

MINUTES of the Vernal City PLANNING COMMISSION

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

May 13, 2014

7:00 pm

Members Present: Kathleen Gray and Samantha Scott.

Members Excused: Chair Mike Drechsel, Gary Redden, and Ken Latham.

Alternates Present: Kimball Glazier and Adam Ray.

Alternates Excused: Rory Taylor.

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 has been excused from the meeting, and Anders Fillerup, Vice Chair, has resigned from the Planning Commission. Therefore, a temporary Chair for this meeting needs to be elected. *Kimball Glazier moved to nominate Samantha Scott for temporary Chair for the May 13, 2014 meeting. Kathleen Gray seconded the motion. The motion passed with Kimball Glazier, Kathleen, Gray, Samantha Scott, and Adam Ray voting in favor.* Temporary Chair Samantha Scott welcomed everyone to the meeting.

APPROVAL OF MINUTES FROM APRIL 8, 2014: Samantha Scott asked if there were any changes to the minutes from April 8, 2014. There being no corrections, *Kathleen Gray moved to approve the minutes of April 8, 2014 as presented. Kimball Glazier seconded the motion. The motion passed with Kimball Glazier, Kathleen Gray, Samantha Scott, and Adam Ray voting in favor.*

REQUEST FOR APPROVAL OF A PRELIMINARY SUBDIVISION PLAT FOR DENNY SOUTHAM / HIDDEN FIELDS SUBDIVISION LOCATED AT 100 SOUTH 1350 WEST, VERNAL, UTAH – APPLICATION NO. 2014-008-SUB – ALLEN PARKER: Allen Parker explained that this preliminary subdivision was discussed briefly at the April meeting; however, there was not enough time to advertise the public hearing for that meeting; therefore, it was tabled. The applicant, Denny Southam, is requesting approval of a preliminary plat for a new subdivision project located at 100 South 1350 West. The subdivision will divide two acres into six separate lots, with two of those lots being flag lots. A cul-de-sac will be built on the west end of 100 south to provide public road frontage for the lots. This subdivision is located in a RA-1 residential zone on two acres. This request has been reviewed by staff and found to be in compliance with the requirements of Vernal City Code. CRS Engineers has conducted a review where corrections were noted and addressed. Samantha Scott opened the public hearing.

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Marlene Wilhelm at 185 South 1400 West voiced her concern with drainage problems and emergency vehicles being able to safely get in and out of the small cul-de-sac. Ms. Wilhelm asked if the drainage has been looked at by the engineers. Mr. Parker explained that when new roads are installed, Vernal City Code requires a drainage capacity of a 100 year event. Ms. Wilhelm asked about the flooding around 1350 West by Vernal Gardens last week. Mr. Parker stated that the City is looking into the issue as to the source of the water. The City has run two test wells on the property and will continue to monitor it. Ms. Wilhelm stated that her concern is by building more homes; it will increase the drainage problem in the area. Ms. Wilhelm asked if they could get a copy of the plat. Mr. Parker explained that the City does not own the drawing; therefore, they would have to contact the developer. Ms. Wilhelm asked what the difference is between request for recommendation and request for approval on the agenda. Ms. Scott explained that a recommendation is made by the Planning Commission and then forwarded to the City Council for final approval. A request for approval is made only to the Planning Commission. Mr. Parker also explained the three different types of plats including the concept, preliminary and final plats. The Planning Commission will approve a preliminary plat such as the Hidden Fields Subdivision being discussed at this time. Once the final plat is ready, it will be brought to the Planning Commission for their recommendation and then forwarded to the City Council for final approval. If the City Council approves the final plat, it will be recorded at that time.

Dennis Glines at 182 South 1400 West asked if the RA-1 zoning of this property will be changing. Mr. Parker confirmed that the zoning is not changing. Mr. Glines asked if emergency vehicles will be able to get in and turn around at the end lots of this cul-de-sac. Mr. Parker explained that there are specifications in the Code regarding the length of flag lots and the driveways in order to safely allow emergency vehicles in and out of the cul-de-sac. Mr. Glines asked once again for confirmation that a fire truck will be able to get in and turn around in the cul-de-sac. Mr. Parker answered yes. He added that Vernal City has different standards than the national standards on fire trucks. Mr. Glines asked if this cul-de-sac fits the national standards. Mr. Parker answered yes. Mr. Glines asked if RA-1 is a residential and agricultural zone. Mr. Parker explained that RA-1 does include some agricultural uses. Mr. Glines asked if there could be farm animals allowed on this property. Mr. Parker stated if they met the requirements of the size of the lot.

