

MINUTES of the Vernal City PLANNING COMMISSION

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

January 8, 2013

7:00 pm

Members Present: Eric Olsen, Anders Fillerup, Mike Drechsel, Kathleen Gray, Sonja Norton, Gary Redden, and Ken Latham

Alternates Present: Adam Ray

Staff Present: Allen Parker, Assistant City Manager; Corey Coleman, Building Official; and Sherri Montgomery, Administrative Clerk.

WELCOME AND DESIGNATION OF CHAIR AND MEMBERS: Chair Eric Olsen welcomed everyone present to the meeting.

APPROVAL OF MINUTES FROM DECEMBER 11, 2012: Chair Eric Olsen asked if there were any changes to the minutes from December 11, 2012. There being no corrections, *Mike Drechsel moved to approve the minutes of December 11, 2012 as presented. Sonja seconded the motion. The motion passed with Eric Olsen, Anders Fillerup, Mike Drechsel, Kathleen Gray, Sonja Norton, Gary Redden, and Ken Latham all voting in favor.*

ELECTION OF CHAIR AND VICE CHAIR FOR 2013: Chair Eric Olsen explained that it is time to elect a 2013 Chair and Vice Chair of the Planning Commission. Mr. Olsen opened up the nominations for the 2013 Chair. *Sonja Norton nominates Mike Drechsel. Kathleen Gray seconded the nomination. The nomination passed with a unanimous vote for Mike Drechsel as Chair for 2013.* Mike Drechsel took the opportunity to thank Eric Olsen for his many years as Chair of the Planning Commission. Chair Mike Drechsel opened up the nominations for the 2013 Vice Chair. *Sonja Norton nominates Anders Fillerup. Eric Olsen seconded the nomination. The nomination passed with a unanimous vote for Anders Fillerup as Vice Chair for 2013.*

REQUEST FOR APPROVAL OF A MASTER SITE PLAN FOR NDS, LLC FOR THE PROPERTY LOCATED AT 1495 W HIGHWAY 40, VERNAL, UTAH – APPLICATION NO. 2012-031-MSP – ALLEN PARKER: Allen Parker explained that NDS, LLC is requesting approval of a master site plan for a new 4,540 square foot commercial structure located at 1495 W Highway 40 next to Aaron's Furniture store. The existing structure is used as a furniture store, and the new proposed structure will be used for general retail. An engineering review has been conducted and the site plan has been found to be in compliance with engineering standards. Staff has reviewed the application and has found it to be approvable. There are three individuals representing the applicant in attendance to answer any questions.

Chair Mike Drechsel pointed out that the way the building is drawn out, it appears to be off shape and asked if it is that way because of the property lines. Mr. Parker answered yes. Mr. Drechsel stated that it appears everything is in order. Sonja Norton asked if the parking is

adequate. Mr. Parker answered yes, and explained that when the parking lot requirements were changed in the Code after Aaron's Furniture was built, this left an excess in parking. The structure being proposed here will take up all the remaining parking in that area. Based on the use of the structure, the parking requirement is 32 and the provided parking is 39. Ms. Norton asked if Aaron's Furniture ever moves and a new business comes into that structure, will the parking requirements change based on the type of business. Mr. Parker explained that existing uses can change under the current Code without changing the parking requirement. Ms. Norton stated that this should only apply to certain areas and needs to be reviewed again. Mr. Parker agreed and will add it to the list to be discussed at a work session. Ms. Norton asked if the retention area that is located at Aaron's Furniture is big enough. Mr. Parker explained that it has been inspected by an engineer, and it has been built in accordance with its design. John Wood stated that the only thing being added is the building. Mr. Drechsel asked if there will be additional lighting added. Mr. Wood answered yes. *Eric Olsen moved to approve the master site plan for NDS, LLC for the property located at 1495 West Highway 40, Vernal, Utah – Application No. 2012-031-MSP. Gary Redden seconded the motion. The motion passed with Eric Olsen, Anders Fillerup, Mike Drechsel, Kathleen Gray, Sonja Norton, Gary Redden, and Ken Latham all voting in favor.*

REQUEST FOR APPROVAL OF AN AMENDMENT TO A MASTER SITE PLAN FOR SUMMER NIELSON FOR THE PROPERTY LOCATED AT 377 NORTH VERNAL AVENUE, VERNAL, UTAH – APPLICATION NO. 2012-014-MSP – ALLEN PARKER:

Allen Parker explained that Summer Neilson is requesting that a previously approved master site plan be amended to reflect changes that are primarily in the parking configuration and the use of the structure and storm water management. The majority of the new structure will be used for motorcycle repair, and the remainder housing a tattoo parlor. Originally the applicant had intended on using the structure entirely for a tattoo parlor; however, it was constructed much too large to be used solely as a tattoo parlor. The parking requirements will need to be modified due to the change in use. It has been proposed that they will use some of the existing parking and stripe it appropriately on the existing asphalt, and the remainder that is needed will be put in the front of the building. Mr. Parker explained that what was removed from the master site plan as it was designed originally was the parking in the upper right hand corner. The change in business use reduces the amount of parking and will open up the corner of the property for future development. Mr. Parker stated that staff has reviewed the application and found it to be in compliance. An engineering review has been conducted and minor corrections have been noted.

