

**PRICE CITY PLANNING AND ZONING MEETING  
MINUTES OF NOVEMBER 7, 2016**

**PRESENT:**

Commissioners:

Richard Root   Sherrie Gordon-City Recorder  
Nancy Bentley  
Todd Thorne  
Judy Beacco  
Frankie Sacco  
Jan Young  
Erroll Holt

**EXCUSED:** Commissioner Oliver, Commissioner Evans and Nick Tatton-Community Director

**OTHERS PRESENT:** Kathy Hanna-Smith, Jerica Curtis, Russell Seeley, Kendra Seeley, Erick Mortensen, Wayne Clausing, and Jon Pressett

1. In the absence of Chairman Oliver, Vice Chair Sacco called the meeting to order at 6:00 P.M. She led the Pledge of Allegiance.
2. Roll was called with the above Commissioners and staff present.
3. MINUTES OF October 24, 2016 –  
**MOTION.** Commissioner Thorne moved to approve the minutes of October 24, 2016. Motion seconded by Commissioner Bentley and carried.
4. PUBLIC COMMENT ON AGENDA ITEMS –  
Russell Seeley, Price City Engineer, reported to the Commissioners regarding the potential 100 North Bike Lane Project. UDOT and Price City are proposing new bike lanes on 100 North from US-6 to 300 East. A public open house is scheduled for Wednesday, November 16, 2016, from 5:00-7:00 P.M. at City Hall located 185 East Main Street.  
Jerrica Curtis, owner of Chugg Drive Thru, addressed the Commissioners. She expressed her concerns regarding Sodalicious, another like business starting up. She stated that she/representative has attended all of the Planning and Zoning meetings and has expressed her concerns. She feels like the population does not warrant two like businesses. She is concerned that approval of this business will affect her business.
5. CONDITIONAL USE PERMIT –
  - a. ADMINISTRATIVE SERVICES AND DAY PROGRAMMING FOR LAND USE – Consideration and possible approval of a conditional use permit to locate a day program for disabled adults at 453 S Carbon Avenue within the Commercial 1 zoning district called America Supports One, Sara Norton.  
This item was struck at the request of the applicant.
  - b. 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.  
A Conditional Use Permit (CUP) application submitted by Erick Mortensen, Jon Pressett and Kelly Jensen (PMJ Properties LLC.) to develop and locate an senior living apartment project at 100 N Fairgrounds Road (new address assignment) within the Commercial 1 (C-1) zoning district. The land use evaluation criteria for the C-1 zone district are in Section 11.1 of the Code and the specific land use evaluation criteria/land use checklist for the C-1 zone district are in Section 11.1.m of the Code. The land use, Assisted Living Facility, is conditional and listed in Section 11.3.2.1.5.7 of the Code, Single or Multiple Housing is also a conditional use and listed in Section 11.3.2.1.3.1 of the Code.  
The Planning Commission discussed the land use and development plan with the applicants. A pre-application and development meeting was held between the developer and Price City on 12-17-15. Safety matters as they relate to the canal and cliff access and Fairgrounds road ingress/egress was also discussed. At the conclusion of the discussion Vice Chair Sacco read aloud the following conditions of concept approval:
    - a. No development considered or approved beyond the identified project boundary concept plan submitted on the parcel, particularly to the north finding that additional slope stability and canal access mitigations may be required.
      - i. North development boundary line to be indicated on final site plan and identified as limit of development and approval.
    - b. Final comprehensive final civil site plan set to be prepared and submitted to Price City consistent with the concept site plan submitted and considered herein, and to include the following elements as discussed and required:
      - i. Utility connections for water, sewer, electric, natural gas detailed (size, location, etc.) including any required sampling manholes and grease traps.
        1. Procurement and submission of capacity and willingness to serve letters from each utility provider.
        2. Provide electrical load sheet to Price City electric department.
        3. Utilities crossing under the canal to be in casings.

