

1 The Meeting of the Nibley Planning and Zoning Commission held at Nibley City Hall, 455
2 West 3200 South, Nibley, Utah on Thursday, January 16, 2020.

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4 The following actions were made during the meeting:

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6 **Commissioner Logan moved to recommend approval of on a Residential Planned Unit**
7 **Overlay Zone Application for the proposed Ridgeline Park R-PUD, located**
8 **approximately in the area North of 3200 S, West of Highway 165, and East of City Hall**
9 **with the following conditions: that the developer sort out the housing in the south**
10 **corners to ensure enough buffer is provided; the developer follow the**
11 **recommendations of the traffic study; and parking is installed as recommended by**
12 **Nibley City code. Commissioner Swenson seconded the motion. The motion passed**
13 **unanimously 4-0; with Commissioner Logan, Commissioner Swenson, Commissioner**
14 **Mansell, and Commissioner Obray all in favor.**

15
16 **Commissioner Swenson moved to recommend approval of the annexation of the**
17 **Wesley Nelson Farms Inc.; 57.734 acres located North of 2600 S, West of 1200 W, and**
18 **East of Highway 89/91; Parcel ID 03-007-0019, with a recommendation of R-2 zoning.**
19 **Commissioner Logan seconded the motion. The motion passed unanimously 4-0; with**
20 **Commissioner Swenson, Commissioner Logan, Commissioner Mansell and**
21 **Commissioner Obray.**

22
23 **Commissioner Logan moved to recommend approval of an update to Nibley City's**
24 **Water Master Plan. Commissioner Obray seconded the motion. The motion passed 4-**
25 **0; with Commissioner Logan, Commissioner Obray, Commissioner Swenson, and**
26 **Commissioner Mansell all in favor.**

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28 **Commissioner Obray moved to approve Resolution 20-P1: A Resolution Adopting the**
29 **2020 Nibley City Planning Commission Meeting Schedule. Commissioner Logan**
30 **seconded the motion. The motion passed unanimously 4-0; with Commissioner Obray,**
31 **Commissioner Logan, Commissioner Swenson, and Commissioner Mansell all in favor.**
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33
34 Planning and Zoning Commission Chair Garrett Mansell called the Thursday, January 16,
35 2020 Planning and Zoning Commission meeting to order at 6:00 p.m. Those in
36 attendance included Commissioner Garrett Mansell, Commissioner Tyler Obray,
37 Commissioner Matt Logan, and Commissioner Bret Swenson. Mr. Stephen Nelson,
38 Nibley City Planner, was also present.

39
40 **Approval of 01-02-2020 meeting minutes and the evening's agenda**

41 General consent was given for the evening's agenda.

42
43 General consent was given for the previous meeting's minutes.
44

**A Public Hearing to receive comment on a Residential Planned Unit Overlay Zone
Application for the proposed Ridgeline Park R-PUD, located approximately in the area
North of 3200 S, West of Highway 165, and East of City Hall**

Mr. Nelson gave a presentation regarding this item. He utilized an electronic presentation entitled *Town Center and Ridgeline Park; Planning Commission January 16, 2020* (a printed copy is included in the written meeting minutes). His presentation included the following topics: Town Center Planning, Town Center Concept 3, Commercial Center, Future Land Use Map 2018, Questions asked during 2018 Heritage Days outreach, Future Downtown Area, Nibley City Property Taxes, Long-Term Feasibility in Nibley City, 2018 Future Land Use Map, Housing, R-PUD Town Center, Ridgeline Park, Proposed Uses, Townhome Renderings, and Condo Renderings. Mr. Nelson reviewed the proponents open space plan.

