



**NOTICE OF  
PLANNING COMMISSION MEETING  
Tuesday, July 31, 2018 7:00 p.m.  
Community Recreation Center, 10640 N Clubhouse Drive**

Notice is hereby given that the Planning Commission of the City of Cedar Hills, Utah, will hold a **Planning Commission Meeting on Tuesday, July 31, 2018 beginning at 7:00 p.m.** at the Community Recreation Center, 10640 N Clubhouse Drive, Cedar Hills, Utah. This is a public meeting and anyone is invited to attend.

**PLANNING COMMISSION MEETING**

1. Call to Order
2. Public Comment: Time has been set aside for the public to express their ideas, concerns, and comments (comments limited to 3 minutes per person with a total of 30 minutes for this item)

**PUBLIC HEARING**

- Review/Recommendation on amendments to the City Code Title 3, Chapter 3 regarding re-zoning a portion of Lot 26 Cedar Hills Subdivision Plat I from the PF Public Facility Zone to the R-1 11,000 Residential Zone, and vacating the open space provision of a portion of Lot 26 Cedar Hills Subdivision Plat I, and to amend the Official Zone Map to reflect these zone changes
- Review/Recommendation on Final Plan Approval for the Cedar Hills Gateway Commercial Subdivision, located at approximately 9826 North 4800 West in the SC-1 Commercial Zone

**SCHEDULED ITEMS**

3. Approval of minutes from the July 10, 2018 Special Planning Commission Meeting
4. Review/Recommendation on Amendments to the City Code Title 3, Chapter 3 regarding re-zoning a portion of Lot 26 Cedar Hills Subdivision Plat I from the PF Public Facility Zone to the R-1 11,000 Residential Zone, and vacating the open space provision of a portion of Lot 26 Cedar Hills Subdivision Plat I, and to amend the Official Zone Map to reflect these zone changes
5. Review/Recommendation on Final Plan Approval for the Cedar Hills Gateway Commercial Subdivision

**ADJOURNMENT**

6. Adjourn

Posted this 27th day of July, 2018

/s/ Colleen A. Mulvey, City Recorder

- Supporting documentation for this agenda is posted on the City's Website at [www.cedarhills.org](http://www.cedarhills.org).
- In accordance with the Americans with Disabilities Act, the City of Cedar Hills will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at 801-785-9668 at least 48 hours in advance of the meeting to be held.
- The order of agenda items may change to accommodate the needs of the Planning Commission, the staff, and the public.
- This meeting may be held electronically via telephone to permit one or more of the commission members to participate.



# CITY OF CEDAR HILLS

<b>TO:</b>	Planning Commission
<b>FROM:</b>	Chandler Goodwin, City Manager
<b>DATE:</b>	7/31/2015

## Planning Commission Agenda Item

<b>SUBJECT:</b>	Review/Recommendation Amendments to the Official Zoning Map of Cedar Hills, Oak Road Open Space Public Facility Zone
<b>APPLICANT PRESENTATION:</b>	N/A
<b>STAFF PRESENTATION:</b>	Chandler Goodwin, City Manager

### BACKGROUND AND FINDINGS:

Applicant and land owner, Alan Parsons, has applied for a zone change for his parcel, Lot 26 of Cedar Hills Subdivision Plat I. The parcel in question has been recorded as open space from the time that Cedar Hills Subdivision Plat I was recorded in 1976. The subdivision was built by the Associated Industrial Developers, who owned the parcel in question from the time the plat was recorded. In 1983 the property changed hands through a tax deed, and Alan Parsons received the property by quitclaim deed in 1993.

From Utah State Code §10-9a-102, "municipalities may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that they consider necessary or appropriate for the use and development of land within the municipality, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing uses, density, open spaces, structures, buildings, energy efficiency, light and air, air quality, transportation and public or alternative transportation, infrastructure, street and building orientation and width requirements, public facilities, fundamental fairness in land use regulation, considerations of surrounding land uses and the balance of the foregoing purposes with a landowner's private property interests, height and location of vegetation, trees, and landscaping, unless expressly prohibited by law.

Further, §10-9a-505 states, "The legislative body may divide the territory over which it has jurisdiction into zoning districts of a number, shape, and area that it considers appropriate to carry out the purposes of this chapter."

Authority is granted to the municipality to regulate zoning, open space and density within the municipal boundaries. The current piece is identified as "open space" on the plat, and is zoned as public facility. In order to put density onto the property, the legislative body of Cedar Hills would need to rezone the parcel into the R-1, 11,000 zone, vacate the plat identifying Lot 26 as open space, and re-plat Plat I as Plat I Amended. The owner of Lot 26, or the developer would be responsible for surveying and re-plating Plat I

This item was tabled during the May 22 & July 10 planning commission meetings. The current proposal rezones only a portion of the land to be R-1 11,000, enough for a single family home, and the remainder would stay in the Public Facility zone, and be dedicated to the City.

### PREVIOUS LEGISLATIVE ACTION:

Planning Commission made recommendation to the City Council in August of 2017 to rezone to the R-1 11,000 for the purpose of enforcing the weed abatement ordinance, application was pulled prior to final decision being made.

### FISCAL IMPACT:

N/A

### SUPPORTING DOCUMENTS:

Current Zoning Map, map showing areas of proposed changes, Minutes from previous meetings 1993, and minutes from 8-2017, Letters to the Planning Commission, Cedar Hills Plat I

**RECOMMENDATION:**

Staff recommends that the Planning Commission consider the proposal and make a recommendation to the City Council

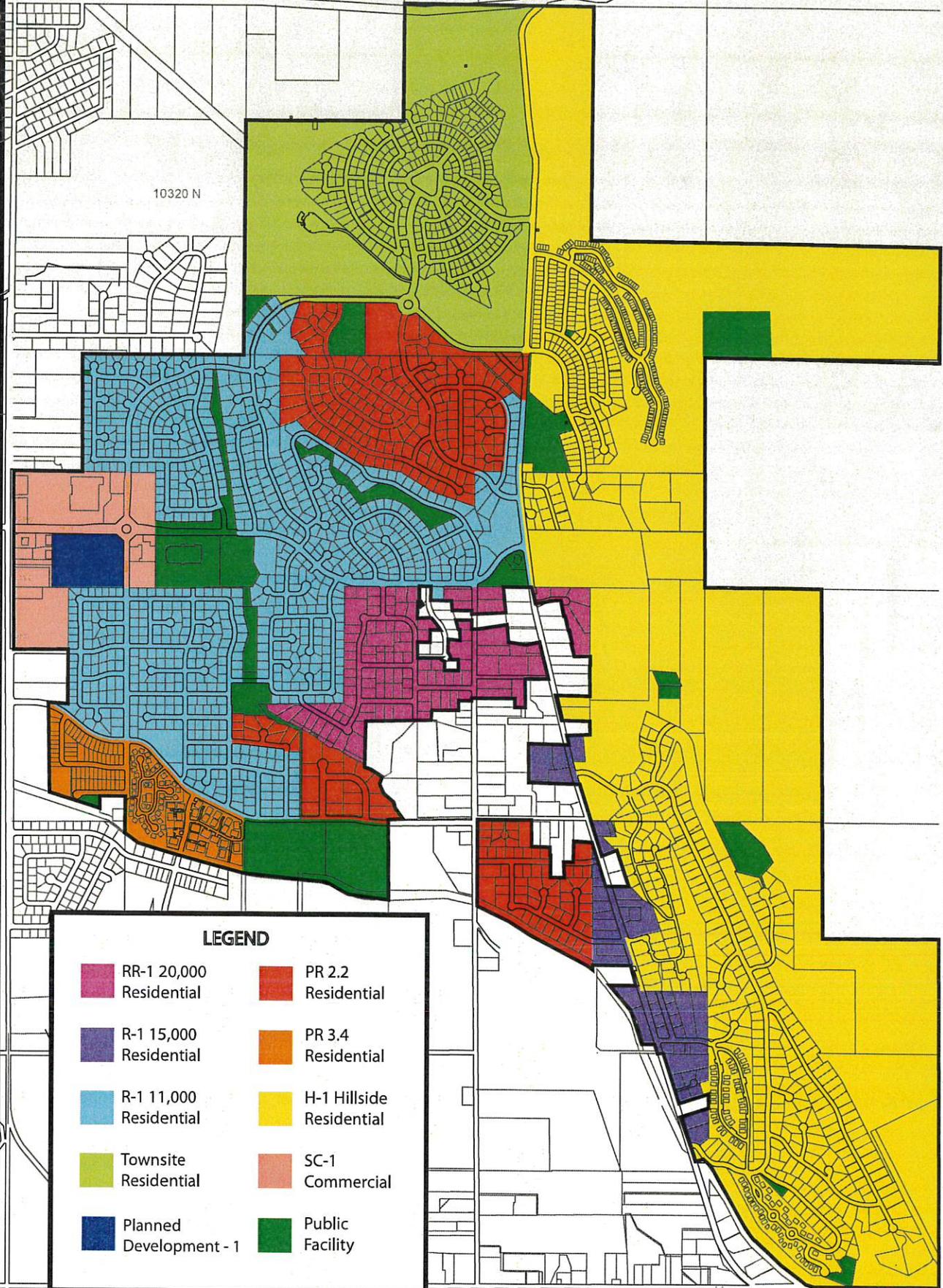
**MOTION:**

To recommend/not recommend the proposed changes to the official zoning Cedar Hills Zoning Map, amending portions of the Public Facility zone, and recommending/not recommending that the City Council vacate the open space provision of Cedar Hills Subdivision, Plat I, Lot 26.

# City of Cedar Hills

June 2018

10320 N



## LEGEND

- |   |  |
|---|--|
|  RR-1 20,000 Residential |  PR 2.2 Residential       |
|  R-1 15,000 Residential  |  PR 3.4 Residential       |
|  R-1 11,000 Residential  |  H-1 Hillside Residential |
|  Townsite Residential    |  SC-1 Commercial          |
|  Planned Development - 1 |  Public Facility          |

TOWN OF CEDAR HILLS

Regular Town Council Meeting  
Wednesday, May 12, 1993 7:00 p.m.  
Manila Elementary Media Center

NOTICE is hereby given that the Regular Town Council Meeting of the Town of Cedar Hills, Utah, will be held Wednesday, May 12, 1993, at the Manila Elementary Media Center at 7:00 p.m.

COUNCIL MEETING

1. Call to Order and Pledge of Allegiance
  2. Approval of Minutes and Agenda
  3. Finances
  4. Department Reports
  5. Attorney Reports - Tony Schofield & Craig Carlile
    - A. Northstar Cablevision Status Report
    - B. Pretreatment of Industrial Waste Ordinance Amendment
    - C. Herrera Status Report
    - D. Other Issues
  6. Adjourn to Executive Session
  14. East Cove
  8. Cedar Cove - Reestablishment of Performance Guarantee
  9. Park Maintenance Sealed Bids
  3. Hullinger Annexation
  10. Hullinger Annexation
  - ~~11.~~ Street Between Prestwich & Olson (Cedar Hills Dr & 4280 West)
  - ~~12.~~ Extend Meter Reading Period *184 billed 120 credit*
  - ~~13.~~ Fine for Contractors for Taking Out or Bypassing Meters
  4. **14. Lots 26 and 19 (Greenbelt) - Mr. Parsons**
  15. Other Business
  16. Adjournment
-

MOTION: C. Johnson - That we will agree to meet with Carl Warnick in one last effort in two weeks to see site proposals and a cost breakdown of moving the reception station and that Carl, the attorneys and two Council members will be present and that we will then discuss the outcome at the next Council meeting. Seconded by C. Peaslee and unanimously approved.

14. Lots 26 and 19 (Greenbelt) - Mr. Parsons (9:00 p.m.)

Mayor Memmott - Written letter that the open space be removed from plats I and D.  
Allen Parsons - I would like to build on the North end and would need the open space designation removed.

Jeff Lindstrom - I bought a lot that states that it is not a buildable lot.

Allen Parsons - Mine does not say this.

Rodney Despain - Lot numbers were given to convey the property but the Town did not claim the property and let it go to tax sale. The position is that this is privately held but not buildable because of the open space on it. We must amend the plat and remove the open space. Petition before the Town Council and a plat made. There is no guarantee that it will be further divided. My comments to Mr. Parson is that you keep it as a single lot or sell portions to adjoining lots.

Cindy Huntbach - I check plats when I buy them and if someone bought it then that is how it is.

Tony Schofield - I believe that open space means that it is not buildable but that is my opinion.

Steve Kesler - Could we put this in writing to the Council. Mr. Hansen does not plan to divide Lot 19 at the present time but may in the future.

Tony Schofield - We may sue. He does have legal council advising as well.

R.L. Peay - You have the ability to tell me what fence I can put in, etc. I talked to Mr. Hansen and he will put 9 lots in Lot 19 if he is to sue the Town.

C. Peaslee - If the Town keeps this as open space then the Town ~~has~~ to buy it. This information comes from Utah League of Cities and Towns one year ago. <sup>should</sup>

Tony Schofield - It comes down to what open space means on the plat. Ordinances are upheld.

Rodney Despain - Any property that is divided two or more times, they become a subdivider and must go through process of plat amendment. Lot 26 meets frontage and area requirements but the lot is open space. Our ordinance states that it is then not buildable.

Paul Massicotte - We won't address that this area is causing flooding? A home could cause more problems.

