HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting *Amended
July 14, 2026

Approved 08.26.2026

6:00 p.m. – Regular Meeting

1. Regular Meeting:

I. Call to Order

Chairman Phil Jordan called the Planning Commission Meeting to order at 6:00 p.m. and welcomed everyone present.

II. Roll Call

Planning Commission Present:	Chairman Phil Jordan Vice-Chair Tori Broughton Commissioner Darek Slagowski Commissioner Josh Knight Commissioner Robert Wilson Commissioner Greg Royall Commissioner Robert Mckinley
Planning Commission Absent:	Commissioner Dave Richards Commissioner Kristina Goodnough
Staff Present:	Community Development Director Tony Kohler Planner Jacob Roberts Planning Office Admin Meshelle Kijanen
Staff Participating Remotely:	Consultant Landmark Design Inc. Consultant GCGarcia
Also Present:	Dustin Stewart, Trent Stewart, Bryson Adams, Scott Long, Eric K. Davanport, Brent Morgan, Kay Ryan, Pat Groth, B. Gueth, Cody Wateil, Michael Bradshaw, Helmonck Stempler, Kimberly Sweat
Also Attending Remotely:	Breyann, Brian W., Shari Vines, Stewart, Viola

III. Pledge of Allegiance: By Invitation

Vice-Chair Tori Broughton led the recitation of the Pledge of Allegiance.

IV. Prayer/Thought by Invitation N/A ()

V. Recuse for Conflict of Interest

Chairman Phil Jordan recused himself for Action Items 3 and 4.

2. Consent Agenda:

I. 06.09.2026 Planning Commission Minutes for Approval

Motion: Commissioner Knight moved to approve the items on the Consent Agenda. Vice-Chair Broughton made the second.

Discussion: N/A

Voting Yes: Commissioner Slagowski, Commissioner Knight, Chairman Jordan, Commissioner Wilson, Commissioner Royall, Commissioner McKinley, Vice Chair Broughton. **Voting No:** None. The Motion Passed 7-0.

3. Action Items:

I. ~~*Public Hearing for Master Development Agreement Amendment for Finch Creek (Planner Denna Woodbury)~~

II. Public Hearing: Development Agreement for State Automotive 425 West 100 South (Planner Jacob Roberts)

Mr. Jacob Roberts, City Planner, started by showing the property at 425 West 100 South on Google Maps. Please refer to the 07.14.2026 Staff Report, PowerPoint and Video for additional information through this link: https://hebercityut.portal.civicclerk.com/event/450/files/agenda/1609. Mr. Roberts continued, the property owners of 425 West 100 South were requesting a Development Agreement that would allow them to demolish the existing auto body shop and replace it with a new auto body shop within the exact same footprint as the existing building. The property was zoned C2, which does not permit auto body repair as an allowed use. Therefore, a Development Agreement would be required to allow the existing building to be demolished and replaced without losing its legal non-conforming grandfathered use. The use had been maintained because the auto body shop had not experienced a lapse in its business license for longer than one year. Staff recommended the Planning Commission forward a Positive Recommendation for the State Automotive Development Agreement with the Findings and Conditions outlined in the Staff Report.

The background: The Auto Body Shop had been operating on this property since the 1930s. The longtime owners have decided to sell the property. The prospective owners currently operate high-end Auto Body Shops in Salt Lake County. Currently, much of their clientele is located in Wasatch County and the surrounding communities, as they specialize in Toyota vehicles that have been modified for off-roading and overlanding.

Several legal considerations associated with this property. First, Auto Body Repair was no longer a permitted use in the C2 zone, making the existing use a legal non-conforming use. Additionally, the existing building was in disrepair and would need to be replaced. If the current building were demolished, the legal non-conforming use would be extinguished. The new property owners would like to continue the existing use while upgrading the building. The replacement building would feature increased interior clear height to accommodate modern vehicle lifts in each bay. Although the interior ceiling height would increase, the overall height of the replacement building would not exceed that of the existing structure.

Mr. Roberts discussed the older building showing photos. As you can see, the eastern end is slightly taller than the rest of the building, and they would increase the overall height of the building to match what is currently the tallest point of the building, but to accomplish this, a Development Agreement was required.

On March 3rd, 2026, the item was presented to the City Council during a work meeting. The Council expressed interest in working with the prospective property owners to preserve what they described as a historic use. The proposed Development Agreement would also facilitate cleanup of the property and improvements that would significantly enhance the streetscape along 100 South. The property to the east, 108 South 400 West, is also owned by State Automotive Group. Unlike the subject property, this parcel would be required to comply with all applicable C2 zone requirements. The applicants anticipate constructing an office for the auto body shop on this site, along with a second floor apartment for business employees. The Council expressed a strong interest in seeing this corner improved in a manner consistent with the requirements of the C2 zone.

