HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
July 11, 2023

APPROVED-08.22.2023

6:00 p.m. – Regular Meeting

1. Regular Meeting:

I. Call to Order

Chairman Gunn called the Work Meeting to order at 6:27 p.m. and welcomed everyone present.

II. Roll Call

Planning Commission Present:	Chairman Dennis Gunn Vice-Chairman Dave Richards Commissioner Phil Jordan Commissioner Josh Knight Commissioner Sid Ostergaard Commissioner Darek Slagowski
Planning Commission Absent:	Commissioner Oscar Covarrbias
Staff Present:	Planning Director Tony Kohler Planning Manager Jamie Baron Planner Jacob Roberts Planning Office Admin Meshelle Kijanen Consultant Meg Ryan
Also Present:	Jeremy Smtih, Riley Young, Piper Riddle, Rod Riddle, Brian Bird, Ryan Poelman, Russ Watts, Brian Balls, Shelton Taylor
Staff Attending Remotely:	Anthon Beales, Aubrey Larsen Consultant Landmark Design Inc., Denna Woodbury Consultant GCGarcia, Jesse Porquis Consultant City Works, John Janson Consultant Planning Solutions
Also Attending Remotely:	N/A

III. Pledge of Allegiance: By Invitation

Planning Commissioner Sid Ostergaard led the recitation of the Pledge of Allegiance.

IV. Recuse for Conflict of Interest N/A

2. **Consent Agenda:**

I. Minutes: May 23, 2023

Motion: Commissioner Knight moved to approve the items on the Consent Agenda. Commissioner Ostergaard made the second.

Discussion: N/A

Voting Yes: Planning Commission Vice-Chair Richards, Commissioner Knight, Commissioner Jordan, Commissioner Slagowski, Commissioner Ostergaard. **Voting No:** None. The Motion Passed 5-0.

3. **Action Items:**

I. Public Hearing for Amendments to Definitions Municipal Code 18.08 (Tony Kohler, Meg Ryan)

Consultant Meg Ryan indicated they had a Public Hearing that evening regarding the Definitions Chapter of the Zoning Code. She recalled they had met previously about this item and had made some changes and updates since that time in response to comments from the Planning Commission. She clarified these were definitions and did not impact policy or legislation.

Planning Admin Kijanen read the rules for public comments.

Chairman Gunn opened the floor for public comments. [00:12:26]

There were no comments, so the public hearing was closed.

Commissioner Richards asked about what the process was to add definitions. Ms. Ryan explained they needed to go through the text amendment process, which was fairly straightforward since it was not regular. She clarified they still needed to hold a public hearing every time they made a change. However, they were putting forth legislation which would potentially change that process.

Motion: Planning Commission Vice-Chair Richards moved to forward a positive recommendation for the Amendments to Definitions Municipal Code 18.08 with the condition that as they moved forward, they found ways to simplify the process of adding or changing definitions. Commissioner Ostergaard made the second.

Discussion: N/A

Voting Yes: Planning Commission Vice-Chair Richards, Commissioner Knight, Commissioner Jordan, Commissioner Wilson, Commissioner Slagowski, Commissioner

Ostergaard. **Voting No:** None. The Motion Passed 6-0.

II. Public Hearing to consider Amendments to Chapter 18.04 General Provisions, 18.12 Administration, 18.16 Zones Generally, and Repeal Sections 2.38 and 2.48 of the Heber Municipal Code. (Tony Kohler, Meg Ryan)

Consultant Meg Ryan recalled the Planning Commission had held a Work Session regarding these three items since they were related. She said when they had held the meeting back in May, there had not been many comments from the Commission, but since May, they had made some small changes to better comply with State law. She noted they had also added a chart, which she hoped would clarify things for the general public. She added they had also added a chapter about an "Agricultural Protection Area" to comply with state law. Ms. Ryan discussed how they had clarified and simplified some chapters. She asked them to conduct a public hearing and then pass a recommendation to the City Council.

Commissioner Ostergaard asked about a section under Temporary Regulations which stated the City Council could enact a temporary land use without notice or consideration from the Planning Commission. Ms. Ryan explained; that currently, the Planning Commission passed a recommendation to the Council, although this gave the Council more flexibility for things that were intended to be temporary. She elaborated that this made things easier for the Council not to have to go through the Planning Commission process. Ms. Ryan gave an example of a fireworks stand as something which would constitute a temporary use.

Chairman Gunn opened the floor for public comments. [00:20:40]

There were no comments.

Commissioner Richards reiterated this was all for temporary things, and did not think there was anything in the document which would keep the Commission from doing the things they needed to do.

Motion: Planning Commission Vice-Chair Richards moved to recommend a positive recommendation regarding Amendments to Chapter 18.04 General Provisions, 18.12 Administration, 18.16 Zones Generally, and Repeal Sections 2.38 and 2.48 of the Heber Municipal Code. Commissioner Knight made the second.

