



PETITION FOR AMENDING THE HYDE PARK CITY ZONING MAP

Date Aug 15, 2014

I (we), the undersigned property owner(s), do respectfully request that the Hyde Park Zoning Map be amended as follows:

Address of property to be rezoned 2005 900E Hyde Park, Utah Tax ID: 04-043-0009

Proposed use of rezoned property Residential Development

Rezoning:

From A1 to RE20

Property Owner(s) Signature

Address

Telephone

Jamie Proffitt

1995 Smith Grade

831-426-9023

Santa Cruz CA 95060

X James C. Proffitt

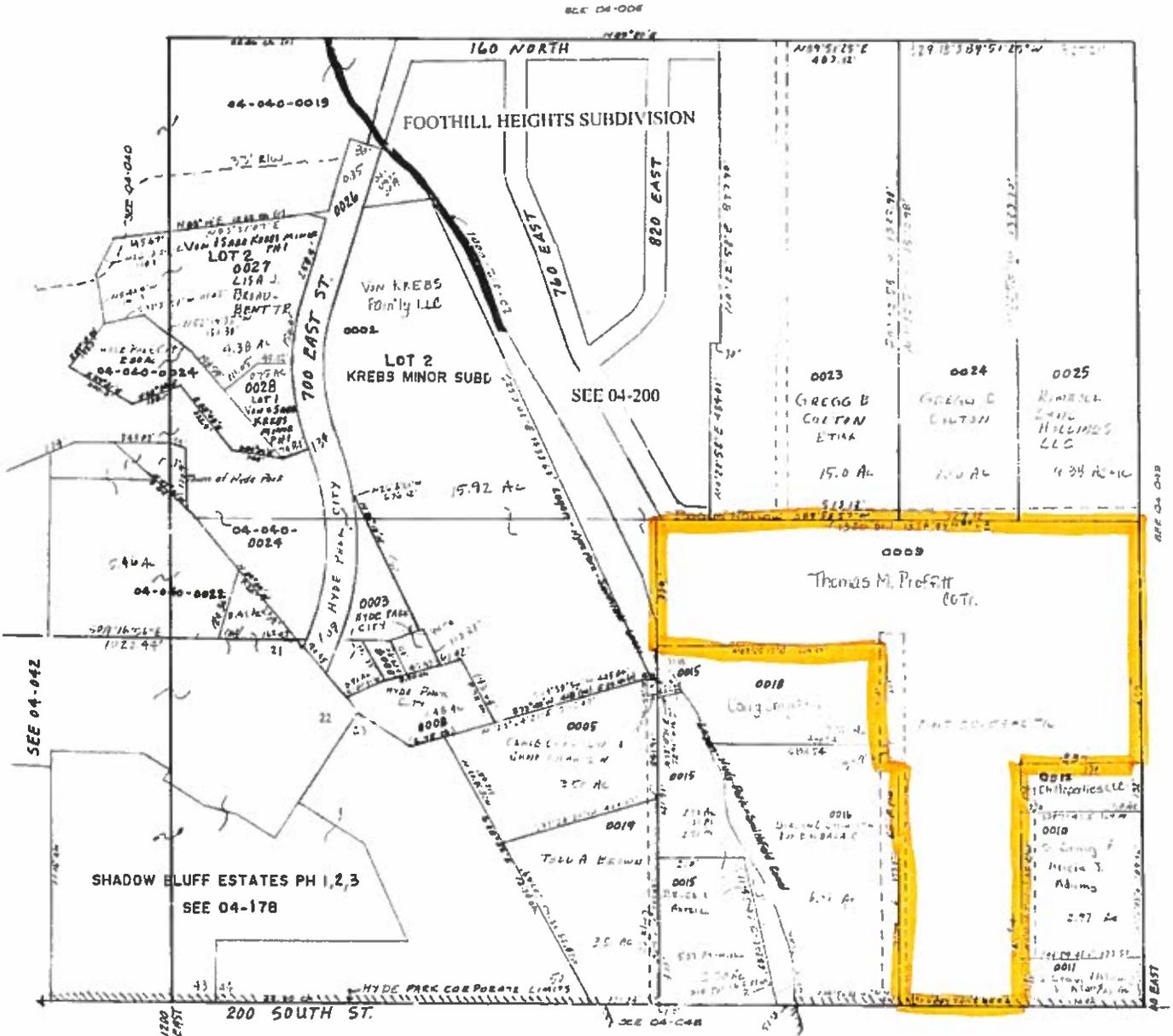
08-16-2016

Note: This Petition must be accompanied by a filing fee of \$150 (Checks should be made payable to Hyde Park City) and a location map which delineates the property to be rezoned. The map should be a scale not less than 200 feet per lineal inch.

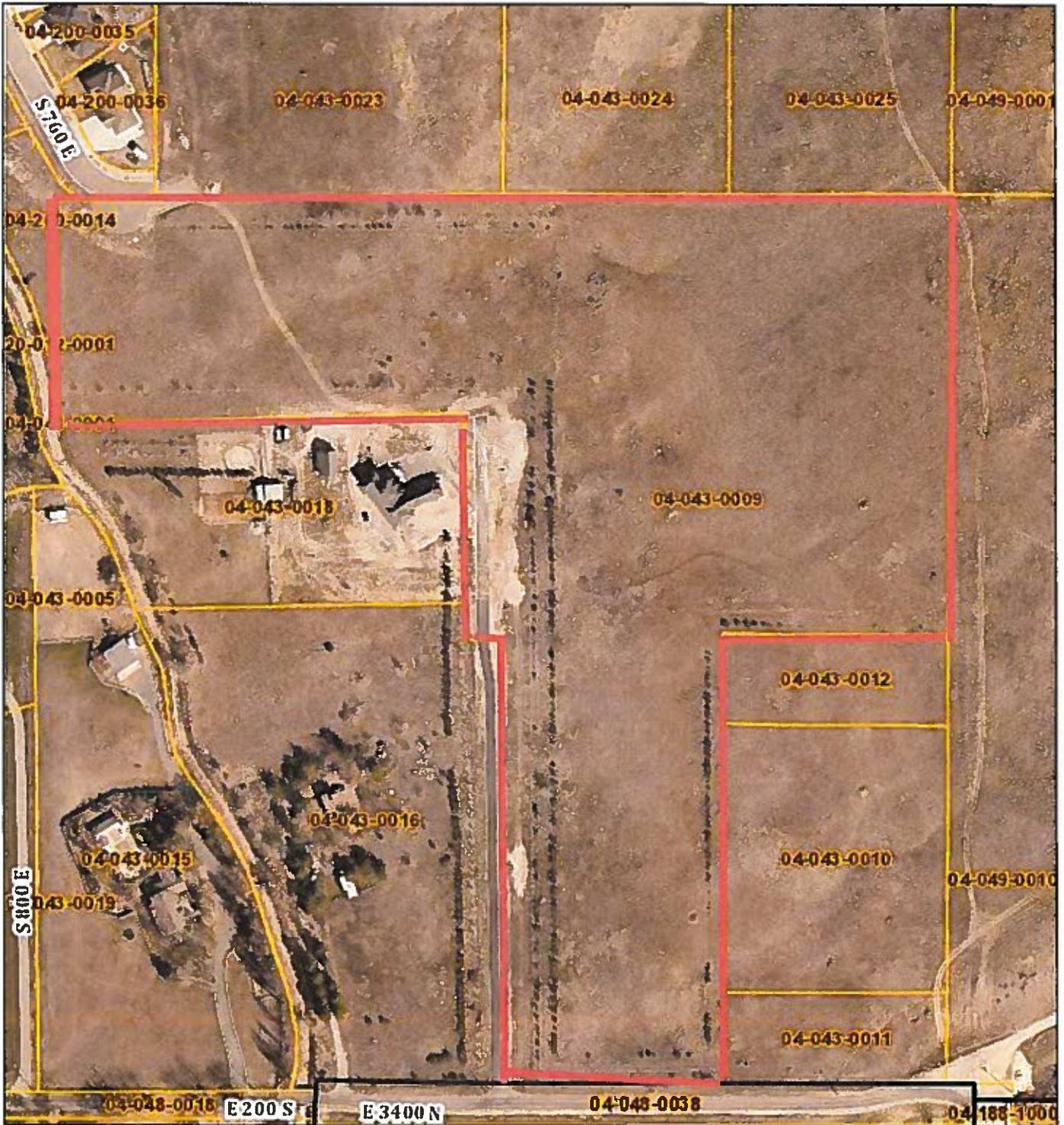
NE<sup>4</sup> Section 11 Township 12 North Range 1 East  
 Scale 1 Inch - 3 Chains

