

A Meeting of the Nibley Planning Commission held at Nibley City Hall, 455 West 3200 South, Nibley, Utah on Thursday, February 03, 2022.

The following actions were made during the meeting:

Commissioner Logan moved to approve Heritage Crossing Subdivision, containing 17 single-family residential lots, located at approximately 3100 S 1200 W. (Applicant: Heritage Crossing, LLC). There was no second. The motion failed.

Commissioner Logan moved to approve Heritage Crossing Subdivision, containing 17 single-family residential lots, located at approximately 3100 S 1200 W. (Applicant: Heritage Crossing, LLC) with staff recommendation. Commissioner Mansell seconded the motion. The motion passed unanimously 4-0; with Commissioner O'Bray, Commissioner Mansell, Commissioner Logan and Commissioner Swenson all in favor.

Planning Commission Vice Chair, Tyler O'Bray called the Thursday, February 03, 2022, Planning Commission meeting to order at 6:35 p.m. Those in attendance included Commissioner Tyler O'Bray, Commissioner Matt Logan and Commissioner Bret Swenson. Commissioner Garrett Mansell arrived at 6:36 p.m. Levi Roberts, Nibley City Planner was present. Jamie Ann Gonzales, Assistant Recorder was present to record the minutes.

Approval of the evening's agenda and previous meeting minutes

Commissioner Logan moved to approve the evening's agenda with the recommendation to remove agenda item three (3). Commissioner Swenson seconded the motion. The motion passed unanimously 4-0; with Commissioner O'Bray, Commissioner Mansell, Commissioner Logan and Commissioner Swenson all in favor.

Commissioner Logan moved to approve the previous meeting minutes. Commissioner Mansell seconded the motion. The motion passed unanimously 4-0; with Commissioner O'Bray, Commissioner Mansell, Commissioner Logan and Commissioner Swenson all in favor.

Public Hearing: Heritage Crossing Subdivision, containing 17 single-family residential lots, located at approximately 3100 S 1200 W. (Applicant: Heritage Crossing, LLC)

Applicant, Heritage Crossing, LLC was present. Mr. Roberts utilized an electronic presentation entitled *Heritage Crossing Preliminary Plat* (a printed copy of this electronic presentation is included in the printed meeting minutes). His presentation included *Summary, Preliminary Plat Map, Background and Staff Recommendation*. He said that the distance between the two access points was about 300 ft. in response to Commissioner Logan's question. He mentioned that the closeness was initially a concern of the City Engineer, but there was nothing prohibiting it in the standards. He discussed the concept plan on 1200 W and said it was staff's preference to limit the access points.

Commissioner O'Bray opened the public hearing at 6:48 p.m.

Randolph Lewis at 1216 W 2980 S was concerned with the weed infested ditch by the proposed public trail location and construction dust on his property from 1200 W. He asked if the weeds could be cut, and the dust suppression managed as best as possible.

Mr. Roberts addressed the weed concern. He said the City recently took possession of the trail and he already spoke to the Parks Director about maintenance. He added that the timing for building the trail was not worked out yet.

Commissioner Obray closed the public hearing at 6:52 p.m.

Discussion and Consideration: Heritage Crossing Subdivision, containing 17 single-family residential lots, located at approximately 3100 S 1200 W. (Applicant: Heritage Crossing, LLC)

The applicant addressed storm water in response to Commissioner Logan's question. He said the retention pond would be privately owned as asked by Commissioner Obray.

With 1200 W being a collector street, Commissioner Mansell was concerned with traffic issues onto 1200 W arising from the two access points. Commissioner Logan brought up discussion regarding the median. Commissioner Obray said the Commission needed to come up with a standard for future access points on 1200 W. The applicant commented on the access points and future growth. Mr. Roberts said there was a standard for no driveway access on arterial roadways and specifically 1200 W but thought the Commission could look at intersection spacing. Commissioner Obray suggested adding review of traffic standards between collector roads and streets to the 2022 Goals.

The applicant responded that there was an ongoing discussion regarding development on the Gibbs property.

Commissioner Obray wanted to address the ditch and the weeds. He initiated discussion and recommended developing the trail now and putting in the asphalt to prevent the weeds from growing. Mr. Roberts thought that was a good recommendation and said he would speak to the City Manager. He added that it was a budgetary item upon City Council's approval. In response to Commissioner Obray's concerns regarding weed management and complaints, he informed the Commission that if the City did not have time to take care of it, they would occasionally contract with the County. Commissioner Obray pointed out that it would be cost effective to develop the trail now versus later. The applicant said they could probably work together on it. Mr. Roberts added that it could be finalized in the Development Agreement with the final plat.

Commissioner Logan addressed the applicant on dust suppression. Commissioner Mansell asked if there was a standard. Commissioner Swenson said it was a requirement for the developer to maintain the dust.

