



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

March 23, 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.

CITY STAFF PRESENT: Steve Mumford, Assistant City Administrator/Community Development Director; Tayler Jensen, Senior Planner; Jessa Porter, Planner; Fionnuala Kofoed, City Recorder; and Elizabeth Fewkes, Recording Secretary.

Commissioner Wright called the meeting to order at 5:31 p.m.

1. Discussion Items

1.A. Stonebridge Montessori (Concept Plan)

Planner Jessa Porter presented the item. The property for the proposed Montessori School is located on the corner of Stonebridge Lane and Ranches Parkway and will be accessed from Stonebridge Lane. The school will serve prekindergarten students. The project is allowed as a special use in the CN and CC zones. The subject property is located in The Ranches neighborhood and is identified for commercial use in the expired master development plan and agreement. The City has been evaluating a rezone for commercially-intended properties in The Ranches.

Staff recommends rotating the building 90 degrees and locating it at the southeast corner of the lot and the parking and play areas can be located to the west and north. A shared access point with the adjacent property to the west has been suggested in previous concept plans to be located at the western-most edge of the property. The plan shows 30 parking spaces and requires two of the spaces to be ADA parking spaces. Standards require one stall per 10 children. The plan calls for a three-foot landscape berm that needs to be increased by a half-foot to comply with the three-and-a-half-foot berm height requirement in EMMC 17.55.040(G).

The west and north sides of the building require additional articulation. The trash enclosure is designed to be consistent with the style of the building. The elevations should be revised to be consistent with the surrounding businesses and include additional architectural features.

Applicant representative Jon Jensen stated the included elevations were to demonstrate the basic design concepts and does not include all the architectural elements intended to be implemented in the final building design. The proposed design would be in line with current styles with stained faux wood and stucco exterior. They believe the proposed orientation is the safest for the

children and provides the best traffic flow. He expressed concern regarding the recommendation to place the playground adjacent to the road, despite the fencing, due to the accessibility of the children and traffic concerns. He also expressed concern about installing a long drive lane to access the parking lot and drop-off area. He stated his willingness to increase the height of the headlight berm and to update the elevations to comply with City standards and to be similar to neighboring properties. They have attempted to contact the owners of the adjacent property to discuss the access but have not received a reply. The plan proposes a shared access for both properties to reduce the number of accesses.

Commissioner Wright beseeched the applicant to incorporate the staff recommendation to reorientate the building and requested for the applicant to clarify his concerns regarding the recommended placement. He recognized the application was a concept plan and encouraged the applicant to incorporate the required architectural details in future applications. He inquired if the applicant was willing to install a half-width right-of-way for a shared drive with the property to the west.

Mr. Jensen explained relocating the building reduces the frontage due to the west to east width of the property and limits the amount of parking that can fit in front of the building once the drive aisle is added. Consequentially, additional parking would be needed to the north of the building which would reduce the playground area and increase the risk to the children by placing the playground next to the parking and adjacent to Ranches Parkway. He said he was open to installing a shared access with the adjacent property. They hope to be able to work with adjacent property owners to master plan the area.

Assistant City Administrator/Community Development Director Steve Mumford noted that he had not attended the development review committee meeting for this project. Staff generally recommends locating the building frontage adjacent to major roadways due to the Municipal Code commercial design standards. He recognized that a preschool has different considerations than other businesses. He understands the complications due to the need for the playground and a drop-off area. Ideally, there would be a drive aisle along the western boundary line for connectivity for commercial properties and due to a previous plan for the property to the north that had shown a road stub to the northwest corner of this property. He recommended consideration for a connection to the northern property and said the building would not necessarily need to be reoriented to accommodate the access. He understands the proposed elevations represent current design trends; however, for compliance and to be in harmony with other buildings in the area the plans should be adapted.

Commissioner Wells expressed concerns that traffic during drop-off and pick-up times will impact and impede traffic flow on Ranches Parkway. She requested for the applicant to provide statistics to verify the drive aisle is sufficient for this type of use when they return with the site plan.

