copy of the Road Impact Fee section of the Impact Fee Study to review for the next meeting.

ELK RIDGE MEADOWS PHASE 4 MEMO:

This memo item has already been discussed in Agenda Items 6 and 7 regarding Horizon View Farms (Elk Ridge Meadows Phase 4).

ELK HAVEN MEMO:

This memo discussed the fact that the parties of the project have contacted our City Attorney, David Church, and are meeting with him today. A balance of fairness and legal position is needed between these developers and the City. We are now at a different level in the communications.

The Commissioners discussed the memo:

- a. Chairman Adamson referred to the memo in tonight's packet from Ken Young, City Planner, which he wrote in response to a recent memo from 4 members of the Planning Commission that was given to the City Council requesting that Plats A and B of Elk Haven come back to the planning commission. He felt that his comments and actions had not been fairly represented in these memos. He posed 5 issues which need to be resolved. They were discussed by the Planning Commission as follows:
 1. **Do or should the Elk Haven applicants have any vested rights in previous ordinance requirements?**
 - a. This is the main and key issue. Russ Adamson stated that the attorney is trying to figure this out and we cannot answer this. Dayna Hughes stated she felt this is the only issue. Dayna Hughes felt the answer to this question was "yes", as in the November 28, 2006 minutes, Ken Young made a comment that they were vested to a degree and they agreed to keep their slopes under 10%. A few days later, on December 12, the code was changed to 8%. Shawn Eliot read from the state code that an applicant is vested when a complete application is done and all fees have been paid. An application for land use approval is considered complete when the

application is provided in a form that complies with the requirements of the applicable zoning ordinances. We have nothing in our zoning ordinances that talks about the concept other than in the PUD code. The other issue is the statement that “if the land use authority, on the record, finds that a completing, countervailing public interest would be jeopardized by approving the application;...” the applicant is not entitled to approval of their application.

- b. Shawn Eliot stated that when the Elk Haven developers came to the planning commission in November with 15% slopes, it was denied, it was at that point that the planning commission initiated working with the City and Council and the developers in coming up with code that would protect the safety of our citizens. We went to our engineer, fire chief and other cities codes to come up with that code. All of these things point to the fact that the Planning Commission initiated a process because our ordinance didn't work.
 - c. Ken Young stated that was maybe in your minds but was not made clear with a motion. Again, we don't have in our code a process for concept to be approved legislatively, but it was a recommendation that was recommended by Planning Commission and approved by City Council so even though it may not be officially titled as preliminary plan, in essence, it could be legally categorized as such. That is my opinion. I have no agenda with these developers, my whole approach is let's do what is good for the community while fairly dealing with the applicants. There needs to be some fairness in how we deal with their proposal.
 - d. Dayna Hughes stated that the big issue is we don't know when preliminary plat was approved because City Council said that vesting occurs at preliminary plat approval. Ken Young said that was not approved to be City code until January of this year.
 - e. Ken Young stated that when the Planning Commission passed their recommendation onto City Council for that concept plan, it really put things into motion as to how that road was going to be aligned, and to do other types of slopes, other than what was proposed on that concept plan would totally mess up the alignment and the proposal. We need to funnel this down into the determination of vested rights. Regardless of what was said, and what the intentions were, there's no point in these discussions until we are clear on when the vesting occurred.
- 2. Does the grading site plan need to be approved by the Planning Commission before recommendations on the preliminary plat can be forwarded to City Council?**
- a. Dayna Hughes stated “yes”. She referred to the minutes of April 5th, 2007, Shawn Eliot stated “remember, the code states that the complete grading plan must be submitted in conjunction with the preliminary plan”. Ken Young said regarding the memo that went to City Council, that he did not say we should go ahead and do the preliminary plat without the grading site plan. His question was “can we go forward with the preliminary plat with the understanding that this will come in and be approved”. He said he acknowledged that there was an error in the way it was brought forward.
- Shawn Eliot's concern was that with RL's project (Mahogany extension) they did not require the vegetation plan, but asked him to tread lightly and keep some of the vegetation, The vegetation is all gone now. Many residents are upset about this.
- b. Dayna Hughes stated she is almost as concerned about the grading site plan as she is with the development. Can we change the code to require this plan be submitted before preliminary is approved or simultaneously?
 - c. Ken Young stated that the concept that was approved by City Council for Elk Haven was very specific. It had the contours, the road grades etc. It was called a concept plan but otherwise fits in the mold of a preliminary plat. Even though it is not required to take a concept plan through Planning Commission and City Council, because of the requirements of the CE-1 Zone, all the concerns, and because the road was a steering mechanism to the entire development; we felt it necessary to bring that forward for review and approval, just as we did with the Randy Young development. Shawn Eliot mentioned that in the Randy Young Development the

code did require a concept plan but for this development it did not. Ken Young said: “Regardless, it was a good effort to bring information forward so they could prepare their preliminary plat”.

- d. Dayna Hughes asked when we will hold the public hearing, as we are at preliminary plat stage and have not had any public hearings? Ken Young replied “at preliminary, but we won’t be ready until the road issue and vesting issue is resolved. Let me make this clear, the question of vested rights can drastically alter the proposal so there is no reason to even consider when the preliminary plats are coming back to us”.
- e. Shawn Eliot stated that the road grade code that we most recently adopted still allows up to 10%, it’s just that they have to prove that if they did 8% it would be detrimental. So when you look at their current road plan, there are places where the road is 9% or 10% grades and there are no cuts whatsoever. You would think that we would tell them that if they could keep it at 8% is that going to be a 2’ cut or what? There are other places where there are significant cuts.
- f. Scot Bell stated that the plat that came in should have come in with a drawing of the driveways and they did not. That is a minimum requirement not met on their preliminary plat.
- g. Shawn Eliot mentioned Code Section 10-9A-10 which states:

... The grading plan shall be submitted prior to or in conjunction with the preliminary plan and shall include:...
- h. Russ Adamson asked whether the developers knew they were to bring a site grading plan in with preliminary. Ken Young responded that they did not submit everything they needed to; but were put on the agenda assuming they were going to have that submitted to us. Perhaps on our end we did not make sure that everything was in the packet prior to it coming to you at the Planning Commission. So perhaps there was some staff error in making sure that all that information was brought forward. The intention was there. It was acknowledged that it was not complete and the grading site plan was not there.
- i. Russ Adamson stated we need to be stricter with the applicants. Shawn Eliot stated that this would be a situation where a complete application was not turned in as not all the submission requirements were met.
- j. Ken Young mentioned there are two separate actions, 1) The recommendation on the preliminary plat; and 2) the approval of the grading site plan. Two separate things. Does it mean you can’t go forward on one if the other is not done? That is my question. I felt I was misquoted when I acknowledged it was not a complete application.

3. The Fairway Heights proposal seems to better meet the CE-1 code requirements, but may not meet the intent of the code. How can we help the applicant to understand the Planning Commission’s interpretation of the intent of the CE-1 code?

- a. Dayna Hughes said that we need to let applicants know not to push the slope and grade envelopes. We do have to go by the code. Ken Young, yes we do that, but it is difficult when you have applicants who say “yes, I have met all the requirements” and there is a lot of subjective language in the CE-1 code and they feel they are meeting it, then they get stopped at Planning Commission. Dayna Hughes mentioned that on one of the Elk Haven plats over half the lots were over the building envelope slope requirement.
- b. Ken Young’s recommendation: We have a great ordinance in place. I think it needs to be refined. The subjective language needs to be specified or removed. It would be beneficial for all if we had a specific checklist that brings out everything the applicant needs to look at. Maybe there could be some intent language at the top, but the rest has to be more specific.

4. **Should a comprehensive checklist of all the requirements and intents of the complex CE-1 zone code be prepared to assist applicants, engineers, staff, Planning Commission and City Council to better understand and review CE-1 zone developments?**
 - a. Dayna Hughes felt that a checklist would be great. When she attended her training for Certified Planners there were checklists passed out. She gave a copy to Margaret Leckie. Russ Adamson stated there are major problems with the CE-1 code. We should have put a "moratorium" out on CE-1 development until the code work was finished. We tried to work with these developers as we tried to develop the code and now it is coming back to bite everybody. Ken Young said we cannot make that move, but the City Council can.
 - b. It was decided to wait on that recommendation till after the joint City Council meeting on Tuesday.
5. **Should a special review committee be established to review and recommend on all CE-1 zone developments prior to plats being presented to the Planning Commission.**
 - a. Dayna Hughes said "no". That would just muddy the water. The Planning Commission should be the review body. Ken Young added that this would especially not be needed if Item 4 (checklist) were done correctly.
 - b. The commissioners discussed the possibility of calling a 180 day stop on CE-1 development until we have worked out the problems in the code. Ken Young said that anything that is already applied for would have to continue and be done with, including Elk Haven and Fairway Heights, Plat C. Shawn Eliot questioned whether the Fairway Heights, Plat C application would be considered complete? He felt since there is no grading plan it is not complete. It was decided to wait until Tuesday's meeting to consider this.

10. FOLLOW-UP ASSIGNMENTS / MISC. DISCUSSION

1. The Planning Commission will meet early for our next meeting (6:30 p.m) and spend an hour going through the questionnaire for the General Plan public survey prior to the Planning Commission meeting on the 17th of May. The Planning Commission meeting will start at 7:30 and the work session will be from 6:30 p.m. to 7:30 p.m..
2. The CE-1 changes will be reviewed at the next meeting.
3. The Road Impact Fee recommendations will be discussed.

Dayna Hughes mentioned concern that when make a motion that is going forward to City Council, and it is on their agenda for the following Tuesday, there is no way for the Council members to get our minutes and know of our discussion and concerns. It feels like we are wasting our time. It feels like we should have that two week break so they can get our motion and discussion. Russ Adamson asked how this can be done. Ken Young mentioned that this was discussed by staff and it was decided we would have this two week gap in between. There are exceptions that are made, but in general that is the procedure.

11. ADJOURNMENT

Russ Adamson adjourned the meeting at 9:45 p.m.



Planning Commission Coordinator

NOTICE OF PUBLIC MEETING – AGENDA

Notice is hereby given that the Elk Ridge Planning Commission will hold a regularly scheduled **Planning Commission Meeting on Thursday, May 17, 2007, beginning at 7:00 p.m.** The meeting will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT, at which time consideration will be given to the following:

6:30 – 7:30 Work Session

Review of CE-1 Code
Review of General Plan Survey

**7:30 P.M. Opening Remarks & Pledge of Allegiance
Roll Call
Approval of Agenda**

1. **Fairway Heights, Plat C, Concept – RL Yergensen**
 – Review and Discussion
2. **Set Public Hearing for Elk Ridge Meadows Phase 3, Final plat for June 7, 2007**
3. **Set Public Hearing to Amend Elk Ridge City Code re: Minimum Improvements Required prior to Building Permit: Section 10-12-24**
 (Fire Protection for Gooseneast)
4. **Road Impact Fees**
 – Review and Discussion
5. **Discussion of Subdivision Platting Process**
 – Concept and Preliminary
 – Forms
6. **Approval of Minutes of Previous Meetings – May 3, 2007**
7. **Planning Commission Business**
8. **Follow-up Assignments / Misc. Discussion**
 – Agenda Items for May 17, 2007 Planning Commission Meeting

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 10th Day of May, 2007.



Planning Commission Coordinator

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 10th Day of May, 2007.



Planning Commission Coordinator

ELK RIDGE PLANNING COMMISSION WORK SESSION
May 17, 2007

**TIME AND PLACE OF
PLANNING
COMMISSION
MEETING
ROLL CALL**

A work session of the Elk Ridge Planning Commission was held on Thursday, May 17, 2007, at 6:30 p.m., at 80 East Park Drive, Elk Ridge, Utah.

Commissioners: Russ Adamson, Shawn Eliot, Sean Roylance, Paul Squires, , Kelly Liddiard, Scot Bell and Kevin Hansbrow
Absent: Dayna Hughes
Others: Ken Young, City Planner
 Margaret Leckie, Planning Commission Coordinator
 Bob Allen, Mountainland Consultant for General Plan Review

WORK SESSION

**Review of Survey for
General Plan Rewrite**

Bob Allen, consultant to Elk Ridge City from Mountainland Association of Governments (MAG), wrote the survey and was at the first hour of the work session to review with the commissioners suggestions and changes to the survey. He is a city planner with Mountainland and has an office next to commissioner Eliot.

For tonight's meeting, the commissioners and Mr. Allen worked off a copy of the survey that had been marked with Mayor Dunn's comments. The following discussion ensued:

1. The reason for the survey is to get public involvement before revising of the Elk Ridge City General Plan.
2. **Questions 1 and 2:** involve the Elk Ridge vision statement. During the April 19th meeting, the commissioners reviewed 2 different versions and came up with the following statement to combine the two as the current vision statement:
"Elk Ridge City's General Plan Vision: To create an environmentally sensitive residential community with limited commercial activity in a rural, beautiful and safe family-oriented city with well-planned open spaces and recreational areas, wildlife habitat, trails, and placement of development in the most suitable locations."
3. **Question 1:** is regarding whether citizens have read the Elk Ridge Vision Statement. At the April 19, 2007 meeting, the commissioners decided this question was not necessary
4. **Question 2:** regarding how citizens feel about the vision statement, was left in.
5. **Question No. 3:** Mr. Allen stated that if the commissioners come up with other reasons (in question no. 3) for people wanting to live in Elk Ridge, let him know, and he will add it. Or if they want to take out some of the listed reasons, let him know.
6. **Explanation between questions 4 and 5:** Talks about change in Elk Ridge. It is a precursor to the growth questions 5-10.
 Commissioner Hansbrow expressed concern about raising issues with questions concerning things that cannot be changed, such as growth options, which get citizens frustrated because they voice their opposing opinions and it makes no difference. It is not something we can change, as property owners have land use rights on land they own.
7. **Question No. 4:** regarding how long people have lived in Elk Ridge can be left in.
8. **Question No. 5:** question residents favoring or opposing residential growth, the only change was adding the word "*managed*" as suggested by Scot Bell. Now the question reads:
(5) Do you favor or oppose encouraging managed residential growth in the city?
 Bob Allen suggested with following this question with *Do you feel the City is adequately managing growth at this time.*
9. **Question No. 6:** *Where do you favor residential growth.....?* (not sure what was decided for this question.)
10. **Questions No. 7 and 8:** OK
11. **Question No. 9:** Remove *South of Golf Course* option, change to *North of Golf Course*.
12. **Question No. 10:** Change types of growth, see list from Mayor from committee. Maybe put in

broad categories so not so many choices. Bob Allen said he would glean from the Mayor's list. Scot Bell suggested more generic terms such as "light industrial," "office buildings or space".

13. **Questions 11 and 12:** Regarding annexation. As our annexation is pretty well set, Mayor Dunn suggested removing these two questions.
14. **Question 13:** This question is regarding merging with another City. The commissioners were OK with leaving this question as is.
15. **Question 14:** Leave in.
16. Scot Bell suggested adding another explanatory question regarding if you are in favor of merging, why? (water, more commercial, youth recreation, etc.). Scot Bell mentioned we have to pay special fees for such things as youth recreation, libraries, etc. This would be an incentive for some to merge. Bob Allen said he would craft an appropriate question.
17. Sean Roylance expressed concern with the length of the survey. Bob Allen responded that there is some fat that can be trimmed off.
18. **Questions 15-18:** Mr. Allen stated these are just general questions about different possible housing needs in Elk Ridge. (retirement, condos, twin homes, apartments, etc.) It was suggested combining these questions and Mr. Allen agreed to do that. He would make it a block with "yes, no and maybe" responses available.
19. **Question 19:** As there are not many options for mixed commercial and residential. It was decided to remove this question.
20. Ken Young questioned whether the Mayor and City Council will have a chance to look at the survey, knowing which questions were removed, and have some say on the final form. They will. The Mayor did not want to influence the commissioners, but the commissioners do want his input.
21. **Question 20:** Regarding a green belt buffer. It was decided to remove this question. The possibility was mentioned of rephrasing the question such as: *Would you be willing to bond for open space, including a green belt buffer? or How important is open space to you, or green belt buffer? If you say "yes," would you be willing to bond for it, and if so, which areas would you be more likely to want your money spent on?* Options might include: *protect the hillside, buffer, leave canyon open, buy orchards on corner, etc.* There could be a write-in option also. Bob Allen stated that open space can be different things to different people. Another possible question regards "rural-ness". What makes Elk Ridge rural, and how do we protect those attributes?
22. **Questions 21 and 22:** Mr. Allen said these could be combined. (Regulating aesthetics, architecture and landscaping.) The commissioners responded that certain aspects of architecture (building height), and landscaping (when landscaping needs to be in), are regulated by code. It was decided to leave this in.
23. **Question 23 and 24:** The Mayor suggested removing this question as we already have an ordinance on this. Mr. Allen suggested maybe changing this question to ask whether citizens feel these ordinances are adequately enforced. Kelly Liddiard suggested taking out the specifics and just asking whether citizens feel City ordinances are adequately enforced in general. Shawn felt the two questions on junk vehicles and RTV's, along with the dog issues were the most problematic. Scot Bell mentioned the problem that neighbors don't want to file complaints against their neighbors. They don't want to alienate them. Bob Allen suggested the commissioners think about 23 and 24 and let him know later via Shawn.
24. **Question 25 and 26:** These questions can be combined into one. The goal, Mr. Allen stated, is to see what is important to the people regarding development. He said he could combine them and reword them. Sean Roylance questioned whether they should be ranked. Mr. Allen said these are ways to glean from people their major concerns with the City. Mr. Allen said he would kill question 25. On question 26 the comment was made that there were too many numbers – possibly change the answers to have fewer responses – maybe 3 basic choices. Mr. Allen explained that this present way gives a mean number. Most commissioners still felt they would still like the fewer questions.

Questions 26 is concerned with the things residents want managed as growth occurs. Mr. Allen suggested the commissioners give the elements in this question some thought. When asked if there were things they would like to add that came to mind tonight, Kelly Liddiard mentioned Public Safety. Sean Roylance suggested removing "Preservation of Agriculture/Livestock".

25. **Question 27:** Bob Allen stated this question talks about different ways of increasing the City's tax base to pay for infrastructure, etc.. Sean Roylance suggested removing the "other" option. It was suggested on the first option to change it to: *imposing adequate impact fees on building permits.*
26. **Question 28:** is regarding bonding, and what things people are willing to bond for. It was suggested adding "Protection of Open Space and Hillsides" to this list. He will have this question twice, but was OK with that.
27. **Question 29:** regarding animal rights, the Mayor suggested removing. The commissioners agreed that this could be removed.
28. **Question 30:** The Mayor suggested removing this question. No. 31 covers this abuse by the citizens.
29. **Question 31:** ask about increasing tax rates to improve code and law enforcement. Our enforcement is presently through the County. The question of imposing penalties to cover enforcement was brought up. It was suggested by Shawn Eliot to ask if our level of enforcement for code violations was adequate. This was kind of addressed in Question 24. Bob Allen asked if he should move the question regarding leash laws and RTVs closer to this question and it was agreed that would be better.

Bob suggested saying "these are the specific things....., are we adequately enforcing them?" The commissioners felt this would be good. Maybe list and make a block with (adequate, not adequate... etc.), make it a big grid question.
30. **Question 32:** regarding streetlights at major intersections – leave in.
31. **Question 33:** regarding need for cemetery – leave in.
32. **Question 34:** regarding ATVs – leave in.
33. **Question 35:** regarding how people find out about what happening – leave in
34. **Questions 36 and 37:** go with 35, Mayor suggested removing. Let me know. Some commissioners wanted to keep in, they would be interested in knowing if people were happy about the way the City advertised public meetings and events.
35. **Questions 38 and 39:** regarding Elk Ridge celebrations and their impact – leave in.
36. **Question 40 and 41:** regarding recycling – Sean Roylance suggested combining by asking *how much would you be willing to pay for a curbside recycling program? 0, 5-10, etc.* Zero indicated they don't want it. Maybe the first option be "I don't want it" rather than 0.
37. **Questions 42 and 43:** regarding planned trail system. No changes suggested .
38. **Question 44:** regarding rating agencies performance on activities or services. Bob Allen asked the commissioners to take a look at this one and see if there are issues. Ken Young felt the response should be narrowed to 3 (excellent, good, poor) rather than six options.
39. **Question 44:** provides way to determine what types of commercial might be needed in town based on how far people drive for goods and services. He is OK with slimming down this list. Commissioner Roylance stated this might be interesting to know but would not help us with the choice options we have in this community. Ken Young suggested combining the list into broader categories. Mr. Allen stated that would probably work since we really aren't going to use this question for changes.
40. Mr. Allen stated the rest of the questions are statistical information to help figure out demographics, moderate income housing issues, etc.
41. **Question 57:** Ken Young mentioned concern about this question. It doesn't cover all the income categories listed in Question 55. There is too much figuring out to do. Maybe just ask them what portion of their income goes towards housing costs, etc. He felt this question was too complex for the survey. Mr. Allen said he would take the question down to a simpler mode. The reason the question is being asked is the law requires moderate income housing so there needs to be a way to assess how many people are living in housing that is affordable to them and how many are not. Thirty percent of your income is considered affordable.

Ken Young stated that the General Plan must have a Moderate Income Housing element, but there is no law stating that we need this kind of question in a survey. There are other ways of getting this information. Bob Allen felt this was a quick and easy way of doing it.

Ken Young mentioned that you don't get enough responses to make the data valid for that type

assessment. This is not a census type thing. Scot Bell suggested saying "if you make thus and such amount, are your expenses in this category?"

42. Bob Allen asked what the return rate was on the last surveys sent out by the City. Shawn Eliot thought it was around 27%. He suggested we be more aggressive about getting this to people and getting it back from them.

He said he is a facilitator. He is here to do what we want. He will give his opinion and expertise. Ken Young mentioned he has done similar surveys and there are ways of getting better return rates. If the City is willing to offer at the top of the survey a statement such as: *"if you return this by thus and such a date and are willing to put your name and address on the survey, your name will go into a drawing and if you win – you get \$100 off your utility bill."* This encourages people to return the forms.

