

NIBLEY CITY CORPORATION
PLANNING AND ZONING COMMISSION
Wednesday, November 29 , 2006
The following motions were made during the meeting:

Motion #1: Curtis Rudd made a motion to approve a Conditional Use Permit and Business License for a light trucking transport service at 4070 Hollow Road with the following conditions:

- 1. Conditions as outlined in the application with the additional conditions of...**
- 2. Off-street parking of the vehicle prohibited**
- 3. Material may not be off loaded or stored at the site**
- 4. Accessory building for use of maintenance on truck and trailer only.**

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

Motion #2: Shawn Del Hunsaker made a motion to approve a Conditional Use Permit and a Business License for the operation of a home based child Daycare to Rebecca Leishman at 2620 South 600 West with conditions as outlined in the application and the following additional conditions.

- 1. Number of children at the daycare at any given time limited to a maximum of 9 children.**
- 2. No advertising signs allowed.**

Curtis Rudd made a second to the motion which was approved unanimously.

Motion #3: Commission member Shawn Del Hunsaker made a motion to approve a request for Preliminary Subdivision Plat Approval of "Ashbury Estates Subdivision- Phase II" for property of about 7.54 acres located between 3300 South and 3400 South and approximately 540 West and 640 West with the following recommendations prior to final approval: Developer should provide to the city a plat that includes...

- 1. Labeled curves for curve table and lot setbacks.**
- 2. Outlined fencing along railroad tracks**
- 3. A 66 foot cross section for right of way**
- 4. A letter from Dave Oblock (Fullerwest Subdivision) regarding irrigation.**
- 5. Additional storm water clarification.**
- 6. Trail system including a six foot concrete trail and a park strip of about six feet. (Developer has agreed to make trail system changes to phase 1).**
- 7. Landscaping plan for detention pond. With access to the pond to be located at the north end of lot 25.**
- 8. Development agreement regarding right of way improvements along 3200 South and the intersection of 620 West.**
- 9. Entrance (driveway) on lot 16 to be located on 620 West and as far south as possible.**

Curtis Rudd made a second to the motion which was approved unanimously. The motion was approved unanimously.

Motion #4: Commission member Jacobsen made a motion to approve a request to rezone two parcels of land located North of 4000 South to Meadow View Drive and West of 300 West to 640 West containing a total of 39.73 acres from Residential R-1 and R-2 to Agricultural.

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

Final

NIBLEY CITY CORPORATION
PLANNING AND ZONING COMMISSION
Wednesday, November 29, 2006
MINUTES OF THE MEETING

Minutes taken by Deputy City Recorder Kerry Bringhurst.

The following members of the Nibley City Planning and Zoning Commission were in attendance: Chairman Wayne Anderson (arrived later in the meeting) , Commission members Larry Jacobsen, Shawn Del Hunsaker, and Curtis Rudd. Also in attendance was City Planner Conley Thompson. Commission Member Aaron Bliesner and Nibley City Councilman Scott Wells were excused. The meeting took place in the Nibley City Hall, 625 West 3200 South.

Item 1: Previous Minutes and Evening's Agenda. Acting Chairman Larry Jacobsen asked for general consent to approve previous minutes with changes and evening's agenda. Seeing there was no opposition he announced unanimous approval of the motion.

Item 2: Adam Nelson- 4070 Hollow Road request a consideration for a Conditional Use Permit and Business License for a light trucking transport service. Applicant Adam Nelson said he would like to operate a business and will not store the vehicle at the business address. Vice-Chairman Jacobsen asked Mr. Nelson's intention for use of the accessory building as part of the business. Mr. Nelson said he will use the building to make repairs on his truck. Mr. Jacobsen explained that since the neighborhood is residential, and if issued, the permit would be limited to uses that will help maintain the residential atmosphere.

Curtis Rudd made a motion to approve a Conditional Use Permit and Business License for a light trucking transport service at 4070 Hollow Road with the following conditions:

- 1. Conditions as outlined in the application with the additional conditions of...**
- 2. Off-street parking of the vehicle prohibited**
- 3. Material may not be off loaded or stored at the site**
- 4. Accessory building for use of maintenance on truck and trailer only.**

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

Item 3: Rebecca Leishman- 2620 South 600 West request a consideration for a Conditional Use Permit and a Business License for the operation of a home based child Daycare. Mrs. Larsen presented her request before the commission along with the necessary application. She explained that outside play equipment is located in a fenced backyard.

