

MINUTES of the Vernal City PLANNING COMMISSION
Vernal City Council Chambers - 374 East Main Street, Vernal, Utah
June 11, 2013
7:00 pm

Members Present: Mike Drechsel, Eric Olsen, Sonja Norton, Kathleen Gray, Anders Fillerup

Members Excused: Ken Latham, Gary Redden

Alternates Present: Rory Taylor

Alternates Excused: Adam Ray

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

WELCOME AND DESIGNATION OF CHAIR AND MEMBERS: Chair Mike Drechsel welcomed everyone present to the meeting.

APPROVAL OF MINUTES FROM May 14, 2013: Chair Mike Drechsel asked if Anders Fillerup will address any changes to the minutes from May 14, 2013. Eric Olsen stated that on line 200 & 201 it needs to read “Eric Olsen moved to approve the amendment to the Spring Creek PRUD preliminary plat even though he did not agree with it”. Anders Fillerup noted that on line 83, there should be a “a” inserted after the word “are”, on line 137 the word “should” needed to be changed to “she”, on line 165 the word “are” should be changed to “is”. *Eric Olsen moved to approve the minutes of May 14, 2013 with corrections as noted. Kathleen Gray seconded the motion. The motion passed with Eric Olsen, Sonja Norton, Kathleen Gray, Anders Fillerup, and Rory Taylor voting in favor. Mike Drechsel abstained from voting because he was not present at the meeting.*

REQUEST FOR RECOMMENDATION FROM THE SUNBURST CHILDCARE CENTER LLC TO REZONE THE PROPERTY LOCATED AT 650 NORTH VERNAL AVENUE, VERNAL, UTAH FROM RA-1 RESIDENTIAL ZONE TO CC-1 COMMERCIAL ZONE – APPLICATION NO. 2013-014-REZ: Mr. Parker referred to the Vernal Planning Commission staff report and explained the rezone request. Mr. Parker explained the reason for the request is because the setback restrictions are too stringent in a RA-1 zone for the future expansion of the Child Care Facility. Mr. Drechsel asked for clarification from Mr. Parker in regards to why this recommendation was advertised as changing the zone from a RA-1 to a CC-1 zone, when on the application it states that it is changing zones from a RA-1 to a C-2 zone. Mr. Parker explained that the change was made on the application after it was advertised. Chair Mr. Drechsel discussed the importance of insuring the correct information is being advertised for the public notices. Mr. Parker explained that the differences in the CC-1 zone and the C-2 zone are primarily the setbacks and landscaping requirements. After further discussion in regards to the advertisement being wrong, it was discovered that the map Mr. Parker gathered his information from for the advertisement was incorrect. The correct zone north of the applicant’s property is a CC1 zone. This was verified by the zone map in the planning commission packets. Mr. Parker explained that he recommended changing the zone to a CC1 Zone to Mrs. Flemming, in order to keep consistency in the zoning. Chair Mike Drechsel opened the public hearing for this rezone. Mrs. Flemming was present and stated that her request for the rezone is to accommodate her setback issue. She needs to be setback from

Vernal City Planning Commission Minutes

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her neighbor's property line ten (10) feet, by changing the zone, it will correct the setback issue so she doesn't have to have a thirty (30) feet setback on her rear property boundary. Chair Mike Drechsel stated that it doesn't really matter if the zone is changed to a C-2 zone or a CC1 zone, it will correct the setback issue. Mr. Drechsel closed the public hearing. Ms. Norton stated that she would feel more comfortable with a request for a C-2 zone, because most of the property located on North Vernal Avenue is already zoned C-2. Mr. Taylor expressed that by changing the zone to a C-2 zone, it makes the General Plan more consistent. *Eric Olsen moved to forward a positive recommendation to approve the request for a rezone on the property located at 650 North Vernal Avenue, Vernal, UT, from a RA-1 Residential Zone to a C-2 Commercial Zone. Sonja Norton seconded the motion. The motion passed with Anders Fillerup, Kathleen Gray, Eric Olsen, Sonja Norton, Rory Taylor and Mike Drechsel voting in favor.*

