



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

February 27, 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, and Brent Strong. Robert Fox was excused. Alternate Commissioner Jimmy Eaton was absent.

ELECTED OFFICIALS PRESENT: Councilmember Brett Wright, Liaison to the Planning Commission.

CITY STAFF PRESENT: 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 Allen called the meeting to order at 5:30 p.m.

1. Discussion Items

1.A. General Plan Discussion

Planner Caden Lyon presented background information about the reasons and purposes of and the process to update Eagle Mountain City General Plan.

Planning Director Brandon Larsen presented information about the 16-month timeline and required steps for the phased General Plan update beginning at this meeting and continuing through the beginning of 2025. The timeline is fluid and will be adjusted as needed. A diverse focus group will be created to work with staff throughout the process. Staff will present the draft plan in phases to allow a more detailed and thorough review.

Staff plans to request funding for resources to be allocated to the General Plan amendment during the approval of the budget for the next fiscal year and to hire consultants to assist staff with the update. General Plan designations provide a general overview of the City. Area plans are more specific and may include both General Plan designations and current development zoning.

1.B. DISCUSSION – Lower Hidden Valley

Senior Planner Robert Hobbs presented the item. Perry Homes has submitted a concept plan for some proposed changes to the Lower Hidden Valley plan area. Staff has given Perry Homes comments on the plan. The master development agreement (MDA) approved in 2011 and amended in 2023 requires significant amendments to the plan to undergo the full, formal MDA and master development plan (MDP) review and approval process.

Thomas Romney with Focus Engineering and Surveying, LLC explained that the current MDA protects the overall unit count, required park space, native open space, unbuildable slopes, general locations of product types, and overall traffic circulation. They feel this proposal meets the intent of the MDA requirements. The new plan reduces the overall density by removing 19 multifamily units, 13 townhomes, 4 triplexes, 18 twin homes, 45 cluster homes, and 9 single-family lots. Park space and open space has increased by 65%. The park has been moved to a more central and accessible location that preserves a hillside that had previously been slated for residential development, maintains existing trail access, and reduces sod and water usage. They have committed to work with the City to maintain the accessibility and functionality of many of the existing trails. The approved plan would have a greater impact on the hillsides and is a result of the effects of relocating roads and accommodating the wildlife corridor at the request of the City. They feel this proposal improves the previous plan and are concerned about the timing

impacts of reapproval. Sufficient spacing will be provided to accommodate existing trails without impacting private property. Detailed plans for the park spaces and wildlife corridor and access to the petroglyph site have not yet been finalized. Resident biking groups have requested to be involved in trail construction and signage. Per the MDA, the City will maintain any park space over two acres. The homeowners' association (HOA) will maintain park spaces under two acres. A certain amount of density is necessary to enable the developer to provide the proposed open space and amenities. Nevertheless, they are willing to reduce the unit count to make the development functional for the residents and City. Accesses will be updated to align with the new road configuration.

Commissioner Allen expressed support for incorporating the existing trails as long as doing so does not impede the effectiveness and functionality of the wildlife corridor.

Staff clarified that the terms of the agreement stipulate that a material modification to the Lower Hidden Valley MDA, which includes the MDP as an exhibit, must be in writing and signed by both parties.

Commissioner Allen adjourned the work session at 6:33 p.m.

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

Commissioner Allen called the policy session to order at 6:43 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. February 13, 2024 Planning Commission Minutes

MOTION: *Commissioner Hess moved to approve the February 13, 2024 minutes. 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**
☐ **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

Mr. Larsen explained that the Pony Express 27 site plan was tabled at the request of the applicant during the February 20, 2024 City Council meeting and will be placed on a future City Council meeting agenda.

6. Action and Advisory Items

6.A. ACTION ITEM/PUBLIC HEARING – Eagle Vision Building Two – Site Plan

Planner Steven Lehmitz presented the item. On December 4, 2018, the City Council approved the Eagle Vision preliminary plat and site plan, which is generally located along Pony Express Parkway, north of Oak Hollow and west of Silverlake. On November 19, 2019, the Council approved an amended preliminary plat preparatory to a final plat being recorded that divided the original lot into two. This was done to make an additional building pad that would be utilized in the future. The applicant is now petitioning for site plan approval for the second building.

