



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

December 12, 2023, 5:30 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

COMMISSION MEMBERS PRESENT: Commissioners Jason Allen, Jeremy Bergener, Matthew Everett, Robert Fox, and Brent Strong. Alternate Commissioner Jimmy Eaton was excused.

CITY STAFF PRESENT: Steve Mumford, Deputy City Administrator/Community Development Director; Brandon Larsen; Planning Director; Marcus Draper, City Attorney; Todd Black, Wildlife Biologist/Environmental Planner; Robert Hobbs, Senior Planner; David Stroud, Senior Planner; Steven Lehmitz, Planner; Caden Lyon, 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 5:30 p.m.

1. Discussion Items

1.A. CONCEPT PLAN/DISCUSSION – Gardner Farms

Senior Planner David Stroud presented the concept plan for Gardner Farms. The subject property is along the west side of Eagle Mountain Boulevard and contains 160 acres. The applicant proposes Employment Center/Campus (42.21 acres), Neighborhood Residential Three (54.27 acres), Neighborhood Residential Two (54.58 acres), and Regional Commercial (10.02 acres) land uses developed over ten phases. To the south, west, and north is Utah County land, and to the east across Eagle Mountain Boulevard is unencumbered agriculture property in the City with a future land use of Employment Center/Campus or Regional Commercial.

Applicant representative, Chase Bryan, said the land was annexed into the City a little over a year ago. Their primary focus is the medical campus which they feel will be beneficial to Eagle Mountain City. Originally the plan had one large park. The Development Review Committee suggested distributing the open space into two parks, one located near the medical center and one closer to the residential areas to improve accessibility for a greater number of individuals. The plan includes townhomes, apartment-style product, and assisted living facilities. One apartment building has 40 units and another has 45 units. They hope the City will be willing to consider the proposed density due to the economic feasibility of the project, to buffer between this site and the nonresidential uses to the north, and to provide housing for manufacturing workers.

The Planning Commission provided feedback supporting the development of a medical campus in the City and the plan's proposed layout, transitioning, and buffering. Commissioners expressed concern about the plan failing to meet Municipal Code standards including the maximum unit count of 12 units per apartment building, sequential phasing, and multifamily amenity requirements for pools.

Discussion ensued regarding the density of other multifamily units in developments in the City, the desire of the Commission to respond to State affordable housing initiatives in ways appropriate to Eagle Mountain, and traffic and infrastructure needs to accommodate growth in this area of the City.

Commissioner Everett adjourned the work session at 6:06 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. November 28, 2023 Planning Commission Minutes

MOTION: *Commissioner Allen moved to approve the November 28, 2023 minutes. Commissioner Bergener 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>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>
☒ <i>Matthew Everett</i>	☐ <i>Matthew Everett</i>	☐ <i>Matthew Everett</i>	☐ <i>Matthew Everett</i>
☒ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>
☒ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>

The motion passed with a unanimous vote.

5. Status Report

Planning Director Brandon Larsen recognized Commissioner Matthew Everett for his ten-year tenure on the Planning Commission. He presented the Commissioners with gifts of appreciation for their service to the City.

Mr. Larsen reviewed the planning items discussed and voted upon during the December 5, 2023 City Council meeting.

6. Action and Advisory Items

6.A. ACTION ITEM – Quailhill Stake Temporary Site Plan

Senior Planner David Stroud presented the request to locate a temporary trailer in the parking lot of the meeting house at 7995 N. Silver Lake Parkway to house Quailhill Stake offices to accommodate the needs of a local Church of Jesus Christ of Latter-day Saints congregation. The structure will not have plumbing or bathroom facilities. The Planning Commission can set an expiration for the approval and the applicant can request an extension if necessary. The applicant has indicated that the trailer is anticipated to be needed for approximately two years.

Staff recommends the Planning Commission forward a positive recommendation to the City Council regarding the Quailhill Stake Temporary Site plan request, with the following condition:

1. Elevations of the temporary structure shall be submitted to the City.

Commissioner Fox said that as he assumes that a more permanent solution is in the works, he is unconcerned due to the temporary nature of the request.

