



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

June 8, 2021, 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: Jeremy Bergener, Matthew Everett, Christopher Pengra, Erin Wells, and Brett Wright.

ELECTED OFFICIALS PRESENT: Councilmember Donna Burnham, Primary Liaison to the Planning Commission.

CITY STAFF PRESENT: Steve Mumford, Assistant City Administrator/Community Development Director; Director of Administrative Services/City Recorder, Fionnuala Kofoed, and Elizabeth Fewkes, Recording Secretary.

CITY STAFF PRESENT ELECTRONICALLY: Tayler Jensen, Senior Planner; and Jessa Porter, Planner.

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

1. Discussion Items

1.A. DISCUSSION – Front Loaded Garages

The Planning Commission provided feedback to staff regarding concerns with the current garage Municipal Code standards as direction for the preparation of an amendment to the standards found in 17.72.030(C) Site Design – Multifamily Parking/Garages, “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 façade, they shall be staggered and set back so as to minimize their appearance from the street. Garages shall never dominate the street-facing façade of a building,” and 17.72.040(H) Architectural Standards – Multifamily Garage Doors, “Garage doors shall not be the most prominent or visible feature on a building. They shall be accessed from the side or rear, or set back from the front facade. If garages are visible from the street, white doors are discouraged. Decorative doors are encouraged.”

Commissioner Everett said in his opinion there is a place for both styles in the City. He suggested a requirement for 40% of a development to include rear-loading product and prohibiting garages from fronting on collector and arterial roads. He advocated for variety within townhome developments to increase the appeal of the neighborhood and advocated against allowing design repetitiveness resulting in an institutionalized or blighted visual. He clarified that he is not against

townhomes especially due to current housing prices as the units fill a housing need. He desires to create standards that require visual appeal that the City agrees with and is willing to follow and enforce.

Commissioner Bergener suggested defining a few key points the Commission desires to include in the standards and suggested implementing some of the commercial requirements to add design variety. He neither strongly supports nor objects to rear or front-loaded product.

Commissioner Wells concurred with prohibiting front-loaded garages fronting on major roadways. She recognized the visual challenges with front-loaded units; however, she thinks that the problems rear-loaded garages in alleys cause for the homeowners and residents should also be considered.

Commissioner Pengra noted that garages fronting on collector and arterial roads would be required to be set back from the road on access aisles if allowed. He feels either style option lacks a distinct advantage over the other. Front-loaded product is more convenient for the residents but generally lacks design variety; however, that can also be an issue with rear-loaded products. He is unsure of a mechanism the City can create to prevent the issues they desire to resolve. The City provides highly needed, more affordable housing options than can be found in other cities. Material and land prices have increased but wages have not risen in correlation with housing prices. He is concerned with the price impact of the aesthetic standards desired. He encouraged staff to be willing to be prescriptive in the proposed standards. However, he is unsure how to reconcile price and aesthetical variety concerns as he wants younger individuals to be able to invest in homeownership.

Discussion ensued regarding articulation, variance, and preferred aesthetics of townhome units within the City comparing front and rear-loaded product.

Commissioner Wright stated he is less in favor of the rear-loaded garages due to the alleyway issues; however, he also dislikes the long rows of identical front-loaded product. In his opinion, the design of the unit is of greater importance than the location of the garage. He expressed concern with the reduction in cities' abilities to direct housing design. He summarized that concerns of the Commission are centered around design, not only visually but the overall structural and site design. He encouraged staff to research and obtain the advice of experts during the drafting process. He desires to implement a variety of requirements without being onerous to developers and for a balance in the City of an appropriately proportional number of townhomes. As townhomes have unique elevation and site design challenges that impact the interior and overall community design, the product should have specified requirements not applicable to other types of multifamily units.

Senior Planner Tayler Jensen clarified that the recently amended State Code still allows City's to require rear-loaded garages. He expressed his preference for rear-loaded product. He will work with Commissioners Everett and Bergener to draft amended standards.

Assistant City Administrator/Community Development Director Steve Mumford said that the benefit of rear-loaded townhomes is that the units generally look better from the street. Typically, the homeowner's association (HOA) maintains alleys; however, if the alley is public, the alleys

are difficult to maintain and the City does not receive funding support for the alleys. The City could explore standards to reduce the appearance of a dominant garage on townhomes. Offering an HOA maintained housing alternative for new homeowners that struggle improving and maintaining their yards and for residents that do not desire to care for a yard is a benefit to the neighbors and the City. He recommended including picture examples in the amended standards to clarify to the developers the product desired by the City.

Commissioner Wright adjourned the work session at 6:11 p.m.

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

Commissioner Wright called the meeting to order at 6:35 p.m.

2. Pledge of Allegiance

Commissioner Bergener led the Pledge of Allegiance.

3. Declaration of Conflicts of Interest

Although none of the Commissioner's had conflicts of interest with the agenda items, for the sake of transparency the following Commissioners requested for disclosures to be entered into the record:

- Commissioner Well said a Councilmember for the municipality where she works owns a property adjacent to the Rush Creek property.
- Commissioner Pengra said the developer of one of the items will be the real estate agent representing the upcoming sale of his home.
- Commissioner Wright declared that he owns property in close adjacency to the Deer Haven project.

4. Approval of Meeting Minutes

4.A. May 25, 2021 Planning Commission Minutes

MOTION: *Commissioner Everett moved to approve the May 25, 2021 minutes. Commissioner Wells seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett, Christopher Pengra, Erin Wells, and Brett Wright. The motion passed with a unanimous vote.*

5. Status Report

Mr. Mumford reviewed the planning items discussed and voted upon during the June 1, 2021 City Council meeting.

6. Action and Advisory Items

6.A. PUBLIC HEARING – Rush Creek (General Plan Amendment)

Mr. Jensen presented the item. The Rush Creek properties are located just north of Sage Park and West of Overland. Eagle Mountain Boulevard runs through the middle of the parcels. The parcels encompass approximately 234.14 acres with a future land use designation of Employment Center/Campus. It should be noted that a portion of Parcel 59:034:0011 is currently located outside of Eagle Mountain City and would need to be annexed by the City prior to the Western Industrial Concept being able to be developed. The applicant has applied to amend the Future Land Use Plan calling for approximately 18.6 acres to move from Employment Center/Campus to Community Commercial, and approximately 79.14 acres from Employment Center/Campus to Business Park/Industrial. (Parcels 59:034:0009, 59:034:0010, and 59:034:0011). The applicant is not proposing any rezoning with this General Plan Amendment but instead would like the Planning Commission to review their concept plan for two Light Manufacturing/Distribution (LMD) subdivisions.

