

**PRICE CITY PLANNING AND ZONING MEETING
MINUTES OF JULY 12, 2010**

PRESENT: Commissioners:

Chairman Larry Bruno

Rick Davis

Alfred Richens

Frankie Sacco

Erroll Holt

Ed Shook

Judy Beacco

Grady McEvoy, Alternate

Laurie Tryon, City Recorder

Nick Tatton, Community Director

EXCUSED:

OTHERS PRESENT: Kevin Norried, Ben and Jessica Lindley, Tracy Iriart and Angelo Kiahtipes

1. MINUTES of June 21, 2010

MOTION. Commissioner Richens moved to approve the minutes of June 21, 2010 as presented. Motion seconded by Commissioner Beacco and carried.

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

3. GROUP HOME. Consideration and possible approval of a youth group home at 225 South 300 West, R2-7 zoning district and a business license for Lookup Youth Services, Ben Lindley.

Mr. Lindley presented this request. He stated that the youth group home would be for approximately 6 boys, ages 12-18 yrs that come from DCFS. He stated that the group chose Price City because there are no services of this type in rural Utah. Mr. Lindley stated that the group home would be an asset to Price City by providing jobs and community service hours to the area. He stated that the boys would be taught skills to be successful in the community. Mr. Lindley stated that the group home would be a 24 hr. staff and secure location and be classified as a non guarantee bed contract with the State of Utah which means they would not know how many boys would live in the house but understood that the maximum for the City code is 6.

Nick Tatton provided the following information to the Planning Commissioners: The actual application is for "a residential facility for adjudicated youth". This indicates a group home. A group home is defined in the Code, Section 1.13.91 and further referenced in Section 1.13.156, as the home may related to persons with a disability. Group homes are further referenced in Chapter 8 of the Code, youth group homes specifically within Section 8.4 of the Code. Section 8.4.4 indicates that the youth group home may not be located closer than three quarters mile, or 3,960 feet from any other facility. While this reference is specific to youth homes, Section 9.5 of the Code indicates that the provisions of Chapter 8 are applicable in all zoning districts. This provision indicates that group homes, regardless of type (elderly, disabled, youth) cannot be located within the proximity restriction to one another.

The actual land use (group home) is available within the R2-7 zoning district by CUP, if proximity condition (and other specific evaluation criteria) indicated in Chapter 8 are met, based on Section 10.3.3.9. The general evaluation criteria for the R2-7 zoning district are indicated in Section 11.1.5 of the Code. Subject to Section 1.4 of the Code, additional requirements may be recommended or required of the land use, based on a review of the land use and the evaluation criteria, both general and specific. Additional requirements may include: parking requirements; supervision requirements; county/state/federal regulation compliance; site fencing; site landscaping and public notifications and/or hearings. The proposed location 225 South 300 West, is

situated the required distance from other group home(s) that facilitated permitting of the land use at the location. A map indicating other group homes within the City is attached for reference. A physical measurement of the distances to confirm the situation was conducted on June 29, 2010. The results of that physical measurement indicate that the existing permitted group homes within Price City are greater than ¾ mile distance away”.

Staff recommended to permit the group home at 225 South 300 West and a business license as applied for with the listed conditions consistent with the general and specific review criteria indicated in the code read aloud by Chairman Bruno:

- a . Facility must conform to all applicable standards and requirements of the Utah State Department of Human Services consistent with Section 8.4 of the Code;
- b . Facility shall conform to all building, safety, health, zoning requirements of the Price City Land Development Code applicable to structures in the zone which it is located consistent with Section 8.4 of the Code;
 - i. Inspection of the subject property by the Price City building inspector and Price City fire chief prior to any use or occupancy and compliance with all safety recommendations finding that safety review and compliance protects the health, safety and welfare of the community;
- c . Facility shall be capable of use as a youth rehabilitation facility without structural or landscaping alterations that would change the structure’s residential character consistent with Section 8.4 of the Code;
- d . Facility shall have a landscaped and regularly maintained front yard free from debris, weeds and other visual nuisances finding that protection of property values in the neighborhood are protected;
- e . Facility shall have a landscaped and maintained back yard with a sight obscuring fence surrounding the perimeter, constructed to Code specifications, consistent with Section 8.4 of the Code;
- f. Facility shall be of a size and scale that it is in harmony with other residential uses in the vicinity consistent with Section 8.4 of the Code;
- g. Facility shall comply with Utah State regulations and not exceed a ratio of 1 adult to 3 youth or exceed a total of 6 youth assigned to the facility at any one time consistent with Section 8.4 of the Code;
- h . Must maintain a business license in good standing with Price City at all times finding that properly licensed businesses protect the health, safety and welfare of the community.

ACCEPTANCE: The Commission confirmed the acceptance, understanding and intent to comply with the approval conditions by Ben Lindley.

MOTION. Commissioner Davis moved to approve the group home and business license with the stated conditions as read aloud. Motion seconded by Commissioner Sacco and carried.

4. **BUILDING DEVELOPMENT/CONSTRUCTION.** Consideration and possible approval for the development/construction of a new building and carpet store land use at 441 East 100 North within the C-1 zoning district.

