



**PLANNING COMMISSION MEETING**

**Site Visit: 576 N Mill Rd, Vineyard, UT @ 5:30 PM**

**Public Hearing and Regular Meeting: Vineyard Town Hall, 240 East Gammon Road, 6:00 PM**

**Wednesday, March 7, 2018**

PRESENT	ABSENT
Madam Chair Cristy Welsh	
Vice Chair Anthony Jenkins	
Commissioner Tim Blackburn	
Commissioner Jeff Knighton	
Commissioner Bryce Brady	
Commissioner Shan Sullivan	
Commissioner Stan Jenne	
Commissioner Nate Carter	

**Staff present:** Community Development Director Morgan Brim, Public Works Director/City Engineer Don Overson, Permit Technician Claire Hague, Planner Elizabeth Hart

**Others Present:** Resident and Councilmember Tyce Flake, Mayor Julie Fullmer, Resident Chris Judd, Steve Hutchings, Bronson Tatton, Brandon Wilson, Joel Pilling, Resident David Lauret, Stan

**1. CALL TO ORDER**

Madam Chair Welsh called the meeting to order at 6:07 PM

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

Commissioner Brady offered the invocation

**3. OPEN SESSION**

Madam Chair Welsh welcomed the new full-time commissioners and then opened the public comment session.

David Lauret, resident, asked the planning commission that when they are asking for walkable areas that they also consider that they need to be accessible for older populations and those with disabilities.

**4. MINUTES REVIEW AND APPROVAL**

There were no minutes for review and approval.

**5. BUSINESS ITEMS:**

**5.1 Holdaway Cove Preliminary Plat**

Ms. Hart stated the applicant is proposing to subdivide an existing lot of 3 acres into seven (7) individual lots. All the lots meet the requirements for the zoning district. The subject property is located at 220 S. Holdaway Rd. and is within the R-2-15 zoning district. Staff is recommending approval.

Discussion ensued among the commissioners about the location of the property.

Commissioner Blackburn stated that he felt at one time there was a trail that went through some of this property and along the road here. He asked if there was no longer a trail there.

Ms. Hart, stated that the trail is on Jack Holdaway's property which is to the south and crosses Holdaway Road and goes in front of the Park Place subdivision.

Commissioner Blackburn commented that he understands now that we do still have a trail through there it's just on the East side of Holdaway Road.

Madam Chair Welsh, stated that the trail was an issue with another property but not with this property.

Mr. Brim reminded Madam Chair Welsh that at any time she is allowed to open for public comment.

Madam Chair Welsh stated that she was curious what direction lots one and seven will face

Steve Wilson, applicant and representative of Glade and Hermona, stated that for lot seven (7) they've elected to preserve the old family home that's on that lot. He stated that the home on lot one (1) will face south. He added that the home will sit in the middle and the driveway goes out onto Holdaway Road and that whole area will be preserved.

Madam Chair Welsh commented that it looked pretty straightforward.

Commissioner Blackburn stated that the graphic shows the exit from the cul-de-sac out to Holdaway Road being exactly parallel with the road on the other side but when you drive past there it looks like there might be offset.

Mr. Wilson, stated that there is a slight offset and that the city engineer may be able to help with that. He added that the family wants to preserve the old house and there was a setback issue. He adds he believes that the offset is within allowances to keep the house.

Commissioner Blackburn, clarified that it doesn't meet the road a little further north

Mr. Wilson commented that he thinks it is five feet off at the center points

Mr. Overson, stated he doesn't believe it is five feet but he agrees that there is a bit of an offset. He added that the offset is okay as long as the spacing isn't more than 10ft offset. He added that they were in the parameters.

Madam Chair Welsh, asked if it will be a public road that will need to be plowed.

Mr. Overson, answered yes that the snow will be pushed to the back of the cul-de-sac.

Madam Chair Welsh, asked if there were any issues with the street.

Mr. Overson, stated that it matches up with Holdaway Road. He added that the other two subdivisions have been approved with a thirty-foot (30ft) wide road without curving gutters. This means that the

storm water will drain onto their lots because there is no storm drain system but it has been approved by council.

