

**PRICE CITY PLANNING AND ZONING MEETING  
MINUTES OF SEPTEMBER 26, 2011**

**PRESENT:** Commissioners:

Larry Bruno, Chairman	Nick Tatton, Community Director
Erroll Holt	Laurie Tryon, City Recorder
Judy Beacco	Paul Bedont, Fire Chief
Alfred Richens	
Rick Davis	
Wayne Clausing	
Grady McEvoy, Alt.	

**EXCUSED:** Commissioner Sacco

**OTHERS PRESENT:** Paul Hofer, Roy Hofer, Dalvin Bradley, Ben Logue, Lane Adam, Arlen Winn, Annette Henrie, Judy Kelley, Scott Critchett, Joe Piccolo, Frank Pezcuha, Richard Larsen, Marcus Bott and Lyle Bauer

1. MINUTES of September 12, 2011  
**MOTION.** Commissioner Davis moved to approve the minutes of September 12, 2011 as amended. Motion seconded by Commissioner Richens and carried.
2. PUBLIC COMMENT ON AGENDA ITEMS- No public comment was received. Paul Hofer asked if he could comment on the location of the fire truck storage building. Chairman Bruno asked Mr. Hofer to hold his comments until item #4 was in progress.
3. CASTLE COUNTRY STARS-Consideration and possible approval of a dance and cheer land use located at 60 North 100 West within the C-1 zoning district.

Arlene Winn submitted a Conditional Use Permit (CUP) application for Castle Country Stars Dance (Stars) for relocation of the business from its present location on south Carbon Avenue to 60 North 100 West within the Commercial 1 (C-1) zoning district. The land use, Sports Activity Facility, is allowable in the C-1 zoning district by CUP based on Section 11.3.6.5 of the Price City Land Use Management and Development Code (Code). Chairman Bruno stated that a CUP is allowed within the Commercial 1 (C-1) zoning district based upon the land use listed in Section 11.3.6.5 of the Price City Land Use Management and Development Code (Code), the general evaluation criteria listed in Section 11.1 of the Code and the specific evaluation/checklist criteria listed in Section 11.1.m of the Code and subject to the following conditions of approval. Ms. Winn stated that parents would pick up and drop off their children at the back entrance to the building where she will have a sign indicating to do so. She stated that the business opens at 3:30 p.m. and does not think that parking will be an issue because surrounding businesses close at 5 p.m. and most parents do not park but only drop off or pick up their children. Nick Tatton stated that the location has been visited and reviewed by both the Price City Building Inspector and Price City Fire Chief; the applicant is presently underway with renovations and improvements that are in compliance with the recommendations from the reviews. Staff recommended final approval based on conditions read aloud by Chairman Bruno:

- a. Review of the property by the Price City Building Inspector and Price City Fire Chief and compliance with all safety recommendation stemming from the reviews finding that properly inspected and reviewed commercial occupancy spaces protect the health, safety and welfare of the community;
- b. Placement of business signage only after review and approval of signage plan by the Price City Building Department finding that properly reviewed signs promote consistency within the

- community and mitigate negative commercial activity situations;
- c. No parking, student drop off or pick up that impacts the free flow of vehicular or pedestrian traffic on 100 West Street between Main Street and 100 North Street finding that free flowing vehicle and pedestrian traffic mitigates potential accident situations;
- d. No situations or conditions at property or building that may subject the property or building to a violation of the Price City Property Maintenance Code in effect now or in the future finding that properly maintained properties and structures promote the goals in 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 Holt moved to approve the CUP for Castle Country Stars. Motion seconded by Commissioner Clausing and carried.

4. FIRE TRUCK GARAGE ANNEX-Consideration and possible approval of a Conditional Use Permit for location of a fire truck garage at approx 80 N. 200 E. within the Commercial 1 zoning district.

Price City Fire Chief, Paul Bedont submitted a Conditional Use Permit (CUP) application for a fire truck garage planned to be located across 200 East from the present fire station, south of the commercial building, on Price City owned property. Nick Tatton provided the Commission with the following information: the address, approximately 80 North 200 East is situated within the Commercial 1 (C-1) zoning district, the land use is available based on Section 11.3.10.2.4 of the Price City Land Use Management and Development Code (Code), titled “protective functions and their related uses”. General evaluation criteria is listed in Section 11.1.1 of the Code and the specific evaluation criteria/land use checklist is in Section 11.1.m of the Code. Chief Bedont discussed the methodology used to determine the location for the fire truck garage for the City and mitigate impacts on adjoining property owners. Chief Bedont stated that the building will be 20’x 50’ to accommodate the much needed 39’ fire truck. He stated that the building would resemble surrounding buildings in the colors of red with brown trim. Chief Bedont stated that additional parking will still be available on the west side of the fire department and the biggest challenge he foresees would be backing the new truck into the building, but because it is not a busy street on 200 East, he stated it would not be an issue. The Commission received information to review regarding the options for this project.

