

The Meeting of the Nibley Planning and Zoning Commission held at Nibley City Hall, 455 West 3200 South, Nibley, Utah on Thursday, February 6, 2020.

The following actions were made during the meeting:

Commissioner Logan moved to continue the Residential Planned Unit Development Overlay Zone Application for the Nibley Meadows Application, located approximately 1000 W and 3200 S. Commissioner Mansell seconded the motion. The motion passed 3-0; with Commissioner Logan, Commissioner Mansell and Commissioner Swenson all in favor.

Commissioner Swenson moved to continue the Preliminary Subdivision Plat for the Nibley Meadows Residential Planned Unit Development Application, located at approximately 1000 W and 3200 S. Commissioner Logan seconded the motion. The motion passed unanimously 3-0; with Commissioner Swenson, Commissioner Logan, and Commissioner Mansell all in favor.

Commissioner Logan moved to recommended approval of Nibley Farms Phase 2 Final Plat, Located at approximately at 1500 W and 3410 S, with the following conditions; a trail connection needed to be paved and shown in the construction drawings and the developer needed to provide a tree-planting plan. Commissioner Swenson seconded the motion. The motion passed unanimously 3-0; with Commissioner Logan, Commissioner Swenson and Commissioner Mansell all in favor.

Commissioner Logan moved to recommend approval of Nibley Farms Phase 3 Final Plat, located at approximately at 1500 W and 3410 S., with the following conditions; the developer must provide a tree-planting plan. Commissioner Swenson seconded the motion. The motion passed unanimously 3-0; with Commissioner Logan, Commissioner Swenson, and Commissioner Mansell all in favor.

Commissioner Swenson moved to continue discussion of Goals and Action Item List Creation for the year 2020 until they had more Planning Commissioners present. Commissioner Logan seconded the motion. The motion passed unanimously 3-0; with Commissioner Swenson, Councilmember Larsen, and Commissioner Mansell all in favor.

Planning and Zoning Commission Chair Garrett Mansell called the Thursday, February 6, 2020 Planning and Zoning Commission meeting to order at 6:31 p.m. Those in attendance included Commissioner Bret Swenson, Commissioner Garrett Mansell, and Commissioner Matt Logan. Mr. Stephen Nelson, Nibley City Planner, was also present. Commissioner Tyler Obray was not present at the meeting.

Approval of 1-16-26 meeting minutes and the evening's agenda

Commissioner Logan moved to approve the agenda, postponing a presentation to Carol Albrecht. Commissioner Swenson seconded. The motion passed unanimously 3-0; with Commissioner Logan, Commissioner Swenson and Commissioner Mansell all in favor.

General consent was given for the previous meeting's minutes.

Presentation of appreciation to Carol Albrecht

This item was postponed per the amendment to the meeting's agenda.

A Public Hearing to receive comment on a Residential Planned Unit Development Overlay Zone Application for the Nibley Meadows Application, located approximately 1000 W and 3200 S. Parcel Numbers:03-018-0017, 03-050-0001, and 03-050-0007. Total of 54.6 Acres (Applicant: 7 Point Royal, LLC)

Mr. Nelson reminded the Planning Commission that a rezone application was a legislative action with some administrative aspects. Mr. Nelson gave a summary and overview of the overlay zone. Mr. Nelson reminded the Planning Commission of the R-PUD (Residential-Planned Unit Development) rezone process. Mr. Nelson reviewed specifications and statistics regarding the property plat. Mr. Nelson described the approximate location of the amenities proposed in the development. Mr. Nelson reviewed surrounding land use, noting that most of the surrounding area was undeveloped. Mr. Nelson addressed the availability of utilities for the project. Mr. Nelson said there were no sensitive lands or registered wetlands on the property but there was a canal on the north end of the property and a few small ditches that would likely be abandoned. Mr. Nelson discussed proposed roadways in the development. The roadways that were proposed met the development's transportation needs. Mr. Nelson reviewed the development's open space, trails, and maintenance plan. He said the majority of the park space within the development would be HOA maintained but there had been discussion of dedicating the space to Nibley City for public park space; with the exception of the clubhouse and pool, which would provide needed city park space in the area. Mr. Nelson said the developer had provided renderings of proposed townhomes. The townhomes were proposed to be rear loading with vehicle garages at the back of the units.