Discussion: N/A

Voting Yes: Planning Commission Vice-Chair Richards, Commissioner Knight, Commissioner Jordan, Commissioner Slagowski, Commissioner Ostergaard. **Voting No:** None. The Motion Passed 5-0.

III. Public Hearing to consider Standard Drawings and Specifications update and a Heber Storm Water Design Manual update. (Gordon Miner)

City Engineer Gordon Miner stated they updated their Standards and Specifications periodically to keep current with the industry and development community. He said it had been a while since they had last been addressed, so there were substantial changes. He indicated there had been an overhaul of the Engineering standards and explained while previously there had been a lot of specifications on standard drawings, it was better to put specifications and standard drawing specifications, so they had extrapolated a lot of the information from the drawing standards and moved them to the front of the document. He expressed they had also augmented and segmented section 00100, and broken it down by various systems, such as streets, drinking water, storm drains, and other things.

City Engineer Miner stated they had added a lot of guidance for developers, especially engineers, as to what kind of information and documents needed to be included in their reports, including information about things like soil, traffic, and roads. He continued they had also added information for engineers about their responsibilities as they created documents for the City's review. He also highlighted that the Public Works department had contributed a lot to the updates in order to maintain their systems as effectively as possible. He asked if there were any questions.

Chairman Gunn thought it was great they had worked with the Public Works department and commended both departments for their collaborative approach.

Commissioner Richards thought they should move forward with the document but noted he did not see anything about lighting. He expressed he wanted to increase lighting in the city since it was not as safe as it used to be, and commented that three nights ago, someone had broken into a car on his street. He acknowledged no one wanted to see more lights from an aesthetic standard but thought they should have more street lighting as far as public safety was concerned. Chairman Gunn clarified there was not an issue with downlight lighting; they wanted to avoid lights that went straight into the sky. He thought the intent of the Dark Sky ordinance was to avoid light pollution going up. City Engineer Miner clarified there actually was a section about lights, 1.15, although he acknowledged it was short and expressed he was willing to add to it if the Commissioners felt it was needed. City Engineer Miner commented that currently, there were only lights at intersections.

Planning Director Tony Kohler added they also had a City Lighting ordinance that addressed lighting in greater depth and reviewed lighting on private properties. He clarified this only addressed streetlights. Commissioner Richards said people would take things into their own hands if they felt there was insufficient street lighting and would do things like add floodlights on their properties. Mr. Kohler said the Planning Commission had the power to suggest updates to Engineering standards. Chairman Gunn thought they needed to clarify the purpose of city lighting. He discussed that his car had been broken into and hit in the past, which bothered him greatly. However, he was unsure it was the city's responsibility to ensure everyone's vehicles were safe and thought the goal of city lighting was more to ensure safe walking and safe intersections. Commissioner Richards agreed it was not the City's job to keep cars from getting broken into; however, he opined they were inviting trouble by removing street lights. Mr.

Kohler clarified the changes before them that evening would not remove or change any lights in the city.

Commissioner Richards thought there had been a long-standing narrative of reducing lighting, and he worried they were going down a bad path. He thought they needed to consider security more. He acknowledged that was not what they were discussing that evening and emphasized this was a discussion he wanted to have in the future. Mr. Kohler clarified he was hearing the Commissioners were unhappy with the spacing of lights and expressed this was certainly something they could bring up to the City Council.

Commissioner Ostergaard asked if they had addressed what would happen on the mountainsides regarding water and stormwater as developments started in that area. He wanted to know about roads and stormwater management, as houses were built on a grade. Mr. Kohler commented that the impetus for the Storm Water manual was the North Village. City Engineer Miner discussed their biggest challenge was the slope on intersections and said they had focused a lot on the geometric design of the streets in order to address hillside road development adequately. He also highlighted some key features of the sewers and said they had added provisions regarding maximum slope on sewers to mitigate some of the concerns. Commissioner Wilson commented on how the previous year had given them a big scare, and while nothing terrible had happened and they had been fine, those kinds of issues were just going to happen again and on a greater scale, so they needed to be prepared.

Chairman Gunn opened the floor for public comments. [00:41:49]

There were no comments.

Motion: Commissioner Jordan moved to send a positive recommendation to the City Council, with the modification that the Dark Sky Ordinance and Lighting Ordinance be revisited from the perspective of public safety.

Discussion: Mr. Kohler asked for more specific directions and clarified all the lighting they installed addressed the Dark Sky Ordinance. Commissioner Jordan clarified they wanted to address the spacing between lights specifically. He also clarified they did not want to revisit the Lighting Code.

Commissioner Jordan moved to send a positive recommendation to the City Council, with specifications as described above. Commissioner Richards seconded and the motion carried. [00:44:22]

Voting Yes: Planning Commission Vice-Chair Richards, Commissioner Knight, Commissioner Jordan, Commissioner Slagowski, Commissioner Ostergaard. **Voting No:** None. The Motion Passed 5-0.

