

1 LAND USE AUTHORITY
2 March 2, 2010
3 Providence City Office Building
4 15 South Main, Providence, UT

5
6 Call to Order: Skarlet Bankhead
7 Attendance: Randy Eck, Max Pierce
8 Audience Attendance: Kari Hopkins, Fred Perales
9 Excused: None

10
11 Action Item:

12 Item No. 1. The Providence City Land Use Authority will consider a request from Kari Hopkins for a
13 conditional use for a nail salon located at 380 Garden Drive.
14 S Bankhead said the home is in a SFT zone. She stated that Title 10 Chapter 6 Section 1 list this business as
15 a conditional use.

16 She read the conditions that are required in order to approve a conditional use. She talked about the reasons
17 that a conditional use wouldn't be approved. When the City receives a conditional use the LUA determines
18 whether it would require a public hearing. LUA deemed it not necessary. LUA can deny a conditional use
19 if the conditions are not met. Parking requirements are the first thing that is looked at.

20 K Hopkins has a 3 car garage and a large driveway. There is plenty of parking off the street. She will
21 encourage her customers/clients to not park on the street. She has talked to her neighbors about her
22 business and they are fine with it.

23 R Eck talked to her about source protection.

24 S Bankhead explained Title 3 Chapter 4 Section 5 talks about a home business and told K Hopkins what
25 she needs to be aware of. S Bankhead talked about nuisances and keeping the home looking like a home.
26 She explained that businesses have to live up to a higher standard in neighborhoods. If the conditional use
27 is approved K Hopkins will still have to apply for a business license.

28 M Pierce asked if there will be any signage.

29 K Hopkins said she had thought about a temporary sign in her yard. It would not be permanent.

30 S Bankhead said a small sign is allowed. She suggested they read Title 10 Chapter 15, Sign Regulations.

31 Motion to approve: M Pierce, R Eck second

32 Vote: Yea: S Bankhead, R Eck, M Pierce

33 Nay: None

34 Abstained: None

35 Excused: None

36
37 Item No. 2. The Providence City Land Use Authority will consider a request from Fred Perales for a
38 conditional use for a Martial Arts School located at 517 West 100 North, Suite 221.

39 S Bankhead said this business is going into a CGD district. Title 6 Chapter 1 allows this business as a
40 conditional use. She is concerned about parking in this area.

41 M Pierce asked what was in the space before this business.

42 F Perales said he didn't believe anything was in this particular part of the building.

43 R Eck asked if the restaurant leaves will he be able to take over their parking.

44 M Pierce said he believes you look at the whole development.

45 S Bankhead said three commercial businesses in the area have vacated. They all used the same parking lot.

46 M Pierce said he just wants to make sure that the parking is not violated. He believes the property owner
47 should come in and prove to us the parking, etc. works when they have a new client.

48 F Perales said he has 1638 sq feet.

49 S Bankhead said they need 1 space for 250 sq feet of use. She agrees with R Eck. The three retail spaces
50 that left have opened up the parking area.

51 M Pierce said he believes that so many parking stalls were dedicated to the Iron Gate building. Little
52 Caesars and the Bank had their own parking requirements.

53 F Perales said that he is allowed 49 people in his space at once. That is way more than he can have in one
54 class. His students will probably park in the back of the building. There is plenty of parking there. That is
55 where you enter the building for his class. The classes last about an hour. There will be no altering of the
56 building.

1 S Bankhead said there are some requirements from the Logan Fire Department inspector that needs to be
2 taken care of.
3 F Perales said he has been out of town but he was also waiting for the conditional use to be granted before
4 he does anything else.
5 R Eck asked about the name of the business.
6 F Perales said it will be called the "Code of the Samurai".
7 R Eck asked about the weapons that will be used.
8 F Perales said kids will not be allowed to use live weapons until they are 18. They use wood ones and all
9 weapons are kept at the school.
10 R Eck asked if he was licensed to teach.
11 F Perales said he has been certified since he was 20.
12 R Eck said there is no source protection zone in this area.
13 M Pierce said they will have to go through the City for a sign.
14 R Eck and M Pierce think that they should look at the parking in this development. They don't feel like this
15 application should be held up because of the parking problems.
16 M Pierce feels like there is probably no parking problem there now but eventually there could be. He really
17 feels like the owner needs to come in and talk to the City about the parking requirements.
18 F Perales said his lease is month to month. If another large business comes in he would probably be
19 required to move.
20 S Bankhead said one of the conditions to remain is you have to have a minimum of 7 parking stalls. If this
21 cannot be met your conditional use is null and void. The Fire Department conditions also have to be
22 addressed. The business license cannot be released until the conditions have been met.
23 R Eck asked if he has a background check done. Would the City be held liable if something happened?
24 F Perales said he doesn't have one at the time.
25 S Bankhead said background checks are only necessary for child care and solicitors as far as business
26 licensing goes.
27 R Eck suggested maybe the City could encourage business owners to get one.
28 **Motion to approve with the following conditions: The Logan Fire Department conditions be met and**
29 **someone from Russell Properties or NAI (Bret Rigby) provide a letter stating that adequate parking**
30 **is available: R Eck, M Pierce second**
31 **Vote: Yea: S Bankhead, R Eck, M Pierce**
32 **Nay: None**
33 **Abstained: None**
34 **Excused: None**
35
36 **Motion to adjourn: R Eck, M Pierce second**
37 **Vote: Yea: S Bankhead, R Eck, M Pierce**
38 **Nay: None**
39 **Abstained: None**
40 **Excused: None**
41
42 Meeting adjourned at 10:57 a.m.
43 Minutes taken and prepared by Terri Lewis.
44
45
46 _____
47 Skarlet Bankhead, Chairman

Terri Lewis, Secretary