

**PRICE CITY PLANNING AND ZONING MEETING
MINUTES OF OCTOBER 11, 2011**

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

EXCUSED:

OTHERS PRESENT: David Morley, Kirt Rasmussen, Lauren Christiansen, John Erramouspe, Dick Manus, Don Wilcox and Alan Peterson

1. MINUTES of September 26, 2011
MOTION. Commissioner Holt moved to approve the minutes of September 26, 2011 as amended. Motion seconded by Commissioner Richens and carried.
2. PUBLIC COMMENT ON AGENDA ITEMS- No public comment received.
3. PUBLIC HEARING- To receive input on the proposed action to vacate the alley way located between 200 West Street and 250 West Street at approximately 150 South.

MOTION. Commissioner Davis moved to open the public hearing at 6:02 p.m. Motion seconded by Councilmember Holt and carried. Nick Tatton reviewed the information with the Commissioners explaining that the a request has been made by Ellis Pierce to abandon an alley way between 200 West Street and 250 West Street at approximately 150 South. He stated that special notice requirements in the local newspaper were met. Commissioner Davis asked if the alley was adjacent to properties that are west of the alley described. Nick Tatton stated that the alley way legal description of the property had been completed and is not adjacent to the properties Commissioner Davis referenced. He stated that the alley way does not goes through to the other street but is a ½ block north of the warehouse section between two city streets. He stated that the vacated property will go to the adjoining property owner(s), who are all Ellis Pierce in this matter.

MOTION. Commissioner Davis moved to close the public hearing at 6:06 p.m. Motion seconded by Commissioner Clausing and carried.

4. REPORT-Commission member term expirations and upcoming solicitation for (re)appointment of members and process.

**TERMS OF SERVICE
PRICE CITY PLANNING AND ZONING COMMISSION**

Member	Term Expires
Larry Bruno	1-1-2012
Judy Beacco	1-1-2012
Grady McEvoy	Standing Alternate – 1-1-2012
Alfred Richens	1-1-2013
Erroll Holt	1-1-2013

Frankie Sacco	1-1-2014
Wayne Clausing	1-4-2014
Rick Davis, Councilmember	Ex-Officio

Nick Tatton stated that the Commissioners wishing to continue with another term on the Planning and Zoning Commission would need to turn in a written request to the City Recorder before January 2012.

5. GAS WELL-Discussion, consideration and possible approval of a Conditional Use Permit for sighting of a natural gas well to be located at approximately 1900 East & 300 North within the Airport Road Industrial Park, Commercial 1 & Manufacturing 1 combined zoning district. Kerr-McGee/Anadarko.

Kurt Rasmussen and Lauren Christiansen, representatives from Anadarko/Kerr McGee were present to discuss the gas well project with the Commission. Nick Tatton provided the Commission with the following information: Anadarko Petroleum Corporation, a subsidiary of Kerr-McGee Oil & Gas Onshore LP submitted a Conditional Use Permit (CUP, to locate a natural gas pump within the Airport Road Industrial Park subdivision. The area is zoned both Manufacturing 1 (M-1) and Commercial 1 (C-1). There are two (2) separate considerations for the Planning Commission to review within this application: (1) the temporary use associated with the development of the site and the actual drilling; and, (2) the permanent land use associated with the actual well jack. The temporary use may be permitted based on Section 11.3.9.12.5, water and well drilling, within the Price City Land Use Management and Development Code (Code) and the long term permanent land use is indicated in Section 11.3.9.13.3, crude petroleum and natural gas, of the Code. The temporary period needed for the drilling use needs to be identified and established by date. General evaluation criteria for both land uses are located in Section 11.1.1 and 11.1.5 of the Code and the specific land use criteria/checklist is listed in Section 11.1.m of the Code.

Commissioner Sacco asked if the City has a standard distance in the Code for gas well placement near structures or homes. Nick Tatton stated that the City did not have a standard set in the code but will use 100 feet as its requirement for this gas well as it is not in a residential area, consistent with a similar requirement Carbon County uses.

