

EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING MINUTES
TUESDAY, AUGUST 25, 2015 AT 6:00 P.M.
Eagle Mountain City Council Chambers; 1650 E. Stagecoach Run, Eagle Mountain, UT 84005

6:00 P.M. - Eagle Mountain City Planning Commission Policy Session

COMMISSION MEMBERS: Wendy Komoroski, Daniel Boles, Miriam Allred and John Linton.

CITY STAFF PRESENT: Steve Mumford, Planning Director; Mike Hadley, Senior Planner; Tayler Jensen, Planner, and Johna Rose, Deputy Recorder.

ELECTED OFFICIAL PRESENT: Tom Westmoreland

1. Pledge of Allegiance

Commissioner Linton led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None

3. Approval of Meeting Minutes
A. June 23, 2015

MOTION: *Wendy Komoroski moved to approve the June 23, 2015 meeting minutes. Miriam Allred seconded the motion. Those voting aye: John Linton, Daniel Boles, Miriam Allred, and Wendy Komoroski. The motion passed with a unanimous vote.*

4. Action and Advisory Items (Approval of CUPs and Recommendations to the City Council)

A. ACE Rents– Conditional Use Permit, Site Plan, Public Hearing, Action Item & Advisory Action

Tayler Jensen explained that this application is for a Conditional Use Permit and a Site Plan located at 9569 North Mt. Airey Drive in the Gateway Park development, lot 103, and is approximately 1.68 ac in size. The proposed project is for an equipment rental facility; this is a conditional use in the business park zone.

The ACE Rents building is shown as 7,500 square feet. The building will contain an office, and warehouse/garage use on the main level and storage on the upper level loft. While this use is commercial and industrial in nature, it was still reviewed based upon the Commercial Design Standards, with some more flexibility than if this were clearly a commercial use. The project design largely complies with the City's commercial design standards.

Parking:

Required parking is 1 stall per 300 square feet of the building for office and loft storage space, and 1 stall per 2,000 square feet for the warehouse/garage uses on the main floor. Required parking is 14 stalls, and the plan provides 16 total stalls with 1 handicapped stall, consistent with City code.

Landscaping:

Staff recommends landscaping be consistent with Chapter 17.60 Landscaping, Buffering, Fencing and Transitioning of the Eagle Mountain City Code which requires: 50% turf coverage, landscaping trees, 10' landscaped buffer around the entire paved parking area, and a headlight screen that shall consist of a berm, fence, wall, or landscaping consisting of at least three and one-half feet in height and capable of blocking headlight glare.

The applicant is requesting to be exempted from the landscaping requirement for a 10' landscaping buffer. Attached to the staff report is a letter from the applicant requesting review and an exception to the rule.

The water retention pond shall be shown consistently on both landscape and engineering plans; currently it is different.

Outdoor Display:

The area immediately behind the wrought-iron fence will be used for display of rental equipment. This equipment should not extend over the fence. Conditions of approval may be appropriate to reduce any negative impacts.

Commissioner Linton opened the public hearing at 6:07 p.m.

Chaunte Last, applicant, explained that the 10 foot buffer would cause safety issues, by restricting the movement of large trucks. She explained that ACE Rents did move the fence back an extra 8 feet so they could conform to the 3 ½ foot berm standard. They also added trees to the back area of the lot and the 8 ft. concert fence around the lot. Commissioner Boles asked if the applicant had her engineer run an auto turn radius for safety. Mrs. Last explained that the 10 ft. buffer would take up too much space and that she would not have enough space to store the equipment and have room for the two semi-trucks that would be coming and going from the lot.

Scot Hazard, Gateway Park developer, felt that the landscape buffer did not make much sense with an 8ft concert fence around the lot, because the buffer would be inside the fence. He stated as the developer he would be fine with waiving that landscape requirement.

Commissioner Linton closed the public hearing at 6:11 p.m.

Commissioner Boles stated that the applicant did not state any evidence supporting the radius turn into the property for the semi-trucks. He stated that he is in supports of the landscaping buffer.

Commissioner Komoroski wondered why we would require a landscape buffer inside the fence if the only people to see the landscaping would be clients that came into the fence. Mr. Jensen explained that the front of the lot would have an 8 ft. wrought iron fence with 18 ft. landscaping and trees. The buffer would be on the 3 remaining sides. Commissioner Boles felt that residents would be able to see the landscaping buffer between the wrought iron fence. Commissioner Allred felt that the equipment would cover up the landscaping buffer.