Mr. Jensen said the orientation of the building was intended to mitigate traffic impediments and he will research the issue further to confirm the design provides for adequate traffic flow.

Commissioner Wright inquired if the applicant had considered locating the building in the northeast corner.

Mr. Jensen stated they had not considered locating the building in the northeast corner. He thanked the Commission for their feedback and expressed his willingness to consider the recommendations regarding the orientation, parking, and drop-off queue line length and location.

Commissioner Pengra noted that most schools have parking lots located in the front and the playground behind the building possibly due to safety and functionality. He expressed concern with placing the playground close to the street and the resulting perceived access to the children. As such, he feels the applicant's proposed orientation is the most appropriate and noted the portion of the playground adjacent to Ranches Parkway has landscaping and a trail setting the play area back farther from the road. He likes modern design; however, he agrees the building design needs to be brought into compliance with Municipal Code.

Mr. Jensen stated that they had submitted updated elevations after the deadline for packet materials that can be discussed when they return at a future meeting. He said those elevations will likely require additional updates to be harmonious with neighboring buildings.

Commissioner Wright thanked Commissioner Pengra for his insight regarding safety concerns that he had not considered when Commissioner Wright recommended relocating the building.

Commissioner Everett concurred with the benefits of having the building located between the parking lot and playground to increase safety. He also concurs with Commissioner Wright's recommendation to consider locating the building in the northeast corner. He noted that as this is the first development in the area, they have an advantage of determining traffic flow. A school will also limit the types of allowed businesses. He requested for the applicant to include some of the high-level design elements from other businesses in the general area to set a high standard for design that will be required for future business to be in harmony with the school design.

A new discussion began, and Commissioner Everett inquired regarding the Commission's willingness and desire to amend the multifamily design standards regarding garages.

Senior Planner Tayler Jensen explained that he is working on updating multifamily design standards. He delayed the amendments in order to determine and incorporate State legislative action during the previous session that impact the standards. He will present the Commission with the proposal at a future meeting.

Commissioner Everett clarified that his intention on previous applications was to enforce existing Municipal Code standards rather than his personal preferences. He thanked Mr. Jensen for his work on the project and said he will be in contact with Mr. Jensen regarding the standards.

Commissioner Pengra agreed that standards the Commission and Council have not been enforcing should be evaluated and amended.

Commissioner Wells agreed that the discussion is timely. She recalled an applicant had noted that alley-loaded products have issues that should be considered in the evaluation of the standards. She concurs with the desire to enforce Municipal Code while ensuring those standards do not have negative impacts on the City.

Commissioner Bergener stated he is in favor of having a discussion on the standards and evaluating the best product to require for the City.

Commissioner Wright directed for the Commissioners to review EMMC 17.72 before the discussion on the standards. He recalled that the standards dictate that garages shall not be the dominant feature which creates ambiguity that should be clarified.

Commissioner Wright recessed the meeting at 6:14 p.m.

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

Commissioner Wright called the meeting to order at 6:30 p.m.

2. Pledge of Allegiance

City Recorder Fionnuala Kofoed led the Pledge of Allegiance.

3. Declaration of Conflicts of Interest

None.

4. Approval of Meeting Minutes

4.A. March 9, 2021, Planning Commission Minutes

MOTION: *Commissioner Pengra moved to approve the March 9, 2021 minutes. 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.*

5. Status Report

Mr. Jensen stated that during the March 16, 2021 meeting no planning items were on the policy session. During the work session, the body discussed rental dwelling licenses for landlords and the first steps to rezoning properties within the City with expired master development agreements in accordance with General Plan land designations. The Hidden Hollow Phase C developer agreed to provide a clubhouse and pool and the Council expressed concerns that the proposal did not incorporate the updated 22-foot garage size requirements. The Council and residents expressed concern regarding insufficient buffering between the O'Reilly Auto Parts site and the Oak Hollow neighborhood and the body discussed potential solutions. During the Pole Canyon NPA-11 discussion, the Council recommended paving the access road as soon as

possible, requiring streetlights, and allowing building permits but withholding certificates of occupancy until the sewer is finished.

