

**PRICE CITY PLANNING AND ZONING MEETING  
MINUTES OF FEBRUARY 21, 2012**

**PRESENT:** Commissioners:  
Frankie Sacco  
Wayne Clausing                      Laurie Tryon, City Recorder  
Judy Beacco  
Erroll Holt  
Robert Oliver  
Grady McEvoy, Alt.

**EXCUSED:** Chairman Bruno, Nick Tatton and Commissioner Richens

**OTHERS PRESENT:** Jeanne McEvoy, Kathy Hanna-Smith, Scott Critchett, Amber Adair, Joe Piccolo, Kelly Nielson and Erick Mortensen

**MOTION.** Commissioner Oliver moved for Erroll Holt to serve as Chairman Pro tempore. Motion seconded by Commissioner Clausing and carried.

1. MINUTES of February 6, 2012

**MOTION.** Commissioner Sacco moved to approve the minutes of February 6, 2012. Motion seconded by Commissioner Clausing and carried.

2. PUBLIC COMMENT ON AGENDA ITEMS: No public comment was received.

3. HOME OCCUPIED BUSINESS-Consideration and possible approval of a Home Occupied Business, Holistic Healing, Christine R. Bardsley, 152 East 200 North, within the R2-7 Zoning District.

Christine Bardsley submitted a Conditional Use Permit (CUP) application for a Home Occupied Business (HOB) for operation of a holistic healing salon in her home, called Holistic Healing, located at 152 East 200 North within the Residential 2-7 (R2-7) zoning district. Ms. Bardsley was unable to attend the meeting. Staff represented the requested on behalf of Ms. Bardsley. The Commission received all of the information pertinent to this request: The HOB definition and use land use restrictions are listed in Section 1.13.97 of the Price City Land Use Management and Development Code (Code) and the land use is indicated as conditional in Section 10.3.4 of the Code. General evaluation criteria are indicated in Section 10.1.5 of the Code and specific evaluation criteria is listed in Section 10.1.m of the Code. The applicant turned in approved neighborhood signatures from the 250' radius. Staff recommended approval subject to the following conditions read aloud by Chairman Protempore Holt:

- a. Compliance with all HOB restriction as indicated in Section 1.13.97 of the Code finding that restrictions, as indicated, protect the residential nature of neighborhoods, protect the health, safety and welfare of the community and is consistent with the Price City General Plan;
- b. No conditions to be present at the property or structure that may place the property or structure out of compliance with the Price City Property Maintenance Code in effect now or in the future finding that properly maintained properties and structures protect property values in neighborhoods and are consistent with the Price City General Plan.

**ACCEPTANCE:** The Commission confirmed that the applicant, applicants agents and representatives, are aware of the conditions of approval, understand the conditions of approval and intend to comply with the conditions of approval.

**MOTION.** Commissioner Sacco moved to approve the Home Occupied Business Conditional Use Permit for Holistic Healing with conditions as stated. Motion seconded by Commissioner Oliver and carried.

4. HOME OCCUPIED BUSINESS-Consideration and possible approval of a Home Occupied Business, C&E Custom Tees, Amber Adair, 549 N Homestead Blvd., within the R1-8 Zoning District. Amber Adair submitted a Conditional Use Permit (CUP) application for a Home Occupied Business (HOB) for operation of a screen printing business in her home, called C&E Custom Tees, located at 549 Homestead within the Residential 1-8 (R1-8) zoning district. The HOB definition and use land use restrictions are listed in Section 1.13.97 of the Price City Land Use Management and Development Code (Code) and the land use is indicated as conditional in Section 10.3.4 of the Code. General evaluation criteria are indicated in Section 10.1.5 of the Code and specific evaluation criteria is listed in Section 10.1.m of the Code. Ms. Adair stated that she would not have supplies at home and would only have two machines to do the screen-printing. She stated that nothing she uses is flammable and that all cleaning materials are water soluble. Staff recommended final approval for this request. Chairman Pro tempore Holt read aloud the following conditions:

- a. Compliance with all HOB restriction as indicated in Section 1.13.97 of the Code finding that restrictions, as indicated, protect the residential nature of neighborhoods, protect the health, safety and welfare of the community and is consistent with the Price City General Plan;
- b. Completion of a fire and building safety inspection by the Price City Fire Chief and Price City Building Inspector and compliance with all safety mandates and recommendations finding that life safety for occupants and visitors is a primary concern of Price City;
- c. Business inventory stock on hand limited to no more than 12 sq. feet of floor space in the basement of the home finding that home occupied businesses are restricted for the locating of inventory within the Code;
- d. No conditions to be present at the property or structure that may place the property or structure out of compliance with the Price City Property Maintenance Code in effect now or in the future finding that properly maintained properties and structures protect property values in neighborhoods and are consistent with the Price City General Plan.

ACCEPTANCE: The Commission confirmed that the applicant, applicants agents and representatives, are aware of the conditions of approval, understand the conditions of approval and intend to comply with the conditions of approval. **MOTION.** Commissioner Sacco moved to approve the conditional use permit and business with the stated conditions. Motion seconded by Commissioner Clausing and carried.

5. MULTI-FAMILY DEVELOPMENT-Consideration and possible approval of a multi-family development at 260 North Cedar Hills Drive within the C-1 Zoning District. Eric Mortensen presented an application for a Conditional Use Permit (CUP), ***preliminary and final***, for a proposed multiple family development at approximately 260 North Cedar Hills Drive, north of the O'berto Apartments, South of Pinnacle Care Center on the east side of the road. Nick Tatton provided the Commission with the following information: the site is situated within the Commercial 1 (C-1) zoning district. The land use, multiple family development, may be permitted in the C-1 zoning district based on Section 11.3.2.1.3.1 of the Price City Land Use Management and Development Code (Code). Chapter 6 of the Code requires a minimum of 2 parking spaces per residential unit; each 4-plex unit must be accompanied by a minimum of 8 parking spaces. Total development parking requirement is 24 off street parking spaces, the site plan indicates 30 parking spaces. The residential garbage cans are planned instead of a common dumpster with locations indicated. Mr. Mortensen stated that there would not be parking in the back of the building due to the existing wash being used for natural drainage. He stated that there would not be parking for recreational vehicles available.

Staff recommended preliminary and final approval for the project based on the recommended conditions read aloud by Chairman Pro Tempore Holt:

- a. Development and construction of building #1 is hereby approved finding that building #1

- sits in its entirety on one lot presently;
- b. Development and construction of buildings #2 and #3 are hereby approved for installation subject to completion and final occupancy approval of building #1 and final approval and recording of a lot-line adjustment plat effectively removing the lot line between the north and south parcels identified as bisecting building #2 on the site plan and effectively assembling the 2 lots into 1 finding that the multi-family buildings, as contemplated, must sit on one lot of sufficient size to accommodate the buildings, parking and be compliant with the Code;
  - c. Development and construction in compliance with site plan, utility connection and capacity plans, minimum landscaping requirements, snow removal and loading off of the public right of way, and building renderings submitted finding that development and construction consistent with site plans submitted and approved mitigates development misunderstandings and facilitates timely and orderly development consistent with the Price City General Plan;
  - d. Completion of development consistent, and subject to, all planning documents including soil investigation, storm water management plan, environmental review and all direction and recommendations stemming from all planning documents provided by Price City Engineer finding that development in compliance with approved plans promotes high quality development and protects the health, safety and welfare of the community;
  - e. Completion of a public infrastructure development agreement, if necessary and required by the Price City Public Works Department, for replacement and/or installation of public infrastructure serving or abutting the development site and submission of the required financial surety, if necessary and required, finding that properly agreed to and financially secured public infrastructure installations is required by Code and protects the long term financial interest of the community and is consistent with the goals in the Price City General Plan; (Mr. Mortensen stated that this may not be required based on conversations with Mr. Nick Tatton).
  - f. Notification sent to the canal company indicating that the development is proposed at the location indicated and requesting any comments finding that mitigation of any irrigation water impacts is paramount to life and property safety and is required by State Law;
  - g. Submit building plans to the Price City Building Department for plan check and procurement of a valid Price City Building Permit prior to commencement of construction after completion of final site plan approval finding that construction consistent with adopted building codes protects the health, safety and welfare of the community;
  - h. No conditions at the property or structures that place the property or structures in violation with the Price City Property Maintenance Code in effect now or in the future finding that properly maintained properties and structures protect area property values and mitigate instances of violations and nuisances;

