

River Heights City

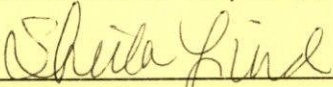
River Heights City PLANNING COMMISSION AGENDA

Tuesday, January 23, 2024

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. Attendance can be in person or through Zoom.

- 6:30 p.m. Pledge of Allegiance
- 6:32 p.m. Adoption of Previous Minutes and Agenda
- 6:35 p.m. Public Comment on Land Use
- 6:40 p.m. Review of Creekside Estates Conceptual Plan
- 7:40 p.m. Adjourn

Posted this 18th day of January 2024



Sheila Lind, Recorder

To join the Zoom meeting:

<https://us02web.zoom.us/j/85437478798>

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
January 23, 2024

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6 Present: Commission members: Noel Cooley, Chairman
7 Heather Lehnig
8 Keenan Ryan
9 Cindy Schaub
10 Troy Wakefield
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12 Councilmember Blake Wright
13 Recorder Sheila Lind
14 Public Works Director Clayton Nelson
15
16 Excused Tech Staff Chris Milbank
17
18 Others Present: Engineer Craig Rasmussen, Tami Midzinski, Cody Zohner,
19 Councilmember Lance Pitcher
20
21

Motions Made During the Meeting

Motion #1

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25 Commissioner Lehnig moved to “approve the minutes of the January 9, 2024, Commission
26 Meeting, as well as the evening’s agenda.” Commissioner Wakefield seconded the motion, which
27 carried with Cooley, Lehnig, Ryan, Schaub, and Wakefield in favor. No one opposed.
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29

Proceedings of the Meeting

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32 The River Heights City Planning Commission met at 6:30 p.m. in the Ervin R. Crosbie Council
33 Chambers on January 23, 2024.

Pledge of Allegiance

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35 Adoption of Prior Minutes and Agenda: Minutes for the January 9, 2024, Planning
36 Commission Meeting were reviewed.

37 **Commissioner Lehnig moved to “approve the minutes of the January 9, 2024, Commission
38 Meeting, as well as the evening’s agenda.” Commissioner Wakefield seconded the motion, which
39 carried with Cooley, Lehnig, Ryan, Schaub, and Wakefield in favor. No one opposed.**

Public Comment on Land Use: There was none.

40
41 Review of Creekside Estates Conceptual Plan: Commissioner Cooley explained that it was the
42 Commission’s job to base their opinions on the city code. He said the Administrative Land Use
43 Authority had met with Heritage twice to discuss their plan. They hadn’t resolved all the issues but
44 felt it was time for them to bring their plan to the Planning Commission. He said that because this
45 was the first time the RPUD Ordinance was being applied that the commission did have some

46 latitude, as long as it still met the intent of the code. However, there would need to be a good
47 argument for any deviation from the code.

48 Commissioner Cooley desired for the commissioners to walk the property before their next
49 meeting. They agreed on Tuesday, February 13th at 12:30pm. Tami Midzinski said she had photos of
50 the property with no snow, which she would email to Recorder Lind, who then would share them
51 with the commissioners. Mr. Cooley planned to have further discussions on the concept plan at their
52 next meeting, which would be the evening of the site visit.

53 Tami Midzinski, project manager at Heritage Landmark Company, explained they are
54 proposing a four-phase subdivision with a total of 78 lots, consisting of 52 single-family lots, and 26
55 multi-family townhomes. They plan to access sewer from 600 East. They are planning on a looping
56 water line which would come through the school's property. PWD Nelson was going to check with
57 the school district. Engineer Rasmussen noted that the city had a 45' easement through the school
58 property that connects to Heritage's property. He was working on an exhibit to present to the school
59 board. So far, they seem favorable to the idea. Commissioner Cooley recommended this be part of
60 the development agreement. Ms. Midzinski pointed out the location where they plan to tie into the
61 sewer. Engineer Rasmussen warned about the underground sluffing issue they will deal with in this
62 area, during sewer installation. Depending on the time of year it might be better or worse. She said
63 she would work with the church on parking during construction since all the 600 East Road would
64 need to be torn up, blocking one or both church parking lot entrances. Commissioner Cooley noted
65 the only egress for 800 South would be blocked. He suggested they work with the PUD on the
66 Providence side to see if they would allow the 800 South residents access through their break gate in
67 the Stone Creek subdivision. Ms. Midzinski agreed.

