

WORK MEETING

Memo

To: Mayor and City Council
From: Mark K. Anderson
Date: 07/09/2015
Re: City Council Agenda Items for July 16, 2015

WORK MEETING

Item 1 – Discuss Incentives the City May Offer to Attract Targeted Commercial Development: The Council has expressed interest in considering incentives or deferrals of payments to make the City more attractive for commercial growth. In discussing this issue with staff, our recommendation is as follows:

Because we are experiencing rapid growth, we are confident that our commercial zone will continue to grow. The question we think we should be asking is: What steps, if any, should the City consider taking to identify and attract business sectors that will either directly or indirectly generate high sales tax revenues and/or quality jobs? Also, are there specific areas of town where we want to encourage commercial growth/redevelopment to occur? Lastly, what are the best ways to fund any incentives that may be offered?

We have concern that reacting to the request made by Best Western without more study may have unintended consequences that may ultimately be requested/extended to other businesses that will not create the desired benefit. As a result, we would recommend that a study be done by an outside consultant to work with the City to determine what types of businesses the City would want to offer incentives to, what incentives could the City offer/afford and what areas, if any, within the community that the City would offer incentives to develop/redevelop. At this time, I have a call into a consultant to get an idea of what it might cost for such a study.

Item 2 – Discuss Maintenance of the Lower Wasatch Canal Grate: Recently, Mayor McDonald, Jeff Bradshaw and I met with representatives from the School Board to discuss various issues of mutual concern. In the discussion, the District indicated that it was never their understanding that the agreement they entered into with Wasatch Irrigation would obligate them to maintain the grate that was placed before the piped

canal. Mayor McDonald indicated that he would place this item on the agenda for more discussion with the Council.

Mark Smedley has had ongoing communication with Jared Anderson, Attorney for the School District, I will forward Mark's observations on the matter via email.

Item 3 – Heber Homes, Request to Amend the Heber City General Plan to designate all of Block 54 to Highway Commercial Land Use, located between 200 South and 300 South between Main Street and 100 East: Blake Allen, on behalf of the Karl Malone Dodge dealership is requesting an amendment to the zoning on Block 54 to make the entire block a commercial land use. As noted in the accompanying staff report, the Dodge dealership has demolished two homes that were in a residential zone and the properties are now being used for commercial purposes. Amendment of the General Plan does not automatically change the zoning of the affected properties. The Planning Commission has reviewed the proposed change to the General Plan and is recommending approval.

Item 4 – Heber Homes, Request to Amend the Heber City Zoning Map and rezone property located at 55 East 300 South and 88 East 200 South from R-3 Residential Zone to C-2 Commercial Zone: This proposed ordinance is related to the previous agenda item. The proposed Ordinance would rezone two parcels from R-3 to C-2 on Block 54. The Planning Commission has reviewed the request and is recommending approval. (See enclosed staff report)

Item 5 – Rakk LLC Duff, Request to Amend the Heber City Zoning Map and rezone 10.51 acres of property located at approximately 1200 South 700 East from R-3 Residential Zone to the Clustered Open Space Zone (COSZ): The owner of these two parcels is requesting application of the COSZ overlay zone. See enclosed staff report and proposed site plans from Tony Kohler on the matter. The COSZ will allow some limited commercial uses in the project which may be better suited for the 1200 South frontage of these parcels. The Planning Commission has reviewed the request and is recommending approval.

Item 6 – Approve Amendment to Section 102 Building Orientation, Section 103 Building Setback, Section 107 Parking Infrastructure, Section 202 Right of Way Landscaping, Section 207 Landscape Requirements, Section 307 Building Width, and Definitions of the C-2 and C-4 Design Criteria: The Planning Commission has reviewed the C-2 and C-4 Design Criteria and is recommending that some provisions of the design criteria should only be intended for properties on Main Street between 1200 South and 500 North. The intent of the proposed amendment is to provide that clarification.

Item 7 – Review Recommendation from the Airport Advisory Board to Offer the New Non-Reversionary Lease Agreement to Existing Non-Reversionary Lease Holders: The Airport Advisory Board is recommending that existing non-reversionary lease holders be offered the newly adopted non-reversionary lease that was adopted by

the City Council last fall. The recommendation is contained in the enclosed policy prepared by Mark Smedley which would give non-reversionary hangar owners the right to request the newly adopted lease until December 31, 2015. As noted in the policy, the lease term will be the same as the initial lease offered and the lease rate will be at the current fee rate. If the new lease is accepted, the annual lease fee would increase by approximately \$400 for 50' X 50' hangars and \$550 for 75' X 75' hangars.

The reason this is being addressed is because the existing non-reversionary lease holders do not like the ambiguity that is contained in their current lease agreement, as the City has the right to request the removal of the hangar after 25 years. The new lease provides assurance that the City will offer a new lease agreement (when the lease expires) if the hangar is properly maintained and the location of the hangar does not conflict with airport development needs. Thus, the new lease agreement makes the hangar more marketable/valuable. I suspect some hangar owners will argue that the lease fee should not increase.

Item 8 – Blackstone Creek LLC, Discuss Request for Subdivision Final Approval for Stone Creek Subdivision Phase 1 located at 550 North 1400 East: The developers of the Stone Creek Subdivision are looking for final plat approval for the first phase of this subdivision. Enclosed is a staff report from Tony Kohler and associated plat maps. At this time, the Subdivision Agreement is still being reviewed by Engineering. Because of the complicated nature of this (non-gated/private road) subdivision, staff wants to bring this to a work meeting before it is considered for final approval.

Item 9 – Review Draft Strawberry Annexation Agreement for a 56.93 Acre Proposed Annexation on South Highway 40: The Planning Commission has reviewed the Strawberry Annexation petition and is recommending approval subject to certain conditions contained in the attached staff report prepared by Tony Kohler. The draft Annexation Agreement is still being reviewed by Bart Mumford and will be added to the Council packet once his review is complete. Because of the significant elements contained in the conditions recommended by the Planning Commission, staff thought it best to first bring the draft agreement before the Council for review and discussion.

TAB 1

**There are no physical
materials for this
agenda item.**

TAB 2

**There are no physical
materials for this
agenda item.**

TAB 3

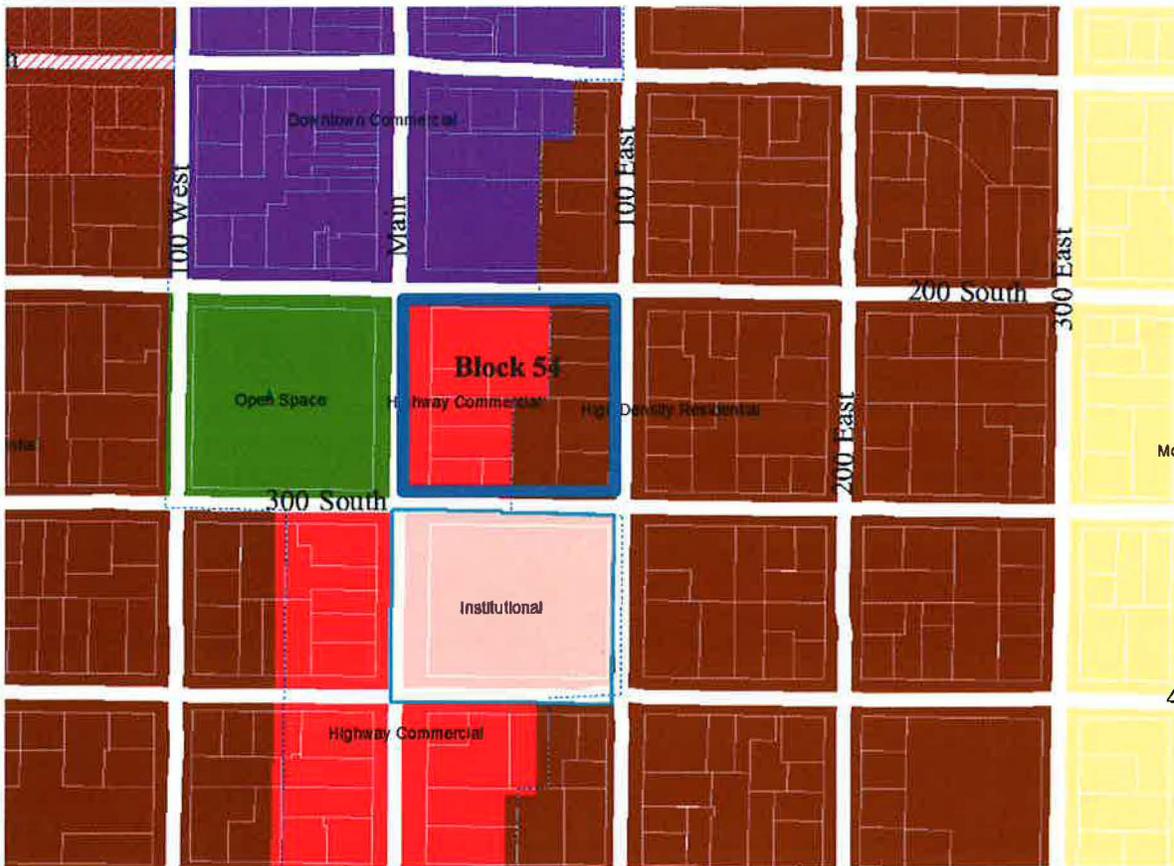
Heber City Council
Meeting date: July 16, 2015
Report by: Anthony L. Kohler

Re: General Plan Amendment to change future land use of Block 54 to commercial

The petitioner is proposing to amend the General Plan Land Use Map to change the future land use designation of Block 54 to Highway Commercial; Block 54 is located between 200 South and 300 South and Main Street and 100 East. The current General Plan Map designates the eastern properties on the block as a residential land use.

On June 25, 2015, the Planning Commission held a public hearing to consider the request. Several neighbors attended the public hearing. The primary concern of the neighbors was property taxes; they were concerned that their property taxes would go up as a result of the proposed amendment. The proposed map amendment does not change zoning designations. It only changes the future land use designation on the General Plan. Their properties will remain zoned R-3 Residential and will be subject to residential property taxes. The Planning Commission recommended approval of the proposed Land Use Amendment to the General Plan, changing the future land use designation from High Density Residential to Highway Commercial.

General Plan Land Use Amendment



ORDINANCE NO. 2015-_____

AN ORDINANCE AMENDING HEBER CITY'S GENERAL PLAN MAP DESIGNATING ALL OF BLOCK 54 AS FUTURE HIGHWAY COMMERCIAL

BE IT ORDAINED by the City Council of Heber City, Utah, that the Block 54 be designated as Highway Commercial as shown in Exhibit 1.

This Ordinance shall take effect and be in force from and after (a) its adoption, (b) a copy has been deposited in the office of the City Recorder and (c) a short summary of it has been published in the Wasatch Wave, but not prior to the _____ day of _____, 2015.

