

TO THE PUBLIC AND RESIDENTS OF VERNAL CITY:

Notice is hereby given that the **VERNAL CITY PLANNING COMMISSION** will hold a regular meeting on **Tuesday, August 14, 2018 at 7:00 p.m.** in the Vernal City Council Chambers at 374 East Main Street, Vernal, Utah.

AGENDA

A. STANDING BUSINESS

1. Welcome and Designation of Chair and Members
2. Approval of Minutes of July 17, 2018 (*TAB 1*)

B. PUBLIC HEARING - 7:05 P.M.

1. Request for Recommendation to Consider a Minor Subdivision Request from Michael Eskelson for the property located at 1475 East 500 South – Allen Parker (*TAB 2*)

C. DISCUSSION ITEM

1. September 2018 meeting schedule

D. ADJOURN

1 **MINUTES of the Vernal City PLANNING COMMISSION**

2 Vernal City Council Chambers - 374 East Main Street, Vernal, Utah

3 July 17, 2018

4 7:00 pm

5
6 **Members Present:** Joni Crane, Samantha Scott, Eric Hunting, Darcy McMickell

7
8 **Members Excused:** Adam Ray, Jim Linschoten

9
10 **Alternates Present:** Ben McMickell

11
12 **Alternates Excused:** Kimball Glazier

13
14 **Staff Present:** Allen Parker, Assistant City Manager; Jeff Shaffer, Building
15 Official; and Sherri Montgomery, Administrative Clerk.

16
17 **WELCOME AND DESIGNATION OF CHAIR AND MEMBERS:** Chair Joni Crane
18 welcomed everyone present to the meeting.

19
20 **APPROVAL OF MINUTES FROM JUNE 12, 2018 :** Chair Joni Crane asked if there were
21 any changes to the minutes from June 12, 2018. Ms. Crane asked to have the following
22 statement removed from line 73 and 74, Mr. McMickell stated that he would like to see the “Can
23 Do Crew” disappear. Ms. Crane did not feel that was Mr. McMickell’s intent. *Samantha Scott*
24 *moved to approve the minutes of June 12, 2018 with the suggested change by Ms. Crane.*
25 *Darcy McMickell seconded the motion. The motion passed with Joni Crane, Samantha Scott,*
26 *Eric Hunting and Darcy McMickell voting in favor. Ben McMickell was not in attendance to*
27 *vote.*

28
29 **REQUEST FOR RECOMMENDATION TO CONSIDER A REZONE REQUEST FROM**
30 **CHRIS AND KALENE GAMBLE FOR THE PROPERTY LOCATED AT 287 SOUTH**
31 **VERNAL AVENUE, FROM AN R-3 RESIDENTIAL ZONE A C-2 COMMERCIAL**
32 **ZONE – ALLEN PARKER:** Allen Parker explained that this is a rezone request by Kalene
33 Gamble for the property located at 287 South Vernal Avenue from a R-3 Residential Zone to a
34 C-2 Commercial Zone. The property is currently an existing house across from the Ashley
35 Valley Education Center on a .72 acre parcel. All adjoining parcels are currently zoned R-3.
36 Surrounding land uses include a public education center, single family residential and open
37 undeveloped land. The Vernal City General Plan indicates the future land use for the area of the
38 request as Commercial. The Vernal City General Plan also indicates that this parcel is within a
39 “mixed use area”, an area that is designated to have multiple zones within it. This request is for
40 the rezone of a single parcel surrounded by properties of a different zone than the new requested
41 zone. This action would be considered spot zoning, but due to the fact that the parcel is within
42 the “mixed use area”, this action is permissible. This request is in harmony with the
43 requirements of the Vernal City General Plan. Samantha Scott asked what the intent is of the
44 owners for this property. Mr. Parker indicated that he thought the owner’s intention was to have
45 it be retail or an office, but Mr. Parker could not remember the details. Chair Joni Crane asked if
46 there would be enough parking for retail. Mr. Parker mentioned that the City could not require

