

Chairman
JAN YOUNG

City Attorney
ERIC JOHNSON

Community Director
NICK TATTON

City Recorder
SHERRIE GORDON



185 East Main - P.O. BOX 893 - PRICE, UT 84501
PHONE (435) 636-3184 - Fax (435) 637-2905
www.pricecityutah.com

**PRICE CITY
PLANNING AND ZONING COMMISSION**

Commission

JUDY BEACCO
DAVID BLACK
DALE EVANS
JADE POWELL
RICHARD ROOT
TODD THORNE
JAN YOUNG
DAVID HINCKLEY, ALT.
ERROLL HOLT, ALT.

**PLANNING AND ZONING AGENDA
10/12/2021**

THE PRICE CITY PLANNING AND ZONING COMMISSION WILL HOLD THEIR REGULARLY SCHEDULED MEETING ON THE ABOVE DATE AT 5:00 PM IN THE PRICE CITY HALL COUNCIL CHAMBERS (ROOM 104). THE PLANNING AND ZONING COMMISSION CHAIRMAN RESERVES THE RIGHT TO MODIFY THE SEQUENCE OF AGENDA ITEMS IN ORDER TO FACILITATE SPECIAL NEEDS.

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. SAFETY SECONDS - Commissioner Thorne
4. MINUTES of September 20, 2021
5. PUBLIC COMMENT ON AGENDA ITEMS
6. CONDITIONAL USE PERMIT
 - a. MULTIPLE RESIDENTIAL LAND USE. Consideration and possible approval of a multiple residential land use, the McCourt 4-Plex, at 165 S 700 E, Allen McCourt.
7. UNFINISHED BUSINESS

Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should contact, City Recorder, Sherrie Gordon at 185 E. Main, Price, Utah - Telephone 636-3183 at least 24 hours prior to the meeting. This meeting may be held electronically via telephone to permit one or more of the council members to participate.

DRAFT

**PRICE CITY PLANNING AND ZONING MEETING
MINUTES OF SEPTEMBER 20, 2021**

PRESENT:

Commissioners:

Judy Beacco
Daniel Hinckley
Jade Powell
Richard Root
Todd Thorne
Jan Young

Sherrie Gordon, City Recorder
Nick Tatton, Community/Human Resources Director via
telephone conference call

EXCUSED: Commissioner Black, Commissioner Evans, and Commissioner Holt-Alternate

STAFF/OTHERS: See Public Meeting Sign-In Sheet

1. Chair Young called the meeting to order at 5:03 P.M. She led the Pledge of Allegiance.
2. Roll was called with the above Commissioners and staff present.
3. SAFETY SECONDS – Commissioner Root commented on the importance of cleaning rain gutters. There can be loose objects in the rain gutters. Watch out for falling objects. Before climbing on a ladder be sure and carefully examine where the rain gutters are attached and make sure they are fastened securely.
4. MINUTES OF June 21, 2021

MOTION. Commissioner Thorne moved to approve the minutes for June 21, 2021. Motion seconded by Commissioner Beacco and carried.

5. PUBLIC COMMENT ON AGENDA ITEMS – No public comment was received on any of the items.
6. GENERAL BUSINESS
 - a. PLANNING COMMISSION TRAINING. Presentation by Jeff Richens, Manager, Price River Water Improvement District (PRWID), regarding water and sewer system requirements.

Jeff Richens reviewed water and sewer system requirements. He handed out a Price River Water Improvement District Industrial Wastewater Survey and reviewed the document.

7. CONDITIONAL USE PERMIT
 - a. SUBDIVISION AND LAND DEVELOPMENT, CONCEPT APPROVAL ONLY. Consideration and possible approval of concept approval only for the single family residential Willow Creek Companies, Deer Run Subdivision, Russell Fowles, vicinity of 1000 N 450 E.

Russ Fowles with Willow Creek Companies reviewed their request for a variance from zoning requirement R1-12 on parcels 01-1664-0013 and 01-1664-0000. There are currently 39 proposed lots on these two parcels and of these, 26 are slightly smaller than the R1-12 requirement. The reduction in lot sizes are due to several issues, primarily terrain. Several washes dictate the usable areas of the building lots, and in an effort to keep the property and its residents safe, a setback from the washes was incorporated. Property lines could extend to these washes allowing the lot sizes to meet R1-12 requirements, however, erosion could continue and potentially compromise the lots at some future time. Another issue considered in requesting this variance are the steep slopes on the property. In order to protect the hillsides and prevent future property owners from attempting to build auxiliary buildings on these slopes, property lines were kept off of the slopes, and thereby reduced the overall lot size. For these reasons we would ask the variance on the affected lots be allowed.