The applicant has worked with staff to show the anticipated location for the future Utah Department of Transportation (UDOT) highway, and staff feels it is appropriate to provide some commercial adjacent to the on-ramp/off-ramp where the highway crosses Eagle Mountain Boulevard. The Planning Commission shall also determine if they feel Business Park/Industrial is appropriate adjacent to future residential property.

In reviewing the concept plan the applicant has submitted, staff has noted concerns that the applicant has requested Planning Commission feedback upon. The proposed eastern industrial subdivision is located adjacent to property that has been vested with Residential zoning within the Overland Master Development Agreement (MDA) and Master Development Plan (MDP). While the applicant is proposing a six-foot masonry wall between the uses the proposed LMD zone is not compatible with any residential zone, to comply with 17.60.160 the applicant should provide appropriate transitioning that complies with EMMC table 17.60.160(1). It is anticipated that an additional north-south collector road will be required east of the UDOT highway, as such, staff feels it would be appropriate for the north-south stub road in the eastern pod (Pod B) to be increased to a 77-foot right-of-way stubbing to the north. Per EMMC 16.30.090(C)(5), nonresidential developments are required to meet the connectivity index with a score of at least 1.5 and providing connections to neighboring properties, as such the West pod (Pod A) should provide road stubs to the north and south.

Applicant representative Dan Ford explained the history of the project and said the property has commercial uses to the north and the west. They have presented several other plans and received feedback from the staff, Commission, and Council. They desire LMD zoning due to the flexibility and demand of uses for the area. They anticipate office uses fronting on the roadways. Discussions with UDOT have found that the plans for and location of the proposed future freeway have not been finalized. In anticipation of the freeway, they are reserving the corner intersections at the anticipated location of the freeway for appropriate commercial uses. They are trying to balance buffering between residential and commercial/industrial uses and are open to suggestions. The location would be challenging for Commercial Neighborhood uses. He suggested using open space with a trail corridor and landscaping to serve as a buffer between non-compatible uses. He noted a collector road runs along the proposed freeway and requested for it to be considered as the connection. He clarified the "collector road" on the map was mislabeled. The width of the road

running east to west is larger than a 53-foot residential road, due to anticipated traffic volume and to provide street parking, but is planned to be narrower than a 77-foot collector road.

Commissioner Everett inquired regarding the plan for the northeastern portion of the property labeled "To Be Determined." Mr. Ford said due to the conflicting feedback he has received regarding the area, he intends to leave the area with the current General Plan designation until the appropriate use for the property is determined. He explained some of the intended and desired uses for other portions of the property.

Commissioner Wright opened the public hearing at 6:55 p.m.

Kurt Ostler submitted an email expressing concerns as a neighboring property owner regarding potential changes to the City's transportation plan to future road expansions and the proposed Business Park/Industrial uses near residential areas and the impact on the plan for Employment Center/Campus development. He feels locating commercial property near freeway exits would be appropriate.

Commissioner Wright closed the public hearing at 6:57 p.m.

Discussion ensued regarding the history and previous proposals for the project. Mr. Mumford said the original proposal had residential uses. The applicant received feedback that the applicant wanted more commercial uses in the area.

Commissioner Pengra stated the proposed product would be an appropriate buffer from certain types of residential into heavier industrial; however, he feels it might be inappropriate for this area depending upon the future uses of the land to the south.

Commissioner Everett verified that the land south of the east side of the project has been approved for commercial storage. Should the freeway be installed where proposed, commercial industrial uses would be appropriate. As such, he is in favor of moving the General Plan amendment forward. Regarding the concept plan, he expressed concern with the buffering between the LMD and residential areas. He directed the applicant to look at the buffering and transition requirements. He said he was open to considering an open space and trail corridor buffer between the commercial and residential uses.

Commissioner Wells expressed empathy for the road concerns and the need for a resolution for both the applicant and the residents. She concurs with the buffering concerns. She had not considered open space but noted it complies with Municipal Code requirements. She expressed concern with approving the General Plan amendment for industrial uses adjacent to residential.

Commissioner Wright stated that the General Plan amendment would allow the applicant to request a rezone but zoning would be approved with a future rezone application.

Mr. Mumford said the land to the west is part of Overland development and would likely be zoned R2, R3, or RC. Open space is an allowed buffer between any of the options. He concurred with

the need to evaluate a detailed proposal to ensure the open space would be appropriate and adequately maintained.

Commissioner Pengra noted the property's current General Plan designation of Employment Center/Campus and the contemplated zoning includes the Medical/Education Campus and Office Professional zones. He has experience with residential units near industrial areas and buffering between the uses is problematic. It is also problematic to consider allowing uses in this location not contemplated in the General Plan. He clarified his highest concern is the proposal for the eastern portion of the development including the undesignated "to be determined" area.

Mr. Ford said in addition to the storage area, land to the south is slated as flex space. He noted the challenges of attracting Commercial Neighborhood uses at the end of the road due to limited accessibility. He plans to leave the area to the north as Employment Center/Campus.

Commissioner Wright recessed the meeting from 7:14 p.m. to 7:21 p.m.

MOTION: *Commissioner Everett moved to recommend approval to the City Council of the General Plan amendment for Rush Creek. Commissioner Pengra seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett, Christopher Pengra, Erin Wells, and Brett Wright. The motion passed with a unanimous vote.*

6.B. PUBLIC HEARING – Deer Haven (General Plan Amendment, Rezone, Preliminary Plat, and Variance)

This item was discussed after item 6.E.

Mr. Jensen presented the item which includes the review of requests for a variance, rezone, General Plan amendment, and preliminary plat approval. Variance requests require the Planning Commission to act in a "quasi-judicial" manner and under Utah State Code an applicant must comply with all five criteria in order for a variance to be granted. Rezones and General Plan amendments are legislative decisions, as such the Planning Commission has the ability to approve rezones and General Plan amendments that they feel to be in the best interest of the City. Preliminary plats are administrative decisions; therefore, approvals or denials shall be in strict compliance with Municipal Code.

