



Nibley City
Planning Commission Meeting
Thursday, February 29, 2024
Nibley City Hall
455 W. 3200 S.
Nibley, UT

6:30 p.m. Call to Order and Roll Call
 Approval of Agenda
 Approval of Minutes

In accordance with Utah Code Annotated 52-4-207 and Nibley City Resolution 12-04, this meeting may be conducted electronically. The anchor location for the meeting will be Nibley City Hall, 455 West 3200 South, Nibley, Utah. The public may participate in the meeting either in person or electronically via the meeting link provided at www.nibleycity.com.

1. **Public Hearing:** Nibley Coach Subdivision Preliminary Plat, a 32-lot subdivision, intended for 31 single-family residential lots and 1 lot for an assisted living center, containing 9.7 acres, located at approximately 2850 S 800 W
2. **Discussion and Consideration:** Nibley Coach Subdivision Preliminary Plat, a 32-lot subdivision, intended for 31 single-family residential lots and 1 lot for an assisted living center, containing 9.7 acres, located at approximately 2850 S 800 W
3. **Public Hearing:** Ordinance 24-04: Rezone Parcel 03-0017-0019 & 03-0017-0020, located at 1405 W 3200 S from Residential (R-2) to Residential (R-2A)
4. **Discussion and Consideration:** Ordinance 24-04: Rezone Parcel 03-0017-0019 & 03-0017-0020, located at 1405 W 3200 S from Residential (R-2) to Residential (R-2A)
5. Staff Report and Action Items

*Planning Commission agenda items may be tabled or continued if 1) Additional information is needed in order to take action on the item, OR 2) The Planning Commission feels there are unresolved issues that may need further attention before the Commission is ready to make a motion. **No agenda item will begin after 10:00 p.m. without a unanimous vote of the Commission.** The Commission may carry over agenda items, scheduled late in the evening and not heard, to the next regularly scheduled meeting.*

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE, PLEASE CALL 752-0431 A MINIMUM OF 24 HOURS BEFORE THE MEETING.



**Nibley City Planning
Commission
Agenda Item Report
February 29, 2024**

Agenda Item #1 & #2: Preliminary Plat: Nibley Coach

Description

Public Hearing: Nibley Coach Subdivision Preliminary Plat, a 32-lot subdivision, intended for 31 single-family residential lots and 1 lot for an assisted living center, containing 9.7 acres, located at approximately 2850 S 800 W

Discussion and Consideration: Nibley Coach Subdivision Preliminary Plat, a 32-lot subdivision, intended for 31 single-family residential lots and 1 lot for an assisted living center, containing 9.7 acres, located at approximately 2850 S 800 W

Department

City Planning

Action Type

Administrative

Recommendation

Approval of the Nibley Coach Subdivision Preliminary Plat with Staff's recommended findings and conditions

Reviewed By

City Planner, City Engineer, City Manager, Public Works Director

Background

Ryan Reeves, authorized representative for the property owner of Parcel 03-019-0003 (D&S Smercheck Real Estate LLC) has applied for Preliminary Plat approval for Nibley Coach Subdivision. The proposed subdivision includes a 9.7 acre portion of the parcel located at approximately 2850 S 800 W. On May 12, 2022, the property was rezoned from Industrial (I) to Commercial (C), in conjunction with a concurrent process of subdivision, in accordance with Nibley City Code. As such, the proposed preliminary plat will be evaluated based upon commercial zoning standards at the time of initial application. Below is a summary of the development and zoning requirements:

	NCC Requirements	Nibley Coach
Total Gross Acres	N/A	9.7
Total Lots	N/A	32
Minimum Lot Size	--	5,700 ft ²
Minimum street frontage	--	60 ft
Minimum Front yard setbacks	20 ft	20 ft
Minimum Rear yard setbacks	0(30) ¹	15(30) ¹
Minimum Side yard setbacks	0(20) ² (30) ¹	5(20) ² (30) ¹

¹ When abutting a residential zone or existing residential dwelling unit, minimum setback is 30 feet for commercial zones and 20 feet for neighborhood commercial zones. The minimum setback shall be increased one additional foot for every additional one foot in height of the building in a commercial zone.

² Side yard, street facing

Zoning and space requirements

As noted above, the proposed subdivision is located within a property which was conditionally rezoned as Commercial (C). NCC 19.22.010 does not require a minimum lot size or lot width within commercial zones. The minimum front yard setback is 20 ft. There is no minimum rear setback, except when abutting a residential zone or residential dwelling unit, in which case it is 30' (to be increased 1' for every 1' increase in height of the building). The minimum side yard setback is 0 for interior lots, 20' for corner lots, and 30' when abutting a residential zone or residential dwelling unit (to be increased 1' for every 1' increase in height of the building). The preliminary plat denotes setbacks that meets or exceeds setback requirements, provided that homes and buildings on lots adjacent to residential zones or residential dwelling units do not exceed 30'.

The proposed uses of Assisted Living Facility and Single-Family Housing were listed as conditional uses at the time of application for concept review for the proposed subdivision and subsequent conditional use permit. As provided in NCC 19.02.100(A)(1):

1. *An applicant is entitled to approval of a land use application if the application conforms to the requirements of the Nibley City zoning map and applicable land use ordinance(s) in effect when a complete application is submitted and all fees have been paid, unless:*
 - a. *The governing body, on the record, finds that a compelling, countervailing public interest would be jeopardized by approving the application; or*
 - b. *In the manner provided by local ordinance and before the application is submitted, the municipality has formally initiated proceedings to amend its ordinances in a manner that would prohibit approval of the application as submitted.*
 - 1) *Amendment proceedings are considered to be formally initiated once they have appeared as an item on the Nibley City planning commission agenda.*

Since this time, the City has amended the land use chart, listing Housing, single family as only a conditional use within the town center area, as part of a mixed use project. However, because the applicant submitted a concept plan application with all fees paid, the applicant is vested under the ordinance at the time of the initial application.

Both uses are subject to further review of a conditional use permit application.

Phasing

The applicant proposes to phase the development in 2 phases. Phase 1 would include 6 single-family residential lots and a lot for the assisted living center. Phase 2 would include the remaining 25 lots. The proposed phasing plan appears to conform to NCC 21.02.080, including the requirement that public improvements are constructed commensurate with the number of lots in each phase.

Utility Lines, Easements, and Storm Water

The applicant has shown a preliminary plan for connecting utilities to Nibley City's utility system, including locations of sewer, water lines. The applicant proposes to existing water lines on 660 W to the north and 800 W to the west and sewer along 800 W. Regarding stormwater, the applicant is proposing a stormwater basin on the lot in which the assisted living center is to be located. Public utility easements are shown where necessary, as required by the City Engineer. Nibley City engineer and public works director have reviewed the plans. The City's consultant ran a water model, which suggested that attention should be given at time of final approval for the assisted living center to ensure fire flow is maintained. The fire line and hydrants serving the Assisted Living Center are considered private and will require a Private Water Infrastructure Agreement that will record with the property. Approval of all utility systems are subject to further review at time of Final Plat and Site Plan Review to ensure feasibility and compliance with City standards.