04  
043

TAX UNIT 14



# ArcGIS Web Map

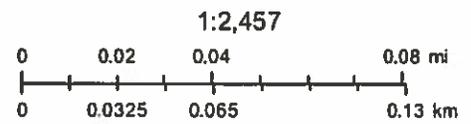


August 18, 2016

## Lines

- Override 1
- Override 2
- Override 3
- County Boundary

- Municipal Boundary
- County Centerline
- Parcel Tax ID Labels
- Cache Parcels



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

**Hyde Park City  
Planning Commission  
July 2, 2008**

The Hyde Park Planning Commission meeting began at 7:00 and was conducted by Chairman Reed Elder.

**Members Present**

Chairman Reed Elder, Mark Lynne, David James, Judy Hawkins, Dave Gatherum, Mark Hurd and Susan Balls, secretary. Dennis Darley was excused

**Others Present**

Councilman Bob Christensen, Judy Allen, Ann Hunt, Jamie Proffitt, Craig & Jane Champlin, Marilyn Murray, Tim Vitale, Tami Vitale, Kris Kvarfordt, Sara Krebs, Von Krebs, David Harris

**Approval of Minutes**

Judy Hawkins made a motion to approve the minutes of the Hyde Park Planning Commission meeting held on June 18, 2008 as written. David James seconded the motion and all voted in favor.

**Building Permit Report**

Chairman Reed Elder reported that the following building permits have been issued:

- |                      |        |                      |
|----------------------|--------|----------------------|
| • Ridge Stone Const. | Home   | 376 East 300 North   |
| • Jaren Taylor       | Home   | 493 East 410 North   |
| • Jeremy Winborg     | Garage | 776 East Canyon Road |
| • Dale Hansen        | Shop   | 20 South 100 East    |

**City Council Report**

Councilman Bob Christensen reported on the City Council meeting held June 25, 2008. The City Council approved the Preliminary Plat for the Anderson Minor Subdivision. In connection with that Bob reported that 100 West had been ground up and was being prepared for widening and new asphalt. The City Council approved the final plat of the Gittins Heritage PUD. They held a public hearing and approved a resolution balancing the budget for fiscal year 2007 – 2008. The City Council also approved the accessory building setback ordinance and the revised subdivision ordinance.

**Jamie Proffitt – Proffitt Family Trust Rezone Request**

Jamie Proffitt has requested a rezone for 20.58 acres more or less at approximately 900 East 200 South from A-1 to RE-20 on behalf of the Proffitt Family Trust. Kris Kvarfordt came with Jamie. He works for Cache Landmark Engineering. He presented information to the commission regarding roads planned on the Master Road Plan and parcels adjacent to this property that are already rezoned to RE-20.

Reed Elder opened the public hearing. Craig Champlin said that he is concerned about the 200 South road. It is used very heavily and the City needs to do something about the safety issue before they increase the traffic on it. Craig feels that 1200 East in North Logan should be

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July 2, 2008**

improved and that the City should put in 3100 North. There is a very narrow, poorly constructed bridge on 200 South near his home. It is time for the City to take care of infrastructure. They cannot continue to compromise the public safety.

Tim Vitale has similar concerns as Craig. He lives on Center Street. The increase in traffic with the recent development of the Foothill Heights subdivision has impacted him greatly. The trucks are fast and loud. The City should be concerned about the cultural definition of the City. What is the City doing to protect its citizens?

