

# River Heights City

---

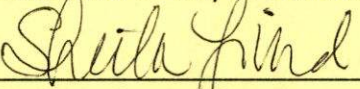
## River Heights City PLANNING COMMISSION AGENDA

**Tuesday, March 8, 2022**

Notice is hereby given that the River Heights Planning Commission will hold its regular meeting beginning at **5:30 p.m.**, anchored from the River Heights City Office Building at 520 S 500 E. Attendance can be in person or through Zoom.

- 5:30 p.m. Pledge of Allegiance
- 5:35 p.m. Adoption of Previous Minutes and Agenda
- 5:40 p.m. Public Comment on Land Use
- 5:50 p.m. Preapplication Meeting for Andy Bentley's PUD Proposal
- 6:30 p.m. Adjourn

Posted this 3<sup>rd</sup> day of March 2022

  
\_\_\_\_\_  
Sheila Lind, Recorder

To join the Zoom meeting:

<https://us02web.zoom.us/j/81135990086?pwd=NEkwQ1pXZnJwZWZWE2Y3hqdTd1cTQ4UT09>

Attachments for this meeting and previous meeting minutes can be found on the State's Public Notice Website ([pmn.utah.gov](http://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 March 8, 2022

Present: Commission members: Noel Cooley, Chairman  
Heather Lehnig  
Lance Pitcher  
Cindy Schaub, electronic  
Troy Wakefield

Mayor Jason Thompson  
Councilmember Blake Wright  
Recorder Sheila Lind  
Tech Staff Councilmember Chris Milbank

Others Present: Andy Bentley, Mike Jablonski, Cindy Johnson, Vern Fielding

Electronically Present Boyd Humpherys, Mary Seager

### Motions Made During the Meeting

#### Motion #1

Commissioner Pitcher moved to “approve the minutes of the February 22, 2022, Commission Meeting, as well as the evenings agenda.” Commissioner Lehnig seconded the motion, which carried with Cooley, Lehnig, Pitcher, Schaub, and Wakefield in favor. No one opposed.

### Proceedings of the Meeting

The River Heights City Planning Commission met at 5:30 p.m. in the Ervin R. Crosbie Council Chambers on March 8, 2022.

#### Pledge of Allegiance

Adoption of Prior Minutes and Agenda: Minutes for the February 22, 2022, Planning Commission Meeting were reviewed.

**Commissioner Pitcher moved to “approve the minutes of the February 22, 2022, Commission Meeting, as well as the evenings agenda.” Commissioner Lehnig seconded the motion, which carried with Cooley, Lehnig, Pitcher, Schaub, and Wakefield in favor. No one opposed.**

#### Public Comment on Land Use: There was none.

Preapplication Meeting for Andy Bentley’s PUD Proposal: Commissioner Cooley read from the city’s code on the purpose of the evenings meeting. It’s an opportunity for the developer to share their idea for the property and the Commission to share the thoughts and ideas of the city. He invited Mr. Bentley to present his vision for the Demars property.

45 Andy Bentley mentioned that Jabaa, Inc. is the official name of the developer. He discussed  
46 the two lots along the river in the flood zone. There is still enough space on the property to build. He  
47 understood they could connect to the sewer at the northeast corner of the development, and he  
48 mentioned a water station on the south end near the Falls. He didn't have a preference on what to  
49 do with the open space and requested recommendations from the city. He discussed a portion of the  
50 Riverdale road right of way, that is owned by Demars. It's a sliver of land along the south side  
51 running the length of the road up to 400 East. When the road is developed, he would like to preserve  
52 some of the trees that are existing along the right of way. He understood he would be donating that  
53 property for a 60 foot right of way road. He pointed out that most of the lots are a minimum of 60  
54 feet for smaller homes but not "affordable housing." He plans on a private road running north and  
55 south and the east/west road as public.

56 Commissioner Lehnig asked what he had calculated for open space. Mr. Bentley thought it  
57 was 25% of the project. He and his engineer didn't know if the required percentage included  
58 sidewalks and park strips.

59 Commissioner Cooley asked if he had seen the General Plan Land Use map. Mr. Cooley  
60 pointed out that there had been a lot of discussion about preserving a river corridor for public trails  
61 and park in the form of open space.

62 Discussion was held concerning the south exit onto 500 South. Mr. Bentley said he doesn't  
63 plan for his development to use this access; it would be just for fire protection.

64 Commissioner Schaub reiterated the city's desire for public access along the 50-foot river  
65 preservation for walkways or paths. She expressed disappointment with the lots being much smaller  
66 than the existing lots in the area. Mr. Bentley said the lots needed to be smaller due to the amount  
67 of open space required. She asked if it was planned for a 55 and older community. Mr. Bentley said,  
68 "No."

