



NIBLEY CITY COUNCIL MEETING AGENDA  
Thursday, November 3, 2016 – 6:30 p.m.  
Nibley City Hall 455 West 3200 South, Nibley, Utah

1. Opening Ceremonies (Councilmember Hansen)
2. Call to Order and Roll Call (Chair)
3. Approval of Minutes and Agenda (Chair)
4. Public Comment Period<sup>1</sup> (Chair)
  
5. Presentation regarding Nibley City becoming Utah's First Certified Community Wildlife Habitat
  
6. A PUBLIC HEARING to receive comment concerning a preliminary plat for The Cottonwoods at Hollow Road, a 19-lot conservation residential subdivision located at approximately 4030 Hollow Road (Applicant: Jim Johnson)
  
7. 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.*

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<sup>1</sup> *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 3, 2016

### Agenda Item #5

<b>Description</b>	Presentation regarding Nibley City becoming Utah's First Certified Community Wildlife Habitat
<b>Department</b>	City Council
<b>Presenter</b>	Ron Hellstern and City Council
<b>Sponsor</b>	n/a
<b>Applicant</b>	n/a
<b>Background</b>	Nibley City was recently recognized as the first city in Utah to receive the Certified Community Wildlife Habitat designation from the National Wildlife Federation. Members of the community who helped to achieve this certification will be present to discuss the accomplishment.
<b>Recommendation</b>	Discuss the accomplishment and express gratitude to the community volunteers
<b>Financial Impact</b>	n/a
<b>Reviewed By</b>	Mayor, City Manager, Recreation Director

**Agenda Item #6**

<b>Description</b>	A PUBLIC HEARING to receive comment concerning a preliminary plat for The Cottonwoods at Hollow Road, a 19-lot conservation residential subdivision located at approximately 4030 Hollow Road (Applicant: Jim Johnson)
<b>Department</b>	Planning
<b>Presenter</b>	Stephen Nelson, Interim City Planner
<b>Sponsor</b>	n/a
<b>Applicant</b>	n/a
<b>Background</b>	<p>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. He is proposing a 19-lot conservation residential subdivision located at approximately 4030 Hollow Rd. The property is a mixture of the R-1 and R-1A zones. The property is planned to be developed in a single phase.</p> <ul style="list-style-type: none"> <li>○ 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"> <li>▪ “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.”</li> </ul> </li> </ul> <p>• <b>Changes and recommendation from Planning and Zoning</b></p> <p><b>The P&amp;Z made a motion to recommend that the City Council approve of the subdivision with the following conditions:</b></p> <ul style="list-style-type: none"> <li>○ 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.</li> <li>○ That the City Council require that the City take ownership of the conservancy cottonwood lot of the Cottonwood at Hollow Roads subdivision.</li> <li>○ That the applicant adds the utility easements to the plat</li> </ul>

before the plat goes to City Council.

- 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.

The items above have been included on the version of the plat submitted to the City Council.

- **Revisions Since Public Hearing**

At the public hearing held by the Planning and Zoning Commission, residents spoke about the stand of cottonwood trees on the property. Mr. Johnson has submitted a revised plat that will preserve those trees as conservation property. It will also take the walking trail and curve it away from the James' home (the home north/northeast of the cottonwood trees) and down through the conservation area by the cottonwood trees. Doing this opened up additional open space, which allows for an increased density bonus. The revised preliminary plat reflects that increased density bonus. Additionally, the developer has represented that the following changes were made (Items 1-5 below have been taken directly from an email received from Mr. Johnson, so any wording (I, My, We, etc.) is from that email):

1. "The sensitive area have been removed from the drawings. My engineer put it on the drawings based on his field review. There is no official study or demarcation we need to consider. The wetland boundary is correct.

2. "We have redesigned the lot layout to provide open space at the intersection of Cottonwood Lane and Cove. Thus the large stand of trees existing on the property has been save on what was lot 13.

3. "I have also added additional open space on 15 which is now 16 on the new drawings. As indicated on the landscape architect concept drawing. I have intend to plant cottonwood trees throughout the subdivision in open spaces and along the trail.

4. "I have realigned the road Cottonwood Lane so it dead-ends facing the existing cottonwood grove and also provide open space along the end of the road to meet Councilman Hansen's recommendations.

