

**PRICE CITY PLANNING AND ZONING MEETING
MINUTES OF JANUARY 26, 2015**

PRESENT: Commissioners:
 Nancy Bentley Nick Tatton, Community Director
 Dale Evans Sherrie Gordon, City Recorder
 Robert Oliver
 Frankie Sacco
 Jan Young

EXCUSED: Commissioner Judy Beacco and Commissioner Richard Root

OTHERS PRESENT: Dana Young-Price City, Wayne Clausing-Price City Councilman, Michael Martak-ATC Constructors/Ellis Pierce, Jared Haddock and Collin Faucett-Jones & DeMille

1. Chairman Oliver called the meeting to order at 6:00 p.m. He led the Pledge of Allegiance.
2. Roll was called with the above Commissioners and staff in attendance.
3. MINUTES of January 12, 2015
MOTION. Commissioner Bentley moved to approve the minutes of January 12, 2015 as presented. Motion seconded by Commissioner Evans and carried.
4. PUBLIC COMMENT ON AGENDA ITEMS- No public comment was received.
5. PUBLIC HEARING- Public hearing to receive input regarding the PDG 3-lot land subdivision at 1277 East Main Street to accommodate the Tractor Supply development.
MOTION. Commissioner Evans moved to open the public hearing at 6:02 p.m. Motion seconded by Commissioner Sacco and carried.

Nick Tatton reported that no comments were received in advance by staff leading up to the hearing.

MOTION. Commissioner Bentley moved to close the public hearing at 6:03 p.m. Motion seconded by Commissioner Evans and carried.

6. GENERAL BUSINESS- Chairman Oliver suggested conducting the General Business items at the end of the agenda to accommodate the applicants present.
MOTION. Commissioner Bentley moved to amend the order of the agenda and consider General Business at the end of the agenda. Motion seconded by Commissioner Young and carried.
 - a. GENERAL PLAN CHAPTER 2 REVIEW. The Commission held a short discussion regarding Chapter 2 of the General Plan. It was recommended that updates be included that reference a partnership between Price City and the Housing Authority of Carbon County to accommodate a playground in the southeast quadrant of the City and that open space become better defined and the expectations regarding open space be better defined in the chapter.
 - b. FEE SCHEDULE. Consideration and possible approval and recommendation of approval to the Price City Council of the 2015 Planning & Zoning Fee Schedule was held. Nick Tatton discussed the changes to the fee schedule with the Commissioners and the reasoning for the changes. Changes include the removal of the recording fees and costs and an increase to the redocketing charge in the case of applicant no-show and an increase to the fee for a Board of Adjustment Hearing due to the cost of holding the hearings.
MOTION. Commissioner Evans moved to recommend the approval of the 2015 updated fee schedule to the Price City Council. Motion seconded by Commissioner Young and carried.
 - c. DEVELOPMENT AGREEMENT RELEASE. Consideration and possible approval of a recommendation to release development agreements related to delayed infrastructure installation and accessory buildings: (1) Joseph F. and Carla Tryon, 535 E 400 S; (2) M. Lane and Lisa A. Potter, 525 E 400 S. Nick Tatton presented the Commission with information regarding the specifics of each development and the releases proposed. It was discussed that the releases are in reference to accessory buildings and that Section 10.13 allows for the release of the development agreements. The Commission briefly discussed the overall public infrastructure in the vicinity of the properties.
MOTION. Commissioner Bentley moved to recommend approval by the Price City Council the recording of a development agreement releases for both Joseph F. and Carla Tryon, 535 E 400 S and M. Lane and Lisa A. Potter, 525 E 400 S. Motion seconded by Commissioner Sacco and carried.

7. CONDITIONAL USE PERMIT-

a. LAND SUBDIVISION. Collin Faucett with Jones & DeMille presented an application for approval of a 3-lot land subdivision. Nick Tatton provided the Commission with the following information. This is necessary to accomplish the Tractor Supply development at 1277 East Main Street. The subdivision of land into multiple lots the Commercial 1 (C-1) zoning district is conditional and based on Section 11.3.11.1 of the Price City Land Use Management and Development Code (Code). The land subdivision rules are listed in Section 7.7 of the Code and the ¾ acre minimum lot size for the C-1 zone district is listed in Section 11.1.1 of the Code. Mr. Tatton provided the Commission with an updated subdivision plat draft that also included the necessary Price River Water Improvement District (PRWID) sewer easement. Mr. Faucett presented discussed the plat with the Commission including the nature of each of the new property parcel proposed.

