

Planning Commission Chair:	Tim Petty
Planning Commission Vice-Chair:	Todd Burton
Commissioners:	Robert Guillier Scott Dixon Glen Woolsey
Secretary:	Crystal Western
City Council Representative:	Michelle Roberts

UINTAH CITY
PLANNING COMMISSION MEETING
Tuesday, June 26, 2018
7:00 PM



2191 East 6550 South – Uintah, Utah 84405

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Meeting Minutes

Meeting Called to Order by Tim Petty at 7:00 p.m.

Pledge of Allegiance led by Todd Burton.

Roll Call: Present – Tim Petty, Scott Dixon, Todd Burton, Robert Guillier Excused – Glen Woolsey

Declaration of Conflicts of Interest: Commission members are required by law to file a public disclosure statement with the Secretary listing business interests and investments that could create a conflict of interest with the duties of the Commission Member. When a matter in which a Commission member has a business or investment interest appears on the agenda, the Commission member must publicly disclose that interest. Tim Petty asked the Commission if they had any conflicts of interest with tonight’s agenda; Scott Dixon declared a conflict with items 5 & 6, because his company may bid to be general contractor on this job. Tim Petty stated that Scott will be allowed to join in the discussion on these items, but not vote on any action for these items.

Attendees: Crystal Western, Marc Sacco, Matt Hartvigsen, Jason Wolff, Kim Rindlisbacher, William (Bill) Picard, Darinda Wardell

Agenda Items:

1. **Public Comment (2 minutes per person) *(recording: 00:00:00)**
 - There was none

2. **Approval of minutes for the Planning Commission meeting held May 22, 2018. *(recording: 00:00:00)**
Presenter: Tim Petty
 - Tim asked if there were any comments on the minutes.
 - There were none.
 - Todd Burton motioned to approve the minutes from May 22, 2018.
 - Seconded by Scott Dixon.
 - All in favor, motion passes.

*******OPEN PUBLIC HEARING*******

Motion to close the planning commission meeting and open the public hearing made by Scott Dixon, 2nd by Robert Guillier. All in favor, none opposed.

3. **Discussion on amending Title 9, Chapter 9 of the Uintah City Code regarding C-1 zoned property uses. *(recording: 00:00:01)**
Presenter: Tim Petty
 - There were no comments

Motion to close the public hearing and reopen the planning commission meeting made by Todd Burton, 2nd by Scott Dixon. All in favor, none opposed.

*******CLOSE PUBLIC HEARING*******

4. **Discussion/Action on amending Title 9, Chapter 9 of the Uintah City Code regarding C-1 zoned property uses. *(recording: 00:00:03)**
Presenter: Tim Petty
 - Tim explained that the C-1 zone needs to address residential use one way or another, be it prohibited, permitted, or conditional.
 - Tim suggested they add it to the list of Conditional Uses for C-1 zoned property.

- There was a discussion about what is currently permitted and prohibited. It was agreed that none of the existing wording covers residential use.
- Todd Burton motioned to amend Title 9, Chapter 9 of the Uintah City Code to include the conditional use of residential use.
- Seconded by Robert Guiller.
- All in favor, motion passes.

5. Discussion/Action Boundary Line Adjustment for Burger King Restaurant; Meridian Restaurants Unlimited, located at Uintah Springs Business Park, Lot 4 & Lot 5, Uintah.

