

The Meeting of the Nibley Planning and Zoning Commission held at Nibley City Hall, 455 West 3200 South, Nibley, Utah on Wednesday, January 13, 2016.

The following actions were made during the meeting:

Commissioner Swenson motioned to approve the business license and conditional use permit for Chunks of Heaven, a day care located at 2796 S 1100 W; applicant, Taya Alexander. Commissioner Albrect seconded the meeting. The motion passed unanimously 3-0; with Commissioner Swenson, Commissioner Albrect, and Commissioner Davenport all in favor.

Commissioner Green motioned to recommend the Nibley City Council approve the building for Stander, Inc., a commercial building located at 2410 S. Heritage Drive. Commissioner Swenson seconded the motion. The motion passed unanimously 4-0; with Commissioner Green, Commissioner Swenson, Commissioner Davenport, and Commissioner Albrect all in favor.

Commissioner Green motioned to recommend the Nibley City Council approve the landscaping & site plan for Stander, Inc., a commercial building located at 2410 S. Heritage Drive to City Council. Commissioner Swenson seconded the motion. the motion passed 4-0; with Commissioner Green, Commissioner Swenson, Commissioner Davenport, and Commissioner Albrect all in favor.

Acting Planning and Zoning Commission Chair, Dave Davenport called the January 13, 2016 Planning and Zoning Commission meeting to order at 5:38. Those in attendance included Commissioner Dave Davenport, Commissioner Carol Albrect, and Commissioner Bret Swenson. Ms. Shari Phippen, Nibley City Planner, was also present.

Approval of 12-09-16 meeting minutes and the evening's agenda

General consent was given for the evening's agenda.

Commissioner Davenport noted that he was not present for the last meeting and couldn't discuss the meeting minutes. Ms. Phippen said this discussion could be put off until other members of the Planning and Zoning Commission were present.

Discussion and election of the 2016 chair and vice-chair for the Nibley City Planning Commission

Commissioner Davenport made a motion to nominate Commissioner Brett Swenson to act as Planning and Zoning Commission Chair. Commissioner Albrect seconded the motion.

Ms. Phippen described the duties of the Planning and Zoning Commission Chair. Commissioner Swenson said he would like to postpone the vote until the other Commissioners were available.

The vote failed 2-1; with Commissioner Davenport and Commissioner Albrect in favor. Commissioner Swenson was opposed.

The Commissioners discussed Commissioner Davenport and Commissioner Swenson acting as Co-chairs and how they could rotate the responsibilities of this role.

Commissioner Davenport made a motion to nominate Commissioner Bret Swenson and Commissioner Dave Davenport to act as 2016 Co-Chairs of the Nibley City Planning and Zoning Commission. Commissioner Albrect seconded the motion. The motion passed unanimously 3-0; with Commissioner Davenport, Commissioner Albrect, and Commissioner Swenson all in favor.

Conditional Use Permit/ Business License

Chunks of Heaven—discussion and consideration of a request for a conditional use permit/business license for a home occupation (day care) located at 2796 S 1100 W (Applicant: Taya Alexander)

Mrs. Taya Alexander was present at the meeting. Ms. Phippen said Mrs. Alexander was only caring for one other child beyond her own and Ms. Phippen had suggested Mrs. Alexander come in for a conditional use permit with the maximum children allowed in the chance that she decided to care for more children in the future. Ms. Phippen said this was a daycare and not a preschool so there wouldn't be a class schedule. Ms. Phippen discussed the primary component of licensure of a home occupation. Ms. Phippen said if a business met the requirements then it can be licensed as a home occupation without regard for the type of business it was unless it was specifically prohibited by Nibley City ordinance or State law. Ms. Phippen said Mrs. Alexander's yard was already fenced and met the requirements to be classified and approved as a home occupation. Ms. Phippen said this property was zoned R2-A; home occupations are permitted in this zone. Ms. Phippen said she recommended approving the business license and conditional use permit.

Commissioner Swenson made a motion to approve the business license and conditional use permit for Chunks of Heaven, a day care located at 2796 S 1100 W; applicant, Taya Alexander. Commissioner Albrect seconded the meeting.

Commissioner Albrect asked the applicant about her operating hours, which she agreed was during the day.

The motion passed unanimously 3-0; with Commissioner Swenson, Commissioner Albrect, and Commissioner Davenport all in favor.

Building Design/Site Plan Review

Discussion and consideration of a building design and site plan review for Stander, Inc., a commercial building located at 2410 S. Heritage Drive

Ms. Phippen displayed a schematic of the building design for the Planning and Zoning Commission and public to see.

Ms. Phippen said that in the past, when the site plan has been for a single, small building, the opinion and direction of the Council & Commission has been that a concept presentation could be waved and that preliminary and final site plan could be done as one approval. She said this was why this was coming to the Planning and Zoning Commission as a single item.