Shawn Del Hunsaker made a motion to approve a Conditional Use Permit and a Business License for the operation of a home based child Daycare to Rebecca Leishman at 2620 South 600 West with conditions as outlined in the application and the following additional conditions.

- 1. Number of children at the daycare at any given time limited to a maximum of 9 children.**
- 2. No advertising signs allowed.**

Curtis Rudd made a second to the motion which was approved unanimously.

(Note: Chairman Wayne Anderson arrived at 7:20 p.m.) Commission member Jacobsen turned the meeting over to Chairman Anderson. Chairman Anderson thanked Mr. Jacobsen for taking charge of the meeting until Mr. Anderson's arrival.

Item 4: Public Hearing- Mitch McKinlay and Brett Sorensen request a consideration for subdivision of property containing 7.54 acres to be known as Ashbury Estates Subdivision Phase II, in the residential R-2 zone located South of 3200 South to approximately 3300 South and approximately between 520 West 626 West.

Prior to the opening of the public hearing there was some discussion regarding the advertising of the public hearing and the property size that was published. The acreage reads as 7.54 when in actuality there is one tenth of an acre more in the proposed subdivision. Mr. Thompson said after consulting with City Manager Larry Anhder it was recommended to explain the oversight at the public hearing and continue with the process as outlined. Chairman Anderson agreed. In a related matter, Chairman Anderson addressed concerns about the advertised address. Mr. Thompson said the advertised address of the property was as correct as possible.

The public hearing began at 7:30 p.m. with a description by Mr. Thompson of the proposed subdivision. He explained to those in attendance that phase 2, which lines up along 3200 South, is the property under consideration. Bonnie Darrinton lives near the proposed subdivision. She said she was hoping to learn more about the proposal. Chairman Anderson asked for public input on the request. Seeing none he closed the public hearing at 7:36 p.m.

Item 5: Preliminary Subdivision Plat Review and Request for Approval. "Ashbury Estates Subdivision-Phase II"- Request a consideration for Preliminary Subdivision Plat review and approval for property of about 7.54 acres located between 3300 South and 3400 South and approximately 540 West and 640 West. Applicants Mitch Mckinlay and Brett Sorensen met before the commission along with Brandon Aemes. Mr. Thompson explained the proposal and indicated that issues related to lot 16 and access to 620 West and retention basin/detention ponds have been resolved along with reconfiguration of two lots that did not meet set back requirements.

Owners of the Fullerwest Subdivision have requested to have access to their shares of irrigation water. Mr. Thompson also asked that Mr. Aemes explain the amount of water from lot 25 going into the detention pond to determine if it has the necessary CFS of water. Mr. Aemes said that portion of the plan has been changed to meet the necessary requirements for flow as request by the irrigation company. Curb,gutter, and sidewalk placement was discussed. Mr. Thompson asked where the storm drain water will flow. Mr. Aemes said it will operate as it does now. Mr. Thompson said the city would like to require some easily maintained landscape ponds located in both phases. The city will maintain the storm drains and water retention areas/ponds. Commission member Jacobsen said he continues to oppose the decision by the council to take ownership of the subdivision retention pond. He would prefer the retention pond be located on private property.

After the preliminary review the commission made the following recommendations to be completed prior to a request for final approval :

1. Label curves for curve table and lot setbacks.
2. Outline fencing along railroad tracks
3. Include 66 foot cross section for right of way
4. Provide a letter from Dave Oblock (Fullerwest Subdivision) regarding irrigation.
5. Additional storm water clarification.
6. Trail system including a six foot concrete trail and a park strip of about six feet. (Developer has agreed to make trail system changes to phase 1).
7. Landscaping plan for detention pond. With access to the pond to be located at the north end of lot 25.
8. Development agreement regarding right of way improvements along 3200 South and the intersection of 620 West.
9. Entrance (driveway) on lot 16 to be located on 620 West and as far south as possible.

Commission member Shawn Del Hunsaker made a motion to approve a request for Preliminary Subdivision Plat Approval of "Ashbury Estates Subdivision- Phase II" for property of about 7.54 acres located between 3300 South and 3400 South and approximately 540 West and 640 West with the following recommendations prior to final approval: Developer should provide to the city a plat that includes...

