EAGLE MOUNTAIN
PLANNING COMMISSION MEETING
MINUTES

March 22, 2022, 5:30 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

COMMISSION MEMBERS PRESENT: Jason Allen, Matthew Everett, and Christopher Pengra. Commissioner Erin Wells was excused.

COMMISSION MEMBERS PRESENT ELECTRONICALLY: Jeremy Bergener.

ELECTED OFFICIALS PRESENT: ELECTRONICALLY: Councilmember Colby Curtis, Liaison to the Planning Commission.

CITY STAFF PRESENT: Steve Mumford, Assistant City Administrator/Community Development Director; Robert Hobbs, Planning Manager; Tayler Jensen, Senior Planner; Fionnuala Kofoed, Director of Administrative Services/City Recorder; and Elizabeth Fewkes, Recording Secretary.

5:30 P.M. – Eagle Mountain City Planning Commission Training – Main Conference Room

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

1. Training

1.A. TRAINING ITEM – Open and Public Meetings Act

Director of Administrative Services/City Recorder Fionnuala Kofoed presented the training.

Commissioner Everett recessed the work session at 6:13 p.m.

6:00 P.M. – Eagle Mountain City Planning Commission Work Session – Council Chambers

Commissioner Everett resumed the work session to order at 6:22 p.m.

2. Discussion Items

2.A. DISCUSSION – Street Standards

Panning Manager Robert Hobbs explained that staff desires Commission direction regarding the proposed changes. He presented potential standard amendments for private streets to be held to the same standards as public streets.

Commissioner Everett advocated for private streets to be required to be built to City street standards to facilitate maintenance efforts in the event that the City assumes the responsibility of the road in the future. Although he understands the desire to prohibit private streets, building all roads to public standards would alleviate most of his concerns. As such, he is not opposed to allowing private roads with heightened standards. He suggested for the 53-foot width standard for local right-of-way neighborhood roads to be increased by five to ten feet to allow for street parking and two-way traffic and safety factors.

Commissioner Allen concurred with the proposals for public road requirements to apply to private roads to ensure all residents benefit from the same standards and quality of life impacts. He researched bump-outs and chokers and would be in favor of utilizing them as traffic calming measures.

Commissioner Pengra expressed concern with the long-term consequences of altering road standards such as the budgetary impact to maintain and repair wider widths of aging roads in the future, especially considering the unique developmental characteristics of Eagle Mountain resulting in a higher-than-average number of lane miles of roads connecting inhabited areas. He thinks that requiring additional asphalt could make the development of larger lots cost-prohibitive. He is against prohibiting all private roads and requested for staff to research and provide additional information regarding the impact of the proposed standard changes.

Commissioner Bergener said he feels that addressing ambiguity and concerns with private and other road standards is important in order for the City to be able to enforce the desired requirements. He has experienced the traffic maneuverability limitations and frustrations due to 53-foot local right-of-way roads; however, he acknowledges the need to consider impact as well as benefit to requiring wider roads.

Commissioner Everett requested for the item to return at a future meeting for further discussion.

Commissioner Everett closed the work session at 6:39 p.m.

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

Commissioner Everett called the policy session to order at 6:40 p.m.

3. Pledge of Allegiance

Commissioner Everett led the Pledge of Allegiance.

4. Declaration of Conflicts of Interest

None.

5. Approval of Meeting Minutes

5.A. March 8, 2022 Planning Commission Minutes

MOTION: ***Commissioner Pengra moved to approve the March 8, 2022 minutes. Commissioner Allen seconded the motion. Those voting aye: Jason Allen,***

Jeremy Bergener, Matthew Everett, and Christopher Pengra. The motion passed with a unanimous vote.

6. Status Report

Senior Planner Tayler Jensen reviewed the planning items discussed and voted upon during the March 15, 2022 City Council meeting.

7. Action and Advisory Items

7.A. PUBLIC HEARING/ACTION ITEM – Marketplace at Eagle Mountain Town Center Lot 6 Pad C2

Mr. Jensen presented the item. The application is for a commercial pad building located on approximately .45 acres on lot 6 pad C2 of the Eagle Mountain Town Center Development. EMMC 17.72.030(A) requires a pedestrian connection to the front of the building; staff recommends a pedestrian access be added to connect to the trail along Pony Express Parkway. Trail connectivity was not included in the master site plan. Staff recommends additional features be added to the east elevation to better comply with the requirement for design elements to be used on all four sides of a building. It is the purview of the Planning Commission to determine if the application adheres to the EMMC 17.72.040(F)(2) requirement for buildings to avoid large, panelized products or featureless surfaces. The applicant is proposing 14 parking stalls which meets the minimum parking requirement.

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. A pedestrian connection is provided to the improved walking path along Pony Express Parkway to the east of the project; and
2. Awnings shall be added to the east elevation.