Chair Mike Drechsel asked if the engineer has requested more detail on the traffic movement and the way the storm water is going to be handled on the property, how is it that the City can say that the storm water retention and these other issues meet the requirements of the Vernal City Code. Mr. Parker explained that the volume and location of the chambers meet the requirements. He added that what is missing is the direction of flow. If you go look at the site, it is clear that the flow has been engineered to go into that drop box; however, it is not shown on the plans itself indicating the direction of the flow of the water. Mr. Parker stated that the Code also requires that the contours are shown at one foot intervals, and those are missing from the plans as well. He added that although it is not required in the Code, it would be useful to see traffic arrows

showing the flow. Mr. Drechsel asked that in the event someone wants to build out on that existing pavement, would there still be the appropriate amount of ingress and egress in the back of the property. Mr. Parker answered yes. Anders Fillerup asked if all of the buildings are on the same property. Mr. Parker answered yes. Mr. Fillerup asked if this property could be subdivided in the future if needed. Mr. Parker answered yes, as long as they went through the whole process with the storm water retention, utility connection, etc. Eric Olsen stated that it looks like there is a storm water retention basin chamber buried under the pavement and asked if there is also a retention pond. Mr. Parker explained that the retention pond catches what comes off of the roof and the chambers catch what comes off of the pavement. *Anders Fillerup moved to approve the amendment to the master site plan for Summer Nielson for the property located at 377 North Vernal Avenue, Vernal, Utah – Application No. 2012-014-MSP subject to any changes required by engineering or staff. Sonja Norton seconded the motion. The motion passed with Eric Olsen, Anders Fillerup, Mike Drechsel, Kathleen Gray, Sonja Norton, Gary Redden, and Ken Latham all voting in favor.*

REQUEST FOR APPROVAL OF AN AMENDMENT TO A MASTER SITE PLAN FOR MARK AND STACIE BERTOCH FOR LOT “I” OF THE VERNAL TOWNE CENTER LOCATED AT 2045 WEST HIGHWAY 40, VERNAL, UTAH – APPLICATION NO. 2012-009-MSP – ALLEN PARKER: Allen Parker explained that Gardner Development is requesting the approval of an amended site plan changing a previously approved site plan that showed an improved building pad to one that shows a new structure that is to be used as a tire store. The original site plan showed only surface improvements such as the road along the south and the east side. The rest was an undeveloped lot. The amendment adds everything else to the interior of the site plan and will look almost like a new site plan. An engineering review has been conducted, and there were a couple of minor questions. Mr. Parker stated that this does not show storm water retention on it, because there is a master system on site. A second review of this system is not necessary, because it has already been approved.

Mr. Parker stated that staff has reviewed the application and found it to be in compliance with Vernal City Code. Chair Mike Drechsel stated that it would be helpful in the future when looking at these type of amendments to know what was previously approved. Mr. Drechsel asked if lots “I” and “J” front onto Highway 40. Mr. Parker answered yes. Mr. Drechsel asked if they are just to the east and north of the ones being currently developed. Mr. Parker answered yes. Mr. Drechsel asked if there was going to be a consistent lighting plan across all of these developed areas. Kyle Ashworth, representing Gardner Development, explained that there will be a consistent lighting plan that includes aerial lighting and building lights. Mr. Drechsel asked if they would be similar to what is currently at Lowes. Mr. Ashworth explained that the architect has gone to great lengths to make sure everything is consistent. Sonja Norton stated that the lighting needs to be shown on the drawings. Mr. Parker explained that lighting was one of the corrections that needed to be added. Ms. Norton asked if the parking needed more detail. Mr. Parker explained that there were a couple of questions on parking, and he will continue to work with the engineers on this issue. Mr. Drechsel asked Mr. Parker if he felt comfortable that those issues will be resolved. Mr. Parker answered yes. Eric Olsen asked if the ADA requirements are three or four feet on a sidewalk. Corey Coleman, Building Official, stated that it is three feet on

sidewalks and five feet on landings. *Eric Olsen moved to approve the amendment to the master site plan for Mark and Stacie Bertoch for Lot "I" of the Vernal Towne Center located at 2045 West Highway 40, Vernal, Utah – Application No. 2012-009-MSP with any corrections by engineering or staff. Anders Fillerup seconded the motion. The motion passed with Eric Olsen, Anders Fillerup, Mike Drechsel, Kathleen Gray, Sonja Norton, Gary Redden, and Ken Latham all voting in favor.*

