

Minutes  
Price City Planning and Zoning  
May 20, 2002  
Price City Hall 6:00 PM

Present: John Angotti, Chairman Francis Duzenack, Zoning Administrator  
Larry Bruno, Vice-Chairman Carolyn Vogrinec, Secretary  
Gary Lyon Laurel Marinos  
Penny Sampinos Alfred Richens

Excused: Elizabeth Kourianos

Also Present: Terry Rowley Bernie Iriart  
Lynn Hansen Jeffrey Hansen, M.D.  
Greg Mathis John Mathis  
Kassandra Guest Isabella Smith  
John Alger

I. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman John B. Angotti.

II. ROLL CALL

The above members were in attendance and a quorum was present. Elizabeth Kourianos was excused.

III. MINUTES OF MAY 6, 2002

There were no corrections or additions and Gary Lyon made a motion to approve the minutes of May 6, 2002 as read. Laurel Marinos seconded and the motion carried.

IV. HOME OCCUPIED BUSINESS - OFFICE USE ONLY  
TR ELECTRIC AND SUPPLY  
339 CRESTVIEW DRIVE  
SALES OF ELECTRICAL PARTS AND SUPPLIES  
TERRY ROWLEY, OWNER

Mr. Rowley explained most of his transactions will take place on the customer's property. The only sign to be used will be installed on the side of his pickup truck. There were no concerns and Larry Bruno moved to forward a favorable recommendation to Price City Council for the Home Occupied Business - Office Use Only for TR Electric and Supply, Terry Rowley, Owner. Gary Lyon seconded and the motion carried.

V. CONDITIONAL USE PERMIT - SIGN  
BEAUTY SHOP (UNDECIDED NAME)  
38 EAST MAIN  
KASSANDRA GUEST

Francis Duzenack explained he has been through this building for a previous business and feels it will work well for this business. He has already spoken with the ladies concerning the required business permits. They will call their business **The Mane Station@** and the sign will be a decal window sign. Both operators are licensed beauticians. Mr. Duzenack suggested checking with the State of Utah before registering the business name. There were no questions and Alfred Richens moved to forward a favorable recommendation to Price City Council for the Conditional Use Permit - Sign for The Mane Station, Cassandra Guest and Isabella Smith, Owners. Penny Sampinos seconded and the motion carried.

VI. CONDITIONAL USE PERMIT  
GARAGE AND EQUIPMENT BUILDING  
485 EAST 100 NORTH  
BERNIE IRIART

Mr. Iriart appeared before the Commission to request this Conditional Use Permit. Larry Bruno asked Staff if there was a development plan in place for this area. Mr. Duzenack indicated there were none of which he was aware. He was unable to put a site plan together because they have been awaiting clearance from the power company and just received that information today. Mr. Iriart has a 50' x 60' building to be situated in his rear yard, five feet from the property line on the north and west sides. Clearance has been approved by the power company and the building will work. The only remaining item to be handled is the relocation of the cable television line as it will not clear the building. Price City Power will move the secondary lines that currently go across the building. The primary lines have enough clearance. Alfred Richens referred to the portion of the application indicating the building would be used to store farm equipment and asked, when the equipment is being used, how far must it be moved for use. Mr. Iriart indicated the equipment is used for farming at Nine Mile - a distance of approximately 25 miles and, after use, will be stored in the new building. Chairman Angotti asked Mr. Duzenack if there were any problems with this matter. Mr. Duzenack indicated this building will be located in a CD Zone and, because it is in a CD Zone, the size of the building and setbacks are all done by Conditional Use Permit. In a Residential Zone, private garages are limited to the size of the home and cannot exceed the size of the dwelling, however, in a Commercial Zone, it is up to the Planning Commission to determine the size of the building. Alfred Richens asked if Price City has any plans for developing along 100 North. Mr. Duzenack indicated there were none of which he is aware aside from those in the Land Development Code. There may be some projects along 100 North being planned by Price City, but he has not received any information concerning these projects. Chairman Angotti asked if there were a problem with this proposed 50' x 60' building. Mr. Duzenack told the Commission the size of the building is determined by Conditional Use Permit. Between the Iriart Family, there is 1.5 acres in adjoining properties and the building will be set to the rear of the property.

