



**PUBLIC HEARING AND REGULAR MEETING
OF THE VINEYARD PLANNING COMMISSION,
Vineyard City Hall, 125 S Main St., Vineyard, Utah
Wednesday, July 15, 2020 at 6:00 p.m.**

PUBLIC NOTICE is hereby given that the Planning Commission of Vineyard, Utah, will hold a public hearing and regular planning commission meeting, on Wednesday, July 15, 2020 at 6:00 p.m.

This meeting will be held electronically, via Zoom, due to COVID-19 gathering restrictions. Please click the below to access:

<https://zoom.us/j/96407599318?pwd=eVRtV25LanY5dVRSdW10ci9VRVNsQT09>

or call +1 253 215 8782 US (Tacoma)

1. CALL TO ORDER

2. INVOCATION/INSPIRATIONAL THOUGHTS/PLEDGE OF ALLEGIANCE

3. OPEN SESSION

“Open Session” is defined as time set aside for citizens to express their views for items not on the agenda. Each speaker is limited to three (3) minutes. Because of the need for proper public notice, immediate action cannot be taken in the Planning Commission Meeting. If action is necessary, the item will be listed on a following agenda. However, the Planning Commission may elect to discuss the item if it is an immediate matter of concern.

4. MINUTES REVIEW AND APPROVAL

Minutes from June 17, 2020 planning commission meeting.

5. BUSINESS ITEMS:

5.1 PUBLIC HEARING AND CONSIDERATION: Section 15.34.060 Accessory Dwelling Units

The city is proposing a zoning ordinance amendment to Section 15.34.060 Accessory Dwelling Units to establish minimum lots size, parking and other development standards. Continued from July 1, 2020 Planning Commission Meeting.

6. WORK SESSION

6.1 Wall Signs

6.2 Neighborhood Commercial District Zoning Text and Map Amendment

7. COMMISSION MEMBERS’ REPORTS AND EX PARTE DISCUSSION DISCLOSURE

8. STAFF REPORTS

- Morgan Brim, Planning Director
- Don Overson, City Engineer

9. ADJOURNMENT

The next regularly scheduled meeting is August 5, 2020.

This meeting may be held electronically to allow a commissioner to participate by teleconference.

The Public is invited to participate in all Planning Commission meetings. In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this public meeting should notify Elizabeth Hart, Planner, at least 24 hours prior to the meeting by calling (801) 226-1929.

The foregoing notice and agenda were emailed to the Salt Lake Tribune and Daily Herald, posted on the Utah Public Notice Website and Vineyard Website, posted at the Vineyard City Offices and City Hall, delivered electronically to city staff and each member of the planning commission.

AGENDA NOTICING COMPLETED ON: July 10, 2020

NOTICED BY: /s/ Briam Amaya Perez
Briam Amaya Perez, Planning Technician

1 **PUBLIC HEARING AND REGULAR MEETING**
2 **OF THE VINEYARD PLANNING COMMISSION,**
3 **Wednesday, June 17, 2020 at 6:01 p.m.**

4 This meeting was held electronically, via Zoom,
5 due to COVID-19 gathering restrictions
6

7
8 **Present**

9 Chair Anthony Jenkins
10 Commissioner Shan Sullivan
11 Alternate Commissioner Tay Gudmundson
12 Alternate Amber Rasmussen
13 Alternate Jessica Welch
14

Absent

Tim Blackburn

15 **Other Commissioners Present:** Vice-Chair Jeff Knighton and Bryce Brady.
16

17 **Staff Present:** Community Development Director Morgan Brim, Senior Planner Elizabeth Hart,
18 Planning Technician Briam Amaya Perez, Public Works Director/City Engineer Don Overson,
19 Assistant City Engineer Chris Wilson, Water/Parks Manager Sullivan Love
20

21 **Others Present:** Resident and Councilmember Cristy Welsh, Resident David Lauret, Resident
22 Emily Hagan with Lilypad Preschool, Brandon Watson with Edge Homes, and Cassie Younger
23 with Maverik Inc.
24

25 **1. CALL TO ORDER**

26 Chair Jenkins called the meeting to order at 6:01 p.m.
27

28 **2. INVOCATION/INSPIRATIONAL THOUGHTS/PLEDGE OF ALLEGIANCE**

29 No invocation/inspirational thought was presented
30

31 **3. OPEN SESSION**

32 Chair Jenkins asked if anyone from the public had submitted comments ahead of time for
33 the open session. Ms. Hart confirmed that there were no comments submitted.
34

35 Chair Jenkins called for public comments. Hearing none, he closed the open session.
36

37 **4. MINUTES REVIEW AND APPROVAL**

38 Minutes from the April 1, 2020 Planning Commission Regular and Joint City Council
39 Meeting.

40 Chair Jenkins called for a motion to approve or amend the minutes.

41 **Motion:** COMMISSIONER SULLIVAN MOVED TO APPROVE THE MINUTES AS
42 PRESENTED. COMMISSIONER GUDMUNDSON SECONDED THE MOTION. ROLL
43 CALL WENT AS FOLLOWS: CHAIR JENKINS, COMMISSIONERS SULLIVAN,

44 GUDMUNDSON, RASMUSSEN, AND WELCH VOTED AYE. THE MOTION
45 CARRIED UNANIMOUSLY.

46 **5. BUSINESS ITEMS:**

47 **5.1 PUBLIC HEARING AND CONSIDERATION: Lilypad Preschool Conditional Use**
48 **Permit**

49 The applicant is requesting approval of a conditional use permit for a preschool within
50 the home and up to 10 students per class.

51
52 Chair Jenkins turned the time over to Senior Planner Elizabeth Hart.

53
54 Ms. Hart explained that the applicant, Emily Hagan, had requested the approval of a
55 conditional use permit to operate a preschool within her home within the Waters Edge
56 community. Waters Edge does allow for preschools as a conditional use. A year ago,
57 when Ms. Hagan first petitioned for the permit, she wanted the approval of up to six (6)
58 students per class. She is now petitioning for up to 10 students per class as the Vineyard
59 Zoning code now allows up to 10 students per class. Nothing else is changing from her
60 previous application: room size, class days (3-4 years old Mondays and Wednesdays
61 9 am -11 am; 4-5 years old Tuesdays and Thursdays 9 am -11 am), backyard play area,
62 fenced off yard, gates on her window wells, parking (customers occupy her 3-car
63 driveway first then on-street parking as they come), etc.). Parking has not been an issue
64 as many of her clients walk their children to school.

