

A Meeting of the Nibley City Planning and Zoning Commission held at Nibley City Hall, 455 W 3200 S NIBLEY UT 84321, on Wednesday, July 16, 2025.

OFFICIAL MINUTES OF THE MEETING

Assistant City Recorder Talon Bigelow took minutes.

Call to Order and Roll Call

Commission Vice-Chair Clair Schenk called the Nibley City Planning and Zoning Commission meeting to order at 6:30 PM on Wednesday, July 16, 2025. A quorum was present.

Those in attendance included Commission Vice-Chair Clair Schenk, Commissioner Karina Brown, Commissioner Tyler Obray, Commissioner Bret Swenson, and Alternate Commissioner Troy Ribao. City Planner Levi Roberts, City Engineer Tom Dickinson, and Assistant City Recorder Talon Bigelow were also present. Commissioner Bret Swenson left the meeting at 7:57 PM and did not return following his departure. Commissioner Tyler Obray temporarily left the meeting at 8:35 PM, returning at 8:37 PM, and again at 9:42 PM, returning at 9:43 PM.

No Commissioners joined virtually during the duration of the meeting. Commission Chair Nick Kenczka was absent.

Approval of June 5, 2025, Meeting Minutes and the Current Agenda

Seeing no discussion, Commission Vice-Chair Clair Schenk called for a vote. Commissioner Bret Swenson moved to approve the June 5, 2025, meeting minutes and the current agenda as presented. Commissioner Tyler Obray seconded the motion. Seeing no further discussion, Commission Vice-Chair Clair Schenk called for a vote.

Voting on the motion was as follows:

Commission Vice-Chair Clair Schenk voted in favor.

Commissioner Karina Brown voted in favor.

Commissioner Tyler Obray voted in favor.

Commissioner Bret Swenson voted in favor.

Alternate Commissioner Troy Ribao voted in favor.

The motion passed unanimously 5-0; with Commission Vice-Chair Clair Schenk, Commissioner Karina Brown, Commissioner Tyler Obray, Commissioner Bret Swenson, and Alternate Commissioner Troy Ribao voting in the affirmative. No Commissioners voted in the negative.

Public Hearing: Ordinance 25-26—Rezone Parcel 03-017-0019, Located at 1405 W 3200 S, from Residential (R-2) to Residential (R-2A)

City Planner Levi Roberts used electronic presentations titled *1405 W 3200 S Rezone, Preliminary Plat: The Fields at Nibley*, and *Development Agreement for The Fields at*

Nibley (printed copies of the presentations are included in the printed record copy of the meeting minutes). The topics Mr. Roberts addressed in his presentations included the following: background information, site context, a current zoning map, an aerial view of the parcel and the surrounding area, applicant statements, a preliminary plat for the proposed The Fields at Nibley subdivision, general plan guidance, and staff recommendations, conditions, and findings. City Engineer Tom Dickinson provided key information concerning utilities for the proposed subdivision.

Commission Vice-Chair Clair Schenk opened the public hearing at 7:05 PM.

Mr. Clint Jones of 3152 S 1250 W NIBLEY UT 84321 provided public comment concerning the proposed rezoning. He shared his disapproval citing concerns of the city's rural nature being preserved, the density of the proposed subdivision, and the potential fluctuation of housing prices due to this development.

Mr. Jared Willis of 3111 S 1250 W NIBLEY UT 84321 provided public comment concerning the proposed rezoning. He shared his disapproval citing concerns with the density and setbacks of the proposed subdivision and flooding issues. Mr. Willis also had questions about the proposed materials for the development.

Mr. Kyle Audd of 2984 STONEBRIDGE DR NIBLEY UT 84321 provided public comment concerning the proposed rezoning. He shared his disapproval citing concerns with public safety, the surrounding neighborhood character, the density of the proposed subdivision, and transportation impacts.

