

The Meeting of the Nibley Planning Commission held at Nibley City Hall, 625 W. 3200 S. Nibley, Utah, on Wednesday, August 11, 2010.

The following actions were made during the meeting:

**Commissioner Anderson motioned to approve the application for a conditional use permit and business license for Jared Chatterton, the Piano Mover, LLC at 3365 S. 1460 W. with the condition that his trailer be parked behind the front plane of the house and per the application that was filled out. Commissioner Heidt seconded the motion. The motion passed unanimously 5-0; with Commissioner Anderson, Commissioner Heidt, Commissioner Bliesner, Commissioner Green, and Commissioner Cook all in favor.**

**Commissioner Heidt motioned to approve the application for a business license and conditional use permit for Luis Marroquin, Carpet Cleaning of Northern Utah, LLC at 866 W. 2650 S. with the condition that if he has a trailer associated with the business it must be parked behind the front plane of the house. Commissioner Green seconded the motion.**

**Commissioner Bliesner motioned to amend that they include the condition that no company vehicles be kept on the street or in the street right of way at any time. Commissioner Anderson seconded the amendment which passed unanimously 5-0; with Commissioner Bliesner, Commissioner Anderson, Commissioner Green, Commissioner Heidt, and Commissioner Cook all in favor.**

**The amended motion passed unanimously 5-0; with Commissioner Heidt, Commissioner Green, Commissioner Bliesner, Commissioner Anderson, and Commissioner Cook all in favor.**

**Commissioner Bliesner made a motion to approve the conditional use permit and business license for Clean Freak Utah located at 1128 W. 2450 S. with the condition that activities at the premise be limited to home office use and that any company equipment, vehicles, trailers, etc. be kept behind the front plane of the house and not stored anywhere at any time on the street. Commissioner Heidt seconded the motion with passed unanimously 5-0; with Commissioner Bliesner, Commissioner Heidt, Commissioner Anderson, Commissioner Green, and Commissioner Cook all in favor.**

**Commissioner Bliesner motioned to recommend approval of the preliminary plat of Mountain View Villas at Sunset Parks to City Council with the condition they comply with any conditions they had on the earlier approved development. Commissioner Heidt seconded it. The motion passed unanimously 5-0; with Commissioner Bliesner, Commissioner Heidt, Commissioner Anderson, Commissioner Green, and Commissioner Cook all in favor.**

**Commissioner Anderson motioned to classify this land-use (meat cutting business) as retail in an industrial zone. Commissioner Heidt seconded the motion. The motion passed unanimously 5-0; with Commissioner Anderson, Commissioner Heidt, Commissioner Bliesner, Commissioner Green, and Commissioner Cook all in favor.**

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Commissioner Carrie Cook called the Wednesday, August 11, 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, Commissioner Bill Green, and Commissioner Wayne Anderson. Shari Phippen, the City Planner, was also present.

**Approval of 7-14-10 meeting minutes and the evening's agenda.**

There was general consent on the agenda and the minutes from the July 14, 2010 meeting.

Commissioner Cook noted that the first applicants were not present at the meeting and discussed whether they could proceed without them.

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

**CONDITIONAL USE PERMIT/BUSINESS LICENSE**

**The Piano Mover, LLC—request for a conditional use permit and business license for a home occupation (specialized moving & transportation) located at 3365 S. 1460 W. (Applicant: Jared Chatterton)**

Mr. Jared Chatterton was present at the meeting. Mr. Chatterton said it was a specialized moving company; he moves mostly pianos and safes. He stated he used a 6 x 12 enclosed trailer to store his equipment that he parks on the side of his house on a gravel bed. Most of his business is along the Wasatch front and he would have no clients coming to his house. Commissioner Heidt said she liked that he parked his trailer on the side of the house and said it also needed to be parked behind the front plane of the house so as not to obstruct the neighbors view.

Commissioner Anderson made a motion to approve the application for a conditional use permit and business license for Jared Chatterton, the Piano Mover, LLC at 3365 S. 1460 W. with the condition that his trailer be parked behind the front plane of the house and per the application that was filled out. Commissioner Heidt seconded the motion. The motion passed unanimously 5-0; with Commissioner Anderson, Commissioner Heidt, Commissioner Bliesner, Commissioner Green, and Commissioner Cook all in favor.