**(recording: 00:03:50)*

Presenter: Jason Wolff

- Jason explained that Boundary Line Adjustment is still under review with lawyers, and that he wasn't able to get it submitted to the Planning Commission in time for this meeting. He explained that it is being worked on though and he anticipated it will be done within the next few days.
- Jason showed the Commissioners plans of the new Boundary Line and said that the plans accurately show how the adjustment will be made, however it has not been officially recorded yet. He also said that the submitted Site Plan (item 6) also shows the new Boundary Line adjustment.
- Tim explained if the Commissioners are comfortable with it, they could do a preliminary approval contingent on any changes decided on, and not require Jason to come to another Planning Commission meeting.
- Jason referenced the plans and explained to the Commissioners that the one lot will be condensed and one will be made bigger. He explained that they decided to do this due to costs of maintenance and overall project costs it will also allow more parking for the adjoining lot.
- Todd clarified that it was just waiting for administrative review.
 - Jason explained that he does not anticipate any issues. He thinks it is mainly just waiting on signatures.
- Tim said he did not see any issues with the submitted Boundary Line Adjustment drawings.
- Todd asked if Wadsworth owns both properties.
 - Jason answered that yes, they do.
- Todd Burton motioned to approve the boundary line adjustment for Burger King Restaurant; Meridian Restaurants Unlimited, located at the Uintah Springs Business Park, Lot 4 & Lot 5, Uintah as reflected in the submitted plat layout. Motion is contingent upon the final recorded plat being verified by Planning Commission Chairman, Tim Petty.
- Seconded by Robert Guiller.
- All in favor, motion passes.

6. Discussion/Action Site Plan Review for Burger King Restaurant; Meridian Restaurants Unlimited, located at Uintah Springs Business Park, Lot 4. **(recording: 00:15:30)*

Presenter: Tim Petty

- Jason said that he understands the Site Plan cannot be approved until the Boundary Line adjustment is recorded.
- Jason explained that the submitted Site Plan has the changes that were requested at the last meeting.
- The Commissioners reviewed the submitted plans and documents.
- Tim asked whether an easement should be required for the driveway that straddles the property lines.
 - Matt Hartvigsen explained that usually a cross-easement or access-easement is in place in situations like this. These easements show that both lots have the right to utilize the same access for their business. Matt stated that it is very

- common. Matt said that this agreement does not have to be part of the plat and can be recorded separately as its own agreement.
- Jason explained that both properties will have the same owner, and then stated that he does not know if a cross-access agreement is in place. He agreed that one should be in place.
 - Tim stated that even though both lots are owned by the same company now, that might not always be the case. He said he thought that easement needed to be in place and he felt it should be required for Site Plan approval.
 - Tim reviewed the list of comments from the last meeting on this item.
 - Main Access:
 - The main access has been moved from 6600 S to 2500 E.
 - Access on 6600 S:
 - The access on 6600 S. has been limited to right-out only.
 - Glen Woolsey submitted comments that he still has concerns about an exit onto 6600 S.
 - Tim stated that he does not have concerns with the exit onto 6600 S as long as it is done correctly. He said he feels like this exit is needed to help this business be successful.
 - Todd said he visited the site, and he feels an exit onto 6600 S is a good idea. He explained that 2500 E. exits near a sharp curve, and he feels that discouraging traffic to exit from 2500 E. is the safest plan.
 - Tim said he feels the curbing is not restrictive enough to deter a left-in and more pronounced curve needs to be added.
 - There was much discussion about how to adjust the current design to best deter a left-in from 6600 S, and force a right-out only onto 6600 S.
 - Jason reviewed that plan signage that will say “right turn only”, “do not enter”, and “exit only”.
 - Jason also said that he doesn’t think it will be a problem to make the right-turn onto 6600 S more exaggerated to force a right out only.
 - Drainage Flow:
 - Matt Hartvigsen said the site still drains in both directions, but primarily to the back. He said he brought this up because the adjacent lot will have to take that water, and he likes to avoid it wherever possible. He said this is very common however and ends up happening a lot. He just doesn’t want there to be drainage issues with the adjacent lot.
 - Kim Rindlisbacher explained that the entire business park has a drainage plan, and this lot is following that plan.
 - Lighting:
 - Jason said that a new elevation was not submitted. He stated that the lighting is all shown on the photometric plan and the signage package. He explained that most of the lighting is placed in the canopy lighting. He said that most of the lighting is sconce lighting, with one sign being a LED covered light that does not project up, and pole lighting in the parking lot. Jason stated that everything is down lighting.
 - Tim asked Jason if they felt there was enough lighting for the site. He also stated that they probably could add more lighting if they felt it was necessary, since they are far enough away from residential properties.
 - Jason responded that this site has about half of what they usually put on a site this size; however they have done it in a way that they feel it will be plenty well-lit.
 - He explained that their biggest concern is security issues, and they feel it is well covered for that.

