

MINUTES of the Vernal City PLANNING COMMISSION

Vernal City Council Chambers 447 East Main Street
April 12, 2011
7:00 pm

Members Present: Eric Olsen, Sonja Norton, Glenn Spencer, Kathleen Gray, George Bingham

Excused Members: Gary Redden

Alternates Present: Ben Mahaffey

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 Ben Mahaffey will be voting in place of Gary Redden.

APPROVAL OF MINUTES FROM MARCH 8, 2011: Chair Eric Olsen stated that there was not a quorum present from the March 8, 2011 meeting to approve the minutes, but asked if there were any corrections from the members that were present at that meeting. There being no corrections, Eric Olsen advised the minutes would be deemed as approved in compliance with Vernal City Code, Section 2.12.080.

APPROVAL OF MINUTES FROM MARCH 29, 2011: Chair Eric Olsen stated that there was not a quorum present from the March 29, 2011 meeting to approve the minutes and asked if there were any corrections from the members that attended that meeting. There being no corrections, Eric Olsen advised the minutes would be deemed as approved in compliance with Vernal City Code, Section 2.12.080.

Allen Parker informed the Commissioners that he had misread the agenda and missed an item that should have been scheduled. He stated that Split Mountain Village phase II is scheduled for a public hearing on April 20, 2011 before the City Council and would like a recommendation from the Planning Commission before that date. He inquired if the Commissioners could schedule a special meeting before this date to review the plat and make modifications if needed. He stated that the applicant had traveled to Vernal and can answer any questions. Eric Olsen asked if the Commissioners could make a recommendation at the end of the agenda tonight. Mr. Parker stated that they could review the plat but not make a decision tonight because they had to allow sufficient time for public notification.

REQUEST FOR APPROVAL OF A MASTER SITE PLAN FOR THE PROPERTY LOCATED AT AT 320 EAST 100 SOUTH – APPLICATION# 2011-004-MSP - DUSTON MORTENSON: Allen Allen Parker explained that this is an application for the construction of a 4800 square foot office for

“retail, financial, office and/or personal service establishment” at 320 East 100 South. He stated that this is this is a C-2 zone and is an approved use for the zoning. Mr. Parker stated that the site plan meets all the the requirements, but the final analysis from CIVCO has not been completed. Sonja Norton asked if the the storm water retention would be above ground and thought that it was not allowed above ground anymore. Mr. Parker explained that the Code has been changed and is required to be two feet above ground water, but was not entirely eliminated. Kyle Marchant with Engineering Services stated that it would be a pond style retention that would be graded down to be about one foot deep at the lowest point. Chair Eric Olsen asked about landscaping the retention pond. Mr. Marchant advised that it would be left “as is” for now. Mr. Parker reminded the applicant that the weeds would have to be kept down. Ms. Norton asked for details on the fencing. Mr. Marchant confirmed that the fence currently on on the property will remain. Mr. Parker stated that this is a commercial use with a residential use on the the East side and would require a privacy fence. Ms. Norton stated that there was no lighting and fire hydrants shown on the plat. Mr. Parker mentioned that the lighting is on the building, and the fire hydrant hydrant is on the corner. These corrections will be noted on the final plat. Ms. Norton asked if this project project falls under the new parking ordinance. Mr. Parker stated that the project does fall under the new new parking ordinance and does exceed the current requirement. There being no further questions or comments, **Sonja Norton moved to approve the master site plan for 320 East 100 South – Application Application # 2011-004 MSP with corrections noted by staff. Glenn Spencer seconded the motion. motion. The motion passed with Eric Olsen, Glenn Spencer, Sonja Norton, Kathleen Gray, George George Bingham, and Ben Mahaffey voting in favor.**

