

**PRICE CITY PLANNING AND ZONING MEETING
MINUTES OF SEPTEMBER 9, 2013**

PRESENT: Commissioners:

Larry Bruno	Nick Tatton, Community Director
Robert Oliver	Laurie Tryon, City Recorder
McKell Warburton	
Dale Evans	
Frankie Sacco	
Angela Sampinos	

EXCUSED: Chris Micoz, Alt., and Judy Beacco

OTHERS PRESENT: Wayne Clausing, John Jones, Casey Hopes, Christian Bryner and Curtis Page, Dave O'Brien, Steve Hillman, Erik Rasmussen and Kathy Hanna-Smith

1. MINUTES of July 8, 2013.

MOTION. Commissioner Oliver moved to approve the minutes of July 8, 2013 as presented. Motion seconded by Commissioner Sampinos and carried.

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

3. PROJECT UPDATE-Update and report by West River Hospitality on the status and anticipated upcoming permitting and development schedule for the Holiday Inn Express, approximately 850 West Westwood Blvd, C-1 Zoning District.

Dave O'Brien presented an update on the status of the Holiday Inn Express and stated it would be ready for final approval within the next month. He stated they have identified and have completed or are working on the following items: roadway easements, fencing, parking, water seepage, sewer, ditch along 100 north, curb, gutter and sidewalk on 100 north. He stated that he will be adding a left hand turn lane coming from town on 100 north with paint striping and a crosswalk. He stated that all of the utility lines are all in planned, the chain link fencing will go all around the building, fire hydrants will be added per the Price City Fire Chiefs recommendations. Mr. O'Brien stated that the vehicle turnaround included in the concept plans has been removed. Nick Tatton proposed that a utility agreement, infrastructure and development agreement all be finalized when Mr. O'Brien attends the Planning and Zoning, October 7, 2013 meeting for final approval.

4. PROPERTY MAINTENANCE CODE-Consideration and possible recommendation of Price City action to remove code violations and structure at property located at 370 South 100 W, owner George M. Janis. On August 7, 2012, approximately one year ago, a Notice of Violation (NOV), #201227, was issued to George M. Janis of West Jordan, Utah. Mr. Janis owns the property located at 370 South 100 West. The NOV contained several violations of the Property Maintenance Code (Code) due to the condition of the property and structure.

Nick Tatton provided a chronology of the contact attempts made with Mr. Janis with no response from Mr. Janis.

August 7, 2012	Original Notice of Violation Issued
September 10, 2012	Registered Mail Letter Sent to Janis, Additional 30 Days
October 3, 2012	Received Registered Mail Returned <i>After</i> Receipt of Service
October 4, 2012	Confirmed West Jordan Address with County Treasurer as Address on Checks that Pay Taxes
June 10, 2013	City Attorney Nick Sampinos Letter to Janis Indicating Structure to be Removed in 30 Days. Uninhabitable determination received from Fire

Nick Tatton recommended that this matter appear on the Price City Planning and Zoning Commission Agenda and the Price City Council Agenda for approval to proceed with mitigation of the violations at the property by Price City. Mr. Janis and his heirs were specifically invited to attend these meetings in writing. Mr. Tatton provided a report and photos for background information to the Commission for review and Commissioners were asked to visit the address before the meeting. **MOTION.**

Commissioner Sacco moved for the City Council to proceed with mitigation of the violations at the property by Price City, funding of that mitigation action and charging of costs of mitigation of the violations to the property tax of the property. Motion seconded by Commissioner Oliver and carried.

5. NEW CARBON COUNTY ADMINISTRATION BUILDING (COUNTY COURTHOUSE)-
Consideration and possible recommendation of final approval for a new Carbon County administration, legislative and judicial building at 751 East 100 North within the Commercial 1 Zoning District.

Carbon County filed a Conditional Use Permit (CUP) application for final approval for the land use of a new courthouse administration building to be located at 751 East 100 North within the Commercial 1 (C-1) zoning district. The land use is conditional in the zone district based on Section 11.3.10.2.2 of the Price City Land Use Management and Development Code (Code) and is listed as “Executive, Legislative and judicial functions.” General land use evaluation criteria are listed in Section 11.1 of the Code and specific evaluation criteria/land use checklist is in Section 11.1.m of the Code.

