PUBLIC HEARING AND REGULAR MEETING
OF THE VINEYARD PLANNING COMMISSION,
Vineyard City Hall, 125 S Main St., Vineyard, Utah
Wednesday, July 1, 2020 at 6:00 p.m.

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Present
Chair Anthony Jenkins
Vice-Chair Jeff Knighton
Alternate Tay Gudmundson
Alternate Amber Rasmussen
Commissioner Shan Sullivan

Absent
Commissioner Tim Blackburn

Other Commissioners Present: Commissioner Bryce Brady and Alternate Jessica Welch

Staff Present: Community Development Director Morgan Brim, Senior Planner Elizabeth Hart, Planning Technician Briam Amaya Perez, Public Works Director/City Engineer Don Overson, Assistant City Engineer Chris Wilson

Others Present: Cassie Younger with Maverik Inc.

1. CALL TO ORDER
Chair Jenkins called the meeting to order at 6:02 pm.

2. INVOCATION/INSPIRATIONAL THOUGHTS/PLEDGE OF ALLEGIANCE
No invocation/inspirational thought was presented.

3. OPEN SESSION
Chair Jenkins asked if anyone from the public had submitted comments ahead of time for the open session. Hearing none, he closed the open session.

4. MINUTES REVIEW AND APPROVAL
Minutes from regular Planning Commission meetings on May 6, 2020 and June 3, 2020 were presented for approval. Chair Jenkins called for a motion to approve or amend the minutes.

Motion (6:03 PM): COMMISSIONER SULLIVAN MOVED TO APPROVE THE MINUTES AS PRESENTED. COMMISSIONER GUDMUNDSON SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, VICE-CHAIR KNIGHTON, COMMISSIONERS GUDMUNDSON, RASMUSSEN, AND SULLIVAN VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

5. BUSINESS ITEMS:

5.1 PUBLIC HEARING AND CONSIDERATION: Maverik Inc., and Alloy Apartment Site Plan Amendment, and Maverik Inc. Conditional Use Permit Application

The applicant, Maverik, requested approval for a site plan amendment for the expansion of a motor vehicle fueling station (Maverik Inc.) and additional parking (Alloy), and a conditional use permit for the expansion of a motor vehicle fueling station (Maverik Inc.) located at approximately 24 S. Geneva Rd, Vineyard Utah. The property is zoned Regional Mixed Use.

Senior Planner, Liz Hart, summarized the applicant's petition. The applicant proposed two site plan amendments. They proposed to amend the Alloy Apartments site plan and the Maverik site plan. The Alloy proposed to land swap with Maverick to add 32 additional parking spots. At the Maverik, they proposed to expand the existing motor vehicle fueling stations by adding five additional fuel dispensers underneath a new canopy on the southern part of the site. They also proposed the addition of four (4) commercial truck parking stalls and to relocate the dumpster adjacent to the southern side of the existing primary structure, which would increase their existing parking from 32 to 35 total stalls. New canopy setbacks were introduced. The canopy would be set back 80 ft. from Geneva Rd., 29 ft. from the rear property line, and 75 ft. from the closest Alloy building. The new Maverick canopy would be the same height (21 ft.) as the existing canopy. Entrance into this new fueling station would be off Geneva Road. After fueling up, truck drivers would exit northward using the alley behind the Maverick which leads to Mill Rd. A new right in right out on Mill Rd. would be created. Having this feature would hopefully reduce the congestion on site. The Maverick Landscaping Plan was explained. This plan proposed 22% of the total site to be landscaped. This plan provided a 10' buffer in the rear of the property with an eight-foot fence. Landscaping would also be provided along Geneva Rd. Ms. Hart explained that it was brought to her attention by the Engineering Department that a bus stop along the eastern part of the site between the existing Maverick entrance and the existing Alloy entrance had been installed. All landscaping affected by the bus stop must have been installed somewhere else on site. Ms. Hart explained that the applicant must have revised the site plan in order to show how their landscaping plan adjusted to the UTA bus stop.

Ms. Hart listed the two approvals under consideration: the motor vehicle fuel stations as a conditional use (this will require a public hearing); and the Maverick and Alloy site plan amendment.