Applicant representative Bill Gaskill explained that the master plan had consideration for sidewalk connections that were not clearly identified. A pedestrian connection could be added near the drive-through reader board, where the vehicles are stopped, to meet the requirement or to connect to the interior sidewalks as planned.

Commissioner Everett opened the public hearing at 6:57 p.m. As there were no comments, he closed the hearing.

Commissioner Everett noted a precedence in the City to allow for pedestrian accesses crossing the drive-through aisles and thus he supports allowing a similar walkway for this application. He appreciates the applicant's willingness to add an awning on the east elevation.

Commissioner Allen stated he is in favor of the proposed connection, as traffic will be stopping at the menu board, and the addition of the awning.

Commissioner Pengra expressed concern with a pedestrian walkway crossing the drive-through. As he feels that foot traffic will more likely come from the shopping area than the trail on Pony Express Parkway, he would prefer pedestrian connectivity to the west.

Commissioner Bergener said he does not recall that pedestrian access had been required for other businesses in the area and agrees with concerns regarding the usability and utilization of a pedestrian connection from the trail.

MOTION: ***Commissioner Bergener moved to recommend approval of the site plan for the Marketplace at Eagle Mountain Town Center Lot 6 Pad C2 to the City Council with the condition that awnings shall be added to the east elevation. Commissioner Pengra seconded the motion. Those voting aye: Jason Allen, Jeremy Bergener, Matthew Everett, and Christopher Pengra. The motion passed with a unanimous vote.***

7.B. PUBLIC HEARING/ACTION ITEM – Rose Ranch

Mr. Jensen presented the item. Rose Ranch was previously called Mae Land, and the Planning Commission held a public hearing on a proposed rezone for this project on February 22, 2022, ultimately deciding to table the item and advised that it return as a master plan as well as a rezone. The resubmittal includes a master development plan, preliminary plat, and a rezone for the 79.85 acres of property.

Since this was last reviewed, some substantial changes have been made including:

- The land swap with SITLA is not going to go forward.
- At the recommendation of staff, RC zoning is proposed on the southern boundary of the project, as an age-restricted product.
- The remaining portion of the development is to be zoned R3, with varied lot sizes.

The Parks and Recreation Director does not wish for a public splash pad in this location, as proposed, and feels it is more costly than the developer anticipates. EMMC 16.35.105(A)(5) requires parks to be visible from the road. The applicant has added parking lots to open visibility near the amenities. Nevertheless, the nature of the Pony Express Regional Trail prohibits visibility from some roads as the trail traverses the City. EMMC 16.35.105 (A)(13) stipulates that no more than 33% of required amenity points may come from parking and trails. The current proposal meets the required number of points; however, 368 points must come from amenities other than trails, and currently, only 287 points are for other amenities resulting in a deficiency of 81 points. A portion of the regional trail is currently being used as the primary construction access road for Facebook. The park cannot be built until construction traffic is rerouted. SITLA supports the rerouting of the construction access.

The project exceeds the minimum connectivity score. However, Mae Lane exceeds the maximum block length of 800 feet and requires a mid-block pedestrian connection to be compliant. The applicant plans show a 47-foot road along the southern edge of the project; however, the road the City only anticipated as a 36 ½-foot residential road. Willard Peak Drive had been projected as a 94-foot major collector, but is not currently on our transportation map, and is on the draft transportation map as a 77-foot minor collector. An additional 30-feet of right of way is needed to complete the road and no lots may front on Willard Peak Drive; however, the Planning Commission may grant an allowance if all the lots are at least 100-feet wide and have a circular drive.

Staff recommends that the Planning Commission motion to recommend approval of the Rose Ranch rezone, for the reasons set forth in the staff report and in the meeting with the following conditions:

1. The RC Zone shall be age-restricted to occupants 55 years and over; and
2. The open space area shall be rezoned to OS-I.

A recommendation of approval may be made for the Rose Ranch preliminary plat and Master Development Plan for the reasons set forth in the staff report and in the meeting with the following conditions:

1. A 20-foot-wide midblock pedestrian connection shall be added to the east segment of Mae Lane between Apeche Street and Bull Run Drive);
2. An additional 81 non-parking or trail amenity points shall be added to the park plan;
3. The plat shall be redesigned so no lot has access onto Willard Peak Drive;
4. The Facebook construction access shall be rerouted along the north and west edge of the development;
5. The splash pad shall be replaced with more neighborhood appropriate amenities;
6. The southern road shall be reduced to a 53-foot right of way;
7. Willard Peak Drive shall be constructed as a 77-foot minor collector; and
8. An additional east-to-west connection into the SITLA property north of the trail corridor shall be added.

Discussion ensued regarding potential roads to reroute construction traffic and the potential impacts of delaying an alternate road access.

