Heber City Corporation

Memo

To: Mayor and City Council

From: Mark K. Anderson

Date: 04/15/2015

Re: City Council Agenda Items for April 16, 2015

REGULAR MEETING

Item 1 – Discuss Southern Bypass between Highway 40 and Daniel Road: First of all, I apologize for adding this issue to the agenda at such a late date. During the past few days staff has had considerable discussion with Burton Lumber and Three Strings Holdings regarding 5 acres of land Burton desires to purchase which fronts on Daniel Road which is owned by Three Strings. Because the City has a Master Planned Southern Bypass in this area, we have been discussing how the future roadway may impact the property as they develop a site plan for consideration by the City.

Last night I brought this issue up at the Interlocal meeting and indicated that if the City were to need to acquire property from Three Strings to protect the right-of-way that the City would want to be reimbursed by the Corridor Preservation Fund. As part of that same discussion, a proposed 100' wide alignment that had been prepared by Bart Mumford was displayed which allows the roadway to function as a bypass road. (This map has already been posted to your packets) The projected average daily traffic (ADT) in 2040 was also discussed by Shawn Seager of MAG. At this time, the 2040 data suggests that Daniel Road will have more traffic than the proposed bypass and that the estimated ADT on the bypass would not exceed 5,000.

Today, Bart Mumford, Tony Kohler, Shawn Seager and I met again to discuss what recommendation we would make as staff to the Council regarding this issue as Burton won't finalize the purchase of the land and can't complete their site plan until they understand how the proposed road may affect the property they wish to purchase. After much discussion, we came to the following conclusions:

- The projected traffic volumes only justify that a local road (not to exceed an 80' right-of-way) be built in this area.

- Because the Turner/Gooch property to the south may need to construct a local road to properly develop their 30+ acre parcel, a road connecting Highway 40 and Daniel Road may eventually be constructed by that development.
- The City transportation plan could still function in this area if the road is not constructed since it was anticipated to help relieve pressure on the 189/40 intersection more than to carry local traffic.
- Although this roadway, if built, would benefit the 189/40 intersection, UDOT is ultimately responsible to deal with traffic issues at this intersection.
- Traffic volumes on Daniel Road are projected to be higher than the bypass road. Therefore, it may not make sense to give preference to the bypass if built.
- If built as a bypass, we only see this roadway being used by large trucks heading to Utah County on 189 and not those that we would like to get off of Main Street.

Because of the above, staff would recommend either of the following options:

