PRICE CITY PLANNING AND ZONING MEETING
MINUTES OF AUGUST 10, 2009

PRESENT: Commissioners:
Chairman Larry Bruno
Gary Lyon
Frankie Sacco
Ed Shook
Alfred Richens
Kathy Hanna-Smith

Nick Tatton, Community Director
Laurie Tryon, City Recorder

EXCUSED:
OTHERS PRESENT: Shane Baggs, Wilma Howa, Judy Beacco, Grady McEvoy, Joe Piccolo, Joanne Wilson and Frank White

Chairman Bruno led the Pledge of Allegiance. Roll was called with the above Commissioners in attendance.

1. **MINUTES OF JULY 20, 2009**
Commissioner Hanna-Smith moved to approve the minutes of July 20, 2009 as presented. Motion seconded by Commissioner Lyon and carried.

2. **PUBLIC COMMENT ON AGENDA ITEMS**-No public comment presented.

3. **CONDITIONAL USE PERMIT- BUSINESS RELOCATION-FINAL**
6 EAST MAIN- AGAINST THE WIND BROADCASTING-KUSA/KASL RADIO-TONY BASSO, OWNER
Frank White, Manager of KUSA Radio representing Tony Basso requested a business occupancy Conditional Use Permit (CUP) for Against the Wind Broadcasting KUSA/KASL radio station to move the station from its 100 N. location to 6 East Main Street within the Commercial 1 (C-1) zoning district. He stated that he will also have a satellite dish installed on the building roof which will not be seen from the street. He stated that the move should be completed by Sept. 1st, 2009. Staff recommended final approval with the conditions read aloud by Chairman Bruno:

a. No on street parking by owners or employees of the business, all employee and owner parking should be maintained in the public mid-block parking lots; finding that open parking on Main Street improves commercial activity within Price City.
b. Procurement of a valid Price City building permit for any building renovations and retrofitting, to include the installation of necessary business hardware and infrastructure, and inspection of all renovations, retrofits, installations by the Price City Building Inspector as may be required finding that properly completed and inspected building renovations protect the health, safety and welfare of the community;
c. Submission of all business and building signage to the Price City Planning Department with the appropriate review fee, prior to installation finding that properly reviewed and approved signage promotes improved commercial activity in the community and is consistent with the goals in the Price City General Plan

ACCEPTANCE: The Commission confirmed the acceptance, understanding and intent to comply of the approval conditions by Frank White on behalf of Tony Basso. **MOTION**. Commissioner Hanna-Smith moved to approve the business relocation with said conditions. Motion seconded by Commissioner Shook and carried.

4. **CONDITIONAL USE PERMIT-NEW TV TOWER-RATIFICATION-FINAL**
WOOD HILL SITE-PARCEL#01-1793-0001-BEH COMMUNICATIONS- SHANE BAGGS, OWNER
Shane Baggs of BEH Communications, requested a Conditional Use Permit (CUP) for replacement of a 25' TV signal tower with a 80' TV signal tower on the wood hill site indicated, parcel ID#01-1793-0001. The property is within Price City and owned by Carbon County. The identified site is situated within the Residential 1-8 (R1-8) zoning district. Mr. Baggs stated that the tower is a self supporting structure without guy wires and no personal property would be damaged if it were to fall.

Staff recommended final approval with the conditions read allowed by Chairman Bruno:

a. Procurement of a valid Price City building permit for erection of the tower finding that properly inspected foundations, guy wires and lighting protect the health, safety and welfare of the community and are consistent with the Price City General Plan;
b. Perpetual licensing from all regulatory agencies required for placement of antenna, etc. on the erected tower finding that valid licensing protects the health, safety and welfare of the community and is consistent with the goals in the Price City General Plan.

ACCEPTANCE: The Commission confirmed the acceptance, understanding and intent to comply of the approval conditions by Shane Baggs. **MOTION**. Commissioner A. Richens moved to approve the request with the stated conditions. Motion seconded by Commissioner Sacco and carried.

