

**MINUTES OF A JOINT WORK SESSION OF THE
VINEYARD CITY COUNCIL AND PLANNING COMMISSION,
A SPECIAL PLANNING COMMISSION SESSION
AND A REGULAR CITY COUNCIL MEETING**

City Council Chambers
125 South Main Street, Vineyard, Utah
October 26, 2022, at 6:02 PM

**Present
Council**

Mayor Julie Fullmer
Councilmember Tyce Flake
Councilmember Amber Rasmussen
Councilmember Mardi Sifuentes

Absent

Councilmember Cristy Welsh

Planning Commission

Chair Bryce Brady	Commissioner Tim Blackburn
Commissioner Craig Bown	Vice Chair Christopher Bramwell
Commissioner Steve Anderson (arrived at 6:35 PM and left at 7:55 PM)	
Commissioner Tay Gudmundson (via zoom)(left at 7:25 PM)	
Commissioner Anthony Jenkins (left at 7:01 PM)	

Staff present: City Manager Ezra Nair, Finance Director David Mortensen, City Attorney Jayme Blakesley, Public Works Director Naseem Ghandour, Staff Engineer Emily Dicataldo, Interim Chief Building Official Cris Johnson, Lieutenant Holden Rockwell with the Utah County Sheriff's Office, Community Development Director Morgan Brim, City Planner Cache Hancey, Planning Technician Rachel Stevens, Water Manager Sullivan Love, City Recorder Pamela Spencer

Others speaking: Susie Petheram and Will Linscott with FFKR Architects; Pete Evans, Nate Hutchinson, Bronson Tatton with Flagborough (Flagship and Woodbury Corporation; Resident Daria Evans

1. CALL TO ORDER/INVOCATION/INSPIRATIONAL THOUGHT/PLEDGE OF ALLEGIANCE

► Mayor Fullmer opened the joint work session at 6:02 PM. Councilmember Flake gave the invocation and led the Pledge of Allegiance. Due to the logistics of having a Planning Commission quorum, items 2.3, 2.2, the Special Planning Commission Session, and item 2.1 were held in the before-mentioned order.

2. JOINT WORK SESSION AND PUBLIC HEARINGS

2.1 DISCUSSION – Lakefront – Boardwalk Park

Community Development Director Morgan Brim will lead a discussion on the Lakefront Boardwalk Park.

- ▶ Mayor Fullmer reopened the work session at 7:55 PM.
- ▶ Mr. Brim gave a brief overview of the Waterfront Master Plan process. He then turned the time over to Susie Petheram and Will Linscott with FFKR Architects.
- ▶ Ms. Petheram explained that they would be focusing on the area known as the North Waterfront Area. She said that there were seven (7) proposed areas that they would be discussing today. She said that the project would start around the north end by the reclamation pond going to the south promenade. She mentioned that the lake road design was still under consideration. She turned the time over to Mr. Linscott.
- ▶ Mr. Linscott reviewed each of the seven (7) areas:
 - ▶ a. Boardwalk, Viewing platform, and Trail – where the retention pond is located now
 - ▶ b. North Beach Plaza, Terraces, and Pavilion
 - ▶ c. North Beach Mall – Promenade and Waterfront Connection
 - ▶ d. Boardwalk Park
 - ▶ e. Enhanced Tree Grove
 - ▶ f. Stormwater Garden and Memorial Grove – South Beach Access
 - ▶ g. Streetscape and Trail Enhancements
- ▶ Mayor Fullmer asked about the timeline and the feedback they wanted to see. Ms. Petheram replied that they would like to see initial reactions, from the council to the programming and their priorities in these areas.
- ▶ There was a discussion about the wetlands and the projects that could be done. Mr. Brim mentioned that there were grant funds that needed to be used by December 2023. The consensus was to send FFKR their ideas within the next two weeks. The discussion continued.

2.2 PUBLIC HEARING – Zoning Text Amendment (Ordinance 2022-18)

The City Council and Planning Commission will hold a joint public hearing to receive comments regarding proposed zoning text amendments to Section 15.34.060 Accessory Dwelling Units. The zoning text amendment would allow accessory dwelling units to be located within a detached accessory structure.

- ▶ Mayor Fullmer called for a motion to open the public hearing.
- ▶ **Motion:** COUNCILMEMBER FLAKE MOVED TO OPEN THE PUBLIC HEARING AT 7:44 PM. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. COUNCILMEMBER WELSH WAS EXCUSED. THE MOTION CARRIED WITH ONE ABSENT.