MOTION. Commissioner Bentley moved to recommend the Price City Council provide final approval for a 3-lot subdivision, the PDG Subdivision, of land at 1277 East Main Street consistent with Section 11.1.1, Section 11.3.11.1, and Section 7.7 of the Price City Land Use Management and Development Code. Motion seconded by Commissioner Evans and carried.

b. BOUNDARY LINE ADJUSTMENT. Collin Faucett with Jones & DeMille discussed the Boundary Line Adjustment (BAL) document. This document and process is connected to the subdivision of the land necessary to accommodate the new Tractor Supply Company development. The original property owner (Gorishek) required that property he continues to own, north and east of that purchased by Price Development Group, LLC. for Tractor Supply contain a sixty foot (60') connection to Airport Road. This is being accomplished by adjusting the property boundary of the purchased property to move the east property line sixty feet (60') to the west and connect the access corridor to the remaining parcel to the north and east.

The BAL has been reviewed by Price City staff, the Carbon County Recorder's Office, both property owners and the realtor. It is the recommendation of staff that the BAL be reviewed and recommended for final approval.

Commissioner Young questioned the width of the access corridor as it relates to Price City standard road width. A short discussion regarding public and private roadway differences and widths was held.

MOTION. Commissioner Evans moved to recommend that the Price City Council provide final approval for a Boundary Line Adjustment whereby a sixty foot (60') x four-hundred eighty-nine point seven foot (489.7') access will be removed from Parcel # 01-2502-0000 and added to Parcel # 01+-2647-0000. Motion seconded by Commissioner Bentley and carried.

c. DEVELOPMENT APPROVAL - FINAL. Collin Faucett with Jones & DeMille discussed the Conditional Use Permit (CUP) submitted by the Price Development Group, LLC. on behalf of Tractor Supply Company for final approval for the commercial development of real property and a retail oriented land use to be located at 1277 East Main Street within the Commercial 1 (C-1) zoning district. The development will be a home and farm supply retail business and location. As a part of the process the land will be subdivided in a three-lot subdivision and an access road location to the property north of the development site will be attached to the north property as a Boundary Line Adjustment (BLA). The BLA and the 3-lot subdivision will be approved as separate, but required transactions, in support of the conditions of final approval. Those actions have been applied for by the applicant and are listed herein as conditions of approval. This submission pertains to the development of the property only. Nick Tatton provided the following information to the Commission: the general land use evaluation criteria is listed in Section 11.1 of the Price City Land Use Management and Development Code (Code), the specific land use evaluation criteria/land use checklist is in Section 11.1.m of the Code. The retail land use(s) and permitting category is: Hardware and farm equipment, Section 11.3.4.23 of the Code, a permitted use. The actual development of the property is a conditional use and is listed in Section 11.3.11 of the Code. The Commission discussed the overall development with Mr. Faucett including: the Angotti parcel; infrastructure development on Airport Road; utility connections; landscaping; site clean-up and the development time-frame. Chairman Oliver read aloud the following conditions of approval:

1.

- a. Development of the site consistent with the following minimum site plan elements finding that development procedures and conditions that mitigate known or potential community impacts from the development are in the best interest of the community and consistent with the Price City General Plan.
 - i. Parking lot and area exterior building lighting: all lighting to be high efficiency LED fixtures. All lighting cast to remain within the property boundaries. Light timers and/or light shields to mitigate potential outdoor light transference to residential properties located across Airport Road to the south.
 - ii. Fencing: minimum six foot (6') sight obscuring fencing on west, east and north sides of development frontage. Fence to be three feet (3') maximum height thirty feet (30') from Main Street and Airport Road.

