

River Heights City

****REVISED****

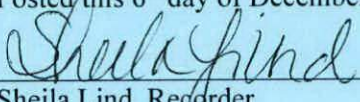
RIVER HEIGHTS CITY
PLANNING COMMISSION AGENDA

Thursday, December 7, 2017

Notice is hereby given that the River Heights City Planning Commission will hold their regular meeting beginning at 7:00 p.m. in the River Heights City Office Building at 520 S 500 E.

- 7:00 p.m. Adoption of Prior Minutes
- 7:05 p.m. Public Hearing to Review and Approve a Boundary Adjustment Application from Richard Humpherys
- 7:20 p.m. Compliance Review of the Chugg Annexation Petition
- 7:30 p.m. Adjourn

Posted this 6th day of December 2017



Sheila Lind, Recorder

In compliance with the American Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Sheila Lind, (435) 770-2061 at least 24 hours before the meeting.

River Heights City

River Heights City Planning Commission
Minutes of the Meeting
December 7, 2017

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6 Present: Commission members: Danny Petersen, Vice-chair
7 Lance Pitcher
8 Cindy Schaub, present electronically
9 Jake Zollinger
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11 Councilmember Blake Wright
12 Recorder Sheila Lind
13
14 Excused Commissioner Mark Malmstrom
15
16 Others Present: Mayor-elect Todd Rasmussen, Kelly Hymas, Natalie Pace,
17 Lisa Roberts, Dauna and Richard Humpherys, Austin and
18 Katie Ball, Ted Wilson
19
20

21 Motions made during the Meeting
22

23 Motion #1

24 Commissioner Zollinger moved to “approve the minutes of the November 16 and 30, 2017
25 Commission Meetings.” Commissioner Schaub seconded the motion, which carried with Petersen,
26 Pitcher, Schaub and Zollinger in favor. No one opposed. Malmstrom was absent.
27

28 Motion #2

29 Commissioner Zollinger moved to “approve the Richard Humpherys Boundary Adjustment
30 with the following notes attached as conditions: 1. The owner of Parcel A will be required to deed,
31 at no cost to the City, the east 25 feet of said lot over to River Heights City when 700 East Street is
32 developed. 2. The owner of Parcel A will be responsible for paying for their portion of the
33 improvements along 700 East Street when 700 East Street is developed. That will include sidewalk,
34 curb and gutter, utilities and ½ of the street along the total width of the lot. 3. The owners of these
35 lots must be aware there may be a high water table in this area. It is the responsibility of the owner
36 to verify the water table. Neither River Heights City nor the developer will be held responsible for
37 any occurrence due to a high water table.” Commissioner Pitcher seconded the motion, which
38 carried with Petersen, Pitcher, Schaub and Zollinger in favor. No one opposed. Malmstrom was
39 absent.
40

41 Motion #3

42 Commissioner Zollinger moved that “the Commission feels the Chugg Annexation petition is in
43 compliance.” Commissioner Pitcher seconded the motion, which carried with Petersen, Pitcher and
44 Zollinger in favor. Schaub was opposed. Malmstrom was absent.

Proceedings of the Meeting:

The River Heights City Planning Commission met at 7:00 p.m. in the Ervin R. Crosbie Council Chambers on December 7, 2017.

Adoption of Prior Minutes: Minutes for the November 16 and November 30, 2017 Planning Commission Meetings were reviewed.

Commissioner Zollinger moved to “approve the minutes of the November 16 and 30, 2017 Commission Meetings.” Commissioner Schaub seconded the motion, which carried with Petersen, Pitcher, Schaub and Zollinger in favor. No one opposed. Malmstrom was absent.

Public Hearing to Review and Approve a Boundary Adjustment Application from Richard Humpherys: Mr. Humpherys explained Brian Roberts has offered to sell part of his property to him. They discussed dividing Mr. Roberts property in half (minor subdivision) but Mr. Humpherys wanted the split off part to be all one property with his home. Therefore, this action could be taken care of with a boundary adjustment. Councilmember Wright informed this has been discussed with the city attorney, who agreed the boundary adjustment avenue would be fine.

Councilmember Wright discussed adding some notes regarding the future development of 700 South and the high water table which the City would like recorded with the boundary adjustment. Richard Humpherys informed that his title officer recommends placing the verbiage on the title since notes always get missed on the plat map. Mr. Wright asked if they can go on both. Mr. Humpherys agreed to this idea. Mr. Wright pointed out some of the properties along this street already have this same verbiage attached to them. Mr. Wright reviewed the conditions applicable to this this property.

