



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

May 23, 2023, 5:30 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

COMMISSION MEMBERS PRESENT: Commissioners Jason Allen, Matthew Everett, Christopher Pengra, Brent Strong, and Alternate Commissioner Robert Fox. Commissioner Jeremy Bergener was excused.

CITY STAFF PRESENT: Steve Mumford, Deputy City Administrator/Community Development Director; Marcus Draper, City Attorney; Robert Hobbs, Planning Manager; David Stroud, Senior Planner; Steven Lehmitz, Planner; Jed Shum, Planner; and Lianne Pengra, Chief Deputy Recorder.

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

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

1. Discussion Items

1.A. DISCUSSION – PROPOSED CHANGES TO EMMC 17.35.030 & 17.35.040 FOR THE ATTRACTION OF HOTELS

Deputy City Administrator/Community Development Director Steve Mumford presented the item and proposed Municipal Code amendment changes to attract hotels to Eagle Mountain created with input from Economic Development Director Evan Berrett after his discussions with industry representatives and commercial developers. The main changes are to height standard measurements and length of stay as there is interest in extended-stay hotels near the data centers. He recommended limiting extended-stay hotels to certain zones to prevent conflicts with residential areas. The City lacks year-round demand to make large hotels sustainable but the City believes Eagle Mountain could support smaller hotels. As the focus on tourism and outdoor recreation attraction expands, hotel needs will grow. A four-story hotel with a small footprint has been determined to be the most viable for a market like Eagle Mountain which would necessitate raising the height limit from 50 to 60 feet.

Discussion ensued regarding the following:

- The definition and timeframe of extended-stay rooms;
- Concerns with extended stay hotels attracting and facilitating undesirable behaviors;
- The likelihood of Eagle Mountain hotels being utilized by the transient workforce mitigating issues faced in other cities and current challenges in those individuals finding temporary housing;
- Percentages of standard room requirements and enforceability difficulties; and
- The reasons for hotels desiring a 60-foot height and support for and objections to allowing the height increase.

City Attorney Marcus Draper clarified that the proposed standards would allow a hotel to go above 50 feet in height to achieve four stories which could result in a building height of under or over 60 feet.

1.B. DISCUSSION ITEM – PROPOSED SUBDIVISION CODE AMENDMENTS

Planning Manager Robert Hobbs presented proposed amendments to bring Municipal Code into compliance with HB 406 and staff recommended changes.

Commissioner Pengra requested to be provided with the materials ahead of the meeting for him to have time to review the proposal before the review to be able to provide meaningful feedback.

Commissioner Everett concurred and requested for the item to return for a more thorough work session review as he would not be willing to move it forward as an action item at this point.

Commissioner Everett adjourned the work session at 6:20 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. April 25, 2023 Planning Commission Minutes

MOTION: *Commissioner Allen moved to approve the April 25, 2023 minutes. Commissioner Fox 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>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>
☒ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>

The motion passed with a unanimous vote.

As Commissioner Jeremy Bergener was absent, Alternate Commissioner Robert Fox voted.

5. Status Report

Planning Department staff reviewed the planning items discussed and voted upon during the May 16, 2023 City Council meeting.

6. Action and Advisory Items

6.A. ACTION ITEM – PUBLIC HEARING: PRELIMINARY PLAT APPROVAL OF THE EAGLE MOUNTAIN DATA CENTER SUBDIVISION

Senior Planner David Stroud presented the item. Eagle Mountain Data Center is requesting preliminary plat approval to create 11 lots, and a City-owned lot to locate a pump station. The plat contains 490 acres with lots that range from 5 acres to 98 acres. The City lot is 0.06 acres. The data center property is currently in the Regional Technology Industry (RTI) overlay zone and would normally be approved by staff as the preliminary plat would be contained in the agreement. However, the agreement has not yet been approved by City Council so the standard process of preliminary plat approval from the City Council via the Planning Commission is required.

Applicant representative Corey Berg with The Ritchie Group said QTS, a data center group, has purchased lot 1 and they are under contract to purchase lot 2. They are working on a development agreement with the City for data centers that are not water-cooled. Other entities have shown interest in other lots in the development. The infrastructure work has been completed and once they have approval they will begin road construction, sewer and water installation, and complete the lift station.