Council Representative Elizabeth Kourianos has some questions on this building and if the Commission feels uncomfortable with granting this approval, it can be handled as a Concept and Preliminary and Mr. Iriart can return to the next meeting with a full site plan. Gary Lyon indicated he felt the building was not too big for the area.

(BERNIE IRIART - GARAGE & EQUIPMENT BLDG, CONTINUED)

Mr. Richens said the final approval would have to be given by Price City Council at their next meeting. Larry Bruno asked about the other buildings now on the property. Mr. Iriart told the Commission he plans to demolish the two old buildings and replace them with the new building. Mr. Duzenack indicated the Conditional Use Permit Fee for this process must still be paid and this should be made a contingency of the motion. There was no further discussion and Penny Sampinos moved to forward a favorable recommendation to Price City Council for the Conditional Use Permit for a garage and

equipment building - Bernie Iriart - Owner, contingent upon payment of the Conditional Use Permit Fee. Laurel Marinos seconded and the motion carried.

VII.     CONDITIONAL USE PERMIT - PRELIMINARY & FINAL  
          OPHTHALMOLOGY CLINIC & SURGERY CENTER  
          FAIRGROUNDS ROAD  
          JEFFREY HANSEN, M.D.

Architect Gregg Mathis made the presentation for the Ophthalmology Clinic and Surgery Center. He explained they had negotiated roadway width and utilities with Carbon County since receiving Conceptual Approval and are proposing to build a 10,300 square foot out-patient surgery center, along with Dr. Hansen's Medical Office upon the plateau at approximately 200 North Fairgrounds Road. The project will be just south of his existing building right below the canal crossing and the building will be located 15 to 20 feet off the new property line. A landscaped strip along Fairgrounds Road will serve as a buffer to the neighbors and there will be two driveways, one to the south and one to the north. They are providing parking at a slightly higher ratio than required by the City as well as landscaping along the front of the building. The contours shown on the enclosed map indicate the existing ground contour and the roadway drops quickly in grade to the intersection at Westwood Boulevard. The existing ground drains to the east, over the foothills and down Westwood Boulevard. During the Staff review, there were some concerns, one of which was the lack of streetlights shown on the plan. Francis Duzenack, Gary Sonntag and Jerry Wright have spoken with Utah Power and Light and there are two UP&L power poles, approximately 270 feet apart. Although this is further apart than Staff would like to see, they feel it will work. Mr. Duzenack said the normal spacing on streetlights is 200 feet, but it was felt 270 feet was close enough because of the existing poles.

(OPHTHALMOLOGY CLINIC & SURGERY CENTER, CONTINUED)

There will be some exterior lighting on the building, but the lights will not be on all night. Mr. Mathis explained this is not a 24 hour facility so the lights can be put on a timer. One problem of installing of new poles is they would conflict with the existing power line and Utah Power & Light will not be supportive of this idea.

Another concern is the on-site drainage. Typically, the drainage will follow the natural pattern and they will provide any type of containment and detention as required by the Code. They have completed a drainage study and have shown an above ground drainage containment system with two boxes and an outlet for what they are calling Phase I. At this point, they are proposing an earthen ditch to release the water and allow it to go where it normally goes-which is off the hill. They have chosen a point

where it is the least steep to avoid any erosion. It will also cut off the drainage that creates puddling and goes to the south side of the medical office building. They are cutting up the drainage and putting it into the bar ditch a little more quickly. The engineering problem with this idea was the bar ditch has been silted in and there is now vegetation. They had planned to clean out the bar ditch, however, Price City has already undertaken the project and cleared the ditch. Another solution for the drainage problem is the reconstruction of the bar ditch on Fairgrounds Road. These are the plans for Phase I. A line has been drawn across the three acres and they are calling the south portion Phase I and the north portion will be called Future Development. Larry Bruno asked if the temporary detention basin would also hold the water from Phase II. Mr. Mathis explained when Phase II is developed, the temporary detention will be reconstructed, depending on the building configuration and the parking lots, but the drainage will be detained and released in the same way. Because of the hill, they only see one more building on the property. There is a flat area, but access is difficult and the parking doesn't quite fit. Mr. Duzenack asked if the Phase I and Phase II lots will be separate parcels of land or all one property. Mr. Mathis indicated it will be all one parcel but they are proposing a Phase I Development. Larry Bruno asked if there would be a pipeline from the detention basin down to Westwood Boulevard. Mr. Mathis said they are proposing only an earthen ditch because they are not certain what is going to be done in the future and don't want to spend a great deal of money on infrastructure and then tear it up.

