

1
2 HEBER CITY CORPORATION
3 75 North Main Street
4 Heber City, Utah
5 Planning Commission Meeting
6 September 25, 2014
7 6:00 p.m. – Regular Meeting
8

9 The Planning Commission of Heber City, Wasatch County, Utah, met in **Regular Meeting** on
10 September 25, 2014, in the City Council Chambers in Heber City, Utah.

11
12 I. Call to Order
13

14 Chairman Rawlings called the meeting to order at 6:02 p.m. with a quorum present.
15

16 II. Roll Call
17

18 Present: Kieth Rawlings
Harry Zane
Michael Thurber
Stacie Ferguson
Clayton Vance

Excused: Darryl Glissmeyer
David Richards

Absent: Mark Webb

19
20 Others Present: Perry Gooch, Lane Lythgoe, Mike Johnston, Joe Shuler, Josh Weekes, Michael
21 Frogge, Paul Berg, David M. Nelson, Ron Ririe, Jamie Beal, Radek Perez, Monique Reionx. Ed
22 Reioux, Brad Lye, Marc Coulam, Mary Song, Michael Phillips, Nathan Lines, Marianne B.
23 Allen, Breanne Dedrickson, Andrew Dedrickson, Jamie Weekes, Matt Dahlin, Kaelin Stephens,
24 Brandon Wilson, John De Paori, Elyse Wilson, Dennis Allen, Dan Dearden, and others whose
25 names were illegible.
26

27 ***III. Pledge of Allegiance: Mike Thurber***
28

29 IV. Minutes: September 11, 2014 Regular Meeting
30

31 ***2014-09-11 Meeting Minutes***
32

33 Michael Thurber moved to approve. Clayton Vance made the second. Voting Aye: Kieth
34 Rawlings, Harry Zane, Michael Thurber, Stacie Ferguson, Clayton Vance. Voting Nay: None.
35

36 1. Megco requests an Amendment to the Heber City General Plan from a landuse
37 designation of Highway Commercial to Mixed Use for 36 acres of property located along

38 Highway 40 from 1500 South to 1600 South, between Highway 40 and Daniel Road.
39 (Public Hearing was held August 28, 2014)

40
41 [Items 1 &2 Staff Report - Megco General Plan and Zone Change](#)

42
43 Kohler presented information on the proposed project showing the location and surrounding
44 properties on the overhead.

45
46 The petitioner is proposing to change the General Plan Landuse Map from Highway Commercial
47 to Mixed Use, and to change the Zoning Map from C-2 Commercial to Mixed Use Residential
48 Commercial (MURCZ) for 36 acres. The petitioner would like to construct an apartment
49 complex on 10 acres near Daniels Road. The rezone and landuse amendment proposals require a
50 public hearing, held August 28, 2014, which the Planning Commission continued to allow the
51 petitioner and staff time to work out a development agreement addressing the issues discussed at
52 the public hearing.

53
54 The property is ideally suited for a mixed-use development, given its location next to the future
55 bypass and its location within an area that will in the future have nearly 2,000 residents. This
56 area includes the Town of Daniel, Daniels Gate Subdivision, Wheeler Park Subdivision, Harvest
57 Field Subdivision, Wing Point Apartments, Greenfield Townhomes, Mountain Meadows
58 Subdivision, and approximately 10 acres of undeveloped residential land in Heber City. The area
59 generally lacks sidewalk and is at least a mile from convenient shopping services.

60
61 A walkable center in the neighborhood would benefit the area so residents need not drive along
62 Main Street and contribute to the already congested Main Street for some of the commonly
63 needed convenience services. Smaller businesses would help fill this need, such as small office,
64 church, medical clinic, café, deli, small retail market, bakery, dance and exercise studios, daycare
65 centers, preschools, and public and private schools, barbershop, hair salon, and beautician, pet
66 care and grooming, Laundromat, community post box, and shoe and clothing repair.

67
68 The Turner property is one of the more substantial remaining undeveloped commercially zoned
69 properties remaining in the city, and the city should be cautious to not have the entire property
70 become nothing but residential uses. The proposal, if done correctly, could be of great benefit to
71 reducing traffic volumes along Main Street by offering convenient and walkable access to
72 services to those in Daniel Town and Wheeler Park neighborhood. The owner discussed a
73 housing study that was recently done, but is hesitant to give out the housing study, as it was
74 privately funded.

