

**PRICE CITY PLANNING AND ZONING MEETING  
MINUTES OF OCTOBER 24, 2016**

**PRESENT:**

Commissioners:

Jan Young	Nick Tatton-Community Director via Electronic Communications
Nancy Bentley	Sherrie Gordon-City Recorder
Todd Thorne	
Dale Evans	
Judy Beacco	
Erroll Holt	

**EXCUSED:** Commissioner Oliver, Commissioner Sacco and Commissioner Root

**OTHERS PRESENT:** Shermey McEvoy, Kathy Hanna-Smith, Nick Madrigal, Wayne Clausing, and Elise Lott

1. In the absence of Chairman Oliver and Vice Chair Sacco, Commissioner Evans called the meeting to order at 6:00 P.M. He led the Pledge of Allegiance.
2. Roll was called with the above Commissioners and staff present.
3. MINUTES OF September 26, 2016 –  
**MOTION.** Commissioner Bentley moved to approve the minutes of September 26, 2016 as presented. Motion seconded by Commissioner Thorne and carried.
4. PUBLIC COMMENT ON AGENDA ITEMS – No public comment was received on any of the items.
5. CONDITIONAL USE PERMIT
  - a. SODA BUSINESS WITH DRIVE UP - Consideration and possible approval of a soda business with drive up window called Sodalicious, located at 97 E 100 N, within the Commercial 1 zoning district, Chad Carlson.  
**MOTION.** Commissioner Bentley moved to strike Item 5. a. from the agenda until such time as Mr. Carlson or his representative is able to be present to represent the application. Motion seconded by Commissioner Young and carried.  
Elise Lott, Mr. Carlson’s representative, arrived at the meeting subsequent to the above action.  
**MOTION.** Commissioner Bentley moved to return Item 5. a. back onto the agenda and review the Sodalicious application with the representative. Motion seconded by Commissioner Thorn and carried.  
A Conditional Use Permit (CUP) application was submitted by Chad Carlson, 100 North, LLC, for a business called Sodalicious to be located at 97 E 100 N within the Commercial 1 (C-1) zoning district. The general evaluation criteria for the land use is in Section 11.1 of the Price City Land Use Management and Development Code (Code), the specific land use evaluation criteria/land use checklist is in Section 11.1.m of the Code. The applicable land uses are: (1) Candy, nuts, confectionary, Code Section 11.3.4.4, a permitted use in the C-1 zoning district; (2) Drive In Restaurants, Code Section 11.3.4.12, a conditional use in the C-1 zoning district; and, (3) Eating Places-Food Consumed on Premises, Code Section 11.3.4.14, a conditional use in the C-1 zoning district.  
The project was discussed in detail with the applicant’s representative to ensure understanding of the land use requirements and conditions and the development schedule. They also discussed the following: business signage and way-finding signage; parking lot re-orientation and restriping, and restrictions on prepared food (no hood or grease trap):
    - Remove not more than four (4) parking spaces from the overall site to accommodate the drive-up window finding that changes in the business mix at the overall site have reduced the parking need by four (4) parking spaces.
      - Restriping of parking lot to clearly identify drive-up lane and all parking required.
    - Placement of reflective indicators on utility pole adjacent to identified business ingress point to mitigate potential vehicle/pole collisions finding that the ingress is narrow and the utility pole is very close to the ingress.
      - Coordinate the enclosure or other treatment of the gap immediately to the west of the ingress in the gutter overshot with the Price City Public Works Department to prevent accident or injury.
    - Submission of business and way-finding signage to the Price City Planning Department prior to installation for potential approval finding that properly reviewed and approved signage increased commercial activity in the community.
    - No food prep on-site that requires cooking or grease finding that no commercial kitchen equipment is in place including a grease/smoke hood and no waste water grease trap or sampling manhole is present to protect the waste water system.
    - Garbage dumpster to be maintained in an enclosed area and serviced at a frequency to prevent nuisance odors in the area finding that prevention of accumulations of garbage and odors is in the best interest of the community.
    - Maintain or increase the existing minimum five percent (5%) landscaping at the overall site finding that properly landscaped commercial businesses and corridors improves the community aesthetic and is consistent with the goals in the Price City General Plan.
    - Complete and submit a Price River Water Improvement District (PRWID) waste water survey finding that properly understood waste water discharges mitigate negative impacts to the waste water collection system.
    - All renovations and construction work at the business location to be completed under the auspices of a Price City Building Permit and building inspection finding that properly permitted and inspected building alterations protect the health, safety and welfare of the community.

- Procurement of a Price City Business License prior to business operation finding that properly licensed business increase the commercial activity in the community.
- No conditions at the property or structure that violate the Price City Property Maintenance Code finding that properly maintained properties and structures protect area property values and is consistent with the Price City General Plan.

The discussion also included the following public safety concerns; ingress/egress on entrance, street traffic, three approaches on 1<sup>st</sup> East, two utility poles on the property, bathroom accessibility, and adequate parking.

