EAGLE MOUNTAIN CITY PLANNING COMMISSION MEETING MINUTES

February 25, 2020, 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: Matthew Everett, Erin Wells, Rich Wood, and Brett Wright. Commissioner Christopher Pengra was excused.

ELECTED OFFICIALS PRESENT: City Councilmembers Donna Burnham and Melissa Clark.

CITY STAFF PRESENT: Steve Mumford, Community Development Director; Michael Hadley, Planning Manager; Jessa Porter, Planner; and Elizabeth Fewkes, Recording Secretary.

Commissioner Wood called the meeting to order at 5:30 p.m.

1. Discussion Items

    1.A. Community Commercial – Municipal Code

    1.B. Neighborhood Commercial – Municipal Code

Items 1.A. Community Commercial and 1.B. Neighborhood Commercial were discussed concurrently.

Commissioner Wood presented his proposed amendments to Municipal Code Chapter 17.35 Commercial Zones with the intent to recommended amendments to the City Council for approval and implementation.

Commissioner Wells expressed concern regarding the prescriptive nature of the wording in Municipal Code Chapter 17.35.40 Commercial Development Standards footnote 2, item 2. Commissioner Wood stated the usage of "may" instead of "shall" allows for discretionary denial of approval requests.

Community Development Director Steve Mumford explained he adapted the language from the existing Municipal Code guidelines for the maximum allowance for front setbacks, currently Code only allows for increases to the front setbacks. Discussion ensued regarding allowing both increases and decreases to the front setbacks.

Commissioner Wells suggested additional verbiage to clarify the specifications for the requirements of Section K of Chapter 17.35.050 Bicycle Parking.

Commissioner Wright suggested changing "town center" to "Commercial Civic Towne Center Zone" in the statement "may not be a stand-alone development in the town center" in Section 4 Future Land Use of Chapter 17.35.020 Future Land Use and Commercial Zones. Commissioner Wood explained he used the same verbiage as included in the City's General Plan.

Commissioner Wright suggested restricting exits that direct pedestrian traffic across drive-through rights-of-way due to safety concerns. Discussion ensued regarding pedestrian safety and potential codification of design restrictions.

Discussion ensued regarding the specifications of Community Commercial and Regional Commercial zones.

Mr. Mumford explained the potential for confusion between the General Plan Businesses Park/Light Industrial designation and the Business Park Zone. The Commission discussed potentially renaming the Business Park Zone as the Office/Professional Zone.

Mr. Mumford suggested focusing on amending two or three zones before determining the final number of and names for all of the commercial zone subcategories.

1.C. Commercial Civic Town Center – Municipal Code

Commissioner Wood proposed the creation of a Commercial Civic Town Center zone to include areas such as the future Eagle Mountain City downtown and the City office and auxiliary buildings. Commissioner Wright said the designation may be too narrow and could potentially exclude other uses the City may want to permit in that zone. Mr. Mumford said the City Council had discussed potentially moving the future downtown area closer to the freeway and suggested postponing the creation of a Civic Town Center Zone.

Discussion ensued regarding land use and other allowances for the proposed Civic City Town Center Zone. Commissioner Wells suggested combining use categories if and when applicable.

Commissioner Wood explained the differences among the various types of medical care facilities and stated that many have combined into multiple-care facilities. Discussion ensued regarding which types of medical care facilities should be permitted in a specific zone.

Mr. Mumford stated staff is working to contract with an organization to assist with special use standards codification.

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

Commissioner Wood called the meeting to order at 6:33 p.m.

2. Pledge of Allegiance

Commissioner Wood led the Pledge of Allegiance.

3. Declaration of Conflicts of Interest

Commissioner Wells disclosed that applicant Ryan Bybee has worked on development projects within the city where she is employed. Her employment role has not impacted any of Mr. Bybee's applications, but she expressed her desire to state the association for transparency.

No Commissioners expressed concerns regarding Commissioner Wells participating and voting during Policy Session.

4. Approval of Meeting Minutes

Commissioner Wright requested an amendment to the minutes for item one, work session discussion items 1.C. City Code. In the second to final paragraph, "Commissioner Wright said his understanding was they were waiting for direction from the City Council regarding vested rights." He had meant City legal counsel and requested for "City Council" to be amended to "City Attorney" to reflect his intention.

4.A. February 11, 2020 Minutes

MOTION: ***Commissioner Wright moved to approve the February 11, 2020 minutes as amended. Commissioner Wells seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Erin Wells. The motion passed with a unanimous vote.***

5. Status Report

Mr. Mumford stated on February 18, 2020, the City Council reviewed a Municipal Code amendment for sign regulations and sign permits. The Council discussed regulations for special event and right-of-way signage drafted by City Attorney Jeremy Cook, which were then approved by the City Council.

