

NIBLEY CITY CORPORATION
PLANNING & ZONING COMMISSION
Wednesday, January 9, 2008

The following actions were made during the meeting

Action Item 1: Commissioner Green made a motion to nominate Commissioner Bliesner as chair for the year. Seconded by Commissioner Heidt. Motion failed with Commissioners Anderson, Green and Cook opposed to the motion and Commissioner Heidt abstaining.

Action Item 2: Commissioner Anderson made a motion to nominate Commissioner Marina Heidt to chair. Seconded by Commissioner Cook. Motion passed unanimously.

Action Item 3: Commissioner Anderson made a motion to nominate Carrie Cook as second chair. Seconded by Commissioner Green. Motion passed unanimously. With Commissioner Cook abstaining.

Action Item 4: Commissioner Bliesner made a motion to approve conditional use permit and business license for this address as described as a home office. Seconded by Commissioner Anderson. Motion passed unanimously.

Action Item 5: Commissioner Anderson made a motion to approve this application for a conditional use permit and business license for this applicant at this address minus parking on the curb. Seconded by Commissioner Bliesner. Motion passed unanimously.

Action Item 6: Commissioner Bliesner made a motion to deny the application based on inaccurate drawings that are not to scale and not in compliance with ordinance. Seconded by Commissioner Green. Motion passed unanimously.

Action Item 7: Commissioner Anderson made a motion to recommend the amended plat to the City Council for approval. Seconded by Commissioner Bliesner. Motion passed with Commissioners Heidt, Anderson, Green and Bliesner in favor and Commissioner Cook opposed to the motion.

Action Item 8: Commissioner Bliesner made a motion to recommend their approval to the City Council on Ordinance 08-01. Seconded by Commissioner Green. Motion passed unanimously.

MINUTES OF THE MEETING

Minutes were taken by Deputy City Recorder Jessica Lawes

The following members of the Nibley City Planning and Zoning Commission were in attendance: Commissioners Aaron Bliesner, Bill Green, Carrie Cook, Marina Heidt and Wayne Anderson. Also in attendance was Zoning Administrator Shari Phippen. The meeting took place in the Nibley City Hall, 625 West 3200 South. Chairperson Bliesner called the January 9, 2008 meeting to order at 7:00 p.m.

Commissioner Bliesner welcomed the new Commission members Bill Green and Carrie Cook replacing Commissioners Curtis Rudd and Shaun Dustin.

Item 1: Approval of minutes and agenda.

Commissioner Heidt made a motion to approve the minutes form the previous meeting. Seconded by Commissioner Green. Motion passed unanimously.

General consent to approve the evening's agenda.

Item 2: Election of new Chair.

Commissioner Bliesner said they elect a new chair at the start of every new year and asked if anybody was interest in being the new chair.

Commissioner Green made a motion to nominate Commissioner Bliesner as chair for the year. Seconded by Commissioner Heidt. Motion failed with Commissioners Anderson, Green and Cook opposed to the motion and Commissioner Heidt abstaining.

Commissioner Anderson made a motion to nominate Commissioner Marina Heidt to chair. Seconded by Commissioner Cook. Motion passed unanimously.

Commissioner Anderson made a motion to nominate Carrie Cook as second chair. Seconded by Commissioner Green. Motion passed unanimously. With Commissioner Cook abstaining.

Item 3: Elevation Real Estate Services – requests a conditional use permit and business license for a home office for a real estate business located at 3155 South 500 West. Applicant Tammy Demler met before the commission. Commissioner Bliesner said the application states that this is for a home office... and does not see anything that should stop permit from being issues. Tammy Demler said she is an independent broker and until she can find office space in Logan or somewhere else she need to operate out of her home. She said she has been doing real estate for four years and does not see any need for clients coming to her home; she visits them and works wireless. She also said she does not need any signage.

Commissioner Bliesner made a motion to approve conditional use permit and business license for this address as described as a home office. Seconded by Commissioner Anderson. Motion passed unanimously.

Item 4: Rocky Mountain Sports Archery Pro Shop – request a conditional use permit and business license for an internet/catalog archery sales business located at 3098 South 1000 West. Applicant Lance Postma met before the commission and said he has been doing this for years and has had many requests for continued sales and is setting up web site as well as a catalog. He said he is planning on setting up a show room in Logan within the next 30 to 45 days and his home will be mostly for storage and the

shipping of the items. It will be mostly drop ship orders and will not have issues with outside storage. Commissioner Green had questions on the parking situation. Mr. Postma said he has pulled his Jeep in and trailer is gone. Commissioner Green asked how many customers were estimated to be coming to the residence. Mr. Postma said about 3-5 a week.

Commissioner Anderson made a motion to approve this application for a conditional use permit and business license for this applicant at this address minus parking on the curb. Seconded by Commissioner Bliesner. Motion passed unanimously.

Item 5: Riverside Car Wash – request a sign permit for a 5’ x 14’ monument sign located at 3040 South Main. Applicant Cache Valley Signs for Riverside Car Wash was not present at the meeting. Commissioner Bliesner said he would like to continue item because he is uncomfortable approving the application when the applicant has not presented a complete drawing. He said he has had it with people submitting drawings that are not complete.

Commissioner Bliesner made a motion to deny the application based on inaccurate drawings that are not to scale and not in compliance with ordinance. Seconded by Commissioner Green. Motion passed unanimously.

Item 6: Public hearing on the proposed Conservation Subdivision Ordinance.

Commissioner Heidt opened the public hearing at 7: 33 p.m.