**MOTION.** Commissioner Bentley moved to table Item 5. a. and recommend that Sodalicious, Chad Carlson, pay all Planning and Zoning fees currently due, pay the Business License fee currently due, and submit updated or clarified information regarding the submitted site plan for a Conditional Use Permit and a business license application first. The Planning and Zoning Commission may move forward with additional review and recommendations. Motion seconded by Commissioner Young and carried.

b. **VEHICLE ACCESSORY AND CUSTOMIZATION LAND USE** - Consideration and possible approval of a vehicle accessory and customization land use located at 410 East Main Street within the Commercial 1 zoning district called Rusty Fork, Nick Madrigal.

A Conditional Use Permit (CUP) application was submitted by Nick Madrigal to locate a vehicle accessory and customization business at 410 East Main Street in an existing building within the Commercial 1 (C-1) zoning district. The general land use evaluation criteria is listed in Section 11.1 of the Price City Land Use Management and Development Code (Code) and the specific land use evaluation criteria/land use checklist is listed in Section 11.1.m of the Code. The applicable land uses are: parts sales, Code Section 11.3.4.1.5, a permitted use; tires/batteries/accessories, Code Section 11.3.4.41, a permitted use; and, repair services, Code Section 11.3.5.6, a conditional use.

The Planning Commission held a detailed discussion with the application. The applicant was reminded that no oil or solvents can be used due to no grease trap and sampling manhole. At the conclusion of the discussion Commissioner Evans read aloud the following conditions of approval:

- Maintain all parking lot and area lighting to be high efficiency LED fixtures and include timers and/or shields and/or angled away from neighboring residential uses finding that reducing light transference mitigates nighttime impacts on residential properties.
- Ensure no vehicle parking beyond the safe capacity of the parking lot and no on-street parking or parking/displays in the parking strip finding that restricted parking mitigates the potential for vehicle and pedestrian accidents.
  - Minimum of seven (7) off-street open parking spaces for employees and visitors based on the requirement of Section 6.4.15 of the Code.
- Install a minimum of 5% landscaping as required by the Code and as the site may accommodate.
- Garbage dumpster to be maintained in an enclosure and serviced at a frequency that mitigates accumulations of garbage, rubbish and debris or the wind scatter of garbage, rubbish and debris.
- Ensure no unscreened outside storage of work in progress, materials, inventory, supplies finding that restricted outdoor storage of work in progress enhances the community aesthetic and is consistent with the Price City General Plan.
- Ensure no on site disposal of oils, greases or other chemicals or items that may negatively impact the environment or the waste water system finding that restricted disposal of certain items protects the health, safety and welfare of the community.
  - No service activity that involves disposal of oils, greases or other chemicals finding that a grease trap and sampling manhole are not present on-site.
  - All site floor drains or other possible sources of waste water system contamination to be sealed from use.
- Inspection of the structure by the Price City Building Inspector and Price City Fire Chief prior to occupancy and compliance with all safety recommendation stemming from the inspection finding that compliance with safety recommendations protects the health, safety and welfare of the community.
- All building renovation to be completed under the auspices of a Price City Building Permit finding that properly permitted and inspected commercial building improvements and renovations protect the health, safety and welfare of the community.
- Business signage plan submitted to the Price City Planning Department prior to installation for review and potential approval finding that properly reviewed and authorized commercial signage promotes increased commercial activity and is consistent with the Price City General Plan.
- No conditions at the property or structure that violate the Price City Property Maintenance Code finding that properly maintained properties and structures mitigates impacts to area property values and is consistent with the Price City General Plan.

**ACCPETANCE:** The applicant acknowledged that he is aware of the conditions of approval, understands the conditions of approval and intends to comply with the conditions of approval.

**MOTION.** Commissioner Bentley moved to recommend the Price City Council provide final approval of a Conditional Use Permit (CUP) application submitted by Nick Madrigal to locate a vehicle accessory and customization business at 410 East Main Street in an existing building within the Commercial 1 (C-1) zoning district. Motion seconded by Commissioner Young and carried.

c. **SENIOR LIVING COMPLEX** - Consideration and possible concept approval only of a senior living complex land use located at 100 N Fairgrounds Road, PMJ Properties, LLC., Erick Mortensen, Jon Pressett, Kelly Jensen.

**MOTION.** Commissioner Beacco moved to table Item 5. c. from the agenda until such time as Mr. Mortensen, Mr. Pressett and Mr. Jensen are able to be present to represent the application. Motion seconded by Commissioner Thorne and carried.

6. UNFINISHED BUSINESS - No unfinished business discussed.

Meeting adjourned at 6:34 p.m. pursuant to a motion by Commissioner Young. Motion seconded by Commissioner Bentley and carried.

APPROVED: \_\_\_\_\_  
Commissioner Dale Evans

ATTEST: \_\_\_\_\_  
City Recorder, Sherrie Gordon