**Motion:** COMMISSIONER BRADY MOVED TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE HOLDAWAY COVE PRELIMINARY PLAT WITH THE LISTED CONDITIONS. COMMISSIONER JENKINS SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

## **5.2 Waters Edge Hamptons Preliminary Plat**

Ms. Hart stated that the applicant is proposing an amended preliminary subdivision plat to accommodate the proposed church parcel of the Water's Edge Hamptons development. The proposed development consists of a total 93 SFD lots and 1 parcel for a church, located at 300 West and 200 North. She noted that there is a trail corridor that is seven feet and there is a trail easement that runs along these properties and the church. On the bottom to the south there is a trail that goes right through there but that is included with the James Bay plat. Areas A and B are in two different zones. Area A is in a 10,000 single family development zone and area B is a 15,000 development zone and they both meet the Waters Edge zoning ordinances and staff is recommending approval.

Madam Chair Welsh, stated that as she understood that the applicant is just taking twelve (12) lots out.

Mr. Brim, stated that some of the lots are going to be moved and they've requested the information from Bronson Tatton as to where those will be allocated.

Madam Chair Welsh, asked if what Mr. Brim was saying is that they're allowed to increase density. Mr. Brim, answered that the applicant isn't allowed to increase density they just have to move it elsewhere because of the space they are losing by selling to the church. They will need to provide a city with a distribution of where these lots are going to go.

Commissioner Jenkins, asked if the trail easement will be an asphalt trail along the side of the road.

Ms. Hart stated that there's a trail corridor and asphalt will be right there.

Bronson Tatton, Flagship representative, the trail corridor in plat A is completed and there's a concrete sidewalk that goes through main street and on each of these sections would be a concrete path. He stated those chose to do a concrete sidewalk on one end to a concrete sidewalk on the other end.

Commissioner Jenkins, asked if on 200 N in area B whether it will that just be a regular concrete sidewalk or if it would be wider because it's a dedicated trail easement.

Bronson Tatton, stated that it will be the eight-foot-wide trail. Mr. Brim asked if it was seven or eight. Mr. Tatton answered that it should be eight. Mr. Brim, responded that they showed seven.

Commissioner Jenkins, stated his main question was whether it will be a trail or if it will look like a sidewalk.

Mr. Tatton, stated he believes that it's eight feet because that's the trail width elsewhere, and maybe there needs to be a condition to ensure that it's eight.

Mr. Brim, stated that because it's going between lots it will have a trail feel to it. A sidewalk is either adjacent or abutting the street. This is more of a corridor and will feel more like a trail.

Commissioner Brady asked what the fencing requirements were for the lots next to it.

Bronson Tatton, stated they will put a six-foot clearview along the side of the home then when we get to the front of the lot we'll go down to the three-foot rail fence. The trail easement shown here is five feet and that's to get the eight foot right of way.

Madam Chair Welsh, stated that the commission just wants to keep it consistent so that bikers don't stop there and get confused as to where the trail is going.

Mr. Brim, addressed the commission, you're welcome to add conditions to ensure that doesn't happen.

Mr. Overson, stated that the trail needs to be dedicated to the city. The description recommends it to be eight feet and anything that's not is considered commuter.

Mr. Brim, commented so we're covered and there's no need for conditions.

Commissioner Knighton asked if there were any concerns with the church being tucked into a neighborhood street

Madam Chair Welsh asked Mr. Brim if the commission really had any say regarding churches and schools.

Mr. Brim answered that churches are protected land but that they are allowed to be given conditions. Schools are state exempt and the only thing the commission can do is make them meet setback and height requirements. Churches go through a conditional use permit process and the commission will have the ability to look at elevations and material and for this lot in particular you can use the Waters Edge code as the governing code.

Madam Chair Welsh, commented she felt that one of the issues that needs to be addressed is traffic for that neighborhood. She asked if Flagship is concerned about the traffic increase.

Mr. Brim, answered that one thing that helps with that is the area hasn't been platted yet and once it has someone coming in and buying a house in that area will know that they're planning on building a church.

Commissioner Blackburn, asked if it was too early to show the entrances and exits from the property.

Mr. Tatton, stated that they had given a couple of alternative for the location of the chapel in the overall Hampton neighborhood but we've given them south of 250 E and 200 N.

Commissioner Brady, commented that he is concerned with a people parking at the houses nearby to go to church and asked if church goers would be allowed to do that.

Mr. Tatton, commented it's a public street so people are allowed to park there.

Mr. Brim, stated the church will have some issues with that but when he met with the church planning manager the manager said that the hope for the area is to split some wards to the point where some churchgoers have to go to Orem and others can stay in Vineyard but the idea is that there will be enough parking to accommodate everyone without having to have people park on the street.

Commissioner Knighton asked if they are only looking at this site or if they are considering other sites as well.