Mr. Nelson said the Planning Commission should consider:

- The developer hadn't provided much parking information besides parking in phase one. He read parking requirements from Nibley City code.
- The phasing of the projects should be phased so that open space and parks requirements were built in proportion to phasing of the development.

The applicant, Travis Taylor, with 7 Point Royal, LLC, reiterated what he felt were the high points of Mr. Nelson's presented data. He said the development didn't feel isolated from the rest of the City and didn't feel like an island that was completely different. Mr. Taylor said the City had opted to take possession of open space on property to the west and their proposed open space would tie into this space. Mr. Taylor reminded the

Planning Commission that they'd only proposed roughly 2/3 of the units that would be allowed in Nibley City's code and had almost doubled the amount of open space. Commissioner Mansell and Mr. Nelson discussed the continuous options for open space in the area and discussed the realignment of 1200 West and development of the roundabout at 1200 West and 3200 South. The developer's traffic study had said the intersection would take a greater impact from the development but with the improvements the City was doing to the intersection, it shouldn't be an issue.

Commissioner Logan left the meeting at 6:58 p.m. The meeting was recessed until his return at 6:59 p.m.

Commissioner Mansell gave direction to the public present and opened the public hearing at 7:00 p.m.

John Riggs of 890 West 3200 South discussed the history of the property (his family's farm). He asked if a vertical road that crossed his land weren't being developed now then when and who would develop the road? He also asked if they would only develop that part of the road that was on their land? Mr. Riggs asked if the main drainage ditch on his property would be dealt with? Mr. Riggs questioned when the development was supposed to happen? He said a lot of plans on his acreage would be impacted by the development and wanted to know if he could stop the development.

Barbara Wilden of 660 West 3200 South recalled when Mr. Nelson was an intern with the city that she was a faithful attendee at City meetings. She said Nibley's mission statement then was to keep a rural atmosphere. Living on her corner she had subdivision that were developing all around her. She said the brunt of traffic, the only east-west road, was 3200 South with 3200 bearing the brunt of most of the subdivisions that had been built on the west end of town. Mrs. Wilden was concerned with schools and described that Nibley schools were already full. She questioned who would pay for new schools? She said it would be the taxpayer. Mrs. Wilden was concerned that she still had to cross 3200 South to get her mail. She hoped the Planning Commission would think about the implication of those that lived in Nibley.

Brian Anderson of 780 West and 3200 South brought up 3200 and asked for a presentation of how 3200 would remain safe. All the access points on to 3200 were scary. He'd requested the speed limits on all Nibley roads, except the main road to 10th, be changed to 25 mph and asked if there had been any discussion on his request. Mr. Anderson was also concerned with crossing 3200 South to get his mail.

Jenny Theophilou Of 2944 South 1000 West discussed the semi and construction trucks that went up and down her road. She said there were a lot of little kids along this road. She questioned how construction workers would get in and out of these construction areas safely so her child could ride his bike?

Eric Christiansen of 3007 and 1000 West said the development seemed overwhelming and excessive. He commented that Nibley had a lot of trails to nowhere. He said if there were trails in back of single-family houses that fencing would go a long way and ensuring there was enough space would be very beneficial. Mr. Christiansen said traffic would be sent to the intersection at 1000 West and suggested another road pattern to alleviate traffic near Heritage Elementary School. Mr. Christiansen suggested there be strict covenants and architectural styles and guidelines and described the “Logan ghetto.”

Shannon Gooch of 1005 West and 3200 South described the location of her property. She said her view to Hyrum would soon be obstructed and saw houses, not condos, across the street from her house in a friendly way like the original part of Nibley. Ms. Gooch had a concern with this many dwellings being right across the street from a school. Ms. Gooch wanted to keep the small-town feel of Nibley and wanted to keep the green space between houses and less traffic. Mrs. Gooch read an email from a friend, Amy Mills. The email discussed why Ms. Mills had moved and then moved away from Nibley, asking the Planning Commission to reconsider high-density housing.