Brent Gilley at 76 South 1350 West asked if the proposed homes to be built would have basements. Cable Murray, engineer, stated that they do not know at this time. Mr. Gilley stated that he has a long history of flooding in his basement and it is an ongoing problem. He added that his back yard is behind lots one and four of this project. There is also a utility right-of-way there where he plants a garden every year and asked if he would be able to plant a garden this year. Mr. Murray explained that his best educated guess on any construction work happening would be in the middle of the summer or towards the fall. The requirements of the infrastructure, storm water retention, sewer line, curb, gutter, sidewalk, and asphalt will not be an issue until someone purchases a lot and starts building. Mr. Gilley explained that a month ago he approached Dennis Southam to see if he had any interest in selling this piece of property not knowing of his intention to build this cul-de-sac. He added that he proposed purchasing the

property for a community garden/parking area. Mr. Gilley stated that if Mr. Southam is willing to honor the price they discussed a month and a half ago, then maybe he could talk with the neighbors and still purchase it. Mr. Parker explained that if the Planning Commission approves this application, it would not impact Mr. Southam's ability to sell the property until the final plat is approved and recorded. Mr. Gilley asked if this project will cause more flooding to his home. Mr. Parker explained that the City is still trying to figure out where the water is coming from at this time. Mr. Gilley asked if this project would add more drainage into this same system. Mr. Parker explained that it should not.

Marlene Wilhelm at 185 South 1400 West asked how the water and sewer will run into this cul-de-sac. Mr. Parker explained that currently anytime the City puts in new water and sewer lines, they follow the road. He added that they will extend the lines down into the cul-de-sac. Ms. Wilhelm asked if the line that comes into the cul-de-sac will hit lots 5, 6, and 3. Mr. Parker explained that it will hit all of them. Ms. Wilhelm asked if the line would extend into the flag lots as well. Mr. Parker stated that they will have to run their own lateral line from their home to connect to the City's water line. Ms. Wilhelm stated whoever purchases those two top lots will have an additional expense. Mr. Parker stated that is correct. Ms. Wilhelm asked what type of homes will be built on those lots such as manufactured homes or stick homes. Mr. Parker explained that at this time, it has not been determined what type of homes will be built. However, federal law will not let the City discriminate against manufactured homes. Ms. Wilhelm asked the Commission to please take this information into consideration. She added that she does not feel that her home should be next to a manufactured home.

Mr. Parker read the public comment that was emailed to the City Manager regarding this application for the record. "My name is Jeremy Fountaine, and I live at 1385 West Main St. I could not make the Vernal City meeting regarding the subdivision being planned behind my home. I can respect the want and need to build there in that lot. I am sad to see it go. I do have some concerns regarding the construction to protect my family from any dangers. I know you are not required to build a privacy fence, but I am asking you of respect for the safety and privacy of my family, to get together and arrange the construction of a privacy fence. Thank you. Jeremy Fountaine."

Cable Murray, representing Timberline Engineering and Land Surveying, stated that it is good to see the public involvement here this evening. He explained that there is no rezone, no conditional use permit, no home owner's association, no planned unit development. The application meets all the Codes of Vernal City and engineering requirements in the current zone. The application has been reviewed by the fire department, streets department, and police department. Samantha Scott closed the public hearing. ***Kimball Glazier moves to approve the preliminary subdivision plat for Denny Southam / Hidden Fields Subdivision located at 100 South 1350 West, Vernal, Utah – Application No. 2014-008-SUB. Adam Ray seconded the motion. The motion passed with Kimball Glazier, Kathleen Gray, Samantha Scott, and Adam Ray voting in favor.***

REQUEST FOR RECOMMENDATION OF A MINOR SUBDIVISION FOR ISAAC AND

VERONICA BIRD FOR THE PROPERTY LOCATED AT 387 WEST 500 SOUTH, VERNAL, UTAH – APPLICATION NO. 2014-010-SUB – ALLEN PARKER: Allen Parker explained that this is a request by Isaac and Veronica Bird for a minor subdivision located at 387 West 500 South on 2.14 acres in a RA-1 residential zone. The request is to split one parcel into two parcels of the same size. Staff has conducted a full review and found that the submittal is in substantial compliance with Vernal City requirements. An engineering review has also been conducted and the submittal is in substantial compliance with applicable engineering standards. Kimball Glazier asked if this property was located near Marcello Meadows. Mr. Parker stated that the entrance road enters into Marcello Meadows. Mr. Glazier asked if there is still a moratorium on that road. Mr. Parker explained that the moratorium has ended. He added that there are utilities to a point. They come close to the property; therefore, the owners will have to install a little more water and sewer line. Samantha Scott opened the public hearing. There being no public comments, Samantha Scott closed the public hearing. *Adam Ray moved to forward a positive recommendation to the City Council for a minor subdivision by Isaac and Veronica Bird for the property located at 387 West 500 South, Vernal, Utah – Application No. 2014-010-SUB. Kimball Glazier seconded the motion. The motion passed with Kimball Glazier, Kathleen Gray, Samantha Scott, and Adam Ray voting in favor.*

