

**PRICE CITY PLANNING AND ZONING MEETING
MINUTES OF NOVEMBER 10, 2014**

PRESENT: Commissioners:

Larry Bruno

Judy Beacco

Richard Root

Frankie Sacco

Nancy Bentley

Dale Evans

Nick Tatton, Community Director

Laurie Tryon, City Recorder

EXCUSED: Commissioner Oliver

OTHERS PRESENT: Miles Nelson, Kathy Hanna-Smith, Wayne Clausing and Scott Crittett
Paul Bedont, Jeff Krantz, Pat Ingold, Gary Farr and Tonia Jorgensen

1. MINUTES OF September 8, 2014.

MOTION. Commissioner Sacco moved to approve the minutes of September 8, 2014 as presented. Motion seconded by Commissioner Beacco and carried.

2. PUBLIC COMMENT ON AGENDA ITEMS- No public comment was received.

3. PROFESSIONAL AND ADMINISTRATIVE OFFICE-Quazi-Public Social Services land use located at 190 South 200 East within the Commercial 1 Zone District, Tonia Jorgensen, Northeast Services.

Tonia Jorgensen from Northeast Services submitted a Conditional Use Permit (CUP) application to relocate their office from 585 East Main Street to 190 South 200 East within the Commercial 1 (C-1) zoning district. Nick Tatton provided the following information: The general land use evaluation criteria is in Section 11.1 of the Price City Land Use Management and Development Code (Code) and the specific land use evaluation criteria is listed in Section 11.1.m of the Code. The professional office use at the location is a permitted use; however, the day program use is a conditional use in the zone district and is listed in Section 11.3.5.41 of the Code.

Gary Farr from Northeast Services stated that he had complied with everything that the Building Inspector had requested but that because the building was not owned by Northeast Services, he would not pay for the asphalt parking. Chairman Bruno stated that the parking lot must be asphalted in accordance with City code and the City can give the maximum allowance of two years to have the asphalt completed. He stated that 7 parking stalls are required for that property and business. Commissioner Bentley stated that the ADA ramp and handrail at that back door to the business may not meet ADA Requirements. Nick Tatton stated that the City Building Inspector would verify that everything meets City standards as it relates to the adopted building and zoning codes.

Chairman Bruno read aloud the conditions of approval:

- a. Obtain a Price City building permit, if needed, for building renovations, if occurring, finding that properly permitted and inspected commercial building renovations protect the health, safety and welfare of the community.
- b. Building safety inspections by the Price City Building Inspector and Price City Fire Chief and compliance with any safety recommendation stemming from the inspections finding that completion of safety improvements, if needed or required, protect the health, safety and welfare of the community.
- c. Submission of all building signage to the Price City Planning Department prior to installation finding that properly reviewed and authorized business signage promotes

- consistency in the community and is consistent with the Price City General Plan.
- d. Maintain a minimum of seven (7) off-street parking spaces finding that approximately 2,100 square feet of net usable building space is available and one (1) off street parking space is required for each 300 square feet of net usable building space finding that off street parking is required in chapter 4 of the Code.
- e. No conditions at the property or structure that violation the Price City Property Maintenance Code finding that properly maintained structures and property protect area property values and is consistent with the Price City General Plan.
- f. Owner of building notified to have the parking lot asphalted within two years as required by Code. City staff will work with property owner, business owner and Active ReEntry to plan and complete the necessary surfacing requirements.

ACCEPTANCE: The applicant 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 Root moved to approve the Conditional Use Permit for Northeast Services with conditions. Motion seconded by Commissioner Sacco and carried.

- 4. **FREE STANDING SIGNS**-Consideration and possible approval of (2) sign replacements and (1) new free standing sign for the Creekview Shopping Center located at approximately 750 West Price River Drive, within the Commercial 1 Zoning District, S-3 sign overlay zone, Mr. Charlie Taylor, Yesco, LLC.