5. "The trail system is now "serpentine" and requested again by Councilman Hansen."

In addition to the changes on the plat, you will see that Mr. Johnson has had a concept drawn up showing the trees and home and walking

trails, etc. This is so that the City and residents can get a feel for how the subdivision will look.

- **Open Space/Density Calculations**

Project Size: 11.17 acres      Original Lot Yield: 13 lots

ROW acreage: 1.69 acres      Developable Property: 9.48 acres

Open Space: 3.78 acres      Percentage of Open Space: 40.78%

Density Bonus: 50%      Lot Yield: 19 lots

Avg. Lot Size: 12,464 sq. ft.      Req. Avg. Lot Size: 11,000 sq. ft.

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

- **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.

- **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.

City Code 11-5-5(D)(2) allows the requirements for curb/gutter/sidewalk to be waived in rural estates and the agricultural zones, if those requirements would detract from the rural setting of the subdivision. Because this property is immediately adjacent to the rural estate zones, staff feels this is appropriate.

- **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. There are several concerns with having the connection follow the route outlined in the master plan, which staff believes should be considered, including the following:

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.

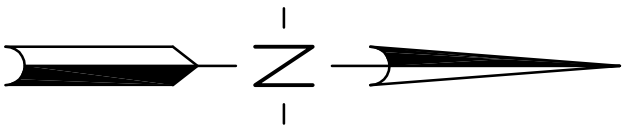
For the reasons above, the position of the planning and zoning commission is that a road alignment following the current master plan map may not be the route preferred by the City.

In addition to receiving input from the public at this hearing, 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

	<p>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, staff and the P&amp;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.</p> <p>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.</p>
<b>Recommendation</b>	Receive public comment
<b>Financial Impact</b>	n/a
<b>Reviewed By</b>	Mayor, City Manager, City Planner, Public Works Director, City Attorney

**PRELIMINARY PLAT**

FOR THE  
**COTTONWOODS AT HOLLOW ROAD SUBDIVISION**  
 NIBLEY CITY, CACHE COUNTY, UTAH  
 A PART OF THE SOUTHWEST QUARTER  
 OF SECTION 27, TOWNSHIP 11 N., RANGE 1 E.  
 SALT LAKE BASE AND MERIDIAN  
 AUGUST 2016



SCALE : 1" = 80'

**LEGEND**

PROPOSED	EXISTING
SANITARY SEWER MANHOLE	○
SANITARY CLEANOUT	●
SANITARY SEWER	— SA —
STORM MANHOLE	⊙
STORM SEWER	— SD —
IRRIGATION INLET	■
STORM DRAIN BOX	□
WATERMAIN & VALVE	— W —
WATER METER & SERVICE	— V —
WATERLINE BLOWOFF	— B —
FIRE HYDRANT	— H —
CONCRETE CURB	— C —
LIGHT POLE	★
POWER POLE	✱
BENCH MARK	⊕
EXISTING PAVEMENT	▭
PROPOSED PAVEMENT	▭

**OWNER'S AFFIDAVIT**

Know all men by these presents that we, the undersigned, are registered representatives of the owner of the property. Authorization of this action has been given expressly by New Directions IRA Inc. FBO James E. Johnson Jr. Under this designation of representation, we submit the certificate of clear title on the land shown on this plat.

In witness we have hereunto set our signature this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**CITY COUNCIL APPROVAL**

Approved this the \_\_\_\_\_ day of \_\_\_\_\_, 2016  
 By the \_\_\_\_\_ City Council

Mayor \_\_\_\_\_

**PLANNING COMMISSION APPROVAL**

Approved this the \_\_\_\_\_ day of \_\_\_\_\_, 2016  
 By the \_\_\_\_\_ Planning Commission

Chairman \_\_\_\_\_

**FIRE DEPARTMENT APPROVAL**

I certify that I have had this plat examined and find that it is correct and in accordance with the codes and regulations set forth by the fire department.

