

NIBLEY CITY CORPORATION
PLANNING AND ZONING COMMISSION
Wednesday, March 28, 2007

No action was taken during the meeting

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MINUTES OF THE MEETING

The following motions were made during the meeting: Chairman Bliesner called the meeting to order at 7:35 p.m.

Minutes taken by Deputy City Recorder Kerry Bringhurst.

The following members of the Nibley City Planning and Zoning Commission were in attendance: Commission members Marina Heidt, Wayne Anderson, and Shaun Dustin. Curtis Rudd was excused. Chairman Aaron Bliesner proceeded over the meeting. Also in attendance was City Planner Conley Thompson. The meeting took place in the Nibley City Hall, 625 West 3200 South.

Deputy City Recorder Kerry Bringhurst took the minutes.

Item 1: Approval of previous minutes and evening's agenda. Chairman Bliesner asked for General Consent to approve the previous minutes and evening's agenda.

Item 2: "Riverside Car Wash."- Request a discussion on traffic lanes and use of cross easement agreement- for the proposed Riverside Car Wash to be located at 3040 South Main Street (hwy 165)- Applicant Ryan Hustad.

Mr. Thompson explained to the commission that the request by Ryan Hustad to locate a car wash in Nibley is still in the design proposal stage. A draft of the proposed plan was presented for discussion purposes. Mr. Thompson said the proposal includes a four bay car wash with an additional automated car wash in a stacked structure. The set back requirements appear to be in compliance, however Mr. Thompson asked the commission to consider if there is enough ingress or egress for necessary traffic flow without eliminating one of the car wash bays. Chairman Bliesner suggested one way to resolve the problem is to make one of the roads an "exit" only. The commission said the fire marshal may not agree with a traffic flow plan where there is limited space to allow for two lanes of traffic on the North end of the building. It was recommended that the developer have the Logan City Firemarshal do a circulation study to determine if there is enough space to meet fire truck access requirements. Mr. Hustad said it could also be difficult to limit access to "exit only" because of garbage trucks needing access to the dumpsters behind Maverik. Commission member Anderson said Mr. Hustad should have Logan City Environmental review and help determine where the dumpsters can be accessed and what easement is needed. A buffer zone between the Maverik and the car wash property limits the amount of space needed for two vehicles to travel the road southwest of the car wash bays and behind Maverik. Chairman Bliesner said the safety and welfare of residents is important to the city, however the city is not in the position to determine if garbage truck and emergency vehicle access is adequate. He said from the city's perspective the plan and setbacks appear to be adequate. But, if it is determined that fire truck and garbage truck access is inadequate Mr. Anderson said he is not likely to support a plan that eliminates the buffer zones to allow for access. He said in that case it would be necessary to eliminate one of the car wash bays to meet necessary traffic flow requirements. Commission member Shaun Dustin questioned whether the noise levels from the vacuum's was going to be an issue. Mr. Hustad said with the buffer zones and nearby property being commercial there should not be problems with any vacuum noise.

Chairman Bliesner did present an idea where it might be possible to rearrange some of the landscaping to allow for additional room in the rear of the property. The commission agreed that Mr. Hustad will have to consider the suggestions and recommendations and make necessary changes as required by the fire marshal.

Mr. Anderson said he would like to see the following items before Mr. Hustad makes a formal request before the commission:

1. A flood plain mitigation plan,
2. A circulation plan

3. A sewer pretreatment plan
4. A certificate of acceptance from the fire marshal,
5. A letter from the environmental department stating that garbage truck access is adequate.

Mr. Dustin asked Mr. Hustad to provide the following:

1. Decibel readings of the vacuum's to be used at the car wash.

In a related matter, the cross easement agreement should also include the plan for a detention pond to be shared by Maverik and the car wash according to council member Wayne Anderson. Mr. Hustad will own the property where the pond will be located and Mr. Anderson said having an agreement between the two business owners will be important should either of the properties be sold in the future.

Mr. Hustad thanked the commission for their discussion and information. The commission thanked Mr. Hustad who then took leave of the meeting.

Item 3: City Planner Discussion- Conley Thompson presented the commission with several letters regarding a mobile ice cream sales business in Nibley. The owner of the business does have a Conditional Use Permit and Business License from the city to operate the business. Some of the issues and concerns mentioned in the letters include the volume of the music being played throughout the city to entice customers, also the security of children has been mentioned as a concern. Some members of the commission mentioned that in addition to ice cream the business owner is selling candy. Mr. Thompson suggested it might be appropriate to ask the owner to come before the commission to request the sale of candy or other items be included in his business license and conditional use permit. Mr. Anhder has talked with the owner about the noise level and it was suggested by the commission that a letter be sent as an official notification that the city has received complaints about the level of music with a request that the matter be resolved.

In a related matter, there have been complaints about farm type animals on this individuals property as well as abandoned vehicles. Mr. Thompson said the animal issue needs to be addressed, but that the vehicle issue is one that the city has a difficult time resolving quickly. There is a nuisance ordinance that can be enforced but Mr. Thompson said it requires several letters of notification and warnings as well as documentation verifying there is a problem that could eventually lead to legal action if necessary. There was some question about which department is responsible for enforcement of the ordinance. Mr. Thompson said it is his understanding that the public works department will be provided with the information should the city determine action needs to be taken regarding a nuisance complaint.

Item 4: Workshop:

- Land Use Category Revisions and Parking Requirements: The commission reviewed a diagram prepared by Mr. Thompson to review land use and parking requirements.

Item 5: General Consent to adjourn at 10:15 p.m.

Signed _____
Planning & Zoning Chairman

Attest _____
Assistant Deputy Recorder