



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

November 14, 2023, 5:30 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

COMMISSION MEMBERS PRESENT: Commissioners Jason Allen, Jeremy Bergener, Robert Fox, and Brent Strong; and Alternate Commissioner Jimmy Eaton.

COMMISSION MEMBERS PRESENT ELECTRONICALLY: Commissioner Matthew Everett.

CITY STAFF PRESENT: Brandon Larsen; Planning Director; Marcus Draper, City Attorney; Evan Berrett; Economic Development Director; David Stroud, Senior Planner; and Elizabeth Fewkes, Recording Secretary.

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

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

1. Discussion Items

1.A. DISCUSSION – Camp Williams Compatibility Review

Senior Planner David Stroud presented the item. State Code was amended during the 2023 legislative session to require the City to notify the State of any land use application within 5,000 feet of “military land.” Camp Williams is one of the specified military lands. The City cannot approve any land use application within the distance parameter until Camp Williams has made a compatibility determination. Although, they are allotted 90 days to respond, submitted applications have been returned the same or the following day.

City Attorney Marcus Draper explained that as the City has already established a compatible use plan, the only additional obligation is to notify the Department of Veterans and Military Affairs prior to taking action on a land use application. In conjunction with the statute, rules governing compatibility that are forthcoming may result in alterations to the process.

Staff and the Commission discussed the following:

- Land use and property rights conflicts;
- The statute arising due to concerns with safety and lighting conflicts with residential properties in proximity to military lands;
- Whether the burden of providing an adequate buffer zone should fall on Camp Williams or the adjacent property owners;
- If the Army Compatible Use Buffer (ACUB) has funding available for additional land buffer purchases;
- The uncertainty regarding the compatibility requirements as the criteria has yet to be established; and

- Planning Commission annual training requirements, training opportunities, and completed trainings.

Commissioner Everett requested to have the item placed on the policy session of a future agenda.

Commissioner Bergener adjourned the work session at 5:53 p.m.

6:30 P.M. – Eagle Mountain City Planning Commission Policy Session

Commissioner Bergener called the policy session to order at 6:30 p.m.

2. Pledge of Allegiance

Commissioner Bergener led the Pledge of Allegiance.

3. Declaration of Conflicts of Interest

None.

4. Approval of Meeting Minutes

4.A. October 24, 2023 Planning Commission Minutes

MOTION: *Commissioner Fox moved to approve the October 24, 2023 minutes. Commissioner Strong seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Jason Allen</i>	☐ <i>Jason Allen</i>	☐ <i>Jason Allen</i>	☐ <i>Jason Allen</i>
☒ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>
☒ <i>Matthew Everett</i>	☐ <i>Matthew Everett</i>	☐ <i>Matthew Everett</i>	☐ <i>Matthew Everett</i>
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☒ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>

The motion passed with a unanimous vote.

5. Status Report

Planning Director Brandon Larsen reviewed the planning items discussed and voted upon during the November 7, 2023 City Council meeting.

6. Action and Advisory Items

6.A. ACTION ITEM/PUBLIC HEARING - Code Amendment to EMMC Section 17.55.080.C, Landscaping in Parking and Drive Lane Areas.

Mr. Stroud presented the item. Landscape islands are required every 12 parking stalls and with a minimum dimension of 5 feet by 20 feet for a single-row island and 5 feet by 40 feet for a double-row island. The Municipal Code also permits a minimum drive aisle dimension of 24 feet with parking required at 9 feet by 18 feet. The parking stall dimension not matching the landscape island dimension creates a minimum aisle width of 28 feet between stalls rather than 24 feet. However, 24 feet can be achieved between islands if they are directly across from one another. The proposed amendment changes the required landscape island dimension from 5 feet by 20 feet to 6 feet by 18 feet. This brings the island to the same depth dimension as a parking stall. With the width change, landscaping per island increases from 100 feet by 200 square feet to 108 feet by 216 square feet.

