EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

May 28, 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, DeLin Anderson, Rich Wood, and Brett Wright. Commissioner Jared Gray was excused.

ELECTED OFFICIALS PRESENT: Councilmember Donna Burnham.

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

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

1. Discussion Items

1.A. Advant Auto Body

Planner Tayler Jensen explained the applicant has presented a concept plan to staff for an autobody shop in The Ranches at the corner of Half Mile Road and Ranches Parkway. The property was zoned as Commercial in The Ranches Master Development Plan; autobody shops are a conditional use in that area. Staff has spoken with potential buyers for the property who desired to build condominiums; however, all vested residential units in this pod have been used in the Willow Springs development.

Community Development Director Steve Mumford explained staff has expressed concerns to the applicant regarding this use adjacent to existing residential development.

Commissioner Everett expressed concerns regarding an autobody shop and vehicle storage near the existing residents.

Commissioner Wood stated residents in that area have expressed concerns regarding commercial development in the commercial parcel at the northeast corner of that intersection.

Commissioner Wright said commercial development is needed, but stated an autobody shop may not be the correct use.

1.B. SilverLake South Preliminary Plat

Mr. Jensen said two of the four sections of this plat have been presented to staff, which include 724 units. This item will be presented in the next four weeks. Regarding connectivity, Mr.

Jensen stated stub roads, even if they stub into areas outside of the City, are encouraged, as they allow for better connectivity.

Commissioners Wood and Everett requested the new plans not include roundabouts.

Discussion ensued regarding road widths, open space areas, and townhome elevations. Commissioner Wood requested staff inform the applicant that the Planning Commission desires Silver Creek Way to connect to the adjacent plat.

1.C. Scenic Mountain Phase C Preliminary Plat

Mr. Jensen explained this plat will complete the flex portion of the Scenic Mountain project. The multifamily unit elevations will be similar to Rock Creek with brick and hardy board. Staff has informed the applicant that greater architectural movement is important in the units' elevation designs.

1.D. Brylee Estates Phase B

Planning Manager Michael Hadley said this project contains 162 multifamily units, down from the originally approved 180 units. The applicant has not submitted elevations at this point. The buildings are four- to seven-unit structures.

Commissioner Wood requested that buildings contain no more than six units.

Discussion ensued regarding open space and amenities. Mr. Hadley explained the applicant will likely propose covering the retention area, directing water to the City's storm drain system.

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

Commissioner Everett called the policy session to order at 6:04 p.m.

2. Pledge of Allegiance

Commissioner Everett led the Pledge of Allegiance.

3. Declaration of Conflicts of Interest

Commissioner Everett stated he serves on the Board of Directors for the Eagle Mountain Chamber of Commerce, which relates to item 5D. He does not have any financial interests in the Chamber and will participate in the discussion.

4. Approval of Meeting Minutes

4.A. April 23, 2019 Minutes

MOTION: ***Commissioner Wood moved to approve the April 23, 2019 Planning Commission meeting minutes. 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. Action and Advisory Items

5.A. Carson Commercial Corner Master Site Plan and Preliminary Plat – Public Hearing

Mr. Hadley stated this master site plan and preliminary plat is for five commercial pads in 6.84 acres. The property is zoned Commercial in the Oak Hollow master development plan. The parking will be located behind the buildings. The pad dimensions may change, depending on what businesses utilize space. The buildings will be congruent with the Eagle Vision building design.

Applicant representative Dan Ford explained a master site plan application was requested from staff for the entire area. They have interest from office-type businesses, but they are hoping to bring in retail uses as well.

Discussion ensued regarding the data used in the traffic impact study. Mr. Ford explained that after discussing this issue with City Engineer Chris Trusty, they determined that no users will fit in any of the pads that would require an additional lane or an acceleration or deceleration lane. He stated if a larger user chose to locate in this development, an updated traffic study will be required.

Commissioner Everett stated the access point to Bridleway Road is not acceptable. It is on a curve, and a community mailbox is located adjacent to the access point to the commercial development.

Mr. Ford explained the access onto Bridleway Road is important as it allows a left turn onto Pony Express Parkway.