75
76 Below is a summary of the issues discussed by the Planning Commission that could become part
77 of a development agreement accompanying a zone change.

- 78
79 1. Housing to commercial ratio: A minimum of 20 acres shall be devoted to commercial
80 uses. A maximum of 10 acres shall be devoted to residential uses.
81 2. Affordable vs. market housing: The residential units shall be market rate, not subsidized
82 housing.

- 83 3. Mixture of housing types: Rental housing shall constitute no more than 30 percent of the
84 housing mix.
- 85 4. Land Use Concept: Developer shall provide a rough conceptual plan prior to the zoning
86 map change becoming effective.
- 87 5. Mixture of uses: The commercial portion may contain residential units above or below
88 the main story.
- 89 6. Walkability: The development shall be oriented to local streets, focusing on pedestrians
90 with pedestrian amenities, with buildings located at the street and off-street parking
91 located in the side or rear of the building.
- 92 7. Open Space: Developer shall provide at least 30 percent of the residential portion of the
93 property as permanent open space near existing residential development to the south.
94 Developer will explore the possibility of providing pedestrian connections to the Heber
95 Landing and Greenfield open spaces.
- 96 8. Architecture: The development shall have a unified architectural theme.
- 97 9. Bypass: Developer will dedicate land for construction of the proposed bypass; city and
98 developer will work out a fair and equitable way for construction of the bypass.
99

100 Lane Lythgoe, the Architect for the project, presented information. He discussed the history of
101 the parent company that had owned this property and site design concepts were shown of the
102 proposal. Vehicular and pedestrian connections were key considerations. The goal was to keep
103 traffic off the bypass hub. The retail and residential components were explained. There were
104 some plans for light industrial; these buildings would be single story with approximately 6,800
105 square feet per building. These buildings would be a buffer to the residential area from the higher
106 traffic areas.

107
108 There were questions from the Planning Commission which Lane Lythgoe, Mike Johnston, and
109 Perry Gooch answered. Kieth Rawlings pointed out the goal the City has for limiting access onto
110 the future bypass road and asked what the developer's plans were to address this. Mr. Lythgoe
111 indicated they had placed a roundabout in the project for this purpose. There was discussion on
112 the limited access highway. Michael Johnston mentioned the option of the right in/right out
113 ingress/egress.

114
115 The Petitioner, Perry Gooch related information about the plans. He spoke of some of the options
116 related to the bypass and explained that with this project there was the potential to work out the
117 right-of-way for the bypass. He indicated he felt this was a good plan that works and fits in with
118 the City.

119
120 Clayton Vance made a number of comments about the site design, he indicated that he thought
121 the site design and would be more successful if they could have a plan that mirrors use, this
122 would maximize the property use and the pedestrian experience if they were to generate two
123 destination points. Also if retail were located off the bypass the road did not go through and this
124 would limit traffic off the bypass. He suggested constructing a street that goes all the way
125 through the project.

126
127 Harry Zane moved to approve. I'd like to make a motion that we recommend approval of
128 Megco's request for an Amendment to the Heber City General Plan from a landuse designation

129 of Highway Commercial to Mixed Use for 36 acres of property located along Highway 40 from
130 1500 South to 1600 South, between Highway 40 and Daniel Road. Clayton Vance made the
131 second. Voting Aye: Kieth Rawlings, Harry Zane, Michael Thurber, Stacie Ferguson, Clayton
132 Vance. Voting Nay: None. The motion carried.

133

134 2. Megco requests an Amendment to the Heber City Zoning Map from C-2 Commercial
135 Zone to Mixed Use Residential Commercial Zone (MURCZ) for 36 acres of property
136 located along Highway 40 from 1500 South to 1600 South, between Highway 40 and
137 Daniel Road. (Public Hearing was held August 28, 2014)

138

139 Chairman Rawlings introduced the item for the zone map amendment.

140

141 Harry Zane moved to approve. Mr. Chairman I'd like to make a motion. I make a motion that we
142 recommend approval for the Megco requests an Amendment to the Heber City Zoning Map from
143 C-2 Commercial Zone to Mixed Use Residential Commercial Zone (MURCZ) for 36 acres of
144 property located along Highway 40 from 1500 South to 1600 South, between Highway 40 and
145 Daniel Road and also add that the development agreement will accompany the zone change and

