

MINUTES of the Vernal City PLANNING COMMISSION

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

April 19, 2022

7:00 pm

Members Present: Stephen Lytle, Troy Allred, Brian Eades, Kimball Glazier, Corey Foley

Members Excused: Brandon Parker

Alternates Present: Randel Mills

Alternates Excused: [Click here to enter text.](#)

Staff Present: Allen Parker, Assistant City Manager; Matthew Tate, Building Official; and Gay Lee Jeffs, Administrative Secretary.

WELCOME AND DESIGNATION OF CHAIR AND MEMBERS: Vice Chair Stephen Lytle welcomed everyone present to the meeting.

APPROVAL OF MINUTES FROM April 12, 2022: Vice Chair Stephen Lytle asked if there were any changes to the minutes from April 12, 2022. Stephen Lytle asked to make an amendment to the minutes by removing Matt Tate's name from the minutes because he was not in attendance. *Brian Eades moved to approve the minutes of April 12, 2022 with the amendment. Troy Allred seconded the motion. The motion passed with Stephen Lytle, Troy Allred, Brian Eades, Kimball Glazier and Randel Mills voting in favor. Corey Foley did not vote.*

Allen Parker introduced Kimball Glazier to the Planning Commission as the newest member and said that Mr. Glazier had been on the Commission for a few years previously.

Allen Parker handed out the "Ground Rules" book to each Commissioner who had not received one at the Land Use training held on April 7.

Allen Parker reminded the Commission that open meeting training must be completed annually. Mr. Parker stated that he could schedule the training on a future agenda for the Planning Commission or they could complete it on their own, which ever method they prefer.

Stephen Lytle asked when the Commission would be hearing about ordinance number 2022-05 concerning household pets. Allen Parker responded that it would be on next month's agenda.

RECOMMENDATION TO CONSIDER AMENDING THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE TO CONSIDER CHANGES TO THE SETBACKS AND COMMERCIAL RATIO IN THE MIXED USE ZONE, CHAPTERS

16.04 – DEFINITIONS AND CHAPTER 16.45 – MIXED USE ZONE, ORDINANCE NO. 2022-06.

Allen Parker explained that a Mixed Use zone straddles the line between commercial and the R-4 high density residential use. It is focused on residential and has a number of other commercial and retail uses that go along with it as well. Mr. Parker stated that he would like to change the lot coverage requirements and change the density on the lot. The proposal is to reduce the initial minimum amount of square footage per parcel per dwelling unit from the original six thousand five hundred (6,500) square feet, which matches the City’s R-4 zone, to four thousand (4,000) square feet. Any additional unit would require an additional eight (800) square feet. The next change would be to change lot coverage from seventy-five (75) percent to eighty-five (85) percent of the lot that can be covered with structure. The change will significantly increase the density in those zones. This amendment will not change the landscaping and parking requirements. It is the burden of the developer to fit everything onto the lot. The height restriction will stay the same at sixty (60) feet.

Stephen Lytle opened the public hearing to receive comment from the public. There being no public comment, Stephen Lytle closed the public hearing.

Brian Eades asked what the recourse is for a developer if they are unable to put landscaping on the lot size. Mr. Parker explained that it is still required and the developer will need more square footage if they are unable to landscape within the square footage that they have to meet the requirement.

Brian Eades motioned to forward a positive recommendation to the City Council to amend the Vernal City Municipal Planning and Zoning Code to consider changes to the setbacks and commercial ratio in the mixed use zone, Chapters 16.04 – Definitions and Chapter 16.45 – Mixed Use zone, Ordinance No. 2022-06. Kimball Glazier seconded the motion. The motion passed with Stephen Lytle, Troy Allred, Brian Eades, Kimball Glazier and Randel Mills voting in favor. Corey Foley did not vote.

RECOMMENDATION TO CONSIDER A REZONE REQUEST FROM ZIONS BANK AND VERNAL CITY FOR PROPERTY LOCATED AT 84 SOUTH 100 WEST, VERNAL, UTAH TO REZONE FROM C-2 COMMERCIAL ZONE TO MX MIXED USE ZONE – 2022-007-REZ