The Commissioners discussed the variance requests. The Commissioners suggested the following:

- Identify the lots that a variance is requested on.
- Identify the city's right-of-way.

- Identify property right-of-way.
- Identify turn arounds.
- Identify storm drains.
- Identify all water issues.
- Identify a thru street.

MOTION. Commissioner Thorne moved to approve, concept approval only, the single family residential Willow Creek Companies, Deer Run Subdivision. Motion seconded by Commissioner Powell and carried.

7. UNFINISHED BUSINESS – Nick Tatton reminded everyone of the Price City Planning and Zoning Commission Training Retreat scheduled for December 6, 2021.

Chair Young called for a motion to close the regular Planning and Zoning Commission meeting.

MOTION. Commissioner Powell moved to close the regular Planning and Zoning Commission meeting. Motion seconded by Commissioner Root carried.

Chair Young stated that the regular Planning and Zoning Commission meeting was adjourned at 5:42 P.M.

APPROVED: _____
Chair, Jan Young

ATTEST: _____
City Recorder, Sherrie Gordon



PRICE MUNICIPAL CORPORATION
185 EAST MAIN • P.O. BOX 893 • PRICE, UT 84501
PHONE (435) 637-5010 • FAX (435) 637-2905

CHAIR
JAN YOUNG

COMMISSIONERS

NANCY BENTLEY
DALE EVANS
JUDY BEACCO
TODD THORNE
RICHARD ROOT
JADE POWELL
ALTERNATE: DAVID BLACK
ERROLL HOLT: ALTERNATE

DATE: SEPTEMBER 27TH, 2020

TO: PRICE CITY PLANNING AND ZONING COMMISSION

FROM: NICK TATTON 

RE: CUP – MULTIPLE FAMILY STRUCTURE AND DEVELOPMENT

Please find attached a Conditional Use Permit (CUP) application submitted by Allen McCourt to develop and establish a multiple family land use at 165 S 700 E within the Commercial 1 (C-1) zoning district. The location is presently undeveloped land. The general land use evaluation criteria are listed 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 identified in Section 11.1.m of the Code. The land use is multiple family dwellings, identified in Section 11.3.2.1.3.1 of the Code, a conditional land use. Note that addressing will be 165 S 700 E, #1, #2, #3, #4.

Please discuss the application, land uses, restrictions and conditions of approval with the applicant. It is the recommendation of staff to provide final approval for the CUP.

RECOMMENDED MOTION(S):

1. Move to authorize final approval of a Conditional Use Permit (CUP) to develop and establish a multiple family development at 165 S 700 E within the Commercial 1 (C-1) zoning district, based upon the general land use evaluation criteria listed in Section 11.1 and the specific land use evaluation criteria/land use checklist in Section 11.1.m of the Price City Land Use Management and Development Code (Code), the land use of multiple family dwellings is identified in Section 11.3.2.1.3.1 of the Code, a conditional use, and subject to the following conditions of approval:
 - a. The following site plan elements to be installed finding that installation of such site plan elements mitigates the impact of the development on adjoining land uses, protects the health, safety and welfare of the community.
 - i. Installation of exterior lighting to illuminate the parking and building entrance areas. Lighting to be angled away from neighboring land uses. Exterior lighting to be high efficiency LED fixtures.
 - ii. Six (6) foot fencing to be installed on the east and south property boundaries (3') for 25 feet back from the sidewalk.
 - iii. Minimum 5% landscaping installed. Water wise landscaping with backflow prevention device on irrigation systems.
 - iv. Minimum of ten (10) off street parking spaces as identified on site plan submitted.

- v. Garbage dumpster to be located in dumpster enclosure and serviced at a frequency to prevent accumulations of garbage, rubbish or debris. Dumpster enclosure to be hard surfaces to contain spills and prevent soil contamination.
 - vi. All public infrastructure to be installed to minimum Price City standards and as directed by the Price City Public Works Director and/or Price City Engineer.
 - vii. Fire safety as required by the Price City Fire Chief, including red zones, hydrant installation(s), access zones, etc.
 - b. Utility connections in compliance with provider minimum standards and requirements: water; sewer; electric; natural gas, telephone/internet.
 - i. No build restriction on sewer easement across south of property. Minimum 10 feet each side of center line
 - c. Obtain a building permit prior to construction and construction to be consistent with plans submitted and building inspections provided.
 - d. Storm water management for 100-year storm event to retain and release for surface or subsurface conveyance. No storm water generated on site to be released to adjoining property. Concurrence with the storm water management plan by the Price City Engineer.
 - e. Geotechnical report completed for footer and foundation design, if necessary and required by the Price City Engineer.
 - f. No conditions at the property or structure that violate the Price City Property Maintenance Code or identified nuisances finding that properly maintained properties and structures protect area property values and improve the community aesthetic.
2. Move to acknowledge that the applicant is aware of the conditions of approval, understands the conditions of approval and intends to comply with the conditions of approval.