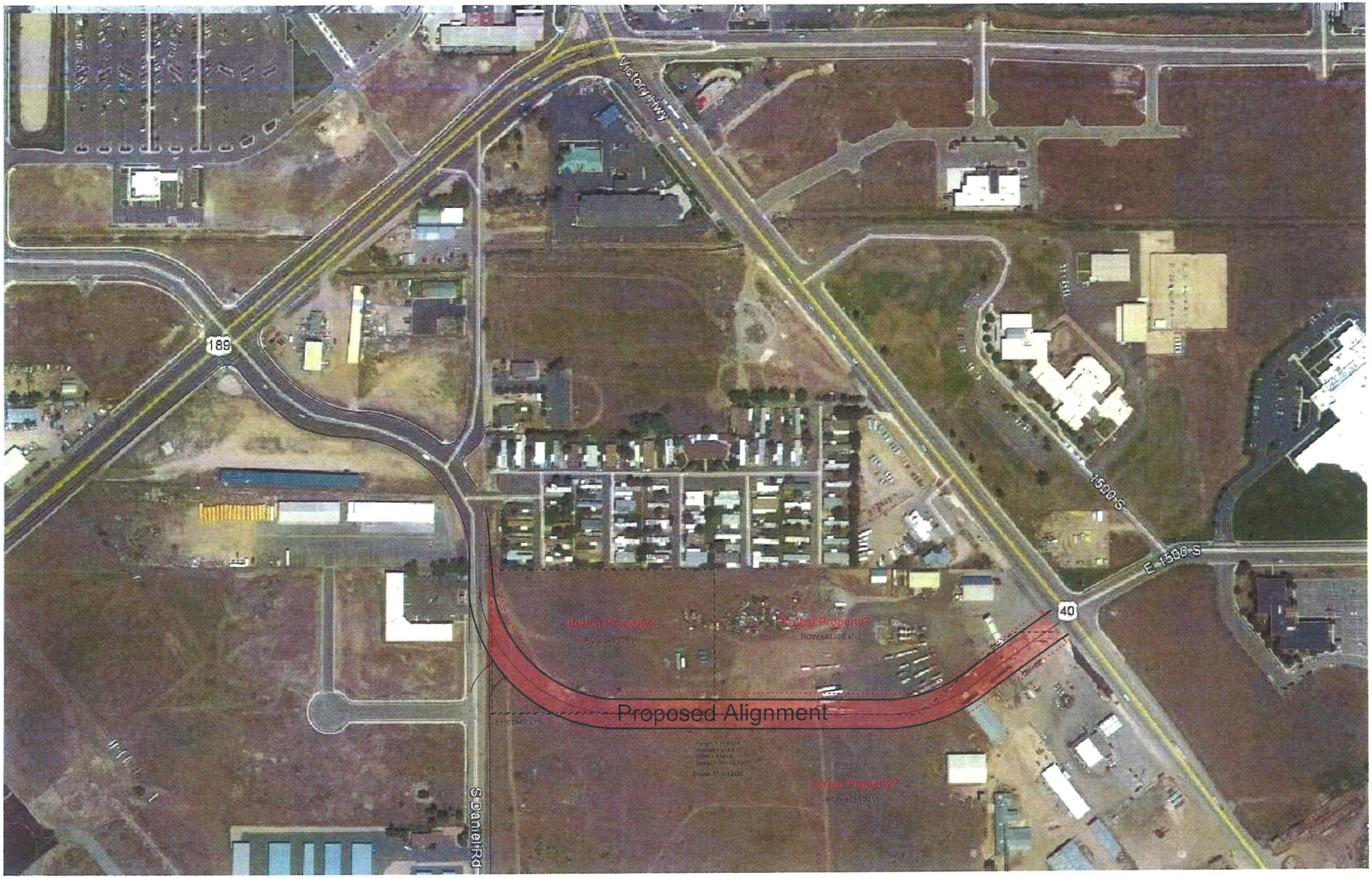
- Abandon the master planned bypass road as projected utilization of the road requires only a local road at most to service the area in the City. If development constructs the road, great! If not, the road network in this area would still meet projected demands.
- Acquire a portion of a future 80' wide corridor that would T into Daniel Road to provide some limited assistance toward mitigating future traffic issues. (Bart Mumford will provide a map of what this alignment would look like tomorrow) This would require the appraisal and acquisition of approximately 1 – 1.5 acres of land.

Even though the pending Burton purchase exists, it is not the overriding factor in our recommendation. With that said, either of the above options should be viable for Burton Lumber to complete the purchase of the property they are wishing to develop.