The building itself is designed to be a flat roof style with arches, finished with synthetic stucco and stone work.

(OPHTHALMOLOGY CLINIC & SURGERY CENTER, CONTINUEE)

Chairman Angotti asked if a complete set of plans had been received. Mr. Duzenack indicated he had not yet received building plans or a complete set of site plans because of the questions needing to be answered. The old site plan was to improve only a portion of Fairgrounds Road, but since meeting with Carbon County Staff, their Engineer and Road Supt. has recommended Fairgrounds Road be improved the full length of the property through Phases I and II. That leaves Price City with the stretch of road along Westwood Boulevard and, at this point in time, there is nothing on this project affecting Westwood Boulevard. Staff feels Carbon County should look at the developments on Fairgrounds Road with Phase I and when Phase II, fronting on Westwood Boulevard, is ready, Price City can review those developments.

Alfred Richens asked, under normal precipitation circumstances, how much water from thunder showers and melting snow will be generated at this particular time during the year. Mr. Mathis told the Commission a 100 Year/3 Hour study was done and because the standard in the Development Code was not very clear, they used the worst

case scenario - a three hour storm at 100 years which estimated 1.55 inches. This would generate a combined flow of 2.55 cubic feet per second. Mr. Richens asked, if there are no concrete curb drains on Westwood Boulevard, will the run-off erode once the drain has been cleaned out, causing silt and vegetation. Mr. Mathis indicated it could, but they are trying to negate that with the detention basin which has a capacity of 8000 cubic feet of water at 2 2 feet deep. It will also have a controlled outlet allowing it to move slower than if deposited all at once. Until Phase II comes into play, we have the detention basin to slow down the water.

Larry Bruno would like to see a more complete set of plans before this project is given Final Approval. Mr. Mathis told the Commission the property purchase hinges on the Conditional Use Permit. They have not done a lot of work on the architectural plans because, if this Conditional Use Permit does not go through, the project will not happen there. Alfred Richens asked Mr. Mathis what ideas Carbon County had in the line of road improvements. Mr. Mathis indicated they had developed a cross section for the County that shows his client widening the roadway to provide two lanes and enough room for three lanes in the future. The County is not in the position to do any improvements now, but the Hansens will improve their side. The issue is whether they should improve Fairgrounds Road, Phase I and Phase II or do only Phase I at this point.

Price City Planning and Zoning  
Minutes of May 20, 2002  
Page -7-

(OPHTHALMOLOGY CLINIC & SURGERY CENTER, CONTINUED)

Alfred Richens asked if a traffic study on the area had been done. Mr. Mathis indicated the study has been done. He doesn't know the exact numbers, but the road is only at 15% to 17% capacity. Mr. Richens referenced the Commission back to the Planning and Zoning Meeting of February 25, 2002 when Price City Engineers Gary Sonntag and Jerry Wright appeared before the Commission, along with nearby property owners to discuss future plans for Westwood Boulevard and Fairgrounds Road. The property owners say there is a huge amount of traffic on the existing road now and development will only add additional traffic, making it impossible for them, at certain periods of the day, to get out on the highway. Mr. Mathis indicated Mr. Erramouspe, in representation of the property owners, has expressed concern regarding this matter at the County meetings also. In this meeting, Carbon County Surveyor Evan Hansen discussed the matter of the traffic study and the 15-17% capacity on Fairgrounds Road. When the road is widened and the extra turn lane provided, the volume will be there. Because Mr. Erramouspe was not interested in having any improvements on his property, the road will be widened and provide a shoulder on their side of the road, which can, in the future, go to three lanes. Price City indicated that, with development such as this, they would have to do some realignment of the intersection to the north. As it is now, it goes off to an angle and creates a safety hazard. Mr. Richens asked Mr. Duzenack if the City is prepared to do something with that roadway. Mr. Duzenack indicated City and County Engineers have met and talked about it and they will meet with both the Price City Council and the Carbon County