Applicant representative Steve Turley expressed his willingness to work with the City to accommodate the staff recommendations.

Mr. Jensen clarified that the number of and layout for the R3 lots is similar to the previous proposal. The reason for the increase of the total lot count is due to adding the age-restricted, higher-density RC product to the project.

Commissioner Everett opened the public hearing at 7:25 p.m.

Commissioner Everett noted that the City received communication from Elise Erler, a SITLA representative, regarding the project.

Commissioner Everett closed the public hearing at 7:26 p.m.

Discussion ensued regarding proposed changes to the Future Transportation Plan for the City, potential connections to existing roads, and the impact of the construction access road options on current and future traffic plans.

Commissioner Pengra expressed concern that allowing the continued use of the Pony Express Regional Trail as a construction access will decrease the likeliness of the trail being approved and used as intended. As such, he is in favor of rerouting construction traffic; however, he is unsure of the impacts of relocating the access.

Commissioner Allen concurred with Commissioner Pengra. He appreciates the applicant's willingness to amend the amenities and the mix of product offered and is in favor of directing traffic off the minor collector road as the population increases.

Commissioner Bergener thanked the applicant for their willingness to adapt the project to conform with the desires of the City.

Commissioner Everett echoed the appreciation expressed to the applicants. Although the RC Zone is not compatible with the General Plan designation, he thinks it is appropriate as a transition to the area to the south. He thanked the applicant for adding parking to make the park space more open and accessible. He requested that the park plan amendments retain the parking. He agrees with returning the access road to a trail as soon as possible. As such, he is in favor of rerouting traffic to Aviator Avenue to access the development from the north and west side.

Commissioner Pengra requested for staff to research construction access options, construction access standards, and ramifications prior to the discussion with the City Council to determine the best route during their approval.

Commissioner Allen voiced his support of allowing time for additional research to determine the most appropriate construction access.

Discussion ensued regarding the following times:

- Construction route options including fire and safety access requirements;
- Possibly allowing the applicant to pay a fee in lieu and preserve the trail for the City to develop in the future;
- The impact of inflation on the adequacy of the fee in lieu funds to cover the cost of a future park;
- Whether the park in Brandon Park is sufficiently sized and located in close enough proximity to provide amenities for Rose Ranch until the park can be developed should a fee in lieu be allowed;
- The unknown timeframe until the completion of construction for the Facebook project;
- The impact of the construction access location options on residents;
- Potential conditions to address the construction access concerns while allowing the application to move forward to prevent being punitive towards the applicant through additional delays to the project; and
- The entitlements, uses, and density of surrounding properties.

MOTION: ***Commissioner Pengra moved to recommend approval to the City Council of the rezone for Rose Ranch with the following conditions:***

1. *The RC Zone shall be age-restricted to occupants 55 years and over; and*
2. *The open space area shall be rezoned to OS-I.*

Commissioner Allen seconded the motion. Those voting aye: Jason Allen, Jeremy Bergener, Matthew Everett, and Christopher Pengra. The motion passed with a unanimous vote

MOTION: ***Commissioner Everett moved to recommend approval to the City Council of the preliminary plat and master development plan for Rose Ranch with the following conditions:***

1. ***A 20-foot-wide midblock pedestrian connection shall be added to the east segment of Mae Lane between Apeche Street and Bull Run Drive;***
2. ***An additional 81 non-parking or trail amenity points shall be added to the park plan;***
3. ***The plat shall be redesigned so no lot has access onto Willard Peak Drive;***
4. ***Construction access shall be rerouted around the edge of this development;***
5. ***The park plan shall be reconfigured with appropriate amenities for the neighborhood;***
6. ***The southern road shall be reduced to a 53-foot right of way;***
7. ***Willard Peak Drive shall be constructed as a 77-foot minor collector;***
8. ***An additional east to west connection into the SITLA property north of the trail corridor shall be added; and***
9. ***If the construction access is not rerouted around this development, a fee in lieu shall be paid by the applicant to the City for the improved open space.***

Commissioner Pengra seconded the motion.

Discussion ensued regarding amendments to the motion.

AMENDED MOTION: ***Commissioner Everett moved to recommend approval to the City Council of the preliminary plat and master development plan for Rose Ranch for the reasons set forth in the staff report and the presentation in the meeting with the following conditions:***

1. ***A 20-foot-wide midblock pedestrian connection shall be added to the east segment of Mae Lane between Apeche Street and Bull Run Drive;***
2. ***The plat shall be redesigned so no lot has access onto Willard Peak Drive;***
3. ***The southern road shall be reduced to a 53-foot right of way;***
4. ***Willard Peak Drive shall be constructed as a 77-foot minor collector;***
5. ***An additional east to west connection into the SITLA property north of the trail corridor shall be added;***

6. ***The parks plan shall be reconfigured to include more neighborhood park appropriate amenities and points;***
7. ***If the construction access is not rerouted, the applicant shall pay a fee in lieu for the parks in this development; and***
8. ***The applicant shall work with staff to reroute construction access around the development.***

Commissioner Pengra seconded the motion. Those voting aye: Jason Allen, Jeremy Bergener, Matthew Everett, and Christopher Pengra. The motion passed with a unanimous vote.

