

River Heights City

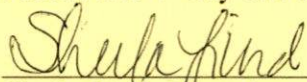
PLANNING COMMISSION AGENDA

Tuesday, February 9, 2021

Notice is hereby given that the River Heights Planning Commission will hold its regular meeting beginning at 6:30 p.m., anchored from the River Heights City Office Building at 520 S 500 E, through Zoom.

- 6:30 p.m. Adoption of Previous Minutes and Agenda
- 6:35 p.m. Public Hearing to Discuss a Conditional Use Permit Request from Steven Thunell to Have a Business in the Home Located at 529 E 400 S
- 6:50 p.m. Review and Make Recommendation to the City Council to Deny or Accept an Annexation Petition from Ron and Daina Zollinger
- 7:05 p.m. Discuss Changes to the General Plan
- 8:00 p.m. Adjourn

Posted this 4th day of February 2021



Sheila Lind, Recorder

To join the Zoom meeting:

<https://us02web.zoom.us/j/83943497928>

Dial: 1 669 900 6833, Meeting ID: 839 4349 7928

Attachments for this meeting and previous meeting minutes can be found on the State's Public Notice Website (pmn.utah.gov)

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

February 9, 2021

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6 Present: Commission members: Levi Roberts, Chairman
7 Noel Cooley
8 Heather Lehnig
9 Lance Pitcher
10 Cindy Schaub
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12 Mayor Todd Rasmussen
13 Councilmembers: Blake Wright
14 Sharlie Gallup
15 Nancy Huntly, electronic
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17 Recorder Sheila Lind
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19 Others Present Electronically: Dallas Torgersen, Ron and Daina Zollinger,
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Motions Made During the Meeting

23 24 Motion #1

25 Commissioner Cooley moved to "approve the minutes of the January 26, 2021 Commission
26 Meeting." Commissioner Schaub seconded the motion, which carried with Cooley, Lehnig, Pitcher,
27 Roberts and Schaub in favor. No one opposed.

28 29 Motion #2

30 Commissioner Lehnig moved to "approve Steven Thunell's request for a Conditional Use
31 Permit to have an accounting business at 529 E 400 S with the following conditions: A limit of 3
32 employees (including himself), and a limit of 10-15 vehicles per week from January through April, and
33 4-5 weekly for the remainder of the year, with no more than 6 at a given time." Commissioner
34 Cooley seconded the motion, which carried with Cooley, Lehnig, Pitcher, Roberts and Schaub in favor.
35 No one opposed.

36 37 Motion #3

38 Commissioner Cooley moved to "recommend the annexation petition of the Ron and Daina
39 Zollinger property to the City Council." Commissioner Pitcher seconded the motion, which carried
40 with Cooley, Lehnig, Pitcher, Roberts and Schaub in favor. No one opposed.
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Proceedings of the Meeting

The River Heights City Planning Commission met at 6:30 p.m. in the Ervin R. Crosbie Council Chambers on February 9, 2021.

Pledge of Allegiance: Commissioner Roberts led in the Pledge of Allegiance.

Adoption of Prior Minutes and Agenda: Minutes for the January 26, 2021 Planning Commission Meeting were reviewed with a few changes.

Commissioner Cooley moved to “approve the minutes of the January 26, 2021 Commission Meeting.” Commissioner Schaub seconded the motion, which carried with Cooley, Lehnig, Pitcher, Roberts and Schaub in favor. No one opposed.

Public Hearing to Discuss a Conditional Use Permit Request from Steven Thunell to Have a Business in the Home Located at 529 E 400 S: In the absence of Steve Thunell, Commissioner Roberts reviewed Mr. Thunell’s application.

Commissioner Roberts asked for public comment. There was none.

The question was raised if there is code precluding two businesses from one location, since David Thunell has a tree cutting business from this same address. It was brought up that the tree business stores all its vehicles at a separate location. All that is in the home, is the office.

Mr. Thunell’s application stated he plans on 10-15 vehicles per week, which averages 2-3 per day. They assumed there wouldn’t be more than one car at the location at a time.

