



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

September 10, 2019, 5:30 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

COMMISSION MEMBERS PRESENT: Matthew Everett, Rich Wood, and Brett Wright.
Commissioner DeLin Anderson arrived at 5:50 p.m. Commissioner Jared Gray was excused.

CITY STAFF PRESENT: Steve Mumford, Community Development Director; Michael Hadley, Planning Manager; Jessa Porter, Planner; and Lianne Pengra, Recording Secretary.

Commissioner Everett called the meeting to order at 5:35 p.m.

1. Discussion Items

1.A. Zoning Code Amendments: Transit-Oriented Development, Commercial, Business Park, Industrial, Open Space

Community Development Director Steve Mumford informed the Planning Commission that the residential zones were recently updated to implement the City's General Plan recommendations and strategies. Now that the residential zones have been updated, staff will begin reviewing or drafting new commercial, business park, industrial, mixed-use, open space, and transit-oriented development zones in order to implement the other General Plan designations.

Commissioner Wood asked if the General Plan needs to be updated to include all zones in the current Municipal Code, and if it needs to be noticed that the zones are under review until they are applied in the correct locations. Mr. Mumford explained the Planning Commission and City Council determine where those zones fit in the General Plan. Some General Plan designations do not specify all uses; for example, the General Plan does not specify which designation permits the Commercial Storage or Business Park zone. Commissioner Wood stated language needs to be drafted to specify transitions between General Plan land uses. Mr. Mumford said it may be beneficial to have a best practices guide for transitioning.

Commissioner Wood also asked that the Future Land Use and Transportation Map be reviewed in conjunction with the transit-oriented development zone. He stated the City does not have a plan for mass transit and asked why the City would have a transit-oriented development zone if there is no future plan for mass transit. Mr. Mumford explained the zone will align with the City's Future Land Use and Transportation Map.

Commissioner Wright stated he would like information regarding criteria for approving a transit-oriented development zone.

2.A. SilverLake South

Mr. Mumford explained the SilverLake South preliminary plat was tabled at a previous Planning Commission meeting. The developer sent plans to City staff on Friday, so there was not sufficient time to notice the public to include it on the current agenda. The applicant would like any feedback from the Planning Commission before returning to a future meeting. Mr. Mumford presented an updated map and explained the City's transportation plan shows SilverLake Parkway continuing to a major arterial that connects to Foothill Boulevard, an extension of Mountain View Corridor. Foothill Boulevard will continue south and west to what has been called the Hidden Valley area. A potential vision is to connect Foothill Boulevard to Mid Valley Road, which runs in front of Frontier Middle School.

Mr. Mumford noted the changes to the proposed improved open space areas. The plan includes a potential pedestrian crossing across Tickville Wash. The City Engineer is reviewing grants for improvements to safety along Tickville Wash; construction of the pedestrian crossing could be in conjunction with these improvements.

Commissioner Wood expressed concern that the plan does not show a connection to Silver Creek Way. Applicant Pete Evans said when the project was originally proposed, Golden Eagle Road did not exist. Now that Golden Eagle Road exists, an additional connection to the north is no longer needed. He said the pedestrian access was included to provide a safe walking route to the school. As they are now improving Golden Eagle Road as an arterial road, the funding that was designated for the Silver Creek Way connection is now allocated to the pedestrian crossing over Tickville Wash, and the Golden Eagle Road expansion.

Commissioner Everett said the connection is needed, especially as Golden Eagle Road does not extend to the east to Saratoga Springs. The residents need to have an additional access in case of emergencies such as wildfires or Tickville Wash flooding.

Commissioner Wright explained that the connection may not be desired by those along Silver Creek Way and stated a family member lives at the current end point of the road, but he stated the connection is needed for connectivity.

Commissioner Wood explained that the requirement was communicated to representatives in previous meetings and stated the Planning Commission may require a connection to any existing stub road. He said the Planning Commission will not approve the preliminary plat until the connection is included. Mr. Evans confirmed with staff that the Municipal Code gives the option to the City Council and the Planning Commission to require connections to other subdivisions, if the connection provides better connectivity.