Commissioner Fox stated his preference for the standards to maximize the amount of space available for parking and to minimize water usage and maintenance for landscape islands.

Mr. Stroud clarified that landscape islands are required to be drip irrigated, have one to two trees depending on the size of the island, and utilize at least 50 percent drought-resistant plants.

Commissioner Everett stated that he believed that the allowance to replace landscape islands on double rows of parking with a landscaped median running the length of the double-parking rows conflicts with the standards in another section of Municipal Code as the medians were prohibited because they impede snow removal.

Mr. Stroud explained that a Commissioner or Councilmember had requested to allow the landscape median as an option. In his experience, landscaping islands are generally 8 feet wide with trees providing aesthetical appeal and shade to reduce heat. Drip irrigation uses less water than spray irrigation and watering can be reduced once the trees are established. The required radius and distance between landscaping islands will remain unchanged.

Commissioner Bergener opened the public hearing at 6:45 p.m. As there were no comments, he closed the hearing.

MOTION: *Commissioner Allen moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code Section 17.55.080(C), Landscaping in Parking and Drive Lane Areas. Commissioner Strong seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Jason Allen</i>	☐ <i>Jason Allen</i>	☐ <i>Jason Allen</i>	☐ <i>Jason Allen</i>
☒ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>
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The motion passed with a unanimous vote.

6.B. ACTION ITEM/PUBLIC HEARING – Preliminary Plat/Site Plan recommendation of Walmart

Mr. Stroud presented the item. Walmart was recently granted rezone approval to the Commercial Regional Zone and Open Space 1 zone on Parcel 58:033:0404 at the northwest intersection of Wride Memorial Highway and Spring Run Parkway. With the rezone, a development agreement with conditions and base elevations of the proposed building was conceptually approved. As per the development agreement, the preliminary plat, and site plan approval are to follow the standard procedure contained in Municipal Code. The exhibits in the staff report contain redline corrections. Because the applicant is under a timeline and with reduced meetings at the end of the year, the preliminary plat and site plan need to move forward with the condition that all redlines be corrected. Staff has no concerns with the redlines and is of the opinion that the remaining corrections are non-substantive and do not warrant a delay in the process. The approval would include the redlines regarding the fencing. The submission includes a potential future extension. The site plan and future extension can be included in the motion. Staff informed the applicant that chainlike fencing, depicted in the application, is not allowed and included a requirement for compliant fencing in the redlines. The site has two accesses. In the future, a third access will be added to connect to the frontage road that will run along the south side of the property.

Commissioner Eaton suggested adding an access to the north.

Mr. Stroud explained that grade issues impede the feasibility of a northern access.

Applicant representative Caleb Beck with ARCO Murray, representing the developer for the project, presented updated elevations illustrating the minor changes requested by staff including replacing the chain-link and screening racking on the north side of the building with ornamental fencing. The signalized intersection is designed to operate at a level of service (LOS) A and the right-in, right-out will operate at an LOS B through the 2045 full buildout. They explored adding a connection to the north as they desire to provide as much access as possible. However, the grading was problematic, a north access would create pedestrian safety hazards for the main entrance of the building, and there is little demand for access to and from the north side of the site. They plan to level the parking lot and install a 10-to-11-foot retaining wall on the north side of the property where the grade is the most critical.

Commissioner Bergener opened the public hearing at 7:04 p.m. As there were no comments, he closed the hearing.

Discussion ensued regarding site access and traffic flow patterns.

Commissioner Everett stated that he appreciates the efforts to provide variation in the façade and architectural elements to make elevations appealing. He is in favor of moving forward with a recommendation of approval for the item.

MOTION: *Commissioner Allen moved to recommend approval to the City Council of the preliminary plat and site plan for Walmart with the condition that all*

outstanding redlines shall be corrected. Commissioner Fox seconded the motion.

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
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The motion passed with a unanimous vote.

