



Nibley City
Planning Commission Meeting
Thursday, August 17, 2023
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 via the Zoom meeting link provided at www.nibleycity.com.

1. **Public Hearing:** Ordinance 23-32: Rezone Parcel 03-0017-0019 & 03-0017-0020, located at 1405 W 3200 S from Agricultural (A) to Residential (R-2A)
2. **Discussion and Consideration:** Ordinance 23-32: Rezone Parcel 03-0017-0019 & 03-0017-0020, located at 1405 W 3200 S from Agricultural (A) to Residential (R-2A)
3. 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
August 17, 2023**

Agenda Item #1 & #2: Rezone Parcel 03-0017-0019 & 03-0017-0020, located at 1405 W 3200 S

Description

Public Hearing: Ordinance 23-32: Rezone Parcel 03-0017-0019 & 03-0017-0020, located at 1405 W 3200 S from Agricultural (A) to Residential (R-2A)

Discussion and Consideration: Ordinance 23-32: Rezone Parcel 03-0017-0019 & 03-0017-0020, located at 1405 W 3200 S from Agricultural (A) to Residential (R-2A)

Department

City Planning

Action Type

Legislative

Recommendation

Recommend approval of Ordinance 23-32: Rezone Parcel 03-0017-0019 & 03-0017-0020, located at 1405 W 3200 S from Agricultural (A) to Residential (R-2A)

Reviewed By

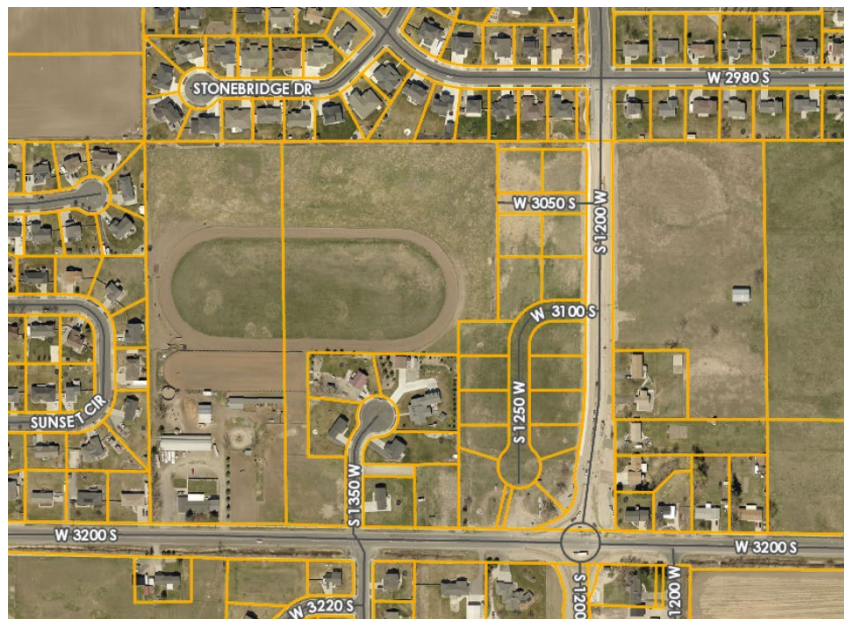
City Manager, City Engineer, City Planner

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 Agricultural (A) to Residential (R-2A).

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?

We are wanting to do two things: 1) place the "Gibbs" home in a smaller parcel so that we can sell it. 2) our intentions are to develop this parcel in a similar way to Heritage Crossing and surrounding area.

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

More affordable lots and great area for home owners.

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

It's the same general residential lots that are in the surrounding area.

Is there any annexation of property necessary?

No

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

It's similar to other development that is in the area.

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 and developer would pay cost, if necessary, to extend.

Nibley

850 N. 200 W.

08/03/2023 - 08/02/2123

Rezone, Code Change, or Master Plan Change Application

Plan Check

3851883

c6bcfbb0-323a-11ee-b5d2-99b9e6f17b60

Active

New

Application Review Status

Final-Review

Not Reviewed

08/03/2023

Fees		Payments		
Plan Check	\$500.00	08/03/2023	Online	\$650.00
Public Notice Fee	\$150.00	Total Paid		\$670.80
Subtotal	\$650.00			
Amount Paid	\$670.80			
Total Due	-\$20.80			

Application Form Data

(Empty fields are not included)

First Name

HIDDEN VALLEY ESTATES PROJECT LLC.