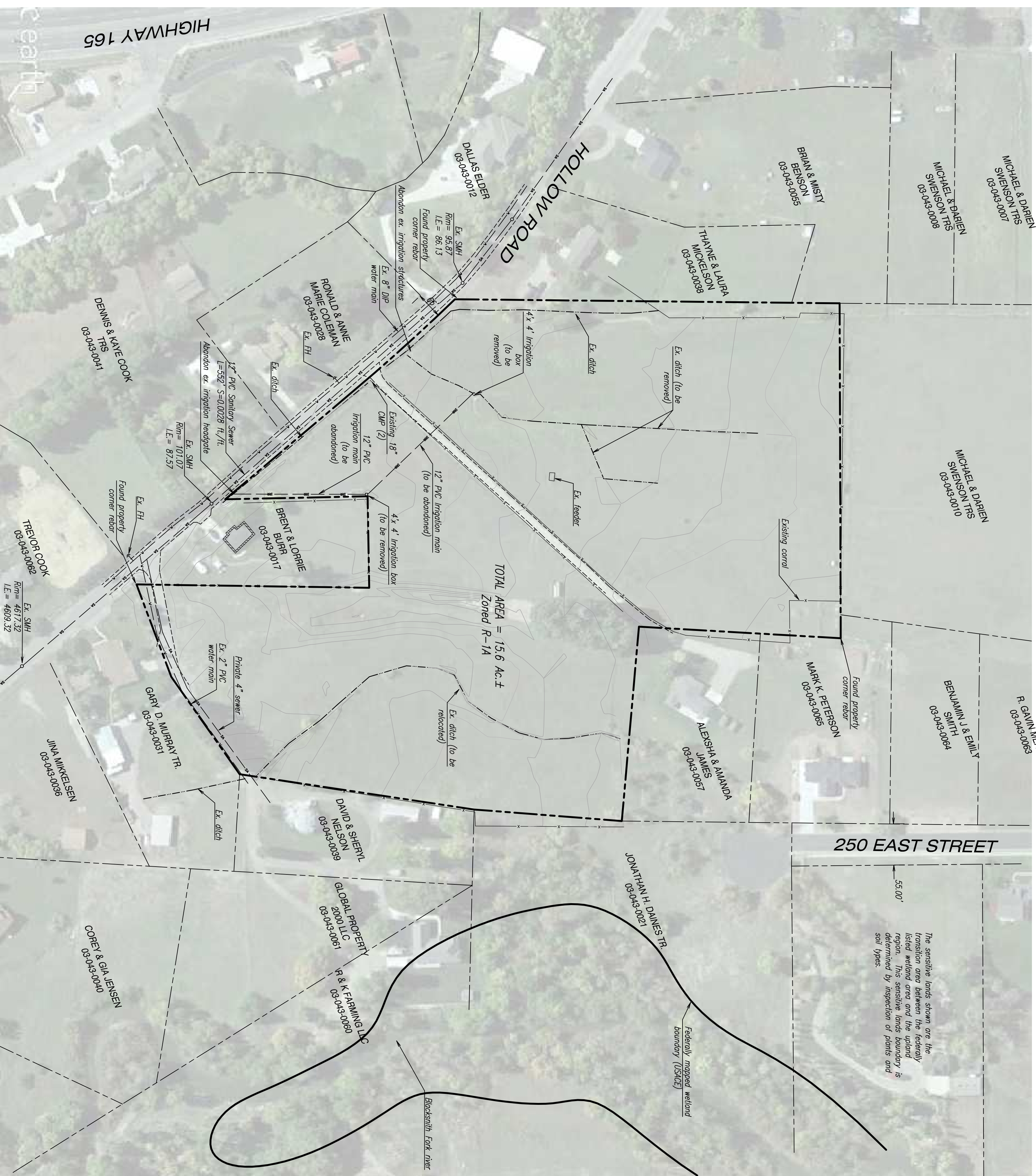
Date \_\_\_\_\_  
 Fire Department \_\_\_\_\_

**ENGINEER'S CERTIFICATE**

I certify that I have had this plat examined and find that it is correct and in accordance with the information on file at the Nibley City office.