Mr. Tatton, stated he believes that the stake is looking at multiple sites but this is the only church that will be in Waters Edge.

Mr. Brim, commented that the church planner has stated that they have expressed interest in another site and that Vineyard has been trying to meet with them on a more regular basis to figure out what they are going to do with the property they have that's off 575. This is because of the location of the other church building they have a university building just down the road on Geneva they mentioned they might do something else with the property and find another location for the church but they haven't decided. They have said however that they plan on having at least two church buildings in the next ten years or so.

Commissioner Knighton, stated that they needed to keep walkability in mind when looking at this plat and making sure that people have the ability to walk to church in order to keep traffic off of neighborhood streets. He added that that particular sidewalk is nice because it goes out to Main Street but how will people living in Watersedge cross safely. A walkway would almost have to cut across the park. He concluded that they just needed to be mindful of that.

Madam Chair Welsh commented that the crosswalk from Parkside the Hamptons and in James Bay will also be something the applicant needs to consider.

Mr. Tatton stated that there is another regional trail on 300 West that will be brought up when they talk about James Bay. He added that if they were to get a trail on 400 N they could connect to 300 W and then people could come from the West and South side.

Madam Chair Welsh asked if anyone else had questions, hearing none she asked for a motion.

**Motion:** COMMISSIONER BLACKBURN MADE A MOTION WITH THE THREE PROPOSED CONDITIONS. COMMISSIONER BRADY SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

### **5.3 Waters Edge James Bay Preliminary Plat**

Ms. Hart stated the applicant, Flagship Homes, is resubmitting a preliminary plat application for the James Bay subdivision within Waters Edge. The subject property is located south of 400 North

and immediately adjacent to the Utah Lake. They are proposing to do 28 lots on approximately 21.47 acres with 2.48 acres of open space that will be dedicated to the city. They had a preliminary plat done back in 2016 and the biggest change is the initial plat had two points of access and the new plat has one that goes from the Hamptons to James Bay. Because there's only one point of access there are required to put in a crash gate which goes into part of their park plan which is the three-acre beach park. The beach park is not on the plat because staff requested that it not be until the design has been finalized so that it can be dedicated to the city. The open space in parcels A and B is dedicated to the city and there will be a trail that goes through it. There is a note that calls it out as public open space/trail owned and maintained by the city of Vineyard. She added that there is also the lake shore trail along the West side of the subdivision which is not shown on the plat but is just below it.

Mr. Overson, commented that there are two locations on the plat that will be dedications for that trail. The trail is being built down at shoreline level but as they come back out the top levels they're going to have to go up through the Lochs. On the South side and the North side there is an area where you can see the trail coming through the lots and those will be dedicated as well. He added that the city will have to decide who the road will be dedicated to once they know who will own the trail.

Madam Chair Welsh, commented that the area has gone through a fire inspection approval and has passed but wanted to know what will happen to the snow.

Mr. Tatton, answered that the HOA will work out where the snow will go but he believes that it will probably go to the landscaped islands in the middle and along the park strips along the lots.

Madam Chair Welsh, asked what will be in the landscaped islands.

Mr. Tatton, answered that it will likely be trees, grass and plants.

Madam Chair Welsh, commented she just wanted to make sure that those areas weren't landscaped with rocks. She commented that because those properties border the western most side of the city there are issues with drainage going into the lake. She added she is also concerned with getting cut off water that has fertilizer and erosions coming off through the trail that's going to be west of it. She then asked what they are planning on doing about that.

Mr. Tatton, answered that typically if there is backlot drainage they will put in a berm and make sure that they are graded correctly.

Madam Chair Welsh stated that her concern is that the resident can just take the berm out.

Mr. Tatton, commented that putting in a berm is typical of the sites that the developer brings in. He added that if there is any rear lot drainage than that is what the berm is for and that can be ensured at the permit stage.

Madam Chair Welsh commented that they had also mentioned a water purification system.

Mr. Tatton, yes that is for the storm drain and it'll go back out to 300 West.

Madam Chair Welsh, commented that that is for the storm water coming off the streets. She asked if they were concerned that private lots had little control over drainage.

Commissioner Blackburn, commented that it is an issue they need to think about long term.

Madam Chair Welsh, commented that she talked to Sam Bell, Vineyard Storm Water Engineer, about having the drains underground similar to a French drain so it would push the water out to the East instead of to the West.