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 Jeff Bradshaw	_____	_____
Council Member Eric Rowland	_____	_____
Council Member Heidi Franco	_____	_____
Council Member Kelleen Potter	_____	_____

APPROVED:

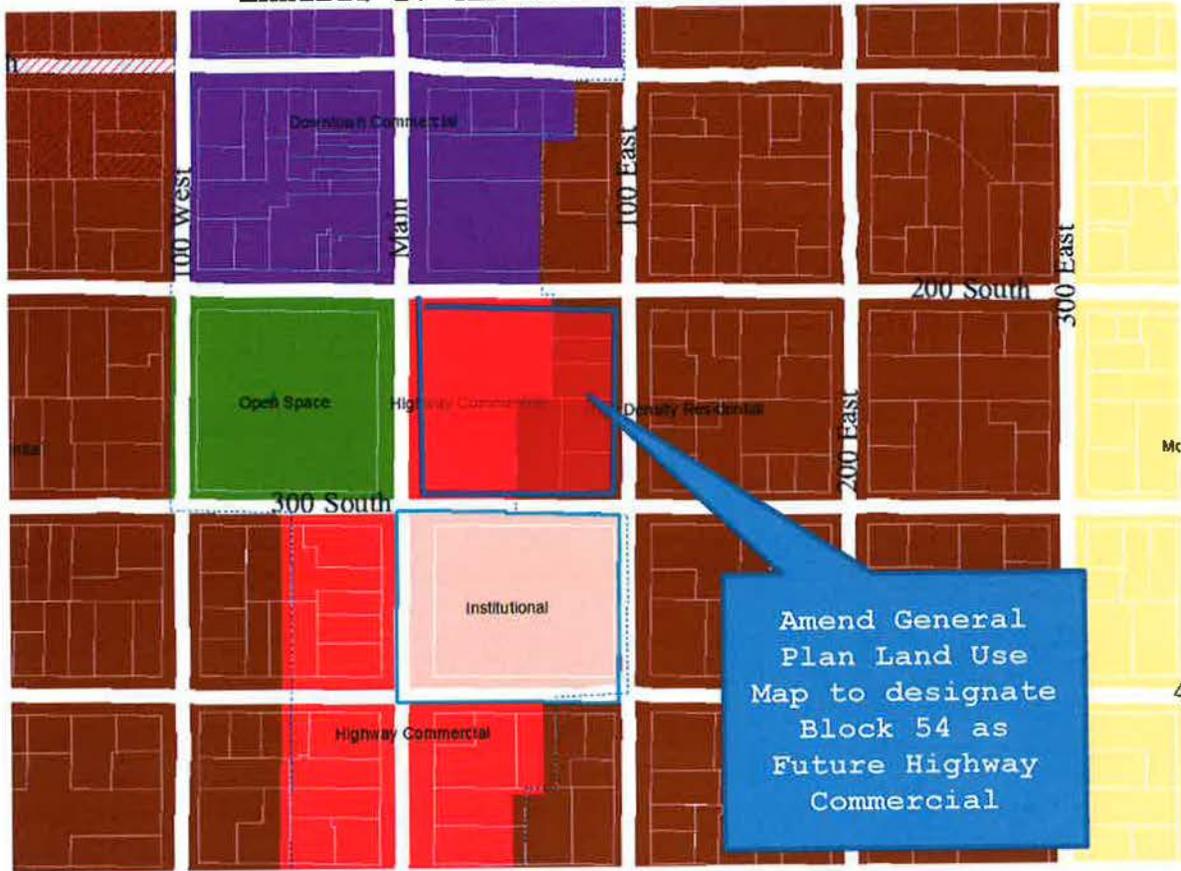
Mayor Alan W. McDonald

ATTEST:

RECORDER

Date: _____

EXHIBIT 1: GENERAL PLAN MAP AMENDMENT



TAB 4

Heber City Council
Meeting date: July 16, 2015
Report by: Anthony L. Kohler

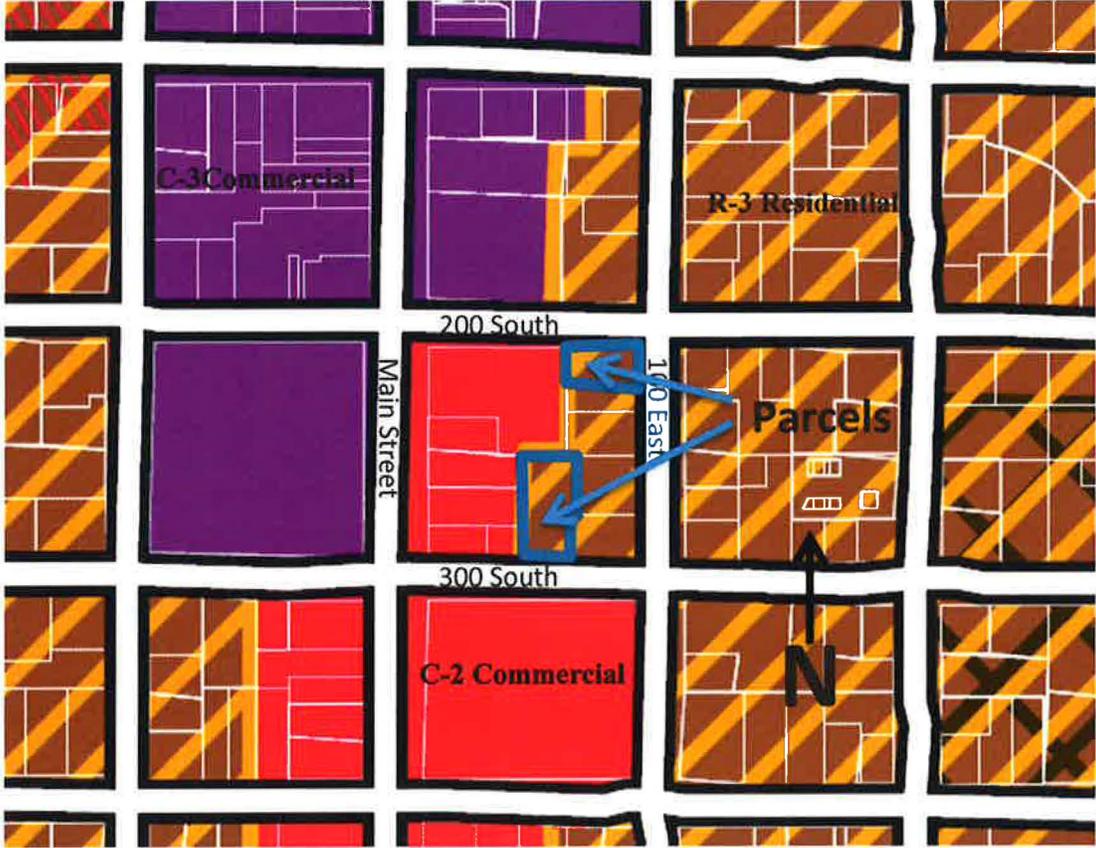
Re: Zone change from R-3 to C-2 for property located at 200 South 100 East and 55 East 300 South

The petitioner is proposing to change the zoning designation of his properties from R-3 Residential to C-2 Commercial. One property is located on the southwest corner of 200 South and 100 East, and the other is located at approximately 55 East 300 South.

The Planning Commission held a public hearing on June 25. Several neighbors attended the public hearing. The primary concern expressed was street lighting. The Planning Commission recommended approval, with a vote of 4 Ayes and 3 Nays, of the proposed zone change, conditional upon the petitioner altering the street lighting to not shine upon adjoining properties and to not shine into the sky.

The Council may consider asking the Petitioner to provide a lighting plan prior to considering altering the zone change, and not making the zone change effective until the lighting is fixed.

Zoning Map Amendment



ORDINANCE NO. 2015-_____

AN ORDINANCE AMENDING HEBER CITY'S ZONING MAP FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF 200 SOUTH AND 100 EAST AND APPROXIMATELY 55 EAST 300 SOUTH

BE IT ORDAINED by the City Council of Heber City, Utah, that the properties described within Exhibit 2 be rezoned from R-3 Residential to C-2 Commercial as shown on Exhibit 1.

This Ordinance shall take effect and be in force from and after (a) the parking lot lighting of the Karl Malone Auto Dealership has been improved to not shine onto adjoining properties and into the sky; (b) the Ordinance's adoption, (c) a copy has been deposited in the office of the City Recorder and (d) a short summary of it has been published in the Wasatch Wave, but not prior to the ____ day of _____, 2015.

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 Jeff Bradshaw	_____	_____
Council Member Eric Rowland	_____	_____
Council Member Heidi Franco	_____	_____
Council Member Kelleen Potter	_____	_____

APPROVED:

Mayor Alan W. McDonald

ATTEST:

RECORDER

Date: _____

EXHIBIT 1: ZONE MAP AMENDMENT



EXHIBIT 2: LEGAL DESCRIPTION

Property Tax Serial Number: OHE-0296-0-054-045

**BEGINNING AT THE NORTHEAST CORNER OF LOT 4, BLOCK 54, HEBER CITY SURVEY;
THENCE SOUTH 0°48' WEST 69.33 FEET; THENCE NORTH 88°58' WEST 135 FEET; THENCE
NORTH 0°48' EAST 69.33 FEET; TO THE NORTH LINE OF SAID BLOCK 54; THENCE SOUTH
88°50' EAST ALONG THE NORTH LINE OF SAID BLOCK 54 FOR 135 FEET TO THE POINT OF
BEGINNING.**

Property Tax Serial Number: OHE-0285-0-054-045

**BEGINNING N.88 DEG 58'W.123FT FROM SE. CORNER BLOCK 54 HEBER
CITY SURVEY; N.88 DEG 58'W.91.50FT; N.00 DEG 48'E.198.33FT; S.88
DEG 58'E.99FT; S.00 DEG 48'W.114.08FT; N.88 DEG 58'W.7.50FT;
S.00 DEG 48'W.84.25FT TO THE BEGINNING. AREA: 0.4363 ACRES**

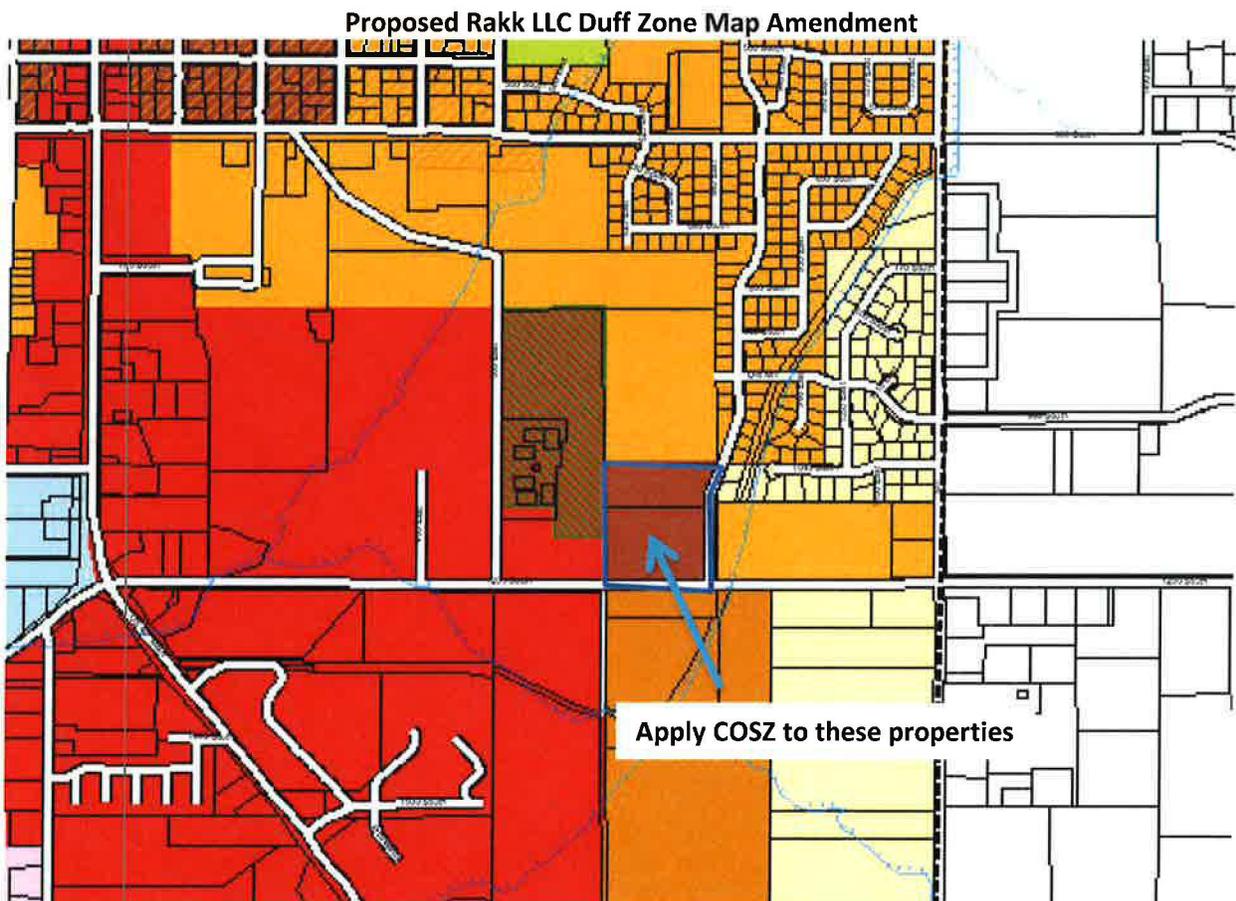
TAB 5

Re: Rezone Request to COSZ at 700 East 1200 South

The petitioner is requesting to apply the Clustered Open Space Overlay Zone to property that is currently zoned R-3. The base zoning of R-3 Residential would still apply to the property. The zoning would be the same as the Ranch Landing Development to the west. To the north-east there are detached single family dwellings constructed in the R-1 and R-2 Zones. To the east and the north, zoning permits detached single family dwellings on 8000 square foot lots.