Commissioner Petersen asked if there was any public comment. There was none.

Commissioner Zollinger moved to “approve the Richard Humpherys Boundary Adjustment with the following notes attached as conditions: 1. The owner of Parcel A will be required to deed, at no cost to the City, the east 25 feet of said lot over to River Heights City when 700 East Street is developed. 2. The owner of Parcel A will be responsible for paying for their portion of the improvements along 700 East Street when 700 East Street is developed. That will include sidewalk, curb and gutter, utilities and ½ of the street along the total width of the lot. 3. The owners of these lots must be aware there may be a high water table in this area. It is the responsibility of the owner to verify the water table. Neither River Heights City nor the developer will be held responsible for any occurrence due to a high water table.” Commissioner Pitcher seconded the motion, which carried with Petersen, Pitcher, Schaub and Zollinger in favor. No one opposed. Malmstrom was absent.

Compliance Review of the Chugg Annexation Petition: Ironwood Attorney Craig Winder stated they gave a copy of their petition to the City and County. The County Council has accepted it. He believed the Planning Commission would decide whether or not to recommend it to the City Council.

Councilmember Wright informed that the City Attorney has said, “The Planning Commission will not take a vote to approve or deny the application because the City Council has not delegated that authority to them. They simply confirm if the petition seems to be compliant based on the state code. They will announce that the matter will be on the action agenda of the City Council this coming Tuesday.”

88 Commissioner Schaub asked if it will come back to the Commission. She was told it was in the
89 Council's hands at this point. Councilmember Wright wondered if the details of the subdivision were
90 being confused with the annexation. The Commission will have plenty of opportunity to discuss the
91 subdivision itself and all the details if the Council approves the annexation after the process is
92 finished.

93 Commissioner Schaub keeps hearing from citizens that they don't want townhomes so she
94 feels they may be wasting Ironwood's time if they tell them no in the end.

95 Craig Winder said they are going ask the Council, if they are not comfortable with the concept
96 they have proposed, to deny the annexation petition. He agreed they don't want to be wasting their
97 time.

98 Councilmember Wright said any citizen can state their opinion one way or another to the
99 Council members who will be voting on Tuesday.

100 Craig Winder explained they may come back to River Heights with a different plan. They have
101 been open about discussing it with Providence. If they don't get what they want there they may be
102 back to River Heights with a concept that doesn't include townhomes. Commissioner Schaub said she
103 wants to make sure the citizen's input is heard. Mr. Winder reminded they have had a couple public
104 hearings already.

105 Mayor-elect Rasmussen asked if the 14 days starts now? Recorder Lind clarified the 14 days
106 started when they turned in their petition.

107 **Commissioner Zollinger moved that "the Commission feels the Chugg Annexation petition is**
108 **in compliance." Commissioner Pitcher seconded the motion, which carried with Petersen, Pitcher**
109 **and Zollinger in favor. Schaub was opposed. Malmstrom was absent.**

110 The meeting adjourned at 7:30 p.m.

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Sheila Lind, Recorder

Danny Petersen, Commission Chair

PH Dec 7, 2017

RIVER HEIGHTS CITY

520 South 500 East * 435-752-2646

Application for Project Review

Type of Application

___ Subdivision ___ Minor Subdivision ___ Flag Lot ___ Rezone Boundary Adjustment ___ Commercial Development

Richard C. Humpherys 801-807-8609 rchumpherys@live.com
Applicant Phone Number email address

685 E. 600 South, River Heights Utah 84321
Mailing Address, City, State, Zip

Richard C. Humpherys 801-807-8609
Property Owner of Record Phone Number

685 E. 600 South, River Heights Utah 84321
Mailing Address, City, State, Zip

Property Boundary Change between parcels Richard Humpherys
Project Name 580 South 600 East & → 02-022-0020 - Brian Roberts
685 East 600 South → 02-022-0025 - Richard Humpherys

Property Address	Size of Lot	Size of Building	County Parcel ID Number	Number of Dwellings/Units/Lots
<u>Brian Roberts →</u>	<u>.78 acres</u>		<u>1 Dwelling</u>	
<u>Richard Humpherys →</u>	<u>.33 acre's</u>		<u>1 Dwelling</u>	

BOUNDARY change on Brian Roberts property with remaining portion to be purchased by Richard Humpherys
Describe the proposed project

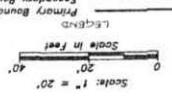
- 1- Brian Roberts property # 02-022-0020 will do a boundary change. His property size of .78 acres will be reduced to .296 acres.
- 2- Richard Humpherys property will increase from .33 acres to .741 acres. # 02-022-0025

Please See New Surveys done by Advanced Survey.

