

River Heights City

**** REVISED ****

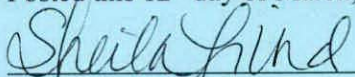
**RIVER HEIGHTS CITY
PLANNING COMMISSION AGENDA**

Thursday, March 15, 2018

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
- 7:03 p.m. Election of a Chair and Vice Chair for 2018
- 7:05 p.m. Public Hearing to Discuss a Rezone Request from Conservice Holdings II, LLC for Property Located at 370 East 800 South from Agricultural to Commercial
- 7:45 p.m. Discuss Process to Update the General Plan
- 8:00 p.m. Adjourn

Posted this 12th day of March, 2018



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 Workshop

Minutes of the Meeting

March 15, 2018

3
4
5
6 Present: Commission members: Cindy Schaub, Vice Chairman
7 Heather Lehnig
8 Chris Milbank
9 Danny Petersen
10
11 Councilmember Blake Wright
12 Recorder Sheila Lind
13
14 Excused Commissioner Lance Pitcher
15
16 Others Present: Lance Anderson, Lisa Ellis, Noel Cooley, Levi Roberts, Tim
17 Rigby, Ravi, Asha and Aruk Kanda, Elizabeth Springborn,
18 Norman Doyle
19
20

Motions made during the Meeting

23 Motion #1

24 Commissioner Lehnig moved to “approve the minutes of the March 1, 2018 Commission
25 Meeting with changes.” Commissioner Petersen seconded the motion, which carried with Lehnig,
26 Milbank, Petersen and Schaub in favor. No one opposed. Pitcher was absent.
27

28 Motion #2

29 Commissioner Lehnig “nominated Commissioner Schaub to be the chair and Commissioner
30 Milbank to be the vice chair for 2018.” Commissioner Petersen seconded the nominations. Lehnig,
31 Milbank, Petersen and Schaub were in favor. None opposed. Pitcher was absent.
32

34 Proceedings of the Meeting

35
36 The River Heights City Planning Commission met at 7:00 p.m. in the Ervin R. Crosbie Council
37 Chambers on March 15, 2018.

38 Adoption of Prior Minutes: Minutes for the March 1, 2018 Planning Commission Meeting
39 were reviewed with a couple changes.

40 Commissioner Lehnig moved to “approve the minutes of the March 1, 2018 Commission
41 Meeting with changes.” Commissioner Petersen seconded the motion, which carried with Lehnig,
42 Milbank, Petersen and Schaub in favor. No one opposed. Pitcher was absent.

43 Election of a Chair and Vice Chair for 2018: Councilmember Wright explained Chairman Mark
44 Malmstrom resigned recently which necessitated a chair replacement. Chairman Schaub
45 recommended holding off on the appointment until Commissioner Pitcher arrived at the meeting.

46 Public Hearing to Discuss a Rezone Request from Conservice Holdings II, LLC for Property
47 Located at 370 East 800 South from Agricultural to Commercial: Chairman Schaub explained the
48 Commission will hear comments but no action will take place since this property hasn't been shown
49 in the General Plan as a commercial zone; it is noted as agricultural. Councilmember Wright
50 explained that before this property can be rezoned to commercial, the General Plan would need to be
51 revised. Since it is time for some updates on the Plan, the city attorney is being advised on the
52 procedure. Lance Andersen, representative of Conservice, understands this. Their immediate
53 request for the property is to install a hard surface parking lot.

54 Commissioner Schaub opened the meeting to the public. Levi Roberts asked if Conservice
55 would be required to put in curb gutter and sidewalk. Councilmember Wright affirmed they would
56 be required to install these improvements, as well as their section of 800 South. Mr. Roberts
57 suggested amending the General Plan beyond this property with a well-planned feasible transition,
58 which wouldn't include keeping everything as agricultural.

59 Commissioner Milbank asked if there was a process in place where agricultural property could
60 be transferred into commercial. Councilmember Wright explained once a property is shown as
61 commercial in the General Plan then it has the potential of being rezoned to commercial if requested
62 by the property owner. Mr. Milbank asked if Conservice can force the city into allowing a certain
63 zone. Mr. Wright said they can't force. Lance Andersen said this is not Conservice's intention.