Mr. Evans explained that the original plan included to access points out of the southern area of SilverLake. With the addition of Golden Eagle Road, there are two access points. He said if they knew that they would be still be required to add an additional connection across Tickville Wash, they would not have built Golden Eagle Road as the second connection. Commissioner Everett explained that while the representatives may not have understood the requirement, it was communicated to them at the time. Mr. Evans explained that they understood that the connection

would be requested, but not that it would be required. Commissioner Wood stated he personally told the representative that it would be required before the first house was approved.

Commissioner Wood stated the elementary school will cause traffic concerns along Golden Eagle Road. Mr. Evans explained his company assumed the school would access off of SilverLake Parkway. They will widen Golden Eagle Road in front of the school to allow for more capacity. The entry points are staggered to help alleviate traffic concerns. Mr. Evans stated he believes that the drop-off lane is the one-way road connecting to SilverLake Parkway.

Discussion ensued regarding vehicles blocking residential access during school drop-off and pick-up times, and parking during school events. Mr. Evans stated he is meeting with Alpine School District on September 11, and will bring the Planning Commission's concerns regarding traffic to the District's representatives.

Mr. Evans explained they worked with City staff to reprogram the open space to provide more usable space. If some of the smaller parks are removed, they will still meet the City's open space requirement. He explained the SilverLake South preliminary plat's open space plan is not detailed due to the Planning Commission and City Council requesting an overall plan for the remaining lots, versus presented smaller preliminary plats for each section of the southern portion of SilverLake. Due to the size of the project, the exact specifications of every park are not yet completed.

Mr. Evans said they are working with City Engineer Chris Trusty regarding realigning and reshaping areas of Tickville Wash to increase safety in the area.

6:00 P.M. – Eagle Mountain City Planning Commission Policy Session

Commissioner Everett called the policy session to order at 6:12 p.m.

2. Pledge of Allegiance

Commissioner Everett led the Pledge of Allegiance.

3. Declaration of Conflicts of Interest

None.

4. Approval of Meeting Minutes

4.A. August 28, 2019 Minutes

Commissioner Wood asked for a correction to the minutes on item five. He said the Planning Commission did not request a transit-oriented zone.

MOTION: *Commissioner Wood moved to approve minutes with the changes as noted. Commissioner Wright seconded the motion. Those voting aye: Matthew*

Everett, DeLin Anderson, Brett Wright, and Rich Wood. The motion passed with a unanimous vote.

5. Action and Advisory Items

5.A. Holiday Oil Tank Expansion Site Plan – Public Hearing

Planning Manager Michael Hadley explained when the Holiday Oil was completed, the northwest corner of the property was left open for future development or expansion. The current site plan application is to add additional fuel on southeast corner of Eagle Mountain Boulevard and Ira Hodges Scenic Parkway. Staff has requested the applicant complete the sidewalk, curb, and gutter along the north and west sides of the property, and a street light at the southwest corner of the property at the existing entrance to the gas station.

Commissioner Wood asked if the expansion will be for diesel trucks or for personal vehicles. Scott Wagstaff with Holiday Oil stated that while the additional construction traffic heading to the Facebook project has caused them to consider this expansion, the long-term goal of the expansion is to serve residents with boats or recreational vehicles. They will only add one underground tank for non-ethanol fuel.

Commissioner Wood expressed concern that commercial trucks will come from Wride Memorial Highway to access this expanded gas station, which will increase the wear on Eagle Mountain Boulevard. Mr. Hadley said it likely will not bring additional traffic that is not already utilizing Eagle Mountain Boulevard. Commissioner Wood said commercial truck drivers know where large areas are and will travel to this site for fuel. Mr. Mumford said commercial vehicles are already utilizing this gas station; vehicles driving on Wride Memorial Highway will not likely travel to City Center for fuel.

Commissioner Wright asked if the proposed trees comply with the City's tree ordinance and asked for clarification on the demolition plan regarding the sign. Mr. Wagstaff stated they have not discussed moving their commercial signage. It was determined that the sign in question is a traffic sign, not the business signage. Mr. Wagstaff explained the trees have not been approved yet, and they will work with the Parks and Recreation Director to plant appropriate trees.