Commissioner Everett agreed that it would be preferable to see the elevations prior to making a recommendation. However, he assumes the unit will look like a construction or school trailer. He is familiar with the area and the parking lot has enough stalls to accommodate the congregation's parking needs and the trailer. He is in favor of granting a two-year waiver.

Applicant representative, Chad Spencer, confirmed that the unit will be a construction-style trailer. Multiple church buildings are undergoing the site plan submission process. The trailer will be removed once new facilities are completed in approximately a year and a half.

MOTION: *Commissioner Bergener moved to recommend approval to the City Council of the temporary site plan for Quailhill Stake with the following conditions:*

1. *The applicant shall submit elevations of the temporary structure and*
2. *The approval shall expire in two years.*

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>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>
☒ <i>Matthew Everett</i>	☐ <i>Matthew Everett</i>	☐ <i>Matthew Everett</i>	☐ <i>Matthew Everett</i>
☒ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</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.B. ACTION ITEM – CODE AMENDMENTS TO EMMC TITLE 15
CONSTRUCTION STANDARDS

Commissioner Everett noted that the language for the amendment had not been included in the packet materials. As the Planning Commission was unable to review the proposed amendments prior to the meeting, he recommended tabling the item.

MOTION: *Commissioner Everett moved to table amendments to Eagle Mountain Municipal Code Title 15 Construction Standards to a future meeting. 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>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>
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☒ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</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.C. 2024 Planning Commission Meeting Schedule

The Planning Commission reviewed the following proposed meeting dates for 2024:

January 9, 23
February 13, 27
March 12, 26
April 9, 23
May 14, 28
June 11, 25
July 9, 23
August 13, 27
September 10, 24
October 8, 22
November 12, 26
December 10

Mr. Larsen noted that two meetings are proposed for November. As the Planning Commission did not foresee conflict with the November 26th meeting, they elected to retain it on the schedule.

MOTION: *Commissioner Allen moved to approve the 2024 Planning Commission Meeting Schedule. Commissioner Strong 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>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>
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☒ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>	☐ <i>Robert Fox</i>

☒ **Brent Strong** ☐ **Brent Strong** ☐ **Brent Strong** ☐ **Brent Strong**

The motion passed with a vote of 4:1 with one abstention.

6.D. ACTION ITEM – City Center Commercial Phase A Plat 6 – Rezone

6.E. ACTION ITEM – City Center Commercial Phase A Plat 6 – Recorded Plat Amendment

Items 6.D. and 6.E. were presented and discussed concurrently.

Mr. Lehmitz presented the item. City Center Commercial Phase A Plat 1 was recorded in 2017. Lot 2 of that plat has been subdivided a couple of times to create smaller commercial lots that have since been developed. The owners of Lot 1 are seeking to do the same and divide the lot, creating another commercial lot. Along with this application, there is a rezone request to change the newly created lot to a current commercial zone.

The Eagle Mountain Properties Master Development Agreement (MDA) initially zoned this property Commercial C-1 in 1997. It has since been platted and a portion of City Center Commercial Phase A Plat 1 Lot 1 has been developed. The owners of Lot 1 are seeking to subdivide the lot, creating an additional lot for commercial use. The rezone request is for the proposed lot being created, changing it to Commercial Community, one of our current commercial zones. The partial screening wall between the commercial site and the homes would need to be completed.

Applicant representative, Ben Nielsen, explained that a rezone is necessary for the property. The property can be accessed via Eagle Mountain Boulevard, through the Pony Express Dental parking lot, or the roundabout west of the Chevron gas station.

Commissioner Everett opened the public hearing at 6:53 p.m. As there were no comments, he closed the hearing.

Discussion ensued regarding zone transitioning compatibility in relation to previous zoning approvals and historical zoning.