69 Commissioner Cooley pointed out the evening's meeting was just to look at the concept, not  
70 specific details.

71 Commissioner Pitcher asked if the smaller open space lot was designed for stormwater. Mr.  
72 Bentley answered that it just ended up as an extra piece.

73 Commissioner Lehnig asked if the two lots encompassing the flood plain could be turned into  
74 open space. She reiterated the city's desire for public open space along the river. Mr. Bentley said he  
75 could be flexible, but the code says the open space must be contiguous. Ms. Lehnig suggested he  
76 could come up with a contiguous area along the river.

77 Commissioner Cooley informed that there is no sewer line in the area. The closest connection  
78 would be on 100 East. Mr. Bentley thought there would be a possibility to connect into the Falls line.  
79 Mr. Cooley mentioned the need to improve the roadways in the area. He wasn't comfortable with a  
80 private lane and preferred public roads in the development. The code says the water and sewer main  
81 lines will need to go under the roads. Mr. Bentley said it would make sense for the north road to be  
82 public and have the utilities available to the Ellis property.

83 Commissioner Schaub asked Mr. Bentley about his plans for the hairpin turn coming from 400  
84 East into the Riverdale area. Mr. Bentley said he didn't have plans for it since it wasn't on the  
85 property he was planning to develop, and that the city would need to decide what to do about it.

86 Commissioner Cooley brought up the water line. Presently the line to this area is 6" but  
87 would need to be increased to at least 8". Mr. Bentley agreed and referenced a water station near  
88 the Falls.

Commissioner Wakefield asked Mr. Bentley what type of homes he planned to build. Mr. Bentley responded that he didn't know since he wouldn't be the one building them. Commissioner Schaub asked if he would sell all the lots to the same builder or to different ones. He wasn't sure at this point. Commissioner Cooley asked if he intended to have an HOA. Mr. Bentley answered, "Yes."

Commissioner Cooley said the roads in the area will need to be able to handle the additional traffic. He pointed out the road improvements will be a major undertaking for the developer. Access to 400 East and 100 East will both have challenges. Mr. Bentley said he didn't see 100 East as an option since there was only a 20-foot easement along 500 South. He was not interested in dealing with this route.

Commissioner Schaub asked Mr. Bentley about his timeline. He responded, "As long as it takes." His biggest concern is access.

Commissioner Cooley reminded that the Planning Commission's job is to make sure the code requirements are met. They are looking at improvements to 400 East and 300 East. Mr. Bentley said he doesn't plan for his development to access 300 East, so he didn't plan on improving it. Mr. Cooley said the city may require him to donate land to make it a 50-foot road. Mr. Bentley said he would be willing to donate 15 feet of his property and the property owner on the east could donate 15 feet. Mr. Cooley suggested he meet with the city engineer as he got further along to get clarification on the requirements. Mr. Bentley said he had no intention of finishing the road since his development wouldn't need access to it. Mr. Cooley said the Council would need to decide that. Mr. Bentley asked for clarification on the roads by asking if he would be responsible for a 60 foot right of way from 400 East to his development for the four existing homes. Mr. Cooley answered he would need to do at least that and possibly the road going to the south (300 E). It will depend on what he ends up with for a final design.

Commissioner Cooley said the commission needed to make a sight visit to the area so they could visualize the landscape.

A brief discussion was held on the Riverdale Avenue right of way.

Commissioner Wakefield was concerned about the road connection to 500 South. He didn't like a paved road stopping at the narrow dirt road. Mr. Bentley said cities usually prefer connecting roads over cul-de-sacs, which is why he designed it that way. Mr. Wakefield said the dirt road should be improved and Mr. Bentley may be the one to improve it. Mr. Bentley asked why he should have to do it. Mr. Wakefield said because the development will cause an increase in traffic. Mr. Bentley said people don't like to drive on a dirt roads so they would use the other subdivision exit. Commissioner Cooley said the engineer had expressed a concern about fire safety. Mr. Cooley said this will need to be addressed with the city engineer. Mr. Bentley said usually 10 feet is needed for fire truck access.

Commissioner Cooley said the next step is a sight analysis map that will need to be prepared. He told Mr. Bentley that he will forward an email he received from the city engineer regarding the site plan. He read the first paragraph.

