

Minutes

Price City Planning and Zoning

January 22, 2001

Price City Hall 6:00 P.M.

Present: John Angotti, Chairman Vern Jones, Community Administrator

Larry Bruno, Vice-Chairman Francis Duzenack, Zoning Administrator

Joe Piccolo Carolyn Vogrinec, Secretary

Penny Sampinos Gary Lyon Laurel Marinos Alfred Richens

Also Present: Ron Alexander Alisha Alexander Sandi Cox Jack Leautaud

Travis Leautaud Robert Schmidt Brian Baxter

- MINUTES OF JANUARY 8, 2001

Joe Piccolo asked that the following changes be made to the minutes:

1) Page 10, Paragraph 3, Line 4 to read: ***"This type of facility is not specifically designed in our Land Use Development Code" in lieu of Planning and Zoning.***

2) Page 11, Paragraph 4, Line 7 to read: ***"Chairman Angotti called for a motion and Joe Piccolo motioned the Conditional Use Permit requested by Four Corners Mental Health be denied."***, in lieu of the word ***requested***.

- Page 12, Paragraph 3, Line 12 to read: ***"Nelson Lane borders on the north side and 300 South borders on the south side."***, in lieu of ***west side***.
- Page 16, Paragraph 1, Line 10 to read: ***"This parking is designated parking for employees only."***, in lieu of ***"There is designated parking for employees only."***

Alfred Richens asked that the following changes be made to the minutes:

- Page 1, Paragraph 2, Line 14, under Also Present - Jeff "***Ohlwiler***" be correct to read "***Ohlwyler***".
- Page 17, Paragraph 2, Line 8 to read: ***"They anticipate they will meet the warrants and the development has agreed to install the traffic signal light."***, adding the word "***light***" for clarification.

Joe Piccolo then made a motion to approve the minutes of January 8, 2001 with changes as shown above. Gary Lyon seconded and the motion carried.

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- HOME OCCUPIED BUSINESS

SANDI T. COX

160 SOUTH 400 EAST

SALES OF GEL CANDLES

Sandi Cox explained she will be selling candles on the party plan. Larry Bruno asked about inventory and she indicated she will have product samples. Vern Jones asked for the quantity of samples to be kept on hand. She told the Commission there are 48 different scents and 3 or 4 different sizes of candles, however, she cannot afford all of them because she is just beginning her business. She could possibly have 100 candles total. She will take her candles to home parties, show the products and the customers will place orders. Once the order is received, she will deliver the candles to them. She has no plans for a sign.

Joe Piccolo told Ms. Cox inventory in a Home Occupied Business is not allowed according to Land Use Development Code. Ms. Cox explained the candle samples were needed in order for her to show and sell her product to her customers, but she will not have several of each sample in her home. Mr. Piccolo said if she were to sell her sample at a party, it would become an inventoried product. Mr. Jones asked if there were any way she could offer the scents to the public without having the actual candle. Ms. Cox didn't think this would be possible. Larry Bruno asked if she would be selling the samples or taking them to the party and then back home. Ms. Cox said this would be the ideal situation, however, if, for example, someone needed a gift immediately and wanted to buy a candle that evening, she would sell it. If the Commission tells her she cannot do that, then she won't do it. Mr. Piccolo said he would like to see this application licensed as an office use only so she will know that Price City does not allow stocking inventory in a Home Occupied Business. He also indicated her address was close to a commercial district and she may want to consider finding a location in the commercial district if her business develops to that point. Ms. Cox indicated this was her goal. Gary Lyon asked if Mr. Jones or Mr. Piccolo had a quantity in mind for the samples. Mr. Piccolo indicated it was not government's job to tell someone how to run their business just as long as it falls within the rules and regulations. Ms. Cox understands what is required by Price City and will govern herself accordingly. Penny Sampinos said her sample case is not inventory and Mr. Lyon agreed, stating the guideline here is not to have any inventory on hand.