65
66 Chair Jenkins called for questions from the Commission.

67
68 Commissioner Rasmussen asked Ms. Hagan about the procedure for parentings picking
69 up the students. Ms. Hagan replied that the children are picked up by their parents at 11
70 am, and that parents must come to the porch to pick up their children. She said
71 approximately half of the children were picked up by car. Commission Rasmussen
72 confirmed that no children would be walking into the street. Applicant confirmed.

73
74 Mr. Brim asked Ms. Hart is there were any previous code violations for this business?
75 Ms. Hart said there have not been any since they have been in operation. Mr. Brim stated
76 that if there would have been, this would've been a great time to address conditions that
77 may have been applied to this permit approval.

78
79 Chair Jenkins called for a motion to open the public hearing.

80
81 **Motion:** COMMISSIONER SULLIVAN MOVED TO OPEN A PUBLIC HEARING AT
82 6:09 PM. COMMISSIONER GUDMUNDSON SECONDED THE MOTION. ROLL
83 WENT AS FOLLOWS: CHAIR JENKINS, COMMISSIONERS SULLIVAN,
84 GUDMUNDSON, RASMUSSEN, AND WELCH VOTED AYE. THE MOTION
85 CARRIED UNANIMOUSLY.

87 Chair Jenkins called for public comments. Resident Daniel Kennedy stated that he was
88 in support of this preschool. Chair Jenkins called for further comments. Hearing none, he
89 called for a motion to close the public hearing.
90

91 **Motion:** COMMISSIONER WELCH MAKES A MOTION TO CLOSE THE PUBLIC
92 HEARING AT 6:10 PM. COMMISSIONER GUDMUNDSON SECONDED THE
93 MOTION. ROLL WENT AS FOLLOWS: CHAIR JENKINS, COMMISSIONERS
94 SULLIVAN, GUDMUNDSON, RASMUSSEN, AND WELCH VOTED AYE. THE
95 MOTION CARRIED UNANIMOUSLY.

96
97 Chair Jenkins closes the public hearing and asks the commission and public for any
98 further questions. Hearing none, he called for a motion to approve the Lilypad Preschool
99 under a conditional user permit.
100

101 **Motion:** COMMISSIONER SULLIVAN MOVED TO APPROVE THE LILYPAD
102 PRESCHOOL UNDER A CONDITIONAL USE PERMIT AT 6:11 PM.
103 COMMISSIONER WELCH SECONDED THE MOTION. ROLL WENT AS FOLLOWS:
104 CHAIR JENKINS, COMMISSIONERS SULLIVAN, GUDMUNDSON, RASMUSSEN,
105 AND WELCH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

106
107 Chair Jenkins turns over the time to staff and the proceeding applicant.
108

109 **5.2 Lakefront at Vineyard Town Center Site Plan Amendment.**

110 The applicant is requesting approval for a site plan amendment.
111

112 Community Development Director Morgan Brim introduced the applicant's case. He
113 stated that in the last Planning Commission meeting the Commission and the applicant
114 discussed the amendment to the Lakefront at Town Center. Morgan Brim introduced the
115 site plan that went along with the amendment. This amendment removed some of the
116 single-family lots that were entitled under the original site plan approval. The
117 Commission felt that leaving one side of the street as single-family lots felt 'out of place'
118 and created a land use that is incompatible with the attached homes dominant throughout
119 the site plan. The original site plan had single-family houses on the north and south of the
120 street. The Commission suggested a townhome product on either side of the street to
121 create a greater sense of continuity along both sides of the street and throughout the
122 development. The amended site plan has removed the single family lots on the south side
123 of the street and replaced them with fourteen attached townhomes. This site plan
124 amendment accomplishes this task and also provides the addition of five (5) new town
125 homes in place of a condominium building on the southwest corner of the site. In total,
126 this plan proposes nineteen new townhome units. The applicant, Brandon Watson, is
127 present and is requesting approval for this site plan amendment. It is also important to
128 highlight that there are wetlands on site that have been delineated. The property owner
129 cannot build on these wetlands. These roughly impacts about 22 proposed units. In order
130 to get approval for these units, the applicant would have to re-delineate these wetlands.
131 For now, this space must remain as open space. All the condominium buildings proposed
132 meet the City's elevation standards. Mr. Brim introduced Mr. Watson.

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Mr. Watson explained that a few changes have been made to the site plan since last meeting. A colored site plan was brought up to show the wetland delineations in better detail. Per the Commission’s recommendations, the single-family lots on the south side of the street have been replaced with alley-loaded townhomes. These townhomes will create a good, inviting feel along the three and a half (3.5) acre park. The backs of the units will not face the park, which is what would’ve happened had the properties remained single-family lots. This design allows the front doors of these parks to face Sunset Beach Park. This allows for more “eyes on the street” which enhance a feeling of comfort and safety. Furthermore, a condominium building was eliminated further north of the park and another condo building was rotated to open up more green space. On the eastern part of the site plan a few townhomes were also eliminated to create additional space for parking.

Mr. Watson continued by speaking about the wetland areas. Edge Homes does not feel comfortable building within these wetland areas. As far as landscaping goes, Edge Homes desires to observe all the regulations set forth by the Army Core of Engineers regarding the wetlands. They would like to remove any invasive vegetation that has taken residence in this area in order to maximize usable, open space. These wetlands are deemed as low-quality wetlands by the Army Core of Engineers, nevertheless Edge Water is willing to restore and preserve these wetlands. Edge Homes desires to coordinate as much as possible with the Army Core of Engineers regarding what they are allowed to plant in this area. Even if the Army Core delineates these wetlands and deems them as buildable area, Edge homes would still rather not build structures upon these so as to not have warranty and liability issues with flooded basements and other water-based hazards. Willing to comply with regulations to avoid liability issues. In the long run, Edge will lose out on twenty-two (22) units, but it would be less of a hit in the case that basements become flooded.