IV. Request a Site Plan approval for the Loft on 6th, located at 85 West 600

South. (Planner Denna Woodbury/Engineer Gordon Miner)

Consultant Planner Denna Woodbury gave an overview of the item. She indicated this site plan was a mixed-use property that occupied 7.4 acres, and was located in the C-2 commercial zone. She shared that the property would include retail, commercial, restaurants, residential apartments, and vacation rentals. She summarized what each of the four floors would hold, and highlighted the colors and materials of the exterior. She said the project met the requirements for parking and setbacks, although the applicant had not yet submitted their lighting fixture plan. Ms. Woodbury stated that staff recommended that the Planning Commission approve the site plan, subject to the submission of the lighting plan, to ensure the lighting fixtures were in line with the Lighting Code and other findings and conditions.

Mr. Kohler clarified the Planning Commission would not have seen this item before; it was just conceptual, and concepts were not brought before the Commission.

Commissioner Ostergaard asked about hotels and if they were considered conditional use. Mr. Kohler explained the rentals in this building were intended to be long-term, although the units would be serviced nightly as a hotel was. Commissioner Richards clarified the parking met standards, and Ms. Woodbury confirmed the parking was sufficient given the proposed uses. Commissioner Richards asked about the height limit and commented that it was a hot topic in Heber City. Commissioner Knight noted at its peak, the building was just shy of 45 feet, and Ms. Woodbury stated this met the height requirements for the zone. Commissioner Knight asked if there would be a drive-through window on the east side of the property. Mr. Kohler confirmed and shared details of points of access and egress.

Chairman Gunn asked if the applicant was available for questions.

Jeremy Smith introduced himself as the applicant for the Lofts on Sixth and discussed some of the proposed tenants for the space. He said their primary tenant, Quench It, planned on utilizing the drive-through, and he explained how the traffic flow would work to accommodate the drive-through lane. He then stated Suss Cookies and Rooney's Ice Cream would be on either side of Quench It, and the corporate offices for Quench It would go on the office spaces on the second floor of the building. Mr. Smith commented there would be on-street parking and said the street parking counted as half a space. He discussed that the building was geared towards bikers and noted there would be lockers inside for people to store their bikes and a washroom on the main level for bikers to utilize.

Mr. Smith also indicated where the long-term rentals were located within the building and said they were primarily two-bedroom units which were in the $1,500 to $2,000 range. Commissioner Richards commented there was a dearth of reasonably priced housing on the Wasatch front, and Mr. Smith replied they were aiming to offer affordable units.

Commissioner Knight thought the applicant should rethink their landscaping plan. He commented that red maple grew the best in that region, whereas the plants the applicant had selected were not suited to the soil in the area and would need to be routinely treated with iron. Other than that, Commissioner Knight opined it was a beautiful building.

Motion: Commissioner Knight moved to approve a Site Plan approval for the Loft on 6th, located at 85 West 600 South, with the findings and conditions of the Staff Report. Commissioner Ostergaard made the second.

Discussion: N/A

Voting Yes: Planning Commission Vice-Chair Richards, Commissioner Knight, Commissioner Jordan, Commissioner Slagowski, Commissioner Ostergaard. **Voting No:** None. The Motion Passed 5-0.

V. Request for a Subdivision Preliminary for Sawmill Phase 8, located at 860 Becca Rd (Planner Mark Vlasic/Engineer Gordon Miner)

Consultant Planner Aubrey Larson presented this item on behalf of Planner Vlasic. Ms. Larson gave an overview of the request and noted it was for a residential multi-family subdivision consisting of 100 townhomes across 5.86 acres. She stated a new school would be located to the south, and she shared an aerial view and a map to orient the Commissioners as to the location. She stated the property was located within the planned community multi-use zone, and the Planning Commission approved the original MDA in 2018. She added that the subdivision preliminary plans had been reviewed in June, when it had been determined the plan could be moved along in the process for approval. She did note trees would be required along the public frontage as per the zone and said they also had asked the applicant for clarification on parking and ADA requirements. Ms. Larson added they further needed clarification on the applicant's lighting plan as well as the Open Space plan. She expressed that Staff had recommended approval of the plan as it was consistent with the Zoning Code and General Plan, and stated there were eight conditions which needed to be met. She said two of the conditions had been set by Engineering and indicated she would turn the time over to Engineering to let them discuss their conditions.

Ms.Larson shared several mock-ups and maps of the planned subdivision and highlighted some features of the landscaping plan. She specifically spoke about the requirements for trees and said they changed depending on how they defined Sawmill Boulevard, so she asked the Planning Commission for clarification on how they defined that road. She also noted the plan met Dark Sky requirements. Ms. Larson then shared a photo rendering of the site.

City Engineer Miner did not have additional comments beyond the eight outlined conditions.