68 Commissioner Cooley pointed out some things missing on the plat, which was all listed in 11-
69 4-4. He hadn't seen anything about soil types. Ms. Midzinski said she turned this information in with
70 their second draft. (After some checking, it was found.) Mr. Cooley asked if there were any potential
71 hazards on this property. Engineer Rasmussen said the fault lines are further up the mountain. Mr.
72 Cooley asked about property lines in the subdivision. He noted an overlap on property lines on Cache
73 County's GIS map. Heritage will double check on this. Mr. Rasmussen said he was able to find pin
74 markers at Carson's property and the school. He agreed it was probably just a map issue but that it
75 should be double checked.

76 Engineer Rasmussen asked for an existing features map showing irrigation ditches, the stream
77 corridor including the flood plain boundary, wildlife habitat, clumps of trees, etc. He was sure the
78 Planning Commission would find this beneficial, especially if they had it during their site visit. Ms.
79 Midzinski said she would get that as an overlay on their current plan. It was also brought up that
80 there was a mistake on their plan regarding the owner of the property.

81 Commissioner Cooley asked about water rights and what they planned to do with their shares.
82 Ms. Midzinski said she would work with the irrigation company. If the city didn't plan to take over
83 the park, she would keep them. She was told the council would decide whether the city would take
84 the parks, but at this point, it was assumed that the HOA would take care of it. Engineer Rasmussen
85 suggested an underground water storage area for the irrigation water to be stored. They could draw
86 from it as needed and use the area above it as green space. Mr. Cooley said the city would look
87 favorable on them putting in a secondary watering system. It would benefit the city and the irrigation
88 company. Ms. Midzinski said they would definitely consider it.

89 Commissioner Cooley asked when they planned to rezone the property. It was currently
90 zoned R-1-8 and agricultural. It would need to be done before the council would approve their plan.

91 Commissioner Cooley asked what their total density was. It was determined that it was 5.1
92 units per acre.

93 Commissioner Cooley asked what their plan was for house designs. Ms. Midzinski said
94 ramblers with basements. She was informed of the high water table and told basements wouldn't be
95 allowed. She then said they would plan on two story homes, or whatever the builder wanted.
96 Typically, after they finish developing, they sell most or all the lots to a construction company.

97 Commissioner Schaub pointed out they were short one extra parking space in the townhome
98 area. The city's code required .5 spaces per townhome.

99 Commissioner Cooley asked if the townhomes would be up for sale as single lots. She said,
100 yes. If Sierra Homes purchased them, they would sell the townhomes rather than rent them. He
101 asked what the homes will look like. Ms. Midzinski said she could work with Sierra to put some
102 packages together for review. Engineer Rasmussen reminded that part of the requirements for
103 townhomes was to show elevation views and floorplans. He also recommended the Commission be
104 interested in seeing groundwater levels over time. Engineer Zohner said the city's code doesn't
105 require this. Mr. Rasmussen agreed but said as a developer, they would want this information. He
106 suggested the Commission require deed restricted lots to prevent them from becoming rental
107 properties.

108 Tami Midzinski informed that the townhomes would each be on their own lot. They would
109 also be in a homeowner's association. The single-family homes would not. Commissioner Cooley
110 asked who would be maintaining the open space. Ms. Midzinski informed that usually the city wants
111 the open space. They could go either way.

112 Commissioner Cooley asked about dumpsters. Ms. Midzinski pointed out they had one spot
113 for dumpsters. They planned to have two enclosed dumpsters. Mr. Cooley noted it would be a long
114 distance for some of the residents and recommended another dumpster location. Ms. Midzinski said
115 if the dumpsters are spread out it's harder to monitor when non-residents are using them.

116 Engineers Rasmussen and Zohner discussed townhome widths and lengths. The minimum lot
117 width stated in the city code for a four-unit building was 120 feet. Engineer Zohner interpreted the
118 code as it being the total lot, not the individuals.

119 Commissioner Schaub remembered the Council wanted each townhouse to have their own
120 trash container in a PUD, not a community dumpster, as noted in 10-10-4:K.4, except in open spaces.
121 Engineer Zohner said they usually build a concrete pad for the cans to line up on garbage day. Other
122 than that, the cans are stored in individual garages. Ms. Midzinski said they could do that.