Ms. Hart read all the new conditions recommended for approval by Vineyard City Staff:

Conditions of Approval: Maverick and Alloy Site Plan
1. The applicant payed any outstanding fees prior to applying for a building permit.
2. The applicant made any redline corrections prior to applying for a building permit.
3. The applicant updated the landscape plan to reflect the UTA bus stop along Geneva Rd.
4. The applicant remained in compliance with all federal, state, and local laws.

Conditions of Approval: Maverik Condition Use Permit
1. Deliveries would not be allowed to take place on the north side of the existing Maverik building which cause traffic congestion at the shared entrance between Starbucks and the Maverik site.
2. The site plan designated where delivery trucks could park.
3. No excessive idling could take place by the commercial trucks after 10 pm.

Chair Jenkins opened the floor for questions regarding the site plan amendment. Commissioner Shan Sullivan expressed concern regarding break noise coming from trucks, especially at night. She asked if there is anything put in place as a sound barrier so as to not become a nuisance for nearby residents. Community Development Director, Morgan Brim, explained that the applicant had worked closely with the apartment complex to avoid such issues. Cassie Younger, with

Maverik, explained that Maverik would be happy to put in a two-inch caliper into the sound buffer and explained that trucks would be traveling at reduced speeds and would therefore not become a nuisance to the Alloy Apartments. Additionally, the new, 21-foot canopy would illuminate straight down which would prevent light pollution towards adjacent properties.

Chair Jenkins opened the floor for questions regarding the site plan amendment. Seeing none, he opened the floor for discussion regarding the conditional use permit. Chair Jenkins called for a motion to open the public hearing regarding the Maverik Conditional Use Permit.

Motion (6:30 PM): VICE-CHAR KNIGHTON MOVED TO OPEN THE PUBLIC HEARING. COMMISSIONER SULLIVAN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, VICE-CHAIR KNIGHTON, COMMISSIONERS GUDMUNDSON, RASMUSSEN, AND SULLIVAN VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

Chair Jenkins opened the floor for questions from the public. Seeing none, Chair Jenkins called for a motion to close the public hearing.

Motion (6:31 PM): COMMISSIONER GUDMUNDSON MOVED TO CLOSE THE PUBLIC HEARING. VICE-CHAIR KNIGHTON SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, VICE-CHAIR KNIGHTON, COMMISSIONERS GUDMUNDSON, RASMUSSEN, AND SULLIVAN VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

Chair Jenkins opened the floor for a discussion regarding the conditional use permit (first) and the site plan amendment (second). Chair Jenkins asked for questions regarding the conditional use permit. Vice-Chair Knighton asked for clarification regarding a permitted time for idling of commercial trucks. A discussion ensued where the Commission established that condition number three would read as follows: No idling in excess of 10 minutes shall take place by commercial trucks between 10 pm-6 am. Condition number four shall read as follows: No idling for longer than 30 min is permitted.

Chair Jenkins called for a motion to approve the amended conditions.

Motion (6:30 PM): VICE-CHAR KNIGHTON MOVED TO APPROVE THE CONDITIONAL USE PERMIT FOR THE EXPANSION OF THE MOTOR VEHICLE FUELING STATION ON THE MAVERIK SITE WITH THE CONDITIONS AS LISTED BY STAFF: CONDITION NO. 3 'NO IDLING IN EXCESS OF 10 MINUTES SHALL TAKE PLACE BY COMMERCIAL TRUCKS BETWEEN 10 PM-6 AM'. CONDITION NO. 4 'NO IDLING FOR LONGER THAN 30 MINUTES IS PERMITTED'. COMMISSIONER GUDMUNDSON SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, VICE-CHAIR KNIGHTON, COMMISSIONERS GUDMUNDSON, RASMUSSEN, AND SULLIVAN VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

Chair Jenkins called for any additional questions and comments. Commissioner Sullivan moved to approve the Site Plan Amendment for the Maverik and Alloy with the conditions listed by Staff. Mr. Brim asked Commissioner Sullivan to explicitly read condition three. Chair Jenkins called for a motion to approve the Maverik site plan amendment.