- 146 1. Housing to commercial ratio: A minimum of 20 acres shall be devoted to commercial
147 uses. A maximum of 10 acres shall be devoted to residential uses.
- 148 2. Affordable vs. market housing: The residential units shall be market rate, not subsidized
149 housing.
- 150 3. Mixture of housing types: Rental housing shall constitute no more than 30 percent of the
151 housing mix.
- 152 4. Land Use Concept: Developer shall provide a rough conceptual plan prior to the zoning
153 map change becoming effective.
- 154 5. Mixture of uses: The commercial portion may contain residential units above or below
155 the main story.
- 156 6. Walkability: The development shall be oriented to local streets, focusing on pedestrians
157 with pedestrian amenities, with buildings located at the street and off-street parking
158 located in the side or rear of the building.
- 159 7. Open Space: Developer shall provide at least 30 percent of the residential portion of the
160 property as permanent open space near existing residential development to the south.
161 Developer will explore the possibility of providing pedestrian connections to the Heber
162 Landing and Greenfield open spaces.
- 163 8. Architecture: The development shall have a unified architectural theme.
- 164 9. Bypass: Developer will dedicate land for construction of the proposed bypass; city and
165 developer will work out a fair and equitable way for construction of the bypass.

166

167 Michael Thurber made the second. Voting Aye: Kieth Rawlings, Harry Zane, Michael Thurber,
168 Stacie Ferguson, Clayton Vance. Voting Nay: None. The motion passed.

169

170 Michael Thurber indicated he had concern over item number nine, the bypass construction, as to
171 if the bypass never comes to fruition. Anthony Kohler addressed this indicating that it was
172 difficult to require a developer to build a road when the city is denying access to that road. There
173 is a possibility of dedication of the road from Megco which had been discussed but it is uncertain
174 as to where the location of the bypass is going to be constructed.

175
176 3. Mountain West Enterprises requests Subdivision Final Approval of Valley Heights
177 Subdivision, a 28 lot subdivision located at 1050 North Mill Road.

178
179 [Staff Report / Valley Heights-Final Subdivision](#)

180
181 [Valley Heights Engineering Letter](#)

182
183 [Geotechnical Study](#)

184
185 [Subdivision Plans](#)

186
187 The petitioner is requesting Final Approval of the proposed Valley Heights Subdivision, a Single
188 Family Home development consisting of 28 lots in the R-1 Residential Zone at approximately
189 1050 North Mill Road. The Planning Commission approved the concept plan on April 24, 2014
190 and the development is subject to an annexation agreement. The preliminary plan was approved
191 by the Planning Commission on May 8, 2014, subject to conditional approval.

192
193 The proposed plan has common area to be maintained by a Home Owner's Association. Valley
194 Heights Drive and Valley Heights Circle have grades that are at the maximum 10 percent
195 allowed by the code. There will be a large cut into the hillside to accommodate the cul-de-sac
196 (Valley Heights Circle), and a large fill along the curve on Valley Heights Boulevard. Valley
197 Heights Circle will be constructed and dedicated as part of Plat A to provide access to Lot 24.
198 The developer is acquiring land from the Jenkins family on the east corner of 1050 North and
199 Mill Road to accommodate a full road to back of curb, minus sidewalk and planter strip. The
200 developer is proposing offsite sidewalk on the west side of Mill Road to Valley Hills Drive to
201 provide a connection for pedestrians from the subdivision, south to Valley Hills Drive, and east
202 across Mill Road to the existing sidewalk.

203
204 The storm water basin should decrease drainage issues onto Valley Hills Boulevard, as it will
205 stop most uphill drainage for small storm events; large storm events will still drain onto Valley
206 Hills Boulevard and then into the canal to the south west. Sewer, pressurized irrigation, and
207 culinary water will be provided to the small cul-de-sac through common area to Valley Hills
208 Boulevard. Pressurized Irrigation is not available yet, unless a pump is provided at the canal or a
209 major feed line is extended to the subdivision. Adequate culinary water pressure cannot be
210 provided to Plat B until a water main is constructed through the Stone Creek/Red Ledges
211 property to this area.

212
213 A geotechnical evaluation indicates shallow solid bedrock and expansive clay soils may exist on
214 the site, and recommends that GSH, the Geotechnical Engineer, be consulted at the time of
215 construction to verify suitable subgrade conditions have been exposed.