Commission to review their recommendations. They are hoping to work jointly to get the needed adjustments to improve the intersection. However, at this point, all that must be dealt with is the actual site development and frontages. Price City and Carbon County will try to work together and resolve all other problems. Alfred Richens expressed concern that more problems may arise after the land has been purchased, leaving the Hansens holding the land because they will not be allowed to proceed. Mr. Duzenack indicated the intersection is a totally separate issue. Mr. Richens pointed out this type of development will have an impact on that intersection as well as Fairgrounds Road and Westwood Boulevard because of the need for an improved alignment at the intersection. There are many motorists using the road that work in the gas fields and they drive quite fast along Fairgrounds Road. More development will create traffic problems and if Preliminary Approval is given, and problems arise following the approval, they will have purchased the property and be left holding the bag.

Price City Planning and Zoning  
Minutes of May 20, 2002  
Page -8-

(OPHTHALMOLOGY CLINIC & SURGERY CENTER, CONTINUED)

Mr. Duzenack suggested that, if the Commission does not feel comfortable with Final Approval at this point, they can give Preliminary Approval and ask for all the details to be included in the plans as far as the street widening, curb and gutter, etc. Mr. Richens feels with a project of this magnitude, approvals should be separate, going with Preliminary and then Final Approval. Mr. Duzenack concurred with this idea. Chairman Angotti asked if this was a request for plans and Mr. Duzenack said these would not necessarily be building plans. Mr. Mathis has submitted a set of six civil engineering documents showing roadway cross sections, but hopes to get Final Approval at the next meeting, without having to complete all the architectural plans. The architectural plans aren't important at this point and will be completed and reviewed before the building permit is issued. The main issue here is to make certain the site and drainage plans are workable and take care of any other problems. Comments from Price City Engineer Gary Sonntag were reviewed with the Commission by Mr. Duzenack and a copy given to Mr. Mathis.

Mr. Richens pointed out there will have to be an investment made in order to deliver sewer, water and power and Price City will want to provide these services instead of having them purchased from the other utilities in the area. Mr. Mathis indicated that, currently, the entire roadway width of Fairgrounds Road is in the County and they have negotiated with that in mind, thinking since they are fronting off the County, they will use the County utilities. If they need to connect from Price City, there will be some issues to resolve and a cost increase of from \$10,000.00 to \$20,000.00, so they have planned to come from PRWID, if possible. Alfred Richens said, in the past, Price City has required developers to purchase utilities from them because they are concerned with the building up of the City. Mr. Mathis said typically the utilities come

off the location of the frontage. Mr. Richens indicated the Price City Council will probably require the use of Price City Utilities.

Chairman Angotti asked Commission Members for input. Larry Bruno indicated he would like to see the issue on Westwood Boulevard resolved because, if this is a property that will eventually develop onto Westwood Boulevard, perhaps it should not be tied to Phase II. Alfred Richens said with the property being on a hill, he doesn't see how it can be further developed and come out onto Westwood Boulevard. Everything should access onto Fairgrounds Road, except the part of the parcel that is under the hill.

(OPHTHALMOLOGY CLINIC & SURGERY CENTER, CONTINUED)

Mr. Duzenack said the Phase II Parcel is next to the existing medical building and could possibly access onto Westwood Boulevard, but the property does not actually go to the right-of-way. Mr. Mathis said the City owns 180 feet of property there and have already sold 50 feet of that 180 feet to the Atwood Medical Building and the right-of-way fence is 50 feet off the property line. There has been some talk that Price City doesn't need the entire 180 feet, so depending on what has happened with the 50 feet, it's possible this property will not front on Westwood Boulevard. Mr. Duzenack explained the road is very wide there and Fairgrounds Road was once a County Road. Some years ago, a parcel was sold to the Valley View Medical Center and, at some time, they decided they didn't need the extra property. It's not really a problem because all the street improvements will go in right away and we may end up with the development of curb, gutter and sidewalk and maybe another 30 feet of property right-of-way, but still it's usable. UDOT has decided they have a wider right-of-way on Westwood Boulevard and 100 North than is needed and have allowed some businesses, Taco Time, Kentucky Fried Chicken and Log Palace, to use part of the UDOT right-of-way for parking lots. The new Big O Tire Store is also using part of that right-of-way as a drive-thru for their business. This is something that could be worked out with Price City Council. Mr. Richens mentioned the existing building has unlimited access to both Fairgrounds Road and Westwood Boulevard and creates a problem. If they redesign and reconstruct the intersection, it should be changed to limited access and annexed into the City. Mr. Duzenack concurred, saying the project was done a number of years ago when it was still a County Road and needs to be reviewed. The property between the right-of-way fence and the property line is owned by Price City. It is the actual right-of-way, but the fence is on the right-of-way line, which extends beyond the fence. When both City and County Engineers were reviewing this, they determined it was surveyed that way by the State in order to build the highway and the actual right-of-way was changed. The State, later on, turned it over to the County and it has since been turned over to the City. Larry Bruno asked if a Development Agreement could be done and attached to the property so when future development comes along, the street improvements will be done. It was suggested we