MOTION:

Wendy Komoroski moved to approve the ACE Rents Conditional Use Permit and recommend approval of the Site Plan to the City Council with the following conditions:

- 1. Outdoor display equipment shall not extend over the fence.***

Miriam Allred seconded the motion. Those voting aye: Wendy Komoroksi, John Linton, and Miriam Allred. Those voting nay: Daniel Boles. The motion passed with 3 ayes and 1 nay.

B. Eagle Mountain Benches- Rezone, Public Hearing, Advisory Action

This is an applicant-proposed rezone of approximately 98.39 acres from Agriculture to Residential. Parcel Numbers: 59-006-0042, 59-006-0046, 59-006-0054, 59-006-0055, and 59-006-0051.

Mike Hadley explained that this rezone originally came before the Planning Commission on June 9, 2015. It included residential and commercial storage components. At that time the Planning Commission recommended approval for the residential portion of the rezone and recommended denial of the commercial storage portion. The rezone went before the City Council and was denied. There was concern with Lake Mountain Road becoming a collector road and the amount of traffic that would use the road. There was also discussion on the size of lots that are in the area and concern with septic tanks. This is a new submittal requesting that the area be rezoned to Residential.

The applicant is proposing rezoning approximately 98.39 acres of land currently zoned Agriculture to Residential. The proposal is for Residential zoning with a minimum of 1 acre lots. The Residential zoning complies with the City's Future Land Use General Plan. The General Plan land use designation for this area is Rural Residential which requires lots of a ½-acre minimum.

He explained that the City has hired InterPlan Transportation Planning to create an updated transportation plan for the City. The Eagle Mountain Benches project would not move onto City Council until the City has a plan for Lake Mountain Road.

Commissioner Linton opened the public hearing at 6:22 p.m.

Chris Pengra, Mayor, thanked the Commissioners for their service to the City. He explained to the Commissioners why City Council denied the Eagle Mountain Benches project. He stated that the City needs to find a solution to Lake Mountain Road before allowing developers to move forward with their developments. He also said that many developers have approached the City wanting to develop around Lake Mountain Road.

Marci Taylor, resident speaking for Jody Hooley, felt that this development should not come before the Commissioners again because there was no valid revision to the development, that it was just a blanket rezoning with few specs.

Jeff Scott, developer, said that he doesn't want rezoning he just wants to get though Planning Commission right now. He wants his development to be in line with other developers once the City makes a decision on Lake Mountain Rd. He said that he has done everything for the housing the City has requested. He also said that he would pave Lake Mountain Road if needed.

James Taylor, resident, asked the Commissioners not to rezone the land. He would like to see the land be preserved around Lake Mountain Road. He said there are five families along Lake Mountain Road that are against the rezone.

Doug Sutton, resident, went over the pros for septic tanks and propane. He also went through the cons of sewer and natural gas. He said that this is all about property rights.

Karen Scott, applicant, felt that it was a good idea to improve Lake Mountain Road. She also felt that if the City got enough residents on Lake Mountain Road then the City should offer sewer and natural gas to residents. She said that she has a list of other developers wanting to develop around Lake Mountain Road. They do not want to remove the trees in the area, but build the homes around the trees. She also explained the trails system for their development.

Kim O'Donnell, resident, said that he has never told them not to build. He wants to preserve the 5 acre lot neighborhood. He is worried about the City rezoning the land and opening it up to all the developers. He said it will open Lake Mountain Road up to a large collector road.

Melinda Martin, resident, was concerned about rezoning. She felt that the City should leave Lake Mountain Road to five acre lots.

Bart Anthony, representing a property owner of 159 acres on Lake Mountain Road, stated that the owner is not opposed to development.

Christy Barns, resident and buyer, is planning on moving to this development. She explained that homes would not be built onto the mountain, because that land is preserved by BLM. She said that she has grown up out here shooting rabbits and that she wants to preserve the trees and land. She has planned her lot design around the trees.

Craig Jepson, resident, stated that Lake Mountain Road is not ready for development. He asked the Commissioners to make decisions to help guide developers. Leave these unique developments in place, like Lake Mountain Road's 5 acre lots. He also explained the high risk of fires in the area. He said that the cedar trees should be removed, because they would cause a risk of fires in the neighborhood.

Bryan Hooley, resident, said that the City should be concerned about getting the infrastructure in place in the area, before allowing new development. He felt that the City should look at their zoning codes and make sure there is a guideline to buffer subdivision with larger lots.