▶ Mr. Brim gave a brief overview of the recommended amendments to the Zoning Code for accessory dwelling units.

▶ Mayor Fullmer asked about Section 9. Mr. Brim replied that the unit did not have to be connected to the house. There was a brief discussion about utilities.

▶ Mayor Fullmer called for public comments.

▶ Resident Daria Evans living in The Villas subdivision asked if this was just for new construction or if it was also for existing homes. Mr. Brim replied, yes to both.

▶ Mayor Fullmer called for additional comments. Hearing none, she called for a motion to close the public hearing.

▶ **Motion:** COUNCILMEMBER SIFUENTES MOVED TO CLOSE THE PUBLIC HEARING AT 7:49 PM. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. COUNCILMEMBER WELSH WAS EXCUSED. THE MOTION CARRIED WITH ONE ABSENT.

▶ Mayor Fullmer turned the time over to the Planning Commission Chair Bryce Brady to open the Planning Commission's Special Session.

2.3 PUBLIC HEARING – Zoning Text Amendment (Ordinance 2022-19)

The City Council and Planning Commission will hold a joint public hearing to receive public comment regarding proposed zoning text amendments to modify the District Use Table, change the street façade requirements, modify the parking study section, and change other minor aesthetic requirements of the Downtown Vineyard Special Purpose Zoning District.

▶ Mayor Fullmer proceeded to item 2.3 Public Hearing Zoning text Amendment (Ordinance 2022-19). She then called for a motion to open the public hearing.

▶ **Motion:** COUNCILMEMBER RASMUSSEN MOVED TO OPEN THE PUBLIC HEARING AT 6:05 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. COUNCILMEMBER WELSH WAS EXCUSED. THE MOTION CARRIED WITH ONE ABSENT.

▶ Mr. Brim gave a brief overview of the text amendment requests. He then turned the time over to Pete Evans with Flagborough.

▶ Mr. Evans reviewed the text amendments.

▶ Text Amendment Item #1 - Uses General Requirements 3.08.010

In Table: 3.08.010(1) Uses by District:

▶ Councilmember Sifuentes asked for further details on items a and b of this amendment. Mr. Evans gave an example of wrapping the parking structure with townhomes. There was a

discussion about the single-household attached product. Chair Jenkins expressed concern with mixed-use zones having mostly residential. The discussion continued. City Attorney Jayme explained that permitted uses with approval from the council would be obligated to permit the use. Conditional uses are still permitted but with conditions. There was a discussion about permitted and conditional uses.

► **Text Amendment Item #2 - Prohibited Uses 3.08.010.04**

► **Text Amendment Item #3 - Building Standards 3.10.020**

In Table 3.10.020(1)(3) – Street Façade Requirements:

Mr. Evans reviewed the different types of transparency. There was a discussion about transparency/glazing. Nate Hutchinson with Flagborough and Matt Beaton with Nelson Architects participated in the discussion. Chair Jenkins expressed concern with the downtown being more residential than commercial. Mr. Brim summarized that they would allow 60 percent transparency for retail and 35 percent for residential. There was a discussion about retail and residential.

► Mr. Evans reviewed the reasons for changing d. Demise lines. There was a discussion about the building styles and heights.

► **Text Amendment Item #4 - Building Standards 3.10.040**

Section 3.10.040:

Mr. Beaton explained that they were trying to provide variety with different types of stoops on the ground level. A discussion ensued.

► **Text Amendment Item #5 - Structures in Open Space**

Section 3.12.030 Open Space Types

Mr. Evans showed examples of covered open spaces. Mr. Brim suggested that they could create a list of amenities for pedestrians, restaurants, eateries, etc.. A discussion ensued.

► **Text Amendment Item #6 - Building Materials**

Section 3.10.50 Building Standards Additional Design & Mix

Mr. Evans reviewed the recommended changes. A discussion ensued.

► **Text Amendment Item #7 - Fencing**

3.12.10 Open Space General Requirements

Mr. Evans reviewed the recommended changes. Mr. Brim explained that staff had changed it to a site plan process rather than City Planner approval. Mr. Evans explained that they had plans for the Promenade area and would like to add aquatic use as a permitted use. There was a brief discussion about the site plan process.

► **Text Amendment Item #8 - Temporary Parking**

3.14.010 Landscape General Requirements

There was a discussion about temporary parking, landscaping, and timing.

► **Text Amendment Item #9 - Tree Branch Height**

3.14.030 Street Trees and Streetscape Design

There was a brief discussion about the wording in this section.

