EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

March 8, 2022, 5:30 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

COMMISSION MEMBERS PRESENT: Jeremy Bergener, Matthew Everett, Christopher Pengra, and Erin Wells. Commissioner Jason Allen was present during work session and excused from policy session.

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

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 ITEM – Planning Commission Rules of Order and Procedure.

Senior Planner Tayler Jensen presented an amendment to Eagle Mountain Planning Commission's Rules of Order and Procedure including the following changes:

- Spelling and grammar changes;
- Abstaining members no longer count towards quorum;
- Clarification that if a quorum is not available for an entire meeting, or a single agenda item that those items automatically come back on the next agenda;
- Allowance for the Planning Directors designee to prepare the agenda;
- Allowance for the Planning Commission Chair to grant public comments additional time at the Chairs discretion; and
- Clarification about discussing motions.

Discussion ensued regarding the proposed changes, whether to require an item to be tabled to a future meeting in the case of the lack of a quorum due to an abstention for personal interest rather than a conflict of interest, disclosure recommendations for conflict of interest and private conversations, the option to compel a vote, and requiring a vote of a minimum of three Commissioners to qualify as a recommendation to the City Council with the ability for the item to move forward to the City Council without a recommendation of a full quorum with a notation of the vote of the Commissioners present.

Commissioner Everett requested for the item to be placed on the agenda of a future policy session for approval consideration by the Commission.

Assistant City Administrator/Community Development Direct Steve Mumford provided an update on residential growth, development in the City, and the status of staff efforts regarding vested zoning rights and the City rezone maps. The City will be posting a request for proposals for architectural services to update commercial and multifamily design standards and reviews of projects as needed. The requirement for larger garage standards for single-family and two-family dwellings is now prohibited by State statute. The Mayor has made assignments to pairs of Councilmembers to work with staff on drafting development standard amendments and a Planning Commission representative could be included in amendment discussions if the Commission is interested.

Mr. Jensen noted that the What's Happening area on the Resident Portal on the City website has information regarding road construction, commercial development, residential development, rumor stop, and additional resources and can be found at https://eaglemountaincity.com/whats-happening/.

Commissioner Everett stated that an amendment proposal for street standards will be presented for consideration at an upcoming meeting per the request of Councilmember Wright. He requested that Commissioner Pengra prepare an amendment regarding the Planning Commission review of master development agreements to resume the discussion on the subject from the February 22, 2022 meeting. He recommended for staff to prepare an amendment to resolve ambiguity about rear and front-loaded garage standards for townhomes.

Commissioner Everett adjourned the work session at 6:21 p.m.

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

Commissioner Everett called the policy session to order at 6:31 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. February 22, 2022 Planning Commission Minutes

MOTION: ***Commissioner Pengra moved to approve the February 22, 2022 minutes. Commissioner Wells seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett, Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.***

5. Status Report

Senior Planner Tayler Jensen reviewed the planning items discussed and voted upon during the March 1, 2022 City Council meeting.

6. Action and Advisory Items

6.A. PUBLIC HEARING – Preliminary Plat (Phase "B") for "Parkway Fields Subdivision" (formerly "Founders' Square" & "Ault Farms")

This item was presented and discussed after item 6.B.

Planning Manager Robert Hobbs presented the item. The second preliminary plat for Parkway Fields Phase B Subdivision encompasses 74.60 acres and is comprised of 234 lots and seven open space parcels. The lots meet or exceed the minimum lot size requirements. One of the seven open space parcels, the north park, will be developed as a neighborhood park intended for conveyance to the City in this plat. The neighborhood park connects to the linear parks. The parcels' landscaping plans have been altered since the original master and concept plans were accepted by the City. The updated design includes a field. The Parks and Recreation Director provided the following comment regarding the redesign of the north park, "Neighborhood parks don't require parking lots, restrooms, or sports courts; however, sports courts can be installed in neighborhood parks. In comparison to the original concept plan, the pickleball courts have been removed. There has been a redesign to highlight the use of green space and to try to open the corridor and incorporate some fields in the corridor."