Judy Allen moved to 200 South 30 years ago. For the last 25 years she has been concerned about safety on 200 South. Judy reviewed the history of development on 200 South. They have been promised a sidewalk for years but nothing has been done. North Logan is growing very rapidly on their North East bench. All of that traffic is forced to use 200 South in Hyde Park if they are northbound. She feels the solution would be to extend 3100 North to the Highway. Judy questioned why tax dollars were spent to pay for a bridge and road on 700 East but 200 South has not been improved.

Mark Lynne told Judy that impact fees paid for the bridge, not the general tax dollars. Judy said she would like verification of that.

Sally Krebs said that they live on 200 South. She said that she comes regularly to City Council to ask about the sidewalk on 200 South. The traffic has increased significantly. She walks the road on a regular basis and is concerned for her safety.

Ann Hunt said that she has lived on 400 East for 20 years. She keeps hearing about more North and South outlets, but nothing has happened. She also is seeing an increase in large truck traffic in front of her home.

Dave Harris said he is developing a subdivision north of the proposed rezone. He requests that the city look to the future. The trucks working in his development are finding it difficult to get out. He encourages the city to plan arterial roads.

Reed Elder closed the public hearing. He explained that 200 South has always been a problem. The City has tried to get 200 South improved with sidewalk etc, but that some of the property owners have not been willing to work with the city. There have been funds allocated this fiscal year to begin improvements on 200 South.

Bob Christensen said the City is currently getting bids for 200 South to be widened and sidewalk installed from 250 East to 400 East. The sidewalk will be installed on the north side. Bob explained that Hyde Park is a small community. We don't have a lot of businesses providing us the tax base that North Logan has. We can't install roads without increasing the taxes. We can use impact fees, but we only receive them as development occurs.

Reed Elder said that the City needs subdividers to put in new infrastructure. He believes that the Foothill Heights subdivision is making good connections. He said his goal would be to not have

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**July 2, 2008**

any additional 1-acre lots about the canal due to water issues. The lots should be denser to reduce water usage. <sup>above?</sup>

Judy Allen said that the General Plan says that growth should not exceed 2.5%. Where does the City stand with keeping to that? Reed said that the General Plan is only a recommendation. According to State Law the City cannot mandate that growth does not exceed a certain percentage. The only way the city can prohibit growth is if there were sewer or water issues that would be impacted by growth. Reed acknowledges that there is a problem with 200 South, but he feels we are close to solving the issue.

Judy Hawkins asked if there was a water pressure problem in this area. It was explained that Sunrise Engineering has recently completed a study and the city is in good shape with its water resources. Judy feels that zoning is a way to manage growth. There is an impact to services with all development.

Judy Allen asked if there was a priority list of road to be built. Mark Lynne said that 700 East became a priority 5 – 6 years ago. The Greystone Subdivision had just one entrance / exit and this was a means of providing a second access. 450 North then became a priority. It is currently being worked on. Development is happening on the southwest corner of town. The priority now is 100 West being improved to North Logan. Mark believes that the Proffitt property would be a benefit to connect Foothill Heights to 1600 East in North Logan.

Mark also believes that we should not approve any 1-acre lots above the canal. It is hard to provide water and the additional land becomes a fire hazard.

David James agrees that 200 South is a safety hazard. He grew up there. He has watched the issue and it is time for the City to find a solution. He believes that the solution lies in extending 3100 North to the Highway. He wants to understand where the City Council is on this issue. David would recommend that we continue this issue.

Dave Gatherum said he lives on 200 South. Safety is an issue, but he also doesn't want big lots. He would like to continue this issue also to see what direction the City Council plans to take.

Mark Hurd said he agrees that there is a safety concern on 200 South. He also has a problem with large lots above the canal. He would like to continue to find out where the City Council sits on this.

Reed thanked the residents for coming to the meeting. He told them that the City Council makes the final decision but that the Planning Commission is the recommending body.

