

MINUTES of the Vernal City PLANNING COMMISSION

Vernal City Council Chambers – 447 East Main Street

April 8, 2010

Members Present: David Brinkerhoff, Eric Olsen and Glenn Spencer.

Alternates Present: Stuart Branham and Ben Mahaffey.

Absent Members: Troy Allred, Vernie Heeney and Sonja Norton.

Staff Present: Allen Parker, Assistant City Manager; Richard Zohner, Building Official; and Stacy Palmer, Administrative Clerk.

WELCOME AND DESIGNATION OF CHAIR AND MEMBERS: Chair Eric Olsen welcomed everyone present and stated that Alternate Ben Mahaffey will be voting in place of Sonja Norton. Alternate Stuart Branham arrived late and his vote was not designated.

APPROVAL OF MINUTES FROM MARCH 11, 2010: Eric Olsen noted that a quorum of members present at the March 11, 2010 meeting were not present to approve these minutes. Allen Parker explained that the City Council recently passed an ordinance which states, “If the public body fails to consider the proposed minutes, or does not take any action to approve the proposed minutes at the first public meeting held by the public body immediately following the public body’s receipt of the proposed minutes from the meeting clerk, the proposed minutes shall be deemed to have been approved by the public body and will stand as proposed.” Mr. Olsen asked if there were any changes from those Commissioners who were present at the March 11, 2010 meeting. There being none, the minutes of the Vernal City Planning Commission meeting held March 11, 2010 stand as proposed.

REQUEST FOR APPROVAL OF DIAMOND MOUNTAIN SHOPPING CENTER / RESTAURANT SITE PLAN - LOCATED AT 1180 WEST HIGHWAY 40 - APPLICATION #2010-003-MSP: Allen Parker presented the proposed site plan for a Sonic Drive-In to be built at 1180 West Highway 40 in the Diamond Mountain Shopping Center and indicated the exact location of the proposed restaurant. Mr. Parker stated that the location is zoned CP-2 Commercial and noted that the closest residential property is zoned R-4. Mr. Parker explained that when the subdivision of the Diamond Mountain Shopping Center property was approved a few months ago, there were a few changes that were mandated before the final plat could be recorded. Mr. Parker stated that he has been working closely with the developer of this property to complete the process and get the final plat recorded, but at this time, that process is not yet complete. Mr. Parker explained that otherwise the site plan, as presented, meets all other requirements of Vernal City Code.

Glenn Spencer noted that the Heber City Sonic Drive-In is closed and asked if the developer was confident about whether or not a similar restaurant would be successful in Vernal. Developer Robert Schmidt, 480 West 800 North, Orem, Utah, 84057, stated that Sonic Drive-Ins are operated by franchise groups and the restaurant in Heber is owned by a group out of Salt Lake City while the one in Vernal is owned by a group out of Colorado. Mr. Schmidt stated that the franchisee has conducted a feasibility study and feels confident that this restaurant will do well in Vernal.

Ben Mahaffey asked what sort of signage is planned for the restaurant. Mr. Schmidt replied that the franchisee is currently preparing a sign-permit application for a free-standing sign. David Brinkerhoff asked if the restaurant would require additional accesses from Highway 40. Mr. Schmidt stated that the restaurant would be accessible through existing driveways only.

Robert Schmidt stated that he is concerned that the fact that the subdivision plat has not yet been recorded could prevent construction crews from beginning work in the case where the site plan is otherwise approved. Mr. Schmidt explained that Diamond Mountain currently owns the parcel in question and will also own the building, which it will then lease to the operator. Allen Parker suggested that the Planning Commission could approve the site plan with the condition that no certificate of occupancy will be issued until the subdivision plat is recorded. Eric Olsen noted that this option would protect the City's interests and place the risk on the developer to ensure that the plat is recorded properly. There being no further discussion, **David Brinkerhoff made a motion to approve the Diamond Mountain Shopping Center / Sonic Drive-In site plan, located at 1180 West Highway 40- application #2010-003-MSP with the condition that no certificate of occupancy permit will be granted until the subdivision plat is properly recorded per Vernal City Code. Glenn Spencer seconded the motion and the motion passed with Branham, Brinkerhoff, Mahaffey, Olsen and Spencer voting in favor.**

PLANNING COMMISSION TRAINING DATES: Allen Parker stated that based on previous scheduling discussions, he would propose May 14th for a community-wide Planning Commission training meeting. Mr. Parker asked how many Commissioners had conflicts with that date. Of those present, only Eric Olsen stated that he could not attend the May 14th meeting. Mr. Parker stated that he has not heard back from Naples or Uintah County regarding their availability to participate on this date. If this date does not work for a majority of Planning Commissioners, Mr. Parker explained that he would try to schedule a date in June.

DRAFT GENERAL PLAN REVIEW: Allen Parker stated that during this presentation he would review the changes that have been made to the draft of the General Plan update so far and request feedback from the Commissioners regarding any additional changes they would like to make. Mr. Parker stated that the consultants have collected background information and presented the material in various sections that he would briefly review with the Commission. Chair Eric Olsen stated that he was concerned about a statement in the draft which states that there has been little or no cooperation between Uintah County and the City regarding the process of updating the General Plan. Mr. Parker stated that this comment may be referring to the previous General Plans and noted that there has been extensive cooperation between the entities during this revision.