Fee: \$200



CONDITIONAL USE PERMIT APPLICATION

Send all completed and properly signed forms (including attachments as necessary) along with applicable fees to: Price City Community Development Department, P.O. Box 893, 185 East Main, Price, UT 84501. For questions call (435) 636-3184.

Please check one.

- ☐ **New Business** (Complete boxes 1 through 13 on page 1, and all subsequent pages)
☒ **New Construction/Development** (Check all applicable boxes below and complete entire application)

Plan Phase:

- ☒ Concept
☒ Preliminary
☐ Final

PLEASE TYPE OR PRINT LEGIBLY.

Applicant Information			
1. Applicant's Name: <u>Allen McCourt</u>		2. Title:	
3. Applicant's Mailing Address: <u>1410 Independence Avenue</u>		4. Suite/Apt. No.:	
5. City: <u>Price</u>	6. State: <u>Utah</u>	7. Zip Code: <u>84501</u>	
8. County: <u>Carbon</u>		9. Telephone: <u>(435) 650-9484</u>	
Project Information			
10. Name of Project (Business): <u>McCourt 4-Plex</u>			
11. Address of Proposed Project: <u>155 South 700 East</u> <u>Parcel 1-516</u>			
12. Zone District (see attached zoning map): <u>C-1</u>			
Nature of Proposed Work (Check all applicable items in boxes 13 through 16)			
13. ☐ Sign ☐ Commercial ☒ Residential	14. ☐ Zone Change ☒ Storm Drainage ☐ Street Work ☐ Road Dedication ☒ Water ☒ Sewer	15. ☒ Excavation ☐ Fill Work ☒ Building ☐ Subdivision ☒ Apartments ☒ Electrical	16. ☐ Industrial ☐ Annexation ☐ Flood Plain ☐ Recreation ☐ Street Opening ☐ Demolition
17. Quarter Section(s):	18. Section(s):	19. Township(s):	20. Range(s) & Base:
21. Estimated Cost of Project: a) Site Work \$ _____ b) Buildings \$ _____ c) Other \$ _____ Total \$ <u>400,000 ?</u>		22. Electrical Load Sheet: (Attach preliminary and final to application)	
23. Project Plans: ☐ Plans Included ☐ Attachments (Number) _____ <u>PDF Site Plan sent to Nick Tatten via email</u>			

24. Brief Description of Project:

Build a 4-Plex apartment Complex.
Each unit will have 2 Bedrooms / 1 Bathroom.

25. Justification (Explain why this project is needed):

Provide new housing options for the community

26. Names and Addresses of Adjoining Property Owners, Lessees, Etc.:

NAME	ADDRESS (City, ST, Zip)	TELEPHONE
1. Tom & Laurel Marinos	145 S 700 E Provo UT	() 637-2896
2. Joan Legat	175 S 700 E	()
3. RLK Real Estate Holdings LLC	Vacant lot	() Rick Krompel
27. Estimated Starting Date: 3 / 1 / 2022	28. Estimated Completion Date: 12 / 1 / 2022	29. Has P.R.W.I.D. Sewer Survey Been Submitted? ☐ Yes ☒ No

Edward Allen McCourt

9/21/2021

Signature of Property Owner

Date

Edward Allen McCourt

Please Print Name

Title

Office Use Only

Recommendation of Planning and Zoning Administrator (Community Director):

☒ Approve

☐ Decline

Comments:

11.1, 11.1.m eval

Signature:

[Signature]

Date:

9-22-21

Requires:

☒ Building Permit

☒ Conditional Use Permit

☐ Code Amendment

☐ Board of Adjustments Variance

☐ Flood Plain Development Permit

☐ Other:

SITE PLAN

Please provide a drawing of your proposed site in the space below. Include building floor plan, profiles, cross-sections, dimensions, setbacks, and signs. Also indicate exits, restrooms, and fire extinguisher placement. Use an attached sheet of paper, if necessary.

