

# MINUTES of the Vernal City PLANNING COMMISSION

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

March 11, 2014

7:00 pm

**Members Present:** Mike Drechsel, Anders Fillerup, Samantha Scott, Ken Latham, Kathleen Gary, and Eric Olsen

**Members Excused:** Gary Redden

**Alternates Present:** Kimball Glazier

**Alternates Excused:** Rory Taylor and 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 Mike Drechsel welcomed everyone present to the meeting, and stated that Kimball Glazier will be voting as a regular member to replace Gary Redden.

**APPROVAL OF MINUTES FROM FEBRUARY 11, 2014:** Chair Mike Drechsel asked if there were any changes to the minutes from February 11, 2014. There were no corrections. *There was not a quorum of members present at this meeting who were in attendance of the February 11, 2014 meeting to vote; therefore, the minutes of February 11, 2014 are deemed approved.*

**REQUEST FOR RECOMMENDATION TO AMEND THE VERNAL CITY GENERAL PLAN LAND USE MAP FOR THE PROPERTIES LOCATED BETWEEN 100 TO 200 SOUTH AND 200 TO 400 EAST, VERNAL, UTAH – ORDINANCE NO. 2014-04 – ALLEN PARKER:** Allen Parker explained that this agenda item is for a specific location just North of Western Park for the convention center. The request is to change from medium density to commercial. Mr. Parker stated that this request will allow a rezone that is also on the agenda immediately following this particular request. The zoning request is from their current zone to a C-2 commercial zone. The rezone would not be allowed with the current general plan map. Chair Mike Drechsel opened the public hearing. There being no comments, Mr. Drechsel closed the public hearing. Mr. Parker reminded the Planning Commission that the City Council makes the final decision and this is for recommendation only. *Eric Olsen moved to forward a positive recommendation to the City Council to amend the Vernal City General Plan Land Use Map for the properties located between 100 to 200 South and 200 to 400 East, Vernal, Utah – Ordinance No. 2014-04. Anders Fillerup seconded the motion. The motion passed with Mike Drechsel, Eric Olsen, Samantha Scott, Kimball Glazier, Kathleen Gray, Anders Fillerup, and Ken Latham voting in favor.*

**REQUEST FOR RECOMMENDATION FROM UINTAH COUNTY / JOE AND JANNEA MAESTAS TO REZONE THE PROPERTIES LOCATED AT 210 EAST 100 SOUTH, 167 SOUTH 200 EAST, 171 SOUTH 200 EAST, 233 EAST 200 SOUTH, 243 EAST 200 SOUTH, 172 SOUTH 300 EAST, 289 EAST 200 SOUTH, 159 SOUTH 300 EAST, 179 SOUTH 300 EAST, 331 EAST 200 SOUTH, 365 EAST 200 SOUTH, 192, 194, 196, 198 SOUTH 400 EAST, 166 SOUTH 400 EAST, AND 154 SOUTH 400 EAST, VERNAL, UTAH FROM R-3 RESIDENTIAL ZONE AND F-1 FAIRGROUNDS ZONE TO C-2 COMMERCIAL ZONE – ORDINANCE NO. 2014-05 – ALLEN PARKER:** Allen Parker explained that the last agenda item gives guidance to long range zoning. Since a positive recommendation will be forwarded to the City Council to amend the general plan land use map, the Planning Commission can now make a recommendation to rezone in that same area of land. The request is to rezone the properties from R-3 residential zone and F-1 fairgrounds zone to C-2 commercial zone. The difference between R-3 residential zone and C-2 commercial zone is R-3 allows medium to high density residential use such as 4-plexes, and C-2 commercial zone allows apartments, businesses, and a convention center. Chair Mike Drechsel opened the public hearing. There being no comments, Mr. Drechsel closed the public hearing. *Eric Olsen moved to forward a positive recommendation to the City Council to rezone the properties located at 210 East 100 South, 167 South 200 East, 171 South 200 East, 233 East 200 South, 243 East 200 South, 172 South 300 East, 289 East 200 South, 159 South 300 East, 179 South 300 East, 331 East 200 South, 365 East 200 South, 192, 194, 196, 198 South 400 East, 166 South 400 East, and 154 South 400 East, Vernal, Utah from R-3 residential zone and F-1 fairgrounds zone to C-2 commercial zone – Ordinance No. 2014-05. Samantha Scott seconded the motion. The motion passed with Mike Drechsel, Eric Olsen, Samantha Scott, Kimball Glazier, Kathleen Gray, Anders Fillerup, and Ken Latham voting in favor.*

