

The Meeting of the Nibley Planning and Zoning Commission held at Nibley City Hall, 455 West 3200 South, Nibley, Utah on Thursday, February 20, 2020.

The following actions were made during the meeting:

**Commissioner Swenson moved to recommend approval of a Residential Planned Unit Development Overlay Zone Application for the Nibley Meadows Application, located at approximately 1000 W and 3200 S. Parcel Numbers: 03-018-0017, 03-050-0001, and 03-050-0007; a total of 54.6 Acres; applicant, 7 Point Royal, LLC. Commissioner Obray seconded the motion. The motion passed 3-1; with Commissioner Swenson, Commissioner Logan, and Commissioner Obray in favor. Commissioner Mansell was opposed.**

**Commissioner Swenson moved to recommend approval of the Preliminary Subdivision Plat for the Nibley Meadows Residential Planned Unit Development Application, located approximately 1000 W and 3200 S; applicant, 7 Point Royal, LLC; with the conditions that the developer provide 40 foot setback along 3200 south, recommending the 340 unit version, and the developer provide proper temporary access between 10 west and 3350 south to meet fire code. Commissioner Logan seconded the motion. The motion passed 3-1; with Commissioner Swenson, Commissioner Logan, and Commissioner Obray in favor. Commissioner Mansell was opposed.**

---

Planning and Zoning Commission Chair Garrett Mansell called the Thursday, February 20, 2020 Planning and Zoning Commission meeting to order at 6:30 p.m. Those in attendance included Commissioner Garrett Mansell, Commissioner Bret Swenson, Commissioner Matt Logan, and Commissioner Tyler Obray. Mr. Stephen Nelson, Nibley City Planner, was also present.

#### **Approval of 2-6-2020 meeting minutes and the evening's agenda**

General consent was given for the evening's agenda.

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

#### **Presentation of appreciation to Carol Albrecht**

Mr. Don Albrecht was present at the meeting to receive the presentation for his wife, Carol Albrecht.

Mr. Nelson gave Mr. Albrecht a print of the Nibley City mural, a card of appreciation, and Mrs. Albrecht's name plate.

**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 reminded the Planning Commission that they had reviewed the application at their last meeting. He showed the Planning Commission two versions of the development layout; the layout that had been shown at the last Planning Commission meeting and a new layout, which incorporated the changes suggested by the Planning Commission.

Mr. Nelson described three general concerns the Planning Commission had with the development:

1. A review of the traffic study
2. Open Space Arrangement
3. Housing Placement within the development

Mr. Nelson reviewed the differences between the two plats, with the primary differences being the shape, housing grouping, and the first plat had 350 units and the second plat proposed 340 units so they had eliminated 10 units.

Mr. Travis Taylor, representing 7 Point Royal, LLC was present at the meeting. He described how the developers had incorporated the changes suggested by the Planning Commission at their previous meeting. These changes included a new road alignment, single-family homes had been moved and single-family townhomes had been clustered with no home backing out on to major roadways, and Mr. Taylor said he had created an approximate 40 foot landscape buffer between 3200 south and proposed townhomes. Mr. Taylor described changes he'd proposed within 340 townhome units, which had reduced the proposed units by 10. He said they were comfortable with 299 units and were also comfortable with 340 units. The breaks in the code regarding amenities, came in 100 unit increments instead of being scaled. Mr. Nelson provided some clarification of how amenities were required and scaled.

Commissioner Mansell was concerned that a road was shown that wouldn't be connected and would dead end. Mr. Nelson described that he felt additional roadway was needed. Mr. Taylor described how private roadways would connect. Mr. Nelson and Commissioner Mansell discussed how the development would meet fire code with road connectivity and access. Mr. Taylor passed preliminary maps out to the Planning Commission that showed road connections and how roads would line up. He wanted to make sure they had exceeded the amount of open space and park space even without counting building setbacks. Commissioner Obray said he liked the design. He said 10<sup>th</sup> West and 12 West would be busy roads and it was nice not having cars and houses backing on to those roads. When questioned by Commissioner Logan about which plan he liked best, Commissioner Obray said he didn't feel there would be a noticeable difference between 299 units and 340 units; one unit per acre spread over 50 acres wouldn't make that big a difference. When it was built he didn't feel anyone would

notice the difference. He felt this should be in the hands of the proponent but the significant impact to the City would be additional impact fees (1.6 million).

Commissioner Mansell still had major concerns with traffic. Mr. Nelson discussed the proponent's traffic study. He said staff's concern was that additional proposed building at a proposed City Center. That traffic study had projected that 80% of the traffic would travel eastward to highway 165 and only 20% would travel westward. Mr. Nelson said they felt comfortable with the amount of traffic that would be on 3200 South and that it would still be at an acceptable level of service. There was concern about the intersection at 10<sup>th</sup> West and 12<sup>th</sup> West and 3200 South but the City was anticipating building a roundabout at the 12<sup>th</sup> west and 3200 South intersection. Mr. Nelson said the traffic study had left open the impact during school hours but having units close to the school would allow children to walk to school with proper crossings. Mr. Nelson said the city's goal was to get kids on the south side of 3200 as close to the school as possible and were installing sidewalk to get kids to the 1300 West intersection. Mr. Nelson anticipated the roundabout would be built the end of the current year or the beginning of the next year. Mr. Nelson and the Planning Commission continued discussion of road layout and traffic patterns within and around the proposed development.