David James made a motion to continue the issue to see if the City Council can give them some feedback regarding their commitment to solving the problems on 200 South. Dave Gatherum seconded the motion. All members voted in favor.

David James said that he would be more willing to approve this rezone if the City Council could specify that all impact fees with this development would go to develop a specific road.

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**July 2, 2008**

Craig Champlin said he is not against this development. He doesn't like one-acre lots above the canal, but before we keep adding problems, lets have a solution for down stream. Reed Elder encouraged the citizen to come to the City Council meeting next Wednesday.

**Jed and Marilyn Murray Lot Split Subdivision**

Jed and Marilyn Murray have submitted the preliminary plat for their lot split subdivision at 400 East 450 North. Reed opened the public hearing. There were no comments. He closed the public hearing. The Commission reviewed the preliminary plat. The open space is shown. All appears to be in accordance with the ordinance. Mark Lynne made a motion to approve the preliminary plat with the condition that the driveway access for lot #2 is on 475 East and not on 450 North. David James seconded the motion and all vote in favor.

**General Plan**

Reed asked all commission members to e-mail their revised sections to Susan so that they could be put together into a combined document for review.

**Traffic Issues**

Judy Hawkins said that she has looked at an alternate route to alleviate traffic on 400 East. She believes if 400 East was designated a one-way southbound street from 300 North to 200 South and 200 South was one-way westbound from 400 East to 250 East that would relieve some pressure off of the traffic problems. Judy will draw a map with details for the commission.

David James made a motion to adjourn. Mark Lynne seconded the motion and all voted in favor. Meeting adjourned at 8:30 p.m.

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Susan Balls

**Hyde Park City  
Planning Commission  
July 16, 2008**

The Hyde Park Planning Commission meeting began at 7:00 and was conducted by Chairman Reed Elder.

**Members Present**

Chairman Reed Elder, Mark Lynne, Dennis Darley, David James, Judy Hawkins, Dave Gatherum, Mark Hurd and Susan Balls, secretary

**Others Present**

Councilman Bob Christensen, Linda Corbridge, Keith Corbridge, Jim Grewe, Judy Allen, Michelle Hamp, Kyle Nielsen, Angie Johnson, Krystal Anderson, Ryan Anderson, Terrell Anderson, Shane Calder, Ben Balls, Robert Balls, Sam Balls

**Approval of Minutes**

Mark Lynne made a motion to approve the minutes of the Hyde Park Planning Commission meeting on July 2, 2008 as written with a minor correction. Judy Hawkins seconded the motion and all voted in favor.

**City Council Report**

Councilman Bob Christensen reported on the City Council meeting held July 9, 2008. Scott Archibald of Sunrise Engineering presented a preliminary water study. He reviewed the City owned wells and water rights with a 40-year projection. He reports that the City is in very good shape. The Council discussed 200 South and priorities in regards to roads. The City Council realizes the impact of development on 200 South. They currently have planned to install a sidewalk and widen the road from 250 East to 400 East. The Council is discussing installing sidewalk with the property owners from 400 East to the Church. There is no plan currently but they are working on it. The discussion of the Master Road Plan was continued to their next meeting.

Judy Allen said that she felt the issue was 3100 North as much as 200 South. She would like to see the city commit to solving the safety problem.

**Building Permit Report**

Chairman Reed Elder reported that the following building permits have been issued:

- |                  |             |                        |
|------------------|-------------|------------------------|
| • Robertson Mfg. | Batch Plant | 207 West 3700 North #G |
| • Bruce Godfrey  | Shed        | 260 East 300 North     |
| • Galo Ramirez   | Shed        | 161 West 300 South     |
| • Co-Ax          | Home        | 272 West 260 North     |

**Continuation of Rezone Request – Jamie Proffitt**

Jamie Proffitt's request to rezone 20.58 acres, more or less at approximately 900 East 200 South from A-1 to RE-20 was continued from the Planning Commission meeting held July 2. Reed Elder said that he talked to the City Council and told them he felt that rezoning this parcel allowed for better use of the property due to water issues east of the canal. He also feels that this will allow for continuation of the 1600 East road pattern and traffic can move directly to Logan

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and not through Hyde Park City. We can control the way a subdivision is built on this parcel and minimize the impact on the City.