216
217 Anthony Kohler noted he had a comment in addition to the staff report; as an item of
218 clarification which pertains more to the intersection and the recommended way to deal with the
219 sidewalk, the desired approach would be to have sidewalk on the East side of Mill Road that
220 connects from the existing sidewalk up in the corner. The plan was for the Developer's Engineer

221 to negotiate land acquisition to the back of the curb. Kohler noted that he did not know whether
222 they had had these discussions about going further. The Engineer, Paul Berg, indicated that they
223 had discussed this and that this had not gone well. Kohler explained that all they were asking for
224 as staff was that the developer at least try to acquire that land for sidewalk; that was the
225 preference. The second approach to getting a sidewalk connection was to build an offside
226 sidewalk down Valley Hills Drive to the corner and do a crosswalk to the existing sidewalk on
227 the East side. This option works but is not as desirable.

228

229 Paul Berg explained the situation and the discussion he'd had with the property owner regarding
230 the corner where the preferred sidewalk was located. Berg explained there was a curve in the
231 road at this location and they had negotiated the purchase of his land to widen the road but the
232 owners had landscaping where the sidewalk would be located and the property owner did not
233 want further encroachment there and so this is why there would not be sidewalk in this location.
234 Mr. Berg explained where they were with the engineering for the subdivision and indicated the
235 subdivision would be in two phases. The second phase, the uppermost lots, would not be
236 recorded until the higher pressure zone for water was extended to this area.

237

238 Berg reviewed these items relative to the project:

- 239 • plans for water and pressurized irrigation were explained;
- 240 • some of the Valley Hills Home Owners Association CCRs have been incorporated as per
241 the Commission's request at the prior meeting;
- 242 • a park or playground are not part of storm drain area;
- 243 • they would need a letter from Devin McKrola of WCWEP for the canal if they were to
244 implement McKrola's suggestion;
- 245 • regarding fencing along the open area; the lot owners would have the option to fence if
246 they desired. The standards for fencing would be in the CCRs.

247

248 Commissioner Zane asked whether everything had been taken care of from the engineering
249 letter. Anthony Kohler answered for Bart Mumford, who was not present. Kohler indicated
250 Mumford's key concern was regarding the lots at the cul-de-sac, if takes a few years for the lots
251 to be platted and if city standards for water cans, irrigation laterals, and sewer laterals, etc.
252 change between now and then, how do we deal with that? Mumford's recommendation was that
253 if the City updates the standards that they ask the developer to change those laterals to meet
254 those standards. Paul Berg noted it can't be completed until the offsite water is extended. There
255 was discussion to clarify in the motion to take that approach so there is clear direction for the
256 Council.

257

258 Harry Zane moved to approve. I would like to make motion that we recommend approval for
259 Mountain West Enterprises' request for Subdivision Final Approval of Valley Heights
260 Subdivision, a 28 lot subdivision located at 1050 North Mill Road contingent upon that the
261 proposed final subdivision application is consistent with Chapter 18.52 R-1 Residential Zone,
262 Chapter 17.20.030 Final Plans, Chapter 17.40 Improvements, Chapter 17.28 Block Design
263 Standards, Section 18.68.175 Open Space, and the Anderson Annexation Agreement, conditional
264 upon the following conditions: (everything that is recommended all the way through 20)

265

- 266 1. Prior to recording the plat, developer provide the following:
267 a) An updated title report;
268 b) A vicinity map on Plat A.
269 c) A tax clearance from county assessor;
270 d) Right of way widths on each plat;
271 e) A street name for the small cul-de-sac; and
272 f) Final addresses on each of the plats.
273
- 274 2. The following conditions be incorporated into a development agreement.
275 a) Developer provide a swale along Valley Hills Boulevard along the sidewalk to catch
276 potential hillside cut debris;
277 b) Street lights shall be installed at each intersection and at the end of Valley Heights
278 Circle.
279 c) Developer establish a Home Owner's Association to collect dues to maintain the
280 common area, storm drain basin, drainage channel, landscaping, and other areas
281 designated as common area; it is intended the common area be provided as perpetual
282 open space to be held in common among the lot owners in the subdivision; such
283 common area may include typical recreational facilities such as a playground or
284 pavilion, etc.; prior to recording the plat, developer will provide to the city evidence
285 of documents that creates a Home Owner's Association; developer shall establish
286 restrictive covenants requiring consistent fencing color and material in the
287 subdivision along the open space.
288 d) Prior to recording the plat, developer shall provide a landscaping plan for the
289 common area; developer shall install landscaping, topsoil, and irrigation consistent
290 with that plan.
291 e) Plat A shall designate an easement to the benefit of Heber City within the Common
292 Area for access to and maintenance of the water, sewer, irrigation and utilities located
293 within the common area, in a format acceptable to the City Engineer.
294 f) Plat A shall provide a note as follows: "Lot 15 and Lot 16 are prohibited from
295 establishing a driveway to Valley Hills Boulevard; Lot 3 and Lot 5 are prohibited
296 from establishing a driveway to Mill Road; and Lot 7 is prohibited from establishing
297 a driveway to 1050 North."
298 g) Developer shall overlay the existing asphalt in the development's frontage along Mill
299 Road and 1050 North with a 2 inch asphalt overlay.
300 h) Developer shall install all required pressurized irrigation mains and laterals, and
301 provide a stub for future connection to a new pressurized irrigation main.
302 i) Plat B shall not be recorded until the culinary water main to the south-east is extended
303 to connect with this subdivision.
304 j) Developer may be responsible to reimburse other developers for off-site utilities that
305 serve this subdivision.
306 k) Developer shall install the necessary culinary water lines for connection to the future
307 water pressure zone and connect the subdivision to the 12 inch water line at
308 approximately 900 North Mill Road.
309 l) Developer shall provide and delineate a 20-foot wide access easement for access to
310 the water tank on Plat B.