It was noted that David Thunell had signed the application, as the property owner.

Commissioner Cooley suggested limiting the number of cars at a given time.

Councilmember Wright pointed out, Steve Thunell wouldn’t need a Conditional Use Permit if he had his accounting office in his own home, but because he would like it in a different residence, he needs one. The impact to the neighborhood seem minimal.

Commissioner Lehnig moved to “approve Steven Thunell’s request for a Conditional Use Permit to have an accounting business at 529 E 400 S with the following conditions: A limit of 3 employees (including himself), and a limit of 10-15 vehicles per week from January through April, and 4-5 weekly for the remainder of the year, with no more than 6 at a given time.” Commissioner Cooley seconded the motion, which carried with Cooley, Lehnig, Pitcher, Roberts and Schaub in favor. No one opposed.

Review and Make Recommendation to the City Council to Deny or Accept an Annexation Petition from Ron and Daina Zollinger: Commissioner Roberts stated this is the beginning of the annexation process for the Zollinger petition. The Commission oriented themselves to the location of the property.

Commissioner Roberts brought up the fact that the annexation seems to create an island of the Watterson property. Recorder Lind agreed but said she had talked with the county and informed that the County Council discussed it at one of their meetings and said it was okay with them.

Commissioner Cooley asked if the city would have the capability to provide services. Dallas Torgersen (the Zollinger’s son-in-law) said he is a civil engineer and they have determined it would be possible. He said the question is whether River Heights would be willing to extend the sewer to their property. He said their plan is to divide 3 lots on the south portion where the property jogs out. The sewer can gravity drop from this area. Commissioner Roberts suggested the city engineer review what’s been provided to make sure the city can provide the utilities. Mr. Torgersen agreed and said

they would want an understanding of where their responsibility for the sewer extension would end. Commissioner Cooley said this would be a discussion with the city council.

Discussion was held on the future rezone since the property would come into the city as agricultural. Dallas Torgersen said they will apply for a residential zone, at the time they apply for a minor subdivision.

Commissioner Cooley moved to “recommend the annexation petition of the Ron and Daina Zollinger property to the City Council.” Commissioner Pitcher seconded the motion, which carried with Cooley, Lehnig, Pitcher, Roberts and Schaub in favor. No one opposed.

Discuss Changes to the General Plan: Commissioner Roberts reminded a six-month development moratorium was passed by the council at their last meeting. He has had some discussion with Councilmember Wright and Mayor Rasmussen. They felt they should have a process to bring developers and property owners to the table to discuss their ideas of the future of their properties. They discussed holding separate workshops with landowners to discuss each of the areas, starting with the Riverdale area as soon as next week. After they get a feel for what property owners want, they would have a session with the Commission and maybe Council. In the meantime, the Planning Commission could think about the areas to determine what they would consider as appropriate for River Heights.

Councilmember Wright discussed the 4 areas identified in the temporary land development restriction, which are:

1. The lands between 100 East and 400 East and between 300 South and 700 South, much of which is referred to as the Riverdale area;
2. The lands currently zoned Agricultural adjacent to 800 South and the currently-zoned Commercial area between 100 East and 600 East;
3. The lands between 600 East and 800 East and approximately 700 South and to the city boundary line to the south. This property is often referred to as the Lois Weston Family property and property owned by The Church of Jesus Christ of Latter-day Saints; and
4. Parcel 02-025-0015 between 700 East and 750 East north of 600 South referred to as the Todd Weston Family property.

Commissioner Schaub reminded that the feeling of the property owners in the Riverdale area, is only wanting single family zones. Mr. Wright reminded there are not only homeowners in the area, but also landowners, who don't live there, who are wanting to sell and have a different idea in mind. All of the desires need to be considered, as well as what is best in the long term for everyone.