Commissioner Everett said he is not opposed to the application because the property had previously been zoned for commercial uses.

Commissioner Allen noted granting the rezone allows the City to enforce current setbacks and use controls excluded from the historical zoning.

MOTION: ***Commissioner Bergener moved to recommend approval to the City Council of the rezone for City Center Commercial Phase A Plat 6 to Commercial Community. Commissioner Fox seconded the motion.***

Those Voting Yes Those Voting No Those Abstaining Those Absent

☒ Jason Allen	☐ Jason Allen	☐ Jason Allen	☐ Jason Allen
☒ Jeremy Bergener	☐ Jeremy Bergener	☐ Jeremy Bergener	☐ Jeremy Bergener
☒ Matthew Everett	☐ Matthew Everett	☐ Matthew Everett	☐ Matthew Everett
☒ Robert Fox	☐ Robert Fox	☐ Robert Fox	☐ Robert Fox
☒ Brent Strong	☐ Brent Strong	☐ Brent Strong	☐ Brent Strong

The motion passed with a unanimous vote.

MOTION: *Commissioner Bergener moved to recommend approval to the City Council of the recorded plat amendment for City Center Commercial Phase A Plat 6. 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
☒ Jeremy Bergener	☐ Jeremy Bergener	☐ Jeremy Bergener	☐ Jeremy Bergener
☒ Matthew Everett	☐ Matthew Everett	☐ Matthew Everett	☐ Matthew Everett
☒ Robert Fox	☐ Robert Fox	☐ Robert Fox	☐ Robert Fox
☒ Brent Strong	☐ Brent Strong	☐ Brent Strong	☐ Brent Strong

The motion passed with a unanimous vote.

6.F. ACTION ITEM – Alpine School District Middle School Site Plan

Mr. Stroud presented the item. Alpine School District (ASD) is in need of a middle school to educate the projected future student population of the north Eagle Mountain area. The site location is in the northwest area of the City and immediately adjacent to Arrival, to the north. Per recent State requirements, Camp Williams was notified of the request and approved the proposal.

Staff recommends the Planning Commission forward a positive recommendation to the City Council regarding the site plan of Alpine School District Middle School with the following condition:

1. Lighting shall comply with Eagle Mountain Municipal Code.

Commissioner Everett expressed support for the traffic configuration and patterns. He thanked ASD for being good partners with the City and for their willingness to comply with the dark sky ordinance.

Applicant representative, Frank Pulley, said he appreciates staff and the Commission working in partnership with them.

Commissioner Everett opened the public hearing at 7:09 p.m. As there were no comments, he closed the hearing.

MOTION: *Commissioner Allen moved to recommend approval to the City Council of the site plan for the Alpine School District middle school with the condition that the lighting shall comply with Eagle Mountain Municipal Code. Commissioner Strong 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>
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☒ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>

The motion passed with a unanimous vote.

6.G. ACTION ITEM – Marketplace at Eagle Mountain Town Center Medical Site Plan

Mr. Stroud presented the item. This request is for a site plan approval of a two-story commercial building for medical office use. The subject property is platted as Lot 1 of The Marketplace at Eagle Mountain Phase 2 Amended Subdivision. The building is accessed via an internal roadway, Raven Way. The zoning of the property is Commercial Community (CC) and follows the standards of the CC zone unless otherwise permitted in the development agreement of the Marketplace at Eagle Mountain Town Center. The use as office (medical, health care, or professional) is classified as a permitted use in the CC zone. This application was reviewed under the recently amended and approved landscape island standards.

Commissioner Everett opened the public hearing at 7:14 p.m. As there were no comments, he closed the hearing.

Commissioner Bergener noted that the proposed elevations slightly differ from other buildings in the area.

Mr. Stroud stated that the design is meant to be compatible with the variety of designs in the Marketplace development.

Commissioner Everett said he has no objection to the proposed elevations considering changes in architectural trends, the use of the building, and design features that harmonize with other buildings in the area.