1. Labeled curves for curve table and lot setbacks.
 2. Outlined fencing along railroad tracks
 3. A 66 foot cross section for right of way
 4. A letter from Dave Oblock (Fullerwest Subdivision) regarding irrigation.
 5. Additional storm water clarification.
 6. Trail system including a six foot concrete trail and a park strip of about six feet. (Developer has agreed to make trail system changes to phase 1).
 7. Landscaping plan for detention pond. With access to the pond to be located at the north end of lot 25.
 8. Development agreement regarding right of way improvements along 3200 South and the intersection of 620 West.
 9. Entrance (driveway) on lot 16 to be located on 620 West and as far south as possible.
- Curtis Rudd made a second to the motion which was approved unanimously. The motion was approved unanimously.

Item 6: Public Hearing- Boyd Schiess request a consideration to rezone two parcels of land located North of 4000 South to Meadow View Drive and West of 300 West to 640 West containing a total of 39.73 acres from Residential R-1 and R-2 to Agricultural.

Larry Slade spoke in favor of the request to re-zone the property to agriculture. Jan Stevens agreed that having land zoned agricultural is a nice change and one of the reasons she moved to Nibley was to enjoy the open space. Chairman Anderson asked for further comment or questions during the public hearing. Seeing none he closed the hearing and turned to the commission for their questions.

Commission member Jacobsen made a motion to approve a request to rezone two parcels of land located North of 4000 South to Meadow View Drive and West of 300 West to 640 West containing a total of 39.73 acres from Residential R-1 and R-2 to Agricultural. Shawn Del Hunsaker made a second to the motion which was approved unanimously.

Item 7: Workshop-

The commission discussed recent comments made by a member of the Nibley City Council about a proposed plan for a half culdasc in Ashbury Estates. The commission explained the design was made in order to meet city set back requirements. Larry Jacobsen mentioned reference in a recent e-mail included opinions by various city planners regarding the half culdasc on Ashbury Estates. Mr. Jacobsen asked whether or not Nibley City Planner Conley Thompson's opinion was considered in the matter. Mr. Thompson said he was not contacted by any member of the city council regarding his recommendations about the culdasc proposal. Mr. Jacobsen said he would like to go on record as saying he is disappointed that our own city staff was not consulted before planners from other cities were contacted. Commission members Curtis Rudd and Shawn Del Hunsaker agreed that city staff should be consulted in decisions related to Nibley City.

Item 8: Planners Report- Mr. Thompson presented to the council suggested parking solution from developers of Spring Creek Crossing. Mr. Thompson said the developer provided an alternative solution to parking problems that would include pull-outs. As the city planner Mr. Thompson said he would like to see a reduced set back in order to deal with the parking problem, rather than the developers proposed pull outs. The commission reviewed photographs of the "bump-outs" prepared by the developer, Garbett Homes. The proposal did not appear to meet the hopes of the city planner nor the commission. Mrs. Hunsaker said the plan is nothing more than strip parking along the street and reduces the appeal of the development. Mr. Thompson continued to suggest the city recommend a change to the set back to be 30 feet or require an extended garage to accommodate larger vehicles. Mr. Jacobsen said the city can include as a condition that there be no on street parking and that the HOA prohibit parking on sidewalks.

In other matters, Mr. Thompson offered to the commission access to a CD of information included in a Cache Valley 2030 plan prepared by Utah State University along with other organizations. Mr. Thompson said the information could be helpful as the city begins the process of future planning and zoning in Nibley. Mr. Thompson said the south/west corridor along highway 89-91 is a major factor in the plan that could be controversial and could limit the potential business options for the city. There appears to be support of the Cache County Council for the plan to support the study, according to Mr. Thompson, who said the reason for the the proposed outlining of areas is to help maintain an open view of Cache Valley. Mr. Jacobsen said he supports the idea of regional planning but is not convinced the plan prepared in this case will provide the necessary planning needed to benefit the Cache Valley. Mr. Thompson said there has been discussion by the City Manager to have GIS planning available to the city which he feels would benefit city planning efforts.

Item 9: Adjourn- Chairman Anderson asked for general consent to adjourn at 9:45 p.m.

Signed _____
Planning & Zoning Chairman

Attest _____
Assistant Deputy Recorder