I certify we are the developer and record owner of this property and we consent to the submittal of application.

N/A
Developer Date

Brian Roberts 11-12-17
Richard C. Humpherys 11-12-17
Property Owner Date



LEGEND

- Section Corner
- Found Survey Point
- Radius With Cap
- Historic or Previous Property Line
- Other Property Line
- Secondary Boundary Line
- Fracture Line

NARRATIVE

Purpose of this survey was to adjust and set the survey corners of the parcels as shown and described on the Survey Map ordered by Richard Humphreys, controlling land to establish the property corners was made in accordance with the provisions of the Surveying, Mapping, and Boundary Act of the State of Rhode Island, Chapter 2, Section 2, Township 11 North, Range 1 East, Lot 3, Township 11 North, Range 1 East, Block 10, Plat C of the Providence Form Survey and a Part of Lot 12, Block 10, Plat C of the Providence Form Survey and a Part of Lot 3 of the C. Arthur Olson Minor Subdivision located in the Southeast Quarter of Section 3, Township 11 North, Range 1 East of the Soft Lake Base and Meridian.

A Part of Lot 12 & 13, Block 10, Plat C of the Providence Form Survey and a Part of Lot 3 of the C. Arthur Olson Minor Subdivision located in the Southeast Quarter of Section 3, Township 11 North, Range 1 East of the Soft Lake Base and Meridian.

Beginning on the North Right-of-Way Line of 600 South Street of said Lot 3, said Point is located 594.02 Feet South 89°05'12" East of the Southwest Corner of said Lot 13 and Running Thence North 89°05'12" West 133.84 Feet Along the South Line of said Lot 3 to the Southwest Corner of said Lot 3, Thence North 89°08'08" West 104.88 Feet Along the North Line of said C. Arthur Olson Minor Subdivision to the East Face of a Concrete Fence Footing; Thence North 00°44'58" East 15.29 Feet Along said East Face; Thence South 89°09'40" East 242.49 Feet to the East Line of said Lot 12; Thence South 01°48'24" West 102.33 Feet Located in Section 3, Township 11 North, Range 1 East from the West Quarter Corner to the West Corner of said Section which bears South 70°17'12" East, Soft Lake Base & Meridian. The date of the Survey is the 01st day of the month of August, 1935. The Surveying, Mapping, and Boundary Act of the State of Rhode Island, Chapter 2, Section 2, Township 11 North, Range 1 East, Lot 3, Township 11 North, Range 1 East of the Soft Lake Base and Meridian.

Parcel A

ADJUSTED BOUNDARY

A Part of Lot 13, Block 10, Plat C of the Providence Form Survey and a Part of Lot 3 of the C. Arthur Olson Minor Subdivision located in the Southeast Quarter of Section 3, Township 11 North, Range 1 East of the Soft Lake Base and Meridian.

Beginning on the East Right-of-Way Line of 600 East Street at the Northwest Corner of Lot 1 of the C. Arthur Olson Minor Subdivision, said Point is located 95.75 Feet North 01°08'35" East of the Southwest Corner of said Lot 1 and Running Thence North 01°08'35" East 84.35 Feet Along the East Right-of-Way Line; Thence South 89°05'40" East 153.81 Feet to the East Face of a Concrete Fence Footing; Thence South 00°44'58" West 71.39 Feet Along said East Face to the North Line of said C. Arthur Olson Minor Subdivision; Thence Along the Perimeter of said Minor Subdivision the following three (3) Courses: (1) North 89°08'08" West 6.37 Feet; (2) South 01°08'35" West 11.00 Feet; (3) North 89°09'08" West 147.75 Feet to the point of Beginning. Containing 0.236 Acres.

Parcel B

ADJUSTED BOUNDARY

A Part of Lot 13, Block 10, Plat C of the Providence Form Survey and a Part of Lot 3 of the C. Arthur Olson Minor Subdivision located in the Southeast Quarter of Section 3, Township 11 North, Range 1 East of the Soft Lake Base and Meridian.