Celeste Viehweg of 1355 West 3390 South was concerned with traffic and discussed the traffic from businesses like JBS and Millers at certain times of day. She said the impact of 300+ residents and school drop-offs would be a logistical nightmare. She described that she’d almost been hit at 1200 West from vehicles trying to get out. Ms. Viehweg said they wouldn’t be able to access the park on the west of the proposed property because it was HOA owned. She said they needed a park near her property but she didn’t want her kids or grandkids going across 1200 West to get to a park because it was a truck route. She discussed being concerned with human trafficking and predators roaming the area. Ms. Vewig said she would rather see single-family homes in the area.

Stewart Arnett of 3270 South and 1350 West said he and his wife liked the rural aspect of Nibley but the addition brought a lot of issues. He said he’d been asked his opinion of development in Nibley and noted that not many people had marked that they wanted townhomes in Nibley and had marked single-family homes. Mr. Arnett discussed truck traffic going through a roundabout. He said the traffic was going to be horrendous and the medians in the roadway would need to be pulled out.

Jacob Wyberg of 1010 East and 3700 South said his daughter went to Heritage Elementary School and he was concerned with the impact to 3200 South and the impact to traffic at the school. He was also concerned with the overall impact on the water and power systems. He questioned if there had been studies to look into traffic and those types of issues.

Lori Bragg of 2881 South 450 West said Nibley was not the place for 4-plexes, apartments or townhomes. Nibley needed to stay with the small-town feel. This as the reason people lived here. There were places people could afford to live and places

people couldn't afford to live; people lived where they could afford to live. Nibley didn't need to be accommodating to everyone. Mrs. Bragg thought this was all about money and developers making money on dwellings on smaller lots.

Seeing no further comments, Commissioner Mansell closed the public hearing at 7:31 p.m.

Discussion and Consideration of a recommendation on a Residential Planned Unit Development Overlay Zone Application for the Nibley Meadows Application, located approximately 1000 W and 3200 S. Parcel Numbers: 03-018-0017, 03-050-0001, and 03-050-0007. Total of 54.6 Acres (Applicant: 7 Point Royal, LLC)

Mr. Nelson addressed the questions presented during the public hearing. He showed a rendering of the roundabout proposed at 1200 West and 3200 South and discussed the calming effect and safety of roundabouts. Mr. Nelson said the applicant had turned in a traffic study for his development and the developer anticipated including the improvements suggested in the traffic study. He summarized anticipated traffic patterns. Mr. Nelson said 12th west would also continue north and continue into Logan. Mr. Nelson said the school was aware of the proposed development and hadn't raised any concerns. Mr. Nelson said the school district liked the type of development because they were a better tax base and townhomes typically had less children than a single-family home. Mr. Nelson said the Utah law typically said there needed to be a need for a new school before a district can build a new school. Commissioner Mansell questioned if the school would be able to get anything in fast enough if the development had already been approved. Mr. Nelson said that typically once there was a need, they would start building a school. Commissioner Mansell asked Mr. Nelson to explain the overlay zone process, which Mr. Nelson did. Commissioner Mansell described that the R-PUD process had standards that had to be followed. Mr. Nelson and Commissioner Mansell discussed crossing 1200 West to get to park areas. Mr. Nelson said this was a concern that could be addressed by the City and anticipated pedestrian improvements. Mr. Nelson anticipated that 1200 West would have the same traffic patterns as 3200 South and pedestrian access would need to be addressed there also. Commissioner Logan and Mr. Taylor discussed the proposed timeframe for build out of the development.

Commissioner Mansell questioned that the developer only did a traffic count for one day; on a Tuesday at high time. He assumed they would need a whole week accounted for. Mr. Nelson said this was why the City Engineer was reviewing the traffic study. He said the firm that had done the traffic count specialized in traffic studies. Commissioner Mansell didn't think they could do a good count with only one day.