Mr. Jensen informed the Planning Commission that prior to the Planning Commission and City Council meeting on March 30, 2021, the Commission and Council have been invited to tour the Overland clubhouse at 4:30 p.m.

6. Action and Advisory Items

6.A. PUBLIC HEARING – Macey's at Market Place (Site Plan)

Mr. Jensen presented the item. The proposal is for a site plan for a Macey's grocery store located on 6.7 acres at the intersection of Pony Express Parkway and Eagle Mountain Boulevard within the Market Place at Eagle Mountain Town Center Master Development Plan.

The Market Place at Eagle Mountain Town Center Master Site Plan and Preliminary Plat were approved on August 18, 2020. The Development Agreement was approved on December 1, 2020. The property is zoned CC, which allows grocery stores over 30,000 square feet. The proposed store is 58,854 square feet.

EMMC 17.56.060(A) requires parking lot lights to be no taller than 17 feet. The applicant will confirm compliance with the requirement. EMMC 17.100.040 requires all site plans of five acres or larger to complete a master site plan. A master site plan has been completed for this site. EMMC 17.100.050 requires building or landscaping on the entire lot and the application is in compliance with the standard.

The applicant has provided 10-foot pedestrian walkways as required per EMMC 17.55.090. The application proposes parking islands every 12 stalls as required per EMMC 17.55.080(C). EMMC 17.55.120(C) requires one parking stall per 200 square feet of building area. The proposed 58,854 square-foot building requires 295 stalls and the application provides 309 stalls. EMMC 17.55.120(B) requires 8 ADA stalls; the applicant has provided 9 ADA stalls.

Paragraph 10 of the Market Place at Eagle Mountain Development Agreement states "Building Layout, and architecture (materials, colors, detailing, style) of commercial buildings shall be consistent throughout the project. Developer agrees, as much as possible to locate buildings near the front setback line with pedestrian access leading to the primary entrance and landscaping between the building and the street. Building elevations shall comply with EMMC Chapter 17.72 by adding Hardie board accents, architectural detailing, building material mixtures and additional vertical articulation/modulation."

Per EMMC 17.72.030(A), a building shall be located near or at the front setback line. The locations of the pad sites in the development are designed in compliance with the requirement. The application also complies with the EMMC 17.72.030(B) requirement for pad sites next to a road to locate parking between the pad sites and the anchor store.

EMMC 17.72.040(A) states "Commercial buildings should be similar in style as significant adjacent buildings. All facades of commercial structures shall be designed with consistent detail, style and trim as main elevation." The proposed elevations differ significantly in color, appearance, and materials from the businesses located across Eagle Mountain Boulevard. The differences in elevations were discussed during the site plan and elevations were approved for the pad site buildings.

EMMC 17.72.040(A) also requires that all buildings in a project have similar styles, colors, details, and materials. Staff believes that the elevations should be updated with similar materials and design elements as the approved pad site buildings. At a minimum, the elevations shall be updated to comply with the August 18, 2020 condition of approval #3 "the building elevations shall be revised to comply with EMMC 17.72 by adding wood, Hardie board accents, architectural detailing, building material mixture, and additional vertical articulation/modulation." EMMC 17.72.040(B) stipulates that the main entrance should orient to major sidewalks, pedestrian ways, plazas courtyards, and be clearly identifiable. The entrance is clearly identifiable and orients toward pedestrian paths within the parking lot.

Per EMMC 17.72.040(C), the primary roof form of a structure should help reduce the perceived scale of the building. All commercial buildings shall contain either sloping roofs with overhanging eaves, or a decorative parapet and multiple roof planes and heights. Decorative cornices and roof projections such as cupolas or towers are also encouraged. Staff believes the south and east elevations comply; however, the north and west elevations should be amended to contain different roof planes.