Mr. Nick DiSalvo of 3186 S 1250 W NIBLEY UT 84321 provided public comment concerning the proposed rezoning. He shared his disapproval citing concerns about the density of the proposed subdivision, flooding issues, and public safety.

Mr. Cody McKee of 2946 S 515 W NIBLEY UT 84321 provided public comment concerning the proposed rezoning. He shared his disapproval citing concerns about the density of the proposed subdivision, public safety, and the surrounding neighborhood character.

Mr. Justin Anderson of 3179 S 1250 W NIBLEY UT 84321 provided public comment concerning the proposed rezoning. He shared his disapproval citing concerns of the city's rural nature being preserved, the surrounding neighborhood character, and public safety.

Ms. Daria Bundy of 1440 SUNSET CIRCLE NIBLEY UT 84321 provided public comment concerning the proposed rezoning. She shared her disapproval citing concerns of flooding issues.

Mr. Justin Nield of 3170 S 1350 W NIBLEY UT 84321 provided public comment concerning the proposed rezoning. He shared his disapproval citing concerns with flooding issues.

Mr. Kris Eschmeyer of 1209 W 2890 S NIBLEY UT 84321 provided public comment concerning the proposed rezoning. He asked the Commissioners a question to understand their perspective if they had to live immediately next to the proposed development.

Mr. Quinn Johnson of 1230 W 3050 S NIBLEY UT 84321 provided public comment concerning the proposed rezoning. He shared his disapproval citing concerns flooding issues and affordable housing.

Mr. Tyler Hanny of 1202 W 2890 S NIBLEY UT 84321 provided public comment concerning the proposed rezoning. He shared his disapproval citing concerns of the surrounding neighborhood character and transportation impacts.

Ms. Brittany DiSalvo of 3186 S 1250 W NIBLEY UT 84321 provided public comment concerning the proposed rezoning. She shared her disapproval citing concerns of the density of the proposed subdivision and the surrounding neighborhood character.

Seeing no further public comment, Commission Vice-Chair Clair Schenk closed the public hearing at 7:31 PM.

Discussion and Consideration: Recommendation for Ordinance 25-26—Rezone Parcel 03-017-0019, Located at 1405 W 3200 S from Residential (R-2) to Residential (R-2A)

City Planner Levi Roberts answered questions posed by members of the public during the public comment period. Mr. Roberts shared that the City cannot regulate the design of the homes outside of what is required by building code and safety standards. Therefore, the City cannot stipulate what colors or materials are used for the development.

City Engineer Tom Dickinson answered questions and concerns posed by members of the public during the public comment period. Mr. Dickinson talked about the historical flows of stormwater runoff and agreements between the City and the developer to mitigate flooding issues. Mr. Dickinson further provided context about the design for the 1200 W roadway to provide traffic calming measures.

Commissioner Tyler O Bray asked questions about the flooding mitigation plans for the proposed subdivision and surrounding areas. Commissioner Bret Swenson asked questions about traffic concerns and maintenance plans.

Mr. Joshua Low, the applicant, of 201 S MAIN ST STE 800 SALT LAKE CITY UT 84111 talked about the design process for the open space and the flooding mitigation within the proposed subdivision.

Commissioner Karina Brown talked about affordable housing concerns. Alternate Commissioner Troy Ribao talked about the flood mitigation measures that are planned for the proposed subdivision. Commission Vice-Chair Clair Schenk had questions about the development agreement and the intended use of the open space.

Alternate Commissioner Troy Ribao motioned to recommend approval of Ordinance 25-26—Rezone Parcel 03-017-0019, Located at 1405 W 3200 S from Residential (R-2) to Residential (R-2A). Commissioner Karina Brown seconded the motion.

Commissioner Tyler Obray made a substitute motion to recommend approval of Ordinance 25-26—Rezone Parcel 03-017-0019, Located at 1405 W 3200 S from Residential (R-2) to Residential (R-2A) with a condition that the rezoning will be granted at the time the Final Plat of The Fields at Nibley subdivision has been recorded with the Cache County Recorder's Office. Alternate Commissioner Troy Ribao seconded the substitute motion.

