

# MINUTES of the Vernal City PLANNING COMMISSION

Vernal City Council Chambers 447 East Main Street

August 12, 2010

**Members Present:** Troy Allred, Sonja Norton, Glenn Spencer, Eric Olsen

**Members Absent:** Vernie Heeney

**Alternates Present:** Ben Mahaffey

**Excused Members:** David Brinkerhoff

**Staff Present:** Allen Parker, Assistant City Manager; Richard Zohner, Building Official; Mariel Davis, 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 David Brinkerhoff.

**APPROVAL OF MINUTES FROM JULY 8, 2010:** Eric Olsen asked if there were any changes or corrections to the minutes of July 8, 2010 meeting. There were no corrections or changes noted. Chairman Olsen stated that with no quorum present that were in attendance, the minutes of July 8, 2010 stand approved per Vernal City Code.

**REQUEST FOR APPROVAL OF MASTER SITE PLAN REVIEW OF PROPERTY AT 741 SOUTH VERNAL AVENUE – APPLICATION # 2010-14MSP – LEIF ERICKSON – DEAN ATTORNEY OFFICE:** Allen Parker stated that this is an application request from Leif Erickson on behalf of Lance Dean to change an existing home into a professional office and not providing customer sales or service on the premises. He stated the home is located at 741 South Vernal Avenue on a .5 acre lot in a C-2 zone. Mr. Parker stated that the Vernal City staff has reviewed this application and found it to be in compliance with City code. He explained that as noted on the site plan, the fire hydrants were not in compliance at this time because the location of existing hydrants had not yet been provided. Leif Erickson, 1134 South 500 East, Vernal, Utah, advised that there are two hydrants close to this address, one located across the street at approximately 700 South 50 East and another one approximately 800 South Vernal Avenue on the west side of the road. Mr. Parker stated that this meets the requirements for Vernal City code. Sonja Norton asked about parking spaces. Mr. Parker stated that there are three parking spaces and this is all that is required by City code. **Sonja Norton moved to approve the site plan for the property located at 741 South Vernal Avenue – Application # 2010-14MSP as presented. Glenn Spencer seconded the motion and the motion passed with Eric Olsen, Glenn Spencer, Troy Allred, Sonja Norton and Ben Mahaffey all voting in favor.**

**REQUEST FOR RECOMMENDATION REGARDING FINAL PLAT REVIEW OF PROPERTY AT 200 EAST 600 SOUTH – APPLICATION # 2010-12-SUB – ASHLEY CREEK VILLAGE, LLC:** Allen Parker explained that this application was previously approved as a final

plat, but was not recorded by the applicant in the 90 day period as required. He advised that that the development still has a valid site plan and that the land needs to be divided in accordance with the drawing. He stated that the application is by PEG Development to subdivide 10 acres of land into four lots at 200 East 600 South in a R-4 residential zone. Mr. Parker stated that the Vernal City staff has reviewed this application and found it to be in compliance after the corrections noted on the staff report. He stated that the corrections are insignificant, but they are working to bring everything into compliance. Mr. Parker explained that the road on the southern portion of the plat has some peculiar conditions associated with it and the status of that road will have to be determined by the City Council. Mr. Parker stated that while that portion remains unsolved, the rest of the plat meets City requirements. Troy Allred asked if the south lots could be accessed from 600 South. Mr. Parker stated that it would not be accessible at this point, but possibly in the future when the Swain property to the west is developed the roadway will connect to that development. Sonja Norton asked if the road to the south end of the lot will connect to Silver Pines. Mr. Parker stated that the road is on the plat for phase two of Silver Pines and they had expressed intent in beginning phase two, but had not started the process yet. Ben Mahaffey asked for clarification on why this item was before the Planning Commission again. Cameron Gunther, PEG Development, 480 West 800 North, Orem, Utah, explained that the original approval expired after 90 days because they were waiting for financing. He stated that they now have financing in place and are ready to move forward. Mr. Gunther stated that the flag shape portion of the lot will be separated out for the club house to be completed at a later time in phase two. Sonja Norton asked if they were required to complete the club house in phase one. Mr. Parker stated that the Planning Commission has discussed this in the past, but have not changed the requirements. Mr. Gunther stated that they have a HUD loan which would make it difficult for them to do this in the first phase. There being no further questions or comments, **Glenn Spencer moved forward a positive recommendation to the Vernal City Council approving the final plat review of the property located at 200 East 700 South – Application # 2010-12SUB – Ashley Creek Village, LLC. Ben Mahaffey seconded the motion and the motion passed with Eric Olsen, Glenn Spencer, Troy Allred, Sonja Norton and Ben Mahaffey all voting in favor.**