EMMC 17.72.040(D) requires building modulation. The south elevation complies with these standards; however, the other three sides require additional articulation. EMMC 17.72.040(E) requires a building to contain a majority of 12 design elements, the Macey's currently utilizes four, therefore three additional design elements shall be required on all four sides to come into compliance. EMMC 17.72.040(F) requires buildings to incorporate materials used throughout the City and to avoid large, panelized products or featureless surfaces. The north and west elevations feature large panelized featureless surfaces. Additional features should be added. EMMC 17.72.040(G) recommends the use of a wide pallet of colors. Staff recommends the elevations be updated and to use colors and materials similar to the approved pad site elevations, and the Shops at City Center.

Staff recommends that the Planning Commission motion to recommend approval of the application to the City Council for the reasons set forth in the staff report and in the meeting with the following conditions:

1. Additional windows shall be added to the elevations in compliance with 17.100.060(B);
2. All parking lot lights shall be no more than 17-feet in height from grade;
3. Elevations shall be updated to use similar materials, and design elements as the approved pad site elevations and the Shops at City Center;
4. The north and west elevations should be amended to contain varied roof planes;
5. Additional articulation and material variation shall be provided for the north, west, and east elevations; and

6. An additional three architectural detail features shall be used on all four sides of the structure.

Commissioner Wells was excused from the meeting from 6:43 p.m. to 6:50 p.m. due to technical difficulties.

Applicant representative Jared Mitchell stated he represents construction and development for Associated Foods Stores. The elevations represent the latest design standards for Associated Food Stores. He expressed the desire to balance the branding of the building with the City design standards in order to be in harmony with other businesses in the area. He requested recommendations regarding adapting the standards while still meeting the needs and function of the store. He expressed concern with the recommendation to add windows that view into the back area of the store which would be unsightly. He hopes the store will be a welcomed benefit to the City.

Commissioner Wright assured that the business will be a welcomed addition to the City.

Commissioner Wright expressed concern regarding the drive-throughs and requested additional information.

Mr. Mitchell verified that the restaurant inside of the grocery store will have a drive-through window located on the southeast corner of the building and a pharmacy drive-through between the main entrances on the front of the building. Typically, the pharmacy drive-through has a queue of three or fewer cars. He recognized a drive-through on the front of the building is not ideal due to the adjacent hardware store; however, they desire to provide drive-through pharmacy service as a benefit to the pharmacy and the residents. This design has functioned well at other locations.

Applicant represented Shawn Young with AWA Engineering said a potential tenant for pad site A to the east of the building proposes a drive-through on the west side of pad site A and the area between the restaurant located inside of the Macey's and the stand-alone restaurant to the east will be dedicated for drive-through traffic from both locations.

Commissioner Wright opened the public hearing at 6:57 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.

Commissioner Pengra stated he disagrees with several of the staff recommendations. He thinks the proposed Macey's store is attractive as he has seen their other stores similar in design. He feels the proposed elevations contain a sufficient number of design elements to adhere to the required design standards. He expressed concern in superfluous design requirements for the rear elevations that increase the cost to the applicant without significantly increasing aesthetical appeal or function.

Commissioner Wright stated that he respects Commissioner Pengra's opinion, although he agrees that the functionality does not increase, he feels strictly enforcing the standards increases the

visual landscape and overall appeal of the City. As such, he concurs with the staff recommendations. He emphasized his concern regarding pedestrian traffic and drive aisle impediments along the front side of the building due to the pharmacy drive-through, especially in consideration of other pharmacies in the City that have long drive-through queues. He advocated for exploring options to mitigate potential issues.

Commissioner Everett noted the City received a resident comment after the public hearing closed requesting an update regarding the timeline for completion of the project.

Mr. Mitchell stated that they are facing a minor issue with meeting construction staffing needs due to construction demand increases and major obstacles due to material supply delays and cost increases. They are striving to creatively surmount the obstacles while remaining on budget in order to meet their goal for the store to open before the end of the year.