**Carpet Cleaning of Northern Utah, LLC—request for a conditional use permit and business license for a home occupation (carpet cleaning) located at 866 W. 2650 S. (Applicant: Luis Marroquin)**

This applicant was not present at the meeting. Ms. Phippen said as far as she could tell it would be similar to other home cleaning businesses they had approved. There would be no employees coming to the house and their equipment and supplies would be stored in their garage. This was mostly for the address. They have not said anything about having a trailer. Commissioner Green said if they had a trailer he did not know where he would park it. Commissioner Bliesner said regardless of the situation of the lot they can make that a condition of the permit.

Commissioner Heidt made a motion to approve the application for a business licence and conditional use permit for Luis Marroquin, Carpet Cleaning of Northern Utah, LLC at 866 W. 2650 S. with the condition that if he has a trailer associated with the business it must be parked behind the front plane of the house. Commissioner Green seconded the motion. The motion passed unanimously 5-0; with Commissioner Heidt, Commissioner Green, Commissioner Bliesner, Commissioner Anderson, and Commissioner Cook all in favor.

Commissioner Bliesner made a motion to amend that they include the condition that no company vehicles be kept on the street or in the street right of way at any time. Commissioner Anderson seconded the motion which passed unanimously 5-0; with Commissioner Bliesner, Commissioner Anderson, Commissioner Green, Commissioner Heidt, and Commissioner Cook all in favor.

**Clean Freak Utah—request for a conditional use permit and business license for a home occupation (cleaning service) located at 1128 W. 2450 S. (Applicant: Lisa & Thayne Bingegele)**

These applicants were not present at the meeting. Ms. Phippen said this was similar to the application they just looked at.

Commissioner Bliesner made a motion to approve the conditional use permit and business license for Clean Freak Utah located at 1128 W. 2450 S. with the condition that activities at the premise be limited to home office use and that any company equipment, vehicles, trailers, etc. be kept behind the front plane of the house and not stored anywhere at any time on the street. Commissioner Heidt seconded the motion with passed unanimously 5-0; with Commissioner Bliesner, Commissioner Heidt, Commissioner Anderson, Commissioner Green, and Commissioner Cook all in favor.

**PRELIMINARY PLAT APPROVAL**

**Mountain View Villas at Sunset Parks—request preliminary plat approval for a 47 lot planned unit development located at approximately 1000 W. 2600 S. (Applicant: Randy Gnehm)**

Mr. Randy Gnehm and Mr. Kris Kvarford were present at the meeting. Ms. Phippen said this was a continuation of the existing Sunset Parks on 10<sup>th</sup> West. This is the property directly to the north of Sunset Parks. The preliminary approval had lapsed so they were

required to come back and reapply for preliminary approval. It is identical to the plat that was presented before. Ms. Phippen said she had no issues with it; it was consistent with the existing subdivision. Ms. Phippen recommended the Commission approve this and recommend it to City Council.

Commissioner Cook discussed the 1100 West road. Ms. Phippen said given what they anticipate happening with the property to the west of 1100 it needed to be kept as it is; it will connect down to 2900. Commissioner Anderson asked Mr. Gnehm if this was the same plat he brought last year. Mr. Gnehm said it was exactly the same.

Commissioner Bliesner asked about the streets on the north and west side being built as half streets. Ms. Phippen said curb and gutter would be going in. Commissioner Anderson asked about the open space plan for the phase. Commissioner Anderson said he recalled they had done something last year about the completeness of the open space before phase 2 could be done. Mr. Gnehm said all of phase 1 open space was improved. Commissioner Anderson said they have had problems with developers developing an entire subdivision and leaving the open space until the end. He did not want to see that happen. Mr. Gnehm said they could see from the first phase that that had not happened. Mr. Kvarford said that puts a larger onus on the first few people who move into the space; with the space needing to be watered and maintained. Commissioner Anderson said overall it is a benefit to the developer to have it in place.

Commissioner Bliesner made a motion to recommend approval of the preliminary plat of Mountain View Villas at Sunset Parks to City Council with the condition they comply with any conditions they had on the earlier approved development. Commissioner Heidt seconded it. The motion passed unanimously 5-0; with Commissioner Bliesner, Commissioner Heidt, Commissioner Anderson, Commissioner Green, and Commissioner Cook all in favor.

Ms. Phippen reviewed the previous minutes noting which open space option they chose and that the items on the engineering review must be completed.

Commissioner Anderson made a motion to amend to require the open space be 100% complete before phase 2 can be approved. Commissioner Anderson's amendment died due to lack of second.

