

The Meeting of the Nibley Planning Commission held at Nibley City Hall, 625 W. 3200 S. Nibley, Utah, on Wednesday, July 14, 2010.

The following actions were made during the meeting:

Commissioner Green motioned to approve the conditional use permit and business license for Joshua Lovell with J&J Photos located at 3620 ½ S. 250 W.

Commissioner Heidt seconded the motion which passed unanimously 3-0; with Commissioner Green, Commissioner Heidt, and Commissioner Cook all in favor.

Commissioner Green motioned to approve the conditional use permit and business license with the condition that there be no services provided at the residence and that all tire be stored out of site behind the front plane of the house for Omar's Tires located at 3835 S. Highway 165. Commissioner Heidt seconded the motion. The motion passed 3-0; with Commissioner Green, Commissioner Heidt, and Commissioner Cook all in favor.

Commissioner Green motioned to approve the conditional use permit and business license for Cody Black and Trailblazer Bikes at 3054 S. 1000 W. with the condition that he keep the storage in the garage and not outside the house. Commissioner Heidt seconded the motion which passed unanimously 3-0; with Commissioner Green, Commissioner Heidt, and Commissioner Cook in favor.

Commissioner Carrie Cook called the Wednesday, July 14, 2010 Nibley City Planning Commission meeting to order at 7:00 p.m. Those in attendance included Commissioner Carrie Cook, Commissioner Marina Heidt, and Commissioner Bill Green. Shari Phippen, City Planner, was also present. Commissioner Wayne Anderson and Commissioner Aaron Bliesner were excused from the meeting.

Approval of 6-23-10 meeting minutes and agenda.

There was general consent on the evening's agenda and the minutes from the June 23, 2010 meeting.

Conditional Use Permit/Business License

J&J Photos—request a conditional use permit and business license for a home occupation (photography) located at 3620 ½ S. 250 W. (Applicant: Joshua Lovell)

Mr. Lovell was present at the meeting. Mr. Lovell said he was a student at Utah State. He said they will be here for a year to a year and a half. He hopes this business will bring in a few extra dollars a month. He will be doing this from his basement on the computer and he will not have people coming to his residence. Commissioner Heidt asked where his customers would be viewing their prints. Mr. Lovell said he would give them a disk. Commissioner Green made a motion to approve the conditional use permit and business license for Joshua Lovell with J&J Photos located at 3620 ½ S. 250 W. Commissioner Heidt seconded the motion which passed unanimously 3-0; with Commissioner Green, Commissioner Heidt, and Commissioner Cook all in favor.

Omar's Used Tires—request a conditional use permit and business license for a home occupation (used tire sales) located at 3835 S. Highway 165 (Applicant: Omar Cortezano)

Mr. Cortezano was present at the meeting. He said his business started by accident. He sold two sets of tire very quickly and decided to do more. He has sold more tires and wanted to get things right by getting a business license. He said he does not want to be breaking the law. He approached Logan City and was told he needed to come to Nibley City for a business license. Commissioner Green asked where his house was. Mr. Cortezano described his location. Commissioner Cook asked for input from Ms. Phippen. Ms. Phippen said the definition of a home occupation specifically talks about auto sales and service not being allowed; they would have to be located in commercial or industrial. If you consider selling car parts or tires as automobile sales and service then he would not be able to do this. Mr. Cortezano said he did not mount the tires at his residence. Commissioner Cook said she was concerned with where he would store the tires he is selling. Mr. Cortezano said he stored them in his car port; he has a 21 x 22 carport.

Commissioner Green said he was also concerned with where he was storing the tires. Mr. Cortezano described the tires he currently had. He has approximately 24 tires on his property right now. He said he had a metal shed where he could store the tires. Mr. Cortezano said he would be advertising the business on his truck not at his house. Ms. Phippen said as long as they are stored in the shed out of site and no service is done then in her opinion it should be fine.

Commissioner Heidt said she is O.K. with it; her concern is the storage and keeping the tires out of site. Commissioner Cook addressed regulating the number of tires he could have as a condition. Commissioner Heidt said his available storage should take care of regulating that. Ms. Phippen said if it got to the point that there were too many tires then it probably would be a nuisance and could be revoked under the nuisance license. Mr. Cortezano said he made an agreement with a neighbor that nothing for sale would be put in the front of the house.

Commissioner Green made a motion to approve the conditional use permit and business license with the condition that there be no services provided at the residence and that all tire be stored out of site behind the front plane of the house for Omar's Used Tires (Omar Cortezano) located at 3835 S. Highway 165. Commissioner Heidt seconded the motion.

Ms. Phippen recommended the condition be applied that no more accessory buildings be allowed to accommodate more tires. The Commission discussed that he was not allowed to run a business out of an accessory building and could be denied on that grounds. Mr. Cortezano said most of his business is done on the internet.

The motion passed 3-0; with Commissioner Green, Commissioner Heidt, and Commissioner Cook all in favor.

Trailblazer Bikes—request a conditional use permit and business license for a home occupation (online toddler bike sales) located at 3054 S. 1000 W. (Applicant: Cody Black)

Mr. Black was present at the meeting. Commissioner Cook asked if there was a huge market for toddler bikes. Mr. Black said they were kind of a specialty bike and described his toddler bikes. He said most of his sales would be friends and family and then he would set up booths at motocross events. Commissioner Green asked how people would contact him. Mr. Black said he had a sign in the window of his vehicle and he had a website. Commissioner Heidt asked about his storage. Mr. Black said he would have a small inventory in his garage of about 24 bikes; they are really small. He also sells pads and helmets, etc. He said he has no intention of putting up a sign. He said his bikes were quite expensive and a niche market. He estimates he will have one or two UPS shipments to his home a month.

Commissioner Green made a motion to approve the conditional use permit and business license for Cody Black and Trailblazer Bikes at 3054 S. 1000 W. with the condition that he keep the storage in the garage and not outside the house. Commissioner Heidt seconded the motion which passed unanimously 3-0; with Commissioner Green, Commissioner Heidt, and Commissioner Cook in favor.

Workshop/Discussion Items

Discussion on a new City Hall proposal

Ms. Phippen said the Summer Party will be Thursday August 5th at 7:00. She is fairly sure that kids will be invited. It will be discussed at the City Council meeting tomorrow.

Ms. Phippen said last week the architectural selection committee hired JRCA Architects out of Salt Lake to design a new City Hall. The City Council authorized spending approximately \$10,000 for design services and needs assessments before a firm commitment was made to build it. They had 14 firms submit proposals but JRCA had built over 30 City Halls in the state of Utah, the majority of which combined with Justice Courts. Commissioner Anderson served on the selection committee but given the nature of the project he was not longer on the committee eliminating a conflict of interest should his company decided to bid on the project. Ms. Phippen believed the Mayor was going to talk to Commissioner Heidt about sitting on a steering committee. Ms. Phippen and the Commissioners discussed what they would want in a new city hall.

There was general consent to adjourn at 8:23 p.m.