

MINUTES of the Vernal City PLANNING COMMISSION

Vernal City Council Chambers - 374 East Main Street, Vernal, Utah

November 13, 2012

7:00 pm

Members Present: Anders Fillerup, Mike Drechsel, Eric Olsen and Ken Latham, Sonja Norton, and Alternate Adam Ray

Members Excused: Gary Redden and Kathleen Gray.

Staff Present: Allen Parker, Assistant City Manager; Corey Coleman, Building Official and Roxanne Behunin, Deputy Recorder.

WELCOME AND DESIGNATION OF CHAIR AND MEMBERS: Chair Eric Olsen welcomed Mayor Showalter and the members of the Planning Commission to the meeting. He noted that all members present would be voting members.

APPROVAL OF MINUTES FROM OCTOBER 9, 2012: Chair Eric Olsen asked if there were any changes to the minutes from October 9, 2012. There being no corrections, *Mike Drechsel moved to approve the minutes of October 9, 2012 as presented. Adam Ray seconded the motion. Sonja Norton and Anders Fillerup abstained from voting as they were not present at the October 9th meeting. The remaining members voted in favor. The minutes were approved.*

PUBLIC HEARING: REQUEST FOR RECOMMENDATION FROM BLUE OVAL HOLDINGS, LLC TO REZONE THE PROPERTY LOCATED AT 90 SOUTH 400 WEST, VERNAL, UTAH – APPLICATION NO. 2012-028-REZ: Allen Parker explained that Blue Oval Holdings, owned by Gary Showalter, has requested that a parcel of property be rezoned from R-4 residential to CC-1 commercial zoning. The property currently has a home on it and is directly to the west of Mr. Showalter's Ford dealership. A plat map of the area was displayed for the Planning Commission showing the surrounding zones. Mr. Parker explained that although the diagram shows a zone in the roadway, the streets do not actually have a zone, and a workshop needs to be held to address concerns with the zoning map. Further, Mr. Parker explained that the general plan shows this area as high density residential, with a mixed use overlay which enables the City to rezone this property if recommended by the Planning Commission. There was some discussion regarding updating the general plan map. Sonja Norton noted that rezoning this property to CC-1 will make this area more uniform with property to the west. Mike Drechsel asked if the rezone will affect the tax assessment rate. Allen Parker stated that the taxes are based on the value and current use so potentially it could increase the property taxes. Gary Showalter stated that he is anticipating the future needs of the car dealership and may need this property for expansion. He noted that he does plan on keeping the area neat and tidy to fit in the neighborhood. Eric Olson asked if he plans on knocking down the homes and use the land for parking. Gary Showalter answered he may have to do that, but he has no definite plans for now.

Eric Olson opened the public hearing for comments. There were no public comments, and the hearing was closed.

Allen Parker asked the Commission if they would like to recommend a development agreement with this rezone. The agreement ties the rezone to a specific use. If an agreement is not signed before the rezone is completed, the property owner can build anything that is allowed in that zone. The Planning Commission did not have a compelling reason for a development agreement. *Sonja Norton moved to recommend a positive recommendation for the Blue Oval Holdings Inc. rezone request, Application No. 2012-028-REZ. Mike Drechsel seconded the motion. The motion passed with members Fillerup, Drechsel, Olsen, Latham and Ray voting in favor for a unanimous vote.*

PUBLIC HEARING: REQUEST FOR APPROVAL OF A CONDITIONAL USE PERMIT FROM VERNAL BIG O TIRES FOR A POLE SIGN LOCATED AT 1265 WEST 500 SOUTH, VERNAL, UTAH – APPLICATION NO. 2012-026-CUP: Allen Parker explained that the City received an application for a conditional use permit to install a pole sign for Big O Tires. This business had a sign near the intersection of Highway 40 and 500 South until the roadway was re-engineered for the traffic light. The Utah Department of Transportation will be installing the sign at their cost, but because the sign is within 150 feet of a residential use or zone, a public hearing must be held. The residential property is actually zoned RA-1 (residential - agricultural) and is vacant, but could potentially be impacted by a pole sign. Sonja Norton asked if there are any plans to develop this land. Allen Parker stated he has not received anything. Mike Drechsel asked if the property owner has received UDOT approval to place the sign near the highway. Allen Parker indicated that his is not an off-premise sign which may not require UDOT approval, however, the property owner has met with them. He stated that the City does not track UDOT involvement. Sonja Norton suggested the staff implement a procedure to verify if UDOT approval has been received when necessary for these type of projects. Eric Olson opened the public hearing for comment. There were no public comments and the hearing was closed. *Anders Fillerup moved to approve the CUP request from Big O Tires for a pole sign, Application No. 2012-026-CUP. Sonja Norton seconded the motion. The motion passed with a unanimous vote with Fillerup, Drechsel, Olsen, Latham and Ray voting in favor.*