MOTION: C. Peaslee - That we firm up the term "open space" and what we require that it be and address this issue at our next meeting. No second, motion dies.

Rodney Despain - If you say that it is not buildable then Mr. Parsons will try to get a judge to change that definition. The Town in the past has said that it appears that the portion fronting Oak Road W could be built upon. I believe that Mr. Parsons has a strong right to a building permit but not without limitations. We have some strong feelings to just say "no".

Mayor Memmott - If this is the way we want to go, do we keep it that way or do we give it up.

Citizens - NO!

(Kim Holindrake excused at 10:45 p.m. and remaining minutes taken by Rodney Despain)

MOTION: C. Snively - Table Consideration to get an opinion as to the meaning of open space and put on next agenda. Seconded by C. Peaslee and unanimously approved.

MOTION: C. Peaslee - Extend meeting for 25 minutes. Seconded by C. Howard and unanimously approved.

7. East Cove (10:16 p.m.)

Verl Hebertson inquired as whether the Town wanted all of the property or just the portion previously negotiated. The Mayor indicated that he discussed this with other Council members and the Town was interested in at least part of the property. Two alternatives were discussed.

1. \$30,000 plus a tax credit letter for the drainage basin and properties fronting the Canyon Road.

2. Entire parcel at a cost of approximately \$125,000 plus the tax credit letter on the 4 lots facing Canyon Road.

TOWN OF CEDAR HILLS

Public Hearing and Regular Town Council Meeting  
Wednesday, June 9, 1993 7:00 p.m.  
Manila Elementary Media Center

NOTICE is hereby given that a Public Hearing will be held on the 1993-94 Tentative Budget followed by the Regular Town Council Meeting of the Town of Cedar Hills, Utah, beginning at 7:00 p.m.

PUBLIC HEARING

1. Call to Order
2. 1993-94 Tentative Budget
3. Adjournment

TOWN COUNCIL MEETING

1. Call to Order and Pledge of Allegiance
  2. Approval of Minutes and Agenda
  3. Finances
  4. 1993-94 Budget Adoption
  5. Department Reports
  6. Street Between Prestwich & Olson (Cedar Hills Dr & 4280 W)
  7. Extend Meter Reading Period
  - ~~8.~~ Fine Contractors for Taking Out or Bypassing Meters
  9. Lot 26 (Open Space)
  10. Park Maintenance Bids
  11. Park Street Light
  12. High Meadows Streets - Tom Harward
  13. Other Business
  14. Adjournment
-

up rocks on the ball field. Steve Kesler donated some redwood for picnic tables. I may chain them down. If I catch kids doing vandalism, they do work in the park for free. The Town celebration is July 30 and 31. BBQ and dance on 30th and rest on the 31st.

C. Snively - Mr. Haily is going to paint the street lines.

C. Peaslee - Also the water company has done a good job keeping the weeds down on their pump station.

6. Street Between Prestwich and Olson (Cedar Hills Dr & 4280 W) (8:07 p.m.)

Mayor Memmott - I propose that we make an offer to the owners to buy the piece.

Rodney Despain - Property owners to amend the plat. Then set terms of dividing. The Town could vacate interest but you then don't have a say in requiring improvements.

Mayor Memmott - Should the Town improve this or give it up? If the beautification offsets giving it to the citizens then that's what we should do.

C. Howard - First step is to find out if the property owners want it and then go from there.

Rodney Despain - You don't have much alternative uses.

C. Peaslee - I will talk to the property owners.

7. Extend Meter Reading Period (8:20 p.m.)

C. Peaslee - I get a lot of calls every Spring about big bills.

C. Snively - There were no big water checks. This was talked about before and people pay extra if they feel they need to.

Kim Holindrake - I billed 184 people for water last month and 120 of them received a credit for their winter use.

MOTION: C. Peaslee - That we read the meters at the end of April instead of the end of May. (Resolution to be changed) Seconded by C. Howard.

Aye	C. Howard
	C. Peaslee
Nay	Mayor Memmott
	C. Snively

Motion dies.

9. Lot 26 (Open Space) (8:29 p.m.)

Allen Parsons - I talked to Hansen and he agreed to sell to the adjoining lot owners. The upper lots feel it is too low and the others are giving me a counter offer. R.L. Peay is interested in the lower 1/3.

Mayor Memmott - First item of business is to remove the open space.

Rodney Despain - Discussed open space with the attorney. Best definition is from the dictionary. The Town has maintained that this was not to be built upon. A judge may say differently but this has been the Town's intent. The shape of the lot and statement of open space was the intent not to be buildable.

R.L. Peay - Has any one looked at this to see if it meets the criteria to be built upon?

Rodney Despain - Western edge of Oak Road gives area for a building to be built. There must be a petition to amend the plat to remove the designation of open space. The citizens have a strong feeling to not let that occur. Mr. Parsons wants a building permit but needs to comply with the plat standards. The Town needs the name and address of everyone in the plat.

Allen Parsons - The above owners are not against it.

Dawn Cattermole - That's not true.

Rodney Despain - You need the signature of each owner. This would be all in Plat I. If all consent, then there is no need for a hearing. All owners are notified and a public hearing held. We need a plat to remove the open space and a list of the adjoining owners. This gives the right to move forward. Then the Town Council decides to go forward or not. Then you have a replacement plat. If you do remain with one lot then I suggest that the eastern 2/3 still be labeled as open space so that it remains unbuildable.

TOWN OF CEDAR HILLS

Regular Planning Commission Meeting  
Wednesday, July 27, 1994 6:30 p.m.  
Alpine City Council Building  
20 North Main, Alpine, Utah

NOTICE is hereby given that the Regular Planning Commission Meeting of the Town of Cedar Hills, Utah, will be held Wednesday, July 27, 1994, at the Alpine City Council Building at 6:30 p.m.

PLANNING COMMISSION MEETING

- |        |    |   |
|--------|----|---|
| 2 min  | 1. | Call to Order   |
| 2 min  | 2. | Swearing in of new Planning Commission Member -<br>Jim Howe   |
| 2 min  | 3. | Approval of Minutes - July 25, 1994, Regular<br>Meeting       |
| 30 min | 4. | Preliminary Plan Review of 16 Acres - Vilmar<br>Gaertner      |
| 30 min | 5. | Review of Lot 26 (Open Space) - Allen Parsons                 |
| 15 min | 6. | Impact Fees   |
| 15 min | 7. | Zoning Ordinance Amendments<br>A. Commercial Zone<br>B. Other |
|        | 8. | Adjournment   |

TOWN OF CEDAR HILLS

Regular Planning Commission Meeting  
Wednesday, July 27, 1994 6:30 p.m.  
Alpine City Council Building  
20 North Main, Alpine, Utah

NOTICE of this meeting was properly posted throughout the Town and the press notified.

Present: Chairperson Meredith Simpson  
Planning Commissioners Priscilla Leek, Dolores Gardiner, Lori Martin,  
Jim Howe, Doug LeDoux  
Councilmembers Elizabeth Johnson and Mike Robertson  
Kim Holindrake, Town Clerk  
Rodney Despain, Town Planner  
Citizens: Alan Parsons

This meeting of the Planning Commission was called to order by Chairperson Meredith Simpson at 6:42 p.m.

2. Swearing in of New Planning Commission Member - Jim Howe

Jim Howe was sworn in as a member of the Planning Commission by Kim Holindrake, Town Clerk, with a term through December, 1996.

3. Approval of Minutes - July 25, 1994, Regular Meeting

MOTION: C. Gardiner - To accept the minutes from May 25, 1994, with changes on page 2. Seconded by C. Leek and unanimously approved.

4. Preliminary Plan Review of 16 Acres - Vilmar Gaertner (6:45 p.m.)

C. Simpson - I received a call and apparently Mr. Scow has taken a second offer on the property and Vilmar Gaertner and Robert Mount are going to take him to court. Apparently they had a meeting with Mr. Scow Monday. He is planning to sell it for one home. He does not have frontage and he needs this in order to build.

Rodney Despain - Lot 1 does not conform to our ordinance. That could move a couple of property lines to have it conform. Part of the discussion last time was do we need a collector class road going through. A road with a sewer under would probably not have enough slope to run. So we may shift up to 9600 North for the collector class road and then to the west where the LDS Church is planning a building. I have talked to them about a collector class road there.

C. Simpson - What will happen to this piece with the sewer?

Rodney Despain - They were planning to run a line to 4000 West and then pick it up when the sewer came down that road. The Mayor and I have talked with Pleasant Grove about putting the sewer down at their line but she said that meeting did not go well. Much of it is uncertain at this time.

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5. Review of Lot 26 (Open Space) - Allen Parsons (6:51 p.m.)

Alan Parsons - \*\*See map handout\*\* Scott Oldroyd has bought the property. We have been negotiating with the neighbors to buy 2/3 of the property.

C. Howe - My position and others is that we do not want to buy anything. If it is broken up then we might consider it.

Alan Parsons - Then maybe I should sell the whole thing to Scott Oldroyd. Mr. Swenson's house was open space and now has a house.

Rodney Despain - Lot 26 is an open space lot and the question of erasing

and making it a building lot has been the issue for some time. There is nothing that says he can't sell the property. It was acquired with that indication on it. The Town has continued that this be required to go through the plat amendment process to get rid of the open space designation. This is a determination of the Council. The Planning Commission is responsible for recommending to the Council what the replacement plat would be. Question, is this a suitable alignment of the property for those who have expressed interest. For the sake of discussion, let's say the Council will approve the plat vacation and the removal of the open space. I believe that the property that Scott Oldroyd wants could accommodate a lot. The question comes, what happens to the rest of the property. He has discussed it with many property owners. Ray Layne, Jim Howe, Mark Grant, R.L. Peay, A.J. Michaels and Paul Massicotte would all have a portion. We need a subdivision plat that includes all those lots with the portion of their lot. All these people would become co-subdividers. The question really before us is assuming that this alignment would be acceptable.

C. LeDoux - How does this affect those people who bought lots to be along open space. Can we do that?

Rodney Despain - The Planning Commission does not make that call. The Council will make the determination after a public hearing. The public or any individual can not be harmed. The Planning Commission recommends to the Council. We are trying to flush out the issues that are here. Everyone will sign this plat, if they are in it. All the citizens will have an opportunity to express their issue about if this will affect them. The issues are do we feel strongly about the open space. There are a lot of political issues. It will be and always be a weed patch.

Michael Robertson - Do we not have a weed ordinance?

Alan Parsons - I don't know that you want to cut what is holding that side up.

C. Howe - Some owners have said that they would like it to be open space. A.J. Michaels said she was concerned about the fire problem and the weeds.

Rodney Despain - If the amendment process takes the open space off and you want it on then you would put it back on at that time of the new plat.

C. Leek - Have you entertained an offer from one person to buy it?

Alan Parsons - Scott Oldroyd is interested in buying the whole thing. Open space has only been applied to public property and not private property.

C. LeDoux - What are we deciding here? This will set a precedence for the other lot.

Rodney Despain - 1. That the Scott Oldroyd piece is buildable. 2. Other parcels would be divided off and title given. These people would know that it would be open space.

C. LeDoux - Is there a building envelope there?

Rodney Despain - Yes. I believe a building could be placed in that piece.

C. Howe - You have a frontage between Laynes and Howes. If we allow one for Scott Oldroyd, could others come and put houses there?

Rodney Despain - Yes, but Laynes will put the property to his lot. There is no guarantee that people won't ask but will they receive this?

C. Martin - What are we here to decide without the proper presentation?

C. Leek - You have talked to these people but we don't have anything before us from these people that they want the property.

Rodney Despain - It has been represented to me that these people do want this. This is a concept review. Everything will have to be resolved.

Elizabeth Johnson - What if the one building lot is given and the rest turned to the Town as it was in the past?

C. Martin - Mr. Sears called me and he says that this will affect his building lot value.

Elizabeth Johnson - Mr. Sears and Mr. Layne will not be happy with a building lot there.

C. LeDoux - Our leverage is if we give one lot then others will want the same.

Rodney Despain - In some way we need a distribution of the property and Mr. Parsons wants a building lot out of this. Until Lot 26 is owned by someone adjacent to it then it will always be a fire hazard. It is a possibility that the Town gets it but they may not be financially set to maintain it. Is the lot between Laynes and Howes buildable?

C. Howe - It is not as steep as some areas on Lot 19. In Salt Lake on the east bench, there are homes built like this.

Rodney Despain - You put the open space back on this area and then the Town has control.

C. Martin - Do the people intend to keep it open space or do they plan to use it how they want to? We need to determine what they plan to do. One gentleman intends to put his heavy equipment on it.

Rodney Despain - You can be more definitive and restrictive. The property owners need to be involved early on. To some degree, if Gardners get it, do they want to remove their fence. I don't think so. Most would want to enlarge their own lot if they got the property.

C. Howe - A number of us would prefer that it remains as it is; but if it is parceled, then we would be forced to buy this.

C. LeDoux - It is not the concept that is our concern. It is other issues.

Rodney Despain - Nothing vests at a concept. You have to go through preliminary approval. You have to go through the process.

Alan Parsons - My original intent was to sell the whole thing to Mr. Oldroyd. We do not want to build a home that would antagonize the neighbors. The people there wanted to have it pieced or sold in whole. The other 2/3 is worth \$65,000.

Rodney Despain - The question I raise again is if all came to pass would the Planning Commission be willing to approve a plat?