Motion (6:41 PM): COMMISSIONER SULLIVAN MOVED TO APPROVE THE MAVERIK AND

ALLOY AMENDED SITE PLAN WITH THE CONDITIONS LISTED BY STAFF: 'NO. 3. THE APPLICANT WILL UPDATE THE LANDSCAPE PLAN TO REFELCT THE UTA BUS STOP ALONG GENEVA ROAD.' COMMISSIONER GUDMUNDSON SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, VICE-CHAIR KNIGHTON, COMMISSIONERS GUDMUNDSON, RASMUSSEN, AND SULLIVAN VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

5.2 DISCUSSION AND ACTION: Lakefront at Town Center Lakeside Trail and Open Space Improvements Site Plan

The applicant requested approval of a site plan for the Lakeside Trail and Open Space improvements located along Utah Lake and the west side of the Lakefront at Town Center development.

Commissioner Amber Rasmussen had suggested that the applicant should include fire-wise and native plants. She went into detail about what plants she had recommended to the applicant. She further explained that the seeds for those plants were most likely available where they are currently acquiring/purchasing their plants. Assistant City Engineer, Chris Wilson, informed the Commission that the process for the City to receive a general permit to maintain this area required that the City submit an approved set of plans to the Utah Division of Forestry, Fire, and State Lands. This process may have taken several months. Mr. Wilson stated that the faster the City moved along with this process, the better. Mr. Brim suggested that it should be stipulated that this plan shall be approved on the condition that the applicant reflect the changes in the selected vegetation by Vineyard City Staff, and the Utah Division of Fire, Forestry, and State Lands.

A discussion ensued regarding the grading along proposed trails and existing vegetation.

Mr. Brim stated that the City had been working with the applicant to have them control the maintenance of the trail adjacent to their condominium buildings on the east of the site. The City did not require for two trails within this development, but the easternmost trail would primarily serve their development. Therefore, the applicant would oversee the trail's maintenance. Nevertheless, the public would be able to use those trails as they resided over state lands.

Commissioner Brady asked how this development connected to Sunset Beach Park. Chair Jenkins explained that a bridge would go over the water and that there would be a stubbed trail at the park. Additionally, a sidewalk would connect the park to the eastern part of the development. Commission Brady confirmed that there will not be any sharp corners on the trail. Chair Jenkins opened the floor for additional questions. Seeing none, he called for a motion to include the vegetation conditions stipulated by Mr. Brim.

Mr. Brim explained that the motion should be to approve the site plan with a condition that staff would be allowed to work with State Officials to select vegetation types.

Motion (6:31 PM): COMMISSIONER SULLIVAN MOVED TO APPROVE THE OPEN SPACE IMPROVEMENT SITE PLAN FOR THE LAKESIDE AT TOWNCENTER LAKESIDE TRAIL WITH THE CONDITIONS STATED BY STAFF. COMMISSIONER RASMUSSEN SECONDED THE MOTION. ROLL

CALL WENT AS FOLLOWS: CHAIR JENKINS, VICE-CHAIR KNIGHTON, COMMISSIONERS GUDMUNDSON, RASMUSSEN, AND SULLIVAN VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

5.3 PUBLIC HEARING AND CONSIDERATION: New Code Section 15.50 Flood Damage Prevention

City Engineer, Don Overson, explained the new zoning code. He provided some background information regarding the ordinance. He recounted that Vineyard was not incorporated when the Federal Emergency Management Agency (FEMA) completed the original floodplain study. Vineyard was never invited to join. In 2017, FEMA authorized an update to the Flood Insurance Rate (FIR) Maps, and Vineyard was invited to participate. In June 2019, the study was finalized, and the FIR maps were published. These came to form a part of the ordinance. He explained that for Vineyard to have their application approved, the City must have adopted the ordinance as written and the City Council must also have passed a resolution. He further emphasized the importance for Vineyard to be a part of the Flood Plain Management Plan. He stated that the first two bullet items were the most important: The Federal Government would subsidize flood insurance for anyone who wanted flood insurance. This was key because it reduced the cost by a sixth of the regular cost. One did not need to be in the flood plain to qualify for insurance. Second, if there were ever a disaster in Vineyard, FEMA would help Vineyard City with any funding or improvements/reconstruction that needed to be done. If the city did not accept this, the city would not receive funding in case of a natural disaster. Additionally, Mr. Overson explained that there were currently no structures in the flood plain. In other words, this meant that no one currently living in Vineyard would be affected by this ordinance. This would only effect structures built in the future along the lakefront.