Applicant Brian Balls clarified the acreage of the parcel was about five acres, although he said that was just his best guess based on looking at the site, and he said he would need to check the plat to find out the exact size. The Commissioners expressed confusion as to the size of the site and how much of it would be common space. Senior Planner Mr. Jamie Baron explained that the total project area was 5.86 acres, although the actual building site would be 1.8 acres, and 2.29 acres were dedicated to common space, including landscaping and Open Space. He said anything that was not dedicated to the public, such as private roads, would constitute common space. Mr. Baron elaborated that different zones had various definitions of common space. He further added that with this MDA, the density of this project had been done on a global level, and this was just one phase of the overall project. He said there were a couple of different MDAs for the entire project, and the current MDA before them had been amended by the current owner. There was a brief conversation about the school, which had been included in conversations when the original MDA was drafted.

Commissioner Richards commented that the density had increased since the initial plan had been put forth. Commissioner Richards expressed he wanted to ensure they were making sure they were still in line with their overall density goals in order to avoid complaints from the public. He thought they needed to check density in every phase. Mr. Balls assured him they were adhering to the MDAs they created and staying in line with the City's density standards.

Commissioner Richards then asked how they could get connectivity without pushing traffic towards Mill Road and up to 1200, and pointed out there was a connecting road which went all the way to the South, but it did not yet have a traffic light. He recalled when they had held a public hearing about this topic, many members of the public who lived east of Mill Road had expressed concerns about traffic in the area. Mr. Balls replied there was connectivity there through the project, which had been approved to the south, and explained the legislative body had removed the requirements for the connection in the amended MDA, as well as the caveats for the landowners in the area. Mr. Balls explained there had been a new connection created adjacent to the south boundary of the IHC parcel and said due to that, there was now a funding mechanism to help create the connection. He stated they would receive about $2,500 in impact fees for every unit being built there, which could go towards constructing the connection to Highway 40. However, he acknowledged that they had no ability to direct that and thus had no timeline as to when that would be done. Commissioner Richards acknowledged it was a big average, and Mr. Balls did not represent all of it; he just wanted to make sure everyone was doing their part to ensure the connection to Highway 40 was streamlined. Mr. Balls pointed out that, comparatively, the project was ahead of the game in terms of how much it was generating in impact fees. Commissioner Richards noted this point but emphasized the city still did not have the highway for the public that they had promised them three years ago.

Commissioner Wilson asked Mr. Balls to explain his design and noted that about three-quarters of the plan had compact houses, except for one corner of Open Space. He asked about the purpose of the design of just having green space on the southeast corner, with the houses clustered together. Mr. Baron explained they had an alternate layout initially with more linear Open Space; however, the City Council had requested the Open Space be reconfigured in order to create a space adjacent to the school. He explained it was a condition of the school that their outdoor play space be accessible to the public after a certain hour of the day. Mr. Baron summarized it had been a very specific request from the City Council for the MDA. Commissioner Wilson opined they needed a place, and expressed he wanted to follow up with the City Council about that. Commissioner Wilson noted the green space backed up to a fairly busy street which he did not feel was safe for children to play on. Mr. Baron commented they were somewhat constrained since the school required ten acres, and had also made this decision based on comments from the neighbors to the east. However, he reminded the Planning Commission they could add this to the agenda and make recommendations to City Council if they wanted to change the layout of green space. Mr. Balls added as well they were still just in the preliminary plat and were open to changes.

Commissioner Knight asked if these would be owner-occupied or owned by a conglomerate, and Mr. Balls replied these were condos for sale. Commissioner Knight expressed that was good, and noted that owner-occupied townhomes and condos were in keeping with the goals of Envision Heber.

Mr. Baron asked Mr. Balls to go over some of the things that needed to be addressed before they could approve the project. Specifically, Mr. Baron indicated they needed to correct landscape irrigation drawings per Code and MDA requirements, get more detailed parking tabulations and information on how parking dimensions would be determined, and more clarity about ADA standards. Mr. Balls explained the two ground units for every building were ADA-accessible, and also had two ADA stalls per unit. Commissioner Richards clarified that 20% of the units were ADA-designed and Mr. Balls expressed that was their intention. Mr. Balls anticipated they would have extra parking stalls for things such as little league football, visitors, or events thrown by the school. He elaborated they had additional guest parking and were not opposed to adding more ADA parking stalls. He stated they would provide detailed parking tabulation as well, and reiterated they had built additional parking near the park with the expectation it would be utilized by visitors.

The commissioners expressed that they appreciated that the condos would be owner-occupied and thanked Mr. Balls for addressing their other concerns. Commissioner Richards noted his biggest issue had been traffic and felt Mr. Balls had adequately addressed that, although he still expressed concerns that the public would come to them with complaints about connectivity.

Motion: Planning Commission Vice-Chair Richards moved to approve the Subdivision Preliminary plan for Sawmill Phase 8, located at 860 Becca Rd, with the findings and conditions of the Staff Report, clarifying there were three findings and eight conditions in the Staff Report, not six conditions. Commissioner Knight made the second.