The meeting was recessed at 7:55 p.m. when Commissioner Logan left the meeting. Commissioner Logan returned at 7:57 p.m. and the meeting resumed.

Commissioner Mansell was concerned with having multi-family across the street from Heritage Elementary School. He asked if the developer would be open to frontloading

3200 with single-family homes and push more of the multi-family traffic on to 12th West. He said the single family was really spread out over the overlay and there was no congruency. Commissioner Logan was concerned with parking and asked the developer to consider additional parking in the area. Mr. Taylor he'd built all over and they were never under-parked because they understood that people typically used their garages for storage. He said he would ensure there would be adequate parking. Mr. Nelson said the developer was required to provide 19 additional parking spots in phase 1 and had provided for 36 spots. Mr. Nelson and Mr. Taylor address Mr. Riggs concerns about drainage. Mr. Taylor said he'd been to all the canals and they were required to keep any canals in operation. Any canals that serviced anyone else would remain in service.

Commissioner Swenson said he was becoming increasingly uncomfortable with R-Planned Unit Development and the dramatic increase in density it was creating in the city. He questioned what the possible difference in units would be between the R-PUD subdivision and a Rural Preservation subdivision. Commissioner Mansell directed the Planning Commission to an email sent by Nibley City's Public Works Director that had indicated that water utilities would be sufficient and that with some upsized sewer lines, this should also be fine. Mr. Nelson calculated that a Rural Preservation subdivision would be approximately 125 units; a standard subdivision would be approximately 95 units. Commissioner Swenson asked what would happen with 1100 West. Mr. Nelson said the City didn't want to abandon the right-of-way but didn't want to build a road either. Mr. Nelson said the transportation master plan indicated a trail space on the parcel. Mr. Nelson and Commissioner Swenson discussed park development in the area surrounding the R-PUD. Mr. Nelson showed proposed design guidelines for mid-block crossing. Mr. Nelson anticipated the proposed development would bring approximately 1.5 million in park impact fees. Commissioner Swenson thought when a neighborhood was impacted severely, that the impact fees associated with the new development ought to say in the area or neighborhood. This might move the schedule up for the regional park in that area. Mr. Nelson and the Planning Commission discussed how many applications for R-PUD Nibley City could accept. They also discussed truck traffic at roundabouts.

Commissioner Swenson moved to recommend approval of the Residential Planned Unit Development Overlay Zone Application for the Nibley Meadows Application, located approximately 1000 W and 3200 S.

The motion died due to lack of second.

Mr. Nelson said the Planning Commission could recommend approval or denial, both of which would go to City Council for approval, or the Planning Commission could move to continue the item.

Commissioner Logan moved to continue the Residential Planned Unit Development Overlay Zone Application for the Nibley Meadows Application, located approximately 1000 W and 3200 S. Commissioner Mansell seconded the motion.

Commissioner Mansell reminded the developer he was concerned with traffic and didn't like the multi-family along 3200. Commissioner Mansell said he was asking for more single-family and a change of location on the single-family. The developer said he was fine for the proposal to be continued to the next meeting and to allow the City Engineer to review the traffic study.

The motion passed 3-0; with Commissioner Logan, Commissioner Mansell and Commissioner Swenson all in favor.

Commissioner Mansell called for a meeting recess at 8:36 p.m. The meeting resumed at 8:44 p.m.

A Public Hearing to receive comment on a Preliminary Subdivision Plat for the Nibley Meadows Residential Planned Unit Development Application, located approximately 1000 W and 3200 S. (Applicant 7 Point Royal, LLC)

Commissioner Mansell opened the public hearing at 8:45 p.m.

John Riggs of 890 West 3200 South had concerns with how many buildings there were and how close they were. He knew that they were two-story buildings that weren't too bad looking but the backs were sort of plain. He was concerned with drainage, traffic and wind. He said he felt the whole thing was on a fast track and he was looking at hammer banging all summer long. He said whole new city was being built right in his backyard. He noted they would double the size of Nibley in about 10 years.

Seeing no further public comment, Commissioner Mansell closed the public hearing at 8:48 p.m.

