



NIBLEY CITY COUNCIL MEETING AGENDA
Thursday, November 17, 2016 – 6:30 p.m.
Nibley City Hall 455 West 3200 South, Nibley, Utah

1. Opening Ceremonies (Councilmember Jacobsen)
2. Call to Order and Roll Call (Chair)
3. Approval of Minutes and Agenda (Chair)
4. Public Comment Period¹ (Chair)

5. Presentation of the Annual Audit

6. Discussion and Consideration of RESOLUTION 16:10 – A Resolution Adding a Name to a Portion of 2600 South Street in Nibley (First Reading)

7. A workshop to review changes to a preliminary plat for The Cottonwoods at Hollow Road, a 19-lot conservation residential subdivision located at approximately 4030 Hollow Road (Applicant: Jim Johnson) Approval of this subdivision will not occur at this meeting.

8. Council and Staff Reports

Adjourn 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.

¹ *Public input is welcomed at all City Council Meetings. 15 minutes have been allotted to receive verbal public comment. Verbal comments shall be limited to 3 minutes per person. A sign-up sheet is available at the entrance to the Council Chambers starting 15 minutes prior to each council meeting and at the rostrum for the duration of the public comment period. Commenters shall identify themselves by name and address on the comment form and verbally for inclusion in the record. Comment will be taken in the order shown on the sign-up sheet. Written comment will also be accepted and entered into the record for the meeting if received prior to the conclusion of the meeting. Comments determined by the presiding officer to be in violation of Council meeting rules shall be ruled out of order.*



Nibley City Council Agenda Report for November 17, 2016

Agenda Item #5

Description	Presentation of the Annual Audit
Department	City Council
Presenter	Matt Regen, Independent Auditor
Sponsor	n/a
Applicant	n/a
Background	<p>State law requires that the annual audited financial statement be presented to the City Council within six months of the end of the fiscal year, which ends June 30.</p> <p>The City has engaged the services of an independent auditor, Matt Regen, to provide these services and present audited financials to the Council.</p> <p>In performing the audit, Mr. Regen reviewed the City's financial records, interviewed multiple staff members, including the City Manager, Court Clerk, Treasurer and others, contacted organizations with which the City has financial dealings, and verified multiple compliance items.</p>
Recommendation	Make a motion to accept the audit report
Financial Impact	The two-year contract with the auditor, which was approved by the City Council on February 4, 2016, sets the cost for outside auditing services at a not-to-exceed amount of \$11,500 per year.
Reviewed By	City Manager, City Treasurer

Agenda Item #6

Description	Discussion and Consideration of RESOLUTION 16:10 – A Resolution Adding a Name to a Portion of 2600 South Street in Nibley (First Reading)
Department	City Council, Public Works
Presenter	David Zook, City Manager
Sponsor	n/a
Applicant	n/a
Background	Ridgeline High School was recently constructed in Millville, just east of the Nibley border at the eastern end of 2600 South Street. In an effort to improve the ability of drivers to find the school, as well as to create community spirit and show support for the school, it is proposed to rename a portion of 2600 S after either the school or their mascot, the Riverhawk. The road would retain its legal name as 2600 S, but would have an additional name added for the portion extending from SR 165 to the City's eastern border. New signage would later be installed on the traffic signal mast arms showing both names.
Recommendation	Discuss options for the name and approve the resolution making the change. Two proposed names are Riverhawk Drive, which was proposed by the school, and Ridgeline Drive as an alternative.
Financial Impact	There would be a cost for UDOT to prepare and install new signage. Staff have requested a cost estimate from UDOT but have not yet received the estimate.
Reviewed By	Mayor, City Manager, Utah Department of Transportation