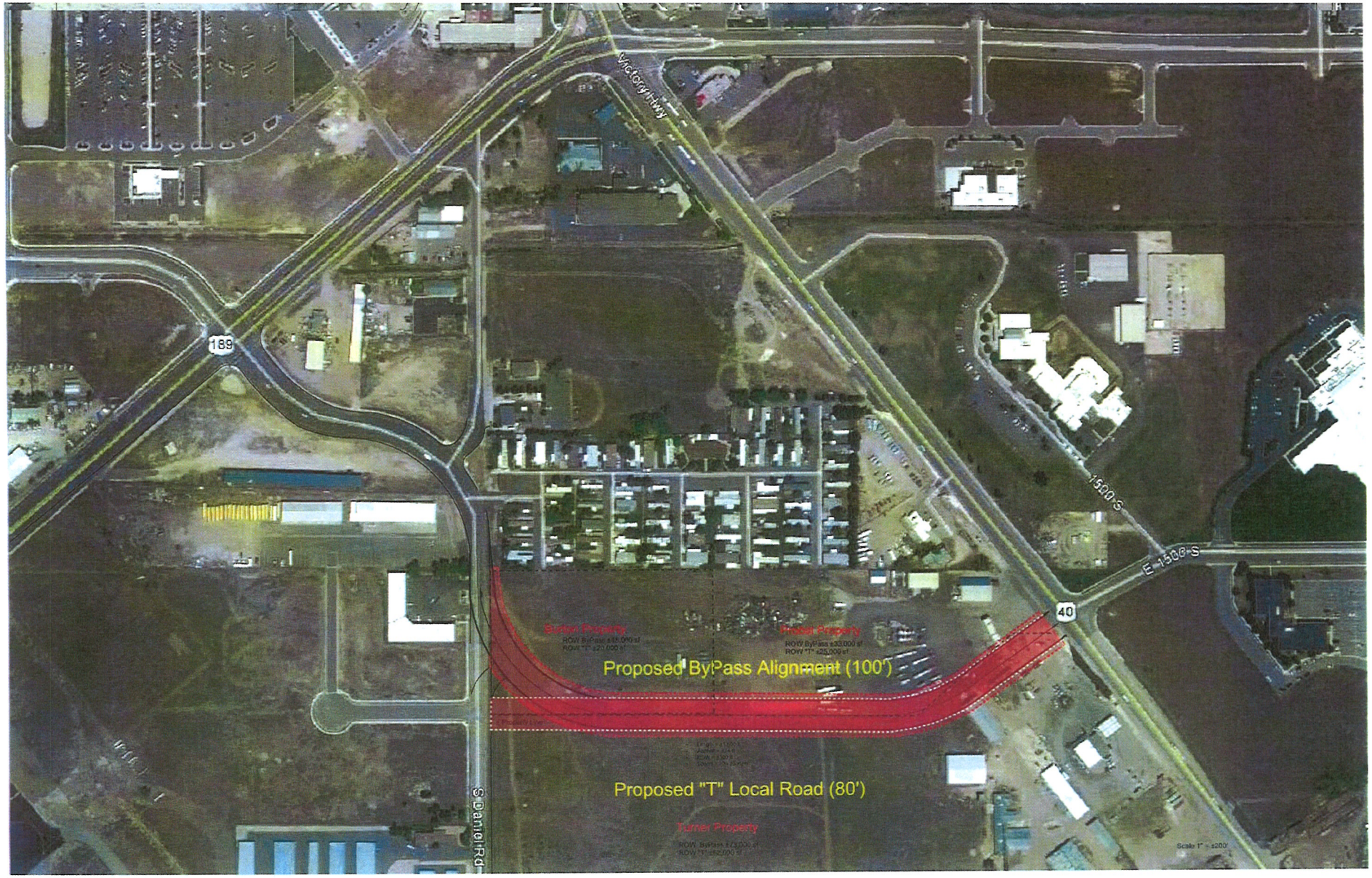
Admittedly, City and County officials working with the RPO have worked hard to develop our County transportation plan. Even though our goals were well intentioned when this road was identified several years ago, the existing data does not support what was planned for. We are now in a position where we need to decide if this corridor should be abandoned or protected. If the Council desires to protect the right-of-way we should discuss options on how that purchase would be funded.

Lastly, Shawn Seager has agreed to be in attendance to share traffic projections for the area and give his input on the matter as the Council considers this important issue.