Commissioner Logan asked if the applicant had a preference between 299 and 340 units. Mr. Taylor expressed his preference for 340 units. He said it gave flexibility if they moved forward to the City Council. Commissioner Obray said he also preferred 340 because they would have a significant amount of acreage for city and regional parks and another 41 units significantly impacted park impact fees. As far as walkability and livability he didn't see much difference between the two plats. Commissioner Mansell was still concerned about having townhouses along 3200 south and right across the street from the school. He was concerned with the density and impact to Heritage Elementary School. Having all the housing packed in right next to the school was a concern. Commissioner Obray noted that they had ordinance to dictate the appearance of the townhomes fronting the road; they couldn't dictate people's back yards. He would prefer to look at the townhomes than people's backyards. Commissioner Logan agreed with Commissioner Obray.

The Planning Commission debated whether this was a correct area for an R-PUD overlay. Commissioner Mansell asked who would run the property HOA. Mr. Taylor said a professional management company would run the proposed HOA. There was additional discussion of traffic patterns and roadways.

Mr. Nelson said he would recommend conditions such as the 40 foot setback along 3200 south, to provide proper access between 10 west and 3350 south to meet fire code, and asked the Planning Commission to provide preference on one option over the other (option A = 299 units, option B = 340 units). The Planning Commission discussed the additional amenities that would be required with 340 versus 299 units. Mr. Taylor said they anticipated doing a clubhouse and a pool within the 340-unit option. He discussed

that this was ultimately up to the City Council and what the Council chose to own and maintain.

Commissioner Swenson moved to recommend approval of a Residential Planned Unit Development Overlay Zone Application for the Nibley Meadows Application, located at approximately 1000 W and 3200 S. Parcel Numbers: 03-018-0017, 03-050-0001, and 03-050-0007; a total of 54.6 Acres; applicant, 7 Point Royal, LLC. Commissioner Obray seconded the motion.

Commissioner Swenson stated he was in favor, Commissioner Logan stated he was in favor, and Commissioner Obray said he was in favor. Commissioner Mansell was opposed.

The motion passed 3-1; with Commissioner Swenson, Commissioner Logan, and Commissioner Obray in favor. Commissioner Mansell was opposed.

**Discussion and Consideration of a recommendation on 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 Swenson moved to recommend approval of the Preliminary Subdivision Plat for the Nibley Meadows Residential Planned Unit Development Application, located approximately 1000 W and 3200 S; applicant, 7 Point Royal, LLC; with the conditions that the developer provide 40 foot setback along 3200 south, recommending the 340 unit version, and the developer provide proper temporary access between 10 west and 3350 south to meet fire code. Commissioner Logan seconded the motion.

Commissioner Swenson stated he was in favor, Commissioner Logan stated he was in favor, and Commissioner Obray said he was in favor. Commissioner Mansell was opposed.

The motion passed 3-1; with Commissioner Swenson, Commissioner Logan, and Commissioner Obray in favor. Commissioner Mansell was opposed.

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

Mr. Nelson proposed the following action items and goals for the Planning Commission in the upcoming year:

1. Master Plans
  - a. Sewer
  - b. Tree Policy Plan
  - c. Capital Project Master Plan
2. Allow For and Reduce Regulation Related to Accessory Dwelling Units in Residential Zone. Moderate Income Housing Plan recommends for early 2020
3. Update neighborhood and other commercial standards

- a. Town Center Commercial Standards
4. Review landscaping requirements for residential and commercial developments
5. Short Term Rentals
6. Update Business License Requirements
7. Review the Open Space Plan and goals
8. Review and update animal land-use code
9. Update and review the R-PUD Code

Mr. Nelson and the Planning Commission discussed the updates Mr. Nelson proposed to bring for the R-PUD code and discussed the option of issuing a moratorium on R-PUD development. Mr. Nelson said he would consult the City's attorney to determine if the changes that would be considered would be significant enough to issue a moratorium on the R-PUD.

Mr. Nelson said he hadn't included a nuisance requirement that was being debated at the State level and could impact how the City did code enforcement.

Commissioner Logan asked about getting a bike park at the city center development. Mr. Nelson said the best way to get a bike park was to petition the City Council to include one in the budget and secondly to get this type of park included in the Capital Projects Master Plan. He also discussed other potential locations for a bike park. Mr. Nelson said he would bring it up with the City Manager but the best way to get something to happen was to get it on the City Council's radar.

Commissioner Mansell asked if there were other R-PUD applications coming in the near future. Mr. Nelson showed potential upcoming R-PUD development areas on the Cache County Parcel Viewer. Mr. Nelson said he could add a workshop item on to a future agenda to discuss changes to the R-PUD ordinance.

The Planning Commission discussed prioritizing the proposed list. Commissioner Swenson noted they'd been discussing landscaping requirement for a couple years. Mr. Nelson said he'd like to prioritize updating neighborhood and commercial standards including the Town Center Commercial Standards and items 2,9,3.

#### **Staff Report and Action Items**

Mr. Nelson said Mount Visa had applied for phases 2 & 3 for their final plats and would be coming before the Planning Commission at the next meeting. They had submitted their entire construction plan. He was waiting for the plats. He also anticipated a couple of workshop items would be included on the next agenda.

Mr. Nelson reported the City Council would be taking a mobile tour of Firefly Park on the following Monday night to observe lighting in the area. He said the Planning Commission was also invited to attend. They might also visit some industrial sights that included dark sky lighting versus non dark-sky lighting.

There was general consent to adjourn at 8:13 p.m.

Attest: \_\_\_\_\_  
Deputy City Recorder