## River Heights City

#### SPECIAL COUNCIL MEETING

#### **AGENDA**

### Tuesday, December 20, 2016

Notice is hereby given that the River Heights City Council will hold a special council meeting beginning at 5:30 p.m. in the River Heights City Office Building at 520 S 500 E.

5:30 p.m. Discuss and Adopt an Ordinance to Rezone the Alliance Capital Property, located at 594 South 400 East to a Historic Landmark Overlay Zone

5:40 p.m. Discuss and Approve a Request by Alliance Capital for Historic Rehabilitation of the Old Sinclair Gas Station at 594 South 400 East

6:00 p.m. Adjourn

Posted this 15th day of December 2016

Sheila Lind, Recorder

In compliance with the American Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Sheila Lind, (435) 770-2061 at least 24 hours before the meeting.

### River Heights City

1 2 Council Meeting 3 4 December 20, 2016 5 6 7 James Brackner Present were: Mayor 8 Council members: Robert "K" Scott 9 Geoff Smith 10 Blake Wright 11 12 Recorder Sheila Lind 13 14 Excused Councilmember Doug Clausen 15 Dixie Wilson 16 17 18 Others Present: Gayle Brackner, Tony Johnson, Brittany and Bryan 19 Cascio, Cindy Schaub 20 21 The following motions were made during the meeting: 22 3 \_1 Motion #1 Councilmember Wright moved to "approve Ordinance #8-2016, An Ordinance to Apply a 25 Historic Landmark Overlay Zone to the Alliance Capital Property." Councilmember Scott seconded 26 the motion, which carried with Scott, Smith and Wright in favor. No one opposed. Clausen and 27 Wilson were absent. 28 29 Motion #2 30 31 Councilmember Wright moved to "approve the historic rehabilitation of the Sinclair Gas Station at 594 South 400 East as recommended by the Planning Commission with their conditions, as 32 well as additional conditions (all listed below): 33 1. Verification that the tank situation has been remediated. 34 35 2. The buffer strip on the east side be a combination of green and gravel with the greenery next to the building. 36 3. Not require a landscaping buffer on the west side of the building. 37 4. Require a security of performance bond for 150% of the cost of the exterior improvements 38 which will include: 39 a. removal of the gas tanks or meeting the requirements of the State, 40 b. purchase and installation of 2 historic gas pumps, an air meter, two 12-foot island 41 lights, and pole sign. 42 The city will also continue to discuss the possibility of participating in the cost of curb, gutter and 43 sidewalk at 600 South 400 East." Councilmember Scott seconded the motion, which carried. No one 44 15 opposed. Clausen and Wilson were absent.

The River Heights City Council met at 5:38 p.m. in the Ervin R. Crosbie Council Chambers in the River Heights City Building on Tuesday, December 20, 2016.

Discuss and Adopt an Ordinance to Rezone the Alliance Capital Property, located at 594 South 400 East to a Historic Landmark Overlay Zone: Mayor Brackner asked the council members how they felt about the request. After reading the Planning Commission minutes, they felt fine about it. Councilmember Wright explained that the Historic Overlay Zone Ordinance is clear that the property will retain the residential zone, with the overlay zone on top of it. He read some changes he made to the ordinance draft which the Council agreed to.

Councilmember Wright moved to "approve Ordinance #8-2016, An Ordinance to Apply a Historic Landmark Overlay Zone to the Alliance Capital Property." Councilmember Scott seconded the motion, which carried with Scott, Smith and Wright in favor. No one opposed. Clausen and Wilson were absent.

Discuss and Approve a Request by Alliance Capital for Historic Rehabilitation of the Old Sinclair Gas Station at 594 South 400 East: Councilmember Wright explained, the Planning Commission held a public hearing last week on the design review. He said Tony Johnson has submitted more detail than the city typically requires. Engineer Ramsussen has given his comments, which Mr. Johnson has considered with the plans he turned in tonight.

Councilmember Wright read the Planning Commission conditions which consisted of: 1) Verification that the tank situation has been remediated. 2) The buffer strip on the east side be a combination of green and gravel with the greenery next to the building. 3) Not require a landscaping buffer on the west side of the building. 4) Require an updated schematic site plan be provided to the Council and 5) Require a security of performance bond for 150% of the cost of the exterior improvements. He elaborated to explain the Commission's intent. City ordinance requires all outdoor improvements be finished before a Conditional Use Permit is granted. In this situation, it wouldn't be reasonable to expect the landscaping to be installed in the winter weather. Items that can't be addressed now, can be covered by a bond, which will allow the city to finish up if the developer somehow can't.