- iii. Ingress & Egress from site: No direct Main Street site access authorized. All ingress and egress to be located along Airport Road. Minimum driveway entrance distance from intersection of two-hundred feet (200'), as requested by the Utah Department of Transportation. Driveways to be a maximum of thirty-five feet (35') in width. Delivery and truck access from east driveway only. Two (2) ingress/egress locations on Airport Road are authorized.
 - iv. Landscaping: minimum of five percent (5%) landscaping requirement to meet or exceed landscape plan submitted. Water-wise landscaping installations allowed. Area between parking lot and Main Street (storm water retention area) to be landscaped and maintained weed /debris free.
 - v. South storm water retention area(s) to be landscaped, and regularly maintained or treated to control weed growth and accumulations of garbage, rubbish, debris.
 - vi. Off Street Parking: Minimum off street parking stalls of seventy-five (75) stalls, including ADA accessible stalls, based on one (1) parking stall per three-hundred (300) square feet of net usable building space, net usable building space estimated at 22,500 square feet. Parking on Main Street and Airport Road within one-hundred feet (100') of intersection to be restricted: curbs to be painted red and a minimum of one (1) sign installed indicating the restriction on the Airport Road frontage. Right turn only signage on south driveway egress. Parking lot striping and orientation to allow parking of large pickup trucks and trailers.
 - vii. Dumpster location and service schedule: dumpster location, dumpster size and service schedule/service frequency to not result in accumulations of garbage, rubbish or debris not located within the dumpster container and subject to possible wind scatter or garbage/rubbish visibility within the vicinity. Dumpster to be located in an enclosure.
 - viii. Storm Drainage/irrigation Easement: Easements necessary to accommodate drainage ditch and storm water detention outlet must be completed, approved by Price City, and recorded. Easement to PRWID for sewer line completed and recorded.
 - ix. Curb-Gutter-Sidewalk installation and asphalt restoration: installation of curb, gutter and sidewalk, as indicated on site plan, along Airport road project frontage and hard surfacing of all connecting roadway sections and utility connection trenches. Roadway completion between existing roadway and gutter to be completed to Price City minimum standards.
 - x. Utility connections: Removal of single phase electric service at site as required by the Price City Electric Department. Connection of water, sewer, and electric utility services to project as directed or required by the Price City Public Works and Electric Department.
 1. Sewer manhole(s), quantity of two (2) installations required.
 2. Storm drain installation as directed by Price City Public Works and Engineering.
 - xi. Sampling manhole and grease trap: mechanical service and maintenance activity and/or wash down of vehicles and equipment is restricted and no impact to the storm water system permitted finding that a sampling manhole is to be installed and no grease trap is planned for installation at the development site.
 - xii. Fire hydrant locations: must flow test fire hydrants planned to be used to service the development site and provide flow test data to Price City Fire Chief. Fire hydrant must be located within one-hundred feet (100') of fire department connection at building.
- b. Submission of all business signage and signage plans to the Price City Planning Department prior to installation for review and possible approval finding that properly reviewed and approved business signage promotes consistency in the community and increases commercial activity consistent with the Price City General Plan.
 - c. Demolition of all non-complying existing and dilapidated structures and removal of structures and other garbage, rubbish, debris from the project site and adjoining locations finding that removal of debris facilitates improved construction efficiency and promotes improved community entry way aesthetic appearance.
 - d. Completion of a 3-lot subdivision of the land and recording of the subdivision plat with the Carbon County Recorder's Office creating a building lot for the project finding that properly subdivided land and accurate recorded land records mitigate the potential for land record disputes or development problems.
 - e. Completion and recording with the Carbon County Recorder's Office of a Boundary Line Adjustment (BLA) whereby a minimum sixty foot (60') access corridor is connected to the adjoining property north of the project site and connecting to Airport Road finding that property access to the north will facilitate potential future development in the vicinity.
 - f. Development consistent with the submitted geotechnical report and development consistent with the geotechnical report and any direction or recommendations provided by the Price City Engineer regarding development based on the report finding that development consistent with geotechnical data mitigates the potential for development failure.