Commissioner Pitcher looked at the commercial areas, next to these properties and pointed out that between commercial and single-family residential are usually the transition areas of multi-family. He agreed these decisions will be tough. Commissioner Roberts suggested they listen to all those concerned before making a decision. He felt the current mixed-use zone wouldn't work for property owners or the city, by the way it's written.

Councilmember Wright said in 2009, the mixed-use vision at the time was low impact commercial on the ground level and residential in the upper 3 levels. The ground level retail doesn't seem to be as viable now, which is why they need to revisit the mixed-use zone. Transportation will also be tough to figure out in the Riverdale area.

130 Commissioner Lehnig reminded they need to respect property owner's rights. Commissioner
131 Roberts agreed and pointed out that if there is a market for it, then there's a reason for it (regarding
132 affordable housing).

133 Commissioner Pitcher brought up the need for the city to have more property near the well in
134 the Riverdale area. Mayor Rasmussen said he is looking into having some of the Humphreys property
135 gifted to the city.

136 Commissioners Schaub asked about 200 East. Mayor Rasmussen reported he met with Jeff
137 Gilbert, of the CMPO, who said it's on the 10-year plan.

138 Commissioner Pitcher discussed the transportation section of the general plan. He wondered
139 if River Heights and Providence would consider joining 750 East to ease school traffic on 600 East.
140 Commissioner Roberts thought it was a good discussion but, said Providence should be consulted to
141 see how they feel about it. Mr. Pitcher was willing to talk with Providence. Councilmember Wright
142 felt they should meet with the property owners to see what their desires are before other entities are
143 involved.

144 Commissioner Pitcher asked Mayor Rasmussen about possible COG funding on the 250 feet of
145 undeveloped 800 South. Mayor Rasmussen said he doubted funding would be available because
146 there are many other bigger projects out there.

147 Commissioner Roberts recapped that they will go ahead with workshops to discuss particular
148 areas. Some discussions will overlap to the transportation area.

149 Commissioner Lehnig discussed changes to some of the population numbers in Section 1.

150 Commissioner Cooley stated he is working with ProLog to see how many people actually use
151 their irrigation shares. He is reviewing the number of acres in River Heights compared to the amount
152 of property being irrigated by the irrigation company.

153 Mayor Rasmussen thanked the Commission for their work and appreciated their efforts to
154 state what they see as best for the future of River Heights, otherwise the developers will call the
155 shots on what they want. The city needs to have designations in place.

156 The meeting adjourned at 8:10 p.m.

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Levi Roberts, Commission Chair



Sheila Lind, Recorder

River Heights City Conditional Use Application

For office use	
Date Received:	<u>1/21/21</u>
Hearing Date:	<u>Feb 9</u>
Amount Paid:	<u>\$50</u>
Approved	Denied

APPLICANT

Name: Steven J. Thunell CPA PC
Mailing Address: 523 E. 400 S. River Heights, UT 84321
Phone: _____ email: _____
Please check one of the following: owner buyer renter agent other

PROJECT INFORMATION

Name: Steven J. Thunell CPA PC
Address/Location: 529 E. 400 S.
Property Tax ID: 02-024-0035 Existing Zone: Residential
What is the current use of the property? Single family dwelling
How many employees will be working at this location including applicant, immediate family, and non-family members? 2 to 3 (counting myself)
How many vehicles will be coming and going daily, weekly, or monthly? 10-15 weekly Jan-April
4-5 weekly rest of year
I agree to abide by the River Heights City Parking Ordinance (10-14). Initial [Signature]
I agree to abide by the River Heights City Sign Ordinance (10-16). Initial [Signature]
Description of Request: Business office in basement with outside entrance
on West side

SUBMITTAL REQUIREMENTS

- Completed and signed application form
- \$100 application fee \$50 pd (50 was carried from 2018 CUP which was denied)
- N/A 8 1/2 x 11 copy of plans
- Provide a Fire Protection evaluation from the fire department.



