



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

November 13, 2018 6:00 p.m.

Eagle Mountain City Hall Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

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

COMMISSION MEMBERS PRESENT: Rich Wood, Brett Wright and Jared Gray. Matthew Everett arrived at 6:48 p.m. DeLin Anderson was excused.

OFFICIALS PRESENT: Councilmembers Melissa Clark and Donna Burnham

CITY STAFF PRESENT: Steve Mumford, Community Development Director; Michael Hadley, Planning Manager; Lianne Pengra, Recording Secretary

Commissioner Wood opened the meeting at 6:00 p.m.

1. Pledge of Allegiance

Commissioner Wood led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

Commissioner Wright stated his business has entered into an agreement with Ellis Ivory, the principal of Ivory Homes, to produce bronze sculptures for This Is The Place Heritage Park. Mr. Ivory is a member of the Board of Trustees for the park. Commissioner Wright stated he does not believe that Mr. Ivory knows Commissioner Wright's role on the Planning Commission. He also stated he will maintain objectivity regarding Item 5C.

3. Approval of Meeting Minutes

A. October 9, 2018 (Joint Session)

MOTION: *Rich Wood moved to approve the October 9, 2018, meeting minutes. Brett Wright seconded the motion. Those voting aye: Rich Wood, Brett Wright, and Jared Gray. The motion passed with a unanimous vote.*

B. October 23, 2018

This item was voted on after item 6A.

MOTION: *Rich Wood moved to approve the October 23, 2018, meeting minutes. Matthew Everett seconded the motion. Those voting aye: Matthew Everett,*

Rich Wood, Brett Wright, and Jared Gray. The motion passed with a unanimous vote.

4. Approval of 2019 Planning Commission Calendar

MOTION: *Brett Wright moved to approve the 2019 Planning Commission Calendar. Rich Wood seconded the motion. Those voting aye: Rich Wood, Brett Wright, and Jared Gray. The motion passed with a unanimous vote.*

5. Action and Advisory Items

A. Olympus Land Project, Rezone

Senior Planner Michael Hadley stated this project contains 320.74 acres and is located directly to the east of the Stadion (Facebook) parcel, across from Pony Express Parkway. The parcels in questions are zoned Agriculture. The parcels are located within the Tech Campus neighborhood in the City's Future Land Use and Transportation Map, and are designated Business Park/Light Industry and Community Commercial.

Mr. Hadley stated the applicant is proposing to add the Regional Technology and Industry (RTI) Overlay zone to the existing Agriculture zone. The applicant plans to develop the site with solar facilities, data centers, and storage battery facilities. Mr. Hadley explained these uses are allowed within the Agriculture zone.

Mr. Hadley explained that rezone proposals are evaluated based on compliance with the City's General Plan, compatibility with neighboring properties, effect on City services, traffic generation, and effect on property values.

Commissioner Wood asked if the business types to be built on this property will be in conflict with the rural residential community. Mr. Hadley stated City staff does not anticipate this project will cause a significant increase to traffic flow in the area.

Commissioner Gray expressed concern regarding removing the Community Commercial designation on the Future Land Use Map. Mr. Hadley explained the Future Land Use Map does not include current approved zoning. He said the applicants' parcels would remain Agriculture, and property owners within the Community Commercial designation could choose to apply for a rezone from Agricultural to Commercial.

Leeza Evensen with Enyo Energy stated the plan is to develop the site with solar facilities, data storage centers, and storage battery facilities. She explained these uses are approved uses in the Agricultural zone.

Ms. Evensen stated the proposal is only for the overlay, and not for developing specific businesses. She stated the preliminary plan is to develop clean industry businesses. She said the project will attract new employers to the City. The use complies with the City's General Plan, will not generate additional traffic, will not burden the City services, and

will increase property values in the area. She stated they will work with City staff to dedicate a road to the City, which will be discussed during the concept plan process.

Commissioner Wood asked if the power generated by the solar field would be used for the on-site facility only. Ms. Evensen said the solar field will be connected to a substation and will feed into Rocky Mountain Power's system.

Commissioner Gray asked why the applicant is not requesting a rezoning. Ms. Evensen said the planned use fits in the Agricultural zone, and a rezone other than the overlay is not necessary. Mr. Hadley explained the RTI Overlay is a rezone.

Community Development Director Steve Mumford explained the overlay was created as an economic development tool to attract large, clean industrial and technology businesses. He said there are specific uses allowed within the overlay zone. He explained if a user completes over 100,000 square feet of building floor space in a first phase of development, or provides one hundred or more permanent jobs after construction, the user can follow the streamlined review process allowed with the RTI Overlay.