The Council specifically directed staff to ensure the Development Agreement addresses proper vehicle storage, appropriate screening from the surrounding residential properties, architectural design compatibility with the historic core, demolition of the existing residents on the adjoining property, cleanup of the site, and an implementation timeline of two to three years. The Mayor and City Council also requested that an environmental review be completed. That review had been conducted, and the findings were discussed in the discussion section below.

The Auto body was a permitted use within the C2 zone until the municipal code was amended on April 14th, 2020. At that time, the use became legal non-conforming and was allowed to continue provided it was not discontinued or otherwise extinguished for more than 12 consecutive months. In addition, no substantial modifications could be made or the legal non-conforming status would have been terminated, which was why the building had remained lacking updates.

Primary land uses include single-family dwellings on smaller lots, town homes, duplexes, triplexes, flexible infill housing and small multifamily buildings, with consideration given for bonus densities, two bonus densities for high-quality architecture. Secondary uses include small-scale retail restaurant uses at connective and corner locations, bed and breakfasts, community gardens, public facilities, and churches.

The General Plan describes the historic core neighborhood as a mixed residential area that emphasizes a variety of housing types, strong street connections to downtown and the tourist center, a pedestrian and bicycle-friendly environment. The General Plan designates this area as a Historic Core Neighborhood. In discussing the proposal, the council indicated that the existing auto body shop represents a historic use and was generally consistent with the intent of the General Plan.

The primary purpose of the Development Agreement was to allow the existing building to be demolished and replaced while allowing the legal, non-conforming use to continue. The replacement building would provide additional interior with height to accommodate modern vehicle lifts. While the building would be redesigned to better serve the business, the overall height of the new structure would not exceed the height of the existing building. The replacement building had also been designed to improve site functionality while providing sufficient interior height. The building would include two pull-through service bays which would improve onsite circulation and reduce vehicle maneuvering within the site.

This property was interesting in the fact that it was quite deep into the block. Basically, adding a couple of bays that become pull-through bays would allow them to bring cars off Midway Lane into the shop, and then they would exit out the back. The property was about halfway through the block and then an access agreement allows them to access onto second south. In other words, they would be able to pull in repair work on the vehicle and then back there (See Video) was where the main vehicle storage would be conducted, and then they would be able to exit the vehicles out the back as they would have the secondary access.

During the work meeting, the City Council directed staff to incorporate several specific provisions into the Development Agreement, subject to any revisions requested by the Planning Commission or City Council. The proposed Development Agreement was anticipated to include the following:

- The existing building shall be demolished and replaced.
- The legal nonconforming use, automotive maintenance and repair shall not be extinguished as a result of demolishing the existing building.
- The residents on the adjacent property shall be demolished, and the lot shall be maintained until it is redeveloped.
- The property shall be appropriately screened from all surrounding properties through landscaping and an eight-foot-tall fence and other screening measures as necessary.
- The rear yard shall be hard surfaced and maintained in an orderly manner for vehicle storage.
- The design of the new building shall comply with the applicable C2 and C3 Design Criteria.
- All required parking shall be provided on the property.

Quick note on parking. Parking requirements for this property were based on the proposed use, which was classified as personal service shops. The use requires four parking stalls for every 1,000 square feet of net floor area. The proposed building was roughly 2,422 square feet. Therefore, approximately ten parking stalls would be required. The property was located within the designated Mixed-Use Village Center, so alternative parking provisions would be available. These include allowing up to one half of available on-street parking to count toward the parking requirement and the use of shared parking agreements where applicable. The applicant had also proposed locating employee parking to the rear of the site with access provided from the existing easement off 200 South, which was what Mr. Robers had mentioned earlier.

The phase one environmental site assessment was conducted twice. The hydropic lifts could be a problem, but they would be removed. Therefore, the assessment concluded that no further environmental investigation was recommended.

In conclusion, staff recommended the Planning Commission forward a Positive Recommendation to the City Council for the proposed Development Agreement subject to the following findings and conditions. Findings the existing auto body repair business was a legal non-conforming use that had remained active and had not been discontinued for more than 12 consecutive months. The proposed Development Agreement would allow the existing building to be replaced while preserving the property's legal non-conforming use. The proposed Development Agreement would improve the appearance and functionality of the property by replacing the deteriorated building with a new structure that meets modern operational needs while remaining no taller than the existing building and complying with the applicable C2-C3 Design Criteria. The proposal was generally consistent with the intent of the Historic Core Neighborhood Designation of the General Plan by preserving a long-standing historic use while improving the quality and appearance of the site, and then a phase one Environmental Site Assessment had been completed and determined that no further environmental investigation was necessary at the time.

