

**PRICE CITY PLANNING AND ZONING SPECIAL MEETING
MINUTES OF SEPTEMBER 25, 2023**

PRESENT:

Commissioners:

Judy Beacco	Nick Tatton, Community/Human Resources Director
David Black	Jaci Adams, City Recorder
Kyle Heffernan	
Richard Root	
Renee Swinburne	
Chris Wood	
Jan Young	

EXCUSED: Commissioner Holt, Commissioner Thorne

STAFF/OTHERS: See Public Meeting Sign-In Sheet

1. PLEDGE OF ALLEGIANCE

Chair Young called the meeting to order at 5:01 p.m. Chair Young led the Pledge of Allegiance.

2. ROLL CALL

Roll was called with the above Commissioners and staff present.

3. SAFETY SECONDS

Chair Young reminded everyone when driving to be cautious and courteous.

4. MINUTES of 09-11-2023.

MOTION. Commissioner Root moved to approve the minutes for September 11, 2023. Commissioner Beacco seconded and motion carried.

5. PUBLIC COMMENT ON AGENDA ITEMS

No public comment was received on any item.

6. GENERAL BUSINESS

a. PUBLIC HEARING. Public hearing to receive input on the potential sale of real property owned by Price City, parcel ID #01-1979-0000.

Chair Young asked for a motion to open the Public Hearing. Commissioner Black moved to open the Public Hearing at 5:08 p.m. Commissioner Wood seconded and motion carried. Dave Child, owner of A-1 Rental and potential buyer of the property commented on his plans for expansion of the property. After some discussion Chair Young asked for a motion to close the Public Hearing. Commissioner

Swinburne moved to close the Public Hearing at 5:06 p.m. Commissioner Heffernan seconded and motion carried.

b. RESOLUTION NO. 2023-004PZ. Consideration and possible approval of A Resolution of the Price City Planning and Zoning Commission Recommending the Surplus and Sale of Real Property.

MOTION. Commissioner Root moved to approve A Resolution of the Price City Planning and Zoning Commission Recommending the Surplus and Sale of Real Property. Commissioner Black seconded and motion carried.

c. PUBLIC HEARING. Public hearing to receive input on the proposed 2023 updates to the Price City General Plan.

Chair Young asked for a motion to open the Public Hearing. Commissioner Wood moved to open the Public Hearing at 5:08 p.m. Commissioner Beacco seconded and motion carried. Ken Young, Utah Community Planners was in attendance to present a slide show explaining the goals developed for the update to the Price City General Plan. Chair Young asked for a motion to close the Public Hearing. Commissioner Heffernan moved to close the Public Hearing at 5:18 p.m. Commissioner Swinburne seconded and motion carried.

d. RESOLUTION NO. 2023-005PZ. Consideration and possible approval of A Resolution of the Price City Planning Commission Supporting the Goals Developed in the Price City General Plan Update and Recommending Adoption of the Updated Price City General Plan, 2023 Edition, by the Price City Council.

MOTION. Commissioner Black moved to approve a Resolution of the Price City Planning Commission supporting the goals developed in the Price City General Plan Update and recommending adoption of the updated Price City General Plan, 2023 Edition, by the Price City Council. Commissioner Wood seconded and motion carried.

e. PARCEL ASSEMBLY PLAT. Consideration and possible approval of a parcel assembly plat combining lots at 651 S Carbon Avenue into one (1) commercial building lot.

Melanie Ruff, representative for Maverick was in attendance to explain and answer any questions regarding the potential benefit of combining the two lots at 651 S Carbon Avenue for a Maverick Convenience Store.

MOTION. Commissioner Swinburne moved to approve a parcel assembly plat combining lots at 651 S Carbon Avenue into one (1) commercial building lot. Commissioner Beacco seconded and motion carried.

7. CONDITIONAL USE PERMIT

a. CONVENIENCE STORE LAND USE. Consideration and possible approval of a convenience store land use at 651 S Carbon Avenue, Maverick, Melanie Ruff Representative.

The Commissioners thoroughly discussed land use for a convenience store with the Maverick Representative and specifically addressed issues that mitigate potential negative impacts of the land use. Discussion was held regarding storm water, fencing, RV dump, hours of operation, number of employees, also the anticipated start and end date of construction.

Chair Young reviewed the Code sections and read aloud the below conditions for final approval for the land uses identified by the applicant.