Mr. Nelson said the Planning Commission should consider the surrounding land uses and zones. He pulled the area up on the Cache County GIS map. The uses adjacent to the area were mostly residential. Mr. Nelson said the total proposed number of units had be by the Public Works Director and City Engineer both felt the current water and sewer infrastructure was sufficient to supply the development. Mr. Nelson reviewed and presented sensitive land issues. He said the 20-acre wetland area on the property was proposed to be future City park space that City anticipated the developer would build in exchange for impact fees. If the City weren't able to come to an agreement on the development, the applicant would have the ability to request the land be incorporated into their R-PUD and the would need to seek and amendment to their R-PUD status.

Mr. Nelson anticipated that current residents and staff had concerns with the traffic impact of the proposed development. He said the applicant was currently conducting a traffic study and staff believed the proposed and current roads were sufficient to hand the traffic impact. UDOT's biggest concerned was with the impact on 3200 South and the intersection at 3200 South and SR165. UDOT would review the developer's traffic study. Mr. Nelson discussed the road layout presented in the development.

Mr. Nelson discussed staff's finding for the R-PUD Application:

1. *Parking—had been addressed by the developer on their latest plan and complied with code*
2. *Housing placement—making sure there is a buffer from current single-family homes. The applicant had committed to address this.*
3. *Housing mix had been addressed and complied with code*
4. *Several trail systems listed through the development and didn't match the trails that were laid in in the city's Trails Master Plan. The developer had done things to compensate for this and had tried to provide the same connectivity. Staff felt the trails met the general connections needs and met the intent of the connectivity that the Trails Master plan recommended.*

1
2 The applicant, Benjamin Steel of Whitney, ID was present at the meeting. Commissioner
3 Obray asked of the 61.6 net developable acres, how much open space was required;
4 21.56 acres were required and 27 acres was presented. Commissioner Obray
5 summarized that the maximum density was 12 unites per acres and 8.5 units per acres
6 were being proposed; so they could do 732 but were proposing 522. Mr. Nelson clarified
7 that the large park space in the middle of the application was not included in the
8 application. Mr. Steele said it would be appropriate to consider the large park area as
9 completely separate from the application.

10
11 Commissioner Mansell gave direction to the pubic present and opened the public
12 hearing at 6:45 p.m.

13
14 Bill Green of 299 West 3650 South told Commissioner Obray he'd sat in his seat for 10
15 years. Mr. Green said they needed to address the traffic pattern. With 500 units there
16 would be 1,000 more cars. He said they also needed to consider that this density would
17 require a new school and possible fire station. He questioned who would get to use the
18 proposed tiny park. Mr. Green was concerned with taxes and said current residents
19 would have to start footing the bill for the upcoming development.

20
21 Penny Trinka of 136 West thanked the Planning Commission for their efforts in
22 reviewing this application carefully. She had a strong interested in wetlands and would
23 be watching the wetlands carefully for any violation of wetland filling or not following
24 plans that had been established. She was excited to see there had been an attempt to
25 acknowledge the wetland that where there. Ms. Trinka reported that couldn't get to her
26 home from her mailbox because of traffic. She questioned if there were a way to get the
27 traffic further north up to 2600 at the stoplight and not have to put in a stop light at
28 2900.

29
30 Brian Anderson of 780 West and 3200 South questioned the numbers. He asked that the
31 following be added to presentations and requirements: estimated traffic (on the 3200
32 "freeway") and the estimated number of cars that would be joining Nibley; the number
33 of dwellings and the level of percentage of increase as to what they currently had today.
34 Mr. Anderson requested a 25 mph speed limit on 3200 South and on all the streets in
35 Nibley. He wanted police services to be addressed and if sheriff service would need to
36 be increased. He wanted speed limits across the City addressed. Mr. Anderson wanted
37 to see this information at the front end.

38
39 Dave Milligan of 105 West and 3200 South was concerned with how this would increase
40 crime in Nibley. He said Logan City was in the top 25 of rising crime in the Country. As
41 they saw smaller units develop they would see more crime. Where they ready for that?
42 Mr. Milligan discussed land that he currently irrigated and asked how this would be
43 address. He asked the Planning Commission to think about flooding. He said his property
44 value was going to go down as these houses were built.