Councilmember Wright brought up the underground gas tanks. Tony Johnson explained he bought the property from Bill Carson, who said the tanks were taken care of. However, there is no documentation on it. Mr. Johnson contacted the State by email, and received a response stating, they have records of a visit to the site in which they couldn't find the tanks. However, they don't feel there is a concern. Mr. Johnson asked if a copy of the email would suffice. Mr. Wright feels that just because they haven't been able to locate them, doesn't mean it's taken care of. He doubts the tanks are a problem but Councilmember Wilson has sent an email expressing her concern about them. She had heard about a certain technology that would be able to pinpoint where they are. Mr. Wright recommended Mr. Johnson find out what it would take/cost to remove the tanks (worst case scenario), and add that to the performance bond. Mr. Johnson is willing to do this. He will work on getting a no-action letter from the State, which would satisfy the city.

Councilmember Wright doesn't feel the project needs to be put on hold, as recommended by Councilmember Wilson. Mayor Brackner would like to stipulate that the tank situation will be resolved.

Cindy Schaub suggested, in the future, if the property reverts back to residential and a new owner wanted to dig a pool, the underground tanks could be a problem. She was informed that the tanks are in the front area of the property. Councilmember Wright felt this was a valid point to

consider, however, a new homeowner should find out what they are purchasing to determine if it will accommodate their desires. Mr. Johnson assured if they get the no action letter they would file it with the property.

Councilmember Wright asked Mr. Johnson if he is still planning on a curb and gutter since the plans they received for the meeting don't show this addition. Mr. Johnson assured he is still planning on a curb and gutter, it just didn't get included in the updated plans. Councilmember Smith asked about the sidewalk. Mr. Johnson said the County won't contribute, except for an easement. He asked if the City would be willing to participate in the sidewalk, curb and gutter. He explained the design and his interest to have it look really nice.

Councilmember Scott inquired about water runoff. Mr. Johnson assured that Engineer Rasmussen has addressed this with him. He explained how the design will take care of storm drainage.

Mayor Brackner asked if the irrigation concerns have been resolved. Mr. Johnson explained their plans and how they will be taking care of the irrigation box.

Mayor Brackner was concerned about the number of things that are not tied down. Councilmember Wright reminded they are only approving the design of the building and the site plan. At some point they need to decide if they want curb and gutter and if the city would be willing to contribute. Mayor Brackner inquired as to the cost. Mr. Johnson doesn't have a figure yet. It was clarified that the city normally doesn't contribute to curb and gutter costs. Mr. Wright feels its worthy of a future discussion when the other council members are present and they have figures to discuss. He looks at it as a good opportunity to clean up the corner.

Brittany Cascio reminded that the cost of the gas pumps should be included in the performance bond. Mr. Johnson described the pumps and other items that will be placed on the "island" as well as the lighting for the project.

Councilmember Wright moved to "approve the historic rehabilitation of the Sinclair Gas Station at 594 South 400 East as recommended by the Planning Commission with their conditions, as well as additional conditions (all listed below):

- 1. Verification that the tank situation has been remediated.
- 2. The buffer strip on the east side be a combination of green and gravel with the greenery next to the building.
- 3. Not require a landscaping buffer on the west side of the building.
- 4. Require a security of performance bond for 150% of the cost of the exterior improvements which will include:
  - a. removal of the gas tanks or meeting the requirements of the State,
  - b. purchase and installation of 2 historic gas pumps, an air meter, two 12-foot island lights, and pole sign.

The city will also continue to discuss the possibility of participating in the cost of curb, gutter and sidewalk at 600 South 400 East." Councilmember Scott seconded the motion, which carried. No one opposed. Clausen and Wilson were absent.

The meeting adjourned at 6:10 p.m.

James Brackner, Mayor

Sheila Lind, Recorder



Sheila Lind <office@riverheights.org>

### Tanks at old service station information/Dixie

1 message

Dixie Wilson < dixiewilson@riverheights.org>

Thu, Dec 15, 2016 at 11:45 AM

To: Blake Wright <blakewright@riverheights.org>, Jim Brackner <jamesbrackner@riverheights.org>, cindy\_schaub@hotmail.com, Sheila Lind <office@riverheights.org>

I will not be attending the meeting on the 20th. Going out of town to my Aunts 80th birthday in Arizona. Just decided and leaving on Saturday.