- Landscaping:
 - Matt Hartvigsen and Tim Petty discussed landscaping requirements and determined that there would need to be a minimum 5% landscaping with a maximum of 5% of the site irrigated with the culinary water.
 - Jason explained that they have kept it within that 5%; they are at 3,100 right now and it was 3,134 max based on size.
 - He explained that they were trying to find a good balance between being green and xeriscaping, and having good curb appeal. He said he felt they achieved it.
 - Tim mentioned that he had concerns with the 4 Imperial Honey Locus trees that have canopies hanging over 6600 S. He said he was not comfortable with anything that could possibly obstruct the view on 6600 S and suggested they be removed to some other place on the site.
 - Todd Burton and Matt Hartvigsen stated that Honey Locus trees are not very dense trees, but they do spread pretty broad.
 - Jason said that they try to do a very good job at keeping the trees trimmed at a 6-foot level. However, he stated they would not want to obscure the view in any way, and moving them should not be an issue. He felt that they could relocate them without the site losing anything aesthetically.
- Signage:
 - Jason explained that there will be a pylon sign, 4 signs on the building, a drive through element, and the directional signage on 6600 S. He said he didn't think a monument sign would do any good at this particular site.
 - Jason referred the Commissioners to page 3 and explained that the tall pylon sign will not actually be located on this site. The blue dot on page 3 shows the approximate location of where it will be on the south end of the Uintah Springs Business Park.
 - Kim Rindlisbacher explained that it will be oriented in such a way that it will be visible from HWY 89, but will also be seen by the east/west traffic on I84.
 - There was much discussion about the elevation height of the sign.
 - Tim suggested approving up to elevation 4,610 ft.
- Parking:
 - There was some discussion about building code and city ordinance regarding the required number of parking stalls.
 - Crystal Western commented that the City Building Official, Jeff Monroe, reviewed these plans and had no concerns with the parking.
 - Matt Hartvigsen said that the distances between the parking stalls were standard or more; however there were 3 stalls that were found to be too small on the plans, in regards to the city's ordinance. They were 9x18 and they need to be 9x20.
 - Matt said that since there is plenty of parking that meets the standard, these stalls are probably fine as they are; if the Commissioners are concerned they can require they be marked "compact car".
- Scott asked about the location of the dumpster, and wondered if it was in the best spot.
 - Jason explained that it had been studied extensively and the location picked intentionally. It is in close proximity to the back door by the kitchen and they have a policy that the dumpster cannot be in view of the dining room.
- Todd asked if the concerns about East facing doors and high winds had been addressed.
 - Tim answered that he thinks this is something that should be addressed in the building permit, not the site plan.

- Todd Burton motioned to approve the Site Plan for the Burger King Restaurant, Meridian Restaurants Unlimited, located at Uintah Springs Business Park, Lot 4, Uintah; with the contingent that the actions and items noted in this meeting are addressed on the final set of drawings and approved by the Planning Commission Chair.
- Seconded by Robert Guiller.
- All in favor, motion passes.

7. Discussion/Action on Site Plan Review for William Picard; Home, outbuildings, and flag pole located at 6658 S 2275 E, Uintah. *(recording: 01:01:40)*