Sheila Lind <office@riverheights.org>

Re: Thunell accounting

1 message

Levi Roberts <levi12roberts@gmail.com>
To: Valerie Merrell <valeriedafne@hotmail.com>
Cc: Sheila Lind <office@riverheights.org>

Fri, Feb 5, 2021 at 7:03 AM

Thank you for your comments. We will include in the record for the meeting.

Levi Roberts

On Thu, Feb 4, 2021, 12:41 PM Valerie Merrell <valeriedafne@hotmail.com> wrote:

In case we forget the meeting on February 9, we wanted to write and say we approve of the conditional use permit of Steven Thunell to run his accounting business. Thank you for the notice and information.

Valerie and Ryan Merrell

Sent from my iPhone

Dallas Torgersen

January 21, 2021

River Heights City

Attn: Sheila Lind

520 South 500 East

River Heights, UT 84321

Re: Notice of Intent to File Petition for Annexation

Pursuant to Utah Code 10-2-403 part (2)(a)(i), please see attached copy of annexation petition to be filed with River Heights City. This notice is being provided to the following affected entities prior to filing:

- Cache County
- River Heights City
- Logan City
- Providence City

Thank you,





Digitally signed by Dallas Torgersen
Date: 2021.01.21 21:16:48 -07'00'

Dallas Torgersen

RIVER HEIGHTS CITY

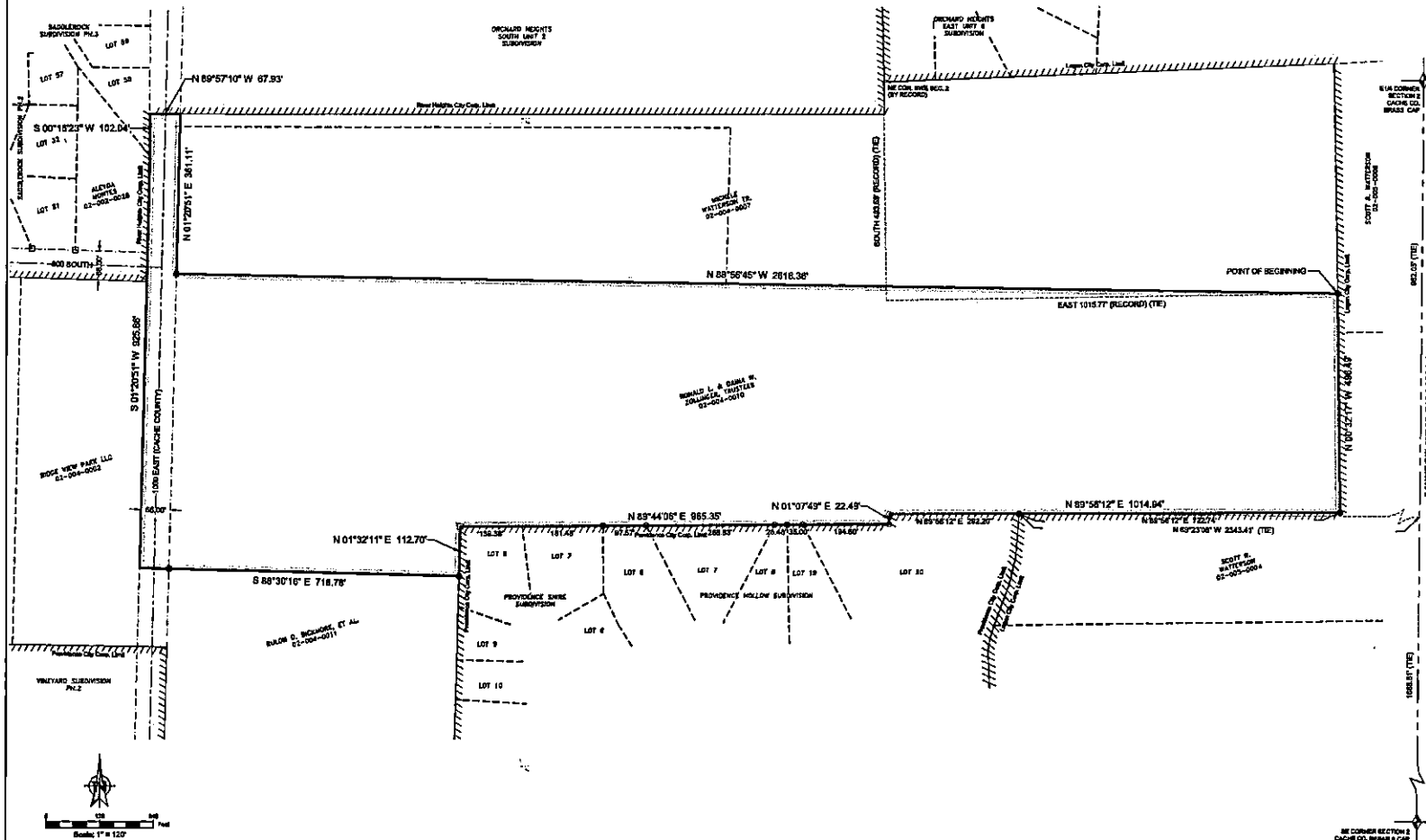
Annexation Petition Form

1. **Date of filing with the City Recorder:** 1/25/21 **Fee paid:** \$ 850.00 (paid 1/23)