PRICE MUNICIPAL CORPORATION
185 EAST MAIN STREET
P. O. BOX 893
PRICE UT 84501

637-5010

Receipt No: 1.002573

Sep 22, 2021

ALLEN MCCOURT

Previous Balance: .00

LICENSE PERMIT FEES
CUP

200.00

Total:

200.00

CHECK

Check No: 1730

200.00

Total Applied:

200.00

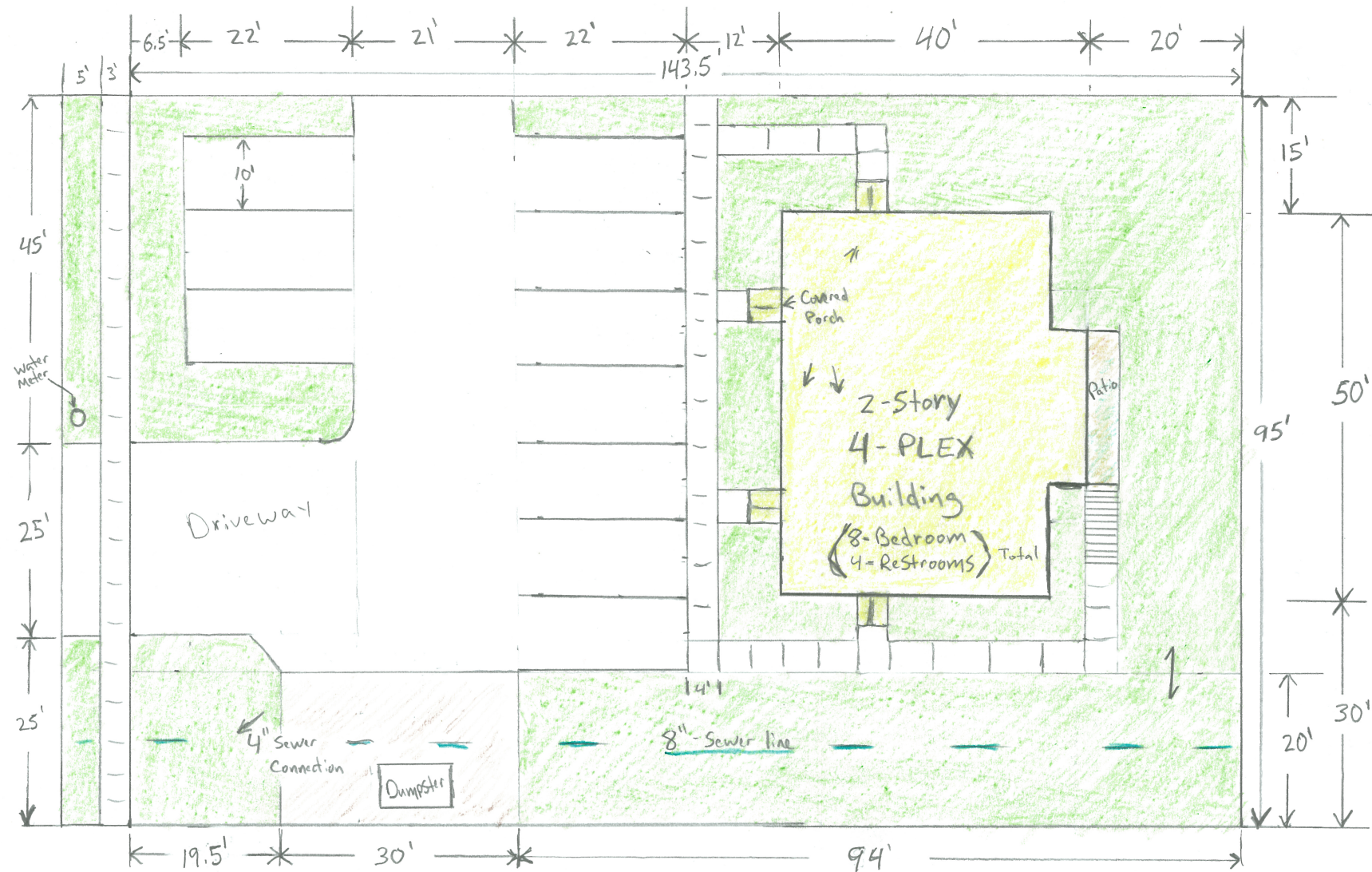
Change Tendered:

.00

09/21/2021 3:43 PM

W

7TH EAST STREET



N

Setbacks

North Side 15'
 East Rear 20'
 South Side 30'