The petitioner intends to develop the property as shown on the concept plan with detached single family dwellings, and with live-work units along 1200 South frontage. The COSZ Zone permits up to 12 residential units per acre and the concept proposes approximately 6 units per acre. The COSZ primarily permits residential uses, but the COSZ permits the Planning Commission and City Council to permit other uses when they are accessory to the residential project, such as the live-work units. The live-work units would be a more appropriate use along 1200 South than residential units, given the higher volume of traffic along 1200 South. The proposed use of the property is a compatible transition area from the higher density 12 units per acre condominiums in Ranch Landing to the lower 4 unit per acre densities to the north and east of the property. The petitioner would still need to go through the subdivision process for the proposed development.

On June 25, 2015, the Planning Commission held a public hearing to consider the zone change; no members of the public commented on the proposed zone change. The Planning Commission recommended approval of the proposed zone change.





BEGINNING N.442.22FT & W. 1344.47FT FROM SE CORNER SEC 5 T4S R5E SLM: W.650.10FT; N.0°26'14"W.266.64FT; N.89°59'52"E.673.71FT; S.0°08'47"E.216.95FT; N.83°09'18"W.22.82FT; S.0°34'25"E.52.43FT TO THE BEGINNING. AREA: 4.09 ACRES +-



BEGINNING E.669.77FT & N.00°19'50"W.16.5FT FROM S1/4 CORNER SEC 5 T4S R5E SLM: N.00°26'08"W.432.46FT; E.650.1FT; S.432.96FT; N.89°50'43"W.640.98FT TO THE BEGINNING. AREA: 6.42 ACRES +-

PROJ. MGR. BW DESIGNER: KM
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NO.	BY	DATE	REVISIONS

**CONCEPTUAL LAYOUT
 EXISTING & PROPOSED
 PARCELS**

PREPARED FOR: _____ DATE SUBMITTED: MAY 2015



M2 CIVIL
 PLANNING & ENGINEERING

10421 SOUTH JORDAN GATEWAY
 BOULEVARD, SUITE #200
 SOUTH JORDAN, UT. 84095

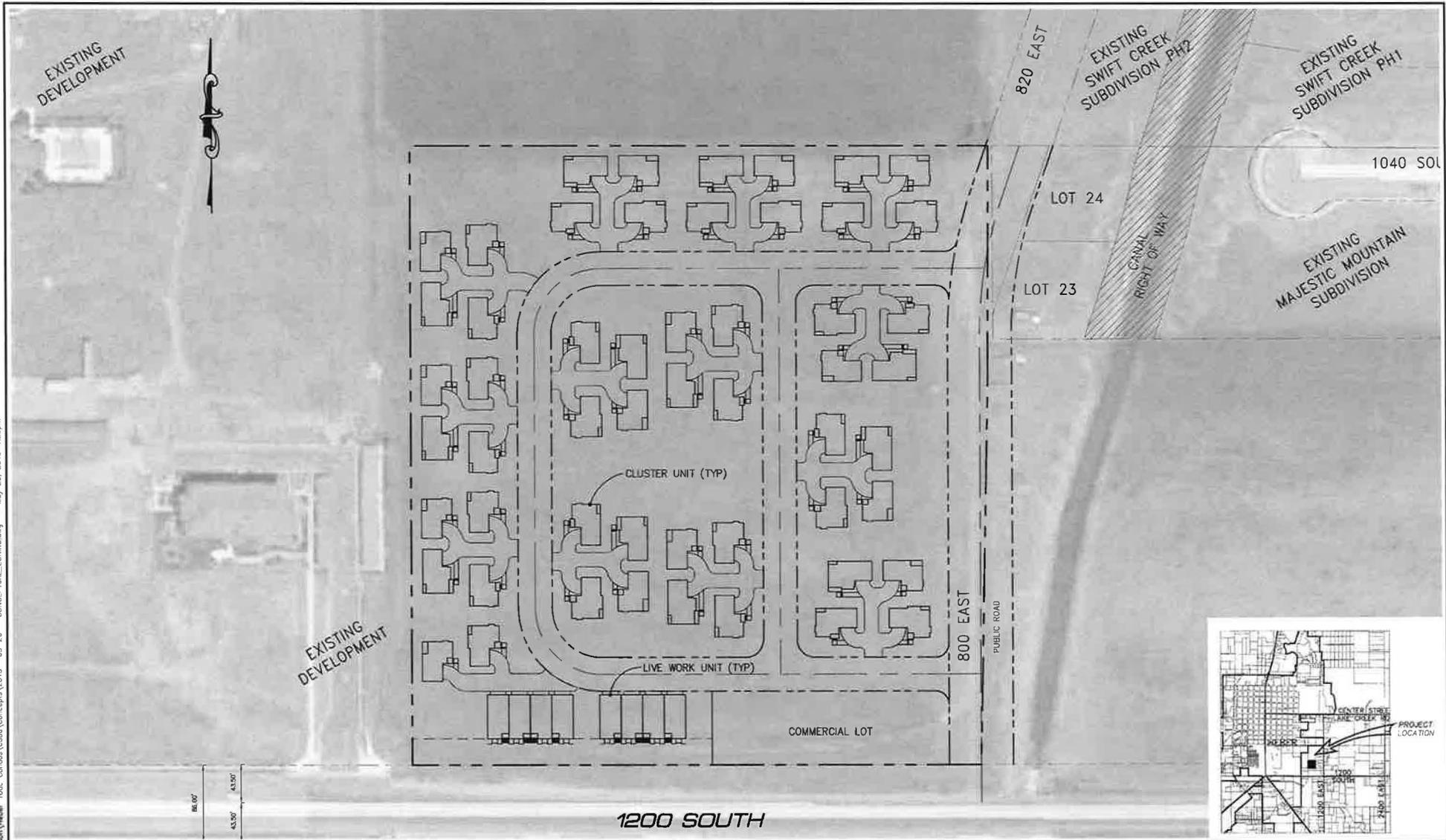
SHEET NUMBER
EXHIBIT-A

SCALE
 HORIZONTAL: 1" = 100'
 VERTICAL: 1" = 1/4"

SHEET NUMBER
 47-000

CAUTION: The engineer preparing these plans will not be responsible for, or liable for, unauthorized changes or use of these plans. All changes to the plans must be in writing and must be approved by the printer of these plans.

PROJ. MGR.: BW DESIGNER: KM
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NO.	BY	DATE	REVISIONS

CONCEPTUAL LAYOUT
LIVE WORK & CLUSTER UNITS
W/ PROPOSED ROADWAYS

PREPARED FOR: _____ DATE SUBMITTED: MAY 2015

M2 CIVIL
 PLANNING & ENGINEERING

10421 SOUTH JORDAN GATEWAY
 BOULEVARD, SUITE #200
 SOUTH JORDAN, UT. 84095

SHEET NUMBER
EXHIBIT-B

SCALE
 HORIZONTAL: 1"=100'
 VERTICAL: 1"=N/A

JOB NUMBER
47-000

CAUTION: The engineer preparing these plans will not be responsible for, or liable for, unauthorized changes to or uses of these plans. All changes to the plans must be in writing and must be approved by the engineer of these plans.





ORDINANCE NO. 2015-_____

AN ORDINANCE AMENDING HEBER CITY'S ZONING MAP FOR PROPERTY
LOCATED AT APPROXIMATELY 801 East 1200 South

BE IT ORDAINED by the City Council of Heber City, Utah, that the
property described within Exhibit 2 be Zoned to include the
Clustered Open Space Overlay Zone (COSZ) as shown on Exhibit 1.

This Ordinance shall take effect and be in force from and
after (a) its adoption, (b) a copy has been deposited in the
office of the City Recorder and (c) a short summary of it has
been published in the Wasatch Wave, but not prior to the _____
day of _____, 2015.

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 Jeff Bradshaw	_____	_____
Council Member Eric Rowland	_____	_____
Council Member Heidi Franco	_____	_____
Council Member Kelleen Potter	_____	_____

APPROVED:

Mayor Alan W. McDonald

ATTEST:

RECORDER

Date: _____

EXHIBIT 1: ZONE MAP AMENDMENT

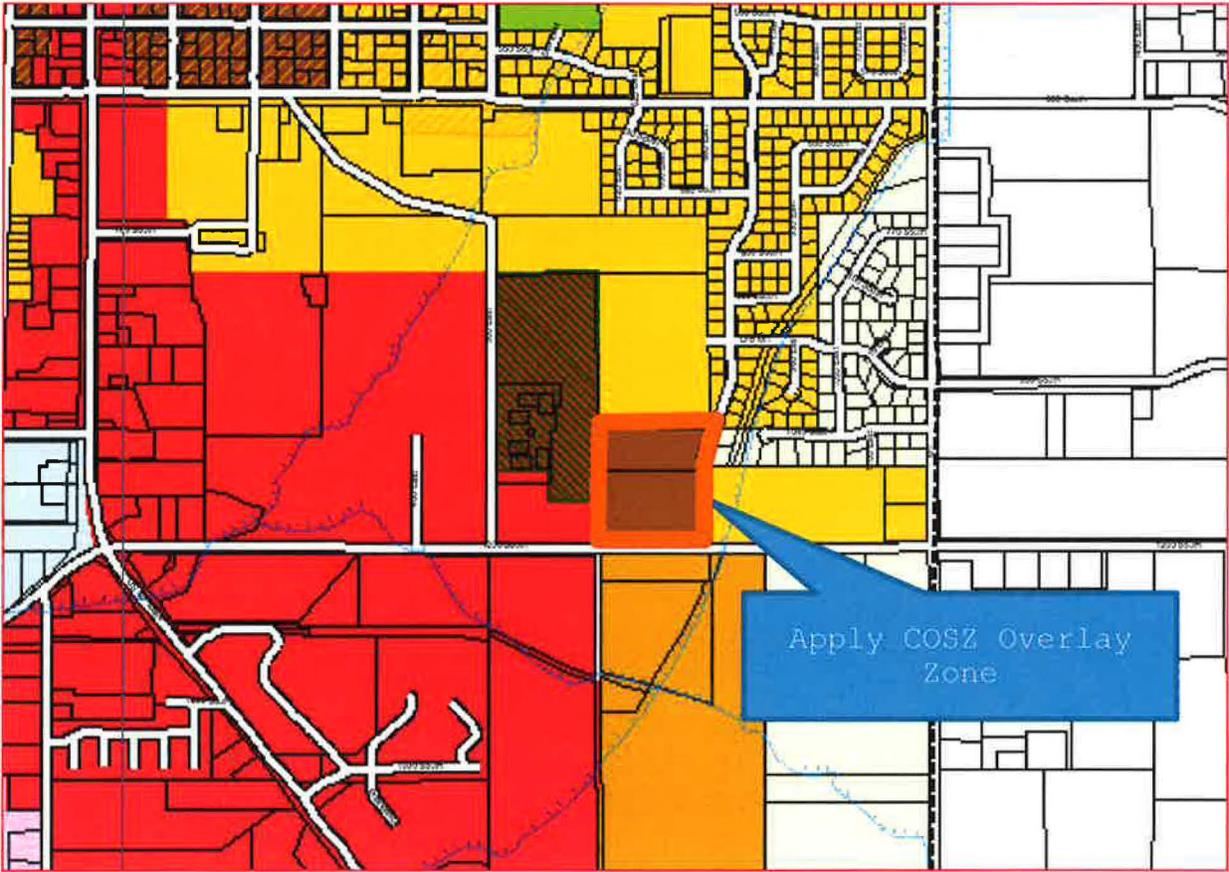


EXHIBIT 2: LEGAL DESCRIPTION

Property Tax Serial Number: OHE-2042-0-005-045

**BEGINNING N.442.22FT &
W.1344.47FT FROM SE
CORNER SEC 5 T4S R5E SLM:
W.650.10FT;
N.0°26'14"W.266.64FT;
N.89°59'52"E.673.71FT;
S.0°08'47"E.216.95FT;
N.83°09'18"W.22.82FT;
S.0°34'25"E.52.43FT TO THE
BEGINNING. AREA: 4.09
ACRES +-**

Property Tax Serial Number: OHE-2040-0-005-045

**BEGINNING E.669.77FT &
N.00°19'50"W.16.5FT FROM
S1/4 CORNER SEC 5 T4S R5E
SLM:
N.00°26'08"W.432.46FT;
E.650.1FT; S.432.96FT;
N.89°50'43"W.640.98FT TO
THE BEGINNING. AREA: 6.42
ACRES +-**

TAB 6

Heber City Council
Report by: Anthony L. Kohler
Meeting date: July 16, 2015

Re: C-2 & C-4 Design Criteria

The Planning Commission held a public hearing on June 25, 2015 to consider an amendment to the C-2 & C-4 Design Criteria, intended to clarify the purpose and objectives of the design criteria. Based on the wording in the design criteria, the Planning Commission has interpreted the intent of the design criteria to require parking lots to be located to the side or behind buildings only along Main Street between 1200 South and 500 North, not in other areas of the C-2 and C-4 Zones. The proposed amendment clarifies the design criteria in this manner.