Commissioner Wright asked if the overlay encouraged the applicant to look at Eagle Mountain City. Ms. Evensen said the RTI Overlay made the area very attractive. She said it helps the City bring quality businesses.

Mr. Mumford clarified that if commercial businesses want to build in the Community Commercial neighborhood, the land owner would need to apply for a rezone to change the zoning from Agriculture to Commercial. He reiterated the RTI Overlay is the only requirement for the proposed use; there is no need to rezone the property from Agriculture to any other designation, as the overlay allows the applicant's proposed uses. He stated if the applicant rezoned the property to Industrial, incompatible uses such as dirty industry could be allowed uses.

Commissioner Wood and Commissioner Gray asked if the Community Commercial area on the General Plan would need to be re-designated to another area to service the Tech Campus. Commissioner Wood expressed concern that the owners within the remaining Community Commercial area will request the RTI Overlay and not develop commercial businesses.

Ms. Evensen explained if the areas designated Community Commercial on the Future Land Use Map are not rezoned, the parcels will remain Agricultural; there is no approved Commercial zone. Commissioner Wood asked if the applicant would consider removing a building from the pending concept plan and add commercial businesses in its place. Ms. Evensen said the plans are preliminary and still need to go through the DRC review process.

Commissioner Wood asked if the Planning Commission can require commercial within the rezone. Mr. Mumford stated the Planning Commission could approve a modified rezone.

Commissioner Wood opened the public hearing at 6:29 p.m. As there were no comments, he closed the hearing.

Commissioner Wood expressed concern that the Planning Commission may be setting a precedent allowing other landowners to develop in ways other than listed on the General Plan.

Commissioner Wright said commercial areas in the City are not being developed at this time. He said he believes the proposed use is reasonable, as it is adjacent to the Facebook campus. He said the RTI Overlay is valuable and should be applied in this area.

MOTION: *Jared Gray moved to recommend approval of the Olympus Land Development Rezone to the City Council, with the following recommendation:*

1. City Council will consider retaining the Community Commercial property designation, as noted in the General Plan.

Brett Wright seconded the motion.

Mr. Mumford clarified the parcel in question will remain Agriculture until a property owner applies for a rezone.

Those voting aye: Rich Wood, Brett Wright, and Jared Gray. The motion passed with a unanimous vote.

B. Eagle Vision, Site Plan, Preliminary Plat

Mr. Hadley said this proposal is for one building with a future second building on approximately 0.83 acres. The site is located south of Pony Express Parkway adjacent to the SilverLake LDS chapel, and next to the Oak Hollow residential development.

Mr. Hadley said the building square footage is approximately 6,560 square feet. He stated the building design complies with the City's Commercial Design Standards.

Mr. Hadley said the project is providing 33 parking stalls and 2 ADA stalls for a total of 35. The required number of parking stalls for this project is 33.

Mr. Hadley explained the Municipal Code requires a 20-foot buffer between commercial and single-family dwellings. He said the project proposes a 10-foot buffer area on the south end of the property. He said the Oak Hollow housing development has installed a six-foot high masonry fence on the border between the single-family homes and the commercial lot.

Mr. Hadley said a ten-foot buffer is required on the east property line. The parking lot on the east side of the property does not meet that buffer requirement. A chapel is adjacent to the proposed parking area, and a fence separates the two properties. Mr. Hadley said that the applicants are proposing two parking stalls more than the City's requirement, and the applicants could remove the additional stalls to comply with the buffering requirement.

Mr. Hadley said the applicants have worked with the City Engineer and agreed to dedicate a 43-foot right-of-way in the front of the lot to be used to widen Pony Express Parkway in the future. He explained the land dedication made it difficult for the applicants to meet the southern buffering requirements. He said the original proposal did meet the buffering requirements.

Commissioner Wood asked how the land dedication would be used, as the terrain and existing church property do not allow for road expansion. Mr. Hadley said the specific design has not been planned. Commissioner Wood said he does not see the benefit to the dedication, as he does not believe it can be used as a right-of-way. He expressed concern that the business structure is too close to home sites on the south end.

Commissioner Wright stated he believes the City is requesting the land dedication for a reason, and he trusts City staff and the City Engineer.

Mr. Mumford explained the land dedication has been requested in order to complete the 150-foot right-of-way required for a major arterial road. He said the 43-foot dedication area will be on the southern edge of the 150-foot right-of-way and will contain a possible trail and landscaping. He said the right-of-way could be used for future transit, possible bike lane extensions, or other transportation needs. Mr. Hadley explained it is beneficial for the City to receive this land dedication at this time so the City does not have to remove structures to obtain and use the right-of-way at a later date.