Mr. Overson, stated that when you put something like that underground you'll have to maintain it. He added that doing so will also lose capacity and if the city decides to build a french drain what happens is you're putting drain rock back into the fabric. He concluded that what he is trying to say is that building an underground system is a complicated solution to a drainage problem and that they could build the lots so that drainage goes into the streets.

Madam Chair Welsh asked if he means just moving the lots forward.

Mr. Overson, answered yes slope them forward so all the drains go to the streets.

Madam Chair Welsh, commented that her concern is 20-30 years from now will the trail be torn out from underneath because of the water running under them.

Mr. Overson, commented that Vineyard only gets 16 inches of water a year

Madam Chair Welsh, commented that she isn't worried about the rain water it's people putting sod in and watering their yard.

Mr. Brim, commented that Vineyard is next to the largest detention pond in the county and that may help with the problem. He then asked Mr. Tatton if there would be a second entrance provided into the area and if so if it would be done through the park.

Mr. Tatton stated that they meet the minimum number of access points for the number of lots they are building. The secondary access that is the emergency access and we showed that per staff request.

Mr. Brim asked if the emergency lane would open up to a park access road.

Mr. Tatton stated that there would be connection trail regardless of it was emergency access or not. They wanted to put in the trail to provide access to the park for the neighborhood. He added that they've considered putting a crash gate in the community.

Commissioner Blackburn, commented that his concern with crash gates is having mud build up on the other side and not being able to provide traction for emergency vehicles.

Mr. Tatton, commented that the current design they have there is parking on the south side of the park and then there's a turnaround which is where the emergency access is. Commissioner Blackburn asked if this would go out to the pavement. Mr. Tatton, answered yes that it would go from the asphalt inside the neighborhood across a thickened concrete path to asphalt parking lot

turnaround. He also added that there would be ADA ramps wide enough to get onto the widened path.

Commissioner Jenkins added that they could address some of the issues when the applicant provides site plans and elevations.

Mr. Overson, stated that he wanted to make sure that before the site becomes finalized that engineering wants to be provided with a grading plan for the subdivision to show how they're going to handle the stormwater. This would show how each individual site plan will handle the stormwater. He added he wanted to come up with a solution that would minimize the responsibility of the city and make everything easier for homeowners when they go to build.

Madam Chair Welsh, asked if this would be something that would be handled by Mr. Overson.

Mr. Overson, stated yes before it's finalized it will go through the Engineering Department.

Madam Chair Welsh, asked if anyone had any more questions, hearing non she asked for a motion.

**Motion:** COMMISSIONER JENKINS MOVED TO RECOMMEND APPROVAL OF THE JAMES BAY PRELIMINARY PLAT AS PROPOSED HERE WITH THE CONDITION THAT THEY WILL PROVIDE A GRADING AND LOT DRAINAGE PLAN. COMMISSIONER BLACKBURN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

#### **5.4 Lakeview Holdings South Site Plan**

Ms. Hart, stated that this is for the Lakeview holding south and it's in the manufacturing district on 1750 N. The Applicant is proposing to do two warehouse/office buildings. Ms. Hart, stated that one of the conditions of the property was that they meet the minimum landscaping requirements and the applicant has added more trees to the area and it is now code compliant. Both warehouses meet the parking requirements. She added that the applicant is planning on using concrete masonry units for the construction of these warehouses. She said it is known as smooth face concrete and it's going to cover the entire façade. She had Madam Chair Welsh read the condition that they are adding to the site plan. Madam Chair Welsh, a utility and road plan be provided to the engineering and planning departments and bonded for prior to issuance of a building permit. This was added because Mr. Overson had concerns with the applicant not being connected to utilities initially. She added that other than that condition the lot meets code and staff is recommending approval.

Commissioner Jenkins, asked Ms. Hart about the landscaping around the area. Ms. Hart, stated that the retaining wall that they have is a gabion retaining wall and that is rocks in a metal cage or basket. She added that she isn't sure if landscaping can be put between the parking and the retaining lot and it's up to the commission if they want to ask for landscaping.

Joel Pilling, applicant, stated that they put up light trees around the building and the two buildings closed by are heavily landscaped. He stated he put up a gabion system because there is a slope down to the wetlands and he doesn't trust the slab pile. He added that the gabion wall will work as a barricade as well.

Madam Chair Welsh, asked if when he said gabion he meant rocks in a cage.



Mr. Pilling, commented that what she was referring to was what they use in Provo Canyon for their rock wall. He added he had it engineered and it goes 20 ft not all the way to the wetlands it just buries down into the wall and he doesn't trust that wall.