Discussion ensued regarding access to the business. Mr. Mumford said large trucks will likely enter at the right-in, right-out turn on Eagle Mountain Boulevard, not the access from the roundabout on Ira Hodges Scenic Parkway. Mr. Wagstaff explained diesel is a very small part of their business and is not something Holiday Oil will solicit; this will not be a truck stop-type of convenience store.

Commissioner Everett opened the public hearing at 6:26 p.m. As there were no comments, he closed the hearing.

Commissioner Wood expressed concerns regarding vehicles accessing the business from Ira Hodges Scenic Parkway; the roundabout is too small to accommodate large trucks. He also expressed concerns that the expansion will cause diesel trucks to travel to this location for fuel,

instead of purchasing fuel in Saratoga Springs, which will cause additional wear on Eagle Mountain Boulevard.

Mr. Mumford explained the plat will be amended to show that the sidewalk on Ira Hodges Scenic Parkway is either deeded to the City, or includes a pedestrian easement. This is an administrative correction that staff will ensure is made.

MOTION: *Commissioner Wright moved to recommend approval to the City Council of the Holiday Oil Tank Expansion site plan, with the following conditions:*

- 1. A street light that complies with the dark sky ordinance is installed at the southwest corner of the property;*
- 2. The sidewalk, curb, and gutter is completed along the west side of the property;*
- 3. The sidewalk along Ira Hodges Scenic Parkway is either deeded to the City, or includes a pedestrian easement; and*
- 4. Landscape plan and trees comply with the City's tree ordinance.*

Commissioner Wood seconded the motion. Those voting aye: Matthew Everett, DeLin Anderson, Brett Wright, and Rich Wood. The motion passed with a unanimous vote.

5.B. Sage Park Business Center Rezone – Public Hearing

This item was discussed after item 6.A.

Mr. Mumford explained the proposal is along Eagle Mountain Boulevard, north of Aviator Avenue. The application is to rezone a portion of the parcel to Business Park and another portion to Commercial Storage. The property is currently zoned Residential; in 2007, the Sage Park preliminary plat was approved. The General Plan designates this property as Employment Center/Campus. That land use is primarily focused on employment centers or college campuses, such as a regional medical center or larger employer with supporting businesses and retail surrounding. The General Plan states that this designation is to be used for property that is near future downtown/town center and its amenities, and has convenient access to amenities and local and regional transportation networks. It is up to the Planning Commission to determine if this use complies with that definition.

The purpose of the Business Park Zone is to provide for professional offices, research and development uses, retail or commercial businesses, light manufacturing and assembly, and multifamily development in an attractive mixed-use environment that provides community and regional business opportunities. The Commercial Storage Zone is to provide for non-retail commercial sites for storage of vehicles, equipment, inventory, and associated offices.

The concept plan drawings show storage units in the north and flex use buildings in the south. Commissioner Wood asked what types of businesses will use the flex use buildings. Mr. Mumford said staff does not know at this time; the property owner's other site has an electrical contractor tenant, a gymnastics business, and Facebook utilizes one of the buildings for storage.

Mr. Mumford presented a second option that includes a business park and potential mixed use buildings that back up to the residential lots. The applicant created this version in response to concerns from the City Council and Planning Commission regarding buffering. He explained that staff feels the 94-foot collector road is sufficient as a buffer between the business and the residential lots; the mixed use structures may not be an appropriate use adjacent to homes.

Mr. Mumford explained the Planning Commission must determine compliance with the General Plan, compatibility with adjacent land uses, traffic generation, and the impact on City services and property values. Staff believes a storage facility will have less of an impact on City services than single-family homes would have, and the addition of a major collector road along with Eagle Mountain Boulevard will be able to handle the traffic adequately.

Commissioner Wood stated this plan is a good example of the need for defined rules regarding transitioning between land uses. He expressed concern that the General Plan does not designate allowed uses. He stated he would prefer option two, but did not want the mixed use structures to have loading docks along the border of the residential homes. He said he would prefer to know what the buildings will look like.