Chair Jenkins opened the floor for questions. Seeing none, he called for a motion to approve the ordinance.

Motion (7:03 PM): VICE CHAIR KNIGHTON MOVED THAT PLANNING COMMISSION SHOULD RECOMMED APPROVAL TO ADOPT SECTION 15.50 FLOOD DAMAGE PREVENTION. COMMISSIONER RASMUSSEN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, VICE-CHAIR KNIGHTON, COMMISSIONERS GUDMUNDSON, RASMUSSEN, AND SULLIVAN VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

The recommendation moved to the City Council.

5.4 PUBLIC HEARING AND CONSIDERATION: Section 15.34.060 Accessory Dwelling Units

The City proposed a zoning ordinance amendment to Section 15.34.060 Accessory Dwelling Units (ADU) to establish minimum lots size, parking and other development standards.

Mr. Brim simplified the ordinance requirements for the ADU. Mr. Brim explained the history of this regulation. The City had received more requests for ADU’s within homes that are 3,000 SQ FT and smaller. Mr. Brim explained that many of these units are now serving as duplexes due to demand. It was important that the City provided housing stock for a wide range of demographics. He further explained the rental behavior of Vineyard residents. Many people who first rented in Vineyard, then purchased a home in Vineyard. He stated that the City did not wish to eliminate ADU's, but it would rather regulate them in a way that preserved the character of the neighborhoods and reduced the impact on neighbors. He summarized the changes to the ordinance. This ordinance wanted to ensure that the size of the ADU's were controlled. This change would require a minimum lot size of 5,200 SQ FT. The Accessory Dwelling Unit size would continue to be the lesser of 50% of the total square footage of the primary unit or 1,200 SQ FT. Chair Jenkins asked about the quantity of people allowed to rent within an ADU. Mr. Brim explained that a maximum of four (4) unrelated people would be allowed to occupy an ADU. He further stated that the biggest complaint with ADU's was the requirement to increase parking. Therefore, the number of minimum off-street parking spaces required would be increased to five (5). Mr. Brim stated that property owners could not park in tandem with tenants and tenants could not park in tandem with owners. Owners could not block tenants and vice versa. He explained that the City desired to maintain the standards of how much of the front yard would be permitted for hardscaping. Please see VZC 15.38.030 (2)(b).

Chair Jenkins calls for a motion to move to a Public Hearing.

Motion (7:14 PM): COMMISSIONER RASMUSSEN MOVED TO OPEN THE PUBLIC HEARING. COMMISSIONER GUDMUNDSON SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, VICE-CHAIR KNIGHTON, COMMISSIONERS GUDMUNDSON, RASMUSSEN, AND SULLIVAN VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

Chair Jenkins opened the meeting for questions.

Commissioner Brady asked about the process for renewing an ADU. Mr. Brim explained that once an ADU is established, it ran with the land. Before, the City registered ADU's under a business license. This provided the City the benefit of conducting an audit to confirm that it was owner-occupied. He explained that owner-occupancy was essential for reducing problems. He furthered explained that the City could add the condition to require a business license when applying for an ADU that would be renewed once per year. Commissioner Brady also suggested that parking is the biggest issue with ADU's. He recommended that property owners could lose the right to operate an ADU if they received a certain number of complaints throughout the year. He stated that the City could create a way to continually remind property owners the importance of regulating parking in their ADU's.

Chair Jenkins invited comments from other members of the public. Seeing none, he called for a motion to closer the public hearing.

Motion (7:19 PM): COMMISSIONER GUDMUNDSON MOVED TO CLOSE THE PUBLIC HEARING. COMMISSIONER SULLIVAN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, VICE-CHAIR KNIGHTON, COMMISSIONERS GUDMUNDSON, RASMUSSEN, AND SULLIVAN VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

Chair Jenkins opened the floor for comments.