Canals

There are two parallel irrigation canals that currently bisect the property: one that services College Irrigation and one that services Nibley-Blacksmith Fork Irrigation. The applicant is proposing to pipe and reroute both canals through the development. The applicant has provided acknowledgements from each respective canal company as required by NCC 21.06.040(A)(5)

Streets

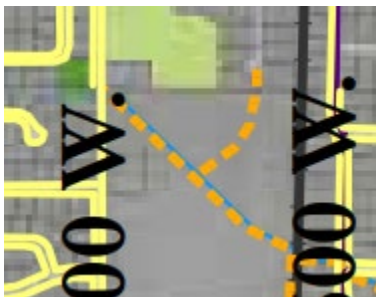
The currently adopted Transportation Master Plan shows 800 West as a collector street along the frontage of the proposed subdivision. The applicant proposes to dedicate additional right-of-way along 800 West to widen to 800 West to the planned 66' ROW. The proposed cross section of 800 W is a 'TS-9', which includes 2- 11' travel lanes, no street parking, a park strip and an 8' wide sidewalk to accommodate the planned trail noted below.

Local streets service all lots within the proposed subdivision, with a modified TS-13 cross section to accommodate 29' of asphalt, an 8' wide trail along one side and a 5' sidewalk on the other side. A local street is proposed to connect to 660 West via a City-owned parcel (03-133-0023), which was dedicated with the Elkhorn Ranch Unit 2 Subdivision, as a future extension of the existing street. The 50' wide parcel meets the width of streets within the existing subdivision and provides sufficient width for the developer to provide an access road, in accordance with NCC 21.12.060(D), with 29' of asphalt and a sidewalk. This access road is necessary as the subdivision is greater than 30 lots. In addition, if a cul-de-sac were provided, rather than the access road, it would exceed the maximum length of a cul-de-sac provided in NCC 21.12.060(B).

Although not required until final plat and construction drawing submittals, the applicant will be required to provide a geotechnical report and pavement design for the new public road.

Trails

NCC 21.12.060(F)(1) requires compliance with the City Trail Master Plan when subdividing property. The current trail master plan shows two trails, both of which start at the point of the canal, one of which connects the NE side of the property and another than connects to the NW side of the property (see image below). Proposed 8' wide trail connections are proposed along planned streets, with a stub connection to the south between lots 6 and 7, in the area the canal with be piped.



Trail Master Plan image in project area

In addition, an 8' trail is proposed to be connected between the proposed cul-de-sac and 660 W in accordance with NCC 21.12.060(B)(1).

Street Trees

NCC 21.12.170 provides that street trees be planted every 50'. The applicant has provided a street tree plan which complies with this standard.

Recommended Findings

1. On May 12, 2022, the property was rezoned from Industrial (I) to Commercial (C), in conjunction with a concurrent process of subdivision, in accordance with Nibley City Code.
2. The proposed uses of 'assisted living facility' and 'single-family home' were listed as conditional uses within a commercial zone at the time of initial application and are subject to further review of a conditional use permit.
3. Proposed lots, including proposed setbacks, lot sizes and frontages are in conformance with NCC 19.22.
4. Proposed streets and trails are in accordance with NCC 21.12, the Transportation Master Plan and the Trails Master Plan.
5. The proposed water, sewer and stormwater systems have been reviewed by the City Engineer and Public Works and are subject to further review at time of final design.
6. The canal systems are subject to approval by College Irrigation and Nibley-Blacksmith Fork Irrigation.
7. The proposed phasing plan conforms to NCC 21.02.080.

Recommended Conditions

1. The Final approval of the subdivision is subject to Final Plat approval. Construction of the proposed single-family homes and assisted living center are subject to conditional use permit approval. The proposed assisted living center is subject to site plan approval. All buildings and elements displayed on the preliminary plat are subject to further review.
2. Any buildings adjacent to a residential zone or residential dwelling unit must provide an increased setback in accordance with NCC 19.22.020(11) if they exceed 30 ft in height.
3. Prior to Final Plat and Site Plan approval, the applicant will need to demonstrate sufficient fire flow for the subdivision.
4. A development agreement will need to be approved prior to recordation of the Final Plat.
5. Drive access shall be at least 100-ft away from the center of intersections- Lot 1 and the Assisted Living Center.
6. A geotechnical report and pavement design for the new public road is required at the time of Final Plat.

Agenda Item #3 & #4: Rezone Parcel 03-0017-0019 & 03-0017-0020, located at 1405 W 3200 S

Description

Public Hearing: Ordinance 24-04: Rezone Parcel 03-0017-0019 & 03-0017-0020, located at 1405 W 3200 S from Residential (R-2) to Residential (R-2A)

Discussion and Consideration: Ordinance 24-04: Rezone Parcel 03-0017-0019 & 03-0017-0020, located at 1405 W 3200 S from Residential (R-2) to Residential (R-2A)

Department

City Planning

Action Type

Legislative

Recommendation

Recommend approval of Ordinance 24-04: Rezone Parcel 03-0017-0019 & 03-0017-0020, located at 1405 W 3200 S from Residential (R-2) to Residential (R-2A) with with Staff's recommended findings

Reviewed By

City Manager, City Engineer, City Planner

Background

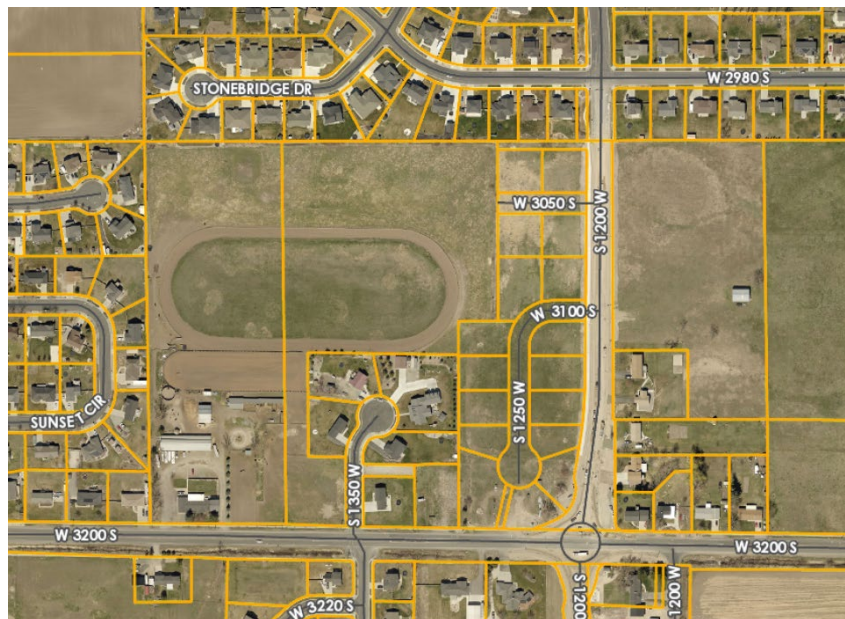
Josh Low, representative of Hidden Valley Estates LLC, property owner of Parcel 03-0017-0019 & 03-0017-0020, located at 1405 W 3200 S has applied to Rezone the properties from Residential (R-2) to Residential (R-2A). On September 14, 2023, the City Council Rezoned the property from Agricultural (A) to Residential (R-2). At the time, applicant proposed to rezone the properties as R-2A. However, the Planning Commission determined that R-2 was a more suitable zone for the property, citing that there would be more of an incentive to develop the property as an Open Space Subdivision. The City Council concurred with this assessment and rezoned the property R-2.

This application is essentially a reconsideration of this former request. The applicant has provided an updated justification and a concept plan of a potential standard R-2A subdivision. It is important to note that approval of the Rezone would not constitute approval of the subdivision concept, but is provided for illustrative purposes.

Although this Rezone was previously denied, Staff is recommending approval, as the proposal is consistent with the General Plan, including the Future Land Use Map. That said, the medium density designation is inclusive of the scale of development found in both R-2 and R-2A zoning, so if the City chooses to deny the application, this decision would not necessarily be in conflict with the General Plan.

