

Minutes
Price City Planning and Zoning
April 22, 2002
Price City Hall 6:00 P.M.

Present: John B. Angotti, Chairman Larry Bruno, Vice-Chairman
 Carolyn Vogrinec, Secretary Francis Duzenack, Zoning Administrator
 Gary Lyon Elizabeth Kourianos
 Laurel Marinos Penny Sampinos

Excused: Alfred Richens

Also Present: Councilman Richard Tatton Sami Carlisle
 Dave Doporto Shawn Ward
 Randi Ward Ron Fowler
 Midge Fowler Arthur Henry
 Maureen Henry Jeff Nielson
 Carrie A. Keller

I. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman John B. Angotti

II. ROLL CALL

The above members were in attendance and a quorum was present. Alfred Richens was excused.

III. MINUTES OF APRIL 8, 2002

There were no corrections or additions and Gary Lyon made a motion to approve the minutes of April 8, 2002 as read. Larry Bruno seconded and the motion carried.

IV. HOME OCCUPIED BUSINESS - OFFICE USE ONLY
R & M ENTERPRISES
569 SOUTH CARBON AVENUE, #8
CLEANING SERVICES FOR CARBON COUNTY
RON AND MIDGE FOWLER

Ron and Midge Fowler appeared before the Commission explaining they run a janitorial service and clean business offices. The business is operated from their home, which they will use as an office only. They have provided written permission from their landlord and no supplies will be stored at home. There were no other questions and Larry Bruno moved to forward a favorable recommendation to Price City Council for the Home Occupied Business - Office Use Only for R & M Enterprises. Penny Sampinos seconded and the motion carried.

V. HOME OCCUPIED BUSINESS
BARKLESS DOG CARVINGS
107 SOUTH 400 EAST
WOOD CARVINGS
SHAWN & RANDI WARD

Shawn and Randi Ward came before the Commission and Mr. Ward explained he does chain saw carvings of people and wild life. He creates these figures in a shed in the backyard of his home. There are no problems with the neighbors and, depending on the demand, he works Monday through Friday from 9:00 AM to 4:00 PM. These items are created for sale at shows. There is no inventory on hand - he brings the logs on site as needed. There were no other concerns and Penny Sampinos moved to forward a favorable recommendation to Price City Council for the Home Occupied Business for Barkless Dog Carvings, Shawn and Randi Ward, Owners. Laurel Marinos seconded and the motion carried.

VI. CONDITIONAL USE PERMIT - BUSINESS
UDAC ADVERTISING BROKERS
375 SOUTH CARBON AVENUE (BTAC)
CARRIE A. KELLER, CEO & OWNER

There was no representation from UDAC Advertising Brokers and, because it was tabled at the previous meeting, a motion was made by Gary Lyon to remove it from this agenda. Elizabeth Kourianos seconded and the motion carried.

At approximately 6:30 P.M., Carrie A. Keller appeared before the Commission concerning the Conditional Use Permit for the business - UDAC Advertising Brokers. Chairman Angotti called for a motion to reinstate this item on the agenda. Larry Bruno motioned to place UDAC Advertising Brokers back on this agenda of April 22, 2002. Gary Lyon seconded and the motion carried.

Ms. Keller approached the Commission and explained she will start an advertising agency, working out of the BTAC. This advertising will be specific to the yellow pages industry. They have procured contracts with utility companies, but have not yet started their business, but are getting everything in order. They will hire other employees as needed. There were no other questions and Gary Lyon moved to forward a favorable recommendation to Price City Council for the Conditional Use Permit - UDAC Advertising Brokers, Carrie A. Keller, Owner. Laurel Marinos seconded and the motion carried.

VII. CONDITIONAL USE PERMIT - BUSINESS AND SIGN
WASHINGTON FINANCIAL FUNDING
15 SOUTH CARBON AVENUE
MORTGAGE BROKERAGE COMPANY
ARTHUR J. HENRY, PRESIDENT

Arthur and Maurine Henry appeared before the Commission and explained the change of use for the building has gone from retail to brokerage use. They plan to use the existing sign frame for their new sign and this would be a copy change only. Mr. Duzenack recommended this building be reviewed by Active Re-Entry to review the accessibility and ADA requirements.