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47 them to change the parking unless they added on to the structure. Eric Hunting asked if the
48 surrounding property owners were notified of this request. Mr. Parker stated that the property
49 owners within 300 feet were notified of both public hearings of the Planning Commission and
50 the City Council. Ms. Crane asked why there are two public hearings scheduled. Mr. Parker
51 explained that the City Council will hold a public hearing after the Planning Commission makes
52 a recommendation. The City Council has the final decision. Ms. Scott asked if Mr. Parker has
53 heard anything from any of the surrounding property owners. Mr. Parker stated no. Chair Joni
54 Crane opened the public hearing for comments on the rezone request. There being no comments,
55 Ms. Crane closed the public hearing. Mr. Hunting voiced his concerns with commercial being
56 located in a residential area. The Planning Commission discussed the positive and negatives of
57 having commercial in that area and spot zoning. Mr. Parker explained that if the property was
58 not in a mixed area, the request could not be approved. Ben McMickell joins the meeting at 7:11
59 p.m. Mr. McMickell stated that it is wise to make Vernal Avenue more business oriented. Mr.
60 Parker agreed that this was the long term plan for the City based on the general plan. Mr.
61 McMickell stated that when he drove past the property, it looked like it was currently being used
62 for residential. Mr. Parker stated that he did not know the owners long term plan for the
63 property. Mr. McMickell asked if someone could be living in the house if it is changed to
64 commercial. Mr. Parker stated yes, they can do that if they want to. Mr. Parker explained that a
65 mortgage company typically would not sell a residential mortgage loan on a commercially zoned
66 property. Ms. Crane voiced her concern of setting this as a precedent and how long before others
67 want to have spot zoning. Mr. Parker explained that most of the parcels in the area are already
68 zoned commercial. Ms. Crane stated that it was her understanding that you have to allow the
69 property owner the best use of their property based on the constitution. Mr. Hunting asked if the
70 property tax would increase just for the property owner of this request and not all the neighbors.
71 Mr. Parker stated that is correct. Ms. Crane added that it might increase the value of the
72 surrounding properties. *Samantha Scott moved to forward a positive recommendation to the
73 City Council on a rezone request from Chris and Kalene Gamble for the property located at
74 287 S Vernal Avenue from an R-3 Residential Zone to a C-2 Commercial Zone. Ben
75 McMickell seconded the motion. The motion passed with Joni Crane, Samantha Scott, Darcy
76 McMickell and Ben McMickell voting in favor. Eric Hunting was opposed.*

77
78 **MISCELLANEOUS:** Allen Parker wanted to give the Planning Commission an update on the
79 vacation of property located at 400 West between 100 South and 200 South. Mr. Parker stated
80 that there is an open house this evening for the residents to come in and voice any concerns they
81 may have regarding vacating this property. Mr. Parker explained that the LDS Church purchased
82 all the homes around the temple, with the exception of one property, to be demolished to build an
83 additional parking lot. The single road will not serve anyone once it is a parking lot. Mr. Parker
84 mentioned that all of the adjoining property owners within 500 feet were invited to the open
85 house to give feedback. There were a few citizens who voiced some concerns. This issue will
86 be discussed tomorrow night at the City Council meeting to set a public hearing date. CRS
87 Engineering drew up a concept plan for when the road is converted. Anyone interested in seeing
88 this concept plan can still go into the Community Room after this meeting. Eric Hunting asked if
89 they are vacating the road for more parking. Mr. Parker confirmed that is their plan, and it
90 would no longer be public access. Ben McMickell asked when houses are vacated like that, does
91 it require a rezone. Mr. Parker stated that no rezone is required. The parking lot that is
92 associated with the church is a permitted use. Anything can be permitted in that zone such as

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93 single family homes, low density office buildings, etc. Mr. Hunting asked about the brush and
94 landscaping. Mr. Parker stated that they already have plans to landscape heavily.

95
96 **ADJOURN:** There being no further business, *Samantha Scott moved to adjourn. Eric*
97 *Hunting seconded the motion. The motion passed with a unanimous vote, and the meeting*
98 *was adjourned.*

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Joni Crane, Planning Commission Chair

Awaiting Formal Approval



VERNAL PLANNING COMMISSION STAFF REPORT

ITEM: B1

DATE: 10 August 2018

MINOR SUBDIVISION		For: RECOMMENDATION	
APPLICATION:	2018-006-SUB (AA Investments LLC Subdivision)		
APPLICANT:	Michael Eskelson		
LOCATION:	1475 East 500 South		
PARCEL NUMBER(S):	05:046:0038	ZONE:	I-1
		ACREAGE:	1.41Acres

ANALYSIS:

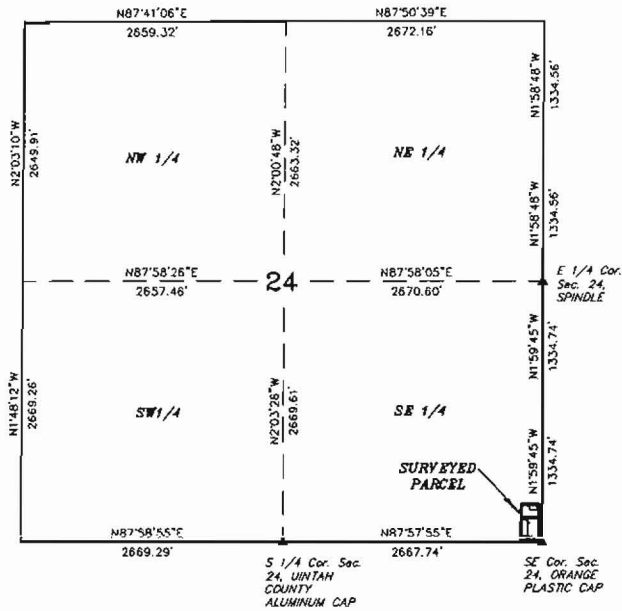
The applicant is requesting approval of a minor subdivision of one parcel into two lots. The areas of the new proposed lots will be Lot 1 (Lot A on original submittal) at .89 acres and Lot 2 (Lot B on original submittal) at .53 acres. Each of the new lots meet dimensional and area standards set forth in Vernal City Code and will not create a nonconforming condition with any of the existing structures. Staff has conducted a full review and found that the submittal is in substantial compliance with Vernal City requirements. A review of the application has been conducted by Timberline Land Surveying and Engineering and some minor discrepancies were noted. Corrections have now been made and the submittal is in substantial compliance with applicable surveying and engineering standards as well as Vernal City Code.

STAFF DETERMINATION:

This application is in substantial compliance with Vernal City Code and the requirements contained therein. Staff finds that this is an approvable application with the following conditions:

1. Any and all corrections required by staff and/or engineering are made.

Allen Parker
Assistant City Manager



SURVEYOR NARRATIVE

AA INVESTMENTS, LLC ASKED UELS TO PREPARE A SPLIT LOT SUBDIVIDE SURVEY AND PLAT. THE PARCEL IS LOCATED AS SHOWN IN SE 1/4 SECTION 24, T4S, R21E, S.L.B.&M. FOR CONTROL, I USED THE UTAH COUNTY SURVEY CONTROL OF NORTH CENTRAL VALLEY PLAT AS RECORDED AND CORNERS SHOWN HEREON AND THE DEED DESCRIPTIONS.

ORIGINAL PARCEL DESCRIPTION

(SERIAL #050460038 ENTRY #2008002421 BOOK 966 PAGE 573)

BEGINNING AT A POINT 2 RODS WEST AND 2 RODS NORTH OF THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 4 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE WEST 176.1 FEET; THENCE NORTH 349.7 FEET; THENCE EAST 176.1 FEET; THENCE SOUTH 349.7 FEET TO THE POINT OF BEGINNING.

NEW LOT A

NEW LOT A BEGINNING AT A POINT S87°57'55"W 2 RODS AND N1°59'45"W 2 RODS OF THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 4 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE S87°57'55"W 176.1 FEET PARALLEL TO THE SOUTH LINE OF THE SE 1/4 OF SAID SECTION 24 AND ALONG THE NORTH RIGHT OF WAY OF 500 SOUTH STREET; THENCE N1°59'45"W 219.0 FEET PARALLEL TO THE EAST LINE OF THE SE 1/4 OF SAID SECTION 24; THENCE N87°57'55"E 176.1 FEET TO A POINT ON THE EAST RIGHT OF WAY OF 1500 EAST STREET; THENCE S1°59'45"E 219.0 FEET ALONG THE WEST RIGHT OF WAY OF 1500 EAST STREET TO THE POINT OF BEGINNING. CONTAINS 0.8854 ACRES MORE OR LESS.