The Commissioners and Mr. Ford discussed the four access points as noted in the traffic study versus the five access points presented to the Commissioners.

Commissioner Everett opened the public hearing at 6:29 p.m.

Joshua Hansen expressed concerns regarding traffic safety and possible conditional uses that would pollute air or ground water in the area.

Commissioner Everett stated all future conditional uses will be presented to the Planning Commission at a later meeting and residents will be notified.

Mr. Hadley said each business that locates in this site will present an application to the Planning Commission.

Commissioner Everett closed the public hearing at 6:33 p.m.

Commissioner Wood confirmed with staff that the developer will install street lighting.

Commissioner Everett stated his preference that the item be tabled until an updated traffic study can be presented, or until the City Engineer can clarify the requirements of the access point on to Bridleway Road. He said he is currently against an access point onto that road, but would welcome additional information.

Commissioner Anderson asked if Bridleway Road could be extended to three lanes to mitigate traffic concerns.

Mr. Mumford said the community mailbox is in a poor location. He explained the City may be able to request it be moved, and staff will research ways to require community mailbox locations to be noted on plats to mitigate this type of issue in the future.

MOTION: ***Commissioner Everett moved to table Carson Commercial Corner master site plan and preliminary plat. 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. Strides Pediatric Therapy Center Conditional Use Permit, Site Plan, and Preliminary Plat – Public Hearing

Mr. Jensen presented the preliminary plat which increases the lot size to over ten acres. The site plan is for a proposed equine assisted therapy center, which requires a conditional use permit. He stated staff feels the future modular buildings should be designed to look like ranch-style single-family homes to blend with the neighborhood. The applicant will be required to pave White Crest Drive, and the building will need to comply with fire and building codes.

Commissioner Wood asked about the possibility of customers attempting to use the private drive to access the business. Mr. Jensen said White Crest Drive will be paved, making the entrance obvious. He stated a gate is in place on the private drive, and the applicant can communicate with the other property owner regarding accessing their driveway from a connection on White Crest Drive.

Commissioner Wood asked what buffering will be in place between this site and the property to the east. Mr. Jensen explained the applicant initially had planned to install a fence, but instead they have moved potential future building sites to the north, away from the residential lot.

Strides Pediatric Therapy Center Director of Operations Marley Juarez said the future building sites were originally planned to be along the property line, but as they could not arrange them in such a way to be at least fifty feet from the property line, they have moved them to the north. The natural elevation causes their site to be higher than the residential property. A field fence currently is in place between the two properties. One of the existing buildings is a barn, and the intent is to add four additional buildings as the business grows. The future buildings are modular office buildings with horizontal wood slats and pitched roofs. They envision the structures to appear as described: ranch-style single-family homes. She said her intent is to offer appointments Monday through Friday from 8:00 a.m. to 7:00 p.m., but the business would not necessarily be active during all of those hours. There are currently lights on the outside of the barn and they intend to light the parking lot and the entry driveway.

Commissioner Everett opened the public hearing at 6:48 p.m.

Kendell Saunders explained he owns the resident to the east and stated he is not opposed to the proposed use. He expressed a desire for screening between the two lots. He explained the barn was originally built as a residence and has a septic system. He expressed concerns that the septic tank may not be sized to accommodate commercial use and said the septic system's leech field may encroach onto his property near his well. He stated a sign directing customers to use White Crest Drive would be sufficient in keeping customers from accessing his driveway. He also stated the City paved a portion of the road to State Road 73. He said a portion of the road was not paved and asked the City to improve the unpaved area.

Commissioner Everett closed the public hearing at 6:54 p.m.

Commissioner Anderson asked what the water source is for Strides. Mr. Jensen said the Utah County Health Department regulates septic systems and stated the property uses City water.

Commissioner Wright stated it is important to review the septic system capacities to determine if the current system is adequate.

Commissioner Wood stated a barrier such as a fence should be in place between the properties.