64 Ted Wilson stated he owns property which conjoins the Conservice property where their
65 building is. He said they are not good neighbors and shouldn't be allowed to do anything more. He
66 recommended the city cease and desist their current temporary parking lot. River Heights is designed
67 as a residential city in the master plan. Commercial should have never been allowed. He'd like the
68 property to be zoned as residential. Don't let them bully us! He likes the General Plan as it is, with a
69 little bit of tweaking. Councilmember Wright asked how Conservice is a bad neighbor. Mr. Wilson
70 said they have damaged seven lots to an extreme because of their lighting. They haven't finished the
71 fencing. They had promised some retail in their building so the city could get some tax revenue,
72 which they didn't do. They park all over on the streets. The city and its residents shouldn't have to
73 pay for their poor planning.

74 Norm Doyle said he lives in Cobblestone and is directly south of the current lot. He was
75 shocked at the commercial building being built in a residential area. He has an abundance of light in
76 his yard from Conservice. He has come to the city and voiced concern and was assured measures
77 would be taken; evidently the lights fall within the city ordinance. Actually, LED lights are not
78 addressed in the city's ordinance and are brighter than normal lights. The city said they could put up
79 a shield which was finally installed. It turns out the shield blocks light to the west and southwest and
80 he lives to the southeast. He doesn't think the installer understood what he was asking for. He also
81 said there was dirt galore in his house during construction of the building. He has asked Conservice
82 to do something with the lights, and they said too bad, they have done what the city has asked. He
83 doesn't know why they already need more parking. Did the city not require enough parking when
84 they built? He thinks their location is a safety hazard for their employees. At some point in time one
85 of their employees will get hit by a car on 100 East. He requested the city not allow their requested
86 parking lot and to keep it zoned agricultural.

Commissioner Milbank asked how much revenue the city gets from Conservice. Councilmember Wright agreed with Ted Wilson that Conservice was going to have retail, but their business has grown faster than they realized. The city gets property tax and a little from the sales in their cafeteria. The city's finance director would have the figures on how much is actually brought in to the city. Mr. Milbank wondered how much the city wants to accommodate them, if they aren't benefiting the city.

Commissioner Petersen was concerned the parking lot may become another building if its zoned commercial. Councilmember Wright said the number of zones in River Heights is minimal and suggested the addition of a zone which would allow parking but not a future structure.

Ted Wilson said if its zoned commercial, they can build a building. If they limit it to parking, they could build a four-story parking structure. They could also build it on their current building property. The city should not provide parking for their problems.

Councilmember Wright said the city is trying to help mitigate the parking problem. The employees are parking on the street because its closer for them than parking in the lot. Conservice wants to get their employee's cars off the street so they want to add more official parking space to accommodate them all.

Ted Wilson expressed frustration and felt Councilmember Wright was sponsoring Conservice. Mr. Wright assured this wasn't the case but felt the city needs to enforce the code that is already in place.

Commissioner Schaub asked Lance Andersen how many stalls Conservice has now. He didn't know and explained he was hired by Conservice to help solve the parking problem on 800 South and 100 East. He was asked to install a temporary parking lot, which is allowed in the agricultural zone. Now they desire to have it more of a permanent parking lot, which would require it to be zoned commercial. He explained he was at the meeting to represent one of the owners who was out of town tonight. He said they feel they have saturated the labor market in Logan and have opened up businesses in other places. They don't plan on expanding anymore in this valley.

Commissioner Schaub asked Councilmember Wright how Conservice is allowed to park in the agricultural zone. Mr. Wright said there are provisions for a temporary parking lot in the agricultural zone. They are only allowed to do everything up to the final pavement. They should have a Zoning Clearance Permit for it.

Elizabeth Springborn expressed concern over the possibility of the parking lot turning into a building.

Tim Rigby was also concerned about the property becoming more than a parking lot. He would like to see limitations on height. He wasn't opposed to a flat parking lot but doesn't want it to get taller. He asked if the area that slopes could remain agricultural, which would create a buffer. Councilmember Wright felt this was a reasonable request. Mr. Rigby also suggested a four way stop at the intersection of 100 East 700 South for the employees. Mr. Wright informed this intersection is in Logan so River Heights has no jurisdiction over it.