Angelo Kiahtipes and Kevin Norried presented a request for a Conditional Use Permit (CUP) for construction and development of a new carpet store at 441 East 100 North within the Commercial 1 (C-1) zoning district. General evaluation criteria is listed in Section 11.1.1 of the Price City Land Use Management and Development Code (Code), the land use and land development (Carpeting and Floor Coverings) is permitted by conditional permit based on Section 11.3.5.10 and Section 11.3.11.5.1 of the Code. Mr. Kiahtipes stated that the present laundry business would be demolished and the water/sewer lines for the new building would hopefully be used so that the gutter and street do not have to be torn up. He stated that this is just the preliminary approval stage and many items have not been decided but that they were working on drainage, PRWID surveys, soil reports, signage, building plans, lighting, landscaping and parking and would get them in as soon as possible. Mr. Norried stated that the building

construction was about two months from being started. The Commission and Mr. Kiahtipes discussed the lighting, parking, fire hydrant and landscaping but no details were in place to fully make a decision until final approval when the final building plans were turned in. Mr. Norried stated that a letter had been sent to surrounding property owners to advise them of the new building and construction. Ms. Tracy Iriart attended the meeting and spoke of concerns with Mr. Norried regarding the fencing for its consistency with her connecting property and the sign and property lighting so that it didn't shine into her windows. Mr. Norried and Mr. Kiahtipes assured the Commission that those matters will be considered in the final plans as to not disrupt the residential area. Staff recommended preliminary approval for the Conditional Use Permit (CUP) for the development of a new carpet and floor coverings store land use to be constructed and located at 441 East 100 North subject to the following conditions read aloud by Chairman Bruno:

- a. Removal of the existing structure at the subject property upon procurement of a valid demolition permit from Price City finding that properly permitted demolition mitigates the negative dust and noise impact of the demolition on neighboring land uses;
- b. Submission of qualified building plans to the Price City building department, with the required review fee, for review and approval finding that properly reviewed and approved building plans promote improved long-term quality development in the community and protect the health, safety and welfare of the community;
- c. Completion of a qualified storm water management and snow storage plan for the site, concurred with by the Price City Engineer, prior to final approval or commencement of construction finding that properly planned storm water runoff and snow storage matters mitigate potential negative impacts of the development on adjacent property owners and the public right of way;
- d. Completion of a qualified soil investigation, concurred with by the Price City Engineer, prior to final approval or the commencement of construction finding that construction consistent with qualified geotechnical engineering protects long-term property values and mitigates impacts on the health, safety and welfare of the community;
- e. Completion of a public infrastructure development agreement with the Price City Public Works department and submission of the required financial surety to the department finding that properly constructed and developed public infrastructure reduces long-term financial impact on the community;
- f. Additions to final site plan to include the following finding that detailed site plans mitigate the opportunity for development misunderstandings:
 - i. Identification of electric and gas utility connection points;
 - ii. Sight obscuring fencing to surround property: 6' on North, East and West sides, except 25' from sidewalk to be 3';
 - iii. No less than 16 parking stalls based on Section 6.4.5 of the Code, other uses, calculated at 1 spot per 600 sq ft of building;
 - iv. Completion of building façade improvements on south and for 50 feet minimum on east and west sides;
 - v. Indication of minimum 5% landscaping;
 - vi. Indication of right turn only from both driveways, driveways not to exceed 24 feet wide, each;
- g. Completion of an environmental review comment for the subject property finding that mitigation of any environmental impacts is necessary for quality development in the community and to protect the health, safety and welfare of the community;
- h. Mailed notices to all property owners within 300' of the development site informing them of the development and requesting comments, if any, finding that properly notices development mitigates the impact of the development in the neighborhood and reduces the opportunity for misunderstandings relative to the development, land use or process;
- i. Solicitation of recommendations from the Price City Fire Chief regarding fire safety

requirements at the subject site finding that fire safety is a primary community goal and protects the health, safety and welfare of the community;

- j. Submission of final sign plan to the Price City Planning Department for review and approval prior to installation finding that properly reviewed signs and signage plans promote consistency in signage and improves the economic environment.

ACCEPTANCE: The Commission confirmed the acceptance, understanding and intent to comply of the approval conditions by Kevin Norried.

MOTION. Commissioner Shook moved to provide concept and preliminary approval only for the project for Kevin's Carpets subject to the stated conditions. Motion seconded by Commissioner Richens and carried.

- 5. RESTAURANT. Consideration and possible approval of a restaurant land use at 86 East 100 South, Charles A. Colacito, Deli Pasquale Cucina Di Forno, LLC., within the Commercial 1 zoning district. residential land uses

MOTION. Commissioner Shook moved to deny the Conditional Use Permit for Charlies Colacito and Deli Pasquale Cucina Di Forno, LLC. finding the applicant did not attend the meeting to represent the request, was unable to reasonably confirm compliance with code requirements and for non payment of the CUP fee. Motion seconded by Commissioner Davis and carried.

- 6. UNFINISHED BUSINESS: No unfinished business was discussed.

Meeting adjourned at 6:37 p.m. pursuant to a motion by Commissioner Davis.

APPROVED: _____
Chairman, Larry Bruno

ATTEST: _____
City Recorder, Laurie Tryon