No members of the public commented on the proposed changes. The Planning Commission recommended approval of the proposed amendment.

ORDINANCE NO. 2015-_____

AN ORDINANCE AMENDING THE C-2 & C-4 DESIGN CRITERIA.

BE IT ORDAINED by the City Council of Heber City, Utah, that Definitions, Sections 102, 103, 107, 202, 207, 304, and 307 of the Heber City C-2 & C-4 Design Criteria are **amended** to read as follows:

DEFINITIONS

The term "Main Street" shall mean that portion of Highway 40 lying between 500 North and 1200 South

SECTION 102 - BUILDING ORIENTATION:

All primary facades and design elements for buildings along Main Street should orient to Main Street with secondary and subordinate features associated with side streets and alleyways. Placement of building(s) on a site should be compatible with existing buildings in order to maintain the building setback as outlined within Section 104.

Primary building entrances for buildings along Main Street should be oriented towards Main Street with a secondary entrance off of the parking area. Joint angular entrances that service both the parking and Main Street pedestrian traffic are acceptable. (See *illustration C2-a & C2-b SITE LAYOUT*)

SECTION 103 - BUILDING SETBACK:

For buildings along Main Street, the setback shall be twenty foot (20') setback minimum from street property line to building face and forty foot (40') setback maximum from street property line to building face. Sites that utilize a wall sign or blade projecting sign on the wall as the primary sign may have a 10 foot minimum setback from the street property line upon approval from the Planning Department. (See *illustration detail C2B-1 & C2B-2*) For buildings not along Main Street, the minimum setback shall be 20 feet and the maximum setback shall be 100 feet.

SECTION 107 - PARKING INFRASTRUCTURE:

General Parking: The minimum number of parking spaces shall meet the requirements set forth in Section 18.72 of the City's Zoning Ordinance, or as determined by the Planning Commission upon analysis of a parking study submitted by the petitioner for shared parking for the overall site. Property owners desiring to apply time alternating shared parking shall petition Heber City with "time use studies" showing the viability of such an option.

Heber City shall be open to viable options.

Location: For buildings along Main Street, all off street parking shall be located to the rear or side of the building. In the case of corner lots, all parking shall have side street access to the parking areas. This side street access shall be established in order to accommodate future growth of the area and allow rear parking from side access points. *This standard shall be coordinated with Heber City Planning and the Heber City Engineering department for appropriate short and long range Heber City parking strategies and goals.* Parking lots shall be located on the site in a convenient location for patron access to the building. All circulation drives shall be clearly defined and marked appropriately with arrows and the like to assist public circulation into, on and out of the property and through parking lot areas. See Heber City engineering parking standards.

SECTION 202 - RIGHT of WAY LANDSCAPING:

Planter strips shall be planted in grass and contain one street tree per ~~20~~50 feet of street frontage. Choice of species for street trees must avoid evergreens, thorn and fruit bearing trees, and trees that grow large or have shallow roots. The trees may be clustered to avoid clear zones near corners and driveways ~~as appropriate~~ but must be planted within the planter strip unless underground utilities prevent such location. Planter strips adjoining the streetscape may be broken up by periodic sections of pavers.

SECTION 207 LANDSCAPE REQUIREMENTS:

Each site shall provide a landscaped area of at least 10 feet in width along all public street right of ways.

SECTION 304 - RELATIONSHIP TO STREET:

The "Streetscape" is defined to create a resemblance of the "Streetwall" found in the C-3 zone and to promote a more pedestrian anchored shopping experience, but at the same time recognizing the vehicular presence within the C-2 and C-4 Zones. All buildings shall maintain the setback requirements as set forth in Section 104. No building front shall be allowed outside of this area.

In order to promote a pedestrian environment within the C-2 and C-4 Zones it shall be strongly encouraged that the building be designed in such a way to accommodate both street pedestrian and side parked pedestrian entrance into the facility. This shall be done by utilizing a front corner entrance anchor that shall be visible from the street as well as the side parking area. The street front of all buildings shall be designed to visually invite the pedestrian into the facility and shall create an

anchor to the streetscape.

SECTION 307 - BUILDING WIDTH:

Buildings ~~within this zone~~ on Main Street are to maintain a resemblance of the street wall found within the C-3 zone, but allow for interior vehicular penetration from the street accessing side and rear yard parking.

Placing the façade of the building back from the front property line as defined in Section 104 allows for the placement of more landscape material as well as pedestrian friendly features to encourage pedestrian activity. Recognizing that this zone has a more vehicular driven activity, front street access points are allowed between the buildings as defined in section 108.

Each building shall be designed in a way that will allow no more than fifty (50') horizontal feet of wall plane for the type "A" project and seventy five (75') horizontal feet of wall plane for the type "B" project; without a clear expression of modulation or change.

This requirement shall consist of a primary offset in the wall plane no less than twenty four (24") inches for the type "A" project and forty eight (48") inches for the type "B" project; to create this sense of modulation.

The wall plane modulation shall extend up vertically and shall be carried back onto the roof structure at least forty eight (48") inches for the type "A" project and at least ninety six (96") inches for the type "B" project; to create a solid façade connection with the roof structure.

This requirement can be enhanced by employing the use of architectural features including but not limited to doors, windows, pilasters, columns, horizontal and vertical offsets, materials, colors, and textural variations, decorative cornices, awnings, arcades, entry areas, canopies, murals, graphics, reveals, projection ribs, and offsets. In order to assure conformance with this requirement, all exterior elevations shall be reviewed and approved as a part of the overall review process.

This Ordinance shall take effect and be in force from and after (a) its adoption, (b) a copy has been deposited in the office of the City Recorder and (c) a short summary of it has been published in the Wasatch Wave, but not prior to the _____ day of _____, 2015.

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 L. Potter	_____	_____

APPROVED:

Mayor Alan W. McDonald

ATTEST:

RECORDER

Date: _____

Date of First Publishing:

Tab 7

HEBER CITY RESOLUTION #2015-_____

RESOLUTION ADOPTING POLICY REGARDING NON-REVERSIONARY HANGAR
LEASE TERMS AND CONDITIONS

WHEREAS, pursuant to the formal recommendation of the Heber City Airport Board, dated the 17th day of June, 2015, Heber City, Wasatch County, Utah (Heber City) desires to adopt a policy which would incorporate new non-reversionary terms and conditions of certain existing non-reversionary airport policies, for the twenty two (22) existing non-reversionary hangar agreements with the City,

NOW, THEREFORE, it is hereby resolved by the City Council of Heber City, Wasatch County, Utah, that Heber City hereby adopts the following policy allowing, at a minimum, the incorporation of the following new non-reversionary terms and conditions, specified below:

1. Any current Aeronautical Use Non-Reversionary Ground Lessee will be offered a one-time option to opt-in to the new, approved Standard Form Ground Lease, prior to the expiration of their current lease.
2. The new Standard Form Ground Lease will contain the initial term contained in the Lessee's prior Ground Lease.
3. The rental rate shall be the rate established in the Authority's then current Fee Resolution.
4. If the Lessee exercises this option, the Authority reserves the right to assure the Lessee's improvements are in good order and repair, and will remain serviceable for the remaining term of the new lease.
5. If it is determined that the current improvements are not in good order and repair (at the sole discretion of the Airport Authority), the authority will give the Lessee direction on how to achieve good order and repair. Requests for an evaluation should be made at least 90 days prior to December 31, 2015, to allow for evaluation and proper approvals.

The use and inclusion of these terms identified by this Policy in hangar agreements is limited to the specified current 22 Hangars.

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

	AYE	NAY
Councilmember Robert L. Patterson	_____	_____
Councilmember Jeff Bradshaw	_____	_____

Councilmember Eric Rowland

Councilmember Heidi Franco

Councilmember Kelleen Potter

APPROVED:

Mayor Alan W. McDonald

ATTEST:

_____ Date: _____

RECORDER

Tab 8

Heber City Council
Meeting date: July 16, 2015
Report by: Anthony L. Kohler

Re: Stone Creek Phase One Final Application

The petitioner is proposing final approval for Phase 1 of Stone Creek, a 37 unit, 1/3 acre lot subdivision located in the PC Planned Community Zone at approximately 1300 East 600 North. The PC Zone is found in Chapter 18.61 of Heber City Code. The entirety of Stone Creek consists of a Master Planned Community of 125 Lots. The development originally started receiving entitlements in 2006 and 2007, but due to the Eastern Bypass, Red Ledges, and community issues adjoining the proposed development, the development received Final Approval on June 5, 2008 by the City Council in a format different from the original Master Plan adopted in 2007. In June of 2008, the financing of the development failed, and the Final Approval expired on June 5, 2010.

DENSITY

Section 18.61.020 E. 3. of the PC Zone states “Density shall not exceed (a) two (2) dwelling units per acre...Additionally, in the event that the development dedicates or provides lands to be used for master infrastructure improvements or enhancements that benefit the community as a whole, waivers to the density requirement may be considered by the Planning Commission and City Council. However, such density waivers shall not exceed 5% of the original residential density requirement for the project.”

Since the development was approved, the city altered its affordable housing ordinance from a mandatory ordinance to a voluntary ordinance. One of the 125 lots were bonus housing lots for the developer’s required contribution for the fee in lieu, and 4 of the lots were based on the developer’s contribution of land for the future eastern bypass. If the developer elects to not participate in the affordable housing program, the master plan should include only 124 lots. However, the developer has expressed a desire to ask for 5 bonus lots as per Section 18.61.020 E. 3. for the eastern bypass dedication, which makes the affordable housing discussion moot if this is granted.

TRANSPORTATION

The developer is proposing to have a non-gated private road development, whereas the master plan proposed a gated community. The city approved the master plan without utilizing the street stub connections into adjoining subdivisions. These stubs exist at approximately 800 North Mill Road, 400 North 1300 East and 500 North 1300 East. 1300 East connectivity was approved in the Stone Creek Master Plan as a secondary gated access only. These three road stubs were avoided at the request of the existing neighborhoods because the neighbors did not want the connectivity of Stone Creek into their subdivisions.

Not utilizing provided road stubs is poor planning. It unfairly distributes and focuses traffic congestion onto fewer streets, limits the ability of emergency services to efficiently access

different areas of the city, limits the ability for emergency services to utilize needed alternate transportation paths during emergencies (such as a canal breach or road closure), limits inter-neighborhood interaction and limits the ability to create a walkable community. The fire department and WCWEP have both expressed concern about not utilizing the existing road stubs for these reasons.

The road stubs are owned by the city and are difficult to maintain as they lead to nowhere and do not have permanent cul-de-sac bulbs. The road stub at 800 North Mill Road has two driveways on it and does not have the required 80 foot cul-de-sac turn around, making it very difficult to maintain. Without using the road stubs, 1300 East exceeds the maximum 800 foot cul-de-sac length. Section 17.24.020 of the Heber City Code states “a publicly dedicated Cul-de-sac shall have... a length of not in excess of 800 feet; [and] shall be terminated by a right-of-way turnaround of not less than 80 feet in diameter;...”. Besides proper planning, the road stubs were provided to address these temporary deficiencies, as it was planned for future adjoining development to eventually complete the needed infrastructure.

The city required provided road stubs to be used in Muirfield, Clover Meadows, Wheeler Park (Mayer Meadows) and many other subdivisions throughout the city, many times in contrast to the desire of the residents living nearby the provided street stubs. The city should consider requiring the three road stubs to be used in the Stone Creek Development.

PREVIOUS AGREEMENTS

There were many agreements associated with the last approved Stone Creek Final Subdivision Application.

