

MINUTES of the Vernal City PLANNING COMMISSION

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

February 11, 2014

7:00 pm

Members Present: Samantha Scott, Mike Drechsel, Anders Fillerup, Gary Redden

Members Excused: Kathleen Gray, Eric Olsen, Ken Latham

Alternates Present: Adam Ray

Alternates Excused: Rory Taylor

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 and introduced the newest member of the Planning Commission, Samantha Scott.

APPROVAL OF MINUTES FROM JANUARY 14, 2014: Chair Mike Drechsel asked if there were any changes to the minutes from January 14, 2014. Anders Fillerup asked if the wording on line 160 could read differently. Chair Mike Drechsel suggested changing the word “affirmed” to “seeking confirmation”. There is not a quorum of members present at this meeting who were in attendance of the January 14, 2014 meeting to approve the minutes. *The minutes of January 13, 2014 are deemed approved with the correction noted.*

REQUEST FOR APPROVAL OF A MASTER SITE PLAN FOR CRAIG NEBEKER FOR THE PROPERTY LOCATED AT 617 NORTH VERNAL AVE, VERNAL, UTAH – APPLICATION NO. 2014-001-MSP - Allen Parker stated that Duston Mortenson is the owner of the property; Craig Nebeker (CRS Engineer) is the engineer assigned to this project. This new commercial structure is located in a C-2 zone on .46 acres. The new building will be a 4,800 square foot building and used for professional space. A review has been completed by Timberline Engineering and Land Surveying. Any and all corrections that were required have been completed. Vernal City Staff has reviewed the application and has found it to be in substantial compliance with Vernal City Code. All corrections required by staff have been made. Mike Drechsel asked if there is anything that from the reviews that have not been resolved. Allen Parker stated that all corrections that were required are complete. Mike Drechsel asked if they are moving the existing building located on 100 South or building a new one. Duston Mortenson, current owner of the property, explained that the existing building was found not feasible to move. The new building is a replica of the existing building that they built on 100 South. Mike Drechsel asked if they are on a time frame to get this building built since the existing building is located in the block where the County is going to build the new convention center. Duston Mortenson answered yes. *Anders Fillerup moved to approve the master site*

plan for the property located at 617 North Vernal Ave, Vernal, Utah – Application no. 2014-001-MSP with any additional corrections from Vernal City staff or Engineering. Adam Ray seconded the motion. The motion passed with Anders Fillerup, Adam Ray, Gary Redden, Mike Drechsel, and Samantha Scott all voting in favor.

REQUEST FOR APPROVAL OF A MASTER SITE PLAN FOR CRAIG NEBEKER FOR THE PROPERTY LOCATED AT 695 WEST MAIN ST, VERNAL, UTAH – APPLICATION NO. 2014-002-MSP - Allen Parker noted that the application number on the staff report is incorrect. The correct application number is 2014-002-MSP. This request is for a new 44,408 square foot hotel, 3 stories in height and containing 78 rooms. A review has been completed by Timberline Engineering and Land Surveying and some corrections were noted. Any and all corrections that were required by engineering and staff have been made. In a CC-1 zone, it is not required to have landscaping. This building is planned for landscaping. Mike Drechsel asked what some of the issues were from the engineer review. Allen Parker explained that Craig Nebeker has already addressed these issues and they have been corrected. Mike Drechsel stated that he feels this location on Main Street is kind of a difficult area for traffic flow, and is a bit concerned about the traffic flow in that location. Allen Parker explained that all of the access from the hotel to Main Street will be closed off. There is one access from 700 West and another access on 100 south. Gary Redden stated that this hotel might create more traffic on 100 South by the Vernal Middle School. Discussion took place regarding the potential traffic problems in that location. Allen Parker agrees that traffic flow could be challenging. Adam Ray asked if one access to the hotel is sufficient for this parking lot. Allen Parker explained that Vernal City would rather have the access in only one location, with only 78 rooms coming and going at different times, he does not foresee any parking lot problems. Craig Nebeker stated that there is plenty of parking lot space as it was designed so that fire trucks can get in and out. *Gary Redden moved to approve the request for a master site plan located at 695 West Main St., Vernal, UT, subject to any additional changes that are required by Vernal City staff and Engineering. The motion was seconded by Samantha Scott. The motion passed with Anders Fillerup, Adam Ray, Gary Redden, Mike Drechsel, and Samantha Scott all voting in favor.*