E

← 20' Sewer Easement

Utilities

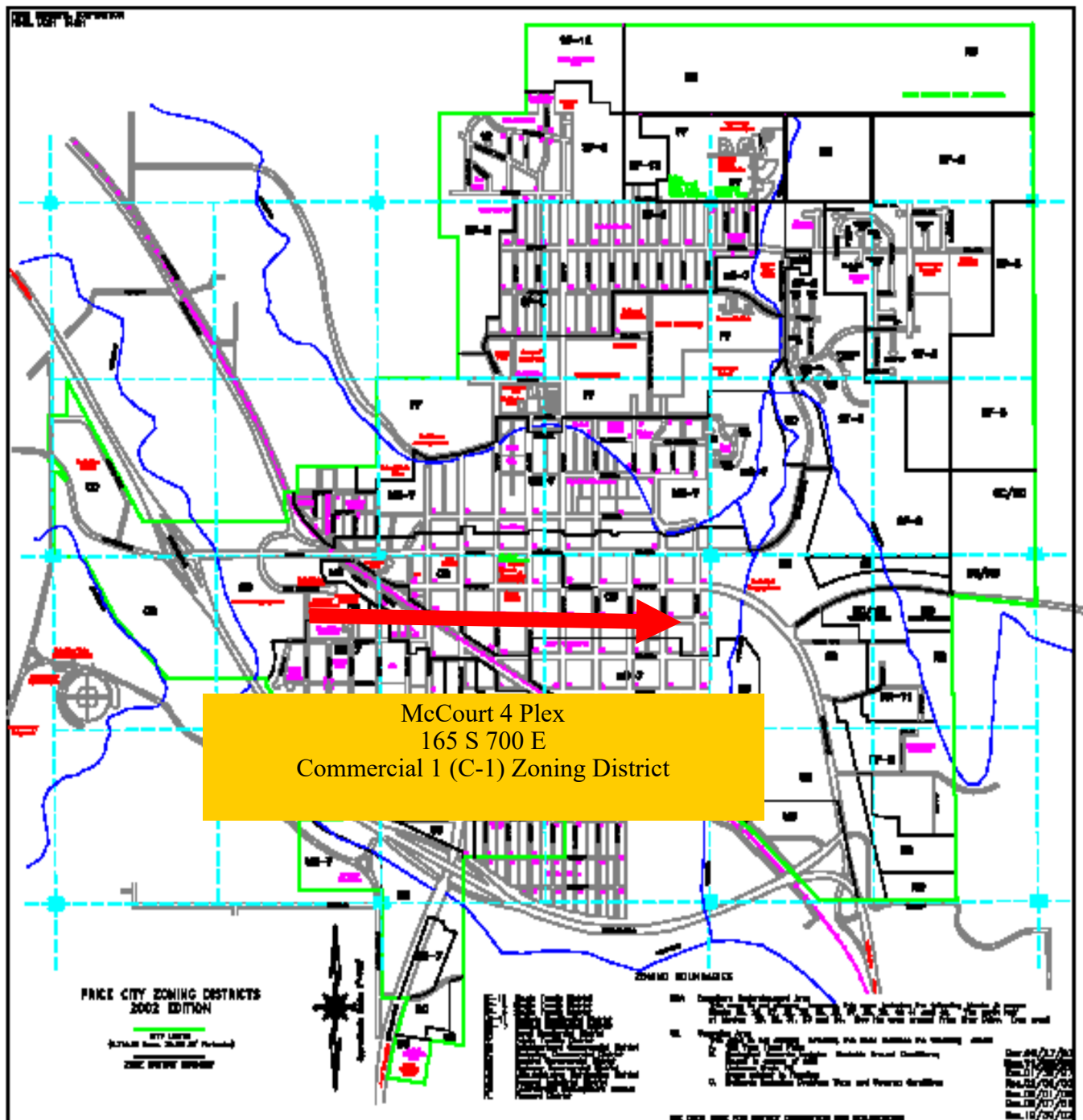
- * Gas - 4 meters
- * Electricity - 4 meters
- 200 Amp Service?

S

SITE PLAN FOR PROPOSED 4-PLEX
 4 units with 2 Bedrooms + 1 Bathroom Each
 10 - OFF Street Parking Spaces (22' x 10')
 - Parking spaces 10' wide x 22' Long.