- 311 m) Developer shall provide either (1) an offsite sidewalk along the west side of Mill
312 Road connecting the subdivision to Valley Hills Drive and install new ADA curb
313 returns on each side of Mill Road; or (2) a sidewalk connecting 1050 North to the
314 existing sidewalk on the east side of Mill Road and install a new ADA curb return on
315 the corner of Mill Road and Valley Hills Drive.
- 316 n) Developer shall acquire land for, and construct and dedicate street improvements to
317 the back of curb along the south-east corner of 1050 North and Valley Heights Drive.
- 318 o) A note shall be placed on each plat as follows: "A geotechnical study was conducted
319 on this property, which is available in the Heber City Planning Department. The study
320 identified solid shallow bedrock and expansive soils as potential hazards on the site,
321 and recommends installation of perimeter foundation subdrains to address the
322 potential for groundwater seepage through shallow bedrock, and recommends
323 consulting with a geotechnical engineer at the time of construction to determine if
324 suitable subgrade conditions for development have been exposed."
- 325

326 And also contingent upon they meet the requirements of the Staff and City Engineer and all the
327 utilities and sewer laterals will be put in at current standards (the current standards will be
328 grandfathered in) when they build. Michael Thurber made the second. Voting Aye: Kieth
329 Rawlings, Harry Zane, Michael Thurber, Stacie Ferguson, Clayton Vance. Voting Nay: None.
330 The motion carried.

331

- 332 4. Public Hearing to consider an Amendment to the Heber City General Plan for 11.01 acres
333 from a landuse designation of High Density Residential to Highway Commercial and
334 2.09 Acres from a landuse designation of Low Density Residential to Highway
335 Commercial located west of the Mountain Valley RV Resort, which is located at 2120
336 South Highway 40
- 337

338 [Items 4 & 5 / Staff Report - Mountain Valley RV Resort](#)

339

340 [Mountain Valley RV Park General Plan and Zone Map Amendment Plans](#)

341

342 [Written comments from the public for the public hearing](#)

343

344 [Petition and additional written comments](#)

345

346 Stacie Ferguson asked to be recused for the next two items. She left the building at this time.

347

348 ANALYSIS

349

350 Wheeler Road (2400 South), is identified as a future 75 foot wide Minor Collector Street with a
351 future trail along the street. This future street traverses along the southern edge of the property
352 and is intended to connect to Highway 40. The property located along Highway 40 is owned by a
353 different property owner, the Sheltons. The city has an annexation agreement with that property
354 that requires the dedication of 2400 South upon the city's request. Two road stubs have been
355 provided to the petitioner's property from the west within Wheeler Park Subdivision Phase 1 and
356 2, one at 2400 South, and one at 2110 South.

357
358 The General Plan identifies a strip of Low Density Residential along 2400 South, intended to
359 establish a land use that is less intense as a transition into Daniels Town, which has two 5 acre
360 lots in the Daniels Ranch Subdivision that would back up to the future 2400 South. The rear of
361 13 dwellings in the Wheeler Park Subdivision directly back up to the petitioner's property; these
362 homes face 500 East.