**PUBLIC HEARING TO CONSIDER REQUEST FOR APPROVAL OF A CONDITIONAL USE PERMIT (CUP) TO LOCATE A LOW POWERED RADIO ANTENNA AT 302 EAST 200 SOUTH, (F1 FAIRGROUNDS ZONE) APPLICATION # 2010-013-CUP – STRATA NETWORKS:** Allen Parker stated that this is an application by Strata Networks to place a 95 foot low powered radio antenna tower at the Western Park, located at 302 East 200 South on a 23.72 acre lot in eh F1 fairgrounds zone. He stated that the tower is proposed in an open area centered on the property and meets the requirements of Vernal City code. Mr. Parker explained that Strata had previously requested an amendment to the City code to allow 95 foot poles in the F1 fairground zone to match the surrounding light poles. He stated that that process has not been completed yet, so Strata Networks is still required to apply for this conditional use permit. Mr. Parker stated that Strata Networks does not have a representative present, but he will answer any questions from the Planning Commission on this request. Ben Mahaffey asked if the tower height is the same as the light poles and

asked what would be on top of the pole. Mr. Parker stated that the height is 95 feet which is the same as the light poles and the tower appears to be the standard configuration with antennae that extend four to five feet. Eric Olsen asked if Strata Networks has received their FAA approval yet. Mr. Parker advised that they had received their approval and they were not requiring flashing lights or color paint. Mr. Olsen opened this item for public comment. There being no public comment, this item was closed to public comment. **Ben Mahaffey moved to approve the low powered radio antenna to be located at 302 East 200 South, Application # 2010-013-CUP. Sonja Norton seconded the motion and the motion passed with Eric Olsen, Glenn Spencer, Troy Allred, Sonja Norton and Ben Mahaffey voting in favor.**

**PUBLIC HEARING TO CONSIDER REQUEST FOR APPROVAL OF CONDITIONAL USE PERMIT (CUP) TO LOCATE A FUNERAL HOME AT 410 NORTH 800 WEST, (R-2 RESIDENTIAL ZONE) APPLICATION # 2010-011 – JACOB PHILLIPS, DBA ASHLEY VALLEY FUNERAL HOME:** Allen Parker stated that this is an application by Jacob Phillips for a conditional use permit to locate a funeral home at 410 North 800 West, on a 2.34 acre lot in a R2 residential zone. Mr. Parker stated that this lot is surrounded by both Vernal City and Uintah County residential and commercial zones. Mr. Parker explained that this conditional use permit has to be granted before approval of the site plan, which is also on the agenda at a later point. Mr. Parker explained to the Commissioners that this portion of the meeting is to look at the funeral home and evaluate it in context of the impact it will have on surrounding area, and determine if there are any conditions that need to be imposed to alleviate any negative situations. Mr. Parker stated that the conditional use permit is approvable in its current status. Sonja Norton asked if the applicant has to own the property when they make the application. Mr. Parker stated the applicant does not have to be the owner, but if not, the application has to be signed by both the applicant and owner. Mr. Parker informed the Commissioners that Mr. Phillips is the owner. Glenn Spencer asked if there was a need for two funeral homes in Vernal. He stated that there were two funeral businesses previously and one failed. Jacob Phillips, 4705 South 1363 East, Holliday, Utah, 84117, stated that the Vernal area has about 200 cases per year and he feels there is a need. Ben Mahaffey asked Mr. Phillips if he is a mortician, if he will be managing the funeral home, and if he has any affiliation with the existing mortuary or any other franchise. Mr. Phillips stated that he is a mortician and is currently working for Larkin Mortuary in Salt Lake City. He stated that he has no affiliation with Blackburn Mortuary or any other franchise and that this mortuary will be privately owned. Ben Mahaffey commented that he does not like to have a monopoly in a community and believes there is room for two mortuaries. Mr. Spencer stated he doesn't think a monopoly is good either, but just wanted Mr. Phillips to understand that there was one mortuary that failed. Mr. Phillips stated that he and his wife were both born and raised in Vernal and believes that he will be able to pull enough business to stay in operation. He hopes to have a significant impact on lowering the cost of funerals in the area. Mr. Mahaffey asked if there were any plans to include a crematorium. Mr. Phillips stated that he had no plans at this time because there does not seem to be a need. There are only about 20 to 30 requests for cremation a year from this area, and financially it is better for them to transport to Salt Lake City for these services.

Mr. Olsen asked about the ownership of the lot to the south and the proximity to the residences. Mr. Parker explained that the building will be placed on the north end of the lot and there should be plenty of buffer between the mortuary and residences. Mr. Mahaffey asked if there is an entrance on 500 North. Mr. Parker stated that the entrance is shown on the site plan, but UDOT has not approved it yet. He stated that if UDOT does not approve the entrance then the contractors will not build it. City Code only requires one entrance which is accommodated on 800 West. Eric Olsen opened this portion of the meeting to public comment. Lloyd Stewart, 392 North 800 West, Vernal, Utah, asked where the planned entrances will be. Mr. Parker outlined where the entrances are shown on the site plan. Mr. Stewart stated his only other concern was parking and he could see that there was adequate parking. He asked if a condition could be imposed to put a row of bushes along the south side of the property to further shield the residences. Mr. Olsen explained that the site plan already shows this and believed it was planned to be sight obscuring. Mr. Stewart commented that given all the information he has no objections, but would like to see the empty lot become green space. There being no further public comment. Mr. Olsen closed the hearing to public comment. Glenn Spencer asked about the exterior lighting. Daniel Angus, 802 South 750 West, Vernal, Utah, stated there are no light poles in the parking lot and the exterior lighting is on the building. There being no further questions or comments, **Sonja Norton moved to approve the conditional use permit for a funeral home located at 410 North 800 West, Application # 2010-011CUP with no conditions. Troy Allred seconded the motion and the motion passed with Eric Olsen, Glenn Spencer, Troy Allred, Sonja Norton and Ben Mahaffey voting in favor.**

