



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

January 23, 2024, 5:30 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

COMMISSION MEMBERS PRESENT: Commissioners Jason Allen, Rod Hess, Robert Fox, and Brent Strong; and Alternate Commissioner Jimmy Eaton.

CITY STAFF PRESENT: Brandon Larsen; Planning Director; Marcus Draper, City Attorney; Robert Hobbs, Senior Planner; David Stroud, Senior Planner; and Elizabeth Fewkes, Recording Secretary.

5:30 P.M. – Eagle Mountain City Planning Commission Work Session

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

1. Discussion Items

1.A. DISCUSSION – Retaining Wall Codes

Senior Planner Robert Hobbs presented the item. Staff has discussed the need for the City to consider adopting retaining wall standards. Recent conversation with Neighborhood Improvement about a wall system in the Skyline Ridge subdivision area revealed that no controls were used when the walls lining the perimeter of the community, and some within, were installed. Now, some years later, failures in the wall system are causing concern about its stability. Jurisdictions with hillsides, such as those found in Eagle Mountain City, often have reasonable regulations to address their design and construction. Proposed standards, largely based on Holladay's City Code, have been drafted for Planning Commission review.

Discussion ensued regarding the following:

- Clarification that City standards governing angles and grading percentages of slopes including unbuildable grade would not be impacted by the proposed standards;
- Applications would be reviewed by the building official and be subject to international building code standards;
- Building permits and structural engineering would still be required for retaining walls six feet or higher;
- Recommendation to establish standards governing a maximum height of a single retaining wall, allowed materials, footing width and grounding, footing setback from the property line, long-term stability, and terrace spacing rather than permitting the two options depicted in the staff report;
- Retaining wall maintenance responsibility and liability;
- Hesitancy to regulate homeowner's rights to install retaining walls on their property unless it is impacting public property;
- Consideration of the impacts of the installation of a retaining wall on their neighbors and future homeowners;
- Risk management and safety reasons to create standards to mitigate damages despite the retaining walls being built on private property;
- Checks and balances implementation to ensure all aspects are addressed;
- Creating standards for developers to build a quality product to protect the homeowners;
- Possible benefits and complications of setting a maximum number of tiers and slope standards; and
- Potentially creating a Critical Hillside Overlay Zone determined by engineering standards.

Commissioner Allen adjourned the work session at 6:02 p.m.

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

Commissioner Allen called the policy session to order at 6:30 p.m.

2. Pledge of Allegiance

Commissioner Allen led the Pledge of Allegiance.

3. Declaration of Conflicts of Interest

None.

4. Approval of Meeting Minutes

4.A. January 9, 2024 Planning Commission Minutes

MOTION: *Commissioner Fox moved to approve the January 9, 2024 minutes. Commissioner Allen seconded the motion.*

Those Voting Yes

☒ ***Jason Allen***
☒ ***Jimmy Eaton***
☒ ***Robert Fox***
☒ ***Rod Hess***
☒ ***Brent Strong***

Those Voting No

☐ ***Jason Allen***
☐ ***Jimmy Eaton***
☐ ***Robert Fox***
☐ ***Rod Hess***
☐ ***Brent Strong***

Those Abstaining

☐ ***Jason Allen***
☐ ***Jimmy Eaton***
☐ ***Robert Fox***
☐ ***Rod Hess***
☐ ***Brent Strong***

Those Absent

☐ ***Jason Allen***
☐ ***Jimmy Eaton***
☐ ***Robert Fox***
☐ ***Rod Hess***
☐ ***Brent Strong***

The motion passed with a unanimous vote.

5. Status Report

Planning Director Brandon Larsen informed the Commission that the City Engineer presented to the Mountainland Association of Governments (MAG) the proposed realignment of Mid Valley Road and the corresponding amendment to the Eagle Mountain City Future Land Use and Transportation Master Plan. On February 1, 2024 representatives will vote on whether a feasibility study for the project will receive MAG funding. He reviewed the planning items discussed and voted upon during the January 16, 2024 City Council meeting.