1. Master Plan Agreement
2. Phase 1 Subdivision Agreement
3. Landscaping Agreement
4. Affordable Housing Proposal
5. Red Ledges Storm Drain Agreement. Stone Creek and Red Ledges had a signed agreement for Stone Creek to utilize Red Ledges’ Storm Drain Facility. This agreement has lapsed, and Red Ledges indicates the agreement has not yet been renewed.

Stone Creek is required to install a master planned water line in the alignment of the future bypass. An easement will be needed as the street right of way has not yet been dedicated in Red Ledges; that is supposed to happen in 2016.

NEIGHBORHOOD INVOLVEMENT

Several nearby neighbors have been involved with the Stone Creek Subdivision approval process, including Daniel Mauer, Eric Straddeck, and Tracy Taylor. The primary concern expressed by neighbors is the city should require the developer to use all three road stubs that are provided in the adjoining Timp Meadows Subdivision or use none of them. This relates in part to concern about the addition of future traffic from Stone Creek into the adjoining Timp Meadows Subdivision.

RECOMMENDATION

On June 25, 2015, the Planning Commission recommended approval of the proposed final subdivision application, conditional upon the following:

1. Developer provide a trail connection from the 675 North Road stub eastward to connect to the proposed private street within Stone Creek and finish 675 North to be a complete finished street;
2. The trails in Stone Creek be open to the public;
3. The conditions of the prior master plan and subdivision agreements be utilized, unless specified differently in the motion of approval and the following:
 - a. The city may consider granting five bonus lots instead of 4 (for a total of 125 lots) for the Eastern Bypass dedication, pursuant to Section 18.61.020 E. 3.;
 - b. The plat for Phase 1A and 1B and the adopted master plan be modified to utilize the two provided street stubs;
 - c. The development be approved with private roads and as a non-gated community; and
 - d. Development agreement and plat address how water and sewer maintenance occurs within private road easements.
4. The City and developer should come up with a dollar amount for the street impound fund for street maintenance to be placed in the development agreement;
5. Restrictive Covenants require a consistent material, height, and color of fence along the future bypass;
6. Developer either renew the Storm Drain Agreement with Red Ledges or provide its own storm drain facility to the satisfaction of the City Engineer;
7. Stone Creek install the master planned water line in the alignment of the future bypass. An easement will be needed as the street right of way has not yet been dedicated in Red Ledges; that is supposed to happen in 2016;
8. Prior to recording the plat, developer submit:
 - a. An updated title report for all lands proposed to be subdivided; and
 - b. Tax clearance from county assessor;
 - c. Street names and addresses need to be included and be reviewed and approved by Wasatch County;
 - d. Clarify who has the rights to the 0.93 acre storm drain easements shown on Phase 1A plat; and
 - e. The Restrictive Covenants and a Home Owner's Association be created and the necessary documents shall be recorded with the subdivision plat to ensure an entity is created and is collecting dues for the maintenance of the private streets and open space;

STONE CREEK SUBDIVISION PHASE 1 - 2015 FINAL APPLICATION



VICINITY MAP

ALL ROADWAY, SEWER, CULINARY WATER, PRESSURIZED IRRIGATION AND STORM DRAIN IMPROVEMENTS SHALL COMPLY WITH HEBER CITY STANDARDS AND SPECIFICATIONS.
ALL GAS, PHONE, POWER AND CABLE TV CONDUIT INSTALLATION AND ASSOCIATED IMPROVEMENTS SHALL COMPLY WITH THE SPECIFICATIONS AND STANDARDS OF EACH UTILITY COMPANY.

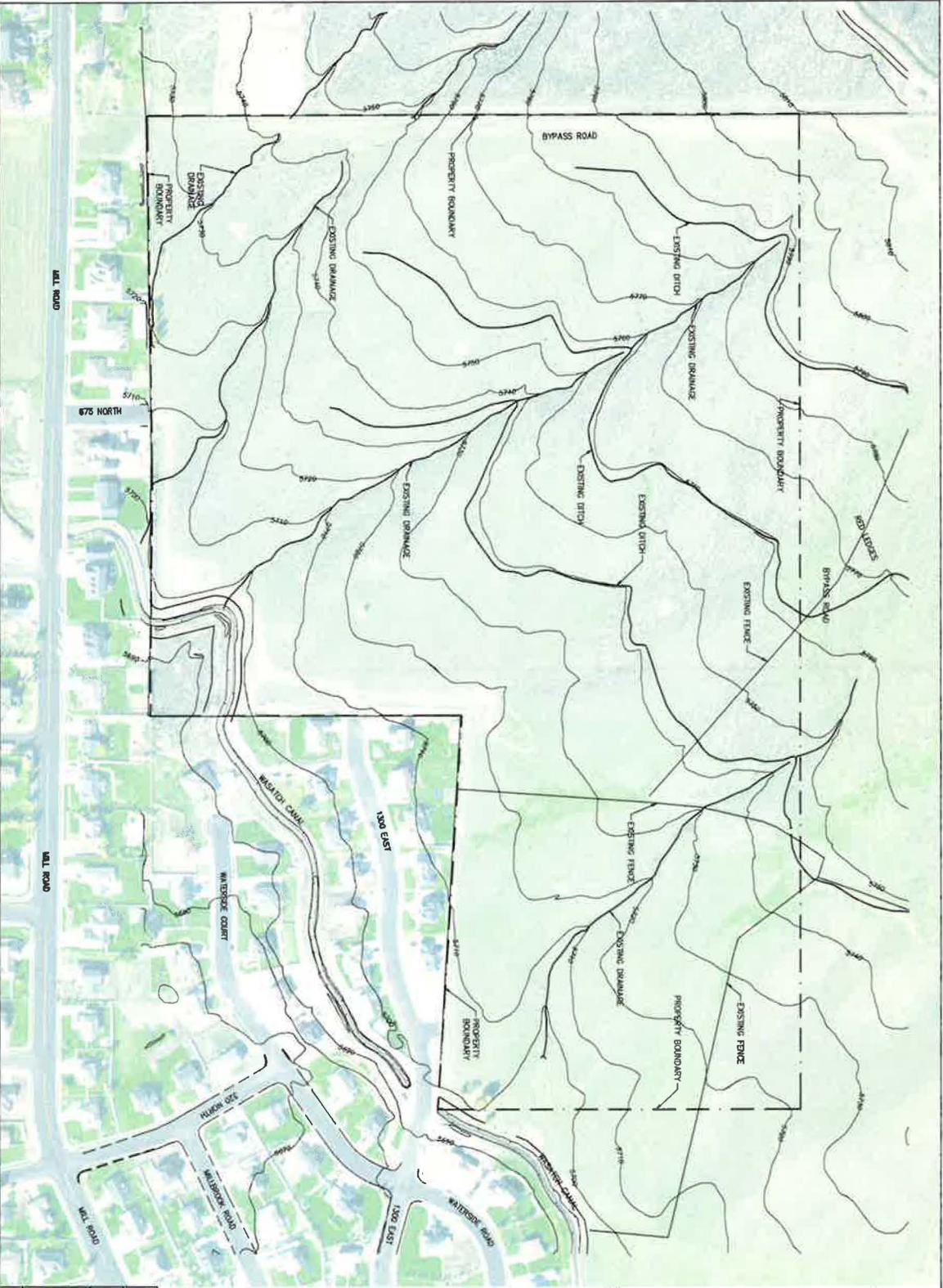
SHEET INDEX

1. EXISTING SITE
2. MASTER PLAN
3. PHASE 1 LANDSCAPE PLAN
4. STONE CREEK SUBDIVISION PHASE 1A PLAT
5. STONE CREEK SUBDIVISION PHASE 1B PLAT
6. 1240 EAST PLAN & PROFILE STA 0+00 - 10+00
7. 580 NORTH PLAN & PROFILE STA 10+00 - 20+00
8. 580 NORTH PLAN & PROFILE STA 20+00 - 24+41
9. 830 NORTH PLAN & PROFILE
10. 1300 EAST PLAN & PROFILE
11. 1400 EAST PLAN & PROFILE
12. BYPASS ROAD PLAN AND PROFILE (RED LEDGES SHEET C311)
13. BYPASS ROAD PLAN AND PROFILE (RED LEDGES SHEET C310)
14. ROAD AND TRAIL CONSTRUCTION DETAILS
15. SEWER MASTER PLAN
16. 1300 EAST SEWER PLAN & PROFILE
17. 1240 EAST SEWER PLAN & PROFILE
18. 580 NORTH SEWER PLAN & PROFILE STA 10+00 - 20+00
19. 580 NORTH SEWER PLAN & PROFILE STA 20+00 - 24+41
20. 1400 EAST SEWER PLAN & PROFILE
21. SANITARY SEWER CONSTRUCTION DETAILS
22. STORM DRAIN MASTER PLAN
23. RED LEDGES RETENTION POND PLAN
24. RED LEDGES RETENTION POND PLAN AND PROFILE
25. STORM DRAIN LINE A PLAN AND PROFILE
26. 1240 EAST/580 NORTH STORM DRAIN PLAN AND PROFILE STA 10-00 - 20+00 (LINES A & B)
27. 1400 EAST STORM DRAIN PLAN & PROFILE (LINE C)
28. 1240 EAST STORM DRAIN PLAN AND PROFILE STA 0-00 - 10+00 (LINE D)
29. 830 NORTH STORM DRAIN PLAN AND PROFILE (LINE E)
30. 1490 EAST STORM DRAIN PLAN & PROFILE (LINE F)
31. ONSITE RETENTION POND
32. STORM DRAIN DETAILS - SHEET 1
33. STORM DRAIN DETAILS - SHEET 2
34. CULINARY WATER MASTER PLAN
35. PHASE 1 CULINARY WATER PLAN
36. CULINARY WATER DETAILS
37. PRESSURIZED IRRIGATION MASTER PLAN
38. PRESSURIZED IRRIGATION DETAILS
39. STORM WATER POLLUTION PREVENTION PLAN

THIS DOCUMENT IS INCOMPLETE AND IS RELEASED TEMPORARILY FOR REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION, RECORD OR PERMIT PURPOSES.
PAUL D. BERG, P.E.
DESIGNER
DATE: 11 JUNE 2015

BLACKSTONE CREEK LLC	
STONE CREEK SUBDIVISION	
COVER SHEET	
	
DESIGN BY: PDB	DATE: 11 JUN 2015
DRAWN BY: CSE	SHEET: 0

STONE CREEK SUBDIVISION PHASE 1 FINAL APPLICATION - 11 JUNE 2015




 Scale 1" = 100'
 SCALE 1" = 200' FOR 11"x17" PLANS

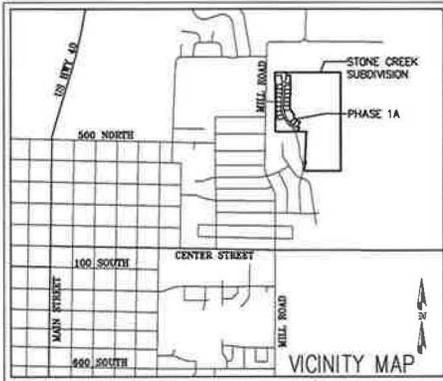
PHASE 1 LOTS SHOWN ON THIS PLAN

HERRIN CITY ENGINEER APPROVAL:
 DATE: 11/15/2011
 SHEET: 1 OF 1

THIS DOCUMENT IS A PRELIMINARY DESIGN AND SHALL BE USED ONLY FOR THE PURPOSES OF OBTAINING PERMITS. IT IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF BERG ENGINEERING.

BLANCKSTONE CREEK, LLC
 STONE CREEK SUBDIVISION
 EXISTING SITE


BERG ENGINEERING
 Richard George, P.E.
 10000 Highway 10, Suite 100
 Dallas, TX 75243
 Phone: (972) 412-8800
 Fax: (972) 412-8801
 Email: info@berg-engineering.com
 BER



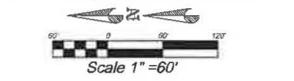
LOCATED IN THE NORTHWEST CORNER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN.