Commissioner Linton closed the public hearing at 7:01 p.m.

Commissioner Boles asked how Lake Mountain Road is designed currently. Mr. Hadley explained that the road is not even on the City Transportation Plan and is currently zoned as a residential road.

Commissioner Linton explained that five acre parcel cannot go on forever, that there has to be a stopping point. Residents are going to complain where that stops, but the residents and the City need to know that developments will continue because of them or in spite of them. The City tries to plan in an orderly fashion and give the people the rights to their determination for their own properties within parameters.

MOTION: *Wendy Komoroski moved that the Planning Commission continue the Eagle Mountain Benches public hearing until the City makes a decision about Lake Mountain Road. Miriam Allred seconded the motion. Those voting aye: Wendy Komoroski, John Linton, Daniel Boles, and Miriam Allred. The motion passed with a unanimous vote.*

C. Eagle Mountain Storage- Conditional Use Permit, Site Plan, Public Hearing, Action Item & Advisory Action

Steve Mumford explained that this project is located on lot 100 of the Gateway Park subdivision, northwest of the Cory Wride Memorial Highway and Mt. Airey Drive intersection. The property is zoned Commercial Storage, and this use is a conditional use within the zone. The access for this property was pushed to the north as much as possible to provide a safe distance from the future UDOT frontage road. This access configuration was approved with the master site plan.

Recommended conditions:

1. The landscaping plan shall be amended to include street trees in the Mt. Airey Drive park strip, and landscaping in the native vegetation area, to be reviewed for approval by the Parks Director.
2. A streetlight plan is required that complies with Chapter 15.70.090D Street Lighting. All lighting on the site shall comply with Chapter 17.56 Outdoor Lighting Standards. A lighting plan shall be submitted along with lighting spec/cut sheets for all exterior lights.
3. A monument sign plan and permit shall be submitted for approval to the Planning Director prior to installing a sign.

Commissioner Allred questioned the lighting. Mr. Mumford said that the lighting would be similar to the Black Ridge Elementary.

Commissioner Linton opened the public hearing at 7:17 p.m.

None

Commissioner Linton closed the public hearing at 7:17 p.m.

MOTION:

Wendy Komoroski moved to approve the Eagle Mountain Storage Conditional Use Permit and recommend approval of the Site Plan to the City Council with the following conditions:

- 1. The landscaping plan shall be amended to include street trees in the Mt. Airey Drive park strip, and landscaping in the native vegetation area, to be reviewed for approval by the Parks Director.***
- 2. A streetlight plan is required that complies with Chapter 15.70.090D Street Lighting. All lighting on the site shall comply with Chapter 17.56 Outdoor Lighting Standards. A lighting plan shall be submitted along with lighting spec/cut sheets for all exterior lights.***
- 3. A monument sign plan and permit shall be submitted for approval to the Planning Director prior to installing a sign.***

Miriam Allred seconded the motion. Those voting aye: John Linton, Daniel Boles, Miriam Allred, and Wendy Komoroski. The motion passed with a unanimous vote.

D. Questar- Site Plan, Public Hearing, Advisory Action

Mr. Hadley explained that the proposed 22,040 square foot regional office for Questar is on a 7 acre site located at 4002 East Wagstaff Way in the Gateway Park Plat 2 subdivision (lot 104).

Landscaping:

The landscape plan the applicant has submitted does not meet some standards but exceeds in other standards. City Code requires that a site this size install at least 50% of the landscaping plan in turf. The plan submitted has no turf; it consists completely of xeriscape. The submitted plan for trees is more than 4 times the City requirement and the requirement for drought tolerant shrubs exceeds the City requirement. The applicant is installing a CMU 7-foot fence surrounding the parking area on the south end which meets the City's standards and also satisfies the screening requirements. Since the parking for the public faces towards the applicants building the 3 ½ foot berm is not being required. The water retention pond design will need to be reviewed and approved by the City Engineer. The applicant will be responsible for maintaining the landscaping between the site and Mt. Airey Drive.

Buildings & Commercial Design Standards:

The Questar building is 22,040 square feet in size. There is also a welding building in the northwest corner of the project that is 5100 square feet. The main building will contain offices, and the site will serve a regional office for Questar. The project design generally complies with the City's commercial design standards. Building elevations have been submitted for the Questar facility. Submitted elevations include samples of building materials and color elevations. Staff approves these elevations.

Commissioner Linton asked if there would be light manufacturing in the facility. Todd Cam, applicant, explained that this would be the West Central Regional Office. The welding shop is not a manufacturing shop, but used for little welding issues like meter part problems.

