

Minutes

Price City Planning and Zoning Commission

January 12, 1998

Price City Hall 6:00 P M

Present: John Angotti, Chairman Francis Duzenack, Zoning Administrator

Larry Bruno Carolyn Vogrinec, Secretary

Joe Piccolo

Gary Lyon

Penny Sampinos

Rose Etzel

Excused: Alfred Richens

Meeting convened at 6:00 P M

I. APPROVAL OF MINUTES OF DECEMBER 15, 1997

There were no corrections or changes to the minutes and Gary Lyon made

a motion to approve the minutes of the December 15, 1997 Meeting as read. Larry Bruno seconded and the motion carried.

II. HOME OCCUPIED BUSINESS - OFFICE IN THE HOME

TIM FISHER CONSTRUCTION DRYWALL

251 SOUTH 700 WEST

TOOLS AND SUPPLIES STORED IN THE SHED

Mr. Fisher appeared before the Commission representing his business. There were no concerns or questions. Larry Bruno made a motion to forward a favorable recommendation to City Council for the Home Occupied Business - Office Use Only of Tim Fisher Construction Drywall. Penny Sampinos seconded and the motion carried.

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III. HOME OCCUPIED BUSINESS

BEACON RAILROAD SERVICES

161 EAST 900 NORTH

TRANSPORTATION OF RAILWAY CREWS

JEFFREY BRACKEN

Mr. Bracken told the Commission that vans or four-wheel vehicles were used to transport the crews to Soldier Summit and pick them up at Willow Creek. Engineers are only allowed a 12-hour shift and then a rested crew must be brought to replace them. The vans will be kept at the homes of those driving them and they will be responsible for them. There were no questions or concerns and Rose Etzel moved to forward a favorable recommendation to City Council for the Home Occupied Business - Beacon Railroad Services. Gary Lyon seconded and the motion carried.

IV. HOME OCCUPIED BUSINESS

CARBON CAB COMPANY

41 EAST SMITH CIRCLE

RECEIVE AND DISPATCH TAXI

DIANE TRUSCOTT

Leo Truscott appeared before the Commission in behalf of the Carbon Cab Company. He indicated they would run the cab out of their home for the first three months. Eventually, they will have three drivers to run the cab 24 hours a day and the driver will house the cab at his home. This is an existing business that is being relocated. There were no questions or concerns and Larry Bruno moved to forward a favorable recommendation to City Council for the Home Occupied Business - Carbon Cab Company. Joe Piccolo seconded and the motion carried.

V. HOME OCCUPIED BUSINESS - BUSINESS OFFICE ONLY

O'BRIEN PLUMBING AND HEATING

30 EAST 200 NORTH

DAVID O'BRIEN

David O'Brien was not present at the meeting and, after some discussion, it was felt a Conditional Use Permit was a more acceptable way to proceed with this matter and recommended tabling the item.

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(DAVID O'BRIEN PLUMBING, CONTINUED)

Gary Lyon made a motion to table the O'Brien Plumbing matter for further review and alterations. Rose Etzel seconded and the motion carried.

VI. CONDITIONAL USE PERMIT - SIGNS

TACO TIME RESTAURANT

640 WEST PRICE RIVER DRIVE

Owner Kimberly Noyes told the Commission that changes would be made to the standing sign and a new sign would be placed on the side of the building. The standing sign is a replacement, but the sign on the side of the building is new and will adhere to code. Francis Duzenack indicated he had no concerns. There were no questions and Penny Sampinos moved to forward a favorable recommendation to City Council for the Conditional Use Permit - Signs for Taco Time Restaurant. Rose Etzel seconded and the motion carried.

VII. CONDITIONAL USE PERMIT - SIGNS

HELPER AUTO SALES - PRICE LOCATION

410 EAST MAIN

JOHN C. PAPPAS

Mr. Pappas indicated there would be signs on all three sides of the awning. The sign on the front of the building would be painted on metal and attached to the building. All signs meet the Price City Land Use Management and Development Code. There will also be a sign on the west side of the building in the future. There were no further concerns and Joe Piccolo moved to forward a favorable recommendation to City Council for a Conditional Use Permit - Signs for the Helper Auto Sales at their Price City location. Gary Lyon seconded and the motion carried.

VIII. CONDITIONAL USE PERMIT - PRELIMINARY AND FINAL

MARKET EXPRESS/BURGER KING/CAR WASH

121 NORTH CARBONVILLE ROAD

ANGELO AND DINO KIAHTIPES

Chairman Angotti called the Commission's attention to the Development Review by Price City Engineer Gary Sonntag. Francis Duzenack indicated he had given a copy of this review to Dino and Angelo Kiahtipes. They have reviewed the document and most of the items have already been added or noted on the plans.

