

The Meeting of the Nibley Planning Commission held at Nibley City Hall, 625 W. 3200 S. Nibley, Utah, on Wednesday, June 9, 2010.

**The following actions were made during the meeting:**

**Commissioner Heidt motioned to approve the application for a conditional use permit and business license for Albert Whitehair at 2313 S. 770 W; Apex Enterprise, LLC. Commissioner Anderson seconded the motion which passed unanimously 3-0; with Commissioner Heidt, Commissioner Anderson, and Commissioner Cook all in favor.**

**Commissioner Bliesner motioned to approve the conditional use permit and business license for SWPics at 407 W. 3300 S. Commissioner Anderson seconded the motion. The motion passed unanimously 4-0; with Commissioner Bliesner, Commissioner Anderson, Commissioner Heidt, and Commissioner Cook.**

---

Commissioner Carrie Cook called the Wednesday, June 9, 2010 Nibley City Planning Commission meeting to order at 7:00 p.m. Those in attendance included Commissioner Carrie Cook, Commissioner Marina Heidt, Commissioner Aaron Bliesner, and Commissioner Wayne Anderson. Shari Phippen, the City Planner, was also present. Commissioner Bill Green was excused from the meeting.

**Approval of 5-26-10 meeting minutes and agenda.**

There was general consent for the evening's agenda and the meeting minutes from the May 26, 2010 meeting.

Commissioner Anderson made a motion to suspend the agenda because an applicant was not present. Commissioner Heidt seconded the motion the motion passed unanimously with Commissioner Anderson, Commissioner Heidt, Commissioner Bliesner, and Commissioner Cook all in favor.

**CONDITIONAL USE PERMIT/BUSINESS LICENSE**

**Apex Enterprise, LLC—request a conditional use permit and business license for a home occupation (internet marketing) located at 2313 S. 770 W. (Applicant: Albert Whitehair)**

Mr. Albert Whitehair was present at the meeting. He said he was marketing software and digital products. Commissioner Cook asked if he was basically running an online business. Commissioner Heidt made a motion to approve the application for a conditional use permit and business license for Albert Whitehair at 2313 S. 770 W; Apex Enterprise, LLC. Commissioner Anderson seconded the motion which passed unanimously 3-0; with Commissioner Heidt, Commissioner Anderson, and Commissioner Cook all in favor.

Mr. Michael Flammer was present at the meeting. He had expected to be on the agenda for a business license and conditional use permit for a home office selling office furniture. Ms. Phippen said strictly speaking because it was not on the agenda they could

not make a motion on it. Commissioner Anderson suggested they talk about it at this meeting and in two weeks he will not have to come back. Mr. Flammer said he is selling office furniture out of his home office. He will pick the furniture up in Salt Lake and deliver it. He will not have customers coming to his home. Commissioner Cook commented that this was simply for mailing and tax purposes. Commissioner Anderson said he was for it. Commissioner Heidt asked if he planned on conducting any business out of any accessory buildings. Mr. Flammer said he would not. Commissioner Heidt and Commissioner Cook also felt confident they could approve the application.

Commissioner Bliesner arrived at 7:10.

Commissioner Cook said Mr. Flammer could feel confident that he would receive approval at the next meeting. Ms. Phippen said this would be formalized in two weeks.

**SWPics—request a conditional use permit and business license for a home occupation (photography) located at 407 W. 3300 S. (Applicant: Stacie Williamson)**  
Ms. Williamson was not present at the meeting. Commissioner Bliesner made a motion to approve the conditional use permit and business license for SWPics at 407 W. 3300 S. Commissioner Anderson seconded the motion. The motion passed unanimously 4-0; with Commissioner Bliesner, Commissioner Anderson, Commissioner Heidt, and Commissioner Cook.

### **WORKSHOP ITEMS**

Ms. Phippen said by way of information she had done weed enforcement yesterday and sent out 45 letters. The City Council gave her the leeway to set enforcement date. They just did not want to codify it. Commissioner Bliesner asked if the dates were in the letter. Ms. Phippen said no; they were dates she just picked to enforce the ordinance. Ms. Phippen said they passed a scaled down version of the weed ordinance; very little changed. The height was dropped to 12 inches and they kept in the exemption for actively growing crops. They kept the parts about what constituted a nuisance but took out the part about the city going in and taking care of them and then charging the violator.

Ms. Phippen reminded the Planning & Zoning Commission that Heritage Days was next week. She was excited about John Schmidt.

Ms. Phippen said the annual league meetings were in September. The conference is the 15<sup>th</sup>- 17<sup>th</sup>. Thursday the 16<sup>th</sup> will probably be the Planners day. She asked the Planning & Zoning Commission to let her know if they planned to go.

Ms. Phippen said there is a new full-time parks person. His name is Jeff Jorgensen.

Ms. Phippen said about the new city hall. Commissioner Bliesner said “I told you so!” speaking for the entire Commission. Ms. Phippen said there were a couple of things the school district and city could not agree on. One was the buyback. Commissioner Anderson said the kid’s safety was a big issue with the principal. Ms. Phippen said the idea had now started about doing a new city hall. Commissioner Cook asked if a location

had been discussed. Ms. Phippen said it would go where the current recycling area is. She said they have been given the green light to RFP the architect and seek more bond money from the Community Impact Board. Ms. Phippen said the city intended the current building to be used as a public works office.

Commissioner Bliesner said he was for a new city hall. Commissioner Heidt said the building should reflect the community. Ms. Phippen said the city intended to act as its general contractor. Commissioner Anderson said that was a bad idea. Commissioner Bliesner said it also passes off liability. Commissioner Bliesner, Commissioner Heidt, and Commissioner Cook all agreed with Commissioner Anderson. Commissioner Anderson said in the long run it will cost them more money if they act as their own general and deadlines will not be met. Commissioner Anderson said the architect fees will also be higher if the city is their own general.

**PUD ordinances for the purpose of creating a commercial/mixed-use PUD and a residential PUD.**

Ms. Phippen said this discussion could be put off for a couple of weeks so she could work on it some more. Ms. Phippen said the City Council wanted two separate PUD ordinances; one for mixed use and one for strictly residential. Commissioner Cook asked what the purpose of having them separate was. Ms. Phippen if you have a separate residential PUD you can have it just housing but mix housing type. Ms. Phippen said she could come back with the current PUD with the commercial elements stripped out. Ms. Phippen gave her ideas of what was involved in each type of PUD. She said a lot of it was going to be redundant. She said they could have certain basic principles that applied to both and still incorporate it into one document and make less difficult to understand. Commissioner Heidt said she liked that.

Ms. Phippen said they had already caught a few violators on the camera at the recycling area in the city. They were caught on camera and sighted.

Commissioner Bliesner made a motion to adjourn. Commissioner Anderson seconded the motion. The motion passed unanimously with Commissioner Bliesner, Commissioner Anderson, Commissioner Heidt, and Commissioner Cook in favor.

There was general consent to adjourn at 8:10 p.m.