Discussion: N/A

Voting Yes: Planning Commission Vice-Chair Richards, Commissioner Knight, Commissioner Jordan, Commissioner Slagowski, Commissioner Ostergaard. **Voting No:** None. The Motion Passed 5-0.

VI. <u>Request for a Subdivision Preliminary for Sawmill Phase 9, located at 657 Becca Rd (Planner Mark Vlasic/Engineer Gordon Miner)</u>

Consultant Planner Aubrey Larson again presented on behalf of Planner Vlasic. She noted there was some redundancy with Chapter Eight. She detailed that this project was a residential multi-family subdivision encompassing 4.88 acres and 108 units. She said the Utah Water Conservancy District was to the north, with agricultural uses to the other sides, and shared some maps to orient the Planning Commission to the area. She explained it had the same zoning requirements and General Plan designation as phase eight and that this parcel was part of the Sawmill MDA, which had been amended to include an elementary school. Ms. Larson discussed some of the features of the property, including a pool area, clubhouse, playground area, and detention basin. She stated the application met the requirements and applicable PCMU zone requirements.

Ms. Larson stated they had asked for clarification on a landscaping and irrigation plan and information on parking and lighting details. She reported they had also asked the applicant for Open Space details, which they had provided. Therefore, she stated Staff had recommended approval with seven conditions: more detailed parking tabulations, an irrigation plan and landscaping plan be submitted, the correction of inconsistent data tables, clarification that light fixtures were Dark Sky compliant, that all requirements of the City Engineer be met, all other Code requirements be met, and that any changes suggested by the Planning Commission be met.

Ms. Larson overviewed the plan for the detention basin and said that it seemed more of a park than a detention basin. She expressed that staff wanted to understand how the detention basin would function as a park for the community and said they imagined it had been changed due to drainage issues but wanted confirmation. She noted all of this was provided in the Staff Report and briefly touched on green space. She summarized a slight difference between zone requirements and what had been provided in the site plan. Ms. Larson shared the photometric for the site plan and commented that they were still waiting for information on the lighting plan. She also shared a photo rendering and indicated the materials which would be used.

Mr. Balls clarified that the Open Space was in the detention basin and explained it was extremely large. He said the park was already constructed and explained the basin was large enough to accommodate a three-quarters-sized soccer field, and shared some photos which gave a sense of the scale and showed details of the landscape. He noted the pond had already been constructed in phase one.

Mr. Baron commented they had shifted many amenities to this area with the amended MDA, and he also noted the detention basin and pond needed some attention. He discussed they had some bonds out currently, which would be used to maintain the pond properly. He added they would look for additional requirements on the amenities which were part of the MDA. Commissioner Ostergaard opined they needed places for Little League football and related activities. Mr. Balls replied it was certainly a large enough area to accommodate things like that. Commissioner Ostergaard commented this was a regional park for the whole development, so he wanted to see things like that specified in the MDA. Mr. Balls added there was also a clubhouse which could be utilized, and said it would be controlled with a fence as it was a private park. He emphasized that all the amenities would be kept for just the HOA, although there were general access points for the public for parts of the park.

Commissioner Ostergaard felt there was a lot of asphalt and asked if there was a way to redesign the parking and green space to make it more balanced. He discussed he personally would not want to live there. He also asked if they were over-parked or under-parked, and Mr. Balls replied there was an average of 2.5 parking stalls per unit, with about 36 units per building. Commissioner Ostergaard thought that was too much parking and expressed concerns about that. He reiterated he would not want to live there as it was a sea of asphalt, and commented that children would have to cross the large parking lot to get to the green space. Commissioner Ostergaard acknowledged the whole site had to be reconfigured for the school and that the pond was already in place, but emphasized he wanted to reconfigure the green space and the amount of asphalt.

Mr. Baron pointed out that as part of negotiations for the MDA, they offered reduced rent rates for police officers and an even steeper discount if they brought their vehicles home.

Chairman Gunn thanked Mr. Balls and asked if there was any further conversation.

Motion: Commissioner Slagowski moved to approve the Subdivision Preliminary plan for Sawmill Phase 9, located at 657 Becca Rd. Commissioner Knight made the second.

Discussion: Commissioner Richards commented they needed to be creative with solving the parking issues downtown. Commissioner Ostergaard pointed out they needed to change the current requirements. Otherwise, they could not stop developers from creating large asphalt parking lots. Mr. Baron said they could circle back at the end of the meeting to determine if the Planning Commission as a Body wanted to look into changing parking conditions.

Voting Yes: Planning Commission Vice-Chair Richards, Commissioner Knight, Commissioner Jordan, Commissioner Slagowski, Commissioner Ostergaard. **Voting No:** None. The Motion Passed 5-0.

4. **Work Meeting:**

   I. Discuss a General Plan and Zoning Text Amendment for Celebration Workforce Housing Community, located at 350 East 1200 South. (Planner

Jamie Baron/Gordon Miner)

Mr. Baron specified this evening would only be a conversation, which would come back for a public hearing in the future. He explained the applicant, Russ Watts, had requested a zoning change on a parcel to build workforce housing and long-stay hotel property. Mr. Baron gave a succinct history of the parcel and shared some maps.