Here is some infomation on the tanks at the old service station.

- 1. By all I can find out the tanks are still there and haven't been taken care of properley.
- 2. I talked with Carl Bindrup. He pumped gas and didn't fill them in. The boat shop pumped gas until he left. Billy Carson has said that they were taken care of a long time ago. I heard Craig say that they couldn't find anything. I don't think that is good enough.
- 3. We know where they are and Tony Johnson said last night that he would remove them if needed.
- 4. I have checked with environmental agency in Salt Lake and they do not have records back further then 1989. And nothing from that time forward has shown that the tanks have been properly attended to.
- 5. They suggested a ground penetrating radar system that could tell where the tanks are but in talking with two companies, they do not do soil tests or dig to see if there is still gas there or if it has leached into the ground or water. The health or environmental departments here in the valley can to that if we desire.
- 6. Mark Reese (435-796-6570) of Bear River Health could direct us.

After the meeting last night with the P&Z passing the project on to the city with the exceptions, here are my suggestions.

- 1. Let's have Tony get the tanks removed especially before they do sidewalks, curb and gutters. As a city, I think that we should just get it taken care of now and not kick the can down the road.
- 2. I do not see how they can comply with the restrictions by the 20th. Could we postpone the meeting until all the restrictions are met within reason. At least until January 10th or if a special meeting needs to be held January 3.
- 3. It doesn't seem to be to the advantage of Tony or the Cassios to let them continue with the project until all the restrictions are met not including the things that can not be done because of weather.
- 4. The bonding and letter of credit was a good idea and necessary. I prefer a bond.
- 5. I feel that sometimes we hurry when we should do due diligence on behalf of the citizens, city and those that are wanting something.

Could this letter be entered into the record. I will also send a copy to Sheila.

I appreciate the work of the Planning and Zoning committee. They provide a great service to the city.

Sorry I won't be to the meeting. If you have questions for me, I will have my phone and can receive e-mails, texts and calls. As I said, we will not be leaving until Saturday morning.

Merry Christmas to you all and thanks for all you do.