REQUEST FOR RECOMMENDATION TO CONSIDER AMENDING THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE – SECTION 16.54.020 – FAIRGROUNDS AND PARK ZONE USES – ORDINANCE NO. 2014-16 – ALLEN PARKER: Allen Parker explained that this is a simple change proposing to add government office building to the fairground and park zone use table. Mr. Parker stated that the reason behind proposing these changes is the functions of park and fairgrounds could involve offices and the Code needs to be supporting those kinds of activities. There was a discussion with the County regarding the relocation of a building; however, the City did not have anything in the Code for government buildings in a fairground zone; therefore, it seemed appropriate to make a change. On page two of the ordinance, the items being stricken are redundant and not appropriate for Vernal City's Code. Samantha Scott opened the public hearing. There being no public comments, Samantha Scott closed the public hearing. *Kimball Glazier moved to forward a positive recommendation to the City Council to consider amending the Vernal City Municipal Planning and Zoning Code – Section 16.54.020 – Fairgrounds and park Zone Uses – Ordinance No. 2014-16. Adam Ray seconded the motion. The motion passed with Kimball Glazier, Kathleen Gray, Samantha Scott, and Adam Ray voting in favor.*

REQUEST FOR RECOMMENDATION TO CONSIDER AMENDING THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE – CHAPTER 16.24 – SUPPLEMENTARY REGULATIONS AND CHAPTER 16.56 – MANUFACTURED HOME PARK AND TRAVEL TRAILER COURT REGULATIONS – ORDINANCE NO. 2014-17 – ALLEN PARKER: Allen Parker explained that this item has been discussed in the past. Councilmember Bert Clark has some additional concerns with the ordinance and asked that the Planning Commission review it again. He further explains that the first amendment to the Code was language that governs travel trailers. This proposed amendment adds oversized trailers to the supplementary regulations and definitions. Mr. Parker explained that the standards

previously approved was for a ten (10) foot setback placement of trailer being stored on a property including a ten (10) foot rear setback added. This ordinance will pull it out of the manufactured home section and place it in the supplementary regulations and definitions section and to be expanded to include not only travel trailers, but oversized trailers. Mr. Parker shows on the overhead some pictures of concern around the City. Kimball Glazier stated that in regards to the ten (10) foot set back from the rear property line, he sees Mr. Clarke's concerns; however, a property owner could build an out building, so why the restriction on travel trailers and not permanent structures. He added that both should be allowed or it is a contradiction in the Code. Mr. Parker asked the Commission how they feel about the addition of the ten (10) foot set back from the rear property line. Samantha Scott stated that she did not see the point as you would still see the trailer. Adam Ray stated that his concern would be infringing on property owner's personal freedoms and properties. Mr. Glazier stated that he also agrees that the City should not get too controlling and recommends removing the ten (10) feet from the rear property line. Mr. Parker stated that it appears the consensus of the Commission is to forward a negative recommendation to the City Council. Mr. Ray suggested people try communicating with their neighbors if they have a problem. Samantha Scott opened the public hearing.

Dennis Glines at 118 South 1400 West stated that he agrees with the Commission that the City should not be too controlling and ambiguous. He added that if a person has a travel trailer and wants to park next to a fence, he could just build a huge garage to park it in. Mr. Parker explained that they could not build a garage within ten (10) feet. Mr. Glines stated that you could build a garage bigger than the trailer. Mr. Glines stated that several years ago, the setback was thirty (30) feet off the road. Mr. Parker explained that this was just changed a few months ago.

Samantha Scott closed the public hearing. *Adam Ray moved to forward a positive recommendation to consider amending the Vernal City Municipal Planning and Zoning Code – Chapter 16.24 – Supplementary Regulations and Chapter 16.56 – Manufactured Home Park and Travel Trailer Court Regulations – Ordinance No. 2014-17 with the striking of “All oversized trailers shall be set back a minimum of ten (10) feet from the rear property line”. Kimball Glazier seconded the motion. The motion passed with Kimball Glazier, Kathleen Gray, Samantha Scott, and Adam Ray voting in favor.*

REQUEST FOR APPROVAL OF A MASTER SITE PLAN FOR WES SORENSEN FOR THE PROPERTY LOCATED AT 1400 EAST 135 SOUTH, VERNAL, UTAH –