Applicant representative Colby Anderson with CIR Engineering explained the utility easement widths and locations.

Commissioner Everett opened the public hearing at 6:43 p.m.

Regan Peck said his access to his property cuts through the corner of this development and he was told he owns an easement. He desires to work with the applicant to secure access to his property and to clarify fencing responsibilities to protect his livestock and the adjacent owner's property.

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

MOTION: *Commissioner Allen moved to recommend approval to the City Council of the preliminary plat for the Eagle Mountain Data Center Subdivision. Commissioner Fox 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>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>
☒ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>

The motion passed with a unanimous vote.

As Commissioner Jeremy Bergener was absent, Alternate Commissioner Robert Fox voted.

6.B. ACTION ITEM – PUBLIC HEARING: CODE AMENDMENTS TO TITLES 17.35.030, 17.40.040, AND 17.75.

Planner Steven Lehmitz presented the item and the following proposed amendments to Eagle Mountain Municipal Code:

- 17.35.030 land use table – deletes footnote references to avoid contradiction;
- 17.40.040(U) – adds racetracks as a conditional use in the Industrial Zone;
- 17.75.073 – adds special use standards for automobile sales and/or minor service standards referenced elsewhere;
- 17.75.074 – adds special use standards for racetracks for go-karts, ATVs, and other motorized sports recreational facilities; and
- 17.75.091 – allows generators in conjunction with communication facilities and towers.

Mr. Lehmitz clarified that the fencing for the racetrack requires a minimum height of six feet whereas other uses have a maximum fence height. No specific materials are proposed but could be added.

Commissioner Fox suggested requiring specific fencing materials for racetracks as he feels wood fencing would be inappropriate.

Commissioner Strong requested for the racetrack standards to require dirt, dust, and exhaust mitigation.

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

Commissioner Pengra suggested allowing vehicles to be unloaded on-site at automobile dealerships in a designated area and amending the restriction to allow temporary tents for special events.

Commissioner Everett agreed with allowing temporary tents for special dealership events and vehicle repair but not for extended use; he proposed adding a usage time limit.

Discussion clarified the purpose of prohibiting spray painting of vehicles and special events tent concerns, timeframes, and enforcement obstacles.

Mr. Draper recommended amending 17.75.073(C)(2) to “Spray painting of vehicles shall not be conducted *outside*. Spray painting of parts shall occur inside a fully enclosed building.”

Commissioner Strong stated that he would be amenable to allowing full vehicles to be spray painted indoors within a properly ventilated building.

Commissioner Everett advocated for requiring automobiles stored on-site for repairs to be screened by a fence or an enclosed area.

MOTION: *Commissioner Pengra moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code Titles 17.35.030, 17.40.040, and 17.75. with the following changes:*

- *17.75.073(C)(1): “They will not cause traffic hazards or undue traffic congestion. This includes all loading and unloading of vehicles, which should occur on-site or within a designated area offsite which prevents unsafe interaction with traffic;”*
- *17.75.073(C)(2): “Spray painting of vehicles shall not be conducted outside;” and*
- *17.75.073(C)(4): “Temporary canopy tents shall not be permitted when the tents are visible from the street except for special events associated with the subject business. Such events shall not be permitted for more than three days.”*

Commissioner Everett seconded the motion.

Commissioner Everett requested the inclusion of his recommended change to require the screening of automobiles being repaired.

Commissioner Allen asked if the Planning Commission desired to include requiring specific materials for racetrack fencing.

Discussion ensued regarding the appropriate fencing type for racetracks and if the cost would be prohibitive to businesses.

Mr. Lehmitz clarified that chain-link fencing is prohibited in commercial zones but is allowed in industrial zones.

Commissioner Pengra concluded to decline to add a fencing material requirement for racetracks to his motion.