43. Shawn Eliot suggested deferring the last item on the work session to after the regular meeting is held. This was discussion of the CE1 zone.

A MOTION WAS MADE BY KELLY LIDDIARD AND SECONDED BY PAUL SQUIRES TO NOMINATE SHAWN ELIOT AS TEMPORARY PLANNING COMMISSION CHAIRMAN TO CONDUCT THE MEETING UNTIL CHAIRMAN RUSSELL ADAMSON ARRIVED. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (1) DAYNA HUGHES. LATE (1) RUSS ADAMSON.

ELK RIDGE PLANNING COMMISSION MEETING

May 17, 2007

**TIME AND PLACE
OF PLANNING
COMMISSION
MEETING
ROLL CALL**

A regular meeting of the Elk Ridge Planning Commission was held on Thursday, May 17, 2007, 7:30 p.m., at 80 East Park Drive, Elk Ridge, Utah.

Commissioners: Russ Adamson, Shawn Eliot, Sean Roylance, Paul Squires, Kelly Liddiard, Scot Bell, Kevin Hansbrow
Absent: Dayna Hughes
Others: Ken Young, City Planner
 Margaret Leckie, Planning Commission Coordinator
 Cardee Ewell, Brian Ewell, RL Yergensen, Cheyn Gunnerson, Michelle Calcote, John Calcote, Carson Brockbank, Margo Brockbank, Paula Eppley, Michael Brockbank

**OPENING REMARKS
& PLEDGE OF
ALLEGIANCE**

KELLY LIDDIARD NOMINATED SHAWN ELIOT AS ACTING CHAIRMAN FOR TONIGHT UNTIL CHAIRMAN ADAMSON ARRIVES. PAUL SQUIRES SECONDED THE NOMINATION. ALL WERE IN FAVOR.

Acting Chairman, Shawn Eliot, welcomed the commissioners and guests and opened the meeting at 7:30 p.m.. Opening remarks were given by Kevin Hansbrow, followed by the Pledge of Allegiance.

**APPROVAL OF
AGENDA**

The agenda order and content were reviewed.

A MOTION WAS MADE BY SCOT BELL AND SECONDED BY KELLY LIDDIART, TO APPROVE THE AGENDA FOR THE PLANNING COMMISSION MEETING FOR MAY 17, 2007. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (1) DAYNA HUGHES, LATE (1) RUSS ADAMSON.

Russ Adamson arrived at 7:35 and took over as Chairman.

**1. FAIRWAY
HEIGHTS, PLAT C,
CONCEPT**

Ken Young stated that the only comments he had were included on the Staff report. The new and old concept plans were included in the packets so the commissioners could note the changes made. As stated in the memo, the first concept plan did not meet the code objectives and RL Yergensen was directed to go back and revise his proposal. He is anxious to meet the desires of the commission with his new proposal. The following discussion ensued.

- a. Scot Bell stated that RL had approached him on what he could do to better meet the requirements of the City. He gave RL some suggestions, which were incorporated in this concept. Scot, because of this, is recusing himself from tonight's vote and discussion on this agenda item.
 He feels this new development has some nice offerings to the city, including the fact that it completes two unfinished road sections. These are the unfinished portion of Salem Hills, and the extension of Fairway Drive to connect with Salem Hills. It will allow bus service to the upper area, as buses can now turn around. They have not had this service for 12 years. It will provide access and easements into one of the city's water tanks. It will connect the old part of the city with the new part.
- b. Shawn Eliot mentioned he likes this new concept better than the first one presented. There are some nice traffic calming effects in the new proposed design of Fairway Drive. This street does not go through the Peterson property. He also feels it treads lightly on the hill and the ravine, as was requested at the last concept review. Shawn questioned what the average slope of the whole lot was – as this is what the current code looks at. Brian Ewell stated that they can show that it does not exceed 20% on any of the proposed lots.
- c. There was a discussion between planner, Ken Young, and commissioner, Shawn Eliot on what the code states regarding what is required once you entered into the density bonus situation allowing 15,000 sq. ft. lots, do all the lots have a 20% requirement. Ken stated that the code does not say this. Shawn agreed that the code is not clear on this issue. Shawn stated that since these are larger lots, rather than small, clustered, lots; they should be 1 acre and fall under the 15% slope requirement rather than 20%. In order to cluster the lots, a little steeper slope is allowed.
- d. Shawn Eliot stated you could almost create two developments out of this one. One with clustered, smaller lots and density bonus open space; and one with larger lots.

Ken Young felt that it is only one development, and since they are providing 20% open space, this allows them to do 15,000 sq. ft. lots throughout. The larger lots should also be allowed with the same slope requirements.

- e. Chairman Adamson asked the code be read. It was decided afterwards, that as long as the developer gives 20% open space, all the lots fall under the 20% or less requirement, no matter how large they are. (Section 10-9A-1-C)

C. Characteristic of the uses in the zone are is one-family dwellings on lots that vary in size depending on the average slope of each lot.

- *One acre lots are allowed on lots with an average slope over 15%.*
- *Half acre lots are allowed on lots with an average slope of 15% or less.*
- *Additionally, third acre lots can be approved on lots with an average slope of 20% or less in return for larger areas of open space.*

Russ Adamson referred to Section 10-9A-4: Area and Width where it reads:

10-9A-4: AREA AND WIDTH:

One acre and half acre lots are considered the standard lot size for the CE-1 zone based on the average slope of each lot. Third acre lots are considered a bonus of density in trade for additional open space and amenities as detailed in section 10-9A-10G. The minimum area and width requirements for a zoning lot, ~~except when located within a Planned Residential Development,~~ shall be as follows:

<i>Use</i>	<i>Minimum Area</i>	<i>Minimum Width</i>
<i>Minimum Lot Size</i>	<i>Average Slope of Lot</i>	<i>(At Minimum Setback Line)</i>
<i>40,000 - 1 acre</i>	<i>Over 15%</i>	<i>100 feet</i>
<i>20,000 - 1/2 acre</i>	<i>15% and Under</i>	<i>100 feet</i>
<i>15,000 - 1/3 acre</i>	<i>20% and Under</i>	<i>100 feet</i>
	<i>(must meet open space requirement)</i>	

- g. Based on the code in existence, Chairman Adamson stated that as long as they dedicate 20% open space they have the right to have 1/3 acre lots.
- h. Shawn Eliot referred to Section 10-9A-10-G-4-d
- d. Third Acre Lots As A Bonus: since third acre lots in the CE-1 zone are considered an exception to the underlying intent of the zone, if a developer/owner can not negotiate with the city over the useable open space areas for a proposed development, the owner/developer shall be required to follow the half (1/2) acre and one (1) acre requirements in the CE-1 zone.
- i. Ken Young did not feel "d." applied. He felt the applicant when reading the code, would feel that if he gave 20% of the development as natural open space, then he can do all the lots as 1/3 acre. If they are larger, that is fine, it does not put him in a different category. Chairman Adamson felt that the way the code is worded would imply this also.
- j. Chairman Adamson is more concerned with the roads, connectivity and slopes. The road on the top end appears to be going directly uphill as the road makes the bend. Brian Ewell showed on the road cross-section that the road does not achieve any more than a 10% grade all the way up. Chairman Adamson mentioned that the code allows for 8% with short stretches of 10%. Brian thought the 10% stretch was 20-30 feet, RL thought it was over 100'. The top ridge is less than 8%. The cul-de-sac is less than 8%. The intersection is less than 3% - almost flat.
- k. Brian Ewell also stated that there will be no more than 4' of cut and fill on the road. This was one of the main concerns on the last concept.
- l. Brian Ewell stated that nowhere in the development is 30% terrain altered.
- m. Chairman Adamson reviewed the questions on Ken Young's memo to make sure they were all addressed:

- 1.) *Does the revised development proposal better meet the intent of the CE-1 Zone?*

We have discussed this a lot – it does.

- 2.) *Is the clustering of lots proposed meeting the objective of using flatter terrain?*

There is clustering on the bottom end. Brian Ewell mentioned that in the last meeting Shawn brought up the fact that the developers were encroaching on 30% terrain. They have eliminated that in this most recent proposal.

- 3.) *Are the building envelopes meeting the objective of conforming to the natural terrain?*

Brian Ewell showed the building envelopes are all 20% or less. The steepest terrain has been dedicated to open space. There were lots eliminated from the last concept that were on the steeper terrain. These lots have been dedicated to open space.

- 4.) *All lots show a buildable area of under 20% slope. Lots#14-17 may have an average slope over 20% of the whole lot though it is not shown.*

These are the lots up on the hill. Brian Ewell said these lots and their building envelopes all have average slopes under 20%.

- 5.) *Does the realignment of Fairway Drive as shown, sufficiently lessen any adverse visual, environmental, or safety impact concerns in the area?*

Russ Adamson stated that the alignment has moved over to the edge of the development. RL Yergensen stated they took Shawn Eliot's ideas and brought the road closer to Salem Hills before it headed up. They have eliminated all 12% grades with this plan. This plan also leaves the hill undisturbed – no cutting on the hill.

The cul-de-sac is about 450' long.

Shawn Eliot mentioned a concern about having the road so close to the back of the Hillside Drive lots. Brian Ewell stated they would like to dedicate 10' of the developers property to these property owner's lots so they can put up a privacy fence. Ken Young stated this road is approvable based on the slopes but not desirable for the Hillside lot owners. If it is the best case scenario for the development slopewise; however, it is approvable.

The lots between Salem Hills Drive and Fairway were also discussed – Lots 11 and 12. Brian mentioned their access will be on the less busy of the two roads – Fairway Drive. The length of the cul-de-sac does limit some of the other possibilities also. Lot 12 in particular almost has 3 sides on roads.

Ken Young stated that for double frontage lots the code does require a specific approval based on the inability or practicability of developing the property. Shawn read from the code, Section 10-15-F-3

10-15F-3: LOTS ABUT ON PUBLIC STREET; DOUBLE FRONTAGE LOTS PROHIBITED, EXCEPTIONS:

Each lot in a subdivision shall abut on a street dedicated to the city by the subdivision plat or an existing public street, either dedicated or which has become public by right of use, and is more than fifty six feet (56') wide. Interior lots having frontage on two (2) streets are prohibited except in instances where topographic conditions make such design desirable. (Ord. 97-7-8-8, 7-8-1997)

Ken Young stated this is subjective. The city council would have to give their opinion.

Chairman Adamson questioned the open space. Brian Ewell stated they put the open space in between the clusters. The open space in some cases is steep. The useable open space that is flat will be developed into a park using developer funds. They would install swings and picnic tables. There would be a walking path from the cul-de-sac and another path connecting all the areas to the park.

Brian mentioned putting in trees on the east side of the cul-de-sac to protect the

privacy of the homes along Hillside Drive.

- 6.) *The road slopes in the new alignment have not been identified. Need to show evidence that road will be built with minimum environmental damage and within acceptable public safety parameters.*

Ken Young stated that the developers should show that any other road alignment would increase the cuts and fills. This is desirable over dual-frontage lots. Russ stated that the one lot along Salem Hills is like an island.

- 7.) *Need to show that cutting and filling will be minimized.*

The grading plat shows no more than 4' of cut and fill. There is minimum cuts and fills for the cul-de-sac. Russ stated that the end of the cul-de-sac on the top side is most tricky. The cul-de-sac is on a steep slope. Kelly Liddiard mentioned guard rails might be appropriate there. Shawn Eliot questioned having the cul-de-sac bend west rather than east to keep it off the slopes. Brian Ewell mentioned the design was done for a reason, he is not sure what that was, but trusts the designer.

He also mentioned there will be a little bit of fill on the east side of the cul-de-sac. Kelly Liddiard mentioned concern over the stability of the Hill.

Shawn mentioned preservation of natural environment. RL stated the subdivision he is working on now will have some very nice rock walls.

- 8.) *Does the revised plan for the cul-de-sac better meet the objective for use under unusual circumstances, and is the Planning Commission willing to approve its location?*

Russ mentioned we can't talk about this now, but there will be a discussion when the Preliminary is brought forward. The steepness of the cul-de-sac will closely be examined for safety issues. RL would like the cul-de-sac lowered about 3' so it would be on native soil. The road could then go down to about 6%. Shawn Eliot mentioned that RL would have to show the cuts and fills. In order to do this he would have to remove some of the top of the hill, or increase the road slope (Kelly Liddiard brought up the fact that RL needs to stay on the top of the hill.)

Russ stated that when they come in with the next proposal, they balance the steepness of the road and how much cutting is done on the road. RL said they had to bring it in this way in order to meet the code.

Shawn read from the code that the planning commission can approve a smaller setback (10-9A-5-a-1)

He also read from 10-9A-6G-1

G. Continuous Circulation:

1. *Cul-De-Sacs: ...All cul-de-sacs shall provide pedestrian connectivity to spaces, public facilities, sidewalks or trails as described in section 10-*

He wondered about the cul-de-sac on Cove Drive and the lot RL is working on there – we should connect to that, and that easement on the Cove Drive lot needs to be maintained as the lot is developed.

- 9.) *Does the plan provide for good location of buildings, roadways, open areas and other elements to accommodate the natural conditions, and will not result in adverse or unsafe conditions?*

Already addressed.

- 10.) *Other issues regarding how this proposal meets the intent and letter of the CE-1 code.*

Chairman Adamson stated that this is a sticky point for the planning commission. As a body we have the obligation to follow the code whether we like it or not.

Shawn mentioned that the intent of the CE-1 code is minimizing the impact on the natural environment and this concept seems to be doing a pretty good job. Brian Ewell mentioned this plan will cost them more money, but it meets the intent of the code.

Shawn Eliot mentioned that Lots 20 and 21 are awkward lots. If there were a way to

rearrange and get more useable space in the back that would be nice. Brian Ewell mentioned if they took back the park they were dedicating to the city, they could do that.. RL mentioned that Fitzgerald owns some of the property involved.

Russ Adamson is still worried about the dual frontage lots, in particular Lot 12, which is almost an island. He wondered if code would disallow peninsulas. Shawn again read from the code - Section 10-15-C-4-a.

... Building sites shall not be designed to contain areas which are determined to be a peninsula unless the exclusion of said area would result in the creation of residual or remnant property or parcels...

Ken Young stated that if that lot were not there, it would just have to be open space. Maybe for the sake of the commissioners – on the next iteration show what the impact will be for some of the different options.

n. Chairman Adamson invited comments from the audience. The following discussion ensued:

1. **John Calcote:** My house is on the abutting side of Hillside Drive. I'll be honest with you. If there is any development going on in this area, I lose all interest in CE-1 issues. If this road (Fairway) goes through it will drastically reduce the value of our property.

Russ: Drastically reduced because...?

John: A road going along two sides with houses looking down into our back yard.

Brian Ewell: They won't be looking down into your yard, they are on the other side of the street. The houses are actually lower than the road.

Ken Young: There are a lot of situations in many communities where homes look down into other lots. That is not something that can be regulated by code

John: I understand that. People who choose to buy lots in this development with dual frontage lots have that choice. We have no choice. We already own our lot.

Brian: You as a resident bought your home knowing the land behind you was private property and could be developed.

Michelle: When we purchased the lots the city told us there would be no development because this property was too steep.

Shawn Eliot: We are also concerned about making the road not border your lots.

2. **Mike Brockbank:** Another concern we have is we have people coming down both these roads using them as take-off spots for four-wheelers at tremendous speeds. We have lots of kids living there. Now we will find ourselves with roads on three sides. My question: Is not safety a consideration. As far as I am concerned the children are much more valuable than the land.
3. **Michelle Calcote:** I understand there is an easement behind our land. How can the developers plant trees there? Would this not interfere with the road. There is a pipeline or waterline there.
 RL: That waterline is far from where the trees would be planted.
 Ken Young: If there is an easement that would have to be shown. The width of the easement may or may not cause concern.
4. **John Calcote:** I understand to do this right you have to follow the details in the code. But it feels to me that this is a case of winning the battle to lose the war.
5. **Kevin Hansbrow:** As private land owners, they have rights to develop as long as they follow the code.
6. **Ken Young:** The name of the zone is misleading. CE-1, Critical Environment implies environmentally sensitive areas that do not allow any kinds of development. That is not the intent of this zone. It is a residential zone and allows for residential development; though it is more strict in it's requirements. There are residential development rights for the property owner who owns that property. You can't tell them they can never develop in that area, only that it will be restricted by what the code allows.
7. **John Calcote:** Frankly, I liked their first plan better so I am not interested in CE-1 code restrictions. If they had topped off the mountain the houses would all have been on the back

side.

8. **Ken Young:** It is a balancing of issues. There are a lot of different issues involved in the code here. **Mike Brockbank:** Safety is a big issue. **Ken Young:** Safety of the road on the previous plan was a big issue.
9. **Paula Eppley:** I have seen the rock walls RL spoke of and feel they do little to replace the natural foliage. They look fake and planned and not natural. **RL:** I guess it is in the eyes of the beholder. Most of the people who have bought lots from me have rock walls they put in to decorate around their houses. I am not proposing a rock wall in this new development.
10. **Chairman Adamson:** In summary we have heard the citizen's concern that this road is close to the back of their property. We will review the new plan coming in but be aware that that is an issue that it is close to the back of the lots. **Ken Young:** If you did deed some of the property at the back of the lots to the Hillside residents you would still have to maintain the 20% open space. **Russ:** The road could be moved further back from the property owners and still maintain the correct slope? **Brian Ewell:** Yes. Let me ask this, if we moved the road off the backs of the houses, but had to have special permission on a grade or percentage of slope, would you (commissioners) approve it?
11. **Chairman Adamson:** Is the cul-de-sac length once of the constraining factors? We could change the code, potentially, but does that allow you to have a further distance from the backs of those lots. **RL:** It would give us options. **Russ:** What I am hearing from the community is that if there was enough of a buffer so you didn't feel like you had a road looking down, does that make the citizen's fee better and get you closer to saying you can live with that? Well, we have given you some input.
12. **Ken Young:** I think the cul-de-sac needs to stay with the 450' length as there are concerns about serviceability, water flow, a lot of different concerns. Many cities have a 400' maximum length. I would hesitate increasing that if you don't need to. **Shawn Eliot:** Couldn't the head of the cul-de-sac come over a little? **Brian Ewell:** We might lose lots. **Chairman Adamson:** My little speech....you don't have lots yet.
13. **Sean Roylance:** My concern is the safety point with roads on two or three sides. If you can move it that would help me with my approval.
14. **RL:** I feel a lot better meeting with you tonight. The input is good. Talking things over is good. We want to do the best thing for the City of Elk Ridge and have the least effect on the people. I have worked with these people for 3 years. It took me 12 years to get Mr. Liddiard's lot approved.
15. **Margaret Leckie:** RL, did you want to tell us a little about your meeting with Mr. Peterson who owns the southwest corner of where your development is going in? **RL:** Here is a new plan, essentially the same, but it includes the Peterson property. (RL showed a new plat he brought in for tonight's meeting. We did not get a copy). The one catch is we don't know how workable Peterson's are going to be. They did say we could show this to you. If we have to, between Ewells, Petersons, Fitzgeralds and myself, we are going to have to spend a lot of money putting in Salem Hills Drive and it's really not a whole lot of benefit to us. We are going to put a 20" drain line in. We don't know how willing Peterson's will be in participating in these offside improvements including the park. This all has to be worked out. This is a plan we would like to see work. **Brian Ewell:** If we can work with Petersons, great, if he wants to participate in the improvements. If not, we will move forward without him.
Ken Young: The arrangements of the lots on the corner is better. You have more usable open space for the park.

New commissioner, Paul Squires, questioned what was just done. Ken Young explained that the developer just wanted to meet with the commissioners and residents before he turned in his concept to find out what everyone thinks will work. Ken felt that this is a very good idea. Before a lot of time and effort is spent on a preliminary plan that will not be approved, come get a feel from the commissioners and residents. This was only a discussion item and feedback session. I am going to suggest we do this with all new development.

2. SET PUBLIC HEARING FOR ELK RIDGE MEADOWS

A MOTION WAS MADE BY RUSS ADAMSON AND SECONDED BY KEVIN HANSBROW TO SET A PUBLIC HEARING TO CONSIDER THE FINAL APPROVAL OF ELK RIDGE MEADOWS, PHASE 3 FOR JUNE 7, 2007. VOTE: YES-ALL (6), NO-NONE (0), ABSENT (1)

**PHASE 3, FINAL
PLAT FOR JUNE 7,
2007**

DAYNA HUGHES, LEFT EARLY (1) KELLY LIDDIARD.

Russ Adamson questioned regarding the huge retention area. Ken Young stated it would be a grassed retention area. Shawn Eliot questioned whether the roundabout was gone. Ken Young stated that during the technical review they will address that, this is a concern of his.

There has been a lot of discussion as to how to make that round-about work. They have come up with a proposal that will alter the intersection. Ken Young stated that the development agreement that was signed along with the annexation agreement did include the round-about and this was a big thing.

Another issue, Elk Ridge Drive is not showing correctly what was required and how they agreed to put it in as far as trails and landscaped areas. There was supposed to be a minimum of 16' on each side which included landscaping plus trails.

**3. SET PUBLIC
HEARING TO
AMEND ELK RIDGE
CITY CODE
REGARDING
MINIMUM
IMPROVEMENTS
REQUIRED PRIOR
TO BUILDING
PERMIT: SECTION
10-12-24**

Chairman Adamson read the memo from the council which explained that the council had had an in-depth discussion about the future building in the Goosenest area that does not have the flow or the pressures to sustain fire hydrants., there are no hydrants in the area at all. This becomes a concern each time a building permit request is considered. As a municipality responsible for the safety of the citizens, fire protection is at the top of the list and so the council is considering requiring a sprinkling system in new dwellings. The council is not in favor of the waiver process and is directing the planning commission to consider putting into the code for the Goosenest As of 9 May 2007 this request will start a 180 day period where any new development requests will be under the nebula state of change. The goal is to look over the issue, assess the problem and make a recommendation to the council.