REQUEST FOR RECOMMENDATION TO CONSIDER AMENDING THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE – SECTION 16.56.410 – ADDITIONAL REGULATIONS FOR A MANUFACTURED HOMES – Allen Parker explained that this Code is located in the manufactured home section, but it is actually regarding where travel trailers may be stored. The following changes were made with the wording “All travel trailers being stored shall be set back from the edge of the right-of-way a minimum of twenty (20) feet”. Anders Fillerup stated that he thinks this change may still be confusing, but it will get the job done. Mike Drechsel stated that he feels this is an accurate draft of this Code, and will be enforceable for the Zoning Officer. Anders Fillerup asked if this code only refers to travel trailers. Allen Parker explained that this code is regarding travel trailers and it is just located in the manufactured home section of the Code. Mike Drechsel opened this item for public hearing. There being no public comment, the public hearing was closed. *Anders Fillerup moved to forward a positive recommendation to consider amending the Vernal City Municipal Planning and Zoning Code Section 16.56.410 – Additional regulations for manufactured*

homes. Gary Redden seconded the motion. The motion passed with Anders Fillerup, Adam Ray, Gary Redden, Mike Drechsel, and Samantha Scott all voting in favor.

REQUEST FOR RECOMMENDATION TO CONSIDER AMENDING THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE – ADDING SECTION 16.04.122 CLEAR VISION TRIANGLE AND AMENDING SECTION 16.24.170 – CLEAR VIEW OF INTERSECTING STREETS – ORDINANCE NO. 2014-02 – Allen Parker explained that the clear vision principle is for the purpose of safety at access points to the public streets throughout the City. Discussion took place about fixing the typos in the packet and on the definition of a clear vision triangle. Mike Drechsel asked what the clear vision standards of other municipalities are. Allen Parker answered that in Ada County the distance was thirty (30) feet. Mike Drechsel asked why the distance is twenty (20) feet in the Vernal City Code. Allen Parker explained that the slower speeds within the City limits would require a shorter distance for a clear vision triangle. Anders Fillerup suggested looking to see if there is a standard from the American Association of State Highway and Transportation Official (AASHTO). Allen Parker stated that Glade Allred might have some of the guidelines on specific distances for the clear vision triangles. Allen Parker mentioned that he is attending a meeting with UDOT next week and he will ask about what some of the standards are for a clear vision triangle. Allen Parker stated that UDOT mostly handles access points on the highways. Anders Fillerup asked if this has been a big problem with clear vision triangles. Allen Parker answered that it has not been. Mike Drechsel mentioned that some of the changes are for organizational purposes to clean up the Code. Mike Drechsel opens this item for public hearing.

Kimball Glazier – 1063 South 500 West – explained that by adding a reference to another entity for design standards (AASHTO) makes it even more difficult for the engineers to draw up the plans. They have to reference another place in order to design and draw up the plans. He feels that by referencing another entity for design standards, it makes it more confusing when designing plans.

Mike Drechsel closed this item for public hearing. *Anders Fillerup moved to pass a positive recommendation to consider amending the Vernal City municipal planning and zoning code – adding section 16.04.122 - clear vision triangle and amending section 16.24.170 – clear view of intersecting streets – Ordinance No. 2014-02. Samantha Scott seconded the motion. The motion passed with Anders Fillerup, Adam Ray, Gary Redden, Mike Drechsel, and Samantha Scott all voting in favor.*

REQUEST FOR RECOMMENDATION TO CONSIDER AMENDING THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE – SECTION 16.58.065 – MINIMUM NUMBER OF ACCESSES – ORDINANCE NO. 2014-03 - Allen Parker explained that the greater concentration of dwelling units, the greater the need for more access points in case of emergencies or if one access point gets blocked. Currently the Code reads that a minimum number of accesses in any new subdivision containing twenty five (25) or more dwelling units or lots shall provide a minimum of two (2) separate points of access from a public street. The consideration is to amend the number from twenty- five (25) to thirty- one (31). One