Agenda Item #7

Description	A workshop to review changes to a preliminary plat for The Cottonwoods at Hollow Road, a 19-lot conservation residential subdivision located at approximately 4030 Hollow Road (Applicant: Jim Johnson) Approval of this subdivision will not occur at this meeting.
Department	Planning
Presenter	Stephen Nelson, Interim City Planner
Sponsor	n/a
Applicant	n/a
Background	<p>The applicant on this project, Mr. Jim Johnson, who is a Nibley resident and Nibley Planning and Zoning Commissioner, has submitted a revised preliminary plat for the subdivision he is proposing to develop. There have been several changes made since the last time it was presented to the council, and details of the changes are listed below and in a letter attach.</p> <p>The purpose of this agenda item is simply to allow the applicant to update the Council on the status of changes to the project, based on input received at the public hearing held on November 3, and to allow the Council to provide any additional direction. This item is not yet ready for approval. Several items still need to be addressed, including conformity with the Transportation Master Plan, conformity with storm water standards, conformity with paving requirements, analysis of the water model, and a few other engineering reviews.</p> <p>The applicant is proposing a 17-lot conservation residential subdivision, with two remainder lots, located at approximately 4030 Hollow Rd. The property is a mixture of the R-1 and R-1A zones. The development proposed on the southern portion of the property is planned to be developed in an initial phase. Additional development on the northwest portion of the property is also anticipated in the future.</p> <ol style="list-style-type: none">1. City Code 10-18-4 states that in existing R-1 zones, the base density is calculated as if the property were R-1A zones. Thus, despite there being a blend of the R-1 and R-1A zones, City code dictates that this property all be developed as if it were an R-1A zone.<ul style="list-style-type: none">▪ “Applicants in existing R-1 zones may also choose to apply for a subdivision approval using the conservation residential subdivision. By so doing, the density from which all calculations shall be made shall be equal to 0.75 acre lots or the same density as the R-1A zone.”

- **Open Space/Density Calculations**

Project Size: 10.63 acres Original Lot Yield: 13 lots

ROW acreage: 1.96 acres Developable Property: 8.67 acres

Open Space: 3.65 acres Percentage of Open Space: 41.28%

Density Bonus: 50% Lot Yield: 17 lots

Avg. Lot Size: 13,386 sq. ft. Req. Avg. Lot Size: 11,000 sq. ft.

Req. Frontage: 90'- all lots meet or exceed required frontage.

Mr. Johnson has also made some changes to the layout of the open space based on the council's feedback. The new plat has eliminated Conservancy Lots 10, 1, and 19 from the application and has incorporated more open space along Hollow Road in Conservancy Lots 1, 2, and 4. All of the conservancy space is proposed to be privately owned. By adding these changes, Mr. Johnson has eliminated two home lots, Lots 1 and 19, and then renumbered the lots.

- **Recommendations from Planning and Zoning Commission**

The P&Z made a motion to recommend that the City Council approve of the subdivision with the following conditions:

1. That a waiver on the right-of-way be issued by City Council that includes the entire 60-foot right-of-way; that eliminates curb and gutter and replaces it with a swale but still includes sidewalk service.
2. That the City Council require that the City take ownership of the conservancy cottonwood lot of the Cottonwood at Hollow Roads subdivision.
3. That the applicant adds the utility easements to the plat before the plat goes to City Council.
4. That the City Council require adequate right-of-way width along the Hollow Road Frontage to accommodate the developer's share of the 60-foot right-of-way.

Items 1, 3 and 4 above have been included on the November 9, 2016 version of the plat submitted to the City Council. However, City staff recommends that the City not take ownership of the cottonwood conservancy lot, and all of the other open space remain privately held as well. Staff also believes that the Council could not simply waive the stormwater requirement references in item 1 above and believes a change in code needs to be adopted in order to allow for the swales.

- **Irrigation Canal**

There is a ditch on the property that will be relocated. Mr. Johnson has provided those drawings to the Nibley Blacksmith Fork Irrigation Company, which has acknowledged receipt of the drawings. The infrastructure details of the ditch relocation will be addressed as part of the construction drawings which would be submitted with the final plat.