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(SANDI T. COX, CONTINUED)

Joe Piccolo moved to forward a favorable recommendation to Price City Council for the Home Occupied Business - Office Use Only - Sandi T. Cox - Sales of Gel Candles. Penny Sampinos seconded and the motion carried.

- HOME OCCUPIED BUSINESS

TELERON COMMUNICATIONS

373 SOUTH 500 EAST, APT #2

BOOK DINNER ENGAGEMENTS VIA COMPUTER

RONALD O. ALEXANDER

Mr. Alexander explained he uses his home as an office only and a computer and telephone for his business. He uses a computer to draw tickets used for drawings for dinner engagements. Peczuh Printing then prints them. The client enters the drawing at participating businesses and Mr. Alexander then uses his phone by calling the prospective client concerning the drawing. He lets him know he has won a free dinner for he and his wife and gives him the needed information.. There were no questions or concerns and Alfred Richens moved to forward a favorable recommendation for the Home Occupied Business of Teleron Communications. Laurel Marinos seconded and the motion carried.

- CONDITIONAL USE PERMIT

SINGLE LOT SUBDIVISION

1721 EAST 500 SOUTH

TRAVIS LEAUTAUD

Mr. Leautaud came before the Commission to request a single lot division. Joe Piccolo asked if the property had already been subdivided previously. Mr. Leautaud indicated that it had, but he would like to split the home property from the farm. Francis Duzenack explained the previous request was a Conditional Use Permit to place a second home on a parcel of property because of the farm aspect of it. The Land Development Code lets us do that and at the time, he didn't want to subdivide a second lot off - they just wanted to add a second dwelling on a seven or eight acre parcel. Now they want to split off the parcel where Travis's house sits and, under State Law, it requires a recommendation from the Planning Commission, approval from City

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(LEAUTAUD SINGLE LOT SUBDIVISION, CONTINUED)

Council, and must be noted in the deed and recorded in the Records Office. The zoning will remain as it is currently. There was a recent zone change in that area and it is now zoned SF-8000 and includes this piece of property. The zone change extends to the Price Canal on the east boundary and to 500 South - Fausett Lane on the south boundary. There were no further questions or concerns and Larry Bruno moved to forward a favorable recommendation to Price City Council for the Conditional Use Permit - Single Lot Subdivision for Travis Leautaud. Penny Sampinos seconded and the motion carried.

- CONDITIONAL USE PERMIT - BUSINESS AND SIGNS

SMITH'S FOOD AND DRUG

955 EAST MAIN

SMITH'S CONOCO STATION

ROBERT SCHMIDT, AGENT

Mr. Schmidt appeared before the Commission representing the Smith's Conoco Station. He came for Concept Approval and is returning for further approvals. He recently spoke with Dale Stapley of UDOT and Price City Engineer Gary Sonntag regarding the driveway access on the side. Gary would like to see some type of control placed on the west side of the site and recommends closing the west driveway. Smith's would like to propose something a little bit different. They understand traffic already uses that side significantly to cut through the block from 100 North and Main Street. As it stands now, they cut through the parking lot and existing traffic because of the layout of the McDonalds Property. They are forced to go around McDonalds. They would like to propose a safer condition for the customers of Smith's. They would like to make one modification by installing an island on the west side and keep the west side driveway open, with the intent of keeping those people that cut through, away from the parking area and on the west side. They also intend to do some modifications to slow people down and not allow the area to be used as a straight shot or highspeed beltway through Smith's Parking Lot, and keeping those cars away from Smith's customers. Mr. Schmidt then presented the new plan and gave explanation as to how the proposed modifications will work. It's their opinion that the gas station or whatever

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(SMITH'S CONOCO STATION, CONTINUED)

they do on the McDonald's property isn't going to stop that flow of traffic - they will still use it. But, if they can make it safer, it will be beneficial.