► **Text Amendment Item #10 - Parking Study**

3.16.010.9 Parking

There was a discussion about requirements for the parking study. The consensus was for staff to work with the developers to come up with a solution.

► Mayor Fullmer called for public comments.

► Resident Daria Evans, living in The Villas subdivision, expressed concern about tower heights and not being able to see the lake. Mr. Evans replied that they had not designed most of the buildings but the building they were working on would be four (4) stories. He added that there was no maximum height. Ms. Evans asked who would be responsible for paying for the use of electrical vehicle charging stations. Mr. Brim replied that it would be the vehicle owner's responsibility. Ms. Evans asked about ADA compliance for the stoops, if the development would be family oriented or urban professional, and how many townhomes would be built in Blocks 5 and 6. Mr. Evans replied that there were no townhomes in Blocks 5 and 6, but there would be about 450 apartments. Ms. Evans asked about the milestones in the parking evaluation schedule. Mr. Hutchinson explained that they were reducing density in the requested amendments. Mr. Evans explained that accessibility to the units with stoops would be from the back of the building. Mr. Hutchinson also explained that they wanted the downtown area to be a place for everyone: families and professionals alike.

► Mayor Fullmer called for further public comment. Hearing none, she called for a motion to close the public hearing.

► **Motion:** COUNCILMEMBER RASMUSSEN MOVED TO CLOSE THE PUBLIC HEARING AT 7:42 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. COUNCILMEMBER WELSH WAS EXCUSED. THE MOTION CARRIED WITH ONE ABSENT.

► Mayor Fullmer proceeded to item 2.2 PUBLIC HEARING – Zoning Text Amendment (Ordinance 2022-18)

PLANNING COMMISSION SPECIAL SESSION

► Chair Brady opened the special session at 7:49 PM.

3. BUSINESS ITEMS

3.1 DISCUSSION AND ACTION - Zoning Text Amendment (Ordinance 2022-18)

The Planning Commission will consider and discuss the proposed zoning text amendments to Section 15.34.060 Accessory Dwelling Units. The zoning text amendment would allow accessory dwelling units to be located within a detached

accessory structure. The Planning Commission will consider and discuss a recommendation to the City Council.

► Chair Brady called for questions. Hearing none, he called for a motion.

► **Motion:** COMMISSIONER BOWN MOVED TO RECOMMEND APPROVAL OF ORDINANCE 2022-18 ACCESSORY DWELLING UNITS. COMMISSIONER ANDERSON SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR BRADY, ALTERNATE COMMISSIONERS ANDERSON AND BOWN VOTED YES. COMMISSIONERS BLACKBURN, BRAMWELL, GUDMUNDSON, AND JENKINS WERE EXCUSED. THE MOTION CARRIED WITH FOUR ABSENT.

3.2 DISCUSSION AND ACTION - Zoning Text Amendment (Ordinance 2022-19)

The Planning Commission will consider and discuss the proposed zoning text amendments to modify the District Use Table, change the street façade requirements, modify the parking study section, and change other minor aesthetic requirements of the Downtown Vineyard Special Purpose Zoning District. The Planning Commission will consider and discuss a recommendation to the City Council.

► Chair Brady turned the time over the Mr. Brim.

► Mr. Brim read the suggested amendments:

1. 3.08.010(1) Use section:
 - a. Single-household detached uses are to be listed as a conditional use in the Downtown Station, Downtown Mixed-Use, Village General, and Lakefront Commercial districts with a limit of five (5) percent of total units.
 - b. Single-household attached uses are to be listed as a conditional use in the Downtown Station, Downtown Mixed-Use, and Lakefront Commercial Districts with a limit of five (5) percent total units.
2. 3.10.020(1)(1) Street Façade Requirements:
 - a. Minimum Ground Story Transparency shall be 35 percent for residential uses and 60 percent for commercial uses.
3. 3.10.040 Entrance Types
 - a. Provide an exception to stoops and porch requirements for buildings containing a paseo or courtyard. The requirements in the current code will remain as a default standard. A discussion ensued.
4. 3.12.030 Open Space Type:
 - a. Add language to the plaza and open space area sections that spaces in excess of the requirements will require site plan approval for non-residential structures.

► Chair Brady called for a motion.