Ms. Hart, commented that rock is considered landscaping.

Mr. Pilling, the rock will be blackish gray tile and it'll be the same the MS Properties and Davies use.

Madam Chair Welsh, asked if he had tenants already.

Mr. Pilling, stated that he owns warehouse one and he's outgrown it and is moving into warehouse two and warehouse one will be a rented out.

Madam Chair Welsh, asked if Mr. Pilling knew where warehouse one would be.

Mr. Pilling, stated he is referencing the ones around the corner. He added that the one's nearest him are Bella Lash, Spark, and other internet companies. He also stated he doesn't want any large manufacturing companies renting out the areas near him.

Madam Chair Welsh, asked if there was a make-up manufacturer in that area.

Mr. Pilling, yes it's called Sheer Oils but they bring thing in and send it out. He added he doesn't want any kind of big manufacturing like cabinets or something large. He stated that he has a property in Lindon and has found that large manufacturing companies aren't someone he wants to rent out to.

Commissioner Blackburn, asked if there would be any need for semi-trucks back in that area

Mr. Pilling, the site plan meets all requirements for a turn-around

Commissioner Blackburn, asked if this meant there would be no backing in onto the side of the building.

Mr. Pilling, stated that there are several access points and that the lot is a pull around lot. He added that there is a shared access to multiple buildings of the same style.

Commissioner Knighton, stated that there were a thorough set of drawings and elevations provided that made it clear and easy to understand.

Mr. Pilling commented that he would work the utilities out with Mr. Overson

Madam Chair Welsh, stated that the reason Mr. Pilling needed to speak to Mr. Overson is because there is no road and so he will need to speak to engineering. She added that she had no further questions.

**Motion:** COMMISSIONER KNIGHTON MOTIONED TO APPROVE PROPOSED SITE PLAN WITH THE CONDITION THAT A UTILITY AND ROAD PLAN BE PROVIDED TO THE ENGINEERING AND

PLANNING DEPARTMENTS AND BONDED FOR PRIOR TO ISSUANCE OF A BUILDING PERMIT, MOTION SECONDED BY COMMISSIONER BRADY, THE MOTION PASSED UNANIMOUSLY.

### **5.5 Mill Town Building C & D Site Plan**

The Milltown Commercial Project comprises 11.86 acres west of the Megaplex Theater, south of the Forge Mixed-Use Development (650 North), north of the 20-acre parcel owned by Anderson Geneva and is bordered by Mill Road to the west. This proposal is a request for site plan and building design approval of buildings C and D on the parcel east of the roundabout.

Brian Hansen, the applicant, came up and gave a presentation about the property. He gave an explanation of the overall site and emphasized the wide sidewalks and the water feature in the middle of the development. He also mentioned some additional roads that he will be adding in with permission from the city.

Commissioner Blackburn asked if there will be an elevated pathway through the middle.

Mr. Hansen, responded that they won't be elevating it. They had considered elevating it at one point but they ran into problems with the landscaping plan and parking stalls.

Madam Chair Welsh commented that she felt that it was important to consider the materials they were using when making the sidewalks so that it would be smooth and walkable. Because it would allow for more accessibility and it's an issue that the planning commission feels strongly about. We want the area to be busy but safe.

Mr. Brim, commented that if that was something the planning commission felt strongly about they could add it as a condition and that they needed to make it specific to ensure that it was followed.

Madam Chair Welsh asked what they could do to work with the Megaplex to which Mr. Brim responded that they could come back to staff with a crosswalk and materials plan.

Commissioner Blackburn added that he would like to see Vineyard's heritage being incorporated into the area. He suggested doing a theme geared toward Vineyard's farming heritage by incorporating architectural reliefs, sculptures, or benches. Madam Chair Welsh added to this by suggesting they do something similar to what The Forge is doing with taking the past and bringing it into the future.

Madam Chair Welsh, asked for clarification about the water feature.

Mr. Brim, stated that it's set up for staff to approve a round-a-bout design and that approval would be necessary prior to building permit issuance.

Mr. Hansen, mentioned that they've talked about it having fire instead of water.

Mr. Hutchings, asked about minimum tree sizing and Mr. Brim and Mr. Hutchings discussed tree sizing. They decided that the best solution was Councilman Flake send the tree manual to Mr. Hutchings and Mr. Hansen.

Commissioner Jenkins, asked if it would be a problem for the applicant to provide additional open space.