C. Simpson - We are looking to have a lot for Mr. Oldroyd and the rest being open space.

**\*\*Discussion of Open Space designation\*\***

Rodney Despain - I discussed the open space with legal council and one argument is that it is there and you treat this as a request. I don't know what a judge would do because this one area meets building requirements. The Town has addressed the issue of allowing a building lot.

C. Simpson - We could then put restrictions on the rest so this does not happen again.

Rodney Despain - I believe that Lot 19 will come with a similar request. Mr. Hansen has said in the past that it is good for 8 lots, but it is one lot and was bought as one lot. The owners think differently. The Council will make the call.

Michael Robertson - If the Planning Commission gives concept then it goes to the Council for public hearing and a decision?

Rodney Despain - The Council decides if it burdens others after the public hearing is held. The history is clear. It was intended to be dedicated to the Town. For whatever reason, it did not happen and was sold for taxes. I suggest that you express your point of view and not have a motion.

Elizabeth Johnson - 1. Leave as open space. 2. Make one lot and allow a building permit on the west side. 3. Allow one lot and divide remaining to neighbors. 4. Have a building lot and negotiate with the Town to take the remainder. You need to decide and let the Council know.

Rodney Despain - If this is done, these people will have to come and be a definite part of the process.

Alan Parsons - If I sold it to one neighbor and Mr. Oldroyd?

C. Simpson - They have to be here.

C. Howe - Some of the neighbors would want to know what the plans are.

Alan Parsons - Can I ask for the open space to be erased?

Rodney Despain - You are asking this now. You did that in the past. If you want to do this it is the same process. It has a high probability of denial.

C. Martin - If Mr. Oldroyd gets his permit, then there is no access for a brush truck.

**\*\*Priscilla Leek excused at 7:50 p.m.\*\***

Elizabeth Johnson - The point we are getting hung up on is that these other people are co-developers and need to be here.

Alan Parsons - To simplify this then I will sell the entire thing to Mr. Oldroyd.

C. Simpson - There is no conclusion.

6. Impact Fees (7:55 p.m.)

C. Simpson - Roger Zundel did a study of other towns.

Elizabeth Johnson - He came up with just throwing in a number. That is not the process that holds up in the courts. We have to have a specific study of our Town.

C. Simpson - The Council is addressing this issue.

7. Zoning Ordinance Amendments (7:58 p.m.)

Elizabeth Johnson - Issues we had. Change from a shopping zone to a professional zone. Part of the deal was Lyle Smart giving the property for the road and making it a SC-1 Zone. We need to make sure that he agrees with this. I have been told that it is a very staff intensive ordinance and we don't have any staff. I feel we need to go back and look at our goals for this area. List the businesses we want and don't want and then go from there.

C. Howe - I think a shopping center is a horrible idea. People raised \$75,000 to fight a shopping center.

**\*\*Discussion of road property being given to Town for zoning property to SC-1\*\***

C. Gardiner - We do need revenue.

Elizabeth Johnson - We might want a professional area, medium retail and then Walkers would be on the corner. Get the lowest impact to the residential and the highest at the Training School Road.

C. Simpson - The State has set the plans for the Training School Road.

Elizabeth Johnson - We need a feel of what we want before we talk to Lyle Smart. We need to plan carefully. We could say that we will allow only one convenience store. Do you like the idea of a progressive commercial area? The area is 41 acres.

C. LeDoux - I would like to see it as small as we can.

C. Simpson - We need to find out the specifics from the road property and Lyle Smart's deal.

Elizabeth Johnson - I want to know how you want it to look. Do you want a strip mall or small house type businesses?

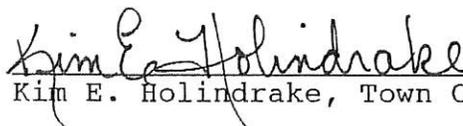
C. Howe - I would like a "James Town Square" type look with trees, bike trails and such. I will see if I can get a copy of their requirements.

Elizabeth Johnson - We could say that we are predominantly residential and we want our commercial zone to fit in.

**\*\*Discussion of building types and SC-1 Zone Ordinance\*\***

8. Adjournment

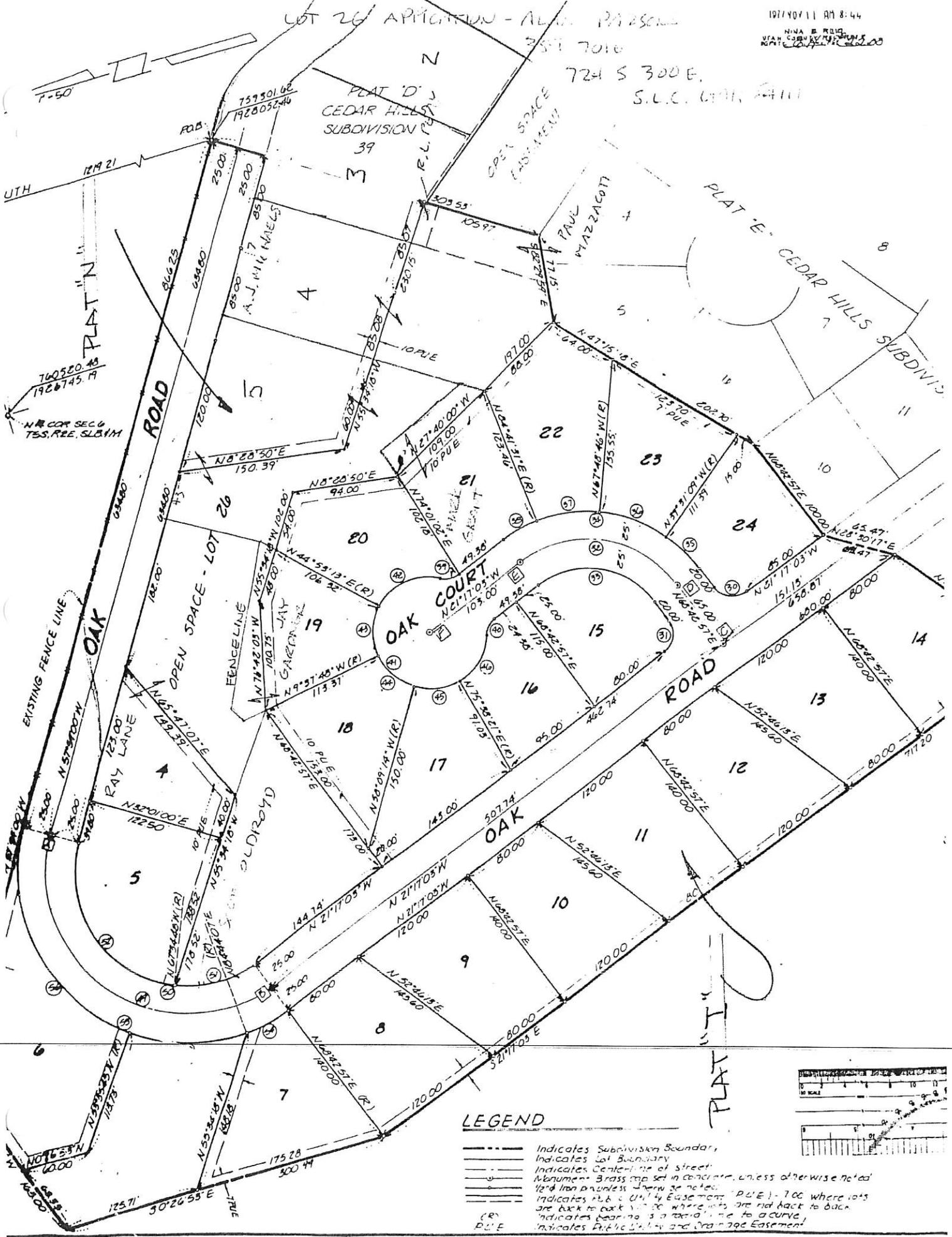
This meeting was adjourned at 8:35 p.m. on a motion by C. Gardiner and seconded by C. LeDoux.

  
Kim E. Holindrake, Town Clerk

LOT 26 APPLICATION - ALAN PARSONS

19710711 AM 8:44  
NINA B. RUSSELL  
STATE OF IOWA

724 S 300 E.  
S.L.C. 0711, 0711



LEGEND

- Indicates Subdivision Boundary
- Indicates Lot Boundary
- Indicates Centerline of street
- Monument Brass cap set in concrete, unless otherwise noted
- Yard Iron pinless - where so noted
- Indicates Public Utility Easement (P.U.E.) - 7'00' where lots are back to back 10'00' where lots are not back to back
- (R) Indicates bearing is a radial line to a curve
- P.U.E. Indicates Public Utility and Drainage Easement



**PLANNING COMMISSION MEETING**  
Thursday, August 31, 2017 7:00 p.m.  
Community Recreation Center  
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: David Driggs, Presiding  
Commissioners: Jared Anderson, John Dredge, Brian Miller, LoriAnne Spear, Steve Thomas  
Absent/Excused: Craig Clement, Jeff Dodge  
Chandler Goodwin, City Manager/City Planner  
Denise Andersen, City Council Representative  
Colleen Mulvey, City Recorder  
Others: Jenney Rees, Gary Gygi

1. Call to Order.

This meeting of the Planning Commission of the City of Cedar Hills having been properly noticed was called to order at 7:02 p.m. by C. Driggs. The voting members of the Planning Commission were recognized.

2. Public Comment:

Tyler Gardner of 10218 North Oak Court started his comments by saying he was born and raised in Cedar Hills. He spoke regarding the open space near his home of which there had been a continuous battle to have it rezoned. He and a number of other members of the community had a number of items they would like to take place: (1) denial of the zone amendment, (2) immediate enforcement of the maintenance of the property, (3) purchase of the land by the City that would develop and maintain the open space.

Ray Layne of 4279 West Oak Road North also commented on the aforementioned open space. After thirty eight years of living where did, the open space continued to be an issue. He discussed conflicting language from the City as to whether or not it was still considered open space, or if the City was trying to sell the property. He went into detail of the negative impact that the changing of the area from open space to another residential space would have on current residential homes.

Dave Free of 4309 West Oak Road North also discussed the open space in question. He spoke on the views that owners bought when purchasing homes. Residents didn't buy the view of the side of a house, rather, a park-like space. He cited this being no different than those who had purchased homes overlooking the golf course and how their property values would go down if the golf course were to be sold for the purpose of building new homes. He requested the voting of the Commission be in opposition to the proposal.

Cherie Condie of 4221 West Oak Road North thanked the Commission for the opportunity to speak. She wanted to speak with the Commission regarding rezoning open space. She stated that would be great mistake and urged the denial of the petitioner's request. She also implored of the Commission to not recommend for rezone to the City Council.

Steve Brantley explained that the owner of the lot that had been spoken of by those who preceded him was not looking to put more than one lot in the aforementioned space. Also, the owner was not looking to build a home anywhere outside of City building regulations. C. Driggs asked if Steve Brantley represented the owner of the lot. Steve Brantley stated that he represented Allen Parsons through Pettey and Associates. C. Driggs cited Steve Brantley having said there was a desire to build on part of the zone, and he inquired as to what part. Steve Brantley responded that he was willing to work with the City to determine the best section to build.

Mark Grant of 10196 North Oak Court stated he had lived in Cedar Hills for approximately thirty years. He stated that Allen Parsons had bullied him and his family and made unspecified threats. He continued that the land in question was nothing but weeds. He requested that City officials take action.

Mike Taylor of 10099 North Sage Road East stated that a decided factor of purchasing his home when he did was that the land in question was designated open space. He was against the development of even a section of the land. He, among others, believed that the space was not ugly, but beautiful and enjoyed the beauty of unmanicured, natural lands.

Ken Hazelbaker of 10253 North Oak Road West discussed the definition of “integrity”. He asked the City to not compromise its integrity for the sake of one individual, while seventy five others opposed the will of that individual. This was regarding the possible residential development of the land aforementioned.

Jean Peaslee of 10147 North Oak Road West discussed what the open space meant for children living in the area. She was concerned that building on the ground could destabilize the land, thereby putting nearby homes in jeopardy.

Markus Memmott of 10137 North Maple Court wished to bring a historical perspective into the conversation, believing such a view to be of value. He shared that he had been one of the individuals that signed the petition of the County to grant Cedar Hills the status of being an independent town to become a city. A part of that petition included plats that illustrated the open spaces requested. The County accepted the statement as what the residents of now Cedar Hills wanted at that time. Markus Memmott continued that many residents had bought land near the space with the intent that the open space would continue, of which they would benefit. He would like to see the land remain as was into the future.

Troy Flickinger of 10130 North Maple Court explained that he had previously lived in an area where he was fish-bowled in. He had bought land having not been surrounded by other homes, but that quickly became the case. He didn't enjoy feeling he had no privacy, and for this purpose he moved to Cedar Hills as he was told the aforementioned area was open space and he wouldn't have to worry about privacy. He expressed concerns with the land shifting, possible flooding, density and difficulty of travel, and privacy. He asked that the Commission do what was best for the majority and not the minority in this case.

Eric Richardson of 4275 West Sandalwood Drive stated that he loved Cedar Hills having built two homes in the City, and would most likely be buried in the City cemetery if it was finished by that time. He stated there were no development rights on open space. He would like to see the property bought at a reasonable rate to preserve the owner's rights as a property owner and the rights of the citizens of Cedar Hills. He hoped the Commission would deny the request.