4. Water line connection under canal to be 8" connection to line at surgical center.
  5. Details on sewer connection to PRWID connection and letter from City Engineer authorizing with restriction that at such time as Price City sewer develops to area that connection to that system will be made.
- ii. Fencing or other appropriate mitigation measure(s) or buffer to restrict canal and cliff access to the east by residents and visitors.
  - iii. Review of development in detail with the Price City Fire Chief and installation of fire safety water lines and internal hydrants as required. Locations to be indicated on final site plan.
  - iv. Minimum of thirty (30) off street parking spaces, including ADA spaces, to accommodate up to ten (10) units plus staff at building at site. Consistent with Chapter 6 of the Code and as indicated on the concept site plan submitted.
    1. Parking lot and exterior area lighting to be high efficiency LED fixtures. Parking lot and exterior area lighting to be angled, shielded or on timers to not negatively impact neighboring residential uses with light transference.
    2. Ingress/egress to Fairgrounds Road to be a minimum of thirty feet (30') in width and clearly identified.
    3. No sight line visibility impediments by signage or landscaping that may limit vehicular or pedestrian traffic safety within twenty feet (20') of Fairgrounds Road right-of-way.
  - v. Garbage dumpster to be located and identified on final site plan in screened enclosure with gates. Service frequency to prevent accumulations of garbage, rubbish, debris and wind scatter thereof. Garbage dumpster situated to allow garbage truck access mitigating the potential for accidents and collisions.
  - vi. Detail on curb, gutter, sidewalk, street light, and other public infrastructure installations.
  - vii. Indicate minimum of 5% of area landscaping on site plan. All landscaping to be water wise.
  - viii. Indicate locations of business and internal way-finding signage proposed on final site plan.
- c. Completion of a geotechnical study and submission of the study to the Price City Engineer for review and concurrence and potential further development requirements and recommendations.
  - d. Completion of a storm water management plan and submission of the plan to the Price City Engineer for review and concurrence and potential further development requirements and recommendations including on site detention.
    - i. Storm water management plan to manage a 100-year storm event.
    - ii. Storm water management plan to utilize a detention basin and designed to release to the drainage (canal) at a rate at ninety percent (90%) or less of the pre-development flows established.
  - e. Completion of a private utility agreement with the Price City public works department, as required and if required, as it relates to culinary water connection and service.
    - i. If interconnection between Price City and PRWID water systems is included, connections and interconnect matters to be approved by both PRWID and Price City Engineering Department.
  - f. Completion of a public infrastructure development agreement with the Price City public works department, as required and if required, as it relates to the installation of public infrastructure associated with the development and submission of the required financial surety as required.
    - i. Curb, gutter, sidewalk adjacent to developed frontage. Extension of roadway paving to right-of-way line and infrastructure installations.
    - ii. Possible delayed installation on future phases of the project to the north on some elements of public infrastructure if negotiated, arranged and approved by the Price City Engineer.
  - g. Completion of a Price River Water Improvement District (PRWID) waste water survey and submission of the survey to PRWID with a copy to Price City.
  - h. Submission of building construction plans to the Price City building department for review and approval. All construction to be completed under the auspices of a Price City building permit.
    - i. Building plans to be consistent with IBC 2015.
    - ii. Building plans consistent with all fire safety requirements by the Price City Fire Chief and State Fire Marshall.
  - i. Notification, in writing, and copy to Price City, to the Carbon Canal Company of development plans, schedules consistent with HB 298, 2010. Notification to include details for utility crossings of the canal right-of-way.
  - j. Identification and recording of any necessary easements including water lines, storm water drainage, electrical lines, fire-line access, etc.
  - k. Application and receipt of Price City business license prior to opening and operation at site.
  - l. Business signage to be submitted to the Price City planning department for review and potential approval prior to installation.
  - m. Completion and submission of a preliminary environmental site review consistent with Section 3.3.3 of the Code and any mitigation plans for conditions noted.

ACCPETANCE: The applicants acknowledged that they are 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 provide concept approval only of a Conditional Use Permit (CUP) application submitted by Erick Mortensen, Jon Pressett and Kelly Jensen (PMJ Properties LLC.) to develop and locate a senior living project at 100 N Fairgrounds Road within the Commercial 1 (C-1) zoning district. Motion seconded by Commissioner Young and carried.

C. 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. 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 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). At the conclusion of the discussion Vice Chair Sacco read aloud the following conditions of approval:

- 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. Occupancy restricted until final building and fire safety inspections are completed and passed.
- 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.

**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 Holt moved to recommend the Price City Council provide final approval of a Conditional Use Permit (CUP) application 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. Motion seconded by Commissioner Throne and carried. The Commission approved the motion and it carried pursuant to the following vote:

- Commissioner Richard Root – Nay
- Commissioner Bentley - Yea
- Commissioner Thorne – Yea
- Commissioner Beacco - Yea
- Commissioner Young - Yea
- Commissioner Holt - Yea

6. UNFINISHED BUSINESS – No unfinished business discussed.

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

APPROVED: \_\_\_\_\_  
Vice Chair, Frankie Sacco

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