Mr. Baron explained there were discrepancies between the General Plan's goals for the area and the proposal, so the General Plan would need to be amended if the City decided to permit the development to move forward. He noted the General Plan identified the Southtown center, where the property was located, as designated for commercial, office, and tech, with a secondary use of medium to high-density residential. Planner Baron calculated the proposed density to be 26.29, which was 6.29 higher than the General Plan's highest suggested density. He stated there were 89 planned hotel units, although the General Plan only proposed 14 to 20.

Mr. Baron addressed the airport overlay zone, which he noted had been adopted in 2017. He recalled they had gone through a public hearing for this topic and met with many members of the public, who at the time had expressed concerns about becoming a legal non-conforming use or a grandfathered use. He said the recommended ordinance from that time would have prohibited a hotel or some other uses in the zone. He explained this area was part of the approach surface for the airport, which was the area where planes began to descend, and so per the FAA guidelines, the City had prohibited hotels and other types of buildings. Mr. Baron commented they probably should not have allowed the school to be constructed in that area. He said while the airport overlay zone prohibited residential, it did allow hotels and retail as a conditional use. He stated there was a height requirement and a navigation easement, which he clarified essentially meant the buildings there could not come after the City with complaints about noise from planes or airports. He summarized from having spoken with airport engineers that the consensus seemed to be that they could move ahead with the development from a technical standpoint, but there were concerns about whether it would be the best choice. Mr. Baron said they were anticipating getting comments and complaints from the public if they were to build so close to the airport.

Chairman Gunn asked if the concern was high density in an area where planes would likely crash. Planner Baron said the farther away from the end of the runway, the safer it was, and he discussed from a statistical standpoint the area identified by the FAA as the approach surface was where planes were most likely to crash.

Planner Baron specified the main issue with the airport overlay zone was that they needed to determine if this was a compatible use for the airport zone and said the main question would be to decide if they wanted to allow primarily residential rather than commercial and retail. Mr. Baron reiterated currently the plan was not in line with the General Plan, but said if the Planning Commission felt this plan was in the public's best interest, they could amend the General Plan. He also shared some renderings of what the buildings would look like, and pointed out the buildings would be three stories, with variations in color from unit to unit.

Mr. Watts introduced himself as the applicant and discussed how they had considered how to best provide workforce housing over the course of the last two years. He said they had met with the Police department, country workers, school district, and other entities who needed workforce housing. He said about 40% of those employees drove in, so there was a great need for housing in the Valley. Mr. Watts then went over the layout of the site and highlighted where gathering places and green space would be. He showed some of the amenities, including a clubhouse and pickleball courts. He explained they wanted to do master leases with the entities he had met with, which allowed them to control who lived in the units and ensured quality employees. He explained their organization would manage the community.

Mr. Watts said they needed a parking amendment and only had one parking stall per unit. He explained that many companies had a van come to pick up their employees, so not everyone would need a car, and he said this would help keep the community affordable. He also commented that they intended to offer childcare as part of the community. Mr. Watts explained if they sold the units, they would lose control, and he said by keeping them for rent allowed his organization, as well as the entities who leased the units, to maintain control over the community.

Mr. Watts expressed his excitement that the City Council had expressed interest in a community such as this one. He also stated they had already met with the Staff and the Development Community Meeting, and said they had made some amendments to the site plan in order to comply with the Fire District and Engineering Department. He discussed that they had been doing this work for the last 40 years and loved this type of work. He said they worked with many great people who had to drive in to work, and he knew that was frustrating for them, therefore he was looking forward to providing this type of community to suit those needs.

Piper Riddle of the Wasatch School District spoke about the challenges of hiring teachers. She said it was a benefit that the School Board compensated teachers well enough that they could potentially buy a home in the City. However, it was still difficult to buy a home in this area even with a liveable wage. Ms. Riddle expressed how difficult it was to find hourly employees when people could not afford the cost of living in the area. She gave an example that one of their schools had lost two math teachers in June since the teachers had not been able to find affordable housing and childcare. She spoke about the need to have more childcare and child development services in the area and pointed out there were only two licensed childcare centers in the entire Valley. She thought this community was not only a wonderful way to create workforce housing, but it was also in close proximity to several schools and had on-site childcare services.

Mr. Watts emphasized that they wanted to take care of people in the community who needed affordable housing and expressed he was willing to listen to the Planning Commission's input on the development design. He clarified that there were studio, one-bedroom, and two-bedroom units. He said they also had several accessible units for people who could not walk up stairs and said the average size of a unit was about 800 square feet. He spoke about how they would vary the colors and landscaping so the development would not look boring.

