

Heber City Corporation
City Council Meeting
October 5, 2006

7:00 p.m.

REGULAR MEETING

The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** on 10/05/2006, in the City Council Chambers in Heber City, Utah.

Excused:	Mayor	David R. Phillips
Present:	Council Members	Vaun Shelton Shari Lazenby Jeffery Bradshaw Elizabeth Hokanson
Excused:	Council Member	Terry Wm. Lange
Also Present:	City Manager City Recorder City Engineer City Planner Chief of Police	Mark K. Anderson Paulette Thurber Bart Mumford Allen Fawcett Ed Rhoades

Others Present: Irene Hastings, Jennifer Kohler, Michael Thurber, Shelton Taylor, Annie Bruehl, Mike Johnston, Neil Anderton, and Kendall Crittenden.

Pledge of Allegiance: Councilmember Shari Lazenby
Prayer: Councilmember Elizabeth Hokanson

Minutes: September 21, 2006 Work Meeting
September 21, 2006 Regular Meeting

Councilmember Hokanson moved to approve the minutes of the September 21, 2006, Work Meeting and Regular Meeting. Councilmember Bradshaw made the second. The voting was unanimous in the affirmative. Councilmember Lange was absent.

OPEN PERIOD FOR PUBLIC COMMENT

Mayor Pro Tempore Shelton asked if there was anyone wanting to make comments. Irene Hastings told the Council of a presentation on skate board parks which was scheduled for next week. Mayor Pro Tempore Shelton told Mrs. Hastings that the presentation had been presented to them as a Council a few weeks earlier and that the presentation next week would be to the Interlocal Governments Meeting. Mrs. Hastings encouraged the Council to attend this presentation, as well.

APPOINTMENTS

Jim Hicken – Appeal on requirement to extend a sewer line at approximately 500 East and 475 South: this has been resolved so this was cancelled. Hicken had told Anderson he thought he had come up with a way to sewer his project without extending the line. Consequently, he had cancelled his appointment. Anderson told Hicken whatever he did, he had to make sure it met the satisfaction of Bart Mumford and/or Steve Tozier.

ACTION ITEMS

Ordinance 2006-18 – An Ordinance annexing property known as the McNeel Schneider Property – Property located at 950 South 800 East and containing 24.062 acres of land (Public Hearing Closed but discussion continued from the September 21, 2006, City Council Meeting): Councilmember Bradshaw moved to continue this agenda item to the October 19, 2006, meeting. Councilmember Lazenby made the second. There was no discussion. Voting AYE: Vaun Shelton, Shari Lazenby, Jeff Bradshaw and Elizabeth Hokanson. Councilmember Lange was absent.

Ordinance 2006-19 – An Ordinance to consider Amending the Heber City General Plan as follows:

1) Consideration of an amendment to the General Plan – Low Density to Moderate Density – Properties fronting the south side of Center Street between 600 East to 1000 East

It was explained the Planning Commission had recommended a change to the General Plan as described. Fawcett explained the property was located east of the old hospital. He indicated the Planning Department had been looking at the area for redevelopment. He said the lots were about 300' deep. He discussed Lake Creek Road being widened and that the zoning across the street from this area was R-2. He felt changing this area on the General Plan to Moderate Density and the zoning to R-2 should be considered. He explained, however, the General Plan had to be amended before the zoning could be changed.

Councilmember Hokanson discussed the Planning Commission report which indicated there was a 4 to 3 vote. She asked what the discussion was. Fawcett said there was some concern about the "tail end driving the front end". (the developer's property is on the end) Fawcett said there was no opposition from the public.

Shelton Taylor said he had attended that Planning Commission meeting and there were a lot of people in attendance. He said Sherm Christen was concerned because Nelson Carter was the only property owner at the meeting, why none of the other property owners were there, and why Carter, being the smallest property owner, was the one driving this issue even though he had the least amount of property. He indicated Commissioner Nelsen didn't like the map and consequently voted against the issue. Discussion about the size of the lots and that those lot sizes were not going to change—they were staying the same size. He agreed with Fawcett that this basically just continued the zoning across the street from Timp Meadows. Shelton said it would create a similar corridor as one drives down that road.

Councilmember Bradshaw said that particular strip would be out of place when the rest of the development in the area was complete, if not changed. Taylor agreed. Councilmember Bradshaw continued it was entirely in keeping with the existing area. He thought it benefited the City to keep the development similar to surrounding areas. Fawcett indicated the frontage of these particular lots would be as R-1 required even though they were zoned R-2. He said some of the

lots were in excess of 10,000 sq. feet, as well. A concept map was passed out by Taylor. Discussion about the depth of the lots.

Councilmember Lazenby moved to approve changing the General Plan from Low Density to Moderate Density on properties fronting the south side of Center Street between 600 East to 1000 East. Councilmember Bradshaw made the second. The motion and second were withdrawn until the second part of the agenda item could be discussed.