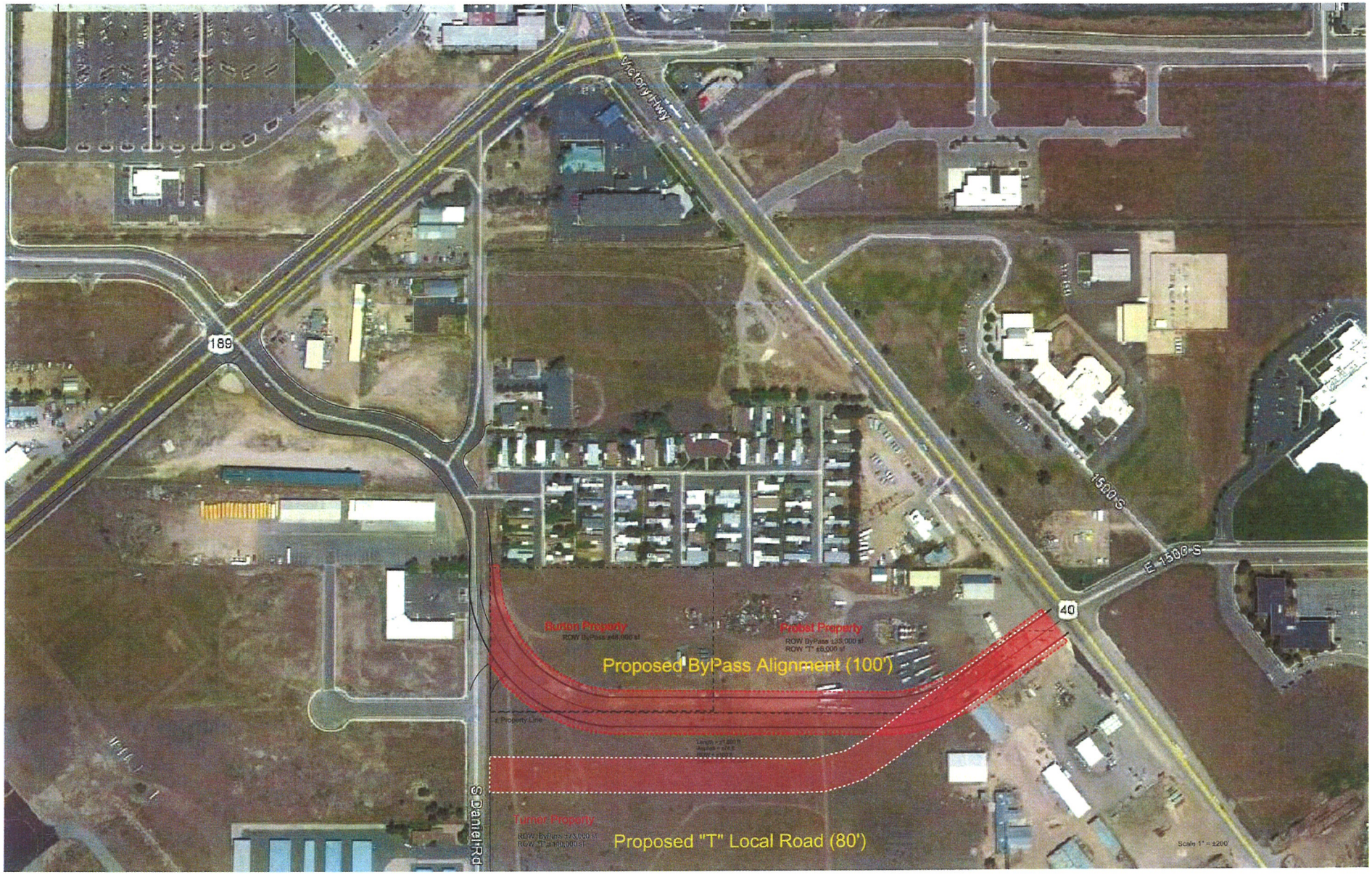
HEBER CITY US 40 CONNECTOR ROAD



HEBER CITY US 40 CONNECTOR ROAD



HEBER CITY US 40 CONNECTOR ROAD



ORDINANCE NO. 2015-12

AN ORDINANCE VACATING A PORTION OF RED LEDGES PHASE 2 SUBDIVISION OPEN SPACE/GOLF COURSE AREA

BE IT ORDAINED by the Council of Heber City, Utah, that pursuant to Utah State Code, Section 10-9a-609 (3), a portion of the parcels, more particularly described on Exhibit 1 and illustrated on Exhibit 2, are hereby vacated from the Red Ledges Phase 2 Subdivision Plat.

This Ordinance shall take effect and be in force from and after its adoption.