Ravi Kanda is very opposed to development. They were attracted to the residential atmosphere. Once Pandora's box is open for a parking lot, it will be hard to stop commercial building. If parking lot lights go in, their whole reason for moving to their home will be ruined. They desire a dark sky in their back yard. He is also concerned about the steep slope of the parking lot property and where the water would drain. He recommended green space around the edge of the city. He expressed concern with the 700 South intersection and the dangerous curve. He has seen near miss

131 accidents with pedestrians. He recommended preserving property values by not allowing more
132 commercial development.

133 Councilmember Wright pointed out the intersection has been a concern to River Heights from
134 day one. The only power the city has is to talk to Logan city about their concerns.

135 Commissioner Schaub wondered about an overhead walkway. Levi Roberts said people won't
136 use it, because it's not convenient.

137 Ted Wilson said two busses pick up kids at this intersection every day. They stop with their
138 back end almost out in 100 East.

139 Norm Doyle said a parking lot sounds like it's not a big deal, but another thing that happens in
140 this area is large equipment (with back up beepers). They come in between 1:00am and 6:00am to
141 move piles of snow. The mayor has told him they are within their rights to do this. He asked if the
142 city could consider this problem. However, he would rather have a parking lot than a building.

143 Lisa Ellis asked Lance Andersen how many employees Conservice has and the cost for parking
144 under the covered parking. Mr. Andersen didn't know these answers. Ms. Ellis asked if 800 South
145 will be a through street. Councilmember Wright stated it is intended to go through. Ms. Ellis stated
146 Logan City's General Plan says they want to have green space in between each community so people
147 know the boundary. River Heights has an opportunity to have some green space between River
148 Heights and Providence. Once its built on it will never be green again. Once commercial is granted it
149 will never go back. In an economic downturn, it could all end up vacant. The future owner may not
150 want a parking lot and put in a commercial building. She asked the city to please take their time and
151 consider all angles in updating the General Plan. Please don't put the commercial requests above the
152 residents that already live here.

153 Lance Andersen said they understand development has an impact. Conservice would be fine
154 to leave it agricultural but they need to upgrade their parking lot to get cars off the roads. They
155 would also like their lot to be landscaped. They want to look at lighting to reduce the impact on
156 neighbors. He couldn't remember how many stalls they have sketched out and wasn't sure what
157 their needs are. He agreed to do some checking. He will also find out if the current parking lot isn't
158 being fully utilized. He is an engineer for the owner and was called to see if he could help with their
159 parking problem.

160 Norm Doyle said the temporary lot is very full.

161 Tim Rigby verified there are vacancies under the covered parking. He asked the city to
162 consider commercial gains.

163 Commissioner Schaub thanked the public for their comments.

164 Councilmember Wright stated there are other options to consider, like a parking lot in a
165 different zone other than commercial. He informed the public that the city has an obligation to
166 entertain the requests that come in. Just because they are entertaining, doesn't mean the
167 commission and council members are supportive. He asked that they don't get confused with their
168 approval or disapproval just because they are entertaining requests.

169 Discuss Process to Update the General Plan: Councilmember Wright reminded it's time to
170 update again. There is outdated information as well as needing to plan for future growth. The city
171 attorney is interested in directing the process, which we are happy about. The process seems very
172 similar to that of an ordinance adoption: The Commission will make changes as they see fit, a hearing
173 will be held and then it will be passed on to the Council for final approval. There are different
174 components that will need to be looked at. He suggested assigning sections to each commissioner.

177 He explained the amendments should guide us over the next 5 years and beyond and suggested
178 looking at what they'd like to see in the three county properties bordering River Heights: Chugg's,
179 east of 1000 East (north of the church), and the Watterson property south of their lane. From
180 Windsor north up to Lamplighter is probably included in a conservation easement. It may be able to
181 be annexed into River Heights but it would always stay in an agricultural zone.

182 Levi Roberts suggested getting the community involved so they feel ownership in the Plan
183 changes. He feels currently they are reacting to what they think is shocking news, rather than feeling
184 they have put their voice into what the city will allow.