ACCEPTANCE: The Commission confirmed that the applicant, applicants agents and representatives, are aware of the conditions of approval, understand the conditions of approval and intend to comply with the conditions of approval. **MOTION.** Commissioner Clausing approved the subdivision for preliminary and final with conditions as stated. Motion seconded by Commissioner Beacco and carried.

6. EASTGAGE APARTMENT MULTI-FAMILY DEVELOPMENT-Consideration and possible preliminary approval of a multi-family PUD at approximately 1250 East Main Street within the Commercial 1 zoning district.

The LaPorte Group, Ben Logue, submitted an application for preliminary approval only for a development and land use of a multi-family (apartment) complex to be located at approximately 1250 East Main Street within the Commercial 1 (C-1) zoning district. Nick Tatton provided the following information: the land use may be authorized as a conditional use based on Section 11.3.2.1.3.1 of the

Price City Land Use Management and Development Code (Code). Permitting of the development as a Planned Unit Development (PUD) is a conditional use based on Section 11.3.11.2 of Code. General evaluation criteria for the zoning district is in Section 11.1.1 of the Code and specific evaluation criteria and land use checklist information is listed in Section 11.1.m of the Code.

Staff recommended preliminary approval with listed conditions and items required to be completed and submitted to Price City prior to request for agenda docketing and consideration of final project approval. Scott Critchett and Kelly Nielson represented The LaPorte Group. Commissioner Sacco asked where the dumpsters, postal delivery truck and school buses would enter and exit the development if the road is only 25' wide. Mr. Critchett stated that the turn around will be wide enough for those vehicles and will not be an issue. He stated that emergency vehicles will also be able to easily enter and exit the development. He stated that he would get with the local school bus garage to retrieve information regarding how many buses they would need to accommodate on a daily basis. Commissioner Sacco stated that she is working with the landowners as a real estate agent on this development and asked whether two sewer lines would be used for the development. Mr. Critchett stated that the two lots behind O'Reilly Auto Parts store would be made into one lot and will probably only need one sewer line. He stated that the 6" line would be enough and run out to 200 South. Mr. Critchett stated that the soil study is being done now and stormwater studies are well on their way to being completed. He stated that they are following HUD guidelines and soil samples have gone down 19' and have now found groundwater so it should not affect the development. Mr. Critchett stated that they are waiting to hear from Price City regarding power for the development but there are three transformers with 3 phase power which should be plenty. He stated that they will have to relocate and bury the power lines. He stated that according to Sam White, Price City, the water supply is of sufficient capacity and existing Rocky Mountain Power for the project. He stated that the project will have a fire hydrant every 400' feet. Mr. Critchett stated that the gates into the development will have a secured keypad entry and a property manager will live onsite for problems that may arise with tenants. He stated that security cameras will be located in the clubhouse and pool areas. Jeanne McEvoy asked if the project would be build to be energy efficient. Mr. Critchett stated that they will work under Energy Star Guidelines to keep utility bills as low as possible with insulation, caulking and insulated windows and will try to buy products locally as well as use local contractors to built the development. Commissioner Sacco asked if the neighborhood letter will include that there will be one to four bedroom apartments available for rent and Mr. Critchett stated yes. Chairman Pro Tempore Holt read aloud the following conditions of approval:

- a. Completion and submission of all final studies, reports and development planning documents including the following finding that agreement upon and approval of final development documents and plans promotes high quality development within the City and is consistent with the Price City General Plan:
  - i. Final site plan;
    1. Need fire hydrant(s) location(s) indicated;
    2. Need traffic control signage within PUD indicated (MPH, Children present, no parking, etc.);
    3. Indication of emergency access point;
    4. Indication of type of emergency access to gated areas from Main Street and 200 South. Prior submitted information indicated a combination key pad, Fire Chief requested "siren blast" openers.
    5. Garbage dumpster location details – size, screening, gates, etc. and indication that proposed quantity of garbage dumpsters and frequency of service is adequate for development;
    6. Garbage location for clubhouse needs to be identified;
    7. Indicate that parking is provided at the ratio of 1 space per 300 sq. ft. of net usable floor space in the clubhouse, total 3,000 sq. ft. net suable floor space and 10 parking spaces;

8. Fence should be indicated to be a 6' vinyl sight obscuring fence not a picket fence. It should be 3' high for a distance of 50' south from the Main Street property boundary;
9. Indication of actual landscaping plan providing details on grass, planters, tree types, etc. and indication of total sq. ft. in compliance with 5% minimum requirement;
10. Bel-Aire "circle" may be better labeled as Bel-Aire "loop";
11. Possible increased width of two-way portions of PUD roads (between gates and intersections at housing loop) to better and more safely accommodate the 2-way traffic. Confirm with planning commission and engineering prior to final approval.
12. Hammer head type turn-around at east end of clubhouse parking lot;
- ii. Land subdivision plat, application for subdivision, fee paid (will required a public hearing also);
  1. Lots indicated;
  2. Easement for Overhead Power Line relocation;
    - a. Confirmation from Rocky Mountain Power (RMP) on line relocation availability;
  3. Easement for lot access – east side of development;
  4. Additional existing road right of way identified (only the east side of the road is presently developed, the west side of the road needs to be identified as ROW and/or dedicated to the public);
  5. Plat submitted in Price City signature block format.
- iii. Actual RMP electrical load sheet(s) for electrical service completed;
- iv. Sign plan indicating exact location, dimensions, etc. of complex sign identified as the "Eastgate Apartments" Freestanding Sign, Illuminated.
- v. Compliance with all requirements resulting from the PRWID waste water survey.
- vi. Updated soil study/geotechnical report. Report indicates up to a 2 story structure and development plans indicate 3 story structures. Report also indicates poor existing soil conditions.
- vii. Final storm water management plan submitted and approved by the Price City Engineer including floodplain elevation certificate. Storm water management plan must also include consideration of snow dumping areas and details on storm drain proposed detention pond location and ownership of detention pond location.
- viii. Finalized public infrastructure development agreement and surety guarantee calculation and submission to the Price City Public Works Department. Need details on SW road improvement and development between existing 200 S Street and new bridge.
  1. All public and private utility and infrastrucure to be compliant with applicable Price City minimum standards.
- ix. Written confirmation from UDOT regarding ingress and egress access on Main Street.
- x. Final ability to serve and capacity to serve letters from all required utility providers:
  1. Water & Sewer: Price City
  2. Electrical: Price City
  3. Natural Gas: Questar
  4. Communications and Cable TV: Emery Telcom
- xi. Evidence of registered mail notification of all owners of real property within 500' of the development regarding development details and contact information.

ACCEPTANCE: The Commission confirmed that the applicant, applicants agents and representatives,

are aware of the conditions of approval, understand the conditions of approval and intend to comply with the conditions of approval. **MOTION.** Commissioner Sacco moved to approve preliminary only for the EastGage Apartment Multi-Family Development with conditions as stated. Motion seconded by Commissioner McEvoy and carried.

- 7. UNFINISHED BUSINESS- No report
- 8. CUSTOMER SERVICE REPORT- No report

Meeting adjourned at 6:48 p.m. pursuant to a motion by Commissioner Clausing.

APPROVED: \_\_\_\_\_  
Chairman, Larry Bruno

ATTEST: \_\_\_\_\_  
City Recorder, Laurie Tryon