123 Commissioner Cooley said the code requires a landscaping plan. Ms. Midzinski said she can
124 get her landscape engineer to design one. He asked what her plan was for the open space. She said
125 she would prefer keeping the creek area as natural habitat.

126 Commissioner Cooley asked if there would be an easement for pushing snow at the
127 hammerheads and in the bulb area. Engineer Zohner asked about turning the bulb into a cul-de-sac
128 roundabout where they could push all the snow into the middle. During the summer it would be
129 gravel. Engineer Rasmussen wasn't sure how the logistics of getting the snow into the middle from
130 all areas of the roundabout would work. PWD Nelson asked how big the roundabout would be. Mr.
131 Zohner answered it would be about 50 feet. Mr. Nelson pointed out that the code requires 120 feet.
132 He would rather have a through street for safety reasons. He noted that certain lots are going to
133 have a hard time seeing what's coming around the tight bend in the street. Adding a snow mound
134 would make visibility worse. Engineer Zohner said they could create a snow easement on one of the
135 lots.

136 Engineer Rasmussen discussed the city requirement of a public trail along the creek. He
137 recommended the HOA take care of maintenance. Other open space areas could be private, if
138 decided. He suggested side outs on the trail and benches.

139 Commissioner Cooley asked if they'd had conversations with the school about opening a path
140 area. Ms. Midzinski said Visionary Homes already had one which they will connect to.

141 Commissioner Cooley discussed the stormwater swales along the north side. Engineer
142 Rasmussen said this was done in response to one of his suggestions. He had since found out the
143 school property doesn't drain onto other properties. Engineer Zohner said it's up to the builder to
144 grade their lots to prevent stormwater from entering their homes. They pointed out the two
145 drainage ponds where all stormwater will be piped. He discussed the existing stormwater pipe.
146 Engineer Rasmussen clarified that coming into the property the pipe is 15" and going out 8", which is
147 inadequate. Visionary's system is substandard, and they don't think River Heights water should run
148 into an inadequate system. He recommended that it be rerouted out of the Visionary system and
149 back into River Heights, as part of the regional stormwater plan.

150 Engineer Rasmussen discussed how the irrigation water will come from Bill Carson's property.
151 PWD Nelson said there are several boxes for nearby properties. Engineer Zohner said he could only
152 find a box on the southeast side and will investigate it further.

153 PWD Nelson discussed Stewart Hill Court, a cul-de-sac in River Heights. He said snow removal
154 doesn't work in this area. He suggested they each drive past and envision plowing snow, and ask the
155 neighbors how it works. He suggested Heritage get rid of the bulb altogether. He also suggested
156 they could look at the dead end of 400 South to see how snow removal works/doesn't work there.
157 Engineer Zohner said at the end of the hammerheads they will install a ramp for a snow easement.
158 They had done it on another property. Ms. Midzinski said she could send pictures of it so they could
159 see how it worked. The easement enforces that fences can't be installed in the area. PWD Nelson
160 expressed concern with the snow eventually creeping out into the road.

161 Commissioner Cooley informed that when they first met with Heritage they showed a large
162 hammer head, and the committee said they couldn't have lots with three sides of frontage. Engineer
163 Zohner noted they have put planters on the north side of the interior lots to prevent this.

164 Commissioner Cooley brought up the setback requirements on the multifamily lots. Cooley
165 said each one of the four dwellings is considered their own unit which would have its own property
166 line. Engineer Zohner disagreed and said the property line runs along the main street, not with the
167 buildings. He didn't believe the code required a setback from an alley.

168 Engineer Rasmussen said 30 feet was totally inadequate for alleys between buildings, as
169 Hyrum City had learned on failed projects. Engineer Zohner said 30' is the most common. They
170 always do 30' and don't get complaints. Engineer Rasmussen said it's because the city gets the
171 complaints after the developer is gone. He said 34-36 feet works much better. It really comes into
172 play when the garage is already narrow for two cars. A driver would need to be lined up
173 perpendicular to be able to get in, but the 30' is too tight for this.

174 Commissioner Cooley envisioned some of the townhomes could have six singles living there
175 and where would they park. What will families do that have more than two cars. Engineer Zohner
176 said they are following the city's code of 2.5 stalls per dwelling. Mr. Cooley said River Heights City's
177 vision was for a two-car garage and a driveway that could hold two additional cars. This was their
178 intent in the code. Engineer Zohner said the code should state 20-foot driveways are required. The
179 normal code for parking in all cities is 2.5/dwelling. He said the HOA covenants could address the
180 parking and keep it monitored.