Nick Tatton provided the Commission with a list of a few changes that have changed since preliminary approval: (1) addition of a dry storage building located on the NE corner of the property; and, (2) removal of the loading-unloading zone(s) contemplated for the 100 N 700 E corner of the project. The storage building does not pose an issue for the project as contemplated and is considered an accessory use at the site. The parking lot surrounding the building must be hard surfaced to meet the code requirements, fire department access to the rear of the building at a minimum of 20’ must be maintained and no current or future occupancy may occur and the land use, dry storage, cannot change. Per a poll of the planning commission, the exclusion of the loading-unloading zone(s) is acceptable. It is recommended that a minimum of 50’ each direction from the corner be painted red and signed as no parking. Curtis Page, Carbon County Engineer stated that the warehouse dry storage building has been added to the plan to be used for the dry storage of Carbon County Recreation. Chairman Bruno stated that there needs to be asphalt or concrete (a hard surface) behind the dry storage building and not gravel. Nick Tatton stated that it is recommended that the project be provided with a recommendation to the Price City Council for final approval based on the terms and conditions indicated. Chairman Bruno read the conditions aloud:

- Site Plan completed and all development installed as submitted discussed with staff and officials and agreed to in preliminary and this final approval including, but not limited to, the following site plan development elements finding that development consistent with submitted and agreed plans mitigates misunderstandings surrounding development and promotes long-term high quality development in the community:
 - i. Parking configuration. Parking lot spaces to be 11.5 feet wide minimum, and 22 feet long with minimum 20 foot aisle width as agreed to during preliminary approval.
 - ii. Hard surfacing of all parking and storage lot surfaces and areas consistent with Section 6.7.1.1 of the Code that indicates that all parking and storage lot areas are hard surfaced.
 - iii. Fire hydrants installed as indicated and in concurrence with requirements from Price City Fire Chief including main building sprinkler system connection.
 - iv. Wall on East Boundary. Precast wall to be installed at 3’ high for the 1st 30 feet north from 100 North Street then proceed north at 6’ high then turn west to the

- canal remaining 6' high.
- v. Fencing along canal. Use existing safety fencing or install fencing at a minimum of 6' high for safety.
 - vi. All snow-loading to be maintained on-site.
 - vii. Semaphore signalized intersection installed at 100 N 700 E intersection and operational prior to occupancy and use of building.
 - viii. Sidewalks surrounding development on 100 North and 700 East to be six feet (6') in width minimum.
 - ix. Right turn only painting and signage on exit from East parking lot ingress/egress onto 100 North.
 - x. Alignment of 100 N and 700 E intersection as indicated on plans to maintain street widths.
 - xi. Curb painted red and no parking signs placed for a minimum of fifty feet (50') north along 700 East and east along 100 North from the NE corner of the intersection for traffic and pedestrian safety.
 - xii. Street lighting and on site lighting. Street lighting on 100 North and 700 East to be installed to minimum city standards. Parking lot and area lighting to be installed as planned and all lot lighting to be maintained on site. All street and parking lot lighting to be installed as high efficiency LED fixtures.
- No occupancy or land uses at identified dry storage building, including any activities or uses that may have an impact on storm water management or the sewer system, other than storage of dry goods, as identified by applicant, finding that no utility or other services to support other land uses or occupancy types are present at the storage building.
 - Development to be consistent with storm water management plan submitted and concurred with by the Price City Engineer and all direction from the Price City Engineer related to storm water management finding that managed and controlled storm water prevents flooding, mitigates the potential for property damage and protects the health, safety and welfare of the community.
 - Development consistent with the submitted geotechnical study concurred with by the Price City Engineer and all direction from the Price City Engineer finding that development consistent with approved geotechnical studies for engineering for footers and foundations promotes long-term high quality development and protects the health, safety and welfare of the community.
 - Submission of completed and executed Public Infrastructure Installation and Development Agreement, addressing, but not limited to include: street lights; fire hydrants; water and sewer lines; electric lines and transformers; curb, gutter, sidewalk; street; road base; semaphore signal, etc., to the Price City Public Works Department, and, if required, submission of the necessary public infrastructure financial surety finding that properly installed, financially guaranteed and maintained public infrastructure protects the long-term financial interest of the community.
 - Submission of completed and executed Private Utility Agreement to the Price City Public Works Department finding that agreed maintenance and operation of private utility systems connected to the Price City Public Utility System protects the long-term financial interest of the community and protects the health, safety and welfare of the community.
 - Submission of building signage for approval by the Price City Planning Department prior to installation and/or occupancy and signage to include address of facility finding that properly submitted and reviewed signage promotes consistency in the community and the inclusion of addresses on signage mitigates problems for emergency services and way-finding of the general public.
 - Installation of the following site plan elements as indicated in all planning documents,

conservations and direction by the Price City Engineer finding that proper installation of the site plan elements protects the long-term interest of the community:

- i. Street improvements including roadway expansion, restoration, curb, gutter, sidewalk.
 - ii. Storm water management infrastructure, including final storm water calculations submitted.
 - iii. Water, sewer and electric service connections.
 - iv. Irrigation ditch piping.
- Construction consistent with all site plans, building plans, fire protection plans submitted, reviewed and approved by way of current submittals or delayed submittals, finding that construction consistent with approved plans mitigates misunderstandings and promotes long-term high quality development within Price City and is consistent with the Price City General Plan.
 - No conditions at the property or structures that violate the Price City Property Maintenance Code finding the compliance with the Price City Property Maintenance Code serves to protect long-term investment and property values.

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 Sampinos moved to recommend final approval to the City Council for a Conditional Use Permit for a new Carbon County administration, legislative and judicial building at 751 East 100 North per the stated conditions. Motion seconded by Commissioner Evans and carried.

6. CASTLE VALLEY SERVICE TRAINING-Consideration and possible final approval recommendation for a Conditional Use Permit for Castle Valley Service Training, Erik Rasmussen, for a Gymnasium-Athletic Club land use at 143 N 100 E within the C-1 zoning district.

Erik Rasmussen submitted a Conditional Use Permit (CUP) application for the land use of a gym located at 143 North 100 East (also the same general property as 97 East 100 North) within the Commercial 1 (C-1) zoning district. The land use is conditional based on Section 11.3.10.6.1 of the Price City Land Use Management and Development Code (Code). The land use general evaluation criteria is in Section 11.1 of the Code and the specific land use evaluation criteria is in Section 11.1.m of the Code.

Steve Hillman and Erik Rasmussen represented Castle Valley Service Training and requested to convert a metal storage facility into a private gym. Mr. Hillman stated that the utilities, heating and A/C and plumbing for the building are ready, bathrooms are being built to ADA standards and there are enough parking spaces for the business as it is shared with several other businesses owned by the same person. He stated that he is working closely with the Price City Building Inspector, Bob Bennett to make sure all renovations are done to City standards. Mr. Rasmussen stated that the hours of business could be anywhere from 5 a.m. to 10 p.m. because it will be set by appointments and be private trainings. Commissioner Sacco stated that the storefront façade of the building needs to be something other than metal for aesthetic consistency in City limits. She stated that parking spaces lapse into surrounding businesses and asked how many spaces they have for the entire lot. Mr. Hillman stated they have approximately 25 spaces and have a verbal agreement with Tony Basso to use his parking when necessary and he can use theirs when the Tuscan has events. He stated that along with ADA bathrooms, insulation and fire extinguishers they have a proper entrance and exit and can accommodate up to 50 people according to the Building Inspector but will only have 20 maximum at one time. Mr. Hillman stated that he will look into exterior lighting for the building so that more lighting is available at night. Chairman Bruno read aloud the following proposed conditions of approval:

- a. Building use and occupancy as a gym only upon completion of all necessary building renovations and upgrades completed under the auspices of a valid Price City building permit and inspection by the Price City building inspector and fire chief finding that

properly permitted, completed and inspected building renovations protect the health, safety and welfare of the community.

- b. Maintenance of a minimum of twenty (20) off-street parking spaces, including necessary ADA access spaces, to accommodate gym business finding that minimum off-street parking mitigates vehicular and pedestrian traffic accidents.
- c. No noise, light or other disturbances and/or nuisances that negatively impact neighboring residential land uses finding that mitigation of residential disturbances promotes community harmony and is consistent with the Price City General Plan.
- d. Installation of business signage only after submission of signage plans to the Price City Planning Department for review and approval finding that properly reviewed and approved signage promotes commercial activity and consistency in the community.
- e. No conditions at the property or structure that place the property or structure in violation of the Price City Property Maintenance Code finding that properly maintained properties and structures protect community property values.

MOTION. Commissioner Sacco moved to table the item until further information can be provided at the October 7, 2013 meeting including: 1) a letter indicating retail sales component 2) façade planned for visible sides of metal building 3) detailed building floor plan 4) detailed site plan showing all measurements and parking stalls. Motion seconded by Commissioner Sampinos and carried.

7. UNFINISHED BUSINESS-

- Signed agreement with Limitless Ink 9 E. Main

Meeting adjourned at 6:48 p.m. pursuant to a motion by Commissioner Sampinos.
Motion seconded by Commissioner Oliver and carried.

APPROVED: _____
Chairman, Larry Bruno

ATTEST: _____
City Recorder, Laurie Tryon