Deer Haven is a 40-acre parcel located west of Cedar Pass Ranch, and north of Lone Tree. The project was previously known as Stratton Estates when it was proposed in 2019, it included 74 Single Family lots. The Stratton Estates rezone and preliminary plat were tabled by the Planning Commission and never received approval. The property is currently zoned Agriculture with a future land use designation of Agricultural/Rural Density One.

The variance request includes using septic systems instead of sewer as required in EMMC 13.35.030 to build more than 30 units off a single access, to not provide connectivity into Cedar Pass Ranch or the property to the north, to have detention basins on private lots, and to construct a nature path that does not comply with ADA standards.

Approval criteria for a variance must comply with the following five criteria:

1. The literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinances.
2. There are special circumstances attached to the property that do not generally apply to other properties in the same zone.
3. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone.
4. The variance will not substantially affect the General Plan and will not be contrary to the public interest.
5. The spirit of the land use ordinance is observed and substantial justice is done.

A variance may not be found unless an unreasonable hardship is found. Unreasonable hardships may not be self-imposed or purely economic and must arise from conditions unique to the property. Applicants shall bear the burden of proving that all the conditions justifying a variance have been met. Variances run with the land. In granting a variance, the Planning Commission may impose additional requirements that will mitigate harmful effects of the variance and serve the purpose of the standard or requirement that is waived or modified.

Staff findings for the variance request determined issues with meeting the literal enforcement, special circumstances, and General Plan criteria. The applicant is able to comply with the connectivity code by connecting to Cedar Drive, and stubbing a road to the north, and is able to connect to the sewer by building a lift station, the reasons to not do so are primarily economic in nature. Connectivity standards are required for all development in Eagle Mountain City, and connection to stub roads has been required across washes in other developments in Eagle Mountain, therefore staff does not find any special circumstances that would prohibit the construction of a road connection into Cedar Drive. The Lone Tree Development currently only has access onto Pony Express Parkway, with no egress to the north, the road currently operates at an F level of service (LOS), although this is expected to improve with the opening of the Lone Tree traffic signal, and is contrary to the fire department standards for a second egress. It is the opinion of staff that granting a variance not requiring connectivity into Cedar Drive and the property to the north is contrary to public interest and safety.

A letter from the Unified Fire Authority (UFA) Fire Marshal dated October 17, 2018, states, "It is the position of the Fire Prevention Division that the current access off of Lone Tree Parkway has been exceeded and is insufficient to safely support new development in the area. Until additional access points can be utilized to the north or west of the Lone Tree and Sunset Ridge subdivisions, future development in this area will not be approved by UFA. United Fire has been mandated by Utah Code 53.7.1.104.2 to enforce the provisions of the state fire code in the cities we serve. The City of Eagle Mountain has adopted the fire code and the appendices by ordinance."

The maximum length of a cul-de-sac is 400-feet. Bristle Cone Circle is over 500-feet long and does not comply with this standard. Staff recommends that it be stubbed to the edge of the property at the north to provide a future connection into that property and to bring it in compliance with maximum cul-de-sac length. The applicant's proposal does not provide a connection to the north, nor does it tie into the road stub at Cedar Drive in contrast to this standard. One potential solution

would be to provide a one-way connection into Cedar Pass Ranch, running north to south, which could also provide two-way emergency access, and extend Bristlecone to the north to stub into future development.

Staff recommends that the Planning Commission deny the request for a variance based upon findings of facts that the variance request does not comply with variance criteria 1, 2, 3, or 4 as detailed in the staff report.

The applicant has requested a General Plan amendment to change the future land use designation of approximately 19.5 acres from Agricultural/Rural Density One to Agricultural/Rural Density Two which allows for the possibility of rezoning to the RD1 and RD2 zones. Pending the approval of the General Plan amendment, the applicant is proposing to rezone the entire Agricultural/Rural Density Two portion of the development to the RD1. The remainder would remain under the RA1 zoning. Staff recommends that rather than remaining RA1, the portion to remain Agricultural/Rural Density One could be rezoned to RA2 which complies with the lot size transition standards which prohibit an RD1 zone adjacent to an RA1.

The applicant is proposing approximately 17.9 acres to have the Wildlife Corridor Overlay added but is proposing for a majority of that land to remain in private lots. Standards in EMMC 17.49 state the preferred method of protection is the dedication of the overlay to the City or another public agency, allow for a conservation easement of land to be held by the City or another public agency, and require all area within 50-feet of a wash to be included within the Wildlife Corridor Overlay zone. Staff recommends that a combination of the recommendation be used to require land on slopes over 25% be deeded to the City, with easements over the remaining corridor.

The preliminary plat proposes 14 units. The smallest lot is 1.02 acres. The RD1 zone has a minimum lot size of one acre, the RA1 has a minimum lot size of five acres, and the RA2 zone has a minimum lot size of 2.5 acres. Cedar Pass Ranch residential zoning would be similar to RA1 under existing standards. The proposal is to rezone 19.5 Acres to RD1, as seen in table 17.60.160(1), RD1 is not appropriate adjacent to RA1. Therefore, staff recommends rezoning the eastern half of the project to RA2 to provide a compatible buffer. If the eastern half of the project were to be rezoned to RA2, and the land in the wildlife corridor were to be deeded to the City, both lots 109 and 110 would remain over three acres in size and therefore would be in compliance with minimum lot size requirements without losing any proposed lots. The applicant is proposing to use the rural 50-foot right-of-way; however, Lone Tree uses our standard 53-foot right-of-way. It is the opinion of staff that if there is no connection into Cedar Pass Ranch the standard right-of-way shall be used, but if a connection to Cedar Drive is made it would be appropriate to use the narrower 50-foot right-of-way. The applicant currently shows a trail on private property, staff recommends the trail be deeded to the City.

A recommendation of approval to the City Council may be made for the General Plan Amendment, Rezone, and Preliminary Plat for the reasons set forth in the Staff Report and in the meeting, along with the following conditions of approval (or additional conditions added by the Commission):

1. The property remaining under the Agricultural/Rural Density One future land use be rezoned to the RD2 Zone;

2. The City shall be deeded property in the Wildlife Corridor Overlay zone with slopes in excess of 25% with the remainder being granted conservation easements to be held by the City;
3. The Wildlife Corridor Overlay zone shall be applied to all property within fifty feet of the top of the wash;
4. The trail shall be located on property dedicated to the City;
5. A road stub shall be provided to the property to the north;
6. A road shall be connected to the road stub at Cedar Drive; and
7. The applicant shall utilize the 53-foot, local right-of-way, except at the connection into Cedar Drive.