2. **Property Description: (Attach Property Ownership Plat showing all private properties and percentages of land ownership in proposed area)** Attached.
3. **Reasons for Annexation:** _____
To allow for future minor subdivision of 3 lots.
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>
Contact Sponsor:	Ronald L. Zollinger		1000 River Heights Blvd Logan UT 84321	
Sponsor:	Daina W. Zollinger		1000 River Heights Blvd Logan UT 84321	

ANNEXATION PLAT ZOLLINGER ADDITION TO RIVER HEIGHTS CITY

CACHE COUNTY, UTAH
N½ (E½) & W½ (E½) OF SECTION 2, TOWNSHIP 11 NORTH, RANGE 1 EAST, 6LS&M



- LEGEND**
- ANNEXATION BOUNDARY
 - SECTION LINE
 - DEED LINE
 - SURVEY/SUBDIVISION BY OTHERS
 - STREET RIGHT-OF-WAY LINE
 - STREET CENTERLINE
 - EXISTING CITY CORPORATE LIMIT AS NOTED
 - SECTION MARK RIGHT AS NOTED
 - REBAR & CAP MARKED 375541 (CHRISTENSEN)
 - REBAR & CAP MARKED 8152681 (NIELSEN)
 - SET 69" REBAR & CAP MARKED TORGERSEN ENG.

TORGERSEN ENGINEERING
285 N 820 E
RIVERDALE, UT 84701
(435) 853-0061
www.TorEng.com

DRAWN BY: BLS DATE: 1/18/2021 CHECKED BY: BTB DATE: 1/18/2021

SURVEYOR'S CERTIFICATE

I, G. THOMAS TORGERSEN, A REGISTERED LAND SURVEYOR AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, HOLDING CERTIFICATE NUMBER 825584, CERTIFY THAT BY AUTHORITY OF THE PROPERTY OWNER, THE PLAT SHOWN HEREIN WAS MADE UNDER MY DIRECTION, I FURTHER CERTIFY THAT THIS PLAT CORRECTLY SHOWS THE DIMENSIONS OF THE PROPERTY TO BE ANNEXED.