Site Context

The two properties together total 19.49 acres. There is a single family residence located in the south western corner of lot 03-017-020. The rest of the property has been historically used as an equine facility with outbuildings, stalls, racetrack, pasture and other training facilities and equipment. The property is bordered by Maple Valley Estates to the west (R2), Hideaway Estates to Southwest (R2), Stonebridge to the North and Heritage Crossing to the east (both R2A). Each of these bordering subdivisions are detached single-family developments. Malouf Industries is located to the North West. The properties could be serviced by two arterial roadways, 1200 West to the East and 3200 South to the South. These two corridors also provide access for the properties to both water and sewer facilities. The north end of the property has been master planned for a storm water drainage corridor and a trail.



General Plan Guidance

The Future Land Use Map designates this property as “medium-density residential”. Other provisions of the General Plan related to this request include:

- *Land Use Goal 1: Encourage development that respects and preserves the character of the City and provides a mix of commercial, residential housing and some light industrial uses. Carefully plan for growth within the City, ensuring that development occurs in suitable locations and can be efficiently served over the long term.*
- *Land Use Goal 2: Guide land use and growth decisions through application of the General Plan, the Future Land Use Map, and relevant goals, principles, and projects.*
- *Residential Development and Housing Goal 1: Ensure that new residential development is compatible with existing development and protects Nibley’s rural character and natural resources.*
- *Residential Development and Housing Goal 2: Preserve existing housing and neighborhoods where appropriate.*

Based upon the context of the site and the guidance provided in the Future Land-Use Map and goals of the general plan, Staff has determined that this application is in support of the General Plan.

Applicant Statement:

What is the need for the proposed zone change?

A density and size of lots that is consistent with the surrounding area and the development (Heritage Crossing) that we are attaching to/continuing on from.

What will the public benefit be if the zone change is granted?

Affordable lots and continued look and feel of past subdivisions

How does the proposal comply with the goals and policies of the Nibley City General Plan?

This higher density was suggested within the general plan

Is there any annexation of property necessary?

No

Please explain how the anticipated use is appropriate for the surrounding area.

This higher density zone (from R2) is the same zoning as everything surrounding this ground with the exception of a small portion that touches on one corner.

What public infrastructure is in place to serve the type and intensity of the proposed use? If needed, could the infrastructure be reasonably extended, at the cost of the property owner or developer?

Public infrastructure is in place touching property boundary.

Recommended Findings

1. The application is in support of the Nibley City General Plan and Future Land Use Map.
2. The zoning is compatible and consistent with zoning and development in the surrounding area.

Nibley

Nibley Coach

06/27/2023 - 06/26/2028

6093192

Subdivision: Preliminary Plat

Filing Fee

6a079880-1525-11ee-bff4-530969eb9c55

New

Active

Application Review Status

Pre-Review	Not Reviewed	
Final-Review	Not Reviewed	06/27/2023

Fees

Preliminary Plat Filing Fee	\$1,660.00
Public Notice Fee	\$150.00
Subtotal	\$1,810.00
Processing Fee	\$57.92
Total	\$1,867.92
Amount Paid	\$1,867.92
Total Due	\$0.00

Payments

06/27/2023	Online	\$1,810.00
Total Paid		\$1,867.92

Application Form Data

(Empty fields are not included)

Applicant First Name

Ryan

Applicant Last Name

Reeves

Applicant Phone

(435) 757-4445

Applicant Email

ryanr@interstatecp.com

Is the applicant the property owner for the entire proposed subdivision area?

No

Prior to submitting this application, have you submitted a concept plan for Nibley City Staff review?

Yes

Subdivision Name

Nibley Coach

Subdivision Location (Address or approximate location)

approx 800 west 2800 south Nibley

How many lots are proposed in this subdivision?

32

Upload Preliminary Plat Document

 **ReevesNibleyPrelim6-2023 Final.pdf**

Upload Certified Title Report

 **106824 - Commitment.pdf**

Please check here acknowledging that you understand the noticing requirement



Please check here acknowledging that you understand the review process



Does the City Manager or Planning Commission Chair request a public hearing for this application?

Yes

Upload completed property owner's affidavit

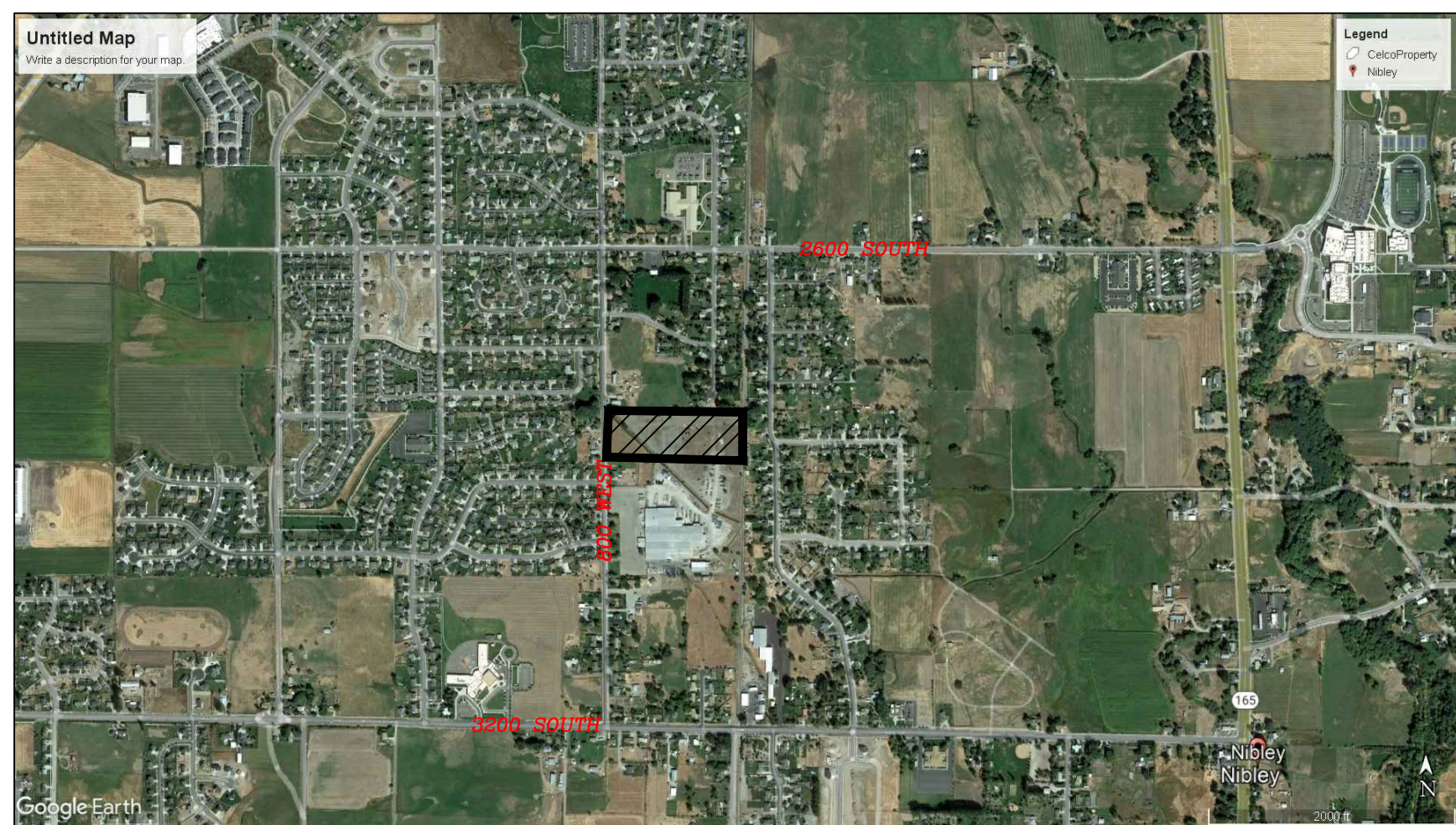
 **Complete_with_DocuSign_owner_affi.pdf**

Signature

I certify under penalty of perjury that this application and all information submitted as part of this application are true, complete, and accurate to the best of my knowledge. I also certify that I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me with respect to this application. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that Nibley may rescind any approval, or take any legal or appropriate action. I understand that any cost of engineering, legal, fire, or other review incurred in the City shall be my responsibility to pay. I also acknowledge that I have reviewed the applicable sections of the Nibley City Code and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses. I certify that I am the record owner of the subject property and I consent to the submittal of this project.