Judy Ball of 10116 North Sage Road East sought to clarify that Allen Parsons was not seeking to build on his lot, but hoped to sell it. She also shared her opposition of the request.

Joann Holmes of 196 South 850 West Lehi stated she was the residential real estate agent for the property. She made the recommendation that the City make a reasonable offer.

Brent Holbrook of 10217 North Oak Court asked if all those opposed could stand to show that even those that hadn't spoken were in opposition to the request. It was noted that the greater majority of audience stood up.

Mary Witty of 4222 West Cedar Hills Drive expressed concern of the geology of the property.

Diane Sorensen of 4078 West Oak Road North agreed with all the other residents. She had one question, that being what was the basis for the Staff's recommendation.

C. Driggs stated that the Planning Commission would recommend this item to City Council who would ultimately decide the outcome of the request. He spoke on the rights of the property owner to submit a request. He also wanted to make it clear that the Planning Commission is not made up of elected officials; rather they are appointed officials.

C. Driggs then closed the public comment segment of the meeting.

#### SCHEDULED ITEMS

3. Approval of Minutes from the July 25, 2017 Planning Commission Meeting

**MOTION: C. Miller—To approve the minutes from the July 25, 2017 Planning Commission Meeting.** Seconded by C. Spear.

Yes - C. Anderson  
C. Dredge  
C. Miller  
C. Spear  
C. Thomas Motion passes.

C. Driggs reviewed the agenda items. He also noted that items number five and six had been suggested to be discussed but not voted on as they were not properly publically noticed.

4. Review/Recommendation on Amendments to the City Code Title 10, Chapter 3 Regarding the Re-zoning of Certain Portions of Area Currently in the PF Public Facilities Zone to the R-1-11,000 Residential Zone, and to Amend the Official Zone Map to Reflect these Zone Changes

Chandler Goodwin explained that land use issues required a public hearing and public notice. He wrote down some of the concerns of the public and hoped he could cover them in his presentation. He stated that property owners had the right to due process. He spoke on the history of the land parcel and explained the plat was signed in 1976 by Utah County, before Cedar Hills was incorporated. The land had not previously had a city to be dedicated to and had been held privately.

Chandler Goodwin then explained in detail the State's code concerning powers and duties of a city. One of the duties dealt with regulation of density and open space.

He then addressed Diane Sorensen's question regarding the Staff's recommendation. He read the official recommendation of Staff which stated either the landowner be allowed to build or leave the land as it was. He stated that rezoning would not grant developmental rights.

An unidentified audience member asked if it was a requirement of every resident to maintain the property. C. Driggs stated that the public comment section was over.

Chandler Goodwin said he didn't see how the issue at hand pertained to the violation of property rights.

C. Thomas cited the staff report, mentioning two other parcels that were privately owned. Chandler Goodwin made the correction that there was only one other parcel now, the second being the Harvey land which was acquired by the City.

C. Spear stated that last month Chandler Goodwin was going to seek legal advice on this matter, and asked Mr. Goodwin what he had learned. Mr. Goodwin expressed his concerns on taking the land. C. Spear stated that there had been attempts to purchase the land from Allen Parsons and wondered when the last attempt had been made. Eric Richardson replied that the most recent attempt was either 2010 or 2011. Chandler Goodwin stated he wasn't privy to those discussions.

Mr. Goodwin explained that the same open space provision was still intact on the property. That hadn't changed since the time the plat had been recorded. C. Miller stated that it seemed odd to have private property designated as a public facility. C. Driggs cited a section of City code which had to do with public land zoning.

Chandler Goodwin stated that the owner's rights had not changed, but the City did have the intent to someday acquire the land. C. Driggs asked if this was currently on the City's master plan for a park. He pointed out that according to nuisance section of City Code, weeds and general appearance only applied to commercial residential lots, not to public facilities which the land in question would be labeled. Chandler Goodwin stated there were park rules which would be considered nuisance, such as fireworks. C. Driggs stated that the plat currently was a fire hazard, but because the nuisance ordinance didn't apply to a public facilities zone the City didn't have any recourse to encourage the owner to maintain the land. Chandler Goodwin responded that if the area stayed in the public facilities zone, the City would need to reach an agreement with Allen Parsons regarding the needed maintenance. C. Driggs asked Chandler Goodwin what

he would suggest. Chandler Goodwin stated that the City did do weed abatement on private property and billed the owner, but that was on residential lots. C. Anderson inquired as to why the City would even want to interject on land maintenance. Chandler Goodwin stated the City typically did not do this.

C. Driggs stated that unless the plat went back to an R-1-11,000 zone, there would be no recourse for the owner to take care of the land. Chandler Goodwin stated that the space could be rezoned to R-1-11,000 and the Commission could forward a recommendation to the City Council as to whether or not the open space should be vacated.

C. Dredge asked about the timeline for acquiring the property and turning it into a park. Chandler Goodwin stated that for the last fifteen years the City had been trying to acquire the Harvey property. In those years, other parks had been developed. Now that the Harvey property had been acquired, that would take precedence over other park developments because of funding availability.

C. Driggs stated that he believed Allen Parsons had no legal right to revert the land from open space. He also spoke on how the property rights of the neighbors began and ended on their own property. Much of the conversation came back to what was in the best interest of the City, since neither party held legal claim to force the other to do what they wished. His opinion was that the best interest of the City was to keep the land as open space. He suggested the City put the land back in the R-1-11,000 zone so the owner would be responsible for addressing the maintenance needs of the property.

C. Dredge believed the Commission was not discussing whether to vacate the land from open space. It was stated that this was to be a part of the motion.

C. Spears stated that the property owner knew what the land was when he bought it. C. Miller didn't see any compelling reason to change the status of the property. He also didn't fault the property owner. Expectations were set with a hope of development which was not a right.

Chandler Goodwin interjected with a side note that he was willing to work with Steve Brantley to begin conversation regarding acquisition of the property.

C. Thomas asked where the trail would go if the property becomes a park. Chandler Goodwin responded that it would simply snake through the land beginning in the east. There was more discussion as to the overall layout possibilities.

There was some discussion as to what type of motion to make on this item.

**MOTION: C. Spear moved that the Commission recommend to the City Council to not rezone the certain portions of the area currently in the Public Facilities zone and not recommend the amendment of the official zone map to reflect those changes.**

C. Driggs asked if C. Spear wished to keep the land a Public Facilities zone and C. Spear answered affirmatively.

C. Dredge seconded the motion.

C. Driggs stated it would be hard for him to vote with the issue of nuisance and fire hazard that the land posed. C. Spear questioned that if the land was put back into R-1-11,000 zone that the owner would then be responsible. C. Driggs responded that was correct. C. Miller stated that the City code enforcer could issue citations.

**A vote was called for the motion. All were opposed.**

C. Driggs asked if it was the intent of the Planning Commission body to have the property owner subject to the nuisance ordinance. There was subsequent discussion concerning this question.

C. Miller asked if there was another option for amending City code.

Mr. Goodwin explained that R-1-11,000 was a residential designation and was what all homes were in. He stated the only other option was to make the space commercial. C. Miller believed that if the Commission was to put the land back into the R-1-11,000 zone, with the City being years away from acquiring the land, there would be time between now and the time of acquisition to make the necessary amendments to nuisance to public lands.

C. Driggs recognized a number of hands raised in the audience. He reminded the audience that public segment was closed.

**MOTION: C. Dredge moved to recommend amending the official zoning map of Cedar Hills to move Lot 26 Plat I of the Cedar Hills subdivision into the R-1-11,000 zone and to not vacate the open space provision associated with Lot 26 Plat I. The motion was seconded by C. Spear. Voting was unanimous in carrying the motion.**

*Note: The Commission took a break beginning at 8:28 pm. They reconvened at 8:40 pm.*

Chandler Goodwin noted on the previous decision that recommended rezoning only had to do with the Parson's piece.

5. Review/Recommendation on Amendments to the City Code Title 10, Chapter 5, Section 27: Landscaping, Relating to Artificial Turf

Chandler Goodwin stated once more that this item was for discussion only. There were two codes for landscaping; one in favor, one for denial. The code only addressed front and side yards.

C. Dredge was looking at the proposed code and believed wording needed to be changed in order to reflect artificial versus genuine blades of grass. There was deliberation as to what the wording should read and properties that had requested the City consider the usage of artificial turf on lawn space.

C. Driggs was opposed to artificial lawn space because it was not ozone friendly. C. Thomas didn't like artificial lawn space as it was not meant to last. C. Driggs stated there was a safety issue as well.

C. Spear asked if the Commission had discussed last month that these kinds of astro-turfs were different than those used for sporting events. Staff responded in the affirmative and explained that the hazards associated with athletic astro-turfs were not an issue with the artificial lawn spaces in question.

C. Driggs stated regardless that it was artificial turf. Cedar Hills was a natural city not an artificial city. C. Spear stated the City did use vinyl fences which were plastic and artificial.

C. Driggs asked for a straw poll on this item. C. Anderson and C. Dredge were in favor of allowing artificial turf. C. Driggs, C. Spear, C. Thomas, and C. Miller were in opposition to the allowance.

**MOTION: C. Thomas moved to table the agenda item on artificial turf code until a future Planning Commission meeting. The motion was seconded by C. Miller. Voting was unanimous in favor of the motion.**

6. Review/Recommendation on Amendments to the City Code title 10, Chapter 5, Section 38, Relating to Ground Mounted Renewable Energy Systems

Chandler Goodwin stated that rather than disallow such renewable energy systems it was the desire to constrain residents from placing said systems above the property lines and twenty feet tall. He went into detail concerning the specifics of the amendments.

C. Dredge observed that those on smaller lots would not be able to take advantage of systems according to the specifications. Chandler Goodwin stated the amendment affected those smaller backyards. The amendment would limit the renewable energy system size based on square footage of the backyard in which it was placed. He continued that he would not want to have such a large system in his own backyard blocking his and the view of his neighbors. C. Thomas stated it was like having a billboard in the backyard.

Chandler Goodwin stated the amendment would be similar to the limitations on the City's large animal units; for each horse a resident must own 5,000 square feet of agricultural area. Not every property right was held by every property.

C. Driggs asked about the placement of solar panels and whether or not there was an allowance to place the panels on the front side of a home. Chandler Goodwin responded there were no restrictions on placement due to solar panel efficiency being constrained by where the sun was.

C. Driggs talked about trying to mitigate solar panel glare. Chandler Goodwin thought the Commission had addressed mitigation of solar panel glare. He read the code regarding said issue and upon reading the code stated that there wasn't prevention of panel placement, only mitigation.

C. Driggs asked for a motion to table this item.

**MOTION: C. Miller moved to table the item for proposed changed to Code 10-5-38 Renewable Energy Systems to City Council until future Planning Commission meeting. The motion was seconded by C. Dredge. Voting was unanimous in favor of the motion.**

ADJOURNMENT

This meeting was adjourned at 8:57 p.m. on a motion by C. Dredge, seconded by C. Thomas and unanimously approved.

Approved:  
September 26, 2017

/s/ Colleen A. Mulvey, MMC  
City Recorder

Cedar Hills Planning Commission  
Cedar Hills, Utah

May 17, 2018

Re: Amendment Petition Rezoning PF to Residential

Honorable Planning Commission Members:

I'm writing to urge you to deny the rezoning petition for a portion of what is known as the Hillside Parcel in our General Plan. The City has always wanted to provide a natural parkland there to bring our community closer to established Recreational Standards. To date, we are below the Level of Service for Parks based on our population. Please refer to pages 48 & 54 of the Plan.

As you review page 48 you'll note that there is a proposed trail connector to the Hillside Parcel shown in the upper left corner of the schematic. No doubt the plan hopes to tie in public access to Hillside with the walkway across Oak Road North going on up the hill toward Sandalwood Dr.; the trail then heads northwest to the connector with Cottonwood. But access into the future Hillside parkland at that particular point is nearly impossible due to an extreme slope there. Without a large investment in some kind of switchback stairway, trail users will need a different western entryway to Hillside.

Instead, I would suggest the trail into the future park align with the sidewalk around the upper northwest curve of Oak Road North to a large entrance using the parcel's street exposure at Oak Road North. This may be seen on page 48 as access just north of Oak Court.

I feel it's important that the portion of the natural landscape of Hillside there at the street needs to be prominent and welcoming.

As the trail would continue eastward into the rest of the parcel, it would become quite narrow since it would be wedged between the steep slope and housing to the south. Making use of the large area at the street as parkland would be like creating a pocket-park attached to the larger section of Hillside.

Thank you for your consideration. I value the commitment you've made to serve Cedar Hills as we plan for the future of our community.

Sincerely,  
Cheri Condie  
4221 W. Oak Road North  
Cedar Hills, Utah

Cedar Hills Planning Commission, City Council, Mayor Rees  
via: e-mail

Re: Rezone of Lot 26 from Public Facilities to Residential

Honorable Commissioners, Councilmembers, and Mayor Rees:

Please find attached a petition containing 150 Cedar Hills signatures opposing the rezone of any portion of the lot in question.

It might be tempting to jump at the generous offer of Mr. Jones, but there are several reasons to keep the land as open space, some of which are:

There is no compelling reason to rezone at this time. The future Hillside Parcel passive parkland, of which Lot 26 is part of, is on the Capital Improvements schedule for the year 2025.