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Parcel A

ADJUSTED BOUNDARY

A Part of Lot 12, Block 10, Plat C of the Providence Form Survey and a Part of Lot 3 of the C. Arthur Olson Minor Subdivision located in the Southeast Quarter of Section 3, Township 11 North, Range 1 East of the Soft Lake Base and Meridian.

Beginning on the North Right-of-Way Line of 600 South Street at the Southwest Corner of said Lot 13 and Running Thence South 89°05'12" West 25.09 Feet; Thence North 01°48'24" East 180.52 Feet; Thence South 89°09'40" East 25.09 Feet; Thence North 01°48'24" East 180.52 Feet to the point of Beginning; Containing 0.104 Acres.

Parcel B

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Future 700 East Street

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Future 700 East Description

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I, Clinton G. Hansen, do hereby certify that I am a Registered Land Surveyor, on knowledge and belief.

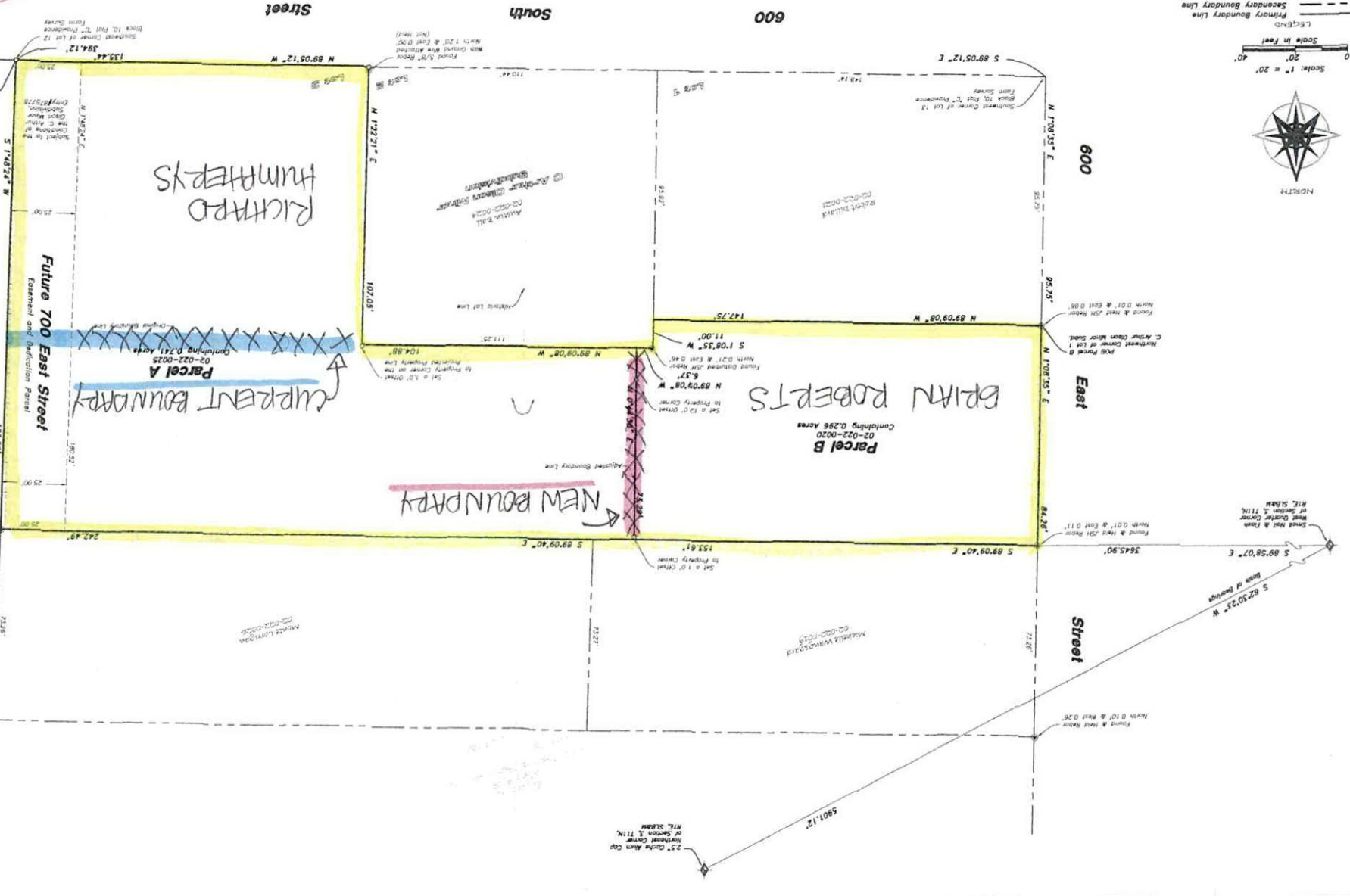
CLINTON G. HANSEN
REGISTERED LAND SURVEYOR
No. 1881-1987
Rhode Island