Discussion ensued regarding the adjacent property owners' knowledge of the current Commercial zone designation of the application area.

Dan Ford, representative for Larry Carson, one of the applicants, said the applicants previously owned the Fieldstone Homes property. He explained Fieldstone Homes is aware of the Commercial zone designation of this property. Mr. Ford asked when the 43-foot right-of-way would be developed. He said the land dedication represents 17.5% of the total lot.

Mr. Ford stated the applicants intend to have multiple businesses located in the initial building. He said once demand dictates the need, the second structure will be built. He said the applicants want to attract retail businesses, but most of the interest so far has been from medical businesses.

Commissioner Gray asked if the land in the future building site will be landscaped or paved. Kristen Barney, one of the applicants, said they do not have a current plan. She

said they may use gravel, sod, or landscaping, and will maintain a professional appearance throughout the entire lot.

Commissioner Gray said the majority of the parking stalls are proposed to be placed away from the initial building, and asked if Municipal Code allowed the distance in the plan. Mr. Mumford said the Chevron in City Center has a similar parking layout with a vacant future building site within the lot. He said the future building site on the Chevron lot contains native landscaping. He said the Municipal Code does not require a specific covering for vacant land.

Commissioner Wood asked if the parking stalls could be relocated to the future building site. Ms. Barney said the parking area is shown in its proposed location to avoid building a structure directly adjacent to the home sites south of the lot. She said they felt a parking lot is less invasive than a potential two-story structure on that section of the lot.

Commissioner Wood expressed concern that the parking lot lights and headlights will shine into adjacent homes. Mr. Mumford said the existing masonry wall will block headlights shining into homes, and the applicants will be required to install Dark Sky Ordinance-compliant parking lot lighting.

Discussion ensued on buffering requirements for different types of zones and uses.

Commissioner Wood opened the public hearing at 6:55 p.m. and closed it due to lack of comments.

Commissioner Wright said although the east side does not meet buffering standards and he does not prefer to approve items that do not meet Municipal Code requirements, he believes the extra parking stalls have value. He said he believes the masonry wall and the rise of the property will mitigate concerns regarding buffering on the south side of the property. He said he likes the building design and feels it will be a great addition to the City. He appreciates the applicant working with City staff on the right-of-way dedication.

Commissioner Wood said he likes the building design. He expressed concern for future homeowners to the south of the property. He said he believes the parking lot will mitigate resident concerns and is a better option than the future building for that area of the property.

Commissioner Everett stated the building and parking lot placements are appropriate. He said the additional parking on the east side of the property warrants a buffering variance, as the adjacent property will have a parking lot along the border.

Commissioner Gray said he wanted to ensure the land designated as the future building site is maintained.

MOTION: *Jared Gray moved to recommend approval of the Eagle Vision preliminary plat and site plan to the City Council, as presented by City staff. Brett Wright seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, and Jared Gray. The motion passed with a unanimous vote.*

C. Overland Phase C, Preliminary Plat

Mr. Hadley said the applicants are proposing 196 units on 46.15 acres within Village 1 of the Overland Master Development Plan. He said there is an overall density of 4.25 dwelling units per acre. Overland Phase C is located west of Overland Phase A, Overland Phase B, and Frontier Middle School, north of Mid-Valley Road.

Mr. Hadley explained Municipal Code states lots must have a minimum frontage of 55 feet, and 20% of all lots shall have a minimum lot frontage of 60 feet along a public right-of-way. He said that Overland Phase C exceeds the requirement that at least 20% of lots provide at least 60 feet of frontage, but there are three lots with frontages less than 55 feet. He said these lots must have the frontage increased to at least 55 feet.

Mr. Hadley said the applicants have provided a right-of-way width table within their submittal, but it is incorrect. He said the table shows Boulder Peak Lane with a 77-foot right-of-way, when in actuality it is a standard 53-foot local road. Long Ridge is also shown as a 53-foot local road, but should be dedicated as a 63-foot right-of-way. He informed the Planning Commission that the applicants are conducting a traffic study to see if the wider rights-of-way are necessary.

Mr. Hadley said the applicants are required to provide an updated Trails Master Plan to the City.

Mr. Hadley said Municipal Code states no residential lot shall have its primary access onto a collector or arterial street. He said lots C145 through C154 have their primary access onto Mid Valley Road, which is an arterial road.