6.C. ACTION ITEM/PUBLIC HEARING – Alpine School District Preliminary Plat (Eagle Mountain Middle School Plat)

Mr. Stroud presented the item. With the growth in the Eagle Mountain area, Alpine School District (ASD) is in need of a middle school for the expected rise in the student population. ASD owns 64 acres immediately south of the Arrival development. The proposal is to subdivide this property to locate the school and provide a lot to construct a future seminary building. The City is limited in what can be done to regulate a school in regard to a site plan but has greater discretion with a preliminary plat. A site plan application is anticipated to be submitted to the City in the next week or so. The property is zoned as Tier I Residential with a half-acre minimum lot size as per the Clearview Estates Master Development Agreement (MDA). The exhibits in the staff report contain on-site improvements, which are not subject to approval at this time, but will be once a site plan has been reviewed and scheduled with the Planning Commission. The extent of this approval is a preliminary plat, which entails lots, utilities, roads, sidewalks, streetlights, and park strip landscaping. Staff has reviewed the preliminary plat and finds the proposal complies with the applicable Clearview Estates MDA, zoning, and engineering standards.

Mr. Stroud stated that he does not believe that traffic counts will warrant a traffic light at any of the intersections near the school.

Applicant representative ASD Director of Facilities Frank Pulley verified the traffic flow patterns for the site. The anticipated completion date for the school is August 2025.

Commissioner Bergener opened the public hearing at 7:15 p.m.

Jeff Ruth inquired regarding a stoplight on Wride Memorial Highway.

Doug Woodruff asked for clarification regarding buffering requirements for future homes on Parcel A between the middle school lot and the acre lots on Canyon Wash Drive.

Mr. Stroud verified that the City Engineer and the Utah Department of Transportation (UDOT) would need to address the viability of traffic lights as Wride Memorial Highway is a State highway.

The current agreement requires lots on Parcel A to be half-acre lots if developed as residential units.

Mr. Larsen read an email submitted by Nina Pitts expressing concerns about the lighting plan, the berm for the baseball lot obstructing her view, and traffic impacts.

Commissioner Bergener closed the public hearing at 7:21 p.m.

Commissioner Eaton advocated for the Commission to speak with the City Engineer to request that UDOT install a traffic light at the intersection of Wride Memorial Highway and Belle Street.

Commissioner Everett noted that the City has limited scope on what they can evaluate on school district projects. Nevertheless, during his tenure on the Planning Commission, ASD has been responsive to City requests. He feels that it exceeds the purview of the Planning Commission to voice their opinions or add recommended conditions of approval outside of their jurisdiction. However, as citizens of Eagle Mountain, it is appropriate to contact the City Council and staff members about community concerns that fall outside of their role as commissioners.

Commissioner Bergener agreed that although the Planning Commission lacks the authority to add certain conditions of approval to the motions, it is valid to raise safety concerns as a citizen about students crossing Wride Memorial Highway.

Commissioner Strong concurred with safety concerns due to the school's proximity to Wride Memorial Highway.

Mr. Stroud clarified that the City Engineer is unable to require a traffic light unless the intersection meets certain requirements. Crossing guards are provided when school is in session.

MOTION: *Commissioner Allen moved to recommend approval to the City Council of the preliminary plat for the Alpine School District Middle School. Commissioner Strong seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
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The motion passed with a unanimous vote.

6.D. Average Lot Size Amendment

City Attorney Marcus Draper presented the item. Councilmembers requested clarification of ambiguity in Municipal Code regarding the applicability of the average lot size requirement to

amended plats. Under the current code, the average lot size requirement only applies to the initial preliminary plat approval. The proposed amendment to footnote 7 of the residential development standards table in EMMC 17.25.040 would clarify that amended portions of a final plat must comply with the average lot size requirement of a given zone.

Commissioner Bergener opened the public hearing at 7:33 p.m. As there were no comments, he closed the hearing.

Commissioner Everett expressed appreciation for this amendment as it will ensure that the standards are enforced according to the intent of the requirement.