The property is zoned Commercial (an old zone) and was done so through the Oak Hollow MDA/MDP. When the first Eagle Vision site plan was approved, there was additional parking added to ensure that when the second building came, there would be enough parking. The current recorded plat includes a cross-access easement that covers the entirety of the shared parking lot. Staff worked with the applicant on the placement of the building. The Commercial zoning standards required buildings to be located at least 10 feet away from parking stalls. On the south side, the distance is only 8 feet. Staff felt that this was acceptable as it kept the building far enough away from the existing building to the north to meet building and fire regulations. Building regulations require that structures be at least five feet away from property lines or have a fully fire-rated wall. To address this, the applicants are working with staff on a proposed plat amendment that will remove the property line, again combining the two Eagle Vision lots into one. All other setback requirements are met. Nothing in the zoning, under previous standards, would prevent the construction of a second building on the site and the practice is common in other cities.

Staff recommends the Planning Commission forward a positive recommendation to the City Council for the proposed site plat with the following conditions:

1. Site plan approval is contingent on the proposed plat amendment being approved by staff;
2. Awnings are added over the doors on the east elevation;
3. Landscaping around the dumpster (southwest corner of the site) is added to the landscape plan and installed; and
4. An irrigation plan is submitted and approved by staff.

Commissioner Strong expressed concern about the proximity of the buildings. He hesitates to approve setback exceptions given the time and thought employed in creating the standards.

Applicants Tyler and Kristen Barney explained that increasing the space between the buildings by two feet would result in a cost of thousands of dollars. The lot was split after the approval of the site plan in 2018.

Commissioner Allen opened the public hearing at 6:57 p.m. As there were no comments, he closed the hearing.

Staff and the Commission discussed the previous approval in relation to this application.

Mr. Larsen noted that the building will undergo fire safety inspections during the building permit approval process.

MOTION: *Commissioner Allen moved to recommend approval to the City Council of the site plan for Eagle Vision Building Two with the following conditions:*

1. *Site plan approval shall be contingent on the proposed plat amendment being approved by staff;*
2. *Awnings shall be added over the doors on the east elevation;*
3. *Landscaping around the dumpster (southwest corner of the site) shall be added to the landscape plan and installed; and*
4. *An irrigation plan shall be submitted and approved by staff.*

Commissioner Hess seconded the motion.

Those Voting Yes

Those Voting No

Those Abstaining

Those Absent

<input checked="" type="checkbox"/> Jason Allen	<input type="checkbox"/> Jason Allen	<input type="checkbox"/> Jason Allen	<input type="checkbox"/> Jason Allen
<input type="checkbox"/> Jimmy Eaton	<input type="checkbox"/> Jimmy Eaton	<input type="checkbox"/> Jimmy Eaton	<input checked="" type="checkbox"/> Jimmy Eaton
<input type="checkbox"/> Robert Fox	<input type="checkbox"/> Robert Fox	<input type="checkbox"/> Robert Fox	<input checked="" type="checkbox"/> Robert Fox
<input checked="" type="checkbox"/> Rod Hess	<input type="checkbox"/> Rod Hess	<input type="checkbox"/> Rod Hess	<input type="checkbox"/> Rod Hess
<input type="checkbox"/> Brent Strong	<input checked="" type="checkbox"/> Brent Strong	<input type="checkbox"/> Brent Strong	<input type="checkbox"/> Brent Strong

With a vote of 2:1, the motion failed to receive a recommendation. Per the Planning Commission Rules of Order and Procedure, the item will move forward to the City Council with a notation of the votes but no recommendation.