Commission Vice-Chair Clair Schenk talked about the recommendation process the Planning and Zoning Commission participates in with the City Council. He assured residents that the Commission would only be recommending approval to the City Council and not passing the ordinance themselves.

Seeing no further discussion, Commission Vice-Chair Clair Schenk called for a vote.

Voting on the motion was as follows:

Commission Vice-Chair Clair Schenk voted in favor.

Commissioner Karina Brown voted in favor.

Commissioner Tyler Obray voted in favor.

Alternate Commissioner Troy Ribao voted in favor.

The motion passed 4-0; with Commission Vice-Chair Clair Schenk, Commissioner Karina Brown, Commissioner Tyler Obray, and Alternate Commissioner Troy Ribao voting in the affirmative. No Commissioners voted in the negative. The original motion was not brought back to the floor following the vote on the substitute motion, and no further action was taken on it.

Public Hearing: Ordinance 25-27—Development Agreement for The Fields at Nibley, a 70-Lot Open Space Subdivision on Approximately 19.23 Acres, at 1405 W 3200 S
Commission Vice-Chair Clair Schenk opened the public hearing at 8:19 PM.

Mr. Kyle Audd of 2984 STONEBRIDGE DR NIBLEY UT 84321 provided public comment concerning the proposed development agreement. He asked a question about irrigation easements. He also shared his disapproval of the proposed subdivision citing concerns with the proposed use of the open space and density.

Mr. Josh Smith of 1435 SUNSET CIRCLE NIBLEY UT 84321 provided public comment concerning the proposed development agreement. He shared his disapproval of the proposed subdivision citing concerns of flooding issues.

Ms. Danell Mortensen of 1509 W 3200 S NIBLEY UT 84321 provided public comment concerning the proposed development agreement. She shared appreciation for the flooding mitigation measures proposed by the developer.

Ms. Daria Bundy of 1440 SUNSET CIRCLE NIBLEY UT 84321 provided public comment concerning the proposed development agreement. She shared her concerns with flooding issues.

Seeing no further public comment, Commission Vice-Chair Clair Schenk closed the public hearing at 8:29 PM.

Discussion and Consideration: Recommendation for Ordinance 25-27—Development Agreement for The Fields at Nibley, a 70-Lot Open Space Subdivision on Approximately 19.23 Acres, at 1405 W 3200 S

City Engineer Tom Dickinson answered questions and concerns posed by members of the public during the public comment period.

Mr. Michael Taylor, a Civil Engineer with the applicant, of 498 W 100 S PROVIDENCE UT 84332 provided insight behind measures that are planned to mitigate the present and future flooding issues.

Commissioner Tyler Obray asked the applicant to share what exterior materials they plan to utilize in the proposed subdivision. Mr. Josh Low, the applicant, shared that the planned materials are likely to match those employed in existing nearby neighborhoods. Mr. Low also shared that the developer does not plan to have a homeowner's association within the subdivision.

Commissioner Karina Brown asked the applicant to share the average square footage for the seventy lots within the subdivision. Mr. Low shared that the proposed development would have houses ranging between 1,200 to 2,400 square feet.

Alternate Commissioner Troy Ribao asked what proposed designs would be removed if the City Council did not approve the rezoning of the parcel and the open-space subdivision. City Engineer Tom Dickinson and City Planner Levi Roberts provided

answers and explained the concept behind open-space subdivisions which allow for some negotiation between potential developers and the City for various improvements.

Commissioner Tyler Obray motioned to recommend approval of Ordinance 25-27—Development Agreement for The Fields at Nibley, a 70-Lot Open Space Subdivision on Approximately 19.23 Acres, at 1405 W 3200 S with staff findings and conditions. Commissioner Karina Brown seconded the motion.

Seeing no further discussion, Commission Vice-Chair Clair Schenk called for a vote.