Mr. Charlie Taylor submitted a Conditional Use Permit for Yesco, LLC. for sign upgrades and additions at the Creekview Shopping Center located at approximately 750 West Price River Drive. Nick Tatton provided the following information:

The application indicates the following three (3) signs:

1. Sign #1. This sign measures approximately 169 square feet in sign size. It is a replacement of an existing sign at the intersection of 100 N and Price River Drive. As such, the sign is not changing location, size, etc. and can be considered under the copy change provision of the Code. No actual approval action is needed for this sign.
2. Sign #2. This sign measures approximately 226 square feet in sign size. It is a replacement of an existing sign on the northwest quadrant of the shopping center property. As such, the sign is not changing location, size, etc. and can be considered under the copy change provision of the Code. No actual approval action is needed for this sign.
3. Sign #3. This sign measures approximately 768 total square feet in size. This is a new sign and must be specifically approved for location and size by the planning commission as the size exceeds the standard within the Code.

The general evaluation criteria for uses within the Commercial 1 (C-1) zoning district are in Section 11.1 of the Code and the specific evaluation criteria/checklist is in Section 11.1.m of the Code. All of the signs, pre-existing complying and non-complying as well as the new sign are considered free standing signs and permissible under Section 4.13.1a of the Code. All of the signs are within the S-3 Highway Overlay zone that indicates a maximum sign size of 200 square feet or as approved by the planning commission via the CUP process, per Section 4.13.3.2 of the Code. Additionally, the signs must be a minimum of 500' apart based on Section 4.13.5.3 of the Code. The 2 existing signs measure approximately 485' apart, this is considered a pre-existing legal non-complying condition. The new sign (location #3) measures over 600' from each of the 2 existing signs and can be approved by the planning commission.

Jeff Krantz representing the sign company working for Yesco, LLC., owners of the Creekview Shopping Center presented a request for free standing signs. He stated that the project would be for the upgrading and remodeling of two signs and then one is a new sign to get recognized from highway from the shopping center. Nick Tatton stated that none of the signs are in UDOT or in the right of way and are

all in the City's jurisdiction. The third sign is larger than a normally allowed size which has Conditional Use Permit provisions. Mr. Krantz stated that the sign would be setback quite far and would be large to be visible from the highway. Commissioner Bentley requested that the signs from the businesses that are no longer exist be removed quickly upon exit. Mr. Krantz stated that it is a reasonable request and he would pass that information to the property owners. Chairman Bruno read aloud the following conditions of approval:

- a. No other signs of any type or location herein approved finding that only the signs referenced as #1, #2 and #3 have been reviewed and evaluated for compliance with the Code and Price City General Plan.
- b. Signs must be installed by a licensed sign contractor and under the auspices of a Price City building permit finding that properly permitted and inspected construction and sign installation protects the health, safety and welfare of the community.
 - i. Specific review and inspection for foundations, wind load, electrical connections.
- c. No off site advertising permitted to be placed on any of the signs finding that off side advertising and billboards are restricted by Code.
- d. Discontinued or vacated businesses from Creekview Shopping Center advertised on the signs must be removed within thirty (30) days of the discontinued or vacated business finding that removal of discontinued and vacated business signage mitigates community commercial business confusion and is consistent with Section 4.7 of the Code.
- e. No negative impact to the Price River Trail system adjacent to the Creekveiw Shopping Center finding that the trail system and public right-of-way along the trail is a vital community recreation component.
- f. No violations of the Price City Property Maintenance Code for structures or property within the boundaries of the Creekveiw Shopping Center finding that properly maintained structures and property protect area property values and it is consistent with the Price City General Plan.

ACCEPTANCE: 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 Root moved to approve the Conditional Use Permit for Yesco, LLC. Motion seconded by Commissioner Evans and carried.

5. **ADVANCE OCCUPANCY REQUEST**-Consideration and possible approval of advance occupancy for building F only at Eastgate Apartments (in addition to building A that was previously approved for tenant occupancy) at 155 South Bel Aire Drive within the Commercial 1 zoning District, LaPorte Construction, Scott, Critchett, Ben Logue, Marion Willey.

Price City was approached by the LaPorte Group with a request for advance conditional approval of occupancy ***for Building F only*** at the Eastgate Apartment Complex, this is in addition to the previous request and approval of occupancy for building A at the site. LaPorte has been advised that an approval recommendation from the Price City Planning Commission and City Council are required due to the sensitive nature and direct resident safety requirements of any potential occupancy request approval and the nature of the request differing from usual and customary determinations of occupancy at the completion of a full project. Any additional advance occupancy requests for any other structures at the project prior to completion and overall occupancy approval must be independently requested and considered similar to this request and potential approval.

