

**PRICE CITY PLANNING AND ZONING MEETING
MINUTES OF JULY 9, 2012**

PRESENT: Commissioners:

Larry Bruno	Laurie Tryon
Judy Beacco	Nick Tatton
Wayne Clausing	
Erroll Holt	
Grady McEvoy, Alt.	
Alfred Richens	
Robert Oliver	

EXCUSED: Commissioner Sacco

OTHERS PRESENT: Richard Morley, Nathan Arriola, Dan and Mary Alice Johnson

1. MINUTES of April 9 and May 7, 2012

MOTION. Commissioner Holt moved to approve the minutes of April 9 and May 7, 2012 as presented. Motion seconded by Commissioner Beacco and carried.

2. BUSINESS OCCUPANCY-Consideration and possible approval of a Conditional Use Permit for confection bakery at 9 East Main Street within the Commercial 1 zoning district for JK Bon Bon's as submitted by Jonathan Arriola.

Jonathan Arriola submitted an application for a Conditional Use Permit (CUP) for business occupancy of a candy making and sales business to be located at 9 East Main Street within the Commercial 1 (C-1) zoning district. Nick Tatton provided the following information to the Commission: the retail sales of the merchandise is a permitted use in the zone based on Section 11.3.4.4 of the Price City Land Use Management and Development Code (Code) (candy, nuts and confectionary), however, the production of the chocolates is a conditional land use under 'bakeries' as indicated in Section 11.3.4.2 of the Code. A copy of their lease providing evidence that the landlord is aware of the nature of the proposed business was attached to the application. It is the recommendation of staff to provide a recommendation of final approval to the City Council. Mr. Arriola stated that there will be a retail section for customers but no seating area. He stated that the business will also take internet orders. Nick Tatton stated that there are no issues with PRWID. Mr. Arriola stated that he will do a copy change on the existing sign and provide Nick Tatton with the required information.

Chairman Bruno read aloud the following conditions:

- a. Inspection of the subject property and operation by the Southeastern Utah District Health Department (District) and certification of all employees, as required, by the District finding that food safety is a primary health, safety and wellness concern;
- b. Inspection of the subject property by the Price City Fire Chief and Price City Building Inspector and compliance with all safety recommendation stemming from the respective inspections finding that compliant safe business locations protect the health, safety and welfare of the community;
- c. No on-street parking by employees or owners of the business finding that employee and owner parking in the mid-block public lots mitigates parking congestion on street, maintains open parking for customers and improves the commercial activity in the area;
- d. All signage to be approved by the Price City Planning Department prior to installation for Code compliance finding that properly reviewed business signage promotes consistency and improved commercial activity;
- e. No on-premises food service beyond candies and confections finding that additional review and permitting may be required.

ACCEPTANCE: The Commission confirmed that 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 Oliver moved to approve the Conditional Use Permit for JK Bon Bon's as presented. Motion seconded by Commissioner Richens and carried.

3. PRIVATE CLUB-Consideration and possible approval of a Conditional Use Permit for a private club for the Elks at 57 West Main Street within the Commercial 1 zoning district.

Dan Johnson, Elks Club, submitted an application for a Conditional Use Permit (CUP) relative to their new location at 57 Main Street within the Commercial 1 (C-1) zoning district. Nick Tatton provided the following information to the Commission: the Elks Club and Anthony J's Restaurant have 'traded locations'. To date all other local business licensing and state liquor licensing matters have been addressed and completed. There will be several land uses taking place at the location: (1) restaurant; (2) bar/lounge; and (3) private club. The restaurant and the bar/lounge land uses are existing, established and permitted at the location and do not require any additional conditional permits. However, the private club aspect of the land use does require consideration and issuance of a CUP based on Section 11.3.5.31 of the Price City Land Use Management and Development Code (Code). Dan Johnson stated that the restaurant will not be open to the public at this time but maybe at a later date. He stated that they hope to open within the next few weeks and he will work with Nick Tatton when the club decides on a sign.

Chairman Bruno read aloud the acknowledge agreement with the following conditions:

- a. Authorize the continuation of the existing restaurant land use at 57 West Main finding the conditions of restaurant operation to be consistent with prior approval;
- b. Authorize the continuation of the existing bar/lounge land use at 57 West Main finding the conditions of bar/lounge operation to be consistent with prior approval;
- c. Installation of signage only after review of proposed building signage by the Price City Planning Department and subject to installation directions thereby obtained finding that properly reviewed and installed signage promotes consistency and improved commercial activity;
- d. No on-street parking by employees or owners of the Elks Club, all employee and owner parking to be maintained in the mid-block public lot, finding that open
- e. parking on Main Street promotes increased commercial activity in the community;
- f. No smoking or loitering near or adjacent to the building finding that smoking near or adjacent to the building may violation the Utah Clean Air Act.
- g. Garbage, rubbish and debris must be disposed of in an approved dumpster and grease container in an approved dumpster enclosure finding that properly disposed of garbage and rubbish promotes an increased community aesthetic and protects the health, safety and welfare of the community.

ACCEPTANCE: The Commission confirmed that 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 Holt moved to approve the Conditional Use Permit for the Elk's Private Club as presented. Motion seconded by Commissioner McEvoy and carried.