The following discussion ensued:

1. Chairman Adamson summarized that the council is basically saying they are starting the 180 process for the planning commission to revise the code. If anyone comes in requesting a permit they will be told there are some changes in progress that may effect their ability to build without fire suppression in the Goosenest area.
2. Scot Bell suggested changing the designation from "Goosenest" to "anything on the Shuler Water System". Ken Young added that we add "approximately in the area of the west portion of Goosenest Drive.
3. Shawn Eliot mentioned that we had talked about this for the CE-1 zone previously and part of that discussion was that we not only needed to change the code, but we needed some standards in the Development and Construction Standards. We have the Woodland Hills code but we need to work on the standards. We may want to look at implementing these requirements in the CE-1 zone.
4. Scot Bell mentioned there was at one time talk of putting a meter on the end of the Shuler water system that attached to the City Water System. It could be a one-way valve with a meter and it could increase their pressure. Fire suppression capability would be improved but their system is still very substandard.
5. Chairman Adamson asked that if we had any proposed code, in preparation for the public hearing. Ken Young mentioned that as far as sprinkler systems, "no". Margaret mentioned that there was some code in the packet regarding the code on Minimum Level of Improvements required for Building Permits.

A MOTION WAS MADE BY RUSS ADAMSON AND SECONDED BY KEVIN HANSBROW TO SET A PUBLIC HEARING TO CONSIDER AMENDING THE ELK RIDGE CITY CODE REGARDING MINIMUM IMPROVEMENTS REQUIRED PRIOR TO BUILDING PERMIT, SECTION 10-12-14. VOTE: YES-ALL (6), NO-NONE (0), ABSENT (1) DAYNA HUGHES, LEFT EARLY (1) KELLY LIDDIARD.

Chairman Adamson suggested adding as an agenda item on the same meeting as the Public Hearing a discussion item for fire sprinkler code. Russ Adamson said that we would hold off incorporating the sprinkling system in the CE-1 Code.

Ken Young said he would find some verbiage that meets the intent of the Mayor's memo. Shawn mentioned the Woodland Hills verbiage was good except it referred to the Development Standards for sprinkling systems which we don't have. Shawn called Woodland Hills and they said to contact Utah

County as they were passing some code for the mountainous areas and they would have some standards. Ken Young felt that initially we could require a sprinkling system, then come back later and put something in the standards.

4. ROAD IMPACT FEES

Chairman Adamson stated that this item relates to giving our feedback to the City Council on the road impact fee portion of the impact fee study done by Aqua Engineering (road impact fees being a part of that study).

Margaret read from the minutes, which quoted from the Mayor's memo to the planning commission, what feedback we were to give:

- *Do the roads being considered in the impact fee fill the intent and purpose of the impact fee?*
- *Is the list complete?*
- *Are we comfortable with the list?*
- *Can we take action with the list?*
- *Are there additional concerns regarding the Road Impact Fee Study?*

Priorities of projects proposed were discussed. Each project proposed in the study was discussed in order. The commissioners discussed whether they felt the project should stay on the list and if so, what should the priority be.

- A) On the first pass, priorities were not discussed, just whether the commissioner felt the project was appropriate. The following discussion ensued:

Item No. 1: Extend new curb and gutter on Loafer Canyon Road from intersection of Park Drive and Loafer Canyon Road, south about 1250 feet. New curbing will be placed on both sides of the road, for a total of 2500 feet to protect the existing road shoulders and aid in erosion control. **YES**

- a. The commissioners felt this project was appropriate for road impact fees.
- b. There are erosion issues.

Item No. 2: Complete the unimproved section of Salem Hills Drive, including asphalt and curbing, approximately 1080 feet. **NO**

- a. The commissioners felt this project was not appropriate as developers will pay for this. There are two subdivisions currently under discussion in that area – Fairway Heights, Plat C on the north side, and on the south side, Nebo Heights Subdivision.

Item No. 3: Widen and install curb and gutter to the section of Salem Hills Drive from the intersection of Canyon View Drive east approximately 870'. **NO**

- a. The commissioners questioned why this item was on the list. Because there is infill, why not have the owners develop as they build. Also, is there more advantage in doing Canyon View Drive when the master plan shows it as a major collector? It might be wiser to do the portion with drainage problems.

Item No 4: Widen and install curb and gutter to north side of Goosenest Drive from the intersection of Elk Ridge Drive, west, approximately 1780 feet. **NO**

- a. This is along Cloward's property towards the new church. Scot Bell stated that if Cloward is entertaining developing this property, we should allow him to improve this portion of Goosenest. There was a question from Sean Roylance as to whether there is a pressing need to have this done now in case Cloward does not develop this portion of his property during his lifetime. Shawn Eliot did not feel there was heavy traffic here nor were there drainage problems. He did state that once the southern portion of the city is developed it may be part of a major traffic pattern going south. (Doe Hill and Rocky Mountain Subdivisions). All the roads in these developments will have curb and gutter.) Thus, if Cloward is planning a development in the future, we should hold off. He has talked about doing a gated community here.
- b. Scot Bell mentioned that these improvements will be done one at a time, probably one every three years. If we could just pick our main road improvement priority now, the priority for the rest may change two years from now.

Item No 5: Extend Hillside Drive east approximately 830' including asphalt and curbing to Ild Ridge Drive. (should that be west?). **NO**

- a. Shawn Eliot mentioned that the considerations are similar to Item No. 4. This is

Cloward's property. He has talked about putting senior residences on this property. Thus, development can pay for this extension.

Item No 6: Widen High Sierra Drive from 56' Right-of-way to 66' Right-of-way, including new asphalt and new curb and gutter on both sides. **NO.**

- a. Chairman Adamson stated that our circulation map does not show this street as being a major collector.
- b. Shawn Eliot mentioned that when we met with the council there was some discussion that impact fees could not be used to develop a proposed road behind High Sierra Drive. He was not sure why not? Kevin Hansbrow said he remembered that these fees could only be charged to those who would be effected, so that would be the people on and above this proposed new road. Ken Young felt this was a policy and procedure type thing and not a legal issue. The City can choose to apply impact fees based upon some overall community need.

Item No 7: Construction of two new access roads into the proposed city's commercial and industrial area approximately 500 feet each, including asphalt and new curbing and gutter. **NO**

- a. The commissioners were not in favor of this one, they felt the developers could do this..

B) Projects that could be included but were not on the list:

1: The Dugway. The portion of Park Drive that goes down to Loafer Canyon Road.

- a. Russ Adamson mentioned slope problems. He stated there needs to be a retention wall. Scot Bell felt that there was a case for this. He stated there have been people look at this and it would be a horrendously expensive project. Maybe the city could accomplish more throughout the whole city than spend such a large amount on such a small part of the city.
- b. Kevin Hansbrow mentioned it is a safety issue. Russ felt it should be a consideration and at least a study should be done showing the cost of improving it. He proposes it be added to the list and have a study done to show the cost. We know what some other City's are charging for road impact fees. See if what we want to do would be covered by an impact fee of a similar amount.
- c. Sean Roylance mentioned that the time is now, before the lots in the southern portion of town are sold, and building permits issued in the south part of town, to collect some of these impact fees to aid the City in these improvements. If we are ever going to do this improvement, now is the time, when we can collect impact fees on the new growth.
- d. Russ Adamson mentioned he turned Highland City's impact fees in to the Mayor showing him that we are way below some of the other City's. There are also some other impact fees we could be charging, including public safety.

2: On Elk Ridge Drive from the proposed roundabout south to Olympic Lane..

- a. Shawn Eliot mentioned this will be part of the main entrance to town. At Olympic Lane along Elk Ridge Drive, the Haskell Subdivision developers will be installing curb and gutter on Elk Ridge Drive, so this is where the proposed improvement project would end and tie into their improvements, making a much nicer entrance into town.

3: Hillside drive between new development in the south, going north to the John-Henry Subdivision..

- a. This will be part of the heavily traveled roads into the proposed new section of town.

4: Intersection of Park Drive and Elk Ridge..

- a. Shawn Eliot mentioned this was altered last year and made more of a T-intersection.. It needs to be realigned correctly.
- b. Margaret Leckie mentioned that a developer (Eric Allen) just brought in a concept map involving this corner (Park View Estates) and he might correct this corner.

5: The south end of Canyon View Drive (intersection of Salem Hills Drive) to the new development

- a. There has been talk of another access to the southern portion of town to the west towards Loafer Canyon Road. Ken Young mentioned that Elk Haven, Plat E, is being reworked to show just such an exit.

- b. Curb and gutter improvements were suggested, not widening, because of the potential of new development connecting to it.
- C) Ranking of the suggested projects (combines some from city's impact fee study with new ones suggested by commissioners) was suggested as follows:
 - a. **No. 1:** Elk Ridge Drive from proposed round-about to Haskell Subdivision (Olympic Lane).
 - b. **No. 2:** The portion of Park Drive going down to Loafer Canyon Road, also known as the Dugway
 - c. **No. 3:** Loafer Canyon Road. Extend new curb and gutter from intersection of Park Drive and Loafer Canyon Road, south about 1250 feet. (Impact Study's No. 1)
 - d. **No. 4:** Hillside Drive from Salem Hills Drive going south to the proposed Elk Haven Plat E.
 - e. **No. 5:** Alignment of intersection of Park Drive and Elk Ridge Drive
 - f. **No. 6:** Canyon View Drive from Salem Hills Drive to Park Drive.
 - g. **No. 7:** Canyon View Drive from Salem Hills Drive south to the end of the existing road.

Margaret Leckie will email the considerations to the commissioners, let them correct, revise or add and then send it to the Mayor.

(The only comments from commissioners were that all projects included adding asphalt and curbing except the dugway on Park Drive which would include hillside retention and minor road improvements)

City Planner, Ken Young, had to leave at this portion of the meeting. He will be here for the field trip next week.

5. DISCUSSION OF SUBDIVISION PLATTING PROCESS

Shawn Eliot looked at our concept application and compared it to other cities. The following comments ensued:

DISCUSSION OF CONCEPT APPLICATION

1. We require a lot at concept and do charge a fee. I polled other cities and discovered the following. Most cities do not charge a fee.
2. Our problems seem to come from requiring so much and requiring a fee at concept level.
3. Springville requires a concept and it is a 6 month process. Spanish Fork does not require a concept. Lehi does but their code states you are not vested, though they take an application and a fee.
4. When we talked to the City Council they did not want vesting at concept. Our PUD does require concept, as do most big cities. Concept should not be a big production. There is not enough information to see if it fits the code, but enough to see if it looks plausible. If we accept a fee and application, we are vested.
5. The Mayor liked the idea of not requiring a lot and not charging a fee at concept. I also spoke with our attorney, David Church. He said that is why Preliminary Plat is preliminary. You are still working with the developer and working through things. Why not work with the developer at preliminary when you have enough information and can adjust things.
6. I suggest toning down the application at concept. The state law is you are vested when you turn in a complete application and a fee. Maybe we tone down the concept application and don't charge a fee and increase our preliminary fee. Looking at other cities, our preliminary fee is quite low.
7. We charge \$400 for preliminary. Spanish Fork charges \$980.
8. Shawn said he could draft a new concept application. Most of the items required at our concept are already in the preliminary application. He will check to make sure they are there. He has an email version. The commissioners agreed to this idea.

DISCUSSION OF CE-1 CODE

9. Going back to our work session on CE-1. The Mayor read the moratorium idea in the CE-1 zone. He was not comfortable. Shawn told the Mayor we accomplish the same thing by just officially stating we are working on the CE-1 code. We have entered into the 180 day period where anyone

who comes with a project in that zone is subject to our final changes after this 180 day period ends. Anyone already vested is only subject to the current code. As long as staff, Mayor and the council agree, we are OK.

10. The Mayor questioned what the two issues were that we wanted to work with the council to change. I told him they were the open space issue and the lot sizes. These are things they turned down in November. We want to clarify the language and work with the city council on those issues.
11. Russ Adamson stated that if we hurry and get our General Plan revised, we will have more ability to give appropriate direction.
12. Russ asked if we have any other eminent developments in the CE-1 zone who would be grandfathered out of the new 180 code. Nebo Heights has already paid for concept so they are grandfathered.
13. Shawn Eliot felt that it had to be officially announced that they were entering the 180 day period. Ken Young concurred. There was some discussion on being specific as to which portion of the code we were starting the 180 day period on, rather than generalizing that we are working on the CE-1 code, for example, state we are working on the density requirements in the CE-1 code.
14. Shawn mentioned that right now he is totally rewriting and clarifying the CE-1 code. He is working on the whole thing and may have something to us in the next 2 weeks.
15. Shawn said the moratorium will be for the whole zone. If we do pieces we will have people coming in and major confusion. I think we should do the whole thing. We should put on the agenda for next meeting "Rewrite of the CE-1 Code". Also make official statement that this is the start of the 180-day period.
16. Shawn stated one error we made was on the density. We stated in that we say "the average lot slope" for acre lots, half acre lots and third acre lots. We should have said "slopes under". So for 20%, it should have been slopes under 20%. If you do average, half are higher and half are lower. You should say that lot should not have slopes over 20% anywhere.
17. I would also like to suggest that once I get done, I would like a committee of 2 or 3 to go through it and question it and understand it. Last time we did this it was just me and Chad. As long as there is less than a quorum (three would work) it will not be considered a public meeting. Then we can try and sell it to the council
18. Sean Roynance volunteered, as did Kevin Hansbrow and Russ Adamson.

ELK HAVEN

19. Concerning the memo – things to consider when reviewing Elk Haven – asked Margaret to make sure developers have this before field trip.

6. APPROVAL OF MINUTES OF PREVIOUS MEETING – MAY 3, 2007

The following corrections to the May 3, 2007 minutes were brought forth:

Russ:

p.9 – 1st p. – last sentence, change "entitles" to "entitled"

RUSS ADAMSON MADE A MOTION THAT WAS SECONDED BY SHAWN ELIOT TO APPROVE THE PLANNING COMMISSION MEETING MINUTES FOR MAY 3, 2007 WITH THE ABOVE MENTIONED CHANGES. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (1) DAYNA HUGHES, ABSTAIN (1) KEVIN HANSBROW, LEFT EARLY (1) KELLY LIDDIARD

Kevin Hansbrow abstained from the vote on the minutes as he was not in attendance at that meeting.

7. PLANNING COMMISSION BUSINESS

1. Chairman Adamson reminded the commissioners of the 6:30 field trip next week with the Elk Haven developers and work session to follow. Shawn mentioned that the main topics of discussion will be Plats A and B. Walking the terrain and seeing the ravines will give you a better feel of what is happening.
2. Shawn mentioned that when he was on the Payson Planning Commission, they had a work session for every subdivision that came in. The developers came in for a work session first conceptually for feedback then went back and did their plans based on the interchange. This would be on a

night that we are not approving the plan. Some cities have every other meeting a work session.

3. Russ asked Margaret to remind the commissioners when a work session is in order and work it into the agenda.
4. There will be no agenda but the list Shawn made that will be sent to all the developers will guide the discussion.
5. There was some some discussion on public and private open spaces and fences around private open spaces.

**8. FOLLOW-UP
ASSIGNMENTS /
MISC. DISCUSSION**

1. Ken Young will work on the fire sprinkler code.
2. Sean Royslance mentioned that we did not add any questions to the survey. It was decided to look at the survey again after Bob Allen's rewrite. Russ Adamson asked if we could have an updated draft for the next meeting. Shawn was not sure.

ADJOURNMENT

Chairman Russ Adamson adjourned the meeting at 10:20 p.m.



Planning Commission Coordinator

ELK RIDGE PLANNING COMMISSION WORK SESSION
Field Trip to Site of Proposed Elk Haven Subdivision. Plats A-E
May 24, 2007

131

A work session of the Elk ridge Planning commission was held on Thursday, May 24, 2007, at 6:30 p.m., at 80 East Park Drive, Elk Ridge,

Commissioners: *Russ Adamson, Sean Roylance, Dayna Hughes, Paul Squires, Scot Bell*

Absent: *Kevin Hansbrow, Kelly Liddiard, Shawn Eliot*

Others: *Developers from Elk Haven. Ken Young, City Planner, arrived for meeting, not present during field trip.*

Field Trip

Planning commissioners and others met at the City office Building at 6:30 to take a field trip to the Elk Haven Plats A through E area of the CD-1 zone. Topographical feature and boundary lines were pointed out by several land owners.

WORK SESSION

A work session followed to discuss outstanding issues regarding plats A through E. The following items were agreed upon:

General Agreement that apply to all plats:

- 1) 56' Right of Way, 2) Trails will be on one side of the road, 10 ft. wide, south side, 3) Minimize trail crossings.

Plat A

- 1) Direction from commissioners in favor of 56 foot right of way.
- 2) Behind lots 22, 23, 24, 2 & 3, vote in favor of a 1 ½ :1 slope
- 3) Change lot line on lots 2 & 3 to give more frontage on lot 3
- 4) Grant private access between lot 19 & 20 5) Develop a preservation agreement granted to the city for lot 24.

Plat B

- 1) Direction from commissioners in favor of 56 foot right of way. Agree on trails.

Plat C

- 1) Draw line on back of lots designated as open space or preservation agreement
- 2) Approve lot 1

Plat D

- 1) Designate lot 13 as open space with preservation agreement (a small portion)

Plat E

- 1) Direction from commissioners in favor of 56 foot right of way.
- 2) Provide trail access, perhaps between lots 7 & 8.
- 3) At Mt. Crest and Summit Drive, trail will cross to south side of street with a crosswalk

Applicant agrees to

- 1) Put building envelope of flattest part of lot
- 2) Keep driveways under 12% slope
- 3) Provide revegetation plans
- 4) Road to be completely in before building permits are issued for all plats

(Minutes by Commissioner Dayna Hughes)

Dayna Hughes (ml)

NOTICE OF PUBLIC MEETING – AGENDA

Notice is hereby given that the Elk Ridge Planning Commission will hold three Public Hearings to consider the following: 1) consideration of Preliminary Plat Approval for Plats A and B of the proposed Elk Haven Subdivision, 2) Final Plat Approval for Elk Ridge Meadows PUD, Phase 3 and 3) a proposed amendment to the Elk Ridge City Code regarding Minimum Improvements required prior to Building Permits, Section 10-12-24. These hearings will be held on **Thursday, June 7, 2007, beginning at 7:30 p.m.** during the first part of the regularly scheduled **Planning Commission Meeting on Thursday, June 7, 2007, beginning at 7:30 p.m. to be preceded by a Planning Commission Work Session at 6:30 p.m.** The meetings will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT, at which time consideration will be given to the following:

6:30-7:30 P.M. Work Session

Review of General Plan Survey

7:30 P.M.

Opening Remarks & Pledge of Allegiance Roll Call Approval of Agenda

1. **Public Hearing for Preliminary Plat Approval for Elk Haven Subdivision, Plats A and B**
 - Review and Discussion
 - Motion on Public Hearing
2. **Public Hearing for Final Plat Approval for Elk Ridge Meadows PUD, Phase 3**
 - Review and Discussion
 - Motion on Public Hearing
3. **Public Hearing for Proposed Amendment to the Elk Ridge City Code regarding Minimum Improvements required prior to Building**
 - Review and Discussion – Fire Sprinkler Code
 - Motion on Public Hearing
4. **Set Public Hearings for June 21st, 2007 to consider the following:**
 - a) Park View Corner Subdivision – Preliminary Plat – Eric Allen
 - b) Elk Ridge Meadows Ph. 4/Horizon View Farms – Preliminary Plat – Pangea Dev. Co.
 - c) Oak Hill Estates, Plat D – Final Plat – RL Yergensen
 - d) Elk Haven Subdivision, Plats C, D and E – Preliminary Plat
 - e) Amendment to Elk Ridge Code re: Off Street Parking – Section 10-12-15
5. **Elk Ridge Meadows, Phase 4 / Horizon View Farms – Concept**
 - Review and Discussion
6. **CE-1 Code Rewrite**
 - Review and Discussion
 - Proposed Moratorium Ordinance
7. **Approval of Minutes of Previous Meetings – May 17, 2007**
8. **Planning Commission Business**
 - Reinstate Dayna Hughes & Sean Roylance for new term ending February 2012
9. **Follow-up Assignments / Misc. Discussion**
 - Agenda Items for June 21, 2007 Planning Commission Meeting

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 30th day of May, 2007.


Margaret Leckie
Planning Commission Coordinator

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 30th day of May, 2007.


Margaret Leckie
Planning Commission Coordinator

ELK RIDGE PLANNING COMMISSION WORK SESSION

June 7, 2007

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TIME AND PLACE OF PLANNING COMMISSION MEETING

A work session of the Elk Ridge Planning Commission was held on Thursday, June 7, 2007, at 6:40 p.m., at 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL

Commissioners: Russ Adamson, Dayna Hughes, Kelly Liddiard and Kevin Hansbrow
Absent: Sean Roylance, Scot Bell
Late Shawn Eliot, Paul Squires (arrived halfway into work session)
Others: Ken Young, City Planner
Margaret Leckie, Planning Commission Coordinator
Bob Allen, Mountainland Consultant for General Plan Review

WORK SESSION

Review of Survey for General Plan Rewrtie

Bob Allen, consultant to Elk Ridge City from Mountainland Association of Governments (MAG), wrote the survey and presented a re-written version for final review. The re-write is based on the last review of the commissioners on May 17, and written comments from Russ Adamson and Mayor Dunn, and consultation with Shawn Eliot.

The following changes were made (see in tonights file the version Mr. Allen brought with him): Mr. Allen read the survey and the following comments ensued.