The J & J Ranches preliminary plat returned to the City Council after being tabled on February 4, 2020 due to concerns that approving two five-acre lots within the thirteen-acre plat would increase the likelihood of density transfers to other neighborhood planning areas within the Pole Canyon Master Development and the resulting impact the density transfers may have. On February 18, 2020, the City Council approved the preliminary plat, as well as a minor amendment to the Pole Canyon Annexation and Master Development Agreement waiving a master development plan for Neighborhood Planning Area 4, the location of the J & J Ranches Preliminary Plat.

The City Council tabled the SilverLake South Phases 21 & 24 Site Plan until such time as the reimbursement agreement with the City for the installation of an extension of Golden Eagle Road is finalized.

6. Action and Advisory Items

6.A. Hidden Hollow Phase B Amended Site Plan – Public Hearing

Planning Manager Michael Hadley explained the application only addresses the parks and amenities plan for Hidden Hollow Phase. The Hidden Hollow Phase B preliminary plat and site plan were approved by City Council on September 4, 2018. The parks and amenities plan includes a trail at base of the hill behind the townhouses, a storm water detention basin, and a twenty-stall trailhead parking lot with a drinking fountain, restroom, trailhead kiosk, bike tool rack, wayfinding signs, and a bench/picnic table with a shade structure.

Mr. Hadley explained that due to the close proximity of the proposed restroom to a preexisting City well, the applicant could face a significant cost increase to protect the sewer line from potential leaks that may compromise the City water supply. The steep slope of the hillside behind the townhomes also increases the difficulty of trail installation, while decreasing the usability of the trail.

Mr. Hadley stated the amended proposal eliminates the trail behind the townhomes and moves the trailhead bathroom and pavilion to a new upper parking lot. The developer would eliminate the curb, gutter, and asphalt on the twenty-stall parking lot and install 80 stalls including 9 inches of sub-base and 6 inches of road base, with railroad ties at the ends of the parking stalls. The landscaping would remain as presented in the original proposal, except the south portion would include 60 parking stalls, a pavilion, and a bathroom instead of native open space. The parking would be utilized by mountain bikers that use the existing trails in the area.

Staff recommended, should the Planning Commission choose to approve the applications, to include a condition requiring a full updated set of landscape plans to be submitted and approved before building permits are issued in Phase B Plat 2.

Applicant Ryan Bybee with Cadence Homes clarified that moving the bathroom was due to State Code requirements, not cost. Upon closer examination of the area, the developer thought, due to the sidewalks fronting the townhomes, a trail would be superfluous and increasing parking to 80 stalls near a major trailhead would be a greater benefit to the community at an additional developer cost of $1,000 to $2,000.

Mr. Bybee explained neither the upper nor the lower parking lot would be paved due to cost.

Commissioner Everett asked if the trail was necessary to comply with the connectivity Code. Mr. Hadley explained the cul-de-sac would meet the requirement.

Mr. Bybee said a lot line adjustment would be used to divide the area allotted for the trail behind the townhomes.

Commissioner Wells asked for a clarification on the appearance of the pavilion or shade structure. Mr. Bybee said he did not have the dimensions or design specifics for the pavilion area above the picnic tables available at this time.

Commissioner Wood opened the public hearing at 6:50 p.m. As there were no comments, he closed the hearing.

Mr. Bybee explained they are ready to begin construction and desire a quick approval.

Commissioner Wood expressed concerns regarding removing trails, trepidation in changing things after initial approval, and the maintenance burden to City staff due to unpaved parking lots and rotting railroad ties. Mr. Mumford said the City would be responsible for laying asphalt, or staff could potentially work with the developer to allot amenity points for paving the parking lots during a future phase of the project. State grant funds, if obtained, could potentially cover the cost.

Commissioner Wright expressed concerns regarding insufficient information to make a decision due to the lack of a cost analysis comparison of the amenities included in original plan versus the amended landscape plans, as well as the resulting cost to the City to pave the parking lots.

Commissioner Everett expressed concern over the unpaved parking lots and potential issues with allowing railroad ties. He stated the trail provided minimal benefit and potential safety issues due to the rock wall and additional parking would benefit the City due to the popularity of the biking trails but said he is concerned with weather related issues that impact unpaved parking lots.

Mr. Mumford said the proposed area for the upper parking lot would remain native landscaping should the City Council deny the amended site plan.

Commissioner Wells stated the trail does not provide much benefit to the neighborhood and the addition of eighty parking stalls would benefit the residents, mountain bikers, and Hidden Hollow Elementary school.

Commissioner Wright suggested staff evaluate the cost to the City to have the developer install the twenty-stall parking lot, with the City installing the non-paved sixty-stall parking lot, versus the City paving both parking lots. He stated the Commission needs more information to make the decision.

Commissioner Wood expressed concern that the removal of the trail reduced the amenity benefits to the townhome residents. Commissioner Wells stated the parking would benefit the townhome residents, and she hesitated to require an amenity that may be more of a nuisance than a benefit to the townhome residents to meet an amenity quota, especially where the trail would also require City maintenance.

Commissioner Everett asked for clarification if the State Code prohibits the original bathroom locations.