1
2 Jack Stevens of 3260 South 250 West was concerned with traffic going in and out of
3 these units. With 3 people to these units it was 1,500 for trips. He said it would be
4 Nibley's responsibility to add another traffic light. If they put 1500 people in the area it
5 was a lot of consumption of water and wastewater coming out of the area. He felt
6 Nibley City would have to build another well and was concerned with sewer rates
7 continuing to go up. He was curious about the road in front of his house being widened.
8 He also asked why 450 hadn't been developed to help take the traffic off of 250. He was
9 concerned that the development would require a new school. He also expressed his
10 concern with wetlands. Mr. Stevens thanked the Planning Commission for their time.

11
12 Bonnie McBride of the intersection at 250 West and 3200 South knew for fact how
13 narrow the road was. She said someone had jumped the curb and ended up in her front
14 yard in the past winter. She was scared of the increased traffic.

15
16 Mr. Green said he'd looked across the street at Apple Creek and there were not trees
17 and there were no trees in the retirement community near his home. He talked about
18 areas in Logan with a lot of town homes.

19
20 Alena Vales of 397 West 3200 South said she worked at Nibley Elementary school and
21 said both schools were bursting at the seams. She didn't know where these students
22 would go. She said Ridgeline was already adding on.

23
24 David Hatch of 2940 South and 450 West noticed the subdivision went in to his
25 subdivision and would cause a lot of traffic. He was worried about crime with the more
26 populated area. He wanted to see more commercial because that would bring more tax
27 revenue than town houses.

28
29 Eric Jensen was the real estate agent that had the area for sale for the Ropelattos. The
30 Ropelattos were of the age that they wanted to retire and were interested in selling the
31 property. It was not easy to sell the acres in one lump and it would have been easier to
32 sell the area in smaller portions and the City would have multiple developers and
33 multiple areas. The option was to sell to one developer and make a master plan that
34 would be a better plan for the City. The advantage of having one developer was that
35 master plan that could include trails and parks and took higher density and put it in a
36 nice planned development so it didn't look like what Logan looked like. Mr. Jensen said
37 they also wanted their children to live close and the demand for homes continued to go
38 up. It was difficult for families to find homes under \$300,000 and the area would
39 provide homes to families.

40
41 Chris Field said he was in the townhouses at 2484 South 1280 West. He'd been there
42 since they started the development. He didn't feel any unsafe than he had in his home
43 on 1500 West and 3200 South. His biggest concern was parking. They didn't have

1 enough spaces to park when their family came over to visit. He asked the Planning
2 Commission to be aware of parking.

3
4 Vern Vales of 397 West and 3200 South said they ended up with a walkway and a lot of
5 traffic going right by their house. He said there would be a lot of foot traffic in that
6 space.

7
8 Michelle Hatch of 2945 South 450 West said she didn't know where there would be
9 parking in the proposed city park. She said if they didn't include parking then there
10 would be parking on the roads all the way down to their subdivision. They were also
11 concerned with traffic, especially since they were used to living on a dead end street.

12
13 Mr. Stevens said they appreciate the time the Planning Commission had taken to listen
14 to their concerns.

15
16 Seeing no further public comment, Commissioner Mansell closed the public hearing at
17 7:12 p.m.

18
19 **Discussion and Consideration of a recommendation on a Residential Planned Unit**
20 **Overlay Zone Application for the proposed Ridgeline Park R-PUD, located**
21 **approximately in the area North of 3200 S, West of Highway 165, and East of City Hall**

22 Mr. Nelson said the Planning Commission was a recommending body to the City Council.
23 Whatever motion they made was a recommendation that the City Council would
24 consider at a future date. Regardless of what the Planning Commission did, the proposal
25 would move forward to the City Council and another public hearing would take place.
26 Mr. Nelson noted it was an overlay zone application. The Planning Commission had
27 broad discretion to approve or not approve the proposal because the applicant didn't
28 have right to the type of density or development; it was currently zoned R2. Mr. Nelson
29 described alternate development options available in the area.