In addition, Mr. Watson spoke regarding Edge Water’s interest in making sure that 300 W gets built and becomes a gateway to the Lake Promenade in the Town Center area. With or without the wetlands, Edge Homes desires to provide this for the City so it has that connection between the North and South parts of Vineyard throughout the development.

Mr. Brim asked Mr. Watson to speak to the increase in open space and parking stalls when comparing the original site plan proposal and this new one?

Mr. Watson explained that, under the site plan amendment, park space is increased from 17% to 24%, approximately; lots of greenspace would be added with the removal of the 22 housing units. He explained that parking has been added to the development, though no exact number was provided in comparison to what was previously proposed. He stated that he does know that parking increases slightly, but generally remains the same amount. Parking will be centrally located in a way that everyone will be able to use the parking.

178 Chair Jenkins spoke regarding general comments offered by the public in conversation:
179 Some residents wanted to hang on to the single-family homes even though they would
180 likely turn into rentals. Some did not want the overall number of units to increase. This
181 plan does not seem to increase the number of units drastically. In fact, the total number of
182 units will likely decrease by twenty-two due to the wetlands.

183
184 Chair Jenkins opened the floor to public comments (while recognizing that this is not an
185 official public hearing).

186
187 Councilmember Welsh asked for general confirmation on the intentions of both site
188 plans. She asked which plan is most likely to be built. Mr. Watson explained that the
189 second site plan (which retains the wetlands) is more likely to be built, because of
190 liability issues that Edge Homes does not want to deal with. Councilmember Welsh asked
191 Mr. Watson if he knew for sure which development plan Edge Homes will go with? Mr.
192 Watson stated that on June 22, there will be a ruling by the Federal Government and the
193 Army Core of Engineers regarding these wetlands. By then, Edge Homes will know a
194 little more what they recommend regarding the wetlands.

195
196 Councilmember Welsh stated that she recognized that this waiting time is a bummer for
197 the project. She further stated that her concern is that a lot of time was spent over the
198 transition between densities (SF to MF). She explained the logic of the single-family
199 houses between the neighborhood to the south and this development. She agreed that
200 seven (7) units of single-family homes *does* seem strange and having a row of
201 townhomes face the park makes a lot of sense. She expressed worry that the community
202 is going to be disappointed that there is no transition from SF to MF. She expressed
203 understanding for the plight Edgewater is experiencing, as a developer, having lost so
204 many units. On the other hand, she felt the community will have trouble accepting the
205 lack of transition and expressed a desire that there would be more of a compromise
206 between the densities. Chair Jenkins asked if regardless of the federal decision, Edge
207 Homes is not comfortable with building on the wetlands regardless of the Federal
208 Government's ruling? Mr. Watson replied that, least for the time being, yes. Edge Homes
209 too concerned about water. There are currently too many engineering issues. Edge Homes
210 would want to make sure this does not become a mud bog. They want to feel comfortable
211 building on this. Mr. Brim asked if they would be comfortable with an approval of the
212 second site plan? Mr. Watson stated that Edge Homes would be okay with that.
213 Obviously, this site plan is not ideal, but yes, we would.

214
215 Resident David Lauret stated that there is lots of standing water out there; lots of active
216 water flowing in this area. There may be a spring there. He expressed that it is probably
217 wise not to build there at that Edge Homes would gain a lot of public favor if somehow
218 you could make this wetland area an amenity to the public. He stated that Commissioner
219 Rasmussen could provide ideas on what to plant there. Chair Jenkins pointed out that, as
220 the Staff reports shows, none of the proposed buildings fail to meet code requirement;
221 this discussion is more about functionality. Chair Jenkins called for questions from the
222 commission to the staff or the applicant regarding this amended site plan.

224 Commissioner Sullivan asked how Edge Homes plans on restoring the space from
225 invasive species. She also asked if they had hopes of restoring natural vegetation. Mr.
226 Watson stated that the company wants to work closely with Bowen Collins, an
227 environmental engineer consultant, and the Army Core to figure out restoration
228 initiatives. Edge Homes wants to get rid of phragmites and plant appropriate vegetation.
229

230 Commissioner Sullivan asked about the flow of water underneath 300 W? She asked if
231 Edge Homes will be constructing a bridge or if they are planning to elevate the road
232 somehow. Mr. Watson stated that they want to apply for a nation-wide permit that allows
233 us to disturb a 1/10th of an acre of wetland area for this roadway. He further stated that
234 Edge Homes does not yet know what they will be allowed to build, but it will most likely
235 be a culvert which will allow for water to pass underneath the roadway. Commissioner
236 Sullivan asked if that 1/10 of a percent includes the wetland areas to the east and west of
237 300 W. Mr. Watson confirmed that, yes, it does. Commissioner Sullivan asked if they are
238 considering an elevated, pedestrian bridge that bisects the wetlands. Mr. Watson stated
239 that it depends on what the Federal Government allows to be built there but that any
240 solution will aim to connect both sides of the community.
241

242 Commissioner Sullivan asked if the townhomes on the south side of the development are
243 connected to Sunset Park. Mr. Watson stated that those townhomes would be fronting
244 Sunset Park. Commissioner Sullivan expressed a desire to understand the context of that
245 part of the plan and thank Mr. Watson for clarifying.
246

247 Chair Jenkins called for other questions.
248

249 Commissioner Rasmussen expressed excitement towards the wetlands remaining and that
250 that she and Ms. Hart have been in communication with the Army Core and Utah Native
251 Plant Society regarding the wetlands and shoreline restoration in that area. She offered
252 her assistance, if they so desired, in that area. She expressed that there is a lot of value in
253 preserving wetland areas. She asked if the alteration with the townhomes was
254 recommended by Vineyard City and not Edge Homes. Chair Jenkins said, yes.
255 Commissioner Rasmussen stated that she was in agreement, and that it is important that
256 the public know that the developer was not just trying to squeeze in more units.
257