BOUNDARY DESCRIPTION

BEGINNING AT THE EAST QUARTER CORNER OF SECTION 2, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE S 0°38'54" W 98.28 FEET ALONG THE SECTION LINE; N 81°20'00" W 234.51 FEET TO THE NORTHEAST CORNER OF PROVIDENCE HOLLOW SUBDIVISION; N 81°56'17" E 727.4 FEET, AND N 0°32'17" W 48.49 FEET TO THE TRUE POINT OF BEGINNING (SAD TRUE POINT OF BEGINNING ALSO DESCRIBED AS BEING SOUTH 88.3 FEET AND EAST 119.7 FEET) BY RECORD; FROM THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 2; RUNNING THENCE N 82°45' W 218.8 FEET TO THE EAST RIGHT-OF-WAY LINE OF 1000 EAST STREET; THENCE N 01°25'11" E 361.11 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO THE SOUTH BOUNDARY OF ORCHARD HEIGHTS SOUTH LOT 2 SUBDIVISION; THENCE N 80°17'17" W 87.83 FEET TO THE WEST RIGHT-OF-WAY LINE OF SAID 1000 EAST STREET; THENCE S 0°17'22" W 102.34 FEET AND S 01°20'11" W 825.89 FEET ALONG SAID WEST RIGHT-OF-WAY LINE TO THE EXTENSION OF A FENCE; THENCE S 84°30'11" E 713.78 FEET ALONG SAID FENCE AND EXTENSION THEREOF (SAD FENCE BEING THAT FENCE REFERENCED IN BOUNDARY LINE AGREEMENT IN BOOK 864 AT PAGE 446, ENTRY NO. 146584, CACHE COUNTY RECORDS) TO THE WEST BOUNDARY OF PROVIDENCE SHORE SUBDIVISION; THENCE N 01°21'11" E 112.30 FEET ALONG SAID WEST BOUNDARY TO THE NORTHWEST CORNER OF SAID SUBDIVISION; THENCE ALONG THE NORTH BOUNDARIES OF PROVIDENCE SHORE SUBDIVISION AND PROVIDENCE HOLLOW SUBDIVISION; N 86°41'09" E 863.35 FEET, N 01°19'49" E 22.48 FEET, AND N 84°50'47" E 262.30 FEET; THENCE CONTINUING N 80°50'12" E 727.4 FEET; THENCE N 80°22'17" W 48.49 FEET TO THE TRUE POINT OF BEGINNING. CONTAINING 55.80 ACRES.

BASED UPON BEARINGS IS S 80°30'54" W FROM THE EAST QUARTER CORNER TO THE SOUTHEAST CORNER OF SAID SECTION 2.

ACCEPTANCE BY LEGISLATIVE BODY

THIS IS TO CERTIFY THAT WE, THE RIVER HEIGHTS CITY COUNCIL, CACHE COUNTY, UTAH, HAVE RECEIVED A PETITION DATED BY THE MAJORITY OF THE OWNERS OF THE TRACT OF LAND SHOWN HEREON REQUESTING THAT SAID TRACT BE ANNEXED TO THE CITY OF RIVER HEIGHTS, AND THAT A COPY OF THE ORDINANCE HAS BEEN PREPARED FOR FILING HERewith ALL IN ACCORDANCE WITH THE UTAH CODE ANNOTATED (HRS) 16-40 AS REVISED, AND THAT WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT AS SHOWN AS A PART OF SAID CITY, AND THAT SAID TRACT OF LAND IS TO BE KNOWN HEREINAFTER AS ZOLLINGER ADDITION ANNEXATION.

ACCEPTED THIS _____ DAY OF _____, A.D. 20____

MAYOR _____

ATTENDY CITY CLERK _____

COUNTY SURVEYOR'S APPROVAL

I CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED AND FIND THAT IT IS CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE, AND FURTHER, IT MEETS THE MINIMUM STANDARDS FOR PLATS REQUIRED BY COUNTY ORDINANCE AND STATE LAW.

COUNTY SURVEYOR _____

DATE _____

COUNTY RECORDER

STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE REQUEST

DATE: _____ TIME: _____ FEE: _____

ABSTRACTED _____

INDEXED _____ FILED IN _____ FILE OF PLATS _____

COUNTY RECORDER _____

DATE _____

ANNEXATION PLAT ZOLLINGER ADDITION TO RIVER HEIGHTS CITY

CACHE COUNTY, UTAH
N½ (E½) & W½ (E½) OF SECTION 2, TOWNSHIP 11 NORTH, RANGE 1 EAST, 6LS&M
SCALE: 1"=100'