

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

**PRESENT:** Commissioners:

Larry Bruno

Judy Beacco

Erroll Holt

Frankie Sacco

Nick Tatton

**EXCUSED:** City Recorder-Laurie Tryon, Commissioner Clausing, Commissioner Richens and Commissioner Oliver

**OTHERS PRESENT:** Kathy Hanna-Smith, Nick Kiahtipes and Edgar de la Rosa

1. MINUTES of September 24, 2012

**MOTION.** Commissioner Sacco moved to approve the minutes of September 24, 2012 as presented. Motion seconded by Commissioner Beacco and carried.

2. PUBLIC COMMENT ON AGENDA ITEMS- No comments were received.

3. DRIVE IN RESTAURANT-ON SITE EATING PLACE LAND USE.-Consideration and possible approval to re-establish a CUP for a drive in restaurant and on site eating place land use at 355 East Main Street within the C-1 zoning district.

Edgar de la Rosa submitted an application for a Conditional Use Permit (CUP) to (re)establish the restaurant land use at 355 East Main Street within the Commercial 1 (C-1) zoning district. Nick Tatton provided the following information to the Commissioners. The land use was previously authorized but expired as the property and structure were vacant for over 365 days as indicated in Section 5.5 of the Price City Land Use Management and Development Code (Code) regarding Pre-Existing Provisions. The restaurant land use is conditional and found in Section(s) 11.3.4.12 – Drive-In Restaurants and 11.3.4.14 Eating Places, food consumed on premises. The general evaluation criteria for the land use are listed in Section 11.1 of the Code and the specific land use evaluation criteria/land use checklist is in Section 11.1.m of the Code. Staff recommended final approval to the Price City Council for the land use as applied subject to the following conditions of approval read aloud by Chairman Bruno:

- a. All building renovations and signage installations, if any, to be completed under the auspices of a valid Price City building permit finding that properly permitted and inspected commercial building renovations protect the health, safety and welfare of the community;
- b. Must apply and receive a valid Price City Business License finding that properly licensed business entities to protect the health, safety and welfare of the community;
- c. All signage to be presented to the Price City Planning Department for compliance review prior to installation and no signage beyond existing locations finding that properly reviewed, approved and installed business signage promotes consistency in the community and increased commercial activity;
  - i. All unused site signage location must be removed from the site within sixty (60) days of this approval.
- d. Existing site, including lighting, fencing, ingress, egress, dumpster location, landscaping, parking, grease trap, etc. to remain unchanged from previous site plan approval finding that existing approved site plans are in compliance with Code requirements including storm water management, traffic and pedestrian safety;
- e. No conditions at the property or structure that place the property or structure in violation of the Price City Property Maintenance Code finding that properly maintained real

property and structures protects area property values and is consistent with the Price City General Plan.

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 Edgar de la Rosa contingent upon the completion of all listed conditions. Motion seconded by Commissioner Sacco and carried.

4. UNFINISHED BUSINESS-

- Carbon County Courthouse-

Kathy Hanna-Smith stated that she has submitted a GRAMA request to Carbon County and that she is waiting for regarding all of the information from Carbon County regarding the proposed new courthouse. She reviewed her concerns regarding the project with the Commission and clarified a few items that she was unclear about regarding the proposed courthouse. She stated that she is very concerned about the courthouse moving from Main Street to 100 North and its possible negative economic impact to Price City's main street. Nick Kiahtipes stated that he shared the same concerns.

5. CUSTOMER SERVICE REPORT-

Meeting adjourned at 6:25 p.m. pursuant to a motion by Commissioner Holt.

APPROVED: \_\_\_\_\_  
Chairman, Larry Bruno

ATTEST: \_\_\_\_\_  
City Recorder, Laurie Tryon