1. **Introduction:** Bob read the survey introduction and vision statement. One typo in vision statement, 1st sentence, 3rd word, change "and" to "an".
2. **Question 1:** OK
3. **Question 2:** regarding reasons live in Elk Ridge. Commissioners suggested asking to check off 3 reasons. Suggested adding *retirement* as a reason
4. **Paragraph following Question 2:** Remove last sentence: *Your answers will have much to say about what our future will be like.*
5. **Questions 3-6:** OK
6. **Question 7:** Dayna Hughes asked the the word *commercial* be bolded.
7. **Questions 8 – 16:** OK (It was suggested on Question 16 to move the 1-8 choice headers over the top of the numbers – formatting issue)
8. It was noted by Russ Adamson that though there are questions about open space, there are no specific questions about parks.
9. **Question 17:** Correct spellings to *infrastructure* and *council*. OK
Question 18: Russ suggested adding *trails* as as bonding issue. He is trying to get a feel for how much recreational things the citizens want. When the community triples in size, do they want a pool?
Bob Allen suggested adding in *rec center* as a possible bonding issue. Based on his experience he felt most people would say "yes," but they rarely break even, they are money hogs. With a rec center it would probably work better to combine with Payson and Salem and Woodland Hills.
Bob Allen asked what the city needs. Do we need more youth leagues, park space, pool/rec center? We can put together a question. Russ wanted to ask if the citizens felt we had enough park space. Bob's problem with that question was that most people would not be able to grasp if 10 acres park/1000 people was a good ratio. He could say *Nationwide standards is from 5-6 acres/1000 people, do you want more?* There is the issue that we can't use impact fees to get us to the standard, only to maintain the standard. There must be a plan in place to not charge the new people twice. Whatever we have in place parkwise, is what we can charge impact fees to maintain. Bob Allen thought we had about 7-8 acres of park.
12. **Questions 19-27:** OK
13. **Question 28:** Regarding the way public meetings are posted and advertised. Russ felt we are doing what is legally required. Kelly Liddiard suggested giving them other options as to how they can find things happening in Elk Ridge. Bob Allen mentioned that in Question 27, not all these methods of announcing are required, so they are given options in this question.

It was mentioned that someone is doing a marquee for an eagle project that public hearings could be

announced on. (REVERSE QUESTIONS 27 AND 28)

14. **Questions 29-33:** OK. Bob will cut number of answer options in Question 30 from 5 to 4. Regarding Question 33, Bob mentioned that ATVs, walking and horses don't do well on the same trail and what the trails are used for will determine how they are built. The question which asks the type of transportation (34) will let us know how to design our trails. Kelly Liddiard mentioned there is a lot of interest in the community for ATV trails. Bob said he could put something in the survey (a question) about *would you be interested in using certain trails for certain modes of transportation?*
15. **Question 35:** OK. Someone had suggested putting in reasons for wanting to merge. Bob was not sure what the reasons might be. It was suggested putting an explanation line in for citizens to write that reason out.
16. **Question 37:** Substitute word *provider* for *agency*. Also suggested adding designated providers as follows: Law Enforcement/*County*, Animal Control/*Utah County Sheriff*, Garbage Collection/*Allied Waste*, Utility Billing Options/*i.e. online bill pay, credit cards*. OK.
17. **Questions 38-50:** OK
18. **Last question:** *If you could ask one thing to the city, what would it be.* This will be shifted to last page where Comments are solicited.
19. After reviewing the survey, Bob Allen asked about how the commissioners wanted the form distributed. He mentioned that in the past, cities have designated a night. The Mayor and City Council work with youth groups (Boy Scouts, church youth groups) and give the this as a service project

They show up at the city office at 6:30 or 7:00 p.m. Each kid or kid and parent is designated certain blocks. There is a cover letter attached to the front of the form. It explains what we are doing. They hand the survey to the person at the door and explain they will be back in an hour or an hour and a half to pick up the completed survey. They come back to the city and have pizza, or ice cream, then go back out and pick up the survey.

If the resident is not home the cover letter explains they have a week or two and can either drop it off at the city building or send it in with their bill. Using this technique they usually get about 40-50% return. That is quite good. That would be his suggestion. Putting it online is not his expertise. If the youth group get fired up and committed it works well. They advertise ahead of time that the youth will be doing this survey on thus and such a date, possibly in the next newsletter.

Bob Allen needs to check with the Mayor and we need to set up a date. He mentioned they had done this in Camus, Utah and were done in a couple of hours.
20. Paul Squires suggested leaving 2 per household if there are differing opinions within the household. As the newsletter goes out at the first of the month. The date might be mid-July. (away from the 4th and 24th).

The commissioners thanked Mr. Allen for his good work.

ELK RIDGE PLANNING COMMISSION MEETING
June 7, 2007

**TIME AND
PLACE OF
PLANNING
COMMISSION
MEETING**

A regular meeting of the Elk Ridge Planning Commission was held on Thursday, June 7, 2007, 7:30 p.m., at 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL

Commissioners: Russ Adamson, Dayna Hughes, Kelly Liddiard, Paul Squires and Kevin Hansbrow
Absent: Sean Roylance, Scot Bell
Late Shawn Eliot
Others: Ken Young, City Planner
 Margaret Leckie, Planning Commission Coordinator
 Jed Shuler, Karl Shuler, Robert Goodwin, Linda Goodwin, Marilyn Gabler, Derek Smart, Sid Smart, Russ Smart, Eileen Murdock, Lee Brown, Scot Sessions, Lee Freeman, Terry Gunn, Randy G. Young, Gayle Evans, Ron Leckie, Doyle Moss, Caryn Moss, Tom Nelson, Spencer Sheets, Joan Sheets, Donna Ross, Steve Shepherd, John Money, Mary Ann Sessions, Rex Sessions, Jason Smith, Dave Milheim, Dennis Jacobson (left before hearings started)

**OPENING
REMARKS &
PLEDGE OF
ALLEGIANCE**

Chairman Adamson welcomed the commissioners and guests and opened the meeting at 7:30 p.m. Opening remarks were given by Kevin Hansbrow, followed by the Pledge of Allegiance.

**APPROVAL OF
AGENDA**

The agenda order and content were reviewed. The only comment was that Dayna Hughes and Sean Roylance had already been reinstated with new terms on the commission ending February 2012.

A MOTION WAS MADE BY DAYNA HUGHES AND SECONDED BY KEVIN HANSBROW, TO APPROVE THE AGENDA FOR THE PLANNING COMMISSION MEETING FOR JUNE 3, 2007. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (2) SEAN ROYLANCE, SCOT BELL, LATE (1) SHAWN ELIOT.

A sign-up sheet was passed around along with the roll for people who wanted to comment during the public hearings. They were allowed 3 minutes per person. Chairman Adamson mentioned the ground rules for the citizens who wanted to comment.

**1. PUBLIC
HEARING FOR
PRELIMINARY
PLAT
APPROVAL
FOR ELK
HAVEN
SUBDIVISION,
PLATS A AND B**

Ken Young mentioned that the memo for tonight on these Elk Haven Subdivision plats summarized the issues of concern for each of the plats. Ken showed the commissioners some large copies of Revegetation and Erosion Control plans submitted by the engineer for all 5 plats in Elk Haven. These were not included in the packets as they were the large versions only.

He began by a review of the issues identified on his memo for tonight's meeting on this item. Overall issues for the plats included:

1. Approval of a 56' right-of-way, including elimination of the 9-foot easement areas in certain locations where the grade is steep and the cuts and fills will be the most;
2. Approval of 10' paved trails on one side of all roads in lieu of sidewalks;
3. Buildable areas are to be in the flattest part of the lot
4. Driveways may not exceed a 12% slope
5. Re-vegetation plan is to be submitted for all plats as well as each individual lot (prior to building)
6. All roads must be completed before issuance of building permits

Regarding the individual plats, Plat A and Plat B:

PLAT A – Total acres: 23.03
 Total lots: 24 (1/2 acre min.)

Issues:

1. Approval of over 20% average slope on lots 1, 2, 3, 4, 5, 6, and 24

2. Approval of incidental 30% slope on lots 1, 2, 3, and 23
3. Reduce right-of-way requirement along lots 2,3,22,23, and 24 in favor of a 1½:1 slope.
4. A 10' Trail on south side of Mountain Crest Drive, and along the east side of High Sierra Drive.
5. Change the lot line between lots 2 and 3 to give more frontage to lot 3
6. Demonstrate how a drive access to lot 3 will work
7. Private access for lot 23 between lots 19 and 20
8. Show open space preservation area on lot 24

PLAT B – Total acres: 9.08
 Total lots: 10 (1/2 acre min.)

Issues:

1. Approval of incidental 30% slope on lot 4
2. A 10' Trail on south side of Mountain Crest Drive, and along the east side of Scenic Drive.

The following discussion ensued:

- a. Ken Young explained these were the basic issues that were discussed several meetings prior to this day. Most of these were reviewed at the last meeting, (a field trip into Elk Haven on May 24th). We tried to include all the comments that Commissioner Dayna Hughes had written on the board during that review.
- b. Part of the grading site plan, which was not attached to the actual plats with the slopes colored in, is on the larger plats in front of you now as well as the range-planting sheet which shows the revegetation plan.. Also in front of you commissioners (not included in the packets as they were large colored and limited in number, are the revegetation and grading site plans for A and B.
- c. Ken Young stated that we feel we have received the information required for these plats. I would like to recommend, and the recommendation that came out of the planning commission last week, was that we have been over this many times already in regard to the information. We felt comfortable with what was written on the board that we have identified the rest of the issues.
- d. Ken Young stated that he did not feel it would be beneficial for the planning commission to step back to point zero and try to decide what are all the issues at this point. We have identified them. At the public hearing we might identify one or two more, but I don't think we want to start with a clean slate.
- e. Chairman Adamson explained that the commission had had a work session with Karl Shuler and some of the other developers. He asked Karl to summarize the changes that had been made since that work session.
- f. Karl mentioned that Lot 24 will be designated as not buildable and dedicated as open space in a preservation agreement to the city. It will be combined with Lot 23. The concern there was the 30% grade which the driveway would have had to cross. Again, some of Lot 23 will be included in that designation of open space. They may take a small portion out for an entrance monument.
- g. These changes were not made on the plats for tonight's meeting but will be required on the plats before they go to City Council.
- h. Karl mentioned that the revegetation plan shows where there are cuts and fills that they will revegetate with a reseeding plan that was gone over with the Department of Agriculture, the Conservation Core. They worked with Karl to develop a mix of seed that would be good for this area.
- i. They also propose a change of boundary between Lots 2 and 3, so Lot 3 has a more acceptable building envelope. They will also show the driveways into the lots that are in question. (basically Lots 2 and 3). If they can't show a feasible driveway, they will dedicate those also as open space.
- j. Shawn Eliot stated these are ½ acre and 1 acre lots. Karl mentioned that the building envelopes on some of the lots will be made smaller at their next plat submission.
- k. Chairman Adamson mentioned that one of the issues was the proposal of a 10' trail on one side of the street instead of sidewalks. Karl mentioned that for most of his development they propose putting the trail along side the road. The only question was at the work session they asked if the city wants a trail down High Sierra Drive, where it ties in. Karl had proposed rather than doing that, running it behind High Sierra tying into the existing ranch roads in that area.
- l. Shawn Eliot displayed the topo map and explained to those residents present that the 30% areas are unbuildable. Karl explained that the map is a bit misleading as some of the 30% slopes shown are a result of cuts and fills necessary to build the road and were not present in the natural state. Shawn Eliot mentioned that

there are short distances of 30% slope the road will go through, which is allowable by code.

- m. Chairman Adamson mentioned that the other issue they have been dealing with is the 56' ROW and the elimination of the 9' easement in certain areas. Karl mentioned that in his plat they would like to eliminate the 9' easement only in the steep area of the road where the cuts and fills are extreme.
- n. Karl stated they would like to go 1.5:1 instead of 2:1 – they are proposing requesting a variance in that slope. He understands that is a normal cut and fill ratio of the slope. It would reduce the amount of land they would disturb, which is what they are trying to do.
- o. Russ Adamson mentioned that we are specifically looking for approval of over 20% slopes on Lots 1, 2, 3, 4, 5, and 6. (Lot 24 is being dedicated as open space).
- p. Russ explained CE-1 is generally 1 lot per acre, though the developer can get a bonus density and have smaller lots with a dedication of open space to the city. He invited the public to make comments. Chairman Adamson read from the list of those who had signed up to make public comment.

PUBLIC COMMENT

1. SCOTT SESSIONS

- a. Scott used to be a Council Member 8 years ago. He mentioned as we develop higher on the hill, we will force more traffic into the existing area of Elk Ridge. He questioned safety. As the streets fill with more cars and more children, what is the plan of the commissioners to submit to the Council for an improved safety plan for the city? He does not think the speed radar read-out has made much difference. He stated when he was on the council they discussed the pros and cons of reverse speed bumps, etc.
- b. Chairman Adamson mentioned there have been several considerations. One is multiple access routes into the new area. They do not want to funnel everything through one street. We realize High Sierra Drive is not as wide as a major collector. The plan according to our Circulation Map is to have another access into this area on the back side of High Sierra if development occurs.
- c. On the other side of the development we hope to have two routes, one potentially dropping down onto Loafer Canyon Road.
- d. Secondly there is a proposal into the Mayor to have impact fees for future development. There are other communities that use impact fees to provide for increased law enforcement. We hope the council will take our advice on the public safety impact fee to increase our law enforcement to the community.
- e. In terms of traffic-calming effects we have discussed them, the problems with snow plows and there are certain things we struggle with – speed bumps don't work with snow plows. We want to make sure we have the right traffic signs (stop signs). Shawn Eliot, on our commission, is an expert. He works at Mountainland Association of Governments, and has given us great input on the signage.
- f. Shawn mentioned there is an enforcement issue as many people ignore the existing speed signs and stop signs. The placement of stop signs in town also needs to be looked at. We worked on replacing street name signs so people can find houses easier. Many were missing or deteriorating. We have replace stop signs. We now need to go to city council and see if they want to re-examine placement of existing stop signs. There is definitely a lack of stop signs.
- g. About 6 months ago we went to city council and proposed a signage standard. The next step is to redo the placement of signs in the built up area of Elk Ridge. This will require a public hearing. The traffic calming is more of a city council issue.

2. TOM NELSON

- a. If you get 167 lots in the upper part, multiply by 2.3 automobiles, that is a lot of traffic. Have you figured the impact on the existing people?
- b. Chairman Adamson mentioned we have had a lot of discussion on that issue. You have to balance that with developers rights. We are trying to make sure there are several routes. with 80 homes on the first loop we thought the traffic could be handled with the 2 proposed accesses on Hillside and High Sierra Drives. Dayna Hughes mentioned that there will be no more development approved until there is a road system in place that will funnel traffic off of High Sierra (behind High Sierra).
- c. Mr. Nelson asked about school buses. Chairman Adamson mentioned that there has been much discussion about school buses and that is why they have worked with the developers to keep reasonable slopes on the roads.
- d. Mr. Nelson asked about the fire department access into the area. Chairman Adamson mentioned there

have been discussions with the fire department. One of the steepest areas now is at the top of High Sierra, not even in the new area. We have looked at Woodland Hills, who has made some mistakes. Some of their slopes are over 15%. We are allowing only 8% in this area with short stretches of 10% allowable for the roads. We have had a lot of input from the city to make sure we address all that. Right now school buses cannot come into the upper area of Elk Ridge as there is no circular route and no wheel for them to turn around. This new circulation will help that issue.

- e. Mr. Nelson also asked about impact on 1600 South going down. Shawn Eliot mentioned this will be widened as a part of the new PUD going in. The county has plans of widening this road and eventually (projection 2009) punching that into the freeway. In the next 15 years there is plans to widen this street from State Highway 198 all the way up to Elk Ridge.
- f. Shawn Eliot mentioned the fire chief was OK with 8% on the roads above with short stretches of 10%. The school district has said they would service this area unless it is a bad, snowy day. Then people would have to drive the kids down.
- g. Mr. Nelson also questioned who will buy the new equipment to keep the roads clear? Shawn stated that this is more of a council issue but the new development taxes and impact fees will go towards this. The city is currently enacting a road impact fee for this.
- h. Mr. Nelson asked about water. He had heard that we were running close to 80% capacity right now. Commissioner Liddiard said that according to the Mayor, this is not so. He said the Cloward well is near capacity, but the Loafer Canyon one is way down. It does need to be upgraded. Randy Young's development is contributing money for a new well.
- i. Russell Adamson stated that new development should pay for itself. That is what the impact fees are about. Mr. Nelson stated that the city will need new employees with the growth. Will the citizens have to pay for that or will the new development? Chairman Adamson stated that we are now reviewing all the fees paid, building fees, etc. This is a city council issue. They are being reviewed to make sure new development does pay it's own way.

3. BOB GOODWIN

- a. I would like some clarification regarding egresses. I heard there were 4 proposed. You mentioned High Sierra Drive, Hillside Drive... Shawn Eliot showed on the circulation map the different considerations. He pointed out the road behind High Sierra. Mr. Goodwin asked where this road would be located. Ken Young said to the west of and below High Sierra. Shawn mentioned that our engineer did a feasibility on how that would work. It was not clear at the bottom of the ravine, but near the bottom. Far below the existing homes. Ken Young stated that only a conceptual alignment has been done and the actual alignment will have to be worked out.
- b. Shawn mentioned the other access connecting to Hillside Drive, The fourth access is Canyon View Drive. There is a possibility of connecting down to Loafer Canyon Road. The option of connecting into Payson has also been discussed. Right now it is not a possible.
- c. Mr. Nelson asked if all owners of properties where proposed accesses are to occur have been approached? Shawn Eliot stated that the commissioners met with the High Sierra people (at least they all were invited). The issue was whether the city widen High Sierra or put a road behind it. Neither choice was popular, but the residents appeared to favor the road behind High Sierra Drive.
- d. The Moss's were present. They own property behind High Sierra. They stated that they have not been approached about the road behind High Sierra which would pass through some of their property. They moved to High Sierra because of the awesome view behind their home. They figured they would sell and move when this area is developed. He was curious how the city would build this road? Do they have rights to take the property? Will they purchase it? Karl Shuler owns most of the other land. A Mr. Collins also owns some of this property. Russ Adamson said they will not approve further development until they have at least two accesses on this side. It will be up to the private land-owners to work this out. There are other ways to work this out. Only as a last resort would the city get involved.

4. LINDA GOODWIN

- a. If High Sierra Dr. becomes a thoroughfare, and you build a road behind it, you have three homes that have heavy traffic both back and front, which does not occur anywhere else in Elk Ridge. Shawn Eliot mentioned that due to the hill, it will be similar to the Loafer Canyon Rd. situation.. Ken Young mentioned again, that the actual alignment of that new road will have to be engineered and planned and approved at a later date. It is just a concept now. It shows the road to be down the hill quite a bit.

- b. Chairman Adamson noted that the road are now stubbed. High Sierra and Elk Ridge Drive end in stubs. This implies eventual continuation.

4. TERRY GUNN

- a. Going up High Sierra, what is the plan for the partially completed road. Chairman Adamson stated we have an agreement with the developers that they will complete the partially completed road and do an off-site reimbursement with the property owners as the properties develop.
- b. Bob Goodwin asked if they are still considering widening High Sierra. Chairman Adamson responded that according to the planning commissions last thoughts is that that is a dead issue. The circulation map does not show that being widened.
- c. Shawn Eliot mentioned that when they held the meeting with the High Sierra residents it was decided a better option would be to put a road behind High Sierra. This current development is 100 acres. There are over 500 acres total back there. Chairman Adamson mentioned that there is concern about the number of homes that can go in but slope requirements on the road are a limiting density factor. They feel that area will not be too densely populated. In Karl's area it will be considerably less than 1 per acre. They are only getting about 80 homes for 100 acres.
- d. Maybe 40 new homes will be serviced by High Sierra.
- e. Bob Goodwin asked where we are in relation to storm drains, water flow coming down from the higher area, how much will this add to the water flow.
- f. Shawn Eliot mentioned the developers will build a retention basin to try and keep water in their area. It will be to the southwest.
- g. Terry Gunn asked if Hillside Drive will be extended down to Elk Ridge Drive. Shawn stated that that will probably be developer driven.

5. LEE FREEMAN

- a. We appreciate the good work you are doing.

6. KEVIN CLARK

- a. You are basically cutting a road through the mountain. You are going to try to revegetate that. I have a sick feeling that Loafer Canyon Rd. will be repeated. Karl Shuler said this will not happen. It will be revegetated. He is worried (Kevin) about the other side also. Russ Adamson stated we have been very sensitive to the cuts and fills and they will have to be revegetated. They are to follow contour lines and only go through 30% slopes for short distances.
- b. Shawn Eliot mentioned that the commission made recommendation to the city council that the dugway be repaired and that hillside be shored up.
- c. Tom Nelson asked if there were any alternate plans for construction traffic? Chairman Adamson said we have not talked about that yet. That is an issue. Shawn stated there are only 2 proposed accesses now so they will have to come in one or the other.

RUSS ADAMSON MADE A MOTION THAT WAS SECONDED BY KEVIN HANSBROW TO CLOSE THE PUBLIC HEARING ON ELK HAVEN PLATS A AND B. VOTE: YES-ALL (6), NO-NONE (0), ABSENT (2) SCOT BELL, SEAN ROYLANCE.

It was decided not to hold the motions on the public hearings until after they had all been held.

**2. PUBLIC
HEARING FOR
FINAL PLAT,
ELK RIDGE
MEADOWS
PUD, PHASE 3**

City Planner, Ken Young, reviewed this agenda item. The preliminary plat for Elk Ridge Meadows, Phase 3, was approved last year. Phase 2 is under construction right now. Phase 3 is that area closest to our existing community. It is where Elk Ridge Drive will extend down on the diagonal connecting to the existing 1600 West. There are 49, almost 50 acres, in that particular section.

I made a list of issues to be discussed with the developer. Some of them we have seen covered in the most recent submittal to the city. There are some that still need to be addressed and I recommend they be a part of your motion tonight if you were to prepared to make a recommendation for city council.

Ken Young read the issues from the memo as follows:

The Final Plat for Elk Ridge Meadows Phase 3 was reviewed by the Technical Review Committee on May 24th.