Mr. Jensen confirmed that the applicant had been provided the staff recommendations prior to the meeting. The applicant had previously received feedback that the City would prefer a development with larger lots and septic tanks rather than small lots with a sewer connection. During the revision of the General Plan, the land use designation for the property changed to larger lots than previously contemplated and the item was tabled during a Planning Commission meeting for non-compliance with the General Plan. The Stratton Estates preliminary plat and rezone application submitted in 2017 predated the current septic tank standards.

Mr. Mumford said he spoke with Dan DeVoogd with UFA and Mr. DeVoogd said excluding the connection to Cedar Pass Ranch would not comply with fire code and would absolutely not be better for life safety. During the evaluation of the Stratton Estates review, it was determined that additional future accesses would be installed via Circle Five Ranch and to the northwest. UFA stated the City could determine to allow the development even though it is not in compliance with the fire code. Mr. DeVoogd reminded the City they had adopted the fire code and should comply with it.

Mr. Mumford said City trails are not defined as specific types of trails. In the opinion of the Parks and Recreation Director, a nature, back-country trail would not be required to be ADA compliant.

Staff verified a traffic light is currently being install at Lone Tree Parkway and Pony Express Parkway and would improve the current F LOS, which is considered unacceptable.

Mr. Jensen had not calculated the connectivity score, because the plan is non-compliant due to the absence of a connection to the north and the stub at Cedar Pass Ranch and would fail the connectivity requirements based upon the lack of connections. The City has previously required connectivity connections across the wash, most notably in the SilverLake subdivision. Future roadways and connectivity nodes can be considered in connectivity scoring. Bristle Cone Circle is contemplated as a cul-de-sac and is proposed to not be stubbed for future connectivity. Connectivity standards require connection to all adjacent parcels to prevent land-locked parcels to provide emergency access and evacuation routes and to allow pedestrian and bicycle traffic to neighboring units. The City does not currently have a width standard for one-way streets. The proposal is to prevent traffic flow from the denser Lone Tree development from traveling through the rural, equestrian community. A one-way road would increase safety for Lone Tree without burdening Cedar Pass Ranch with additional traffic.

Applicant Scot Hazard said this is a unique and challenging site. He desires to preserve the wildlife corridor while offering a low-density project providing reasonable connectivity considering the density and adjacent lot sizes. In his opinion, the traffic increase to Cedar Pass Ranch would likely be minimal; however, the traffic would also negatively impact the wash at the area for the proposed connection. He has adjusted the lot boundaries to comply with the 330-foot width recommendation for the overlay while providing sufficient buildable area. The lot area within the overlay would have some allowable uses for the property owners. He rejects staff's recommendation to have that land dedicated to the City as it would reduce the saleable portion of the lot which he feels would have little impact on the City but be detrimental to his interests. His research indicates the City could still qualify for grants even if the property is privately owned. He feels connectivity to the north is less meaningful due to corridor considerations. He beseeched to direct Lone Tree traffic to the future Airport Road. He requested to allow the two ten-acre lots to remain with Agricultural zoning due to his verbal agreement with the Izzats for relocating their La Petite dog grooming business. He clarified his approval is not conditioned on the approval of La Petite; however, this would be the only location in the City that would meet their unique needs. A 53-foot right-of-way would be more expensive to install but the curb and gutter and storm drain provide a cleaner look and would only be an issue if he is required to connect to Cedar Pass Ranch. The nature path minimizes slope as much as possible with consideration for storm drain, runoff, and erosion and the trail will be dirt, not asphalt. He offered to place a barrier to prevent motorized vehicles from accessing the path. The asphalt trails and sidewalks along the road will be ADA compliant.

Commissioner Everett inquired regarding the detention pond located on private property.

Mr. Hazard said he recognizes the preference would be for a detention pond to be dedicated to the City. In Arrival, he has storm drain easements on the side or rear of large lots with road base trails and manhole access. Allowing the easement permits him to accommodate the pipe size to handle the runoff from the Lone Tree valley while being least intrusive to the wash. As the dedication of the easement to the City would reduce the amount of saleable land, he would be grateful if the City permits an easement. He recognized he is requesting a lot of flexibility from the City, but said the wildlife overlay provides the flexibility necessary and he believes it is the right project for this area.

Commissioner Wright opened the public hearing at 8:46 p.m.

Aimee Peterson expressed support for the thoughtful design of the development as a benefit to the community and appreciates the wildlife consideration. She requested a connection to Wride Memorial Highway via Airport Road for Lone Tree rather than through Cedar Pass Ranch.

Paul Kersey expressed concern with transposing urban planning to rural environments and the resulting traffic problem due to the lack of sidewalks which increases child pedestrian safety issues in Cedar Pass Ranch. He supports the proposed plan and the intended usage for the area.

Heather Beck stated she had thought the stub road connection issue had been resolved during a previous meeting. She is in favor of the updated development that preserves the character of the Cedar Ranch community.

Mike Izzat stated he believes the project qualifies for a variance due to the unique geographical challenges in the area. He requested for the zoning approval to allow for adjacent agricultural uses. He feels the project is a win-win for the City. Denying the agricultural zoning would prevent him from maintaining his business and lifestyle.

Michael Innocenti said the proposal is an appropriate development for an equestrian community. The road connection would increase traffic threats and speed limit violations.

Jen Morrison advocated for the preservation and protection of the petroglyphs, the natural beauty of Cedar Valley, and animal life. Protecting native animals as an integral part of the community is our responsibility and helps to preserve our history and cultural identity.

Tiffany Ulmer spoke against allowing the connection to Cedar Pass Ranch due to the resulting increase in traffic. She recommended for the Commission to consider the geographical challenges and nature preservation considerations in the project. She supports the design as it avoids the areas where the animals naturally travel and supports the needs of a local business. She beseeched the City to build Airport Road as the emergency access route.

Deborah Painter read a section of a letter submitted to the City by Bettina Cameron supporting the approval of the variance request to construct a nature path that does not comply with ADA standards.

Michael Karr petitioned for staff to visit the area to evaluate the terrain and the impact and safety hazard a road connection would cause to the wildlife and equestrian community. He thanked Mr. Hazard for the design considerations to preserve Cedar Pass Ranch.