Mr. Rasmussen stated that the well would be a production well with extremely low noise decibels. He stated that the two days of initial drilling would be loud but once production begins the sounds is below 50 decibels at 100 feet. He stated that the life of this well is estimated to be 50-60 years and the current injection well being used is on County property to the east and south of the proposed well. Nick Tatton stated that the City's concerns are the utilities installation, the well pad exact position and contacting of surrounding property owners. Mr. Rasmussen stated that the company is leasing the property for the federal mineral rights and that he would make sure property owners are contacted. He stated that the property would be reclaimed after the drilling and suggested the Commission drive to the location to see the stakes of where the well pad will be located. Ms. Christiansen stated that the drilling is set to begin May 2012. Commissioners set a site visit by the planning commission for October 24th at 5 p.m. to review the project and layout of the gas well pad.

Chairman Bruno read aloud the following conditions:

- a. Prepare statement of approach regarding impact or no-impact regarding the 100 year flood plain along Cardinal Wash, if any, and submit to the Price City Engineer for review and comments, and integration of comments and recommendations into development plan finding that proper treatment of flood plains protect infrastructure, downstream property owners and is required by the Code;
- b. Obtain written permission or authority from the property owner indicating placement of the drilling temporary use and the long-term production well land use is known,

- understood and authorized and any conditions limiting the land uses by the property owner finding that property owner permission for land uses on their property is a basic tenant of land use permitting within Price City and is consistent with the Code;
- c. Indicate the minimum 5% landscaping on the site plan as required by the Code finding that landscaping requirements improve overall community property values and is required of all land uses and developments;
 - i. Landscaping does not need to be 'green' vegetation and may be competed within the general area of the development (subdivision entrance on Airport Road) based on the type of development or may be assigned to an off site location to the benefit of the community in the stead of the overall subdivision or the actual drill and pump site.
 - d. Install fencing around the pad site in such a manner that the perimeter of the lot wherein the project is located is fenced with a six foot (6') non-site obscuring fence with secured gate finding that fencing the perimeter of the site situates the property for development post drill and well project and protects the site from encroachment by vandals, children, etc. and possible impacts on the public safety network in the community;
 - e. Installation of a sound insulated structure (pump house) over and around the permanent pump jack land use operation limiting the noise from the activity to less than 75db at 100 feet, based on the CDBG noise standard, and the visual of the pump finding that limiting noise pollution and visual impacts that may create an attractive nuisance protect the health, safety and welfare of the community and is consistent with the Price City General Plan;
 - f. Installation of all site work in compliance with the established Airport Road Industrial Park subdivision development plan, including road placement, utility connections, storm water management, etc. finding that compliance with existing approved plans for development mitigate potential negative impacts on adjoining property owners and is consistent with the Price City General Plan;
 - g. Installation of area security lighting to illuminate the grounds surrounding the pump house during dark hours finding that illuminated grounds in commercial and industrial areas mitigate vandalism and illicit activity;
 - h. Completion of an environmental review as required in Chapter 3 of the Code indicating any mitigation plans for any identified environmental conditions requiring mitigation finding that protection of the physical environment is a primary concern for Price City and is consistent with the Price City General Plan;
 - i. Completion of a post project site remediation plan and submission of a bond to Price City in the amount of \$5,000.00, refundable upon post project site remediation to the satisfaction of the Price City Council on the advice of the Price City Engineer finding that guaranteed environmental remediation protects the financial interest of the community.
 - i. Signage to be installed on the fence or building or both indicating what the project is, who the owner is and emergency contact information, upon review and approval of the sign plan by the Price City Planning Department finding that properly signed land uses mitigate community misunderstandings and promote improved commercial and industrial activity;
 - j. Completion of a development agreement, if required, and submission of the required financial surety, if required, with the Price City Public Works Department finding that properly agreed to and guaranteed public infrastructure development is in the long-term financial interest of the community and is required by Price City;
 - k. Completion and installation of all site structures, footers, foundations, utility connections, etc. after procurement of a valid Price City Building Permit only and inspection of all site structures, footers, foundations, utility connections, etc. by the Price City Building

