



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

July 12, 2022, 5:30 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

COMMISSION MEMBERS PRESENT: Jason Allen, Jeremy Bergener, and Matthew Everett. Commissioners Christopher Pengra and Erin Wells were excused.

ELECTED OFFICIALS PRESENT ELECTRONICALLY: Councilmember Colby Curtis, Liaison to the Planning Commission.

CITY STAFF PRESENT ELECTRONICALLY: Steve Mumford, Assistant City Administrator/Community Development Director.

CITY STAFF PRESENT: Robert Hobbs, Planning Manager; Dave Stroud, Senior Planner; Todd Black, Wildlife Biologist/Environmental Planner; Jed Shum, Planner; Lianne Pengra, Chief Deputy Recorder; and Evan Berrett, Assistant to the City Administrator.

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

Commissioner Everett called the meeting to order at 5:32 p.m.

1. Discussion Items

1.A. CONCEPT PLAN – Porter's Crossing Town Center

Assistant City Administrator/Community Development Director Steve Mumford reviewed the currently approved plan and presented a proposed amended concept plan for Porter's Crossing Town Center. The new plan replaces the 180 mixed-use apartment units in Pod #2 with commercial uses and replaces the City recreation center, senior living apartments, and institutional uses with apartments and townhomes resulting in a decrease in total apartments and townhomes from over 300 to 225 units. Parking, storage, and a nursery are planned in the four-acre Rocky Mountain Power easement. Amenities include a pool and clubhouse, neighborhood park, pickle ball court, playground, and paths and trails. The City has received communication about the project including an updated traffic study and a letter from Rocky Mountain Power verifying they are working with the developer to approve improvements within the power corridor. Kern River Gas Transmission Company sent an email requesting to meet with the City and the developer to discuss their concerns with the proposal.

Applicant Khosrow Semnani stated that commercial interests have increased in response to business growth in the area. They desire to develop townhomes to meet housing needs in the current market. A study they conducted previously indicated the demand for senior housing is lower than they had believed.

Discussion ensued regarding the restrictions governing the powerline corridor and the planned improvements including overflow parking and the nursery and the concerns expressed by the Kern River Gas Transmission Company.

Commissioner Everett stated that he supports commercial uses at the corner of Pony Express Parkway and Porters Crossing Parkway and the reduction in density. He appreciates the dedicated parking for each multifamily unit. He is concerned with the distance to the overflow parking lot but recognizes the design challenges and limitations created by the powerline corridor.

Commissioner Allen concurred with the benefits of the additional commercial uses. He is interested in reviewing the results of the traffic study, especially in relation to the distance between the high-density housing and major roadways and the impact on other residential areas. The location of the overflow parking creates safety hazards, particularly during winter evening conditions. He suggested additional parking adjacent to the clubhouse.

Commissioner Bergener agreed with the thoughts expressed regarding parking and the overall reduced density. He advised the applicants to be prepared to discuss and address parking and amenity inadequacy concerns when the project returns. As there is a need for these types of units in the housing market, he believes the development is of benefit to the City.

Applicant Sattar Tabriz explained that both townhome designs are the same width. The single-car garages are front-loaded and the two-car garages are rear loaded. The parking area will be well-lit and kept clear of snow and ice. The clubhouse will have more dedicated parking stalls than the four indicated on the plan.

Commissioner Everett adjourned the work session at 6:07 p.m.

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

Commissioner Everett called the policy session to order at 6:30 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. June 14, 2022 Planning Commission Minutes

MOTION: *Commissioner Bergener moved to approve the June 14, 2022 minutes. Commissioner Allen 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>
☐ <i>Chris Pengra</i>	☐ <i>Chris Pengra</i>	☐ <i>Chris Pengra</i>	☒ <i>Chris Pengra</i>
☐ <i>Erin Wells</i>	☐ <i>Erin Wells</i>	☐ <i>Erin Wells</i>	☒ <i>Erin Wells</i>

The motion passed with a unanimous vote.

5. Status Report

Planning Manager Robert Hobbs noted that staff is currently working on a road standards Municipal Code amendment to be presented at a meeting in the near future.

6. Action and Advisory Items

6.A. ACTION ITEM/PUBLIC HEARING – Eagle Mountain Municipal Code Regarding Water Efficient Landscape Standards

Assistant to the City Administrator Evan Berrett presented information regarding extending Eagle Mountain's water supply, maintaining eligibility for rebate programs, setting up properties for success from the beginning, and creating consistent conservation across property types. Landscape water use accounts for over two-thirds of Eagle Mountain's annual consumption. Eagle Mountain residents currently have access to the Flip Your Strip, Locascapes rewards, and other conservation programs. Eagle Mountain must have improved landscape standards by the end of 2022 for residents to continue to have access to these rebate programs. The typical front and side yard conversion can cost the average homeowner between \$1,500 to \$2,000 after rebates.