Parcel A

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Parcel B

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Future 700 East Description

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O'Neill "Minor" Subdiv

A PART OF THE NORTHEAST QUARTER OF SECTION 3, T11N
ALSO A PART OF
LOT 13, BLOCK 10, PLAT "C" PROVIDENCE FARM
RIVER HEIGHTS, CACHE COUNTY, UTAH

Notes:

1. THE OWNER OF ~~LOT 2~~ ^{Parcel A} WILL BE REQUIRED TO DEED AT NO COST TO THE CITY THE EAST 25.00 FEET OF SAID LOT OVER TO RIVER HEIGHTS CITY WHEN 700 EAST STREET IS DEVELOPED.
2. THE OWNER OF ~~LOT 2~~ ^{Parcel A} WILL BE RESPONSIBLE FOR PAYING FOR THEIR PORTION OF THE IMPROVEMENTS ALONG 700 EAST STREET WHEN 700 EAST STREET IS DEVELOPED. THAT WILL INCLUDE SIDEWALK, CURB AND GUTTER, UTILITIES AND $\frac{1}{2}$ OF THE STREET ALONG THE TOTAL WIDTH OF THE LOT.
3. THE OWNERS OF THESE LOTS MUST BE AWARE THAT THERE MAY BE A HIGH WATER TABLE IN THIS AREA. IT IS THE RESPONSIBILITY OF THE OWNER TO VERIFY THE WATER TABLE. NEITHER RIVER HEIGHTS CITY NOR THE DEVELOPER WILL BE HELD RESPONSIBLE FOR ANY OCCURANCE DUE TO A HIGH WATER TABLE.
4. NO BUILDING PERMIT WILL BE ISSUED TO LOT 2 UNTIL 700 EAST IS DEVELOPED WITH ALL IMPROVEMENTS REQUIRED FOR A SUBDIVISION.
5. LOT 1 SHALL GRANT A MAINTENANCE ACCESS TO LOT 2 UNTIL 700 EAST IS DEVELOPED.

West Quarter Corner
Sec. 3, T11N, R1E, S.L.B.&M.

700 East Street

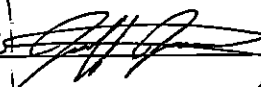
RIVER HEIGHTS CITY

Annexation Petition Form

1. Date of filing with the City Recorder: 11/14/17 Fee paid: \$ 850.⁰⁰
2. Property Description: (Attach Property Ownership Plat showing all private properties and percentages of land ownership in proposed area)
3. Reasons for Annexation: Development into residential community.

4. Petition Criteria: ((10-2-403 UCA) (Circle answer on each)
 - a. All Petitioners are the owners of private real property located within the area proposed for annexation? (yes) (no)
 - b. The area being petitioned covers a "Majority of the private land area" within the area proposed for annexation? (yes) (no)
 - c. The area covers 100% of the private land area within the proposed area? (yes) (no)
 - d. The petition is accompanied by an accurate and recordable map prepared by a licensed surveyor? (yes) (no)
 - e. The petition designates up to five (5) of the signers as Sponsors and one (1) Contact Sponsor with the mailing address of each? (yes) (no)
5. Is any of the land in this petition located within a previously filed annexation petition that has not been acted upon by the City Council? (yes) (no) Please specify:

6. Petitioners names and signatures:

<u>Typed Names</u>	<u>Signatures</u>	<u>Mail Address</u>	<u>Phone</u>
(Sponsor) Ironwood Development Group, LLC		50 E. 2500 N. Ste. 101 N. Logan, UT 84341	(435) 952-1480

received

NOV 14 2017

gf

rel # 02-004-0001
02-004-0002
02-004-0003