*Voting on the motion was as follows:
Commission Vice-Chair Clair Schenk voted in favor.
Commissioner Karina Brown voted in favor.
Commissioner Tyler Obray voted in favor.
Alternate Commissioner Troy Ribao voted in favor.*

The motion passed 4-0; with Commission Vice-Chair Clair Schenk, Commissioner Karina Brown, Commissioner Tyler Obray, and Alternate Commissioner Troy Ribao voting in the affirmative. No Commissioners voted in the negative.

Discussion and Consideration: Approval of the Preliminary Plat for The Fields at Nibley, a 70-Lot Open Space Subdivision on Approximately 19.23 Acres, at 1405 W 3200 S

City Engineer Tom Dickinson talked about on-street parking and the open space within the proposed subdivision. City Planner Levi Roberts further discussed the topic of on-street parking. Commissioner Tyler Obray discussed the need for sufficient on-street parking within the development.

Alternate Commissioner Troy Ribao motioned to approve the Preliminary Plat for The Fields at Nibley, a 70-Lot Open Space Subdivision on Approximately 19.23 Acres, at 1405 W 3200 S with staff findings and conditions. Commissioner Karina Brown seconded the motion.

Seeing no further discussion, Commission Vice-Chair Clair Schenk called for a vote.

*Voting on the motion was as follows:
Commission Vice-Chair Clair Schenk voted in favor.
Commissioner Karina Brown voted in favor.
Commissioner Tyler Obray voted in favor.
Alternate Commissioner Troy Ribao voted in favor.*

The motion passed 4-0; with Commission Vice-Chair Clair Schenk, Commissioner Karina Brown, Commissioner Tyler Obray, and Alternate Commissioner Troy Ribao voting in the affirmative. No Commissioners voted in the negative.

Public Hearing: Ordinance 25-23—Amending NCC 19.24.160 Parking Requirements and NCC 19.24.250 Accessory Dwelling Unit Standards, Including Parking Requirements for Single-Family and Two-Family Dwellings

City Planner Levi Roberts used an electronic presentation titled *Parking Requirements* (the presentation is included in the printed record copy of the meeting minutes). The topics Mr. Roberts addressed in his presentation included the following: background information and staff recommendation.

Commission Vice-Chair Clair Schenk opened the public hearing at 9:06 PM.

Seeing no public comment, Commission Vice-Chair Clair Schenk closed the public hearing at 9:06 PM.

Discussion and Consideration: Recommendation for Ordinance 25-23—Amending NCC 19.24.160 Parking Requirements and NCC 19.24.250 Accessory Dwelling Unit Standards, Including Parking Requirements for Single-Family and Two-Family Dwellings

Commissioner Tyler Obray shared his concern with the findings and recommendations presented by staff. Commissioner Troy Ribao shared his approval with the findings and recommendations presented by staff. City Planner Levi Roberts answered questions posed by the Commission.

Commissioner Tyler Obray motioned to continue the discussion and recommendation for Ordinance 25-23—Amending NCC 19.24.160 Parking Requirements and NCC 19.24.250 Accessory Dwelling Unit Standards, Including Parking Requirements for Single-Family and Two-Family Dwellings to the next scheduled Planning and Zoning Commission meeting. Commissioner Karina Brown seconded the motion.

Seeing no further discussion, Commission Vice-Chair Clair Schenk called for a vote.

Voting on the motion was as follows:

Commission Vice-Chair Clair Schenk voted in favor.

Commissioner Karina Brown voted in favor.

Commissioner Tyler Obray voted in favor.

Alternate Commissioner Troy Ribao voted not in favor.

The motion passed 3-1; with Commission Vice-Chair Clair Schenk, Commissioner Karina Brown, Commissioner Tyler Obray voting in the affirmative. Alternate Commissioner Troy Ribao voted in the negative.