Commissioner Anderson asked if an acceleration lane will be needed for slower, larger vehicles turning on to Eagle Mountain Boulevard. Mr. Mumford stated that can be addressed with a preliminary plat or site plan.

Applicant Wayne Patterson said there will likely be one or two loading docks on the mixed use structures. They thought that the docks would be mandatory for tenants at the other site in the north part of the City, but they are seldom used. He explained the tenants at his other site are local residents.

Mr. Patterson explained they have more to lose if the site is poorly planned, as they also own the residential land to the south. They have a similar facility in Highland adjacent to new homes that are between \$600,000 and \$1 million. They received one complaint regarding lighting, so they shielded the lights at the facility.

Commissioner Wood stated the applicant may face issues regarding commercial traffic utilizing the same road as the residential traffic. He stated landscaping will be essential for buffering.

Commissioner Everett opened the public hearing at 7:01 p.m. As there were no comments, he closed the hearing.

Commissioner Wood expressed concerns regarding approving this item before the zones are updated. Commissioner Wright stated he is concerned about approving a rezone without a preliminary plat. He stated the rezone will vest the property owner with rights and the Planning Commission is not guaranteed that the presented concept plan will be developed. Commissioners Anderson and Wood agreed with those concerns.

Commissioner Everett asked if the rezone approval could include a condition that if the property is sold, it reverts back to its original designation. Mr. Mumford said that may not be allowed, but

rezones may prohibit certain uses, or only permit specific uses. He stated he will communicate with the City Attorney regarding those potential conditions.

Discussion ensued regarding permitted and conditional uses for the Business Park zone.

Mr. Mumford explained site plans are not presented until the applicant is ready to begin construction. Commissioner Everett asked what Mr. Patterson's timeline is for the site construction.

Mr. Patterson said they would like to begin construction of the commercial site before the homes are built to the south to ensure the homebuyers know what will be adjacent to their subdivision. Mr. Mumford said preliminary plats expire two years after approval, if the applicant has not started a final plat or site plan application.

Commissioner Wood stated the item should be tabled until they have more information regarding potential conditions on expirations of the rezone. Mr. Patterson stated they would enter into an agreement that contains an expiration date of the rezone.

Commissioner Everett stated his preference for the second concept plan option, but advised the applicant to realign the roads to separate the commercial traffic from the residential traffic.

Commissioner Wright stated he prefers option number one with a change to the access point.

Commissioner Wood explained that he would prefer option number one if the buffering and landscaping is sufficient; if not, he prefers option number two.

MOTION: *Commissioner Wood moved to table Sage Park Business Center rezone. Commissioner Anderson seconded the motion. Those voting aye: Matthew Everett, DeLin Anderson, Brett Wright, and Rich Wood. The motion passed with a unanimous vote.*

5.C. Eagle Mountain Airpark Rezone – Public Hearing

Mr. Hadley said the property, designated Cedar Valley Airport, is 92.86 acres and is an FAA-approved private airport with restricted access, meaning permission is required before air traffic can land on the airstrip. The Cedar Valley Airport was in existence before Eagle Mountain City was incorporated. The property is zoned Agricultural and the General Plan designates the property as Neighborhood Residential One and Regional Commercial. Items to consider are compliance with the General Plan, compatibility with surrounding uses, traffic generation, and impact to City services and adjacent property values. The Planning Commission should determine if the proposed use complies with the current Airpark zone.

Mr. Hadley presented photographs of an existing airpark in Chandler, Arizona.

Commissioner Wood expressed concern that if the rezone is approved, other uses allowed in the Airpark zone are approved, and that larger aircraft will utilize the airstrip. He also expressed

concern that the site is close in proximity to property with the Equine Overlay zone to the north and northeast.

Commissioner Wright asked what uses are currently vested through being grandfathered on this property. Mr. Hadley said there are not current uses that are regulated through the City and stated the City Attorney would need to determine what uses are currently vested.