The General Plan draft is divided into the following sections: Background and Introduction; Land Use; Sensitive Lands and Natural Systems; Parks, Recreation and Trails; Economic Development; Infrastructure, Capital Facilities and Funding Options; and Transportation. Mr. Parker explained that the consultants considered a number of different models to project future growth and along with the Management Committee, selected a baseline projection which assumed a modest growth rate of 1.4% without a lot of fluctuations and noted that the General Plan would be easily adapted if the population increases or decreases dramatically in the future. Mr. Parker displayed a map of the planning area and noted that the General Plan extends beyond Vernal City limits in order to provide the City with a guide for a future annexation request. Mr. Parker reiterated that the land use and

transportation designations outside of the City limits are not enforceable unless the property owner requests annexation.

Next, Mr. Parker displayed the land use map and noted that all of the areas shown in pink are designated as commercial. Mr. Parker explained that these commercial designations closely follow the County's map for these areas. Mr. Parker stated that the commercial designation near the scenic overlook on Highway 40 is quite large and will probably be modified to reflect more mixed use in the final draft. Ben Mahaffey asked how many years the General Plan is designed to be in effect. Mr. Parker replied that the General Plan is designed for a 20 year life span, then reviewed or amended every five years during that period to adapt to current conditions

Eric Olsen asked about the residential designation of property at approximately 1100 West along 500 North. Allen Parker stated that he has received written requests from some residents of the area asking that this property along 500 North / Highway 121 be designated as medium density residential to more closely match the surrounding designations. Mr. Olsen noted that changing this designation on the General Plan does not change the current zoning of the property. Mr. Parker concurred that the General Plan designates the maximum intensity to which the City could allow the rezone of any particular property. Mr. Olsen described the previous issues brought before the Planning Commission and City Council regarding this particular property. Mr. Olsen stated that the property in question fronts a major traffic corridor and when the owner/developer of the property requested a rezone to allow for medium-density housing, the proposal was met with opposition from neighboring property owners. Though the Planning Commission and City Council agreed that the property immediately fronting 500 North / Highway 121 would be best served by medium-density housing, the current low-density designation on the General Plan prevented them from being able to rezone the property. Mr. Olsen noted that the land immediately to the east is zoned commercial, park and school while the land across 500 North / Highway 121 is designated medium-density residential, so changing the designation of the northern-most section of this property from low-density residential to medium-density residential would be consistent with surrounding land use. Glenn Spencer stated that he would like to see a medium-density buffer close to the highway to protect the residents of the low-density neighborhood just to the south. After further discussion, it was the consensus of the Commissioners that draft General Plan designate that 250 feet south of 500 North / Highway 121 of the property located at approximately 1100 West be designated as medium-density residential.

Eric Olsen noted that any input that the Commissioners have regarding the General Plan is important because this document, once adopted, will dictate future land use decisions. Allen Parker stated that one final public hearing will be scheduled before a joint meeting of the City Council and Planning Commission at the end of April or beginning of May. Before this meeting, Mr. Parker stated that he would like the Planning Commission to meet briefly to review the draft and ensure that any comments or corrections are included before the public hearing. Once the public hearing is complete and the final draft is complete, the City Council will consider adopting the General Plan at its next meeting. Mr. Parker encouraged the Commissioners to review the draft General Plan further and let him know of any other changes they would like to see included.

There was further discussion regarding the mixed-use designations along South Vernal Avenue and 500 West. Allen Parker showed a depiction of a typical mixed development which can include a plaza with shopping, housing and greenspace. Ben Mahaffey asked if Vernal City currently has an ordinance requiring new subdivisions to contribute to green space. Mr. Parker replied that Vernal City does not have a green space ordinance of this sort. Eric Olsen noted that Naples has a greenspace ordinance and asked if the Planning Commission could consider a similar ordinance during the next meeting. Mr. Parker stated that he would research the matter and present some options for the Commission to consider next month.

Allen Parker noted that the Parks, Recreation and Trails portion of the General Plan includes trails that generally follow drainages and canals, as well as designate bike routes throughout the area.

The Transportation section of the General Plan designates the various roadways in the plan area based on their various traffic capacities. Mr. Parker noted that the new roadway which includes the roundabout at 2000 West and Main Street has been designated as a major arterial because of its size and capacity. Mr. Parker stated that the only other roadway that is a major arteriole is Highway 40 and so these two designations are inconsistent. Mr. Parker noted that 2000 West and Main Street roads should probably be changed to indicate a principle roadway similar to Highway 121 / 500 North and Highway 191 / North Vernal Avenue. Glenn Spencer noted that some depictions in the draft General Plan include planters down the center of the roadway and asked if the City would consider using this method as a traffic calming method. Mr. Parker stated that the drawbacks to using a landscaped center lane to calm traffic include the additional cost of maintenance and the loss of a travel lane. Mr. Parker noted that this method will become more feasible when the southern by-pass route is in place to accommodate large truck traffic.

Allen Parker noted that an open house was held last week for additional public comment and reminded the Commission that there would one more formal public hearing before a joint meeting of the City Council and Planning Commission probably in early May.

There being no further business, Ben Mahaffey made a motion to adjourn. Stuart Branham seconded the motion, and the motion passed with Branham, Brinkerhoff, Mahaffey, Olsen and Spencer voting in favor.

Eric Olsen, Chair