

Minutes
Price City Planning and Zoning
June 10, 2002
Price City Hall 6:00 PM

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

Also Present: John Mathis Geniva Brooks
Greg Mathis Marilyn Harber
Lyn Hansen Jeffrey Hansen, M.D.
Nick Tatton Tom Rice, Jr.
Rick Krompel

PLEDGE OF ALLEGIANCE

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

ROLL CALL

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

MINUTES OF MAY 20, 2002

The following corrections will be made to these minutes:

1) Agenda, Page 1, Item V - the address should be corrected to read:

A959 North 100 East@.

2) Page 4, Paragraph 1, Line 4 should be corrected to include and read:

***AMr. Duzenack indicated the Conditional Use Permit Fee for this process must still be paid
and this should be made a contingency of the motion.@***

3) Page 5, Paragraph 2, Lines 3, 4 & 5 should be corrected to read:

***AThey 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.@***

4) Page 9, Paragraph 1, Lines 15, 16, 17, and 18 should be corrected to read:

***AUDOT has decided they have a wider right-of-way on Westwood Boulevard and 100 North than is
needed and have allowed Taco Time, Kentucky Fried***

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(MINUTES OF MAY 20, 2002, CONTINUED)

Chicken and The Log Palace to use part of their right-of-way for parking.@ There were no further changes or corrections and Gary Lyon made a motion to approve the Minutes of May 20, 2002 as corrected. Larry Bruno seconded and the motion carried.

HOME OCCUPIED BUSINESS - OFFICE USE ONLY
SHAMROCK WEB DESIGNS
590 NORTH COTTONWOOD LANE
DESIGN AND MAINTENANCE OF WEB SITES
GENIVA BROOKS, OWNER

Ms. Brooks explained all of her work is done by computer and telephone and there is no inventory. She uses a laptop computer and meets the client on site. 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 - Shamrock Web Designs, Geniva Brooks, Owner. Penny Sampinos seconded and the motion carried.

HOME OCCUPIED BUSINESS - OFFICE USE ONLY

ANEW ESSENTIALS
959 NORTH 100 EAST
SALES OF BATH SALTS & OILS
MARILYN HARBER

Ms. Harber explained she is an occupational therapist studying alternative methods of healing and she has been looking into essential oils. In the future, she would like to set up a web site and a newsletter to provide information on the use of essential oils for health care in cases of arthritis and stress management. She is able to purchase her materials locally and will put together orders for bath oils and bath salts products at home. There will be no inventory or customers coming to the house. Supplies will be purchased to make the products when they are ordered and deliveries will be made by car. There were no further questions and Penny Sampinos moved to forward a favorable recommendation to Price City Council for the Home Occupied Business - Office Use Only for Anew Essentials, Marilyn Harber, Owner. Alfred Richens seconded and the motion carried.

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HOME OCCUPIED BUSINESS

AMANDA=S LITTLE LEARNERS
692 SOUTH 100 EAST
LICENSED CHILD CARE AND PRESCHOOL
AMANDA BENNETT, OWNER

Ms. Bennett was unable to attend and asked to have her application tabled until she has completed all details for her business. Gary Lyon made a motion to table Amanda=s Little Learners until the next upcoming meeting. Laurel Marinos seconded and the motion carried.

CONDITIONAL USE PERMIT

THOMAS H. RICE, JR.
240 SOUTH 700 WEST
PROPOSED CAMP TRAILER STORAGE
AT 471 SOUTH ROSE AVENUE

Mr. Rice appeared before the Commission explaining that rather than parking the camp trailers in his back yard or breaking the law by parking them on the street, he purchased this lot two years ago for the sole purpose of trailer storage. Both trailers are used by his family for hunting and camping and nobody resides permanently in either one of them. They are both currently licensed and the small utility trailer, just recently placed on the lot, is only there temporarily. Mr. Duzenack indicated the main concern of the Price City Land Use Management and Development Code is that the property be maintained and the weeds kept under control. The Code does allow, by Conditional Use Permit the storage of these items in this particular zone. However, Mr. Duzenack mentioned the trailers were stored 20 feet off the street, but the set back in that zone is 25 feet. As long as the trailers are parked 25 feet off the street, there will be no problem. Mr. Rice=s trailers have been vandalized twice and he has spoken with Ordinance Control Officer Byron Allred and was told that if he would keep the trailers closer to the street, they would be seen by the neighbors. Mr. Duzenack said there is still a 25 foot setback in the Land Development Code and it requires that recreational vehicles such as this be stored in the side or rear yards. Mr. Rice will comply with those requirements. There was no further discussion on the matter and Larry Bruno moved to forward a favorable recommendation to Price City Council for the Conditional Use Permit for the storage of camp trailers owned by Thomas H. Rice, Jr. at 471 South Rose Avenue. Gary Lyon seconded and the motion carried.