REQUEST FOR RECOMMENDATION TO CONSIDER AMENDING THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE – SECTION 16.44.050 – R-4 RESIDENTIAL MINIMUM WIDTH REQUIREMENTS, SECTION 16.44.60 – SETBACK REQUIREMENTS, ADDING SECTION 16.04.484 – RESIDENTIAL FACILITY FOR HANDICAPPED PERSONS – ORDINANCE NO. 2013-11: Mr. Parker explained that the first section of Code change is “16.04.484”, this adds the definition of what a “Row house” is. The second portion of code change is “16.44.050”, this sets the minimum width requirements for a “row house”. The last section of Code change is “16.44.060”, this portion of Code will list the required setbacks on “row house”. Chair Mike Drechsel asked Mr. Parker to add a portion to the definition of “row house” to include “except, the end of the row house will only share one (1) common wall”. Discussion regarding the minimum width requirements for a “row house” took place. Anders Fillerup stated that he thinks having a “row house” restricted to a width of thirty (30) feet is too restrictive. Anders express that he feels the intent of the zone is to fit more people in a small area, and make it high density. Mr. Parker reminded the Commission that the Code will still require two (2) parking spaces for each dwelling unit. The Commission recommends changing the required width of a “row house” from thirty (30) feet to twenty (20) feet. Anders Fillerup also would like to see the front setback set at zero (0), as long as they can accommodate the parking requirements for the Code. Mr. Parker asked the Commission if they wanted to change that front setback from thirty (30) feet to a less number for these high density zones. Chair Mike Drechsel asked Mr. Parker what areas would be affected. A short discussion took place about what areas that would be affected by changing the required front setback. Chair Mike Drechsel stated his recommendation would be to leave the front setback at thirty (30) feet. Ms. Norton asked Mr. Parker on “16.44.060 A.”, do you go off of the edge of the property line or from the edge of the public right-of-way. Mr. Parker explained that that many of the property lines go into the public right-of-way. A discussion took place regarding the wording for “16.44.060 A”. Decision made to have “16.44.060 A.” read “Front setback: thirty (30) feet from the edge of the public right-of-way or from the edge of the private roadway”. Chair Mike Drechsel opened the public hearing for this Code amendment. Mr. Robert Haws stated that he has lived in many urban centers. Mr. Haws stated that form follows function and in many of these high density area people don't own a car, they commute by public transportation or walk to work so they don't need parking. Mr. Haws quoted Sam Walton “stack them deep and sell them cheap”. Chair Mike Drechsel closed the public hearing. Further discussion took place regarding the setback for “row houses”. *Anders Fillerup would like to table the setbacks for “row houses” to next month. Sonja Norton seconded the motion. The motion passed with Anders Fillerup, Kathleen Gray, Eric Olsen, Sonja Norton, Rory Taylor and Mike Drechsel voting in favor.*

REQUEST FOR APPROVAL OF A MASTER SITE PLAN FOR SUNBURST CHILDCARE CENTER LLC FOR THE PROPERTY LOCATED AT 650 NORTH VERNAL AVENUE, VERNAL, UTAH – APPLICATION NO. 2013-013-MSP- Chair Mike Drechsel read the staff report aloud; application is for a master site plan for a new 7,853 square foot addition to the existing structure

used as a Day Care facility, an engineering review has been done and storm water data will be required to complete the review. Vernal City staff has reviewed this application and found that it is drawn to scale, existing parking meet Vernal City code requirements. Existing lighting needs minor clarification. Water and sanitary sewer meets Vernal City code. Existing fire hydrants meet the Vernal City code and existing landscaping meet Vernal City code. It is important to note that the current zone is RA1, if the zone stays as a RA1, this master site plan will not meet the required setbacks for Vernal City. Chair Mike Drechsel stated that the zone change request has been addressed earlier in the meeting tonight and a positive recommendation has been passed to change the zone to a C-2 zone, this will correct the setback requirement. Discussion took place among Commission and Staff to clarify what portion of the building is the existing structure and what portion of the building is the addition. Mr. Drechsel asked Mr. Parker what the “30’B.S.L” is. Mr. Parker explained that it was likely the architect put that figure on the plan to note the 30 feet set back requirement in a RA-1 zone, and since we have already address the setback problem, that information is not pertinent to the plan. Mr. Drechsel asked Mr. Parker if he is confident that the storm water will be addressed properly. Mr. Parker stated that he is very confident that the storm water will be addressed properly. Mrs. Fleming stated that they could possibly be addition parking to the North of the property, and it is possible that they might not be adding the front addition to the existing building, because of the additional costs. Mrs. Fleming asked if she does add the additional parking lot, will the storm water retention need to be addressed. Chair Mike Drechsel stated that it would need to be addressed and storm water added. *Mr. Olsen moved to approve this request for a master site plan for Sunburst Childcare Center LLC for the property located at 650 North Vernal Avenue, Vernal, Utah – Application no. 2013-013-MSP, pending the rezone and with any corrections by Vernal City staff . Kathleen Gray seconded the motion. The motion passed with Anders Fillerup, Kathleen Gray, Eric Olsen, Sonja Norton, Rory Taylor and Mike Drechsel voting in favor.*