Date \_\_\_\_\_  
 Engineer \_\_\_\_\_

**EXISTING CONDITION MAP**

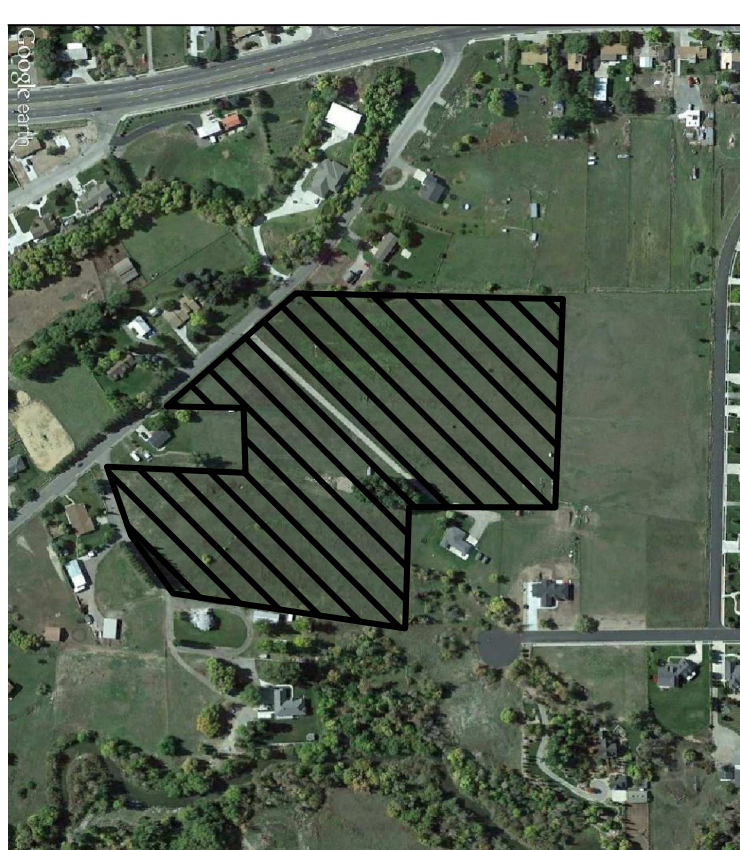


**LEGAL DESCRIPTION**

Included is the legal description as recorded in the County office. Overall, 451' Sizing is completing a boundary survey of the parcel as a condition of the sale. This new survey will be submitted to Nibley City for review when completed and certified.

BEG. N 39°46'30" W 621.6 FT ALG NIBLEY HOLLOW RD FROM PT 4.64 CHS N & 20 CHS E OF SW COR SEC 22 T 11N R 1E & TH N 69°45' E 158.5 FT TH N 59°17' E 208.4 FT TH NELY 300 FT BR (N 11°21'11" E 396.03 FT (CALC) TH S 89°40' E TO N-S CENTER LN SD SEC TH N TO PT 15.07 CHS N 10' W FROM CENTER SD SEC TH N 89°09' W 3.87 CHS TO PT IN W LN BR N/4 TH S 9°23' W 3.93 CHS TH N 89°09' W 8.06 CHS TO E BANK OF DITCH TH S 0°32'59" W TO N LN OF HOLLOW ROAD TH SETLY ALG ROAD TO BEG LESS 0007' BEG 759.41 FT N & 934.04 FT E OF SW COR SD SEC 27 & TH N 2°17'30" E 390.19 FT TH S 88°39'30" W 150 FT TH S 1°20'30" E 240 FT TH S 40°02'30" E 200 FT ALG CO ROAD TO BEG ALSO: BEG IN E LN ST HWY 165 AT PT 166.22 FT N 0°42'40" E OF THE INTERSEC OF SD HWY & N LN OF THE HOLLOW ROAD WHICH PT IS 212.86 FT W & 1948.9 FT N OF SE COR SEC 28 SD T & R & TH S 0°42'40" W 166.22 FT ALG HWY TH S 53°58'40" E ALG HOLLOW ROAD FROM BEG TH N 7°34'39" WEST 407.69 FT TH N 89°42'9" W 280 FT TO BEG LESS 0.11 AC TO UDOT 556/1095-1099 NET 21.16 AC M/L IN ALL LESS 0.21 AC TO UDOT 556/1095-1099 NET 21.77 AC M/L LESS 0.57,0063,0064,0065: BEG 294.42 FT N OF CENTER OF SW/4 SEC 27 T 11N R 1E & TH N 84°19'27" W 322.21 FT TH N S 89°09' E 255.42 FT TH S 745.2 FT TO BEG CONT 5.00 AC M/B NET 16.27 AC M/L 508.0 TO A 25' FT R/W THE SE LN OF WHICH BEGINS AT SW COR OF SD TRACT & RUNS SW 1/4 ALG EXHIBING LANE TO N LN OF HOLLOW ROAD, NIBLEY