4. CONDITIONAL USE PERMIT, DEVELOPMENT AND LAND USE-Consideration and possible approval of a Conditional Use Permit for renovation/development of a professional services land use at 202 North 200 East, existing structure, within the Residential 2-7 zoning district, Richard Morley.

Richard Morley submitted an application for a Conditional Use Permit (CUP) regarding renovation and expansion of the existing structure at 202 North 200 East (old Salzetti building). Nick Tatton provided the Commission with the following information: the structure is an existing non-complying structure within the Residential 2-7 (R2-7) zoning district and the proposed land use, a women's health clinic, is a

conditional use in the zone based on Section 10.3.1 of the Price City Land Use Management and Development Code (Code). General evaluation criteria for the project is listed in Section 10.1 of the Code and the specific evaluation criteria is in Section 10.1.m of the Code.

Mr. Morley stated that he would retain the shape of the building and add stucco to update the appearance. He stated that he plans on making an office/medical clinic for a local doctor. He stated that combining the two properties will give him enough room to fix the parking lot, driveway overshoot, gutters and to increase the ingress for the entry and exit on the property. He stated that he will maintain the property, add blacktop or concrete and add exit only signs and maybe a sign for visibility where the garage sits so close to the sidewalk on the one side. He stated that parking will be angled for easy entrance and exit. The Commission reviewed the following items with Mr. Morley:

- Building expansion of existing building to the east and north of the present building footprint;
- Ingress to site from 200 N, egress from site at 200 E;
- Removal of an existing mobile home from the property and removal of a shed from the property to accommodate the project;
- Existing fencing along east and north project boundaries;
- Storm water discharge planned to be directed to both 200 N and 200 E streets;
- 30 degree angled parking fits the minimum distance standards along the east boundary. Although not individually documented on the site plan off-street parking for approximately 12 cars is available, only 9 is required;
- The site plan conceptually has the existing ingress gutter overshoot extended for the whole ingress distance – this matter should be specifically discussed with Mr. Morley to identify appropriate service and maintenance conditions if approved;
- Park strip landscaping – although not specifically indicated on the submitted site plan, Mr. Morley is planning to have xeriscaping in the area installed thereby removing the existing asphalt in the location.

Chairman Bruno read aloud the conditions:

- a. Development in compliance with the submitted site plan and specific items listed finding that development in compliance with submitted plans mitigates development misunderstandings and promotes quality development within the community as identified in the Price City General Plan:
 - i. Building expansions of pre-existing structure not to exceed that indicated on the site plan;
 - ii. Ingress and egress not to exceed 25' in width;
 - iii. Minimum of 9 off street parking stalls, parking on east boundary to be angled;
 - iv. Garbage enclosure to accommodate quantity of residential cans necessary to serve the building occupant or dumpster. No offensive smells to emanate from garbage location or visible garbage accumulations to contact neighboring residential uses finding that offensive garbage smells or visible garbage may negatively impact adjoining land uses;
 - v. Fencing to surround site on north and east boundaries to be maintained in place or replaced;
 - vi. Ingress gutter overshoot on 200 North and any authorized overshoot extension of distance to be maintained free of debris to allow for free flow of water at all times;
 - vii. All utility connections (water, sewer, storm water, electric, natural gas, telephone) to be in compliance with direction and requirements from the utility provider(s);
 - viii. Park strip xeriscape landscaping to be compliant with Price City requirements for access and vegetation;
 - ix. All parking lot and area lighting to be angled away from neighboring land uses and/or placed on timers to not negatively impact adjoining land uses;

- b. Procurement of a demolition permit from the Price City Public Works finding that properly permitted and controlled demolition activity protects the health, safety and welfare of the community;
- c. Procurement of a Price City building permit for all renovation and construction activity finding that proper permitting and inspection of construction activity protects the health, safety and welfare of the community;
- d. Completion of a storm water drainage plan and approval of the said storm water drainage plan by the Price City Engineer finding that properly approved storm water control plans mitigate flooding hazard and potential;
- e. Building and location and business signage to be reviewed and approved by the Price City Planning Department prior to installation finding that properly reviewed and approved signage promotes improved location identification and signage consistency in the community;
- f. Completion, approval and recording of a lot-line adjustment application and plat combining the existing 2 parcels into 1 parcel prior to approval of occupancy finding that both parcels are necessary to accommodate the proposed project and boundary lines are prohibited from intersecting buildings;
- g. No conditions at structure or property that place the structure or property in violation of the Price City Property Maintenance Code.

Nick Tatton stated that the zoning for a women’s health clinic land use is authorized as a conditional use; however, other land uses may be restricted or require additional review consideration and permitting.

ACCEPTANCE: The Commission confirmed that 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 McEvoy moved to approve the Conditional Use Permit for Richard Morley as presented. Motion seconded by Commissioner Holt and carried.

5. UNFINISHED BUSINESS

- General Plan Update Workshop is scheduled for August 20th from 8 a.m. to 4 p.m. in Room 207 at City Hall.

6. CUSTOMER SERVICE REPORT-No update

Meeting adjourned at 6:36 p.m. pursuant to a motion by Commissioner Holt.

APPROVED: _____
Chairman, Larry Bruno

ATTEST: _____
City Recorder, Laurie Tryon