258 Chair Jenkins called for any additional questions.
259

260 Commissioner Gudmundson asked if this will be next to Sunset Park and what is around
261 it that would discontinue the flow of our community. She wondered how this plan would
262 feel abrupt. Chair Jenkins asked Commissioner Gudmundson if she was referring to the
263 transition spoken of earlier. Commissioner Gudmundson stated, yes. Mr. Brim explained
264 that the south side of Sunset Beach Park is James Bay and that those are 1/3-1/2 acre lots.
265 He continued by stating that the idea was to create a transition with single-family lots;
266 These single-family lots would have created a transition into the townhome and condo
267 product; single family lots on both side of the park. Commissioner Rasmussen asked if it
268 will it be awkward for people living in the Townhomes, seeing that these people are at
269 different stages in life. Chair Jenkins agreed that, indeed, these residents would be a

270 different stage in life. Commissioner Gudmundson stated that she is trying to visualize
271 what this part of the development will look like (the difference between a row of SF
272 homes vs a row of town homes). Chair Jenkins explained that with SF homes, one would
273 see the backs of people's yards covered by a fence, but town homes would offer building
274 frontages and "eyes on the street". Town homes may not provide a fence on the building
275 frontage. Commissioner Knighton suggested that a fence be included between the front of
276 the townhomes and public realm simply to provide some physical separation between
277 public and private property. Chair Jenkins asked Mr. Watson if they had given any
278 thought to that. Mr. Watson stated that they have. He clarified that a three-foot split rail
279 or a broad iron face would be appropriate as they do not want to keep it completely
280 closed off; leaving it semi-private would be best. Mr. Brim explained that the Zoning
281 Code allows for 42-inch fences to be built in the front yard.

282
283 Commissioner Welch as what will be in front of the town homes between the park, seeing
284 that there will be no road. Mr. Watson explained that a sidewalk would run all along the
285 frontages so people have access to their front door; this sidewalk will connect the larger
286 trail on the west of the site all the way to 300 W. Commissioner Welch asked if there be
287 room for landscaping or just enough for a sidewalk and a fence. Mr. Watson answered
288 that, yes, there is enough space for both within the 15 ft setback. Commissioner Welch
289 stated that she would definitely recommend the landscaping feature and that the plan for
290 townhomes makes more sense; a strong transition between SF homes to townhouses can
291 take place with sidewalks and landscaping, to make the plan more appealing. She
292 recommended the use of trees, not just grass and shrubs to mitigate that transition.

293
294 Mr. Brim stated that he had a possible wording of the conditions drafted. He stated that
295 the City could edit the language, but in general terms: the site plan should add a sidewalk
296 and fence to the south side of the townhomes between units 914-901. Additionally, if
297 Edge Homes wants to do more such as landscaping, it can be added in. Commissioner
298 Welch stated that the condition should mention the addition of trees, which would make a
299 big difference in mitigating transition issues.

300
301 Resident David Lauret asked how the project site will work with the alignment of the
302 roads. He explained that currently, 400 N feeds into the project area and that 300 W will
303 become Shoreline Road. Assistant City Engineer, Chris Wilson, stated that the right side
304 of what is being shown (the south end of the road) will tie into the existing, three-way
305 intersection that is currently there. He further explained that the leg that goes west
306 towards the lake will be abandoned; it will remain as a three-way intersection (which has
307 a north, south, and east entry) that will tie back into the north end of the development and
308 tie in with the rest of the existing Lakefront Road alignment near the Town Center. Mr.
309 Lauret asked if the Lakefront road will become exclusive to this development. Mr.
310 Wilson explained that the plan was to expand on-street parking and provide public access
311 through the lakefront development to the state land between the development and the
312 lake. Mr. Lauret asked if the public will have to park on 300 W then wander through the
313 development to access the lakefront. Chair Jenkins explained that there is another street
314 that is closer to the shoreline within the development; this street, a residential road, is
315 closer than 300 W. Mr. Brim explained that Mr. Lauret was correct in the sense that the

316 south side of this project will realign vehicular access, but 300 W will provide a
317 substantial amount of on-street parking (100+ stalls open to the public); there is public
318 access to the park; the developer is providing public access on either side of the club
319 house; it will also provide public access to the promenade. Mr. Brim continue to explain
320 that the idea was to limit vehicle access in favor of pedestrian access. In summary, yes,
321 you would have to park on 300 W and then walk through the development to access the
322 trail corridor. Chair Jenkins pointed out that residents could park at Sunset Beach and
323 walk the rest of the way. Mr. Brim stated that this arrangement allows for both vehicular
324 access and pedestrian access to be enhanced.

325
326 Mr. Lauret asked if the existing multi-use trail along the shoreline will connect Sunset
327 Beach Park and be accessible to the public by way of a trailhead. Mr. Brim used a map of
328 Sunset Beach Park to explain that the parking lot will create an official trailhead on the
329 south side. Additionally paths on either side will provide access points to the shoreline
330 trail; also, by the clubhouse will be public parking along 300 W and public easements on
331 either side of the club house which allow users to park on 300 W. There is also public
332 access through the development to the trail. Mr. Brim explained that yes, there is a bit of
333 walking, but the site plan provided sufficient access for pedestrians to make all necessary
334 connections.

335
336 Chair Jenkins asked if there are any other questions from the commission and if they
337 notice any additional parts of the conditions that need changing or amending.

338
339 Jessica sought confirmation a final time if the trail that connects at Vineyard Beach Park
340 will connect to the trails at the proposed development. Mr. Watson confirmed that this is
341 correct. Furthermore, he stated that there will be four public access points through the
342 development to the Lake and that Sunset Beach Park and the Promenade will add two
343 more access points, making the total about six. Chair Jenkins asked if, from a staff
344 standpoint, the City feels comfortable with the existing language regarding the trail to
345 ensure the public connections. Mr. Wilson stated that he is not too worried about it. He
346 added that the City will require them to include, as part of the project, that they cannot
347 get their final buy off from the City and close off their project until bonds are released.

348
349 Chair Jenkins invited anyone present to submit final comments on the issue and asked the
350 Commission to put forward a motion.