Parcel 1-516
 Edward Allen & Kristen McCourt
 .32 Acres

NOTES - Driveway/Parking will be Concrete or Pavement.
 - Dumpster will be Placed in Gravel area.
 - 1 1/2" water line?
 - 4" sewer line?
 - Building Height 28'



Address Assignment

Allen McCourt 4 Plex

165 S 700 E

#1, #2, #3, #4

ACKNOWLEDGEMENT AGREEMENT FOR CONDITIONS OF LAND USE AS REQUIRED BY THE PRICE CITY PLANNING AND ZONING DEPARTMENT AND AS AGREED TO BY THE LAND USE APPLICANT FOR ESTABLISHMENT OF A MULTIPLE FAMILY STRUCTURE AND DEVELOPMENT LAND USE(S) AT 165 S 700 E WITHIN THE COMMERCIAL 1 (C-1) ZONING DISTRICT.

Purpose: the purpose of this agreement is to establish the terms and conditions of an agreement between Price City and ALLEN MCCOURT, regarding the conditions of land use associated with Price City Land Use Management and Development Code (Code) as it is associated with ALLEN MCCOURT, AND THE LAND USE OF A MULTIPLE FAMILY STRUCTURE AND DEVELOPMENT LAND USE(S) AT 165 S 700 E WITHIN THE COMMERCIAL 1 (C-1) ZONING DISTRICT.

Parties: this agreement is made by and between Price City (City), 185 East Main Street, Price, Utah 84501 and ALLEN MCCOURT, (Applicant's Agent), for the property located at: 165 S 700 E. Addressing will be 165 S 700 E, #1, #2, #3, #4.

Term: the term of this agreement commences on OCTOBER 12, 2021 and will perpetually run with the land unless terminated based on a change of use or other performance or compliance factors as outlined in the Price City Land Use Management and Development Code (Code). This contract is further subject to compliance with all Code requirements and other state, federal or local permitting.

The parties identified above hereby agree to the following:

Applicant Shall:

- Installation of exterior lighting to illuminate the parking and building entrance areas. Lighting to be angled away from neighboring land uses. Exterior lighting to be high efficiency LED fixtures.
 - Six (6) foot fencing to be installed on the east and south property boundaries (3') for 25 feet back from the sidewalk.
 - Minimum 5% landscaping installed. Water wise landscaping with backflow prevention device on irrigation systems.
 - Minimum of ten (10) off street parking spaces as identified on site plan submitted.
 - Garbage dumpster to be located in dumpster enclosure and serviced at a frequency to prevent accumulations of garbage, rubbish or debris. Dumpster enclosure to be hard surfaces to contain spills and prevent soil contamination.
 - All public infrastructure to be installed to minimum Price City standards and as directed by the Price City Public Works Director and/or Price City Engineer.
 - Fire safety as required by Price City Fire Chief, including red zones, hydrant installation, access zones, Etc.
- Utility connections in compliance with provider minimum standards and requirements: water; sewer; electric; natural gas, telephone/internet.
 - No build restriction on sewer easement across south of property. Minimum 10 feet each side of center line.
- Obtain a building permit prior to construction and construction to be consistent with plans submitted and building inspections provided.
- Storm water management for 100-year storm event to retain and release for surface or subsurface conveyance. No storm water generated on site to be released to adjoining property. Concurrence with the storm water management plan by the Price City Engineer.
- Geotechnical report completed for footer and foundation design, if necessary and required by the Price City Engineer.
- No conditions at the property or structure that violate the Price City Property Maintenance Code or identified nuisances finding that properly maintained properties and structures protect area property values and improve the community aesthetic.

Price City Shall:

- Authorize the land use contemplated herein and under the terms and conditions set forth as indicated in the Code.

SIGNED THIS _____ DAY OF _____, 20____.

Price City

Applicant:

By Jan Young, Chair

ALLEN MCCOURT

ATTEST:

Sherrie Gordon, City Recorder

CONDITIONAL USE PERMIT

THIS PERMIT IS HEREBY APPROVED FOR:

**A LAND USE OF: A MULTIPLE
RESIDENTIAL (4-PLEX) LAND USE
LOCATED AT 165 S 700 E WITHIN THE
C-1 DISTRICT.**

CONSISTENT WITH THE TERMS, CONDITIONS AND REQUIREMENTS SET FORTH
BY THE PRICE CITY PLANNING AND ZONING COMMISSION, THE PRICE CITY
COUNCIL AND THE PRICE CITY LAND USE MANAGEMENT AND DEVELOPMENT
CODE.

Price
Utah

SIGNATURE _____

DATE _____