NEW LOT B

NEW LOT B BEGINNING AT A POINT S87°57'55"W 2 RODS AND N1°59'45"W 219.0 FEET OF THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 4 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE S87°57'55"W 176.1 FEET PARALLEL TO THE SOUTH LINE OF THE SE 1/4 OF SAID SECTION 24; THENCE N1°59'45"W 130.7 FEET PARALLEL TO THE EAST LINE OF THE SE 1/4 OF SAID SECTION 24; THENCE N87°57'55"E 176.1 FEET TO A POINT ON THE EAST RIGHT OF WAY OF 1500 EAST STREET; THENCE S1°59'45"E 130.7 FEET ALONG THE WEST RIGHT OF WAY OF 1500 EAST STREET TO THE POINT OF BEGINNING. CONTAINS 0.5284 ACRES MORE OR LESS.

Original Submittal

OWNER'S CERTIFICATION

THE UNDERSIGNED OWNER(S) OF THE FOREGOING DESCRIBED TRACT OF LAND, DO HEREBY SPLIT THE TRACT TO TWO TRACTS AS SHOWN.

DATED THIS ____ DAY OF ____ 20 ____

STATE OF UTAH)
COUNTY OF UTAH)

ON THIS ____ DAY OF ____ 20 ____

PERSONALLY APPEARED BEFORE ME WHO BEING BY ME DULY SWORN DID SAY THAT THEY ARE THE OWNERS OF THE PROPERTY AND THAT THE FOREGOING INSTRUMENT WAS SIGNED AND THEY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

RESIDING AT _____
NOTARY PUBLIC
MY COMMISSION EXPIRES _____

SURVEYOR CERTIFICATE

THIS IS TO CERTIFY THAT THE ABOVE PLAT WAS PREPARED FROM FIELD NOTES OF ACTUAL SURVEYS MADE BY ME OR UNDER MY SUPERVISION AND THAT THE SAME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Harold Nelson
REGISTERED LAND SURVEYOR
REGISTRATION NO. 179869
STATE OF UTAH



PLANNING COMMISSION CERTIFICATE OF APPROVAL

THE VERNAL CITY PLANNING COMMISSION HEREBY CERTIFIES THAT THE FOREGOING MINOR SUBDIVISION PLAT, WAS APPROVED BY SAID COMMISSION

THIS ____ DAY OF ____ 20 ____

CHAIRMAN, VERNAL CITY PLANNING COMMISSION

MAYOR AND CITY COUNCIL APPROVAL AND ACCEPTANCE

THIS IS TO CERTIFY THAT THIS MINOR SUBDIVISION PLAT IN VERNAL CITY WAS DULY APPROVED AND ACCEPTED BY THE MAYOR AND CITY COUNCIL OF VERNAL CITY ON THE

THIS ____ DAY OF ____ 20 ____

MAYOR, VERNAL CITY

ATTEST: _____
CITY RECORDER

CITY SURVEY'S CERTIFICATE OF APPROVAL

I CERTIFY THAT I HAVE CAREFULLY REVIEWED THIS MINOR SUBDIVISION PLAT AND IT COMPLIES WITH THE REQUIREMENTS OF THE CURRENT VERNAL CITY MUNICIPAL CODE.