ADOPTED and PASSED by the City Council of Heber City, Utah this _____ day of _____, 2015, by the following vote:

	AYE	NAY
Council Member Robert L. Patterson	_____	_____
Council Member Jeffery Bradshaw	_____	_____
Council Member Erik Rowland	_____	_____
Council Member Heidi Franco	_____	_____
Council Member Kelleen Potter	_____	_____

APPROVED:

_____

Mayor Alan McDonald

ATTEST:

_____

RECORDER

Date of First Publishing:_____

Exhibit 1

LEGAL DESCRIPTION

A PORTION OF RED LEDGES PHASE 2 SUBDIVISION PLAT OPEN SPACE/GOLF COURSE AREA:

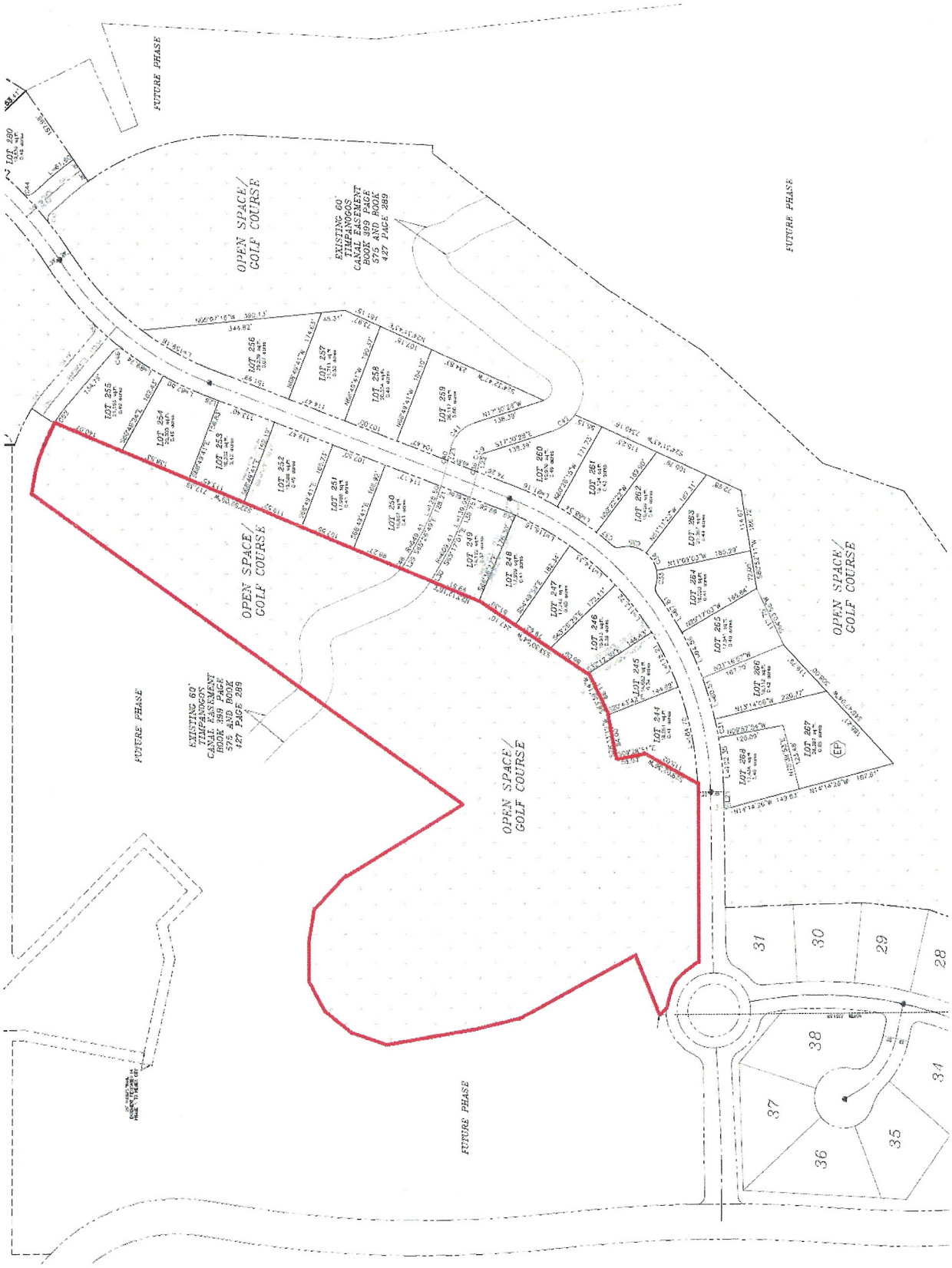
THE BASIS OF BEARING FOR THIS DESCRIPTION IS SOUTH 89°48'55" WEST BETWEEN THE SOUTH QUARTER CORNER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN AND THE SOUTHWEST CORNER OF SAID SECTION 33.