The Committee has forwarded the plats and associated documents with a positive recommendation, subject to the following items being corrected and submitted prior to the Planning Commission meeting:

1. A note regarding the County's approval of the vacation of a portion of 1600 West (between the bend of Elk Ridge Drive and where Golden Eagle Way meets 1600 West). This will need to occur prior to the Final Plat being approved by City Council.
2. Show width and length of the new access road within the vacated portion of 1600 West, with the remaining vacated roadway being combined into adjoining properties.
3. Show more rounded curve from Golden Eagle Way to the access road within the vacated roadway, providing for connection of future roadway to the west, through the Haskell property.
4. Increase the lot size of corner lot #17. (Decrease lots 15 and 16 in favor of 17). *This has been increased by 1,500 square feet.*
5. 108' foot right-of-way along Elk Ridge Drive needs to show cross section of a 66' collector road, with remaining space on either side consisting of 10' trails (optional 5' sidewalk on west side) and a minimum of 16' of landscaping. *This was according to the development agreement with the developer when they annexed. They have shown this cross-section on the new submittal. There will be substantial landscaping on either side of that roadway as it goes through there.*
6. Meeting all final engineering requirements.
7. Water Rights Randy is aware that water rights need to be acquired and dedicated to the city
8. ONE THING WE MISSED is a signature block for SESD needs to be added to the plat.

With that, we have had a comprehensive staff review of the plats and the roadway and utility detail sheets. The public works people and engineer have reviewed them.

The following discussion ensued:

- a. Chairman Adamson asked about the round-about. It seems odd what has occurred. Ken Young also mentioned it was odd to him. The problem is how the property actually owned by the developer lines up with the actual roadway. The developer (Randy Young) stated that it was about impossible to make the round-about work. He explained they have probably had 6-7 separate drawings trying to make the round-about work. The engineer worked with the developer and Clowards to try and make it work. They said it will not work and recommended we not have a round-about in that location.
- b. The intersection of Goosenest onto Elk Ridge Drive is meeting the minimum standard intersection distance. It is still an awkward intersection.
- c. Chairman Adamson asked whether you had to make a left turn off Goosenest to get to Elk Ridge Drive? That is a weird situation. Shawn Eliot mentioned that Goosenest is a major collector road. Now we are taking east-west movement which will connect to the main highway, and say you have turn right onto Elk Ridge and left again onto Goosenest. This doesn't make sense. It is 200' from Goosenest to Elk Ridge (the job mentioned above).
- d. .
- e. Dayna Hughes asked Randy to remind her again if Prairie Dog Lane is as wide as the other streets. He said it is.

PUBLIC COMMENT ON ELK RIDGE MEADOWS, PHASE 3

1. DONNA ROSS

- a. I live on 1600 West. Is there going to be a round-about anywhere on that street. Chairman Adamson responded that it doesn't look like it. Ken Young stated there are no other proposed locations. 11200 South is not in the city. They were told at one time it would be by the Sheets. Shawn Eliot mentioned it was there to help with traffic calming in the area. She was concerned about access to their home if the round-about went through.

2. SPENCER SHEETS

(Commissioner Kelly Liddiard had to leave early for work – about 9:30 p.m.).

- a. Why don't you move the round-about right in the middle of Goosenest and Elk Ridge Drive? Shawn

Eliot mentioned that the city would have to purchase some private property there. Ken Young stated that was the intention if the city council brings this forward and it is a big enough issue. The city would have to be involved in purchasing property and making it work out. As far as making this work out on the developer's property – it doesn't work. This would be an issue for the city council.

- b. Mr. Sheets expressed concern about slowing people down who come down at speeds up to 60 mph sometimes down Elk Ridge Drive. They as residents are concerned. You can't put speed bumps there. What are you going to do?
- c. Who will be responsible to make sure that the new neighborhoods will not turn into a slum area in case we have an economic slowdown? I have seen this often in California. I did a survey on the web to see what new housing starts look like and in 2005 it was 441-460, then it went clear down to 247. I don't think the economy is that strong and don't want to see my property values go down because someone is not looking ahead.
- d. Chairman Adamson commented that in terms of Utah right now, we can't hire enough people. Utah may buck the trend for a little while. We have 2.2% unemployment, about 5.5% growth rate. Utah now is one of the hottest places in the country for job creation. We think things are good.
- e. Shawn Eliot mentioned that there are still some lots available in this area. It was started in 1997. Not all of these will sell. They will also sell over time.
- f. Russ Adamson added that we demanded open space in the PUD that should add to the community.
- g. Someone asked if you could ride horses through there. No one had any comment on that. Dayna Hughes mentioned that the general plan survey currently under construction talks about such things. Do you want walking trails, biking, atv trails. These are separate from the walking trainls. We are getting ready to get a lot of this input from the citizens to help us make these decisions.

3. JOAN SHEETS

- a. You mentioned the water shares that have to be purchased by the developer. There is a well in Loafer Canyon. Is that where that water will come from? Are you contemplating a new well. Randy Young stated that through his development there is a contribution to the city for several thousand dollars that will go to the water system.
- b. Shawn Eliot mentioned that there will be a new water tank put in near the existing Golf Hole 7 that will service most of the new development.
- c. Spencer Sheets mentioned they are concerned we will drain their wells dry. Joan said it cost \$25,000 to go down 700 feet 2 years ago. Shawn Eliot recalled that they had gone to city council and resolved that issue. They did do a study. He mentioned that she talk to the major.

RUSS ADAMSON MADE A MOTION THAT WAS SECONDED BY KEVIN HANSBROW TO CLOSE THE PUBLIC HEARING ON ELK RIDGE MEADOWS, PHASE 3. VOTE: YES (5), NO-NONE (0), ABSENT (2) SCOT BELL, SEAN ROYLANCE. LEFT EARLY (1) KELLY LIDDIARD

Ken Young, City Planner, stated he felt it appropriate that the commissioners make a motion on the first two items. Chairman Adamson concurred that this would be appropriate.

DISCUSSION AND MOTION ON 1) PUBLIC HEARING FOR PRELIMINARY PLAT APPROVAL FOR ELK HAVEN SUBDIVISION, PLATS A AND B

The following discussion ensued re: Agenda Item 1: Elk Haven Subdivision, Plats A and B

1. Dayna Hughes asked developer, Karl Shuler, if there were any issues that were resolved in the last submission. He responded that the only issue he is not sure how to tackle is whether to take the trail down High Sierra or run it down Mountain Crest. He would prefer to run it down and tie it into the existing ranch roads on Mountain Crest. Instead of on High Sierra, let it continue on the future extension of Mountain Crest. This would eliminate that portion of the High Sierra trail.
2. Ken Young mentioned that the current general plan does show the alignment on Mountain Crest, it does not turn on High Sierra but turns onto the western loop road. We are talking, though, in lieu of sidewalks having a trail. Russ asked the commissioners about not having this trail on this portion of High Sierra. It is a steep area and there are no sidewalks going into it. Shawn Eliot summarized that there would be no trail from Lot 1 to Lot 6. Karl Shuler stated that there is nothing to tie into along High Sierra so bring it lower and tie it into the trail alignment on the General Plan.
3. Chairman Adamson felt, for sure, we should have a trail that did that, but the question is, do we want

something that gives them trail access to the existing High Sierra?

4. Shawn summarized, in lieu of sidewalks, they are putting trails along all roads, the trail plan shows it on Mountain Crest Road that would go behind the homes on High Sierra. Do we want to say no pedestrian access at all on this one part of High Sierra? This would require more cuts and fills. Russ Adamson questioned how kids would walk safely down High Sierra with no trails or sidewalks. Shawn Eliot suggested putting a narrower trail (5') monolithic or sidewalk (no planter strip). This would limit impact to cuts and fills. Karl mentioned another option would be to take the trail alongside the road above the cuts and fills.
5. All commissioners agreed that they want the first trail discussed that meets the intent of the city's trail system as shown in the trail map. It was decided that a regular monolithic sidewalk. Ken Young suggested that it go on the east side for the least amount of cut and fill impact. Karl said he would have his engineer look at it and see what he could come up with. Russ polled the commissioners and they agreed they wanted some sort of sidewalk along High Sierra. They left it up to the developer to come up with a suggestion.
6. Regarding changing curb type in the CE-1 area to high back type, the commissioners felt this was a good idea. Shawn Eliot mentioned that there are also appropriate spots for guard rails. Between now and final approval Shawn would like to see where it would be appropriate for guard rails. Plat E has the most likely guard rail areas. Karls lots are mainly on upslopes so guard rails would not be needed.
7. Commissioners were content with development issues 1-6 except Shawn, who still is not comfortable with the 56' ROW. The road behind High Sierra was to be the main road (wide) into this development. Dayna Hughes said she agreed in concept but in this particularly steep area she would rather see a narrower road with less cuts and fills.
8. The following issues were agreed upon:
 - 1). All were in agreement (including developers) that the loop road would be completed before any houses went in.
 - 2) Lot 23 will have private access and Lot 24 be dedicated as open space. The engineer will look at access for Lot 3 before the plan is given to City Council.
 - 3) The Lot line between Lots 2 and 3 needs to be changed to give more advantage to Lot 3. Karl said this will be done.
 - 4) A 10' trail on the south side of Mountain Crest Drive and along the east side of High Sierra Drive to the south and north of Mountain Crest some pedestrian access will be provided.
 - 5) Reduce the ROW requirements on 22, 23, 24 in favor of 1-1/2:1 slope. Karl stated that what would change would be the easement area within the ROW
 Ken Young explained that this would be the 9' easement area on either side of the roadway would be eliminated in favor of having a 1.5:1. slope. Basically have a steeper slope to reduce the cuts.
 - 6) Shawn Eliot passed out a plat of his house. and requested similar notes be required in this plat reading:
 - (A) *After the homes have been built and removal of required vegetation for the protection of the inhabitants, according to the fire code, 75% of the existing hardwood vegetation shall remain through the ownership of the property, and*
 - (B) *To protect wildlife corridors and natural drainage, slopes of 20% or greater outside of the building envelope shall not be fenced.*
 - C) Include on the plat: *All native brush and grass cover shall not be disturbed in the natural drainage channel, so as to avoid any erosion.* This would protect areas such as the backs of lots on plat C as wildlife areas. He showed a Utah County Map which indicated a drainage area and requested the note be put on the plat: These areas should be hatched out on the map. Though it is in the code, people will be more likely to stay out of it if it is on their plat map. The landscaping map is supposed to show where drainage areas are.

Ken Young, looking at the County map provided by Shawn, stated that the drainage does not start anywhere near the proposed extension of High Sierra, but is more at the bottom end of those lots. He felt that if we mentioned that the buildable area on Lots 3 and 4 are up closer to the road, it looks like the drainage area is on the lower portion of the lots and will be of concern to the lots below not the lots themselves. Shawn said if they do something on the lots that does effect the lots below, we need to try and prevent that also. At least he would recommend not clearing 75%

of the hardwood vegetation outside the fire area. (the first 2 lines) (A) and (B)

- D) He questioned the building envelopes on Lots 2, 3 and 4 on the grading plan. They were small. On the plat map they are shown on almost the entire lot. Karl mentioned these maps have not been updated.
- 7). It was agreed that this is the top of the drainage. Shawn did state that not removing 75% of the vegetation would help with erosion control. Gayle asked if anyone can clear their whole lot, Shawn said "yes" if it is on flat slope.
- 8) Gayle Evans felt the building envelopes should not be large enough to allow huge sheds/garages to be built in the backs of homes. When Gayle asked about not allowing fences, she was told that would have to be something in their CC&Rs that they would have to enforce.
- 9) Jed Shuler felt that as the road cuts across, it will eliminate drainage problems on the southeast ravine as anything coming from there will drain to the road and be handled with the sumps.
- 10) Jed stated that when Karl talked to the conservation people they indicated that in Utah County a lot of the scrub oak should be eradicated as it is not indigenous to the area and is taking over. They are asking them to get rid of some of it on their property. Karl mentioned that the cedars and the oak are invading what was grass and sage brush.

DAYNA HUGHES MADE A MOTION THAT WAS SECONDED BY KEVIN HANSBROW TO RECOMMEND APPROVAL TO THE CITY COUNCIL ELK HAVEN SUBDIVISION, PLAT A WITH THE FOLLOWING CHANGES MADE TO THE PLAT:

- 1. APPROVAL OF OVER 20% AVERAGE SLOPE (AS SHOWN ON PLAT PRESENTED TONIGHT) ON LOTS 1 THROUGH 6.**
- 2. APPROVAL OF INCIDENTAL 30% SLOPE ON LOTS 1, 2, 3 AND 23.**
- 3. REDUCE THE RIGHT-OF-WAY REQUIREMENT ALONG LOTS 2, 3, 22 AND 23 AND 24 IN FAVOR OF A 1.5:1 SLOPE.**
- 4. INSTALL A 10' TRAIL ON THE SOUTH SIDE OF MOUNTAIN CREST DRIVE ALONG THE EAST SIDE OF HIGH SIERRA DRIVE, WITH SOME SORT OF PEDESTRIAN ACCESS NORTH OF MOUNTAIN CREST DRIVE ON HIGH SIERRA.**
- 5. CHANGE THE LOT LINES BETWEEN LOTS 2 AND 3 TO GIVE MORE FRONTAGE TO LOT 3.**
- 6. DEMONSTRATE HOW A DRIVEWAY ACCESS TO LOT 3 WILL WORK.**
- 7. APPROVE THE PRIVATE ACCESS TO LOT 23 BETWEEN LOTS 19 AND 20.**
- 8. SHOW LOT 24 WITH A PRESERVATION AGREEMENT TO THE CITY AS OPENSOURCE. IT WILL BE A PART OF LOT 23.**
- 9. RECOMMEND APPROVAL OF ALLOWING A MONUMENT FOR THE AREA TO BE PLACED AT THE NORTHWEST CORNER OF LOT 24.**
- 10. SHOW VERBIAGE ON THE PLAT MAP THAT SAYS:**

After the homes have been built and the removal of required vegetation for the protection of the inhabitants, according to the fire code, 75% of the existing hardwood vegetation shall remain through the ownership of the property.

AND

To protect wildlife corridors and natural drainage, slopes of 20% or greater outside of the building envelope shall not be fenced.

VOTE: YES (4), NO (1), ABSENT (2) SCOT BELL, SEAN ROYLANCE. LEFT EARLY (1) KELLY LIDDIARD.

Shawn Eliot voted "NO" due to the right-of-way issue. (Felt that the loop road should meet major collector width requirement)

There was some discussion of revegetating the scars that are already in that area. Gayle Evans was referring to a road on Lot 24 that goes up to the property she owns. Shawn stated that our code does not address that though the

Mayor has said he would like to require that. Karl Shuler stated they would probably do something to improve that as they will be having an entrance monument on that lot.

It was decided that at final they want to make sure that somewhere in perhaps the developer agreement, that it be stated that widening the upper portion of High Sierra Drive will be done by the developer. Karl Shuler agreed to write that on the mylar somewhere.

PLAT B DISCUSSION

- a. From the work session approval was given to:
 - approval of incidental 30% slope on Lot 4
 - 10' trail on the south side of Mountain Crest Drive and east side of Scenic Drive

DAYNA HUGHES MADE A MOTION THAT WAS SECONDED BY KEVIN HANSBROW TO RECOMMEND APPROVAL TO THE CITY COUNCIL ELK HAVEN SUBDIVISION, PLAT B WITH THE FOLLOWING THINGS TO BE INCLUDED ON THE PLAT:

1. **APPROVAL OF INCIDENTAL 30% SLOPE ON LOT 4.**
2. **INSTALL A 10' TRAIL ON THE SOUTH SIDE OF MOUNTAIN CREST DRIVE ALONG THE EAST SIDE OF SCENIC DRIVE..**
3. **INCLUDE THE SAME 2 NOTES MENTIONED IN MOTION FOR PLAT B, ITEM 10.**

VOTE: YES (4), NO (1), ABSENT (2) SCOT BELL, SEAN ROYLANCE. LEFT EARLY (1) KELLY LIDDIARD.

Shawn Eliot voted "NO" due to the right-of-way issue. (Felt should meet major collector width requirement)

DISCUSSION AND MOTION ON 2) PUBLIC HEARING FOR PRELIMINARY PLAT APPROVAL FOR ELK RIDGE MEADOWS PUD, PHASE 3

The following discussion ensued re: Agenda Item 2: Elk Ridge Meadows, Phase 3

1. Of concern mentioned by Chairman Adamson and Shawn Eliot was the intersection and missing round-about. This was a major amenity that had been promised. Also, now one of the main roads in town won't even meet. They will be at separate angles and there will be a jog to go across. They were promised by the developer that the round-about would be worked out. If that means purchasing some land, so be it. Ken Young felt that if that was the case, make the recommendation for the City Council to figure that out. It is now an issue that requires the city to do something so this will have to be forwarded to city council. Shawn wants this as a traffic calming measure. Goosenest is a main road in the city and once it connects to 11200 it will become even more of a main road. The disconnect is bad planning and bad flow.
2. Randy Young, developer, stated that if was any consolation, they have really tried to make the round-about work. They have been working on this with their engineer for 5-1/2 to 6 months, also with the Mayor. They have had about 6-7 different drawings in an attempt to make it work. It is not due to lack of effort.
3. Chairman Adamson questioned Item 5:
 - 108' foot right-of-way along Elk Ridge Drive needs to show cross section of a 66' collector road, with remaining space on either side consisting of 10' trails (optional 5' sidewalk on west side) and a minimum of 16' of landscaping..

Ken Young said this has been built into the development agreement from the beginning. It was shown on the preliminary plat, though not in full detail. The planter detail was not shown. The most recent submittal (June 1) shows trail on one side and 5' meandering sidewalk on the other side. Ken mentioned that landscaping plan shows the concept for landscaping but not the exact arrangement of the corridor right-of-way.

Randy Young mentioned they clustered some of the tree alignments for aesthetics. The clusters need to be continued down the remainder of the corridor. Ken mentioned there is definitely not correlation regarding landscaping shown, between the grading plan and the landscaping plan but the landscaping plan will be the final way the landscaping will be done.
4. Ken Young told Randy there needs to be better coordination between what is being shown on the plat, either make them the same or don't put landscaping on the grading plan. This could be made as a recommendation to city council.
5. Shawn Eliot brought up the fact that the city is out of water rights now. Final cannot go forward until they come up with water. Randy Young mentioned he purchased water a year ago and it is being transferred. He is not sure when it will be final but he has a letter from the city regarding a way to go forward while waiting

for the transfer.

6. Regarding the round-about, Russ Adamson asked if they had considered purchasing property. Randy said that the Mayor has been in touch with owners re: eventually purchasing some property to the south as well as possibly a portion of Mr. Cloward's property. The reason he has not been here earlier is he was trying to find ways to make the round-about work. Mr. Cloward is not fond of the round-about idea. Dayne Hughes suggested as an alternative some other monument amenity.

SHAWN ELIOT MADE A MOTION THAT WAS SECONDED BY PAUL SQUIRES TO DENY RECOMMENDING APPROVAL OF ELK RIDGE MEADOWS, PHASE 3. WITH THE FOLLOWING COMMENTS:

1. **WE AGREE WITH THE NOTES ON THE STAFF REPORT**
2. **WE REQUEST THAT THE LANDSCAPING ALONG ELK RIDGE DRIVE BE SHOWN THROUGHOUT ELK RIDGE DRIVE.**
3. **BUT; BECAUSE WE HAD A DEVELOPMENT AGREEMENT, A PRELIMINARY PLAT, AND IT WAS DISCUSSED AT LEAST TWICE FIXING THE ALIGNMENT OF THE STREETS OF GOOSENEST AND THE CLOWARD DRIVEWAY; AND THE FACT THAT GOOSENEST DRIVE IS A MAJOR COLLECTOR AND IT NEEDS TO CONNECT AND NOT JOG AT THIS LOCATION....WE RECOMMEND DENIAL.**

**VOTE: YES (2) - SHAWN ELIOT, PAUL SQUIRES, NO (2) – DAYNA HUGHES, RUSS ADAMSON
ABSENT (2) SCOT BELL, SEAN ROYLANCE. LEFT EARLY (1) KELLY LIDDIARD, ABSTAIN (1) – KEVIN HANSBROW.**

Randy Young felt this was a little strong, as they have been sincerely trying. Ken Young said that either way, the City Council will make their own decision. Either way it goes forward to city council and they will deal with the issue.

Dayna Hughes stated she would vote "NO" as the motion is. She would add some sort of amenity addition. She does feel that what happened was not Randy's fault. The cart was put before the horse. Kevin abstained from voting as he was not present during the major discussions on this project.

Discussion prior to new motion:

1. Shawn Eliot definitely felt Goosenest Drive has to be realigned. He does agree that if a round-about is not put there it could be put elsewhere – maybe at Golden Eagle.
2. Russ Adamson agreed with Dayna Hughes that the amenity thing is an issue. We kind of envisioned the nice gateway into the city with a bronze elk.
3. Ken Young stated that the proposal now is for a monument to be installed, instead of being at the round-about, it would be right as Elk Ridge Drive starts to bend, in the open space, off of 1600 as you are coming into the development. The amenity would probably include some sort of water feature. Randy showed a few pictures of possibilities and left them with Margaret Leckie. Ken Young said this is actually a better location. Russ agreed that this was a good option, that there was still plans to have a nice amenity at the entrance.