6. Action and Advisory Items

6.A. ACTION ITEM/PUBLIC HEARING – Parkway Fields MDP/MDA Amendment(s)

Mr. Hobbs presented the item. Parkway Fields has been building out in keeping with the Ault Farms Master Development Plan (MDP) and associated Master Development Agreement (MDA) adopted some years ago. A modification request to the original plat and development agreement was deemed warranted due to the following factors:

1. The applicant's former request to develop a centralized townhouse preliminary plat (C) that borrowed from some other phases in Parkway;
2. The Council's corresponding request that townhouse units in Phase C be aggregated into two sub-phases coupled with the inboard subdivision rippling reaction to that phasing change;
3. A desire to adjust the project's phasing plan;
4. The need to rezone a small pair of strips in Phase C from RC to MF1 to accommodate about four extra townhomes to be offset by fewer RC lots in Phase G;

5. The proposal to provide a more detailed and differently arranged Plat G to replace the originally contemplated Plat E; and
6. Interest in modifying the singular landscape stub connection to the commercial through the old Plat G (now Plat F) by replacing the same with two separate accesses to the commercial lot to the west.

The proposed adjustments do not cause an increase in density within the project.

Applicant representative Bronson Tatton gave an update on the completion status of the various phases in the project and the portions that are being built by Flagship or sold to another developer, Lennar. Their townhome units increased to 22 and 25 feet wide resulting in the need to utilize some of the area in development previously designated for RC units. In the foothill residential area, the layout was changed when Old Airport Road was reclassified as a minor collector and Lake Mountain Road was reclassified as a local road in the latest Transportation Master Plan update. In the new design, homes now front on Lake Mountain Road. The townhomes were previously divided into several phases but were later consolidated into a single site plan application and phase. The width of the central corridor of the park space remains unimpacted by the changes.

Mr. Hobbs confirmed that the townhome footprint is extending into the area for the RC lots rather than open space.

Commissioner Allen opened the public hearing at 7:00 p.m. As there were no comments, he closed the hearing.

MOTION: *Commissioner Hess moved to recommend approval to the City Council of amendments to the Parkway Fields Master Development Plan and Master Development Agreement with the exhibits, including the transportation exhibit and phasing exhibit, and rezoning the indicated area from RC to MF1. Commissioner Strong seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ Jason Allen	☐ Jason Allen	☐ Jason Allen	☐ Jason Allen
☒ Jimmy Eaton	☐ Jimmy Eaton	☐ Jimmy Eaton	☐ Jimmy Eaton
☒ Robert Fox	☐ Robert Fox	☐ Robert Fox	☐ Robert Fox
☒ Rod Hess	☐ Rod Hess	☐ Rod Hess	☐ Rod Hess
☒ Brent Strong	☐ Brent Strong	☐ Brent Strong	☐ Brent Strong

The motion passed with a unanimous vote.

6.B. ACTION ITEM/PUBLIC HEARING – Parkway Fields F & G – Preliminary Plats' Review and Recommendation

Mr. Hobbs explained that the applicant has requested to table the item to the February 13, 2024 Planning Commission meeting.

Commissioner Allen opened the public hearing at 7:07 p.m. and continued the hearing to the February 13, 2024 meeting.

MOTION: *Commissioner Fox moved to table the preliminary plat for Parkway Fields F and G to the February 13, 2024 Planning Commission meeting. Commissioner Allen seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ Jason Allen	☐ Jason Allen	☐ Jason Allen	☐ Jason Allen
☒ Jimmy Eaton	☐ Jimmy Eaton	☐ Jimmy Eaton	☐ Jimmy Eaton

☒ Robert Fox	☐ Robert Fox	☐ Robert Fox	☐ Robert Fox
☒ Rod Hess	☐ Rod Hess	☐ Rod Hess	☐ Rod Hess
☒ Brent Strong	☐ Brent Strong	☐ Brent Strong	☐ Brent Strong

The motion passed with a unanimous vote.

6.C. ACTION ITEM/PUBLIC HEARING - Marketplace at Eagle Mountain Town Center Lot 303 – Site Plan

Senior Planner David Stroud presented the item. This request is for site plan approval of a commercial building for currently undetermined uses in compliance with Commercial Community zoning unless otherwise permitted in the Marketplace at Eagle Mountain Town Center Development Agreement. The subject property will be platted as Lot 303 of The Marketplace at Eagle Mountain, Phase 3 subdivision.