REQUEST FOR APPROVAL OF A MASTER SITE PLAN FOR ROBERT HAWS FOR THE PROPERTY LOCATED AT 1450 WEST HIGHWAY 40, VERNAL, UTAH – APPLICATION NO. 2013-016-MSP – Mr. Robert Haws was present and stated that he would like to experiment growing local food, without chemicals and have it reasonably priced. Mr. Haws explained that the building is an agricultural building, and called a “high tunnel”. Mr. Parker explained that there will be no employees, so he will have no parking, lighting, water or sanitary sewer requirements. Chair Mike Drechsel read the staff report aloud; the application is for a 2,160 square foot greenhouse building, used for the growing of plants and produce to be sold on an existing on site produce stand. There will be no employees. The stand is on the same parcel as the owner’s resident. Vernal City staff has reviewed the site, and has found the following; site plan is drawn to scale, parking meets the requirement of Vernal City Code, lighting is not required, water and sanitary sewer is not required, storm water meets the requirements of Vernal City Code. Vernal City staff finds this to be an approvable master site plan. *Sonja Norton moved to approve the request for approval of a master site plan for Robert Haws for the property located at 1450 West Highway 40, Vernal, Utah – Application No. 2013-016-MSP with any correction by Vernal City Staff. Anders Fillerup seconded the motion. The motion passed with Anders Fillerup, Kathleen Gray, Eric Olsen, Sonja Norton, Rory Taylor and Mike Drechsel voting in favor.*

REQUEST FOR APPROVAL OF A MASTER SITE PLAN FOR MCKAY WINKEL FOR THE PROPERTY LOCATED AT 930 NORTH VERNAL AVENUE, VERNAL, UTAH APPLICATION NO. 2013-015-MSP- Mr. Parker explained that the application from McKay Winkel is to expand the KOA Campground, it will incorporate a new access drive on the North side of the property, it will add an additional 35 spaces for travel trailers, and additional RV and ATV storage area on the North, East portion of the property. Mr. Parker explained that the expansion is located in a MH zone. Mr. Drechsel read the staff report aloud and some addition information was stated; the parking was found to meet Vernal City requirements, the lighting, sanitary water and sewer, landscaping, and storm water retention

Vernal City Planning Commission Minutes

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all meets Vernal City requirements. Chair Mike Drechsel stated that there could be a potential problem with only a single access point going into the campground. Several of the Commission members expressed concern with having only one access point. The Commission discussed possible solutions to create another access. John Woods was present and explained that the applicant is increasing safety in some areas like adding fire hydrants. Ms. Norton asked John Wood to look into creating a second access. *Sonja Norton moved to approve the request for a Master Site Plan for McKay Winkel for the property located at 930 North Vernal Avenue, Vernal, UT – Application No. 2013-015-MSP, subject to any corrections from Vernal City Staff and or Engineering, and highly recommending the applicant try to obtain a second public access. Eric Olsen seconded the motion. The motion passed with Anders Fillerup, Kathleen Gray, Eric Olsen, Sonja Norton, Rory Taylor and Mike Drechsel voting in favor.*

DISCUSSION: AMENDING PARKING TO INCLUDE “MOTEL”: Mr. Parker explained that Ken Bassett, Vernal City Manager would like to amend the parking requirement for Hotels, to include the word “Motel”. The Commission agrees that “Motel” should be included.

DISCUSSION: Discussion took place regarding the travel trailer setbacks. Mr. Parker stated that Vernal City’s Zoning Officer, Mrs. Nelson has found that the public is having a difficult time storing the RV’s thirty (30) feet back, which is the required setback. Ms. Norton stated that she doesn’t mind them to the side of the property, as long as they are not sticking out. Mr. Parker mentioned that he would like the Commission to think about this code for future code changes that may be coming up.

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

Mike Drechsel, Planning Commission Chair