363
364 The City's C-2 Design Criteria applies to any property that is Zoned C-2 Commercial. If the
365 property is rezoned to the C-2 Commercial Zone, the Sections below would apply along the
366 residential boundaries of Wheeler Park and Daniels Ranch Subdivisions. Chapter 18.96
367 "Recreational Vehicle Courts" would apply to the development of an RV Park on the property.
368 That chapter prohibits an exit or entrance from a recreational vehicle court through a residential
369 zone.

370
371 A development agreement exists between the petitioner and the city for development of the
372 existing RV Park. At that time, the city expressed concern about not wanting the RV Park to
373 migrate into a mobile home park, and the development agreement addresses that concern.

374
375 Anthony Kohler presented information on the project. The petitioner is requesting an amendment
376 to the General Plan to change 11.01 acres of High Density Residential to Highway Commercial
377 and 2.09 acres of Low Density Residential to Highway Commercial. The General Plan and Zone
378 Change would allow the petitioner to develop in a manner consistent with the current RV Park.

379
380 Paul Berg, Engineer for the project, provided information on the current park, presented the
381 Concept Plan and discussed options associated with zoning designations. Based on the current
382 zoning, he indicated there is a potential of 132 apartments. They were trying to hold to the R-3
383 Zone standard with at least a 20 foot setback from the RV Park to property lines. He discussed
384 emergency access; he indicated that in speaking with the Fire Marshall there is a strong
385 possibility of a second emergency access. The remaining portion of the park is being designed
386 for high-end RVs. They are planning for an eight-foot solid fence and planned landscaping
387 would be similar to the existing; a berm and trees.

388
389 Harry Zane suggested a 50 foot buffer.

390
391 Chairman Rawlings opened the public hearing.

392
393 Many residents from the Wheeler Park Subdivision commented during the public hearing.
394 Radek Perez, Marianne Allen, Elyse Wilson, Andrew Dedrickson, Brian Dedrickson, Jamie
395 Weekes, Brandon Wilson, Kaelin Stephens, John De Paori, Ron Ririe, and Dennis Allen were
396 among those who spoke. Comments and concerns reiterated by these residents throughout the
397 public hearing centered upon:

- 398
399
- devaluation of property values;
 - the importance of keeping the neighborhood really nice;
- 400

- 401 • there is a current problem with construction traffic traveling through the neighborhoods
402 and speed mitigation is needed;
- 403 • existing problems from the current RV Park and area adjoining are: air pollution, odor,
404 dust, fumes, flies and odors from the trash dumpster area, noise levels and disturbing of
405 the peace at unacceptable hours, and safety issues associated with trucks from the
406 property using the emergency exit;
- 407 • a larger buffer than the proposed 20 foot setback is needed. People camping 20 feet from
408 a residence is undesirable, landscaping such as what the current RV Park landscaping has
409 is unacceptable. More trees and trees that obscure sight and provide privacy such as
410 evergreens are needed and berming and higher fencing are also desired;
- 411 • the transient nature of those staying at the RV Park could create a potential for a higher
412 crime rate and sexual offenders/pedophiles staying there would have easy access to
413 Highway 40;
- 414 • what would happen if the current owners sold the RV Park, could it become a trailer
415 park?
416

417 Marianne Allen, who resides at 2100 South 500 East, referenced Heber City Municipal Code
418 18.04.010 and then read the intent from the municipal code and reviewed her thoughts on
419 Subsections D, E, F, and G in particular. She noted her research indicated that the proposal
420 would devalue within a quarter, half, and mile the neighborhood from 5% to 20%; her count so
421 far shows there are 365 homes within one mile this would affect. She indicated that notices had
422 been given to 16 homes, not 365 and that she had started a petition which so far 106 people had
423 signed. She asked the Commission to please give them more time, to table the request so they
424 could create a subcommittee, and to get input from the residents. She then delivered the
425 comments gathered from the residents so far. When speaking about her landscaping concerns
426 Ms. Allen showed the Commission photographs she had taken from her back porch noting that
427 you can barely see the trees and they do not block the RV Park from their view. Ms. Allen
428 pointed out that this proposal would double the size of the RV Park. She noted they would be
429 filling out a GRAMA Request and needed more time. Kaelin Stephens and Dennis Allen also
430 asked for more time.

