EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

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

COMMISSION MEMBERS PRESENT: Jason Allen, Jeremy Bergener, Matthew Everett, Christopher Pengra, and Erin Wells.

ELECTED OFFICIALS PRESENT: Councilmember Donna Burnham, Primary Liaison to the Planning Commission.

CITY STAFF PRESENT: 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 5:41 p.m.

1. Discussion Items

1.A. DISCUSSION ITEM – MDA Review Process

Per the request of Commissioner Pengra, the Commission discussed Utah Code 10-9a-302 Planning Commission Powers and Duties and EMMC 16.10.030 Master Developments General Considerations, concerns whether master development agreements (MDAs) fall under the Planning Commission land use responsibilities, feelings of qualification inadequacies of the Commissioners to review legal documents without the benefit of legal counsel, the desire of some City Councilmembers for the Planning Commission to review MDAs to assist with identifying discrepancies or unintended, undesired outcomes, and whether to make a recommendation to the City Council regarding the amendment or removal of the requirement for Planning Commission review of MDAs and/or changing the master development plan (MDP) process to address concerns with MDAs.

The Commission determined to include the MDA review process on a future agenda for further discussion and consideration.

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

Commissioner Everett called the policy session to order at 6:30 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 8, 2022 Planning Commission Minutes

MOTION: ***Commissioner Pengra moved to approve the February 8, 2022 minutes. Commissioner Allen seconded the motion. Those voting aye: Jason Allen, Jeremy Bergener, Matthew Everett, and Christopher Pengra. Commissioner Wells abstained as she was not in attendance at the February 8, 2022 meeting.***

5. Status Report

Senior Planner Tayler Jensen reviewed the planning items discussed and voted upon during the February 8, 2022 City Council meeting.

6. Action and Advisory Items

6.A. ACTION ITEM – Fire Station 253

Mr. Jensen presented the item. The application is for a rezone of 1.75 acres from Agriculture to the PF Zone and for a site plan for a new location for Fire Station 253. Staff recommends the Planning Commission recommend approval of the Fire Station 253 rezone and site plan to the City Council for the reasons set forth in the staff report and the meeting with the following condition a six-foot masonry wall shall be constructed along the east of the property line. He verified that neither the City Council nor the City Attorney expressed concerns with the proposal as a conflict with the terms of the SITLA master development agreement.

Applicant representative Steve Simmons said the fire station is similar to Station 251 and they intend to add the requisite masonry wall. He verified that the drive aisles are wide enough and have a greater turn radius to accommodate fire apparatus.

Commissioner Everett opened the public hearing at 6:45 p.m.

Elise Erler with SITLA and Chris Gamvroulas with Ivory Homes submitted emails in support of the project.

Commissioner Everett closed the public hearing at 6:46 p.m.

MOTION: ***Commissioner Allen moved to recommend approval to the City Council of the rezone and site plan for the Fire Station 253 with the following condition a six-foot masonry wall shall be constructed along the east property line. Commissioner Bergener seconded the motion. Those voting***

aye: Jason Allen, Jeremy Bergener, Matthew Everett, Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.

6.B. ACTION ITEM – Mae Land

Mr. Jensen presented the item. The applicant is proposing a rezone to the R1, R2, and R3 zones for approximately 79.85 acres of property, located south of Brandon Park Estates, west of the SITLA Pony Express Parcel, and east of the City's western boundary. The Future Land Use Plan (FLUP) designates the parcel as Neighborhood Residential One with a swath of open space, representing the Pony Express Regional Trail, cutting through the southeast quadrant. The General Plan describes Neighborhood Residential One as "A mix of single-family residential lots, generally ranging from 2 to 4 dwelling units per acre, including improved neighborhood open space." The applicant proposes 22 R1 units on 7.40 acres representing 14.3% of the land area of the rezone and 9% of the total unit count, 91 R2 units on 22.90 acres representing 44.1% of the land area and 41% of the total unit count, and 107 R3 units on 21.54 acres representing 41.6% of the land area and 49% of the total unit count totaling 220 units on approximately 51.82 acres. Another 5.73 acres will be left as open space and approximately 22.3 acres of land within the right-of-way resulting in a project density of 2.755 dwelling/units per acre.