351
352 Mr. Brim wanted to clarify, on the record, the additional conditions to be attached to this
353 project. As read in the record by Mr. Brim: first, the Developer must add a sidewalk,
354 landscaping, and fencing to the site plan on the south side of the town homes from units
355 914 through 901; second, all conditions and plans approved in the previously approved
356 site plan will stay in affect, only the site plan elements amended in this application shall
357 change. This amendment does not release the applicant from those previous alterations.
358 Chair Jenkins added that these conditions are in reference to the site plan that observes
359 the wetlands by the removal of the twenty-two units. Mr. Brim affirmed that this is
360 correct. Additionally, Mr. Brim stated that it would be good practice to have the
361 applicant, re-read the conditions set forth and confirm that they are good with the

362 conditions. Mr. Watson indicated his approval and acceptance of the Commission's
363 conditions. Commissioner Sullivan asks for the conditions be read a final time for clarity
364 on the record. Mr. Brim agreed to her request to re-read the new conditions, but asked for
365 a little more time to finalize the scripting thereof. In the meantime, Chair Jenkins invited
366 Jeff Knighton, who joined the meeting late, to share any thoughts regarding the proposed
367 development. Mr. Knighton stated that he liked the townhomes along the park. He
368 thought it was better than a single row of SF homes across the street from condos. Parks
369 can benefit from eyes on the street. Having eyes on the park makes the park a safer place.
370 He added that the site plan shown today is a more coherent plan for the wetland space
371 with the layout of the units and buildings. This is a better site plan than what we saw in
372 the work session. Chair Jenkins invited Commissioner Brady to share his thoughts.
373 Commissioner Brady stated that the plan looks good and that it works better than the
374 initial plan. Having provided Mr. Brim sufficient time to organize the wording of the
375 conditions, Chair Jenkins invites him to present the editing wording.

376
377 Mr. Brim stated that the motion will cover approving the site plan that subtracts the 22
378 units. He also stated that motion would be to approve the site plan amendment, and the
379 recommendation would be to approve the preliminary plat of the Lakefront at Vineyard
380 Town Center as presented at the June 17, 2020 Vineyard Planning Commission meeting
381 removing 22 townhomes located in the wetland area and showing townhomes on the
382 south side of the project area with the following conditions:

- 383 1. Add a sidewalk, landscaping, and fencing to the site plan on the southside of
384 townhomes running between units 914-901
- 385 2. All conditions and plans approved in the previously approved site plan will stay in
386 effect; only the site plan elements amended in this application shall change.

387
388 **Motion:** COMMISSIONER SULLIVAN MOVED TO APPROVE THE AMENDED
389 SITE PLAN AND PRELIMINARY PLAT AS STATED BY MORGAN BRIM.
390 COMMISSIONER GUDMUNDSON SECONDED THE MOTION. ROLL WENT AS
391 FOLLOWS: CHAIR JENKINS, COMMISSIONERS SULLIVAN, GUDMUNDSON,
392 RASMUSSEN, AND WELCH VOTED AYE. THE MOTION CARRIED
393 UNANIMOUSLY.

394 Chair Jenkins opened the work session.

395 396 **6. WORK SESSION**

397 **6.1 Maverik Site Plan Amendment**

398
399 The applicant, Cassie Younger with Maverik Inc., presented the proposed site plan
400 amendment to the Maverik and Alloy Apartment site. She explained that Maverik has
401 been working for years with the Alloy to arrange a land swap in order to accommodate
402 the expansion. She explained that Maverik is proposing to use the empty property next to
403 the Alloy for the sale of high-fuel, commercial gas. This will include the addition of
404 another high-fuel canopy area. The land exchange with The Alloy will be used by them
405 to provide 35-additional (and much needed) parking stalls to service their residential
406 development. These stalls will be provided by Maverik along with fencing and buffering
407 between the two properties. Maverik will also install pipe flow between the properties

408 and another fuel dispenser in the existing canopy. Dumpsters will be rearranged to
409 facilitate the movement of trucks. Additionally, Maverick will take this opportunity to
410 give the existing building a facelift. The building will match all new buildings being
411 built this year. The color scheme will be changed and local photography will be added.
412 The only changes taking place at the Alloy is the additional parking and the widening of
413 the driveway and access into their complex. Maverik is also providing buffering and
414 screening in terms of an 8-foot fence and trees every 15 ft per the Vineyard Zoning
415 Code. A Vineyard Sign will be provided for the City. Ms. Younger further explained that
416 at the July 1st Planning Commission meeting Maverik filled out applications for site plan
417 amendments, a conditional use permit for fuel sales, and an exception on landscaping
418 requirements on park strip trees as approved back in 2015. She stated that Maverik is
419 currently working on the boundary line adjustment to be recorded with the Alloy and the
420 access management plan with UDOT.

421
422 Chair Jenkins asked the Staff if the Alloy will need to come in with a separate site plan
423 amendment for their property.

424
425 Mr. Brim indicated that if the Alloy comes in with a letter of consent allowing Maverik
426 to represent their position then a separate site plan is not needed. If not, they would have
427 to supply a dual site plan. Mr. Brim indicated that another thing the City would have to
428 check is if the Alloy will have enough open space and landscaping to meet the City's
429 requirements. Mr. Brim stated that is totally fine for two property owners to collaborate
430 with each other, but the process cannot turn into a way to be released of open space and
431 landscaping requirements for both properties in their respective zones. He further stated
432 that he presumes that they currently meet the numbers but City Staff would have to
433 recalculate.

434
435 Commissioner Rasmussen asked if Maverik will provide a space for electric vehicle
436 charging stations? Ms. Younger stated that they currently do not nor are electric vehicle
437 charging stations a part of the plans. These are not always a part of the business model
438 due to people needing more time to charge vehicles depending on the vehicle model.
439 Electric vehicle stations are usually located in grocery stores or outside of gyms. She
440 further added that Maverik does incorporate these when required by City codes. Mr.
441 Brim pointed out that the management at The Alloy should consider providing this
442 amenity seeing that The Vine residents have really benefited from these and are very
443 popular. Electric vehicles stations are not something the City can require but it is
444 something the Alloy management may be willing to explore.

445
446 Chair Jenkins asked if there were additional questions.