30
31 Mr. Nelson said the parcel was in the Nibley Elementary zone. Mr. Nelson said he'd met
32 with the principal of Nibley Elementary. He didn't raise concerns about the application
33 but did discuss taking the information to the school board. Mr. Nelson said the
34 development would create a better tax base for the school district.

35
36 Mr. Nelson said he thought the intersection at 250 would probably need to see some
37 improvement with turn lanes and they would need to taken homeowners into account.
38 Mr. Steele said wasn't sure when the traffic study would be completed. The traffic
39 counts had been made and the report was being compiled. He addressed the questions
40 that had been presented during the public hearing.

41
42 Commissioner Obray and Mr. Nelson discussed and debated the upsizing 3200 south
43 and the calculation of open space. Commissioner Obray asked for clarification on the

1 proposed 27.01 acres of open space. Mr. Nelson said Nibley City's code allowed
2 landscaping within public right of ways to count as open space.

3
4 Commissioner Swenson and Mr. Nelson debated commercial uses in the proposed
5 development. Commissioner Swenson wondered how the development would be a
6 town center. He read from an open space corridor study that was done. He questioned
7 what was in it for the City? How was the proposal was a gathering place? What would
8 draw people to the area? Commissioner Mansell discussed wanting to see a recreation
9 center or an amphitheater. Commissioner Swenson didn't know that they'd ever have
10 the opportunity to have a city center. Mr. Steele said his opinion was, the park that was
11 set aside had the potential to be a big draw. There wasn't a lot of proposed commercial
12 use in the development, which spoke to supply and demand. He envisioned the park as
13 having a lot of amenities that would be a pull; an amphitheater or splash pad.
14 Commissioner Obray said as a banker he would never finance the commercial in the
15 area. It was too close to Logan and other financial hubs. He gave statistics regarding
16 commercial closures. He never saw the space becoming commercially viable because
17 there weren't enough people. He thought the City was getting the tax base to fund
18 some of the other amenities the City wanted.

19
20 Mr. Nelson recommended the Planning Commission included the following conditions in
21 their motion to recommend or not recommend the overlay zone: that the developer
22 sort out the housing in the south corners to ensure enough buffer is provided; the
23 developer follow the recommendations of the traffic study; and he suggested the
24 Planning Commission could make a recommendation on whether the City Council
25 should pursue development of the park space; and parking is installed as recommended
26 by code.

27
28 Commissioner Logan brought up the concern of foot traffic next to a home adjacent to
29 Nibley City Hall. Mr. Nelson said the developer was planning to include a trail that
30 connected the City Hall property to the proposed park property and the trail space
31 would be in front of the house. Mr. Steel asked if the trail could come more
32 perpendicular to the City lot and then proceed into the City lot before it came down to
33 3200 South and eliminate foot traffic coming next to the house. Commissioner Swenson
34 questioned where the City would light off fireworks.

35
36 Commissioner Logan moved to recommend approval of on a Residential Planned Unit
37 Overlay Zone Application for the proposed Ridgeline Park R-PUD, located approximately
38 in the area North of 3200 S, West of Highway 165, and East of City Hall with the
39 following conditions: that the developer sort out the housing in the south corners to
40 ensure enough buffer is provided; the developer follow the recommendations of the
41 traffic study; and parking is installed as recommended by Nibley City code.

42 Commissioner Swenson seconded the motion. The motion passed unanimously 4-0;
43 with Commissioner Logan, Commissioner Swenson, Commissioner Mansell, and
44 Commissioner Obray all in favor.

A Public Hearing to receive comment on a proposed zoning and annexation of the Wesley Nelson Farms Inc.; 57.734 acres located North of 2600 S, West of 1200 W, and East of Highway 89/91; Parcel ID 03- 007-0019

The applicant, Al Bingham, was present at the meeting.