Because spot zoning is difficult and confusing for City staff and residents, staff recommends zoning the entire parcel as R2 or R3 or reconfiguring the zoning into R1, R2, and R3 blocks as well as adding RC units. Per Table 17.60.160(1), the R1 zone is not appropriate adjacent to the R3 zone, the zones/lots shall be reconfigured so that the R2 zone buffers R1 and R3 lots. The applicant is currently in talks with SITLA to potentially trade the triangle portion of property south of the Pony Express Regional trail, labeled Area B, for the triangle portion of property on the SITLA parcel that is north of the Pony Express Regional Trail. If the land trade negotiations are successful, Area B would cease to be a part of this development, and Area A would require significant revisions. The Future Transportation Map shows a collector road on the west boundary of the project. Brandon Park has installed a half-width of the 94-foot right-of-way of that adjoining road; however, the transportation plan no longer calls for a collector road in that area, and Engineering will work with the applicant to determine the appropriate width for the road.

Commissioner Pengra noted that developments over 50 acres require a master development plan (MDP) and inquired if the applicant has requested an exemption. Mr. Jensen confirmed that the applicant has not requested an exemption for an MDP.

Applicant representative Austin Smith explained that the original proposal was for a 40-acre project. They are aware of the MDP requirement and plan on creating an MDP for the project. They have a verbal agreement with SITLA for the land trade and hope to have a final, written agreement soon.

Discussion ensued regarding the mixture of units in the project. Mr. Smith stated they will likely request the R3 Zone to allow for the smaller lots and narrower frontages and are willing to adjust the project to meet the transitioning standards.

Commissioner Everett opened the public hearing at 7:08 p.m.

Elise Erler with SITLA submitted an email regarding the staff recommended conditions for the project.

Commissioner Everett closed the public hearing at 7:09 p.m.

Commissioner Pengra said the majority of his concerns with the project would be addressed with the MDP process. Due to the impact of the land trade with SITLA on the project and the need for an MDP, he recommended tabling the item.

Councilmember Wells concurred with concerns about the impact of the SITLA parcel agreement on the project. She is concerned with requiring RC units as a buffer for the annexation area due to the possibility of the land being rezoned in the future and feels it would be more appropriate to require the transitioning on the later development. Discussion ensued regarding potential buffering options.

Commissioner Allen requested for an increase in the number of large lots in the project to bring the project more in compliance with the two to four units per acre average lot size description of the Neighborhood Residential One General Plan designation.

Commissioner Bergener noted the difficulty in granting a rezone with spot zoning and felt it would be more appropriate to address zoning with an MDP.

Commissioner Everett agreed with staff concerns and recommendations regarding spot zoning and concurred with waiting to address zoning with the MDP after the agreement with SITLA has been finalized.

The Commission provided direction to the applicant representative regarding zoning options and transitioning requirements.

MOTION: ***Commissioner Pengra moved to table a rezone and concept plan for Mae Land until a future meeting and requested for the application to return as a master development plan. Commissioner Wells seconded the motion. Those voting aye: Jason Allen, Jeremy Bergener, Matthew Everett, Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.***

7. Discussion Items

The Commission discussed the scheduling conflict between the March 8th and March 22nd Planning Commission meetings and political caucus meetings and determined to hold the meetings as scheduled.

Commissioner Bergener stated that he will be out of town for the March 22nd meeting and intends to attend virtually.

8. Next scheduled meeting

The next Planning Commission meeting is scheduled for March 8, 2022.

9. Adjournment

MOTION: ***Commissioner Wells moved to adjourn the meeting at 7:35 p.m. Commissioner Allen seconded the motion. Those voting aye: Jason Allen, Jeremy Bergener, Matthew Everett, Christopher Pengra, and Erin Wells. The motion passed with a unanimous vote.***

The meeting was adjourned at 7:35 p.m.

Approved by the Planning Commission on March 8, 2022.

Steve Mumford, AICP
Assistant City Administrator/Community Development Director