Applicant Wayne Patterson explained when the airport was a jump site, it was heavily used, but now that the surrounding area is more developed, it is not used as often for jumps. They have allowed a military group to use the area for night jumps. The airport is being used, and they would like to continue using it. The property will not be developed quickly for fly-in homes, but Mr. Patterson stated he would like to construct additional hangers for airplane use. He does not believe there are currently restrictions set on hours of aircraft flying in or out. An additional reason for requesting the rezone is to inform residents that an airport exists at this location.

Commissioner Wood said the City's Future Land Use and Transportation Map shows roads encroaching on this area. He restated his concerns that the rezone will increase airplane traffic and the property is close to equine uses.

Commissioner Everett opened the public hearing at 7:41 p.m.

Rob Bergun, Eagle Mountain City resident, explained he is an airline pilot and supports airparks. Although he would like Cedar Valley Airport to become an airpark, the airspace is not conducive to additional air traffic, and runway lighting is not dark sky compliant. He offered other reasons that the rezone should not be approved such as close restricted airspace, safety, and runway size. He would like the airport to remain accessible to smaller airplanes. He recommended the Planning Commission and City staff review the Compatible Land Use Planning Guide for Airports which is on the Utah Department of Transportation website, and suggested the City review the Airpark zone before allowing the rezone.

Kent Price, Eagle Mountain City resident, said he is a pilot who uses Cedar Valley Airport and volunteers as a manager of the airport. He expressed concerns regarding development encroachment and that the City's Future Land Use and Transportation Plan shows two roads intersecting the airport. He said the City needs an airport and requested the Planning Commission approve the rezone. He stated the Airpark zone should be updated, as well.

Michael Duke, Saratoga Springs resident, said he is a pilot and was previously an airport fixed-base operator. He listed the aircraft associations he is involved with. He said the airport has not been viable due to the fact that they do not have fuel or maintenance. Large aircraft will not likely ever land at this airport due to weight restrictions. He spoke about positive impacts airports and airparks have on cities and he requested the Planning Commission approve the rezone.

Paul Steiner, Eagle Mountain City resident, said he is a pilot and utilizes Cedar Valley Airport. He stated the City should have the foresight to allow the airport to remain, and requested the Planning Commission approve the rezone.

Bettina Cameron explained that she is a retired military pilot. She showed potential alternate routes for the collector roads that intersect the airport on the Future Land Use and Transportation Map. She asked Mr. Patterson to work with the residents to plan the airport in a way that will garner resident support; she would like the airport to remain, but expressed concerns regarding the allowed uses in the Airpark zone. She requested the Planning Commission table the item.

Kevin Burningham, Eagle Mountain City resident, stated Cedar Valley Airport is a historical landmark in Eagle Mountain City. He said there is not room on this site to develop the property into an airpark similar to Stellar Airpark in Chandler, Arizona. He said the Airpark zone was drafted for Jake Garn International Airport.

Mare Burningham, Eagle Mountain City resident, said they like the airport in its current state. She said she does not want the Planning Commission to approve applications that do not align with the City's General Plan.

Mr. Patterson explained the photographs of Stellar Airpark were supplied as staff asked for possibilities for future development. He stated they are not seeking to build a site similar to that airpark.

Commissioner Everett closed the public hearing at 8:33 p.m.

Commissioner Everett expressed appreciation for the information provided by speakers during the public hearing. He said he wants to preserve the airstrip, but would like additional information before approving a rezone. Since the use of the airstrip is grandfathered, there is time to work through the issues associated with the Airpark zone and the Future Land Use and Transportation Map. He asked that the residents and the applicant work with City staff to update the Airpark zone.

Commissioner Wood stated designations and roads in the Future Land Use and Transportation Map encroach on the airport. He said he is in favor an airport in the City, but this may not be the correct location. He stated the Airpark zone needs to be reviewed and updated, as well.

Commissioner Anderson agreed that the Airpark zone needs to be rewritten. He stated it is unfortunate that the General Plan did not take the airport into account and expressed concern regarding unpredictable wind patterns in Eagle Mountain.

Commissioner Wright agreed that the Airpark zone needs to be updated. He said the airport is important and requested staff inform the Planning Commission of its current vested rights. He stated the Planning Commission needs more information before they can make a decision on the application.