Chairman Gunn asked if they would be able to provide lower rent for essential workers, and Mr. Watts said that was their intention. Chairman Gunn agreed that the lack of affordable housing was a huge issue in their community, and asked for clarification about the wage compensation from the school district. Commissioner Knight stated Wasatch County was the second highest-paid district in the State, after Park City. Chairman Gunn next asked if there were requirements for that wage to live in the City, or if the school district had ever considered offering higher compensation contingent on employees living within a certain distance from the school, and Ms. Riddle replied there were no stipulations on the wage, and said she was unsure if it was even legal to offer a higher wage based on where the employee lived.

Chairman Gunn commented that affordable housing was very complex and not as straightforward as it seemed. He said he taught classes at the high school, was a part-time EMT/firefighter, and also managed a private company, so he saw the issue from several angles. He spoke about the avalanche that had happened in Provo Canyon that winter and said if there had been another disaster such as that, it would have cut them off and kept their workers from getting to work. He emphasized they would be in big trouble if they could not find a way to sustain their workers in the Valley and discussed the importance of finding and keeping quality staff. He said, with the high cost of living, he did not see how they could find people who could live here. Chairman Gunn talked about the danger they would face if firefighters, emergency response workers, and other essential workers could not live and work in Heber City. He expressed how excited he was to see a development like this and thought it was very important.

Commissioner Knight asked about the long-term stay hotel and if it would be managed internally or if they intended to bring in a chain. Mr. Watts explained the hotel intended to accommodate consultants or other employees who came in to work with one of the entities that leased the development. He clarified they would not bring in a chain, and the hotel would be geared towards multi-month stays. Mr. Watts also said the hotel would be in later phases since they needed to build the rental units first. Commissioner Knight also asked if they had looked into any grants or federal funding, and Mr. Watts replied they were looking into their options, although the first step was getting approval from the Planning Commission and City Council before they really explored funding options and set a budget.

Commissioner Knight acknowledged that a conglomerate would own the development and expressed concerns over the rent rate. He talked about the high rates of rent already in the Valley and anticipated they would only get worse. Mr. Watts explained they used state funds to keep rent low. Mr. Watts said he tried to avoid the term "affordable housing" since he thought it had bad connotations and also because the people they wanted to offer housing to, were not even low-income. Mr. Watts spoke about how the school district wanted to recruit teachers who could afford to stay for a long time and said about 30% of the teachers currently commute from out of town and this led to the high turnover. Commissioner Knight said he did not like that the units were for rent, but appreciated that the rent was low enough to where people could save enough money to ultimately purchase a home. He thought they were on a good path and said the long-term goal was home ownership.   Mr. Watts commented that rentals were the norm in many cities now and said home ownership was not always viable. Commissioner Knight added many people preferred to rent because they did not have to deal with maintenance and repairs.

Commissioner Richards expressed his approval of this idea. He discussed how working in construction, he saw firsthand the issue of people having to drive in from far distances in order to get to work.   Commissioner Richards noted everyone's definition of affordable was different, and said he was looking at specifics on how they defined affordable. Mr. Watts said the units were market rate, and Commissioner Richards replied that developers, including Mr. Watts, still ultimately did things for profit.   Mr. Watts said the rent rates would be approved by the entities who made master leases with his development, so it would essentially be a joint venture between the entities and the development.   Commissioner Richards then asked what the incentive for Watts Development would be, and Mr. Watts explained that since interest rates were high and they could not afford to build now, he wanted to get the approval process going now so they would be ready to build as soon as rates were low again. He estimated it would take them about a year to go through the approval process from the Council and anticipated about a 6% to 7% return on the project, given how the Housing Authority worked. Mr. Watts elaborated he was willing to wait years to get the return that he needed in order to make this lucrative. Mr. Watts also noted they had a large advantage since in this case, they did not need to buy the land from the owners since the owners were excited to be able to provide this for the community. Commissioner Richards thought that made sense.

Commissioner Richards next commented on the phases. He did not think this type of housing was conducive to long-term stays, since the units were small and geared towards people beginning their careers who were likely to move again. Commissioner Richards wondered if they should have fewer larger units, rather than a higher density of small units. He asked if they were targeting people who would live in the units for decades or if they were interested in shorter-term stays. Mr. Watts discussed that they were seeing a change in how people lived and pointed out that things like this were the only option for people who could not otherwise afford to live in the Valley.
Commissioner Richards commented that while he often heard the narrative that the younger generation was okay with living in apartment units, he had five grown children who all still wanted to own homes with a lot of space.   Commissioner Richards asked if there really was such a demand for apartments, or if younger people still wanted to have homes with more outdoor space. He wondered if there was a market niche for young professionals with more space. Mr. Watts thought they would have an issue if the units were for sale rather than rent, since units like that typically did attract people in transitional stages.   Mr. Watts did not think the units were attractive for long-term stays.

Commissioner Richards asked if it would be fair to say the units were transitional affordable housing units and Mr. Watts agreed that was a fair definition.