Mr. Mumford stated that combined the small and linear parks could meet a community park size and standards in some regards; however, the parks lack sports courts and parking generally found in a community-scale park. The applicants altered the design at the request of staff to provide a large, grass playfield. Should the amenity be desired to serve the community as a whole, additional parking and a restroom would be appropriate.

Mr. Hobbs noted that the Commission should consider if they desire to require what was presented in the master development agreement (MDA) or the amended amenities.

Applicant representative Bronson Tatton said the north park is approximately 3 ½ acres and each of the adjacent linear parks is about 3 acres. They desire to reach a community park acreage and are willing to explore additional parking options. The updated north park concept drawing removed the basketball and pickleball courts, rearranged the amenities provided in the MDA proposal to consolidate the grass area into a youth 10 soccer field, and added a restroom. The west linear park was amended to add several smaller soccer fields between two trails ending at a pavilion. The pickleball and basketball courts could be moved to the south park.

Commissioner Everett opened the public hearing at 7:45 p.m. As there were no comments, he closed the hearing.

Discussion ensued regarding desired and potential amenities for the parks and open space plan, the need for parking and potential frustration due to increased traffic to adjacent residents should sports fields be scheduled for use for City-wide youth programs, the relationship of the park plan to the approval of the preliminary plat, the limited ability of the City to require additional parking at this stage of the approval, and the open space acreage and appropriate amenities for the neighborhood.

Mr. Tatton noted that usage would be dependent upon how the City programs the fields. They are open to providing the amenity options desired by the City.

Commissioner Pengra expressed appreciation to the applicant for meeting the City's lot size standards.

Commissioner Wells stated that water and field usage and maintenance needs should be a consideration when determining the park amenities.

MOTION: ***Commissioner Pengra moved to recommend approval to the City Council of the Parkway Fields Subdivision Preliminary Plat Phase B with the instruction for the applicant to work with staff on the programming of the northwestern linear park space. Commissioner Wells seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett, Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.***

6.B. ORDINANCE/PUBLIC HEARING – Browns Meadow (Residential) Subdivision

This item was presented and discussed prior to item 6.A.

Mr. Hobbs presented the item. The land is currently zoned Agricultural and is located within the Agricultural Rural Density Two and Neighborhood Residential One land use designations. The rezone requests RD1 zoning with approximately one-acre lots. The RD1 zone is appropriate in the Agricultural Rural Density Two area; however, Neighborhood Resident One is contemplated for R1, R2, and R3 zoning. It is for the Planning Commission to determine if allowing larger lots than required for the Future Land Use Plan designation is compatible and provides for appropriate lot size buffering to the adjacent parcels. The parcels exceed the lot size considered appropriate adjacent to the RD1 Zone. The applicant has requested a cul-de-sac; cul-de-sacs are discouraged in Municipal Code. Fire safety standards require a second access from more than 30 lots and the application requests 38 lots with a single access.

Applicant representative Howard Schmidt said he was surprised with the lot size concerns and feels that a one-acre lot would be an appropriate transition. They intend to divide the plat into two phases to meet the 30-lot maximum for a single access and plan to connect to the development to the west with the second phase which would include lots 31 through 38.

Commissioner Everett opened the public hearing at 6:49 p.m.

Amy Saunders submitted an email and spoke regarding concern that permitting one-acre lots adjacent to existing properties greater than four acres with Agricultural zoning, animal rights, and agricultural activities could result in use conflicts. She requested for the Commission to recommend the transition standards requiring two-acre lots to be enforced.

Jane McAfee expressed concern with the impact of the development on water pressure issues in the area and requested for the development to be required to plant street trees.

Kendel Saunders concurred with concerns regarding use conflicts and agricultural rights and advocated for the transitioning standards requiring two-acre lots to be upheld.

Kathryn Richards requested for the development to be required to follow transitioning standards to protect her animal business and agricultural status. She expressed concerns regarding the impact of the development on water pressure and fire danger due to conditions and a recent fire in the area.