Address Street

850 N. 200 W.

City

Logan

State

UT

Zip Code

84321

Phone

435-764-5430

Email

joshlow@dwelrg.com

Is the property owner representative different from the listed property owner

no

Request Type:

Rezone

Project Address Street

1405 W 3200 S Nibley, UT 84321

Tax I.D. Number(s)

03-017-0020 and 03-017-0019

Project Size (Acres)

19.49

Current Zoning (check all that apply)

A- Agricultural

Proposed Zoning (check all that apply)

R-2A- Residential

Site Plan and Map (please attach)

 22-307 Wasatch Land Holdings_Boundary Topo_5-1-23.pdf

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

It's the same general residential lots that are in the surrounding area.

Is there any annexation of property necessary?

No

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

It's similar to other development that is in the area.

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 and developer would pay cost, if necessary, to extend.

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

 CORE - Parcel #03-017-0020 in 2023.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 - 08/03/2023 2:17 pm

Messages

Josh,

Thanks for submitting the application. I just wanted to verify something on your application. Are you proposing the zoning to be R-2, which has a base minimum lot size of 1/2 acre or R-2A, which has a base minimum lot size of 12,000 sq ft (with an average lot size of 14,000 sq ft)? The zoning for Heritage Crossing and Stonebridge to the north is R-2A. It would require this zoning to get the size of lots that we talked about yesterday through transfer of development rights. Please respond, clarifying the application.

Levi Roberts, City Planner

Comments:

You're exactly right Levi. R2-A. Thank you!

Sounds good. I will update your application.

LEGAL DESCRIPTIONS

DEED (2381/1831)

The Land referred to herein below is situated in the County of Cache, State of Utah, and is described as follows:

Parcel 1: (03-017-0020)

Beginning at a point in the West right of way line of a 60 foot right of way, said point is described as being North 382.28 feet of a point 914.10 feet North 89°02' West along North line of 3200 South Street, Nibley of a point South 1118.04 feet (by record) 1122.46 feet (by measurement) from the Northeast corner of the Southwest Quarter of Section 20, Township 11 North, Range 1 East of the Salt Lake Base and Meridian and running thence West 398.82 feet; thence North 0°22' West 713.32 feet; thence East 398.82 feet; thence South along West right of way line of said 60 foot right of way to the point of beginning.

Subject to a one (1) rod right of way on the North.

Also: Part of the Southwest Quarter of Section 20, Township 11 North, Range 1 East of the Salt Lake Base and Meridian, described as follows:

beginning at the Northeast corner of said Southwest Quarter of Section 20, and running thence South 11:18.04 feet (by record) 1122.46 feet by measure to the North line of 3200 South Street, Nibley, Utah; thence North 89°02' West 1,313.00 feet, more or less, along the North line of County Road, to the Southwest corner of property owned by David L. Nielsen Enterprises, Inc; the point of beginning, thence North 382.28 feet (by record) North 02°22' West by measurement; thence East 398.82 feet, more or less, to the West line of a 60 foot right of way; thence South 382.28 feet, more or less, to the North line of County Road; thence North 89°02' West 398.82 feet to the point of beginning.

Together with a 60 foot right of way, described as follows:

Part of the Southwest Quarter of Section 20, Township 11 North, Range 1 East of the Salt Lake Base and Meridian, described as follows:

Beginning at the Northeast corner of said Southwest Quarter of Section 20, and running thence South 1118.04 feet (by record) 1122.46 feet by measure to the North line of 3200 South Street, Nibley, Utah; thence North 89°02' West 914.10 feet along North line of said Street and thence the Southeast corner of property owned by the LDS Church and the point of beginning; thence North 87°6.98 feet; thence East 60.0 feet; thence South 87°6.98 feet, more or less, to the North line of said 3200 South Street; thence North 89°02' West 60.0 feet to the point of beginning.

Parcel 2: (03-017-0019)

Beginning at a point which is South 523.18 feet (518.76 feet by record) to a point which is 599.28 feet East of the North line of 3200 South Street and North 89°02' West 300.0 feet to the true point of beginning, from the Northeast corner of the Southwest Quarter Section 20, Township 11 North, Range 1 East of the Salt Lake Base and Meridian; thence North 89°02' West 116.50 feet, thence South 99.28 feet, thence North 89°02' West 437.68 feet to the East side of a 60 foot right of way; thence South 300.0 feet, to the Southwest corner of Lot 7 Highway Estates Subdivision, thence South 88°42'20" East 108.91 feet to the Northeast corner of the Southwest Quarter Section 20, Township 11 North, Range 1 East of the Salt Lake Base and Meridian; thence South 01°27'44" East 199.73 feet to the Southwest corner of 3200 South Street; thence Westerly along the North line of Street to the West line of a 60 foot Right of Way being South of a point 621.18 feet West of beginning; thence North 109.5 6 feet, more or less to the Quarter Section line; thence East 621.18 feet, more or less to point of North of beginning; thence South 518.76 feet, more or less to the point of beginning.