**VICINITY MAP**



**OWNER / DEVELOPER**

**HAROLD M. & DELORES K PETERSEN**  
 3950 S. MAIN STREET  
 HYRUM, UTAH  
**NEW DIRECTIONS IRA, INC.**  
**FBO JAMES E. JOHNSON JR.**  
 202-494-6894

PRELIMINARY PLAT  
**THE COTTONWOODS**  
 AT HOLLOW ROAD  
 NIBLEY, UTAH

**Turner Design Engineering, Inc.**  
 CIVIL ENGINEERING & LAND PLANNING  
 307 HAMMOND LANE PROVIDENCE, UTAH  
 (435) 695-8245

**PUBLIC UTILITY ACKNOWLEDGEMENT**

We have reviewed this plat and approved it according to our utility. The utility agrees to place specific utilities underground, within the right of way, or easement, as shown on the plan. The utility is willing to provide needed service for the development. Any restrictions, fees, and limitations shall be provided before construction begins.

Date	Question Gas	Date	Utah Power

Job Number: **16-006**  
 Sheet: **1 of 3**

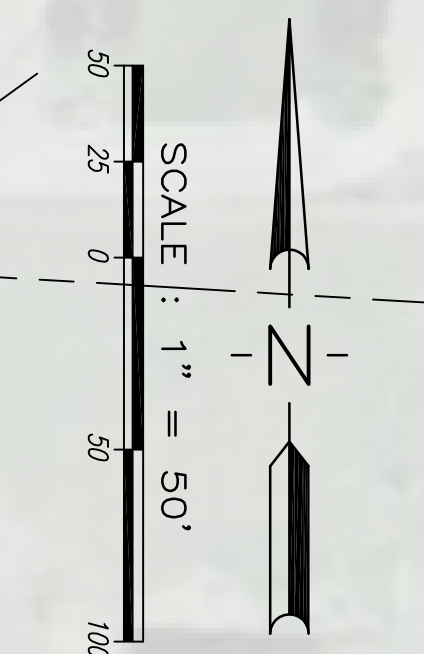
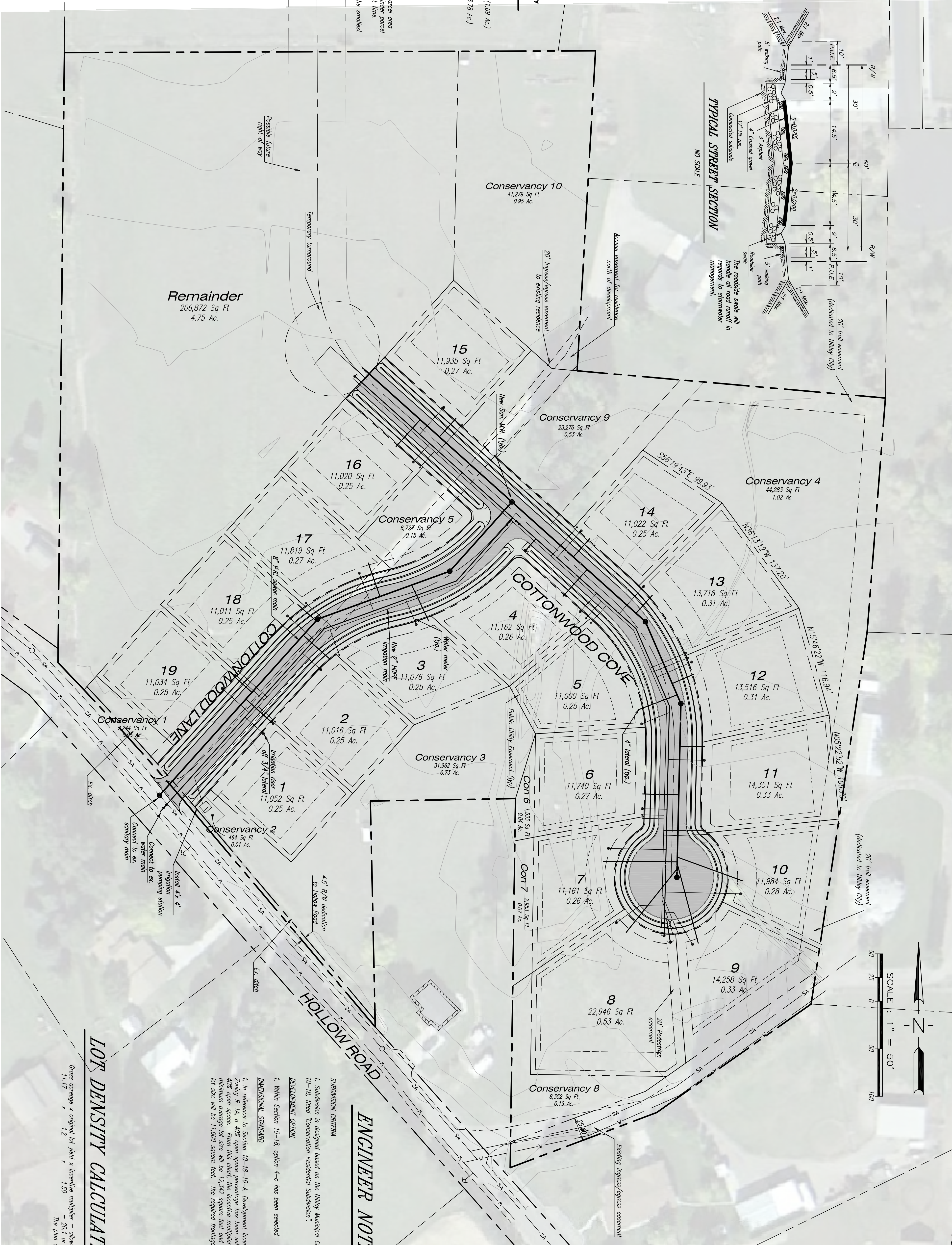
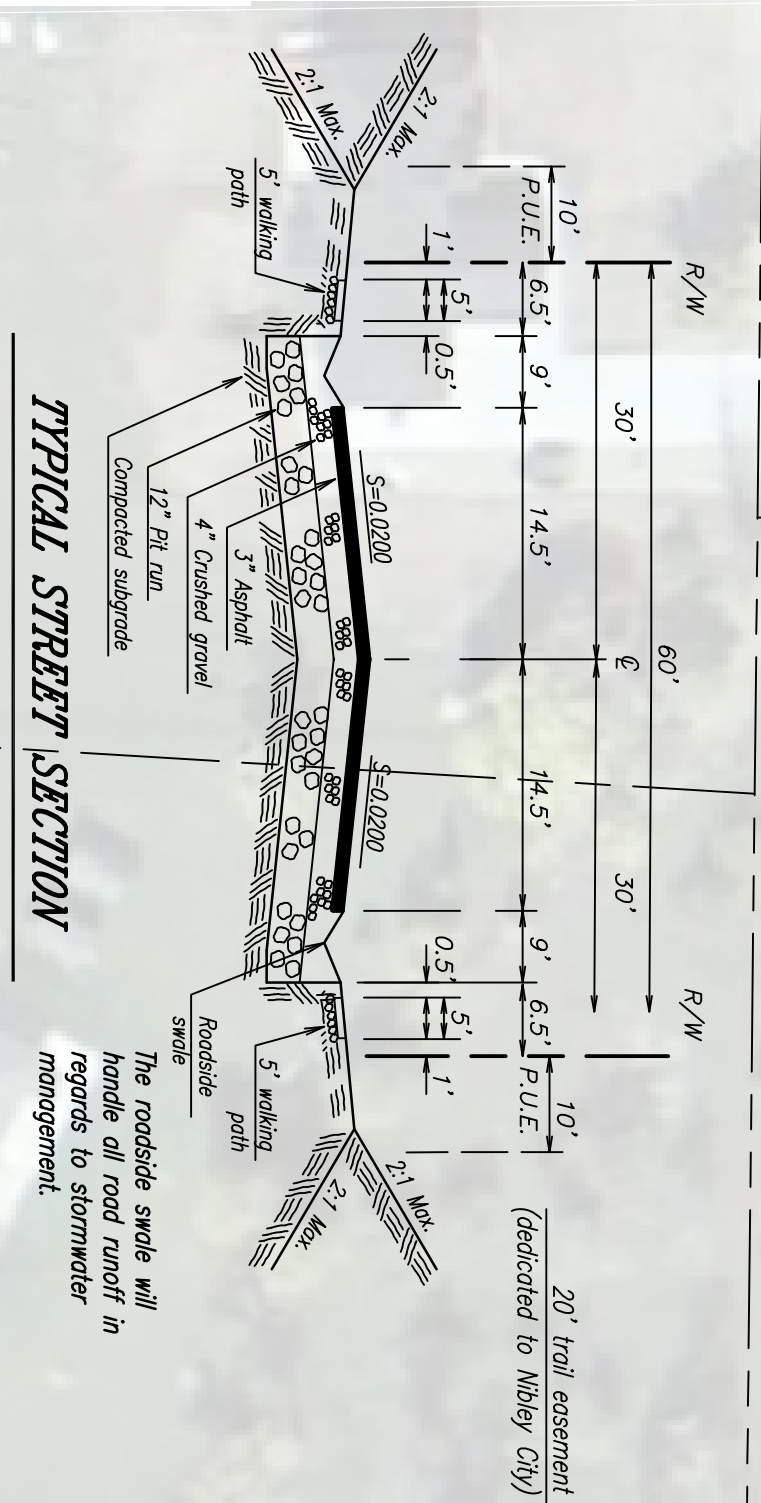