181 Engineer Rasmussen said the intent in the PUD code was very clear. He remembered that the
182 Planning Commission had looked at other developments while building their PUD code to avoid
183 problems such as these. Engineer Zohner pushed back and gave his interpretation of the code, which
184 was that the 20-foot rear setback was set against the property. Mr. Rasmussen said it was within the
185 city's rights to not allow their plan until it met their intention. Ms. Midzinski suggested they talk with
186 the city attorney. Mr. Rasmussen said the city attorney was involved with drafting the code.
187 Commissioner Cooley said the city attorney agreed with the city's intent and said Heritage's attorney
188 could call him. Mr. Rasmussen said developers always try to sell this, but cities always have problems
189 with parking if it's allowed. Commissioner Ryan agreed because his mom is an HOA president in
190 Hyrum, and she constantly deals with the negative impacts of not enough parking. He worried that
191 additional cars belonging to residents would end up in the church parking lot. Ms. Midzinski said
192 residents must register all their cars and the HOA takes enforcement seriously. They want to
193 establish a clear understanding with their HOA covenants up front. Mr. Rasmussen said once the
194 development is done, developers walk away and then it's up to the HOA to deal with it. Ms.
195 Midzinski explained how they have dealt with the issues and hoped when cities received complaints,
196 they would come to her.

197 Commissioner Cooley suggested that Heritage's attorney talk with the cities where they have
198 done past developments to see if they are dealing with repercussions. He wanted the commissioners
199 to have a chance to view some of Heritage's other developments to be able to visualize what they're
200 talking about.

201 Engineer Rasmussen addressed solid waste. With the size of the garages, two cars will barely
202 fit which means there won't be room for a garbage can. Commissioner Ryan would be in favor of
203 dumpsters because he envisioned the cans being left out. Mr. Rasmussen supported more than one
204 dumpster location.

205 Commissioner Wakefield asked the difference between their current plan and a revised plan
206 with the revisions they had discussed. Engineer Zohner said it would cause them to lose multiple lots
207 and townhomes and would blow up their whole design. Engineer Rasmussen reminded there was no
208 guarantee on the number of lots. Ms. Midzinski asked if they could lower the amount of open space.
209 Mr. Zohner said if they must drop their lots, they wanted code to back it up. Commissioner Schaub
210 discussed the option to reduce open space in lieu of cash. PWD Nelson brought up that most of the
211 open space they were showing already wasn't usable because it was on the creek. Commissioner
212 Cooley asked how the commission felt. Mr. Wakefield reiterated that they are being allowed to
213 count open space that really wasn't open. Mr. Zohner said it's not about latitude because the code
214 requires this area to be preserved. He felt he could manipulate the plan to lose only one or two lots.

215 Ms. Midzinski suggested they could put townhomes in place of lots 17 and 18.

216 Commissioner Cooley said when they established the open space requirement, they were
217 envisioning a playground versus what their plan showed. He felt the full 25% of open space should
218 apply on this development. Commissioner Lehnig liked the path along the creek and envisioned they
219 could do some amazing things in the area. She offered to work with them on the design. Ms.
220 Midzinski said she was willing to have input. Mr. Cooley wanted to see some flat areas where
221 children could have a playground. PWD Nelson suggested using a storm tech system (to hold storm
222 water), which could be buried under a grassy area.

Councilmember Wright said they needed to follow the code and suggested rereading the
open space requirements in 10-10-5:D. He noted that Heritage has had access to the city's code the

225 whole time they've been putting their plan together. When the RPUD code was being drafted the
226 city worked with developers at Heritage. They have known of the requirements for a long time.

227 Ms. Midzinski asked if they could continue with the idea they had submitted and asked for
228 conditional approval. She wanted to be able to move forward, not backward. The Church had given
229 her a deadline for the fence to go up and she was hoping to get started this summer. Commissioner
230 Cooley said the lack of parking needed to be addressed.

231 Engineer Rasmussen reiterated the amount of time and effort the Planning Commission had
232 put in to establish the RPUD ordinance, considering numerous possible issues along the way.
233 Commissioner Cooley said he didn't imagine the City Council would approve their plan without more
234 parking areas.

235 Ms. Midzinski asked the commissioners to visit their Firefly development in Nibley City at 2260
236 South 1200 West which was designed like their Draft 3.