The following are notations and items are to be completed and reviewed with City Engineer Gary Sonntag.

1) Slope of Curb and Gutter on Carbonville Road: The plans show

this as sloping to the North when it actually slopes to the south to the existing catch basin.

2) Installation of 100 North Sidewalk for Pedestrian Traffic: Francis Duzenack indicated he had spoken with UDOT and their recommendation for the 100 North sidewalk is to have a 10' parkway between the curb and sidewalk. This allows extra room to stack snow in the winter time. Dino Kiahtipes indicated that if UDOT-required sidewalk is required there, it would be installed. However, they were concerned as to what would happen when the sidewalk meets the Price River. Will people use the sidewalk to that point and then try to go under the freeway through the off-ramps? UDOT plans to have pedestrian lanes across the off-ramps and before long, a traffic signal will be installed at the off-ramp intersection.

Joe Piccolo expressed some concern regarding the 100 North sidewalk. The sidewalk at Taco Time side was eliminated, encouraging the use of the sidewalk on the south side of the street. He asked

whether or not UDOT had any plans as to where they will put the pedestrian walkway. Francis Duzenack indicated it would be both sides of the intersection. Mr. Piccolo commented that perhaps they would do as they did with the viaduct coming into Price - installing the sidewalk on one side.

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(MARKET EXPRESS, CONTINUED)

Mr. Kiahtipes feels that if they are required to install the sidewalk, they would like to see it extended to cross the river and through the freeway off-ramps. Discussion was held on the matter. Pedestrian safety is the main concern and it was suggested by Mr. Piccolo that UDOT be contacted for a definite commitment. He would like to see UDOT's plans of the sidewalk area before Mr. Kiahtipes is asked to install the sidewalk.

3) Traffic Signal Poles: Disregard this matter as they have been shown on the current plans.

4) Location and Number of Street Lights: Francis Duzenack indicated he had spoken with Gary Kutkas of the Price City Electrical Department concerning the number and location of streets lights in this area. Mr. Kutkas indicated everything was in order and that he had no concerns.

5) Installation of a Temporary Barrier: Installation of a temporary barrier along the project- boundary will be done, thus, preventing access and use of undeveloped property, particularly within the flood plain.

6) Ten Inch Water Lines: The mentioned ten-inch water line on 100 North does not exist. There is only one 10-inch water line and it is continuous east and west and closer to the adjacent property line. Location of fire hydrants should be reviewed with the Fire Chief.

7) Elevation Certificate: The elevation certificate for finished floor elevations will be issued since this project is within the 100-year flood plain.

8) Water Connection: The water connection will be onto a high pressure water system and installation of pressure-reducing valves will be needed.

9) Reconstruction of the corner to provide for a disability ramp: Larry Bruno asked if this would create problems. There will be no problems as the ramp can be done during construction.

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(MARKET EXPRESS, CONTINUED)

10) Public Improvements: All public improvements must meet City Minimum Standards and a Letter of Credit and the Development Agreement must be provided.

11) Encroachment Permit: Carbonville Road adjacent to the project is a State Road and an encroachment permit from UDOT will be needed.

12) Deletion of References: The detail sheet will be changed to delete references to Salt Lake City & Pleasant Grove.

13) Sewer Connections: Both sewer connections are made to the main line with a lateral six (6) inches or larger and should be connected with a standard concrete manhole section. Mr. Kiahtipes indicated PRWID would handle the sewer for the project and they will conform to all their requirements.

There were no further concerns and Larry Bruno moved to forward a favorable recommendation to City Council for a Conditional Use Permit for the Market Express/Burger King/Car Wash at 121 North Carbonville Road, with the contingency that all items listed on the Development Review, dated January 8, 1998 and provided by the Price City Engineer Gary Sonntag, are in compliance and also that contact be made with UDOT for a definite commitment concerning the installation of a sidewalk on 100 North Street. Gary Lyon seconded and the motion carried.

IX. CONDITIONAL USE PERMIT - PRELIMINARY AND FINAL

BILL'S HOME FURNISHINGS WAREHOUSE

45 SOUTH 300 EAST

Chairman Angotti recommended the concerns within the Development Review from Price City Engineering Department be addressed and asked for comments from Staff. Francis Duzenack told the Commission there is concern regarding the easement needed by Price City to access a power pole behind the building. City Engineer Gary Sonntag is recommending 15 feet egress on level ground. Bill Knott, representing Bill's Home Furnishings indicated he had measured the distance and came up with 14 feet, however, his contractor tells him that it is closer to 16 feet. It will

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(BILL'S HOME FURNISHINGS, CONTINUED)

extend no further than the existing building currently in place.