**LOT AREAS**

Total parcel = 15.6 Ac.  
 Area to be developed = 11.17 Ac.  
 Project right of way area = 85,005 sf (1.69 Ac.)  
 Total lot area = 236,822 sf (5.44 Ac.)  
 Total Conservancy area = 164,832 sf (3.78 Ac.)

The percentage of Conservancy area is:  
 Total conservancy area  
 Total lot area + Total conservancy area  
 or:  $\frac{164,832}{236,822 + 164,832} = 41\%$

The area to be developed is the total parcel area minus the area reserved. This remainder parcel will be held by the owner of the present time.  
 The average lot size is 12,464 sf and the smallest lot is 11,011 sf.



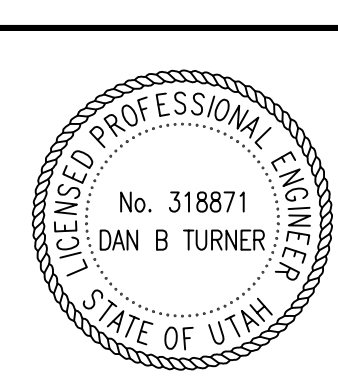
**LOT DENSITY CALCULATIONS**

Gross acreage x original lot yield x incentive multiplier = allowable lots  
 11.17 x 1.2 x 1.50 = 20.1 or 20 lots  
 The plan shows 19 lots

**ENGINEER NOTES**

- SUBDIVISION CRITERIA**
1. Subdivision is designed based on the Nibley Municipal Code Section 10-18, titled "Conservation Residential Subdivision."
- DEVELOPMENT OPTION**
1. Within Section 10-18, option 4-c has been selected.
- DIMENSIONAL STANDARDS**
1. 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.