Commissioner Anderson made a motion to amend that the open space be completed at the point that 50% of the lots are sold of the full development. The other Commissioners did not understand the amendment. The amendment died due to lack of second. Commissioner Anderson said when this comes in for final approval as phase 1 he will attach his first amendment.

Marilyn Miller asked if phase 2 would be retirement homes. Commissioner Cook said that was a condition that was put on the development. Mr. Gnehm said it was the same development with the same CCNR's. He said it was the same as what was currently there. Marilyn Miller also asked why phase 1 was not being advertised and asked about

street sweeping. Mr. Gnehm said it was supposed to be. Commissioner Cook said the homeowners association should be taking care of street maintenance. There were several residents of Sunset Parks that were concerned with street maintenance. Commissioner Bliesner said the first place they need to go was the developer. Commissioner Bliesner asked what the percentage of lots that needed to be sold. Mr. Gnehm said it was 30%. Commissioner Bliesner advised Mr. Gnehm that the homeowners association be turned over as soon as possible and registered with the state.

### **WORKSHOP ITEMS**

#### **Erik Barney—consideration of a request for the appropriate land-use determination for a meat cutting business proposed in Nibley.**

Mr. Barney was present at the meeting. Mr. Barney said he wants to build and start a custom retail butcher shop behind Poulson Trailers. He said it would consist of custom slaughter, custom cut, and retail. In the fall/winter it would be wild game processing with small cuts and retail jerky. Commissioner Bliesner asked how big a facility he was talking about. Mr. Barney said a maximum of 12,000 sq. ft. Ms. Phippen said none of the killing would be on site; it was all done off site. Mr. Barney said he would kill offsite and then bring it over. Mr. Barney said under USDA you have to back in to a secured area that is not public. Commissioner Green asked if there was any ordinance regarding waste products. Mr. Barney said the waste was sprayed down on the owners property.

Ms. Phippen said there was a disagreement on an appropriate land-use category for this type of business. It could fall under retail, ag production, or light manufacturing. Commissioner Anderson asked he was going to sell meat from the property. Mr. Barney said he was. Commissioner Anderson said it should be retail. Commissioner Bliesner said he was concerned that the USDA would change their regulations and then they would be stuck with what they decided unless they put their own conditions on it. Ms. Phippen said on their land-use chart they have to fit every proposed business coming in or they cannot allow it. Commissioner Heidt said she would consider it light manufacturing.

Commissioner Anderson made a motion to classify this land-use (meat cutting business) as retail in an industrial zone. Commissioner Heidt seconded the motion. The motion passed unanimously 5-0; with Commissioner Anderson, Commissioner Heidt, Commissioner Bliesner, Commissioner Green, and Commissioner Cook all in favor.

Ms. Phippen apologized that Ruth Christensen was not formally put on the agenda. Ms. Phippen said she was here to speak with the Commission.

Ruth Christensen was present at the meeting. Mrs. Christensen said she currently had a Nibley City business license for commercial playgrounds. She is currently doing the playground at Heritage Elementry School. She has had the business for five years. She wants to open a Blue Sky Backyard business. There are a lot of grandparents who are putting them in their backyards. There is not a strong retail market right now. There is a home currently for sale on 3200 S. with a circular driveway that she would like to purchase and put equipment in front of. Her son would live in the house. She asked if there was any possibility of making that a commercial area. Commissioner Bliesner said

if it stays residential she cannot do anything in the front yard; it is a matter of ordinance. The question is a possibility of rezone. Ms. Phippen said she did not have enough property to rezone it neighborhood commercial; she has to have five acres. Commissioner Bliesner said he did not feel she had any chance; the lot was a non-conforming in a residential zone. Commissioner Bliesner said there was a chance of rezone but in his mind it would have to include the other lots. Commissioner Heidt said it would probably be best to consider another location. Mrs. Christensen asked if there were other places in Nibley with homes that she could look at. Commissioner Anderson suggested the home next to Maverick. Mrs. Christensen asked if she could put the playgrounds in the back yard. Commissioner Bliesner said the only way to fix a non-conforming lot was to buy more land or downzone.

Ms. Phippen reminded the Planning & Zoning Commission that the summer social was tomorrow at Heritage Park at 6:00.

Ms. Phippen updated the Planning & Zoning Commission on the plans for the proposed new city hall. The Commission all agreed that the city planner needed an office.

Commissioner Bliesner made a motion to close the meeting.

There was general consent to adjourn at 8:36 p.m.