- g. Development consistent with the storm water management plan and report, including any required detention and release data/structures, for the site and development consistent with the storm water management plan and report and any direction or recommendations provided by the Price City Engineer regarding development based on the report finding that development consistent with storm water management plan and report mitigates the potential for on-site or adjacent property flooding and/or damage to property and life. All storm water management to address and manage flows at the one-hundred (100) year storm event.
- h. Completion of a public infrastructure development agreement with the Price City Public Works Department, if required, and submission of a financial surety for the public infrastructure, if required, finding the properly agreed to and financially secured public infrastructure installations protect the financial interest of Price Municipal Corporation and the Price City community.
- i. Completion of a private utility installation, maintenance and operation agreement with the Price City Public Works Department, if required, relating to private water lines on-site, finding the properly agreed to and financially secured private utility agreements protect the financial interest of Price Municipal Corporation and the Price City community as well as protect the health, safety and welfare of the community.
- j. Completion of a Price River Water Improvement District (PRWID) waste water survey form and submission to PRWID and copy to Price City and development consistent with requirements and recommendations set forth by PRWID and/or Price City stemming from the completed survey finding that development consistent with waste water system protection mitigates negative impact to the overall waste water collection and processing system. Installation of a waste water system protection structure (grease trap) if required.
- k. Completion and submission of an environmental review of the project and construction site consistent with the requirements listed in Section 3.3.2.3 of the Price City Land Use Management and Development Code finding that reviewed, identified and mitigated environmental impacts, if any, protect the health, safety and welfare of the community.
 - i. Development consistent with the Storm Water Pollution Protection Plan (SWPPP) submitted and concurred with by the Price City engineer finding the mitigation of storm water pollution prevents potential negative impacts and is consistent with the Price City General Plan.
- l. Removal of brush, trees, debris, etc. from small unused “triangle” parcel on south corner and landscaping of parcel to prevent weed growth and accumulations of garbage, rubbish and debris finding that removal of brush, trees, debris, garbage and landscaping of the parcel improves area property values, is consistent with the Price City General Plan and mitigates the potential for altercation between property owners regarding maintenance of the parcel that may require enforcement by Price City via the Price City Property Maintenance Code.
- m. Submission of building construction plans to the Price City building department for review and approval, issuance of a building permit and payment of all required building permit, utility connection, street opening, etc. fees, as may be required, finding that approved building plans and construction under the auspices of a valid building permit protects the health, safety and welfare of the community.
- n. Procurement of a Price City business license prior to opening of the business and transaction of any commercial or retail business finding that properly licensed businesses protect the health, safety and welfare of the community.
- o. All outdoor storage and display to be maintained in a secure manner finding that secured outdoor displays of stock and merchandise mitigate the occurrence of theft and reduce the potential for service calls to public safety entities.
- p. No conditions at the property or structures that violate the Price City Property Maintenance Code finding that properly maintained property protects property values and increases positive community aesthetic value.

Mr. Fausett clarified the fencing location requirement with the Planning Commission in regard to location on the wash side and east side.

ACCEPTANCE: The applicant, via Mr. Fausett, acknowledged the conditions of approval, understanding of the conditions of approval and the intent to comply with the conditions of approval.

MOTION. Commissioner Bentley moved to recommend the Price City Council provide final approval for the Tractor Supply development at 1277 East Main Street within the Commercial 1 zoning district as presented and with the conditions indicated. Motion seconded by Commissioner Young and carried.

d. **CONDITIONAL USE PERMIT AMENDMENT.** A Conditional Use Permit (CUP) application was submitted by Jared Haddock for an amendment to the Planned Unit Development (PUD) located in the vicinity of 530 South 1750 East (Granite Circle) within the Residential 1-8 (R1-8) zoning district. Jared developed his home on the

property and subsequently an additional home and a couple of garages and other accessory buildings. Through the development process a condition of approval was approved on 8-8-11 that no further development or building can take place at the PUD without approval of an amendment by Price City.

Mr. Haddock is requesting a CUP amendment to construct an enclosed porch on the south side of his personal home. The porch will be approximately 16' x 22' in size and be of the type that is enclosed with windows in the colder months and the windows can be removed in the warmer months. Setbacks and other zoning matters are not impacted by the enclosed porch.

Chairman Oliver read aloud the following conditions of approval:

- a. All restrictions and conditions of development of the PUD previously approved remain in full force and effect finding that conditions of approval previously approved mitigate neighborhood impacts as development occurs.
- b. No development in violation of the Home Owners Association Covenants presented to Price City for review and approval finding that previously approved development and HOA rules mitigate negative development impacts.
- c. Procurement of a Price City Building Permit and all construction in compliance with the building permit and building inspections finding that licensed and approved construction protects the health, safety and welfare of the community.
- d. No violations of the Price City Property Maintenance Code as it relates to property or structures within the PUD finding that maintained property and structures protect area property values and mitigate complaints.

