

MINUTES OF THE CITY COUNCIL MEETING HELD NOVEMBER 28, 2006, AT 7:00 P.M., IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBER

MEMBERS PRESENT: Mayor Kelvyn Cullimore, Councilman Don Antczak, Councilman Scott Bracken, Councilman Bruce Jones, Councilman Gordon Thomas

STAFF PRESENT: City Manager Liane Stillman, City Attorney Shane Topham, Deputy City Manager Kevin Smith, City Treasurer Gary Harmer, Finance Director David Muir, Planning Director Michael Black

OTHERS PRESENT: Robby Russo, Corbett Ford, Ron Fullmer, Larry & Beverly Jensen, Tom Haroldson, Thomas Vincent & father, John Gust Mike Watson, Susie Becker, Bob Good, Susan Johnston, Jeff Johnson, Jared Shupe, Amelia Nielson-Stowell, Rashell Garcia, Leslie Smith, Debbie Wolthius, Ron Wolthius, Howard Norton, Elke Kirstin-Brauer, Cory Chrultaw, JaNae Smith, Paula Rutter, John Rutter, and Mark Johnson

**1.0 WELCOME/PLEDGE/ACKNOWLEDGEMENTS**

1.1 Mayor Cullimore opened the meeting at 7:00 p.m. and welcomed those in attendance.

1.2 The Pledge of Allegiance was led by Thomas Vincent, Troop 411.

**2.0 PUBLIC COMMENTS**

**2.1 Zoning Change for Meadows Mobile Home Park**

2.1.1 Planning Director Michael Black reviewed the location of the subject property and gave a brief history of the process involving the proposed zone change. Mr. Black stated that Staff is recommending that the Council consider a new zone which would be one unit per 32,000 square feet as an additional option for this property. He explained that there are one acre lots on the east side of the property and ½ acre lots on the west side of the property. He said the RR-1-32 zone could be used as a buffer where needed. The overall density for the RR-1-32 zone would be 1½ units per acre, which in this case would be 29 units for the entire project.

2.1.2 Mayor Cullimore opened the public comment period.

2.1.3 John Gust, Arbor Commercial/Residential Properties, said that he has visited 80 households in the area and reviewed with the residents three options for the design of the property. He had each person sign which option they felt would be good for them. The overwhelming favorite was the design with the fence, landscaped area, and circular layout. He believes he can work within the parameters of the proposed ordinance, but noted he has not reviewed the entire document.

2.1.4 Leslie Smith, three year resident of the Meadows Mobile Home Park, stated that depending on who you talk to some don't like the ideas which have been proposed. She has been advised by adjacent residents and the management company that the mobile home park could not be sold. She encouraged the City to look into this matter before proceeding.

2.1.5 Mark Johnson said that he is in favor of considering the proposed new zone. He asked if it is 1.5 building lots per acre or whether it is .75 acres per building lot. He favors .75 acres per building lot. He said a special meeting was held with Mr. Gust and several residents and it was suggested

that the section along Siesta have larger lots. Mr. Johnson disagreed that the majority want a wall as opposed to having homes face Siesta Drive.

- 2.1.6 Rachelle Garcia, said she is building a home on Caballero Drive and wondered if this is intended to be a gated community.

Mayor Cullimore explained that originally there were concepts which showed the development as a gated community. He explained that this type of issue will be covered when the Planning Commission reviews the site plan.

Ms. Garcia said a gated community would be detrimental to the rural feel of the area and would have a negative impact.

- 2.1.7 Margo Cowley, stated that she and her neighbors are in favor of a variety of sizes of lots. They felt it would be better as a neighborhood that the wall was there, not to separate, but to keep the neighborhood that is being built together. She also felt it would help the neighborhood as a whole to have the landscaping along Siesta Drive with a park-like feel.

- 2.1.8 Joe Johnson, agreed with Mrs. Cowley's comments and expressed support for a variety of lot sizes that would allow 29-31 lots for development. Mr. Johnson spoke to several neighbors who live along Caballero who are also very much in favor of the rezoning.

- 2.1.9 Kristine Hare, said that she has spoken to at least 13 families in favor of the plan showing the wall and landscaping.

- 2.1.10 John Rutter, 1883 Siesta Drive, said that he is not in favor of the wall along Siesta Drive. He believes the country feel is an important part of the neighborhood and would like to see it remain. He believes the wall would increase the traffic speeds along that road and would make it a very sterile neighborhood. Mr. Rutter said that no one on Siesta Drive is in favor of the wall.

- 2.1.11 Elke Kirsten-Brauer, said that she is in favor of the development, but wants the open feeling with the houses facing Siesta Drive, and having those lots, the bigger lots. She said that the people on Siesta, who are directly affected, would feel 'left out' instead of part of a community if the houses on Siesta face in.

- 2.1.12 Mayor Cullimore pointed out that the only authority the City Council has in this matter is to decide on the rezoning of the property. The issues that deal with the fence, the gating of the community and how the houses face will be dealt with by the Planning Commission when they review the site plan.