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of the reasons for this change is because the lack of harmony with the current Fire Code. By making this change, it will eliminate potential confusion with the Fire Code and Vernal City Code. Allen Parker referenced the Fire Code in the planning packet, showing that the Fire Code has Multiple-family residential developments and one or two-family residential developments divided into separate standards. Allen Parker explained that Corey Coleman / Building Official and himself, decided that the jump from two hundred (200) dwelling units for multiple-family residential developments was too great of an increase from the current twenty-five (25) dwelling units. Anders Fillerup stated that he likes the idea of being uniform with the Fire Code. Mike Drechsel suggested that the wording be changed to match the Fire Code exactly, "Where there are more than thirty (30) dwelling units". Allen Parker likes this idea of changing the language to read similar to the Fire Code. Mike Drechsel opens this item for a public hearing. There being no comment, Mike Drechsel closed this item for public hearing. *Gary Redden moved to pass a positive recommendation for this request for recommendation to consider amending the Vernal City Planning and Zoning Code – Section 16.58.065 – Minimum number of accesses ordinance No. 2014-03 with the language change from "thirty-one (31)" to read "more than thirty (30) dwelling units". Anders Fillerup seconded the motion. . The motion passed with Anders Fillerup, Adam Ray, Gary Redden, Mike Drechsel, and Samantha Scott all voting in favor.*

MISCELLANEOUS – REQUEST FROM UINTAH COUNTY TO VACATE 300 EAST STREET FROM 100 SOUTH TO 200 SOUTH - Allen Parker explained that this request to vacate is located directly in the portion of land Uintah County is building the new convention center. Discussion took place regarding the exact location of this property. Mike Drechsel asked if the county is asking to purchase the land or is this just a request to vacate the land. Allen Parker stated that this is a request to vacate the land to Uintah County. The City Council is pending their decision upon a recommendation from the Planning Commission. Mike Drechsel expressed that so much time and money has already been invested in the new convention center that it makes sense to vacate this land to the County. As neighbors to the County, we would like everyone involved in this project to have good feelings. *The consensus of the Planning Commission was to give a positive recommendation to vacate the property located at 300 East Street from 100 South to 200 South.*

MISCELLANEOUS – CORNER AND FLAG LOT BACKS – Allen Parker explained that the City Council was wondering why the setbacks on corner lots are set up the way they are and would like the Commission to discuss the potential issues that may arise and express any desires in changing the setbacks. Discussion took place about how this item came up, and the questions that arose about why the side set back on a corner property has to be twenty (20) feet back from the edge of right-of-way. Discussion took place about an aesthetic issue with a site line. Mike Drechsel asked Allen Parker if there were any changes that he would like to see. Allen Parker explained that the side setback is there for aesthetic reasons. Gary Redden stated his concern that if you start changing the side setback for one person, then you have to start changing this for others. Allen Parker agreed that if you do change this for one person, and if it is not for the betterment of the City, then you run into some problems. Mike Drechsel asked how many people are already in violation of this set back now. Allen Parker stated that there are a lot of

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non-conforming legal uses around Vernal City now. Gary Redden stated that you have to look at if the setback was legal at the time they built the home, verses if it was not legal at that time. Mike Drechsel explained that if the City is going to tell people that they are not going to change the Code to accommodate uses for their property, then the City needs to be ready to go up to bat for the people that directly break this Code, otherwise you are only penalizing the law abiding citizens. Mike Drechsel expressed concern about exactly how the City was going to enforce this issue, and it would be a hard conversation to have with that law breaking citizen. Discussion took place about whether or not the City is taking away too much of a property owner's rights to develop their own property. When you live in the City, you are in essence agreeing to abide by certain rules. Gary Redden stated that the City needs to stand strong in enforcing the Code. Allen Parker explained that the City Council is looking for ideas about what some, if any, exception to this setback rule would be. Allen Parker stated that this would have to be in quantifiable rules. Discussion took place about letting the property owner decide which setback is where. Allowing them to still have the setbacks, but giving them the freedom to choose which are the front, rear, and side. Kimball Glazier suggested that we unify our setbacks with the County. They have a rear setback of ten (10) feet. Allen Parker stated that with the idea of having a ten (10) foot setback, you could tailor the setbacks to zones. As the density increases, you would still have a 50% maximum covered with a structure. It might give us more flexibility in the design of the lot.

Mike Drechsel recommended to the Planning Commission to review the General Plan before the next meeting in March. This way they can come up with some ideas and consider some recommendations for the City Council. Mike Drechsel stated that directly after the Planning Commission meeting in March, they will have a work session regarding the General Plan. In April, there will be a combined meeting with the City Council to have a further discussion. Allen Parker express that he is readily available to the Commission with any questions regarding the General Plan.

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

Mike Drechsel, Planning Commission Chair