431
432 Breanne Dedrickson asked if left as R-3 Residential would this developed as apartments? The
433 answer was yes and she expressed that this changes her feelings a little bit. Her concerns were:

- 434 • could this turn into a trailer park?make sure that it stays quality;
- 435 • transiency and crime concerns;
- 436 • wants to work with the developer for a larger buffer, higher fence and better landscaping
437 to protect the residential area.
438

439 Andrew Dedrickson asked questions which the petitioner, Dave Nelson answered. The question
440 centered on what the average stay is at the RV Park is and how long people are people allowed to
441 stay. Dedrickson did not want this as close as 20 feet from his back yard and his recommendation
442 was to deny the petition.
443

444 Jamie Weekes pointed that the Council Room they were sitting in was longer than 20 feet to put
445 in perspective that this room is longer than the proposed buffer.

446
447 Elyse Wilson commented she had moved here to live in a quiet place. She was not completely
448 against the RV Park and did not want lower income apartments. Her comments on the buffer
449 were that the trees are aspens and do not cover very much; evergreens were an option. She
450 indicated that she thought an 8 foot fence was not enough, many of the houses on the adjacent
451 street are two-story houses and they can see and hear people from the existing RV Park now. She
452 thought the setback should be 50 feet or further back and suggested construction of a walking
453 path or bike trail such as in the Cobblestone Development. She commented that there needs to be
454 some give and take between the residents and the petitioner. She also expressed concern over the
455 plans of the owners for the proposed extension for this area to be an adult only area; her sister
456 had commented to her that this could be a good place for sexual offenders to live. Ms. Wilson
457 also indicated they had called and asked for Richmond America and Edge Homes to back them
458 up on this.

459
460 Kaelin Stephens suggested giving them more time to create a good balance between their
461 peaceful neighborhood with small children and the developer. The expansion of the
462 development has created concern for her and she has concern over the safety exit's proximity to
463 the park; in her mind this is irresponsible. It was noted the Fire Marshal has had a conversation
464 regarding planning for a second exit in the southeast corner.

465
466 Brandon Wilson was concerned with the potential of the RV Park changing to a trailer park.
467 Anthony Kohler addressed this issue by explaining that mobile home parks had been removed
468 from the zoning ordinance as a permitted use in the city. Also that mobile home parks have
469 different standards for roads, water, and sewer. This project can be regulated through zoning and
470 a development agreement. The development agreement could be made stronger for Phase 2
471 because they are asking for a zone change. Brandon Wilson pointed out that the zone is currently
472 R-3 Residential and there are single-family houses; this doesn't have to be apartments.

473
474 John De Paoli indicated he is next to current emergency exit and right next to this is the RV Park
475 dumpster area. There are lots of flies here. With the expansion of the RV Park he does not want
476 to see more dumpsters added here. He is close to the current park and there are problems with
477 RVs sometimes parking next to the fence. The sound and noise level is a real issue even with the
478 existing slots, he does not approve of the proposed plan and felt strongly that a larger buffer is
479 needed between the residential area and where their expansion is going to be.

480
481 The owner of the RV Park, Dave Nelson, responded to residents' concerns regarding trucks
482 driving through the neighborhood. He indicated it was not them, it was not their property, the
483 topsoil was not theirs, and it was not their trucks. If noted that if he was incorrect and it was
484 their company's trucks he would rectify this situation.

485
486 Ron Ririe was a strong proponent of the buffer zone changing. He indicated he was upset about
487 adding an additional 100 units, the dust, extra traffic entering in and off of Highway 40,
488 construction trucks, and heavy equipment operators. His final statement was "this is just a mess."

489
490 Marianne Williamson asked that the record state that the plans showed there are to be a total of
491 104 stalls in the RV site expansion as shown in the RVP Park Expansion Concept Plan.

492
493 Andrew Dedrickson noted there were a lot of concerns and asked Anthony Kohler to speak on
494 this because he lives in this subdivision. Kohler indicated that he would not want to see this
495 property developed as apartments, and spoke about the conductivity issue related to the RV Park
496 versus apartment. He pointed out that one option would be for the Commission to table this
497 decision or to continue it and that this was not unreasonable. He discussed the situation of zoning
498 and asked where do you draw the line; who gets the pain of living next to commercial? He
499 thought there was no easy answer and recommended working with the developer to try to
500 improve the project. Dennis Allen asked for those present who were not going to stand up and
501 speak to raise their hands if they were concerned about this development going in. He noted
502 there were many here in support of it. He asked if they could have more time so that it did not
503 end up being the design they were seeing at this time.