- **Traffic**

At the November 3, 2016 City Council meeting, the City Council requested that the applicant seek input from the Utah Department of Transportation to solicit their comments regarding the development and its impacts on SR 165. The following is an email from UDOT:

“-----Original Message-----

From: Keith Bladen <kbladen@utah.gov>

To: jejrulz <jejrulz@aol.com>

Sent: Mon, Nov 7, 2016 2:52 pm

Subject: Hollow Road Access Issue

Jim,

As per our telephone conversation this morning, the most apparent reasons for individuals or companies to have a UDOT Encroachment permit are as follows:

- Direct access (drive approach) connecting to a State Route
- Utility connections within the UDOT Right-of-Way
- Storm Water Discharge into a UDOT storm drain system
- Conducting any work within the UDOT Right-of-Way

Based off of our discussion, it appears that these items are not related to your proposed development that will be approximately 2/10ths of a mile from the SR-165 & Hollow Road Junction. **At this time, we do not have any issues on the matter.** (*emphasis added for this report*) In the event things change and you need to work within the UDOT Right-of-Way, the proper permits will be required.

Please let know if you need anything else.

Thanks,
Keith

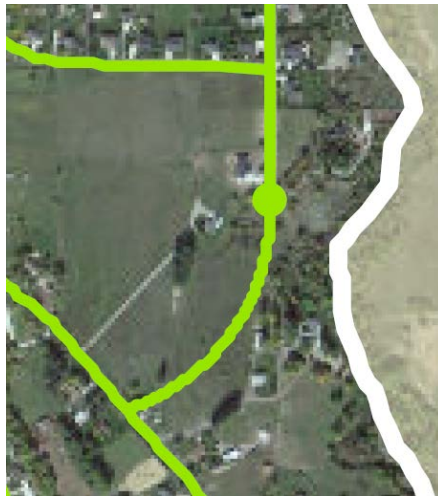
- **Right-of-Way Width**

Having stormwater handled by swales rather than a larger pond, is a low-impact development technique, which is encouraged by Federal and State stormwater regulations. Additionally, not requiring curb/gutter allows this subdivision to maintain a more rural feel and blend in with the surrounding roads. However, City Code 11-5-5 (D)(2) requires that curb, gutter and sidewalk must be added to all residential developments outside of rural estates and the agricultural zones. Staff is in favor of the swales, but believes the code needs to be change in order to allow for this design to move forward.

The R-O-W along Hollow Road has also had the addition of sidewalks, which is also required by the code in section 11-5-5 (d). The agenda item report for this plat that was submitted to the City Council on November 3 erroneously proposed that this requirement could be waived. After further review, no such allowable exception was identified in the code for this zone.

- **250 East**

The Transportation Master Plan shows that a connection should be made through this property between Hollow Road and 250 East. The current Road Master Plan map, as shown below, has that connection coming directly from the current end of 250 East down to Hollow Road.



In that configuration, Mr. Johnson would be required to construct and dedicate a new portion of 250 East. Here are some items to consider:

1. The master plan alignment runs directly through a FEMA Flood Zone. To construct a road through this property could require significant costs because there could be a need to bring in fill dirt, and it is possible that there could be wetland issues that

might need to be mitigated or permitted.

2. The property in the flood zone is on the lot east of the proposed subdivision and the road wouldn't necessarily be constructed as part of this subdivision project. That portion of the road, between the current southern terminus of 250 East and the eastern boundary of the subdivision would either have to be constructed in a future potential development on that property or built by the city, in order to bridge the gap. If the City were to pursue construction, the City would need to acquire the property, deal with the flood zone issues and pay for construction of the road.
3. Another potential conflict with the alignment currently planned in the Road Master Plan is that it appears to conflict with an existing house east of the proposed subdivision. It is possible that the road could be curved to avoid the house.
4. There is a waterline that currently dead ends at the south end of 250 E. Mr. Johnson has agreed to continue a waterline through the conservation space to the most northeastern point of the proposed development, so that the City can connect the water lines in the future and create a looped system.
5. After the council meeting held on November 3, 2016, staff met with Mr. Johnson to discuss the road alignment. Mr. Johnson agreed that there could be a 60 ft. R-O-W dedicated through the remainder property to the northern property line.

For the reasons above, the position of the planning and zoning commission and staff is that a road alignment following the current master plan map may not be the route preferred by the City.

Staff would also like direction from the Council on how to proceed with the road alignment. If it is the Council's direction that the subdivision should follow the current road master plan alignment, then the applicant would need to revise his plans to match the master plan before the plat is proposed to the Council for approval. However, if the Council agrees that a different alignment would be preferred, such as the alignment currently proposed in the plat, staff and the P&Z could propose a modification to the Road Master Plan, which would need to be finalized before the current subdivision plat is approved. Either way, something would need to change because the current proposal is not in compliance with the current road master plan.