Mr. Nelson led this presentation. He described the location of the property and said it was recently a part of Logan City but Logan City couldn't provide utility services to the property. The property owner had asked to be disconnected from Logan City because they couldn't provide utility service. Logan City voted to allow the disconnection in October or November of 2019. Mr. Nelson said neither the County or Logan City intended to protest the annexation and he hadn't received any other protests. Mr. Nelson described potential zoning for the annexation area and described what the property owner anticipated doing with the property. Mr. Nelson said the City could "spitball" and say the 800 feet adjacent to Highway 89/91 as commercial and the remainder of the annexation area as residential or zone the whole thing as residential anticipating the developer coming in for a rezone at later date; they could also rezone the whole parcel as agricultural until there was a development plan. Mr. Nelson said land zoned as R2 could be designated as greenbelt.

Mr. Bingham, president of Wesley Nelson Farms said this property had been leased out to neighbors for nearly 20 years and they figured it was time to do something. Mr. Bingham said it could be kept rural and once they had a plan they could request rezoning at that time. He said it was a priority to design the 2600 South intersection. UDOT had set parameters of what they could do with the 2600 South intersection and had asked the intersection be moved to the north as much as possible. Mr. Bingham discussed Heritage Drive. He said the curve was further east and UDOT had said Heritage Drive needed to be at least 600 feet off of Highway 89/91. Mr. Bingham said their intent was to start development on the east side of the property with the higher density closer to the industrial section of the property and then have single-family; making a transitional area. He felt there was a very good opportunity for commercial development. He said they desired to not make a commitment and work hand in hand with the City to do something that worked for both the property owners and the City. He said they would be coming back with concept designs in the future. Mr. Bingham said he would prefer keeping the property in some rural designation. Commissioner Mansell asked if R2 would do what the applicant was asking. Mr. Nelson said it would.

Commissioner Mansell gave direction to the public present and opened the public hearing at 8:24 p.m.

Dirk Howard said he owned two properties just to the north of the proposed annexation property. He was involved with Mr. Nelson's presentation to Logan City. As a business owner in the area, he was excited about what Mr. Bingham was proposing to do with the extension of Heritage and trying to keep both the commercial/light industrial

1 portions and also increase some of the townhome type look and feel; similar to
2 SpringCreek Crossing, fortunately with more parking. He wished CampSaver had better
3 parking for their usage. Mr. Howard said if the Planning Commission dealt with traffic
4 and parking issues in the area and water issues and if they paid attention to these pieces
5 he looked forward to them being neighbors and what they had to done in the area.

6
7 Chris Field of 2484 South 1280 West said not zoning, for now, was a good idea and
8 suggested keeping the industrial off to the east and the single-family dwellings to the
9 west so they didn't have industrial right next to their buildings. He said getting in and
10 out of the area was tricky traffic wise. Commissioner Mansell said there would be a light
11 at 2600 South.

12
13 Seeing no further comment, Commissioner Mansell closed the public hearing at 8:29
14 p.m.

15
16 **Discussion and Consideration of a recommendation on a proposed zoning and**
17 **annexation of the Wesley Nelson Farms Inc.; 57.734 acres located North of 2600 S,**
18 **West of 1200 W, and East of Highway 89/91; Parcel ID 03-007-0019**

19 Commissioner Mansell said Nibley City code required buffering residential from
20 industrial and commercial. Commissioner Swenson asked for clarification of what zoning
21 Mr. Nelson recommended for the parcel. Mr. Nelson said he recommended R2 and
22 described that he recommended this zoning because of the flexibility R2 afforded. Mr.
23 Nelson said the parcel had been included in the R-PUD application map. Mr. Nelson
24 described that the Millville/Nibley cemetery district had asked that the property also be
25 annexed into the cemetery distract. State code said that that cemetery district's
26 annexation process had to be different than what the City's application process was.
27 The cemetery district had requested Nibley City's annexation policy included
28 recommendation that applicants also annex into the Millville/Nibley cemetery district.