DAYNA HUGHES MADE A MOTION THAT WAS SECONDED BY RUSS ADAMSON TO RECOMMEND APPROVAL OF ELK RIDGE MEADOWS, PHASE 3 TO THE CITY COUNCIL WITH THE FOLLOWING CONDITIONS:

1. **THE PROJECT MEET THE CONDITIONS OF THE STAFF MEMO LISTED ABOVE WITH ITEMS 1-8 (7- BEING WATER RIGHTS, AND ADDING 8 – A SIGNATURE BLOCK FOR STRAWBERRY ELECTRIC)**
2. **THAT THERE BE SOME SORT OF LARGE AMENITY IN PLACE OF THE PROPOSED ROUND-ABOUT DISCUSSED EARLIER WHICH INCLUDES WATER FEATURES, LARGE LANDSCAPING ROCKS, VEGETATION AND GROUND COVER, INCLUDING A MONUMENT INDICATING "WELCOME TO ELK RIDGE".**
3. **THE LANDSCAPING NOTES REGARDING TREE-LINED STREETS ON THE GRADING PLAN SHOULD BE DISREGARDED AND THE LANDSCAPING PLAN, HANDED OUT TONIGHT, NEEDS TO BE COMPLETELY FINISHED TO INCLUDE LANDSCAPING ALONG THE ENTIRE**

LENGTH OF ELK RIDGE DRIVE.

4. **SOME COMMISSIONERS FEEL VERY STRONGLY THAT THE CONNECTION BETWEEN GOOSENEST DRIVE AND ELK RIDGE DRIVE, WHERE THE ROUND-ABOUT WAS PROPOSED, THAT THERE BE SOME RECONSIDERATION IN BETTER ALIGNING THOSE TWO MAJOR COLLECTORS.**

VOTE: YES (3) - DAYNA HUGHES, RUSS ADAMSON, KEVIN HANSBROW, NO (2) – SHAWN ELIOT, PAUL SQUIRES, ABSENT (2) – SCOT BELL, SEAN ROYLANCE. LEFT EARLY (1) – KELLY LIDDIARD.

Shawn Eliot voted “NO” because he felt the alignment should be worked out, and the round-about issue. Paul Squires voted no because of the same reasons.

**3. PUBLIC
HEARING:
AMENDMENT
TO ELK RIDGE
CITY CODE
RE: MINIMUM
IMPROVEME
NT PRIOR TO
BUILDING**

Chairman Adamson opening the floor to public comment. There was no comment. The public hearing was closed. Shawn Eliot explained that this was the code that referred to requiring fire sprinklers in homes in the Shuler water district area. The commissioners wanted to add homes in the CE-1 and CE-2 zone and homes larger than 4,000 sq. ft. per recommendation of the fire chief, due to the short staffed fire department.

Karl Shuler had no idea where the commissioners were referring to. Shawn explained this was due to the low water pressure along Goosenest where Karl lived, the Mayor is considering requiring inside fire sprinklers. Karl stated this is called **Goosenest Water Company** and not the Shuler Water System or District. We will change the designation herewith.

SHAWN ELIOT MADE A MOTION THAT WAS SECONDED BY KEVIN HANSBROW TO RECOMMEND TO THE CITY COUNCIL THAT WE AMEND THE CODE AND ADD SPRINKLER SYSTEM REQUIREMENTS AS SHOWN IN THE STAFF MEMO WITH THE CHANGE THAT THE DESIGNATION OF SHULER WATER SYSTEM BE CHANGED TO GOOSENEST WATER COMPANY; AND OUR CITY FIRE CHIEF ALSO RECOMMENDED OUR CE-1 AND CE-2 ZONES ALSO REQUIRE SPRINKLER SYSTEMS IN HOMES DUE TO THE POTENTIAL FIRE HAZARD; AND ALL NEW CONSTRUCTION OVER 4,000 SQ. FT. BE REQUIRED TO HAVE INDOOR FIRE SPRINKLER SYSTEMS IN ALL ZONES DUE TO THE RECOMMENDATION OF THE FIRE CHIEF AND LIMITED FIRE STAFF.

VOTE: YES (4), NO (0), ABSENT (2) SCOT BELL, SEAN ROYLANCE. LEFT EARLY (1) KELLY LIDDIARD. ABSTAIN (1) DAYNA HUGHES

Ken Young recommended that all three of the public hearing items go forward on the 26th of June

**4. SET PUBLIC
HEARINGS
FOR JUNE 21ST,
2007**

RUSS ADAMSON MADE A MOTION THAT WAS SECONDED BY KEVIN HANSBROW TO SET PUBLIC HEARINGS FOR JUNE 21ST, 2007 FOR THE FOLLOWING ITEMS:

- A) **PARK VIEW CORNER SUBDIVISION – PRELIMINARY PLAT**
- B) **ELK RIDGE MEADOWS PH. 4/HORIZON VIEW FARMS – PRELIMINARY**
- C) **OAK HILL ESTATES, PLAT D – FINAL PLAT**
- D) **ELK HAVEN SUBDIVISION, PLATS C, D AND E**
- E) **AMENDMENT TO ELK RIDGE CODE RE: OFF STREET PARKING – SECTION 10-12-15**

VOTE: YES (5), NO (0), ABSENT (2) SCOT BELL, SEAN ROYLANCE. LEFT EARLY (1) KELLY LIDDIARD

**5. ELK RIDGE
MEADOWS,
PHASE 4,
HORIZON
VIEW FARMS -
CONCEPT**

Chairman Adamson stated what is in the packets is not the most current concept.

Ken Young stated that in his discussion with the Mayor today, there have been very recent discussions with the Smart family who own the property to the west of Horizon View Farms. It looks like the city and/or developers will be able to work something out with the Smarts similar to one of the earlier designs. This new design was passed out in tonight and it is our recommendation to approve this plan. Though the half of the Smart road dedication is not in the city, we can use it with the county's permission and annex it at a future date. The road would be constructed at full width. The Smart family representatives are here tonight.

The following discussion ensued:

1. Dave Milheim: We participated in Phase 2 of Elk Ridge Meadows. We sent 3,000 flyers today to every real estate agent in Utah County. We have asphalt, we are doing our power trench, the park will be done in 12

- days. We just decided today to lay sod rather than hydroseed the soccer field so when people start looking, it will be done. A lot of it will be hydroseeded.
2. At the council level when we last discussed this, the issue primarily related to the road. We did Phase 2 and sold Phase 4 to Eliot's group. They are doing the townhomes. There are two iterations of this plan. One has a continuation of Cotton Tail Lane and one has a portion taken out of Cotton Tail Lane. In Eliot's plan the garages are turned inward on the interior road. The roads are standard width. We do not want the continuation of Cotton Tail Drive to 11200 South.
 3. Mr. Milheim showed a new plan, similar to an older one, with the entrance of Cotton Tail Lane off of 11200 South, ending at Sunset Lane. He does not like major arterials passing by public parks. Their park is on Cotton Tail Lane. They have a stub road going off the park. As the Phase 3 plan exists that has been blessed in earlier considerations, there are 3 points into the park, plus their fourth.
 4. The city had the choice of making this a public park. They said unequivocally they wanted it built and maintained by the HOA. This is not a public park. It is a private park for the use of Elk Ridge Meadows residents. I had an extensive conversation with the Mayor yesterday because originally we were told the Smarts were not interested in doing anything in the development cycle so we did not even pursue this road and thought it was a non-issue. We thought half-width roads were allowed and found out they weren't, so that brought this all together.
 5. The Mayor was successful in finding the Smarts and telling them they need to know what is going on around them. There will only be so many accesses allowed by the county off of 11200 South. Phase 3 is stubbed to the Smart property as well as Phase 4 in Eliot's proposal.
 6. Our big beef is we have 5 accesses to a private park. I do not like the speed trap. This is not about money. It is about my name, my marquee and my company. I don't like arterial speedtraps through parks. What we would propose, and Eliot and the Smart family agrees, is if we do build this road we will get reimbursement. I don't want condemnations. That got put to bed. The Phase 3 development and Smart Family do not want to be a part of a reimbursement agreement. It is true we have already escrowed about \$600,000 to build this connection because the city asked us to as Phase 4 was not figured out.
 7. I don't want reimbursement, I don't want park traffic, I don't want overuse of the park. I have a few choices. I can be ugly and put up signage discouraging usage of the park. That is not how we would like to operate, we will if it gets to be a problem. Our proposal is to build the continuation of Sky Hawk. The T of Cotton Tail into Sky Hawk is important. The portion coming from 11200 South to Sunset Lane is good. We would eliminate the portion of Cotton Tail between Sunset Lane and Sky Hawk Way. This would give the Smarts access. That is our recommendation and that is what we would like you to send forward to the city council. Please put this back on for the actual approval.
 8. You will need to do some traffic calming on Cotton Tail where it passes the park.
 9. Your Mayor did a good job of talking to the Smarts about the importance of getting involved now but I don't think he talked to them about the reimbursement process.
 10. Ken Young pointed out another issue discussed previously at planning commission – by eliminating any portion of Cotton Tail Lane the units were facing that road with the sidewalks on that side. The reason was for aesthetics as you drive down the adjoining street, seeing fronts rather than backs of units. With the street gone, the units should probably be re-oriented. Eliot Smith said that would not be a problem. They could be front load garage units and the front door can be at the back of the home. We are flexible on orienting the houses. Ken Young stated that if they want to push this through quickly, they need to determine this and get it platted.
 11. Eliot Smith said the architect will come during preliminary presentation at the next meeting and talk about some of the architectural features. Dave Milheim said if they can get some guidance on the road issue, Eliot can come back and address the architectural issues and orientations. Ken Young said he understood Eliot wanted preliminary approval recommendation at the next meeting. The road issue steers the orientation.
 12. Shawn Eliot felt the new road arrangement was acceptable. Dave said the soccer field could only be used for league soccer if the HOA consents. Phase 2 paid for the park and the HOA (residents living there) will pay for the maintenance of the park. All the open space in the whole PUD is private.
 13. Shawn suggested moving the units (59 thru 74) to the west and increasing the size of the open space. Shawn also suggested adding a few more guest parking stalls.
 14. Eliot wants Units 1-14 to face 11200 South so it presents a nicer look as you drive down that street. Eliot proposes reorienting 59 thru 74. They will bring in a new plat, color renderings. It was also suggested re-

orienting 15-26 to face the park.

15. Dave asked for some clarity on the commissioners feeling on the road issue. Chairman Adamson asked if there were any commissioners opposed to eliminating the portion of Cotton Tail Drive between Sunset Lane and Sky Hawk Way. There were none opposed.
16. Shawn Eliot mentioned that the city already has a street with the name of Sunset Drive proposed, and renaming that street might be necessary.
17. Dayna Hughes asked if all the units would be developed at once? Eliot responded that that is a function of market demand. There will definitely be a phased approach. The units will be 1600 to 1900 square feet above grade with an unfinished basement. There will not be a fence in front of units 1-14. There will be a sidewalk in front and further out, the trail before the road.
18. Dave Milheim did ask the commissioners to protect the community and require all other developers the same sidewalks etc. They don't want to be the only ones setting the bar.
19. Chairman Adamson asked Dave Milheim, from a developer's standpoint, if he felt the community would really be able to attract enough people to fill the new units being built? Did he think it would develop quickly? Dave responded that he did not think it would develop quickly. These lots will be priced from \$120,000 to \$160,000. Most in the \$135,000 range. He feels we don't have a clue how fast things will happen. Once water and sewer is in things will happen. I was aghast at how fast the lots in Woodland Hills went and they are \$400,000 lots.

**6. CE-1 CODE
REWRITE – 180
DAY START OF
CODE
REWRITE**

Feedback from the Mayor was he does not want a moratorium. Ken Young instructed Jan to put this on as a city council agenda item for next Tuesday. Shawn Eliot stated we wanted to get the 180 day thing (once you start working on the code you have 180 days to complete the code and during that time any new projects coming in that are not vested will be subject to the new code) started so we could initiate a hold. They both do the same thing, though a moratorium puts more teeth in it. The Mayor is OK with 180 day thing. This does not effect any of the Elk Haven plats, they are all vested.

Chairman Adamson suggested waiting on any decisions until they see what the council decides.

Gayle Evans suggested getting some input into CE-1 code from the developers. She felt that they were so busy following rules they could not put any creativity into their plats. Chairman Adamson explained that the big concern in that area is that the open space the city got is all steep slopes. The intention of the community was to get useable open space. Shawn Eliot said we are trying to be less vague in our code so developers know what is expected. Shawn invited the developers to come to the CE code work session and give their input.

Shawn Eliot recommended we officially start the 180 day period tonight. The commissioners agreed.

**6. APPROVAL
OF MINUTES
OF PREVIOUS
MEETING –
MAY 17, 2007**

The approval was postponed other than review of the portion of the minutes that talked about our review of the road impact fee and road projects slated to use that money.

- No. 2: add description of Dugway as follows: *The portion of Park Drive going down to Loafer Canyon Road.*
- No. 3: change *Loafer* to *Loafer Canyon Road*.
- No. 4: change description to read: *from Elk Haven Plat E to Salem Hills Drive.*
- No. 7: change *the new development* to *south end of existing road.*

THE COMMISSIONERS APPROVED ITEM 4 OF THE MINUTES OF THE MAY 17, 2007 MEETING.

ADJOURNMENT

Chairman Russ Adamson adjourned the meeting at 11:15 p.m.


Planning Commission Coordinator

NOTICE OF PUBLIC MEETING – AGENDA

Notice is hereby given that the Elk Ridge Planning Commission will hold five Public Hearings to consider the following:

- 1) 7:30 – Park View Corner Subdivision – Preliminary Plat
- 2) 7:40 – Horizon View Farms / Elk Ridge Meadows, Phase 4 – Preliminary Plat
- 3) 7:50 – Oak Hill Estates, Plat D – Final Plat
- 4) 8:00 – Elk Haven Subdivision, Plats C, D and E – Preliminary Plats

These hearings will be held on Thursday, June 21, 2007, beginning at 7:30 p.m. during the first part of the regularly scheduled Planning Commission Meeting on Thursday, June 21, 2007, beginning at 7:30 p.m. which will be preceded by a Planning Commission Field Trip/Work Session at 6:30 p.m. The meetings will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT, at which time consideration will be given to the following:

6:30-7:30 P.M. Field Trip – Fairway Heights, Plat C – RL Yergensen

**7:30 P.M. Opening Remarks & Pledge of Allegiance
Roll Call
Approval of Agenda**

1. **Public Hearing for Preliminary Plat Approval for Park View Corner**
 - Review and Discussion
 - Motion on Public Hearing
2. **Public Hearing for Preliminary Plat Approval for Horizon View Farms, Elk Ridge Meadows, Ph.4**
 - Review and Discussion
 - Motion on Public Hearing
3. **Public Hearing for Final Plat Approval for Oak Hill Estates, Plat D**
 - Review and Discussion
 - Motion on Public Hearing
4. **Public Hearing for Preliminary Plat Approval for Elk Haven Estates, Plats C, D and E**
 - Review and Discussion
 - Motion on Public Hearing
5. **Road Impact Fee Concerns – Mayor Dunn**
6. **General Plan Survey**
 - Review and Discussion – Organization and Dissemination
7. **Fairway Heights, Plat C – Concept – RL Yergensen**
 - Review and Discussion
8. **Approval of Minutes of Previous Meetings – May 17, 2007, May 24, 2007 and June 3, 2007**
9. **Planning Commission Business**
 - Nebo Heights Field Trip - July 12?
10. **Follow-up Assignments / Misc. Discussion**
 - Agenda Items for July 19th (no PC mtg. July 5th), 2007 Planning Commission Meeting
 - Sprinkler Standard

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 14th day of June, 2007.


Planning Commission Coordinator

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 14th day of June, 2007.


Planning Commission Coordinator

ELK RIDGE PLANNING COMMISSION WORK SESSION

June 21, 2007

**TIME AND PLACE OF
PLANNING
COMMISSION
MEETING
ROLL CALL**

A work session of the Elk Ridge Planning Commission was held on Thursday, June 21, 2007, at 6:40 p.m., at 80 East Park Drive, Elk Ridge, Utah including a field trip to RL Yergensen's development, Fairway Heights, Plat C. Discussion of the trip took place during the regular meeting

Commissioners: Shawn Eliot, Scot Bell, Dayna Hughes, Kelly Liddiard, and Kevin Hansbrow
Absent: Sean Roylance, Russ Adamson, Paul Squires
Others: Ken Young, City Planner
Margaret Leckie, Planning Commission Coordinator
RL Yergensen, Brian Ewell, Mike Brockbank, Derek Johnson, Karla Munson and Wendy Talley

WORK SESSION**Field Trip to Fairway
Heights, Plat C – RL
Yergensen**

RL Yergensen and Brian Ewell took the commissioners and residents up on the hill which is the proposed site of Fairway Heights, Plat C. They passed out two separate versions of the concept map and showed those present where the cul-de-sac is proposed on each, and lots that would back the resident's property. The discussion of what was seen took place during the regular meeting, Agenda Item No. 7.

ELK RIDGE PLANNING COMMISSION MEETING

June 21, 2007

TIME AND PLACE
OF PLANNING
COMMISSION
MEETING
ROLL CALL

A regular meeting of the Elk Ridge Planning Commission was held on Thursday, June 21, 2007, 7:30 p.m., at 80 East Park Drive, Elk Ridge, Utah.

Commissioners: Shawn Eliot, Scot Bell, Dayna Hughes, Kelly Liddiard, Paul Squires and Kevin Hansbrow
Absent: Sean Roylance, Russ Adamson
Others: Ken Young, City Planner
 Margaret Leckie, Planning Commission Coordinator
 Mike Brockbank, Derek Johnson, Karla Munson, Wendy Talley, Allen Nelson, Joyce Nelson, Chris McKay (?), RL Yergensen, Brian Ewell, Raymond Brown, Robert Van Parys, Wendy Talley, Dennis Dunn, Kevin Clark, Shae Clark, Mark Goold, Rob Dean, Gayle Evans, Isaac Workman

OPENING REMARKS
& PLEDGE OF
ALLEGIANCE

Co-chairman Dayna Hughes welcomed the commissioners and guests and opened the meeting at 7:30 p.m.. Opening remarks were given by Shawn Eliot, followed by the Pledge of Allegiance.

APPROVAL OF
AGENDA

The agenda order and content were reviewed. There only comment was that Shawn Eliot suggested moving Fairway Heights, Plat C (Item 7) right after the public hearings, making it Item 5.

A MOTION WAS MADE BY SCOT BELL AND SECONDED BY KELLY LIDDIARD, TO APPROVE THE AGENDA FOR THE PLANNING COMMISSION MEETING FOR JUNE 21, 2007 WITH THE ABOVE MENTIONED CHANGE. VOTE: YES-ALL (6), NO-NONE (0), ABSENT (2) RUSS ADAMSON, SEAN ROYLANCE.

1. PUBLIC HEARING
FOR PRELIMINARY
PLAT APPROVAL
FOR PARK VIEW
CORNER, MOTION

Co-chairman Dayna Hughes reminded those present to limit their comments to 3 minutes, and then invited Ken Young to introduce the public hearing on Park View Corner, Preliminary Plat. He explained the subdivision is on the corner of Elk Ridge Drive and Park Drive. The proposal meets the minimum requirements for lot sizes and zoning in the R-1 15,000 zone.

Staff had reviewed the proposal. There are a couple of things that have not yet been shown on the plat and any recommendation for approval needs to meet these conditions:

- 1: Curbing needs to be shown on the west side of Elk Ridge Drive and on the south side of Park Drive.
2. The name of the street shown as Park Drive on the plat needs to be changed to Elk Ridge Drive (north/south).
3. A sump need to be shown on the corner of Park Drive and Elk Ridge Drive. (around the corner on the Park Drive side)

Co-chairman Hughes invited the public to comment. The following discussion ensued:

1. **Nick Nelson:** Nick and his wife Joyce live at 310 Elk Ridge Drive, the property just north of this proposed development. They are happy the property is being developed but do have some concerns. The concept of a flag lot bothers him. He has served on the planning commission and did not realize flag lots were allowed. For a community developed on the concept of open spaces, and a country atmosphere that now we are entertaining compact housing. He thinks this will open a can of worms.
2. With the flag lot, there will be a driveway between his home and the new development. He has an acre and wondered if he could apply for a permit and build a home behind his home? This bothers him. as there are many similar situations in Elk Ridge. He hopes the planning commission members will give serious thought to the long-range impact if we start to do this.
3. He would hope the developer would change the subdivision to 4 lots (taking out the flag lot) and larger lots.
4. Nick also had a question. The development map sent out with the utility bill showed almost 600 new proposed homes. He wanted to know where we are getting the water to do this. Are the developers bringing their water with them? **Shawn Eliot:** They do have to bring water shares. The city is building a new water tank up behind Hole 7 of the golf course. The payment is coming

partially from a developer who is putting \$700,000 into the tank. Shawn was not sure who was paying for the total costs. This would be a question for the Mayor. Dayna explained the planning commission is not charged with the water portion of the development. That goes to city council. That question should go to them. Shawn mentioned that we are often told there is no more water, we can't approve anything. Recently it has been sewer shortage but the sewer is not connecting to Payson.

5. The reason Mr. Nelson brought this up is he was under the impression that the citizens of Elk Ridge were going to have to put up a more portion and it would increase already very expensive water bills.
6. **Ray Brown:** I live at 311 N. Columbus Lane. I share some of the same concerns. I also am glad the property is being developed but the flag lot bothers me also. If someone bought Nick's lot whose to say they wouldn't want to do the same thing and put a flag lot in the back of the property. He feels we are creating a problem. He knows the ordinance is there but asks the commissioners to be considerate of what the community wants. He wonders how they would get a fire engine back there...it is just not consistent with the neighborhood. It does not go with the flow of the community.
7. **Mike Brockbank:** Why doesn't the planning commission get with the city council and request more information about the water situation? **Kevin Hansbrow:** Our plate is full. We don't get out of our meetings until about midnight almost every meeting. Ask the Mayor. **Dayna Hughes:** Lots are approved based on water. Right or wrong, this is how the city is set up. **Scot Bell:** We make recommendation for approval but the city council is the body that ultimately approves a project. We only recommend. They know the water situation and ultimately say if it meets code.
8. **Ray Brown:** We currently have about 250 acre/feet of water that we own. We have developers bringing in water. We sell water rights. As long as you have sewer and there are water rights available we have to allow you to build. We have 250 more acre/feet in the process of being purchased. That will total 500 acre/feet of water. That is more than we need for our buildout. The tank will hold a million and that's more than we need for the new development. The builder is working with us. You ask where the money is coming from...it is coming from all the new homes. They will have an assessment for that tank. (impact fee).
9. We have been trying to keep your rates down. We will upgrade some of our current wells with bigger pumps to get more volume so we can fill this tank. It is my opinion that when we get to the point in a couple of years that we have paid all our bills (we have paid off 3 of our water debts, we saved somewhere in the neighborhood of \$58,000 of interest this year – we went from \$108,000 deficit to the city, to about \$2,000. The cost of doing business will not allow us to decrease the water bill, but it should stay the same.