Commissioner Allen stated that although the design differs from other buildings, the natural light provided by the abundance of windows fits and works well with a medical facility.

Commissioner Strong agreed with the comments about the windows and the design being suitable for a medical building. He feels it will fit in with the surrounding businesses.

MOTION: *Commissioner Fox moved to recommend approval to the City Council of the site plan for Marketplace at Eagle Mountain Town Center Medical. 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>
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☒ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>

The motion passed with a unanimous vote.

6.H. ACTION ITEM /PUBLIC HEARING – Official Zoning Map Adoption – Ordinance

Deputy City Administrator/Community Development Director Steve Mumford presented the item. A huge research and GIS mapping project has been in process by City staff to update the City's Zoning Map, with the goal of producing a user-friendly, online map. This has been a much more difficult project than anticipated, as each approved master development plan was approved with unique zoning districts, leading to nearly 100 unique zoning districts that need to be properly displayed on a map. Due to the nearly 100 unique zoning districts in the City, the zoning map was set up with the general zoning categories.

Mr. Mumford explained the features, layers, and information provided on the map. Some neighborhood parks, churches, and even schools are technically located within a residential zone and have not been rezoned to a more specific zone. These uses are allowed within residential zones, so that is not uncommon. Some master development plans designate parks and open spaces specifically as zones, while others just rezone the entire area to a zone, and the parks are approved as part of the development, but not zoned separately, which is perfectly legal. Some roadways are zoned as Agriculture (Roads). This is simply because we do not have a zone for roads, so the City Attorney's opinion was that the roads are still zoned Agriculture if they were not shown as being rezoned to a specific zone. A code amendment is being drafted to add historical zones into the City Code, so it is clear that there are standards in place for each of the zones listed on the map, whether they are part of an active master development plan (MDP)/master development agreement (MDA), an expired one, or simply a historical zone that is no longer in the Municipal Code.

Staff are continuing research into any properties or zones that may have some uncertainty surrounding them. This may require the item to return at a future meeting with a revised map. This is not an official rezone, as no property is being rezoned at this time. The map simply is being created and updated to accurately reflect the current zoning on the properties. The City has chosen, for clarity and transparency, to have this map be adopted by the Commission and Council as the official City Zoning Map.

Staff recommends that the Planning Commission send the zoning map to the City Council with a recommendation of approval allowing staff to make edits to colors, labels, links to MDPs and MDAs, links to Code, and to fix any identified minor mistakes to zoning boundaries or zoning names. Alternatively, the Commission could table the proposed zoning map in order to make the changes identified as necessary in the meeting.

Commissioner Strong expressed the desire for a mechanism to allow residents to have recourse to address zoning disagreements and disputes.

Mr. Mumford explained that staff reviewed ordinances dating back to the incorporation of the City to determine the approved zoning for the properties. However, some information could be missing and the map will include a notice informing residents of a process that allows residents to petition the City and make corrections if merited. In the future, staff will update the impacted land on the map immediately after the Mayor signs the ordinance approving updated zoning. The higher view of the map has generalized zoning for an area. Selecting a property will list the individualized approved zoning on the parcel.

Discussion ensued regarding the disputed zoning of Cedar Pass Ranch; how the zoning indicated on the map was researched and designated; and methods to publicly notice the map, solicit documentation, and collect resident feedback.

Commissioner Everett opened the public hearing at 7:58 p.m. As there were no comments, he closed the hearing.

Commissioner Allen verified with staff that this map is a tool and a resource to help the public understand what the City understands to be the approved zoning of properties. How the information is presented and communicated to the public can impact residents' reactions to and reception of the map. Staff can request assistance with making corrections to mitigate the false perception that the City is attempting to rezone properties via the map.

Commissioner Fox said that the map can be viewed as a benchmark and starting point for the City to utilize in assessing zoning in the City and a reference to assist staff and elected officials. He advocated for the document not to be presented as the Official Zoning Map until zoning disputes have been identified and resolved.

