

**PRICE CITY PLANNING AND ZONING MEETING
MINUTES OF MAY 7, 2018**

PRESENT:

Commissioners:

Judy Beacco

Jan Young

Todd Thorne

Robert Oliver

Nancy Bentley

Dale Evans

Nick Tatton, Community Director

Sherrie Gordon, City Recorder

EXCUSED: Commissioner Sacco, Commissioner Root and Commissioner Holt-Alternate

OTHERS PRESENT: Leif Nelson, Erick Mortensen, Jon Pressett, Tony Basso, and Kelly Jensen

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 –**
 - a. April 9, 2018 Planning and Zoning Training Workshop
MOTION. Commissioner Thorne moved to approve the minutes for April 9, 2018. Motion seconded by Commissioner Young and carried.
 - b. April 9, 2018 Planning and Zoning Meeting
MOTION. Commissioner Thorne moved to approve the minutes for April 9, 2018. Motion seconded by Commissioner Young and carried.
4. **PUBLIC COMMENT ON AGENDA ITEMS –** No public comment was received on any of the items.
5. **CONDITIONAL USE PERMIT –**
 - a. **MULTIPLE LAND USE LOCATION -** Consideration and possible approval of a multiple land use location including restaurant with alcohol, bar with alcohol, convenience store with drive-up, gasoline sales, retail sales, advertising services, sports activity facility and public information center, at 150 N Hospital Drive, Castle Country Adventure Center, Tony Basso.
A Conditional Use Permit (CUP) application was submitted by Tony Basso to locate a multiple land use facility, called the Castle Country Adventure Center, including the following land uses: restaurant and banquet with alcohol, bar with alcohol, convenience store with drive up window, gasoline sales, zip-line, advertising services, and public information center at 150 N Hospital Drive. The location is within the Commercial 1 (C-1) zoning district. The general land use evaluation criteria for the C-1 zoning district is located 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 following land uses are applicable:
 - Restaurant and Banquet (Eating Places) with alcohol, conditional use, Section 11.3.4.14 of the Code;
 - Bar (Drinking Places) with alcohol, conditional use, Section 11.3.4.11 of the Code;
 - Convenience Store with Drive-Up Window:
 - Drive in restaurant, conditional use, Section 11.3.4.12 of the Code;
 - C-store, conditional use, Section 11.3.4.22.5 of the Code.
 - Gasoline Service Stations with c-store, conditional use, Section 11.3.4.21 of the Code;
 - Adventure Center with Zip-Line:
 - Advertising Services, conditional use, Section 11.3.5.2 of the Code;
 - Sports Activity Facility, conditional use, Section 11.3.6.5 of the Code;

The Commissioners reviewed the business operation with the applicant. Chair Oliver read aloud the following conditions of approval:

- All exterior lighting to be high-efficiency LED fixtures finding that high efficiency fixtures mitigate long term impacts to the public electric system.
- Maintain garbage dumpster in a gated and screened dumpster enclosure with garbage service frequency to prevent accumulations or wind-scatter of garbage, rubbish or debris finding that properly controlled garbage, rubbish and debris mitigates potential negative impacts to the aesthetic condition of the community.
- Submission of business signage plan to the Price City Planning Department for consideration and possible approval based on compliance with Chapter 4 of the Code prior to installation of signage finding that properly reviewed and approved signage promotes commercial activity in the community. Signs to be installed under the auspices of a Price City Building Permit.
- Installation of a minimum of 5% landscaping on the site of the development consistent with the requirements within the Code.
- Installation of a safety barrier and/or maintain current barrier between the facility and US Highway 6 and Westwood Blvd. finding that roadway barriers mitigate the potential for pedestrian/vehicle accidents and conflicts.