447
448 Mr. Brim stated that delivery truck parking should be addressed. There is a lot of traffic
449 coming in from the entry point near Starbucks. Mr. Brim recognized that this is not
450 necessarily their impact, but Maverik trucks take up a lot of parking space on the north
451 side near the entrance. This creates a lot of conflicts. A lot of citizens have complained
452 to the City about this congestion situation. Mr. Brim recommended that Maverik move
453 the delivery truck parking to the south side of the building if there is a way to

454 accommodate this in the remodeling of the property. That change would significantly
455 open up the entry point onto the property off Mill Road. Ms. Younger explained that a
456 new designated area is to be painted in the northeast of the property at least for delivery
457 trucks. All high fuel trucks will have a designated area for stationing along the backside
458 of the store due to their turning radii. These would exit out of the one-way direction near
459 the Starbucks. Mr. Brim states that it is important that Maverick anticipate a condition of
460 approval in the official meeting that will require that these details be presented on a site
461 plan along with the new designated parking area for delivery trucks. Ms. Younger
462 desired verification that the northeast corner of the property is alright as a new,
463 designated area for delivery trucks to be stationed. Mr. Brim confirmed that this is
464 alright and further explained that having this new area for delivery truck parking will
465 open up the space in front of the entry from Mill Road and reduce congestion within the
466 property. Ms. Younger confirmed that designating this area as a signed and striped area
467 for delivery trucks is definitely acceptable to them.

468
469 Commissioner Sullivan asked Ms. Younger where she expects traffic flow between the
470 Maverick and the Starbucks to go. Ms. Younger presented the Commission an
471 engineering diagram showing the path of travel for delivery trucks around and behind the
472 Maverick building. She explained that Maverick has a shared access agreement for the
473 entry point off Mill Road. Ms. Younger asked if that access point may be widened to
474 reduce traffic bottlenecking. Commissioner Sullivan expressed that she is worried there
475 is not enough space to keep a safe flow of traffic. She stated that the addition of large
476 trucks makes her more nervous. She observed that at least four car widths are necessary
477 at that access point to provide safe entry and exit from the property. Furthermore, there is
478 currently not four car widths at that entrance which causes a lot of car backups.
479 Commissioner Sullivan emphasized that larger trucks make her concerned about
480 increased traffic.

481
482 Mr. Brim explained to the Commission (and asked for verification from Engineering)
483 that Mill road will have a center median that will reduce traffic turning left from entering
484 the development and also from the development turning left. Basically, this median will
485 create a right-in/right-out situation at the access point in discussion. There will no longer
486 be a left-in off of Mill Road. The City is not totally sure when this will take effect, but it
487 may be when the overpass opens up and a new traffic signal is added. This entrance will
488 become a new right in right out. Most traffic coming into the property will enter off of
489 Geneva Road as opposed to the Mill Road side. Discussion ensued. Mr. Brim confirmed
490 information. Most traffic will come off Geneva road. Commissioner Sullivan thanked the
491 applicant for answering all the questions and expressed that she was merely concerned
492 about safety in that area.

493
494 Chair Jenkins thanks Ms. Younger for coming to the work session and giving the
495 Commission a preview of what to expect on July 1st.

496
497 Chair Jenkins introduced the next item on the work session agenda.
498

499 **6.2 Chickens**

500
501 Mr. Brim reminded the Commission that they had previously determined that if the City
502 is going to allow horses and goats on lots that are .75 acres or higher, then the City
503 should also consider allowing chickens on lots of this size (or perhaps lower). He stated
504 that the Planning Staff wanted to receive feedback from the Commission on the subject.
505 Ms. Hart recommended that if the City allows chickens, it should first experiment with
506 .75 acre lots and higher. Mr. Brim agreed that this is a good recommendation to try for
507 about a year. This strategy could be reconsidered after a year of experimentation and
508 public input. This strategy falls in line with the City's initiative to produce more food
509 locally. Chair Jenkins asked what has been resident requests or feedback on the subject
510 (e.g. chickens allowed on smaller lots). Ms. Hart expressed that she has only taken one
511 or two calls. Most questions are referred to the front desk. She explained that the two
512 people she talked to wanted chickens to be allowed on smaller lots. Br. Brim stated that
513 he too had spoken to a few residents on the subject who have expressed similar desires.
514 Furthermore, he has spoken to a few council members who wanted chickens on smaller
515 lots. Chair Jenkins expressed, that in his opinion, animals are fine as long provisions and
516 ordinances are put in place that prevent neighbors from being negatively impacted. Ms.
517 Hard emphasized that the Planning Department had scripted the code to say that
518 chickens must remain in a coop that is big enough to let them run around and closed off.

519
520 Chair Jenkins asked if there were any other thoughts from the Commission?

521
522 Commissioner Gudmundson admitted that she wanted chickens. She suggested that the
523 amount of allowed chickens may increase based on available lot size. Discussion ensued.
524 Ms. Hart restated that this is how she previously wrote the horse ordinance: it was based
525 on lot size (2 chickens for small lots; 5 for big lots). Commissioner Rasmussen stated
526 that chicks do best in groups of 3 and recommended that the City adopt an ordinance that
527 allows for chickens on .5 acre lots. Liz emphasized that this is good information to know
528 and that the Planning Department will make sure to look into that. Commissioner Brady
529 explained that, in his view for this (and other animal ordinances), is if you don't affect
530 your neighbors, do whatever you want. Keep in mind chickens smell and that they make
531 lots of noise. Coops should be kept away from property lines. Neighbors should
532 essentially NOT know that chickens are even there. Mr. Brim stated that if the City
533 decided to permit chickens on 1/2 acre lots, the City could use similar language from the
534 horse ordinance in the chicken ordinance. Chair Jenkins asked if the City could make
535 having a fenced yard a requirement. Morgan stated that, yes, that could be made a
536 requirement. Chair Jenkins stated that a fence would provide screening and mitigation
537 from noise coming from the coops. Commissioner Brady pointed out that if residents
538 have enclosed coops, fences would not matter much. Commissioner Rasmussen added
539 that the City should make sure to include language in the code about no roosters. Ms.
540 Hart stated that has already been included in the code language: Roosters will not be
541 allowed.

542
543 Chair Jenkins asked if there were any other thoughts. Seeing none, the Commission

544 moved to the next work item.