Mr. Mumford explained State Code allows a bathroom to be built near a well; however, the protection requirements to prevent potential contamination are expensive and were not factored into the costs of the original site plan. The project engineer suggested moving the park amenities to the upper parking lot location. However, the developer had already completed the grading work for the lower lot. Mr. Mumford stated staff preference for additional parking and explained approximate dollar correlations to amenity points.

Mr. Mumford explained that portions of the concept plans for Phase C are included on the worksheet due to the uniqueness of the amenities included in this project, which provide a better overall concept of the final landscaping installation, but the Phase C amenities are not included in the approval of the amendment to Phase B.

Discussion ensued regarding the amenities and cost of the landscape installation. Commissioner Wood suggested a transfer of the cost of the asphalt for the trail to be applied to the upper parking lot. Mr. Bybee explained the original site plan included a rock trail, not an asphalt trail. Mr. Hadley explained the applicant did not received any amenity points for the trail.

Mr. Mumford presented the bid spreadsheet for the project to the Commission and said the City can likely install asphalt at a lower cost than the developers. He stated he has requested specific cost differences from the City Streets Manager.

Commissioner Wright suggested conducting a cost analysis for a partnership with the City to install asphalt during the initial development of the parking lots. Mr. Mumford stated the need to research and discuss the idea with City staff and that it would be unfair to increase the cost to the applicant.

Mr. Bybee stated the spreadsheet provided includes actual bids from their contractor and not estimates. They deeded the right-of-way for the waterline and the land for the well to the City at no cost. Once the project began, they realized the trail would not be beneficial to the residents. The bathroom was approved by the City Engineer before the realization and assessment of additional costs to protect the City well. The suggested amendments were intended to be of greater benefit to the City than the original site plan. Mr. Bybee expressed willingness to make other amendments to the site plan, such as not using railroad ties, as long as it did not increase overall costs, especially due to the developer not charging the City for the land the well is located on. and the waterline right-of-way. Mr. Bybee requested the Planning Commission not table the item, so it can be presented to the City Council, due to their timetable for completing the project.

Discussion ensued between Mr. Bybee and the Commission regarding cost projections and inclusions of the approved site plan and the amended site plan proposal.

Commissioner Everett requested to go on record saying he does not want the restrooms near the City well, as is shown on the approved site plan.

Commissioner Wood suggested applying the money allotted for the trail and curb and gutter from the lower parking lot, towards asphalt installation on the upper parking lot. Mr. Bybee said he is willing to transfer where the money is spent, as long as there is not an increase in overall cost.

Commissioner Wells asked if an asphalt parking lot without curb and gutter would increase runoff hazards. Mr. Mumford said he needed time to research and discuss potential issues with staff.

Commissioner Wright suggested tabling the amended site plan for the compilation of a cost and benefit analysis for the suggested options. Commissioner Wells stated the applicant needed a response regarding the trail to implement lot line adjustments for the townhomes.

Commissioner Wood expressed concern allowing the removal of the trail without the developer replacing it with another amenity specifically for the townhome residents.

Commissioner Everett suggested recommending approval to the City Council with conditions to address the Commission's concerns and stated that due to warming weather increasing use of the trails in the area, a delay in the project would not be in the best interest of the community. Commissioner Wright said that, in consideration of the timeline, he was not opposed to recommending approval with conditions that address his concerns.

Discussion ensued regarding the conditions to include with the motion.

MOTION: ***Commissioner Everett moved to recommend approval of the Hidden Hollow Phase B Amended Site Plan with the following conditions:***

1. ***A full updated set of landscape plans shall be submitted and approved before building permits are issued for Phase B.***
2. ***The applicant shall replace the railroad ties in the parking lot with fencing.***
3. ***The applicant shall install asphalt in the lower parking lot and transfer the cost of the trail behind the townhomes and curb and gutter installation to the installation of asphalt on the upper parking lot.***
4. ***The applicant shall work with staff to record the plat amendment for a lot line adjustment for the single family homes due to removal of the trail.***
5. ***The applicant shall work with staff to determine appropriate storm water drainage for the lower parking lot.***
6. ***The upper parking lot amenities shall include a drinking fountain, tables with shade structure, bike racks, trees, a restroom, a trailhead kiosk, a bike tools rack, and wayfinding signs.***

Commissioner Wright seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Erin Wells. The motion passed with a unanimous vote.

7. Discussion Items

8. Next scheduled meeting

Commissioner Wood requested staff include a proposal to remove the Airpark Zone from Eagle Mountain Municipal Code as a policy session item for the Planning Commission meeting scheduled for March 10, 2020.

Commissioner Wells stated she would be unable to attend the next meeting.

9. Adjournment

MOTION: ***Commissioner Everett moved to adjourn the meeting at 8:01 p.m. Commissioner Wells seconded the motion. Those voting aye: Matthew Everett, Brett Wright, Rich Wood, and Erin Wells. The motion passed with a unanimous vote.***

The meeting was adjourned at 8:01 p.m.

Approved by the Planning Commission on March 10, 2020.

Steve Mumford, AICP
Community Development Director