237 Commissioner Cooley summarized what needed to happen: Heritage's attorney will talk with
238 the city's attorney about mulit-family unit setbacks. The commissioners will look at Heritage's other
239 subdivisions. In the meantime, Heritage needed to address additional parking. The city wanted to
240 see the bulb removed. They planned to continue their discussion at the next meeting (February 13).
241 Ms. Midzinski reiterated that they would like to move as fast as possible and were hoping for a
242 speedy agreement. Mr. Cooley suggested reaching out to Councilmember Chris Milbank to see how
243 he felt about the city taking over the parks versus designating them as private. The Commission
244 wanted them to stay private and be maintained by the HOA.

245 Tami Midzinski and Engineer Cody Zohner took leave of the meeting.

246 Commissioner Cooley discussed the upcoming code changes which the Commission had been
247 discussing, which consisted of boundary adjustments, short term rentals, RPUD corrections, and the
248 removal of Logan City as the contractor for solid waste. He noted there would be a Conditional Use
249 Permit to address on February 27. He asked if they should stick with the Creekside Plan and put off
250 the code changes. Engineer Rasmussen suggested making a code change regarding garages. There
251 was discussion on when the process for developers started – the point where they needed to follow
252 whatever rules were in place. Mr. Rasmussen thought it started at the time of the re-zone
253 application, but suggested they check with Attorney Jenkins. Councilmember Wright suggested they
254 clarify the RPUD to include 20' driveways. Engineer Rasmussen suggested addressing street capacity
255 (10-10-4H), which he would consider an internal traffic condition. He said PUDs can have latitude,
256 but the commissioners shouldn't be afraid to require certain things they feel strongly about.
257 Councilmember Wright said he'd learned over the years of the importance of doing it right and not
258 being swayed by developers. Commissioner Cooley regretted that he forgot to tell the Heritage
259 developers they could not sell lots before final approval. PWD Nelson suggested the final plat should
260 address basements not being allowed.

261 The meeting adjourned at 9:10 p.m.

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Noel Cooley, Commission Chair



Sheila Lind, Recorder

Memo

To: Noel Cooley, Chairman
From: Craig Rasmussen, S.E. *Craig K Rasmussen*
CC: Sheila Lind, Recorder
Date: January 22, 2024
Re: Planning Commission Submittal – Engineering Review

As per previous correspondence, I do not believe substantive progress will be made with additional Administrative Land Use Authority review and coordination. Therefore for your concurrence, I recommended that the development progress to the regular Planning Commission. Administrative Land Use Authority review comments were forwarded to the Planning Commission from the Draft2ConceptPlan – sketch plan with the subsequent written response from Tami Midzinski with Heritage Land Development (Heritage) on or about January 17, 2024.

Draft3ConceptPlan was subsequently submitted by Heritage as a planning commission review document. The following comments address the completeness and adequacy of the submittal with respect to River Heights City Ordinance. Several items specified by ordinance are not provided in the planning commission submittal.