Mr. Berrett presented the following proposed standards:

- EPA WaterSense labeled plumbing fixtures in new homes.
- Smart irrigation controllers for landscapes.
- Plant cover and mulch use.
- Prohibition of non-functional turf.
- Prohibition of grass in park strips, narrow strips under eight feet wide, and on slopes greater than 25%.
- Limiting grass in front and side yards to 250 square feet or 35% of the total landscaped area.
- In commercial, industrial, institutional, and multifamily development common area landscapes and lawn areas shall not exceed 20% of the total landscaped area outside of active recreation areas.

Mr. Berrett explained how the proposed language compares to Central Utah Water Conservancy District's landscape standards. He clarified that the recommendation against placing a tree in the middle of a grass area is due to the likelihood of the tree blocking water routes and residents' tendency to increase watering rather than moving the sprinklers. He will conduct further research to evaluate if the shade from trees reduces the amount of water needed for grass.

Commissioner Allen said the proposed standards are a good starting point that can be adjusted as needed.

Discussion ensued regarding water rights law, the Doctrine of Prior Appropriation, and efforts to track and reduce resident water usage.

Mr. Berrett verified that the projection for Eagle Mountain to be unable to meet water needs 40 years from now is based upon current water practices and excludes any additional unforeseen water needs. The City can impact the trajectory of water needs and these standards are a major component of the strategy to protect the water supply.

Commissioner Everett opened the public hearing at 6:57 p.m. As there were no comments, he closed the hearing.

Discussion ensued regarding the following:

- Localscapes and waterwise practices;
- The desire and intent to allow flexibility for residents to decide how to best apply the recommendations to their properties;
- The City's inability to set landscape standards for schools;
- City parks would be exempted from residential and commercial landscaping standards.
- Staff is implementing appropriate water conservation strategies for broad activity areas and other areas in parks such as planting native grasses that require less water; and
- The draft standards are being reviewed by the City Council and Planning Commission before discussions with developers and other stakeholders.

Commissioner Allen thanked staff for their efforts in drafting the standards. He expressed concern with liability enforcement of damage caused by rocks or other materials that migrate onto a sidewalk, trail, street, storm drain, or other public facilities, regardless of how such migration occurs. Although he recognized the need to set standards for allowing additional turf in front or side yards for properties with small backyard acreage, he suggested allowing residents to request an exemption if their property is a few square feet short of the requirement or has other extenuating circumstances.

Commissioner Bergener recognized that the standards are focused on new construction. He appreciates the City examining ways to reduce water usage and looks forward to consideration of additional standards and suggestions to assist existing residents with water conservation.

Commissioner Everett concurred with the importance of water conservation in a desert climate. He has apprehension about recommending the enforcement of the prohibition of trees in the middle of grass areas due to the shade allotted to the home and not allowing nonfunctional turf. He thinks that limiting front and side yard landscaping to 35% might be too restrictive. He supports holding commercial properties liable for damages caused by landscape materials.

Commissioner Everett recommended tabling the item to allow Commissioners Pengra and Wells to provide feedback to staff due to the importance and impact of the Municipal Code amendment. Commissioners Allen and Bergener stated they were amenable to tabling the item.

Mr. Berrett explained he has discussed enforcement concerns and program successes and difficulties with other cities. Most other cities are focusing on setting up the programs rather than enforcement efforts.

MOTION: *Commissioner Everett moved to table Eagle Mountain Municipal Code 17.60 Regarding Water Efficient Landscape Standards to the next meeting to allow Commissioners Pengra and Wells to provide feedback. Commissioner Bergener 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>
☐ <i>Chris Pengra</i>	☐ <i>Chris Pengra</i>	☐ <i>Chris Pengra</i>	☒ <i>Chris Pengra</i>
☐ <i>Erin Wells</i>	☐ <i>Erin Wells</i>	☐ <i>Erin Wells</i>	☒ <i>Erin Wells</i>

The motion passed with a unanimous vote.

6.B. PUBLIC HEARING – Parkway Fields Phase C Preliminary Plat & Site Plan

Mr. Hobbs presented the items. The preliminary plat and site plan requests a 234-lot, single-family attached townhouse subdivision on 31.28 acres of land within the Parkway Fields master-planned development. The application complies with the unit count and acreage for the MF1 Zone, roof, parking, street access, connectivity, screening, and open space and amenities requirements. Right-of-way widths and alignment and dedication needs have been evaluated and changes made to plat drawings to accommodate development review committee comments. The Planning Commission has the discretion to recommend an exemption or to require additional architectural detailing and to determine if the building rear articulation, building materials, building colors, garage door location and dominance, and lighting sufficiently comply with Municipal Code standards.