REQUEST FOR APPROVAL OF A MASTER SITE PLAN FOR THE PROPERTY LOCATED AT 849 WEST MAIN – APPLICATION# 2011-005-MSP - WILLIAM WRIGHT: Allen Parker explained that this is an application by William Wright for a 5760 square foot medical office building located at 849 West Main. Mr. Parker reported that staff has reviewed this application and found it to be in substantial compliance with City Code and an approvable application. Sonja Norton asked for clarification on the address given, because this property actually does not have frontage on Highway 40. Mr. Parker explained that the County records show the address as 849 West Main Street, but it is actually on 100 South. Mr. Parker suggested that Mr. Wright get this corrected with the County. George Bingham asked if the approaches are from Mountain America’s parking lot. Mr. Parker stated yes, and the City has a recorded easement with Mountain America on file to allow access into that location. Ms. Norton asked the location of the landscaping. Mr. Parker pointed out on the plat that there is landscaping to the North, South, and East on the back side of the building. This zone requires a 5% landscaping area. Mr. Bingham asked if the water retention is underground. Mr. Parker stated yes. Eric Olsen asked about the rectangle in the Northeast corner of the plat. Bill Wright at 916 North 3350 West in Vernal stated that this was a dumpster, which will be enclosed in a fenced area. Mr. Bingham noted that the site plan only shows one handicap area and questioned if this was sufficient. Mr. Parker stated that he would check with Glade Allred on the ADA guidelines to make sure the handicap parking is adequate. There being no further questions or comments, **Glenn Spencer moved to approve the master site plan for Wright Orthodontics located at 849 West Main Street – Application # 2011-005MSP. George Bingham seconded the motion. The motion passed with Eric Olsen, Glenn Spencer, Sonja Norton, Kathleen Gray, George Bingham and Ben Mahaffey voting in favor.**

REQUEST FOR APPROVAL OF REVISED FINAL PLAT SUBDIVISION OF SILVER PINES, PHASE II - APPLICATION #2011-003-SUB: Allen Parker informed the Commissioners that there was a public hearing and approval for Silver Pines Phase II last month. Silver Pines would like to include garage spaces rather than open parking. Mr. Parker explained that there are two areas proposed for garage spaces, a six unit garage to the South end and an eight unit garage. This would eliminate a total of four parking spaces. John Wood at 3728 South 500 West in Vernal explained that they are actually back to back garages; therefore, the six unit would have twelve spaces and the eight unit would have sixteen spaces. The six unit garage also has a handicap garage, which will be built in this phase. There being no further questions or comments, **Sonja Norton moved to forward a positive recommendation to the City Council to approve the revised plat subdivision of Silver Pines, Phase II – Application # 2011-003SUB. Glenn Spencer seconded the motion. The motion passed with Eric Olsen, Glenn Spencer, Sonja Norton, Kathleen Gray, George Bingham and Ben Mahaffey voting in favor.**

DISCUSSION ON SPLIT MOUNTAIN VILLAGE PHASE II: Scott Gardner with Gardner Development in Salt Lake City explained that since the time Split Mountain Village was approved in August of 2008, there has been an economic downturn. This slowed the process of moving to Phase II. He stated that originally Phase II was to be 52 units consisting of duplexes and 6-plexes, but will now have 46 units in exchange for parking. Mr. Gardner stated that the amended plat provides more common space, green space, patios and every garage comes off a driveway. Visitor parking will now have 18 stalls rather than 2 stalls from the previous plan. Glenn Spencer asked if they plan to start all 46 units at the same time. Mr. Gardner explained that the 46 units would be built in 4 groups starting with the 10 units on the East side and anticipates pouring the foundations on half of the units before winter 2011. Depending on how the units sell, the plan is to be finished by 2012 and begin Phase III.

Glenn Spencer was excused at 7:45 and Eric Olsen noted that there were no more voting items on the agenda.