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



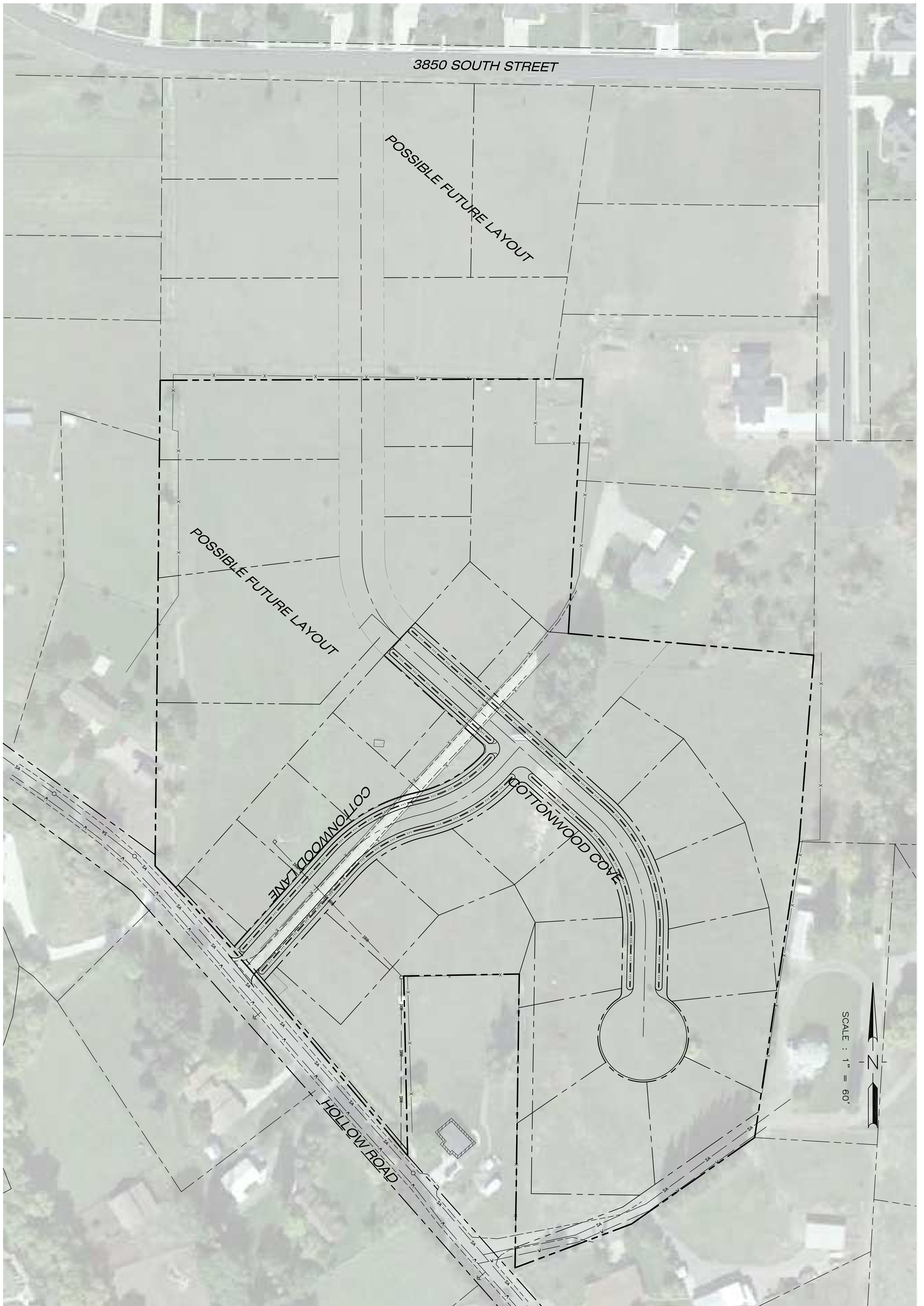
PROPOSED CONDITIONS

**THE COTTONWOODS**

NIBLEY. UTAH

Revisions

Date	Oct. 3, 2016	Job Number	16-006
Scale	1" = 50'	Sheet	
Designed by	D.T.		
Drawn By	D.T.		
		2 of 3	



**Turner Design Engineering, Inc.**

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



LAYOUT WITH NORTH PARCEL INCLUDED

**THE COTTONWOODS**

NIBLEY.

UTAH

Revisions


Oct. 4, 2016  
 Date  
 1" = 60'  
 Scale  
 D.T.  
 Designed by  
 D.T.  
 Drawn By

Job Number

16-006

Sheet

3 of 3



Theme Tree: Seedless Cottonwood

Trail Corridor

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

Wood Rail Fence

Wood Rail Fence

Theme Tree: Seedless Cottonwood

Accent Tree: Flowering Pear

Entry Monument and pump house

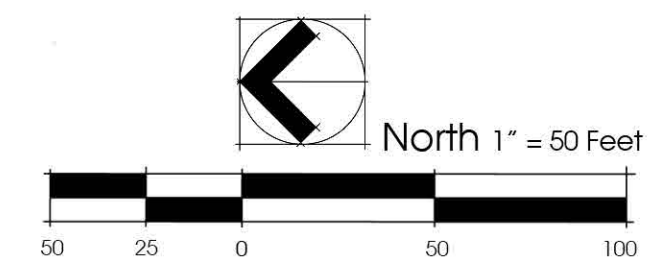
- See Concept Drawing

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%         |
| <b>TOTAL:</b>             |                    | <b>18.0</b>    | <b>100.0%</b> |
- 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