Commissioner Linton opened the public hearing at 7:25 p.m.

Daniel Rogers, Architect for Questar, explained that turf was not acceptable. He is trying to do something more appropriate for the zoning and ecologically responsible.

Chaunte Last, ACE Rents applicant and neighbor to the project, felt that the landscaping plan with a drought would save money. She also explained that their plan would cost more to put in than the turf.

Commissioner Linton closed the public hearing at 7:27 p.m.

Mr. Mumford said that the submitted lighting plan complies with the City's requirements with the exception of the pole height. All lights must be shielded downward and the light source may not be visible from surrounding properties. The lighting plan complies with the City's dark sky ordinance requirements. Light poles cannot exceed 17 feet above the adjacent grade.

Commissioner Allred suggested that the minimum height of the park strip be acceptable to conform to the surrounding landscaping and help conserve water.

Commissioner Komoroski asked how tall the light poles would be. Mr. Mumford said the light poles would be 30 feet tall. Mr. Cam explained that the industrial standard for light poles is 30 feet. He explained that their shareholders like them to conserve anywhere they can and adding more light to the project is not conserving energy.

MOTION: *Wendy Komoroski moved to recommend the approval of the Questar Site Plan to the City Council with the following conditions:*

- 1. That an updated landscape plan with turf in the park strips be submitted and approved by City staff.**
 - 2. Light plan be resubmitted with the light poles not exceeding 17 feet.**
- Miriam Allred seconded the motion. Those voting aye: John Linton, Daniel Boles, Miriam Allred, and Wendy Komoroski. The motion passed with a unanimous vote.**

E. Unified Fire Authority Station #251-Site Plan, Advisory Action

Mr. Jensen explained that the proposed modification to an existing fire station is to replace inhabitable housing quarters with a modular housing unit, located at 1680 East Heritage Drive. The modular addition is shown as 1,440 square feet. The addition will contain sleeping quarters and bathroom/shower facilities for fire fighters stationed in the building. The applicant has indicated the modular housing unit will conform to the design of the existing structure. The proposed location of the modular housing unit does not meet current setbacks. The applicant has indicated that the unit will be located where it is in order to avoid being placed over an existing communications manhole cover. The lighting plan must comply with the City's dark sky ordinance requirements.

MOTION: *Wendy Komoroski moved to recommend the approval of the Unified Fire Authority station #251 Site Plan to the City Council with the following conditions:*

- 1. Public works is contacted when services are shut off during the demolition phase of the project.**
- 2. Salvaged roofing is used on the covered walkway between the existing structure and the housing module.**
- 3. The module façade shall match the existing structure as closely as possible.**

Miriam Allred seconded the motion. Those voting aye: John Linton, Daniel Boles, Miriam Allred, and Wendy Komoroski. The motion passed with a unanimous vote.

F. Sweetwater Industrial Park- Master Site Plan, Public Hearing, Advisory Action

Mr. Mumford explained that the proposed Sweetwater Industrial Park includes 213.62 acres, located west of Pony Express Parkway and north of the wastewater treatment facility and the City's Community Development Building. Chapter 17.100.040D of the City Code allows industrial master site plans to serve as a preliminary plat. The applicant wants to plan the main infrastructure for the industrial subdivision, and then subdivide specific lots with a final plat when the buyer determines the necessary lot size for their use. With so many varied needs among industrial users, it is difficult to determine the necessary lot size upfront throughout a development.

Roads:

The applicant is proposing an alternative road cross-section within the project which contains additional asphalt (40 feet total asphalt). The proposal is for a 47-foot cross-section, with 19 additional feet of sidewalks and landscaping on each side in easements. The additional asphalt is appropriate in an industrial area with increased truck traffic. This is a unique proposal, as generally the entire street cross-section is included in the public right-of-way rather than easements.

Design Standards / Phasing:

A phase line is included on the plans, depicting the area with proposed decreased architectural standards. This area excludes the first 200 feet from Pony Express Parkway, along with a majority of the northern portion of the project. The purpose of these standards is to provide for uses which might otherwise be undesirable due to their proximity to the odor and stigma of locating near a wastewater treatment facility. With reduced design standards, this area may allow for industrial and business opportunities with reduced costs of business, thereby enticing such uses that otherwise would not locate near the treatment facility. It will provide a buffer zone between the wastewater facility and higher end industrial businesses. The proposed standards are attached to this report, but here are some of the items proposed:

- Minimum front setback of 20 feet; other setbacks TBD.
- City Code height limits does not comply (5 stories).
- Outdoor parking, lighting, landscaping, fencing, design standards, sign regulations, and site plan requirements don't apply (Chapters 17.55 – 17.85, 17.100).
- Metal buildings are allowed.
- The front elevations of each building with a front office shall have at least two colors and two textures, including brick, rock, stucco, or other texture.
- The front parking lots and driveway entrances shall be required to be asphalted.
- Landscaping shall be required along the road right-of-way of each lot with at least two trees and sod, with irrigation system, and may include some xeriscape areas.