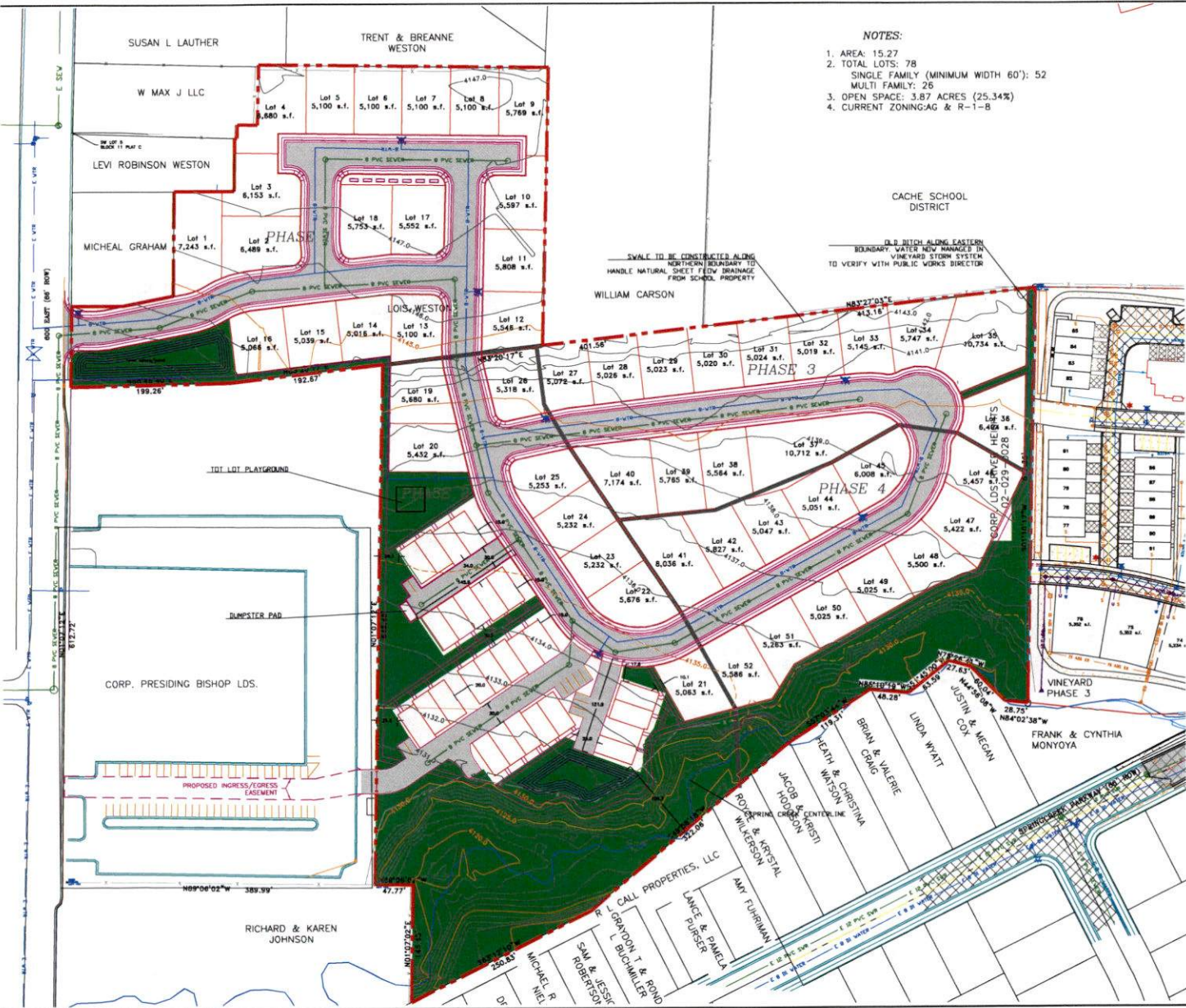
1. A Site Analysis Map has not been provided as required in Section 11-4-1 C.3. The site analysis map is important to this project for irrigation ditches, streams, wildlife habitat, flood plain, etc.
2. Per Section 11-4-1 C. 4. c. d. e. g. h. are not complete with the submittal. It is recommended that the Planning Commission take no action on advancing the Concept Plan until these items are satisfactorily addressed. However, the Planning Commission can discuss and provide comments to the developer on aspects of the Concept Plan that have been submitted.
3. Section and corporate lines should be noted on the Concept Plan as per Section 11-4-1 C. 1.
4. Following discussion with the Planning Commission, the applicant should address 11-4-1 C. m. for recommended use and reservation of open space and associated items.
5. Section 11-4-1 C. o. addresses culinary and irrigation. A discussion should be had with respect to irrigation and irrigation shares. For example, is the applicant proposing to use culinary water for irrigation of the open space? Does the applicant have irrigation shares, and will they be turned in to the City?
6. Requirements for an impact statement as specified in Section 10-10-4 A. have not been completed by the developer.
7. City has had preliminary discussion with the Cache County School District staff for looping the water line to 600 South. Updated concept plans should show the water line loop to 600 South rather than a second connection to 600 East.
8. A single dumpster location is shown for the multifamily housing. The location puts the dumpster a significant distance from the further townhomes. Recommend requiring a second dumpster location closer to the applicable units. This may change if the city requires the 20 ft separation from alley to garage as per earlier comments.

The Planning Commission should review the earlier comments and discuss the response by Heritage as to whether the City requirements have been met for the proposed Concept Plan.

If there are question regarding the above comments or earlier comments and responses from Heritage, please contact me by email or telephone. I plan to attend the Planning Commission meeting on January 23rd to discuss these items as applicable.