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CONDITIONAL USE PERMIT - SIGN

ROCKY MOUNTAIN HOME CARE
60 EAST 100 NORTH
CHRISTY DYETT, DIRECTOR OF CLINICAL SERVICES

Ms. Dyett was unable to attend and the presentation was made by Francis Duzenack. He indicated they are requesting the installation of a 4' x 12' fascia sign bolted to the face of the building. The sign will be hand painted by Kerry Jensen and is well within the sign code. There were no concerns and Alfred Richens moved to forward a favorable recommendation to Price City Council for the Conditional Use Permit - Sign for Rocky Mountain Home Care. Penny Sampinos seconded and the motion carried.

CONDITIONAL USE PERMIT - FINAL APPROVAL
OPHTHALMOLOGY CLINIC & SURGICAL CENTER
APPROXIMATELY 200 NORTH FAIRGROUNDS ROAD
JEFFREY HANSEN, M.D.
GREG MATHIS, ARCHITECT

Mr. Mathis told the Commission they have had a special meeting with the Price City Mayor and the utility issues have been worked out. All utilities, including the power, will now come from Price City. The roadways and drainage have also addressed. They are ready for Final Approval and will begin the project as soon as possible. Councilwoman Elizabeth Kourianos asked Mr. Mathis if they have a pending Development Agreement with Price City. Lyn Hansen indicated Nick Sampinos is working on that Agreement and it will be signed as soon as it is completed. Larry Bruno asked if the Conditional Use Permit Fee has been paid. Mr. Duzenack indicated to this date, it has not yet been paid. The Price City Engineering Department will do an estimate for the public improvements on the property for the Hansens, enabling them to provide a Letter of Credit on the Development Agreement. All previous issues have been resolved. However, the Engineering Staff has a few detailed questions concerning drainage and will meet with Mr. Mathis for clarification, however, this will not delay the Final Approval. There were no further questions or concerns and Elizabeth Kourianos moved to forward a favorable recommendation to Price City Council for the Conditional Use Permit - Final Approval for Ophthalmology Clinic & Surgical Center, Jeffrey Hansen, M.D., contingent upon the payment of the Conditional Use Permit Fee and signing of the Development Agreement on Phase II. Gary Lyon seconded and the motion carried

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CONDITIONAL USE PERMIT - FINAL APPROVAL
AIRPORT MALL
125 SOUTH HIGHWAY 55
RICK KROMPEL, OWNER

Mr. Krompel appeared before the Commission for Final Approval on the Airport Mall Project. He will install the curb, gutter and sidewalk on both Airport Road and Nelson Lane to the property lines. Alfred Richens asked if the project had been reviewed by Engineering Staff and Mr. Duzenack indicated they have not yet done the final review, but don't foresee any problems and if so, feel they will be very minor and easily resolved. They will reserve the opportunity to make any necessary changes. For the most part, the project looks good and most of the improvements such as the utilities, are already in place. Basically, this is a redevelopment project whereby Mr. Krompel is developing an existing site that has previously been developed. The curb and gutter on the north side of Nelson Lane will involve deeding some property to Price City. Mr. Duzenack said when they developed the other side of the road, they were within 12 feet of having to pull the pavement, but the property line actually comes out into the existing pavement so Mr. Krompel will have to deed some property to Price City. Mr. Krompel said the power pole now in place is actually on the property line. Mr. Duzenack said, at one time, a survey was conducted and the property line was in front of the power pole, however, Mr. Krompel reiterated that the power pole sits on the existing property line. The curb and gutter will be on Price City property and the sidewalk will be on Krompel property, which he will deed to Price City. Parking will be in the front of the building and there are two entrances from Airport Road and one from Nelson Lane. All drainage issues have been resolved and access along the back of the building will enable the tenants to have deliveries through the back. At this time, there will be two businesses with approximately 7000 square feet for future lease. There were no further questions or concerns and following this review, Alfred Richens moved to forward a favorable recommendation to Price City Council for the Conditional Use Permit - Final Approval for Airport Mall, Rick Krompel, Owner, contingent upon a final review by the Price City Engineering Staff. Larry Bruno seconded and the motion carried.

