

**PRICE CITY PLANNING AND ZONING MEETING
MINUTES OF JANUARY 6, 2014**

PRESENT: Commissioners:

Larry Bruno

Dale Evans

Judy Beacco

Nancy Bentley

Robert Oliver

Nick Tatton, Community Director

Laurie Tryon, City Recorder

EXCUSED: Todd Olsen and Frankie Sacco

OTHERS PRESENT: Kevin Callahan, Carla Saccomano and Wayne Clausing

1. MINUTES of NOVEMBER 25, 2013.

MOTION. Commissioner Oliver moved to approve the minutes of November 25, 2013 as presented. Motion seconded by Commissioner Evans and carried.

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

3. PUBLIC HEARING-To receive input on the proposed 2014 updates to the Price City Land Use Management and Development Code.

MOTION. Commissioner Evans moved to open the public hearing at 6:04 p.m. Motion seconded by Commissioner Beacco and carried. Chairman Bruno read aloud the proposed updates. Commissioner Evans noted a grammatical error in Section 10.11.6 and Commissioner Bentley suggested adding the addition of hot water to the section regarding vendor truck requirements so that vendor workers could wash their hands. Nick Tatton stated that he will make those changes within the proposed updates. No public comment was received. **MOTION.** Commissioner Oliver moved to close the public hearing at 6:09 p.m. Motion seconded by Commissioner Bentley and carried.

4. RESOLUTION 2014-01PZ. Consideration and possible approval of a resolution of the Price City Planning Commission supporting and recommending adoption of certain updates to the Price City Land Use Management and Development Code, 2008 Edition by the Price City Council. Chairman Bruno read aloud the Resolution. **MOTION.** Commissioner Evans moved to approve Resolution 2014-01PZ with corrections to the Code updates as stated in the public hearing. Motion seconded by Commissioner Oliver and carried.

5. RESOLUTION 2014-02PZ. ANNUAL CONFLICT OF INTEREST RESOLUTION AND DISCLOSURES-Consideration and possible approval of Resolution 2014-02. A resolution of the Price City Planning and Zoning Commission affirming compliance with state law regarding code of conduct and conflict of interest disclosure individually and collectively. **MOTION.** Commissioner Evans moved to approve Resolution 2014-02PZ. Motion seconded by Commissioner Beacco and carried.

6. ANNUAL ELECTION OF PLANNING COMMISSION CHAIR AND VICE CHAIR-Nomination and election of annual commission chair and vice-chair positions. Commissioner Evans nominated Larry Bruno to continue as the Planning and Zoning Chairman. Motion seconded by Commissioner Bentley. Commissioner Evans nominated Robert Oliver to continue as Vice Chairman. Motion seconded by Commissioner Bentley and carried. No other nominations were made. **MOTION.** Commissioner Evans moved to approve both nominations. Motion seconded by Bentley and carried.

7. DRIVE IN RESTAURANT-Consideration and possible approval of a Drive In Restaurant CUP, for Chug A Lug, as applied for by Carla Saccomano and Kevin Callahan, at 424 South Carbon Avenue, within the C-1 zoning district.

Kevin Callahan and Carla Saccomano submitted an application for a Conditional Use Permit (CUP) to establish a drive in restaurant called, "Chug A Lug" at 430 South Carbon Avenue 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 in Section 11.1.m of the Code. The land use, Drive In Restaurant, is a conditional use and is listed in Section 11.3.4.12 of the Code. The original application address was provided by the applicant as 424 South Carbon Ave. Commissioner Evans noted the correction as 430 So. Carbon Avenue. The commission reviewed the entrance and exit for the business and suggested that some type of barrier is considered between the business and house next door to protect children in the area. The parking was discussed and asphalt was listed as a condition for any parking that takes place in an area where there is not a hard surface. Mr. Callahan stated that customers won't be parking as this business is a drive up window, pick up and go type business. He stated that the marked parking will be for employees only. A condition was set that no food preparation would be done in this business and only items such as cookies, snacks and drinks could be served from this location.

Chairman Bruno read aloud the following conditions of approval:

- a. Site seating, inside and/or outside of the structure, not to exceed twenty-eight (28) total persons finding that 8 customer parking spots are available and seating of 3.5 persons per parking space is required by the Code.
- b. Review of all signage by the Price City Planning Department for compliance prior to installation at the site finding that properly reviewed and complying commercial signage promotes community consistency and commerce.
- c. Inspection of the structure by the Price City Building Inspector and the Price City Fire Chief and compliance with all safety recommendations stemming from the inspections finding that building and fire safety are a primary community concern and inspections protect the health, safety and welfare of the community.
- d. Procurement of a Price City building permit for all renovations to the building finding that properly completed and inspected building improvements protect the occupants of the building as well as the health, safety and welfare of the general public.
- e. All site lighting to be angled away from neighboring residential land uses and shielded or placed on timers to mitigate the occurrence of light transference from Chug A Lug to the residential uses.
- f. Dumpster garbage service to be scheduled for a frequency to mitigate the accumulation of garbage or rubbish at the site finding that properly serviced garbage and rubbish containers mitigate the potential for nuisances in the area.
- g. Installation of a minimum of 5% area landscaping, as required by the Code, finding that the location is situated on a primary road within the community.
- h. Right turn only sign at egress point from parking lot finding that right turn only will mitigate traffic back up on Carbon Avenue and improve safety at the adjacent intersections and school zones.
- i. No conditions at the property or structure in violation of the Price City property maintenance code finding that properly maintained properties and structures protect area property values.
- j. Install protective barrier adjacent to adjoining structure entrance to prevent vehicle-pedestrian accidents finding that separating vehicles and pedestrians protects the health, safety and welfare of the community.
- k. Hard surfacing of all parking lot areas within two (2) years finding that hard-surfacing of parking lots is a Code requirement.

1. No fryers or other foods prepared on site that will impact the sewer system with grease finding that proper grease traps and sampling manholes are not present at this location.

ACCEPTANCE. 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 Evans moved to approve Chug A Lug with stated conditions. Motion seconded by Commissioner Oliver and carried.

8. **CONDITIONAL USE PERMIT AMENDMENT REQUEST**-Consideration and possible approval of a CUP amendment for the inclusion of a wash down area at the Carbon County Courthouse at 751 East 100 North within the C-1 zoning district. **MOTION**. Commissioner Oliver moved to table this item to the February 10, 2014 Planning and Zoning meeting finding that no Carbon County representatives attended the meeting to discuss the amendment request. Motion seconded by Commissioner Evans and carried.

9. **UNFINISHED BUSINESS:**

Meeting adjourned at 6:43 p.m. pursuant to a motion by Commissioner Beacco. Motion seconded by Commissioner Bentley and carried.

APPROVED: _____
Chairman, Larry Bruno

ATTEST: _____
City Recorder, Laurie Tryon