Mark Hurd said that he has a concern of traffic on 200 South when a subdivision eventually is built on this parcel, however it makes sense to him that the property is rezoned to make smaller lots with the water issues.

Dave Gatherum said that he would echo Mark. He feels that smaller lots in areas without water maintain the look of the City. He said that overall he feels it is wise to approve the rezone.

Dennis Darley said that 200 South is a concern and has been for a long time. He feels that the property needs to be rezoned, but now is not the time. North Logan is building many homes that are impacting 200 South and that is not helping the situation.

David James said that he agrees there are issues on 200 South, but that the right-of-way on 200 South varies from 35' to 42'. A corridor really needs 80' right-of-way. 3100 North is the crucial road in his mind. David said that he doesn't have a problem with the rezone, but as the proposed subdivision moves forward the City needs to be proactive. Everyone will be impacted.

Mark Lynne said that he is for the rezone. It doesn't make sense to have acreage with no water. This will help get 1600 East in and take the pressure off of 400 East.

Judy Hawkins said that zoning is the only tool the City has to manage growth. If you have fewer homes the impact is not as great. She said that she was in a city meeting before the Stake Center was built and improvements were promised that have never happened.

Reed Elder said that several years ago the City allocated money for improvements on 200 South and had plans drawn up but had problems getting property along with other issues that prevented them from completing the project.

David James asked that Bob Christensen speak to the City Council regarding shuffling impact fee money to get more funds into streets and sidewalks and not so much in parks.

Mark Lynne made a motion to recommend rezone of this parcel from A-1 to RE-20 and ask that the City Council consider earmarking the road impact fees obtained from this subdivision to improve the north side of the 200 South road from the Shadow Bluff Subdivision to this parcel.

David James seconded the motion. Mark Lynne, Reed Elder and David James voted yes.

Dennis Darley and Judy Hawkins voted no. The motion carries 3 – 2. The Planning Commission will recommend that the City Council rezone 20.58 acres, more or less at approximately 900 East 200 South from A-1 to RE-20.

**Anderson Minor Subdivision – Final Plat**

The Anderson and Johnson families have submitted a final plat for their 3-lot subdivision at approximately 100 West 400 South. A note has been added to the final plat and a contract will be signed guaranteeing that the improvements on 50 East across the frontage of Lot 1 are done in the future when that road is improved by the owner of Lot 1. Judy Hawkins asked why the open space was designated to remain in perpetuity since there was no need for open space because the lots were all conforming to an A-1 zone. It was suggested that the Anderson's take the words "to remain in perpetuity" off of the plat.