Staff recommends the Planning Commission consider the site as it relates to the applicable Eagle Mountain Municipal Code requirements and the Development Agreement of the Marketplace at Eagle Mountain Town Center and forward a positive recommendation to the City Council with the following condition:

1. Recordation of the final plat prior to submittal of a building permit.

Mr. Stroud explained that other restaurants with drive-throughs have been approved without internal access connections to adjoining sites. He would see more of an issue if it were public road accesses; the streets on the site plan are private roads.

Commissioner Allen opened the public hearing at 7:13 p.m. As there were no comments, he closed the hearing.

Applicant representative Forrest Gaskill with Corner Partners explained that they excluded the internal access because the tentative site plan for the adjacent lot, owned by a different party, omits connectivity between the properties. Adding a connection would reduce parking by one or two spots, bringing the plan below the minimum requirement.

MOTION: ***Commissioner Hess moved to recommend approval to the City Council of the site plan for Marketplace at Eagle Mountain Town Center Lot 303. Commissioner Strong seconded the motion.***

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ Jason Allen	☐ Jason Allen	☐ Jason Allen	☐ Jason Allen
☒ Jimmy Eaton	☐ Jimmy Eaton	☐ Jimmy Eaton	☐ Jimmy Eaton
☒ Robert Fox	☐ Robert Fox	☐ Robert Fox	☐ Robert Fox
☒ Rod Hess	☐ Rod Hess	☐ Rod Hess	☐ Rod Hess
☒ Brent Strong	☐ Brent Strong	☐ Brent Strong	☐ Brent Strong

The motion passed with a unanimous vote.

6.D. ACTION ITEM/PUBLIC HEARING – Eagle Plaza/Betos - Site Plan

Mr. Stroud presented the item. This request is for site plan approval of a commercial building for Beto's and other currently undetermined uses. The subject property is platted as lot 2 of Eagle Mountain Business Campus, Plat C, recorded August 2021. The Planning Commission reviewed the site plan on April 26, 2022, and recommended denial to the City Council. The negative recommendation was based on the traffic issues at the intersections of Ranches

Parkway at Campus Drive and Stonebridge Lane. The City Attorney advised that if the site meets Municipal Code, it is an administrative item requiring approval by the City. The City Engineer determines whether to require a traffic study. The site plan was not reviewed by the City Council.

Staff recommends the Planning Commission forward a positive recommendation to the City Council regarding the Eagle Plaza/Beto's site plan with the following condition:

1. Approval from the Utah Department of Transportation (UDOT) to construct in their fill slope easement along Wride Memorial Highway.

Mr. Stroud verified that the access to the south would be constructed as a part of this application. UDOT will need to approve the improvements within their easement. The retaining walls will require engineering approval if they exceed the height limit of four feet. Drive-throughs have specific parking requirements. Should a different tenant desire to use the building in the future, the approval is based on the use being permitted in the zone and parking is generally not reevaluated with the new application.

Applicant representative Kimly Mangum with Iridium AE informed the Commission that they have been in discussions with UDOT concerning the acceleration lane and guardrails. They will adjust their plans once they have evaluated the topography to determine the retaining wall heights.

Commissioner Allen opened the public hearing at 7:28 p.m. As there were no comments, he closed the hearing.

Discussion ensued regarding the following:

- The unique challenges in screening the mechanical equipment from view on Wride Memorial Highway due to the lower elevation of the site;
- The configuration and traffic flow for the drive-through;
- The landscaping plan using rock and stone rather than grass; and
- The light at Ranches Parkway and Stonebridge Lane assists with addressing previous traffic concerns.

MOTION: *Commissioner Strong moved to recommend approval to the City Council of the site plan for Eagle Plaza/Beto's with the condition that the Utah Department of Transportation approves the fill slope easement on Wride Memorial Highway. Commissioner Fox seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Jason Allen</i>	☐ <i>Jason Allen</i>	☐ <i>Jason Allen</i>	☐ <i>Jason Allen</i>
☒ <i>Jimmy Eaton</i>	☐ <i>Jimmy Eaton</i>	☐ <i>Jimmy Eaton</i>	☐ <i>Jimmy Eaton</i>
☒ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>
☒ <i>Rod Hess</i>	☐ <i>Rod Hess</i>	☐ <i>Rod Hess</i>	☐ <i>Rod Hess</i>
☒ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>

The motion passed with a unanimous vote.