With my signature, I give consent to receive service of process at the email listed on this application.

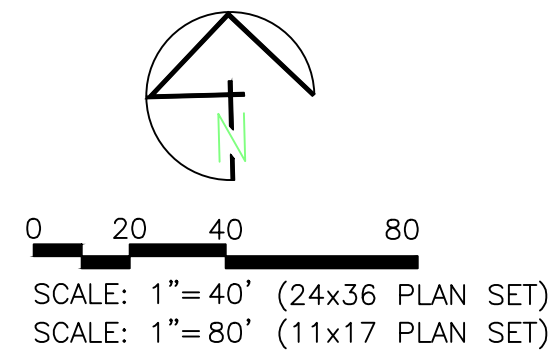
Ryan Reeves - 06/27/2023 2:01 pm



NIBLEY COACH SUBDIVISION

PART OF THE NORTHWEST QUARTER OF SECTION 21,
TOWNSHIP 11 NORTH, RANGE 1 EAST,
SALT LAKE BASELINE AND MERIDIAN

PRELIMINARY PLAT

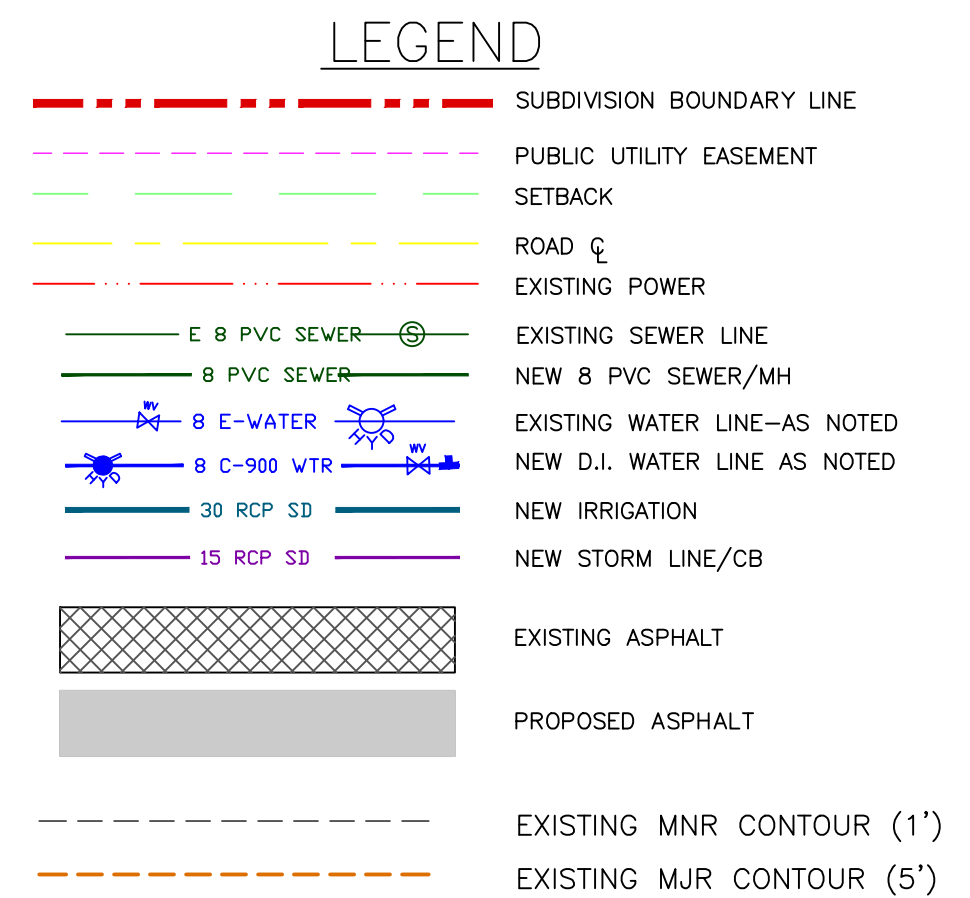


- Notes:**
- Statement of Intent - Create a 31 lot 55+ community with an assisted living center
 - Owner: D & S SMERCK REAL ESTATE LLC, PO BOX 324, WATERVILLE, KS 66548-0324
 - Developer: Ryan Reeves, 255 South Main Suite 100 Logan Utah 84321 435-213-9334
 - There were no records found for any wells (existing or abandoned) on the site.
 - Project to be completed in two phases.
 - Per the National Wetlands Inventory there are no wetlands on the site.
 - Driveway to Lot 1 to be located on east side of lot.
 - No residential accesses allowed on 800 West.
 - Trails dedicated to the city to be maintained by development entity.