ARTICLE ABOUT SERVING ON THE PLANNING COMMISSION – ALLEN

PARKER: Allen Parker explained that this idea to advertise an article in the newspaper about serving on the Planning Commission comes from the City Council. The Council believes that there are people in this community willing to serve through the Planning Commission that may not be aware of how to go about it. The Council would like this to be advertised in the local newspaper as an article or as a letter to the editor describing the Planning Commission and adding contact information for people willing to serve. Sonja Norton mentioned that most people do not read the public notices. Chair Mike Drechsel asked if this would be a full page ad in color. Mr. Parker explained that he will talk to the newspaper to see how they would like to handle it, and added that they may want to interview a couple of the Commissioners. Mr. Parker explained that Ken Bassett asked him to discuss this item at the Planning Commission to get feedback and ideas for the article.

WORK SESSION – ALLEN PARKER: Mr. Parker explained that he has provided a list in the meeting packet of several items that need to be discussed in great length and suggested a work session. Mr. Parker stated that he will add the subject that Sonja Norton brought up earlier on parking requirements in the event a business use changes. Ms. Norton mentioned she liked the work session idea. Chair Mike Drechsel asked if this list is in order of importance. Mr. Parker answered no. Mr. Parker reviewed the work session items with the Commission. Eric Olsen asked what needs to be done with the zoning map. Mr. Parker explained that the staff would like to audit and clean up the zoning map to make sure it is complete and accurate. He added that this should not require much time.

Mr. Olsen asked if this would be more like a round table work session at a different time than the regularly scheduled meeting. Mr. Parker stated that it would be the decision of the Planning Commission. Mr. Olsen suggested a work session right after the next scheduled meeting, unless there are issues that need addressed immediately. Mr. Drechsel stated he likes that idea and suggested giving it a try at the February meeting. Mr. Olsen mentioned that he will not be able to attend the February meeting. Ms. Norton stated that she will also not be able to attend the February meeting. Mr. Parker stated that the Commission could discuss only two of the most important items at the first work session which are manufactured homes and household pets. Mr. Drechsel suggested giving it a try to hold the work session after the next regularly scheduled meeting on February 12, 2013. Mr. Parker stated that he will be adding training requirements for 2013 to the next meeting agenda.

Mr. Drechsel asked Mr. Coleman how manufactured homes and travel trailers in the City's Code compares to the County's Code and asked if the City rewrites their Code, will it leave wide

discrepancies within the County. Mr. Coleman stated that he would like to see the City Code similar to the County Code as much as possible. He added that he does rely a lot on other cities throughout Utah. Mr. Drechsel stated that to the extent the City can, he would like to achieve some harmony with the County. Mr. Coleman explained that there are a lot of similarities with the City's Code and the County's Code due to the 1974 Housing Construction Act. Mr. Olsen asked why the City needs a Code. Mr. Parker explained that the City Code goes further than federal law such as design, setbacks, etc. Mr. Coleman added that the Federal Code is just the structure. Mr. Parker stated that the Federal Code is based on FHA requirements. Mr. Drechsel indicated that it would be helpful to have at the work session the current Code on these issues and the proposed changes. Mr. Parker explained that there will not be prepared Code with amendments for the work session, because the point of the work session is to look through the Code extensively and figure out what changes the Commission would like to see to the Code. Mr. Drechsel stated that the Commission will rely on Mr. Coleman's and Mr. Parker's expertise to explain the amendments to the Code and the reasons for the changes. Mr. Parker confirmed that he will give the Commission plenty of structure to follow for the work session.

Mr. Olsen asked what revisions are needed on flag lots. Mr. Parker explained that the issues that need to be addressed on flag lots are width, length, surface, and turn around. There are a few concerns in the current Code on flag lots that are not appropriate for what the City is trying to accomplish. Mr. Parker stated that there is another issue that needs to be addressed at some point in the future regarding the Board of Adjustment and how the City manages the appeal process. Mr. Drechsel confirmed with the Commissioners that there will be a post meeting work session on February 12, 2013 to address the above issues.

PLANNING COMMISSION ALTERNATE VACANCY (RORY TAYLOR) – ALLEN PARKER: Mr. Parker explained that Rory Taylor has been invited to sit in on this meeting tonight to decide if he would like to serve on the Planning Commission. Mr. Parker asked Mr. Taylor to introduce himself. Mr. Taylor stated that he has been in the area for a couple of years now and has just bought a home. He stated that he would like to be more involved in the community and had several members suggest he serve on the Planning Commission. Mr. Taylor stated that he currently works for Kinder Morgan who bought the El Paso pipeline systems and works in the damaged prevention and DOT compliance section. Mr. Taylor mentioned that he studied landscape architecture and urban planning and has interest in planning and zoning. It was the consensus of the Commission to recommend Rory Taylor to the City Council as an alternate member.

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

Eric Olsen, Planning Commission Chair