Discussion and Consideration of a recommendation on a Preliminary Subdivision Plat for the Nibley Meadows Residential Planned Unit Development Application, located approximately 1000 W and 3200 S (Applicant: 7 Point Royal, LLC)

Mr. Nelson gave his findings for the plat:

1. The proposed name on the plat did not meet the application.
2. After the Fire Marshal's review, he determined that there needed to be an emergency access to the first phase. Mr. Nelson reviewed the options the developer had for this emergency access.

Commissioner Swenson and Mr. Taylor discussed the number of phases in the development, which the developer said was 7-8 phases. Mr. Nelson said there was a lot more flexibility in phasing in R-PUD development. Commissioner Swenson asked how

they ensured the phasing was balanced with proportional amounts of high-density, parking, open space, and single-family in the development. Mr. Nelson said this would be handled in the development agreement. He foresaw the City would have to be vigilant that parking, open space and park space was provided in proper phasing. He felt the developer's current layout allowed for this to happen. The Planning Commission debated having front facing, rear loading townhomes against 3200 South versus single-family homes with backyards against 3200 South. Mr. Nelson and Commissioner Swenson discussed bonding for open space within each phase of the subdivision. Commissioner Swenson discussed adverse phasing scenarios and said they needed to ensure they had balanced phasing. Mr. Taylor said if there was a shortfall, he felt there should be escrow or bonding.

Commissioner Swenson moved to continue the Preliminary Subdivision Plat for the Nibley Meadows Residential Planned Unit Development Application, located at approximately 1000 W and 3200 S. Commissioner Logan seconded the motion. The motion passed unanimously 3-0; with Commissioner Swenson, Commissioner Logan, and Commissioner Mansell all in favor.

Discussion and Consideration of a recommendation on Nibley Farms Phase 2 Final Plat, Located at approximately at 1500 W and 3410 S. (Applicant: 7 Point Royal, LLC)

Mr. Nelson gave a summary of the proposed phase and plat. The developer was doing another ten lots in phase 2 with open space dedicated to the north and open space dedicated to the South, which was a paved trail. The trail connection needed to be paved and shown in the construction drawings. The developer needed to provide a tree-planting plan, which would be very similar to the plan approved in phase 1. They intended to continue the same pattern of planting. Mr. Nelson had no other concerns with the plat other than those items.

Commissioner Logan moved to recommended approval of Nibley Farms Phase 2 Final Plat, Located at approximately at 1500 W and 3410 S, with the following conditions; a trail connection needed to be paved and shown in the construction drawings and the developer needed to provide a tree-planting plan. Commissioner Swenson seconded the motion. The motion passed unanimously 3-0; with Commissioner Logan, Commissioner Swenson and Commissioner Mansell all in favor.

Discussion and Consideration of a recommendation on a Nibley Farms Phase 3 Final Plat, located at approximately at 1500 W and 3410 S. (Applicant 7 Point Royal, LLC)

Mr. Nelson said the developer was also missing a tree planting plan for the phase.

Commissioner Logan moved to recommend approval of Nibley Farms Phase 3 Final Plat, located at approximately at 1500 W and 3410 S., with the following conditions; the developer must provide a tree-planting plan. Commissioner Swenson seconded the motion. The motion passed unanimously 3-0; with Commissioner Logan, Commissioner Swenson, and Commissioner Mansell all in favor.

Workshop: Goals and Action Item List Creation for the year 2020

Commissioner Swenson moved to continue discussion of Goals and Action Item List Creation for the year 2020 until they had more Planning Commissioners present. Commissioner Logan seconded the motion. The motion passed unanimously 3-0; with Commissioner Swenson, Councilmember Larsen, and Commissioner Mansell all in favor.

Staff Report and Action Items

Mr. Nelson reminded the Planning Commission of training at the County in Logan City. The training was at the County building next to the old courthouse. Mr. Nelson said this training was February 11th at 8:15 a.m. Mr. Nelson said he was planning to attend.

The meeting was adjourned at 9:20 p.m.

Attest: _____
Deputy City Recorder