Beverly Hansen shared that emergency vehicles were able to adequately respond to a fire in her backyard. She feels the safety issues for the animals caused by traffic are greater than the emergency access safety concerns. She is worried that allowing the proposed connection would result in additional connections and traffic increases and difficulties in evacuating animals during an emergency. She read a portion of the letter submitted by Ms. Cameron supporting the variance request to use septic systems instead of sewer as required in EMMC 13.35.030.

Craig Whiting said increased traffic results in safety hazards and the community has already experienced one equestrian-related death on Cedar Drive. As Cedar Pass Ranch has smaller roads and no streetlights or sidewalks, bikes must ride on the road. A variance should be deeply considered due to topography, the wildlife corridor, and the needs of an equestrian community. Mr. Hazard reduced the plan from 72 to 14 lots resulting in a benefit to the community, not the developer.

Hanna Whiting said fewer cars on the roads increases safety for horses and their riders.

Shane Hill with the Utah Division of Wildlife Resources expressed support for the development plans within the wildlife corridor that protect and preserve the movement of deer and other wildlife, as well as the habitat improvement investments we have made and plan on making to benefit wildlife in the Cedar Valley and the Oquirrh Mountain Range. An access route to Cedar Pass

Ranch could degrade the ecosystem and wildlife in the area. He supported the approval of the requested variances.

Karina Woodbury said when they lived in Nevada, her husband worked for the Attorney General in charge of wildlife and they saw the benefits of designating a path for wildlife movements. She encouraged the City to appreciate and utilize the opportunity to preserve nature and the beauty of the area. She said connecting Lone Tree to Cedar Pass Ranch would not increase safety as it is too long of a non-direct path and completion of Airport Road would be a more direct and superior option.

Ms. Cameron read and expanded upon a portion of a letter she submitted supporting the City granting a variance to not provide connectivity into Cedar Pass Ranch or the property to the north. She said the connectivity issues are the City's fault due to the City recording a plat approving growth in Lone Tree. She believes the appropriate solution is to connect to Airport Road because connecting to Cedar Drive would be a temporary solution for Lone Tree and cause a permanent problem for Cedar Pass Ranch residents.

Marian Burningham said she was speaking on behalf of the Eagle Mountain Nature and Wildlife Alliance citizen group which was formed by similarly minded people desiring to protect and preserve wildlife. She appealed to the Commission on an emotional level to look beyond code when making decisions that will set a course that will impact future generations.

The following residents submitted email comment against a road connection between Lone Tree and Cedar Pass Ranch: Jacinda Montano, Tabitha Moyes, Brian Dodge, Shari Dodge,

The following residents submitted email comment in favor of supporting the application of the Wildlife Corridor Overlay: Brittini Taylor and Karina Woodbury.

Shay Petrone submitted an email requesting for the City to pause further development until another exit from the Lone Tree subdivision is in place.

The City received a letter of support for the Deer Haven preliminary plat application from the Eagle Mountain Nature and Wildlife Alliance citizen group members Kevin Burningham, Marian Burningham, Bettina Cameron, Shon Reed, Trista Torson, and Chad Welch.

Bettina Cameron submitted a letter and petition advocating for approval of the Deer Haven variance request.

Commissioner Wright closed the public hearing at 9:28 p.m.

Commissioner Pengra recognized the complexity of the issues surrounding the variance requests. He supports wildlife and petroglyph preservation and the organic, unique culture developing in the City that values our natural resources. In consideration of the wildfires that have impacted the City and the high wildfire risk assessment for Eagle Mountain City, the City invests millions of dollars annually for fuel mitigation projects to reduce fuels. As the population increases, residents need

ways to evacuate when wildfires occur. While recognizing the traffic concerns for Cedar Pass Ranch, he expressed concerns regarding fire safety should the connectivity not be provided.

Mr. Mumford verified the City proposed the cost of expanding Airport Road to Mountainland Association of Governments estimated at \$12 million for two lanes, the cost could change depending upon current land values. A small section of Airport Road is being constructed near the Overland subdivision.

Commissioner Everett acknowledged the difficulty in qualifying for a variance due to the burden of meeting all five criteria. He reviewed the approval criteria and said he felt the application met criteria 1 and 2 hardship and special circumstance requirements due to the wildlife corridor considerations. He feels crossing the wash in the SilverLake development caused irreparable damage that reduced wildlife activity. He thinks that the equestrian lifestyle in Cedar Pass Ranch and the Deer Haven developments fulfills the enjoyment of property rights criteria 3. Public comment demonstrated that the variances will not be contrary to public interests nor affect the General Plan as required in criteria 4. Granting the variance would demonstrate criteria 5 requirements to ensure the spirit of the land use ordinance is observed and substantial justice is done. Based upon his assessment, the Planning Commission would be justified in granting the variance. He stated Lone Trees is a mess due to City decisions for the area and implored the City Council to find funding to finish Airport Road for the benefit of not only Lone Tree, Cedar Pass Road, and Deer Haven but for the benefit of the entire City. The traffic light installation at Lone Tree Parkway and Pony Express Parkway alleviates his LOS concerns. Despite his advocacy for considerations for recreation opportunities for individuals with physical disabilities, interpreting the ADA law in an inappropriate way such as requiring improvement of a nature trail bothers him.

Mr. Mumford clarified that Cedar Pass Ranch zoning is equivalent to approximately the RA1; as it is the current residential zone with the largest lot sizes. However, the area is not zoned as RA1.

Commissioner Everett stated that as the Agriculture zone is a compatible buffer for the RA1, RA2, RD1, and RD2 zones, the land requested to remain Agriculture would provide an appropriate buffer for the adjacent zones. Connecting over the wash into Cedar Pass Ranch onto an inferior road would require the City to upgrade Cedar Drive which would change the character of the area and would be an unwise decision and use of resources.

Commissioner Wells noted the complexities of the issues and the staff report require careful consideration. She promotes adherence to Municipal Code but recognizes the long-term concerns and impacts. She concurs with Commissioner Pengra's concerns regarding the importance of road connectivity now, as well as the future, in case of an emergency. However, she appreciates the wildlife corridor and traffic concerns. In her opinion, she does not believe the application qualifies for a variance. She cited EMMC 17.49.070(A)(3), "The city may utilize other tools to aid in the application of the overlay zone on property, as approved on a case-by-case basis by the city council." Her interpretation is that the City can make accommodations on properties in order to apply the wildlife corridor. She thinks the septic tank and ADA trail exemption could be allowed. However, she struggled with approving the requests for locating the detention basin on private property and favors the City owning the unbuildable property. Her largest concern with the application is the road connectivity exemption request.