The intent of having the road connection between 250 East and Hollow Road on the Master Road Plan was to provide a connection between Hollow Road and the Brookfield Meadows

	subdivision on 250 East. Mr. Johnson's proposal lays out a connection between the neighborhoods that would take the road out of the floodplain and could potentially make the eventual connection more feasible, while maintaining the intent of the route proposed in the master plan.
Recommendation	Give direction related to compliance with the Subdivision Ordinance
Financial Impact	n/a
Reviewed By	Mayor, City Manager, City Planner, Public Works Director, City Attorney, City Engineer

RESOLUTION 16-10

A RESOLUTION ADDING A NAME TO A PORTION OF 2600 SOUTH STREET IN NIBLEY

WHEREAS, Nibley City owns, operates and maintains city streets and other transportation facilities within its corporate boundaries; and

WHEREAS, A City may, by resolution, change the name of its streets; and

WHEREAS, Ridgeline High School was recently constructed in Millville at the eastern terminus of 2600 South Street; and

WHEREAS, Adding a name to 2600 South Street to signify its connection to Ridgeline High School may assist drivers with locating the school; and

WHEREAS, Adding a name to 2600 South Street to signify its connection to Ridgeline High School may also boost school pride and build a stronger link between the community and the school; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NIBLEY CITY, STATE OF UTAH, AS FOLLOWS:

2600 South Street, from SR 165 to the eastern Nibley City boundary shall continue to be known as 2600 South Street, but with the secondary name of Riverhawk Drive.

Dated this ____ day of _____, 2016

Shaun Dustin, Mayor

ATTEST

David Zook, Recorder

James E. Johnson Jr., PE

510 W 3800 S

Nibley, UT. 84321

202-494-6894

November 10, 2016

Re: The Cottonwoods at Hollow Road

Dear Nibley City Council,

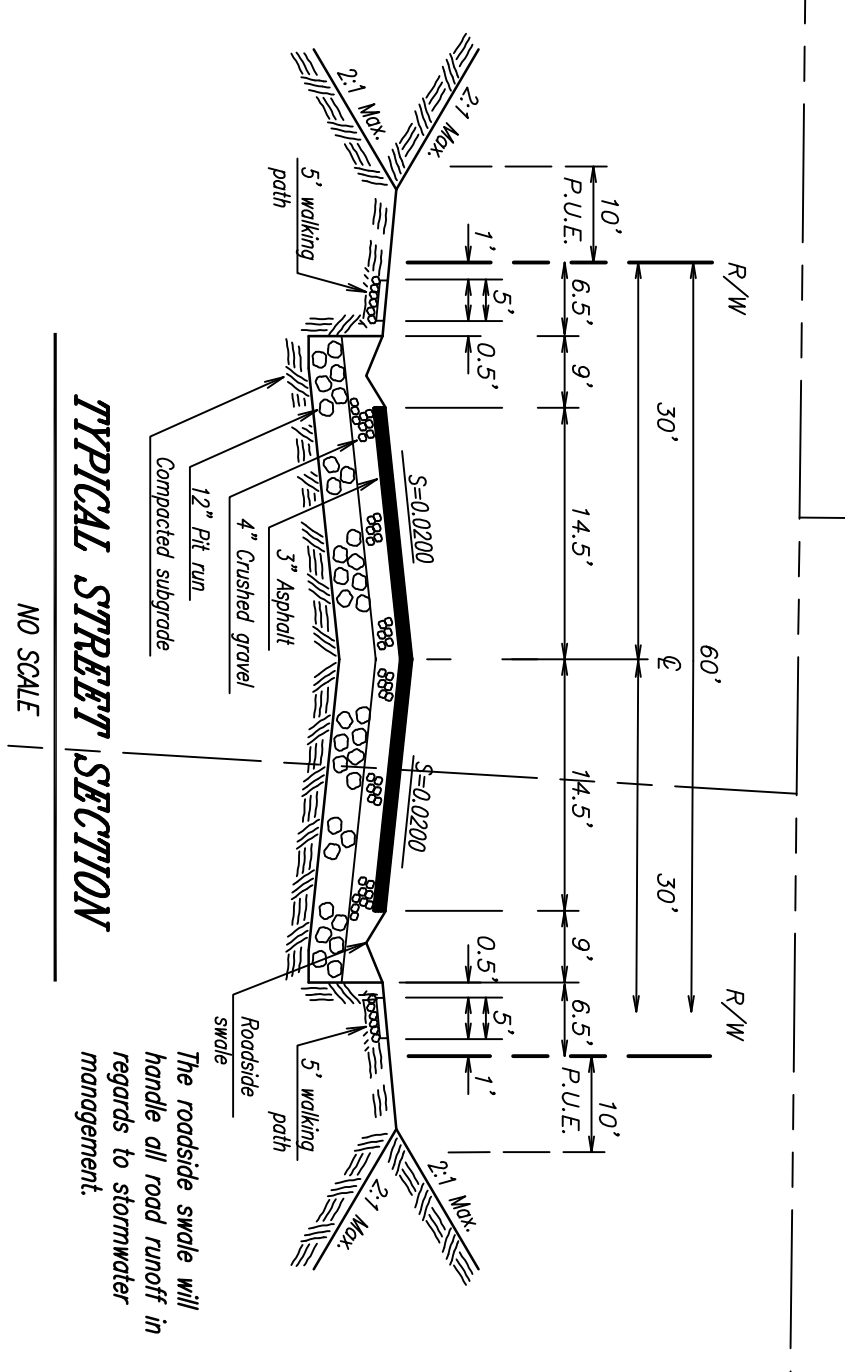
I have made the changes requested during the November 3, 2016 Nibley City Council meeting regarding The Cottonwoods at Hollow Road subdivision application. Specifically, I have eliminated Conservancy Lot 10 and Lots 1 and 19 from the application. Incorporated additional open space along Hollow Road and dedicated a 60 ft. road right-of-way through the "Remainder Parcel."

