



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

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

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**Present**

Chair Anthony Jenkins  
Commissioner Shan Sullivan  
Alternate Commissioner Tay Gudmundson  
Alternate Amber Rasmussen  
Alternate Jessica Welch

**Absent**

Tim Blackburn

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

**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, Water/Parks Manager Sullivan Love

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

**1. CALL TO ORDER**

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

**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. Ms. Hart confirmed that there were no comments submitted.

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

**4. MINUTES REVIEW AND APPROVAL**

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

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

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

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

## 5. BUSINESS ITEMS:

### 5.1 PUBLIC HEARING AND CONSIDERATION: Lilypad Preschool Conditional Use Permit

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

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

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

Chair Jenkins called for questions from the Commission.

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

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

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

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

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

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

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

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

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

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

The applicant is requesting approval for a site plan amendment.

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

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.

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

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

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

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

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

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

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

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

Chair Jenkins called for other questions.

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

Chair Jenkins called for any additional questions.

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

Chair Jenkins opened the work session.

## **6. WORK SESSION**

### **6.1 Maverik Site Plan Amendment**

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

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

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

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

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

Chair Jenkins asked if there were additional questions.

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

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

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

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

Chair Jenkins thanks Ms. Younger for coming to the work session and giving the Commission a preview of what to expect on July 1<sup>st</sup>.

Chair Jenkins introduced the next item on the work session agenda.

## 6.2 Chickens

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

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

Commissioner Gudmundson admitted that she wanted chickens. She suggested that the amount of allowed chickens may increase based on available lot size. Discussion ensued. Ms. Hart restated that this is how she previously wrote the horse ordinance: it was based on lot size (2 chickens for small lots; 5 for big lots). Commissioner Rasmussen stated that chicks do best in groups of 3 and recommended that the City adopt an ordinance that allows for chickens on .5 acre lots. Liz emphasized that this is good information to know and that the Planning Department will make sure to look into that. Commissioner Brady explained that, in his view for this (and other animal ordinances), is if you don't affect your neighbors, do whatever you want. Keep in mind chickens smell and that they make lots of noise. Coops should be kept away from property lines. Neighbors should essentially NOT know that chickens are even there. Mr. Brim stated that if the City decided to permit chickens on ½ acre lots, the City could use similar language from the horse ordinance in the chicken ordinance. Chair Jenkins asked if the City could make having a fenced yard a requirement. Morgan stated that, yes, that could be made a requirement. Chair Jenkins stated that a fence would provide screening and mitigation from noise coming from the coops. Commissioner Brady pointed out that if residents have enclosed coops, fences would not matter much. Commissioner Rasmussen added that the City should make sure to include language in the code about no roosters. Ms. Hart stated that has already been included in the code language: Roosters will not be allowed.

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

moved to the next work item.

### **6.3 Accessory Dwelling Units**

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

Chair Jenkins introduced a concern regarding ADU's and conflicting ordinances: ADU's require increased parking for approval, but our code also does not allow for more than 50% hardscape in front yards (if the square footage exceeds 7,000). This regulation may need to be revisited so they do not negate each other. Mr. Brim stated that the City could allow for 50% hardscape dedicated to parking in the front yard (regardless of lot size) if there is an ADU. Therefore, if a resident has an ADU, they can go up to 50%. Commissioner Rasmussen asked if there was another permeable option (gravel, crushed rock, etc.). Mr. Brim stated that the surface must be dustless; we do not anything that will increase dirt in our stormwater infrastructure; perhaps it can be rock aggregate. There may be other options to look into. Ms. Hart affirmed that, yes, our code permits crushed rock or aggregate as an approved surface. Commissioner Brady stated that he agreed with the point Anthony brought up. The biggest issues with ADU's is lack of parking. It really does not matter how nice a resident landscaping is if rows of cars line your front yard. Let's consider ways to limit on-street parking for ADU's.

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

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

ADU regulations.

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

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

## **COMMISSION MEMBERS' REPORTS AND EX PARTE DISCUSSION DISCLOSURE**

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

Chair Jenkins opened the floor for Commission Member Reports.

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

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

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

## **7. STAFF REPORTS**

No staff reports were presented.

## **8. ADJOURNMENT**

Meeting was adjourned at 7:47 pm.

**MINUTES APPROVED ON:** July 15, 2020

**CORRECTED BY:** /s/ Briam Amaya Perez

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Briam Amaya Perez, Planning Technician