7.C. PUBLIC HEARING/ACTION ITEM – Saddle Junction

Mr. Jensen presented the item. The application is for a rezone of approximately 1.5 acres to the CC Zone. Several comments have been received from the public preferring the property be zoned as CN rather than CC. Both CN and CC are appropriate under the Future Land Use Plan designation of Community Commercial. The conceptual use in the applicant's proposal of office is a permitted use in both the CC and the CN Zone. The CN Zone may provide better transitioning between residential to commercial uses.

Staff recommends that the Planning Commission recommend approval of the Saddle Junction rezone to either the CN or CC Zone to the City Council for the reasons set forth in the staff report and in the meeting with any conditions determined appropriate.

Applicant representative Conner Atkin said they desire to request the same zoning that had been approved under the lapsed approval. They are concerned with the suggestion to zone the parcel CN due to the height restriction of the zone because interested parties desire a multiple-story office building for the site.

Mr. Jensen verified that the CC zone permits buildings up to 50-feet in height and the CN zone has a building height maximum of 35 feet.

Commissioner Everett opened the public hearing at 8:27 p.m.

Zac Hatch with NAI Commercial Real Estate stated that he is working with the applicant and has groups interested in a two or three-story office building for the site. Road access will allow for shared parking between this parcel and the development to the north.

Commissioner Everett noted that the Planning Commission received emails from Alexis Hicks and Michelle Blackburn regarding the rezone.

Commissioner Everett closed the public hearing at 8:29 p.m.

Commissioner Allen stated that due to traffic concerns in the area, he would be in favor of approving CN zoning as a compromise to allow for a two-story building while mitigating traffic generation and impact.

Commissioner Everett agreed with the preference for the CN Zone as the permitted uses would be more appropriate and a two-story building would be more in harmony with other buildings in the surrounding area.

Commissioner Pengra advocated zoning the parcel to CC to allow for a three-story building due to the lack of professional office space available in the City as it would not be a high-intensity use and would have minimal impact. The access and visibility limitations of the site would be unlikely to attract the undesired uses permitted in the CC Zone to this location.

Discussion ensured regarding options, limitations, and requirements to allow for a taller office building while protecting against undesired and inappropriate uses for the area including a development agreement, zoning the property CC removing some of the permitted uses, or zoning the property CN and permitting a three-story building.

MOTION: ***Commissioner Pengra moved to recommend approval to the City Council of the rezone for Saddle Junction to the CC Zone. Commissioner Bergener seconded the motion. Those voting aye: Jeremy Bergener and Christopher Pengra. Those voting nay: Jason Allen and Matthew Everett. The motion failed with a vote of 2:2.***

MOTION: ***Commissioner Everett moved to recommend approval to the City Council of the rezone for Saddle Junction to the CN Zone with the condition that a development agreement shall be written to allow a maximum of 50-foot-high structures with all other commercial development standards to apply. Commissioner Pengra seconded the motion.***

Commissioner Allen requested that the motion specify that the 50-foot height allowance be applicable only to office buildings.

Commissioner Everett declined the amendment as he felt other appropriate uses may desire the increased building height.

Those voting aye: Jason Allen, Matthew Everett, and Christopher Pengra. Those voting nay: Jeremy Bergener. The motion carried with a vote of 3:1.

Commissioner Bergener clarified that his dissention was due to perceiving the motion as being too prescriptive.

7.D. ACTION ITEM – Planning Commission Rules of Order and Procedure

MOTION: ***Commissioner Bergener moved to approve an amendment to the Planning Commission's Rules of Order and Procedure. Commissioner Allen seconded the motion. Those voting aye: Jason Allen, Jeremy Bergener, Matthew Everett, and Christopher Pengra. The motion passed with a unanimous vote.***

8. Discussion Items

9. Next scheduled meeting

The next Planning Commission meeting is scheduled for April 12, 2022.

10. Adjournment

MOTION: ***Commissioner Pengra moved to adjourn the meeting at 8:50 p.m. Commissioner Allen seconded the motion. Those voting aye: Jason Allen, Jeremy Bergener, Matthew Everett, and Christopher Pengra. The motion passed with a unanimous vote.***

The meeting was adjourned at 8:50 p.m.

Approved by the Planning Commission on April 12, 2022.

Steve Mumford, AICP
Assistant City Administrator/Community Development Director

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Final Audit Report 2022-04-14

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