I have also met with staff and the City Engineer who have requested sidewalk be included along Hollow Road, the trail easement not be dedicated to the City and a waterline, for city use, be constructed to the northeast corner of the property. All of which have also been include on the revised subdivision application.

Finally, attached is a letter from UDOT indicating they have no issues with the subdivision, pursuant to Councilman Hansen's request.

Respectfully,

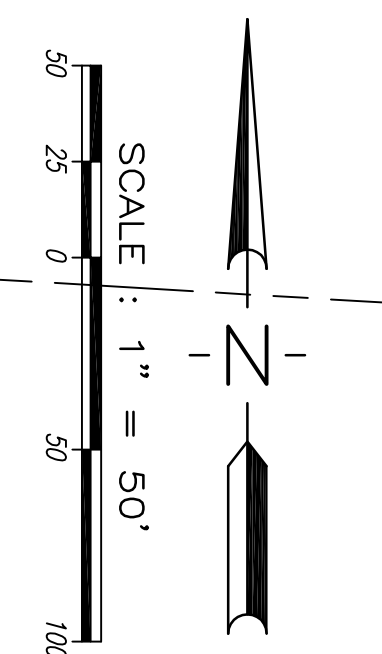
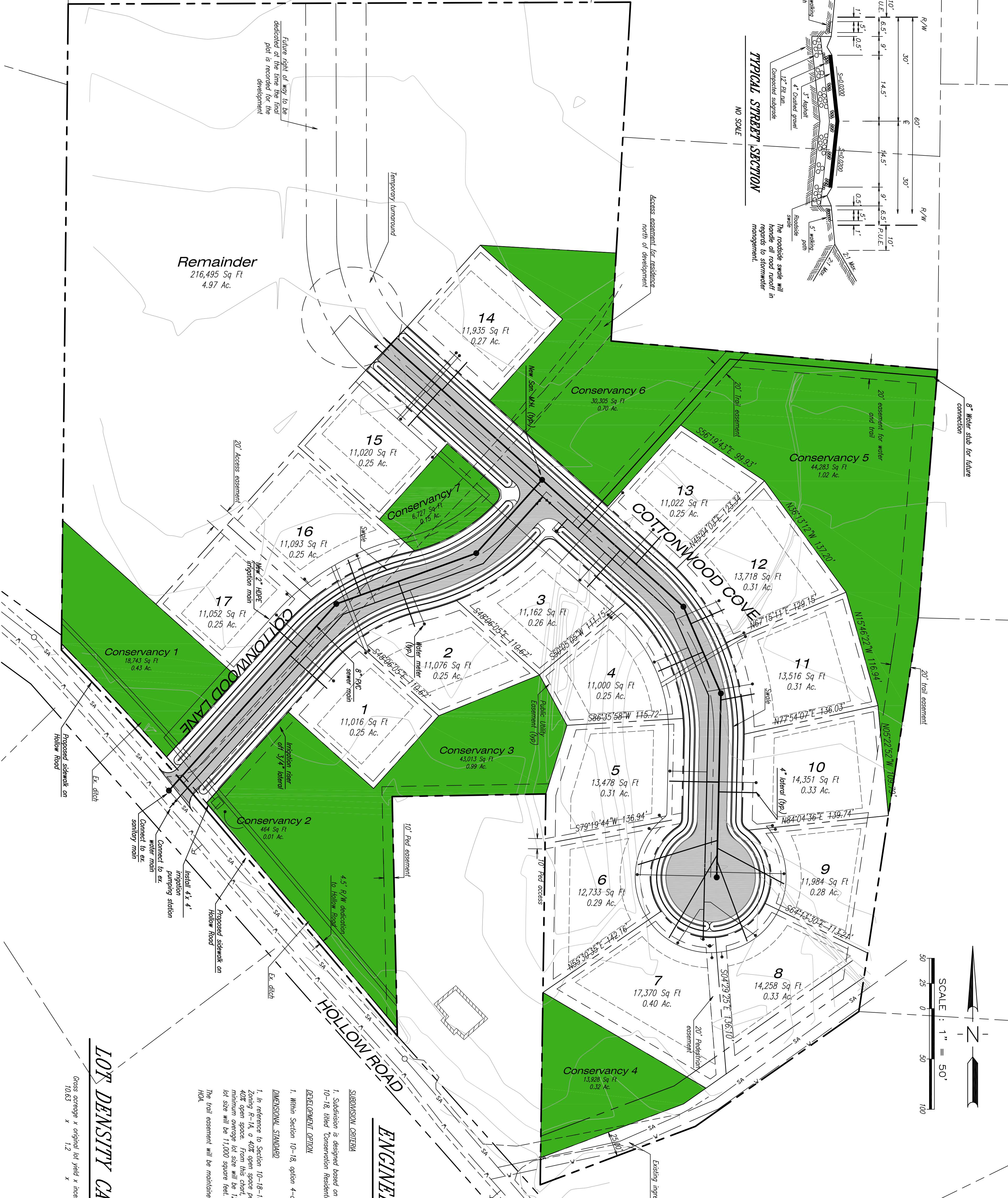
Jim Johnson



LOT AREAS

Total parcel = 15.6 Ac.
 Area to be developed = 10.63 Ac.
 Project right of way area = 85,213 sf (1.96 Ac.)
 Total lot area = 226,399 sf (5.20 Ac.)
 Total Conservancy area = 159,179 sf (3.65 Ac.)
 The percentage of Conservancy area is:
 Total conservancy area
 Total lot area + Total conservancy area
 or: $\frac{159,179}{226,399 + 159,179} = 41\%$

The area to be developed is the total parcel area minus the area reserved. This remainder parcel will be held by the owner at the present time.
 The average lot size is 13,366 sf and the smallest lot is 11,011 sf.