It's not reasonable to lose 30% of the zoned open space when the city is underserved according to National Parks & Recreation standards.

To provide services to residential use is more expensive for cities than to provide services for parkland. (Erica Gies study, Trust for Public Land) I would think services for a nature park would be quite minimal.

The owner acquired the land as unbuildable. He's not losing any private property rights.

I know repeated requests for a rezone are inconvenient, time consuming and a pain, but I'm putting it on my annual calendar, just like I do to pay my insurance premium, to come to you again and again to ask for patience and restraint. My values of the importance of sufficient recreational space for a city, are being harmed.

Please deny the request for a rezone.

Sincerely,

Cheri Condie  
4221 W.Oak Road North

COPIES OF  
THIS BATCH SUBMITTED TO  
THE CEDAR HILLS  
PLANNING COMMISSION  
7/25/17 J.E.

## Petition OPPOSING re-zoning of a Cedar Hills property

**Petition summary and background**  
We the undersigned residing in Cedar Hills want to voice our opinion and desire in OPPOSITION to re-zoning part of the "Hillside parcel", parcel # 36: 145.0026

**Action petitioned for**  
We desire that this re-zoning be denied. We would rather it remain OPEN SPACE or become a PARK rather than residential development

Printed Name	Signature	Address	Comment	Date
BEN SMIT		10233 N. Oak Rd West		7/24/17
Jennifer Wall		10253 N. Oak Rd. W.	We want a PARK!	7/24/17
B. Shuler		10219 Oak Rd W.		7/24/17
Kathleen Hassard, Shannon Hassard, Myra Hassard		10219 N. Oak Rd. W.	PARK! No more horses!	07/24/17
Ben Gambill		10219 N. Oak Rd. W.	Leave it a PARK!	07/24/17
Brian Anderson		10191 Oak Rd W.	Let's build the park	7-24-17
Justin Remph		10175 North Oak Road West	Park	7-24-17
Dave Free		10131 N. Oak Rd.	open space	7/24/17
ANGELA FREE		4309 W. OAK RD	leave it!	7/24/17
Verna Hazelbaker		"	"	" " "
KEN HAZELBAKER		10253 N. Oak Rd W	Please build the park for the kids!	7-24-17
		10253 NOAK RD W	MAINTAIN STATUS QUO OF 35YRS!	7/24/17

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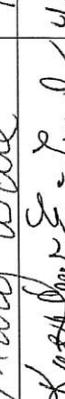
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Printed Name	Signature	Address	Comment	Date
Karen Holbrook	<i>Karen Holbrook</i>	10217 N. Oak Court <sup>City</sup>		7/24/17
Greg Holbrooks	<i>Greg Holbrooks</i>	"		7/24/17
Justin Bergon	<i>Justin Bergon</i>	10172 N. Oak Court	H NO!	7/24/17
Jimmy Rice	<i>Jimmy Rice</i>	10172 N. Oak Court	NOPE!	7/24/17
Kimmi Rees	<i>Kimmi Rees</i>	10182 N Oak Ct	NO	7/24/17
Beverly Bunch	<i>Beverly Bunch</i>	10182 N Oak Ct	Absolutely not!!	7/24/17
Lindsey Rice	<i>Lindsey Rice</i>	10172 N. Oak Ct	NO!	7/24/17
Emily Anderson	<i>Emily Anderson</i>	4230 Cedar Hills Dr.		7-24-17
Dawn Cattermole	<i>Dawn Cattermole</i>	10208 Oak Ct.		7-25-17
<i>[Signature]</i>	<i>Brad Cattermole</i>	"		7-25-17
Mark Gray	<i>Mark Gray</i>	10708 Oak Ct.	NO	7/25/17

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Printed Name	Signature	Address	Comment	Date
1 Austin Christine				7/24/2017
2 Kirk Hammond		10094 N. Oak Rd. W.	Keep it a Park.	7/24/2017
3 Curtis Hall		4242 Cedar Hills Dr	''	
4 TOY SANG		10061 POPLAR CRT		
5 Wanda MacPherson		4221 Cedar Hills Dr	Keep Zoning as Recreation...	7/24/2017
6 Curtis MacPherson		4221 W. CEDAR HILLS DR.	YOU ZONED IT NOW KEEP IT!	7/24/2017
7 William White		4222 W-Cedar Hills Dr		
8 Mary White		4222 W. Cedar Hills Dr.		
9 Kathleen Lund		4267 W. Cedar Hills Dr	Keep as personally zoned	7/24/2017
10 Marinann Castillo		4299 W. Cedar Hills Dr.		7/24/17
11 Rosa Castillo		4299 W. Cedar Hills Dr.		7/24/17

Printed Name	Signature	Address	Comment	Date
12 JOHN F. UTYKAWSKI JR.		10045 N. SAGE RD WEST CEDAR HILLS UT	NO!	7/24/17
13 RICK HALLG		10033 N. SAGE RD WEST CEDAR HILLS UT		7/24/17
14 Jared Saxega		4202 W. Cedar Hills Dr.		7-24-17
15 Nicole Utykowski		10045 N. SAGE RD W. CEDAR HILLS, UT	NO!	7-24-17
16 Kristie Olsen		10051 N. Sage Rd W. Cedar Hills UT	NO	7-24-17
17 Brittan Gladden		10051 N. Sage Rd. W. Cedar Hills UT	NO PLEASE!	7-24-17
18 Sean Francis		10057 N. Sage Rd. W. Cedar Hills UT		7-24-17
19 CELANI		10061 N. Sage Rd W. Cedar Hills UT	NO	7-24-17
20 MARK MILLER		10081 N. SAGE RD WEST CEDAR HILLS UT	NO	7/24/17
21 KATHLEEN MILLER		10087 N. Sage Rd West Cedar Hills UT	NO!	7/24/17
22 WANDEN MCELLENAN		10087 N. SAGE RD W.	NO!	7/24/17
23 Wike Apington		10097 N. Sage Rd. W.		7/24/17
24 Brooke Nielsen		10117 N Maple Ct Cedar Hills		7/24/17
25 BEN H. SMIT		10233 N. Oak Rd. West Cedar Hills UT		7/25/17
26 Corry C. Smit		10233 N. Oak Rd. West Cedar Hills UT		7/25/17
27				

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<b>Action petitioned for</b>	We desire that this re-zoning be denied. We would rather it remain OPEN SPACE or become a PARK rather than residential development

Printed Name	Signature	Address	Comment	Date
Debra Thomas	<i>Debra Thomas</i>	10088 N. Sage Rd W.		7-24-17
Donald Thomas	<i>Donald Thomas</i>	10186 N. Sage Rd W		7-24-17
Debra Walker	<i>Debra Walker</i>	4187 W. Sage Rd		7/24/17
Ann Nielson	<i>Ann Nielson</i>	4201 W Sage Rd		7/24/17
Kate Tilley	<i>Kate Tilley</i>	10077 N Sage Rd W		7/24/17
Alan Tilley	<i>Alan Tilley</i>	10062 N. Sage W		7/24/17
Scott Hancock	<i>Scott Hancock</i>	41160 W. CEDAR HILLS DR.		7/24/17
Laurie Hancock	<i>Laurie Hancock</i>	4160 W. Cedar Hills Dr.		7-24-17
Glen Sjoberg	<i>Glen Sjoberg</i>	10199 Oak Ct.		7/25/17

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Printed Name	Signature	Address	Comment	Date
Mathew Ross	<i>Mathew Ross</i>	10138 N. Maple Ct.		7/24/17
Scott Feibick	<i>Scott Feibick</i>	4198 W Sage Rd		7-24
<del>Lorraine Fredrickson</del>	<del>Lorraine Fredrickson</del>	4198 West Sage Rd		7/24/17
James Wykstra	<i>James Wykstra</i>	10153 N. Maple Ct.		7/24/17
Mae Wykstra	<i>Mae Wykstra</i>	10153 N. Maple Ct		7/24/17
CALEB BANKS	<i>Caleb Banks</i>	4198 W SAGE RD		7/24/17
Bridgett Thompson	<i>Bridgett Thompson</i>	10127 N. Maple Ct.		7/24/17
Alissa Ross	<i>Alissa Ross</i>	10138 N Maple Ct.		7/24/17
PROKST GELER	<i>Prokst Geler</i>	10158 N MAPLE CT.		7/24/17
ARDEN PEARCE	<i>Arden Pearce</i>	10160 N. Maple Ct		7/24/17
BONITA PEARCE	<i>Bonita Pearce</i>	10160 N. Maple Ct		7/24/17





Printed Name	Signature	Address	Comment	Date
ROBERT BRODINE	Robert Brodine	4185 W. OAK RD N.		6 pm
Susan Brodine	Susan Brodine	4185 W. Oak Rd N.		6 pm
Erika Price	Edy Price	4152 W. Oak Rd N.		7/24/17
Rodney Price	Rodney Price	4152 W Oak Rd N		7/24/17
KELLEN PULKE	Kellen Pulke	4122 W OAK RD N		7/27/17
TERRI RAMUS	Terri Ramus	4186 S. OAK Rd. N		7/24/17
FRAN SORENSON	FRAN SORENSON	4075 W. OAK RD N		7/24/17
Diane Sorenson	Diane Sorenson	4078 W. Oak Rd. North		7-24-17
Josh Beck	Josh Beck	686 W 1040 N AVE		7-24-17
Alexa Beck	Alexa Beck	686 W 1040 N AF		7-24-17
Holly Lyne	Holly Lyne	234 W. Sierra Dr. Pk		7/24/17
David Lyne	David Lyne	"		"
Mirae Merrill	Mirae Merrill	495 Valderama Dr.		7/24/17
Stacy Beck	Stacy Beck	686 W 1040 N		7/24/17
ALEX BECK	Alex Beck	"		7/24/17

# Petition OPPOSING re-zoning of a Cedar Hills property

**Petition summary and background** We the undersigned residing in Cedar Hills want to voice our opinion and desire in OPPOSITION to re-zoning part of the "Hillside parcel", parcel # 36: 145.0026

**Action petitioned for** We desire that this re-zoning be denied. We would rather it remain OPEN SPACE or become a PARK rather than residential development

Printed Name	Signature	Address	Comment	Date
Kristin Purks	Kristin Purks	4122 W Oak Rd N		7/24/17
Olga Little	Olga Little	4028 W Juniper Rd.		7/24/17
Koni Smith	Koni Smith	4045 W Juniper R&		7/24/17
Nathan Smith	Nathan Smith	4045 W Juniper Rd		7/24/17
Sage Killian	Sage Killian	4080 W Juniper Rd		7/24/17
Shelly Lone	Shelly Lone	10098 N SAGE RD E		7/24/17
DAVID MATHIAS	David Mathias	10098 N SAGE RD E		7/24/17
Don Duncan	Don Duncan	10077 N SAGE RD E		7/24/17
CHAD HANCOCK	Chad Hancock	4069 W Juniper Rd		7/24/17
Elizabeth Barton	Elizabeth Barton	10065 N. Sage Rd. E.		7/24/17
KURT MATHER	KURT MATHER	10089 N. SAGE RD E		24 JUL 17

Printed Name	Signature	Address	Comment	Date
Talisa Willis	Talisa Willis	10088 N. Sycamore E.		7/24/17
Warren Blain	Warren Blain	10054 N. Sage Rd		7/24/17
Carol Blain	Carol Blain	10054 N. Sage Rd		7-24-17
Caleb Barton	Caleb Barton	10065 N. Sage Rd		7-24-17
Elizabeth Drew	<del>Elizabeth Drew</del>	10047 N. Sage Rd E		7.24.17
Stuti Drew	Stuti Drew	10047 N. Sage Rd E		7.24.17
Paul Drew	Paul Drew	10047 N. Sage Rd E		7.24.17
Scott Coakley	Scott Coakley	10030 N. Sage Rd E		7.24.17
Latisha Graham	Latisha Graham	10030 N. Sage Rd. E.		7/24/17
Matt Sugarbaker	Matt Sugarbaker	10040 N. Sage Rd E		7/24/17
Tom Willis	Tom Willis	10088 N. Sage Rd E		7/24/17
George Reynolds	George Reynolds	10089 N. Oak Rd E		7/24/17
Priscilla Leet	Priscilla Leet	4012 W. Cedar Hills Dr		7/24/17
Kristi Natividad	Kristi Natividad	10057 N. Oak Rd East		7/24/17
Mary Natividad	Mary Natividad	" "		7/24/17
JAUST	JAUST	10031 N. Oak Rd E		7/24/17

Printed Name	Signature	Address	Comment	Date
Jeanne Mathew	Jeanne Mathew	10089 N. Sage Rd. E. Cedar Hill, TX 75002	Peer live there - disturb rattlesnakes come to our house	7/24/17
Mike Taylor	Mike Taylor	10099 N. Sage Road East	keep the green space!	7/24/2017
Robert Taylor	Robert Taylor	12099 N. Sage Rd. E.	"	7/24/17
Denise Melton	Denise Melton	10107 N. Sage Rd. E.	"	7-24-17
Camille	Camille	"	"	7/24/17
William Nelson	William Nelson	"	"	7-24-17
Judy R. Bell	Judy R. Bell	10116 N. Sage Rd. E.		7/24/17
Leanne Bell	Leanne Bell	"		7/24/17
JUSTIN PEAY	Justin Peay	4135 W Sage Rd		7/24/17
Lisa Peay	Lisa Peay	4135 W. Sage Rd	we want a park or green belt, not building lot.	7/24/17
Rashelle Peay	Rashelle Peay	4135 W. Sage Rd N	Keep it a green place/ PARK FOR COMMUNITY!	7/24/17
Orl Peay	Orl Peay	435 W. SAGE RN	KEEP A GREEN AREA FROM OUR NO. 1	7/24/17
Victoria L. Peay	Victoria L. Peay	4164 W. Sage Rd. N.	Keep green belt	7/24/17
Janice	Janice	4177 W Sage Rd. N	Keep green belt	7/24/17
Laurie Johnson	Laurie Johnson	4152 W Sage Rd N.	green space - our kids play here	7/24/17
Robert Kirk Johnson	Robert Kirk Johnson	"	"	"