Applicant Elizabeth Lebrith explained she has communicated with George Williams of West Coast Code Consultants, who reviews commercial plans for the City. Mr. Williams informed her that she needed to update the use information for the septic system and present that to the Utah County Health Department. She stated the current septic system has been designed for multiple kitchens, multiple laundry rooms, and five bathrooms. The commercial use will be approximately 100 people a day, but they will only be present for an hour each day. Mr. Williams communicated to her that the system is likely adequate, but that the Health Department will be the entity approving the updated use information. She explained she cannot submit that information to the Health Department until she has received a conditional use permit from the City.

Mr. Mumford explained the City does not regulate septic systems; a permit from the Utah County Health Department is required before building permits are issued.

MOTION: ***Commissioner Wright moved to approve conditional use permit for Strides Pediatric Therapy Center with the following condition:***

1. ***The appropriate officials shall review the current septic system. Said septic system shall be improved or modified to meet the requirements***

of the approved commercial use. Additionally, the leech field shall be located in such a way as to not contaminate the neighboring property's water supply, as determined by the Utah County Health Department.

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

MOTION: ***Commissioner Wright moved to recommend approval to the City Council of the Strides Pediatric Therapy Center site plan and preliminary plat with the following conditions:***

1. ***Elevations for new structures shall be provided showing they appear like ranch-style single-family homes;***
2. ***Building and Fire Codes shall be met;***
3. ***White Crest Drive shall be paved to the property; and***
4. ***The appropriate officials shall review the current septic system. Said septic system shall be improved or modified to meet the requirements of the approved commercial use. Additionally, the leech field shall be located in such a way as to not contaminate the neighboring property's water supply, as determined by the Utah County Health Department.***

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

Commissioner Everett asked that Mr. Saunders' concerns regarding paving of the road to State Road 73 be communicated to the City Council.

5.C. Chapter 17.80 Sign Regulations and Sign Permits ("Fly Boys")

Mr. Jensen said the applicant-proposed Municipal Code amendment relates to approved flags and signs.

Applicant Isaac Patterson stated the requested change is due to special event signage differing from permanent signage. He stated they would like to use temporary inflatable signage for grand openings or other special events at the Eagle Mountain Storage site. He said it brings enhanced visibility to businesses for a short period of time. Examples he noted include signage at tax preparation firms during tax season, for specials on haircuts at barber shops, or for grand opening events.

Commissioner Wood asked how the City would enforce the allowed fifteen-day time period for each business. Mr. Patterson said he worked with the City's Code Enforcement Officer to draft the proposed language. He stated it would be reasonable to pay a permit fee for temporary special event signs.

Mr. Jensen said the proposed language lists the signs in the Exempt Signs section of Municipal Code, so the City would not be able to impose a permit fee.

Commissioner Everett said fifteen days each quarter is reasonable, but expressed concerns regarding enforcement and regarding potential weather factors that would restrict sign use during the fifteen-day period. He stated he did not want the fifteen days to be spread throughout the quarter and would prefer a consecutive period of fifteen days. He also expressed approval of the 150-foot restriction from residential areas.

Commissioner Wood stated a paid permit is a better way to allow this type of signage. He stated the inflatable signs may create a nuisance to residents beyond the 150-foot restriction. He would like language added addressing location and distances from rights-of-way.

Commissioner Wright said it should be an allowed use as a paid permit, but not as an exempt sign.

Commissioner Anderson said he does not want the City's Code Enforcement Officer to have to police when inflatable signs are operating and stated a permit would mitigate that.

Commissioner Everett opened the public hearing at 7:25 p.m. As there were no comments, he closed the hearing.

Mr. Patterson explained he did not understand the impact of placing the amendment in the Exempt Signs section of Municipal Code and agreed that moving it to another area of Code would be appropriate. He requested the ability to discuss the language with staff and return to the next Planning Commission meeting with an updated draft. He asked the Planning Commissioners for their desired amendments to the drafted language.

Commissioner Wood stated it is not the Planning Commission's responsibility to rewrite an applicant-proposed code change and recommended the Commission recommend denial to the City Council.

Commissioner Everett stated he does not see concerns allowing temporary inflatable signage, but the signage is more appropriate as a permitted use.

Commissioner Anderson stated the number of inflatable signs should be addressed, as well as the size of the signs.