Ben Mahaffey asked Scott Gardner what difference he has seen in the local economy to justify more building. Mr. Gardner explained that these units would be for sale and not rentals. Kyle Ashworth at 2919 West 1000 North in Vernal stated that he works full time in the real estate market and can see the trends. Overall, the rental market has picked up substantially and noted that a couple of weeks ago, there was no rental section in the Basin Nickel Ads. Mr. Ashworth explained that the price point for these homes will be in the 130K to 140K price range. This price range is difficult to find and is affordable for people who normally rent. He stated that previously the market has had 500 listings that had to be cleared out of the inventory and 75 to 100 HUD homes, foreclosures, or short sales. There are currently 14 foreclosures in Uintah County and about 212 listings. Mr. Ashworth stated that the inventory has been cut in half, and noted that in the last 10 days there have been 78 homes either sold or put under contract. Sonja Norton asked if the infrastructure would all be done at the beginning or in the phases with the homes. Mr. Gardner explained that they would be in phases as needed and that sewer access would be on 600 South rather than the previously approved 500 South, because 500 South now has a moratorium on it.

Eric Olsen confirmed with Mr. Parker that this item was scheduled for a public hearing with the City Council on April 20, 2011. Mr. Parker and the Commissioners discussed the options of meeting for this item to make a recommendation for the final plat. It was determined that Mr. Olsen, Ms. Gray and Mr. Mahaffey could meet on Thursday, April 14, 2011 at 7:00 p.m. Ms. Norton and Mr. Bingham will be out of town. Mr. Olsen asked the staff to make contact with the absent members to see if they could attend, because having only three Commissioners in attendance would not be enough for a quorum.

ORDINANCE NO. 2011-07 TEMPORARY USES AND STRUCTURES: Allen Parker stated that the draft ordinance was written based on content from the special meeting held on March 29, 2011 and state code requirements. He explained that the ordinance needs to be reviewed to insure that it matches what the Commission is trying to accomplish. Section 16.20.300 is a new section that was added for drive-up window service. There were no questions from the Commissioners on this section

Sonja Norton noted that section 16.24.150 item B2 states that a temporary use permit for a temporary merchandising or temporary sales event may be issued in any zone and thought that the Commission had decided to limit that to specific zones. Mr. Parker explained that this is referring to a temporary event like a bake sale, school, or scouting event and not a temporary business. The Commission discussed that many of the area schools are in residential zones. Eric Olsen pointed out that it seems redundant with B6, which addresses temporary merchants. Mr. Olsen mentioned that if the Code is referring to the same thing, then remove #6 and change the numbering. Ms. Norton stated that she didn't think people had to get a permit for a bake sale. Mr. Parker stated that he would talk to Ken Bassett and find out what permits are required for events like Holly Days and Santa's Workshop. Mr. Parker suggested defining "temporary merchandising" or "temporary sales event". He explained that it could be something with 10 or more booths that would allow them to regulate large gatherings that would require more parking. Mr. Parker stated that the event is covered under item 2, and the individual booths are covered under item 6. Mr. Olsen pointed out that the Code is conflicting by allowing events in any zone and restricting the booths to commercial zones. Mr. Parker stated that he would gather more information and talk to Ken Bassett, so it can be discussed more at the next meeting. Ben Mahaffey was not at the work session and had questions on the length of permits. Eric Olsen explained the outcome of the meeting and what the Commission had decided. Mr. Olsen explained that any long term merchant that is in excess of 28 days would have more restrictions as outlined.

Mr. Olsen asked Mr. Parker if he added the requirement for a site drawing, because he was unable to find it. Mr. Parker advised he had added it to the section covering drive-up windows, but needs to add it to this section as well. Mr. Parker explained that he also needed to add temporary businesses need to be a removable structure and cannot be on a permanent foundation. Mr. Olsen asked the Commissioners to go over the changed Code again and see if there was anything else they would like to change, before it goes to public hearing.

DISCUSSION: PLANNING COMMISSION VACANCIES: Eric Olsen introduced Anders Fillurp to the Commissioners and explained that he was attending the meeting, because of his interest in filling one of the Commission vacancies. He stated that Mr. Fillurp is an Engineer with a master's degree in public policy with a focus on economics. Mr. Parker invited Mr. Fillurp to attend a City Council meeting as well. The City Council approves all vacancies on the Planning Commission.

ADJOURN: There being no further business, Sonja Norton moved to adjourn. George Bingham seconded the motion. The motion passed with a unanimous vote and the meeting was adjourned.

Eric Olsen, Planning Commission Chair