Commissioner Everett agreed that the community will support the business. Placing windows on all the elevations of the grocery store may not be appropriate due to the internal activities of the business. He said the Commission should consider functionality on behalf of the applicant and recommended excluding the window requirement in the motion. He agrees that the drive-through queues need to be carefully considered due to the potential for queues to impede traffic flow, particularly the restaurant queue due to other issues in the City caused by long drive-through queues.

Commissioner Wells agreed that windows should not be required especially as they are a suggestion not a requirement in Municipal Code. She thinks the west and east elevations are appropriate. Although the rear elevation is not as visible, she thinks that the design standards could be increased to improve the elevations without placing a high burden on the applicant. She agrees with concerns regarding the restaurant drive-through.

Commissioner Bergener expressed concern with the pharmacy drive-through increasing traffic in front of the store, especially in consideration of pedestrian traffic and safety. He requested incorporating some of the accent colors and elements of the approved pad site elevations into the anchor store design.

Commissioner Wright suggested moving the restaurant to the west side of the building to utilize the west side and rear of the building for the drive-through queue.

Mr. Mitchell stated that they had considered placing the restaurant on the west side. He said there was a reason that the layout did not work for this location; however, he could not recall the specific reason. With this design, the focal point of the building incorporates the most elevated design elements.

Commissioner Pengra clarified he is in favor of attractive architectural standards and recognized that he is often in disagreement with the other Commissioners regarding design standard expectations. He said that in consideration of the cost and timeline to obtain building materials, that it is onerous to require the elevated standards for the back of buildings that are rarely seen by residents.

Commissioner Everett acknowledged Commissioner Pengra's point; however, he noted that many residents drive behind the Ridley's grocery store to access the Dairy Queen drive-through. Also, townhomes in that area view the back of the Ridley's building. As the use for the land adjacent to the rear of this location has not been determined, he believes that there should be some design elements even if not all the standards are required. He recognized that the functionality of the business limits design elements of the rear elevation, but thinks the elevations could be improved without becoming cost-prohibitive.

Mr. Mumford presented the rear elevations of other grocery stores in the area to demonstrate potential options to increase the architectural design standards such as color variance, upper windows, popouts, and/or masonry.

Commissioner Wright concurred with Commissioner Everett that a few small, inexpensive additions will dramatically improve the aesthetics of the rear elevations, especially in consideration of residents passing or living behind the building.

Commissioner Pengra said that the rear of a grocery store is a utilitarian space with a loading dock and regardless of the architectural features, pallets, racks, and other less appealing elements are required for functionality and detract from the design features.

Commissioner Wells agreed that there will be utilitarian uses and noted that as a wall will be required between the building and the adjacent uses, only the top of the building will be visible to buildings behind the site. Although she agrees that it might be superfluous to require additional design elements on the rear elevation, the Commission's job is to enforce Municipal Code which does not differentiate between front, side, and rear elevation requirements.

Commissioner Everett inquired if the restaurant could be moved farther back into the store.

Mr. Mitchell explained the location of the drive-through is in accordance with a right-handed store layout which is the preferred, most common layout. He acknowledged the validity of the Commission's concerns but explained relocating the restaurant would disrupt the flow and function of the overall layout. In stores with the same layout, they removed parking to create a drive aisle and stack lane and added a stop sign to address drive-through queue and traffic impediments.

Commissioner Wright advocated for changing the layout to place the drive-through on the west side of the building.

Mr. Young verified that the patrons for the restaurant on the lot adjacent to the east of the grocery store will access the drive-through aisle for that restaurant from the north and the patrons for the restaurant attached to the Macey's will access the adjacent drive-through aisle from the south. Pass-through traffic would be prohibited between the two drive-throughs. He explained that reorienting the building would place the Ace Hardware portion adjacent to the roadway and the associated pallets with items such as fertilizers, soil, and salt would be more visible on the

east side of the building. He said the proposed drive-through aisle accommodates four cars with a fifth car at the ordering window.

Commissioner Pengra noted that due to his job, he is aware that the Eagle Mountain Artic Circle is the busiest store for the franchise even with the lobby being closed due to the pandemic. He shares the drive-through concerns due to the demographics of the City and the likelihood for the restaurant to have a higher-than-normal rate of drive-through traffic, especially during peak hours.

