

Minutes

Price City Planning and Zoning

August 6, 2001

Price City Hall

6:00 P.M.

Present: John Angotti, Chairman Vern Jones, Community Administrator
Larry Bruno, Vice-chairman Robert N. Bennett, Building Inspector
Laurel Marinos Carolyn Vogrinec, Secretary
Alfred Richens Joe Piccolo
Penny Sampinos

Excused: Gary Lyon Francis Duzenack

Also

Attending: Jim Darter Javier Sanchez Bueno
Nancy Bentley Richard H. Morley
Joelle Sherman Mark Olsen
Debi Simmons Dave Jelma

I. MINUTES OF JULY 9, 2001

There were no corrections or additions and Larry Bruno made a motion to approve the minutes of July 9, 2001 as read. Laurel Marinos seconded and the motion carried.

II. RATIFICATION
HOME OCCUPIED BUSINESS - OFFICE USE ONLY
JOELLE'S GARDEN OF GOODIES
855 NORTH BLARNEY CIRCLE
BABY PRODUCTS, NOVELTIES, CANDLES & CRAFTS
JOELLE SHERMAN

Ms. Sherman explained there is no inventory as everything is made to order. There were no concerns and Larry Bruno made a motion to forward a favorable recommendation to Price City Council for ratification of the Home Occupied Business - Office Use Only for Joelle's Garden of Goodies, Joelle Sherman, Owner. Penny Sampinos seconded and the motion carried.

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III. RATIFICATION
HOME OCCUPIED BUSINESS - OFFICE USE ONLY

RUDY AND LOURDES HERNANDEZ PRODUCE
1101 SOUTH CARBON AVENUE, #117
PRODUCE SALES AT C J'S DO IT CENTER PARKING LOT
RUDY & LOURDES HERNANDEZ

Mr. & Mrs. Hernandez were not present. Vern Jones indicated this was a ratification for the Home Occupied Business and approval could proceed. There were no concerns and Alfred Richens moved to forward a favorable recommendation to Price City Council for the ratification of the Home Occupied Business - Office Use Only for Rudy and Lourdes Hernandez Produce. Laurel Marinos seconded and the motion carried.

IV. HOME OCCUPIED BUSINESS - OFFICE USE ONLY
SANCHEZ FRESH VEGETABLES
668 SOUTH 300 WEST
PRODUCE SALES AT 1400 EAST MAIN (VIC SANTI PROPERTY)
JAVIER SANCHEZ BUENO

Mr. Sanchez explained he will be selling fresh fruits and vegetables at the above address. There was some discrepancy concerning the exact street address, but the property in question is located on Main Street across from the Castle Rock Square Mall at approximately 1100 East Main Street. Following discussion on correction of the address, Joe Piccolo moved to forward a favorable recommendation to Price City Council for the Home Occupied Business - Office Use Only for Sanchez Fresh Vegetables, Javier Sanchez Bueno, Owner. Penny Sampinos seconded and the motion carried.

V. RATIFICATION
CONDITIONAL USE PERMIT
ACTIVE RE-ENTRY CENTER FOR INDEPENDENT LIVING
451 SOUTH CARBON AVENUE
RELOCATION TO 375 SOUTH CARBON AVENUE, ROOM 140
NANCY BENTLEY, DIRECTOR

Ms. Bentley explained Carbon County has donated property to them on which to build a new building and construction will take a year. Their current building has been sold and they have been asked to vacate. They will relocate to the BTAC at the above address until such time as their building is completed. They need enough space to be able to continue their programs as

well as provide offices and a community room where they can do some of their various activities such as independent living skills training. Their operation has grown with 17 staff members, some of which are part-time and volunteers. There are satellite offices in Vernal, Moab and a new branch office in Emery County. There were no further questions and Larry Bruno moved to forward a favorable recommendation to Price City Council for the ratification of the Conditional Use Permit for the relocation of Active Re-Entry to the BTAC at 375 South Carbon Avenue, Room 140. Joe Piccolo seconded and the motion carried.

VI. CONDITIONAL USE PERMIT
SKIN INK
38 EAST MAIN
TATTOO PARLOR
DAVE JELSMA & DEBBI L. SIMMONS

Mr. Jelsma and Ms. Simmons told the Commission they would like to open a tattoo parlor at the above address. They have been working with the Southeastern Utah District Health on the State Regulations concerning tattoo parlors and have been given a packet and list of everything they must do to comply, including classes and hepatitis shots, all within the first year of opening. They have a year in which to complete all the requirements.