Mr. Patterson requested the motion to table include a timeframe in which the application will return.

Mr. Mumford explained his department has multiple projects in process, as well as requests from the City Council and Planning Commission to rewrite current zone ordinances and to draft new zone ordinances. He said staff can work with residents involved in the airport and those who are familiar with airparks to draft an ordinance.

Commissioner Wood asked staff to review the Future Land Use and Transportation Map in this area, as well. Mr. Mumford explained that previous General Plan maps showed roads going around the airport. The roads were placed as they are now because improvements had not been made to the airport and the property is degrading.

Commissioner Wood asked that the item be presented to the City Council. Commissioner Everett stated instead of recommending denial to the City Council, the item should be tabled to allow for additional research.

Commissioner Wright requested the item return to the Commission in three to five months. Commissioner Everett stated the item can return as a work session status update.

MOTION: *Commissioner Everett moved to table the Eagle Mountain Airpark rezone. Commissioner Wood seconded the motion. Those voting aye: Matthew Everett, DeLin Anderson, Brett Wright, and Rich Wood. The motion passed with a unanimous vote.*

6. Discussion Items

6.A. Holiday Oil Convenience Store – Concept Plan

This item was discussed after item 5.A.

Mr. Hadley stated the proposed convenience store will be located on 1.89 acres on the northwest corner of Wride Memorial Highway and Sunset Drive. The applicant has designed the plans with the future expansion of Wride Memorial Highway in mind.

Mr. Mumford explained the approved site plan for the storage unit business to the north shows an access along the south border to the proposed convenience store property. The property owners will work together to provide a joint access to both businesses.

Mr. Mumford said the principal of Black Ridge Elementary expressed concerns to Utah County Sheriff Chief Deputy Eric McDowell regarding the potential increase in traffic due to the convenience store. She stated vehicles can back up all the way from the school to Wride Memorial Highway during drop-off and pick-up times. There will not likely be access from the future frontage road to the business.

Commissioner Anderson stated the traffic is very backed up with school traffic, and explained that parking is a concern when the school has events.

John Linton with Holiday Oil stated they have a 40-foot access on the northwest corner of the site for the future business.

Commissioner Wood explained the parking will be an issue during school events. Mr. Linton explained they cannot correct the school's parking issues, but they will have a traffic impact study to allow them to approach the issue from a professional level.

Commissioner Wright stated the importance of remembering that the site is zoned commercial.

Commissioner Wood stated this site is more appropriate for a gas station that serves larger commercial vehicles. Mr. Linton said they design their stores for neighborhood use, but ensure there is enough room for larger trucks to maneuver, such as the 80-foot fuel trucks that currently fill their fuel tanks.

Commissioner Everett stated this location is conducive to a gas station and convenience store, and it is not incumbent upon the applicant to correct parking issues caused by the school.

7. Next scheduled meeting

Commissioner Everett stated the next meeting is September 24. Commissioner Wood asked if the agenda will contain the official public notice that the zoning ordinances are being amended. Commissioner Wright stated the Planning Commission will not take action on the item; they only want to open the public hearing. Commissioner Wood explained that he is not requesting Mr. Mumford have completed zones to present; he would like the steps taken to inform applicants that the zones are under review.

Mr. Mumford stated he will communicate with the City Attorney to determine the appropriate process. Commissioner Wood asked if he should make a motion to ensure that the zones are on the next agenda. Mr. Mumford explained that he cannot, as there is not an item on the agenda to make a motion on.

Commissioner Wright asked which zones will be included in the Development Code amendment on the agenda. Commissioner Wood stated all existing zones need to be included so that multiple applications are not submitted before the notice.

8. Adjournment

MOTION: *Commissioner Wright moved to adjourn the meeting at 7:58 p.m. Commissioner Wood seconded the motion. Those voting aye: Matthew Everett, DeLin Anderson, Brett Wright, and Rich Wood. The motion passed with a unanimous vote.*

The meeting was adjourned at 9:06 p.m.

Approved by the Planning Commission on October 8, 2019.


Steve Mumford
Community Development Director