Subject to a 1 (one) rod right of way on the North and also Subject to a 60 foot right of way described as follows:

Part of the Southwest Quarter of Section 20, Township 11 North, Range 1 East of the Salt Lake Base and Meridian, described as follows:

Beginning at the Northeast corner of said Southwest Quarter of Section 20, and running thence South 1118.04 feet (by record) 1122.46 feet by measure to the North line of 3200 South Street, Nibley, Utah; thence North 89°02' West 914.10 feet along North line of said Street and to the Southeast corner of property owned by the LDS Church and the point of beginning; thence North 87°6.98 feet; thence East 60.0 feet; thence South 87°6.98 feet, more or less, to the North line of said 3200 South Street, thence North 89°02' West 60.0 feet to the point of beginning.

Parcel Number: 03-017-0020, 015-017-0019

NEW PARCEL 1

A portion of the SE1/4 of Section 20, Township 11 North, Range 1 East, Salt Lake Base & Meridian, located in Nibley, Utah, more particularly described as follows:

Beginning on a point located on the east line of MAPLE VALLEY ESTATES Subdivision, Phase 1, according to the Official Plat thereof on file in the Office of the Cache County Recorder, located at S89°51'19"E along the 1/4 Section line 1,326.76 feet and S0°38'12"W (plat S0°51'17"E) along the east side of said Plat 976.66 feet from the West 1/4 Corner of Section 20, T11N, R15E, SLBKM; then S88°54'38"E along the east side of said Plat 119°52'27"W 129.25 feet to a point on the north-right-of-way line of 3200 South Street; then N88°54'38"W along said said north-right-of-way line 224.47 feet to the southeast corner of MAPLE VALLEY ESTATES Subdivision, Phase 1, according to the Official Plat thereof on file in the Office of the Cache County Recorder; then S0°38'12"W (plat S0°51'17"E) along said Plat 129.30 feet to the point of beginning.

Contains: 0.67+/- acres

NEW PARCEL 2

A portion of the SE1/4 of Section 20, Township 11 North, Range 1 East, Salt Lake Base & Meridian, located in Nibley, Utah, more particularly described as follows:

Beginning on the northeast corner of MAPLE VALLEY ESTATES Subdivision, Phase 4, and the southwest corner of STONEBRIDGE Subdivision, Phase 1, according to the Official Plat thereof on file in the Office of the Cache County Recorder, located S89°51'19"E along the 1/4 Section line 1,326.76 feet from the West 1/4 Corner of Section 20, T11N, R1E, SL&M;E; thence S89°51'19"E (plat: S89°54'58"W) along said Plat 1,026.75 feet to a Boundary Line Adjustment described in Book 2021 Page 3471 of the Official records of Cache County and extension of the west line of HERITAGE CROSSING Subdivision according to the Official Plat thereof on file in the Office of the Cache County Recorder, thence along said Plat the following 3 (three) courses and distances: S0°0324"W along said Boundary Line Adjustment 519.64 feet; thence N89°5'08"W 115.19 feet, thence S0°1030"W 97.31 feet to a rebar and the northeast corner of HIDEAWAY ESTATES Subdivision, according to the Official Plat thereof on file in the Office of the Cache County Recorder, thence along said Plat the following 3 (three) courses and distances: N88°15'43"E (plat: S88°15'43"E) 437.68 feet, thence S0°0127"E (plat: S0°0132"E) 30.02 feet, thence S88°42'04"E (plat: S88°42'07"W) 108.91 feet, thence S0°1521"E (plat: S0°1524"W) 199.73 feet to the north-right-of-way line of 3200 South Street and the southwest corner of HIDEAWAY ESTATES Subdivision, according to the Official Plat thereof on file in the Office of the Cache County Recorder, thence N88°54'38"W along said north-right-of-way line 346.44 feet, thence N10°50'22"E 129.25 feet, thence N88°54'38"W 228.36 feet to a point on the east line of MAPLE VALLEY ESTATES Subdivision, Phase 1, according to the Official Plat thereof on file in the Office of the Cache County Recorder, thence S0°38'12"W (plat: S0°51'17"E) along said Plat 97.66 feet to the point of beginning.