concentrate on the development along Fairgrounds Road because this is the area the project will affect. Phase II will affect Westwood Boulevard and, at that time, a condition of the approval will be to develop the Westwood Boulevard frontage.

Price City Planning and Zoning  
Minutes of May 20, 2002  
Page -10-

(OPHTHALMOLOGY CLINIC & SURGERY CENTER, CONTINUED)

Gary Lyon asked if access would ever be available to Westwood Boulevard. Mr. Mathis said there was one small little cove that may be accessed, but the only other option would be to wind some type of road up the hill, and it would be very steep and not the preferred method. If there was a need for a small enough building and the parking would fit, there is a possibility they could access this one little piece. Larry Bruno said he favored street improvements for Phase I, in the event the Phase II property is sold, and asked Mr. Duzenack, if and when development takes place along Westwood Boulevard for Phase I, could the street improvements still be required for the Phase II parcel of property in order to tie it to the entire parcel. Mr. Duzenack indicated that could be done.

Mr. Mathis indicated Price City owns the 50 foot strip of property and it cannot be developed without the cooperation of the City. A Development Agreement would be fine, but the City will be able to control the situation by deciding what will happen to the 50 foot strip. Larry Bruno said it would have to be in the form of a Development Agreement because, normally the developer is responsible for the development unless there is some type of an agreement stating that, in the future, the street improvements will be completed. Because there are no plans for or any established buildings on that parcel, Mr. Bruno feels this is the best way to handle this matter. Mr. Duzenack indicated this is a Catch 22 situation because the property actually fronts both streets and that's why County Staff has decided we should concentrate on the Fairgrounds Road now and on Westwood Boulevard when this development of Phase II comes about. This could be a Development Agreement to be done at the time when a proposal is made for Phase II. Price City will have control of the right-of-way forever, so when development comes along, the extra property will be there. The City may do something similar to what has been done by UDOT - an agreement with the landowner stating that he can use the excess roadway. However, he doesn't foresee a road wide enough to use the entire right-of-way. Mr. Bruno indicated he was comfortable with this arrangement.

Chairman Angotti asked if everything must be done all at once. Mr. Mathis indicated that would make the work cost prohibitive, but, if they can agree on plans to improve Fairgrounds Road in Phase I and Westwood Boulevard in Phase II, it will alleviate some of the cost. Chairman Angotti asked the total cost and Mr. Mathis said it would

run about \$80,000.00 to do the roadways. However, as Larry Bruno pointed out, the roadways are not being done now, they are just agreeing to do them at a later date.

Price City Planning and Zoning  
Minutes of May 20, 2002  
Page -11-

(OPHTHALMOLOGY CLINIC & SURGERY CENTER, CONTINUED)

Mr. Richens recommends Preliminary Approval for this Conditional Use Permit, but feels it should be reviewed by Price City Council in order for this Commission to know what the City is going to allow. Gary Lyon asked Mr. Mathis if his client would feel comfortable with this move. Mr. Mathis indicated he would propose to