Commissioner Bergener said after being on the Commission for this short while he has come to recognize that there are some unique parcels of land that require unique conversations. About a month ago, the Commission came across a parcel during a concept plan discussion that was being submitted with an "S" curve and cul-de-sac. In normal circumstances, the Commission probably would not have considered those items, but because of the unique nature of the surrounding area and the limitations, the Commission is considering the request. He believes that this is another piece of land that has some unique features that require a similar conversation. Deer Haven is between a more rural area in Cedar Pass Ranch and a little denser area in Lone Tree. In addition, the wildlife corridor is on one side and a mountain on another. There is not much that makes sense here, but he believes the developer has made an effort to fit this parcel of land to adapt to the surrounding area. His biggest concern up to this point is on the variance. When looking at the five parts of the criteria, he agrees that this proposal hits the mark on most of the requirements, but he struggles with criteria one. After hearing the thoughts presented tonight and reviewing the material, he thinks all the criteria have been met. The report outlines that a hardship cannot be self-imposed and that it cannot be solely for financial purposes. He believes the uniqueness of this area shows that it is not self-imposed, nor does he believe that this is being proposed solely for financial purposes. As always, he comes into the meeting with some thoughts and Commissioner Pengra always makes his head hurt. Commissioner Pengra's concerns about the potential fire hazard and the connectivity cause him pause and are worth considering.

Mr. Mumford stated that a restriction could be placed on the conservation easements to prevent subdivision; however, it would not apply to the land outside of the easement.

Commissioner Bergener agreed with concerns with fire hazards especially due to the current drought conditions.

Commissioner Wright stated his support for the variance due to the reasons previously identified and set forth by Commissioner Everett and the hardships created by the Wildlife Corridor Overlay application upon the property. In his opinion, the area is an impossible property to develop and he commended the applicant for working with all parties to propose a well thought out solution to a myriad of problems. He noted Mr. Hazard's sacrifice in deeding the land to the City and applauded Mr. Hazard's efforts to support the corridor.

Commissioner Pengra stated he could support the sewer variance. Other solutions could be explored to solve the request to build more than 30 units off a single access other than a variance. He believes the application does not qualify for a variance to not provide connectivity to Cedar Pass Ranch or to locate detention basins on private lots. Granting the variance to not comply with ADA standards for the nature path would be appropriate.

Commissioner Wright stated that the Fire Marshal allowing the applicant to move forward with the development in 2018, alleviates some of his concerns.

Commissioner Pengra said having watching fire coming down the hill and cars stacked up not being able to move is a terrifying feeling. It is unsettling to consider emergency evacuation logistics for the Lone Tree subdivision.

Commissioner Everett agreed with Commissioner Pengra's concerns due to his experience evacuating his family during the Dump Fire; however, the situation is acceptable to the Fire Marshal. Based upon his evaluation of the project, the connectivity score is sufficient even without the connection to Cedar Pass Ranch.

Commissioner Pengra recommended tabling the item until the Fire Marshal provides an updated letter. He is uncomfortable making a recommendation without documentation from the Fire Marshal stating he approves moving the application forward.

MOTION: *Commissioner Pengra moved to table the General Plan amendment, rezone, preliminary plat, and variance for Deer Haven until the next meeting with direction to staff to request an updated letter from the Fire Marshal regarding the connection between Deer Haven and Cedar Pass Ranch. Motion failed for lack of a second.*

Mr. Mumford stated that staff requested an updated letter and the Fire Marshal responded by resending the previous letter as his stance had not changed since the time the first letter was sent.

MOTION: *Commissioner Everett moved to grant Deer Haven variance requests for:*

- 1. To use septic systems instead of sewer as required in EMMC 13.35.030;*
- 2. To build more than 30 units off a single access;*
- 3. To not provide connectivity into Cedar Pass Ranch;*
- 4. To have detention basins on private lots; and*
- 5. To construct a nature path that does not comply with ADA standards.*

Commissioner Wright seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett, and Brett Wright. Those voting nay: Christopher Pengra and Erin Wells. The motion carried with a vote of 3:2.

Commissioner Pengra clarified his dissension is due to concerns with emergency access but supports the project and Mr. Hazard.

Commissioner Wells dissented due to apprehension, given her professional training, that some of the items in the application do not qualify for a variance. Some of the items could have been met through the Wildlife Corridor Overlay rather than a variance.

MOTION: *Commissioner Wells moved to recommend approval to the City Council of the General Plan amendment for Deer Haven to Agricultural/Rural Density Two for the western portion of the property as proposed and presented. Commissioner Everett seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett, Christopher Pengra, Erin Wells, and Brett Wright. The motion passed with a unanimous vote.*

MOTION: *Commissioner Wells moved to recommend approval to the City Council of the rezone to RD1 for Deer Haven with the condition the property remaining*

under the Agricultural/Rural Density One Future Land Use be rezoned to the RA2 Zone. Commissioner Everett seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett, Erin Wells. Those voting nay: Christopher Pengra, and Brett Wright. The motion carried with a vote of 3:2.

Commissioner Pengra clarified his dissention was due to connectivity concerns.

Commissioner Wright stated his vote was due to believing the land should remain zoned as Agriculture.

Discussion ensued to clarify the Commission's concerns with the preliminary plat approval and staff recommendations to deed the corridor and unbuildable land with 25% or greater grade.

Mr. Mumford said that the City will always recommend property be deeded to the City to allow access for repairs and improvements. Easements also grant maintenance access. Adjacent property owners have indicated they intend to dedicate land within the corridor to the City and City ownership of a continuous section of land is preferable, although not necessary.

MOTION: ***Commissioner Wright moved to recommend approval to the City Council of the preliminary plat for Deer Haven with the following conditions:***

- 1. The City shall be deeded property in the Wildlife Corridor Overlay zone with slopes in excess of 25% with the remainder being granted conservation easements to be held by the City;**
- 2. The Wildlife Corridor Overlay zone shall be applied to all property within fifty feet of the top of the wash;**
- 3. The trail shall be located on property dedicated to the City; and**
- 4. The applicant shall utilize the fifty-three, local right-of-way.**

Commissioner Everett seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett, and Brett Wright. Those voting nay: Christopher Pengra and Erin Wells. The motion carried with a vote of 3:2.

