EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

April 23, 2024, 5:30 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

COMMISSION MEMBERS PRESENT: Commissioners Rod Hess, Robert Fox, Brent Strong, and Craig Whiting; and Alternate Commissioner Bryan Free. Commissioner Jason Allen was excused.

ELECTED OFFICIALS PRESENT: Councilmember Brett Wright, Liaison to the Planning Commission.

CITY STAFF PRESENT: Brandon Larsen; Planning Director; Marcus Draper, City Attorney; Robert Hobbs, Senior Planner; David Stroud, Senior Planner; Steven Lehmitz, Planner; Caden Lyon, Planner; and Elizabeth Fewkes, Recording Secretary.

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

Commissioner Hess called the meeting to order at 5:39 p.m.

1. Discussion Items

   1.A. DISCUSSION – Granite Credit Union Concept Plan

Planner Caden Lyon presented the item. Lynn Davies with CORE Architecture, LLC is the Project Manager for a potential future Credit Union to be built in Lot 1 of the Allgood Subdivision, located west of the Maverick found at the intersection of Cory B. Wride Memorial Highway and Ranches Parkway. The property is in a currently zoned Commercial Community (CC). Access to the site requires turning onto Ranches Parkway and then entering a private road south of Maverick to then turn right and access the site. The CC zone requires that buildings meet certain setback requirements, including a front setback requirement of 10 feet minimum and 25 feet maximum from the property line. The applicant desires to place parking on the south side of the site, and locate the building towards the north property line, making it the front of the site. This is for exposure purposes with the amount of vehicle traffic traveling on Cory B. Wride Memorial Highway. If this is allowed, then the current site plan the applicant has proposed meets setback requirements of the CC zone.

Applicant representative Lynn Davies said he feels the design fits within the Eagle Mountain community, the area's general pattern, and future development in the vicinity. The requested parking arrangement is a deviation from the standards due to the property's unique shape.

During the review and discussion of the concept plan, the Planning Commission:

- Delved into the specifics of zoning codes, questioning whether the proposed access to the site, parking, and visibility of the building aligns with City ordinances or if an exception is necessary and appropriate
- Raised practical concerns about infrastructural conflicts, particularly regarding the Utah Department of Transportation (UDOT) right-of-way for the Cory B. Wride Memorial Highway expansion for a future freeway and a City-owned monument
- Considered property rights and past experiences with UDOT regulations, suggesting that as long as the development does not encroach on State land, it should proceed without issues.
- Inquired about the exact property lines to clarify the setback
- Verified fire apparatus access will be evaluated by the Development Review Committee (DRC) before the item returns
- Overall feedback, revealed a cautious but generally supportive approach to the project, emphasizing compliance with existing codes and careful consideration of future implications

Commissioner Hess adjourned the work session at 5:59 p.m.

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

Commissioner Hess called the policy session to order at 6:30 p.m.

2. Pledge of Allegiance

Commissioner Hess led the Pledge of Allegiance.

3. Declaration of Conflicts of Interest

None.

4. Approval of Meeting Minutes

4.A. April 9, 2024 Planning Commission Minutes

MOTION: ***Commissioner Fox moved to approve the April 9, 2024 minutes. Commissioner Strong seconded the motion.***

Jason Allen	**Absent**
Robert Fox	**Yes**
Rod Hess	**Yes**
Brent Strong	**Yes**
Craig Whiting	**Yes**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

5. Status Report

Planning Director Brandon Larsen reviewed the planning items discussed and voted upon during the April 16, 2024 City Council meeting.

6. Action and Advisory Items

6.A. City Code Cleanup

City Attorney Marcus Draper explained that on April 2, 2024 the City Council repealed and replaced Eagle Mountain Municipal Code (EMMC) Chapter 2.16. In doing so, the City Council changed the title of the City Administrator to City Manager. This code amendment would replace City Administrator with City Manager in the definitions section of EMMC Title 17. Changes to Title 17 require Planning Commission review and recommendation to the City Council.

Commissioner Allen opened the public hearing at 6:35 p.m. As there were no comments, he closed the hearing.

MOTION: ***Commissioner Fox moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code 17.10.030 Definitions. Commissioner Whiting seconded the motion.***

Jason Allen	**Absent**
Robert Fox	**Yes**
Rod Hess	**Yes**
Brent Strong	**Yes**
Craig Whiting	**Yes**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

6.B. ACTION ITEM/PUBLIC HEARING – Code Amendment to EMMC 17.80 Regarding Electronic School Signs

Planner Steven Lehmitz presented the item. The Planning Department was contacted by Creative Signs & Graphics to ascertain how Black Ridge Elementary School might get permission to have an electronic, wall mounted LED sign. Review of the matter revealed that such signs were currently not allowed by code, that about one-half of elementary schools in the City already have them (which are likely unpermitted), and that exemptions in State law that allow schools to not comply with certain local zoning laws do not provide means to circumvent complying with a community's sign code. In light of the foregoing, it was determined that the course left to the school to get their desired sign would be to apply to amend Municipal Code. The draft amendment language, if passed, will affect all schools (including charter and private) in the City, formalizing their ability to have electronic wall signs and perhaps sanctioning some of the existing signs already on their walls.