THIS ____ DAY OF ____ 20 ____

CITY ENGINEER
STATE LICENSE NO. _____

VERNAL WATER AND SEWER APPROVAL

APPROVED BY VERNAL WATER AND SEWER DEPARTMENT

THIS ____ DAY OF ____ 20 ____

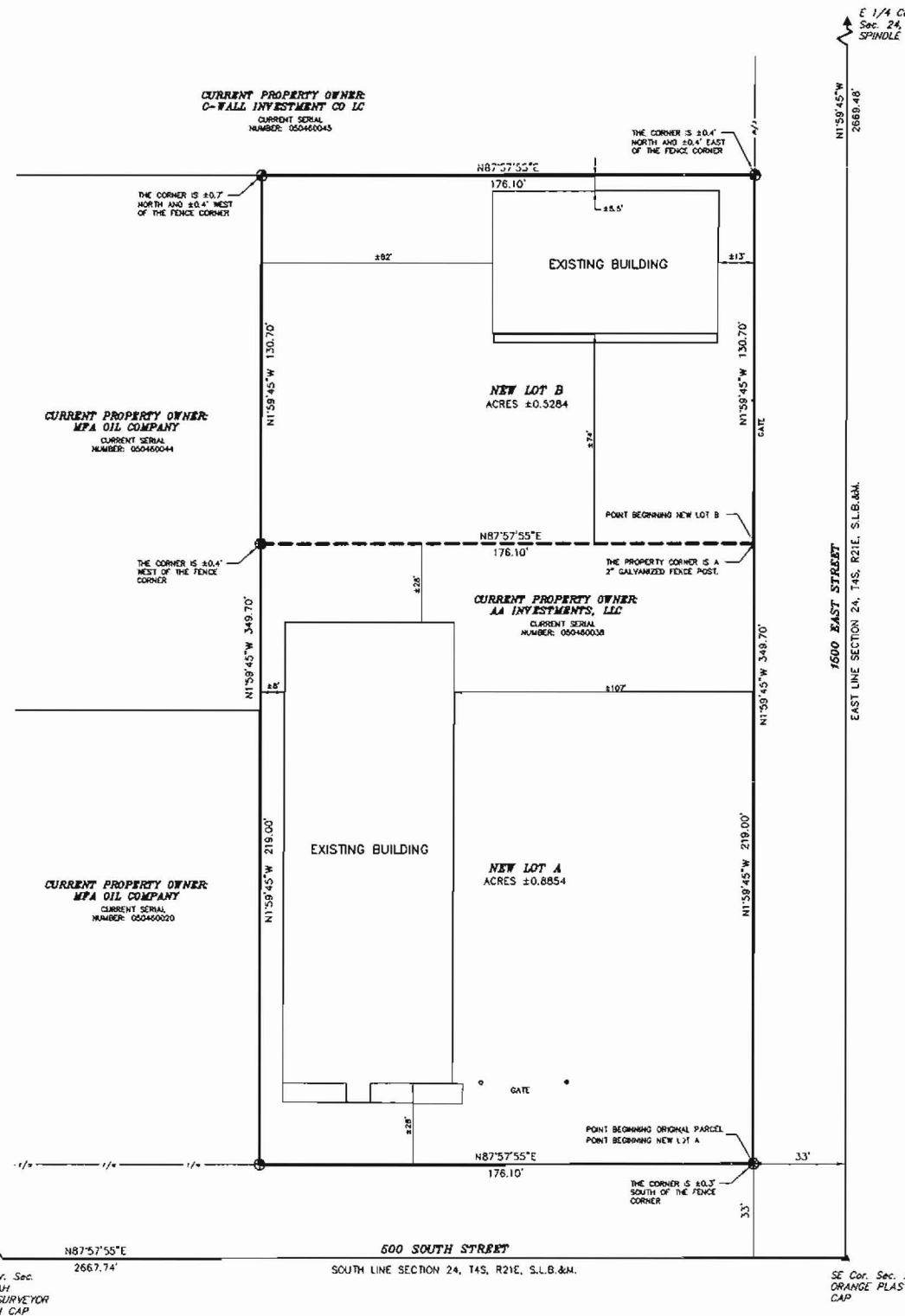
DEPARTMENT MANAGER

UINTAH COUNTY TREASURER CERTIFICATE

THE UINTAH COUNTY TREASURER HEREBY CERTIFIES THAT THIS PROPERTY IS FREE AND CLEAR OF ALL BACK TAXES

ON THIS ____ DAY OF ____ 20 ____

UINTAH COUNTY TREASURER



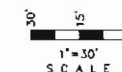
S 1/4 Cor. Sec. 24, UTAH COUNTY SURVEYOR ALUMINUM CAP

SE Cor. Sec. 24, ORANGE PLASTIC CAP

LEGEND

- ▲ SECTION CORNER LOCATED AND SHOT DURING SURVEY
- ⊙ SET BLUE MONUMENT PLASTIC CAP ON REBAR MARKED PLS 17869 HU UELS, LLC
- ⊕ FOUND ORANGE PLASTIC CAP ON REBAR MARKED LS 140851
- ⊕ FOUND RED PLASTIC CAP ON REBAR MARKED LS 162377
- ROAD ROW LINE
- - - - - FENCE

BASIS OF BEARINGS IS THE SOUTH LINE OF THE SOUTH EAST 1/4 WHICH WAS ASSIGNED FROM UTAH COUNTY SURVEY OF CENTER VALLEY TO BEAR N87°57'55"E.



AA INVESTMENTS, LLC
SPLIT LOT SUBDIVISION
SEC. 24, T4S, R21E, S.L.B.&M.
VERNAL, UTAH

DATE	
BY	
SCALE	
DRAWN BY	
DATE DRAWN	
DATE FILED	
FILED BY	
FILE NO.	25306