Commissioners Wells and Pengra clarified their dissension was due to connectivity concerns.

6.C. PUBLIC HEARING – Marketplace at Eagle Mountain Town Center Lot 4 Pad E (Site Plan)

Commissioner Wright recessed the meeting from 10:26 p.m. to 10:31 p.m.

Commissioner Everett cited Eagle Mountain City Planning Commission Rules of Order and Procedure Section III(D)(4), "Corrections or amendments for submitted applications must be delivered to the Planning Department on the Wednesday prior to the next regularly scheduled Planning Commission meeting by noon," and Section III(E)(8), "Copies of staff reports and other pertinent materials including applicable Master Development Agreements and Master Development Plans shall be made available to the Planning Commission members the Friday prior to regularly scheduled Planning Commission meetings." As new materials were received the morning of June 8, 2021, he requested for the item to be tabled to a future meeting.

Commissioner Wright opened the public hearing at 10:34 p.m. No comments were submitted to the City Recorder's Office and no public was in attendance to make comment.

MOTION: *Commissioner Wright moved to continue the public hearing for the site plan for the Marketplace at Eagle Mountain Town Center Lot 4 Pad E to a future meeting. Commissioner Wells seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett, Christopher Pengra, Erin Wells, and Brett Wright. The motion passed with a unanimous vote.*

MOTION: *Commissioner Everett moved to table the site plan for the Marketplace at Eagle Mountain Town Center Lot 4 Pad E to a future meeting per Eagle Mountain City Planning Commission Rules of Order and Procedure Section III(D)(4) and Section III(E)(8) due to the late submission of materials by the applicant. Commissioner Pengra seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett, Christopher Pengra, Erin Wells, and Brett Wright. The motion passed with a unanimous vote.*

6.D. PUBLIC HEARING – Marketplace at Eagle Mountain Town Center Lot 4 Pad G (Site Plan)

Commissioner Everett requested for the item to be tabled to a future meeting due to the applicant submitting additional materials the morning of June 8, 2021, per Eagle Mountain City Planning Commission Rules of Order and Procedure Section III(D)(4) and Section III(E)(8).

Commissioner Wright opened the public hearing at 10:38 p.m. No comments were submitted to the City Recorder's Office and no public was in attendance to make comment.

MOTION: *Commissioner Wright moved to continue the public hearing for the site plan for the Marketplace at Eagle Mountain Town Center Lot 4 Pad G to a future meeting. Commissioner Everett seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett, Christopher Pengra, Erin Wells, and Brett Wright. The motion passed with a unanimous vote.*

MOTION: *Commissioner Everett moved to table the site plan for the Marketplace at Eagle Mountain Town Center Lot 4 Pad G to a future meeting per Eagle Mountain City Planning Commission Rules of Order and Procedure Section III(D)(4) and Section III(E)(8) due to the late submission of materials by the applicant. Commissioner Pengra seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett, Christopher Pengra, Erin Wells, and Brett Wright. The motion passed with a unanimous vote.*

6.E. PUBLIC HEARING – Jeppson Auto (Site Plan)

This item was discussed prior to item 6.B.

Mr. Jensen presented the item. Jeppson Auto had previously applied for and was approved on a location in the City Center area of Eagle Mountain, however, the project has not been developed due to the cost of the site in question. The applicant is proposing the same use and the same building elevations in a new location. The proposed location at 9293 Sunset Drive is located to the west of Holiday Oil, east of Meadow Ranch, and south of Sunset Storage. The wash to the west of the project separates the proposal from the residential development. The property in question was zoned Commercial under a previous zoning district, and auto repair was a conditional use within the Commercial zone. The future land use designation for the property is Community Commercial; auto repair is a permitted use in the CC and CR zones, and the CC zone would be an appropriate land use under the future land use designation.

Buildings are required to be located near a front setback line with pedestrian access leading to the primary entrance. As Jeppson Auto is not located on a public road and is not a pedestrian destination, staff feels the proposed site plan meets the spirit of EMMC 17.72.030(A). The proposed building does not match either Sunset Storage or Holiday Oil. As it includes more design elements than either project, staff also feels it is not out of character for the area. The applicant proposes several different design features, but in some cases, the nature of the building, with large roll-up doors, makes them impractical to add. It is up to the Planning Commission to determine if the proposed elevations are appropriate. The southern wall is largely panelized but is proposed to have a large wall sign, it is up to the planning commission to determine if this meets the requirements of EMMC 17.72.040(F)(2). A six-foot masonry wall will run along the north and west sides of the project.

Staff recommends that the Planning Commission motion to recommend approval of the Jeppson Auto Site Plan to the City Council for the reasons set forth in the staff report with the following conditions:

1. Two ADA parking stalls are required;
2. A concrete parking island shall be provided on the north side of the east row of parking;
and
3. Any changes the Commission would like to see made to the elevations.

Mr. Jensen verified the parcel to the south will eventually be developed with a commercial use and the future freeway will be located farther to the south.

Applicant representative Scot Hazard explained this history and plans for the project to divide the parcels. He expressed concern with the staff request to install a landscaped parking line end cap due to the impact on the drive aisle and resulting obstructed access and turn radius for large vehicles to enter the service bays. He suggested using stripping instead. The garbage enclosure area located at the property line is to allow the area to be shared between the two properties which have the same property owner. The masonry wall will match the product used by the adjacent Sunset Storage property to the north. Vehicles parked overnight would be located in the enclosed storage or the service bays.

Applicant Brian Jeppson explained that in a previous application he had requested to have parking off a main road, but Municipal Code required parking to be located to the rear of the building. Where the parking is not located along the road, the overnight parking will not conflict with City

requirements. They intend to offer night drop-off options which may result in cars parked outside of the secured parking area.

Commissioner Wright opened the public hearing at 7:36 p.m.

Tiffany Ulmer said Brain Jeppson has operated his auto shop out of his home for a long time and has been a good neighbor. She encouraged the Commission to approve the application to allow Mr. Jeppson to relocate to a commercial area in order to be able to expand his business and advocated for allowing customers to be able to offer night drop-off services.