Mr. Hansen, stated that they are still figuring out open space requirements. Mr. Brim added that the open space could be incorporated into parking lot berms.

Discussion ensued of between Madam Chair Welsh and Mr. Hansen about where the open space could be around the area.

Commissioner Knighton, commented on the walkability and accessibility of the property. He added that the applicant needs to consider walkability for people living nearby as well as the ability for people for people to safely walk at crosswalks.

Mayor Fullmer asked about what the danger is in the area because of the pop out that allows people to stop in the middle and keep going. She added she feels it would be more ideal to have it closer to the store.

Mr. Overson added that the crossing is safer because you have to cross one lane to get to the other.

Discussion than ensued between Mr. Overson, Mr. Hansen, and Mayor Fuller about walkability and crosswalk safety.

Commissioner Jenkins asked if Mr. Hansen was planning on waiting until ABC and D are completed to use the buildings or if they are going to start by utilizing A and B.

Mr. Hansen answered that the plan is to finish it all out as soon as possible.

Mayor Fullmer and Mr. Hansen then discussed safety at crosswalks and ADA crossing. Mr. Brim added in to their discussion that people are going to jaywalk if they feel the area is safe and that putting in more crosswalks doesn't necessarily make it safer.

Madam Chair Welsh asked where the dumpsters will be for the facilities and Mr. Hansen pointed to where they would be located on the map. Madam Chair Welsh asked if Mr. Hansen felt that was too far from the restaurants themselves and Mr. Hutchings responded that they want it further away so it's not near the restaurants.

Mr. Brim commented that it's planned to have a sidewalk coming up on the side of the road in order to make a connection to the intersection.

Mr. Overson, commented that rather than having two connections to the parking lot they are actually creating a road. He added that this will allow a much better flow of traffic through the area.

Mr. Brim, added that the development has more of a walkability factor. He added that he wanted the commission to know that all code requirements and been meet in the development and they have exceeded the parking requirement by 17 stalls.

Commissioner Blackburn asked Mr. Brim about having limited time parking in the center and how that is going to be enforced.

Mr. Hansen, stated that just putting in signs typically deters 80 to 90% of people without actually hiring a towing company.

Mr. Brim added that the city isn't going to get involved with any parking enforcement in the area. He then asked Mr. Hansen if he could talk more about the commercial owner's association and how trash and security is going to work in the area.

Mr. Hansen stated that they have an all-inclusive maintenance fee that includes landscaping, snow removal, trash pick-up etc. They share an agreement with the Megaplex so that there is coverage on everything.

Mr. Brim, recommended to the applicant that as the site builds out that more parking to prevent people from parking in the lot overnight. He asked Mr. Hansen how he plans to mitigate people who park overnight.

Mr. Hansen, answered that they typically don't have many issues with overnight parking but that if they see people parked for more than 24hrs then they have them towed.

Mr. Brim addressed the chair and stated that staff recommends approval and if they want to add requirements for he would add that staff require a round-a-bout design and the crosswalk receives approval from the planning director and the chair of the planning commission prior to issuance of the building permit.

Commissioner Blackburn added that he would like to see if there was a way for the developer to incorporate the heritage of Vineyard into the design for the development. He added he knows it can't be added as a condition but that he just wanted it known.

Mr. Brim, stated that that isn't something that can be required but that the commission can send Mr. Hansen things they are interested in incorporating into the design to give them ideas. Madam Chair Welsh added that if people want to send Mr. Brim any pictures of anything they would like incorporated in the design they could.

Commissioner Knighton asked if they were just approving a site plan and Mr. Brim answered that the site plan is tied to elevations so once it's approved then both the site plan and the elevation are approved.

Madam Chair Welsh commented that she would like to talk about the fire pits.

Discussion ensued about the architectural elements of the building. Commissioner Knighton and Mr. Hansen discussed the different architectural elements both in the front and back of the building. Madam Chair Welsh asked for more details on the fire pits to which Mr. Hansen provided further information and Mr. Brim commented to the commission that staff has a detailed architectural plan available if they wish to see it. Mr. Blackburn expressed concern about the look of the building from behind and was shown a plan for the back of the building.

Madam Chair Welsh expressed that she and the other commissioners had high expectations because this building would set the precedent for other developers in the area. Commissioner Knighton added that he felt it was a good site plan and he appreciated the positions of where the buildings would be in relation to restaurants as well as the architectural elements that the buildings would be utilizing.