► **Motion:** COMMISSIONER BOWN MOVE TO RECOMMEND ADOPTION OF ORDINANCE 2022-19 DOWNTOWN VINEYARD SPECIAL PURPOSE DISTRICT AS MENTIONED IN THE RECORD WITH THE CONDITIONS AND SUGGESTED AMENDMENTS. COMMISSIONER ANDERSON SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR BRADY, ALTERNATE COMMISSIONERS ANDERSON AND BOWN VOTED YES. COMMISSIONERS BLACKBURN, BRAMWELL, GUDMUNDSON, AND JENKINS WERE EXCUSED. THE MOTION CARRIED WITH FOUR ABSENT.

- ▶ The City Council took a break at 8:30 PM. The meeting resumed at 8:40 PM.

CITY COUNCIL REGULAR SESSION

- ▶ Mayor Fullmer opened the regular session at 8:40 PM.

4. PUBLIC COMMENTS

- ▶ Mayor Fullmer called for public comments.
- ▶ Ms. Evans thanked staff for the 4-way stop at the intersection near Trailside Elementary. She stated that she appreciated the Utah County Sheriffs for watching the area. She also asked to have stop lights at Vineyard Loop Road and 400 North. Mr. Ghandour replied that the signal for 400 North and Main was out for bid. He explained that it should take about five (5) months to install the lights once the bid was approved. There was a discussion about the process for installing traffic calming measures in the city. Ms. Evans expressed concern about children's safety crossing streets. Mr. Ghandour explained that he was working with a consultant on safe routes to schools. The discussion continued.
- ▶ Mayor Fullmer called for further public comments. Hearing none, she closed the public comments session.

5. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

- ▶ Councilmember Sifuentes reported that the Boo-a-Palooza event was well attended. She gave an update on the Orem School District proposition. She said that she was working with Orem and the city's state legislature on how this would affect Vineyard.

6. STAFF, COMMISSION, AND COMMITTEE REPORTS

- 6.1** ▶ City Manager Ezra Nair tuned the time over to the new Planning Technician Rachel Stevens who introduced herself. Mr. Nair reported that the road striping was continuing and that they would be striping the crosswalk at the intersection near the Trailside Elementary. He mentioned that there would be two open houses for the Central Corridor Master Plan on November 3; one at the Edgewater Clubhouse and one at the Utah Valley Homebuilders Association building. He also mentioned that staff would be working on job audits for the market and organizational study.

7. CONSENT ITEMS

7.1 Approval of the October 12, 2022, City Council Meeting Minutes

- ▶ Mayor Fullmer called for a motion.
- ▶ **Motion:** COUNCILMEMBER RASMUSSEN MOVED TO APPROVE CONSENT ITEM 7.1. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. COUNCILMEMBER WELSH WAS EXCUSED. THE MOTION CARRIED WITH ONE ABSENT.

8. APPOINTMENTS

8.1 Youth Council Executive Committee

With the advice and consent of the City Council, Mayor Fullmer will appoint members to the Youth Council Executive Committee.

► Mayor Fullmer read the names of the Youth Council Executive Committee and called for a motion. The names were: Youth Mayor - Alexa Dadson; Recorder - McKensy Scott; Youth City Manager - vacant; Meeting and Elections Chair - Shean Gudmundson; Service Chair - Natalie Welsh; Activity Chair - vacant; Beautification Chair - Ashlyn May.

► **Motion:** COUNCILMEMBER FLAKE MOVED TO APPROVE THE APPOINTMENTS AS PRESENTED. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. COUNCILMEMBER WELSH WAS EXCUSED. THE MOTION CARRIED WITH ONE ABSENT.

9. PRESENTATIONS/RECOGNITIONS/AWARDS

No items were submitted.

10. BUSINESS ITEMS

10.1 DISCUSSION AND ACTION - Zoning Text Amendment (Ordinance 2022-18)

The City Council will discuss the proposed zoning text amendments to Section 15.34.060 Accessory Dwelling Units. The zoning text amendment would allow accessory dwelling units to be located within a detached accessory structure. The mayor and City Council will act to adopt (or deny) this request by ordinance.

► Mayor Fullmer called for further comments or questions. Hearing none, she called for a motion.

► **Motion:** COUNCILMEMBER SIFUENTES MOVED TO ADOPT ORDINANCE 2022-18 ACCESSORY DWELLING UNITS. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. COUNCILMEMBER WELSH WAS EXCUSED. THE MOTION CARRIED WITH ONE ABSENT.

10.2 DISCUSSION AND ACTION - Zoning Text Amendment (Ordinance 2022-19)

The City Council will discuss the proposed zoning text amendments to modify the District Use Table, change the street façade requirements, modify the parking study section, and change other minor aesthetic requirements of the Special Purpose Zoning District. The mayor and City Council will act to adopt (or deny) this request by ordinance.