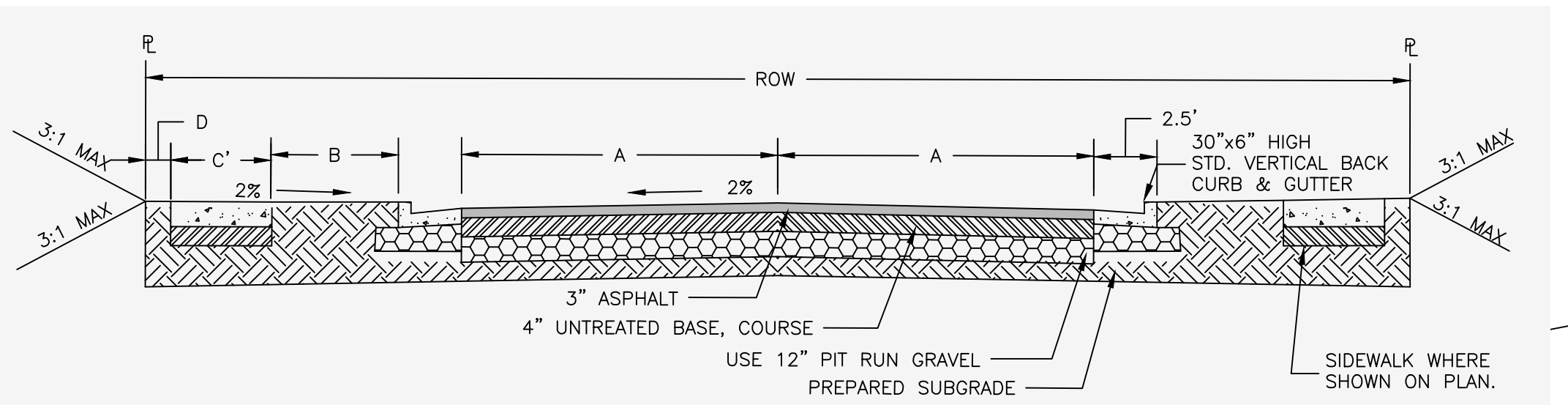
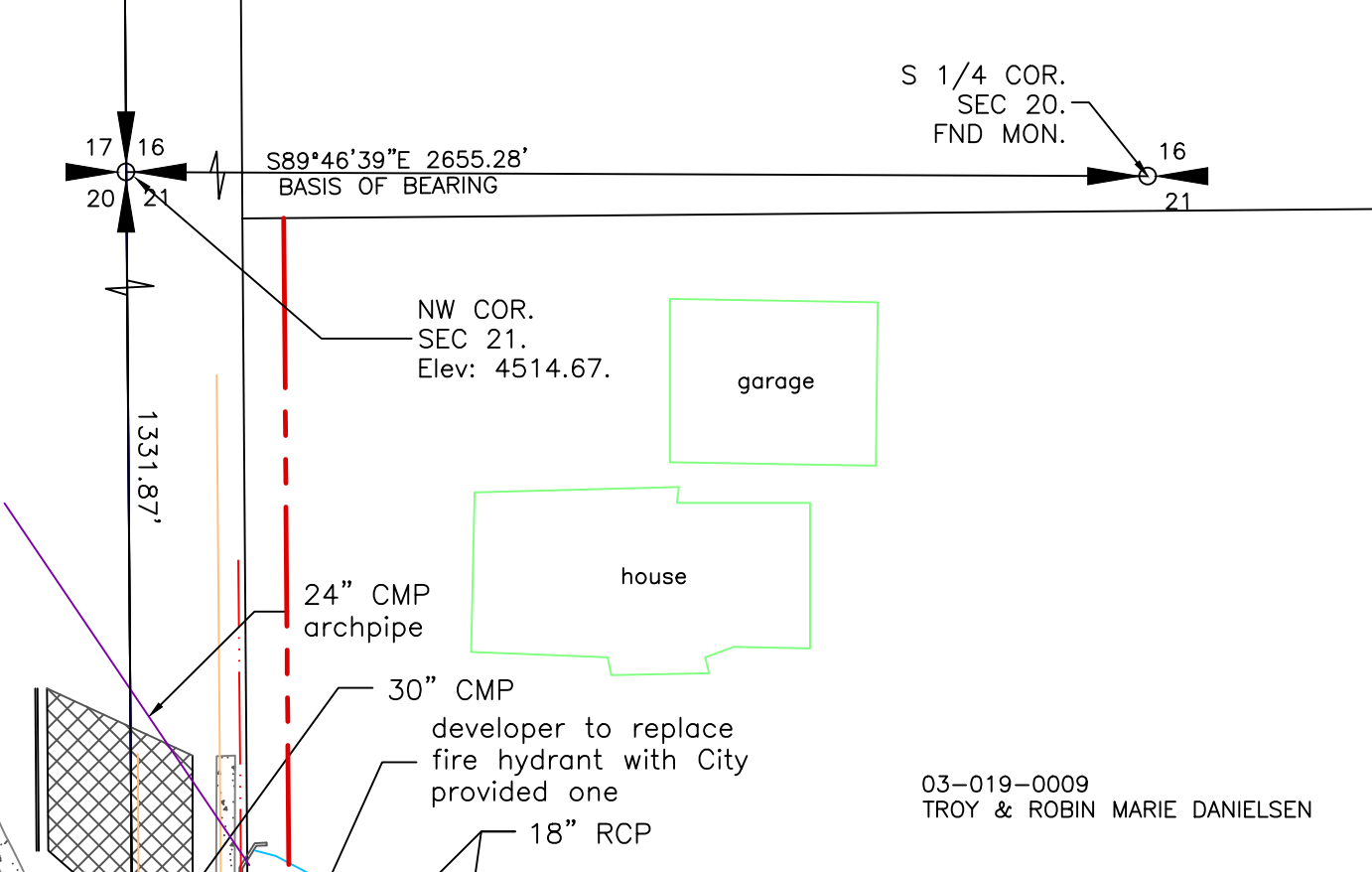
LEGAL DESCRIPTION

Part of the Northwest Quarter of Section 21, Township 11 North, Range 1 East of the Salt Lake Baseline and Meridian described as follows:
Commencing at the Northwest Corner of Section 21, Township 11 North, Range 1 East of the Salt Lake Baseline and Meridian monumented with a Brass Cop, thence S00°26'13" E 1331.87 feet (S 00°06'23" E 1331.76 feet, By Record) along the west line of the Northwest Quarter of said Section 21; thence East 24.75 feet to the POINT OF BEGINNING and running

thence N 89°31'32" E 666.23 feet;
thence N 00°25'00" W 0.75 feet to the Southwest Corner of Lot 11, Elkhorn Ranch Unit 2 recorded in the Cache County Recorder's Office under Entry 442245 on April 8, 1981;
thence N 89°34'08" E 431.39 feet along the boundary of Elkhorn Ranch Unit 2 and its projection thereof to the west right-of-way line of the Oregon Shortline Railroad;
thence S 01°01'41" W 387.34 feet along said right-of-way;
thence S 89°34'40" W 1,087.71 feet to the east right of way line of 800 West Street;
thence N 00°26'13" W 385.79 feet along said east right of way line to the point of beginning, containing 9.695 acres, more or less.

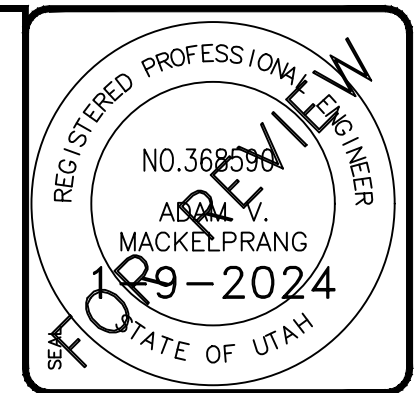
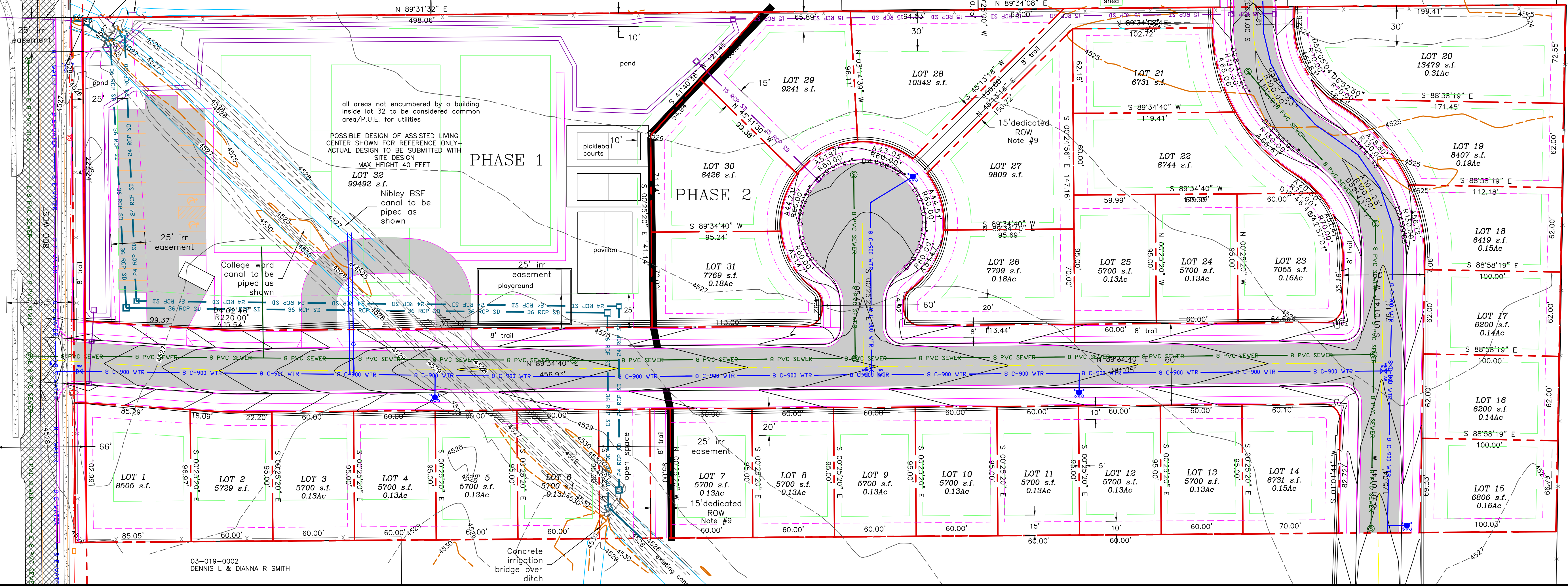