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(WASHINGTON FINANCIAL FUNDING, CONTINUED)

There were no other concerns and Larry Bruno moved to forward a favorable recommendation to Price City Council for the Conditional Use Permit - Business and Sign for Washington Financial Funding, contingent upon a review of the ADA requirements by Active Re-Entry. Gary Lyon seconded and the motion carried.

VIII. CONDITIONAL USE PERMIT - BUSINESS & SIGN
ARTWORKS

8 EAST MAIN
CUSTOM ART WORK, AIRBRUSHED T-SHIRTS AND TATTOOING
DAVID DOPORTO AND SAMI CARLISLE, OWNERS

Chairman John Angotti asked to step down during this presentation because of a conflict of interest. Vice-Chairman Larry Bruno then presided.

Mr. Doport and Ms Carlisle will be selling custom artwork, airbrushed T-shirts and tattooing. They have no plans for body piercing at this time, but may give it some future consideration. Mr. Doport also airbrushes vehicles, but that service is done at another location. When doing this service for automotive shops, he does his work at their shops. Gary Lyon asked when they plan to open and Mr. DoPorto indicated they are ready now and need only the business license. They have already contacted the Health Department. A sign will be located in the window as well as an existing sign painted by Mr. Doport and installed on the side of the building on the corner of Carbon Avenue.

Elizabeth Kourianos, Price City Councilperson, told Mr. Doport Price City has recently set a precedent requiring contingencies for this type of business. They now have a procedure to thoroughly review, with legal council and law enforcement, a business of this nature. The Council has set this precedent and have required others to comply. Ms Kourianos then made a motion to refer this matter to the Zoning Administrator, Francis Duzenack, Price City Attorney Nick Sampinos and Price City Police Chief Aleck Shilaos. Ms. Carlisle asked what the length of time would be on the review. Ms. Kourianos indicated it will be ready by the next Commission Meeting, in two weeks time. Mr. Doport asked the reason for the delay. Ms. Kourianos indicated there are specific questions about the business due to the health and public safety issues.

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(ARTWORKS, CONTINUED)

Both the Zoning Administrator and Price City Police Chief are required to sign off on all businesses before they can be licensed. It was asked whether or not this same procedure was used for the last tattooing applicant. Ms. Kourianos indicated the last applicant was rejected by Price City Council and went through the same process. Ms. Sampinos asked where the review process came into play. Ms. Kourianos indicated it was done through Price City Council and not through the Planning and Zoning Commission. She restated her motion asking that the matter be referred to the Zoning Administrator, Francis Duzenack, Price City Attorney Nick Sampinos and Price City Police Chief Aleck Shilaos for further review. Gary Lyon seconded and the motion carried. Ms. Carlisle and Mr. Doport indicated they would wait to hear from Price City concerning this review.

Gary Lyon asked if there was a possibility these reviews could be done prior to Planning and Zoning Meetings, so issues of concern could be handled before the applicant appears before this Commission. Chairman Angotti reiterated this concern. Following some discussion, Mr. Duzenack assured the Commission future reviews of this nature will be completed prior to the applicant's appearance before the Planning and Zoning Commission.

IX. CONDITIONAL USE PERMIT - BUSINESS
 EASTERN UTAH PRODUCE
 102 WEST 100 NORTH (GAS-N-GO)
 PRODUCE STAND
 JEFF NIELSEN, OWNER

Jeff Nielsen appeared before the Commission explaining his plans to construct and operate a produce pavilion at the above address for four to five months throughout the summer and fall. The pavilion will be attractive and they are licensed to sell produce. This produce will not need direct refrigeration, but a small 14' refrigerated truck will be parked next to the stand. Larry Bruno asked if they were the owners of Gas-N-Go and, if not, they will need to secure a letter of agreement from the owner of the station. Mr. Nielsen indicated they did not own Gas-N-Go, but he has verbal approval and will provide the Commission with a letter of agreement. Elizabeth Kourianos asked that the letter also include permission allowing parking of the refrigeration truck. The truck will be parked on the back side of the station so there will be no traffic obstruction.