Printed Name	Signature	Address	Comment	Date
Foy Creek		4012 W. Cedar Hills Dr	Dont need it	7/24/17
Charles Wilkes		4095 Cedar Hills DR	leave as is!	7/24/17
TERESA M. WILKES		4095 Cedar Hills Dr	We need green space	7/24/17
W. Fabian Wilkes		" "	"	7/24/17
CHERI CONDIE		4221 W. OAK RD. NO.	NO-TRE-ZONE NO-OPEN SPACE WE BOUND OUR HOUSE THE PERSONNEL @ THE CITY OFFICE SAID IT WOULD STAY OPEN	7-24-17
JOHN CONDIE		" " "	"	7-24-17
Sharon Brisk		4034 W. Oak Rd N.	"	7-25-17
Caitlin Price		4140 W. Sage Rd. N.	"	7-25-17
Kevin Gandy		4062 W. Oak Rd. N.	leave it dangerous to change	7-25/17
Will Comin		463 W. Sandalwood Dr same	leave it	7-25-17
Lanisha Carter		"	Build a turtle pond	7-25-17
Wendy Lorrin		4163 Sandalwood Dr.	Park walking Trail	7-25-17
KENNETH B. LEMMON		497 SANDALWOOD DR	PARK	7/25/17
Natalie Scott		4229 Sandalwood Dr.	"	"
Ryan Scott		" "	view, value of our home	7-25-17



32 W. Center Street  
Midvale, UT 84047  
P (801) 352-0075 F (801) 352-7989

**LEGAL DESCRIPTIONS  
PREPARED FOR  
RANCE JONES  
CEDAR HILLS, UTAH  
(July 6, 2018)**



**PORTION OF LOT 26  
PLAT "I"  
CEDAR HILLS SUBDIVISION  
TO PURCHASE**

A portion of Lot 26, PLAT "I", CEDAR HILLS SUBDIVISION, according to the Official Plat thereof recorded November 11, 1977 as Entry No. 38094 Map # 1918 in the Office of the Utah County Recorder, more particularly described as follows:

Beginning at the Common Northwesternly (Rear) corner of Lot 19 and Lot 18, PLAT "I", CEDAR HILLS SUBDIVISION, according to the Official Plat thereof recorded November 11, 1977 as Entry No. 38094 Map # 1918 in the Office of the Utah County Recorder; thence S68°42'57"W along the Northwesternly line of Lot 18 and 17 of said plat 173.00 feet to the Easterly Right-of-Way line of Oak Road; thence along said road the following 2 (two) courses and distances: N21°17'03"W 144.74 feet; thence along the arc of a curve to the right with a radius of 100.00 feet a distance of 76.28 feet through a central angle of 43°42'115" Chord: N00°34'06"E 74.44 feet to the Westerly corner of Lot 5 of said plat; thence S55°34'18"E along said Lot 5 and along Lot 4 of said plat 178.52 feet; thence S55°16'13"E 80.00 feet to the point of beginning.

Contains: 20,899 square feet or 0.48 acres+/-

**15' TRAIL EASEMENT**

A 15' Trail Easement across a portion of Lot 26, PLAT "I", CEDAR HILLS SUBDIVISION, according to the Official Plat thereof recorded November 11, 1977 as Entry No. 38094 Map # 1918 in the Office of the Utah County Recorder, more particularly described as follows:

Beginning at the Common Northwesternly (Rear) corner of Lot 19 and Lot 18, PLAT "I", CEDAR HILLS SUBDIVISION, according to the Official Plat thereof recorded November 11, 1977 as Entry No. 38094 Map # 1918 in the Office of the Utah County Recorder; thence S68°42'57"W along the Northwesternly line of Lot 18 and 17 of said plat 173.00 feet to the Easterly Right-of-Way line of Oak Road; thence N21°17'03"W along said road 15.00 feet; thence N68°42'57"E 162.89 feet; thence S55°16'13"E 18.09 feet to the point of beginning.

Contains: 2,519 square feet or 0.06 acres+/-

**PORTION OF LOT 26  
PLAT "I"  
CEDAR HILLS SUBDIVISION  
TO GIFT TO CEDAR HILLS TOWN**

All of Lot 26, PLAT "I", CEDAR HILLS SUBDIVISION, according to the Official Plat thereof recorded November 11, 1977 as Entry No. 38094 Map # 1918 in the Office of the Utah County Recorder.  
LESS AND EXCEPTING the following:

Beginning at the Common Northwesternly (Rear) corner of Lot 19 and Lot 18, PLAT "I", CEDAR HILLS SUBDIVISION, according to the Official Plat thereof recorded November 11, 1977 as Entry No. 38094 Map # 1918 in the Office of the Utah County Recorder; thence S68°42'57"W along the Northwesternly line of Lot 18 and 17 of said plat 173.00 feet to the Easterly Right-of-Way line of Oak Road; thence along said road the following 2 (two) courses and distances: N21°17'03"W 144.74 feet; thence along the arc of a curve to the right with a radius of 100.00 feet a distance of 76.28 feet through a central angle of 43°42'115" Chord: N00°34'06"E 74.44 feet to the Westerly corner of Lot 5 of said plat; thence S55°34'18"E along said Lot 5 and along Lot 4 of said plat 178.52 feet; thence S55°16'13"E 80.00 feet to the point of beginning.

Net Area: 1.22 acres+/-



# Utah County Parcel Map

Tools | Print | Help

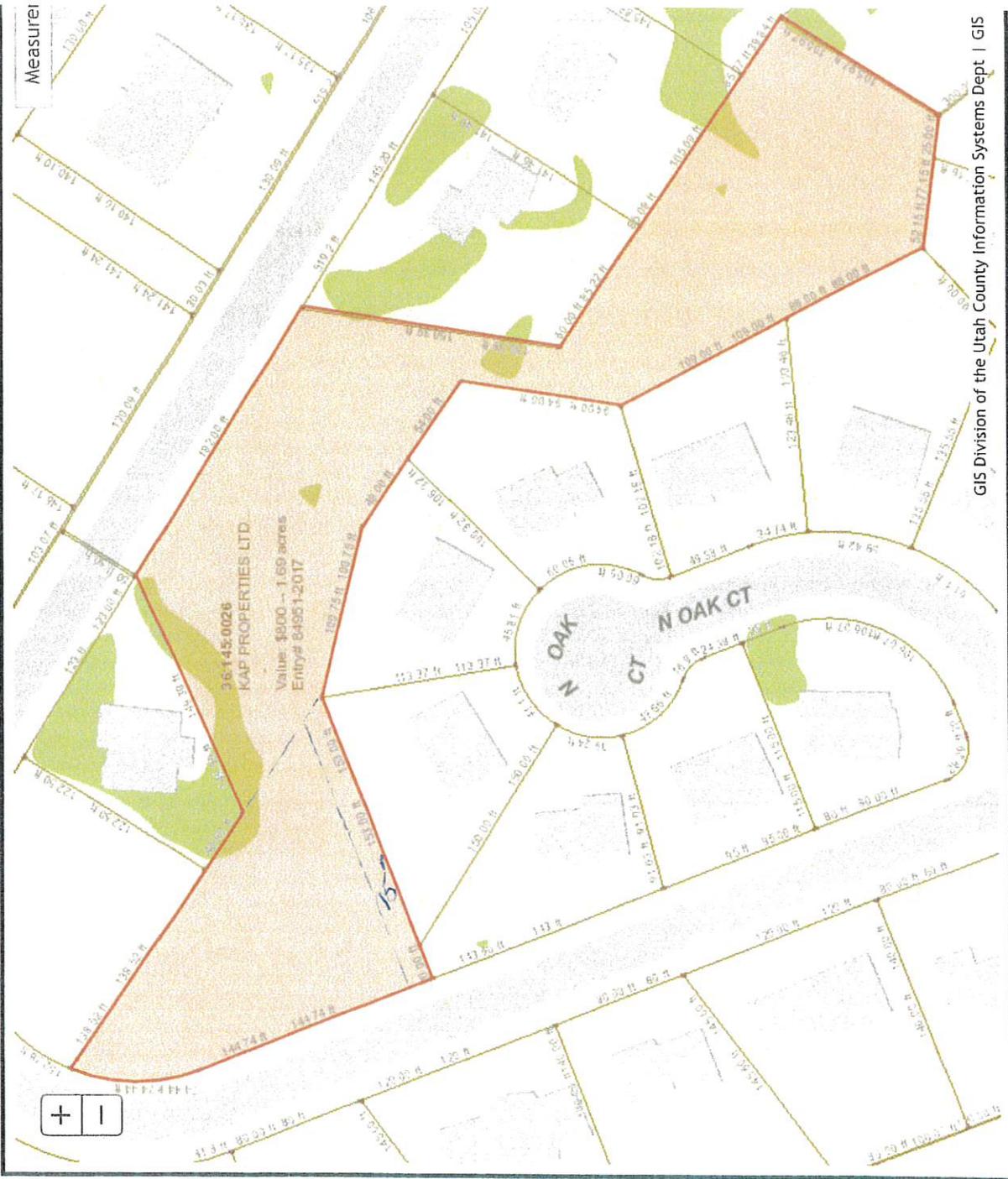
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(Enter the Map Title.)

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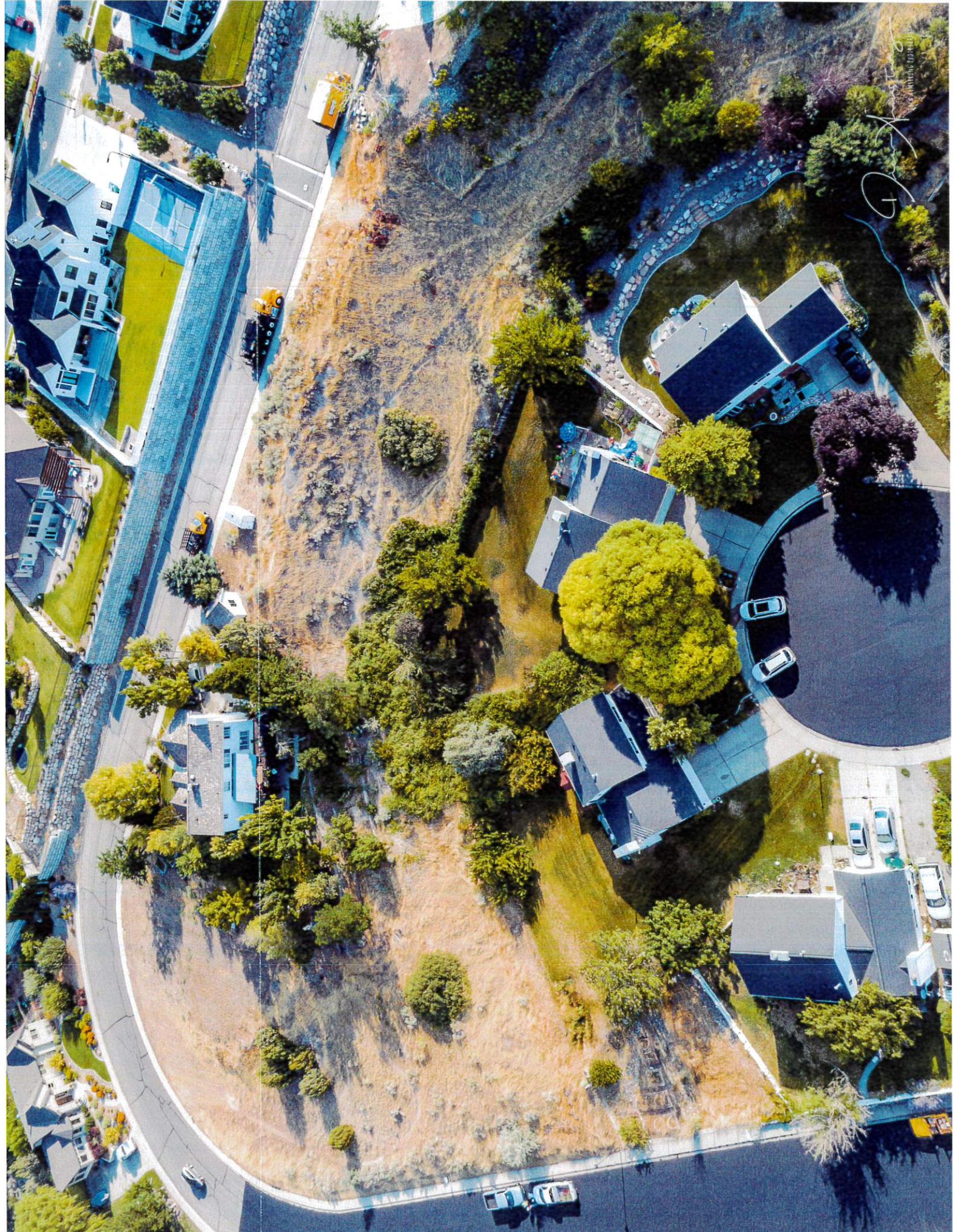
Click the 'Help' tab above for further instructions on how to print the map.