2) Consideration of an amendment to the General Plan from Highway Commercial, Moderate Density Residential and High Density Residential to Highway Commercial and High Density Residential on properties located between 500 and 600 East at 1200 South:

Fawcett discussed this piece of property and showed on an overhead its proximity to the property the high school had purchased. Discussion about possible commercial development in the area. He explained that when the school purchased the property for a proposed high school, that took away a large amount of property that would have been residential. Fawcett discussed what Russ Watts wanted to do with his property by making more density on part of it to make up for the loss of high density residential property on the property the school district had purchased.

Councilmember Lazenby moved to approve Ordinance 2006-19 as recommended by the Planning Commission. Councilmember Bradshaw made the second. Councilmember Hokanson expressed some concern with the density in the area of the high school. Voting AYE: Vaun Shelton, Shari Lazenby and Jeff Bradshaw. Voting NAY: Elizabeth Hokanson. Motion passed.

Ordinance 2006-20 – An Ordinance to consider an Amendment to the Zoning Map - Property located on the south side of Center Street between 600 East to 1000 East – Existing zoning R-1 Residential; Proposed zoning R-2 Residential: Jennifer Kohler, Chamber of Commerce, indicated the need for more rental property in the City. She said there was some concern expressed at the Planning Commission level about crime, etc., with apartment complexes. She talked about the concept plan for this property. She said the Housing Authority had been given grant monies for senior housing. She said she was hoping this concept would go through because there wasn't really any where else to put senior housing. She said she was in favor of the zone change and would like to see Russ Watts' concept plan put into place even though the Planning Commission did not want apartments. She felt apartments, condos and assisted living housing was a good mix.

Lee Murdock indicated he had attended the Planning Commission meeting when this issue was discussed. He said he brought up some concerns at that meeting as well as a petition with many names on it which indicated the concern of many people. He said approving this change could show this was a deliberate move on the City's part to accommodate this particular developer. Murdock talked about 900 people plus the high school created 8000 vehicle trips a day. He said there was not enough transportation accommodation for that kind of traffic in that area. He indicated that this area was initially zoned as commercial because of discussion about a college in the area. He pointed out this development was on the furthest corner of the City and he stated, "What we are going to do is plan infrastructure on that furthest corner." He felt that if this was developed, nothing else could be considered on the rest of that property. He said his biggest concern was transportation. Murdock pointed out the residential to commercial was not proportionate.

Fawcett said Watts was on the next planning agenda with a concept that did not include apartments. Fawcett argued what the Planning Department and Planning Commission were doing was re-planning the area to reflect the changes in the area such as the library and the high school. He said there probably wouldn't be the magnitude of commercial as depicted on the map.

Murdock felt the end result would still be a spot zone. Fawcett indicated that during the last Legislative Session there was a change in the definition of spot zone. He reviewed that change. Murdock said that in his opinion, this could be shown in support of this particular developer. Mike Johnston indicated he had no connection to this project or to Russ Watts. He thought, though, it was a wonderful place to put higher density in the City. He felt 1200 South was the best road to put traffic on. Johnston talked about the peak hours of traffic and said it wouldn't be 8000 vehicle trips as Murdock claimed. He again said 1200 South was the best road for this impact. He further discussed that the City had a huge need for affordable housing. He said Wing Pointe and TimberMill Apartments were full. He said he had employees that couldn't afford to live in Heber. He pointed out, too, that people that live in apartments typically don't own as many cars and these people needed to be able to walk to schools and have access to commercial development. He agreed the City needed this change because the City was losing so much of their residential area because of the school. He said he would jump on the chance to rezone while the property owners were willing to down zone.

Annie Bruehl agreed with Mike Johnston and that the City needed to consider the loss of residential property because of the high school property. She felt this would be a high-quality development. She felt it would be a well kept, well managed area.

Councilmember Lazenby discussed a conversation she had with some one in the trailer park behind Don Pedro's Restaurant and they asked her to please vote for this change so some other area could be planned for affordable housing and recapture an area for affordable housing.

Neil Anderton expressed concern that the City and County needed affordable housing. He said he had worked on committees and could see the needs of seniors and others. He said, also, there was a need for a van to transport the seniors. He discussed the CDBG grant that had been awarded for affordable housing. He said the community could not try for another grant for a van until 50% of the money just awarded had been utilized. He said Midway City was not going to apply for CDBG monies this year and would support one from the County for a van. He encouraged the Council to vote for this change.

Councilmember Hokanson indicated she appreciated everyone's comments. These kind of comments help the Council make good decisions she stated.

Councilmember Hokanson moved to approve Ordinance 2006-20 and 2006-21. Councilmember Lazenby made the second. No further discussion. Voting AYE: Vaun Shelton, Shari Lazenby, Jeff Bradshaw and Elizabeth Hokanson. Councilmember Lange was absent.

Ordinance 2006-21 – An Ordinance to consider an Amendment to the Zone Map – Property located between 500 and 600 East at 1200 South – Existing zoning C-2 Commercial; Proposed zoning R-3 Residential: See discussion and motion on previous topic.

As there was no further business, the regularly scheduled meeting of the Heber City Council on October 5, 2006, was adjourned.

Paulette Thurber, City Recorder

Approved 11/02/2006