Contains: 19.23+/- acres

COMPOSITE DESCRIPTION

A portion of the SE1/4 of Section 20, Township 11 North, Range 1 East, Salt Lake Base & Meridian, located in Nibley, Utah, more particularly described as follows:

Beginning on the northeast corner of MAPLE VALLEY ESTATES Subdivision, Phase 4, and the southwest corner of STONEBRIDGE Subdivision, Phase 1, according to the Official Plat thereof on file in the Office of the Cache County Recorder, located S89°51'19"E along the 1/4 Section line 1,326.76 feet from the West 1/4 Corner of Section 20, T11N, R1E, SL&M;E; then S89°51'19"E (plat: S89°54'58"W) along said Plat 1,026.75 feet to a Boundary Line Adjustment described in Book 2021 Page 3471 of the Official records of Cache County and extension of the west line of HERITAGE CROSSING Subdivision according to the Official Plat thereof on file in the Office of the Cache County Recorder; then along said Plat the following 3 (three) courses and distances: S0°03'24"W along said Boundary Line Adjustment 519.64 feet; then S88°51'15"E 115.91 feet; then S0°01'27"E 97.31 feet to a bar and the northeast corner of HIDEAWAY ESTATES Subdivision, according to the Official Plat thereof on file in the Office of the Cache County Recorder; then along said Plat the following 4 (four) courses and distances: N88°51'30"W (plat: N88°51'13"E) 437.68 feet, then S0°01'27"E (plat: N0°01'32"E) 300.02 feet; then S88°42'04"E (plat: N88°42'07"E) 108.91 feet, then S0°15'21"E (plat: N0°15'24"W) 199.73 feet to the north right-of-way line of 3200 South Street and the southwest corner of HIDEAWAY ESTATES Subdivision, according to the Official Plat thereof on file in the Office of the Cache County Recorder; then N88°54'38"W along said north right-of-way line 570.91 feet to the southeast corner of MAPLE VALLEY ESTATES Subdivision, Phase 1, according to the Official Plat thereof on file in the Office of the Cache County Recorder; then N0°38'12"E (plat: S0°51'17"E) along said Plat 1,101.96 feet to the point of beginning.

Contains: 19.90+/- acres

civilsolutionsgroup inc.

CACHE VALLEY | P: 435.213.3762
SALT LAKE | P: 801.216.3192
UTAH VALLEY | P: 801.874.1432
info@civilsolutionsgroup.net
www.civilsolutionsgroup.net

BOUNDARY & TOPOGRAPHICAL SURVEY

LOCATION: SE1/4 OF SECTION 20, T11N, R1E, SLB&M
NIBLEY, UTAH

PROPERTY OF: WASATCH LAND HOLDINGS

PREPARED FOR: MICHAEL STOLL, WASATCH LAND HOLDINGS

REVISION BLOCK			DESCRIPTION:
NO.	DATE:		
SCALE:			DRAWN BY:
1" = 60'			A. NEITSCH
DATE:			PROJECT #:
4-17-2023			22-307

Parcel #03-017-0020 in 2023 - Cache County CORE

Owner(s)

History

HIDDEN VALLEY ESTATES PROJECT LLC, (03/31/2023 - Present) (Vesting: [1337727](#))

Property Address

1405 W 3200 S

NIBLEY

Current Mailing Address

2206 W 3000 S STE D

HEBER CITY, UT 84032-3898

 Tax District: NIBLEY CITY W/CEM(008)

 Acres: 10.03

 Tax Status: Taxable

 Water Rights: NO

 Parcel History: COMB W/PT 03-017-0019 366/329

 Building Type: SFR

 Square Feet: 3107

 Year Built: 1987

 Legal Description: BEG NE COR SW/4 SEC 20 T 11N R 1E & TH S 1118.04 FT BR 1122.46 FT MEAS TO N LN OF 3200 S ST TH N 89*02' W 1313 FT ALG ST TO SW COR NIELSEN PROP & TRUE POB TH N 382.28 FT BR N 0*22' W MEAS TH E 398.82 FT TO W LN OF 60 FT R/W TH S 382.28 FT TO N LN OF CO ROAD TH N 89*02' W 398.82 FT TO TRUE POB 3.5 AC ALSO BEG IN W LN OF 60 FT R/W AT PT N 382.28 FT OF PT 914.1 FT N 89*02' W ALG N LN OF 3200 S ST OF PT S 1118.04 FT BR 1122.46 FT MEAS FROM NE COR SD SW/4 SEC 20 & TH W 398.82 FT TH N 0*22'W 713.32 FT TH E 398.82 FT TH S ALG W LN OF SD 60 FT R/W TO BEG 6.53 AC SUBJ TO 1 RD R/W ON THE NORTH TOGETHER WITH 60 FT R/W SEE RECORD CONT 10.03 AC IN ALL

Taxation Term	Amount
Prior Year Taxes (2022: \$5,112.45)	
 Market Value	\$797,566.00
Residential Land & Building	\$500,416.00
Agricultural Land & Building	\$297,150.00
 Taxable Value	\$572,380.00

The Auditor has not certified rates. Please refer to previous years for an estimate.

Payment Category	Amount
No prepayments have been made.	