

NIBLEY CITY CORPORATION
PLANNING AND ZONING COMMISSION
Wednesday, April 11, 2007

The following motions were made during the meeting:

Motion 1: Commission member Wayne Anderson made a motion to approve a request by Ruth and Kelly Anderson to operate a home occupation at 2451 South 960 West for the Northern Utah Children's Choir by these homeowners at this address with the following condition:

- 1. No performances at residence.**

Shawn Dustin made a second to the motion which was approved unanimously.

Motion 2: Commission member Curtis Rudd made a motion to approve a Conditional Use Permit and Kennel Permit to these owners at this address, 295 West Schiess Court with the following condition:

- 1. Limited to three dogs.**

Commission member Shaun Dustin made a second to the motion which was approved unanimously.

Motion 3: Wayne Anderson made a motion to approve a Conditional Use Permit and Building Permit for an accessory building to be located at 3714 South 300 West. Commission member Heidt made a second to the motion which was approved unanimously.

Motion 4: Commission member Shaun Dustin made a motion to approve a Conditional Use Permit and Business License for a Sale Trailer to be located at approximately 2350 South 1280 West.

- 1. Trailer must be removed from site within one year of placement or fifteen days after the permanent sales office is occupied**
- 2. Hours of operation to conclude by 7 p.m. each night.**
- 3. Conditional Use Permit and Business License will be transferred to permanent model home/sales office upon occupancy.**

Commission member Wayne Anderson made a second to the motion which was approved unanimously.

Motion 5: Curtis Rudd made a motion to approve a Conditional Use Permit for Cuddles and Tickles home day care to be located at 2755 South 600 West by this homeowner at this address as outlined on the application with the following conditions:

- 1. Limit clients to no more than eight**
- 2. No employee living outside of home unless allowed by city council**

Marina Heidt made a second to the motion which was approved with commission members Heidt, Rudd, Anderson, and Bliesner in favor and Commission member Shaun Dustin abstaining.

Motion 6: Curtis Rudd made a motion to table the request by Brian Seamons and Sean Cronquist of Foxborough Estates LLC for Final Plat Review for Phase I of Foxborough Estates located at 1500 West 3200 South pending the resolve of issues between the developer and the Corp of Engineers. Marina Heidt made a second to the motion which was approved unanimously.

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MINUTES OF THE MEETING

The following members of the Nibley City Planning and Zoning Commission were in attendance: Commission members Marina Heidt, Wayne Anderson, and Shaun Dustin, and Curtis Rudd. 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. Chairman Bliesner called the meeting to order at 7:00p.m. .

Item 1: Agenda and previous minutes approved by general consent.

Item 2: Northern Utah Children's Choir- Request a consideration for a Conditional Use Permit and Business License for a home business to be located at downtown Logan with home office at 2451 South 960 West. Ruth and Kelly Anderson made the application. Mr. Anderson met before the council and explained that the business operates out of the home with rehearsals and classes held in Logan.

Commission member Wayne Anderson made a motion to approve a request by Ruth and Kelly Anderson to operate a home occupation at 2451 South 960 West for the Northern Utah Children's Choir by these homeowners at this address with the following condition:

1. No performances at residence.

Shawn Dustin made a second to the motion which was approved unanimously.

Item 3: Commission member Anderson made a motion to suspend the agenda with Commission member Heidt making a second to the motion which passed unanimously.

Item 4: Kennel Permit request by Kim and Anita Openshaw for a Conditional Use Permit and Kennel Permit to be located at 295 West Schiess Court. Mrs. Openshaw met before the commission. Mr. Thompson explained the Openshaw's are housing three dogs and therefore require a Kennel Permit.

Commission member Curtis Rudd made a motion to approve a Conditional Use Permit and Kennel Permit to these owners at this address, 295 West Schiess Court with the following condition:

1. Limited to three dogs.

Commission member Shaun Dustin made a second to the motion which was approved unanimously.

Item 5: Jon Carver requests a Conditional Use Permit and building permit for an accessory building to be located at 3714 South 300 West. The commission began review of the request prior to Mr. Carver's arrival. After reviewing the outlined set back and plat details there was some question about the rear set back easement. Mr. Thompson said there is a thirty foot easement in the rear property for a buried canal.