Mr. Jensen said staff concerns relate to traffic safety and that businesses inside of the 150-foot restricted area may be not abide by that restriction.

MOTION: ***Commissioner Wood moved to recommend denial to the City Council of the applicant-proposed amendment to Chapter 17.80 Sign Regulations and Sign Permits to allow "fly boy" or temporary inflatable signs for special events. 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.D. Code Amendment - 17.80.080 Off-premises ladder signs.

Mr. Jensen said this staff-proposed amendment relates to ladder signs. For the last ten years, the Lehi Area Chamber of Commerce managed the ladder signs in the City. In 2018, the Eagle Mountain Chamber of Commerce (EMCC) was created, and staff and the Chamber have determined that ladder signs should be managed by the EMCC, and that proceeds go towards EMCC operations. Currently, there are twenty ladder signs in the City. The proposal would allow up to forty. The signs would not be installed all at once; they would be added as deemed appropriate by demand.

Commissioner Wood expressed concerns that the signs will be filled with developers' signs. Commissioner Everett stated the amendment has an advertising priority list. The intent is that all new signs and leases would follow the priority list presented.

Mr. Mumford explained a limit of signs per business can be added to mitigate the concern that a single developer may have the majority of available signs.

Commissioner Wood said he would not approve of signs advertising businesses or developments outside of the City and would like the sign leases to be less than twelve months.

Commissioner Everett explained there is enough demand to fill eight additional signs at this time.

Discussion ensued regarding length of lease terms. Mr. Jensen said contracts can be created for one year, as well as for shorter terms.

Commissioner Everett opened the public hearing at 7:46 p.m. As there were no comments, he closed the hearing.

Commissioner Wood stated the signs should have the community name, not only the builder's name.

Commissioner Wright said in order to have a sign, the business needs to be a member of the EMCC and must have an active City business license, if required.

Commissioner Wood stated the signs should be turned over more frequently than every twelve months. He said the new ladder signs to be installed could have shorter lease terms and the existing signs can remain annual leases.

Discussion ensued regarding the list style of the amendment; the Planning Commission requested that the amendment follow the same style existing in Municipal Code of numeral, capital letter, roman numeral, lowercase letter.

Mr. Hadley explained the City's business licenses previously expired throughout the year, but the renewal process became burdensome to staff. The City now issues business licenses for one year, with the renewal due on the first day of the thirteenth month. Commissioner Wood said the City can offer six-month and twelve-month leases. Commissioner Wright stated his preference that the lease period remains one year.

MOTION: ***Commissioner Wood moved to recommend approval to the City Council the Chapter 17.80.080 Off-premises Ladder Signs Municipal Code amendment with the following changes:***

1. ***Section E shall be changed to "Eagle Mountain City may bill advertisers on a semiannual or annual basis; signs may be removed for nonpayment"; and***
2. ***Staff shall change the lettering and numbering to be consistent with existing Municipal Code structure.***

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

The meeting went into recess at 8:00 p.m. and reconvened at 8:05 p.m.

5.E. Residential Zone & Residential Zone Bonus Density Entitlements Development Code Amendment

Mr. Mumford said this version of the amendment removes the bonus density system and creates twelve residential zones. It includes a land use table that specifies permitted, conditional, special, and prohibited uses by zone. Standards will need to be created for special uses. It includes a table containing a majority of the residential development standards by zone, including setbacks, building heights, lot sizes, open space requirements, units per building in multifamily zones, lot frontage, and dwelling size minimums. Generally applicable provisions have been included as well. These include minimum architectural standards, yard landscaping, open space and trails, parking and garage dimensions, buffers and transitions, minimum architectural standards, hillside development/sensitive lands, parking and garage standards, buffers, transitions, lighting, rural infrastructure, street trees, landscaped entryways, monument signs, clubhouse, swimming pools and hot tubs. Standards regarding projections into setbacks are being updated and will be included for City Council review.

Mr. Mumford said he will add the average lot size of 6,500 square feet to the language regarding the RC zone. Commissioner Wood asked that language referencing cottage lots be removed in that section.