- Inspector finding that properly permitted and inspected construction protects the health, safety and welfare of the community;
- l. Written confirmation from DOGM regarding compliance and authorization to proceed with the project, and compliance with all Utah DOGM R-469 requirements finding that properly permitted oil and gas projects by DOGM are prerequisite to local Price City permitting;
 - m. Procurement of a valid Price City business license to operate at the location and compliance with all business licensing requirement contained therein finding that properly licensed business operations protect the interest of the community;
 - n. No site access from the North, all site access from the South along Airport Road and 1900 East finding that commercial and industrial traffic in the residential neighborhoods to the north and east and elementary school zones do not accommodate the industrial and commercial traffic the well site may initiate;
 - o. Notification of all property owners within 500' of the project site of the date, time and place of anticipated final CUP approval and contact information for applicant and Price City finding the properly notified neighboring land owners of commercial and industrial land uses reduces the opportunity for misunderstandings and mitigates confusion regarding land uses and plans;
 - p. No conditions at project site or structures that place the site or structure in violation of the Price City Property Maintenance Code in effect now or in the future finding that properly maintained property and structures protect community property values, promote improved community aesthetics, and is required by the Code;

It is the recommendation of staff to provide concept approval only with final approval upon satisfaction of the Code issues by the applicant and completion of neighboring land owner notifications.

Chairman Bruno asked if a house type cover would be set over the well site to maintain an aesthetic value to the area if additional development is added at a later date in the business park. Mr. Rasmussen stated that the company would add a fence, lighting and or a house structure to the gas well if the City requires it. He stated that although the gas is not poisonous, methane gas monitors would need to be used inside of the building. They do not typically add the structures or fences. The Commission agreed to add the option of a fence, lighting and house type structure to the final Conditional Use Permit so that future development may request those options if desired. Mr. Rasmussen stated that the company has a good working relationship with emergency crews in the area and that they had spoken to Price City Fire Chief Bedont regarding the project and the safety requirements he may request.

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 Davis moved to approve the natural gas well project with concept only. Motion seconded by Commissioner Beacco and carried.

6. ALLEY WAY VACATE-RESOLUTION 2011-05PZ-Discussion, consideration and possible approval of a resolution recommending the action to vacate the alley way at approx. 150 South between 200 West and 250 West Streets.

Mr. Ellis Pierce requested a resolution indicating support for City Council action to vacate an alley-way. The alley-way is situated within the parking lot at approximately 150 South between 200 and 250 West. The adjoining property owner on both sides is Mr. Ellis Pierce. Nick Tatton stated that according to the Price City Land Use Management and Development Code (Code), notice was published for four (4) consecutive weeks prior to holding of this public hearing. He stated that the public hearing will also be held at the City Council meeting providing extra opportunity for any public input. Nick Tatton provided the following information to the Commission: this matter was reviewed with no action taken in

approximately 1996. The matter was then addressed again in 2000. In 2000 the publications and hearings were held but the matter was not finalized, as requested by the City Council, due to an omission of not placing the required Ordinance on the City Council agenda for approval subsequent to the publications and hearings. Staff recommended approval of the resolution recommending the City Council adopt an ordinance vacating the alley-way as identified. Chairman Bruno read the resolution aloud.

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 resolution to vacate the alley way and to have a new plat created and recorded within 60 days. Motion seconded by Commissioner Richens and carried.

7. MEDICAL OFFICE DEVELOPMENT-Consideration and possible approval of preliminary site plan approval for the Jackson medical office building located at approximately 230 N. Fairgrounds Road within the C-1 zoning district. Additional information and plan document relating to the Jackson medical office development have been submitted by the engineering firm and contractor on behalf of Stephanie Jackson.