**Proffitt Family Trust – Rezone Request**

The Proffitt Family Trust, which is represented by Jamie Proffitt, has submitted a rezone request to Hyde Park City to rezone 20.58 acres of property located at approximately 900 East and 200 South from A-1 to RE-20. Jamie Proffitt, and Kris Kvarfordt, from Cache Landmark Engineering, appeared at a public hearing, held by the Planning Commission on July 2<sup>nd</sup>, 2008, to present information on the rezone request in regard to the roads that are planned on the Master Road Plan, and the parcels of property adjacent to this property, that have been rezoned to RE-20. At that public hearing, the rezone request was continued until the City Council could give the Planning Commission some feedback in regard as to what is going to be done to improve safety on the 200 South Street. At the Planning Commission meeting held on July 16<sup>th</sup>, 2008, it was recommended that the rezone request be approved, with the condition that the City earmark the road impact fees obtained from the proposed subdivision to improve the north side of 200 South, from the Shadow Bluff Subdivision to Proffitt property. The Mayor and the Council reviewed and discussed their concerns about safety on 200 South, and the impact that approving another subdivision would create on that street. Mr. Kvarfordt displayed a map of the roads, and other improvements that would be made in that area. Jamie Proffitt told the Council that his family would like to see the request approved, and be a part of the growth in the City. Judy Hawkins said, that she feels the City should manage growth through good zoning, and feels there hasn't been an attempt made by the City Council to manage that growth. Mayor Kooyman said that the Cache County Council had approved a \$15 million dollar bond at their meeting on August 12<sup>th</sup>, that would funnel funds toward the improvement of the roads between 8<sup>th</sup> and 12<sup>th</sup> East next year, or early the next year. The Mayor and the Council also discussed the possibility of the Proffitt family paying the road impact fees before development on the proposed subdivision begins. Council member Bryan Cox feels that the City should let North Logan know the impact their growth is having on Hyde Park. The Council discussed the development of the 16<sup>th</sup> East road, creating traffic movement, the ingress and egress of traffic, when the proposed subdivision is going to be built, and the importance of enforcing the City's Subdivision Ordinance. Council member Wheeler said, that he felt that it was very important to do some work on 200 South before the City moves forward on the approval of the rezone request. Council member Kelly said that he feels that the proposed improvements on 200 South won't reduce the problems on it. Council member Cox said that there isn't a problem with sewer or water capacity in that area of the City, would like to see the City maintain an open and rural feeling, and see what the City is able to do in regard to improving 200 South before approving the rezone request. Council member Bryan Cox moved that the Hyde Park City Council continue discussion on the approval of the Proffitt Family rezone request at a future City Council meeting. Council member Robert Christensen seconded the motion. Council members Wheeler, Johnson, Christensen, and Cox voted in favor of the motion and, Council member Kelly was opposed. The motion carried 4 to 1.

year. This bond, if approved, would authorize Cache County to issue general obligation bonds in an amount that would not exceed ten million dollars (\$10,000,000.00). The purpose of financing this bond is to purchase land, or interests in land for the use of open space to maintain air and water quality, working farms and ranches, wildlife habitat, outdoor recreation and trails, and related improvements. The property tax increase on an average sized residence valued at \$170,000.00 would be \$16.50 per year, and \$30.00 a year on a \$170,000.00 business. There would be a citizens' advisory committee appointed by the Cache County Council to make recommendations on procedures and allocations that reflect community priorities, and all expenditures will be subject to an annual public audit. Dave also discussed and explained conservation easements, developmental rights, and public access. Dave feels this proposition is essential to conserve the natural resources and our heritage.

**David James** also appeared before the Council to discuss his concerns about the Cache County Special Bond - #1 Proposition, and the possibility of it being approved. He feels that we should say no to higher property taxes. He feels that the proposed \$10 million bond would create a real hardship on the residents of the County, given the state of the economy, and that it will not benefit the public. He said that for every acre of land preserved, development shifts to another acre, and in the end the same amount of land is developed, and the same amount is protected. City and County planners think the open space will be urban corridors, and the wildlife advocates think that land near streams and rivers will be set aside. David has concerns about the taxpayer paying for the open space, with no guarantee of where the money will be spent, and not having the ability in determining what land will be preserved and what will not. David feels that this additional property tax should not be imposed on property owners, and to vote "NO" to Proposition #1.

**Proffitt Family Rezone Request – City Council – Discussion and Possible Approval**  
Mayor Kooyman reviewed the Proffitt Family Rezone Request, in regard as to what had been discussed and done up to this point. The City moved to continue discussion on the approval or denial of the rezone request on August 13<sup>th</sup>, 2008. The Proffitt Family is now asking the City Council to make a decision on the request. The Council voted to continue discussion on the request because they wanted to study the impact more development would have on 200 South, what could be done to improve safety, and what could be done to make the needed improvements on the road. The Council discussed additional road width, improved safety for pedestrians, the narrowness of the bridges, getting traffic off of 200 South, and the construction of the 600 South road. The Council also wanted it noted that the improvements that have been made on 200 South will have ~~with~~ little safety impact on the Proffitt rezone request because this project is east of the improvements. The Council also discussed the amendments being made to the General Plan, spot zoning, different sized zones, not allowing growth without the ability to work with it, the price and availability of water, the increased expense of water east of the canal due to City