Commissioner Everett closed the public hearing at 7:02 p.m.

Commissioner Wells advocated for honoring the transitioning requirements in Municipal Code. As an individual that purchased her home with the expectation for the standards to be followed to protect her rights, she desires to protect those same rights for other residents. She feels RD1 zoning would be appropriate for the whole property. She is willing to allow the cul-de-sac in consideration for a larger-lot development and thinks that two access points should be required.

Commissioner Bergener said that increasing the acreage of the lots would reduce the number of lots and possibly resolve the issues with the number of lots with a single access, otherwise two access should be required to protect the safety of the residents and provide emergency vehicle accessibility.

Commissioner Pengra stated the concerns expressed by residents have altered his opinion due to the use of the county parcels as lots by individual families without the intent to subdivide the land in the future. He agrees that the transition requirements should be respected. He would consider allowing a stub road for a future access to the west should the number be reduced to closer to 30 lots. He verified that the proposed cul-de-sac length is compliant with City standards.

Discussion ensued regarding transitioning options and considerations and potentially altering the cul-de-sac to a stub road to the west.

MOTION: ***Commissioner Wells moved to recommend approval to the City Council for the rezone for Browns Meadow Subdivision to the RD1 zone with the condition that the lots abutting the properties to the north are increased in size to a minimum of two acres to meet transition code standards. Commissioner Pengra seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett, Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.***

MOTION: ***Commissioner Pengra moved to table the preliminary plat for Browns Meadow to a future meeting to allow the applicant time to work with staff to amend the plan to meet transitioning standards. Commissioner Bergener seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett,***

Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.

6.C. ACTION ITEM - Chapter 17.80 Sign Regulations and Sign Permits

Mr. Jensen presented the item. The applicant proposed a development code amendment to allow for electronic message centers/reader boards in commercial zones. The City allows for electronic message centers in residential and agriculture zones for schools and institutions.

Commissioner Everett opened the public hearing at 8:05 p.m. As there were no comments, he closed the hearing.

Commissioner Everett said that this is the third request he has seen for electronic reader boards in the City. He continues to strenuously oppose electronic boards usage anywhere in the City and argues their effectiveness. As a board member of the Eagle Mountain Chamber of Commerce, he is unaware of businesses other than grocery stores that have wanted electronic boards or businesses that have elected to not build in the City because of the sign prohibition. Furthermore, electronic reader boards are in conflict with the dark sky ordinance.

Commissioner Pengra said although he understands the businesses' desire to have an allowance for reader boards, he questions if they are more effective than other marketing methods. Electronic reader boards are in conflict with the fundamental identity of the City and the desire to reduce and mitigate light pollution. He is opposed to all reader boards in the City.

Commissioners Wells agreed with the desire to preserve the community identity and dark skies.

Commissioner Bergener stated although he can appreciate the objectives of the request and the applicant's willingness to mitigate some concerns, he concurs with protecting the dark skies as he does not feel it will be detrimental to business interests and expressed concern with reader boards distracting drivers.

MOTION: ***Commissioner Everett moved to recommend denial to the City Council of the amendment to Eagle Mountain Municipal Code Chapter 17.89 Sign Regulations and Sign Permits. Commissioner Bergener seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett, Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.***

Commissioner Everett suggested that the applicant withdraw the proposal as it is unlikely to be approved by the City Council.

7. Discussion Items

8. Next scheduled meeting

The next Planning Commission meeting is scheduled for March 22, 2022.

Commissioner Bergener will be out of town and plans to attend virtually.

Commissioner Wells may not be in attendance due to a tentative work conflict and will inform the Chair once her schedule is finalized.

9. Adjournment

MOTION: ***Commissioner Wells moved to adjourn the meeting at 8:16 pm. Commissioner Pengra seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett, Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.***

The meeting was adjourned at 8:16 p.m.

Approved by the Planning Commission on March 22, 2022.

Steve Mumford, AICP
Assistant City Administrator/Community Development Director