

ROY CITY PLANNING COMMISSION

July 14, 2009

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on July 14, 2009, at 6:00 p.m.

The meeting was a regularly scheduled meeting designated by resolution. Notice of the meeting was provided to the *Standard Examiner* at least 24 hours in advance. A copy of the agenda was posted.

The following members were in attendance:

Tom Stonehocker, Vice Chairman	Jared Hall, Planner
Dave Collins	Michelle Drago, Secretary
Blake Hamilton	
Lee Holt	
Roy Watts	

Excused: Brad Hilton and Bill Merx

Others present were: Hyun Sook and Hendra Kusuura.

Pledge of Allegiance: Dave Collins

1. APPROVAL OF JUNE 23, 2009, MINUTES

Commissioner Watts moved to approve the minutes of June 23, 2009, as written. Commissioner Collins seconded the motion. Commission members Collins, Holt, Stonehocker, and Watts voted "aye." The motion carried.

2. PUBLIC HEARING TO CONSIDER A CONDITIONAL USE PERMIT FOR A CLASS B BEER LICENSE AND A CLASS B LIQUOR LICENSE ON PROPERTY LOCATED AT APPROXIMATELY 5698 SOUTH 1900 WEST

Commissioner Collins moved to open the public hearing at 6:02 p.m. Commissioner Holt seconded the motion. Commission members Collins, Holt, Stonehocker, and Watts voted "aye." The motion carried.

Jared Hall stated that the City had received an application for conditional use permits for Class B Beer and Class B Liquor licenses from Yona Seo for Midori Sushi, a new restaurant located at 5698 South 1900 West. Both licenses were 'restaurant' classes, which allowed the service and consumption of alcohol on the premises only in conjunction with meals. Drinks could not be

served before 10:00 a.m. and could not be served after 1:00 a.m. The establishment would have to close by 2:00 a.m. There wasn't a physical site plan review with these conditional use permits because the restaurant would occupy an existing building. The applicant did not plan to make any external or structural modifications to the building. The location was commonly known as the former BC Chicken building. The former restaurant in the building did have a alcohol license, but it didn't have the conditional use permits required by the Zoning Ordinance. Mr. Hall said the DRC felt the application met the standards for a conditional use permit as well as the standards for the alcohol licenses. The applicant would also be required to comply with State regulations. The licenses would be reviewed yearly.

Mr. Hall stated that the staff had identified the following findings:

1. The proposed conditional use permits were not in violation of the Zoning Ordinance and other Roy City Codes.
2. The proposed conditional use was in keeping with the goals and policies of the General Plan.

The staff recommended that the Planning Commission recommend that the City Council approve the conditional use permits for Class B Beer and Class B Liquor licenses subject to the following conditions:

1. Subject to liquor license application review and approval by the Roy City Building Official, Fire Chief, and Chief of Police.
2. Subject to compliance with the terms and conditions for the issuance and maintenance of Class B Beer and Class B Liquor licenses as required by Roy City and other regulatory agencies. Any unresolved suspension or lapse of the licenses shall constitute revocation of the conditional use permits as well.
3. Subject to all items of the staff reports and attachments.

Commissioner Holt asked about parking. Jared Hall stated that the parking for this building was located in the rear. It was accessed through a narrow drive on the north side of the building. The building took up most of the frontage

Commissioner Holt asked if the cosmetic update would be handled through building permits. Mr. Hall said it would. The Planning Commission wasn't reviewing the site plan as no external changes were proposed.

Jared Hall stated that there were several classes of alcohol licenses. This was not a tavern, nor was it a private club. Whatever alcohol was consumed on the premises would be in conjunction with meals. Seventy percent (70%) of the restaurant's sales had to be for food.

Commissioner Collins stated that there were storage units at the rear of this site. All of the parking was gravel. Jared Hall said the parking was gravel and asphalt. The asphalt that was there wasn't in good shape.

Commissioner Collins stated that it was difficult to exit this site. In order to make a left hand turn a driver had to enter the intersection. He asked if it would be possible to limit the exits to right turns only. Jared Hall said the Planning Commission didn't have that latitude in association with this application.

Vice Chairman Stonehocker opened the floor for public comments. There were none.

Commissioner Collins moved to close the public hearing at 6:09 p.m. Commissioner Holt seconded the motion. Commission members Collins, Holt, Stonehocker, and Watts voted "aye." The motion carried.

Commissioner Collins's only concern was that the proponent be notified about the need for increased liability insurance due to the difficulty existing the site.

Commissioner Holt moved to recommend that the City Council approve conditional use permits for Class B Beer and Class B Liquor licenses for a restaurant located at 5698 South 1900 West based on the staff's findings and subject to the staff's recommendations. Commissioner Collins seconded the motion. Commission members Collins, Holt, Stonehocker, and Watts voted "aye." The motion carried.

Blake Hamilton arrived at 6:10 p.m.

3. STAFF UPDATE

Jared Hall updated the Planning Commission on the July 28th Planning Commission agenda.

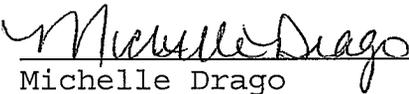
4. ADJOURN

Commissioner Collins moved to adjourn at 6:14 p.m. Commissioner Holt seconded the motion. Commission members Collins, Hamilton, Holt, Stonehocker, and Watts voted "aye." The motion carried.



Tom Stonehocker
Vice Chairman

Attest:



Michelle Drago
Secretary

dc:pjul1409