INFORMATION ONLY

PRICE CITY REDEVELOPMENT AGENCY
EAST PRICE REDEVELOPMENT AREA PLAN
NICK TATTON, PRICE CITY COMMUNITY ADMINISTRATOR
DELYNN FIELD, EXECUTIVE DIRECTOR - CARBON COUNTY FUTURES

Mr. Tatton appeared before the Commission to present the plan for redevelopment in the East Price area. He explained the Price City Redevelopment Agency exists and operates the area along the Main Street Corridor, roughly one block of Main Street, either side, from 100 West to 700 East. They would like Planning and Zoning's input and comments on the new area plan. The boundaries of the project are described as an area running west along Airport Road, starting at the curve in the road and ascending the hill to the airport to the intersection of Main Street and taking in both sides of Airport Road. It continues through the area to the south of the Airport Road, east of Highway 55 and north of 1000 South Street and encompasses 62 parcels of land. The Redevelopment Agency works on tax increment. This past year has been set as a base year and tax increment from the increased property value is paid into the agency. There is a taxing entity committee that approves the budget, made up of the School District, State Board of Education, Price City, Carbon County and PRWID. They approve the budget and it is specific within the designated boundary identified as a growth area of Price City. The Committee will look at 2001 as a base year, take any increased taxes in 2002 and put it in the Redevelopment Agency. Property owners within the project area can submit a project that will meet the goals of the Redevelopment Agency - growth, removal of dilapidated structures, beautification through landscaping and similar projects of this nature. The big goal in this area is utility extensions for the Airport Road Corridor to facilitate commercial growth. When a project comes up within the redevelopment area and the property owner area installs sidewalks or landscaping, a portion of these projects can be paid, in part, by this tax increment collection by making application to redevelopment. The Redevelopment Agency will participate, but will not pay the whole cost. Typically, they will want to do one-third or less. On a \$60,000.00 improvement, you will meet with resistance if you request more than \$20,000.00 from the Redevelopment Fund. Several Main Street Projects have been done this way.

Mr. Tatton called attention to copies of the proposed plan which is standard for this type of project. He asked Planning and Zoning Chairman John Angotti if he would issue a letter to include Commission comments on the project and indicate it has been reviewed.

(EAST PRICE REDEVELOPMENT AREA, CONTINUED)

There are no proposed zone changes - that is up to private land owners, but they would like to use the Redevelopment Agency as a mechanism to alleviate poorly shaped lots and help develop formerly undeveloped property by putting utilities to the area. There are a few land-locked parcels without street access in East Price that are subdivisions of other properties and are unable to be developed as they sit. One way to determine a redevelopment area is to do a blight study, looking for such factors as dilapidated structures, flooded areas, noxious weeds and trees, lack of landscaping and vacant buildings. All of these things, combined together, determine blight. The Redevelopment Agency reviews the application to determine if these factors are present and if the applicant is eligible for funding.