AMENDED MOTION: *Commissioner Pengra moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code Titles 17.35.030, 17.40.040, and 17.75. with the following changes:*

- *17.75.073(C)(1): “They will not cause traffic hazards or undue traffic congestion. This includes all loading and unloading of vehicles, which should occur on-site or within a designated area offsite which prevents unsafe interaction with traffic;”*

- **17.75.073(C)(2): “Spray painting of vehicles shall not be conducted outside. Spray painting of parts shall occur inside a fully enclosed building;”**
- **17.75.073(C)(4): “Temporary canopy tents shall not be permitted when the tents are visible from the street except for special events associated with the subject business. Such events shall not be permitted for more than three days;” and**
- **17.75.073(C)(7): “Automobiles being repaired shall be stored on-site behind a screened enclosure.”**

Commissioner Everett 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>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>
☒ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>

The motion passed with a unanimous vote.

As Commissioner Jeremy Bergener was absent, Alternate Commissioner Robert Fox voted.

6.C. ACTION ITEM – PUBLIC HEARING: AMENDING EMMC TITLE 16 SUBDIVISIONS AND EMMC TITLE 17 ZONING

Mr. Stroud presented the item. Changes to State Code have caused the City to need to amend the approval process of subdivisions. This has also given the City the chance to look at other aspects of Eagle Mountain Municipal Code and propose changes to be in line, but not required, with State Code. The proposed text alterations to Tables 16.05.220 and 17.05.200 change land use authority, designate that administrative applications are finalized at the Planning Commission, amend noticing requirements, and amend public hearing requirements. Commercial plats are still allowed to be reviewed by the City Council; however, changes to State Code prohibit Council review of single-family, townhomes, and duplex units.

Mr. Mumford clarified that preliminary plat reviews by the Planning Commission and City Council are not State Code requirements. He recommended that all preliminary plat administration applications be treated similarly.

Mr. Stroud verified that State legislative changes require an Appeal Panel.

Mr. Draper explained that the Appeal Panel has not been defined and the individuals would likely vary depending on the application and situation. The Mayor and City Administrator have the authority to designate the Appeal Panel. Additional appeals would follow the Land Use and Development Management Act (LUDMA) process for land use decisions as outlined in State Code

and that process could be referenced in Municipal Code but it is not required to add State Code standards to Municipal Code as State Code supersedes municipal standards.

Discussion ensued clarifying the process and authority for designating the Appeal Panel per State requirements and when the changes will go into effect.

Commissioner Everett recommended for consistency, to require the same notification distances and number of residents informed regarding master development plan and zoning map applications. Commissioners Fox and Strong agreed.

Mr. Mumford explained that the number of individuals informed and the distance from the subject property notification requirement is at the purview of the City and varies between municipalities. When determining the appropriate standard for the City to notify impacted residents, staff time and other methods of communication with residents should be considered.

Commissioner Strong stated that although he recognizes the burden to staff, he is in favor of a wider notification radius due to the importance of City communication to residents. However, he is agreeable to holding one rather than two public hearings.

Commissioner Everett concurred regarding the importance of informing residents of changes near their homes.

Commissioner Pengra said while he is in favor of providing more rather than less information to residents, the transition standards and other protections reduce his concerns with the impacts of rezones in residential areas.

Mr. Draper clarified that per State Code, the Planning Commission is required to hold a public hearing when enacting a land use regulation, and the City Council is required to hold a public meeting; however, the City has elected to hold a public hearing at the Council meetings.

Discussion considered the appropriate noticing distance and the number of residents contacted, the impact of the current standards on recent applications, and the information being shared with interested parties via other methods.

Commissioner Everett opened the public hearing at 8:00 p.m. As there were no comments, he closed the hearing.

Mr. Mumford asked the Planning Commission to table the item to allow staff additional time to work on the amendment and make additional changes.

MOTION: *Commissioner Everett moved to table an amendment to Eagle Mountain Municipal Code Title 16 Subdivisions and Title 17 Zoning to a future meeting allowing staff to incorporate feedback and make additional changes. Commissioner Allen seconded the motion.*

Those Voting Yes

Those Voting No

Those Abstaining

Those Absent

☒ <i>Jason Allen</i>	☐ <i>Jason Allen</i>	☐ <i>Jason Allen</i>	☐ <i>Jason Allen</i>
☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☒ <i>Jeremy Bergener</i>
☒ <i>Matthew Everett</i>	☐ <i>Matthew Everett</i>	☐ <i>Matthew Everett</i>	☐ <i>Matthew Everett</i>
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☒ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>

The motion passed with a unanimous vote.