**PUBLIC HEARING TO CONSIDER REQUEST FOR RECOMMENDATION OF AMEND THE GENERAL PLAN MAP – ALLEN PARKER:** Allen Parker stated that this item came before the Planning Commission about two years ago and was approved for the general plan use map to change to one area from residential to commercial designation. He stated that the purpose was to allow this area to be considered as commercial if an applicant requests a rezone. When the general plan was updated, this item was overlooked and left off the new map. Eric Olsen opened this portion of the meeting to public comment. There being no public comments, the public hearing was closed. There being no further questions of comments, **Sonja Norton moved to forward a positive recommendation to the City Council to amend the general plan map. Ben Mahaffey seconded the motion and the motion passed with Eric Olsen, Glenn Spencer, Troy Allred, Sonja Norton and Ben Mahaffey all voting in favor.**

**REQUEST FOR APPROVAL OF MASTER SITE PLAN REVIEW OF PROPERTY AT 410 NORTH 800 WEST – APPLICATION #2010-010MSP – JACOB PHILLIPS, DBA ASHLEY VALLEY FUNERAL HOME:** Allen Parker stated that this is an application by Jacob Phillips to review the site plan for a funeral home to be located at 410 North 800 West on a 2.34 acre lot in a R2 residential zone. He stated the conditional use permit for this site was just approved and now they can discuss the design of the site. Ben Mahaffey asked if there were any photos to show the elevation. Daniel Angus, 802 South 750 West, Vernal, Utah, stated that he does not have any photos with him,

but they are already hauling in dirt to raise the site to almost the same level as 500 North. Eric Olsen asked for details on the storm water system. Mr. Angus stated that the storm water will be contained on the south east corner of the building where there will be an underground sump. Mr. Parker stated that on the staff report there were numerous corrections needed and that CIVCO Engineering has made those corrections which are being reviewed by Engineering Services. Mr. Parker stated that he has also reviewed the corrections and it appears that they have complied with the corrections as requested. Mr. Olsen asked about the green space to the south. Mr. Angus stated that he believed there was plenty of green space on all sides. Mr. Parker stated that this was already checked and is in compliance. Glenn Spencer asked about this area being a swampy area. Mr. Angus stated they intend to bring in fabric and two feet of structural fill and set the building on top of it. Mr. Parker stated that there is an easement with a City drain south of the property. Mr. Olsen asked how many parking stalls there will be. Mr. Parker stated that the plans show 105 parking spaces. Mr. Mahaffey asked if there was an exterior elevation view. Mr. Angus stated that he has some drawings, but not with him. He stated that the building would be very nice with a nice roof line and would have rock and stucco exterior with cement siding shaped like cedar shakes. Mr. Olsen asked what the plan was for a sign. Mr. Angus stated that a monument sign will be erected on the northwest corner of the lot. Glenn Spencer asked if the owner planned to request a rezone. Mr. Phillips stated that he would like to keep it residential in case he decides to build a home on the unused portion or a garage with an apartment above it. Mr. Olsen asked about rooms included in the interior. Mr. Phillips stated that there would be several large viewing rooms, prep rooms, casket selection room, nice foyer and a large chapel-like family room with a bay window where they will meet with families. Mr. Olsen asked when they will hear back from UDOT. Mr. Angus stated that he was unsure, but he did not foresee any problems because that highway is a non-restricted highway. The only restriction that might be imposed is the width, which may cause it to be an entrance or exit only. **Glenn Spencer moved to approve the master site plan of the property located at 410 North 800 West – Application # 2010-010MSP, Ashley Valley Funeral Home with the condition that every effort be made to get the entrance on 500 North and complete any corrections required by Engineering Services and Vernal City Staff. Ben Mahaffey seconded the motion and the motion passed with Eric Olsen, Glenn Spencer, Troy Allred, Sonja Norton and Ben Mahaffey voting in favor.**

**MISCELLANEOUS:** Allen Parker informed the Commissioners of an upcoming annual conference hosted by the Utah League of Cities and Towns the second week in September. He stated that one day of the training is focused on planning issues, so they have attorneys and different planning staff talk about design, current issues, problems that have come up and changes in state law. He stated that if anyone is interested in attending to let Roxanne Behunin know as soon as possible to get them registered.

There being no further business, **Glenn Spencer moved to adjourn. Troy Allred seconded the motion and the motion passed with Sonja Norton, Ben Mahaffey, Eric Olsen, Glenn Spencer and Troy Allred voting in favor and the meeting was adjourned.**

Vernal City Planning Commission

August 12, 2010

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Eric Olsen, Planning Commission Chair