Mr. Bentley said he needed to know exactly what would be required of him so he could generate a cost analysis before purchasing the property. Commissioner Cooley said he would need to provide an improved roadway to 400 East, improve street access, sewer access, water improvements and improve the roads for a traffic flow. Mr. Bentley discussed 300 East and fire protection. He observed that a fire truck must be able to access the homes that are currently in the area. Mr. Cooley pointed out there are few homes. The addition of a development will increase the need for good roads. Mr. Bentley asked to have a list in writing of all the items the city would require of him.

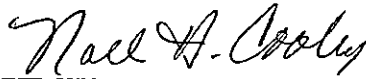
133 Commissioner Schaub discussed the two right of ways on Riverdale Avenue, owned by River  
134 Heights City and Demars. Commissioner Cooley said the access will need to be engineered. The city  
135 would be responsible for their section and Demars for theirs.

136 Mr. Bentley asked for a list of requirements to be emailed to him. Commissioner Cooley said  
137 it would take some time to generate the list and have it reviewed by the city engineer and have it  
138 approved by the Planning Commission. Mr. Bentley asked if the commission was accepting of his  
139 concept. Mr. Cooley said at this point they couldn't give an okay or not. Mr. Bentley would need to  
140 submit a site analysis (24"x36") and the commission would need to make a sight visit, after which  
141 they could come back to the meeting and discuss the submitted sight analysis. After this a pre-sketch  
142 would be required. Mr. Cooley reminded that the property would need to be rezoned. This can be  
143 done simultaneously with the subdivision. Mr. Bentley will submit the sight analysis with an  
144 application and email a pdf.

145 Commissioner Cooley said the next time they would be able to discuss this would be April 12,  
146 assuming the required documents are timely submitted. The March 22 agenda is full with two kennel  
147 conditional use permit requests. Due to the democratic caucus on that evening, they planned to  
148 begin their meeting at 5:30 again.

149 The meeting adjourned at 6:30 p.m.

150  
151  
152  
153  
154  
155  
156



Noel Cooley, Commission Chair

  
Sheila Lind, Recorder



**From:** Craig Rasmussen <[crasmussen@forsgren.com](mailto:crasmussen@forsgren.com)>  
**Sent:** Monday, March 7, 2022 3:29 PM  
**To:** Noel Cooley <[nhcooley@comcast.net](mailto:nhcooley@comcast.net)>  
**Cc:** Jason Thompson <[jasonthompson@riverheights.org](mailto:jasonthompson@riverheights.org)>  
**Subject:** RE: Riverdale Development Concept 2

Noel,

I was able to review the file sent for the possible Riverdale development on the DeMars property. My comments are as follows:

*The drawing prepared by Cartwright Architects & Engineers does not meet the City requirements for the Site Analysis Map. The Site Analysis Map could reasonably be prepared using the Cache County Parcel map as a background, but should show existing features, mature trees, etc. as outlined in the City Ordinance 11-4-1-C.1. The drawing submitted does appear to show the floodplain line - but this is not labeled. Additionally, items such as existing roads, fences, irrigation facilities, top of river bank, and sensitive riparian habitats should be shown on the Site Analysis Map.*

*The drawing as submitted is labeled as a "Site Plan", it appears that the submitter may have intended this to be a Sketch Plan as required in RH Code Section 11-4-1-F. If so, the document submitted lacks many of the items required by the City Code for a Sketch Plan. The Sketch Plan is intended to be prepared over the top of the Site Analysis Map, but the features of the Site Analysis Map should be visible on the Sketch Plan so that the Planning Commission can identify how existing features of the property may be impacted by the proposed development plan.*

*If the document is intended to be a proposed layout for a PUD, under the PUD Ordinance, then it is suggested that the PUD Ordinance be reviewed and the layout be revised if needed for compliance with the ordinance prior to progressing with the required Sketch Plan phase of the development process. Also, as applicable for a PUD, please refer to Paragraphs 10-10-4-A & B for additional requirements for the Site Analysis and Sketch Plan submittals.*

*An initial comment on the site layout that may be helpful with respect to streets is that It appears that the streets in the development are intended to be public streets providing through access for adjoining properties. Public streets are required to have a minimum right of way width of 50 feet. Streets are currently shown as 30 feet wide. Street width will need to be coordinated with acceptable access requirements met for adjoining properties as part of the development plan.*

*The River Heights City Code is available on the City Web Site at: <https://www.riverheights.org/government/river-heights-city-code/>*

I recommend sending an email with the above comments (if you concur with them) included back to the developer and indicate something to the effect that the Planning Commission will take no further action on the plan until items noted in the ordinance are provided.

Hope this is helpful and thanks for your service to the City.

Craig R.