Ms. Phippen said this company made home care products that assisted seniors and others with limited mobility and helped maintain a level of independent living. They had purchased property near CampSaver and were proposing a 30,000 square foot building. Ms. Phippen said the primary components of commercial building were design and fenestration. Ms. Phippen described the types of materials that may be considered for use. Ms. Phippen said the building materials on this project were architectural steel and stucco. Ms. Phippen said she believed the building materials being proposed by Standard were consistent with Nibley Design Standard and acceptable for commercial use. Ms. Phippen then moved to discussion of fenestration. She said the fenestration on the front of the building was sufficient to meet what Nibley City ordinance required and met simplicity in building colors and how the coloring was broken up. Ms. Phippen said this proposal met the requirement for screening areas and it was her opinion and recommendation that the building be determined in compliance with the

Steven Mansfield the architect with Milieu Design and Brady Stowers with Iron Wood Construction were present at the meeting.

Commissioner Bill Green arrived at 5:59 p.m.

Ms. Phippen and Commissioner Albrect discussed the location of the proposed business. Mr. Mansfield stated that the building was 2 stories; the second story not being a true story; it was a mezzanine. Mr. Mansfield said they had worked closely with Newcore Steel to add detail to make this a very nice looking building. Mr. Mansfield described why the applicants wanted to move locations.

Ms. Phippen discussed that commercial zones had no side or back setback requirements and could be built all the way to the property line. She described the discussion that would need to take place should a commercial building build next to a residential zone. Commissioner Swenson expressed that they should look into changing this in Nibley City ordinance for the future. Ms. Phippen agreed with Commissioner Swenson.

Commissioner Green made a motion to recommend the Nibley City Council approve the building for Stander, Inc., a commercial building located at 2410 S. Heritage

Drive. Commissioner Swenson seconded the motion. The motion passed unanimously 4-0; with Commissioner Green, Commissioner Swenson, Commissioner Davenport, and Commissioner Albrect all in favor.

Ms. Phippen reviewed the Nibley City ordinance requirements regarding landscaping requirement for commercial areas. Ms. Phippen described that despite some calculation errors, the applicants were above the 20% landscape requirement. Ms. Phippen said a portion of the property was being used for retention and couldn't be planted with trees, so Ms. Phippen said she had asked the applicant to come to a mid-point on the number of trees originally proposed (46) and the number of trees which would be required under the recommendation (75). They agreed to an additional 12 trees, so the property will now have 58 trees as part of their landscaping. The remainder of the landscaping was a proposed mix of shrubs and grasses. Ms. Phippen said it was her opinion and recommendation that the landscaping be deemed compliant with City code. Ms. Phippen said the building was sighted appropriately to meet city requirements. Ms. Phippen summarized parking requirements and the projected needed parking for the property. Ms. Phippen said it was her opinion and recommendation that the parking be deemed compliant with Nibley City code. She said it was her opinion that the site plan should be recommended to City Council with the approval of the Planning and Zoning Commission.

Ms. Phippen and the Planning and Zoning Commission discussed requiring property maintenance. Ms. Phippen said they couldn't arbitrarily impose standards if it wasn't called out in Nibley City ordinance. Commissioner Albrect asked if they could change the ordinance to give themselves the authority. Ms. Phippen said that they could but that they had to work with what was currently "on the books." Mr. Stowers said in communicating with the owners they had expressed doing xeriscaping in the area that was being discussed.

Commissioner Green made a motion to recommend the Nibley City Council approve the landscaping & site plan for Stander, Inc., a commercial building located at 2410 S. Heritage Drive to City Council. Commissioner Swenson seconded the motion. the motion passed 4-0; with Commissioner Green, Commissioner Swenson, Commissioner Davenport, and Commissioner Albrect all in favor.

Workshop

Discussion with Jim Miller regarding possible veterinary clinic in Nibley City

Ms. Phippen said this item was being pulled from the agenda because of a miscommunication. She said she had recommended the veterinarian come to the Planning and Zoning Commission to discuss his business plan and boarding animals. Ms. Phippen conveyed that the animals would be boarded inside and that the facility would be staffed 24/7. Ms. Phippen and Commissioner Davenport discussed the blended use of veterinarian and boarding facility.

Staff Report

Ms. Phippen said the Home Occupation ordinance wasn't on the agenda because the city attorney hadn't had time to review the ordinance. He had expressed that he would have his review to her ASAP.

General consent was given for the previous meeting's minutes.

Commissioner Swenson said he would not be at the next Planning and Zoning Commission meeting.

There was general consent to adjourn at 6:43 p.m.

Attest: _____
Deputy City Recorder