ACKNOWLEDGEMENT: Mr. Haddock acknowledged that he is aware of the conditions of approval, understands the conditions of approval and intends to comply with the conditions of approval.

MOTION. Commissioner Evans moved to recommend the City Council provide final approval for construction of an enclosed porch on the south side of the home located at 530 South 1750 East. Motion seconded by Commissioner Sacco and carried.

e. **CONDITIONAL USE PERMIT AMENDMENT.** A site plan regarding an amendment to the site plan at 790 North Cedar Hills Drive within the Commercial 1 (C-1) zoning district was presented by Mike Martak. The nature of the amendment is to authorize an additional building on the site and a pavilion/patio area that were not part of the existing site and building when the original development occurred. Nick Tatton provided the Commission with the following information: general evaluation criteria for the land uses are listed in Section 11.1 of the Price City Land Use Management and Development Code (Code), the specific evaluation criteria/land use checklist is listed in Section 11.1.m of the Code. The land use is considered permitted as Salon Services and under Barber and Beauty shops general, Section 11.3.5.8 of the Code. The site plan amendment is being considered in 2 phases: (1) a new building for Yoga and other instruction; and, (2) a pavilion and courtyard area. The new building will be located immediately east of the existing building. The separation between the buildings has been confirmed with the Fire Chief and Building Inspector. It was also confirmed that the boundary of the owners property extends further east and the exiting curb, gutter and sidewalk will front the development on 800 North Street or additional will be installed. The Commission discussed the parking areas, landscaping, lighting, utility connections and fencing in detail with Mr. Martak.

Chairman Oliver read aloud the following conditions of approval:

- a. **Additional Building:**
 - i. Building/business signage to be submitted to the Price City Planning Department prior to installation for consideration and possible approval finding that reviewed and approved business signage promotes consistency in the community.
 - ii. Building to have independent water, sewer and storm water utility connections to 800 North Street subject to the terms and conditions, sizing, etc. set forth by the Price City Public Works Department and City Engineer finding that properly connected utility services protect the health, safety and welfare of the community.
 - iii. Completion and submission of the PRWID Waste Water Survey and compliance with any requirements stemming from the survey finding that protection of the waste water system is in the long-term interest of the community.
 - iv. Storm water detention, release and management plan to be reviewed and concurred with by the Price City Engineer finding that properly managed storm water flows protect the health, safety and welfare of the community.
 - v. All building and exterior lighting to be shaded, angled or timed not to provide light cast to area residential properties finding that excess light transference may negatively impact the residential area.

- vi. Curb, gutter, sidewalk to be in place, minimally, to the east limit of the development along 800 North Street finding that installed public infrastructure protects the health, safety and welfare of the community and is required by Code.
 - vii. All parking areas to be hard surfaced as required by Code. Minimum of six (6) addition parking spaces required based on Section 6.4.15 of the Code.
 - viii. Completion of a geotechnical study or equivalent and concurrence with the results of the study by the Price City Engineer and completion of development consistent with any recommendations stemming from the report finding that construction in compliance with identified soil conditions protects the health, safety and welfare of the community.
 - ix. Installation of a minimum of 5% of the development area in landscaping as required by Code.
- b. Pavilion and Courtyard:
- i. Installation of a fence or wall in a height not to exceed eight feet (8'). Fencing in excess of six feet (6') must be completed under the auspices of a Price City Building Permit, including any engineering for footings, wind load etc. finding that fencing that does not impact vehicle or pedestrian safety may be permitted above 6' in height.
 - ii. Installation of a pavilion structure and storage buildings authorized.

ACKNOWLEDGEMENT: Mr. Martak, as representative for the owner, acknowledged that he is aware of the conditions of approval, understands the conditions of approval and intends to comply with the conditions of approval.

MOTION. Commissioner Bentley moved to recommend that the Price City Council provide final approval for a site plan amendment for 790 N Cedar Hills Drive with the conditions presented. Motion seconded by Commissioner Evans and carried.

8, UNFINISHED BUSINESS- No unfinished business discussed.

Meeting adjourned at 7:03 p.m. pursuant to a motion by Commissioner Bentley. Motion seconded by Commissioner Evans and carried.

APPROVED: _____
Chairman, Robert Oliver

ATTEST: _____
City Recorder, Sherrie Gordon