The Planning Commission and City Council will have to decide if all aspects of these proposed reduced standards are appropriate.

Recommended conditions:

1. Easements are required for off-site storm drain lines.
2. Storm drain detention required for each lot.
3. A street light plan shall be submitted for the project in compliance with EMMC Chapter 15.70.090D.
4. All outdoor lighting shall comply with EMMC Chapter 17.56.
5. Parking for each site plan shall comply with EMMC Chapter 17.55.
6. Street trees shall be required in the park strip with each individual site plan.
7. Landscaping plans shall comply with the standards in the City Code.
8. Fencing and screening of outdoor uses shall be reviewed with each individual site plans.

Exhibit A is attached.

Commissioner Linton asked Mr. Mumford if City staff had any concern with the land and building uses in Exhibit A. Mr. Mumford explained that the property is already included in the Eagle Mountain Properties Industrial Zone. Commissioner Linton was concerned about communication facility with tower, portable storage containers, and recycling facility's being built in the area. He explained that these type of facilities have high structures (the portable storage units can be stacked 12 units high). He also was concerned with the type of equipment needed to run the facilities.

Commissioner Komoroski was concerned about the height limits to the structures.

Commissioner Linton opened the public hearing at 7:51 p.m.

Michael Johnson, neighboring property owner, explained that what is built on the property could affect his mink ranch operation. He was also concerned about the conditions of approval changing in the future.

Mike Wren, representing the landowner, said that tall buildings are expensive. The landowner is looking for structures like mini storage spaces or shops that face the front with garage bays in the back. He said that he has not been approached by clients wanting cell towers. He said that the user of the lot would need to come in and present their site plan to the City and then dedicate the sidewalks to the City at the time of development.

Commissioner Linton closed the public hearing at 7:58 p.m.

The Commissioners were concerned about what development standards the developer needed to comply with Exhibit A or their Eagle Mountain Properties agreement. Mr. Wren explained that the intent is to use Exhibit A, which is more restrictive. He is also fine with restricting the height limit to the City Code.

MOTION:

Wendy Komoroski moved to recommend the approval of the Sweetwater Industrial Park Master Site Plan application to the City Council with the following conditions:

- 1. Easements are required for off-site storm drain lines.*
- 2. Storm drain detention required for each lot.*
- 3. A street light plan shall be submitted for the project in compliance with EMMC Chapter 15.70.090D.*
- 4. All outdoor lighting shall comply with EMMC Chapter 17.56.*
- 5. Parking for each site plan shall comply with EMMC Chapter 17.55.*
- 6. Street trees shall be required in the park strip with each individual site plan.*
- 7. Landscaping plans shall comply with the standards in the City Code.*
- 8. Fencing and screening of outdoor uses shall be reviewed with each individual site plans.*
- 9. Height limit to comply with City Code (5 stories).*
- 10. Exhibit A, "Special Development Standards," applies to the property designated on the approved plans (within ¼ mile of the wastewater treatment plant, excluding property within 200 feet of Pony Express Parkway).*

Daniel Boles seconded the motion. Those voting aye: John Linton, Daniel Boles, Miriam Allred, and Wendy Komoroski. The motion passed with a unanimous vote.

5. Discussion Items (No Action)

A. Eagle Mountain East Stake-Concept Plan, Discussion Item

A proposed parking lot design that doesn't include island bulb-outs every 12 stalls in center islands for a church located at 7775 North Woodhaven Boulevard. The applicant is seeking feedback prior to the review of a conditional use permit and site plan.

Commissioners were concerned that other churches in the area were not built to code. They preferred the bulb-outs, but would not be troubled if the bulb-outs were removed.

6. Next scheduled meeting: September 8th 2015

7. Adjournment

The meeting was adjourned at 8:17 p.m.

APPROVED BY THE PLANNING COMMISSION ON SEPTEMBER 22, 2015



Steve Mumford, Planning Director