**Motion:** COMMISSIONER BRADY MOTIONED TO APPROVE THE PROPOSED SITE PLAN WITH THE ADDED CONDITION THAT THE ROUND-A-BOUT DESIGN AND CROSS WALK DESIGN BE APPROVED BY THE PLANNING DIRECTOR AND THE CHAIRMAN OF THE PLANNING COMMISSION PRIOR TO ISSUANCE OF A BUILDING PERMIT. COMMISSIONER BLACKBURN SECONDED AND THE MOTION PASSED UNANIMOUSLY.

## **5.6 Public Hearing and Consideration – Chapter 15.12 and 15.34 Zoning Text Amendment**

Mr. Brim stated to the commission that if there is any changes that fall outside the framework of what is being proposed that that is doable it just needs to be done at another public hearing.

*The City is proposing text amendments to the Vineyard Zoning Ordinance, including:*

*Section 15.12.050 District Use Table - adding Drive-Thru Facilities as a permitted use in the RMU, FMU, RC and M Districts with reference to table note 7 which reference Section 15.34.190, Drive-Thru Facilities. Including requirements to obtain a Conditional Use Permit for Drive-Thru Facilities with drive aisle located between the building front façade and front property line.*

*Section 15.34.190 Drive-Thru Facilities - to provide building design standards for material, fenestration and building located on street corners; amending residential distance requirements, providing an exception for drive aisles to be located between the front façade and front property line, establishing drive aisle dimensions, providing requirements for screening and landscaping, restricting placement of menu boards, providing walkway requirements, and establishing zoning graphics to illustrate standards.*

Mr. Brim goes over what the changes will be to the drive thru standards. He mentions that drive thru lanes are only permitted on the side and rear of the building and that a conditional use permit is required if the applicant wants the drive aisle to be in front of the building. He goes on to explain that a variety of materials will need to be used and pulled around the entire building. They would have to meet all of the subsections listed in the standards for drive thru facilities and if they don't meet the standards they will be required to go through a conditional use process meaning that they will have to meet with the planning commission to determine what else they will be required to do in order to make up for not meeting standards.

Commissioner Jenkins asked if drive-thrus were permitted unless they were in front of the property.

Mr. Brim responded yes and that they have an infrastructure graphic that will help to explain it further. He added that he hopes the graphics provided will help people to understand the intent of the code and that the city just wants them to create a kind of front façade. Mr. Brim then goes on to explain that the additional changes made to the drive thru aisle standards and the

conditional use provision will be available in the district use table. The two sections of code have been tied together into one in order to avoid conflict between the two.

Madam Chair Welsh asked Mr. Brim if what they were saying was that if an applicant put their drive thru in front than the city would ask them to up their standards a little bit. Mr. Brim answered that that was essentially the case that there would be additional landscaping standards as well as architectural standards. He added that the language in the code is still general but is still strong enough for the city to tell an applicant that they need additional windows or landscaping etc.

Commissioner Knighton commented that the site plan with the drive thru going up the side is a better site plan in general.

Mr. Brim mentioned that having the drive thru to the side can be done very well and he gave an example of the Zaxby's by Target and Jan added that there is a Lehi in Starbucks that does landscaping between the streets that looks good as well.

Discussion ensued regarding the hours of operation and its impacts on neighboring properties. It was determined that the neighboring properties wouldn't be heavily impacted by the noise of the area due to the operating hours proposed.

Mr. Overson commented that the reason that the city wants the buildings pulled up to the street and eliminate drive aisles in the front is to improve walkability. He then asked Mr. Brim if an applicant were to put in a drive thru in the front if there would be a safe route from the store to the street. Mr. Brim responded that there is a code reference for that and it states that pedestrians shall be provided in each abutting street to the primary entrance with a continuous four-foot sidewalk or delineated walkway. Madam Chair Welsh added that there are also requiring different material that is delineated for safety.

Mr. Overson asked if there could be five feet instead of four in order to meet ADA standards. Mr. Brim responded yes.

Madam Chair Welsh asked if that is something that the commission would be allowed to add.

Mr. Brim stated that if would be allowed but if the commission were to put in something that changed the overall purpose then it would have to go back through a public hearing.

Eric Malmberg, Starbucks Developer, stated that he's looked through the changes and feels that it will work for Starbucks. He thanked the city and said that the changes will meet the development needs of Starbucks.

Commissioner Brady commented that last meeting they had spoken about the menu boards and asked Mr. Malmberg if that was still going well.

