

**PRICE CITY PLANNING AND ZONING MEETING
MINUTES OF SEPTEMBER 12, 2011**

PRESENT: Commissioners:
Larry Bruno, Chairman Nick Tatton, Community Director
Erroll Holt Laurie Tryon, City Recorder
Judy Beacco
Alfred Richens
Frankie Sacco
Rick Davis
Wayne Clausing

EXCUSED:

OTHERS PRESENT: Ben Logue, Monica Donaldson, Scott Critchett, Stephanie Jackson and Bob DalPonte

1. MINUTES of August 8, 2011
MOTION. Commissioner Holt moved to approve the minutes of August 8, 2011 as amended. Motion seconded by Commissioner Richens and carried.
2. PUBLIC COMMENT ON AGENDA ITEMS- No public comment was received.
3. HOME OCCUPIED BUSINESS (HOB)-Consideration and possible approval of a HOB, Monica's Pedicure Place, Monica Donaldson, Owner- 75 East 300 South, R2-7 zoning district.

A Conditional Use Permit (CUP) application for a Home Occupied Business (HOB) was submitted by Monica Donaldson for operation of a pedicure salon in her home, called Monica's Pedicure Place, located at 75 East 300 South within the Residential 2-7 (R2-7) zoning district. Nick Tatton provided the Commission with the following information: the HOB definition and 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. Mrs. Donaldson confirmed that she had contacted the neighbors within the required 250' radius and received positive signatures. She stated that she would not be placing a sign at her home. Nick Tatton stated that the Building Inspector requested that she have a type of ventilation in her home where she does the nails. She stated that she had the ventilation system installed already. Mrs. Donaldson stated that an entrance and exit is available and Staff recommended that the Planning Commission provide a recommendation of final approval to the Price City Council for the application with the following conditions read aloud by Chairman Bruno:

- 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 Richens moved to approve the HOB for Monica's Pedicure Place. Motion seconded by Commissioner Davis and carried.

4. **SITE DEVELOPMENT AND COMMERCIAL BUILDING.** Consideration and possible approval of site development and commercial building at approx 250 N Fairgrounds Road within the C-1 Zoning District and specific approval for site earth work and footer/foundation installation.

Stephanie Jackson submitted a Conditional Use Permit (CUP) application for a new medical office building to be located at approximately 250 North Fairgrounds Road within the Commercial 1 (C-1) zoning district. Nick Tatton provided the Commission the following information: the land use, professional health and care offices and clinics-Medical offices and Dental Offices, is a conditional use as indicated in Section 11.3.5.32 of the Price City Land Use and Development Code (Code). The development, indicated as various commercial, is conditional, as indicated in Section 11.3.11.5.1 of the Code. General land use evaluation criteria is listed in Section 11.1.1 of the Code and specific evaluation criteria/checklist matters are listed in Section 11.1.m of the Code. The City Engineer provided information to Nick Tatton that he had received a conceptual site plan, a soils report, preliminary architectural drawings, and had several discussions with the developer about the location. He had a list of items remaining before final approval should be granted:

- Utility connections (water, sewer, power, etc.)
- Street improvements (curb, gutter, sidewalk)
- Storm water plan
- Development agreement

Nick Tatton provided the Commission with copies of the following items:

- Notes from pre-development meeting conducted between the applicant and city staff.
- Conceptual site plan.
- Drainage amendment plan.
- Building development elevation and design concept.

Staff recommended to provide the project with concept approval and discuss the need for the following matters to be completed/submitted prior to final project approval request:

- Completion of PRWID waste water survey.
- Need for additional fire hydrant on Westwood Blvd. side of development.
- Confirmation of utility connectivity and capacity.
- Final site plan with the following elements indicated:
 - Siting and connection for electrical utility.
 - Siting and connection for sewer utility.
 - Siting and connection for water utility.
 - Checklist items as appropriate.
- Storm water management plan.
- Soil study and development in concurrence with study.
- Infrastructure development agreement completed with Price City Public Works Department for Fairgrounds Road, Westwood Blvd access and delayed development of remaining Westwood Blvd. frontage.

Nick Tatton stated that the location can only be developed as a medical office and no other uses are available for the area due to a deed restriction. Mrs. Jackson stated that she was aware of the City standards and the requirements for the building and property and had spoken to the City Engineer about this project. Nick Tatton stated that a fire hydrant would be necessary on Westwood Boulevard. He stated that the street improvements with curb, gutter and sidewalk would only be necessary on Fairgrounds Road with Westwood Blvd. as a access point with a delayed development agreement. He stated that an easement provided by the City to cross the property would be approx. 35-50' and 40' across to property line

Chairman Bruno read aloud the conditions of approval:

- a. Completion of PRWID waste water survey, geotechnical study for site and storm water management plan finding that properly planned and investigated site development matters promote long-term high quality development in the community, protect the health, safety and welfare of the community and are consistent with the goals in the Price City General Plan;
- b. Completion of a detailed site plan indicating all site development matters, including utility connections; lighting, signage, building location, parking, site ingress and egress, dumpster, landscaping, public infrastructure, Westwood Blvd. side fire hydrant, easement area(s), fencing, etc. finding that detailed site plans reduce development confusion and mitigate development misunderstandings;
- c. Completion of a preliminary site environmental review and submission to Price City finding that the review is required by the Code and protects the physical environment;
- d. Authorization to begin site preparation earth work and completion of building foundation and footer construction upon completion of proper design and approval by the Price City Building Inspector and procurement of a valid Price City Building Permit finding that properly designed and inspected construction is required in Price City and such construction protects the health, safety and welfare of the community.