CHORD	LENGTH	BEARING	DELTA	CHORD	LENGTH	BEARING	DELTA	CHORD	LENGTH	BEARING	DELTA
C1	35.05	488.00'	04°28'23"	35.04	373.20'±	C13	97.28	425.00'	02°36'46"	97.48'	889.20'±
C2	27.57	15.50'	101°40'28"	24.65	555.32'±	C14	24.30	15.50'	90°00'00"	21.92'	548.98'±
C3	26.47	37.50'	38°11'54"	24.92	324.00'±	C15	136.89	480.00'	17°37'36"	136.67'	502.10'±
C4	4.87	20.00'	12°32'17"	4.56	527.14'±	C16	309.74	480.00'	20°31'45"	295.84'	577.20'±
C5	31.57	533.00'	05°22'20"	31.51	884.91'±	C17	97.27	480.00'	11°32'31"	97.57'	500.47'±
C6	68.99	500.00'	07°34'17"	68.87	388.00'±	C18	108.00	480.00'	12°32'28"	108.77'	562.59'±
C7	44.47	533.00'	02°09'59"	44.47	882.56'±	C19	832.00	510.00'	87°28'43"	828.45'	532.20'±
C8	37.29	487.00'	07°01'31"	37.24	850.30'±	C20	187.47	510.00'	22°31'01"	186.24'	529.50'±
C9	24.74	15.50'	11°27'34"	22.82	843.00'±	C21	44.80	125.00'	20°20'26"	44.31'	811.07'±
C10	18.64	225.00'	10°21'54"	17.87	508.36'±	C22	18.48	20.00'	20°27'20"	18.34'	818.88'±
C11	11.91	186.00'	13°50'58"	10.78	307.49'±	C23	45.72	45.00'	89°37'25"	45.84'	801.48'±
C12	44.87	1,000.00'	07°34'56"	44.82	520.31'±	C24	27.61	15.50'	101°40'28"	24.05'	817.08'±
C13	24.97	15.50'	8°22'30"	23.81	540.13'±	C25	326.36	335.00'	20°31'14"	321.34'	545.20'±
C14	83.03	225.00'	21°06'30"	82.96	811.09'±	C26	93.82	538.00'	09°30'34"	93.10'	523.84'±
C15	23.45	175.00'	07°40'37"	23.47	317.32'±	C27	64.13	135.00'	09°30'30"	63.69'	513.06'±
C16	27.20	15.50'	10°03'26"	23.80	526.24'±	C28	83.15	135.00'	02°38'21"	83.01'	502.12'±
C17	89.39	575.00'	06°26'56"	89.65	886.29'±	C29	134.90	538.00'	07°52'14"	134.80'	602.72'±
C18	63.68	600.00'	06°26'56"	63.58	886.29'±						

NOTES AND CONDITIONS:
 PRIVATE STREETS ARE OWNED AND MAINTAINED BY THE STONE CREEK HOME OWNERS ASSOCIATION.
 AN EASEMENT ON ALL PRIVATE STREETS IS DEDICATED TO HEBER CITY FOR THE PURPOSES OF OPERATING, MAINTAINING, INSPECTING, REPAIRING AND REPLACING WATER, SEWER, PRESSURIZED IRRIGATION AND STORM DRAIN UTILITIES.
 ALL COMMON AREAS SHALL BE MAINTAINED BY THE STONE CREEK HOME OWNERS ASSOCIATION FROM THE COVENANTS, CONDITIONS AND RESTRICTIONS OF THE STONE CREEK HOME OWNERS ASSOCIATION.
 LOT OWNERS SHALL COMPLY WITH THE COVENANTS, CONDITIONS AND RESTRICTIONS OF THE STONE CREEK HOME OWNERS ASSOCIATION.
 USE OF THE PRIVATE ROADS WITH STONE CREEK IS LIMITED TO LOT OWNERS, THEIR GUESTS AND INVITEES, EMERGENCY SERVICES, HEBER CITY, WASATCH COUNTY PUBLIC WORKS (TRASH COLLECTION) AND PUBLIC UTILITY COMPANIES. THE STONE CREEK HOME OWNERS ASSOCIATION RESERVES THE RIGHT TO CONTROL THE USE OF PRIVATE ROADS WITHIN THE DEVELOPMENT.
 COMMON AREAS ARE ALSO DEDICATED AS STORM DRAIN EASEMENT.
 A GEOTECHNICAL REPORT FOR THE SUBDIVISION IS AVAILABLE IN THE HEBER CITY PLANNING OFFICE. THIS REPORT PROVIDES RECOMMENDATIONS FOR CONSTRUCTION TO ADDRESS SPECIFIC SOILS IN THE AREA. BUILDERS ARE ADVISED TO REVIEW THIS REPORT AND FOLLOW THOSE RECOMMENDATIONS, AND TO CONSULT WITH A GEOTECHNICAL ENGINEER IF SOIL CONDITIONS ARE DIFFERENT THAN DESCRIBED IN THE REPORT.

LINE	LENGTH	BEARING
L1	13.01'	81°02'47"±
L2	11.22'	88°28'44"±
L3	36.84'	52°10'29"±

COUNTY SURVEYOR'S CERTIFICATE
 APPROVED AS TO FORM ON THIS _____ DAY OF _____, 20____
 COUNTY SURVEYOR _____



LEGEND
 SEWER EASEMENT TO HEBER CITY
 SURVEY MONUMENT

STONE CREEK PHASE 1 - JUNE 11, 2015

LOT	ADDRESS	LOT	ADDRESS
1	803 NORTH 1240 EAST	9	814 NORTH 1240 EAST
2	781 NORTH 1240 EAST	10	1256 EAST 830 NORTH
3	781 NORTH 1240 EAST	10	788 NORTH 1240 EAST
4	743 NORTH 1240 EAST	11	772 NORTH 1240 EAST
5	725 NORTH 1240 EAST	12	754 NORTH 1240 EAST
6	705 NORTH 1240 EAST	13	728 NORTH 1240 EAST
7	687 NORTH 1240 EAST	14	712 NORTH 1240 EAST
8	671 NORTH 1240 EAST	15	810 NORTH 1240 EAST
		16	568 NORTH 1240 EAST



SURVEYOR'S CERTIFICATE
 IN ACCORDANCE WITH SECTIONS 10-89-803 OF THE UTAH CODE, I, JASON JENKINS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER _____ IN ACCORDANCE WITH TITLE 84, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT.
 I FURTHER CERTIFY THAT I HAVE CONDUCTED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION _____ OF THE UTAH CODE, AND HAVE MEASURED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

BASIS OF BEARINGS
 THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED AS SOUTH 0°02'28" EAST 5349.37 FEET BETWEEN THE NORTHWEST AND SOUTHWEST CORNERS OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN.

BOUNDARY DESCRIPTION
 BEGINNING AT A POINT WHICH IS SOUTH 0°02'28" EAST 2666.17 FEET ALONG A SECTION LINE AND EAST 441.20 FEET FROM THE NORTHWEST CORNER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN.
 THENCE NORTH 00°32'28" EAST 527.53 FEET; THENCE NORTH 09°41'23" WEST 804.50 FEET; THENCE NORTH 89°56'44" EAST 282.13 FEET; THENCE SOUTH 00°47'00" EAST 84.97 FEET; THENCE NORTH 89°56'13" EAST 90.18 FEET; THENCE SOUTH 00°01'17" EAST 174.58 FEET; THENCE SOUTH 05°48'00" EAST 304.07 FEET; THENCE SOUTH 03°00'00" WEST 462.81 FEET; THENCE SOUTH 02°36'38" EAST 84.56 FEET; THENCE SOUTH 30°48'00" EAST 127.43 FEET; THENCE SOUTH 09°59'24" EAST 93.99 FEET; THENCE SOUTH 03°22'32" EAST 77.97 FEET; THENCE SOUTH 63°40'24" EAST 72.31 FEET; THENCE SOUTH 02°09'19" WEST 135.01 FEET; THENCE ALONG THE ARC OF 485.00 FOOT RADIUS CURVE 97.99 FEET TO THE RIGHT (CURVE HAS A CENTRAL ANGLE OF 11°34'17" AND A CHORD BEARING SOUTH 75°13'25" EAST 97.78 FEET); THENCE SOUTH 18°20'10" WEST 50.00 FEET; THENCE ALONG THE ARC OF 15.50 FOOT RADIUS CURVE 27.53 FEET TO THE LEFT (CURVE HAS A CENTRAL ANGLE OF 101°45'28" AND A CHORD BEARING SOUTH 50°32'35" WEST 24.05 FEET); THENCE ALONG THE ARC OF 37.50 FOOT RADIUS CURVE 33.43 FEET TO THE RIGHT (CURVE HAS A CENTRAL ANGLE OF 38°15'34" AND A CHORD BEARING SOUTH 24°55'38" WEST 24.85 FEET); THENCE ALONG THE ARC OF 30.00 FOOT RADIUS CURVE 4.39 FEET TO THE RIGHT (CURVE HAS A CENTRAL ANGLE OF 12°33'47" AND A CHORD BEARING SOUTH 37°43'31" WEST 4.38 FEET); THENCE WEST 893.89 FEET TO THE POINT OF BEGINNING.

CONTAINING: 11.42 ACRES

OWNER'S DEDICATION
 KNOW ALL MEN BY THESE PRESENTS THAT, THE UNDERSIGNED OWNER(S) OF THE PROPERTY DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PUBLIC AND PRIVATE STREETS, AND EASEMENTS, AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE DECLARATION HEREBY DEDICATE THOSE AREAS LABELED AS STREETS AND EASEMENTS FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS.

DATED THIS _____ DAY OF _____, A.D. 20____
 BY: _____
 BLACKSTONE CREEK LLC - MANAGER

ACKNOWLEDGMENT
 STATE OF UTAH)
 COUNTY OF WASATCH) S.S.
 ON THE _____ DAY OF _____, A.D. 2015 PERSONALLY APPEARED BEFORE ME, THE SIGNER OF THE FOREGOING DECLARATION, WHO DULY ACKNOWLEDGED TO ME THAT HE/SHE DID EXECUTE THE SAME IN THE CAPACITY INDICATED.
 MY COMMISSION EXPIRES _____ NOTARY PUBLIC

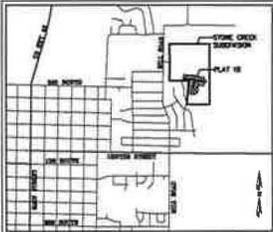
ACCEPTANCE BY HEBER CITY
 THE CITY COUNCIL OF HEBER CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS SUBDIVISION AND ACCEPTS THE DEDICATION OF LOTS, EASEMENTS, STREETS AND PUBLIC RIGHTS—OF-WAY HEREON SHOWN.
 THIS _____ DAY OF _____, A.D. 20____
 APPROVED: _____ MAYOR CITY RECORDER (SEE SEAL BELOW)
 APPROVED: _____ CITY ENGINEER (SEE SEAL BELOW)

PLANNING COMMISSION APPROVAL
 APPROVED THIS _____ DAY OF _____, A.D. 2015 BY THE _____ CITY PLANNING COMMISSION

STONE CREEK PHASE 1A
 SUBDIVISION, HEBER CITY, WASATCH COUNTY, STATE OF UTAH
 SCALE: 1" = 60 FEET

TOWNSHIP SEAL	RANGE SEAL	SECTION SEAL	OFFICIAL SEAL
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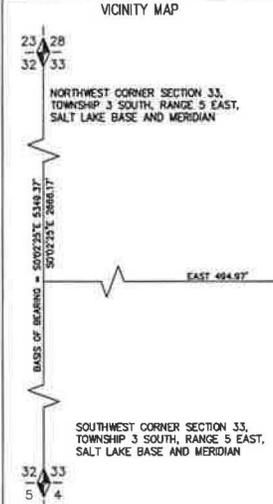
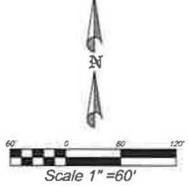
SURVEYOR
 JASON JENKINS
 FOCAL POINT SURVEYS
 PO BOX 312
 HEBER CITY, UT 84032
 DATE OF SURVEY: SEPT 2005



LOT	ADDRESS	LOT	ADDRESS
17	1311 EAST 580 NORTH	28	535 NORTH 1400 EAST
18	1337 EAST 580 NORTH	29	553 NORTH 1400 EAST
19	1357 EAST 580 NORTH	30	531 NORTH 1400 EAST
20	1375 EAST 580 NORTH	31	532 NORTH 1400 EAST
21	1395 EAST 580 NORTH	32	534 NORTH 1400 EAST
22	1417 EAST 580 NORTH	33	538 NORTH 1400 EAST
23	1445 EAST 580 NORTH	34	556 NORTH 1400 EAST
24	1471 EAST 580 NORTH	35	1424 EAST 580 NORTH
25	1362 EAST 580 NORTH		572 NORTH 1400 EAST
26	367 NORTH 1400 EAST	36	1453 EAST 580 NORTH
27	565 NORTH 1400 EAST	37	1474 EAST 580 NORTH
		38	543 NORTH 1400 EAST

CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING	CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	4.39	20.00	17.5347°	4.36	137.5347°	C25	44.96	15.00	89.711°	44.87	N02°37'01"W
C2	24.47	37.50	38.5154°	24.50	S24°59'38"W	C26	43.70	15.00	48.920°	43.47	N77°17'58"W
C3	27.67	15.00	101.2628°	24.00	S50°32'30"W	C27	44.80	15.00	89.725°	44.50	S52°42'24"W
C4	39.89	48.00	43.7827°	39.64	N01°30'27"W	C28	44.81	15.00	89.725°	44.52	S52°42'24"W
C5	53.97	2025.00	01°17'59"	53.97	N02°00'48"E	C29	30.87	15.00	33.843°	30.18	S47°31'17"E
C6	24.44	15.00	80.2023°	21.89	S42°49'34"E	C30	15.00	15.00	90.000°	15.00	S00°00'00"E
C7	24.66	15.00	80.2094°	22.17	S44°36'14"E	C31	83.16	15.00	147.252°	81.80	S04°46'14"E
C8	48.20	2025.00	01°18'25"	48.20	N01°30'27"E	C32	15.00	15.00	90.000°	15.00	S00°00'00"E
C9	193.47	310.00	22.3127°	186.24	S79°13'02"E	C33	72.07	105.00	40.281°	72.00	S16°32'08"W
C10	205.74	1000.00	23.5277°	203.26	S84°16'24"E	C34	36.87	105.00	30.863°	36.81	S12°18'11"W
C11	208.87	1000.00	11.9445°	208.89	S84°16'24"E	C35	24.90	15.00	90.000°	24.16	S00°00'00"W
C12	132.72	1010.00	07.9733°	129.64	S15°17'47"W	C36	16.49	1005.00	20.2011°	16.45	N08°43'48"W
C13	138.87	260.00	20.3177°	128.07	S08°20'27"E	C37	33.01	1005.00	16.7126°	33.04	N01°48'11"W
C14	164.66	535.00	18.9357°	158.89	N03°17'40"E	C38	77.00	1005.00	14.7411°	76.90	N02°40'28"W
C15	88.77	225.00	09.1300°	88.74	N07°44'08"E	C39	33.75	15.00	87.4327°	33.46	N44°31'13"W
C16	118.69	875.00	08.5137°	118.62	N07°41'34"E	C40	24.37	15.00	90.000°	24.14	N43°17'49"E
C17	24.25	15.00	80.2023°	21.89	S42°49'34"E	C41	89.37	37.00	00.0000°	89.46	S00°00'00"E
C18	60.66	985.00	03.7147°	60.67	N15°21'43"E	C42	86.72	975.00	00.0046°	86.69	S00°00'00"E
C19	81.07	880.00	03.2650°	81.92	N17°02'41"E	C43	13.02	1005.00	02.4522°	13.02	S79°38'17"E
C20	78.09	415.00	03.7147°	78.09	N06°30'21"E	C44	90.23	1005.00	00.0000°	90.20	S01°52'14"E
C21	77.82	415.00	03.7147°	77.80	N06°30'21"E	C45	85.57	1005.00	04.4430°	85.50	S00°00'00"E
C22	23.80	415.00	03.7147°	23.80	N06°30'21"E	C46	26.73	1005.00	02.7020°	26.73	S00°00'00"E
C23	18.77	15.00	90.000°	18.77	S00°00'00"E	C47	79.02	480.00	00.0000°	79.02	S00°00'00"E
C24	50.66	53.00	55.8973°	48.68	S24°03'44"E	C48	83.92	480.00	02.7020°	83.80	N77°17'37"E

LINE	LENGTH	BEARING
11	27.18	N02°37'01"W
12	33.79	N01°42'43"W
13	17.50	N09°44'04"E
14	40.77	N09°44'04"E
15	20.20	N14°43'49"E
16	20.20	N14°43'49"E
17	3.06	S00°00'00"E



SURVEYOR'S CERTIFICATE
 IN ACCORDANCE WITH SECTION 36-1-503 OF THE UTAH CODE, BING CHRISTENSEN, DO
 HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSE NUMBER 145789
 IN ACCORDANCE WITH TITLE 36, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND
 PROFESSIONAL LAND SURVEYORS LICENSEING ACT
 I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON
 THE PLAN IN ACCORDANCE WITH SECTIONS 36-1-501 OF THE UTAH CODE AND HAVE VERIFIED
 ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAN.

BASIS OF BEARINGS
 THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED AS SOUTH 01°02'25" EAST
 5349.37 FEET FROM THE NORTHWEST AND SOUTHWEST CORNERS OF SECTION 33,
 TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN.

BOUNDARY DESCRIPTION
 BEGINNING AT A POINT WHICH IS SOUTH 01°02'25" EAST 2666.17 FEET ALONG A SECTION
 LINE AND EAST 474.97 FEET FROM THE NORTHWEST CORNER OF SECTION 33, TOWNSHIP
 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN;
 THENCE ALONG THE ARC OF 2030.00 FOOT RADIUS CURVE 4.36 FEET TO THE RIGHT (CURVE HAS
 A CENTRAL ANGLE OF 1°13'37.4" AND A CHORD BEARING SOUTH 37°14'21" WEST 4.36 FEET); THENCE
 ALONG THE ARC OF A 37.50 FOOT RADIUS CURVE TO THE RIGHT 25.43 FEET (CURVE HAS
 A CENTRAL ANGLE OF 30°14'28" AND A CHORD BEARING SOUTH 24°05'20" WEST 24.05 FEET);
 THENCE ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT (CURVE HAS
 A CENTRAL ANGLE OF 10°40'28" AND A CHORD BEARING NORTH 50°23'20" WEST 24.05 FEET);
 THENCE NORTH 18°25'14" EAST 77.57 FEET; THENCE ALONG THE ARC OF A 400.00 FOOT RADIUS
 CURVE TO THE RIGHT (CURVE HAS A CENTRAL ANGLE OF 4°08'25" AND A CHORD
 BEARING NORTH 71°32'59" WEST 35.04 FEET; THENCE NORTH 20°57'10" EAST 13.60 FEET;
 THENCE SOUTH 22°23'22" EAST 80.07 FEET; THENCE SOUTH 17°04.94 FEET; THENCE SOUTH 78°18'11"
 EAST 369.87 FEET; THENCE SOUTH 89°23'37" EAST 95.20 FEET; THENCE SOUTH 02°54'11" WEST
 62.48 FEET; THENCE ALONG THE ARC OF A 2000.00 FOOT RADIUS CURVE 57.23 FEET TO THE
 RIGHT (CURVE HAS A CENTRAL ANGLE OF 01°37'30" AND A CHORD BEARING NORTH 02°00'48"
 EAST 21.84 FEET); THENCE NORTH 89°04'43" EAST 50.04 FEET; THENCE ALONG THE ARC OF A
 15.00 FOOT RADIUS CURVE 24.44 FEET TO THE RIGHT (CURVE HAS A CENTRAL ANGLE OF
 80°20'32" AND A CHORD BEARING SOUTH 43°49'53" EAST 21.89 FEET; THENCE SOUTH 02°01'41"
 EAST 32.04 FEET; THENCE ALONG THE ARC OF A 16.50 FOOT RADIUS CURVE 24.40 FEET TO THE
 RIGHT (CURVE HAS A CENTRAL ANGLE OF 90°58'04" AND A CHORD BEARING SOUTH 44°25'14"
 WEST 22.10 FEET); THENCE NORTH 89°22'15" WEST 50.02 FEET; THENCE ALONG THE ARC OF A
 2000.00 FOOT RADIUS CURVE 46.20 FEET TO THE LEFT (CURVE HAS A CENTRAL ANGLE OF
 01°15'32" AND A CHORD BEARING NORTH 01°38'32" WEST 46.20 FEET; THENCE SOUTH 62°17'45"
 EAST 200.28 FEET; THENCE SOUTH 87°42'15" WEST 130.00 FEET; THENCE SOUTH 47°46'58"
 WEST 200.18 FEET; THENCE SOUTH 82°20'37" WEST 222.59 FEET; THENCE SOUTH 38°29'54"
 WEST 84.03 FEET; THENCE SOUTH 03°37'41" WEST 80.78 FEET; THENCE SOUTH 68°04'28" WEST
 33.23 FEET; THENCE NORTH 03°33'44" EAST 885.47 FEET; THENCE WEST 211.43 FEET TO THE
 POINT OF BEGINNING. CONTAINING 8.48 ACRES.

OWNER'S DECLARATION
 KNOW ALL MEN BY THESE PRESENTS THAT, THE UNDERSIGNED OWNER(S) OF THE
 PROPERTY DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO
 LOTS, PUBLIC STREETS, AND EASEMENTS, AND IN ACCORDANCE WITH THE TERMS
 AND CONDITIONS OF THE DECLARATION HEREBY DEDICATE THOSE AREAS LABELED
 AS PUBLIC STREETS AND EASEMENTS FOR THE CONSTRUCTION AND MAINTENANCE OF
 PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS.

WITNESSED THIS _____ DAY OF _____, A.D. 20____
 BLACKSTONE CREEK LLC - MANAGER

ACKNOWLEDGMENT
 STATE OF UTAH } S.S.
 COUNTY OF WASATCH }
 ON THE _____ DAY OF _____, A.D. 2007 PERSONALLY APPEARED
 BEFORE ME, THE SIGNED OF THE FOREGOING DECLARATION, AND FULLY ACKNOWLEDGED TO
 ME THAT HE/SHE DID DELIBERATE THE SAME IN THE CAPACITY INDICATED.
 MY COMMISSION EXPIRES _____ NOTARY PUBLIC

ACCEPTANCE BY HEBER CITY
 THE CITY COUNCIL OF HEBER CITY, WASATCH COUNTY, STATE OF UTAH,
 HEREBY APPROVES THIS SUBDIVISION AND ACCEPTS THE DEDICATION OF
 LOTS, EASEMENTS, STREETS AND PUBLIC RIGHTS-OF-WAY HEREON SHOWN.
 THIS _____ DAY OF _____, A.D. 20____

APPROVED: _____ MAYOR ATTEST: _____ CITY RECORDER
 (SEE SEAL BEHIND)
 APPROVED: _____ CITY ENGINEER (SEE SEAL BEHIND)

PLANNING COMMISSION APPROVAL
 APPROVED THIS _____ DAY OF _____, A.D. 2007, BY THE
 HEBER CITY PLANNING COMMISSION
 CHAIRMAN, PLANNING COMMISSION

STONE CREEK PHASE 1B
 SUBDIVISION, HEBER CITY, WASATCH COUNTY, STATE OF UTAH
 SCALE: 1" = 60' FEET

COUNTY RECORDER
 COUNTY SURVEYOR'S CERTIFICATE
 APPROVED AS TO FORM ON THIS _____ DAY
 OF _____, 20____
 RCG# _____
 COUNTY SURVEYOR