Respectfully submitted,

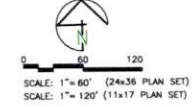
Craig L. Rasmussen, S.E.
Division Manager (Contract City Engineer)



- NOTES:**
1. AREA: 15.27
 2. TOTAL LOTS: 78
SINGLE FAMILY (MINIMUM WIDTH 60'): 52
MULTI FAMILY: 26
 3. OPEN SPACE: 3.87 ACRES (25.34%)
 4. CURRENT ZONING: AG & R-1-B

**CREEKSIDE ESTATES
SUBDIVISION
CONCEPT**

PART OF THE SOUTHWEST QUARTER OF SECTION 2
AND SOUTHEAST QUARTER OF SECTION 3
TOWNSHIP 11 NORTH, RANGE 1 EAST
SALT LAKE BASELINE AND MERIDIAN
RIVER HEIGHTS, UTAH



<p>ALLIANCE CONSULTING ENGINEERS</p> <p>150 EAST 200 NORTH SUITE P RIVER HEIGHTS, UTAH 84071 (435) 755-5121 alliance@ace-engineers.com</p>	
<p>ACE</p>	
<p>OWNER: RIVERVIEW PARK, LLC 151 NORTH LOGAN, UTAH 84314 (435) 752-1480</p>	
DATE:	PROJECT NO.:
SCALE:	DRAWN:
DATE:	CHECKED:
DATE:	DATE:
<p>PROJECT FILE: CREEKSIDE ESTATES SUBDIVISION PART OF THE SOUTHWEST QUARTER OF SECTION 2 AND SOUTHEAST QUARTER OF SECTION 3 TOWNSHIP 11 NORTH, RANGE 1 EAST SALT LAKE BASELINE AND MERIDIAN RIVER HEIGHTS, UTAH</p> <p>CONCEPT</p>	
<p>DATE: MAY20,2022 DRAWING No. 1</p>	

I forgot that the DRC was required to forward the notes to the P&Z so here is what I kept track of. You can also see some of the concerns that Craig has with the development from his notes. (Refer to them)

Notes from DRC meeting with DRC.

November 3, 2023 – First look at their concept design called Creekside Estates.

The following were noted and asked to be corrected at a future meeting.

1. The concept showed multi-family units next to an established residential zone.
2. Contained a hammerhead ROW near the north part next to the Weston subdivision. that would create a hardship for snow removal and garbage pickup. Suggested to remove it and create a continues road in and out of the area.
3. Trails not defined as where they would connect.
4. No playground shown.
5. Clayton concerned about the sharp radius on east end of the development.

December 19-2023 – Second meeting to review changes.

1. Again, snow removal and the remaining hammerhead section were discussed, and Heritage assured that were places to put snow. Clayton did not like it. Would need easements on lots 2 & 5.
2. The trails would go through to the school.
3. Storm water going through Visionary 8" line. May need an easement.
4. No Playground shown as yet
5. Need to indicate where dumpster for multi-family located.
6. Not sufficient parking spaces noted.
7. Lots 18 & 19 are double sided and would require approval from City to allow, but DRC felt it would be approved as it got rid of the long hammerhead proposed in draft 1. Also, lot 45 may also.
8. Discussion that the multi-family units did not have a 20' setback. Heritage position is that there is not property line, therefore River Heights City definition specifies from the property line. They are convinced that they do not need the setback required in the RPUD code.
9. DRC suggested that the water line loop back be put in to 6th south through an easement the City has through the school property. Clayton is working with school district to see if that is possible.

City Engineer Comments and Heritage Responses on Creekside Estates
January 17, 2024

Craigs comments on Draft 2 after the last Administrative Land Use Authority meeting held on December 19, 2023.

Tami's (Heritage) comments addressing Craig's concerns shown on Draft 3, which will be the concept discussed with the Planning Commission on January 23.

1. The developer has incorporated a look to the lots at the north end as discussed. I think this helps with plowing, but there are still two short hammer-head dead ends on the street that present plowing challenges. I understand why the developer has shown the street loop this way, they are providing frontage to lots 4 and 9. At question, will the City allow this or will the City require no hammerhead/dead end street section? Options would be to leave as-is with challenges for snow removal that certainly take additional time to plow, take out the hammerhead and provide a wider radius on the outside of the loop. With this configuration you would either loose the two lots in the corner due to not adequate frontage, or provide a frontage waiver for the lots.

1. Heritage would prefer to keep the hammerhead turnarounds as I believe it will make plowing easier; however, if city code is provided that states we cannot do so, I will gladly change the design.