He presented examples and the corresponding sizes of electronic school signs in Eagle Mountain. He messaged an Alpine School District representative about the size of signs for schools in other communities but did not hear back prior to the meeting.

Significant changes made since the March 26, 2024 Planning Commission meeting include:

- Only one electronic message center or reader board being permitted per property (EMMC 17.80.070(F))
- Electronic message centers will have to be off from 11:00 p.m. to the following sunrise or 6:00 a.m., whichever is earlier (EMMC 17.80.070(F)(5)(d) and 17.80.070(G)(2)(c))
- Electronic message centers as part of monument signs are permitted to face adjacent residential property if they are at least 100 feet away (EMMC 17.80.070(F)(5)(e)(i))
- Electronic message centers as part of wall signs are permitted to face adjacent residential property if they are at least 200 feet away (EMMC 17.80.070(G)(2)(d)(i))
- The addition of flashing signs as a prohibited sign (EMMC 17.80.130)
- Removal of the example school monument sign (EMMC 17.80.070(F)(5)(e)(i))

Senior Planner Robert Hobbs emphasized the proportionality of sign sizes relative to school buildings, advocating for reasonable standards that reflect the scale of school frontages. He also suggested an eight-second interval for changing messages on electronic signs to address concerns about flashing.

Commissioner Hess opened the public hearing at 6:43 p.m. As there were no comments, he closed the hearing.

MOTION: ***Commissioner Whiting moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code 17.80 Sign Regulations and Sign Permits. Commissioner Strong seconded the motion.***

Jason Allen	**Absent**
Robert Fox	**Yes**
Rod Hess	**Yes**
Brent Strong	**Yes**
Craig Whiting	**Yes**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

6.C. ACTION ITEM – Oquirrh Mountain Stake Church – Preliminary Plat/Site Plan located off 7000 N Pony Express Parkway (County Parcel #58:048:0077) and the continuation of E Oquirrh Mountain Parkway (County Parcel #58:048:0078)

Mr. Lyon presented the item to revisit the site plan and preliminary plat for the Oak Mountain Ranch Church, previously reviewed but not presented in full due to a procedural oversight. He highlighted minor changes made to the plan, such as the dedication of Parcel A to the State of Utah rather than the City and the extension of Oquirrh Ranch Parkway to the end of the site. The church's steeple height was adjusted to comply with the new code limit of 70 feet.

Applicant representative Chad Spencer with Evans and Associates Architecture stated he had no further information to add to the staff report but was available to answer questions.

After item 6.D., staff clarified that this item requires a public hearing. This item was revisited to hold the public hearing and to restate and revote on the motion.

Commissioner Hess opened the public hearing at 7:16 p.m. As there were no comments, he closed the hearing.

MOTION: ***Commissioner Hess moved to recommend approval to the City Council of the preliminary plat and site plan for the Oquirrh Mountain Stake located off 7000 North Pony Express Parkway and the continuation of East Oquirrh Mountain Parkway. Commissioner Fox seconded the motion.***

Jason Allen	**Absent**
Robert Fox	**Yes**
Rod Hess	**Yes**
Brent Strong	**Yes**
Craig Whiting	**Yes**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

6.D. ACTION ITEM – Firefly NPA 8 Phase A Plats 4 & 5 – Site Plan(s)

Mr. Hobbs presented the item. In 2023, the Pole Canyon 2010 era Master Development Plan (MDP) and Master Development Agreement (MDA) were amended and re-stated to recompose the project into the Firefly planned community. This process involved several changes to layout and building design concepts. The submission of the Master Site Plan discussed in this report follows the City's approval of the Firefly project. Firefly Neighborhood Planning Area (NPA) 8 Phase A Plats 4 & 5, consisting of 49 townhouse building lots on 5.1 acres, is among several site plans expected to be submitted to the City for review and approval within the Firefly planned community. The Firefly area incorporates a mix of future land use categories.

Mr. Hobbs explained the ongoing Firefly projects, primarily focusing on the architectural and site design of a series of townhomes. He detailed various aspects of the development, including building numbers, design compliance, and community planning agreements. Specific attention was given to the access and street arrangements, such as alley widths and private street dimensions. He mentioned the community plan's deviations from Municipal Code and highlighted DRC comments that affirmed the project's alignment with required standards. He confirmed that certain community-specific standards, once adopted, take precedence over City ordinances.