545

546 **6.3 Accessory Dwelling Units**

547

548 Morgan opened by stating that the Planning Department received good comments from
549 the City Council last time this issue was addressed. The City receives a lot of ADU's.
550 The Planning department would like to add two items to the existing code: a minimum
551 lot size cap and add a fifth parking space requirement. Those two things would push it
552 into a larger lot configuration. These items would help the City stay away from creating
553 "duplexes". We do not want two families on small sized lots (anything below 4,200 sq.
554 ft.). Over time this would create issues. Single-family neighborhoods should stay single-
555 family neighborhoods. When you pack ADU's into lots that are too small, they are no
556 longer secondary uses, but become more like primary uses on the lot. Mr. Brim stated
557 that the Planning Department wants to stay away from stipulating a set number of
558 ADU's allowed per neighborhood. Though a creative idea, the City will have conflicts
559 with future residents seeking to establish an ADU within their home. He suggested that,
560 instead, the City should limit it by pushing ADU's to larger lots.

561

562 Chair Jenkins introduced a concern regarding ADU's and conflicting ordinances: ADU's
563 require increased parking for approval, but our code also does not allow for more than
564 50% hardscape in front yards (if the square footage exceeds 7,000). This regulation may
565 need to be revisited so they do not negate each other. Mr. Brim stated that the City could
566 allow for 50% hardscape dedicated to parking in the front yard (regardless of lot size) if
567 there is an ADU. Therefore, if a resident has an ADU, they can go up to 50%.

568 Commissioner Rasmussen asked if there was another permeable option (gravel, crushed
569 rock, etc.). Mr. Brim stated that the surface must be dustless; we do not anything that
570 will increase dirt in our stormwater infrastructure; perhaps it can be rock aggregate.

571 There may be other options to look into. Ms. Hart affirmed that, yes, our code permits
572 crushed rock or aggregate as an approved surface. Commissioner Brady stated that he
573 agreed with the point Anthony brought up. The biggest issues with ADU's is lack of
574 parking. It really does not matter how nice a resident landscaping is if rows of cars line
575 your front yard. Let's consider ways to limit on-street parking for ADU's.

576

577 Morgan suggested that the ordinance language read "tenants *shall* park on site." This
578 may be difficult because you would have to track license plates. Nevertheless, this type
579 of language at least gives us something to include in the letter in the code enforcement
580 process upon violations. Commissioner Brady stated that though the enforcement
581 process for this is difficult, agitated neighbors will likely provide most of the evidence
582 we need. Commissioner Gudmundson stated that the Commission had previously
583 discussed a permitting process for ADU's. Is that still something the City is working
584 towards?

585

586 Mr. Brim affirmed that yes, Liz has done some work on this process. The process
587 requires residents to go through a building permit process first. Once their building
588 permit process is approved, only then can they apply for the ADU to make sure of
589 compliance. We have found this to be an effective process for assuring compliance with

590 ADU regulations.

591
592 Ms. Hart stated that she goes out on site and do a quick three-minute walk through to
593 make sure that what they submitted and what was approved is what was built. She also
594 checks that parking requirements being met. Chair Jenkins asked if homes already set up
595 for ADU's still have to go through the process before the ADU receives a separate
596 mailing address. Ms. Hart stated that, yes, they have to receive an ADU application
597 approval if they desire to rent out the basement.

598
599 Chair Jenkins asked if there were any additional questions. Seeing none, Chair Jenkins
600 proceeded to the next agenda item.

601
602 **COMMISSION MEMBERS' REPORTS AND EX PARTE DISCUSSION**
603 **DISCLOSURE**

604
605 Chair Jenkins stated that, after speaking with Morgan, it was decided that staff reports will
606 only be discussed once a month. He also stated that Staff and City Council will be doing
607 project updates (which is essentially what staff reports have turned into).

608
609 Chair Jenkins opened the floor for Commission Member Reports.

610
611 Commissioner Sullivan thanked the engineering department for beginning work on the trail
612 that is behind Penny Springs Park which leads to the Vineyard Connector. Many residents
613 of that neighborhood have also expressed excitement and appreciation for the progress on
614 the trail. Commissioner Welch announced that the Vineyard Youth Council will be helping
615 out at some of the events. The youth council will be setting up the library from all the
616 donated books. They will be selling the adult books and setting up the library mainly for
617 children and teens. Selling these books for these ages will be the focus. Commissioner
618 Rasmussen asked if there was a place to donate books for that event. Commissioner Welch
619 said donations could be made at the Old City building.

620
621 Chair Jenkins thanked everyone for participating in tonight's meetings and called a motion
622 to adjourn.

623
624 **Motion: Motion: COMMISSIONER GUDMUDSON MOVED TO ADJOURN THE**
625 **MEETING. COMMISSIONER SULLIVAN SECONDED THE MOTION. ROLL WENT**
626 **AS FOLLOWS: CHAIR JENKINS, COMMISSIONERS SULLIVAN, GUDMUNDSON,**
627 **RASMUSSEN, AND WELCH VOTED AYE. THE MOTION CARRIED**
628 **UNANIMOUSLY.**

629
630 **7. STAFF REPORTS**

631 No staff reports were presented.

632
633 **8. ADJOURNMENT**

634 Meeting was adjourned at 7:47 pm.

635

636
637
638
639
640
641

MINUTES APPROVED ON:

CORRECTED BY: /s/

Briam Amaya Perez, Planning Technician

DRAFT



Community Development

Date: July 1, 2020
From: Morgan Brim, Community Development Director
To: Planning Commission
Item: Public Hearing and Consideration of an Ordinance to amend ADU standards
Applicant: City Initiated

OVERVIEW:

This text amendment proposes changes to VZC 15.34.060 Accessory Dwelling Units. The changes include establishing a minimum lot size for single family homes containing ADUs of 5,200 square feet; increasing parking requirements to five onsite parking spaces, provisions for tandem parking; clarifying unit size allowances and providing a reference to VZC Section 15.38.030(2)(b) regarding size of parking areas in front yards. Staff believes that these new changes will ensure ADUs do not overly impact single-family neighborhoods.

RECOMMENDATION:

Staff recommends approval of the proposed ordinance.

PROPOSED MOTION:

“I move to approve Ordinance 2020-.. Zoning Text Amendments.”