GIS Division of the Utah County Information Systems Dept | GIS

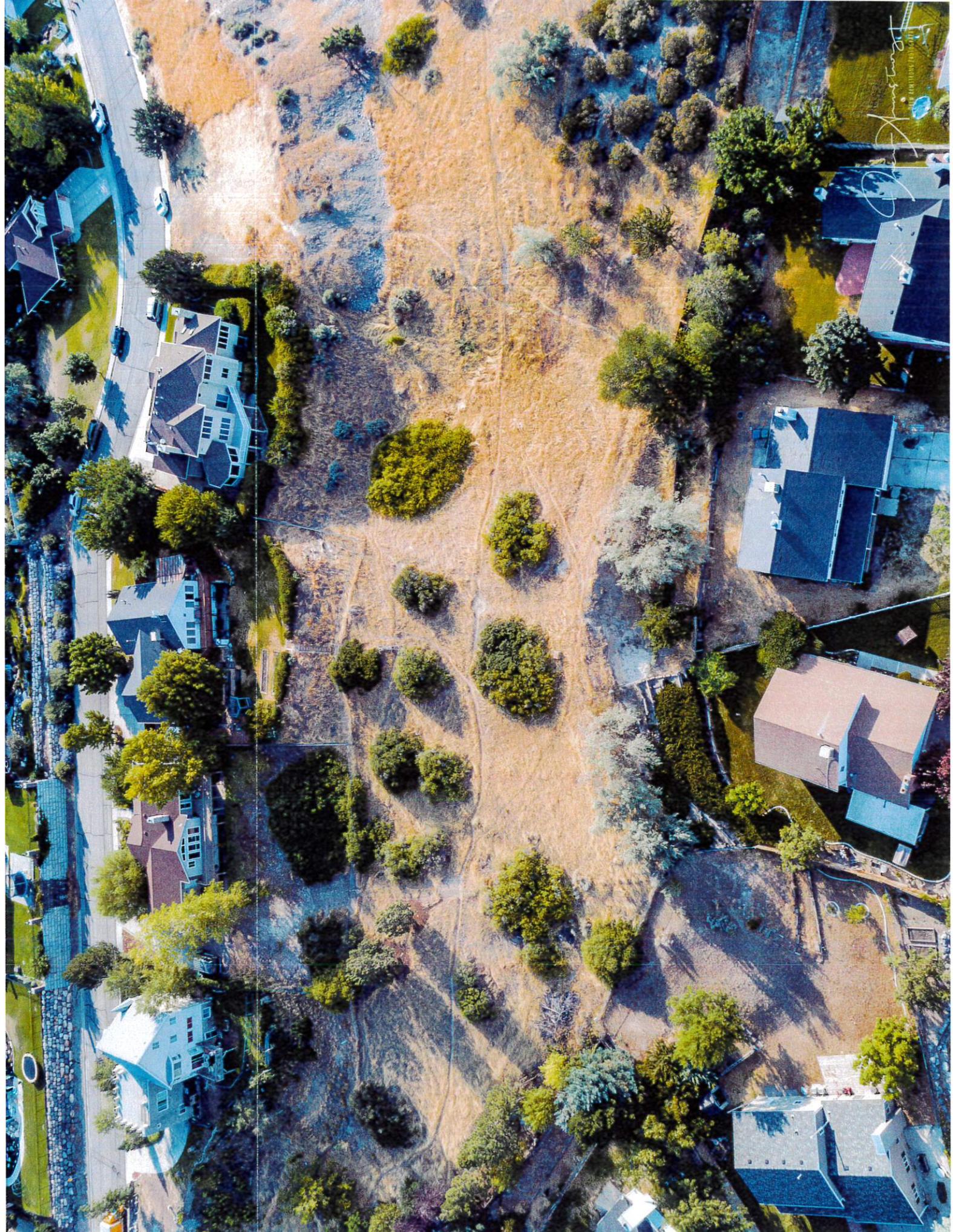
This on-line parcel map is for reference only and no liability is assumed for any inaccuracies, incorrect data or variations with an actual survey.





GARDEN

GARDEN



*Amberlynn*  
REALTY GROUP





# CITY OF CEDAR HILLS

<b>TO:</b>	Planning Commission
<b>FROM:</b>	Chandler Goodwin, City Manager
<b>DATE:</b>	7/31/2018

## Planning Commission Agenda Item

<b>SUBJECT:</b>	Review/Recommendation on Final Approval for the Cedar Hills Gateway Subdivision, Located at approximately 9826 North 4800 West Cedar Hills
<b>APPLICANT PRESENTATION:</b>	N/A
<b>STAFF PRESENTATION:</b>	Chandler Goodwin, City Manager
<b>BACKGROUND AND FINDINGS:</b> <p>The proposed development lays down the ground work for future commercial development in the SC-1 zone. The preliminary proposal sections off the property into lots that can then be developed within the guidelines of City Code §10-6A. The subdivision contains eight parcels of varying size that will be developed as commercial properties. The preliminary plans only show the public improvements, not any commercial development. As each commercial development proposal comes to the City, each one will have to go through the process of concept, prelim, and final approvals in order to obtain building permits. This subdivision outlines areas for development and allows the developers to seek tenants for each space. The project is currently being reviewed for engineering.</p> <p>During the preliminary process, the planning commission recommended that the southernmost access onto North County Blvd. be adjusted to allow for three lanes of travel, that sidewalks be added to allow for foot traffic heading north/south, and for a full access in/right out entrance to be located on the southern end of the property merging onto 9900 N. After reviewing these, the City Council is recommending that the 9900 N access be a full access.</p>	
<b>PREVIOUS LEGISLATIVE ACTION:</b> Planning commission gave preliminary approval on July 10, 2018, City Council gave preliminary approval on July 17, 2018	
<b>FISCAL IMPACT:</b> N/A	
<b>SUPPORTING DOCUMENTS:</b> Cedar Hills Gateway Final Plans	
<b>RECOMMENDATION:</b> Review the proposal and make necessary changes for approval	
<b>MOTION:</b> To recommend/not recommend to the City Council the final plan for the Cedar Hills Gateway as presented by Staff to be located on approximately twelve acres at 9826 N 4800 W, subject to the following changes {LIST ANY APPLICABLE CHANGES}.	







5241

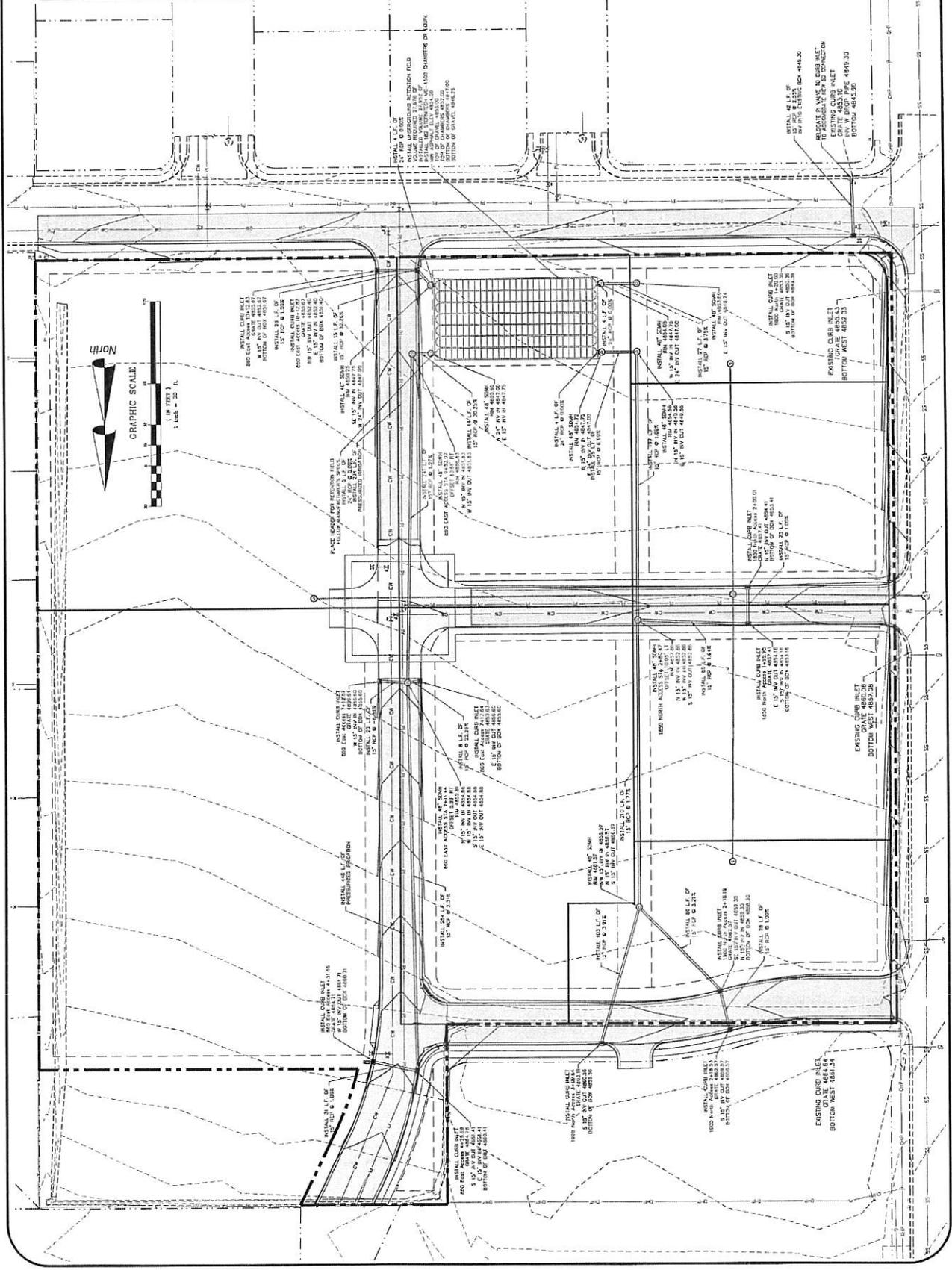
**A.L.M. & Associates, Inc.**  
 Engineering · Surveying · Development · Planning  
 2230 North University Parkway, Building 6D, Provo, Utah 84604 ph:(801) 374-6252