- (1) Improve Fairgrounds Road
- (2) Sign an agreement to improve Westwood Boulevard in Phase II
- (3) Provide temporary detention and power lights as shown on the plan
- (4) Bring the utilities from Westwood Boulevard

and feels this will address any concerns established by Building Official Francis Duzenack. For clarification purposes, Lyn Hansen asked if the agreement for Phase II means any development accessing off Westwood Boulevard and not if there is some other development accessing off Fairgrounds Road. Larry Bruno indicated there will never be an incentive for anyone to develop the property unless the parcels are connected in some way. Phase II will be the whole thing for any future building. Mr. Mathis explained that Price City is trading the improvements on Fairgrounds Road for half of the improvements on Westwood Boulevard. However, Larry Bruno clarified that statement by stating Price City is not trading, only delaying the improvements until such time as any future building is to be done on Phase II. The Price City Land Use Management and Development Code states that both sides should be developed and according to plans, there is a potential to access Westwood Boulevard. At some point in time, there must be some guarantee that developers will develop that property and this becomes Price City's mechanism for doing that. Otherwise, Phase II could go in, the improvements would not be done and because there is no agreement to do them, Price City, sometime down the road, would have to do the street improvements and the developer will get off without bearing the cost of installing those improvements. There was some discussion on this matter.

Price City Planning and Zoning  
Minutes of May 20, 2002

(OPHTHALMOLOGY CLINIC & SURGERY CENTER, CONTINUED)

Dr. Hansen told the Commission they were happy to improve Fairgrounds Road and had anticipated doing it. However, he is concerned that if part of the development of Phase II includes a long line of curb and gutter improvements on Westwood Boulevard, it may not be economically feasible and may prevent a Phase II from ever happening because of the expense. Mr. Mathis assured Mr. Hansen that on a per square foot basis, it will be a wash with the new building because the utilities will be stubbed in and Fairgrounds Road will be done. There would be some costs, but he doesn't feel it would be out of proportion with what is now being done. The other issue is the Development Code requires provision of serviceability letters from all utilities. At this time, only one preliminary letter from PRWID and one from Questar Gas have been received indicating they have available service. They are still awaiting the letter from UP&L. Mr. Duzenack indicated Price City would like to provide utility services out there. The power is the utility most questionable because Price City is quite a distance away and it could be expensive to run power and may entail a line extension. The Price City Utilities Department will review the situation and report back.

Alfred Richens indicated this was the reason for Preliminary Approval and allowing City Council to make the final conditions. It will also allow time to get some actual costs on the power extensions. Chairman Angotti asked Mr. Mathis if Preliminary Approval would be acceptable. Mr. Mathis indicated they will accept Preliminary Approval but would like to begin as soon as possible so they can push ahead before the winter months. Mr. Richens said if there are no adverse comments from Price City Council, they can return in two weeks time for Final Approval. Mr. Duzenack reviewed the conditions for Final Approval as follows:

- (1) Payment of Conditional Use Permit Fee
- (2) Improve Fairgrounds Road the full length of the property
- (3) Price City Utilities
- (4) Details on drainage plans
- (5) Use of Westwood Boulevard coming into play with Phase II
- (6) Site development plans

Mr. Mathis agreed with all conditions of approval except for the use of Westwood Boulevard coming into play on Phase II and he would like to exclude power there at this time. Mr. Duzenack agreed to this exclusion because the power is still in question.

(OPHTHALMOLOGY CLINIC & SURGERY CENTER, CONTINUED)

Mr. Mathis asked, if Price City requires the power to come from their service, will they pay to extend the main line or will the Hansens have to bear this expense. Mr. Duzenack was uncertain who would be financially responsible for any line extension. He cited a recent instance where the developer paid for the line extension, but credit was given for usage. There is a formula whereby, if Price City gets their money back within five years time, they pay the line extension. If not, credit is given for the five year usage and the cost is reduced. Larry Bruno asked, if the developer bears the cost for the line extension and someone else wants hook on the line in the future, will they have to pay the developer. Gary Lyon said that, in most cases, this is how it is handled.

There were no further questions or discussion and Larry Bruno moved to forward a favorable recommendation to Price City Council for the Conditional Use Permit - Preliminary Approval for the Ophthalmology Clinic & Surgery Center. Alfred Richens seconded and the motion carried.

#### VIII. STAFF

Nothing to report at this time.

#### IX. UNFINISHED BUSINESS

- A) Jeff Nielsen - Eastern Utah Produce - Produce Stand  
No letter of permission from Gas & Go as of this date
- B) Dave Jelsma - Skin Ink - Restriction of Merchandise Contract  
Nothing as of this date

There was no further business and Gary Lyon motioned to adjourn. The meeting adjourned at 7:00P.M.

APPROVED

---

John B. Angotti, Chairman

---

Carolyn Vogrinec, Secretary