David Morley represented this project on behalf of Stephanie Jackson. Commissioners received copies of the following items:

- Preliminary Site plan
- Grading and drainage plan
- Utility connection plan
- Environmental plan

Staff recommended the project receive preliminary approval at this time. Chairman Bruno read the following aloud:

- Placement of the dumpster in an dumpster enclosure needs to be indicated on the site plan;
- The driveway on Westwood Blvd. needs to have a flared/rounded corners at the entrance;
- The driveway on Westwood Blvd. needs to have a legal description prepared for recording of an easement (and then recording of the easement by Price City) as it crosses the road ROW from the edge of current pavement to the property line;
- Need to indicate the size, type, location of the fence at the north property line; 6' vinyl is planned
- Need to indicate the minimum 5% landscaping; along fairgrounds road and next to building
- Need to indicate parking lot and area lighting locations and angles;
- Need to indicate location of proposed business signage (unless attached to building).

Monuments- easement setback

- 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 final 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. Completion of a public infrastructure development agreement with the Price City Public Works Department regarding installation of all required infrastructure, as indicated on the site plan, on Fairgrounds Road and Westwood Blvd., and submission of the required financial guarantee finding that properly planned and guaranteed public infrastructure protects the long term financial interest of the community;
- e. Construction to be compliant with all approved geotechnical reports; storm water management reports; building codes; building permits and recommendations from the city engineer regarding reports finding that approved construction design promotes long term high quality development within the city.
- f. Site plan needs to be ready for final approval at the next meeting.

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 Davis moved to approve the preliminary approval for the medical office development. Motion seconded by Commissioner Sacco and carried.

- 8. **FLAGPOLE.** Consideration and possible approval of a flagpole to be located at 611 West Price River Drive (Price Chapel) within the C-1 zoning district.

Alan Peterson, represented the Price Chapel for a Conditional Use Permit Application (CUP), located at 611 West Price River Drive within the Commercial 1 (C-1) zoning district. The submission is for installation of an eighty foot (80') tall flagpole with a 20' x 30' American Flag as part of a landscaping improvement project. The height of the flagpole requires that a CUP be obtained, however, in Section 16.13 of the Price City Land Use Management and Development Code an exception to the height limitation is allowable. Mr. Peterson stated that a bench and gravel may be added to the project to beautify the area. He stated that the Price Chapel would maintain the flag and light. Nick Tatton provided the following information to the Commission: this project is being completed and sponsored by the Price Chapel in partnership with Price City and the Price City Community Development and Urban Renewal Agency (Agency). Chairman Bruno read aloud the following conditions:

- a. Installation of the flagpole and electrical improvements in compliance with a Price City Building Permit and under the supervision of the Price City Building Inspector finding that properly permitted and inspected installations protect the health, safety and welfare of the community;
- b. Installation of the flagpole in compliance with recommendations and restrictions provided by the Price City Electrical Department and Rocky Mountain Power as it relates to the proximity of the flagpole to area power lines finding that installations in compliance with clearance regulations to electrical infrastructure protect the health safety and welfare of the community;
- c. Installation of the flagpole in compliance with recommendations and restrictions provided by the Utah Department of Transportation (local office contact is Dale Stapley) finding that the flagpole will be installed adjacent to the UDOT right-of-way and installations in compliance with UDOT recommendations and restrictions protects the right-of-way and traffic conditions on 100 North Street adjacent to the location;
- d. No conditions present at property that will subject the property to a violation of the Price City Property Maintenance Code in effect now or in the future finding that property compliant with the Property Maintenance Code protects property values and community aesthetic matters.
- e. Will contact the neighbors within 300' to let them know of the project finding that fully informed neighbors mitigate misunderstandings regarding projects.

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 Clausing moved to approve the flagpole. Motion seconded by Commissioner Beacco and carried.

9. UNFINISHED BUSINESS:

- Planning and Zoning Retreat date set for December 12, 2011
- Reviewed property maintenance report for businesses and residential property with property that have received notices of violation(s) or tickets.

Meeting adjourned at 7:29 p.m. pursuant to a motion by Commissioner Holt.

APPROVED: _____
Chairman, Larry Bruno

ATTEST: _____
City Recorder, Laurie Tryon