APPLICATION NO. 2014-009-MSP – ALLEN PARKER: Allen Parker explained that Wes Sorenson is requesting the approval of a master site plan for an addition to an existing industrial building located at 1400 East 135 South on 1.63 acres in an I-1 industrial zone. This new addition will serve to house part of the company's fleet of vehicles. This location is currently being used as M&M Welding. Staff has reviewed the application and found it to be in compliance with Vernal City Code. A review has been completed by Timberline Engineering and Land Surveying and some corrections were noted and have been addressed. Kimball Glazier asked if the parking was going to be where the existing concrete pad is located. Mr. Parker stated that there will be some parking on the existing concrete pad as well as on the north side of

the building for customer parking. Mr. Glazier asked if there were any concerns with the storm water. Mr. Parker explained that they will have a storm water containment for the new roof line. He added that they cannot address existing structures as they are grandfathered in. Adam Ray asked if they know what will be on the west side of the proposed building. Mr. Parker stated that it appears to be an industrial yard. *Adam Ray moved to approve the master site plan for Wes Sorensen for the property located at 1400 East 135 South, Vernal, Utah – Application No. 2014-009-MSP. Kathleen Gray seconded the motion. The motion passed with Kimball Glazier, Kathleen Gray, Samantha Scott, and Adam Ray voting in favor.*

REQUEST FOR APPROVAL OF A CONCEPT PLAN FOR MEL RAY FOR THE PROPERTY LOCATED AT 214 SOUTH 1500 WEST, VERNAL, UTAH –

APPLICATION NO. 2014-011-SUB – ALLEN PARKER: Allen Parker explained that Mel Ray has submitted a concept plan for a new condominium subdivision containing 24 dwelling units. There is no staff report as this is being submitted as a concept plan only at this time. Mr. Parker explained that a concept plan is an idea brought forward and presented to the Planning Commission and staff to address and identify any concerns or problems that may exist before the applicant proceeds to have engineering done and money invested in the project. Upon the Planning Commission's approval, the applicant will prepare a preliminary plat and continue the required process for the division of land. Staff has met with Mr. Ray many times to help him find something that could function fairly well. The concept plan appears to meet the Code requirements. The idea of the condo project is that each unit will be owned as a unit, and the land would be a common area for ages 55 and older.

Mel Ray at 150 South 1500 West explained his concept to build a private development that is not high density for senior citizens like Pine Shadows on 500 South. There will be 24 units designed for the property with a nice pavilion and club house to have activities for their children and grandchildren. There will be an age limit of 55 and older. The Homeowner's Association (HOA) will take care of all the yard work and garbage collection. Mr. Ray stated that this project will be a nice development that will be beneficial to the City and the Sr. citizens. Kathleen Gray asked who is going to take care of all the snow removal. Mr. Ray stated that the HOA will take care of the snow removal within the HOA guidelines and restrictions. Kimball Glazier asked if this project is being presented as a planned unit development (PUD). Mr. Ray answered yes. Mr. Glazier asked if the 24 units meet the guidelines for one access. Mr. Parker answered yes; the Code requires less than 25. Mr. Glazier asked about the two single residents on the property. Mr. Ray stated that he plans on building a home for his family. Mr. Glazier asked if there are any zone changes to allow for this project. Mr. Parker stated no, this property is zoned R-4 residential zone for lower density. Adam Ray wanted to go on record that his father is the applicant. *Kimball Glazier moved to approve the concept plan for Mel Ray for the property located at 214 South 1500 West, Vernal, Utah – Application No. 2014-011-SUB. Kathleen Gray seconded the motion. The motion passed with Kimball Glazier, Kathleen Gray, Samantha Scott, and Adam Ray voting in favor.*

FILL VACANT SEATS TO REPLACE ANDERS FILLERUP AND ERIC OLSEN: Allen

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Parker explained that Eric Olsen has resigned from the Planning Commission due to family obligations and a future move to Naples City. Currently, there are two vacant seats on the Planning Commission that need to be filled. Mr. Parker asked the Commission to spread the word and refer any interested parties to him. It was the consensus of the Planning Commission to table this issue along with electing a Vice Chair until next month.

GENERAL PLAN WORK SESSION – ALLEN PARKER: Allen Parker stated that the Planning Commission needs to set a work session to discuss and revise the general plan and land use map. Mr. Parker stated that he will prepare a concept for the packets to discuss at the next meeting.

UTAH OPEN AND PUBLIC MEETINGS TRAINING: Allen Parker stated that in order to fulfill the annual training for the Commission, the staff will be sending out an email with a link to a video on Utah open and public meetings. Mr. Parker asked the Commission to watch the video, sign the affidavit, and return it to staff.

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

Samantha Scott, Temporary Planning Commission Chair