6.B. ACTION ITEM – Approval of Shared Parking arrangement for Walmart Parcel

City Attorney Marcus Draper presented the item. Walmart is developing a commercial parcel on the northwest corner of Spring Run Parkway and Cory B. Wride Memorial Highway. The parcel is being subdivided into three separate lots. In addition to the main lot for the Walmart Supercenter, there are two outparcels. Outparcel A is intended for use as a fuel station. The parcel cannot independently meet the parking requirements for a fuel station. Six dedicated parking spaces are provided and an additional three are required to meet the requirement for nine parking stalls. Walmart is seeking approval pursuant to EMMC 17.55.100 for a shared parking arrangement to allow Outparcel A to use up to eight parking spots on the Walmart Supercenter lot bringing the total parking with dedicated and shared to 14 stalls. The Walmart Supercenter provides more parking stalls than required by the Eagle Mountain Municipal Code.

Staff recommends that the Planning Commission approve the use of shared parking conditioned upon executing the proposed agreement between the owners and any tenants of Outparcel A.

MOTION: *Commissioner Strong moved to approve the shared parking arrangement for the Walmart Parcel. Commissioner Allen seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
<input checked="" type="checkbox"/> Jason Allen	<input type="checkbox"/> Jason Allen	<input type="checkbox"/> Jason Allen	<input type="checkbox"/> Jason Allen
<input type="checkbox"/> Jimmy Eaton	<input type="checkbox"/> Jimmy Eaton	<input type="checkbox"/> Jimmy Eaton	<input checked="" type="checkbox"/> Jimmy Eaton
<input type="checkbox"/> Robert Fox	<input type="checkbox"/> Robert Fox	<input type="checkbox"/> Robert Fox	<input checked="" type="checkbox"/> Robert Fox
<input checked="" type="checkbox"/> Rod Hess	<input type="checkbox"/> Rod Hess	<input type="checkbox"/> Rod Hess	<input type="checkbox"/> Rod Hess
<input checked="" type="checkbox"/> Brent Strong	<input type="checkbox"/> Brent Strong	<input type="checkbox"/> Brent Strong	<input type="checkbox"/> Brent Strong

The motion passed with a unanimous vote.

6.C. ACTION ITEM/PUBLIC HEARING – LKL Associates – Site Plan

Senior Planner David Stroud presented the item. This request is for site plan approval of a light industrial building to be used by LKL Associates, a business that sells construction and building materials. The subject property is platted as Lot 2, Plat 1 of Sweetwater Industrial Phase A Subdivision which was recorded in February 2021. The site address is 1053 East Belladonna Drive and is 5.14 acres.

Commissioner Allen opened the public hearing at 7:12 p.m. As there were no comments, he closed the hearing.

Applicant Eddie Bowen verified this is a new location rather than a relocation of one of their other sites.

MOTION: *Commissioner Hess moved to recommend approval to the City Council of the site plan for LKL Associates. Commissioner Allen seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
<input checked="" type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>
<input type="checkbox"/> <i>Jimmy Eaton</i>	<input type="checkbox"/> <i>Jimmy Eaton</i>	<input type="checkbox"/> <i>Jimmy Eaton</i>	<input checked="" type="checkbox"/> <i>Jimmy Eaton</i>
<input type="checkbox"/> <i>Robert Fox</i>	<input type="checkbox"/> <i>Robert Fox</i>	<input type="checkbox"/> <i>Robert Fox</i>	<input checked="" type="checkbox"/> <i>Robert Fox</i>
<input checked="" type="checkbox"/> <i>Rod Hess</i>	<input type="checkbox"/> <i>Rod Hess</i>	<input type="checkbox"/> <i>Rod Hess</i>	<input type="checkbox"/> <i>Rod Hess</i>
<input checked="" type="checkbox"/> <i>Brent Strong</i>	<input type="checkbox"/> <i>Brent Strong</i>	<input type="checkbox"/> <i>Brent Strong</i>	<input type="checkbox"/> <i>Brent Strong</i>

The motion passed with a unanimous vote.

6.D. ACTION ITEM/PUBLIC HEARING – Wendy's Ranches – Site Plan

Planner Caden Lyon presented the item. This request is for site plan approval of a restaurant chain building to be used for a Wendy's. The subject property is platted as Lot 4, Plat 3 of Carson Commercial Subdivision which was recorded November 2020. The site address is 4302 Pony Express Parkway and is 0.95 acres.