Staff explained the difference between the General Plan Future Land Use map, which indicates general land use plans for the City without setting zoning, and the Official Zoning Map which indicates approved and adopted zoning of land within the City.

Mr. Larsen supported Commissioner Allen's assessment that the map is a baseline and starting point for zoning. He elaborated on the challenges of working with the public without a zoning map. The sooner the resource is available the sooner staff can help the residents in a more efficient way. The map will be amended as needed beginning with a zoning amendment for roads. He reiterated that the City is not trying to rezone any property. He read a disclaimer that is included on other cities' zoning maps indicating that the accuracy of the information is not guaranteed. A

similar statement can be added to the documentation to clarify the City’s purpose is to use the map as a general resource.

Mr. Draper confirmed that approval of this map will not rezone properties as it is not the intent of adopting and using the map. The intent is to adopt a zoning map that accurately reflects what zoning and rezoning have occurred in the City. The map can be updated to accurately reflect approved zoning as needed. He is not concerned with successful litigation against the City as a result of adopting the zoning map. In response to concerns that the zoning map could impact tax rates, he explained that zoning-based tax increases are the purview of the County Assessor and not controlled by the City. Ordinances control taxing not the approval of this map.

Commissioner Everett agreed with the benefits of having a zoning map to use as a tool. He is in favor of making a recommendation to the City Council recognizing that additional refinement of the map will occur during Council review prior to adoption.

Commissioner Bergener concurred with Commissioner Everett regarding moving the map forward and supported allowing a public feedback period to resolve zoning disputes.

MOTION: *Commissioner Everett moved to recommend approval to the City Council of the adoption of the Official Zoning Map allowing staff to make edits to colors, labels, links to master development plans and master development agreements, links to Municipal Code, and to fix any identified minor mistakes to zoning boundaries or zoning names. Commissioner Allen seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
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☐ <i>Brent Strong</i>	☒ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>

The motion passed with a vote of 4:1.

7. Discussion Items

8. Next Scheduled Meeting

The next Planning Commission meeting is scheduled for January 9, 2024.

Commissioner Everett expressed gratitude to the staff members, Commissioners, and Councilmembers he served with during his time on the Planning Commission and thanked his family for their support. He advocated for diversity on the Planning Commission and encouraged future Commissioners to be valiant in their service.

Commissioner Bergener said that as he is at the end of his appointment and is unsure if he will be reappointed, he desires to thank the City and staff for the opportunity to serve. He appreciates the positive changes he has seen during his tenure. He expressed appreciation to Commissioner Everett for his mentorship.

9. Adjournment

MOTION: *Commissioner Everett moved to adjourn at 8:34 p.m. Commissioner Bergener 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>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>	☐ <i>Jeremy Bergener</i>
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☒ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>	☐ <i>Brent Strong</i>

The motion passed with a unanimous vote.

The meeting was adjourned at 8:34 p.m.

Approved by the Planning Commission on January 9, 2024.

Brandon Larsen

Brandon Larsen
Planning Director

12.12.2023 PC Approved Minutes not signed

Final Audit Report

2024-01-10

Created:	2024-01-10
By:	Shawna Ellis (sellis@emcity.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAjuHeEtOHFyq6t_jzTeFEk4tq9TEmRwKz

"12.12.2023 PC Approved Minutes not signed" History

-  Document created by Shawna Ellis (sellis@emcity.org)
2024-01-10 - 6:35:38 PM GMT- IP address: 104.37.251.18
-  Document emailed to Brandon Larsen (blarsen@emcity.org) for signature
2024-01-10 - 6:35:55 PM GMT
-  Email viewed by Brandon Larsen (blarsen@emcity.org)
2024-01-10 - 8:27:19 PM GMT- IP address: 174.230.199.28
-  Document e-signed by Brandon Larsen (blarsen@emcity.org)
Signature Date: 2024-01-10 - 8:46:47 PM GMT - Time Source: server- IP address: 104.37.251.18
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