Mr. Richens asked what size of crowd would attend the Public Meeting in July. Mr. Tatton said so far the response is positive, but he is unsure of attendance numbers. They will follow the procedure for Notice of a Public Meeting and letters will go out next week, along with a Notice of Public Meeting in the local paper. Hopefully any problems that may arise will be quickly rectified. So far, the only comment has been from Linda Varner, Executive Director of the Housing Authority of Carbon County, regarding the budget relative to the Taxing Entity Committee. If there is over \$100,000.00 tax improvement collected per year, the Housing Authority is eligible to receive 20% of the money for low income housing and can issue and prepare a plan as to how they would use these funds. Members of the Taxing Entity Committee agree that if the tax improvement collection is above \$100,000.00, they will flow monies through to low income housing. However, with the forecast budget, they may or may not get above \$100,000.00. With Wal-Mart, and other additional growth, it will be close. If there are three or four more projects to add to it, similar to the Krompel Project, they will be able to use the program and generate funding in the years to come and most years, the amount may be around \$90,000.00. Because mill levy increases are not taken into consideration, they are not part of the program, but by having some moderate growth, by the end of the life of the program, it could eclipse \$100,000.00 a year in permanent collection. The State Act allows for a 25 year program life and the Downtown Redevelopment Area has

only a few years left. However, the new Redevelopment Area will have a twelve year life. One of the considerations is the specific area identified by Price City as a growth area. Carbon County also is interested in that same specific area, but on the county side of Airport Road. This will generate a total land area of about 500 acres, but special permission is needed from the Taxing Entity for anything over 100 acres and this 500 acres has been approved.

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(EAST PRICE REDEVELOPMENT AREA, CONTINUED)

All the projects will be for either owner property or tenants and they will be the ones to initiate the projects. For example, if there is a tenant in a building and the building needs to be remodeled, the tenant could apply for redevelopment funding, however, he would lose his investment because it would go to the property owner. Once the development area is set up, they plan to be fairly aggressive in talking to property owners concerning development of projects and utilization of resources in place. The biggest drawback is the lack of infrastructure in the streets - the absence of curb and gutter, power and sewer along Airport Road - and these are very expensive projects. The other projects smaller in nature can probably do more. Every year there is a new budget cycle and, in the event the Redevelopment Agency does not utilize the tax increment available, that money will be returned to the Carbon County General Fund. This is the reason they are promoting the plan and hoping property owners within this new Redevelopment District will take advantage of this program.

Gary Lyon asked why Mr. Krompel and the Greenwell Motel area have not been included in the redevelopment agency in the past. Mr. Tatton commented that twenty years ago when the redevelopment area was assigned, they just left that parcel off. Mr. Krompel explained when the redevelopment area was first set up, it was to include the entire commercial district of downtown Price, which included 1 2 blocks north and south of Main Street. Mr. Stangel, a land developer, came to Price and wanted to developer the east end of town (Creekview Shopping Center), so he went to Price City for redevelopment funds. Mr. Tatton explained that because Mr. Stangel could only have 100 acres or less for redevelopment and meet the requirement, the roads would have to be removed. So, in order to comply, they began cutting the redevelopment area on the east side of town in order to gain property for this project.

Mr. Tatton explained the reason for the odd shaped boundaries on the new redevelopment plan is that legal descriptions are required on all the properties. They can save money by printing the legal descriptions on computer to go along with the existing property boundaries without having to survey each parcel. They want to keep on the east side of Highway 55 with a 400-500 foot frontage and a few hundred feet on either side of the property. The boundary lines were not formally drawn to include or exclude anyone, only to pick up that corridor and the tax increment available through the new Wal-Mart Store. Without the Wal-Mart Store, there would not be enough increment to do a project.

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(EAST PRICE REDEVELOPMENT AREA, CONTINUED)

Larry Bruno asked how much detail does the Taxing Entity Committee require when they review a project. Mr. Tatton explained the Redevelopment Agency is a part of Price City and the projects will move through the Planning and Zoning and Building Departments which is normal procedure. In that regard, nothing changes until the time to pay the bill and at that time, the Redevelopment Agency will pay their part of the expense. Mr. Tatton also explained parking lots, curb, gutter and sidewalk or utility runs - all developments must occur within the redevelopment area. They have permission from the Taxing Entity Committee to use money generated within the area to run utility lines outside the area. For instance, if you had to go three parcels over to pick up a utility line, you could pay to have it run over to the other area to pick up the line. Mr. Tatton concluded by requesting a letter from Chairman John Angotti stating this project presentation has been made and reviewed by the Price City Planning and Zoning Commission. Chairman Angotti indicated a letter regarding the project will be forwarded to Mr. Tatton concerning this matter. There was no further discussion concerning the matter and Chairman Angotti thanked Mr. Tatton for attending this meeting and providing valuable information concerning the new East Price Redevelopment Plan.