Allen Parker explained that this is a request to rezone a property located at 84 South 100 West. The property is currently a C-2 zone. The request is to change from a C-2 zone to an MX zone. The parcel that is almost entirely covered by the proposed rezone is .37 acres. The area of the map that will be changed will be slightly larger than the .37 acres. Vernal City is the applicant along with Zion’s Bank. The adjoining properties of this particular parcel are all C-2. This will be the first MX zone in the City. This request is in the Mixed Use area of the General Plan and is not considered “spot zoning. This meets all the requirements of the Vernal City Code to make the modification. The character of the surrounding property is in keeping with what we are seeing there. Brian Eades asked for a list of what constitutes a C-2 use. Does it include things

like a tattoo parlor and auto repair shops? Mr. Parker answered that those businesses are allowed in those zones. Mr. Parker mentioned that the CC-1 Central Commercial zone has no front or rear setbacks which is a typical downtown zone where the approach reaches the sidewalk. The C-2 zone has a thirty (30) foot front setback with a twenty (20) foot side setback, which is more oriented towards a general commercial environment rather than a downtown commercial environment. Kimball Glazier asked why the City would like to change to a Mixed Use zone. Mr. Parker explained that the idea is to bring higher intensity uses and more people into the downtown corridor. The MX zone is designed specifically to facilitate that sort of development. Mr. Glazier asked if the City was making the zone change for this area because someone wants to develop that area or because they would like to encourage the development. Mr. Parker answered that the City is proactively partnering with developers to try to incentivize development in the downtown core. To see if the City can redevelop the downtown the City has offered an incentive package to all of the downtown businesses for façade improvements. The City has a good idea of what is going to go on the lot that is being rezoned. Randel Mills asked what other development could go on that lot. Mr. Parker explained that if the lot remained C-2, then up to fifty (50) percent of the structure could be residential and the remaining could be general commercial with no height restriction and more restrictive setbacks. The MX zone is more restrictive with what types of businesses are allowed. A lot of the higher intensity uses are not allowed in the MX zone, but restaurants, retail and offices spaces are allowed in the MX zone. Mr. Eades asked how far the MX zone reaches. Mr. Parker stated that so far it is based off of requests like the one before the Commission, but the General Plan shows areas that could accommodate an MX zone. Mr. Eades wondered why the City does not change the commercial area zone now so that there are not a lot of new incompatible businesses for future growth. Mr. Parker stated that some of it has to do with the tradition within the City as to the way they approaches rezones and large block rezones that are not solicited by the people that own property within those zones are something the City has not done in the past. The City is taking a more incremental approach Kimball Glazier commented that the idea is to help the blending of commercial to residential. Mr. Parker stated that it is and that it is also in part to help the City to get more people living in the downtown core. One of the things that, from an economic development perspective, really facilitates the success of a downtown is having people live in that downtown.

Stephen Lytle opened the public hearing to receive comment from the public.

Vance Norton. 550 West 1100 South, asked what the setbacks would be for Mixed Use on that lot for the proposed building. Mr. Parker answered that it would be five (5) feet. Mr. Norton's concern is how many tenants would it house and how much parking would be allotted. Mr. Parker explained that 1.5 parking spaces per dwelling unit is the adopted standard. It is an issue with parking and one that has been looked at carefully. The City has asked the developers of the lot how they would handle parking and they have a pretty successful mode. A lot of the parking can be accomplished with a garage or with covered parking along the perimeter of the structure. The majority of parking required by code would be absorbed on the parcel. With the new parking lot the City is building behind the lot it will be able to absorb some of the parking and there is a special assessment area of the new proposed parking lot that the adjoining property owners will

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help to cover the operation and maintenance cost of the new parking lot. Mr. Norton was concerned that they were paying for six (6) spaces and did not want to lose parking spaces due to the setbacks. Mr. Parker said that the City is focused on not using necessary land for parking. Mr. Parker showed a concept for that particular downtown lot and the parking lot design is pretty much settled. Mr. Mills asked how many units would there be according to the concept drawing for the lot. Mr. Parker answered that there would be eighteen (18) residential units. The first floor would be about nine thousand (9,000) square feet of commercial property with the other three (3) floors being residential units. Collin Brinkerhoff, Spanish Fork, with a mixed use building, the idea is during the hours that the residents are at work then the offices would be using the parking. Then after working hours the offices would be closed, the residents would be back and they would use the parking which would allow for sufficient parking. Sonja Norton, 550 West 1100 South, asked Mr. Brinkerhoff if most of the residential parking would be the garages and the covered spaces and then if he would paid for parking spaces and any other residential parking. Mr. Parker stated that was correct and that the parking in street does not allow for parking liability of the building because it is public and not on-site parking.

Stephen Lytle closed the public hearing.

Brian Eades moved to forward a positive recommendation to the City Council to consider a rezone request from Zion's Bank and Vernal City for property located at 84 South 100 West, Vernal, Utah to rezone from C-2 Commercial zone to MX Mixed Use zone – 2022-007-REZ. Troy Allred seconded the motion. The motion passed with Stephen Lytle, Troy Allred, Kimball Glazier, Brian Eades and Randel Mills voting in favor.

ADJOURN: There being no further business, *Randel Mills moved to adjourn. Brian Eades seconded the motion. The motion passed with a unanimous vote, and the meeting was adjourned.*

Brandon Parker, Planning Commission Chair