(EASTERN UTAH PRODUCE PAVILION, CONTINUED)

Mr. Duzenack indicated that since Mr. Nielsen is planning to locate close to the west part of the property and since that is the corner of 250 West, he would like to meet with him to review the placement of the refrigerated truck. He explained that on corners of intersections, they measure a 40 foot triangle from each corner with the diagonal cut through the middle. This measurement eliminates obstruction of traffic on corners. Gary Lyon expressed concern regarding the traffic congestion of produce buyers. Mr. Nielsen explained this is a large piece of property and feels it will handle the traffic. IFA employees use the property for parking, but there is another access that will allow produce customers to get off and on in traffic. They will situate a good distance from the curb and customers will have to exit from the street and onto the lot to where the produce is being sold. There will be no curb side sales or service. Mr. Duzenack will ask the Price City Police Department to also review the matter. He feels as long as visibility is not a problem, this project should work well. Gas >N= Go also has excess parking spaces over and above what is required.

There were no other questions and Gary Lyon moved to forward a favorable recommendation to Price City Council for the Conditional Use Permit for Eastern Utah Produce - Jeff Nielsen, Owner, contingent upon:

- 1) the review and approval of all traffic flow concerns
- 2) the application of the 40' triangle measurement on all corners
- 3) a letter of approval from the owners of the Gas >N= Go Station, including permission for the parking of the refrigeration truck on the premises

Penny Sampinos seconded and the motion carried.

X. CONDITIONAL USE PERMIT - CONCEPT APPROVAL
 MASONRY MASTERS, INC.
 1420 EAST AIRPORT ROAD
 OFFICE SPACE
 DICKSON MORLEY, OWNER

Dickson Morley explained he has clients who are interested in office space on his Airport Road Property. The actual site placement of the building is not certain, but he would like to have Concept Approval so he would be able to proceed if and when

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(MASONRY MASTERS, INC., CONTINUED)

he gets the go ahead. He has a ditch that must be covered with a culvert and this has been received prior approval and has been reviewed by the Army Corp of Engineers. He was advised to go through with the Concept Phase so he might be able to complete this work in preparation for actual building. Larry Bruno asked if he will be providing an improved set of plans and Mr. Morley indicated the project will include a 7000 to 10,000 square foot facility and at the Preliminary Stage, he will have a more exact location as to where the building will be situated. However, at this time, there is an open ditch running from Airport Road and he will clean the ditch, install the culvert, plant some trees around the area and do a general clean-up. He would like to level out the area as he anticipates there will be a parking lot with this project. Mr. Duzenack told the Commission he has spoken with Mr. Morley previously regarding this project. He is currently having the culvert engineered and doing a rain water study to make certain the culvert will handle a 100 year storm. Once those plans are submitted to Price City Engineer Gary Sonntag and are approved, then Mr. Morley can proceed with the covering of the open ditch. In the meantime, he will be working on plans for the remainder of his project. Once the placement and size of the building is set, then the number of parking spaces for the project can be determined. This will enable him to begin working on the ditch and the curb, gutter and public right of way can then be reviewed by the Price City Engineering and Public Works Department. There were no further questions and Penny Sampinos moved to forward a favorable recommendation

to Price City Council for the Conditional Use Permit - Concept Approval Only - for Masonry Masters, Inc., Dickson Morley, Owner. Larry Bruno seconded and the motion carried.

XI. STAFF

Nothing to report at this time.

There was no further business and Gary Lyon made a motion to adjourn. The meeting adjourned at 6:45 P.M.

APPROVED

John B. Angotti, Chairman

Carolyn Vogrinec, Secretary