5. **CONDITIONAL USE PERMIT- BUSINESS AND SIGN-FINAL**
TY'S TABLE RESTAURANT, LLC.- TONY BASSO, OWNER

Wilma Howa, on behalf of Tony Basso, requested a Conditional Use Permit (CUP) for a restaurant business occupancy, called Ty's Table, to be located at 715 East within the Commercial 1 (C-1) zoning district. She stated that the grease trap and sampling manhole is being installed to protect the sewer system consistent with City requirements and will be finished before the opening date between August 25-September 1, 2009. She stated that a PRWID permit had been received. Mrs. Howa stated the hours for the new family restaurant will be open every day of the week from 6 a.m.-11p.m. She stated that a front outside deck will be used for seating which may require additional setback approval. Mrs. Howa stated that a local consent for alcoholic beverages has been previously approved and they are waiting on the State approval and will follow all state and local regulations. She stated that the sign will be a copy change only on the existing pole sign and they will place a new sign on the building which she will bring to Price City for administrative approval. Staff recommended final approval with the conditions read aloud by Chairman Bruno:

a. Submission of all business signage, not consistent with a copy change, to the Price City Planning Department for review and possible approval prior to installation finding that properly reviewed and permitted business signage for compliance with the Code promotes improved economic activity within the C-1 zoning district, promotes signage consistency within the community and is consistent with the goals in the Price City General Plan;
b. Notification of the Price City Police Department regarding open hours and other pertinent business information relative to the sale of alcohol at the business finding that improved understanding of business practices by the Police Department improves public safety, promotes the health, safety and welfare of the community and is consistent with the goals within the Price City General Plan;
c. Receipt of a valid Certificate of Occupancy from the Price City Building Department prior to opening of the business to the public finding that properly inspected building renovations protect public safety, promote the health, safety and welfare of the community and is consistent with the goals in the Price City General Plan;
d. Perpetual maintenance of valid licensure by the State of Utah relative to alcohol licensing and valid local consent relative to alcohol sales finding that proper licensing and permitting protects public safety, promote the health, safety and welfare of the community and is consistent with the goals in the Price City General Plan;
e. Completion of a PRWID waste water survey and compliance with recommendations stemming from the survey relative to protection of the community waste water collection system, including any recommended installation of grease traps and sampling manholes finding that protection of extensive and expensive public infrastructure is vital to the long term prosperity of the community and is consistent with the goals in the Price City General Plan. Contact Jeff Richens, PRWID Manager, at 637-6350.

ACCEPTANCE: The Commission confirmed the acceptance, understanding and intent to comply of the approval conditions by Wilma Howa on behalf of Tony Basso. **MOTION**. Commissioner Hanna-Smith moved to approve the request with the stated conditions and setback requirements. Motion seconded by Commissioner Lyon and carried.

6. **CONDITIONAL USE PERMIT- SITE PLAN REVIEW- FINAL INGRESS AND EGRESS FROM PRICE RIVER DRIVE- ELLIS PIERCE, OWNER- PIERCE OIL**

Nick Tatton presented this item on behalf of Ellis Pierce. He stated that a concept approval can be considered at this meeting so that Mr. Pierce can begin working on the access through easements from Price River Drive with the adjoining property owner. Staff recommends concept approval only and will work with Mr. Pierce toward final approval at an upcoming Planning and Zoning meeting. **MOTION**. Commissioner Shook moved to provide concept approval only on this request. Motion seconded by Commissioner A. Richens and carried.

7. **PLANNING COMMISSION REPLACEMENT MEMBER- APPLICATION REVIEW- APPLICANT INTERVIEWS**

Judy Beacco, Art Daniels and Grady McEvoy applied for the Planning and Zoning Commission vacant position. Ms. Beacco and Mr. McEvoy were present to answer previously selected questions from the Planning and Zoning Commission. Mr. Art Daniels was unable to attend the meeting but turned in written answers to the same questions to the Community Director during the previous week before the meeting. The Commission thanked the applicants for their interest in serving their community. **MOTION**. Commissioner Hanna-Smith moved to forward their selection of Grady McEvoy and Judy Beacco to the Mayor for final selection approval. Commission Lyon seconded the motion and carried.