- ☐ All construction and site work to be compliant with approved plans and any subsequent direction from Price City officials finding that development compliant with approved plans mitigates the potential for development misunderstandings and ensures quality development completion.**
- ☐ Installation and (re)installation of any public infrastructure damaged or impacted during construction finding that quality public infrastructure mitigates the potential for costly repairs.**
- ☐ All exterior areas to be lighted during customer and employee use during any dark hours finding that properly lighted areas mitigate the potential for personal injury accidents. All exterior lighting to be high efficiency LED fixtures. Exterior area lighting to be angled away from adjoining residential land uses, lights on timers or shielded to mitigate negative impacts of such lighting on residential uses.**
- ☐ Sight obscuring fencing to be placed on east and south boundary lines, three feet (3') in height for thirty feet (30') back from the respective property lines and six feet (6') in height for remaining distance finding that boundary line fencing mitigates the potential for land use conflicts.**
- ☐ Garbage, rubbish and debris to be controlled in an enclosed dumpster location with a hard surface and a service frequency that prevents accumulations of garbage, rubbish and debris or wind scatter of garbage, rubbish and debris finding that controlled garbage, rubbish and debris improves the community aesthetic consistent with the Price City General Plan.**
- ☐ Installation and maintenance of a minimum of 5% landscaping consistent with Code requirements, as the site may allow or accommodate. Landscaping to be water wise, specifically within the park strip locations on both the 600 S Street and Carbon Avenue frontages. East frontage landscaping on both sides of boundary fence to be regularly maintained by Maverick, water wise landscaping required. Backflow prevention required on landscaping/irrigation system.**
- ☐ Maintain not less than twenty-five (25) off street parking spaces including requisite ADA spaces finding that minimum off-street parking mitigates the potential for vehicle and pedestrian accidents and injuries on public streets. Parking locations for**

oversize vehicles (trucks with trailers, etc.) to be accommodated on-site. No vehicle stacking into roadways.

☐ Utility connections to be completed as identified on the plans submitted and as directed by the respective providers finding that planned and coordinated utility connections mitigate the potential for misunderstandings.

☐ 600 S Street at the Carbon Avenue intersection, along the frontage of the development, to be realigned and the south side of 600 S Street to be widened by not less than twelve feet (12') of travel lane to accommodate added turn lane and added roadway to be dedicated to the public finding that added turn lane adjacent to the development at the intersection will serve to mitigate traffic back-ups and promote safety at the intersection.

☐ Ingress and egress approaches on 600 S Street to be a maximum width of forty feet (40') (per Code Section 6.5.3) and ingress point on Carbon Avenue not to exceed thirty-five feet (35'), as approved by UDOT, in width finding that controlled ingress points mitigate the potential for vehicle and pedestrian accidents. UDOT confirmation of Carbon Avenue ingress required and copy of traffic safety study for added ingress/egress on Carbon Avenue provided to Price City. Right in only upon ingress from Carbon Avenue per UDOT, no egress from Carbon Avenue access point.

☐ Storm water management infrastructure to be installed per the submitted plans and in compliance with any direction from Price City or other officials in regard to control and released of storm water runoff from the site. Storm water to be controlled and released to pre-development flows to a bona-fide storm water conveyance with capacity to control a 100-year storm event for a 1-hour duration. Storm water control infrastructure on-site to be regularly maintained to prevent clogging or other storm water control impediments finding that the site is situated within a critical storm water control conveyance area geographically within the community.

☐ Delineation of any wetlands in the project area and completion of all requirements, if any, in reference to any wetlands impacted and direction from the Army Corps of Engineers (ACOE) finding that compliant wetlands mitigation and management serves to protect such features in the urban environment. Copy of ACOE documentation to be provided to Price City prior to commencement of construction. Culvert/Bridge for ditch at Carbon Avenue ingress and curb-cut access points on north and south sides of parking lot to allow access to ditch for maintenance of storm water flows.

☐ All snow loading to be accommodated on-site, snow loading not to be deposited into 600 S Street or Carbon Avenue finding that restricted snow loading protects the health, safety and welfare of the community.

General Items:

☐ Business signage to be reviewed and approved by the Price City Planning Department prior to installation finding that properly reviewed and approved business signage promotes consistency in the community and serves to improve commercial activity.

☐ Building construction to be completed under the auspices of a building permit and building inspection finding that building permits and inspection protect the health,

safety and welfare of the community. Fire safety to be includes as identified by the Price City Fire Chief.

□ Procurement of a Price City business license and submission of copies of State of Utah registrations, if any including State of Utah Alcohol sales license and accompanying local consent, as needed.

□ All public infrastructure on 600 S Street and Carbon Avenue to be installed to minimum Price City and, where applicable, UDOT standards and repaired to the minimum standard from any damage resulting from construction activity in the vicinity, including but not limited to utility lines, curb, gutter, sidewalk, roadway restoration finding that properly installed and repaired public infrastructure protects the health, safety and welfare of the community.