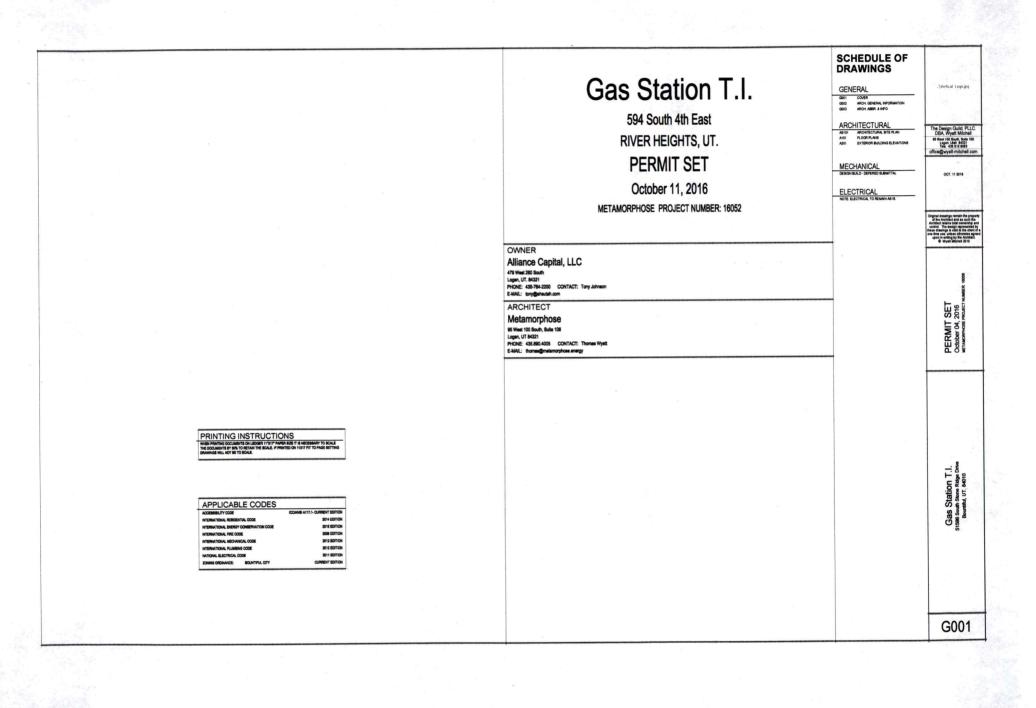
Dixie Wilson

### ORDINANCE 8-2016

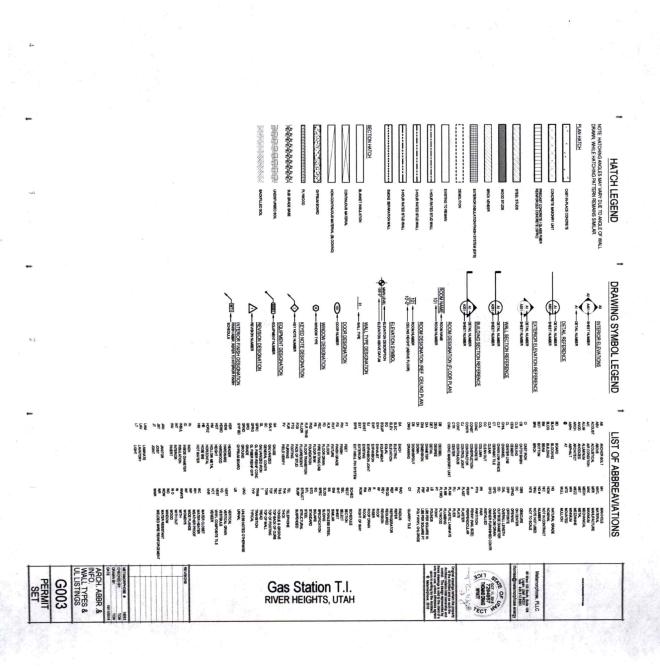
### APPLY A HISTORIC CANDMARK OVERLAY ZONE TO AN ORDINANCE TO REZONE-THE ALLIANCE CAPITAL PROPERTY TO A HISTORIC **LANDMARK OVERLAY ZONE**

WHEREAS, Tony Johnson/Alliance Capital owns property at 594 South 400 East, River Heights, Utah,
WHEREAS, the property is currently zoned R-1-8, and
WHEREAS, Tony Johnson, has requested the property be rezoned to the Historic Landmark Overlay Zone, and
WHEREAS, Tony Johnson has agreed to follow the Ordinance to Create a Historic Landmark Overlay Zone at 594 South 400 East, and
WHEREAS, a public hearing was held by the Planning Commission on December 14, 2016 to address the request, and
WHEREAS, the Planning Commission has recommended to the City Council that the Alliance Capital property be considered for the Historic Landmark Overlay Zone,
NOW THEREFORE IT IS HEREBY RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF RIVER HEIGHTS, that the above property be rezoned as a Historic Landmark Overlay Zone.  **Residential-zoned** be overlayed with the statement of the coverlayed with the coverlayed with the statement of the coverlayed with the cove
ADOPTED BY THE RIVER HEIGHTS MUNICIPAL COUNCIL THIS 20th DAY OF DECEMBER 2016.
James Brackner, Mayor
Attest:

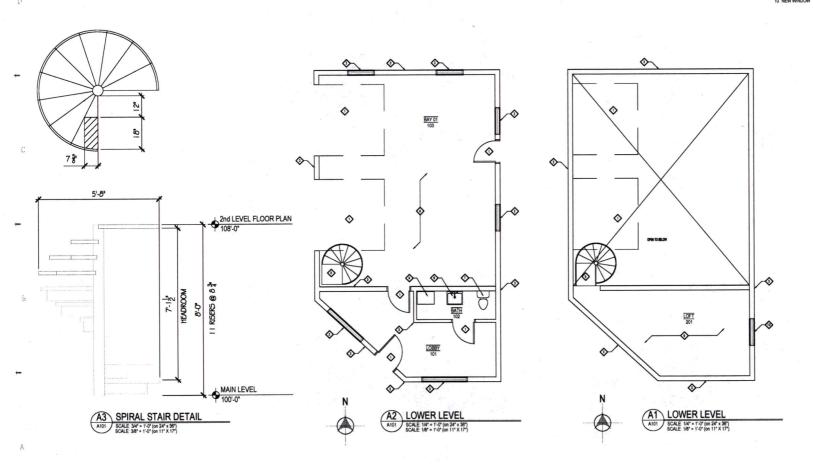
Sheila Lind, Recorder

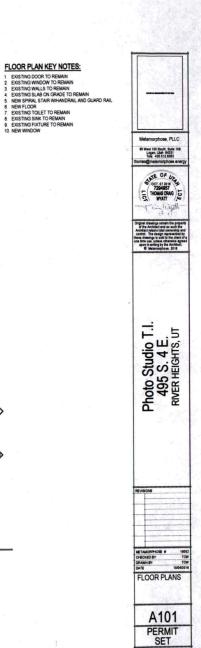


# ARCHITECTURAL DIMENSIONING CONVENTIONS CAUTION: DUE TO POSSIBLE APPLICATION OF APPLIED WALL PINISHES THE CONTRACTOR MUST ADJUST, AS NECESSARY, THE FLOOR FLAN DIMENSIONS TO REPLECT CONDITIONS AT FLANE OF THE CEILING. "TQUAL" DIMENSIONS ARE USED ON REFLECTED CEILING PLANS TO LOCATE I GRID WORK POINTS, MEASURE DIMENSIONS TO: IG THE "CENTERLINE" SYMBOL ARE MEASURED TO: DIMENSIONAL GRID LINES. MEASURED AT CLEUNS MEASURED TO FACE OF PTN GENERAL NOTES CONTRACTOR SHALL VERIFY ALL ROUGH OPENINGS FOR WINDOWS AND DOORS PRIOR TO ORDERING PRODUCTS TO ENSURE PROPER SIZE AND FIT. WHERVER THE ABBREVATION OR ACRONNA IS SPECIFIED, IT SHALL BE NIGHESTODD TO MEAN THE PULL HAME OF THE RESPECTIVE CREANIZATION, AS CULOWS: RIATE AND PROPER EQUIPMENT, TOOLS, AND MATERIALS FOR THE CORE-DRILLING OF CONCRETE AS REQUIRED, INCLUDING ICAN'T MATERIAL. 48. FOR TYPICAL DIMENSIONING CONVENTIONS, INCLUDING RULES FOR LOCATING DOORS WHICH HAVE NOT BEEN DIMENSIONED, REFER TO THE "DIMENSIONING CONVENTION" NOTES ON THIS SHEET. . PRIOR TO MOVE-IN CONTRACTOR TO HOLD COMMISSIONING MEETING WITH TENANT AND OWNERS'S REPRESENTATIVES TO REVIEW OPERATION PROCEDURES FOR ALL BUILDING SYSTEMS. 50. ADDITIONAL SYMBOLS, NOT SHOWN OR DEFINED ON THE DRAWING "ARCHITECTURAL SYMBOLS", MAY OCCUR AND ARE DEFINED ON THE ARCHITECT "GENERAL SHEETS". THE CONTRACTOR SHALL VERIFY ALL EXSTING CONDITIONS AND DIMENSIONS IN PELD, WHETHER OIL NOT SPECIFICALLY NOTED, AND SHALL REPORT ANY DISCREPANCES BETWEEN GRAWINGS AND PELD CONDITIONS TO THE ARCHITECT PRICH TO STARTING WORK. Metamorphose, PLLC. 9 West 100 Suth Suth 108 1-open Lish 64221 1-OIT TOURS ON ELECTRONIC CO. ARCHITECTURA GENERAL INFORMATION G002 Gas Station RIVER HEIGHTS, UTAH