VICINITY MAP



TYPICAL ROAD CROSS-SECTION

City #	ROW	A	B	C	D
TS-13	60'	14.5'	7'or4'	5'or8'	1'
TS-9	66'	11'	13.5'or10.5'	5'or8'	1'



ALLIANCE CONSULTING ENGINEERS
150 EAST 200 NORTH SUITE P
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(435) 755-5121
allianceengineers@yahoo.com

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NO.	REVISIONS/ SUBMISSIONS	DATE

REVISIONS/ SUBMISSIONS: 03-021-0030 OREGON SHORT LINE RR

NIBLEY COACH SUBDIVISION
PART OF THE NORTHWEST QUARTER OF SECTION 21,
TOWNSHIP 11 NORTH, RANGE 1 EAST,
SALT LAKE BASELINE AND MERIDIAN

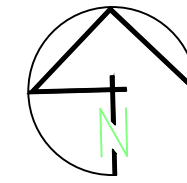
PRELIMINARY PLAT

DRAWING TITLE: PRELIMINARY PLAT
DATE: OCT, 2023
DRAWING No. 1

NIBLEY COACH SUBDIVISION

PART OF THE NORTHWEST QUARTER OF SECTION 21,
TOWNSHIP 11 NORTH, RANGE 1 EAST,
SALT LAKE BASELINE AND MERIDIAN

PRELIMINARY LANDSCAPE



0 15 30 60

SCALE: 1"=30' (24x36 PLAN SET)
SCALE: 1"=60' (11x17 PLAN SET)









LEGEND

--- BOUNDARY LINE

SHRUBS

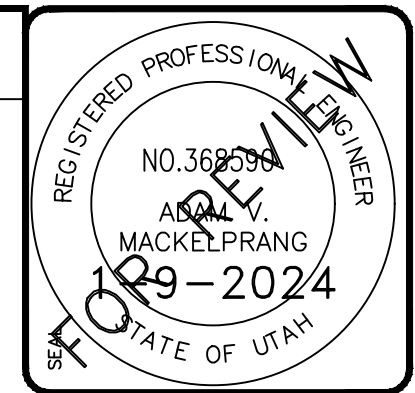
-  Kelsey's Red-osier dogwood
-  Goldflame Spirea
-  Dwarf mock orange
-  Dwarf forsythia

TREES

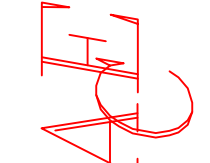
-  Honey locust 1-1/2" cal
-  Linden (green spire) 1-1/2" cal
-  Spring snow crabapple 1-1/2" cal
-  Rocky Mountain Maple 1-1/2" cal
-  Serviceberry 'Autumn Brilliance' 1-1/2" cal
-  Turkish Filbert 1-1/2" cal
-  Japanese Lilac 1-1/2" cal
-  Crabapple 1-1/2" cal

NOTES:

1. IRRIGATION SYSTEM WILL BE DESIGNED BY LANDSCAPE CONTRACTOR. LAWN AREAS WILL BE DESIGNED FOR HEAD TO HEAD COVERAGE AND ALL PLANTING AREAS WILL BE DRIP IRRIGATED.



ALLIANCE CONSULTING ENGINEERS
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LOGAN, UTAH 84321
allianceengr.com | yanheo.com



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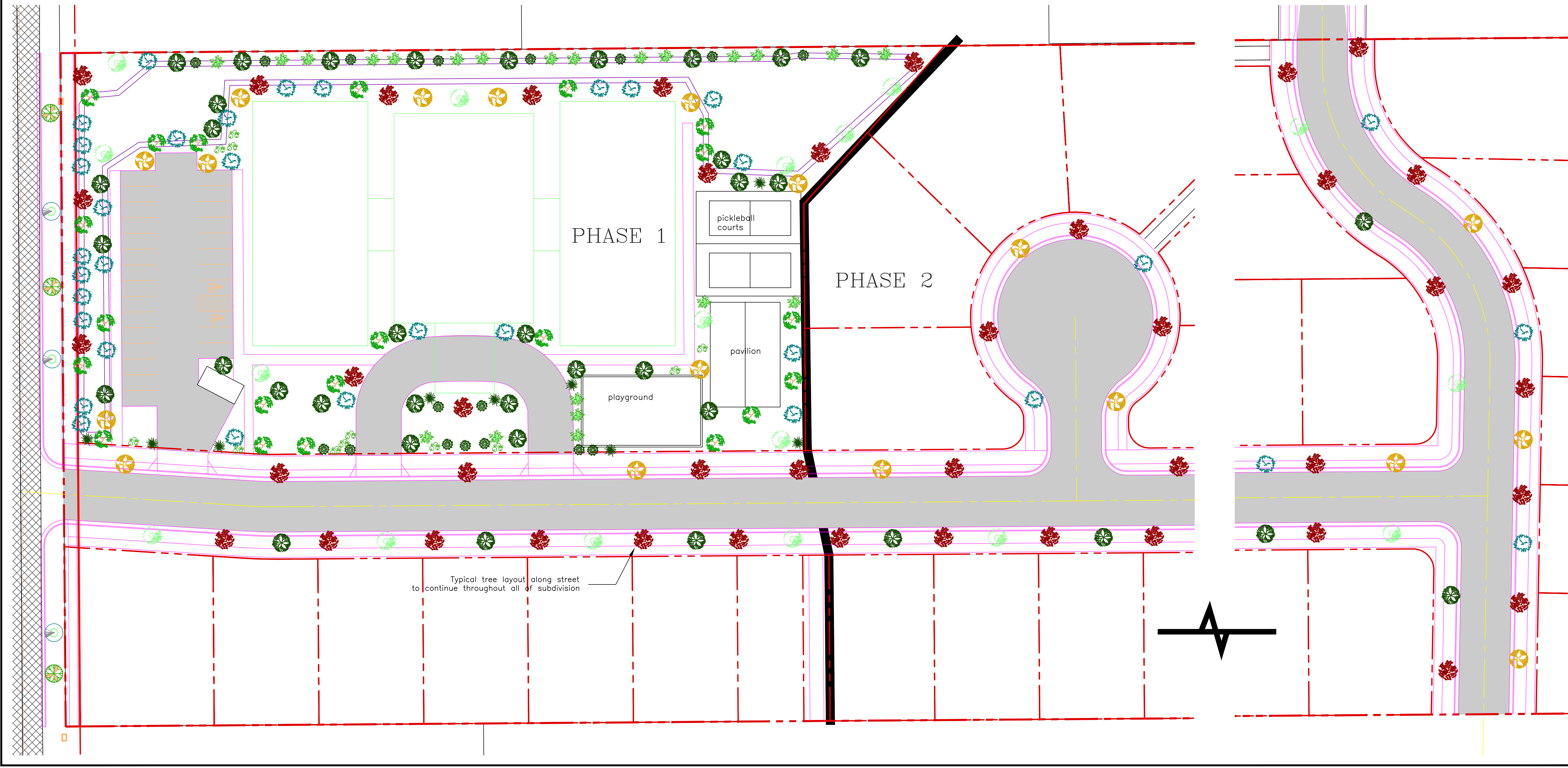
No.	REVISIONS / SUBMISSIONS	DATE