Shari Phippen said the aim of the new ordinance would be is to preserve open space and exchange for that developer can have more lots Commissioner Bliesner said that surveys to the public were made and the comments that came back broadly said that the citizens of Nibley want to preserve the agricultural look of the city, not necessary public access but the ability to develop on that land is taken away. He said that right now as land is annexed it automatically zone as agricultural and what is proposed is that when new subdivision come in an alternative can be offered to them and the bonus is to increase the average density put preserve open space. It will save money and keep the land the way the people want it and all the neighbors benefit. He said there are alternative ways to fill the open space, such as recreational, public parks and community gardens.

Commissioner Heidt said a down side of it would be smaller lots. Tammy Demler said she has been noticing that those with larger lots have been bringing in more junk and she would rather see smaller lots that are maintained than larger ones that are not.

Hearing no further public comment, Commissioner Heidt closed public hearing at 7:45 p.m.

Item 7: Discussion of Conservation Subdivision Ordinance –

Commissioner Green asked Councilman Jacobsen about the conservation subdivision. Councilman Jacobsen said Jim Carter at an earlier workshop answered one of the things he had questions about. He said Mr. Carter explained the easement owning as a three-legged stool and to make it work any one entity could not hold two parts of that stool. There is always somebody watching the city to make sure it is balanced. Commissioner Green asked what happens when the entity holding the easements no longer wants to use it the way it was set out to be used. Councilman Jacobsen said that person would have the right to sell the land but could not sell to somebody for development. He said the citizens of Nibley will always be the benefactors and the land will not be valuable to an individual but valuable to the community. Larry Anhder said he hopes the incentives are enough for developers to want to do a

conservation subdivision and that the biggest fear is to end up with half-acre lots and no open space and hopes to guide development and that it is broad enough to allow for variety.

Item 8: Public Hearing on a proposed plat amendment for Heritage Business Park – Phase 1.

Larry Anhder said the subdivision had been approved with out taking into account an access road. He said Alan Spendlove has allowed the city to purchase property from him so that road can come through and he is even sticking with the agreed upon price even though land values have gone up. He said they need to change plat to accommodate the roadway but a new issue has come up. He said the property next door is now in Logan City. Commissioner Cook asked how the other landowners on the other side feel about this proposal.

Commissioner Heidt opened a public hearing at 8:23 p.m.

Todd Anderson said he owns the property next to the Business Park and asked Larry Anhder how the city is going to proceed with the road. Larry Anhder said they anticipate 3200 South to have a traffic signal and hopes the Andersons will agree with them and someday somebody will offer they can't refuse and they are in the path of growth. Councilman Jacobsen said he can't really answer the Anderson's questions because they are in Logan City limits. He said he does not like the idea of condemning roads but it is driven by land owners. Larry Anhder said the dilemma for the property owners is that cities have to make planes and does not know hat a good answer to it is. He said the best answer he knows of is that if people are patient it will work out in the end and he can certainly sympathize with the Andersons.

Todd Anderson said he grew up there and then purchased land for a hobby farm and the last thing he wants is a frontage road in his front yard but does not want to sit in the way of progress. Commissioner Anderson said that another side is that growth may stop in Nibley and the connection of that road may not be for 30 or more years and that there is no crystal ball to tell them what the future holds. Larry Anhder said this situation can be controlled and should not close the possibility forever of having a decent road running parallel with the highway. Commissioner Cook asked if this is the only alternative and how much traffic will actually be affected. She would like to see a brainstorm and make it a win/win for everybody. Larry Anhder said his recommendations are to leave the options open and approve the plat change and that the purchase of property has been approved pending plat approval

Hearing no further public comment, Commissioner Heidt closed public hearing at 8:54 p.m.

Item 9: Heritage Business Park: Proposing an amendment for Heritage Business Park – Phase 1.

Commissioner Anderson said he thinks it is a sound decision for the city to go ahead with the proposed change. Commissioner Bliesner also agrees with the amendment with consideration of the Councilman Jacobsen's statement that if the proposal works how can he vote against it. Commissioner Anderson said that Nibley is in a unique situation and that Logan has no services out there and will not want to pay to run services from Logan City or talk to Nibley City to share theirs.

Commissioner Anderson made a motion to recommend the amended plat to the City Council for approval. Seconded by Commissioner Bliesner. Motion passed with Commissioners Heidt, Anderson, Green and Bliesner in favor and Commissioner Cook opposed to the motion.

Continued discussion of the Conservation Subdivision Ordinance.

Commissioner Anderson asked if this is only for new annexations. Larry Anhder said that it was for the most part but anything in R1 and R2 that is not yet developed can also apply. Commissioner Cook asked

if they knew of any other developments like this and how have they been working. Commissioner Bliesner said there are developments like this one in England and they have been around for hundreds of years. Larry Anhder said that in Utah there is only two other cities with Subdivision Ordinances like this one, Park City and Farmington. Shari Phippen said it is also common back east.

Commissioner Cook said she is in favor of this and loves having a horse track in her back yard and thinks there are many possibilities that can come out of this. Commissioner Heidt said she also thinks it is a great idea and thought the presentation given by Jim Carter was great.

Commissioner Bliesner made a motion to recommend their approval to the City Council on Ordinance 08-01. Seconded by Commissioner Green. Motion passed unanimously.

Item 10: Adjournment

General consent given to adjourn at 9:23 p.m.

Signed _____
Planning & Zoning Chairman

Attest _____
Assistant Deputy Recorder