Francis Duzenack mentioned the easement has not been finalized by Price City and this should be done right away and can be done through Price City Engineer Gary Sonntag. He also indicated there were some provisions and street improvements required under the previous conditional use permit,

issued in 1995, that have not yet been done. This includes completion of the corner storm drain box, the Development Agreement/Letter of Credit as well as the completion of the electrical easement.

Mr. Knott indicated he had spoken with Mr. Sonntag some time ago concerning this issue and would work with him to write a description and do whatever else is necessary to finish and record the easement. In talking with the contractor on the storm drain box, Mr. Knott said the contractor had spoken with a Price City representative and was told the City would handle the storm drain box, so nothing further was done. However, Mr. Knott told the Commission that he was prepared to take care of the matter as soon as the ground is thawed.

Chairman Angotti asked if there were any other issues. Mr. Duzenack indicated a recommendation was made to delay the issuance of the building permit on the new building until compliance with the first Conditional Use Permit has been met. When asked, Mr. Knott told the Commission the beige metal building to be used for the warehouse will be here the first part of March and completed by mid-April. It will be on the east side of the parking lot and will not be connected to the main building.

There were no further questions or concerns and Joe Piccolo moved to forward a favorable recommendation to Price City Council for a Conditional Use Permit - Preliminary and Final - for Bill's Home Furnishings Warehouse, contingent upon preparation of the easement to access the power pole on the east side of the property; that the street improvements requested pertaining to the corner storm drain catch basin become a part of the newly issued Conditional Use Permit and completed with the new project; and that the Development Agreement and Letter of Credit also be forthcoming. Penny Sampinos seconded and the motion carried.

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X. CONDITIONAL USE PERMIT - PRELIMINARY AND FINAL

C J'S DO IT CENTER

710 EAST MAIN

Rick Krompel appeared before the Commission on behalf of CJ's Do It Center. Mr. Angotti called attention to the Development Review by Price City Engineer Gary Sonntag and asked for clarification on the items from Francis Duzenack. Mr. Duzenack indicated there could be some confusion with Mr. Sonntag's comments because, when he looked at the plan, he did not realize the site plan submitted was the original Safeway site plan. In going over the plans, many of these items will not apply.

1) Existing or new fire hydrants: This has been reviewed by the Fire Chief and he is recommending a hydrant be installed out toward the front of the building.

2) Existing or new street lights: The Price City Electrical Department indicates the street lights are already in place and there are no concerns.

3) Elevations or contours: There are no new plans for drainage as the facility will be drained as it has been in the past. The sump drain in the parking lot is always plugged and will be removed.

Surface drainage will drain down around the building and into Meads Wash. Discussion was held on the matter.

4) Improvement of 100 South Street: Price City owns a street on the south side of this property and the Planning Commission needs to think about the possibility of 100 South being completed. Discussion began on this matter. When asked his opinion on the matter, Mr. Duzenack told the Commission he felt it was not in anybody's best interests to require that half of the street be improved at this time. In the future, there may be development and Price City may then request improvements, but at this time, no improvements will be required along 100 South Street. Joe Piccolo asked that a minute entry be done at this time, indicating that 100 South Street property, Price City right-of-way, was considered and in the best interests of all property owners concerned, no development was required.

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(C J'S DO IT CENTER, CONTINUED)

5) Landscaping: Mr. Krompel indicated there would not be a great deal of landscaping. There will be landscaping around the storage area, revitalization of the area between his and the next building and also the parkways. Gary Lyon asked if the landscaping was at 5% of the land area. Discussion was held on this matter. Mr. Krompel told the Commission he feels landscaping is very critical to appearance and he will do as much as possible.

6) Three Foot Space: This item is indicated in the plans and has no relevance.

Mr. Krompel questioned the Commission concerning the sign code. He would like to use the business signs already in place. Mr. Duzenack indicated this would be discussed by Staff later on in the meeting. Mr. Krompel has included drawings of his signs with his Conditional Use Permit for approval. The Commission was told that this was one of the signs discussed by the Committee and because of the size of the building and the distance from the street, a larger sign is needed. Joe Piccolo asked if the pole sign on the corner of 700 East and Main Street would overhang the sidewalk. Mr. Krompel said he was not certain.. Discussion was held on the matter. Francis Duzenack told the Commission, that once the sign code is changed and approved, Mr. Krompel can use the larger building signs and also the sign on the corner of 700 East and Main Street, as long as it does not overhang the sidewalk.