MOTION: *Commissioner Fox moved to recommend approval to the City Council of Eagle Mountain Municipal Code 17.25.040 Residential Development standards. Commissioner Strong seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Jason Allen</i>	☐ <i>Jason Allen</i>	☐ <i>Jason Allen</i>	☐ <i>Jason Allen</i>
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The motion passed with a unanimous vote.

6.E. ACTION ITEM/PUBLIC HEARING – Code Amendment to EMMC 17.35.030
Land Use Table and EMMC 17.55.120 Tables - Hotel Code Change.

Economic Development Director Evan Berrett presented the item. Eagle Mountain City staff finds great value in attracting hotel developers and operators to the City to benefit the local economy. As staff has communicated with hotel developers and operators, two particular codes are potentially problematic for hotel development in the City. Staff has found that height restrictions on hotels would benefit from some minor adjustments to enable hotel developers to plan hotel products that would be successful in the City. Particularly, modern hotels generally seek between three to four stories, but four-story hotels can potentially exceed the 50-foot limit by 5 to 10 feet. The proposed Municipal Code change gives some ability to allow heights to exceed 50 feet, but only to enable no more than four-story hotels.

Eagle Mountain parking requirements have also been found to be excessive. Most cities, including Lehi, Payson, Spanish Fork, Pleasant Grove, Tooele, and others, require only one stall per sleeping unit. However, Eagle Mountain requires one stall per bed which can greatly increase the parking requirements if many of the units have two queen beds or a similar format. The proposed code revises parking requirements to be more in line with other cities while also requiring parking for employees and accommodating an anticipated increase in tourism in Cedar Valley. As a note for the parking requirements, the justification for requiring spaces to accommodate motorhomes only in zones other than Commercial Regional is due to the likelihood that development in the

Commercial Regional Zone is more likely to produce adequate shared parking to accommodate those vehicles. Requiring stalls to accommodate Class A motorhomes could be impeded by geographic limitations for some hotel sites.

Commissioner Strong suggested designing hotel parking lots with a sufficient turn radius for trailers to be able to pull in and out of parking stalls.

Mr. Berrett explained that hotels, especially those with convention services, are generally built after retail businesses in order to be situated near grocery stores, gas stations, and restaurants that generate traffic beneficial to hotels and that provide other amenities for patrons.

Commissioner Bergener opened the public hearing at 7:49 p.m. As there were no comments, he closed the hearing.

Commissioner Everett said although he appreciates the work done on the parking standards, he is unsure if the changes fully alleviate his concerns. He is uncomfortable with allowing hotels to be four stories whereas multifamily units are limited to three stories.

Commissioner Strong noted that if adequate parking is not provided for trucks with trailers, they end up being parked on secondary streets. He anticipates that many of the hotel guests will have trailers with bikes or off-road vehicles.

Commissioner Bergener voiced concern with the wording of the parking requirements as he would prefer to allow leeway for projects that might be unable to reasonably accommodate parking for larger vehicles. He supports encouraging developers to provide parking for Class A motorhomes when feasible. Parking lot designs can be evaluated during the site plan reviews.

Mr. Berrett explained that the height allowance is included in the amendment because the City has received interest from hotel operators in building a four-story hotel.

MOTION: *Commissioner Fox moved to recommend approval to the City Council of Eagle Mountain Municipal Code 17.35.030 Land Use Table and 17.55.120 Tables. Commissioner Allen seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
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The motion passed with a vote of 4:1.

Commissioner Everett clarified that although he is in favor of the parking standard changes, his dissention is due to his objections to allowing four-story hotels.

7. Next Scheduled Meeting

The next Planning Commission meeting is scheduled for November 28, 2023.

8. Adjournment

MOTION: *Commissioner Strong moved to adjourn at 7:59 p.m. Commissioner Allen seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
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The motion passed with a unanimous vote.

The meeting was adjourned at 7:59 p.m.

Approved by the Planning Commission on November 28, 2023.



Brandon Larsen
Planning Director