A PARCEL OF LAND LOCATED IN SECTION 33 TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, WASATCH COUNTY, UTAH, SAID SECTION OF LAND BEING A PORTION OF THE OPEN SPACE/GOLF COURSE PARCEL AS SHOWN ON THE RECORDED PLAT OF RED LEDGES PHASE 2 SUBDIVISION, RECORDED AS ENTRY NO. 338823 IN BOOK 972 AT PAGES 757-806 OF THE OFFICIAL RECORDS OF THE WASATCH COUNTY RECORDERS OFFICE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT SOUTH 89'48'55" WEST, ALONG THE SECTION LINE, 738.30 FEET AND NORTH 2761.58 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 33; THENCE NORTH 69°02'23" EAST 122.99 FEET; THENCE NORTH 28°19'50" WEST 250.83 FEET; THENCE NORTH 14°00'33" WEST 85.48 FEET; THENCE NORTH 07"33'48" WEST 80.75 FEET; THENCE NORTH 10°51'39" WEST 94.82 FEET; THENCE NORTH 19°52'35" EAST 66.33 FEET; THENCE NORTH 37'09'53" EAST 66.84 FEET; THENCE NORTH 63°24'50" EAST 66.92 FEET; THENCE NORTH 89°28'23" EAST 71.24 FEET; THENCE SOUTH 78°35'39" EAST 67.29 FEET; THENCE SOUTH 45°23'36" EAST 81.56 FEET; THENCE SOUTH 30°54'43" EAST 262.97 FEET; THENCE NORTH 35°32'31" EAST 1010.06 FEET TO A POINT ON THE ARC OF A NON- TANGENT CURVE TO THE RIGHT; THENCE SOUTHEASTERLY 142.66 FEET ALONG THE ARC OF SAID 275.00 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARS SOUTH 72°23'44" EAST A DISTANCE OF 141.07 FEET) TO THE NORTHWEST CORNER OF LOT 255 OF RED LEDGES PHASE 2 SUBDIVISION PLAT' THENCE SOUTH 22°52'09" WEST, ALONG THE WESTERLY BOUNDARY OF LOTS 255-250 OF SAID RED LEDGES PHASE 2 SUBDIVISION PLAT, 717.39 FEET TO THE NORTHERLY LINE OF THE TIMPANOGOS CANAL EASEMENT AS SHOWN ON SAID PLAT, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 250 OF SAID RED LEDGES PHASE 2; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 250 AND THE NORTHERLY LINE OF THE TIMPANOGOS CANAL EASEMENT THE FOLLOWING THREE (3) COURSES: 1) 9.54 FEET ALONG THE ARC OF A 79.03 FOOT NON-TANGENT RADIUS CURVE TO THE LEFT (CHORD BEARS SOUTH 55°17'17" EAST 9.54 FEET); 2) SOUTH 58°44'48" EAST 35.12 FEET; 3) 128.50 FEET ALONG THE ARC OF A 549.41 FOOT RADIUS TANGENT CURVE TO THE LEFT (CHORD BEARS SOUTH 65°26'49" EAST 128.21 FEET) TO THE WESTERLY RIGHT OF WAY LINE OF CHIMNEY ROCK ROAD; THENCE SOUTH 21°10'19" WEST ALONG SAID WESTERLY RIGHT OF WAY LINE, 60.09 FEET TO THE SOUTHERLY LINE OF THE TIMPANOGOS CANAL EASEMENT AND THE NORTHEASTERLY CORNER OF LOT 249 OF SAID RED LEDGES PHASE 2 SUBDIVISION PLAT; THENCE ALONG THE NORTHERLY LINE OF SAID LOT 249 AND THE SOUTHERLY LINE OF THE CANAL EASEMENT THE FOLLOWING TWO (2) COURSES: 1) 139.05 FEET ALONG THE ARC OF A 609.41 FOOT NON-TANGENT CURVE TO THE RIGHT (CHORD BEARS NORTH 65°17'01" WEST 138.75 FEET); 2) NORTH 58°44'48" WEST 35.12 FEET TO THE NORTHWEST CORNER OF SAID LOT 249 OF RED LEDGES PHASE 2; THENCE ALONG THE WESTERLY LOT LINES OF LOTS 249-244 OF SAID RED LEDGES PHASE 2 SUBDIVISION PLAT THE FOLLOWING SIX (6) COURSES: 1) SOUTH 23°12'16" WEST 99.81 FEET; 2) SOUTH 33°30'54" WEST 247.10 FEET; 3) SOUTH 63°39'14" WEST 86.11 FEET; 4) SOUTH 73°33'12" WEST 84.00 FEET; 5) SOUTH 09°28'51" EAST 55.53 FEET; 6) SOUTH 29°02'36" WEST 115.02 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF CHIMNEY ROCK ROAD; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING FIVE (5) COURSES: 1) SOUTH 89°25'05" WEST 280.50 FEET; 2) 6.70 FEET ALONG THE ARC OF AN 87.99 FOOT TANGENT RADIUS CURVE TO THE RIGHT (CHORD BEARS NORTH 88°24'06" WEST 6.69 FEET); 3) NORTH 86°13'18" WEST 21.03 FEET; 4) 28.58 FEET ALONG THE ARC OF 28.00 FOOT TANGENT RADIUS CURVE TO THE RIGHT (CHORD BEARS NORTH 56°58'50" WEST 27.36 FEET; 5) 86.78 FEET ALONG THE ARC OF A 92.00 FOOT RADIUS TANGENT REVERSE CURVE TO THE LEFT (CHORD BEARS NORTH 54°45'43 WEST 83.60 FEET); THENCE 25.77 FEET ALONG THE ARC OF A 28.00 FOOT RADIUS TANGENT REVERSE CURVE TO THE RIGHT (CHORD BEARS NORTH 55°25'00" WEST 24.87 FEET TO THE SOUTHWEST CORNER OF THE OPEN SPACE AS SHOWN ON THE RED LEDGES PHASE 2 SUBDIVISION PLAT AND THE POINT OF BEGINNING.