**REQUEST FOR RECOMMENDATION TO CONSIDER AMENDING THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE – CHAPTER 16.36 R-1 RESIDENTIAL ZONE, SECTION 16.04.755 YARD, FRONT, SECTION 16.04.760 YARD, REAR – ORDINANCE NO. 2014-07 – ALLEN PARKER:** Allen Parker explained that at the last meeting, the Planning Commission discussed side setbacks on corner lots and asked the staff to put together a draft ordinance. The draft ordinance gives an exception to the twenty (20) feet rule when the exterior lot line is directly adjacent to an unimproved, undeveloped section of public right-of-way. If this is the case, then the setback for accessory buildings shall be ten (10) feet. Chair Mike Drechsel opened the public hearing. There being no comments, Mr. Drechsel closed the public hearing. Mr. Drechsel asked how many parcels in Vernal City this proposed change would affect. Mr. Parker stated that he knew of six this would apply to, but added that he has not researched this. Eric Olsen stated that he is not in favor of how the Code is written, because it is the Planning Commission's direction to plan for the City's future. He added that if there is intent to build, then it needs to be abandoned. However, if the plan is to put a road there in the future, then the side setbacks should remain or it will cause problems many years from now. Mr. Olsen stated that he is not in favor of this amendment to the Code. Kimball Glazier stated that if in the future it is developed into a right-of-way or road,

it could affect the clear vision triangle as well if the City allows people to start encroaching on that. Mr. Parker stated that it is important to note that accessory buildings were specifically added to the ordinance to partially try to litigate that. He added that with a ten (10) foot setback, it should not affect the clear vision triangle.

Mr. Olsen asked what the current setbacks are for accessory buildings. Mr. Parker stated that the side setbacks are twenty (20) feet and the front setback is thirty (30) feet. Anders Fillerup mentioned that it should be enough on the corner to give you your site triangle. Mr. Drechsel asked if an accessory building is defined in the Code. Mr. Parker answered yes. Mr. Glazier agrees with Mr. Olsen that if it is going to be a road, then keep the setbacks. If it is not going to be a road, then vacate it. Mr. Drechsel stated that the real challenge is for property owners who have unimproved public property directly adjacent to their property for multiple decades with no clear plan for it to be improved in the near future or to be used as a public right-of-way. It appears to hurt both interests. He suggested that if the City is convinced they will allow people to develop in those areas, then vacate the property all together. If the City wants to hold on to it, they should hold on to it. Anders Fillerup stated that he is ready to make a motion and asked if the wording is acceptable with everyone. Mr. Drechsel suggested moving C1 up a line to make it one sentence. *Anders Fillerup moved to forward a positive recommendation to the City Council to consider amending the Vernal City Municipal Planning and Zoning Code – Chapter 16.36 R-1 Residential Zone, Section 16.04.755 Yard, Front, Section 16.04.760 Yard, Rear – Ordinance No. 2014-07 with the modification to the wording as suggested by Mr. Drechsel. Samantha Scott seconded the motion. The motion failed with Mike Drechsel, Eric Olsen, Kimball Glazier, and Kathleen Gray voting not in favor and Anders Fillerup, Samantha Scott, and Ken Latham voting in favor. Eric Olsen moved to forward negative recommendation on the same issue to keep it consistent with the current zoning and side setbacks. Kimball Glazier seconded the motion. The motion passed with Mike Drechsel, Eric Olsen, Kimball Glazier, and Kathleen Gray voting in favor and Anders Fillerup, Samantha Scott, and Ken Latham voting not in favor.*

**REQUEST FOR APPROVAL OF A MASTER SITE PLAN FOR HAROLD WOODRUFF FOR THE PROPERTY LOCATED AT 342 SOUTH 1350 WEST, VERNAL, UTAH – APPLICATION NO. 2014-007-MSP – ALLEN PARKER:** Allen Parker explained that Harold Woodruff, representing Neighborhood Nonprofit Housing Corporation, is requesting the approval of a master site plan for Phase II of an existing apartment complex located at 342 South 1350 West, Vernal, Utah. This phase of the complex will consist of two 3-story / 12 unit buildings and one 2-story / 8 unit buildings. Staff has reviewed the application and found it to be in substantial compliance of Vernal City Code. An engineering review has been completed, and there were a few items that needed clarification. The requested clarifications and corrections are being accomplished. The storm water retention uses a method that is not seen often in Vernal. Some of the storm water storage is designed to take place on the surface of the parking area. This does not violate the requirements of the Vernal City Code. Staff finds this application to be approvable with the clarifications and corrections as noted. Chair Mike Drechsel asked in regards to the storm water retention, how much in excess is going to be stored above the surface once the chambers are full. Mr. Parker explained that the depth would not be deeper than six inches. The Commission discussed the storm water issues, how the water would flow, concerns

with the water overflowing into the back yards directly south of the development, and safety of emergency vehicles.