Mr. Hadley offered possible motions to the Planning Commission. He stated if the Planning Commission decides to recommend approval to the City Council, staff recommends the following conditions:

1. The minimum lot frontage shall be 55 feet on all lots;
2. Long Ridge shall be shown as a 63-foot right-of-way and Parcel B shall be removed from the plat;
3. The applicants shall provide an amended Trails Master Plan that shows how the trails will connect throughout Village 1 and to neighboring villages;
4. The applicant shall provide a detailed park plan to be approved by the City Council; and
5. The plat shall be redesigned so that no lots front Mid Valley Road.

Mr. Hadley said if the Planning Commission decides to table the application, staff recommends the applicants redesign the plat so that all required frontage standards are met, no lots have primary access to Mid Valley Road, and Long Ridge is shown as a 63-foot right-of-way.

Commissioner Wood asked why the applicants presented a plan that did not meet Municipal Code. He asked if they were unable to come to an agreement with staff. Mr. Hadley said the applicant is currently working on updates to the project.

Commissioner Wright asked if the lot square footage would be changed if the applicants redesign the plat to the required right-of-way widths. Mr. Hadley said the lots would need to be redesigned to fit the required rights-of-way, but the applicants are in the middle of a traffic study to determine if the larger rights-of-way are needed.

Matthew Wangsgaard, with Focus Engineering and applicant Bryon Prince's representative, said they changed the 77-foot right-of-way to a 53-foot right-of-way, as the City's Master Plan did not require the wider right-of-way. He said the plans will be addressed to ensure the roads all meet the 53-foot right-of-way standard.

Mr. Wangsgaard stated Phase A contains 80 units, not 137 units, and he clarified the applicants have 212 remaining units, not 155 units as listed in the staff report. He said the unit totals were discussed with staff before the meeting.

Mr. Wangsgaard said the applicants have discussed adding a connection to the west of the project for future development. He said they are currently working on master plans for trails and parks, which they will submit to staff prior to the City Council meeting.

Mr. Wangsgaard said they are redesigning the plan to ensure no lots have access onto Mid Valley Road. He said this will remove ten to twelve lots, and the acreage from the removed lots will be added to adjacent lots in the plan. He said they have removed Parcel B and redesigned the adjacent road to a 63-foot right-of-way.

Commissioner Wright said the north end of the concept plan showed larger estate lots which are not on the current application. He asked if the applicants intend to add larger lots elsewhere in the project.

Mr. Wangsgaard said the plat was redesigned to adjust the park area, and because a waterline study showed a pressure reducing valve may have been required if the preliminary plat was designed to the concept plan specifications. He explained the applicants have received feedback from buyers in Overland Plat A that the lots are too large. He said market research showed their customers prefer large homes with large backyards, but not large lots overall. He said the large lots were cost-prohibitive to buyers due to landscaping and water costs.

Commissioner Wright asked what the lot sizes will be after the plan is redesigned. Mr. Wangsgaard said redesigning the plan to exclude lots with frontages on Mid Valley Road will create 12,000 sq. ft. estate lots.

Discussion ensued on the number of units approved for each phase, and in Village 1 overall.

Commissioner Everett opened the public hearing at 7:19 p.m. As there were no comments, he closed the hearing.

Commissioner Wood said he needs more information before approving or denying the application. He said he needs updated plans showing changes in the rights-of-way, changes increasing all lots to the minimum required frontages, and the redesign showing no lots with primary access on Mid Valley Road.

Commissioner Everett said he would like to see a finished product before sending the application to City Council. He disagreed with the applicants' market research and said he believes homeowners do desire large lots.

MOTION: *Rich Wood moved to table the Overland Phase C preliminary plat until the following items are addressed:*

- 1. The plat shall be redesigned so no lots have primary access off Mid Valley Road;*
- 2. The plat shall comply with lot frontage standards; and*
- 3. Long Ridge Road shall be shown as a 63-foot right-of-way.*

Brett Wright seconded the motion.

Commissioner Everett asked if the motion should note an appropriate time frame for the redesigned project to return. Mr. Mumford said the applicants will be ready to present the updated plan at the December 11, 2018, meeting. Commissioner Wood added condition number four to the motion.

- 4. The applicants shall present the updated plan at the December 11, 2018, Planning Commission meeting.*

Those voting aye: Matthew Everett, Rich Wood, Brett Wright, and Jared Gray. The motion passed with a unanimous vote.

6. Discussion Items

A. Cedar Development, Concept Plan; Discussion Item

Mr. Hadley said the project is approximately 13.12 acres and is located along Wride Memorial Highway, north of the Northmoor subdivision and east of Mt. Airey Village. The project is a multi-use development with commercial, senior assisted living, and townhome components.

Commissioner Wood asked if the current transitioning requirements have been met between the project and the existing townhomes.