Scott Critchett representing the LaPorte Group, including Ben Logue and Marion Willey, stated that the entire project needs to be done by December 31, 2014 and each day more and more items are being completed. He stated that allowing residents to move into the units is helping to fund the completion of the project. He stated that the water meter installation issue with ground settling at 720 E. 200 So. is being worked on, street signs and posts are being ordered, and they will to install safety signage every

50', a fence between the O'Reilly store and the complex will be installed and the permanent dumpster location will be remediated as soon as possible. Chairman Bruno stated that the City may need to review adding a safety-security-aesthetic fence along the Meads Wash side due to the flooding that has recently affected the area. Mr. Critchett stated that there have been no incidents with residents and construction. Mr. Critchett stated that landscaping will be added as weather allows. Nick Tatton stated that, Price City, upon approval by the planning commission and city council, may be able to accommodate this and other occupancy issues through receipt of a bond from LaPorte to Price City. It is the recommendation of staff that any such arrangement include a minimum cash bond amount of not less than 125% of the estimated cost of the bonded development activity. Mr. Critchett agreed to the bond terms, if needed. Chairman Bruno read aloud the following conditions if approved:

Approval of residential occupancy **for building F only:**

a. Planning and Zoning and Overall Site Plan:

- i. Construction and all site development consistent with original site plan and building A occupancy approval submitted by LaPorte previously and with building F occupancy request, attached, as it relates to possible residential **occupancy of building F only** understanding that any occupancy approval for building F may be amended by Price City to accommodate any occupancy requests for previous or additional structures at Eastgate Apartments and for final overall occupancy approval.
- ii. Permanent power supply to building F completed and removal of all temporary power service to building F under the direction of the Price City Electrical Department. Temporary construction power to be located away from any locations where residential occupants may access building F.
 1. No construction power access from a building occupied by residents.
- iii. Residential access only. All construction and development access from east Main Street ingress/egress or from 200 South. All clubhouse construction access to be from ramp area indicated on building F occupancy site plan submitted by LaPorte and on opposite side of residential hard barrier safety fence as indicated below.
- iv. Hard barrier fencing, minimum of 6 feet in height, separating all residential living and parking, garbage, school bus, etc. areas from construction areas. Fencing to have signage installed at reasonable intervals along fence indicating dangerous construction areas and restricting residential occupant access. Signage consistent with that indicated on building F occupancy site plan submitted by LaPorte.
- v. All utility services connected and functional, confirmed by the utility provider, and authorized by the respective utility providers for building F. Including electrical power, natural gas, water, sewer, telephone, television, internet, storm water.
- vi. All off-street parking areas for building F fully developed and installed including parking area paint striping, installation of parking canopies and debris removal/sweeping of building A parking areas to mitigate potential for flat tires. Minimum parking stalls for building F to be 27 spaces, including all ADA spaces as required by Code. This parking minimum requirement is in addition to those spaces required for building A under prior approval.
- vii. Garbage dumpster to be located in the permanent location as listed on originally approved overall site plan and removal of all temporary dumpster location fencing. Installation of the permanent garbage dumpster enclosure with gates to service building F consistent with the original approved site plan and not to impact required off-street parking. Temporary garbage dumpster authorization period associated with building A occupancy expires on October 23, 2014.
- viii. School bus stop on Main Street identified and signage installed and coordinated

with the Carbon County School District indicating that the student bussing pick-up and drop-off area meets all requirements including student safety requirements. All school bus pick-up and drop-off areas to have signs placed by LaPorte and paint striping in compliance with letter from Carbon County School District and any direction for child safety provided by the School District, Price City Police Chief and the Utah Department of Transportation (UDOT). Written school bus plan and documentation required. All reasonable steps should be taken and documented by LaPorte to develop an agreement with the Carbon County School District whereby school bus service may be accommodated off-street in the turn-around area. A report on such reasonable efforts to be provided by LaPorte to Price City.

