

**PRICE CITY PLANNING AND ZONING MEETING
MINUTES OF APRIL 24, 2017**

PRESENT:

Commissioners:

Robert Oliver	Nick Tatton-Community Director via Electronic Communications
Todd Thorne	Sherrie Gordon-City Recorder
Frankie Sacco	
Jan Young	
Richard Root	
Dale Evans	
Judy Beacco	

EXCUSED: Commissioner Bentley and Commissioner Holt-Alternate

OTHERS PRESENT: Chris Evertz, Rich Piggott and Jason C. Varner

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 present.
3. MINUTES OF January 23, 2017 -
MOTION. Commissioner Young moved to approve the minutes of January 23, 2017. Motion seconded by Commissioner Evans and carried.
4. PUBLIC COMMENT ON AGENDA ITEMS – No public comment was received on any of the items.
5. CONDITIONAL USE PERMIT –
 - a. FUEL STATION AND C-STORE LAND USE, SITE PLAN AMENDMENT - Consideration and possible approval of a site plan amendment for the addition of a fuel station and c-store at 245 S Main Street, within the existing WalMart parking lot, located at 255 S Main Street, within the Commercial 1 zoning district. A Conditional Use Permit (CUP) application was submitted by John Roggo, Sr., Real Estate Manager, Wal-Mart Real Estate Business Trust, for a site plan amendment to locate a six (6) pump, twelve (12) position gas station and 1,400 square foot convenience store (C-Store) in the parking lot of the Walmart Supercenter located at 255 S Main Street (Hwy 55) within the Commercial 1 (C-1) zoning district. The actual address for the C-Store and gas station will be 245 S Main Street. 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 land uses at the site include the following:
 - Gasoline Service Station, conditional use, Code Section 11.3.4.21
 - Groceries, with or without meat, permitted use, Code Section 11.3.4.22
 - Limited price variety store, permitted use, Code Section 11.3.4.28
 - Convenience Store with or without gas, Code Section 11.3.4.22.5Parking at the C-Store/gas station is subject to Section 6.4.12.1 and 6.4.12.2 of the Code wherein the ‘stacking’ of vehicles for fueling can be considered as parking spaces, but cannot create logistical or safety situations. Richard Piggott, Civil Engineering Project Manager with Galloway Planning Architecture Engineering, reviewed the plans with the Commissioners. The Planning Commission reviewed the site plan with detail. Commissioner Oliver read aloud the following conditions of approval:
 - a. Site Plan
 - i. Exterior area and parking-lot lighting to be high efficiency LED fixtures and all exterior lighting to be on timers and/or shielded and/or angled away from neighboring residential uses to avoid light transference across property boundaries finding that conflicts with neighboring land uses is mitigated with lighting transference control measures.
 - ii. Garbage dumpster to be located in an readily accessible location by employees and for service by the garbage company and in a dumpster enclosure adjacent to the C-Store finding that reasonably accessible garbage dumpsters mitigate accumulations and wind scatter of garbage, rubbish and debris.
 1. Garbage dumpster service frequency to mitigate accumulations and wind scatter of garbage, rubbish and debris.
 2. No hazardous or other restricted materials or items to be disposed of in garbage dumpster.
 - iii. Nielson Lane Access:
 1. Grade between Nielson Lane and parking lot elevation not to exceed that which can safely be accessed by both large and small vehicles accessing the site finding that safe access points mitigate the potential for accidents. ADA mats to be installed at all curb cuts and driveway approaches associated with C-Store development
 2. Ingress/egress located a minimum of forty (40’) feet east of Main Street and not more than ninety (90’) feet in width finding that accommodating safe access for refueling tankers and large vehicles with trailers accessing the fueling station mitigates the potential for accidents.
 - iv. Business and building signage to only be installed upon completion of submission, review and authorization by the Price City Planning Department finding that properly reviewed signage promotes increased business activity.