Commissioner Everett asked if the future widening of Cory Wride Memorial Highway was taken into account in this plan. Mr. Mumford said the applicant is aware of the Utah Department of Transportation right-of-way requirements, and those details will be handled in negotiations between the applicant and the Utah Department of Transportation.

Commissioner Gray asked about setback requirements along freeways, and if a sound wall will be required. Mr. Mumford said the project will be along a frontage road, rather than a freeway, and the setbacks will be the same as in Commercial zones. He said a sidewalk or trail will be installed between the frontage road and any structures in the project. Mr. Mumford said the only existing property along the entire highway that qualifies for a sound wall is the section of townhomes to the west of this project. He said the Utah Department of Transportation will consider sound walls once a certain percentage of residents in a qualifying area want the wall.

The owner of the property, Mike Geddes, said the project was originally approved and zoned for 135 townhomes. He said he has been working with City staff to update the plan. He said he understands City staff desire more commercial areas, and the proposed concept plan is a good compromise.

Commissioner Wood said the applicant will receive pushback from current residents in the adjacent homes. He said he would like the first line of townhomes along Inverness to be changed to single-family homes. Mr. Geddes said the property was vested with townhome rights before Northmoor and Southmoor were developed.

Mr. Geddes said the concept design is not set and the sizes of the residential and commercial areas can be adjusted. He explained the senior assisted living would offer all levels of service. Mr. Geddes said he would prefer to see retail businesses in the commercial portion, versus office space.

Commissioner Gray asked about the current vesting. Mr. Mumford said the land is vested with 140 units and is listed as Village Core in the Ranches Master Development Plan. He said City staff would like to see commercial businesses.

Commissioner Wright asked if assisted senior living facilities would be considered Residential. He said he would like to see more commercial developed in the project. Mr. Geddes expressed the market will drive the development. He said affordable housing is needed in Utah.

Commissioner Gray said there are thousands of affordable housing units approved but not yet built within the City. He said he does not see the need for additional affordable housing, and he prefers to see single-family homes along Inverness Road.

Commissioner Wood said he would like to see an over 55 years and older cluster home area. Mr. Geddes said they have considered that option, but it is difficult to enforce the age requirements.

Commissioner Everett said he likes the idea of senior living in this location. He said adding this number of townhomes creates a concern regarding traffic. He said the current plan does not meet Municipal Code, as the garages are located on the front of the townhomes. He said the garages need to be a rear-loading, or are required to open onto an alley.

Discussion ensued regarding front-loading versus back-loading garages on townhomes, to include buyer preference.

Mr. Mumford clarified the Municipal Code states that if garages are placed on the front façade of a building, they shall be staggered and set back so as to minimize their appearance from the street; and garages shall never dominate the street-facing façade of a building. He said it is possible to have front-loading garages, as long as the garage is not the focal point.

Mr. Geddes asked if the Planning Commission would prefer to see a wall along Inverness Road in order to mitigate traffic. Mr. Mumford said Inverness Road functions as a collector road. He said it could be beneficial from a transportation standpoint, but could cause negative issues for residents along Inverness Road within the applicant's project.

Commissioner Wood asked if a clubhouse will be required. Mr. Mumford said a clubhouse is required for any multifamily project, and a pool is required for multifamily projects with more than 150 units.

B. Code Amendment Progress Report, Information Item

i. Residential Zone

Mr. Mumford said City staff hopes to have the Residential zone update on the December 11, 2018, Planning Commission meeting. Commissioner Wood asked if senior living areas could be addressed in the zone update.

ii. Medical Cannabis Dispensary Restrictions

Mr. Mumford said a City Council member asked staff to write Municipal Code designating where medical cannabis dispensaries can be located. He said it will likely restrict the facilities to certain zones. Commissioner Everett said the State Legislature may address the allowed locations of dispensaries in the upcoming Special Session.

iii. Alley Addressing

Mr. Mumford said the Fire Marshall requested Municipal Code referencing addressing of townhomes with private road entrances, in order to provide emergency services in a timely manner.

iv. Street Trees

Mr. Mumford said a code amendment was started regarding street trees a year ago. He said staff is determining separation distances from street signage and intersections, as well as other street tree restrictions.

Commissioner Wood asked if Municipal Codes related to speed limits and speed deterrents are in discussion. Mr. Mumford said those are items the City Engineer and the Utah County Sheriff's Office can look into.

7. Next scheduled meeting: December 11, 2018

8. Adjournment

MOTION: *Jared Gray moved adjourn the meeting at 8:25 p.m. Rich Wood seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, and Jared Gray. The motion passed with a unanimous vote.*

Approved by the Planning Commission on December 11, 2018.


Steve Mumford, Community Development Director