Mr. Baron noted the only way to do affordable housing now was if the land was free and clear since it was hard to make affordable housing developments profitable otherwise. Mr. Baron commented it was great that these owners were willing to allow their land to be used without selling it. Commissioner Richards pointed out a key component of affordable housing was walkability, and said if they wanted to have a truly affordable development, people would need to be able to walk to stores and their jobs, so they could not move the development any farther out than it was. Commissioner Richards said they needed to keep the development in that area since the location it was currently in had good accessibility. Mr. Watts noted they would bring in the Police and other entities they were going to contract with to the public hearing in order to make that exact point.

Mr. Watts said they would emphasize the main employees in the Valley for their development, although not all the units would be filled by them. He said they still needed to determine how they would handle the rest of the units and noted they also needed to consider people who worked in the surrounding stores and restaurants.

Commissioner Ostergaard expressed concern over the long-term hotel and wondered what it might turn into down the road. He wondered if it would be better to have another rental unit instead. Mr. Watts thought they might end up doing senior housing there rather than the hotel and said there was a need for senior housing in the area. However, he noted the hotel would be addressed in a later phase, so this was something they could consider down the road. Commissioner Ostergaard also thought having 230 apartments was fairly dense but commended Mr. Watts on what he was doing in terms of the common space. Commissioner Ostergaard agreed with Ms. Riddle's earlier comments that there was a great need for childcare in the area and specifically affordable childcare.

Mr. Baron outlined the next steps in the process, and the Commissioners thanked Mr. Watts for his time that evening.

5. <u>Administrative Items:</u>

I. City Council Communication Item (Jamie Baron)

Mr. Baron summarized the most recent Council meeting, held on June 20th. He said the Council had held a work meeting in which they had gone over the supplemental zoning ordinances as well as affordable housing, which they were still working towards. Mr. Baron reported the Council had approved a settlement agreement pertaining to the airport, and had held two public hearings regarding end of year budget amendments for the Fiscal Year. He said they had then adjourned to move to the CRA meeting in which they had held a public hearing about the approval of the CRA operating budget. He stated the Council had then moved to their regular Council Meeting in which they viewed a presentation about fraud risk as part of their yearly training and got some updates about current road and sewer line projects.

Mr. Baron next went over the action items from the meeting and said the Council had approved the airport layout plan and looked at their trails plan. He said the Council had debated an Arts Advisory Council and who should be on it, and had approved their budget for the Fiscal Year. He noted they had approved an ordinance which amended Chapter Two as well. He said they had also reorganized the Planning department and had appointed Mr. Kohler to a new position within the Planning Department. He expressed this new position and re-structure would help give Mr.Kohler more flexibility and support in his roles. Mr. Baron lastly noted the Council had also gone into a closed session.

Chairman Gunn thought with all the construction projects the City was currently undertaking it had been very nice to work with BHI. He spoke highly of the company and said they had been very accommodating at several different times. Mr. Baron said he would pass those comments onto the Engineering Department since they were managing the project. Commissioner Knight shared an anecdote in which BHI employees had helped inflate a tire for him on his car at one point.

II. City Tour Report and Feedback (Jacob Roberts)

Mr. Baron reported on the City tour he and select members of Staff, Planning Commission, and City Council had taken. He said he would give a ten-minute presentation about this tour at the City Council meeting next week to review their key takeaways and things they thought warranted further conversation. Commissioner Ostergaard said they had visited Glenwood Springs Colorado and had found some interesting things about height restrictions which he wondered if they could apply to Heber City. Commissioner Ostergaard said they had also visited Boulder Colorado, and specifically Pearl Street, since it was designed for pedestrians and cyclists, and this was something they wanted to replicate in Heber City. Commissioner Ostergaard also noted they had visited Fort Collins Colorado and he thought that the City was handling their rapid growth well. Lastly, Commissioner Ostergaard said they had visited Steamboat Springs, which was similar to Heber City in the sense it was a skiing and snowboarding town and had a major highway running through it, although it was a much smaller town. Commissioner Ostergaard said it had been a great trip, well worth the time and money, and opined they should do things like this more often.

Mr. Baron spoke about his main takeaways from the trip. He said all the cities they visited had seen parking issues, and all the cities either had paid parking lots or parking structures. He also noted architecture was a main topic, and in some cases finish was even more important than form. He discussed bringing dining into the street and talked about a concept in which the main plaza extended into the street without a curb. Mr. Baron touched on gathering places and the importance of having pedestrian-friendly streets, and specifically, he highlighted the significance of having tree-lined streets. Mr. Baron also went over traffic, and said traffic issues had been addressed in different ways by the various cities, but they had all found solutions to get the bulk of traffic off of their main streets.

Mr. Baron reiterated that he would add a more thorough report on the trip to a future agenda, and expressed they hoped to do more trips like this in the future.

6. Adjournment:

Commissioner Knight moved to adjourn and the motion carried unanimously.

Meshelle Kijanen
Planning Department Administrator