185 Commissioner Schaub would like to have a couple workshops to get them going in the right
186 direction. Councilmember Wright said these could be held during their regular meetings. He
187 recommended they get started and agreed with engaging the public. He suggested the
188 Commissioners read through the General Plan before the next meeting.

189 Lisa Ellis reminded that almost 300 people signed a petition stating they would like to see a R-
190 15 zone. Pheasant Hollow was zoned R-15 in Providence and the lots are all sold out. There are 4-5
191 people she knows from River Heights that have bought lots there because there are not any in River
192 Heights. We are not giving our residents a place to go when they want more property. She has
193 talked to Providence Mayor Jon Drew about the Chugg property water table. He said if Providence
194 annexes this property they will not allow basements. She hoped River Heights would say the same
195 and zone it larger lots so it can accommodate larger homes. She discussed the Conservice project.
196 She asked that the General Plan state that any annexed property come to River Heights as R-15.
197 Councilmember Wright reminded Ms. Ellis that Conservice owns property, she doesn't. He
198 encouraged her to give her opinion by writing a letter or coming to the meetings. He also reminded
199 that just because they request it doesn't mean it will happen.

200 Councilmember Wright gave an update on the Ironwood project. Providence has accepted
201 their annexation petition for the south 19 acres. Lisa Ellis asked for River Heights' awareness on the
202 financial end of bringing in more residential. She encouraged everyone to read Logan's General Plan.

203 Discussion was held on city border areas. Levi Roberts encouraged connection between cities.

204 Levi Roberts also brought up recent substantial changes in the moderate income housing
205 section of state code. The 2018 changes haven't been updated yet. It was probably the biggest topic
206 in planning this year.

207 Commissioner Milbank agreed to work on the moderate income housing report which is due
208 December 2018.

209 Councilmember Wright suggested making General Plan assignments at the next meeting. He
210 also asked the commissioners to consider moving their meetings back to the first and third Tuesdays.
211 The Commissioners all agreed on Tuesdays at 7:00pm.

212 **Election of Chair and Vice Chair: Commissioner Lehnig "nominated Commissioner Schaub to**
213 **be the chair and Commissioner Milbank to be the vice chair for 2018." Commissioner Petersen**
214 **seconded the nominations. Lehnig, Milbank, Petersen and Schaub were in favor. None opposed.**
215 **Pitcher was absent.**

216 The meeting adjourned at 8:55 p.m.

Sheila Lind, Recorder

Cindy Schaub, Commission Chair

Please print your name on the roll.

LANCE ANDERSON

USA ELLIS

Noel Cooley

Lewi Roberts

Tim Righi

Ravi Kanda

(RAVI KANDA)

Elizabeth Springborn

Asha Kanda

A S U B E A D A

Norman Doyle

PH March 15

RIVER HEIGHTS CITY

520 South 500 East * 435-752-2646

Application for Project Review

Type of Application

Subdivision Minor Subdivision Flag Lot X Rezone Boundary Adjustment Commercial Development

Applicant CONSERVIVE HOLDINGS II, LLC Phone Number 866.747.7379 email address djenkins@conserve.com
AGENT: LANCE ANDERSON 435.713.0099 lance@cachelandmark.com *

Mailing Address, City, State, Zip

595 S RIVERWOODS PKWY, STE 300, COON, UT 84301-6841

Property Owner of Record

Phone Number

- SAME AS ABOVE

Mailing Address, City, State, Zip

- SAME AS ABOVE

Project Name

CONSERVIVE

Property Address

370E 800S

County Parcel ID Number

02-027-0046, 02-027-0047

Size of Lot

BOTH LOTS AT 0.88AC

Size of Building

Number of Dwellings/Units/Lots

(2) EXISTING PARCELS

Describe the proposed project

- REMOVE OF TWO EXISTING PARCELS FROM AGRICULTURAL TO COMMERCIAL.

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

Developer

Date

Property Owner [Signature] Date 2/27/18

SW⁴ Section 3 Township 11 North, Range 1 East

Scale 1 Inch = 100 Feet

WEST 1/2 BLOCK 8, PLAT "C" PROVIDENCE

SEE 02-026