Commissioner Mansell questioned exceptions in the Cul-De-Sac ordinance regarding connectivity and one access onto 1200 W. Mr. Roberts referred to NCC 21.12.060 (B) *Cul-de-*

sac: Cul-de-sacs shall not exceed one-eighth (1/8) mile in length, except in R-E zones where they shall not exceed one-fourth (1/4) mile in length.

Commissioner Swenson asked the applicant about the adequacy of the retention pond and overflow into the ditch. The applicant responded that the retention pond was adequate, but the overflow was based on a hundred-year storm scenario. Commissioner Swenson asked if there was overflow recognition from the power company. Mr. Roberts confirmed that it was included in the plans provided to them for review and there were no comments. Commissioner Swenson asked about ownership standards for retention ponds and stated that he was not in favor of private ownership due to maintenance. Mr. Roberts responded that the City Engineer shared a similar concern and would typically push maintenance towards an HOA, but there was no standard. Commissioner Mansell asked about a landscape requirement for retention ponds. The Planning Commission discussed landscaping and maintenance. Commissioner Swenson wondered about a retention pond standard for either HOA or City ownership. Mr. Roberts thought it was something to consider. The applicant added that because the ground water was so high, it was not that deep. Commissioner Mansell and Commissioner Obray were in favor of private ownership and the possibility of a basketball court or garden etc. Commissioner Obray did not think the City would maintain it. Commissioner Swenson gave Main St. as an example of one that was maintained by the City. Mr. Roberts said that in general, he heard that some were easier to maintain than others.

Commissioner Logan moved to approve Heritage Crossing Subdivision, containing 17 single-family residential lots, located at approximately 3100 S 1200 W. (Applicant: Heritage Crossing, LLC). There was no second. The motion failed.

Commissioner Logan moved to approve Heritage Crossing Subdivision, containing 17 single-family residential lots, located at approximately 3100 S 1200 W. (Applicant: Heritage Crossing, LLC) with staff recommendation. Commissioner Mansell seconded the motion. The motion passed unanimously 4-0; with Commissioner Obray, Commissioner Mansell, Commissioner Logan and Commissioner Swenson all in favor.

Commissioner Swenson brought up discussion about swales. Commissioner Obray brought up discussion about four (4) ft. fence requirements along trails. Commissioner Mansell was certain there was a developer requirement put in the ordinance in 2020. Mr. Roberts said he would look at it.

Workshop: Planning Commission Goals for 2022

Mr. Roberts utilized an electronic presentation entitled *Planning Commission Goals- 2022* (a printed copy of this electronic presentation is included in the printed meeting minutes).

Commissioner Obray initiated discussion on dead-end trails. He brought up concern and resolution options regarding weeds.

Commissioner Mansell wanted to create a standard for intersection spacing.

Mr. Roberts said that the ordinance for cluster subdivisions was outdated but thought that with some adjustments, there was still value. He discussed the differences between the cluster and open space subdivision. The Commission weighed in on the value of cluster subdivisions. Commissioner Obray thought it would be good to have a subdivision with a reduced frontage. He agreed with Mr. Roberts to include as a goal. There was general consent.

Mr. Roberts informed the Commission that a consultant was hired for the Transfer of Development Rights (TDR) ordinance and process, with a March 1st kick off. He reminded Commissioner Mansell about his expressed involvement. He also informed the Commission that there was a Planning Commission and City Council joint workshop planned on March 17th.

Commissioner Obray brought up discussion regarding a food truck park as part of the Town Center Commercial Zone and Standards goal.

Commissioner Obray circled back to the trail discussion and the City's financial obligation. Commissioner Swenson asked if the fifty (50) percent was *"today's dollars or down the road dollars."* Mr. Roberts said that if it was going to be assessed now, he thought it would have to be based on today's dollars. He added of which was another reason to do it now so there was more buying power. He said he could talk about getting it incorporated into the budget.

The Commission discussed the annexation of the Albiston property and historical structure. Mr. Roberts cited a couple of barriers. There was general consent to review zoning and future land use as a goal.

Commissioner Logan wanted to look at changing the speed limit on 2600 S. Mr. Roberts said it was not typically something that was determined by the Planning Commission. He thought that designing the roads for the appropriate speed was more in their purview. He said it was really the function of the Public Works Department.

As a goal, Commissioner Obray wanted to look at doing a public improvement bond to run utilities to some of the properties along Highway 89/91. He thought this would make the annexation into Nibley City easier than other cities. Commissioner Swenson thought it was a big risk if it was not utilized. The Commission discussed it. Mr. Roberts suggested an approach to develop a commercial economic development strategy. Commissioner Logan thought that was a good way to describe the goal. Commissioner Obray thought a better way to look at it as a goal would be how to plan, incentivize and attract commercial development. Commissioner Swenson added that it was important to look to the future and strategize. There was general consent.

Staff Report and Action Items

Mr. Roberts reported on the following:

- Next agenda Derik Page Subdivision
- Review of Heritage Parkway
- Approval of Nibley Meadows

- Continuance of Ridgeline Park

Commissioner Obray adjourned the meeting at 8:13 p.m.

Attest: _____
Assistant Recorder