Harold Woodruff - 223 South 800 East, Salt Lake City, Utah 84111 – explained that they started working with the City four years ago on bringing affordable housing to Vernal. The first phase had five buildings and the second phase will add three more buildings. Mr. Woodruff explained that the reason Phase II has taken so long is due to the economy and the difficulties with funding and tax credits. As far as the storm water concerns, they do not recall ever having any water backed up in the parking lot, nor do they believe water would overflow into someone's yard. Mr. Woodruff explained that this project is an asset to the City and will provide affordable housing with an additional 32 units. By completing Phase II, they will be able to finish the central courtyard area including a playground, picnic area, and small volleyball court. They are also looking at adding a small planting area for residents to grow vegetables. Mr. Woodruff stated that they are hoping to start construction this spring with units ready to be occupied this winter. *Kimball Glazier moved to approve the master site plan for Harold Woodruff for the property located at 342 South 1350 West, Vernal, Utah – Application No. 2014-007-MSP with any corrections noted by staff and engineering. Eric Olsen seconded the motion. The motion passed with Mike Drechsel, Eric Olsen, Samantha Scott, Kimball Glazier, Kathleen Gray, Anders Fillerup, and Ken Latham voting in favor.*

**REQUEST FOR APPROVAL OF A MASTER SITE PLAN FOR BLUE OVAL HOLDINGS, LLC FOR THE PROPERTY LOCATED AT 364 WEST MAIN, VERNAL, UTAH – APPLICATION NO. 2014-006-MSP – ALLEN PARKER:** Allen Parker explained that Gary Showalter of Blue Oval Holdings is requesting the approval of a master site plan for a new parking lot at 364 West Main Street, directly across the street and to the east of Bettys Café. The entire .4 acre parcel will be used as a parking area and is a CC-1 commercial zone. Staff has reviewed the application and it appears to be in substantial compliance with Vernal City Code. Mr. Parker explained that landscaping, a fire hydrant, water and sanitary sewer are not applicable. The parking, lighting, and storm water retention meets the requirements of the Code. Staff finds it to be an approvable application. Eric Olsen stated that there are two parcels, a developed one and an undeveloped one, and asked if the retention pond will be on the undeveloped parcel. Mr. Parker answered yes; the two parcels will share the same storm water retention. He added that if this application is approved, the easement would need to be recorded to support it. Mr. Olsen asked if beyond an easement, does it need to be built at this time to maintain. Mr. Parker stated that it would need to be built at the capacity level to support the developed section. Mr. Olsen asked if this needed to be added to the master site plan for approval. Mr. Parker stated that there are several sheets included with this site plan that were not in the packets, and they do have the design for it. *Kathleen Gray moved to approve the master site plan for Blue Oval Holdings, LLC for the property located at 364 West Main, Vernal, Utah – Application No. 2014-006-MSP with any corrections noted by staff and engineering. Anders Fillerup seconded the motion. The motion passed with Mike Drechsel, Eric Olsen, Samantha Scott, Kimball Glazier, Kathleen Gray, Anders Fillerup, and Ken Latham voting in favor.*

**REQUEST FOR APPROVAL OF A MASTER SITE PLAN FOR UTAH COUNTY / CONVENTION CENTER FOR THE PROPERTIES LOCATED BETWEEN 100 TO 200 SOUTH AND 200 TO 400 EAST, VERNAL, UTAH – APPLICATION NO. 2014-005-MSP – ALLEN PARKER:** Allen Parker explained that this is an application by Kelly Hayes representing Uintah County for a master site plan for a new 65,853 square foot 2-story conference center at 150 South 300 East. The current zoning of R-3 is not appropriate for this use; however, the zoning will be changed to a C-2 commercial zone if the City Council approves the rezone request at their next meeting. Staff has reviewed this application and found it to be in substantial compliance of Vernal City Code. Mr. Parker explained that there are ongoing details that they are working through that you will see on any project of this size. The City Council voted unanimously to vacate 300 East for this project. Wes Baker with Babcock Design Group is in attendance of this meeting to answer any questions. Chair Mike Drechsel asked if they feel confident that the parking and lighting issues will be resolved and compliant with Vernal City Code. Wes Baker answered yes. Mr. Drechsel asked Mr. Baker if there is anything he would like to share with the Commission. Mr. Baker stated that it is their goal to make this the nicest building in Vernal with large and small meeting spaces to host all sorts of events such as concerts, weddings, parties, etc. This conference center will be a big asset to the City. Mr. Drechsel asked what the maximum capacity is for the building. Mr. Baker stated that with an event such as a concert with standing room only, it would hold approximately a total of 2,900. Mr. Parker pointed out a couple of changes to the site plan since the packets were handed out. He pointed out the large area of gravel stalls and the Children’s Justice Center have been excluded from the site plan, and will be reserved and set aside for future development. Mr. Drechsel asked where it says “gravel stalls”, if that will not be a paved surface. Mr. Parker explained that it was the intent, but has been removed from the site plan. He added that it is all paved in the area shown for parking. Eric Olsen asked if those parking stalls are not required then. Mr. Parker answered no; they exceed the current parking standards of the Code as it is right now. Mr. Parker explained that they are also working with photometrics on the parking lot lighting to change the luminaries on the top to LED type lights to meet the lighting standards. Mr. Drechsel asked if the lighting intensity will be similar to what is on the parking lot on the northwest corner of Western Park. Mr. Parker stated that the lighting will be like the parking lot of the Vernal City building. *Kimball Glazier moved to approve the master site plan for Uintah County for the Convention Center at 150 South 300 East, Vernal, Utah – Application No. 2014-005-MSP with any corrections as noted by staff and engineering and with the condition of the requested zone change being approved by the City Council. Samantha Scott seconded the motion. The motion passed with Mike Drechsel, Eric Olsen, Samantha Scott, Kimball Glazier, Kathleen Gray, Anders Fillerup, and Ken Latham voting in favor.*