6.E. ACTION ITEM/ PUBLIC HEARING – R1-R3 Lot Size Mix/GP Amendment – Code Amendment

Mr. Hobbs presented the item. The City Council has adopted a legislative priorities list that the City's Legislative Affairs Director has set in writing. Among the activities to be accomplished by City Staff is a collection of Municipal Code amendments including a task that residential zoning specifies a required housing unit mix. This proposed amendment would require as follows: "no more than 1/3 of the total building lots in any subdivision that lies within an NR1 future land use category area shall be comprised of lots zoned R3; and, no more than 1/2 of the remaining building lots in that same subdivision shall be designated R2."

Discussion ensued regarding clarification of the reason the City Council requested the amendment specifically to the Neighborhood Residential One General Plan designation rather than creating an overlay zone.

Commissioner Allen opened the public hearing at 7:44 p.m. As there were no comments, he closed the hearing.

Commissioner Hess suggested having a minimum size threshold for the requirement to be applicable as providing a distribution of lot sizes could be difficult for developments of a few acres or with a small number of lots. His preference is for developments with a variety of lot sizes to have the unit types dispersed throughout the plan rather than congregated in groupings of like-sized lots.

Commissioner Strong stated that although he is in favor of larger lots, he is concerned that the topography of some areas will impact the feasibility of providing the prescribed mixture of lot sizes.

Commissioner Allen noted the benefits of informing developers of the expectations of the City Council for lot size distribution prior to the preparation of applications. He supported Commissioner Hess's recommendation to have the standards only apply to developments over a certain acreage.

Discussion ensued regarding simplifying the language indicating the maximum allowance for each zone type; the amount of land in the General Plan identified as Neighborhood Residential One; and another city using ten acres as the development size threshold for a similar standard.

MOTION: *Commissioner Hess moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code 17.60.155 Lot Size Mixture (R lots) with the suggestion that the City Council consider having the lot size distribution requirement only be applicable to developments in excess of a minimum acreage threshold set in the standards. Commissioner Allen seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Jason Allen</i>	☐ <i>Jason Allen</i>	☐ <i>Jason Allen</i>	☐ <i>Jason Allen</i>
☒ <i>Jimmy Eaton</i>	☐ <i>Jimmy Eaton</i>	☐ <i>Jimmy Eaton</i>	☐ <i>Jimmy Eaton</i>
☒ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>
☒ <i>Rod Hess</i>	☐ <i>Rod Hess</i>	☐ <i>Rod Hess</i>	☐ <i>Rod Hess</i>
☒ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>

The motion passed with a unanimous vote.

7. Discussion Items.

Mr. Larsen informed the Planning Commission of an upcoming work session discussion to assist them in preparing for the update of the City's General Plan.

8. Next Scheduled Meeting

The next Planning Commission meeting is scheduled for February 13, 2024.

9. Adjournment

MOTION: *Commissioner Fox moved to adjourn at 8:02 p.m. Commissioner Strong seconded the motion.*

Those Voting Yes

- ☒ ***Jason Allen***
- ☒ ***Jimmy Eaton***
- ☒ ***Robert Fox***
- ☒ ***Rod Hess***
- ☒ ***Brent Strong***

Those Voting No

- ☐ ***Jason Allen***
- ☐ ***Jimmy Eaton***
- ☐ ***Robert Fox***
- ☐ ***Rod Hess***
- ☐ ***Brent Strong***

Those Abstaining

- ☐ ***Jason Allen***
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- ☐ ***Brent Strong***

Those Absent

- ☐ ***Jason Allen***
- ☐ ***Jimmy Eaton***
- ☐ ***Robert Fox***
- ☐ ***Rod Hess***
- ☐ ***Brent Strong***

The motion passed with a unanimous vote.

The meeting was adjourned at 8:02 p.m.

Approved by the Planning Commission on February 13, 2024.



Brandon Larsen
Planning Director