Alvin Harward is the city councilman over water and he can answer any question you have. This is a thumbnail sketch. We have purchased plenty of water. We are now, in fact, making money on the water so we are not having to dip into your pocket. We bought shares at \$3,750 per acre/foot and we sell them at today's market, right around \$5,000. We have been saving the money for the tank so we don't have to get a special assessment or a loan or raise water fees. With this money and the help of the developer, we will build the tank and it won't cost the citizens. We have plenty of water and we are trying to buy more. If we buy at a low price and hold onto it then sell it, we can make money.
10. Dayna Hughes mentioned there is a lot of concern in the city about water, but for tonight we need to stay on task and focus on the preliminary approvals and public hearings, but encouraged residents to go to city council. She thanked Ray for the good information and reminded people that Alvin Harward is the city councilman over water and suggested Mike Brockbank give him a call.
11. **Bob Van Farys:** I live at 348 Columbus Lane. I am a fireman for the city. My biggest issue with the flag lot is the problem with emergency response. This will probably not be a regular sized road. If someone puts a flag lot on the Nelson property we would have two flag lots. I think you should take safety into consideration and flag lots are not a good situation. When you have houses that close to each other, you have exposure problems when one goes up. We don't have a large fire department staff. We depend on Payson and Salem. I think from a safety point of view you should reconsider recommending approval of this flag lot.
12. **Ken Young:** From a code allowance and planning standpoint, re: compactness, this arrangement of homes is not any more compact than in any other scenario in the R-1 15,000 zone. This plan

for a flag lot does not make the development more compact.

13. Regarding the concern about access, we could require a turn-around area at the end of the stem as you come into the lot for vehicles. This is not a requirement in our code but could be a condition on your recommending approval of the flag lot. I would like to emphasize again that although flag lots may not be preferable to some in the area, it is something that is possible and allowed in the code. I would say that unless there is good reason, other than you don't like it, and it does not fit in the neighborhood; that unless it is for reasons of health, safety and welfare; it is allowed and would be difficult to not allow.
14. **Nick Nelson:** There is the letter of the law and the spirit of the law. You are addressing the letter of the law. We know it is permissible, however the spirit of the code and of building in Elk Ridge has always been openness. If you allow this flag lot, it will mushroom. I understand people want to make some money, but it will violate the spirit of openness and destroy part of what makes Elk Ridge so attractive. Let's not do that. I am not opposed to developers making money; but if that 5 lots becomes 4 lots, the other 4 lots increase in size, the value of the lots will increase also. Let's
15. **Paul Squires:** Will there be a fire hydrant at the end of the stem of the flag lot? Shawn Eliot stated you have to be 250 feet from a hydrant (the house). There is a fire hydrant in Nick Nelson's yard which is pretty close to 250 feet.

KELLY LIDDIARD MADE A MOTION THAT WAS SECONDED BY SHAWN ELIOT TO CLOSE THE PUBLIC HEARING AT 8:00 P.M. VOTE: YES-ALL (6), NO-NONE (0), ABSENT (2) RUSS ADAMSON, SEAN ROYLANCE.

DISCUSSION BY COMMISSIONERS

16. **Shawn Eliot** questioned the depth of the driveway or stem, Ken Young said approximately 161'. He also questioned the frontage widths on Elk Ridge Drive. Ken stated the sizes and widths have all met code. Shawn stated that a flag lot is a conditional use and the home next door is a deep lot. Also Elk Ridge Drive is our busiest street and Lot 1 is the smallest lot at the busiest corner and should be larger. As the lots are over the minimum width, if the flag lot did not exist and the other lots moved north, Lot 1 could be made wider in order to keep the driveway as far as possible from the busy intersection. It is a conditional and not a permitted use. The property next to it (Nelson's) demonstrates there are lots that do use this depth). This is my suggestion.
17. **Scot Bell:** When I look at this I see that the stem is next to a lot which also (Nelson's) could develop into a flag lot. That would put two stems side by side. I am not sure that is the look we want in our city. As an alternative, move Lot 4 north to the Nelson's property and put the stem between Lots 4 and 3, the stem now becomes shorter and the adjacent neighbor now chooses whether he wants a flag lot next door rather than having one put in after he buys. If the Nelson's ever subdivide there will not be two adjoining stems. Kevin Hansbrow and Kelly Liddiard agreed that if the flag lot were to be approved, it would be better to move the stem.
18. **Paul Squires:** would rather see 4 larger lots and eliminate the flag lot for the reason of fire protection, and getting an emergency vehicle down the stem. Ken Young said a fire truck would fit but the question is could they turn around and would they have to back out? Possibly a turnaround or tee ending could be required.
19. **Scot Bell:** Would it be more acceptable to you (Nick Nelson) if the flag lot occurred having the stem shifted to between lots 3 and 4. I don't like flag lots, but if it did happen I would like to see the stem shifted. Scot mentioned also radiusing the corners of the stems.
20. **Shawn Eliot:** If we recommend denial he asked the developer's representative if he would rather go to city council the recommendation for denial, or would he want to redesign the subdivision. He said they would rather go forward to city council.

DAYNA HUGHES MADE A MOTION THAT WAS SECONDED BY SHAWN ELIOT TO RECOMMEND DENIAL OF THE PROPOSED PRELIMINARY PLAT OF PARK VIEW CORNER FOR THE FOLLOWING REASONS:

- 1) The flag lot option is in place for property that has no other developable options other than being accessed by a flag lot. In this case it has been shown that deeper lots are available.
- 2) There is concern about the stem going off a main corridor in the city, Elk Ridge Drive.
- 3) The lots can easily be redrawn and the developer will be able to have a positive economic project.
- 4) It would be better to increase the size of Lot 1.

Though we are recommending denial, the following conditions also need to be met:

- 5) The curbing on both sides of the road (west side of Elk Ridge Drive and south side or Park Drive) needs to be shown.
- 6) A sump needs to be shown on the corner of Elk Ridge Drive and Park Drive.
- 7) Lot 1 needs to show a rear setback of 30'
- 8) The name "Park Drive" needs to be changed on the north south direction to "Elk Ridge Drive"
- 9) The trail be shown that is contiguous to the church sidewalk on the east side of Elk Ridge Drive.

VOTE: YES (5), NO (1) SCOT BELL, ABSENT (2) RUSS ADAMSON, SEAN ROYLANCE.

Scot Bell voted "NO" because he felt they met the minimum requirement for square footage and we have the ability to allow one flag lot per development, they do meet code. If the residents don't want flag lots, we should remove the option from our city code, but in this case they have met the criteria.

Dayna Hughes asked Margaret to add as a future agenda item discussion on removing the flag lot option from the code.

**2. PUBLIC HEARING
FOR PRELIMINARY
PLAT APPROVAL
FOR HORIZON VIEW
FARMS, (ELK RIDGE
MEADOWS,
PHASE 4)**

Ken Young stated that we have had some preliminary discussions with the developer of Horizon View Farms on their layout. At the last meeting the intent for their new proposal was presented. Basically they are proposing:

1. That the portion of Cotton Tail Lane between Skyhawk Way and Sunset Lane be eliminated. The Smart Family were in agreement to that arrangement.
2. Moving the portion of Horizon View Loop was proposed which would allow for a larger courtyard area. All units within the loop would face inward with their sidewalks and front doors inward.
3. Units 17-24 would face inward with their sidewalks and front doors towards Horizon View Loop.

The developer explained that the arrangement of Units 1-24 will have different architectural configurations as both the fronts and the driveways and sidewalks will face the same direction (towards Horizon View Loop).

Co-chairman Dayna Hughes opened the floor for public comment. There were none. The public hearing was closed, the following discussion ensued among the commissioners:

1. **Paul Squires** stated he thought they had met all the conditions the commissioners had asked for in their redesign.
2. **Kevin Hansbrow** also felt that way.
3. **Scot Bell** felt 17-24 should front the other way. Elliott Smith stated they wanted the fronts toward the major street for aesthetics. They felt it would be nicer to view the gables, front doors and other nice architectural features as opposed to stucco back walls.
4. **Elliott Smith**, developer, did mention that commissioner Elliott had requested some off-street parking stalls, but the developers felt that, after review of similar ordinances in other cities, it was not needed. Realistically 2 cars can be parked in the driveway, and as the streets are wider, cars can park along the street. Elliott introduced Brent Bowers, their representative from Salisbury Homes. He handed out some folders with colored renditions, elevations and floor plans of the proposed units. They are building the units shown now over by K-Mart in Spanish Fork.
5. **Shawn Eliot** mentioned that Cotton Tail Lane off of 11200 South will need to be renamed, as will Sunset Lane (another development is using that name). Units 9-24 could be pushed closer to Sky Hawk and Units 9-24 could be moved further west to open up the usable open space in the center of the units. Jason explained that Units 17-24 are facing south so they can enjoy that little bit of open space out their front door, and the sidewalk ties into the trail system.

SHAWN ELIOT MADE A MOTION THAT WAS SECONDED BY KELLY LIDDIARD TO RECOMMEND APPROVAL TO CITY COUNCIL THE PRELIMINARY PLAT OF HORIZON VIEW FARMS TOWNHOME DEVELOPMENT WITH THE FOLLOWING RECOMMENDATIONS:

1. **RENAME SUNSET LANE, AND THE NORTHERN PORTION OF COTTON TAIL LANE COMING OFF OF 11200 SOUTH.**
2. **ENLARGE CENTER OPEN SPACE BY MOVING UNITS 17 TO 24 CLOSER TO SKY**

HAWK WAY, PLACE THEIR SIDEWALKS ALONG HORIZON VIEW LOOP VOTE: YES-ALL (6), NO-NONE (0), ABSENT (2) RUSS ADAMSON, SEAN ROYLANCE.

**3. PUBLIC HEARING
FOR FINAL PLAT
APPROVAL FOR
OAK HILL ESTATES,
PLAT D**

Ken Young stated that there are some concerns of the planning commissioners that he will let them address. This project did become vested last year so does not have to meet all the new CE-1 code requirements. This is why you see all the smaller lots. They do meet the minimum requirements of the previous CE-1 Zone code.

A cross-gutter needs to be installed across Mahogany way at the intersection of hillside. A storm drain has been installed.

Ken turned the time over to the commissioners and public to express their concerns.

Co-chairman Dayna Hughes opened the floor for public comment. There were none. The public hearing for Oak Hills Estate, Plat D, Final approval was closed, the following discussion ensued among the commissioners:

1. **Shawn Eliot** mentioned that this project started a year ago. He mentioned at Preliminary Plat RL Yergensen agreed to do a revegetation plan, and asked if he had anything in writing? RL said that what he would like to do is put so much money into each lot with the City of Elk Ridge in control of the money. When the people purchase the lot they spec that amount of money for revegetation. Most of it will be within the walls so it is hard for me to do. I can put a dollar figure per lot and release it when the work is done.
2. **RL Yergensen** mentioned concern over measuring water used after grading but before development occurs for starting revegetation. Mayor Dunn explained that a lot of the indigenous Utah plants take up to 24 months to become established, then after that they don't need water. The Mayor mentioned the park being put in down below (Elk Ridge Meadows) has two 2-inch meters and they just measure the water. Shawn Eliot said a meter could be set up. RL mentioned concern about reaching all the houses with one meter.
3. **Shawn Eliot** asked RL what he plans to do to revegetate the rock wall. RL stated he is going to use top soil with native seeds in it. He has also looked at some trees from the forest service. Shawn expressed concern about the cut of the hill being revegetated.
4. **Shawn** also expressed concern about the drainage area along the back of the property. RL said he is going to run a pipe from Shawns Home all the way up. He will put a catch basin on the uphill side of the lot. Shawn said that area is all dug up now. Will you level that out and put some seed down? RL said "yes". Shawn just wanted to make sure the drainage area got put back the way it was before RL started digging. Shawn stated that was good that he has redone the cross-gutter. The only other thing is on Lots 4 and 5, are there 30% areas there? RL said he has not been cutting 30% areas. He is staying a good 30' from the end of the property with the high slopes.
5. **Shawn** questioned what he is doing to protect the wall. RL said the wall is not a pre-engineered wall, it is just a rock wall. RL said he is putting in marified cloth on the last foot at the top (the moisture permeates but it can't become a stream and washout). Anything in excess will run over to the next wall and so on. Shawn said the time of approval it appeared the wall was about 24' tall. Since then RL told Shawn it is 40' tall, that was a surprise. It is done in 4' increments with sloped dirt in between. RL stated the foundation will come up 9'. It will look different once the houses are in.
6. **Paul Squires** stated that having a degree in Biology and seeing what was taken out of that property, he really wants to see a revegetation plan which contains the native plants and shrubs of the area rather than grasses. There were things taken out of this hill that he wants to see go back in, otherwise you just see rock walls with grass. RL said the trees will be at the base of the steps. RL has topsoil he will use so he won't be planting in clay. He'll put the marified (?) cloth then the top soil.
7. **Scot Bell** asked if there will be a more stable hill with grass and rocks, or trees. Paul Squires said it will be more stable with the trees. Kelly Liddiard expressed concern about the roots disturbing the rock wall hill.
8. **Dayne Hughes** mentioned the landscaping plan given the commissioners by Karl Shuler for his Elk Haven development in which the Bureau of Reclamation helped come up with a revegetation plan. It indicated the number of plants and kind of plants. We gave RL a copy and suggested he do something similar. Dayna stated that we need to see more detail. Paul Squires said the Utah State Extension would come walk the area also.
9. **Shawn Eliot** stated there are two routes we can go – 1) table the decision and ask RL to do a little

more work on the vegetation part. If there is a service that will come look at the land that would be good. RL stated he would like to get his loan processed and he will start tomorrow if we give him the people to contact. RL was given Karl Shuler's number for contact information. He needs the recommendations for this elevation and geographic area. Shawn stated that with the controversy of the mountain getting cut up, we do need to get this part correct. The second option would be to recommend approval of the project with the contingency of this getting done.

SHAWN ELIOT MADE A MOTION THAT WAS SECONDED BY KELLY LIDDIARD TO TABLE THE RECOMMENDATION FOR FINAL APPROVAL OF OAK HILL ESTATES, PLAT D, UNTIL WE RECEIVE A REVEGETATION PLAN WITH SPECIFICS REGARDING TYPE OF SEEDS THAT MATCHES THE RANGE PLANING SPECIFICATION SHEET SIMILAR TO THE ONE TURNED IN FOR ELK HAVEN, PLAT A. VOTE: YES-ALL (6), NO-NONE (0), ABSENT (2) RUSS ADAMSON, SEAN ROYLANCE.

This agenda item will be reconsidered on July 12, 2007.

**4. PUBLIC HEARING
FOR PRELIMINARY
PLAT APPROVAL
FOR ELK HAVEN
SUBDIVISION,
PLAT C, PLAT D AND
PLAT E**

Co-chairman Hughes mentioned that Shawn Eliot brought up the fact that Plats C, D and E of Elk Haven Subdivision are up for preliminary approval together. She reminded the commissioners and public that when you addressing an issue, please note which plat you are referring to.

Dayna Hughes opened the public hearing for the Elk Haven Subdivision, Plats C, D and E at 9:00 p.m. Ken Young introduced the hearing by reading from his memo:

Overall issues which regard all of the Elk Haven Plats include:

- 1) Approval of a 56' right-of-way, including elimination of the 9-foot easement areas in certain locations where the grade is steep and the cuts and fills will be the most;
- 2) Approval of 10' paved trails on one side of all roads in lieu of sidewalks;
- 3) Buildable areas are to be in the flattest part of the lot
- 4) Driveways may not exceed a 12% slope
- 5) Re-vegetation plan is to be submitted for all plats as well as each individual lot (prior to building)
- 6) All roads must be completed before issuance of building permits
- 7) Add the following notes to each plat:
 1. *After the homes have been built and the removal of required vegetation for the protection of the inhabitants, according to the fire code, 75% of the existing hardwood vegetation shall remain through the ownership of the property.*
 2. *To protect wildlife corridors and natural drainage, slopes of 20% or greater outside of the building envelope shall not be fenced.*
- 8) Water rights must be purchased.

The commissioners took comments on each plat individually.

ELK HAVEN SUBDIVISION, PLAT C:

1. From Ken's Memo regarding Plat C, the following information was given:

PLAT C – Total acres: 20.50

Total lots: 10 (all are over 1 acre in size, except lots 1 and 10)

- Issues: - Approval of over 20% average slope on lot 1
 - Approval of incidental 30% slope on lots 2, 3, and 9
 - A 10' Trail on south side of Mountain Crest Drive.
 - The back (north) ends of lots 2-9 should show open space preservation.
 - Number for lot #10 needs to be corrected (not #11).

2. Public comment was invited. There was none.

ELK HAVEN SUBDIVISION, PLAT D:

3. From Ken's Memo regarding Plat D, the following information was given:

PLAT D – Total acres: 9.45

Total lots: 13 (1/2 acre min.)

- Issues: - Approval of incidental 30% slope on lots 11 and 13

- A 10' Trail on south side of Mountain Crest Drive, and along the east side of Acorn Drive.
- The back (northeast) end of Lot 13 should show open space preservation.

4. Public comment was invited. There was none.

ELK HAVEN SUBDIVISION, PLAT E:

5. From Ken's Memo regarding Plat E, the following information was given:

PLAT E – Total acres: 39.87

Total lots: 44 (15,000 sq ft min. based on provision of 20% open space)

- Issues:
- Approval of over 20% average slope on lot 1
 - Approval of incidental 30% slope on lot 7
 - A 10' Trail on south sides of Mountain Crest Drive and Chokecherry Circle, and along the east sides of Hillside Drive and Summit Drive.
 - Reduce right-of-way requirement along Mountain Crest Drive between lots 20 and 44 in favor of a 1½:1 slope.
 - Show connecting (switchback) trail through southern open space area to connect trail from Hillside Drive, with crosswalk, to south end of Summit Drive.
 - Provide a trail access easement between lots 6 and 7.

6. Public comment was invited. The following comments ensued:

- a. **Kevin Clark:** By Lot 1 there is shown a catch basin. It looks as if you are worried about water coming down off the hillside. Ken Young stated that perhaps there are other areas in Elk Ridge that should have had such a feature. In many areas they are standard in hillside development. Kevin stated that in the spring he has to keep a sump pump running to keep the water away from his house. (His property backs Lots 3 and 4). If you are going to build a retention pond there for it to seep even more into the hard pan and come down towards my house, what are your thoughts there? What are you doing?
- b. **Shae Clark:** Is the detention basin going to be just a big hole? How is it going to hold the water. There is a hardpan down about 3-4 feet. We get more snow where we are and it will get even more up in this development. As soon as it starts melting our sump pump is on constantly to keep the water out of our basement. Dayna Hughes asked if there was a representative from the developer present here tonight.
- c. **Rob Dean** was here as a representative from Craig Peay. He was asked to address the detention basin. He felt this was a question for his engineer. Everything they have done in the past has been a lawn-type detention basin. At this point he did not know if they had that specific answer. He will get that from his engineer. They are not far enough along to have that engineered. Shawn Eliot stated that these are usually designed to seep into the ground, and that is the worry of the Clarks. Also where will it go if it overflows. Shae mentioned that with the big storms we get there is potential for that happening. Shawn Eliot questioned whether some sort of liner might be needed. Kevin said that the vegetation in that area now is oak, if that is ripped out, replacing it with grass might not be the best preventative measure. Any oak you replanted would also take a long time to grow.
- d. **Kevin Clark:** Next question – if the road runs along the foot of the hill (Hillside Drive extension). Shawn Eliot mentioned this is a steep hill and once it gets into flatter area, it is positioned so as to make room for lots. It will be along the hill to start with then will turn east and come back.
- e. **Shae Clark** asked if there was a way for it to better follow the contours. Some of the land needed to allow this is owned by other people. This could be an unsightly situation similar to Oak Hill Estates, Plat D, which looks worse than Loafer Canyon Drive. I have some fear as to what the mountainside will look like when they are done with it. It is solid oak and pines and once you start digging into it it will never be the same. Scot Bell stated that this is about 45% to 55% slope. Shawn Eliot mentioned they are showing a significant cut on their revegetation plan they turned in prior to tonight's meeting. Shae asked how they will revegetate oak and pine.
- f. **Shawn Eliot** stated that their revegetation plan shows western wheat grass, mountain broom,

Russian wild rye, orchard grass and antelope bitter brush. They are not putting in any trees. Shae was not pleased there were no trees and that if they did put trees it would take a long time for them to grow. This could cause erosion problems. Clarks again asked that they take the road through the neighbors property – see if they will cooperate to get the road to better blend with the hillside rather than cut into it so badly.