Mr. Mumford explained in the Residential Development Standards table, the lot frontage on cul-de-sacs and circles was mistakenly entered as 40 feet in the RR2-2 zone and stated that will be updated to 60 feet. He said the language was cut off on footnote number three on the table as well. That will be corrected to state the Planning Director has approval authority.

Commissioner Wood said the Rural Residential zones need to require asphalt trails on both sides of the road for safe walking routes. Mr. Mumford said that would require a change to the rural street cross section requirements, as Municipal Code currently only requires an 8-foot trail along one side of the road.

Commissioner Wright asked if aluminum and vinyl siding should be restricted building materials. Commissioner Wood said they should be prohibited, and said stucco should be limited, as it is not an attractive material.

Commissioner Wright expressed concern that a restrictive Code regarding building materials may negatively affect home buyers and home builders. He stated the front and sides of homes that face public roads should have a higher standard.

Commissioner Wood asked if the amendment included a standard for usable space in garages. He stated a requirement of 22 feet wide by 20 feet deep of usable space may get pushback from builders, but it is a reasonable standard. Commissioner Anderson agreed that garage standards should be 22 feet wide by 20 feet deep of usable space with a 16-foot garage door.

Mr. Mumford said he would prefer the standard only include garage dimensions and not include a requirement of usable space. He explained that an analysis of ten current building permits from multiple areas and multiple builders in the city found that custom homes in larger lot subdivisions have larger garages, up to 24 feet by 24 feet; homes in Spring Run have garages that are 22 feet wide by 23 feet deep, homes in Sage Park have garages that are 20 feet wide by 22 feet deep, and homes in Scenic Mountain have garages that are 22 feet by 22 feet.

Commissioner Wood said pools should only be allowed to serve 100 to 150 units. He stated his preference that multiple pools be required and said the Municipal Code should not allow larger pools based on square feet per unit.

Mr. Mumford explained a clubhouse, pool, and hot tub are required for all multifamily projects in the MF2 and MF3 zones that include 150 units or more. The code can be amended to require a pool for a certain number of units and the pool size be increased for additional units up to a maximum pool size.

Commissioner Wood stated the MF1 zone should also require a pool for multifamily projects. He said single-family homes should not exist in the same projects as twin homes and said the MF1 zone should prohibit single-family detached homes.

Commissioner Wood said clubhouses should have a requirement that dictates size of the community gathering room. He said the increase from 1,200 square feet to 1,500 square feet may just create larger kitchens and bathrooms.

Commissioner Everett opened the public hearing at 9:01 p.m. As there were no comments, he closed the hearing.

Commissioner Everett recognized staff has put much effort into the current draft of the amendment. He stated discussions have brought new items to the Commission's attention, which have been addressed, and said future applications will likely bring other concerns to staff's attention and will need to be addressed at that time.

Commissioner Wright said ten feet is not enough clearance for a single-car garage and stated it should be increased to twelve feet. He said exclusions should be in place regarding siding on homes, and said hot tubs should have a size requirement of a minimum capacity of twelve people. He said the pool requirement should be a square footage minimum based on the number of units, not to exceed a certain size, as determined by staff.

MOTION: ***Commissioner Wood moved to recommend approval to the City Council the Chapter 17.25 and 17.30 Residential Zone and Residential Zone Bonus Density Entitlements Development Code amendments with the following conditions:***

1. ***The minimum dimensions for single-car garages shall be increased to 12 feet wide by 20 feet deep of usable space;***
2. ***Hot tubs shall accommodate a minimum of 12 people and shall be built in-ground;***
3. ***The amendment shall prohibit vinyl and aluminum siding as building materials;***
4. ***All RR1 and RR2 zones shall be required to install walking paths on both sides of the road; and***
5. ***Staff shall follow specific instructions regarding pools.***

Commissioner Wright 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

Mr. Mumford said staff will begin the process of amending additional zones after the Residential Zone amendment is finalized.

7. Next Scheduled Meeting – June 11, 2019.

8. Adjournment

MOTION: ***Commissioner Wood moved to adjourn the meeting at 9:20 p.m. Commissioner Anderson 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 9:20 p.m.

Approved by the Planning Commission on June 11, 2019.

Steve Mumford
Community Development Director