There were no further questions or concerns regarding this matter and Larry Bruno moved to forward a favorable recommendation to the Price City Council for a Conditional Use Permit - Preliminary and Final for C J's Do It Center, contingent to all items listed below and in the Development Review by the Price City Engineering Department and dated January 8, 1998.

Items 1- 2 & 3 are to be completed;

Item 4 - Given the uncertainty of future development along 100 South Street, the Commission did not feel it was in anybody's best interest to complete the improvements on the property fronting 100 South Street;

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(C J'S DO IT CENTER, CONTINUED)

Item 5 - Landscaping - Recommendation was to require the recommended 5% of land area;

Item 6 - This item is no longer pertinent given the actual construction plan versus the old print;

This motion is also contingent upon the size and new sign code revision to allow a larger size sign where applicable and contingent upon the fact that the free standing sign will not overhang public property. There was no further discussion on the motion and Gary Lyon seconded and the motion carried.

XI. STAFF

A) LAND DEVELOPMENT CODE CHANGES

Francis Duzenack told the Commission that several items in the Land Management Use and Development Code Book have been marked for change. Once these changes are approved, the pages will be re-printed and the current code books updated. The changes are as follows:

1. Chapter 3, Page 12 - Section 3.6.12.1

Change minimum number of lots in Phase Development from 25 to 10. Our Land Development Code currently requires that when subdivisions are done in phases, they are required to do a 25 lot minimum. Staff felt like 25 lots was excessive and makes it difficult for the developers. This change would help the developers, lessen the chances of uncomplete subdivisions and make it easier to develop within Price City.

2. Chapter 4, Page 2 - Section 4.5.2

Delete "Utah Department of Transportation". This will be deleted from the text because their control ends at the back street curb.

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(REVISIONS TO CODE, CONTINUED)

3. Chapter 4, Page 6 - Item C Sign Dimensions

Add Item 5 "Or as permitted by Conditional Use Permit".

This will allow some latitude for larger business signs for those that need them. The sign code would still allow for 100 square feet, unless they can justify the need for something larger.

4. Chapter 4, Page 7 - Additional Requirements

Delete "Utah Department of Transportation".

Once again, this is a similar situation to Item #2 and should be deleted from the text.

5. Chapter 5, Page 1 - Section 5.5

Correct typo - Change Section 5.3 to 5.2.

This is a typographical error and will be changed.

6. Chapter 13, Page 1 - Section 13.4.1

Change one acre to 3/4 acre. Staff is recommending that the one acre requirement be reduced to 3/4 acre. The one acre requirement, in many cases, is justified, however most places will fit on 3/4 acre.

After a short discussion on these items, there were no further questions or concerns and Gary Lyon made a motion to accept the above six revisions to the Price City Land Use Management and Development Code as presented. Penny Sampinos seconded and the motion carried.

B) INFORMATION

As a matter of information, Chairman Angotti told the Commission that two items referred to the Board of Adjustments by Planning and Zoning Commission were approved. These are the variances for Frank and Brenda Peczuh and John and Wylma Temples. The other two requests for Dave Shiner and Jenny Colosimo have been approved, but are pending per the receipt of the certified mailing receipts.

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(INFORMATION, CONTINUED)

Penny Sampinos asked if the King's Table would return to Planning and Zoning to ask for an extension of the Temporary Conditional Use Permit for a Banner Sign. Staff indicated a letter has already been sent to them concerning this matter.

Francis Duzenack mentioned to the Commission that the VFW Club and Mark Justice, located in the old Capalbo Building, occupy the west portion of that building. Mark Justice is closing his insurance business and has offered to sell VFW his portion. VFW would then occupy the entire west portion of that building. This is a situation where we will have to get into a Planned Unit Development because there is no way to split the area even with the 3/4 acre code change. Because the west portion of the building is an independent building with a separation wall and meets building code, everything will work out very well. Research on a method will be done to allow them to proceed through the zoning ordinance successfully.

There was some question as to whether or not the Commission would have a quorum for the next upcoming Planning and Zoning Meeting due to other commitments by members. It was decided there would be enough present to field a quorum and the meeting date will remain as shown.

There was no further business and the meeting adjourned at 7:40 P M.

APPROVED

John B. Angotti, Chairman

Carolyn Vogrinec, Secretary