policy, and the need to review the water use policy. **Jamie Proffitt** told the Council that his family has been waiting three years to get the rezone approved, and mentioned the rezoning that has been approved on the surrounding property. **Kris Kaurfordt**, the Proffitt family engineer, discussed building the development in phases, a different access to the development, less water usage on smaller lots, and working with the City in regard to the amended general plan. Council member Robert Christensen moved that the Hyde Park City Council approve the Proffitt Family Trust rezone request for property located at approximately 900 East and 200 South in Hyde Park, Utah, from A-1 to RE-20. Council member Bryan Cox seconded the motion. Council members Robert Christensen and Bryan Cox voted in favor of the motion, and Council members Carol Johnson, Brent Kelly, and Charles Wheeler were opposed. The Proffitt Family Trust rezone request was denied 3 - 2.

**Sunrise Engineering – Scott Archibald – Update on the design of the new Hyde Park City culinary water tanks**

Scott Archibald from Sunrise Engineering appeared before the City Council to present an update on the design of the new City culinary water tank. He said that the work on the tank is moving forward and suggested that the City work toward the purchase of additional property for the new tank. Scott and the Council discussed various properties that could be purchased, obtaining a construction easement, the soils study, the cost of burying the tank, maintaining a safe construction site, mitigating property damage to adjoining property owners, and the economy in regard to building the tank now. It was decided that the City would work toward the purchase of property for the tank, and move forward in obtaining bids for the project as soon the design of the tank is completed.

**Departments**

**Storm Water-** Mayor Kooyman reported to the Council that he had attended a Storm Water Management meeting with representatives from Smithfield City, Logan City, and North Logan City. He said three flues will be installed and they will be tracking the amount of water in each canal at the point where the canal exists Hyde Park City. Council member Brent Kelly is going to move forward on the storm water management program for the City.

**Roads and Parks** - Council member Wheeler reported that the road improvements on 200 South from 250 East to 400 East are almost complete. The Parsons Construction Company has committed to install asphalt on the trail in Lions Park, and work is continuing on seeding the grass and wildflowers in the park.

**Emergency Preparedness** – Council member Johnson said that they are working on obtaining a bid for the conversion of the natural gas tank in the emergency preparedness

**The Proffitt Trust**  
**James C. Proffitt, Trustee**  
**1995 Smith Grade**  
**Santa Cruz, California 95060**  
**Ph. (831) 426-9023**

Hyde Park City Council  
113 East Hyde Park Lane  
P.O. Box 489  
Hyde Park, Utah 84318

7 2008  
Sept. 6, 2008

Dear Mayor Kooyman and City Council Members,

Our family appreciates your consideration of our application for rezoning our parcel from the present A-1 zoning to RE-20. The parcel is located at 900 East 200 South in Hyde Park. This is our second application for rezoning. In both cases our applications were prompted by the City's approval for rezoning of parcels near or bordering our property. In our first and second application hearings the issue of traffic flow on 2<sup>nd</sup> South has been raised. It would appear that as development continues in North Logan the conditions on 2<sup>nd</sup> South will become worse whether our parcel is rezoned or not. It is troubling to us that very little has been done to correct these problems since our last application but other parcels, which will impact this street, have been approved for rezoning.

We have been in contact with all our neighbors and have demonstrated a willingness to work together on any issue that would be associated with development of our property. We feel that a development project on our property could be the very thing that helps solve some of the problems with 2<sup>nd</sup> South. Up to this point we feel that we have been placed the confusing position of being denied approval for rezoning and development because of difficulties with 2<sup>nd</sup> South but those problems will not be fixed until development takes place to fix them. We have been good neighbors. Please let us do our part to help Hyde Park fix some of these problems and develop the kind of neighborhood that we all can be proud of. With your positive leadership, working with the county, North Logan, our family and our neighbors we feel that these obstacles can be overcome. We hope you will approve our application. Thank you for your consideration.

Sincerely,



James C. Proffitt, Trustee- The Proffitt Trust