- g. **Ken Young:** The concept or requirement of the city was that there would be a loop connection from east to west. They have tried to balance various concerns. A huge concern that has been heard by the planning commission and city council to date is the circulation of traffic and feeding all of the traffic down High Sierra. We absolutely need a secondary access on the east side. Gayle Evans stated they were told only so many homes could go up with the two accesses.
 - h. **Shae Clark:** Another issue in bringing the road up here will be noise. This will be a huge factor. It is totally quiet up there now. When anyone goes up the noise just bounces off. If this becomes a major collector with everyone coming down off the mountain, noise will be a big issue. Ken Young stated that he does not know how you get around that. This private property has property development rights and access can come into those properties and there will be noise. The noise will not go away no matter where the road goes.
 - i. **Kevin Clark** asked what our plan was for noise abatement. Ken Young asked what he anticipated we should do. The noise will move with the road. Shae said this is different. If it goes as shown in will come right off the hillside. The other option would put it in the canyon. Ken Young stated that the options Shea's were talking about would involve other property owners and would take a recommendation of the planning commission and decision by the city council to require that. At this stage the developers have been at this for about 2 years and have been through so many iterations in the design of the property. It does not mean they could not go through another, but at this point the design has gone through a fairly comprehensive review and a certain level of acceptance by the city and I would think it would require a huge revision of the concept and the direction that has been given already by the planning commission and city council. I am just the planner, if you want to recommend the planning commission and city council go that direction you can do that.
 - j. **Shae Clark:** We respectfully do make a request that there be another option to this road. Other residents supported that. Kevin Clark asked one more question. The lower lots look to be third-acre lots. When you put a house on these, it will remove most of the vegetation. The half-acre lots going in up there now are taking out most of the vegetation so third-acre lots would definitely do this. Shawn Eliot stated that the code requiring 75% of the vegetation stay once the house is cleared for has left quite a bit of oak left on his third-acre lot. There is room, but you are right, the houses are closer together and much will be removed. This was done in exchange for open space dedication which will never be touched afterwards. Shae stated that these lots about one-acre lots, this is not fair that third-acre lots go in next to them. Ken Young explained the minimum one-acre size is not required as they took advantage of the clustering condition to take place in this zone. Scot Bell stated that the density cap is 1.5 units per acre, not the 1.1 Shae thought. It does follow ordinance.
 - k. **Mike Brockbank:** asked if this code was going to be revisited. This is not working. What kind of concern does the city council have for these issues. Shawn mentioned that we approached them and asked for a 180 day moratorium on CE-1 development. That would not effect these plats. They are vested as they turned in their plats before the code changed. Mike asked if there was a public hearing when the code was changed and was told by Shawn Eliot that there was. Scot Bell asked if anyone in the room attended and no one had. Shae said she knew nothing about the hearing. She asked how they should find out other than reading the telephone pole. Mike said the code keeps changing on them.
 - l. **Derek Johnson:** how was that enforced in the development next to me. (Oak Hill, Plat D)? They came in and ripped everything out to the property line. Shawn Eliot mentioned that there is nothing on that plat that prohibited that. That is why we are putting these notes and restrictions on these plats.
7. Co-chairman Hughes invited more public comment. There was none so she closed the public hearing for comment and opened it for commissioner discussion at 9:25 p.m. She recognized that this is a big issue and stated the commissioners will try their best to get as much of a compromise as possible between land-owner rights and the valid concerns of the citizens.

PLANNING COMMISSION DISCUSSION

ELK HAVEN SUBDIVISION, PLAT C

Commissioner Comments:

8. **Shawn Eliot** asked if the commissioners had asked that an open space easement be put on the back of the lots and note this on the plat map. Gayle stated that this was not voted on. Ken Young stated that it was discussed that these corrections would be done before city council and would be conditions. Shawn Eliot stated that it is nice to indicate on the plat where these areas are and indicate a notation that they cannot be touched. Ken Young stated that this prohibits them from clearing these areas for sheds etc. Gayle stated this is being done. Shawn stated that our motion needed to clarify that.
9. **Shawn** mentioned that the only other thing was that on the lots on the crest of the hill he questioned that the code allows the building envelope can come to 20' rather than 30' in order to better preserve the terrain. He felt that since this was the ridge line this would be appropriate. Gayle thought there was 150' of lot before it dropped off. She did not want 20' front yards. Scot Bell felt that was for more unusual circumstances. He thought the buildable envelope should be reduced toward the rear to minimize and maybe achieve the same thing. Ken Young stated the rear yard setback is effected by the drop-off. He felt the main concern should be "is there sufficient buildable area for a home" and as there is well over 4,000 sq. ft. there is on all the lots. Gayle mentioned they can't go back to far or they will not have the slope needed for the sewer. I would like the building envelope to be at least 100' wide by (100?) 60' deep. Ken Young said they are about 60' x 78' now. It currently shows a 74' depth.

SCOT BELL MADE A MOTION THAT WAS SECONDED BY KEVIN HANSBROW TO RECOMMEND TO THE CITY COUNCIL APPROVAL OF THE PRELIMINARY PLAT OF ELK HAVEN SUBDIVISION, PLAT C WITH THE FOLLOWING CONDITIONS:

1. FROM THE STAFF REPORT ITEMS COMMON TO ALL PLATS AS FOLLOWS:

- 1) Approval of a 56' right-of-way, including elimination of the 9-foot easement areas in certain locations where the grade is steep and the cuts and fills will be the most;
- 2) Approval of 10' paved trails on one side of all roads in lieu of sidewalks;
- 3) Buildable areas are to be in the flattest part of the lot
- 4) Driveways may not exceed a 12% slope
- 5) Re-vegetation plan is to be submitted for all plats as well as each individual lot (prior to building)
- 6) All roads must be completed before issuance of building permits
- 7) Add the following notes to each plat:
 1. *After the homes have been built and the removal of required vegetation for the protection of the inhabitants, according to the fire code, 75% of the existing hardwood vegetation shall remain through the ownership of the property.*
 2. *To protect wildlife corridors and natural drainage, slopes of 20% or greater outside of the building envelope shall not be fenced.*

2. STAFF REPORT ITMES SPECIFIC TO PLAT C AS FOLLOWS:

- Issues: - Approval of over 20% average slope on lot 1
 - Approval of incidental 30% slope on lots 2, 3, and 9
 - A 10' Trail on south side of Mountain Crest Drive.
 - The back (north) ends of Lots 2-9 should show open space preservation.
 - Number for Lot #10 needs to be corrected (not #11).

3. ADDITIONAL CONDITIONS ON PLAT C:

- 1) Include a line delineating open space preservation behind Lots 2-9.
- 2) On Lot 1 in lieu of a 30' front yard setback, we will accept a 20' setback.
- 3) In order to minimize drainage on Lot 1, widen the buildable area to 100' and reduce the depth. to 60' with a 20' front setback.

VOTE: YES (5), NO (1) SHAWN ELIOT, ABSENT (2) RUSS ADAMSON, SEAN ROYLANCE.

Shawn Eliot voted "NO" due to the narrow road right-of-way.

ELK HAVEN SUBDIVISION, PLAT D

Commissioner Comments:

10. **Shawn Eliot** mentioned that Lot 12 has an average slope of 17%. For a half-acre lot it should be under 15%. Unless that is the average slope of the building envelope, this is a problem. Ken Young thought that was the case.
11. **Dayna Hughes** questioned that we are agreed, even though it does not show on this version of the plat that the back end of Lot 13 will be shown as open space.
12. **Scot Bell** stated he would like to see demonstrated driveway ability on Lot 2. Dayna asked if we can recommend approval with the contingency that the driveway issue be settled. Shawn said "yes."
13. **Shawn Eliot** also pointed out that (also on Plat C), that Hillside Drive needs to be changed to Mountain Crest Drive.
14. **Scot Bell** asked if Lot 1 will have access on Acorn Drive. Gayle said it could be either way. Shawn mentioned that because of the intersection cuts both accesses would be 30%. Scot Bell stated that since Acorn is a less high level street, access should be off Acorn Drive. Driveway demonstrability might be a good idea.

DAYNA HUGHES MADE A MOTION THAT WAS SECONDED BY KEVIN HANSBROW TO RECOMMEND TO THE CITY COUNCIL APPROVAL OF THE PRELIMINARY PLAT OF ELK HAVEN SUBDIVISION, PLAT D WITH THE FOLLOWING CONDITIONS:

- 1) **FROM THE STAFF REPORT; ITEMS 1-7 LISTED IN THE PLAT C MOTION ABOVE.**
- 2) **STAFF REPORT ITEMS SPECIFIC TO PLAT D AS FOLLOWS:**
 - Issues:
 - Approval of incidental 30% slope on lots 11 and 13
 - A 10' Trail on south side of Mountain Crest Drive, and along the east side of Acorn Drive.
 - The back (northeast) end of Lot 13 should show open space preservation.
- 3) **DRIVEWAY ACCESS BE DEMONSTRATED ON LOTS 1 AND 2 AS THEY CROSS THE 30% SLOPE.**

VOTE: YES (5), NO (1) SHAWN ELIOT, ABSENT (2) RUSS ADAMSON, SEAN ROYLANCE.

Shawn Eliot voted "NO" due to the narrow road right-of-way.

ELK HAVEN SUBDIVISION, PLAT E

Commissioner Comments:

15. **Scot Bell** mentioned at this point we would really like to talk to the developer about the major cut through the open space. No one feels really good about that. It is difficult to get a circulation element. A lot of developers have been brought into the mix. Some concerns have been brought up about the steepness of the roads and the extreme cuts. You have done a pretty good job as far as trying to keep on grade and following the contours but as you approach the area of the road on Mountain Crest Drive, almost at the top of the 30% slope area, the road cuts through almost a 45% to 50% slope. That is a significant slope to cut through.
16. The question is, how do you propose to backfill a 45% to 50% slope, get good compaction, unless building walls or doing a 54' cut into the hillside (if you don't do compaction) which is a very significant cut. We also have a revegetation problem on both of those options. Taking out the width of the road dramatically increases the remaining slope of the cut. You might now be clear up to a 60% slope. You have taken out the road and increased the cut and fill. I don't know if there is a plan to put in some sort of a block wall to support that? Do we want or allow block walls? Another option seen in mountainous areas would be a pyling that goes down into the ground, virtually a bridge that goes right on top of the natural vegetation. I am very uncomfortable with anything passing through a 45% to 55% slope.
17. **Dayna Hughes** asked if the owners of the land to the south of Lot 26 have been approached about putting a road through their property to connect with Summit Drive to eliminate Mountain Crest Drive? The developer's representative, Rob Dean, said they may have talked with Craig Peay. There was one neighbor who was approached who did not have much interest. I am not sure which neighbor.
18. **Scot Bell** mentioned that the bridge is an option which gives a firm anchor without cutting into the road. Otherwise you would need a heavy retaining wall as I don't see how you can compact on a 50% slope and have any stability. Rob Dean was happy to take any recommendation.
19. **Dayna Hughes** again mentioned the best option is bringing Hillside around and connecting it

to Summit Drive and eliminating going through the mountainside. Rob asked if the project would be tabled or approved with contingency. He was told the project will have to come back to the planning commission.

20. **Shawn Eliot** mentioned that none of the plats can be built until this portion is figured out as there must be two accesses in and out of the area. Dayna Hughes said that the commission will not sent it forward as is because of the big cut on the mountain. We can either just give you the public feedback to see if there are feasible options, if now we will continue working on it. Shawn Eliot mentioned that up until now the commissioners had not seen the detail of cuts and fills shown in tonight's submittal.
21. **Ken Young**, City Planner, concurred. The actual grading information had not been seen by this body until tonight. It is rather telling when you look at tonight's grading submittal.
22. **Shawn Eliot** mentioned concern that the first plat brought in with the flag lots, most of the lots that abutted this ½ acre lot zone to the north were larger. This was a more amiable transition from the current area in town to this area. Most of the commissioners feel our code is broken that allows you to turn over unbuildable open space in exchange for the smaller lots. Also, a cul-de-sac in the CE-1 Zone has to be approved by the planning commission, so he recommends at least looking at the lot abutting the ½-acre zone and making them a little bit larger. He mentioned that this is one of the most unique pieces of land up in that area with much steeper slopes. Most of the land is 15% and 20% with some 30%.
23. **Ken Young** mentioned that Lots 1, 2 and 3, and Lots 25 and 26 (which may change with the road realignment), Lots 27, 28 and 37 (could also change) might show driveway access.
24. **Rob Dean** stated that rather than a motion, some feedback would be acceptable.
25. **Dayna Hughes** capsulated the feedback as follows:

We would like to see the following:

- a. Ken Young mentioned that Lots 1-4, 25 and 26 all that have the 30% slopes need to be made bigger and driveway access demonstrated.
- b. We would like to see Mountain Crest Drive eliminated from Summit Drive to Hillside. We would like to see you approach the neighbor with the possibility of using some of his property to connect Hillside Drive to Summit Drive.
- c. We are concerned about the size of the Lots that front Hillside Drive because of the slopes. They are all red, which means over 30% slopes. We are concerned about driveways as they are all pretty small. We need driveways demonstrated.
- d. The retention basin needs to be looked at by an engineer.
- e. The lots abutting the half-acre zone – it would be nice to have them larger to make a better transition from the existing neighborhood.
- f. Scot Bell suggested giving the developers some options on some type of wall or piling or road placed on the natural terrain. Ken Young felt that the piling option might be explored if no other worked. Dayna Hughes and other commissioners stated they would like to see every other feasible option before they cut through the hill. This plan should be a last resort. Rob Dean mentioned they have explored a lot of options.

5. FAIRWAY HEIGHTS, PLAT C, CONCEPT – RL YERGENSEN

Though this is not a public hearing, a field trip was taken this evening to this area and Co-chairman, Dayna Hughes did invite the public to comment. We will not be making a motion tonight, this is only a concept. We are just giving feedback to the developer to hopefully find a compromise that everybody can live with.

The following discussion ensued:

1. **Mike Brockbank**: He feels the CE-1 code is broken. The intent of the code was that open space should be useable for recreation and other purposes. He recommends that where there are proposed houses behind his home and two other homes, (Lots 16 and 17) he recommends the open space be incorporated into these two lots and they be eliminated and deeded as open space. Brian Ewell stated they are worked on this and worked on it, Mr. Brockbank was complaining when they tried to deed him 10', they thought this new plan would make him happy. Mr. Brockbank wants it as a park for the residents, not as lots.

2. **RL Yergensen** offered the residents first rights of refusal to buy these lots but did not feel he wanted to deed them as open space. This is what Coates did.
3. **Mike Brockbank** also expressed a safety concern about the proposed street behind his home.
4. **Derek Johnson** expresses concern about a snow plow being able to turn around in the cul-de-sac in the winter. Ken Young stated that the radius is large enough for a complete turn-around. The grade of the road is not that significant. Commissioner Paul Squires, who lives in a cul-de-sac, said they cannot sufficiently plow a cul-de-sac. Derek added that with the cul-de-sac they are planning on digging down 7' and having a rock retaining wall. There is nowhere to push the snow. It will have to go somewhere. He does not think it is practical. The snow will either have to be moved somewhere or will go over the hill. RL and Brian Ewell said it will be sloped the opposite way of their house. There is no backfill there.
5. **Wendy Talley** is concerned about how the terrain will be disturbed after digging down 7'.
6. **Isaac Workman** lives on Hillside down the street to the north from the Brockbanks behind the proposed development. He is concerned about the direction Elk Ridge is headed in terms of impact. There has been a lot of talk about code, whether calculations are correct...all of that aside, where is the planning commission taking Elk Ridge. Kevin Hansbrow explained that people do have property rights to develop. If they are meeting code they have the right to build. Wendy stated that it sounds like the code changes with the wind. Kevin explained that we are actually making it more stringent. Isaac said he understands that. He is concerned about the zone, impact issues, concern for the residents on the east side of the hill. The hillside on the east side is incredibly steep. There is a legitimate safety issue when there are cars on a slippery cul-de-sac. If they could not stop they could slip off the hill. Are they going to build a monstrosity bunker retainer to keep that from happening? (similar to Park Drive going down Loafer Canyon).
7. **Ken Young** stated these are questions that can be answered through the engineering of the road. What you are seeing here is existing contours. The engineers and developers will show us how this will work. Isaac said the contour lines representing 2 feet, he counts 10 lines which represent 20' of hillside out to the cul-de-sac. Ken Young said the issue is that we need to have engineering show us how it is going to effect the road. I hear the developer saying it is not going to be exactly right there, the contours I am seeing are showing a 14' to the middle of the cul-de-sac. This is something that needs to be massaged. The point has been made. I think we can move on.
8. **Isaac Workamn** did not feel this accurately summed up what he said. If a car went off that cul-de-sac, there is enough height that they would be parked on my dining room table. Aside from the impact issues, I feel there are some serious life-safety issues. Ken Young stated that perhaps some guard rails could be installed. Isaac asked how this "treads lightly?" Ken Young added that vegetation could be planted on the other end of the guard rail.

Co-chairman Hughes closed the public comment and invited input from the commissioners – the following comments were made:

9. **Paul Squires** stated that the hillside also effects people to the north looking at the hillside. Speaking as a biologist in range management, this is a natural browsing wildlife corridor. He expressed concern for the deer. If you break up the natural corridor of the browsing area, they will stress or leave. A lot of people enjoy seeing the deer. He would suggest leaving Lots 16 and 17 as a natural corridor and natural setting and winter sledding hill for the kids. RL Yergensen stated that from the other side of the hill he observed the deer as he worked for a month last summer. The moved from house to house to rest and were very adaptable.
10. **Kevin Hansbrow** stated that he appreciates the concern for the beauty of the area. He has a nice hill behind him and there was recently a huge house built behind him. He also feels people have rights to build within the code. Whether the code is broken or not needs to be addressed. If you have an opinion, you have to be active and help change things and be willing to devote time to doing so. As far as the wildlife, he thinks the deer can find their way to their cohorts. He understands the concerns. It is a delicate balance we are trying to keep. As long as people are following the code, whether it is broken or not, he feels they can develop and exercise their rights. If you are promised something (land will not be developed – example), get it in writing. Unless it is in writing you don't have a leg to stand on and it will be hard to prove.
11. **Scot Bell** looked at the cul-de-sac bulb and asked if it could be moved so there is no backfill. Brian

Ewell stated it could be moved towards the west. Scot said there will be 7' of crown in the center of the cul-de-sac that will have to be moved to make the cul-de-sac flat. Brian concurred. They are not talking about the whole area of the cul-de-sac being taken down, they are only talking about the center top of the hill. The gutters will sit on natural terrain. Kevin Hansbrow again reiterated that it would be a good idea to bring in the engineer's plans for the street and take into concern some sort of more natural guard rails. Scot Bell mentioned that high back curbs have been recommended. He also stated that Lots 16 and 17 seem to be a hot issue. There is some open space right across from them that is a wild-life corridor. Shawn Eliot mentioned that though the code does say to protect wild-life corridors, we have never known where they are. Scot Bell said the wild life corridor and wintering habitat, as shown by wildlife resources, starts just this side of the Highline Canal and goes straight up. All our houses are right in the middle of it. Scot asked if it was better to have a wildlife corridor on 16 and 17 and move the road back to where it was, or leave Lots 16 and 17 and have the road on the west side?

12. **Dayna Hughes** thinks that the tread lightly aspect of the intent of the code would be to have bigger lots and not as many homes and do away with the open space.
13. **Shawn Eliot** referred to the letter of the law of the code, and the intent. The letter of the law – every piece of property is different. When I look at this I better like the cul-de-sac on this plat. It has been moved to the west and is not in the back yards of the Hillside Drive residents. I do question that if you are only getting 3 lots up there, why not just do 2 large lots with a long driveway rather than incur the cost of building the road up there. I am still concerned about the ravine on this proposal. There is a lot more open space in the ravine. I would prefer a mix of the last two proposed plats. You are doing better on the hillside, moving the cul-de-sac over 30' would do a lot to improve neighbor relations. I still think if you did two big lots with a driveway and no road, that would be better. I would recommend morphing the two together.
14. **Ken Young** stated that it is a very confusing message that is being sent to the developer. He does not know how they can go from this meeting and come back with something that will please everybody. He is not sure what to tell them to do. Somehow they are going to have to go from tonight and come back with a proposal that will not please everybody. Dayna stated we understand this is concept. When asked what they could take as advice from the whole commission, Dayna Hughes said "tread lightly, take the least invasive approach, the residents will not be happy as they don't want any development. We are still at concept, we think you can do better. Right now we can't give you A, B, C and D to do."
15. **RL Yergensen** stated that they deemed they have followed the code in this drawing. The moved the road. Now in order to prove that they will have to get Trane Engineering to stake the center line of the road. If I go to all that expense to prove what I'm saying, these people are still going to be down our necks. We moved the road in order to please them. We have a whole lot between the road and Brockbanks and that happens here in the city all over. We are going to go to our engineer and draw this up and prove it is in the code. Then, if the commission turns it down, they will have to deal with me. The neighbors will have a right to buy these lots. If they don't want to buy them we will sell them to somebody else.

Co-chairman Dayna Hughes closed the discussion on this agenda item.

6. ROAD IMPACT FEE CONCERNS – MAYOR DUNN

Mayor Dunn had other commitments and had to leave before this portion of the meeting where he was going to discuss the city council response to the planning commission's recommendations regarding the road impact fees. He will be added to an upcoming agenda.

7. GENERAL PLAN SURVEY DISSEMINATION

Dayna Hughes will be in charge of the dissemination of the survey, contacting the scouts, writing the article for the newsletter. Hopefully a date can be found in July away from the 4th and 24th. The Mayor has agreed to have the city buy the pizza for the scouts, or whoever takes the newsletter around.

8. APPROVAL OF MINUTES OF PREVIOUS MEETINGS – MAY 17, 2007, MAY 24, 2007 AND JUNE 3, 2007

Review of the minutes was tabled until the interim meeting to be held on July 12, 2007.

9. PLANNING

1. A poll was taken to see if July 12th, 2007 would be a feasible date to hold the field trip to Nebo

**COMMISSION
BUSINESS**

Heights and have a minimum no. of agenda items including:

- Review minutes of May and June planning commission meetings
- Review Revegetation Plan for Oak Hill Estates, Plat D, make rec. for final plat to city council

All commissioners can attend except Dayna Hughes, who will be out of town.

**10. FOLLOW-UP
ASSIGNMENTS /
MISC. DISCUSSION**

Agenda Items for July 19th were discussed.

- Driveway exception for 130 S. Hillside
- Public Hearing for ordinance amendment re: off-street parking for multiple family units
- Mayor Dunn discussion on Road Impact Study

ADJOURNMENT

Co-chairman Dayna Hughes adjourned the meeting at 11:00 p.m.



Planning Commission Coordinator