□ No on street parking on 600 S Street or Carbon Avenue adjacent to development finding that restricted on-street parking mitigates the potential for vehicle and pedestrian accidents.

□ Ownership acquisition by Maverick of all parcels in the development area and completion of a lot assembly plat (to convert to one (1) large building lot) prior to commencement of construction finding that the multiple lot layout at the development site does not accommodate the development contemplated herein and existing lots are not compliant for commercial development. Lot assembly plat to be recorded with the Carbon County Recorder's office prior to commencement of construction.

o Includes acquisition of any public ways within the subject property.

o Includes all easements and rights-of-way within the subject property and continued authorization of any such easements and rights-of-way, as necessary.

o Positioning of signage in not less than two (2) conspicuous locations on the project site with contact information for developer, contractor(s) and other necessary information finding that posted contact information provides the community an opportunity to gain answers to project questions and will serve to mitigate misinformation about the project.

Plans, Permits and Documents:

□ Completion of a Price River Water Improvement District (PRWID) waste water survey and submission of the survey to PRIWID and a copy to PRICE City prior to commencement of construction and compliance with requirements for construction stemming from the survey.

□ Completion of a public infrastructure development agreement with the Price City Public Works Department and submission of the requisite financial surety prior to commencement of construction activity on the site finding that properly agreed and financially secured public infrastructure protects the long-term financial interest of the community.

□ Completion and submission of a geotechnical study for the construction site and construction in compliance with the study and any direction from Price City or building officials regarding construction in regard to existing soils and

compacted fill soils to comply with minimum build elevation for the flood zone.

- ☐ Procurement of a building permit prior to commencement of any construction activity finding that properly permitted and inspected construction protects the health safety and welfare of the community.**
- ☐ Payment of all fees due prior to commencement of construction including building permit fees, utility extension and connection fees, street opening, demolition permit, local business license, local alcohol sales business license, etc.**
- ☐ Procurement of a Price City Business License for business operation at the location prior to opening of the business finding that properly licensed businesses protect the health, safety and welfare of the community. Alcohol sales may require a State of Utah license and local consent from Price City.**
- ☐ Obtain a demolition permit for removal of existing structures on site prior to any demolition activity finding that demolition permitting protects the health, safety and welfare of the community.**
- ☐ Submission of an elevation certification from a licensed surveyor identifying the base flood elevation at the site and indicating that structure and other critical development items are a minimum of one foot (1') above the base flood elevation.**

Restrictions:

- ☐ No authorized on-street parking along public streets.**
- ☐ No land uses other than convenience store with gasoline sales. No overnight parking of semi or delivery trucks or other commercial vehicles, no freight service staging or transfer. (24-hour employee parking permitted)**
- ☐ No occupancy of the building or property in excess of the safe occupancy of the building and property as identified by the building inspector and Price City Fire Chief.**
- ☐ Dust control on site and maintained during construction. No fugitive dust to impact surrounding properties.**
- ☐ No track out of mud or dirt onto 600 S Street or Carbon Avenue during construction.**
- ☐ Primary construction access to be from Carbon Avenue.**
- ☐ No generation or disposal of any hazardous materials or materials that may be considered hazardous to the health, safety and welfare of the community.**
- ☐ No nuisance noises, odors or other disturbances to emanate from the subject property (during construction or business operation).**
- ☐ No conditions at the property or structure that violate the Price City Property Maintenance Code. Removal and mitigation of any existing Property Maintenance Code violations present on the property.**

ACCEPTANCE: The applicant acknowledged she is aware of the conditions of approval, understands the conditions of approval and intends to comply with the conditions of approval.

MOTION. Commissioner Root moved to approve a convenience store land use at 651 S Carbon Avenue, Maverick. Commissioner Heffernan seconded and motion carried.

8. UNFINISHED BUSINESS

Chair Young asked if there were any updates regarding the Russ Fowles development on 500 East and also a survey being distributed throughout Price City by Jim Piacitelli about Price City. Nick Tatton reminded everyone about the Planning Commission Retreat on November 29, 2023.

Chair Young asked for a motion to close the regular Planning and Zoning meeting.

MOTION. Commissioner Swinburne moved to close the regular Planning and Zoning meeting. Commissioner Wood seconded and motion carried.

The regular Planning and Zoning meeting was adjourned at 5:56 p.m.

APPROVED: _____
Chair, Jan Young

ATTEST: _____
City Recorder, Jaci Adams