Presenter: William Picard

- William explained that he owns a few acres in the city, and he would like to build a home, outbuildings, and flag pole on his property.
- There was discussion about the items on the site plan, and the Commissioners agreed that they would only provide input on the flag pole. They determined the rest of the structures would need to be reviewed by the building inspector through the building permit.
- The proposed flag pole is 80 foot tall with a 30x60 foot flag, with a 10 foot offset from the property line. The flag would be flown 24/7 and would be lit from below.
 - Tim said the plans would need to be engineered stamped plans for something this big.
 - Tim reminded him that it would need to be engineered to withstand the high winds in the area.
- Tim explained that they don't have anything that specifically addresses this one way or another. He said he didn't think this could be approved without some sort of variance or ordinance modification.
- Todd asked what his interest in a flag this size is. He explained that he is a very patriotic person, he has two military sons, and he thinks it would bring beauty to the City and likes that it would be visible from HWY 89.
- Tim explained that due to the height and size, and that this is on residential zoned property, he felt that neighbors should be polled for their opinions. He felt strongly about this due to the fact that the flag will be flown and lit 24/7.
 - Tim said he would interview the neighbors and see what their opinions would be.
- There was some study of a map of the location. The Commissioners discussed potential concerns with something this size in this specific area.
 - Todd Burton commented that since it is bordering a large commercial development, this may be appropriate location for something like this. However it still is zoned residential and the Commissioners need take that into consideration.
 - Todd also stated that they need to make sure they keep consistent in how they apply things, and not allow something here that they wouldn't allow elsewhere.
- Todd mentioned that the chain on flag poles can be quite loud, especially in a windy area like Uintah.
 - Scott and Tim agreed that this would be one of their concerns.
 - William said that his chain would be internal and that should cut down the noise.
- Scott also expressed concerns about something that weight and size being continually hit with high winds. He asked how much the flag itself will weigh.
 - William answered that he thought it weighed 300 pounds.
- Scott asked if William had considered other smaller sizes.
 - William said he felt this was a good place to start.
- There was discussion about other large flag poles in the surrounding areas. Scott Dixon suggested that the Commissioners make on-site visits to another flag pole that is similar so that they could see what it would be like up close.
- Tim explained that they are excited to have someone so patriotic in the City. However, he said he felt the Commission owed it to the surrounding neighbors to give this some

additional time for consideration. He listed height, lighting, and setbacks as things that needed further thought.

- Scott commented that he thought it was a neat idea, and could be a benefit to the community.
- Chief Sacco said that they should also take into consideration the location of chimneys in relation to the flag, for fire hazard reasons.
- Scott Dixon motioned to table the Site Plan for the flag pole until the Commissioners have been in contact with the neighboring property owners and have visited existing same size poles and flags for comparison.
- Seconded by Robert Guiller.
- All in favor, motion passes.

8. Discussion/Action on rescheduling or cancelling the July 2018 Planning Commission Meeting. *(recording: 01:30:49)

Presenter: Tim Petty

- The Commissioners discussed how the regularly scheduled Planning Commission meeting will be falling on July 24, 2018 which is a Utah State Holiday, therefore it will need to be rescheduled or cancelled. They went over any items that may be pending and may potentially need to be on the July agenda. It was decided there were no upcoming items anticipated for the July agenda.
- Scott Dixon motioned to cancel the July 2018 Planning Commission meeting.
- Seconded by Todd Burton.
- All in favor, motion passes.

9. Commissioner's Responsibility Reports and follow-up from previous meeting. *(recording: 01:32:35)

- Business Licenses - Crystal Western
 - Kirk Miles came in and got a business license application for his business "Complete Shooter", where he will be teaching youth basketball shooting skills. He said that it will not be open to the public, and the public will not be attending games there. The business will be going into Unit E at the Uintah Springs Business Park. He is also working on the building permit to finish the inside of the unit.
 - Kim Rindlisbacher reported that the other businesses planning to enter the business park are a CrossFit center, a dance studio, and an indoor soccer training facility. He said it's looking like it will be a little sports complex.
- CUPs – Robert Guiller
 - None
- Commercial Building – Scott Dixon
 - None
- Training – Glen Woolsey
 - None
- Nuisance – Todd Burton
 - Todd asked that Commission if the new nuisance ordinance is being enforced. Crystal explained that there have been two formal complaint made since the new ordinance was passed in March 2018. This complaint was tuned in 06/25/18 and was given to the City's Code Enforcement Officer for review.
 - Todd asked why complaints made previous to the new ordinance are no longer being pursued. Crystal explained that the City Prosecutor has stated that in order for the complaints to be valid, they have to be made after the current ordinance was in effect. He said that complaints made former to that are now invalid because the ordinance has since been altered.

- Scott asked what the enforcement steps are now, as stated in the new ordinance. Crystal said that she will send the Commissioner's copies of the new nuisance ordinance so they can have that information available.
- Other – Tim Petty
 - None

10. Meeting adjourned. *(recording: 01:38:15)

- Scott Dixon made a motion to adjourn the Planning Commission meeting for June 26, 2018.
- Seconded by Robert Guiller.
- All in favor, motion passed.

APPROVED by the Planning Commission this 28 day of August, 2018.



Planning Commission Chair