As Commissioner Jeremy Bergener was absent, Alternate Commissioner Robert Fox voted.

6.D. ACTION ITEM – PUBLIC HEARING: AMENDING EMMC CHAPTERS 17.10, 17.38, AND 17.40 REGARDING CARETAKER DWELLINGS

Mr. Stroud presented the item. The City Council directed staff to look at the potential of permitting a caretaker dwelling in certain zones. Proposed text changes would: permit caretaker dwellings in the Industrial and Commercial Storage zones, set a 1,200 square foot maximum, limit occupancy to one family, require a minimum of two parking stalls in a garage or carport, and allow City verification of the occupant's connection to the business.

Commissioner Allen expressed concern with the ambiguity in the requirement for the caretaker to be "employed at least fifty percent of the time as an employee or subcontractor of the legal entity which occupies main building on the subject property."

Commissioner Everett opened the public hearing at 8:06 p.m. As there were no comments, he closed the hearing.

Discussion considered the following:

- The appropriate square footage for the unit;
- The number of working hours and possible reasons for having a caretaker onsite;
- Employment verification to prevent the unit from being used as a regular rental; and
- Enforcement and violation concerns.

MOTION: *Commissioner Pengra moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code Chapters 17.10, 17.38, and 17.40 regarding caretaker dwellings. 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>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>

☒ **Robert Fox**

☐ **Robert Fox**

☐ **Robert Fox**

☐ **Robert Fox**

The motion passed with a unanimous vote.

As Commissioner Jeremy Bergener was absent, Alternate Commissioner Robert Fox voted.

**6.E. ACTION ITEM – PUBLIC HEARING: TITLE 16 & 17 AMENDMENTS
PERTAINING TO STREET AND ALLEY VACATIONS, SERVICE DRIVES
AND ADA PARKING STANDARDS**

Mr. Hobbs presented proposed amendments to Eagle Mountain Municipal Code 16.56 Vacation of Rights-of-Way, 17.10.030 Definitions, 17.25.050 Generally Applicable Provisions, 17.55.040 General Provisions for Nonresidential and Multifamily Off-Street Parking Facilities, 17.55.070 Handicapped Accessible Parking, 17.55.130 Drive-Thru Regulations, and 17.72.030 Site Design.

Commissioner Everett opened the public hearing at 8:37 p.m. As there were no comments, he closed the hearing.

Commissioner Allen suggested the following changes:

- Amending 17.55.070(E) to, “Dimensions of Stalls. The dimensions of standard handicapped parking stalls shall be a minimum of 10-feet wide by 18-feet deep, with an adjoining 5-foot access aisle alongside the same (two handicapped parking spaces may share an access aisle between them), in accordance with ADA requirements,” to remove a superfluous five;
- Formatting correction to 17.55.130 to make Section A a header;
- Amending 17.55.130(H) to improve clarity; and
- Combining subsection (a) with the above wording in 17.72.030(1).

Discussion ensued regarding size requirements for turnarounds on service drives longer than 150 feet.

Commissioner Pengra stated that he struggled to understand the proposed amendments and is concerned about confusion arising in interpretation when the standards are applied. As such, he is in favor of drastically simplifying the language. He is concerned that requiring escape lanes could discourage restaurants from locating in the City.

Commissioner Everett verified with staff that the language used for 17.55.070 was sourced from language pertaining to the Americans with Disabilities Act. He struggled to understand the drive-thru regulations and asked for a visual representation to clarify the intent of the standards.

Discussion ensued regarding the potential positive and negative impacts of requiring drive-thru escape lanes.

Commissioner Everett advocated for either amending 17.72.030(C) to allow garages on the front façade of townhomes or to begin enforcing the requirement for rear-loaded garages. He recommended approving each section of Municipal Code with individual motions to be able to

approve or table sections of standards independently. Otherwise, he would suggest tabling the full proposal.

Mr. Mumford confirmed that the proposed amendments could be divided into separate motions.