29
30 Mr. Nelson recommended the Planning Commission make a positive recommend to the
31 City Council of the annexation.

32
33 Commissioner Swenson moved to recommend approval of the annexation of the Wesley
34 Nelson Farms Inc.; 57.734 acres located North of 2600 S, West of 1200 W, and East of
35 Highway 89/91; Parcel ID 03-007-0019, with a recommendation of R-2 zoning.

36 Commissioner Logan seconded the motion. The motion passed unanimously 4-0; with
37 Commissioner Swenson, Commissioner Logan, Commissioner Mansell and
38 Commissioner Obray.

39
40 Commissioner Logan appreciated everything that Mr. Howard had said and that
41 everything he'd discussed was very much on the Planning Commission's mind.

42
43 **A Public Hearing to receive comment on an update to Nibley City's Water Master Plan**

44 Commissioner Mansell opened the public hearing at 8:35 p.m.

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2 Seeing no comment, Commissioner Mansell closed the public hearing at 8:35 p.m.

3
4 **Discussion and Consideration of a recommendation on an update to Nibley City's**
5 **Water Master Plan**

6 Nibley City Public Works Director, Justin Maughan, was present for this discussion.

7
8 Commissioner Logan said he really liked what had been discussed the last time the item
9 was discussed.

10
11 Mr. Maughan said they'd looked at secondary irrigation but it might be more
12 economically feasible to have individual developments put in their own systems. Mr.
13 Nelson said Nibley's subdivision code already recommended and allowed developers to
14 do this. Commissioner Obray asked about providing water to increased density. Mr.
15 Maughan said they looked at the capacity to move the water. They needed to
16 determine the ability they had to create at the source. Commissioner Obray and Mr.
17 Maughan discussed water capacity and requirements. Mr. Nelson said the developer
18 had to provide the utility to their impact. If they were unable to provide the utility then
19 the City could deny the impact. Mr. Maughan said he as more concerned with sewer
20 impact and the map had had changed the impact. Impact fees where supposed to help
21 take care of the impacts. Commissioner Obray felt that the R-PUD clearly changed the
22 impact for utilities and quickly made thing obsolete.

23
24 Commissioner Logan moved to recommend approval of an update to Nibley City's
25 Water Master Plan. Commissioner Obray seconded the motion. The motion passed 4-0;
26 with Commissioner Logan, Commissioner Obray, Commissioner Swenson, and
27 Commissioner Mansell all in favor.

28
29 **Discussion and Consideration of the Planning Commission Resolution 20-P1: A**
30 **Resolution Adopting the 2020 Nibley City Planning Commission Meeting Schedule**

31 The Planning Commission debated moving the Planning Commission meeting time to
32 the first and third Thursdays at 6:30 p.m. instead of 6:00 p.m. They agreed with moving
33 the meetings to 6:30 p.m.

34
35 Commissioner Obray moved to approve Resolution 20-P1: A Resolution Adopting the
36 2020 Nibley City Planning Commission Meeting Schedule. Commissioner Logan
37 seconded the motion. The motion passed unanimously 4-0; with Commissioner Obray,
38 Commissioner Logan, Commissioner Swenson, and Commissioner Mansell all in favor.

39
40 **Staff Report and Action Items**

41 Mr. Nelson reported the meeting was the official last meeting for Commissioner Albrect.
42 However, she'd been unable to attend because she was sick. He anticipated putting a
43 presentation to Commissioner Albrect as the first agenda item. Mr. Nelson said there

1 should be a Planning Commissioner at the next meeting and the Mayor had indicated he
2 would speak to one of the Commissioners about sitting as Chair.

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5 There was general consent to adjourn at 8:51 p.m.
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Attest: _____
Deputy City Recorder