REVIEWED:	DRAWN:	PROJECT NO.:
CAD FILE:		

NIBLEY COACH SUBDIVISION
PART OF THE NORTHWEST QUARTER OF SECTION 21,
TOWNSHIP 11 NORTH, RANGE 1 EAST,
SALT LAKE BASELINE AND MERIDIAN

PRELIMINARY LANDSCAPE

DATE: OCT, 2023
DRAWING No. 2





RECORD OF DECISION

At the February 29, 2024 meeting the Nibley City Planning Commission conditionally approved a preliminary plat for **Nibley Coach Preliminary Plat** to subdivide and develop a new 32 Lot subdivision on a 9.7-acre portion of a parcel located at approximately 2850 S 800 W in a zone which was approved on May 12, 2022 as Commercial (C) conditional upon subdivision of the property; TIN 03-019-0003. This Memorandum memorializes the approval and conditions thereof and constitutes authorization for the property owner or agent to prepare a final plat and subdivision improvement plans consistent with this Memorandum, all conditions of approval, and all governing Nibley City land use regulations and Nibley City Design Standards.

These conditions are binding on the property owner and any subsequent purchaser of the property. If the property is rented, leased, or development of the property is subcontracted or assigned to another party, in whole or in part, the recorded owner is still responsible for compliance with the conditions.

CONDITIONS OF APPROVAL

1. The Final approval of the subdivision is subject to Final Plat approval. Construction of the proposed single-family homes and assisted living center are subject to conditional use permit approval. The proposed assisted living center is subject to site plan approval. All buildings and elements displayed on the preliminary plat are subject to further review.
2. Any buildings adjacent to a residential zone or residential dwelling unit must provide an increased setback in accordance with NCC 19.22.020(11) if they exceed 30 ft in height.
3. Prior to Final Plat and Site Plan approval, the applicant will need to demonstrate sufficient fire flow for the subdivision.
4. A development agreement will need to be approved prior to recordation of the Final Plat.
5. Drive access shall be at least 100-ft away from the center of intersections- Lot 1 and the Assisted Living Center.
6. A geotechnical report and pavement design for the new public road is required at the time of Final Plat.

FINDINGS FOR APPROVAL

1. On May 12, 2022, the property was rezoned from Industrial (I) to Commercial (C), in conjunction with a concurrent process of subdivision, in accordance with Nibley City Code.

2. The proposed uses of 'assisted living facility' and 'single-family home' were listed as conditional uses within a commercial zone at the time of initial application and are subject to further review of a conditional use permit.
3. Proposed lots, including proposed setbacks, lot sizes and frontages are in conformance with NCC 19.22.
4. Proposed streets and trails are in accordance with NCC 21.12, the Transportation Master Plan and the Trails Master Plan.
5. The proposed water, sewer and stormwater systems have been reviewed by the City Engineer and Public Works and are subject to further review at time of final design.
6. The canal systems are subject to approval by College Irrigation and Nibley-Blacksmith Fork Irrigation.
7. The proposed phasing plan conforms to NCC 21.02.080.

The Planning Commission's decision came on a motion by Commissioner _____ and a second by Commissioner _____. The motion passed by a vote of _____.

This action will expire **one year** from the date of **February 29, 2024**. A complete final plat application for the entire subdivision, or the first phase or phases of the subdivision, must be submitted prior to expiration, which final plat(s) must comply with all conditions of approval, be in substantial compliance with the approved preliminary plat, and satisfy all governing Nibley City land use regulations. An extension of time must be requested in writing and received by Nibley City prior to the expiration date.

The City does not send *reminder* notices or other notification of the pending expiration date. The action to request an extension is the responsibility of the proponent.

By signing below, the City confirms that the Planning Commission has issued the approval described above and approved the preliminary plat for the project, which plat is on file with the City. This approval is subject to the conditions and findings set forth herein. The execution of this document vests approval of the preliminary plat and grants the property owner the right to proceed with final subdivision plat and improvement plans in conformance herewith, with such rights to expire as set forth above.

 Planning Commission Chair or Designee

We have reviewed the decision of the Planning Commission and agree to the conditions and requirements. We understand the preliminary plat approval expires one year from the date of the Commission's action unless all conditions have been met and a complete final plat application is submitted prior to expiration. If an extension of time is required, we must submit our written request prior to the expiration date of the Planning Commission's action. The length of an extension of time is established by section 21.02.070 of Nibley City Code.

Accepted and agreed by
Owner or authorized agent for:
Nibley Coach Subdivision- Preliminary Plat

Signed: _____

Print Name: _____

Address: _____

City/State/Zip: _____

Date: _____

Legal Description

-----2024-----

Parcel: 03-019-0003

Owner(s): D & S SMERCHEK REAL ESTATE LLC

Legal Description:

Provide legal description here

BEG AT A PT LOCATED S 89°45'39"E ALG SEC LINE 24.75 FT & S 0°26'23" E ALG ELY
R/W LNE OF CO ROAD 1331.76 FT FROM NW COR SEC 21 T 11N R 1E N 89°30'12"E 1098.29
FT TO THE WLY RR R/W TH ALG SD R/W THE FOLLOWING 5 COURSES S 1°01'07"W 909.92 FT
N 88°58'53"W 3.50 FT S 1°01'07"W 330 FT N 88°58'52"W 8 FT S 1°01'07"W 93 FT S
89°57'21"W 1052.88 FT N 26'23"W 723.54 FT N 89°33'37"E 239.25 FT N 26'23"W 214.5
FT S 89° 33'37"W 239.25 FT N 26'23"W 385.83 FT TO BEG CONT 31.74 AC

Nibley

3200 S. 1200 W. Nibley, UT
84321

9311050

02/13/2024 - 02/12/2124

e71ea2a0-cab5-11ee-8106-2152e600d337

Rezone, Code Change, or Master
Plan Change Application

Plan Check

Active

New

Application Review Status

Final-Review

Not Reviewed

02/13/2024

Fees

Payments

Plan Check	\$500.00	02/13/2024	Online	\$650.00
Public Notice Fee	\$150.00	Total Paid		\$670.80
Subtotal	\$650.00			
Processing Fee	\$20.80			
Total	\$670.80			
Amount Paid	\$670.80			
Total Due	\$0.00			

Application Form Data

(Empty fields are not included)

First Name

HIDDEN VALLEY ESTATES PROJECT LLC

Address Street

Approx. 3200 S. 1200 W.