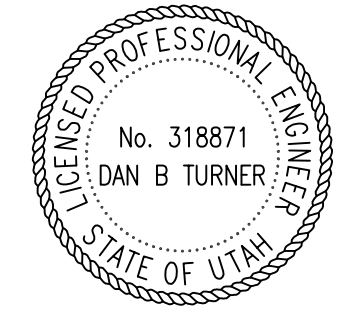
ENGINEER NOTES

- SUBDIVISION CRITERIA**
- Subdivision is designed based on the Nibley Municipal Code Section 10-18, titled "Conservation Residential Subdivision."
- DEVELOPMENT OPTION**
- Within Section 10-18, option 4-c has been selected.
- DIMENSIONAL STANDARD**
- In reference to Section 10-18-10-4, Development Incentive Chart, Zoning R-14, a 40% open space percentage has been selected, requiring 40% open space. From this chart, the incentive multiplier is 50.0%. The minimum average lot size will be 12,342 square feet and the minimum lot size will be 11,000 square feet. The required frontage is 90 feet. The trail easement will be maintained by The Cottonwoods at Hollow Road HOA.

LOT DENSITY CALCULATIONS

Gross acreage x original lot yield x incentive multiplier = allowable lots
 $10.63 \times 1.2 \times 1.50 = 19.1$ or 19 lots
 The plan shows 17 lots

Turner Design Engineering, Inc.
 CIVIL ENGINEERING ▲ LAND PLANNING
 307 HAMMOND LANE PROVIDENCE, UT. 84332
 (435) 695-8245



PROPOSED CONDITIONS
THE COTTONWOODS
 NIBLEY. UTAH

Revisions

Date	Nov. 9, 2016
Scale	1" = 50'
D.T.	
Designed by	
Drawn By	

Job Number	16-006
Sheet	2 of 3



Theme Tree: Seedless Cottonwood

Trail Corridor

- 5 ft. wide trail
- Compacted road base
- Tall Grass seed mix

Wood Rail Fence

Dedicated ROW to Nibley City

Future Development

Wood Rail Fence

Theme Tree: Seedless Cottonwood

Accent Tree: Flowering Pear

Entry Monument and pump house

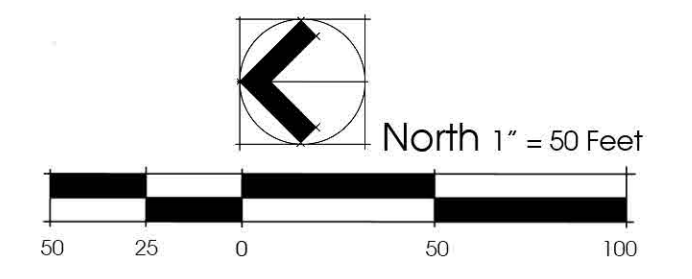
- See Concept Drawing

Street Tree: Little Leaf Linden

Theme Tree: Seedless Cottonwood

Legend - The Cottonwoods at Hollow Road - Nibley, Utah

- Theme Tree: *Populus deltoides* 'Siouxland' Cottonless Cottonwood
Plant as 5 gallon
 - Street Tree: *Tilia cordata* 'Greenspire' Little Leaf Linden
To be planted as 2" caliper by homeowner in locations shown on plan. If utilities or driveway interfere with placement, location may be adjusted, but trees are to be roughly 40 feet on center.
 - Accent Tree: *Pyrus calleryana* 'Chanticleer' Flowering Pear
Plant as 2" caliper
 - Tall Grass Mix
To be planted within trail corridor at rates shown. May be broadcast or hydroseeded.
- | BOTANICAL NAME | COMMON NAME | RATE: PLS/Acre | % BY WT |
|---------------------------|--------------------|----------------|---------------|
| <i>Agrostis palustris</i> | Creeping Bentgrass | 2.0 | 15.0% |
| <i>Bromus inermis</i> | Smooth Brome | 4.0 | 20.0% |
| <i>Festuca rubra</i> | Red Fescue | 5.0 | 25.0% |
| <i>Pascopyrum smithii</i> | Western Wheatgrass | 5.0 | 25.0% |
| <i>Poa compressa</i> | Canada Bluegrass | 2.0 | 15.0% |
| TOTAL: | | 18.0 | 100.0% |
- Conservation Lots
Existing vegetation is to be protected and preserved throughout any and all construction activity.



SHEET ONE
 REVISED 26 OCTOBER 2016
 5 OCTOBER 2016
 Conceptual Landscape Plan

THE COTTONWOODS

AT HOLLOW ROAD
 Nibley City, Utah
 James Johnson . 202.494.6894