**Grading and Drainage Plan**  
 Cedar Hills Gateway  
 Openshaw Properties

NO.	REVISION	DATE

**C3.0**  
 OF  
 SHEET NO. 559 OF 1007

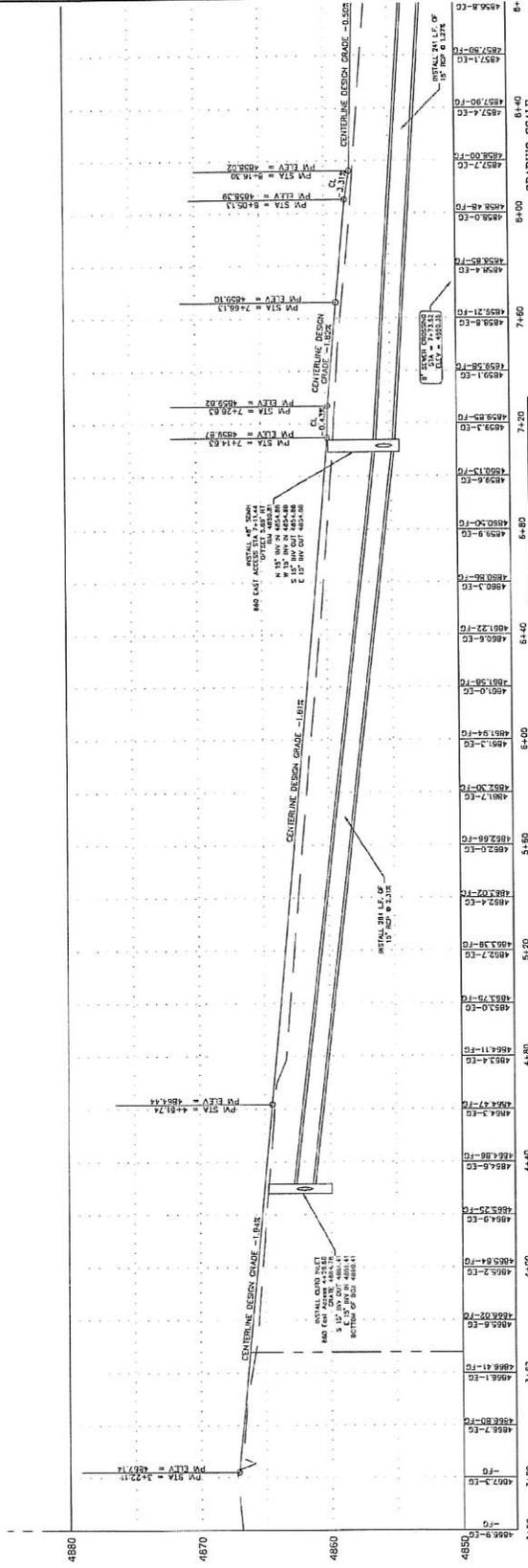
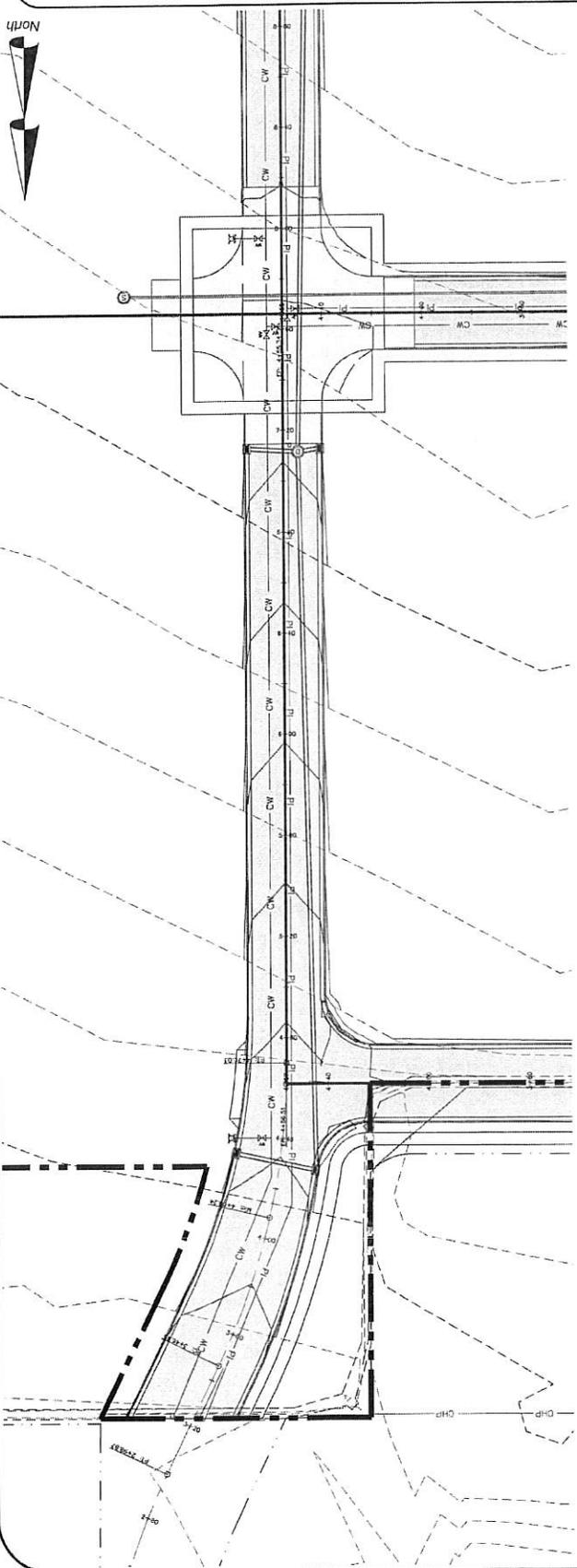












860. Foot Access  
5:1 VERT  
STA = 3+00.00 to 10+86.74

GRAPHIC SCALE  
1 inch = 50 feet

**A.L.M. & Associates, Inc.**  
 Engineering · Surveying · Development · Planning  
 2230 North University Parkway, Building 60, Provo, Utah 84601 (801) 374-6828

**PLAN & PROFILE - 860 E (2+80-8+40)**  
 Cedar Hills Gateway  
 Openshaw Properties

No.	Description	Date

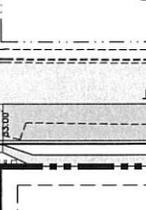
**C4.4**  
 Plot # 556-1007





SEAL

**A.L.M. & Associates, Inc.**  
 Engineering - Surveying - Development - Planning  
 2230 North University Parkway, Building 6D, Provo, Utah 84604 (801) 374-8262



**Cedar Hills Gateway**  
 Preliminary Plat  
 Openshaw Properties

No.	Revision	Date

**C11**  
 of 11 sheets  
 Plat # 591-1937

**DATE INFORMATION:**  
 Plat Number: 14.003.0177  
 Address: 9828 North 4800 West  
 Cedar Hills, Utah

**OWNER:**  
 City of Cedar Hills

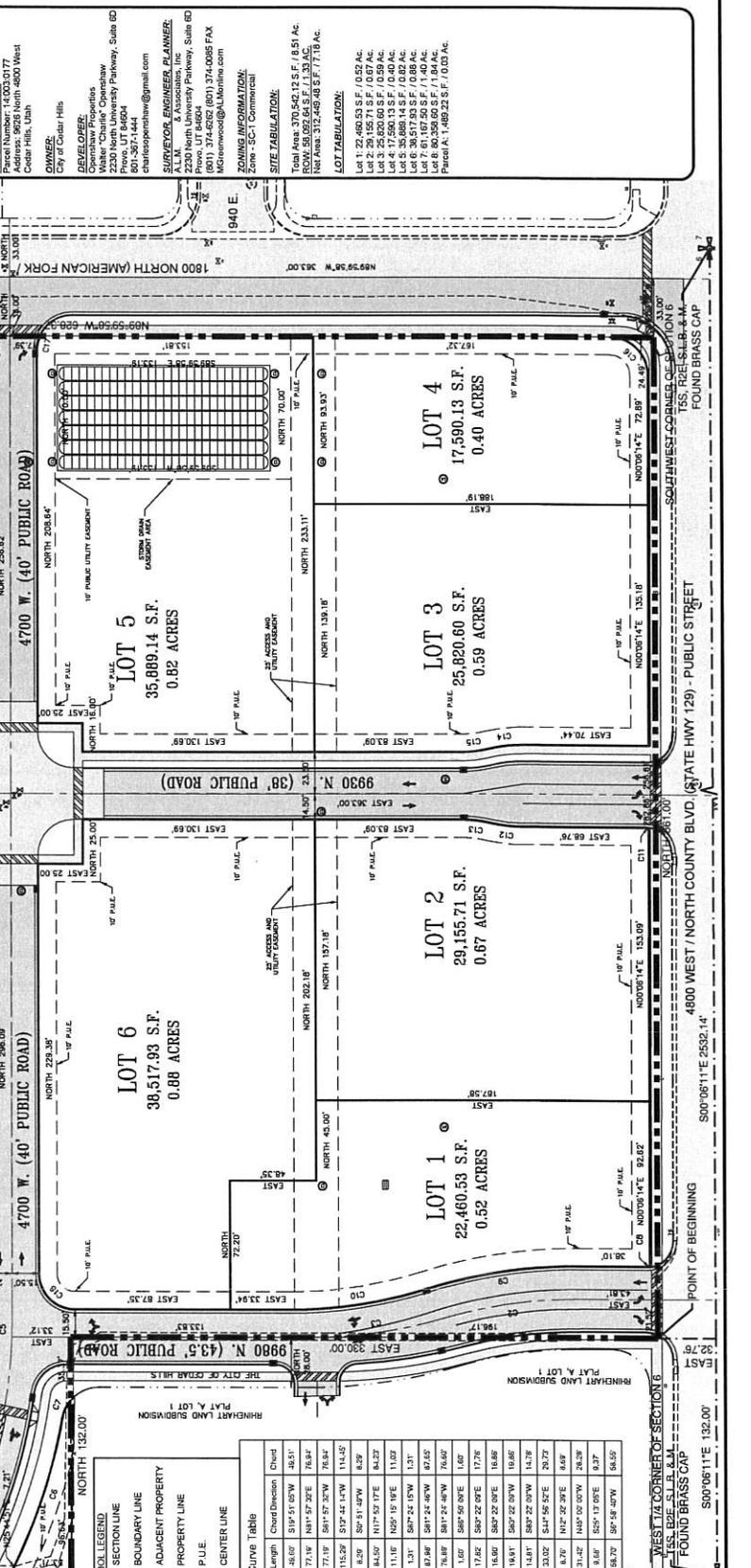
**DEVELOPER:**  
 Openshaw Properties  
 2230 North University Parkway, Suite 6D  
 Provo, UT 84604  
 801-397-1444  
 info@openshaw.com

**SURVEYOR, ENGINEER, PLANNER:**  
 Associates, Inc.  
 2230 North University Parkway, Suite 6D  
 Provo, UT 84604  
 (801) 374-8262 (801) 374-0085 FAX  
 info@almandassociates.com

**ZONING INFORMATION:**  
 Zone - SC-1 Commercial

**SITE TABULATION:**  
 Total Area: 370,540.13 S.F. (8.51 Ac.)  
 Net Area: 50,026.64 S.F. (1.13 Ac.)  
 Net Area: 312,448.48 S.F. (7.18 Ac.)

**LOT TABULATION:**  
 Lot 1: 22,460.53 S.F. / 0.52 Ac.  
 Lot 2: 29,155.71 S.F. / 0.67 Acres  
 Lot 3: 25,820.60 S.F. / 0.59 Acres  
 Lot 4: 17,590.13 S.F. / 0.40 Acres  
 Lot 5: 35,889.14 S.F. / 0.82 Acres  
 Lot 6: 38,517.93 S.F. / 0.88 Acres  
 Lot 7: 61,167.50 S.F. / 1.40 Acres  
 Lot 8: 80,358.60 S.F. / 1.84 Acres



COMMENCING AT A POINT LOCATED SOUTH 09°00'11" EAST ALONG THE SECTION LINE 132.00 FEET AND EAST 233.25 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°59'58" WEST ALONG THE NORTHERLY RIGHT OF WAY LINE OF 9900 NORTH STREET 128.37 FEET; THENCE NORTH 39°10'00" WEST TO THE POINT OF BEGINNING.

AREA = 370,542.12 SQUARE FEET / 8.51 ACRES  
 BEARING BEING SOUTH 00°08'11" EAST ALONG THE SECTION LINE FROM THE WEST QUARTER CORNER TO THE SOUTHWEST CORNER OF SECTION 6, TOWNSHIP 5 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, NAD83 COORDINATE SYSTEM.

**SYMBOL LEGEND**

- SECTION LINE
- BOUNDARY LINE
- ADJACENT PROPERTY
- PROPERTY LINE
- P.U.E.
- CENTER LINE

**Curve Table**

Curve #	Radius	Length	Chord Distance	Chord
C1	241.00'	46.07'	519' 51" 05W	46.51'
C2	275.00'	71.15'	N81° 52' 29E	76.82'
C3	275.00'	71.15'	S81° 52' 29W	76.82'
C4	275.00'	115.29'	S10° 34' 12W	114.55'
C5	275.00'	8.29'	S89° 51' 49W	8.29'
C6	300.00'	84.00'	N117° 43' 17E	84.22'
C7	21.00'	11.16'	N25° 10' 18E	11.02'
C8	14.50'	1.31'	S89° 24' 15W	1.31'
C9	203.00'	87.88'	S81° 24' 40W	87.65'
C10	266.00'	76.88'	S81° 54' 40W	76.68'
C11	14.50'	1.60'	S89° 02' 02E	1.60'
C12	72.00'	17.82'	S89° 42' 02E	17.78'
C13	86.00'	19.81'	S89° 42' 02E	19.68'
C14	64.00'	14.81'	S89° 42' 02E	14.78'
C15	21.00'	32.02'	S44° 45' 52E	29.72'
C16	20.00'	4.76'	N12° 42' 29E	4.69'
C17	20.00'	31.42'	N89° 02' 02W	28.28'
C18	11.00'	3.88'	S29° 12' 02E	4.37'
C19	21.00'	58.72'	S0° 59' 49W	58.59'

**WEST CORNER OF SECTION 6**  
 T15S R2E S11E  
 FOUND BRASS CAP

**POINT OF BEGINNING**  
 500°08'11"E 2532.14'  
 4800 WEST / NORTH COUNTY BLVD. (STATE HWY 129) - PUBLIC STREET

**SOUTHWEST CORNER OF SECTION 6**  
 T15S R2E S11E  
 FOUND BRASS CAP

APPLE BLOSSOM PARK PLAT A, LOT 1  
 APPLE BLOSSOM PARK PLAT A, LOT 2  
 APPLE BLOSSOM PARK PLAT A, LOT 3  
 APPLE BLOSSOM PARK PLAT A, LOT 4  
 APPLE BLOSSOM PARK PLAT A, LOT 5  
 APPLE BLOSSOM PARK PLAT A, LOT 6  
 APPLE BLOSSOM PARK PLAT A, LOT 7  
 APPLE BLOSSOM PARK PLAT A, LOT 8  
 APPLE BLOSSOM PARK PLAT A, LOT 9  
 APPLE BLOSSOM PARK PLAT A, LOT 10  
 APPLE BLOSSOM PARK PLAT A, LOT 11  
 APPLE BLOSSOM PARK PLAT A, LOT 12  
 APPLE BLOSSOM PARK PLAT A, LOT 13  
 APPLE BLOSSOM PARK PLAT A, LOT 14  
 APPLE BLOSSOM PARK PLAT A, LOT 15  
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 APPLE BLOSSOM PARK PLAT A, LOT 97  
 APPLE BLOSSOM PARK PLAT A, LOT 98  
 APPLE BLOSSOM PARK PLAT A, LOT 99  
 APPLE BLOSSOM PARK PLAT A, LOT 100

OWNER: JAMES M. SHART  
 SERIAL NUMBER: 14.003.0255

14.003.0255