8. UNFINISHED BUSINESS:

1. MELODY ESTATES TRAILER PARK-COMPLIANCE REVIEW

Site Visit Findings from August 5, 2009:

30- Day Checklist: (as stated by Joanne Wilson)

1. All units put together/assembled to Code by a properly licensed contractor (trailers 8, 9, 32 and 49): completed
2. Sight obscuring fence- south, east and west sides properly completed: slats are still on order- expects a week and a half on delivery. Trailer #28 east park boundary fence and storage area fence to the tree will be fixed soon.
3. Lighting for yards and shared areas/streets: completed
4. Five sheds constructed to Code requirements: completed-will add a shed to Trailer #10
5. Skirting on trailers needs to be fixed and/or installed: Completed. All porches are being worked on to comply with requirements.
6. Cleaning up spaces around own trailers of debris: will continue to work on
7. RV storage: completed
8. Geese on property- completed

90-Day Checklist:

1. Power boxes on double wide trailers: #32, 8, 9 and 49-all skirting is on and have been inspected by Price City Building Inspector. HUD Inspectors will be there to inspect on August 11, 2009
2. Trailers 49 and 48 sewer cleanouts: completed
3. Single wide #16- continually working on: completed by end of August 2009
4. Trailer #16- Setup and inspection for final occupancy: by end of August 2009
5. #15 and 32 Electrical meter base and water heater door: completed
6. #21- Illegal fence removal- completed
7. #32 building permit required: approved and skirting is on- HUD inspection 8/11/09
8. #8 and 9- gas line relocation: completed
9. Trailers 2, 4, 5, 6, 8, 9, 10, 12, 13, 15, 16, 17, 18, 20 &21- Porches almost all done
10. Trailers 1, 2, 5, 10, 18, 21, 24, 26 & 45 RV storage illegal: completed
11. Trailer 21- 55 gal of oil removal: completed
12. Debris in drainage ditch- better- ongoing
13. West fence: completed
14. Calculation for drainage ditch pipe- will have letter by 8/24/09
15. Secure RV storage area: completed
16. #37, 39-remove 4' obscuring fence: almost done. Trailer 45 fence is not a problem- not obscuring traffic

The Commission will begin the process of having citations issued to Melody Estates Trailer Park for those owners that are not complying with the requirements after the August 24, 2009 meeting. The Commission thanked Ms. Wilson for her hard work and dedication to comply with the City

Code requirements but reminded her that she will be responsible for the citations of those tenants that do not comply and for those requirements that are met on the 90-day checklist. A letter will be sent from Price City to the owner of trailer #13 as a reminder to comply with the trailer park requirements that need to meet the City Code. Commissioner Hanna-Smith requested that the stop signs at the entrances be fixed for visibility. Price City Police are unable to enforce regular traffic laws within the trailer park as it is private property but can and will enforce all other laws that are violated within the park including reckless traffic violations. This item will remain on unfinished business until all matters are in compliance.

2. PINNACLE ACADEMY CHARTER SCHOOL:
a. 9/15/09 Rotomill or Gravel Completion- ongoing progress
b. 10/15/09 Drainage Control Installed
c. 8/1/10- Permanent Parking Lot Installed

3. CASTLE VALLEY LANDSCAPING:
a. 8/10/09 Review of Conditions- Castle Valley Landscaping is out of compliance with the conditions of approval as of 8/10/09. **MOTION**. Commissioner Shook moved to have a citation issued on the business of Castle Valley Landscaping for non-compliance with the Price City Land Use Management and Development Code. Motion seconded by Commission A. Richens and carried. The item will remain on unfinished business.

Meeting adjourned at 7:10 p.m. pursuant to a motion by Commissioner Hanna-smith.

APPROVED: _____ ATTEST: _____

Chairman Larry Bruno City Recorder, Laurie Tryon