Staff recommends the Planning Commission forward a positive recommendation to the City Council regarding the Wendy's Ranches site plan with the following conditions of approval:

1. That the pedestrian crosswalk is sufficiently illuminated to comply with EMMC 17.75.069 to promote safer and more efficient on-site vehicular and pedestrian circulation, and
2. That lighting on the building is found to be compliant with Chapter 17.56.

Applicant representative, Farley Eskelson, requested to minimize the number of trees in the landscaping plan for the front of the building along Pony Express Parkway to be in harmony with the landscaping of the other buildings in the area. They will be responsible for maintaining the landscaping to the back of curb.

Mr. Larsen stated that staff will review and evaluate the request to reduce the number of trees before the plan is presented to the City Council.

Commissioner Allen opened the public hearing at 7:21 p.m. As there were no comments, he closed the hearing.

Commissioner Allen voiced support for the applicant's requested change to the landscaping to promote visibility and uniformity.

Mr. Larsen concurred with the value of promoting conformity in development.

MOTION: *Commissioner Strong moved to recommend approval to the City Council of the site plan for the Wendy's Ranches location with the following conditions:*

1. *The pedestrian crosswalk shall be sufficiently illuminated to comply with EMMC 17.75.069 to promote safer and more efficient on-site vehicular and pedestrian circulation,*
 2. *That lighting on the building shall be found to be compliant with Chapter 17.56; and*
 3. *The applicant may work with staff to make adjustments to the landscaping plan.*
- Commissioner Allen seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
<input checked="" type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>	<input type="checkbox"/> <i>Jason Allen</i>

<input checked="" type="checkbox"/> Jimmy Eaton	<input type="checkbox"/> Jimmy Eaton	<input type="checkbox"/> Jimmy Eaton	<input type="checkbox"/> Jimmy Eaton
<input type="checkbox"/> Robert Fox	<input type="checkbox"/> Robert Fox	<input type="checkbox"/> Robert Fox	<input checked="" type="checkbox"/> Robert Fox
<input type="checkbox"/> Rod Hess	<input type="checkbox"/> Rod Hess	<input type="checkbox"/> Rod Hess	<input checked="" type="checkbox"/> Rod Hess
<input checked="" type="checkbox"/> Brent Strong	<input type="checkbox"/> Brent Strong	<input type="checkbox"/> Brent Strong	<input type="checkbox"/> Brent Strong

The motion passed with a unanimous vote.

7. Discussion Items

8. Next Scheduled Meeting

The next Planning Commission meeting is scheduled for March 12, 2024.

9. Adjournment

MOTION: *Commissioner Hess moved to adjourn at 7:25 p.m. Commissioner Strong seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
<input checked="" type="checkbox"/> Jason Allen	<input type="checkbox"/> Jason Allen	<input type="checkbox"/> Jason Allen	<input type="checkbox"/> Jason Allen
<input type="checkbox"/> Jimmy Eaton	<input type="checkbox"/> Jimmy Eaton	<input type="checkbox"/> Jimmy Eaton	<input checked="" type="checkbox"/> Jimmy Eaton
<input type="checkbox"/> Robert Fox	<input type="checkbox"/> Robert Fox	<input type="checkbox"/> Robert Fox	<input checked="" type="checkbox"/> Robert Fox
<input checked="" type="checkbox"/> Rod Hess	<input type="checkbox"/> Rod Hess	<input type="checkbox"/> Rod Hess	<input type="checkbox"/> Rod Hess
<input checked="" type="checkbox"/> Brent Strong	<input type="checkbox"/> Brent Strong	<input type="checkbox"/> Brent Strong	<input type="checkbox"/> Brent Strong

The motion passed with a unanimous vote.

The meeting was adjourned at 7:25 p.m.

Approved by the Planning Commission on March 12, 2024.



Brandon Larsen
Planning Director