Jeff Ruth stated that Mr. Jeppson has requested a business approval several times and in several locations. He asked if not here, where? The proposed location is by a storage facility and a gas station. While he understands the homeowner's concerns, the homes were built adjacent to areas intended for commercial uses. He believes it is an appropriate location for the business.

The City received the following emails regarding the item:

E. Wied submitted, "I am concerned for the safety of the children in the neighborhood as these type business are allowed to be brought in to a residential area. Increased traffic and outside populations have already caused an increase in complaints for crime and safety. What is Eagle Mountain doing to protect the residents? Is there an increased budget for local law enforcement to go with increased business or only business tax collection?"

Jason Buhler submitted, "I would strongly encourage you to reconsider the construction of a commercial property on this parcel. This is a small, rural neighborhood that is being overrun by in-home businesses, storage sheds, gas stations, and now an auto repair shop. Eagle Mountain has sufficient commercial properties in other areas off of Highway 73. There is no logical reason to expand into a neighborhood. More business will bring in people, noise, and other possible hazards to the neighborhood population that would not be in the area otherwise. This business would be right next to a walking path that kids use twice daily to get to school and around the neighborhood during the summer. UDOT has already released their plan to remove houses from our neighborhood to build a freeway with frontage roads in the next 10 years. Why are we trying to pack more things into such a small space that should be residential? I realize that property is privately owned, and that it is zoned for commercial. I'm officially going on the record that I do not approve for the proposed business to be built on that parcel."

Mary Ackerman submitted, "With the elementary school already on this street there is already far too much traffic on this street for safety. Additionally this is the only exit from Meadow Ranch with a stoplight, adding more traffic. My concerns are (1) that this is the only stoplight going out of Meadow Ranch and it's already hard to get on SR-73 from Mustang, (2) when that property was zoned as commercial, no one knew there would be an elementary school going in right across the street. Between the school, gas station, storage units and everyone else just trying to get out of the neighborhood to get to work, there is already far too much traffic on that street in what should be a quieter neighborhood for a residential neighborhood and with kids trying to get to school. Residents are just hearing about this and many are very concerned. We feel this should be tabled for now."

Commissioner Wright closed the public hearing at 7:41 p.m.

Mr. Jensen clarified that parking islands are required generally every 12 stalls to break up the parking to protect cars and to designate the drive aisles.

Commissioner Wells said she feels a large sign advertising the business would provide sufficient visual variance in the design.

Commissioner Wright advocated for allowing an exemption to allow stripping in lieu of the parking island requirement due to the reasons and concerns indicated by Mr. Hazard. Commissioner Pengra concurred.

MOTION: *Commissioner Pengra moved to recommend approval to the City Council of the site plan for Jeppson Auto with the following conditions:*

- 1. Two ADA parking stalls are required; and*
- 2. Signs in compliance with Eagle Mountain Municipal Code sign standards shall be installed on the north and south sides of the building.*

Commissioner Wells requested an amendment requiring signs on the north and south sides of the building that comply with City sign standards.

Commissioner Everett requested an amendment prohibiting parking outside of the vehicle enclosure for more than a 24-hour period.

Commissioner Pengra agreed to Commissioner Wells's amendment request. He declined Commissioner Everett's request due to enforcement concerns, needs for staff vehicle parking, and his belief that the level of impact of vehicles parked overnight would be minimal. Due to the negative impact on the business, he does not feel long-term parking will be an issue.

Commissioner Wells seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett, Christopher Pengra, Erin Wells, and Brett Wright. The motion passed with a unanimous vote.

6.F. PUBLIC HEARING – The District at Eagle Mountain Town Center (Rezone)

Mr. Jensen presented the item. The applicant is proposing to rezone approximately 19.27 acres. The property in question was previously included in the Eagle Mountain Properties Master Development Plan and Agreement which has since expired. The future land use for all parcels included in the rezone is Community Commercial, the Commercial Community zone is an appropriate use within the Community Commercial designation.

Commercial Community (CC) is an appropriate use within the Community Commercial designation. The project is bordered by The Landing on the east, which would be zoned R3 under the current city zoning ordinance, CC is not appropriate adjacent to the R3 residential zone. Staff

recommends the applicant rezone property to the east of Heritage Drive to Commercial Neighborhood (CN) which provides compatible buffering with The Landing.

Staff recommends that the Planning Commission motion to recommend approval of the rezone of the application to the City Council for the reasons set forth in the staff report and in the meeting with the condition: The property east of Heritage Drive shall be rezoned to the Commercial Neighborhood (CN) zone.

Discussion ensued regarding small parcels of land previously used by the City for a trailer community center and playground.

Applicant representative Forrest Gaskill said they are the developer for the Macey's across the street and parties interested in purchasing the land were concerned that the zoning was problematic. They desire proper zoning to be able to develop the area in a responsible manner and to provide additional space for community commercial uses. He is amenable to zoning the eastern portion of the property as CN; however, he would prefer CC zoning for the southwest corner of the property.

Commissioner Wright opened the public hearing at 10:48 p.m. No comments were submitted to the City Recorder's Office and no public was in attendance to make comment. As there were no comments, Commissioner Wright closed the hearing.

MOTION: *Commissioner Wells moved to recommend approval to the City Council of the rezone for The District at Eagle Mountain Town Center to Commercial Community (CC) with the condition that the Commercial Neighborhood (CN) zone to the east of Heritage Drive continue in a generally straight line south of the fire station rather than following the road farther west. Commissioner Pengra seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett, Christopher Pengra, Erin Wells, and Brett Wright. The motion passed with a unanimous vote.*

7. Discussion Items

8. [Next scheduled meeting](#)

The next meeting is scheduled for June 22, 2021. Commissioner Wright will provide information to staff regarding the sites the Commission and City Council will visit during the 5:30 p.m. work session, in association with the review of the City's animal standards, prior to the policy session at City Hall.

9. Adjournment

MOTION: *Commissioner Pengra moved to adjourn the meeting at 10:53 p.m. Commissioner Everett seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett, Erin Wells, Brett Wright, and Christopher Pengra. The motion passed with a unanimous vote.*

The meeting was adjourned at 10:53 p.m.

Approved by the Planning Commission on June 22, 2021.



Steve Mumford, AICP

Assistant City Administrator/Community Development Director