City

Nibley

State

UT

Zip Code

84321

Phone

435-764-5430

Email

joshlow@dwelrg.com

Is the property owner representative different from the listed property owner

yes

First Name

Joshua

Last Name

Low

Address Street

850 N. 200 W.

City

Logan

State

UT

Zip Code

84321

Phone

435-764-5430

Email

joshlow@dwelrg.com

Request Type:

Rezone

Project Address Street

3200 S. 1200 W. Nibley, UT 84321

Tax I.D. Number(s)

03-017-0019

Project Size (Acres)

19.23


Current Zoning (check all that apply)

R-2- Residential

Proposed Zoning (check all that apply)

R-2A- Residential

Site Plan and Map (please attach)

 **CONCEPT 2022-07-05 (1) (1).pdf**

What is the need for the proposed zone change?

A density and size of lots that is consistent with the surrounding area and the development (Heritage Crossing) that we are attaching to/continuing on from.

What will the public benefit be if the zone change is granted?

Affordable lots and continued look and feel of past subdivisions

How does the proposal comply with the goals and policies of the Nibley City General Plan?

This higher density was suggested within the general plan

Is there any annexation of property necessary?

No


Please explain how the anticipated use is appropriate for the surrounding area.

This higher density zone (from R2) is the same zoning as everything surrounding this ground with the exception of a small portion that touches on one corner,

What public infrastructure is in place to serve the type and intensity of the proposed use? If needed, could the infrastructure be reasonably extended, at the cost of the property owner or developer?

Public infrastructure is in place touching property boundary.

Please attach a statement from the County treasurer showing the current tax status of the property.

 **CORE - Parcel #03-017-0019 in 2024.pdf**

Signature

I certify under penalty of perjury that this application and all information submitted as a part of this application are true, complete, and accurate to the best of my knowledge. I also certify that I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me concerning this application. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that Nibley may rescind any approval, or take any other legal or appropriate action. I understand that any cost of engineering, legal, fire, or other review incurred by the City shall be my responsibility to pay. I also acknowledge that I have reviewed the applicable sections of the Nibley City Code and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses.

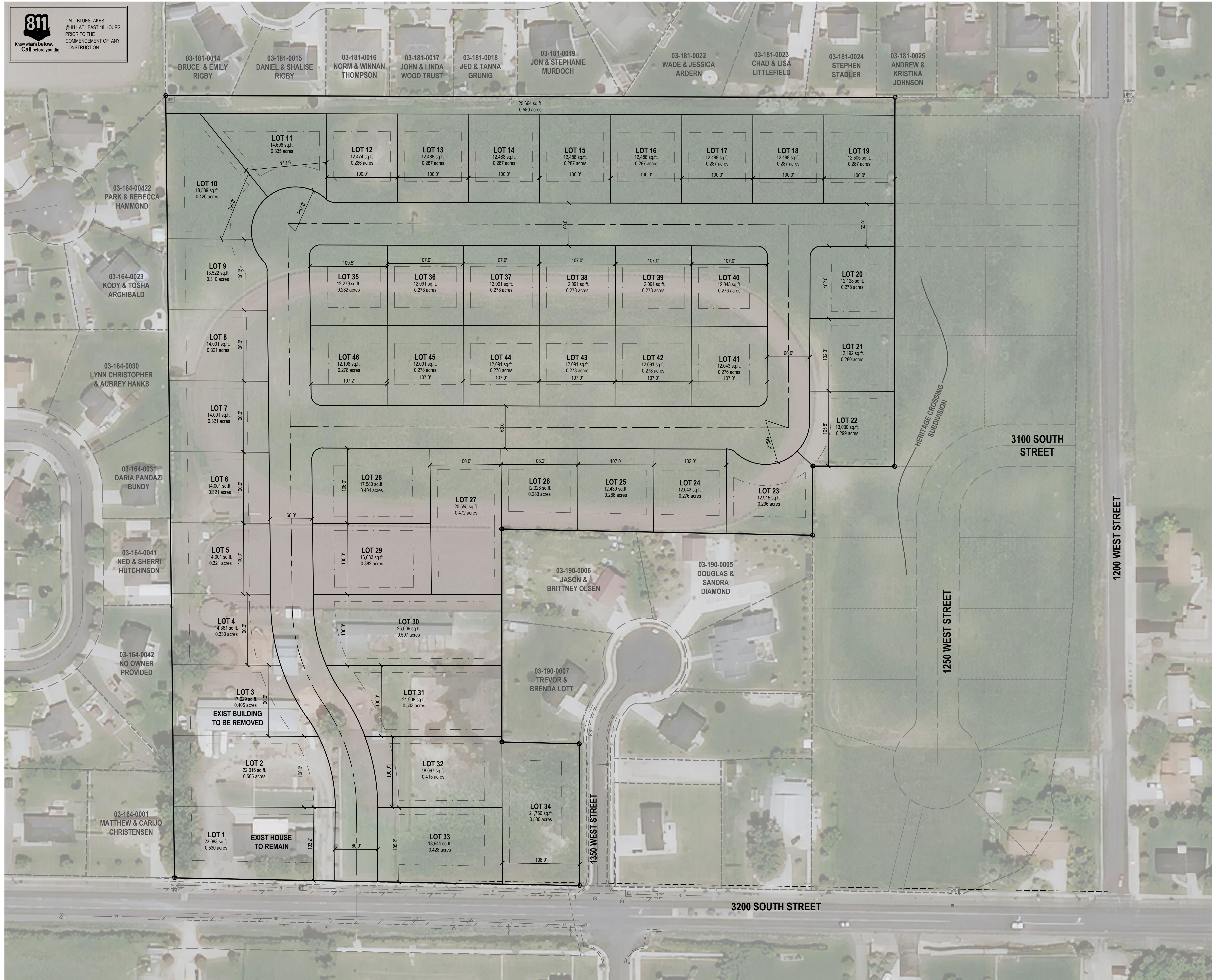
Posting. Not less than ten (10) days before the public hearing, Applicant is responsible for posting a sign in a prominent place on the property containing, in lettering that may be reasonably read by passersby, the time, date, and location of the public hearing. The posting shall not be required before the application being accepted. However, the City shall require that, not less than ten (10) days before the public hearing, the Applicant provides the City with evidence of compliance with this requirement.

With my signature, I give consent to receive service of process at the email listed on this application.

Joshua Low - 02/13/2024 2:21 pm

811

CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.
Know what's below.
Call before you dig.



NOTES

- 1. 12,000 sq. ft. MINIMUM
- 2. 14,000 sq. ft. MINIMUM AVERAGE
- 3. 100' MINIMUM LOT FRONTAGE
- 4. 30' FRONT SETBACK
- 5. 25' REAR SETBACK
- 6. 10' SIDE SETBACK
- 7. 25' SIDE CORNER SETBACK

LAND USE TABLE

LOT AREA	673,135 sq.ft.	77.6%
ROADWAY	167,914 sq.ft.	19.4%
PARCEL A	25,664 sq.ft.	3.0%
TOTAL PROJECT	866,713 sq.ft.	100%
ACREAGE	19.89 acres	
TOTAL LOTS	46	
DENSITY	2.31 UNITS/ACRE	
AVERAGE LOT AREA	14,633 sq.ft.	



LAYTON
919 North 400 West
Layton, UT 84041
Phone: 801.547.1100

SALT LAKE CITY
Phone: 801.255.0529

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
CLIENT
CLIENT'S ADDRESS
CLIENT CITY STATE ZIP
CONTACT:
CLIENT CONTACT
PHONE: 801-000-0000

GIBBS PROPERTY

1405 WEST 3200 SOUTH
NIBLEY, UTAH

CONCEPT PLAN

PROJECT NUMBER: 11745
PRINT DATE: 7/5/22
DRAWN BY: MELMER
CHECKED BY: C.PRESTON
PROJECT MANAGER: T.WILLIAMS

1 OF 1