Nick Tatton stated that he had spoken to the neighbor across from the project property to the West and explained the project including off street parking to which he seemed satisfied with no other concerns. Mrs. Jackson stated that she will contact all surrounding property owners by mail as directed by Price City Planning Dept.

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 recommend the Price City Council provide concept approval only for a Conditional Use Permit (CUP) for development at approximately 250 North Fairgrounds Road. Motion seconded by Commissioner Clausing and carried.

5. SITE DEVELOPMENT, MULTIPLE FAMILY APARTMENT COMPLEX-Consideration and possible approval of concept only for a multiple family apartment complex land use located at 1250 East Main Street within the Commercial 1 zoning district, The LaPorte Group, Ben Logue.

Commissioner Sacco disclosed that her business, Etzel Realty has interest in the property at 1250 E. Main.

The LaPorte Group, Ben Logue submitted an application for concept approval only for 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 Commissioners with 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). In the event Mr. Logue decides to proceed with the development as a Planned Unit Development (PUD) that land use may be permitted as 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.

Mr. Logue stated that the project will front Main Street and be an apartment complex with up to about 120 units, clubhouse, swimming pool, etc. A couple of commercial lots have been required as a component of the land sale and are indicated, generally, on the concept site plan with the letter "C". Upon final approval a new plat with the subdivision of those properties will need to be completed. Also, a looped road is planned around Phase 1 and the connection bridging Meads Wash at 200 South. This will greatly improve community circulation and emergency access, if needed. Concept approval is

needed at this time and the project will need to complete a detailed site plan, utility connection and capacity to serve verifications, engineered design, roadway dedications, signage, soil study, storm water management plan, etc. prior to final approval. The project may be presented several times to the planning commission during the preliminary stage prior to final. Also included is an overview of the 100 year flood plain (1%) flood plain zone for the Meads Wash corridor at the project site.

Mr. Logue stated that the entrances will have gates and a security program with possible log in sheets for people coming in and out of the complex. He stated that financing will be tax credits and state funding and the project would begin March 2012. He stated that turnarounds would be created for emergency vehicles and possibly the school bus system. Mr. Logue provided a concept drawing and reviewed the building plans with the Commissioners. He stated that landscaping will be very green with walkways, trees and grass areas. He stated that the project would be income targeted for families with young children and it will have an onsite manager/maintenance manager. Mr. Logue stated that the streets inside would follow City requirements with lighting, curb, gutter and sidewalk. He stated that the apartments would be 2 and 3 bedrooms up to 1300 sq. ft. He stated that he is committed to completing the entire project and following City standards. He stated that parking would be two spaces per unit, 50% covered and possible bike racks, fitness center and overflow parking.

Nick Tatton recommended the Commission provide the project with concept approval only at this time and request the necessary documentation for additional consideration and approval.

Chairman Bruno read aloud the following conditions for concept approval:

- a. Completion and submission of required development studies and investigations including geotechnical study, storm water management plan, environmental site review, 100 year flood plain management finding that completion and submission and development consistent with development studies and investigations promotes long-term high quality development, protects the health, safety and welfare of the community and is consistent with the goals in the Price City General Plan;
 - i. Need submission of an elevation certificate relative to Meads Wash.
- b. Verification of utility connectivity and capacity to serve from all necessary utility providers finding that connectivity and capacity to serve protects the health, safety and welfare of the community;
- c. Completion of a detailed site plan indicating, but not limited to the following, consistent with Chapter 3 and Chapter 7 of the Code: lighting; fencing; vehicle and pedestrian traffic patterns; ingress and egress; trails and pathways; signage; landscaping; parking; public infrastructure and roadways; storm water management structures; easements;
- d. Completion of new plat with roadway dedications as appropriate finding that long term community use of roads requires perpetual maintenance and dedication of roads to the appropriate governmental jurisdiction;
- e. Completion of a development agreement with the Price City Public Works Department and submission of the required financial surety finding that properly agreed to and financially secured public infrastructure installations protect the long term financial interest of the community;
- f. Scheduling and completion of a comprehensive pre-final meeting with city staff and other interested parties, utility providers, etc. to review and complete development planning requirements finding that pre-final planning meetings mitigate development misunderstandings and confusion.

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 Holt moved to approve concept approval only for the apartment development at 1250 E. Main Street. Motion seconded by Commissioner Beacco and carried.

UNFINISHED BUSINESS- Realtor concerns regarding the Property Maintenance Code. A list of concerns was provided to the Commissioners by Nick Tatton from Ed Shook, Bridge Realty for review.

Meeting adjourned at 7:20 p.m. pursuant to a motion by Commissioner Richens.

APPROVED: _____
Chairman, Larry Bruno

ATTEST: _____
City Recorder, Laurie Tryon