- ix. All building F area exterior security lighting, parking area lighting to be fully functional and operational.
 - x. Six foot (6') east property boundary sight obscuring fence installed per original plans.
 - xi. All private roadways within the development that may be accessed by residential occupants to be completed to a state of final construction including all paint striping, parking locations, street signage (on private and public roadways), fire lanes, concrete valve and manhole collars, etc.
 - 1. "Main Street" signage installed at ingress/egress.
 - 2. Installation of private roadway security entrance/exit gate on Main Street residential ingress/egress per original site plan approval.
 - 3. Installation of private roadway security entrance/exit gate on 200 South Street residential ingress/egress per original site plan approval upon completion of heavy construction activities south of building A and F.
 - xii. All building F final landscaping and landscaping irrigation and maintenance installed to a state of final construction inside of the temporary construction fencing. Full and final landscaping installed within hard barrier safety fencing zone and as indicated on building F occupancy site plan submitted by LaPorte. Confirmed and tested irrigation system backflow prevention equipment installed. Written confirmation from the Price City Water Department regarding installation and testing of backflow prevention required.
 - xiii. All conditions of original final approval, discussed or not presently, are still in full force and effect and that LaPorte continues to be bound to comply with all conditions of approval and any additional conditions of approval stemming from this or future advance occupancy requests received by Price City from LaPorte.
 - 1. Specific requirement: Full time, on site, LaPorte employee property manager active as required in original final approval. Must be on-site and available for all resident or community needs. Contact information for on-site manager to be provided to Price City prior to occupancy of building F.
- b. Building Department:
- i. Full and final Price City Building Department approval for occupancy of building F indicating that the building meets with all adopted construction code requirements, approved plan review, and is safe for residential occupancy. Written confirmation from the building inspector required.
- c. Fire Department:
- i. Full and final Price City Fire Department approval for occupancy of building F indicating that the building meets with all fire safety requirements including fire department apparatus access from Main Street and from 700 E-200 S, and tested/approved fire hydrants. Written confirmation from the fire department required. Specific fire safety requirements as summarized below:

1. Building F shall meet all International Fire Code requirements for a multi-story "R" residential occupancy.
 2. All fire systems to be tested and witnessed by the Fire Code Official or designee. Fire safety systems maintained in accordance with Code.
 3. Fire hydrants and supply pipes to be flushed and tested and witnessed by the Fire Code Official or designee. Hydrant operation to not be impeded by location or install height.
 4. Private fire hydrants to be tested, maintained and inspected annually by qualified inspector/tester and report provided to the Fire Code Official or designee.
 5. All fire access roads to be a minimum of 26' wide and accommodate support for 75,000 pound fire apparatus access.
 6. Access entrance gates compliant with Code and Fire Code Official approval.
 7. No overhead power line or other obstructions that may impede fire apparatus access to site or building F.
 8. Authority provided by LaPorte to Price City to remove any vehicles parked or otherwise impeding the posted fire lanes on the private property at the expense of the vehicle owner and/or LaPorte.
- ii. Fire lane along east property boundary to be painted, signed and restricted to parking per all instruction and direction provided by the Price City Fire Chief. Signage consistent with that indicated on building F occupancy site plan submitted by LaPorte.
1. Fire lane signage to be spaced no more than 50'. One sign at the beginning of the zone and one at the end of the zone with interior signs spaced at a distance not to exceed 50', or line of sight when obstructions are present.

ACCEPTANCE: 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 approve the Conditional Use Permit for approval of advance occupancy for building F only at Eastgate Apartments (in addition to building A that was previously approved for tenant occupancy) at 155 South Bel Aire Drive. Motion seconded by Commissioner Beacco. Commissioner Sacco voted Nay.

A roll call vote was taken with the following results:

Commissioner Sacco-Nay	Commissioner Evans-Yay
Commissioner Bentley-Yay	Commissioner Root-Yay
Commissioner Beacco-Yay	

Motion passed.

6. UNFINISHED BUSINESS:

- December 8th-Planning and Zoning Retreat
- General Plan- updates will happen throughout 2015
- Chairman Bruno- not renewing his commissioner term.

Meeting adjourned at 7:06 p.m. pursuant to a motion by Commissioner Bentley. Motion seconded by Commissioner Evans and carried.

APPROVED: _____

ATTEST: _____

