



Smithfield City Corporation

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APPLICATION FOR APPEAL AUTHORITY & OTHER CONSIDERATIONS

Name of Applicant <i>Creekside Estates Subdivision LLC</i>		Applicant Address <i>367 W. 200 S. Smithfield, UT 84335-2111</i>		
Property Address <i>800 W. 100 S.</i>		Applicant Phone <i>435 757 0436</i>		
City, State, Zip <i>Smithfield UT 84335</i>		Applicant e-mail <i>DUANE@RND Properties.com</i>		
Zone <i>COUNTY</i>	Parcel/ Tax ID# <i>08-091-0008</i>	Variance ☐	Appeal ☐	C,G & S Waiver ☒
Description of Request <i>SEE ATTACHED.</i>				

Attach additional sheets if needed.

Site plan required for variance and curb, gutter & sidewalk waiver requests

Signature of Applicant *Duane Williams* Date: *3/4/19*

Office Use Only

Application Fee: <i>\$75.00</i>	Receipt No. <i>5007797</i>
Received By: <i>Char</i>	Date: <i>3-6-19</i>

Dear Smithfield Planning and Zoning/City Council,

Re: Reconsideration of request for waiver of Curb/Gutter and Sidewalk for Creekside Estates Subdivision LLC along 800 W. Approval of road profile around Summit Creek Bridge on 800 W and approximately 100 S.

Waiver of Curb/Gutter and Sidewalk.

Since our initial request to the city for waiver of C/G and S, our surveyor has gone and staked out property boundaries. Our engineers have also run calculations on water drainage issues caused by the addition of curbing. We would like to present both of these additional pieces of information to the city as well as some other points to be considered. We would appreciate the city taking a second look at Creekside Estates to see if it would be best served without C/G and S.

- Agriculture disruption. The addition of sidewalk and the related park strip takes out about $\frac{1}{4}$ acre of agriculture production. It places the sidewalk directly over the risers that are currently used for watering. It would add significant costs and the approval of the Smithfield Irrigation company to relocate their main irrigation line that feeds other ag producers on the west side.
- Sidewalk maintenance. The sidewalk will be 500-800 feet from most of the homes (this distance is nearly a Smithfield City block). The area along 800 West will continue to be farmed. The park strip and sidewalk would need to be maintained so that it doesn't become overrun with weeds. If the lots were in the city, then city code would require lot owners to maintain the sidewalks and park strip. Being in the county, it would be left to Smithfield City to maintain their ground there. I would see this as additional costs and future maintenance planting grass and trees in the park strip, mowing regularly, and watering and well as shoveling the sidewalk in the winter. Is this something that Smithfield City wants to maintain for the future?
- Sidewalk inconsistency and liability. Currently all Smithfield residents live on the east side of 800 W. Being on the west side would only serve our new development. The sidewalk would have several interruptions. It would not connect on the north or south side. If Smithfield was willing to fill in the gaps, ie.....pay for sidewalk to the next intersection on the south, pay for a pedestrian bridge across Summit creek, pay for sidewalk in front of the Hess home and pay for sidewalk on the West ag ground..... then it would make sense. But, I don't think this is a priority. There is very little pedestrian traffic on that road. There are certainly other areas in Smithfield that would be better served.
- Curb/Gutter. There are no really significant issues with the curbing/gutter. It does require the addition of two or three box culverts and a small drainage area to catch storm water before it would be channeled into the creek or a neighboring field. The current system has been working

good for a 100 years. The water runs into the field. Since we are maintaining the fields along 800 W., we propose to keep the drainage system as is.

Curb/Gutter and Sidewalk....In conclusion. We ask the city to reconsider our request for a waiver of C/G and S along the Creekside Estates frontage. We would like to continue using the irrigation risers and continue agriculture production in this area. In doing so, we conserve development and Smithfield resources. It will maintain the current agricultural feel of west Smithfield and it will keep Smithfield City from incurring potential liabilities from a sidewalk that is not well used, connected or maintained.

Approval of road profile around Summit Creek Bridge on 800 W and approximately 100 S.

We would like to discuss and ask for approval of the road profile around the Summit Creek bridge. We have found that the current road profile of 800 W. "wanders" a little bit in the 66' road right of way. We are planning to add 3 feet to 10 feet of road on the west side of 800 W. We would like to leave the area around the bridge as is.... We have reviewed the potential of scabbing onto the bridge with several contractors. This is not an easy undertaking. There would be major demolition to the current structure on the west side of the bridge. The large concrete wing walls that provide bank stability would have to be demolished. The large apron that keeps the water from eroding away under the bridge would have to be cut and removed. The retaining wall and steel irrigation line would have to be cut and removed. The engineering, demolition and construction of the additional 8-10' of bridge would cost \$55k-\$65k. Our 800 W. bridge is relatively wide and well-built considering the two neighboring bridges on 4th west and 12th west. Because this is a major expense, we have also gotten legal advice from both our private attorney and the state property rights Ombudsman. Our understanding is that the bridge is a public facility that serves the public and should be paid for by the public similar to a water tank or city park. Unless Smithfield City is wanting to pay for a new bridge right now, we would like to propose a road profile that utilizes the current bridge as is. Our road contractor would widen 800 W to the normal road profile except as it approaches the bridge we would narrow the road profile to match the bridge. We would start this narrowing process 200' to the north of the bridge and gradually expand back over the 200' on the south side of the bridge. We would trim back trees that have started to encroach the bridge.

Widening the pavement in front of the Hess home.

If Smithfield would consider the approval of the two prior requests we would like to offer to pay for pavement in front of the Hess home. This would make a nice uniform road across the entire project.

Thanks, Duane Williams Creekside Estates 435.757.0436

CREEK SIDE
ESTATES
SITE
PLAN

LOT 1

200'
TAPER INTO
NORMAL ROAD
PROFILE

PRIVATE
DRIVEWAY

197'

CURRENT
RAIL
SIGNS

CREEK

200'
TAPER INTO
NORMAL ROAD
PROFILE

NEW
ASPHALT
~ 7' WIDE

NO CURB
GUTTER
OR SIDEWALK
ADDED

LOT 4

PRIVATE
DRIVEWAY

LOT 6

300'

LOT 7

NEW ASPHALT
~ 3' WIDE

DRIVE
WAY

NEW ASPHALT
~ 7' WIDE

BRIDGE

CREEK

ROBERT LOW

100 S. STREET

DAVID CONNIE
PRICE

PRICE

CROSSLEY

BUCHANAN

800' W

543'

132'