- 2.1.13 Jared Shupe, said there should be a global feel to this situation. He said that Mike Black did a density study from Highland Drive to 1300 East and determined the density to be 1.8 to 1.9 units per acre. He said that Mr. Gust's plans range from 1.48 units per acre to 1.59 per acre and as long as he stays at or under what existing density is, it should be allowed. As a neighbor he believes a variety of lots would be good. He noted that Arbor Development has done a good job in making the neighbors feel comfortable with the process required by the City. Mr. Shupe said that everyone in his neighborhood supports the rezone.

- 2.1.14 Paula Rutter, 1883 Siesta Drive, said she has never been contacted by Mr. Gust and is impacted more than any person other than Mr. Johnson. If Mr. Gust gets his zoning approved, she does not want the possibility of living across the street from a thousand feet of fence. A letter was sent to the developer and the City Council last September outlining her position. She is against the rezoning because she believes it gives the developer more latitude to do what he wants and gives the homeowners less power in what will be done.
- 2.1.15 Howard Norton, stated that he is opposed to rezoning to smaller lots because it takes away from the country atmosphere that now exists.
- 2.1.16 Chuck O'Brian, Arbor Commercial, noted for the record that he had visited Mrs. Rutter's house on three different occasions and no one was at home. Mayor Cullimore suggested a fourth attempt might be in order.
- 2.1.17 Allen Packer, 1853 Siesta Drive, said that polarization has taken place on this issue. He asked the Council to think about the domino effect that has been occurring in the community moving from acre lots to smaller lots. Mr. Packer explained that as different options of concept plans for the property were presented by Arbor Development, the idea of keeping it the same was not one of the options. He would like to maintain the open country feel and maintain his investment.
- 2.1.18 Mayor Cullimore stated the City has been striving to find a middle ground and the arguments on both sides have merit. The City will be submitting the new zoning ordinance to the Planning Commission on December 6, 2006. They will then make a recommendation to the City Council for its consideration on December 19<sup>th</sup>.
- 2.1.19 Bob Good, questioned what the City is doing for those being displaced by this development.

Mayor Cullimore briefly explained what has been done to help those being displaced. He indicated that the city is working with two advocacy groups, Salt Lake County Aging Services and Salt Lake Community Action Programs. Each resident has been assigned to an advocacy group who then works with the residents to bring needed resources such as housing alternatives to the attention of the residents for consideration. Fund raising is also underway. The developer has committed \$420,000 and the city has a goal of raising \$900,000. Sorenson Legacy Foundation has contributed \$100,000 and a \$200,000 matching grant. The funds are being distributed through three programs: A \$2000 per household basic relocation grant; Supplemental grants to those who need more than the \$2000; and a mortgage intervention program to assist those who cannot move their homes and still owe money on them. If the \$900,000 goal is achieved, the funds will be able to meet 90% of the relocation cost needs based on the applications received. Overall, the programs are helping to blunt the trauma of the financial blow, but despite these efforts, many will still be financially and emotionally harmed.

- 2.1.20 Mayor Cullimore reminded everyone that the final ordinance would come back to the City Council on December 19, 2006. He asked Mike Black to clarify the math for the ordinance such that it reflected the density of 1.5 units per acre which should be about 29,000 square feet per lot instead of 32,000 square feet.

### 3.0 **CITIZEN COMMENTS**

- 3.1 No comments were received.

4.0 **REPORTS**

4.1 **Unified Fire Report**

4.1.1 Chief Mike Watson presented the October 2006 fire report. There were 158 medical calls this October compared to 177 last year; and 67 fire calls compared to 75 calls last year. Chief Watson reviewed the safety message for October reminding residents to change the batteries in smoke detectors if they did not do so with the change in daylight savings time. He reminded people to monitor their Christmas trees to ensure the needles are not drying out and causing a fire hazard. He also noted that Christmas lights should not be left on inside the house if no one is home, and that candles should be kept out of the reach of children.

5.1.2 Chief Watson reviewed the customer service message for Station 110 and Station 116. He also introduced Battalion Chief Jeff Johnson.

5.0 **ACTION ITEMS**

5.1 **Consideration of Resolution No. 2006-48 Approving an Interlocal Agreement for Cost Sharing (Small School District Feasibility Study)**

5.1.1 Mayor Cullimore explained that Cottonwood Heights is participating with Sandy, Midvale, Draper, Alta and Salt Lake County in conducting a feasibility study for splitting Jordan School District.

5.1.2 **MOTION:** Councilman Antczak moved to approve Resolution No. 2006-48. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.

6.0 **CONSENT CALENDAR**

6.1 **Approval of November 14, 2006 Minutes**

6.1.1 The minutes were approved as submitted.

7.0 **ADJOURNMENT**

7.1 Councilman Bracken moved to adjourn the business meeting and reconvene the work session. The motion was seconded by Councilman Thomas and passed unanimously on a voice vote. The Business Meeting adjourned at 8:10 p.m.

**Approved:**

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Kelvyn Cullimore, Jr., Mayor

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Don Antczak, Councilman

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Scott Bracken, Councilman

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Bruce Jones, Councilman

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Gordon Thomas, Councilman