Mr. Jensen clarified that EMMC 17.75.069(D) requires a minimum of 120 feet for a single stacking lane or 60 feet per lane when there is more than one stacking lane. A stacking lane is measured back to the point of service or final service window. Stacking lanes do not have to be linear. Stacking lanes shall be designed so that they do not interfere with parking, pedestrian and vehicle circulation. All stacking lanes shall be clearly identified through the use of means such as striping, landscaping, and signs.

Discussion ensued regarding the stacking for the drive-through and options to address the drive-through traffic impediment concerns with consideration of the store layout and function.

MOTION: *Commissioner Everett moved to recommend approval to the City Council of the site plan for Macey's at Market Place with the following conditions:*

- 1. All parking lot lights shall be no more than 17-feet in height from grade;*
- 2. Elevations shall be updated to use similar materials, and design elements as the approved pad site elevations;*
- 3. The north and west elevations should be amended to contain varied roof planes;*
- 4. Additional articulation and material variation shall be provided for the north, west, and east elevations;*
- 5. An additional three architectural detail features shall be used on all four sides of the structure; and*
- 6. Traffic impacts from the drive-through on the east side of the building shall be mitigated and comply with EMMC 17.75.069(D).*

Commissioner Bergener seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett, Erin Wells, and Brett Wright. Those voting nay: Christopher Pengra. The motion carried with a vote of 4:1.

Commissioner Pengra explained his dissenting vote was due to objections to conditions #2, 3, 4, and 5. He expressed his support of Macey's project moving forward.

6.B. PUBLIC HEARING – Sweetwater Industrial Park (Rezone & General Plan Amendment)

Mr. Mumford presented the item. The subject property is about 126.61 acres located west of Pony Express Parkway and south of Tiffany Lane. On July 21, 2020, the applicant requested the subject property to be rezoned to Industrial with the Sweetwater Industrial Overlay Zone. The

City Council approved the LMD and Sweetwater Industrial Overlay Zones on lot 1 but tabled the remainder of the request to allow the applicant to review the new LMD zoning standards and consider it for use within the industrial park. The rezone requests approximately 50.14 acres to Industrial with the Sweetwater Industrial Overlay, approximately 34.6 acres to CC, and approximately 41.87 acres to LMD. The current General Plan designation is Business Park/Light Industry on 104.36 acres and Neighborhood Residential One on 22.25 acres. The applicant is seeking an amendment to the General Plan that would result in Business Park/Light Industry on 92.51 acres and Community Commercial on 34.1 acres. The property was zoned Industrial in the Eagle Mountain Properties Master Development Plan, which has expired.

Most of the uses that are permitted or conditional in the Industrial zone are now permitted a special uses in the LMD zone. The Sweetwater Industrial Overlay allows for metal buildings that are not specifically permitted in the LMD zone. Criteria for a rezone approval considerations include compliance with the General Plan, compatibility determination, City services, traffic generation, and property values.

The City's Transportation Master Plan includes several primary roads which will service the subject property – Tiffany Lane, running along the northern property edge, is a major arterial; Pony Express Parkway, running along the eastern property edge, is a minor arterial, and 1020 East, running north-south through the center and along the western edge of the property, is a collector. While the exhibits show the other interior roads within the project to be 77-foot wide, they would not need to be built to the collector road standards and instead are proposed at this width to better serve large vehicles and turning into/out of properties.

Staff recommends that the area requested for the Sweetwater Overlay zone be instead zoned as LMD due to the differences in the permitted and conditional uses and development standards allowed in the Industrial and Sweetwater Overlay in comparison to the LMD zone.