Mr. Paul Hofer, owner of Sudsy Duds Laundry Service, stated that parking of recreational vehicles and trailers is important to his business and if the new building is placed behind his building, he will lose that parking and customers. He stated that he is frustrated with the choice of placement for the Fire Department’s building, but not opposed. Mr. Roy Hofer stated that the winter snow and ice may be problem for his building because the new building will block the sunlight and the ice will not melt which may cause a build up of ice for customers which may increase his insurance rates. Jeanne McEvoy asked if the building would be fire proofed and if so, how far apart do they have to be to not be fire proofed. Chief Bedont stated that one side of the building would be fire proofed and be more than 15’ from the edge of the other buildings eve. The group recessed and walked to the site to review the location of the new building placement and then reconvened in the Council Chambers. Chairman Bruno stated he would like more in depth review of the site before a decision is made. Nick Tatton stated that the Commission need valid reasons that the site is not conducive to the Price City Land Use Management and Development Code if they are not in agreement with the applied for plan. Chief Bedont stated that the unassembled building is being stored at the old BLM property and the truck is coming in the next three weeks. He stated that he could park the truck in the mechanic space at the domes until a space is available. Nick Tatton stated that if the plan does not fit with the general plan of the City then the Commission may want to delay its decision. Commissioner Richens stated that for years, the City has allowed citizens and customers of surrounding businesses use the City property to park their vehicles. He does not think that should be an issue as to which side of the City’s property should be used Chairman Bruno read the following conditions aloud:

- a. Completion of a qualified geotechnical study, review of the study by the Price City Engineer, and construction of the building in accordance with the study and the recommendation of the Price City Engineer finding that construction consistent with professionally prepared soil investigations promotes long term high quality construction and protects the health, safety and welfare of the community;
- b. Completion of a storm water mitigation plan, review of the plan by the Price City Engineer, and construction at the site in accordance with the plan and the recommendations of the Price City Engineer finding that construction in compliance with approved storm water plans mitigates impact of storm water runoff on adjoining land uses and the overall community storm water collection system;
- c. Placement of snow slide mitigation measures on the north side of the roof of the building to mitigate snow slide from the roof of the building onto adjoining property finding that accumulations of snow on the north side of the building may create conditions of ice buildup and negatively impact vehicle and pedestrian safety in the corridor north of the building;
- d. Placement of heat tape in roof gutter on north side of building to mitigate ice build up and conveyance of runoff to street on west (200 East) side of building finding that accumulations of snow on the north side of the building may create conditions of ice buildup and negatively impact vehicle and pedestrian safety in the corridor north of the building;
- e. Conveyance by waterway or gutter all storm water and melt water runoff from the north side of building to street on west (200 East) side of building finding that accumulations of snow on the north side of the building may create conditions of ice buildup and negatively impact vehicle and pedestrian safety in the corridor north of the building;
- f. Verification of utility connectivity and capacity to serve the building finding that utility service is a primary concern and directly mitigates impacts to the health, safety and welfare of the community;
- g. Procurement of a Price City Building Permit and construction in compliance with adopted Price City Building Codes and under the supervision of the Price City Building Inspector finding that construction in compliance with building codes and inspection of construction by the building inspector protects the health, safety and welfare of the community;
- h. Placement of area lighting on the north side of the building to fully illuminate the corridor between the building and the building to the north finding that lighted areas between buildings mitigate the potential for illicit activity, promote improved safety and reduce instances of use of the public safety system;
- i. Placement of signage at the entrance to the corridor north of the building indicating that the location is a private parking lot and for deliveries only and that no fire department parking in that corridor is permitted finding that controlling the entrance to the corridor mitigates negative impacts to the commercial activity taking place at the building north of the site;
- j. Parking lot paint striping (re-painting) on all parking places within 75 feet of building to accurately identify all parking orientations finding that several parking spaces are removed to accommodate placement of the building and paint striping of parking spaces surrounding the building will mitigate potential parking confusion;
- k. Red zone parking painted in the area immediately west and in front of the subject building only finding that open access for ingress and egress of fire equipment is necessary at all times;
- l. Completion of installation of gutter overshot clean-outs and re-orientation of overshots at driveways, etc. fronting the site and for 50 feet north and south of the site, as needed, to mitigate any irrigation or storm water impedance and clogging of overshots finding that

- free flow of water prevents localized street flooding and expensive clean-out procedures and impacts on stressed public sector budgets;
- m. Placement of signage, upon review and approval by the Price City Planning Department, on the fire truck garage indicating the final building address and the use of the building finding that identification of the building in a commercial zone mitigates confusion regarding business locations;
- n. No conditions at property or structure that would subject the property or structure to a violation of the Price City Property Maintenance Code in effect now or in the future finding that properly maintained property is a code requirement;
- o. Specific review and approval of building site plan, including setbacks and location finding that the location of the building provides the most direct use of the fire department equipment in service to the community and mitigates any unnecessary time delay in response to emergency matters in the community that the equipment may be used;

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 provide final approval of the site plan. Motion seconded by Commissioner Clausing and carried.

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

APPROVED: \_\_\_\_\_  
Chairman, Larry Bruno

ATTEST: \_\_\_\_\_  
City Recorder, Laurie Tryon