- XII. STAFF
EDUCATIONAL VIDEO PROGRAM
PLANNING AND ZONING
ELIZABETH KOURIANOS

Council Representative Elizabeth Kourianos referred to the Educational Video Program material on Local Planning and Zoning. She indicated this suggestion came from Price City Attorney Nick Sampinos and he highly recommends viewing by the Planning and Zoning Commission and Price City Council for a better understanding of the Planning and Zoning process and their respective roles therein. The set consists of a series of six videos to be purchased by Price City at a cost of \$350.00 plus \$10.00 shipping. Each video ranges from one hour and four minutes to thirty-eight minutes in length. Following discussion on the matter, the Commission indicated they would like to order the videos tapes and hold workshops on the first and third Monday evenings of each month until all videos have been viewed. The Commission unanimously approved and the idea will be presented to Price City Council at their upcoming meeting. Ms. Kourianos will report back at the next scheduled Planning and Zoning Meeting.

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(STAFF, CONTINUED)

TRAFFIC CONGESTION AT WAL-MART
ALFRED RICHENS

Alfred Richens asked if UDOT has done a study of the Wal-Mart intersection for a possible signal light. Mr. Duzenack told the Commission that UDOT was here about three weeks ago, did the study and the intersection did not meet the warrants for a signal light. UDOT will return in a few months to do another study. Highway 55 has plenty of traffic, but 300 South has not taken as much traffic load as expected. Most of the Wal-Mart customers are use the center lane in the middle of the property rather than 300 South. However, more people are beginning to use 300 South because of the difficulty of getting a left turn from the center lane into the parking lot. The Garden Shop shields the area from view and most people don't realize 300 South is available. Council Representative Elizabeth Kourianos said there is a problem coming into the Wal-Mart Parking Lot. Customers have the right-of-way coming into the lot, but are being cut-off by customers trying to get out of the lot. If you make a left hand turn from the east side, there's no stop sign inside the lot. If you stop traffic from entering the lot, you'll back traffic up across the highway. There should be better traffic control inside the parking lot and people should be encouraged to use the 300 South entrance. Alfred Richens asked if Highway 55 meets the warrants. UDOT indicated Highway 55 traffic was good, but the center entrance was a better candidate for a light than 300 South, however, it would be too close to the existing traffic light. Mr. Duzenack said if the signal light is installed on 300 South, there will be two points at which traffic can be broken up and the main entrance will not be so congested. Ms. Kourianos asked if there were ways to encourage customers to use the 300 South entrance. Mr. Duzenack suggested asking the manager to advise his employees to recommend customers use the 300 South entrance for easier entering and exiting.

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XIII. UNFINISHED BUSINESS

- 1) EASTERN UTAH PRODUCE - JEFF NIELSEN
LETTER AUTHORIZING EASTERN UTAH PRODUCE TO
OPERATE A PRODUCE STAND ON GAS & GO PREMISES

Attached is a copy of the letter from the Gas & Go of Price authorizing Eastern Utah Produce to operate a produce stand on Gas & Go premises.

- 2) SKIN INK - DAVLD JELSMA
COPY OF SIGNED RESTRICTION OF MERCHANDISE CONTRACT

Attached is a copy of the signed Restriction of Merchandise Contract between Price City and David Jelsma of Skin Ink.

Ms. Kourianos asked if there were any comments concerning the letter going to Nick Tatton or the new East Price Redevelopment Plan. This is an opportunity for the Planning and Zoning Commission to provide input to the Redevelopment Plan for East Price. Alfred Richens said this an area that should be developed and the property owners need help in doing it. There isn't much area left to be developed and perhaps annexation is the next step. If there are any additional comments, please call the Price City Building Department or mail them via e:mail so they can be added to the letter. Chairman Angotti requested this letter to be drafted by Vice-Chairman Larry Bruno and placed on the next agenda for Commission review.

There was no further business and Alfred Richens made a motion to adjourn. The meeting adjourned at 7:25 PM.

APPROVED

John B. Angotti, Chairman

Carolyn Vogrinec, Secretary