504
505 Joshua Weekes indicated that when he was looking at the property he purchased he asked both
506 his realtor and the seller's realtor to verify the zoning of that land because he did not want the
507 RV Park expanding into his backyard. He also stated that trucks were driving through his
508 property until the day he closed on the property. It was represented to every one of them in the
509 room that it was residential property and they bought their lots based on that understanding. He
510 stated, "and to change it violates that trust that we have in the city to maintain that land of the
511 current zoning."

512
513 There were no more comments and Chairman Rawlings officially closed the public hearing
514 portion of the meeting; although he indicated they would allow more comment. He expressed his
515 appreciation of those present and their comments.

516
517 Chairman Rawlings asked for questions and comments from the Commissioners. Commissioner
518 Vance asked how many apartments total would be allowed if the property were to be developed
519 as apartments. The answer was 132. Dave Nelson answered some questions. He pointed out the
520 area of the RV Park that is already in the C-2 Commercial Zone. He noted that this area of the
521 park is already approved and noted that this explained the discrepancy in the numbers on the site
522 plan; there are 15 proposed pads already in the C-2 Commercial Zone. Marianne Williamson had
523 pointed this discrepancy out earlier in the meeting. Dave Nelson continued discussing the
524 project; he noted they had originally planned for apartments on this property. Clayton Vance
525 asked the people in the audience whether they preferred 70 RV Park pads or 132 apartments.
526 There were some who answered that they wanted neither but there were some hands indicating
527 they would want the RV Park with amendments rather than apartments. Mr. Nelson addressed
528 many of the comments that had been made during the public hearing. He indicated if there was
529 noise or other problems they need to let the owners know so that they can take care of it. A
530 second fence would be coming up, evergreens can be planted there, it will just take longer for
531 them to grow. The developers felt that those living in close proximity would prefer this plan to
532 30 foot tall apartment buildings. The developers feel that this area will be unoccupied most of the
533 time and will not be heavily used other than in the summer. Construction trucks are to take the
534 existing road and not go through subdivision.

535
536 Berg asked for those present to choose two or three representatives to work with him. Mr. Berg's
537 contact information was given.

538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583

Dan Dearden indicated that he lives on Ranch Drive in Daniel which abuts some of this property to the south and that the other property owners who reside on this street are out of state. There are two property owners who live at the end of the cul-de-sac. Dearden explained that they were very concerned about what this was going to do with their property value.

Paul Berg indicated that if there were any further questions from the Commission he would like to hear them and then he recommended they table this for a month so he could meet with their committee, then they could come back. Chairman Rawlings agreed that this was where he thought the Commission was headed as well. There was brief discussion on how to proceed with the public hearing on the Zone Map Amendment; the thought was to continue this.

Michael Thurber moved to continue that we continue this Zone Change and the amendment to the General Plan to the next reasonable meeting that we can have after the further input. Clayton Vance made the second. Voting Aye: Kieth Rawlings, Harry Zane, Michael Thurber, Clayton Vance. Voting Nay: None. The motion carried.

5. Public Hearing to consider an Amendment to the Heber City Zoning Map for 11.01 acres of R-3 Residential Zone to C-2 Commercial Zone and 2.09 Acres R-1 Residential Zone to C-2 Commercial Zone Highway and 1.62 acres of R-1 Residential Zone in future collector road right-of-way to remain as R-1 located west of the Mountain Valley RV Resort, which is located at 2120 South Highway 40

The petitioner was requesting an amendment to the Zoning Map to change 11.01 acres of R-3 Residential Zone to C-2 Commercial and 2.09 acres of R-1 Residential to C-2 Commercial. This item was discussed along with the associated request for General Plan Amendment on the same property; the motion on this item is above. (motion to continue)

6. [Discussion on proposed ordinance for Housing for Families in Crisis](#)

[Staff Report](#)

There has been some discussion with the Petitioner who has asked that this be continued to another meeting.

7. Administrative Items:

Chairman Rawlings indicated that Darryl Glissmeyer had sent an email to him and he was recommending a change to the Planning Commission bylaws regarding attendance requirements.

There was discussion on what is desired for the Megco area. Clayton Vance wanted to see staff work with Lane Lythgoe some more on this.

584 V. Adjournment

585

586 Michael Thurber moved to adjourn. Harry Zane made the second. Voting Aye: Kieth Rawlings,
587 Harry Zane, Michael Thurber, Clayton Vance. Voting Nay: None. The motion carried and the
588 meeting adjourned.

589

590

591

592 _____
Karen Tozier, Planning Commission Secretary

593

DRAFT