Public Hearing: Ordinance 25-24—Amending NCC 19.20.010 Classification of New and Unlisted Uses, Setting Forth a Process for Classification of Uses and Legislative Action for New or Unlisted Uses

City Planner Levi Roberts used an electronic presentation titled *Classification of New and Unlisted Uses* (the presentation is included in the printed record copy of the meeting minutes). The topics Mr. Roberts addressed in his presentation included the following: background information and staff recommendation. Commissioner Tyler Obray asked Mr. Roberts questions concerning the proposed amendments and staff interpretations.

Commission Vice-Chair Clair Schenk opened the public hearing at 9:42 PM.

Seeing no public comment, Commission Vice-Chair Clair Schenk closed the public hearing at 9:42 PM.

Discussion and Consideration: Recommendation for Ordinance 25-24—Amending NCC 19.20.010 Classification of New and Unlisted Uses, Setting Forth a Process for Classification of Uses and Legislative Action for New or Unlisted Uses

City Planner Levi Roberts further explained staff interpretation of the proposed amendments.

Alternate Commissioner Troy Ribao motioned to recommend approval for Ordinance 25-24—Amending NCC 19.20.010 Classification of New and Unlisted Uses, Setting Forth a Process for Classification of Uses and Legislative Action for New or Unlisted Uses. Commissioner Karina Brown seconded the motion.

Seeing no further discussion, Commission Vice-Chair Clair Schenk called for a vote.

Voting on the motion was as follows:

Commission Vice-Chair Clair Schenk voted in favor.

Commissioner Karina Brown voted in favor.

Commissioner Tyler Obray voted in favor.

Alternate Commissioner Troy Ribao voted in favor.

The motion passed 4-0; with Commission Vice-Chair Clair Schenk, Commissioner Karina Brown, Commissioner Tyler Obray, and Alternate Commissioner Troy Ribao voting in the affirmative. No Commissioners voted in the negative.

Public Hearing: Ordinance 25-25—Amending NCC 19.010 Flag Lots, Including Allowing Flag Lots Along Arterial Roadways

City Planner Levi Roberts used an electronic presentation titled *Flag Lots* (the presentation is included in the printed record copy of the meeting minutes). The topics Mr. Roberts addressed in his presentation included the following: background information and staff recommendation.

Commission Vice-Chair Clair Schenk opened the public hearing at 9:47 PM.

Seeing no public comment, Commission Vice-Chair Clair Schenk closed the public hearing at 9:47 PM.

Discussion and Consideration: Recommendation for Ordinance 25-25—Amending NCC 19.010 Flag Lots, Including Allowing Flag Lots Along Arterial Roadways

Commission Vice-Chair Clair Schenk, Alternate Commissioner Troy Ribao, and Commissioner Tyler Obray shared their thoughts concerning the proposed amendments and asked City Planner Levi Roberts questions.

Commissioner Tyler Obray motioned to recommend approval for Ordinance 25-25—Amending NCC 19.010 Flag Lots, Including Allowing Flag Lots Along Arterial Roadways. Alternate Commissioner Troy Ribao seconded the motion.

Seeing no further discussion, Commission Vice-Chair Clair Schenk called for a vote.

Voting on the motion was as follows:

Commission Vice-Chair Clair Schenk voted in favor.

Commissioner Karina Brown voted in favor.

Commissioner Tyler Obray voted in favor.

Alternate Commissioner Troy Ribao voted in favor.

The motion passed 4-0; with Commission Vice-Chair Clair Schenk, Commissioner Karina Brown, Commissioner Tyler Obray, and Alternate Commissioner Troy Ribao voting in the affirmative. No Commissioners voted in the negative.

Staff Report and Action Items

City Planner Levi Roberts provided updates concerning the city general plan update.

City Engineer Tom Dickinson provided updates regarding developments and construction projects within Nibley City.

Assistant City Recorder Talon Bigelow provided updates about the notice for public bond that would have a public hearing at the next scheduled City Council meeting.

Seeing no objection, Commission Vice-Chair Clair Schenk adjourned the meeting at 10:02 PM.

ATTEST:


Talon Bigelow, Assistant City Recorder