Joe Piccolo asked about the State Regulations on tattoo parlors. Vern Jones indicated State Regulations say that neither underage children or anyone under the age of 18 can request a tattoo without parental consent.

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(SKIN INK, CONTINUED)

Ms. Simmons indicated the State Regulations have changed and no one under the age of 18 can be tattooed, even with the permission of a parent or guardian. Joe Piccolo asked if there would be any retail sales on the premises. Ms. Simmons indicated there would be no retail sales, only tattooing. Mr. Jones asked if the Southeastern Utah Department of Health felt comfortable with letting them open their business. Ms. Simmons told the Commission that a representative of the Health Department did a pre-inspection on the building. The State makes periodic checks on the business and it must be a matter of record that the owners have had their hepatitis shots and have attended the necessary classes. They must also have an exposure control plan filed with the Health Department. Everything used in the process must be autoclaved and the Health Department tests the autoclave regularly. Needles are used only once, sterilized, and disposed of in a special container. Mr. Piccolo indicated he would like the application to indicate that there will be no retail sales in this business. Bob Bennett indicated the Building Department would like to see their plans stating where the sinks and piping will go as well as the framing of the walls. There were no further concerns and Larry Bruno moved to forward a favorable recommendation to Price City Council for the Conditional Use Permit for Skin Ink - Dave Jelma and Debbi L. Simmons, owners. Laurel Marinos seconded and the motion carried.

VII. CONDITIONAL USE PERMIT
WIX PLAZA MOTOR HOME GARAGE
217 EAST MAIN

CONSTRUCTION OF A 12' X 45' PARKING GARAGE
RICHARD H. MORLEY

Mr. Morley approached the Commission explaining the nature of his proposed project at the Main Street location. He explained he would eliminate two parking spots and make it up by three others in the southeast corner by the Methodist Church. In addition to adding the garage, there will be some internal moving of walls. MSHA (Mine Safety and Health Administration) is requesting additional private offices, so windows will be cut out of the existing exterior walls. They are bringing in two MEO (Mine Emergency Operations)

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(WIX PLAZA MOTOR HOME GARAGE, CONTINUED)

vehicles to Price for use and storage. These two vehicles cover the entire area west of the Mississippi River, and although they don't use them a lot, in the past six months, they have had two emergencies. The roof will be removed on the existing office and a truss roof will be installed. The roof height will extend 18' high on only about 400 square feet. The vehicles are 13' high, but require a 17' high ceiling for accommodation. Joe Piccolo asked if ingress and egress in and out of the garage will be sufficient - the plans show it sits on the property line or the sidewalk. Mr. Morley indicated that when Main Street is re-done, the recommendation is that the ingress be enlarged 12' to the east so that they will be able to back in. They have a camera on the back of the vehicle to let them know electronically what is behind. A plan was presented showing the front elevation. Mr. Morley explained there will be two large garages, one of which will be an addition and the other a remodel. One vehicle is 40' long and the other vehicle is 25' long and both garages will house these vehicles. There will be parking along the front of the building, but one off-street parking space will be eliminated. He also explained the parking arrangement with the Methodist Church, saying he has fourteen parking spaces behind his building and uses the Church parking lot during the week, but not on Sunday. (Copy of the Parking Lot Lease Agreement is attached to the Conditional Use Permit). Joe Piccolo asked Mr. Bennett, Building Inspector for the City, if there were fire rated issues concerning the parking of vehicles that store flammable materials indoors. Mr. Bennett indicated this issue would have to be reviewed. The other requirement is a floor drain. There are no power pole problems along Main Street.

Mr. Morley told the Commission he has an easement that goes behind the building in connection with Price City. He built 3 ½ ' away from the property line on the north side and there is also a 10' easement going from Mitchell's Mortuary out to 200 East. This easement belongs to Mr. Morley and Price City co-jointly. They let him park directly behind the Plaza and Price City uses the spaces going out to 200 East. This agreement has to be renewed every five years, and although the Mayors Office presently has this proposal for renewal, he is not certain of the status at this time.

