

**PRICE CITY PLANNING AND ZONING MEETING
MINUTES OF NOVEMBER 25, 2013**

PRESENT: Commissioners:

Larry Bruno

Dale Evans

Frankie Sacco

Nancy Bentley

Robert Oliver

Nick Tatton, Community Director

Laurie Tryon, City Recorder

EXCUSED: Todd Olsen, Chris Micoz and Judy Beacco

OTHERS PRESENT: Juan Carlos Bastian, Wayne Clausing and Trevor Rauhala

1. MINUTES of November 12, 2013.

MOTION. Commissioner Bentley moved to approve the minutes of November 12, 2013 as presented. Motion seconded by Commissioner Evans and carried.

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

3. RETAIL MILITARY SURPLUS SALES-Consideration and possible approval of a Conditional Use Permit for HMR Surplus, Trevor Rauhala, located at 58 West Main Street within the Commercial 1 Zoning District.

Trevor Rauhala submitted a Conditional Use Permit (CUP) application for a retail sales business for military surplus items called HMR Surplus. The business will be located at 58 West Main Street within the Commercial 1 (C-1) zoning district and in the same building that Kracked Computer Repair occupies. The property is owned by Mr. Roy Nikas and he has provided a written acknowledgement regarding his awareness of the business and its “sub-lease” in the building. Nick Tatton provided the following information to the Commission, “the general land use evaluation criteria are 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 listed in Section 11.1.m of the Code. The land uses identified are permitted and are listed in Section 11.3.4.1 of the Code (Antiques and Used Merchandise) and Section 11.3.4.44 of the Code (Other Retail Trade – Apparel and Accessories), however, the mixed use nature of the business location within the shared space necessitate the conditional land use review by the Planning Commission”. Mr. Rauhala stated that there would be no guns, limited knives, no vehicles, no ammunition, gunpowder or any explosive items sold in the store. He stated there would only be military surplus items such as outdoor gear, camo items, backpacks, tents, sleeping bags and gun accessories such as optics.

It is the recommendation of staff to provide a recommendation of final approval for the land use by the Price City Council based on a discussion with the applicant and completion of an understanding of the conditions of approval. Chairman Bruno read aloud the following conditions of approval:

- a. No installation of business signage prior to review and approval by the Price City Planning Department and no signage in excess of that authorized within the Code finding that properly review and installed signage promotes increased commercial activity and consistency within the community. All signage to be installed under the auspices of a valid Price City building permit and inspection, as required finding that signage installed and inspected via a building permit protects the health, safety and welfare of the community;
The applicant disclosed that he has a current sign that Sign Edge put up without approval and he will bring in new sign to have it approved.
- b. No stock or sales of weapons, firearms, or ammunition or other explosive materials at the

location finding that the owner of the building has restricted the sale of such items and current permitting does not allow for the sale of weapons, firearms, or ammunition or other explosive materials and restriction of the sale of those items protects the health, safety and welfare of the community.

- c. No stock or display of large items outside of the building and no sale of motor vehicles permitted finding that current permitting does not allow for the sale large outdoor items or vehicles;
- d. No parking on street by owners or employees of the business finding that employee and owner parking in mid-block public and private lots maintains limited on-street parking for customers of all businesses and promotes increased local commercial activity;
- e. No conditions at the property, structure or business that violate the Price City Property Maintenance Code or the Price City Municipal Code.

MOTION. Commissioner Sacco moved to approve HMR Surplus with the stated conditions. Motion seconded by Commissioner Oliver and carried.

4. **DANCE STUDIO AND RECEPTION CENTER-**Consideration and possible final approval of a dance studio and small reception center at 86 East 100 South within the C-1 zoning district, Juan Bastian.

Juan Bastia submitted a Conditional Use Permit (CUP) application to locate a dance studio and small reception center business called Go4You Dance4Energy at 86 East 100 South within the Commercial 1 (C-1) zoning district. Nick Tatton provided the following information to the Commission, “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 in Section 11.1.m of the Code. The land uses requested are School, Commercial – Section 11.3.5.38 of the Code; Special Training and Schooling – Section 11.3.10.3.1 of the Code; Public Assembly – Section 11.3.10.5.6 of the Code. All of the proposed land uses are conditional”.

Chairman Bruno stated that the information requested at the last Planning and Zoning meeting regarding parking, permission letters for use of parking lots and a detailed plan of the intended building use has all been turned in by Mr. Bastian. Mr. Bastian stated that the adjoining business had a different schedule so there would be plenty of parking for both businesses. He stated he would ask the property owner to repaint the lines for the parking spaces and work with the Price City Building Inspector on the ADA ramp into the building.

It is the recommendation of staff to review the application and land use impacts and mitigation factors with the applicant prior to any approval. Chairman Bruno read aloud the following conditions of approval:

- Acknowledge and understand that public Assembly at the location is limited to gatherings of no more than 80 total people, or the maximum safe occupancy of the building as indicated by the Price City Building Inspector, including staff and owners finding that 23 off street parking spaces are provided and an average of 3.5 persons per parking space is reasonably expected to occupy the building for public assembly purposes.
- No live bands or other live entertainment acts permitted to operate from the location finding that live entertainment land uses require additional consideration for permit approval.
- Ensure that drop-off and pick-up for dance studio and public assembly to take place off-street within the parking lot of the building with entrance on 100 South and exit on 100 East finding that off-street drop-off and pick-up and managed vehicular circulation protect the health, safety and welfare of those attending dance training or public assemblies at the building as well as the general community.
- Arrange for the inspection of the building by the Price City Building Inspector and Price City

Fire Chief and compliance with any building or occupancy safety directives stemming from those inspections finding buildings and structures complying with building and fire safety codes protect the health, safety and welfare of the community.

- No preparation of meals at the location finding that required sewer protection facilities such as grease traps and sampling manholes are not installed at the location.
- Procure a valid Price City Building Permit for any building renovations taking place finding that properly permitted and inspected commercial building renovations protect the health, safety and welfare of the community.
- Submit all signage to the Price City Planning Department prior to installation for approval finding that properly reviewed and approved commercial business signage promotes consistency in signage and commercial activity and is consistent with the Price City General Plan.
- No activity or operations that create or promote noise, light, garbage, rubbish or other nuisances or disturbances to neighboring residential uses finding that balancing the needs of the commercial district with that of the residential district in the neighborhood is in the best interest of the community.
- No conditions at the property or structure that violate the Price City Property Maintenance Code finding that property and structures maintained in compliance with the Code protect property values.

MOTION. Commissioner Oliver moved to approve Go4You Dance4Energy with stated conditions. Motion seconded by Commissioner Bentley and carried.

5. UNFINISHED BUSINESS:

Meeting adjourned at 6:25 p.m. pursuant to a motion by Commissioner Evans. Motion seconded by Commissioner Oliver and carried.

APPROVED: _____
Chairman, Larry Bruno

ATTEST: _____
City Recorder, Laurie Tryon