1. Removal of inactive signage at Nielson Lane and Main Street intersection (Scotts Small Engine Repair).
- v. Installation of a minimum of five percent (5%) landscaping compliant with the Code finding that landscaped developments improve the community aesthetic.
 1. All landscaping to be water wise.
 2. All existing Walmart site landscaping to be (re)installed and maintained and returned to live and maintained condition.
 - a. Adjacent Main Street frontage.
 - b. Adjacent Nielson Lane frontage.
 - c. Adjacent to 300 South frontage.
- b. Utility Connections
 - i. Water, sewer and electric utility connections to be coordinated and installed under the direction of the Price City water/sewer department and Price City electric department finding that properly coordinated utility connections provide long-term service to development. Utility connections to be independent of main Walmart building.
 1. Water connection to be two inch (2") culinary service with two inch (2") nut valve and meter to be located in park strip.
 2. Electrical load sheet to be submitted to the Price City electric department in advance of connection request.
 3. Provide to Price City all necessary utility easements for access to public utilities, if applicable.
 4. Installation of fire protection systems including hydrant(s) and other fire mitigation measures as may be required by the Price City Fire Chief. Contact Price City Fire Chief for final approval and placement of any additional fire hydrants required.
 - ii. Completion and submission to Price River Water Improvement District (PRWID) a waste water survey, with copy to Price City finding that properly understood and managed waste water system access protects high cost public utility infrastructure from damage.
 1. Installation of grease interceptor(s) and sampling manholes as required. Activity at C-Store restricted as identified and required based on the waste water survey completed. Grease interceptor and sampling manhole to meet PRWID minimum standards.
- c. Plans and Documents:
 - i. Submission to Price City copies of all approved State of Utah fuel storage tank approval and monitoring information finding that properly licensed and monitored fuel storage tanks and systems protect the environment.
 - ii. Completion of a Public Infrastructure Development Agreement and submission of the required financial surety, if required, to the Price City Public Works Department finding that properly agreed and secured public infrastructure installations protect the long term financial interest of the community.
 - iii. Existing storm water management plan at the overall site addressing the 100 year flood event and existing infrastructure not to be changed finding that properly managed and controlled storm water runoff prevents flooding and protects the health safety and welfare of the community.
 1. Any changes to flows shall require a new storm water management plan to be prepared, submitted and approved.
 - iv. Submission of construction plans to Price City and procurement of a Price City building permit prior to commencement of construction finding that properly licensed, permitted and inspected commercial development protects the health, safety and welfare of the community.
 1. Inclusion of fire safety as recommended by the Price City Fire Chief.
 - v. Procurement of a Price City business license prior to business operation at the site finding that properly licensed businesses protect the health, safety and welfare of the community.
- d. General:
 - i. Gasoline and diesel fuel dispensing only, no compressed natural gas fueling permitted finding that additional fuel types may require additional approval and/or conditions of approval.
 - ii. Maximum fuel storage on site of 48,000 gallons. All fuel storage to be underground finding that properly managed and stored fuel inventory protects the health, safety and welfare of the community.
 - iii. Site plan to be provided to all neighboring property owners within three hundred feet (300') of the project site along Nielson Lane finding that properly communicated development activity mitigates the potential for misunderstandings.
 - iv. High definition video surveillance and security cameras to be installed as requested by the Price City Police Chief finding that properly monitored businesses mitigate the use of the public safety system.
- e. No conditions at the property or structure that violation the Price City Property Maintenance Code finding that properly maintained properties and structures protect area property values and is consistent with the Price City General Plan.
- f. All infrastructure development, installations and utility connections to be compliant with Price City minimum standards. Contact Price City Public Works and Engineering for details on minimum standards.

Nick Tatton reviewed the following technical issues with the Commissioners and audience. The issues below will be incorporated into the list of approval conditions above:

- The curb-cut on Nielson Lane should be ADA compliant.
- Type of water valve to be used for a water connection and the meter should be compliant with Price City minimum standards.
- Coordinate final installations with the Fire Chief.

Richard Piggott addressed the Commissioners and requested a modification to the 40-foot road width on Nelson Lane. He requested the road be modified to 90-feet and approved for the extra width to accommodate large truck-trailer customers as well as fuel deliveries to the site.

Jason Critchlow Varner addressed the Commissioners. He owns property located at 144 S 1550 E and 1501 E 150 S on Nielson Lane. He indicated that he no longer lives in the area; he now lives in Salt Lake City. He stated the following safety concerns regarding supply trucks using Nielson Lane to enter/leave the Walmart store:

- He is very concerned about access to Nielson Lane. Having a gas station at Walmart may increase truck usage on this small lane. Nielson Lane is a short lane.
- Truck drivers back into his yard trying to turn the trucks around to get back to the entrance to Walmart.
- A truck hit his house causing over \$3,500 worth of damage.

- He has met with Walmart management numerous times regarding his driveway being used by Walmart and other truck drivers.
- There are many elderly people and the Housing Authority is located on Nielson Lane. He has great concern for their safety.
- He would appreciate no more usage on Nielson Lane. It is simply just a small lane.

Richard Piggott addressed Mr. Varner's concerns:

- He will meet with Walmart management and address this issue from an operations standpoint.
- More signage to aid truck drivers may be added to the lane.

Chris Evertz with SGA Design Group addressed the Commissioners. He requested the following modifications to the Conditional Use Permit:

- The maximum fuel storage on site is 40,000 gallons. They would like this increased to 48,000 for future changes/upgrades based on the sizing of the tanks available.

Nick Tatton indicated this may be modified in the conditional list. He also stated that if/when this modification took place it must be reviewed with the Fire Chief. Conditions stemming from the Fire Chief's comments relative to fire safety and fire hydrants must be followed.

MOTION. Commissioned Sacco moved to amend the conditions list to increase Nielson Lane ingress/egress width from 40-feet to 90-feet on Nielson Lane. Motion seconded by Commissioner Young and carried.

MOTION. Commissioner Sacco moved to amend the conditions list and change the maximum allowable fuel tank gallon storage on site from 40,000 gallons to 48,000 gallons with a final review by the Fire Chief. Motion seconded by Commissioner Root and carried.

ACCEPTANCE: Richard Piggott acknowledged he is aware of the conditions of approval, understand the conditions of approval and intends to comply with the conditions of approval.

MOTION. Commissioner Thorne moved to recommend the Price City Council provide final approval of a Conditional Use Permit (CUP) for the Walmart Fuel Station and Convenience Store located at 245 S Main Street within the Commercial 1 (C-1) zoning district to include the amendments to the conditions list indicated above. Motion seconded by Commissioner Evans and carried.

6. UNFINISHED BUSINESS – No unfinished business discussed.

Meeting adjourned at 6:43 p.m. pursuant to a motion by Commissioner Evans. Motion seconded by Commissioner Beacco and carried.

APPROVED: _____
Chairman, Robert Oliver

ATTEST: _____
City Recorder, Sherrie Gordon