Attachments:

Proposed ordinance

**VINEYARD
ORDINANCE 2020-06**

**AN ORDINANCE OF THE CITY OF VINEYARD, UTAH, AMENDING THE
VINEYARD ZONING ORDINANCE TITLE 15 SECTION 15.34.060 ACCESSORY
DWELLING UNITS TO ESTABLISH MINIMUM LOT SIZE REQUIREMENTS,
INCREASE ONSITE PARKING REQUIREMENTS & UNIT SIZE
REQUIREMENTS; PROVIDING A REPEALER CLAUSE; PROVIDING A
SAVINGS AND SEVERABILITY CLAUSE, PROVIDING FOR PUBLICATION AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Title 10, Chapter 9a Municipal Land Use, Development, and Management Act of Utah Municipal Code, permits Vineyard to ensure the health, safety, and welfare of the community through local land use planning and the adoption of land use ordinances; and

WHEREAS, Vineyard is authorized to amend the City's Zoning Ordinance pursuant to Utah Municipal Code Section 10-9a-102(2); and

WHEREAS, the Planning Commission held a public hearing on July 1, 2020, and after fully considering public comment and staff recommendations, recommended approval to the Vineyard City Council; and

WHEREAS, the Vineyard City Council, having reviewed the proposed text amendments, held a public hearing on July 8, 2020; and

WHEREAS, the Vineyard City Council having considered the recommendation of the Planning Commission and submitted comments and testimony from the public, having determined that it is in the best interest of the public and adopt the proposed text amendments to the Zoning Ordinance.

NOW THEREFORE, be it ordained by the Council of Vineyard, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “15.34.060 Accessory Dwelling Units” of the Vineyard Zoning Code is hereby *amended* as follows:

A M E N D M E N T

15.34.060 Accessory Dwelling Units

Purpose: The purpose of the accessory dwelling unit ordinance is to promote areas in the city to accommodate an expanding population, establish regulations to address the health, safety and welfare of the community, to provide flexibility for changes in household size associated with life cycle and to enable a level of financial security for home owners.

1. **Location:** Accessory dwelling units are allowed as an accessory use to a single-family detached residence and are limited to the following development configurations:
 - a. Over a detached garage, provided the parking within the garage is not eliminated or converted to living space, stairs or otherwise disrupts required parking;
 - b. Within the home through an internal conversion of the housing unit maintaining an internal connection between living areas; or
 - c. An addition to the home, containing an internal connection between the accessory dwelling unit and the principal part of the dwelling unit; provided, that the addition will not alter the single-family character of the structure.
2. Minimum lot size: A minimum lot size of ~~five~~ six thousand two hundred (65,200) square feet is required for homes containing an accessory dwelling unit.
3. **External appearance:** The accessory dwelling unit shall not alter the appearance of the structure as a single-family residence. There shall be no external evidence of occupancy by more than one (1) family, such as two (2) front doors. The architectural style, building materials and building colors of an accessory dwelling unit shall be compatible and consistent with the architectural style, materials, and color of the primary building. Mobile homes, travel trailers, boats, or similar recreational vehicles shall not be used as an accessory dwelling unit.
4. **Sale of principle dwelling:** An accessory dwelling unit shall not be sold separately from the sale of the principle building dwelling located on the same lot.
5. **Owner occupied:** The principle dwelling of the property shall be the primary residence of the property owner.
6. **Number of units:** A maximum of one (1) accessory dwelling unit may be established as a secondary use to a detached single-family dwelling.
7. **Unit size:** Accessory dwelling units shall not exceed the lesser of ~~not exceed the greater~~ of 50% of the size of the principle dwelling unit or 1,200 square feet. In no case shall the accessory dwelling unit contain habitable square footage less than 300 square feet.
8. **Dimensional standards:** Accessory dwelling units shall comply with required building height, setbacks and all applicable dimensional standards listed in VZC 15.64 Table of Uses and Development Standards for attached or detached accessory buildings.
9. **Utilities:** An accessory dwelling unit shall be connected to, and served by, the same water, sewer, electrical, and gas meters that serve the primary building. No separate utility lines, connections, or meters shall be allowed for an accessory dwelling unit.
10. **Parking:** A single-family dwelling with an accessory dwelling unit shall provide a minimum of ~~four~~ five (45) onsite off-street parking spaces located on a paved surface or approved driveway. A minimum of two (2) ~~off-street~~ onsite parking spaces shall be designated for the use of those residing in the accessory dwelling unit. The number of ~~onsite~~ off-street parking spaces shall not be less than the number of vehicles maintained on the property. Only driveways or parking pads containing a minimum length of eighteen feet (18') may be counted toward required onsite parking. The minimum length of a driveway counting toward onsite parking shall not include any land associated with street rights-of-way, sidewalks or public property/access. All onsite parking spaces shall contain a minimum width of eight feet (8'). Property owner parking shall not be parked tandem with tenant parking and tenant parking shall not be parked tandem with owner

parking. The area dedicated to onsite parking and driveway surfaces shall be limited in compliance with VZC Section 15.38.030(2)(b).

11. **Addresses:** The single-family dwelling and accessory dwelling unit shall have unique addresses.
12. **Entrance:** The exterior entrance to the accessory apartment shall be on the side or rear of the building and shall enter directly into the accessory dwelling unit. The interior entrance to the accessory dwelling unit shall be from within the principle dwelling unit. Only one (1) front entrance shall be visible from the front yard.
13. **Application:** An accessory dwelling unit application may only be approved if the property meets the standards listed in this section. An accessory dwelling unit shall not be authorized on a property that has outstanding ordinance violations or unpaid taxes.
14. **Compliance with adopted codes:** Accessory dwelling units shall meet all requirements of the adopted Building Code and other applicable city ordinances and regulations.

PASSED AND ADOPTED BY THE VINEYARD COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Julie Fullmer	_____	_____	_____	_____
John Earnest	_____	_____	_____	_____
Tyce Flake	_____	_____	_____	_____
Chris Judd	_____	_____	_____	_____
Cristy Welsh	_____	_____	_____	_____

Presiding Officer

Attest

Julie Fullmer, Mayor, Vineyard

Pamela Spencer, City Recorder
Vineyard