REQUEST FOR APPROVAL OF A MASTER SITE PLAN FOR LANCE GARDNER / BULL RING FOR THE PROPERTY LOCATED AT 1801 WEST HIGHWAY 40, VERNAL, UTAH – APPLICATION NO. 2012-027-MSP: Allen Parker explained that Mr. Lance Gardner submitted an application to expand his retail shop on west Highway 40. The intent is to add a 2000 foot structure where the current storm water pond is located. A new chamber system will be installed to handle the storm water to remain in compliance with City code. There are a few concerns which the reviewing engineer, John Wood, has on the details of the storm water system that still need to be resolved. There are no other staff concerns with the site plan submitted for the building addition. Sonja Norton asked if the addition requires any landscaping. Allen Parker stated that 5% of the total site is landscaped. Sonja Norton asked why parking and lighting are not applicable. Allen Parker stated that was an oversight, and parking

and lighting are included. Anders Fillerup asked if there were any capacity concerns with the new storm water system. Allen Parker stated the engineer assessing the system is only concerned with the function. After further discussion, *Anders Fillerup moved to approve Application No. 2012-027MSP subject to providing details of the storm water system for review and approval of that system. Adam Ray seconded the motion. The motion passed with Fillerup, Drechsel, Olsen, Latham and Ray voting in favor.*

REQUEST FOR APPROVAL OF AN AMENDED MASTER SITE PLAN FOR SPLIT MOUNTAIN PIPE FOR THE PROPERTY LOCATED AT 1120 EAST HIGHWAY 40, VERNAL, UTAH – APPLICATION NO. 2012-020-MSP: Allen Parker explained that Mr. Wes Sorensen is requesting the Planning Commission consider approving an amendment to his site plan that has already been approved. He would like to increase the size of his building, add more parking spaces and increase the size of his storm water retention system. Eric Olsen asked if the increased building size would require more parking. Allen Parker stated yes and indicated that he has enough spaces to actually exceed the requirement. *Sonja Norton moved to approve the amended site plan, application No. 2012-020MSP. Anders Fillerup seconded the motion. The motion passed with Fillerup, Drechsel, Olsen, Latham and Ray voting in favor.*

REQUEST FOR APPROVAL OF AN AMENDED MASTER SITE PLAN FOR ASHLEY VALLEY FUNERAL HOME FOR THE PROPERTY LOCATED AT 410 NORTH 800 WEST, VERNAL, UTAH – APPLICATION NO. 2010-010-MSP: Allen Parker explained that the Ashley Valley Funeral Home is open and operating, although they have made changes to their site plan without approval. The changes made are allowable, however, when the Planning Commission discussed the landscaping design with Mr. Phillips, they voiced their concern that the automotive lighting not shine onto neighboring residential homes. Eric Olson asked what the differences are to the original site plan. Allen Parker stated that they installed a fence instead of using shrubs. A fence is not required next to their vacant lot, but it is allowable and the change actually mitigated the impact of any automobile lights. Sonja Norton agreed that the fence keeps any car lights from shining onto neighboring property better than shrubs. Anders Fillerup asked how tall the fence was. Allen Parker stated that it is six feet tall. *After further discussion, Sonja Norton moved to approve the amended site plan. Adam Ray seconded the motion. The motion passed with Fillerup, Drechsel, Olsen, Latham and Ray voting in favor.*

DISCUSSION ON CODE FOR MANUFACTURED HOMES: Corey Coleman explained that there are several sections of the manufactured homes code that are in conflict with each other which causes issues for the homeowner and inspector. Allen Parker explained that as these issues were discussed with the City Attorney, he felt that the code may not be in compliance with the Utah Fair Housing Act which requires rules for manufactured homes to be the same as other homes. One specific problem is the required width of a manufactured home which is 24 feet. Mr. Parker suggested the Planning Commission consider revising the manufactured home codes. Corey Coleman stated that another problem is not allowing a metal roof or requiring permanent skirting when these homes are on a permanent foundation. Eric Olsen suggested the building official draft language that would be in compliance with the building codes for the Planning Commission to consider. Mike Drechsel asked if there are any pending applications that would

be affected. Allen Parker stated that they received an application which brought out the inconsistencies in the code. After further discussion, the consensus was to have the staff revise the manufactured home code and bring a draft ordinance for consideration.

CODE FOR EMERGENCY GENERATORS FOR PHARMACIES AND GAS STATIONS: Allen Parker explained that the City Council is asking the Planning Commission to consider incorporating the requirement of generators for new businesses such as gas stations and pharmacies so they can continue to operate during a disaster. During several natural disasters in the U.S. there ended up being a shortage of fuel and residents could not get their needed medications because the power was out. Mike Drechsel stated he did not think it was the City's responsibility to make sure commercial enterprises are up and running. Adam Ray stated it would be wise thinking on the store owner's part if they installed generators. Mike Drechsel suggested the Council consider some type of incentive for new businesses to be proactive rather than requiring them to add special infrastructure. The consensus of the Planning Commission was to recommend the City Council look at tax incentives or some other alternate method to encourage businesses to add generators rather than mandate this requirement.

PLANNING COMMISSION ALTERNATE VACANCY : The Planning Commission recommended Allen Parker contact Rory Taylor to see if he would be interested in serving as an alternate and forward that recommendation to the City Council. Allen Parker noted that Kathleen Gray's term expires at the end of the year and recommended she be asked to serve another term. The consensus of the Planning Commission was to approach Kathleen and see if she is interested in serving.

ADJOURN: There being no further business, *Mike Drechsel moved to adjourn. Adam Ray seconded the motion. The motion passed with a unanimous vote, and the meeting was declared adjourned.*

Eric Olsen, Planning Commission Chair