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(WIX PLAZA MOTOR HOME GARAGE, CONTINUED)

Mr. Morley would also like to increase the back drainage by a putting a concrete waterway in the back to move the water to 200 East. He is not certain of what the City wants to do in connection with that, however, he will seek permission to do the 13 ½' over the easement, plus another 3 ½', taking him out 17 ½' to include the ditch. The back parking lot seems ready for a re-surface and that would be a joint project also. He would like permission to pave that, including the ditch and take it out past the Wix Plaza portion of the parking, all in connection with this lease. Mr. Morley presented a drawing of everything going into his building. This is a proposal only and he is not certain MSHA will accept the plan, but there could be some negotiation. It calls for a larger dressing room in the shower room, both for the men and the women. They are requiring five private offices - this has been open space and there will be some partitions in providing the private offices. Other than that, the building will remain the same. The project drawings will be done on August 23, 2001 and two copies of the plans will be given to the Price City Building Department. There were no further questions or concerns and Larry Bruno moved to forward a favorable recommendation to Price City Council for the Conditional Use Permit for Wix Plaza Motor Home Garage - Richard H. Morley, Owner. Alfred Richens seconded and the motion carried.

VIII. CONDITIONAL USE PERMIT
JOHN R. & DIANE OLSON
1151 SOUTH 1307 EAST
CONSTRUCTION OF 50' X 100' STORAGE SHED
JOHN R. OLSON

Mark Olsen represented John and Diane Olson and told the Commission they will be constructing a 50' x 100' metal storage building similar to another building on the property. Vern Jones indicated this item is being submitted by Conditional Use because the site set-backs can be set by conditional use and in this particular zone, the requirement is 10 feet. However, Mr. Olsen has only 6 feet and the existing building is also 6 feet. The neighboring building too is 6 feet. They also share an easement with Robert Etzel enabling them to access their property situated behind their buildings. They wanted to keep the buildings in line down the property and fence lines, so they

(JOHN R. AND DIANE OLSON STORAGE BUILDING, CONTINUED)

stayed with the 6 foot easement on the existing building. No utilities will be affected and no building is allowed over an easement. Mr. Olson is asking for a variance of four feet in the set-back. He also asked if there were any questions on the 18 foot set-back from the fence line and Vern Jones said everything was in order. Joe Piccolo indicated he had no concerns with this request and moved to forward a favorable recommendation to Price City Council for the approval of the set-back of six feet, to be set by Conditional Use Permit, and allowing

construction of a 50' x 100' storage shed by John R. and Diane Olson at the above address. Laurel Marinos seconded and the motion carried.

IX. CONDITIONAL USE PERMIT
 ATC ASSOCIATES, INC.
 891 EAST MAIN (MAVERICK COUNTRY STORE)
 SITE REMEDIATION
 DARIN WARDEN, BRANCH MANAGER

There was no representation from ATC Associates, Inc. and Vern Jones explained this contractor is working under State and Federal guidelines to complete this site remediation. In reading the ordinances, an Excavation Permit or Conditional Use Permit is not needed for excavation of tanks. They have the necessary permits from the State and UDOT and all information concerning this operation has been given to the Price City Building and Engineering Departments for review. Building Inspector Bob Bennett explained the reason for the remediation and the method to be used. There were no concerns and Alfred Richens moved to forward a favorable recommendation to Price City Council for the Conditional Use Permit - ATC Associates, Inc. - Site Remediation at 891 East Main Street. Joe Piccolo seconded and the motion carried.

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X. STAFF

- A) Jim Darter of the Southeastern Christian Academy approached the Commission concerning signs to advertise the upcoming circus, of which they are a sponsor. They agreed to sponsorship late in the game and were unaware of the requirement to come before Planning and Zoning for approval to erect signs. He is using 3' x 5' signs and has placed most of them and has

permission from property owners. He wants to place some signs in the parkway in front of Wal-Mart, along with other locations. His signs will be up August 7 and down August 10. He also has several smaller signs to place in the grass area where it is appropriate. Anything he puts up, he will take down. Joe Piccolo told Mr. Darter signs usually permitted by the City are 4' x 4' and 3' x 5' is an unusual request. Mr. Darter explained he had no control over the size as it came from the circus as a package deal. They are a back to back type of sign, but not at all like A-frame signs. Joe Piccolo cautioned about signs

close to driveways as they must be 40' away in both directions. Mr. Jones explained that even with the Commission's okay, they still cannot be put on the State Road - they must be on private property. Mr. Darter told the Commission the County Fair has several signs on City property around town. Mr. Jones said, unlike Mr. Darter, they did not come before Planning and Zoning. This ordinance is hard to enforce, but no signs are allowed on the public right-of-way within the City limits, but they can be placed on private property with the consent of the property owner. Mr. Darter said he understood

and thanked
the
Commission
for their
time.

There was no further business and Alfred Richens made a motion to adjourn. The meeting adjourned at 7:15 P.M.

John B. Angotti, Chairman

Carolyn Vogrinec, Secretary