**REQUEST FOR APPROVAL OF A MANUFACTURED HOME PARK FOR LAND SOLUTIONS PARTNERS, LLC / EAST MEADOWS TRAILER PARK FOR THE PROPERTY LOCATED AT 126 NORTH 500 EAST, VERNAL, UTAH – APPLICATION NO. 2014-003-MHP – ALLEN PARKER:** Allen Parker explained that Jared Knight of Land Solutions Partners LLC is requesting the approval of a redesign and rebuilding of an existing manufactured home park. The proposed park is on the current site of the existing East Meadows Manufactured Home Park and would replace the existing park with this new design. The most

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significant change to the site would be the density increasing from 86 units to 138 units. The engineering review and staff review have been completed with some details and issues still needing resolved. Mr. Parker explained to the Commission all the issues that are currently being resolved such as the density issue caused by spacing between some of the pads, ADA compliance, lighting, storm water retention, landscaping, and a refined water system. Mr. Parker stated that he is confident that everything will be fixed and recommends this to be an approvable application. Eric Olsen asked if they will be taking out all of the trailers currently in there and remodeling them. Jamie Knight answered yes; they will move out so many at a time as they are improving them and work their way through the park. Mr. Olsen asked if the intent is to put in single or double wide trailers. Mr. Knight stated both. Chair Mike Drechsel asked if the approval of this master site plan will affect the property rights of the individuals presently living there. Mr. Parker explained that those rights would be defined based on their lease for the pad. Mr. Knight explained that up to this point, they have not been signing any leases, since they knew that they would be improving the park. He added that there are only seven mobile homes that are individually owned, and the rest are owned by the park. The Commission discussed the details of the curb and gutter, storm water, and fire code to make sure everything is up to Code. ***Eric Olsen moved to approve the manufactured home park for Land Solutions Partners, LLC - East Meadows Trailer Park located at 126 North 500 East, Vernal, Utah – Application No. 2014-003-MHP with corrections as noted by staff and engineering. Ken Latham seconded the motion. The motion passed with Mike Drechsel, Eric Olsen, Samantha Scott, Kimball Glazier, Kathleen Gray, Anders Fillerup, and Ken Latham voting in favor.***

**WORK SESSION ON THE GENERAL PLAN:** Chair Mike Drechsel stated that the general plan and land use map have been discussed several times in previous meetings. The current land use map looks similar to the zoning map. Mr. Drechsel asked if as a Commission, do we want to encourage the City Council to be more proactive in adopting a general plan that is more of an ambitious stance of what we would like to see in the future for Vernal City versus what the City is like now. Mr. Drechsel stated that with the recent application on 500 West, it was realized how difficult it is for the City to make decisions based on the general land use map and zoning map being so similar. Over the last few months, the Commission has been looking at the alternatives in the general plan that was adopted in 2010. He added that there needs to be some action taken to start moving things forward.

Nick Richins (member of the public) stated that he recently visited with Allen Parker and Cory Coleman about an idea of constructing professional office buildings for dentists, doctors, engineers, lawyers, and accountants in an area that is currently zoned RA-1. Mr. Richins stated that he would like feedback if he were to propose something like this and bring a site plan to the Commission as to whether there would be a positive recommendation on changing the zoning with conditions to accommodate this type of project. This would be a professional plaza of offices that look like houses. Mr. Drechsel explained that this is an example of the challenges the City faces with the current general plan and land use map. He added that under the current general plan and zoning, it would be difficult to approve a project like this. Eric Olsen stated that the Commission needs to decide the future of Vernal and recommend a change to the current general plan map to the City Council. The Commission discussed several areas around Vernal

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that need to be reviewed as far as the future general plan and land use map.

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

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Mike Drechsel, Planning Commission Chair