The development standards for the Sweetwater Overlay Zone per EMMC 17.53.060 stipulate "The base zoning development standards shall be applicable, unless modified or replaced as follows:

- A. Buildings must comply with the city's commercial design standards found in EMMC 17.72.040, except that metal may be used as a primary exterior building material, and pedestrian-scaled architectural details are not required.
- B. The front parking lots and driveway entrances shall be asphalted to city standards, while equipment and parking areas behind the front of a building may be graveled.
- C. Rear parking or storage areas do not need to comply with city landscaping requirements.
- D. Outdoor storage of equipment, used materials, and wrecked or abandoned vehicles shall be screened behind an opaque fence or wall to be out of sight of major roads. Fencing and screening of outdoor uses shall be reviewed with each individual site plan.
- E. All outdoor lighting shall comply with Chapter 17.56 EMMC.
- F. Parking for each site plan shall comply with Chapter 17.55 EMMC."

EMMC 17.72.010 permits exceptions for City design standards for the industrial overlay "This chapter provides standards and guidelines for the site and building design of commercial and

multifamily developments. Although these standards are not required for industrial parks, warehouses, or large corporate office or campus developments, they are highly encouraged.”

Per EMMC 17.37.050(B) Architecture and Site Design, “All permitted or special uses shall comply with Chapter 17.72 EMMC, Commercial and Multifamily Design Standards. Where more than one structure is built in a complex or project, structures shall have a similar style or theme, including colors, materials, and design elements. It is recognized that the function and use of buildings used for light manufacturing or unique uses may dictate the style and other appearance of the structure. In these cases strict adherence to the provisions of this chapter may not be advisable or possible, at the discretion of the approval authority.”

Parking Standards in EMMC 17.55.040 require that “Parking areas shall consist of concrete, asphalt, or other impervious materials approved in the Eagle Mountain City Construction Standards and Specifications manual.”

Staff recommends that the Planning Commission motion to recommend approval of the proposed General Plan amendment to the City Council for the reasons set forth in the staff report and in the meeting.

Staff recommends that the Planning Commission motion to recommend approval of the proposed rezone application to the City Council, rezoning approximately 92 acres to the LMD zone and approximately 35 acres to the CC zone, for the reasons set forth in the staff report and in the meeting.

Mr. Mumford noted that the previous approval for the Sweetwater Industrial Overlay zone on lot 1 included several conditions amending the permitted uses.

Applicant representative Scot Hazard said he had not been aware of the staff recommendation to rezone the area requested for the Sweetwater Industrial Overlay to LMD and required time to consider the recommendation. They intend to develop a diversity of product in the area. As the Sweetwater Industrial Overlay zone was created specifically for this area of the City near the sewer treatment plant, he advocated for the application of the overlay as appropriate. The reduced design standards would allow them to attract users that would not be interested in the LMD zone as the increased design standards are cost-prohibitive.

Commissioner Wright opened the public hearing at 8:04 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.

Mr. Mumford stated the intention had been to inform the applicant of the staff recommendation prior to the meeting and apologized to the applicant that the information had not been conveyed to him. He agreed the location is the most appropriate location in the City for the Sweetwater Industrial Overlay zone. The staff recommendation is based upon Council and Commission concerns regarding the permitted uses expressed during the approval of lot 1. He thinks that an exception or amendment to the standards could allow the uses and reduced design standards desired by the applicant. He noted the LMD allows more uses than the Industrial zone. The City

has updated conditional use to special uses in the residential and commercial zone standards; however, the industrial zones uses have not been updated recently.

Mr. Hazard clarified that a significant portion of the property is requested for LMD to accommodate uses not permitted in the overlay. He is not as interested in the uses in the overlay zone, as he is in the reduced standards. He is working with a fitness equipment repair company and they require a metal building and trailers with containers. The standards in the LMD zone are cost-prohibitive. He emphasized the area is unlikely to attract businesses with the higher design standards and materials requirements. It is more difficult to recruit companies and convince them to spend money on an application to request a special or conditional use with uncertainty regarding approval. Their proposal buffers the area requested for the Sweetwater Industrial Overlay uses with LMD and CC uses.

Commissioner Wright agreed that this area is the appropriate location for the overlay. Although he does have concern with some of the uses, he expressed his willingness to approve the overlay especially considering the proposal rezones residential areas to commercial uses. He noted the City has had difficulty in developing commercial lots with 212 to 218-foot depths and inquired regarding the depth of the commercial lots in the project.