2. The townhouses do not have the 20 ft setback from the alley for a driveway/parking area at each townhouse. The intent of the PUD ordinance is clear with respect to this. The developer is saying there is no lot line at the alley for a setback. The lot is the actual zero lot-line of the townhouse. In my opinion, the intent is clear in the ordinance, but wording may be able to be interpreted differently with respect to technicalities. City can require the 20 ft setback for driveway outside of garages at townhouses as per the intent of the ordinance or may exempt this. If an exemption is given, absolutely more parking is required, which will take away open space. Requiring the 20 ft setback per the ordinance will reduce the number of lots in the development, it is important to note that the City does not guarantee any number of lots – the ordinance has a maximum density, but does not state that a developer is entitled to get that density, etc.

2. To us, the code is evident in the opposite of how you are interpreting the code. A setback is defined as being the distance to a property line, not to an alley. This is clearly stated in the code. As this is an item of code, I am glad to have our lawyer amicably talk with the city lawyer about the interpretation of the code. As for the parking, per Table 10-14-1-1 in River Heights City Code, 0.25 guest parking spaces are required per unit; our 12 spaces currently provided on the concept surpass this requirement.

3. Last meeting a dumpster location was discussed for the townhouses. I do not see this called out on the plan, but a white rectangle at the end of one of the alleys is shown. I wonder if this is the dumpster location? If so, it is not very centrally placed for all the townhouses and would be difficult to access for pickup.

3. The dumpster is now called out. The alley is less than 150' long and, therefore, meets the code for the garbage truck.

4. Improvements to the easterly side of the single family lot loop have been made. However there is still a bulb-type street extension at lots 34, 35, and 36 that creates real snow plowing challenges. Options include leaving as is with the problems for snow plowing, leaving the property lines as is and constructing the street to a standard pavement width around the corner (taking out the bulb) and having a wider planter strip. This option cleans up the street for snow plowing and maintains frontage requirements for these three lots. It does reduce on-street parking for these lots. Another option would be to waive frontage requirements and build the standard street section with standard 3 ft park strip.

4. We need the bulb, as discussed in the last concept meeting. We will ensure that there is a snow easement to shove snow for the bulb to help ease the city's concerns.

5. The plan has not been revised to show the water line loop through the school property to 600 South Street. Looping to the north is much better for water circulation for quality and quantity and provides much better redundancy for the water system in the development. Clayton has had preliminary conversation with the District and this appears to be moving forward with the District. This will either require the line to job around lot 30 or will require adjustment of parcel lines so the pipe can come straight down along the school property line without a jog in the waterline (preferred).

5. I will show the water line on the school's property once the school has approved the connection. I request the school district provide River Heights City and Heritage with an approval letter. As I progress with each phase, we can design to each phase's requirements before construction begins.

6. Stormwater coming through the school property has not been satisfactorily addressed. There are two items associated with this. Overland flow from the school, plans call out a swale along the northerly side of the development at the back side of lots adjoining the school. This does not address the situation – what happens to water in a swale, and property owners are not good at maintaining a swale on their lot. Second item is the large storm drain that comes through the school property. A note was added to the plan that states this may be handled on the Vineyard development and asks the City Public Works to verify. Clayton and I will review, but I expect that Heritage will need to address this stormwater conveyance.

6. The stormwater will be handled by a swale as called out in the plans; the swale will direct water to the road, to then be collected by the storm system; this will be shown in the construction drawings.

7. A pathway was added between lots 35 and 36 as required by city ordinance. My recommendation is that the side fences along the path and rear fences along lots 35 and 36 be limited to 4 ft so the path does not feel like walking along a cattle chute. This impacts privacy on these two lots, but would certainly make for a better feel for anyone using the path.

7. Thank you. I will consider this advice and discuss it with my team and engineer.

8. Plan does not show a playground area for the townhouses.

8. The playground is now shown. I'm following up with this email with the playground idea I wanted to present. Can the city let me know if they plan to take over the Park and open space?

9. There are many questions not answered or discussed yet about open space use, general amenities, and whether or not the HOA or the City will manage the open space. In my opinion, I don't see a significant benefit for the City to manage the open space. However, I do recommend that the City require that the trail/pathway through the development and paralleling Spring Creek be open to the public because a public trail along Spring Creek is on the City Master Trail Plan.