- All parking by business owners, employees and customers to be maintained in the off-street parking lot finding that off-street parking mitigates the potential for pedestrian and vehicle accidents. Maintain a minimum of fifty-four (54) off-street parking spaces for use by employees and customers based on prior development approval and existing off-street parking lot size. All 'for rent' vehicles to be parked so as to not impact the minimum off-street parking requirement. Installation of any bicycle racks and other private adventure center oriented items and infrastructure private property; not in the public right of way. No on-street parking on Westwood Blvd. or Hospital Drive finding that restricted on-street parking mitigates the potential for vehicle and pedestrian accidents. Maintain all on property/internal fire-lanes in a marked and signed condition to restrict parking (curbs painted red and signs posted) as directed by the Price City Fire Chief.
- Inspection of the subject building and property by the Price City Fire Chief and Price City Building Inspector for safety and compliance with all safety recommendations and direction stemming from the inspection finding that properly reviewed and inspected business locations protect the health, safety and welfare of the community.
- Building renovations, if any, to be completed under the auspices of a Price City Building Permit and inspection finding that properly permitted and inspected building renovations protect the health, safety and welfare of the community. Issuance of Certificate of Occupancy (C of O) by the Price City Building Department prior to building business use and occupancy. Specific approval of zip-line towers, cabling, platforms, etc. by the Price City Building Inspector and Price City Fire Chief.
- Obtain Price City business licenses as applicable, including alcohol licenses and local consent approvals, finding that properly licensed and permitted businesses protect the health, safety and welfare of the community and serve to enhance the business climate in the local area. Obtain alcohol permits for the restaurant and the bar land uses from the State of Utah and provide copies of permits to Price City. Southeast Utah District Health Department review and approval of restaurant and bar food service area(s) and provide copy of approval to Price City. RESTRICTION: C-store operation to not subject the C-store operation to the State of Utah and Price City requirements for a smoke or vape shop. Verification of all environmental approvals for gasoline tanks with State of Utah and copy to Price City.
- No authorizations or land uses not specifically identified herein approved finding that restricted authorizations and land uses protect the long-term interests of the community.
- Gasoline sales in conjunction with the C-store to be in place on or before June 30, 2019 to establish the land use.
- 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.

ACCEPTANCE: The applicant 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 Thorne moved to recommend that the Price City Council provide final approval of a multiple land use location including restaurant with alcohol, bar with alcohol, convenience store with drive-up, gasoline sales, retail sales, advertising services, sports activity facility and public information center, at 150 N Hospital Drive, Castle Country Adventure Center. Motion seconded by Commissioner Beacco and carried.

b. ASSISTED LIVING AND MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT - Consideration and possible final approval of a multiple family senior and assisted living development at 100 N Fairgrounds Road, PMJ Properties, Freedom Senior Living, Jon Pressett, Kelly Jensen, and Erick Mortensen.

A Conditional Use Permit (CUP) application was submitted by Erick Mortensen, Jon Pressett and Kelly Jensen (PMJ Properties LLC.) to develop and locate an senior living project at 100 N Fairgrounds Road (new address assignment) within the Commercial 1 (C-1) zoning district. This development was provided with concept approval for the updated site plan in February of 2018. The land use evaluation criteria for the C-1 zone district are in Section 11.1 of the Code and the specific land use evaluation criteria/land use checklist for the C-1 zone district are in Section 11.1.m of the Code. The actual land use, Assisted Living Facility, is conditional and listed in Section 11.3.2.1.5.7 of the Code, Single or Multiple Housing is also a conditional use and listed in Section 11.3.2.1.3.1 of the Code.

The Commissioners reviewed the Conditional Use Permit with the applicants. Chair Oliver read aloud the following conditions of approval:

- Approval for all three (3) phases of development finding that no further land use review or approval is necessary unless, in the opinion of Price City, substantive changes to the site plan are made. If substantive changes to the site plan be made prior to final approval or final build-out of all phases an amended site plan must be submitted, considered and approved by Price City. Phase 1: central portion of the development containing the main building; Phase 2: south portion of the development; Phase 3: north portion of the development. Restriction: no real-estate sales of units and property from within development, rentals, only, finding that a subdivision plat has not been prepared, submitted, considered or approved.
- Development consistent with the final civil site plan set submitted to Price City, consistent with the concept site plan previously approved, including the following elements as discussed and required: (1) Installation of curb, gutter and sidewalk meeting Price City minimum standards along Fairgrounds Road, installed to the limit of all constructed development (may be phased with development); (2) Private roadway installation constructed to ensure accommodation of large emergency and other service vehicles. Including roadway width and cross-section; (3) Utility connections for water, sewer, electric, natural gas detailed (size, location, etc.) including any required sampling manholes and grease traps coordinated with the respective utility provider(s). Site plan to accommodate necessary utility easements for both PRWID and Price City water services and utility interconnect location and related valves and equipment.
- Fencing or other appropriate mitigation measure(s) or buffer to restrict canal and cliff access to the east by residents and visitors finding that restricted access to potentially dangerous physical site elements protects the health, safety and welfare of the community.
- Review of development in detail with the Price City Fire Chief and installation of fire safety water lines, equipment turn-arounds (hammerheads) and internal hydrants as required. Locations to be indicated on final site plan and confirmed as acceptable by the Price City Fire Chief. Hydrant within 100 feet of fire department connection for sprinkler system at main building in Phase 1. Interior water line sizing minimum eight inch (8"). Submission of State Fire Marshall comments to Price City Fire Chief in regard to main building in Phase 1. All weather interior roads and temporary turn-arounds required during combustible construction periods to accommodate emergency equipment.
- Minimum of sixty (60) off street parking spaces, including ADA spaces, identified in the following manner: 18 residential units in main building X 1.5 spaces per unit = 27 spaces; 12 residential units X 2 spaces per unit = 24 spaces; 9 spaces for visitors and employees; total 60 spaces; consistent with Chapter 6 of the Code and as indicated on the concept site plan submitted. Parking lot and exterior area lighting to be high efficiency LED fixtures. Parking lot and exterior area lighting to be angled, shielded or on timers to not negatively impact neighboring residential uses with light transference. Ingress/egress to Fairgrounds Road to be a minimum of thirty feet (30') in width and clearly identified. No sight line visibility impediments by signage or landscaping that may limit vehicular or pedestrian traffic safety within twenty feet (20') of Fairgrounds Road right-of-way.