MOTION: *Commissioner Everett moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code 16.56 Vacation of Rights-of-Way changing 16.56.030 to "This chapter authorizes and defines a process whereby the city council and other interested parties may apply for vacation of a right-of-way or portion thereof where no plat amendment is intended and/or the right-of-way is in a developed area of the city. A recorded ordinance to vacate a public street shall have the same legal effect as vacating a public street through a recorded plat or amended plat or through the plat amendment process." Commissioner Strong seconded the motion.*

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

The motion passed with a vote of 4:1.

As Commissioner Jeremy Bergener was absent, Alternate Commissioner Robert Fox voted.

Commissioner Pengra clarified that his dissenting vote was due to not fully understanding the verbiage in the proposed amendment.

MOTION: *Commissioner Everett moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code 17.10.030 Definitions. 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>
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☒ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>

The motion passed with a unanimous vote.

As Commissioner Jeremy Bergener was absent, Alternate Commissioner Robert Fox voted.

MOTION: *Commissioner Everett moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code 17.25.050 Generally Applicable Provisions. 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>
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☒ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>

The motion passed with a unanimous vote.

As Commissioner Jeremy Bergener was absent, Alternate Commissioner Robert Fox voted.

MOTION: *Commissioner Everett moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code 17.55.040 General Provisions for Nonresidential and Multifamily Off-Street Parking Facilities 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>
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☒ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>

The motion passed with a vote of 4:1.

As Commissioner Jeremy Bergener was absent, Alternate Commissioner Robert Fox voted.

Commissioner Pengra stated that he voted against recommending approval because he is unaware of the impacts of the proposed dimensions for the backup area.

MOTION: *Commissioner Everett moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code 17.55.070 Handicapped Accessible Parking with the following changes:*

- 1. 17.55.070(E) shall be amended to "Dimensions of Stalls. The dimensions of standard handicapped parking stalls shall be a minimum of 10-feet wide by 18-feet deep, with an adjoining 5-foot access aisle alongside the*

same (two handicapped parking spaces may share an access aisle between them), in accordance with ADA requirements,” to remove the superfluous five; and

2. Column B shall be added to Table 17.55.120(b) as presented.

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>
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☒ <i>Chris Pengra</i>	☐ <i>Chris Pengra</i>	☐ <i>Chris Pengra</i>	☐ <i>Chris Pengra</i>
☒ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>
☒ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>

The motion passed with a unanimous vote.

As Commissioner Jeremy Bergener was absent, Alternate Commissioner Robert Fox voted.

MOTION: *Commissioner Everett moved to table an amendment to Eagle Mountain Municipal Code 17.55.130 Drive-Thru Regulations to continue working with staff to adjust and add the language. 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>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>
☒ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>

The motion passed with a unanimous vote.

As Commissioner Jeremy Bergener was absent, Alternate Commissioner Robert Fox voted.

MOTION: *Commissioner Everett moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code 17.72.030 Site Design. 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>

☒ Chris Pengra	☐ Chris Pengra	☐ Chris Pengra	☐ Chris Pengra
☒ Brent Strong	☐ Brent Strong	☐ Brent Strong	☐ Brent Strong
☒ Robert Fox	☐ Robert Fox	☐ Robert Fox	☐ Robert Fox

The motion passed with a unanimous vote.

As Commissioner Jeremy Bergener was absent, Alternate Commissioner Robert Fox voted.

7. Next Scheduled Meeting

The next Planning Commission meeting is scheduled for June 13, 2023.

8. Adjournment

MOTION: *Commissioner Strong moved to adjourn at 9:13 p.m. Commissioner Pengra 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
☒ Brent Strong	☐ Brent Strong	☐ Brent Strong	☐ Brent Strong
☒ Robert Fox	☐ Robert Fox	☐ Robert Fox	☐ Robert Fox

The motion passed with a unanimous vote.

As Commissioner Jeremy Bergener was absent, Alternate Commissioner Robert Fox voted.

The meeting was adjourned at 9:13 p.m.

Approved by the Planning Commission on June 13, 2023.


 Steve Mumford, AICP
 Deputy City Administrator/Community Development Director

05.23.23 PC Approved Minutes not signed

Final Audit Report

2023-06-14

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