Mr. Malmberg, brought out a site plan and gave it to the commissioners to look over. He discussed the new location of the menu board and he added that the queue needs to be able to have a least five cars lined up.

Commissioner Brady commented that they added the landscaping and menu board.

Commissioner Jenkins asked Mr. Brim if they could recommend this to council

Mr. Brim answered that the suggested action is that you recommend approval of this ordinance for the drive thru standards to council

Madam Chair Welsh asked if this will go to city council on their next agenda.

Commissioner Blackburn asked if there will be a public hearing associated with it

Mr. Brim answered yes and if it is approved by the council then it will be published in the paper and it will become law.

Madam Chair Welsh asked if it is approved by city council would changes still be allowed.

Mr. Brim answered that if they do that then the ordinance will have to go back through the process in order for it to be transparent to the public.

**MOTION:** COMMISSIONER BLACKBURN MOTIONED TO OPEN FOR PUBLIC HEARING THE MOTION WAS SECONDED BY COMMISSIONER BRADY THE MOTION 8:02 OPENED AND THERE WAS NO COMMENT. MADAM CHAIR WELSH MOTIONED TO CLOSE THE PUBLIC HEARING AT 8:03 ALL WERE IN FAVOR TO CLOSE THE MOTION.

**MOTION:** JENKINS MOTIONED TO RECOMMEND IT TO THE COUNCIL CHANGED TO FIVE-FOOT SIDEWALK SECONDED BY COMMISSIONER KNIGHTON. ROLL CALL WAS DONE AND COMMISSIONER JENKINS, COMMISSIONER BLACKBURN, COMMISSIONER KNIGHTON, COMMISSIONER BRADY, AND MADAM CHAIR WELSH ALL APPROVED THE MOTION.

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

Madam Chair Welsh I have a small concern that's come up because of my residence in the Parkside but fencing material that was approved. The fencing that flagship bought for the entire Waters Edge community that company has gone bankrupt so my concern with that they purchased enough of the material to finish out what they agreed to do with our city and they have some to maintain it for about a year but I am concerned what happens thirty years from now because those fences break all the time even now. There are two other companies that have a product that's similar and not the same and I just wanted to express that concern

Madam Chair Welsh stated that she just wanted to bring about a concern that she had regarding Flagship fencing. She explained that the company who was providing the fencing originally has gone out of business and therefore in a few years Flagship won't have enough material to fix their fencing.

Mr. Overson responded that that is an issue that has been brought up with the mayor.

Discussion ensued between Madam Chair Welsh and Mr. Overson regarding the fencing. They came to the conclusion that Madam Chair Welsh would bring in samples fencing to Mr. Overson.

Ms. Hart stated that at the heritage commission they had discussed the naming of public lands and facilities. She added that there would be another meeting of the parks and trails committee to propose names and send in an application.

Commissioner Brady asked who would fill out the application.

Mr. Brim responded that it could come from Sherrie Kay or staff.

Madam Chair Welsh expressed that at the last meeting they were just brainstorming and not proposing anything.

Ms. Hart stated that she just wanted to go over what was proposed and if we need to make changes than we can and we'll go forward with the application.

Commissioner Jenkins asked if after an application was put in if it would still be up to the council to say that they wanted it to be named something else. He asked if the commission was making a formal recommendation.

Madam Chair Welsh asked when we would have another meeting to which Ms. Hart answered that the meeting could be next week and then it'll come to planning commission for recommendation.

## **7. STAFF REPORTS**

- Morgan Brim, Planning Director

General Plan, Franklin elementary on April 12<sup>th</sup>, it's to get higher level comments about land use, parks and public roads, it's a way for us to get some public comments and guidance from the public. Morgan asked for volunteers and it will be from 5 to 8.

- Don Overson, Town Engineer

Mr. Overson stated that they are approved to build an overpass and have started the process with the CP.

Madam Chair Welsh asked how long the process would take.

Mr. Overson, stated that it depends on the CP but that the work will take 9 to 10 months as it's an intensive process.

## **8. ADJOURNMENT**

MOTION TO ADJURN BY MADAM CHAIR WELSH. COMMISSIONER BLACKBURN SECONDED THE MOTION. ALL WERE IN FAVOR AND THE MOTION PASSED UNANIMOUSLY AT 8:17 PM.

**MINUTES APPROVED ON: May 2, 2018**

**CORRECTED BY: /s/ Claire Hague**

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Claire Hague, Permit Technician