Alfred Richens asked how much sight distance there would be from one of the pump islands to people coming through and pulling out to exit on the west side. Mr. Schmidt indicated it would be in excess of 50 feet. Joe Piccolo asked if the west driveway exited onto Main Street Only. Mr. Schmidt said yes and they propose it remain an exit only. It will be striped and signed. Gary Lyon asked if people with a boat and motor home pull into the gas station, will there be adequate measurements to accommodate the big rigs, even with the traffic coming through on the west side. Mr. Schmidt said they should be able to get in and make the turn and come through without problems. Mr. Lyon feels Mr. Sonntag and Police Chief Aleck Shilaos should take a look at the new plan.

There was a short discussion on what could actually be done to control the traffic going through the shopping center. Vern Jones asked if there had been any discussion on the closure of the east driveway that is shown and moving down farther to the east and using that driveway. That would quiet traffic more than any one given thing. Mr. Schmidt indicated there had been no discussion on this point, but feels that change might discourage access to the stores. Joe Piccolo recommended looking at the road running behind the stores with the possibility of making it a one-way road. He feels when one access is eliminated and another provided, traffic will use the one which has been provided. Larry Bruno asked the distance between the new island and the parking stalls. Mr. Schmidt indicated it is 25 or 30 feet, more than adequate. Typically, they use 24 feet between parking rows and 30 feet, if it is a main thoroughfare within a parking lot. Mr. Jones asked for clarification on the east boundary line and was told the road is open all along there

Understanding there are concerns with the traffic, Mr. Schmidt requested Preliminary and Final Approval for this project, subject to approval of the new configuration by Price City Engineer Gary Sonntag. Dale Stapley of UDOT indicated that since it is an existing one way access, and if it is left as a one-way access, he can live with it. Vern Jones asked Mr. Schmidt if he is aware of the after hours congregation problem in that vicinity. Eliminating one driveway and moving into a single driveway where you are channeled into the

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(SMITH'S CONOCO STATION, CONTINUED)

middle of the parking lot would disburse or slow down that type of activity. Alfred Richens indicated there will be congestion when someone pulls in the west lane, holding up traffic until they can turn left across two lanes of traffic onto the main highway. Mr. Schmidt said It won't adversely affect the business, but it may affect someone who may want to come through the west lane. The sign information for this project has been submitted and meets all requirements.

Mr. Richens feels since the Price City Engineer had not yet reviewed this plan, he should do this before it is sent to Price City Council. Mr. Schmidt indicated the sale of this property has not yet closed and closing is subject to final site plan agreement, so there is a time line on this project. Mr. Piccolo feels this project should not be held up and perhaps some latitude should be allowed. Following discussion, Joe Piccolo made a motion to forward a favorable recommendation to Price City Council for the Conditional Use Permit for Smith's Conoco Station - Business and Sign on the Preliminary Plan as presented, with the suggestion that, with the Price City Engineer's reviewed recommendation, pertaining to the westerly drive way on the property, the Price City Council contemplate a Final Approval, . Larry Bruno seconded and the motion carried.

- STAFF

- Community Administrator Vern Jones told the Commission that, at the last City Council Meeting, there was some discussion on the repair businesses within Price City. The Price City Council has asked Mr. Jones to chair a committee to study the matter and return with a recommendation on how to handle those repair businesses. This will include any type of repair business because they are in conflict with our business code and may or may not be allowed. The committee will look at the issue and determine whether or not they want this

type of business in the community and if so, will they be allowed in our neighborhoods and what type of recommendations and changes will be made. Following a short discussion, Mr. Jones asked for three volunteers from the Planning and Zoning Commission to serve on this

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(DISCUSSION ON REPAIR BUSINESSES, CONTINUED)

committee. Their responsibility will be to define, determine and provide a definition concerning this matter. Those volunteering were Al Richens, Joe Piccolo and Penny Sampinos. Mr. Jones, as Chairman, will also appoint a citizen or businessman at large and a Price City Councilperson. These people will be advised of the meeting schedule.

There was no further business and Alfred Richens made a motion to adjourn. The meeting adjourned at 7:00 P.M.

John B. Angotti, Chairman

Carolyn Vogrinec, Secretary