Mr. Draper further explained the legal framework allowing the community plan to diverge from Municipal Code approved during the MDA and MDP review process.

Commissioner Free expressed concern about uniformity in building design, particularly row houses, and whether they would all look the same. He raised the question of whether the developer plans to alter designs throughout the development.

Applicant representative Heather Upshaw with Candlelight Homes reassured the Commission that while the plans call for uniformity in structure and the same product as a previous site plan, variations in color and minor style details are being added to prevent monotonous visual effects.

Commissioner Hess opened the public hearing at 7:00 p.m. As there were no comments, he closed the hearing.

Commissioner Whiting raised concerns about the variation in building facades and the potential lack of architectural diversity. He urged requiring additional architectural features to enhance the building facades to align with the community plan, to avoid flat plains or visual lines on the side facing the street, and to safeguard the City's interests by preventing undesired design precedents in the community.

Commissioner Strong acknowledged the project's adherence to existing restrictions. He concurred with concerns about setting a precedent and agreed with requiring more architectural elements to improve the community's aesthetic appeal.

Commissioner Free expressed the view that the proposal is near alignment with the community plan but suggested it could be improved with extra architectural elements to enhance compliance and boost the marketability of the development. While acknowledging potential cost implications, Commissioner Free emphasized the importance of setting a favorable precedent for future projects.

Commissioner Fox highlighted the challenge of striking a balance between affordability and architectural diversity in condominium developments. He pointed out the constraints in making substantial visual alterations without significantly affecting cost or internal space. He recognized the complexity of maintaining affordability and functionality while striving for significant visual changes.

Discussion ensued regarding adherence to the community plan and whether to require additional architectural features with consideration of future approvals for this and other developments.

MOTION: ***Commissioner Hess moved to recommend approval to the City Council of the site plan for Firefly NPA 8 Phase A Plats 4 and 5 with the condition that the applicant shall increase the number of architectural features from eight to ten to align better with Municipal Code expectations and enhance aesthetic variety. Commissioner Fox seconded the motion.***

Jason Allen	**Absent**
Robert Fox	**Yes**
Rod Hess	**Yes**
Brent Strong	**Yes**
Craig Whiting	**Yes**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

6.E. ACTION ITEM – Pinnacles Multi-Unit – Preliminary Plat

The applicant requested for the item to be tabled to the May 14, 2024 meeting to allow additional revisions and corrections.

MOTION: ***Commissioner Whiting moved to table the preliminary plat for the Pinnacles Multi-Unit to May 14, 2024. Commissioner Strong seconded the motion.***

Jason Allen	**Absent**
Robert Fox	**Yes**
Rod Hess	**Yes**
Brent Strong	**Yes**
Craig Whiting	**Yes**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

6.F. ACTION ITEM – Clearview Estates LDS Seminary – Rezone

Senior Planner David Stroud presented the item. Staff previously reviewed working concept plans for a religious seminary building proposed to be built just south of Alpine School District's new middle school in the Clearview Estates area on property addressed as 1215 E Harmony Way. The subject property lies within an old Tier 1 Residential Zone. Realizing that the building would not conform to that zone's 50-foot rear and 25-foot side minimums setback requirements, that a variance would not be able to cure the matter, and that the Tier 1 Residential Zone no longer is found within the City's Municipal Code, staff offered to advance a City-initiated effort to change the land's zoning designation and associated rule set. The proposed R1 Zone requires a less restrictive rear setback of 25 feet and a side setback of 10 feet and is a land use district currently in use. Staff views the proposal as an effective measure to update and replace an obsolete zone with one that is currently active and applicable. He clarified that the rezone would have no other significant changes except for the setback distances.

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

MOTION: ***Commissioner Fox moved to recommend approval to the City Council of the rezone for Clearview Estates LDS Seminary from the Tier 1 Residential Zone to the R1 Zone. Commissioner Strong seconded the motion.***

Jason Allen	**Absent**
Robert Fox	**Yes**
Rod Hess	**Yes**
Brent Strong	**Yes**
Craig Whiting	**Yes**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

7. Discussion Items

None.

8. Next Scheduled Meeting

The next Planning Commission meeting is scheduled for May 14, 2024.

Commissioners Hess and Whiting informed staff and the Commission that they will be unable to attend the next meeting.

9. Adjournment

MOTION: ***Commissioner Whiting moved to adjourn at 7:28 p.m. Commissioner Strong seconded the motion.***

Jason Allen	**Absent**
Robert Fox	**Yes**
Rod Hess	**Yes**
Brent Strong	**Yes**
Craig Whiting	**Yes**
Bryan Free	**Yes**

The motion passed with a unanimous vote.

The meeting was adjourned at 7:28 p.m.

Approved by the Planning Commission on May 14, 2024.

Brandon Larsen
Planning Director