Mr. Brim suggested that the decision to make audits a part of the ADU renewal process should not be determined solely by increased fiscal impact due to increased employee time. He stated that City Staff would somehow make it work. Chair Jenkins asked if the City knew how many legal ADU's there were in Vineyard. Ms. Hart stated that there were just over 100 legal ADU's. He asked if, of those 100, there are any which would be negatively affected by this new zoning amendment. Ms. Hart stated that a few would be. Chair Jenkins asked if ADU's required a separate address. Ms. Hart stated that it is not technically a separate address. The post office required the acquisition of a P.O. Box if ADU's wished to have a separate mail box. Commissioner Rasmussen asked if an ADU permit could be removed based upon repetitive parking infractions.

Mr. Brim suggested that the city did an audit of ownership. He also suggested that the audit be conducted biannually. If there is reason to believe, during the audit, that physical changes have been made to the property, that would allow the City to conduct a site visit. In this manner, their business license would not be able to be renewed. Ms. Hart was partial to the idea of renewing the ADU Business Licenses biannually. Doing them once per year was too messy. At the time, the planning department reviewed ADU's once the building permitting process has been completed. Mr. Brim expressed that he liked the idea of having ADU's go through a business licensing process which would allow the City to conduct biannual audits.

Mr. Brim suggested that this discussion should be revisited once the Planning Department had revisited the wording of the code with these new recommendations. Commissioner Brady suggested that the city include a parking agreement within the ADU business license. Ms. Hart stated that in previous ADU business licensing, property owners had to agree that all tenants would park off-street.

Chair Jenkins called for a motion to continue this discussion and public hearing in the next PC meeting once Staff had a chance to refine the wording of this code amendment.

Motion (7:33 PM): COMMISSIONER GUDMUNDSON MOVED TO CONTINUE THE DISCUSSION AND PUBLIC HEARING IN THE NEXT PLANNING COMMISSION MEETING. COMMISSIONER SULLIVAN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, VICE-CHAIR KNIGHTON, COMMISSIONERS GUDMUNDSON, RASMUSSEN, AND SULLIVAN VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

6. WORK SESSION

6.1 Wall Signs

Ms. Hart suggested that this wall sign work session be pushed to next PC meeting.

7. COMMISSION MEMBERS' REPORTS AND EX PARTE DISCUSSION DISCLOSURE

Commissioner Rasmussen explained that the gardening group was having their first meeting on the 8th of July at 6 p.m. Morgan Brim encouraged Commissioner Rasmussen to share the link to this meeting with Vineyard City Social Media Coordinator, Neeley Rimal.

8. STAFF REPORTS

- Morgan Brim, Planning Director
  Mr. Brim stated that the Planning Department was working on the County grant ($2.9 million) for Lakefront improvements. This support would come from Utah County. The City has been recommended but not yet approved.

- Don Overson, City Engineer
  Mr. Wilson explained that the City was moving forward to start an aquatic resource delineation. This identified where the Army Core of Engineers (ACOE) jurisdiction began and ended. Mr. Wilson also mentioned that the new Public Works building was up for Bid. Awarding of that contract would be presented next Council Meeting. The Center Street overpass was moving along quickly. Piles had been driven in to support the structure. This treatment was applied to both sides of the overpass.

  Mr. Brim explained that the County had purchased beach combers. The Vineyard Beach looked and operated as a functional beach.

9. ADJOURNMENT

Chair Jenkins called for a motion to adjourn the meeting.

Motion (7:42 PM): COMMISSIONER SULLIVAN MOVED TO ADJOURN THE MEETING. COMMISSIONER GUDMUNDSON SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, VICE-CHAIR KNIGHTON, COMMISSIONERS GUDMUNDSON, RASMUSSEN, AND SULLIVAN VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

MINUTES APPROVED ON: December 2, 2020

CERTIFIED CORRECT BY: /s/ Briam Amaya Perez
Briam Amaya Perez, Planning Technician