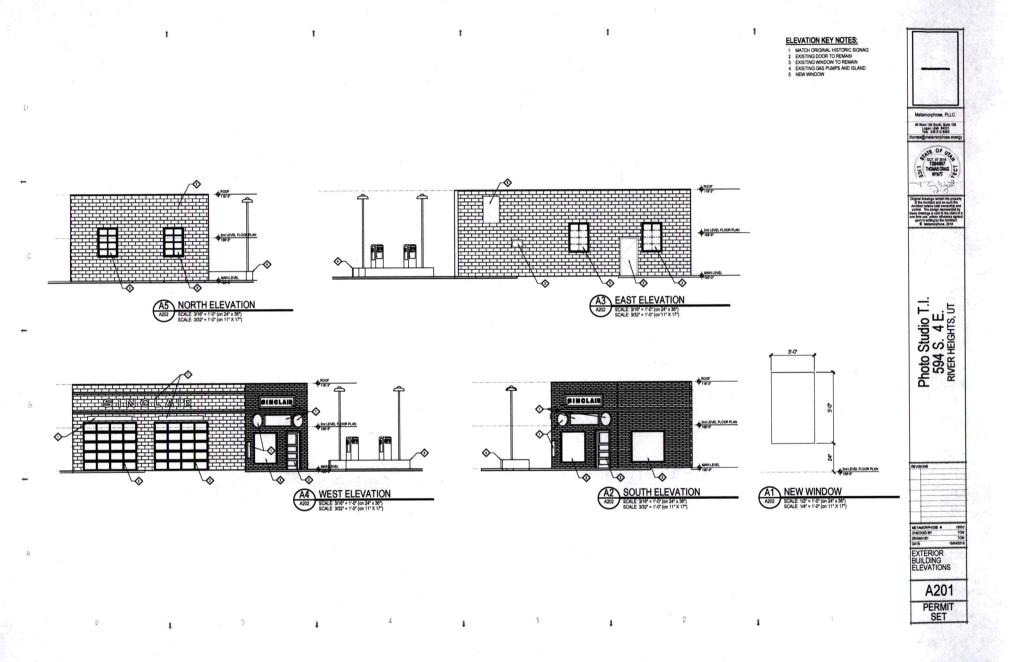


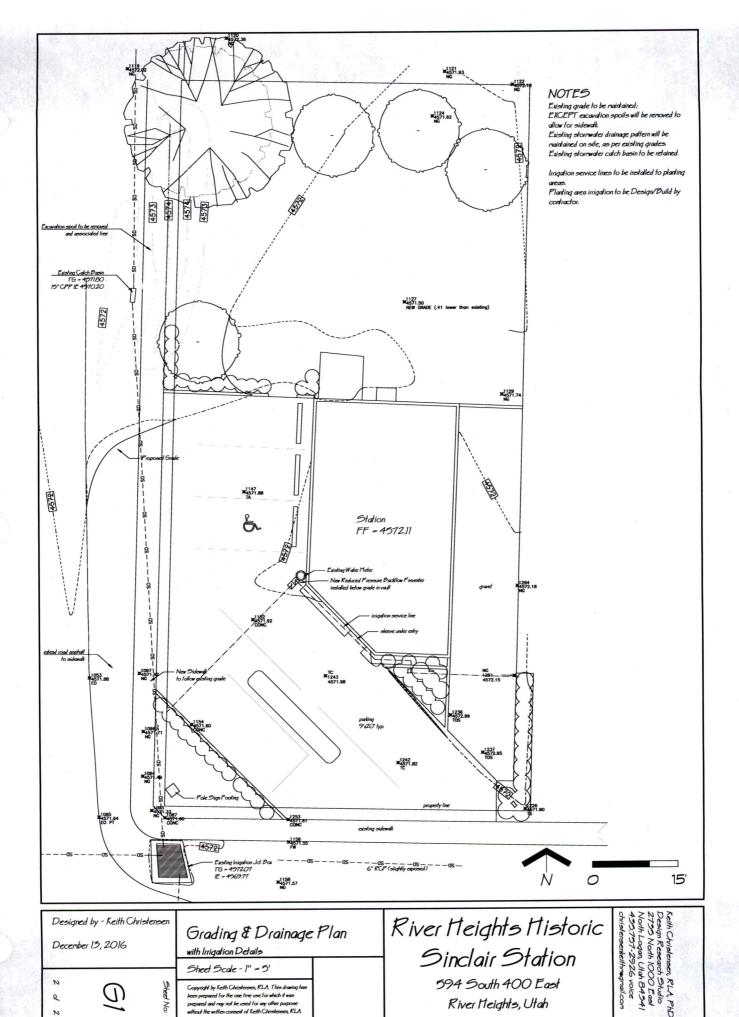






FLOOR PLAN KEY NOTES:





December 13, 2016

Shed Scale - 1" = 5"

Illustrative Planting Plan

Schematic Site Plan

Designed by - Keith Christensen

River Meights, Utah 150] 00+41005+65

Sinclair Station

River Meights Mistoric