Mr. Hazard stated the lots proposed for the CC zone are 250-feet deep.

Commissioner Pengra stated industrial development in the City is just beginning. If desired and permitted by the City, development expansion will begin in this area. Cost has a significant impact on industrial development. There may come a time when the City can require increased design standards but is currently unlikely to attract industrial development with increased standards. As the City and utility buildings in this area are metal, he feels buildings with reduced design standards and industrial uses are appropriate.

Commissioner Wells expressed support in allowing the reduced design standards in the overlay but concurred with City Council concerns regarding some of the uses. She agreed that the City should review and update the uses in the Industrial zone. She suggested approving the overlay on the southernmost portions of the property – including the 10.58-acre development area, west of lot 1 and south of 2400 North, and the 2.67-acre development area, east of the Available Storage site and south 2450 North as depicted in Exhibit B.

Mr. Mumford noted the City Council minutes with the changes to the Sweetwater Overlay were included in the packet material.

Commissioner Everett agreed that City the has the opportunity to develop this area with Industrial uses if desired. As newer metal buildings have increased aesthetics from older metal buildings, he does not have concerns regarding permitting reduced design standards. Although he shares concerns regarding some of the uses in the overlay, he feels it would be inappropriate to delay the application while the City revises the standards due to the unlikelihood of the applicant requesting to develop those uses. He appreciates the addition of commercial uses in lieu of residential especially in consideration of the amount of designated commercial space requested to be rezoned to residential uses in other developments and the buffering provided by the

commercial uses. He approved of the applicant installing wider roads to accommodate truck traffic. He is in favor of moving the application forward rezoning the areas as requested by the applicant.

Commissioner Bergener agreed the commercial and LMD zones buffering the industrial uses is appropriate and said the request adheres to the General Plan designations and uses. If the only concerns are regarding the permitted uses, then the conditions of approval could exclude those uses.

Commissioner Wright requested for the Commission to review the 17.53.040 Land Uses to determine the uses they desire to exclude.

Mr. Mumford verified that the Planning Commission has the purview to exclude uses in the conditions of approval and reviewed the uses amended in the conditions of the approval of lot 1.

Mr. Hazard expressed his support of the proposed amendment to the uses as conditions of approval of the Sweetwater Industrial Overlay zone.

MOTION: *Commissioner Everett moved to recommend approval to the City Council of the General Plan amendment for the Sweetwater Industrial Park. 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 recommend approval to the City Council of the rezone for the Sweetwater Industrial Park as presented in Exhibit C with the following conditions applied to the land zoned Industrial with the application of the Sweetwater Industrial Overlay:*

- 1. Automobile sales and/or services shall be a permitted use;*
- 2. Convenience stores shall be a permitted use;*
- 3. Electronic data management businesses shall be a permitted use;*
- 4. Laundry and dry-cleaning establishments shall be prohibited;*
- 5. Manufactured homes developments shall be prohibited;*
- 6. Motels and hotels shall be prohibited;*
- 7. Other manufacturing businesses shall be a permitted use; and*
- 8. Restaurants and banks (with drive-through service facilities) shall be prohibited.*

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 Planning Commission has a joint meeting with the City Council on March 30, 2021, at 5:30 p.m. preceded by a tour of the Overland clubhouse at 4:30 p.m.

Commissioner Wells informed the Commission that she will only be able to attend a portion of the joint meeting with the City Council.

Commissioner Pengra stated he will attend the joint meeting with the City Council but is unsure if he will be able to attend the tour of the Overland clubhouse.

9. Adjournment

MOTION: *Commissioner Wells moved to adjourn the meeting at 8:43 p.m. 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.*

The meeting was adjourned at 8:43 p.m.

Approved by the Planning Commission on April 13, 2021.


Steve Mumford (2021-08-11 10:01)

Steve Mumford, AICP
Assistant City Administrator/Community Development Director