CONTAINS 13.54 ACRES MORE OR LESS

EXHIBIT 2


FUTURE PHASE
OPEN SPACE/
GOLF COURSE
EXISTING 60'
TIMPANOGOS
CANAL EASEMENT
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575 AND BOOK
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Heber City Council
Report by: Anthony L. Kohler
Meeting date: July 19, 2012

Re: Red Ledges Phase 2 Open Space Abandonment Petition

Red Ledges has submitted a petition to abandon a portion of the open space in Phase 2. 2 future phases, Phase 2 B, and a future phase, conflict slightly with the location of the platted open space. This occurred because the Golf Course had to be modified to meet the standards of Jack Nicholas. After the two phases are recorded, Red Ledges would then re-plat the open space to conform to the outline of those two phases. The attached ordinance would abandon the open space as described in exhibit 1.

Utah State Code10-9a-609 (3)

A legislative body may vacate a subdivision or a portion of a subdivision by recording in the county record's office an ordinance describing the subdivision or the portion being vacated.

RED LEDGES

19 June 2012

Heber City Council
75 N Main Street
Heber City, UT 84032

To whom it may concern,

We hereby petition the City Council to vacate the land in the attached legal description (see Exhibit 1) from the Red Ledges Phase 2 Subdivision Plat. As the undersigned owners of this land we hereby consent to this action.

Please feel free to contact us with any questions or additional information. Thank you for your consideration in this matter.

Sincerely,

Todd R. Cates
VP
Red Ledges Land Development, Inc.

Red Ledges Land Development Inc. 1851 East Center St, Heber City, UT 84032
(435) 657-4041 Office (435) 604-7095 Fax