NOTES AND CONDITIONS:
 PRIVATE STREETS ARE OWNED AND MAINTAINED BY THE
 STONE CREEK HOME OWNERS ASSOCIATION.
 AN EASEMENT ON ALL PRIVATE STREETS IS DEDICATED
 TO HEBER CITY FOR THE PURPOSES OF OPERATING, MAINTAINING
 INSPECTING, REPAIRING AND REPLACING WATER, SEWER,
 PRESSURIZED IRRIGATION AND STORM
 DRAIN UTILITIES.
 ALL COMMON AREAS SHALL BE MAINTAINED BY THE STONE CREEK
 HOME OWNERS ASSOCIATION. COMMON AREAS ARE COVERED BY THE
 COVENANTS, CONDITIONS AND RESTRICTIONS OF THE STONE
 CREEK HOME OWNERS ASSOCIATION.
 LOT OWNERS SHALL COMPLY WITH THE COVENANTS, CONDITIONS
 AND RESTRICTIONS OF THE STONE CREEK HOME OWNERS ASSOCIATION.
 USE OF THE PRIVATE ROADS WITHIN STONE CREEK IS LIMITED TO LOT OWNERS,
 THEIR GUESTS AND INVITEES, EMERGENCY SERVICES, HEBER CITY, WASATCH COUNTY
 PUBLIC WORKS (TRASH COLLECTION) AND PUBLIC UTILITY COMPANIES. THE STONE
 CREEK HOME OWNERS ASSOCIATION RESERVES THE RIGHT TO CONTROL THE USE
 OF PRIVATE ROADS WITHIN THE DEVELOPMENT.
 COMMON AREA LOT E IS DEDICATED AS STORM DRAIN EASEMENT.
 A GEOTECHNICAL REPORT FOR THE SUBDIVISION IS AVAILABLE IN THE HEBER CITY
 PLANNING OFFICE. THIS REPORT PROVIDES RECOMMENDATIONS FOR CONSTRUCTION
 TO ADDRESS SPECIFIC SOILS IN THE AREA. BUILDERS ARE ADVISED TO REVIEW THIS
 REPORT AND FOLLOW THOSE RECOMMENDATIONS AND TO CONSULT WITH A
 GEOTECHNICAL ENGINEER IF SOIL CONDITIONS ARE DIFFERENT THAN DESCRIBED IN
 THE REPORT.
 JASON JENKINS
 FOCAL POINT SURVEYS
 PO BOX 372
 HEBER CITY, UT 84032
 DATE OF SURVEY: 30TH 2005

Tab 9

Heber City Council
Meeting date: July 16, 2015
Report by: Anthony L. Kohler

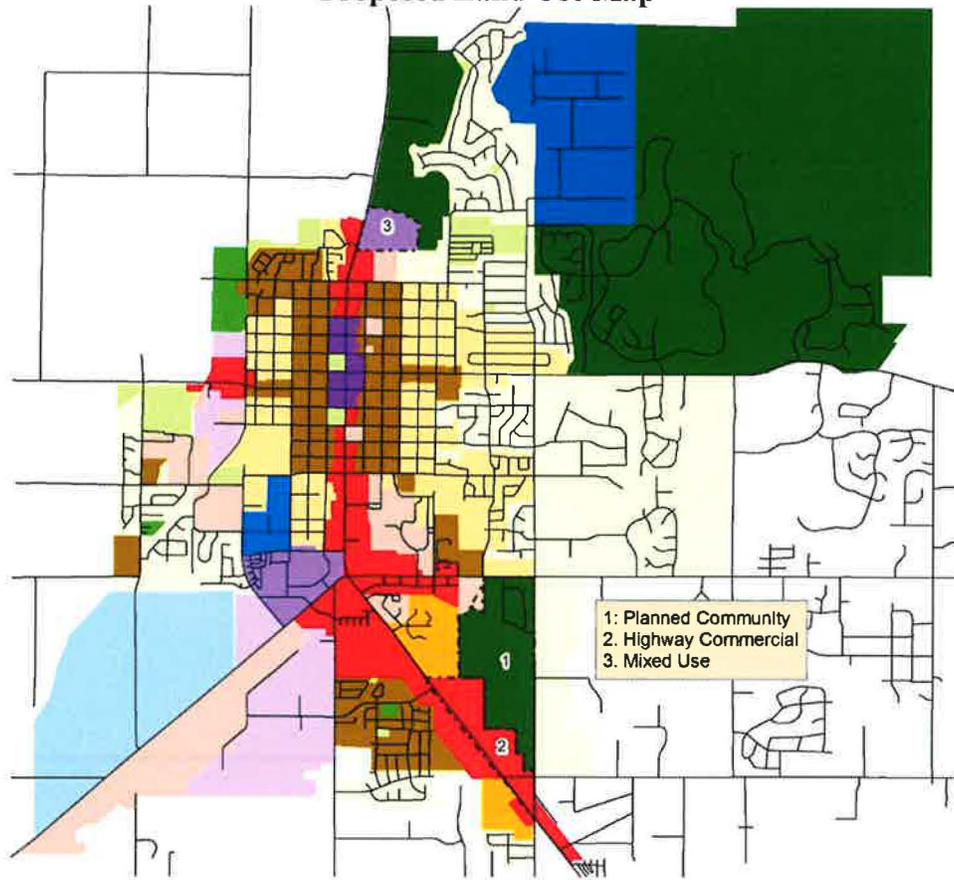
Re: Strawberry Annexation Work Meeting Discussion

On May 28, 2015, the Planning Commission recommended approval of the proposed Strawberry Annexation, conditional upon the conditions of annexation being included as part of an annexation agreement with the petitioners for annexation. As a reminder, the Planning Commission recommended an amendment to the General Plan so that properties in this annexation would be zoned different than the current General Plan. Over the last several months, the Planning Commission and property owners within the annexation area have discussed the following issues.

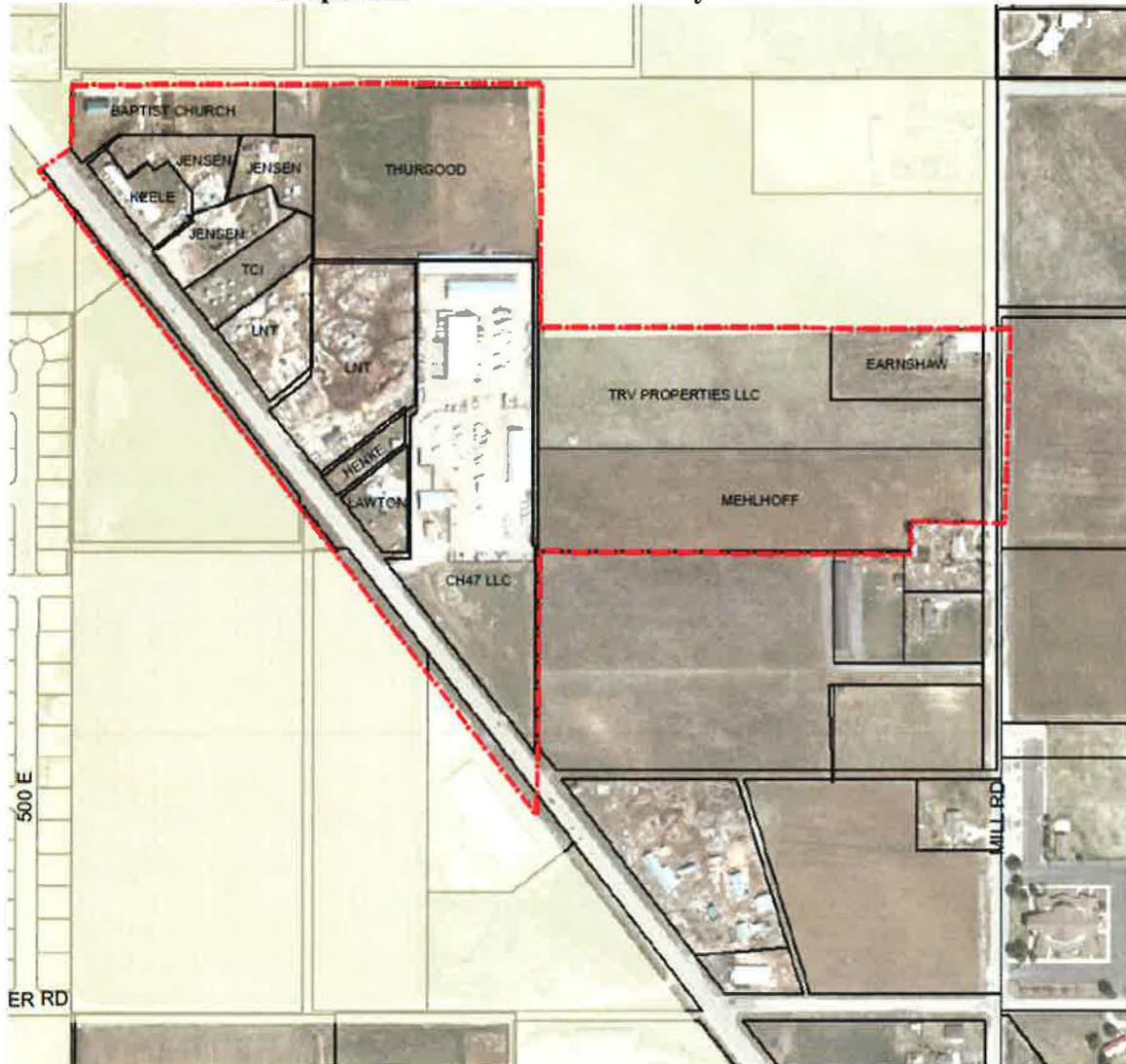
1. Tax implications for properties being annexed
2. Which property owners are for or against the annexation
3. Land Use amendment to the General Plan
4. Highway connections & safety issues
5. Conditions of Annexation for Petitioners
6. Plan for safe route for school children
7. Plan for sewer service

The purpose of the July 16, 2015 meeting is to discuss the proposed annexation agreement and Planning Commission recommendation. To consider final approval of the annexation, the City Council will need to hold a public hearing.

Proposed Land Use Map



Properties within the Strawberry Annexation



Highway 40

The city's Street Plan shows three major streets within and south of this annexation intersecting with Highway 40, including 800 East, 2400 South, and Mill Road. In discussions with UDOT, 2400 South and Mill Road should eventually be realigned to be perpendicular to Highway 40, and each of these intersections should be spaced preferably a quarter mile from each other. While several potential alignments exist, Heber City, Wasatch County, UDOT and surrounding property owners will need to cooperate to identify feasible realignments these streets. The map below shows one potential way of reconfiguring intersections to meet UDOT requirements. This configuration retains the existing 2400 South and Mill Road intersections with Highway 40, with the existing intersections becoming right-in, right-out turn movements only; the new alignment would permit right and left hand turn movements. The proposed Strawberry Annexation is not within the area where future intersection changes will occur.

The city has required petitioners in previous annexations to improve their Highway 40 street frontage with curb, gutter, and sidewalk when they develop. While the city at this location may instead opt to have a more rural street cross section along Highway 40, the city should consider implementing the typical requirement, and in the meantime look adopting other options such as a trail.

Potential Intersection Alignments



Recommended Conditions of Annexation

Applicable to all Petitioners when properties develop or redevelop.

1. Connection to the 16 inch Mill Road Water line may require reimbursement to developer that installed the water line.
2. Landscaping along Highway 40 should be brought to city standards.
3. Existing wells and septic tanks are suitable for existing uses. However, as the properties redevelop or develop, sewer and water connections will be required. The health department may require connection to sewer and water systems if septic tanks or wells fail, or as those services are expanded.

Mehloff/TRV Properties

1. The right of way along Mill Road should be improved to the 72 foot right of way Major Collector Standard.
2. An off-street trail should be constructed within a 20 to 30 foot wide landscaped berm area along Mill Road.
3. The 66 foot wide Minor Collector at the approximate alignment of 900 East should be constructed and stubbed to property lines, including the 10" master planned sewer line.
4. Mill Road should receive an asphalt overlay.

Earnshaw Property

1. The right of way along Mill Road should be improved to the 72 foot right of way Major Collector Standard.
2. An off-street trail should be constructed within a 20 to 30 foot wide landscaped berm area along Mill Road.
3. Mill Road should receive an asphalt overlay.

Shingledecker Property

1. The 72 foot wide Major Collector at 500 East should be constructed to the intersection of East Airport Road, including the 10" master planned sewer line
2. The master planned bike trail should be constructed along 500 East.
3. The master planned 8 inch sewer line should be constructed along Highway 40.
4. The master planned 12 inch culinary water line should be constructed to connect from East Airport Road east towards Mill Road.
5. The master planned 8 inch culinary water line should be constructed along Highway 40.
6. When the property develops, Highway 40 frontage shall be improved to city standard.

Loren Jensen Property

1. The 72 foot wide Major Collector at 500 East should be constructed to the intersection of East Airport Road, including the 10" master planned sewer line.
2. The master planned bike trail should be constructed along 500 East.
3. The master planned 12 inch culinary water line should be constructed to connect from East Airport Road east towards Mill Road.
4. The master planned 8 inch culinary water line should be constructed along Highway 40.
5. When the property develops, Highway 40 frontage shall be improved to city standard.

Thurgood Property

1. The master planned 12 inch culinary water line should be constructed to connect from East Airport Road east towards Mill Road.