Wayne Anderson made a motion to approve a Conditional Use Permit and Building Permit for an accessory building to be located at 3714 South 300 West. Commission member Heidt made a second to the motion which was approved unanimously.

Item 6: Spring Creek Crossing- Request a consideration for a Conditional Use Permit for a Sales Trailer and Business License to be located at approximately 2350 South 1280 West. Jason Christensen is with Immaculate Construction. He said the trailer will be considered as the model home/sales office until the actual home/sales office is complete within the next six to eight months. By transferring the permit from the trailer site to the permanent sales office site there will only be one model home/sales office at the site. A portable toilet service will be used at the site. Hours of operation will conclude by 7 p.m. each day. Mr. Christensen will be required to come before the commission before sales signs can be placed anywhere else but on the sales trailer.

Commission member Shaun Dustin made a motion to approve a Conditional Use Permit and Business License for a Sale Trailer to be located at approximately 2350 South 1280 West.

1. Trailer must be removed from site within one year of placement or fifteen days after the permanent sales office is occupied

2. Hours of operation to conclude by 7 p.m. each night.

3. Conditional Use Permit and Business License will be transferred to permanent model home/sales office upon occupancy.

Commission member Wayne Anderson made a second to the motion which was approved unanimously.

Item 7: Cuddles and Tickles- Request consideration for a Conditional Use Permit for a home day care to be located at 2755 South 600 West. Melissa Nicholes met before the commission to make the request. Ms. Nicholes provides day care to eight children and operates from 7:00 a.m. - 6:30 p.m.. She said there is sufficient drive way space for the pick up and drop off of clients. However, Mrs. Nicholes does employ a part time employee, which is not permissible under Nibley City ordinance for a home occupation in section 10-1. Commission member Wayne Anderson said the commission cannot allow for an unrelated employee, however Ms. Nicholes can go before the council to request for allowance of the part time employee.

Curtis Rudd made a motion to approve a Conditional Use Permit for Cuddles and Tickles home day care to be located at 2755 South 600 West by this homeowner at this address as outlined on the application with the following conditions:

- 1. Limit clients to no more than eight**
- 2. No employee living outside of home unless allowed by city council**

Marina Heidt made a second to the motion which was approved with commission members Heidt, Rudd, Anderson, and Bliesner in favor and Commission member Shaun Dustin abstaining.

Item 8: Concept Subdivision Review for Sunset Parks Phase II. Neil Anderson and Randy Ghenm made the concept presentation before the commission. Mr. Anderson said sales of Phase I are going well and therefore plans are underway for Phase II. Mr. Thompson asked the commission to reconsider an earlier requirement by the city to not allow for a second phase of a senior community to be located directly next to an existing community. Mr. Thompson said his understanding was the previous planning and zoning commission had made the decision in order to distribute senior communities throughout the city and not have one centralized area of such developments. Mr. Thompson said the size of the current development would not combine with an additional phase to create an unusually large area of senior housing in his opinion. Commission member Anderson asked about 1000 west road plans. Mr. Thompson said he would like to see a sidewalk between the two phases with an entrance on the east side of the development for emergency access. Mr. Thompson said if the developer chooses to do away with a road between the two phases on 2730 south a public hearing would be required to address the request and present a new road plan for the two developments. Commission member Anderson said he is fine with allowing both phases of a senior community within this area. The commission indicated it should be up to the developer to determine whether or not to go through the process of adjusting roads. The commission gave verbal support of the concept and encouraged the developer to proceed.

Item 9: Foxborough Estates- Brian Seamons and Sean Cronquist of Foxborough Estates LLC request a consideration for Final Plat Review for Phase I of Foxborough Estates located at 1500 West 3200 South for property containing about 26.42 acres. Applicants did not appear before the commission as requested.

Curtis Rudd made a motion to table the request by Brian Seamons and Sean Cronquist of Foxborough Estates LLC for Final Plat Review for Phase I of Foxborough Estates located at 1500 West 3200 South pending the resolve of issues between the developer and the Corp of Engineers. Marina Heidt made a second to the motion which was approved unanimously.

Item 10: Workshop- Land Use Category Revisions and Parking Requirements.

Item 11: Adjourn- Chairman Aaron Bliesner adjourned at 10 p.m. through general consent.

Signed _____ Attest _____
Planning & Zoning Chairman Assistant Deputy Recorder