- Garbage dumpster(s) to be located and clearly identified on final site plan in screened enclosure with gates. Service frequency to prevent accumulations of garbage, rubbish, debris and wind scatter thereof. Garbage dumpster situated to allow garbage truck access mitigating the potential for accidents and collisions. Commercial dumpster for main building structure in Phase 1. Residential can option for the residential structures in Phase 2 and Phase 3.
- Minimum of 5% of area landscaping on site plan. All landscaping to be water wise.
- Business signage review by the Price City Planning Department prior to installation finding that properly reviewed business signage ensures compliance with the Code.
- Development in compliance with the geotechnical study any direction provided by the Price City Engineer regarding the development based on the study finding the development in compliance with geotechnical studies mitigates the potential for development problems.
- Development in compliance with the storm water management plan and any direction provided by the Price City Engineer regarding storm water management finding that development in compliance with storm water management plans mitigates the potential for flooding and damage. Storm water management plan to manage a 100-year storm event. Storm water management plan to utilize a detention basin and designed to release to the drainage (canal) at a rate at ninety percent (90%) or less of the pre-development flows established.
- Completion of a private utility agreement with the Price City public works department, as required and if required, as it relates to culinary water connection, annual fire hydrant testing and general service finding that properly agreed and managed utility connections protect the health, safety and welfare of the community.
- Completion of a public infrastructure development agreement with the Price City public works department, as required and if required, as it relates to the installation of public infrastructure associated with the development and submission of the required financial surety as required finding that properly agreed and secured public infrastructure installations mitigate potential infrastructure replacements and protect the financial interest of the community. Curb, gutter, sidewalk adjacent to developed frontage. Extension of roadway paving to right-of-way line and infrastructure installations. Delayed installation for Phase 2 and Phase 3 of the project to the north and south on elements of public infrastructure if negotiated, arranged and approved by the Price City Engineer.
- Completion of a Price River Water Improvement District (PRWID) waste water survey and submission of the survey to PRWID with a copy to Price City finding that confirmed waste water system usage patterns protect the overall community waste water system.
- Submission of building construction plans to the Price City building department for review and approval finding that properly permitted and inspected construction protects the health, safety and welfare of the community. All construction to be completed under the auspices of a Price City building permit. Building plans consistent with all fire safety requirements by the Price City Fire Chief and State Fire Marshall.
- Notification, in writing, and copy to Price City, to the Carbon Canal Company of development plans, schedules consistent with HB 298, 2010 finding that properly notified development mitigates the potential for misunderstandings. Notification to include details for utility crossings of the canal right-of-way.
- Identification and recording of any necessary easements including water lines, storm water drainage, electrical lines, fire-line access, etc. finding that identified and recorded easements mitigate the potential for future property disputes.
- Application and receipt of Price City business license prior to opening and operation at site finding that Price City requires all businesses operating within the City to be licensed.
- No conditions at the property or structures that violate the Price City Property Maintenance Code finding that properly maintained property and structures protect community property values and mitigate negative impacts to the overall community aesthetic.

ACCEPTANCE: The applicants acknowledged that they are 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 that the Price City Council provide final approval of a multiple family senior and assisted living development at 100 N Fairgrounds Road, PMJ Properties, Freedom Senior Living. Motion seconded by Commissioner Bentley and carried.

6. UNFINISHED BUSINESS – Nick Tatton handed out a copy of the goals in the updated Price City Affordable Housing Plan for review.

Meeting adjourned at 6:26 p.m. pursuant to a motion by Commissioner Young. Motion seconded by Commissioner Evans and carried.

APPROVED: _____
Chairman, Robert Oliver

ATTEST: _____
City Recorder, Sherrie Gordon