► Mayor Fullmer added additional stipulations.

1. Demise lines requirements are not applicable to buildings over six stories. A discussion ensued.

2. Building materials being conditional. Mr. Evans mentioned that they had already added the architectural metal panels to the ordinance.

▶ Parking study – Mr. Blakesley explained that he had put together some language for the parking study. He read the language.

▶ Mr. Brim stated that under the “Uses” during the Planning Commission Special Session he had listed the single-household detached as a conditional use. He said that the developers would prefer a five (5) percent cap and keep the use permitted. Mr. Evans explained that the cap would meet the original code and keep the character of the area.

▶ Mr. Hutchinson said that if they both agreed with the first consultant then they could agree to use the same consultant moving forward. A discussion ensued about the length of time to use the consultants.

▶ Mayor Fullmer asked for clarification on the green space for the temporary parking lot. Mr. Brim clarified that it was 25 percent for 7 years.

▶ The discussion continued about the parking study.

▶ 3.16.010.9 Parking Study

The parking study shall be completed by a qualified professional with demonstrated experience in conducting parking studies (a “parking expert”). The parking expert and the criteria for the parking study shall be established jointly by the city and the developer. If the city and developer cannot agree on a parking expert or the criteria for the parking study, then the dispute shall be resolved as follows: the city and the developer shall each nominate a Parking expert within thirty (30) days from the date of a request for a parking study. The two parking experts shall consult and select a third parking expert to conduct the parking study. The selected parking expert shall conduct the parking study using criteria he or she develops following consultation with the city and the developer, which study shall be used to establish new parking requirements. To avoid the need to re-select a parking expert, the process of selecting a parking expert shall not occur more frequently than at seven-year intervals.

▶ Mayor Fullmer called for a motion.

▶ **Motion:** COUNCILMEMBER FLAKE MOVED TO ADOPT ORDINANCE 2022-19 DOWNTOWN VINEYARD SPECIAL PURPOSE DISTRICT, WITH THE FOLLOWING MODIFICATIONS AS STATED IN THE RECORD:

1. 3.08.010(1) Use section:
 - a. Single-household detached uses are to be listed as a permitted use in the Downtown Station, Downtown Mixed-Use, Village General, and Lakefront Commercial districts with a limit of five (5) percent of total units per district.
 - b. Single-household attached uses are to be listed as a permitted use in the Downtown Station, Downtown Mixed-Use, and Lakefront Commercial Districts with a limit of five (5) percent total units per district.
2. 3.10.020(1)(3) Street Façade Requirements:
 - a. Minimum Ground Story Transparency shall be 35 percent for residential uses and 60 percent for commercial uses.
3. 3.10.040 Entrance Types

- a. Provide an exception to stoops and porch requirements for buildings containing a paseo or courtyard. The requirements in the current code will remain as a default standard.
4. 3.12.030 Open Space Type:
 - a. Add language to the plaza and open space area sections that spaces in excess of the requirements will require site plan approval for non-residential structures.
5. 3.16.010(9) Minimum Vehicular Parking

The parking study shall be completed by a qualified professional with demonstrated experience in conducting parking studies (a “parking expert”). The parking expert and the criteria for the parking study shall be established jointly by the city and the developer. If the city and developer cannot agree on a parking expert or the criteria for the parking study, then the dispute shall be resolved as follows: the city and the developer shall each nominate a Parking expert within thirty (30) days from the date of a request for a parking study. The two parking experts shall consult and select a third parking expert to conduct the parking study. The selected parking expert shall conduct the parking study using criteria he or she develops following consultation with the city and the developer, which study shall be used to establish new parking requirements. To avoid the need to re-select a parking expert, the process of selecting a parking expert shall not occur more frequently than at seven-year intervals.

COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. COUNCILMEMBER WELSH WAS EXCUSED. THE MOTION CARRIED WITH ONE ABSENT.

11. CLOSED SESSION

No closed session was held.

12. ADJOURNMENT

► Mayor Fullmer called for a motion to adjourn the meeting.

► **Motion:** COUNCILMEMBER FLAKE MOVED TO ADJOURN THE MEETING AT 9:13 PM. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. COUNCILMEMBER WELSH WAS EXCUSED. THE MOTION CARRIED WITH ONE ABSENT.

MINUTES APPROVED BY CITY COUNCIL ON: November 9, 2022

MINUTES APPROVED BY PLANNING COMMISSION ON: _____

CERTIFIED CORRECT BY: /s/ Pamela Spencer
PAMELA SPENCER, CITY RECORDER