Should the Commission vote to recommend approval to the Council of Parkway Fields Phase C preliminary plat and site plan, staff recommends the following conditions:

1. Prior to Council review of the applicant's request for the preliminary plat and site plan approvals for the Parkway Fields Phase C subdivision, the developer shall adjust townhouse building elevations to fully conform to architectural details listed in EMMC 17.72.040(E)(2), materials usage requirements listed in EMMC 17.72.040(F)(1), and garage door orientation as listed in EMMC 17.72.050(H);
2. Prior to Council review of the applicant's request for the preliminary plat and site plan approvals for the Parkway Fields Phase C subdivision, the developer shall adjust detailed mechanical equipment screening plans for the clubhouse based on standards in EMMC 17.72.040(K); and,

3. Any other conditions as determined appropriate by the Commission.

Applicant representative Kameron Spencer with Flagship Homes explained that a layout with only rear-loaded garages resulted in the front of some properties facing the rear of another property. Incorporating front-loaded units allowed them to offer a better product exceeding the covered garage space requirement that makes better use of the land layout. He requested to be allowed to install a three-foot rail fence instead of the required six-foot privacy fence for the rear-loaded townhomes fronting on Tiffany Boulevard. A six-foot privacy fence will screen the mechanical equipment for the clubhouse. They intend to build a product similar to the units in SilverLake and intend to comply with Municipal Code architectural design requirements.

Commissioner Everett opened the public hearing at 7:37 p.m. As there were no comments, he closed the hearing.

Commissioner Bergener supported including conditions of approval for the required additional design elements in the recommendation to the City Council and entertaining the request for a front-loaded product as he agrees it is the better option given the design limitations for this area.

Commissioner Allen said he is amenable to considering exceptions for the front-loaded product and a three-foot fence and recommending conditions for additional design elements.

Commissioner Everett stated he is also in favor of allowing the three-foot fence along Tiffany Boulevard. Based on their other developments, he has confidence that the applicant will comply with design standards. He cited EMMC 17.72.030(C) "Garages and parking areas should be placed to the rear of buildings, accessed by a service drive. Service drives must meet all fire access requirements found in the fire code, or as required by the fire marshal. Units accessed via rear service drive shall have a man door on the garage side of the unit, and be addressed off the service drive. If garages are placed on the front facade, they shall be staggered and set back so as to minimize their appearance from the street. Garages shall never dominate the street-facing facade of a building." He feels that the proposed front-loaded product has a garage as a dominant feature. The residents with the front-loaded product face the rear elevation and garages of the adjacent townhomes which are unappealing. He noted that the applicant proposed the design of the plat, not the City. He struggles with granting an exemption as it is something that could have been initially designed differently by the developer. He feels the proposal fails to meet Municipal Code standards and as such would vote against a recommendation of approval.

Discussion ensued regarding the units facing the rear and garages of other townhomes and whether to table the item or move it forward without a recommendation due to the lack of a quorum on a consensus.

MOTION: *Commissioner Bergener moved to table the Parkway Fields Phase C preliminary plat and site plan to a future meeting. Commissioner Allen seconded the motion.*

Those Voting Yes

☒ *Jason Allen*

Those Voting No

☐ *Jason Allen*

Those Abstaining

☐ *Jason Allen*

Those Absent

☐ *Jason Allen*

☒ Jeremy Bergener	☐ Jeremy Bergener	☐ Jeremy Bergener	☐ Jeremy Bergener
☒ Matthew Everett	☐ Matthew Everett	☐ Matthew Everett	☐ Matthew Everett
☐ Chris Pengra	☐ Chris Pengra	☐ Chris Pengra	☒ Chris Pengra
☐ Erin Wells	☐ Erin Wells	☐ Erin Wells	☒ Erin Wells

The motion passed with a unanimous vote.

7. Discussion Items

7.A. City Growth Update

Mr. Mumford presented an update on the previous fiscal year's growth in the City. Residential building permits dropped from 1609 in Fiscal Year 2021 to 1440 in Fiscal Year 2022. Last year, the trend beginning in 2020 for more development in the south service area than in the north continued. In FY 2022, 1,060/74% of permits were for single-family units and 380/26% were for multifamily units. He reviewed growth statistics by month and for individual developments and listed businesses that opened or had building permits issued in FY 2022.

8. Next scheduled meeting

The next Planning Commission meeting is scheduled for July 26, 2022.

9. Adjournment

MOTION: ***Commissioner Allen moved to adjourn the meeting at 8:04 p.m. Commissioner Bergener seconded the motion.***

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ Jason Allen	☐ Jason Allen	☐ Jason Allen	☐ Jason Allen
☒ Jeremy Bergener	☐ Jeremy Bergener	☐ Jeremy Bergener	☐ Jeremy Bergener
☒ Matthew Everett	☐ Matthew Everett	☐ Matthew Everett	☐ Matthew Everett
☐ Chris Pengra	☐ Chris Pengra	☐ Chris Pengra	☒ Chris Pengra
☐ Erin Wells	☐ Erin Wells	☐ Erin Wells	☒ Erin Wells

The motion passed with a unanimous vote.

The meeting was adjourned at 8:04 p.m.

Approved by the Planning Commission on July 26, 2022.


Steve Mumford

Steve Mumford, AICP
Assistant City Administrator/Community Development Director