The residents located at 108 South 400 West shall be demolished, and the property shall be maintained in a clear and orderly condition. The redeveloped site shall provide adequate screening of adjacent residential properties through landscaping, an eight-foot privacy fence, and any additional screening required by the city. Rear yards shall be hard surface and maintained in an orderly manner for vehicle storage. Vehicle storage shall be limited to designated areas shown on the approved site plan. All required parking shall be provided in accordance with the City Municipal Code or through approved alternative parking agreements. Prior to issuance of a building permit, applicants shall address the recommendations contained in the phase one environmental site assessment.

The Development Agreement shall establish an implementation timeline for demolition of the existing buildings and completion of the site improvements. Construction of the replacement building shall commence, and the building shall be substantially completed within three years of the effective date of the Development Agreement unless an extension was approved by the City Council through amendment to the Development Agreement.

Vice-Chair Broughton asked what building would be demolished beside the adjacent. Mr. Roberts explained that both of the buildings would be demolished, and the auto shop would be required to be rebuilt in the same footprint. Mr. Roberts continued, the home on the corner would also be demolished and confirmed the auto shop and the home were two different parcels owned by the same person. The City Council had a request that the buildings be demolished, and the property be maintained until the owners decide to redevelop.

The applicant, Dustin Stewart, commented: The idea was that we wanted to keep the legacy of the business that had been there for so long and not change much about it other than modernize and make it more user-friendly for how we modernly use the automotive shop.

Chairman Jordan asked about signage for the business. The applicant responded there would be signage for the business at the appropriate time. Chairman Jordan also asked Mr. Roberts for more detailed information about signage for the Zone. Mr. Roberts responded, the C2 zone was in our primary commercial zone. Mr. Roberts shared he had discovered the property had been zoned C2 since the first Heber City zoning map was adopted in 1972. Regardless, the applicant would be required to apply for a sign permit, and they would need to follow current signage. They would be allowed to do wall signs, and they could potentially do a monument sign although he did not know that would work well on this site. The signs would be required to follow, dark sky requirements, size requirements, etc. The Development Agreement would not address signage.

Chairman Jordan asked about the time frame/limit for the project completion. Mr. Roberts responded, the Mayor had specifically asked for a deadline she did not want to approve a Development Agreement without a timeline and wanted the project completed in a timely manner of three years.

Commissioner Royall asked about the lighting for the building. Mr. Roberts commented the lighting would not be part of the Development Agreement but would need to meet the Heber City Municipal Code for lighting standards.

Chairman Jordan asked about the noise as the business would be in a neighborhood. Mr. Roberts commented that the business would need to comply with the City noise ordinance.

Commissioner McKinley commented that there were concerns mentioned by neighbors regarding a property line, fire safety, access and also some concerns about paint fumes. Would those questions be addressed? Mr Roberts answered, yes also that those comments were emailed after he had finished his Staff Report, but there were definitely concerns that he could work into the motion if needed. The understanding was that the building was up to the property line. However, the new building would be required to follow all current building codes. Fireproofing would also be controlled by the current building code.

Commissioner McKinley also commented that one of the comments made was that their utility poles located in the rear portion of the property were not accessible to fire apparatus and that the poles have caught fire in the past. Mr. Roberts responded, all building permits would be reviewed by the fire district and also by Heber Light and Power. Therefore, if there were power poles on the back of the property that were a concern, the power company would address those concerns. Also, if any of these issues were important enough to the Planning Commission, Mr. Roberts would add those to the Development Agreement.

Chairman Jordan asked Mr. Ross Hansen, City Engineer, if he had anything to add at this time. Mr. Hansen commented, that he did not have any comments at this point. However, once the Development Agreement was put in place, the application would then go through a Site Plan process and that was where concerns that were just discussed would be addressed. Including all the engineering issues, all the Heber Light and Power issues, and all the fire issues,

Vice Chair Broughton commented that she had seen overlanding as part of the new business in the Staff Report and asked the applicant if this would be part of their business. The applicant responded, overlanding would be a more skewed part of the business rather than just regular automotive, but we would do both.

Chairman Jordan opened the Public Hearing after asking the citizens to keep in mind that the Planning Commission represented the citizens and that they were very interested in everything that the citizens had to say at any time, particularly about this subject at that time. Chairman Jordan continued, reminding everybody that they were volunteers and, to that end, they were one of the public. But they felt very responsible in their volunteer positions to represent you.

Kimberly Sweat stated she lived at the property of 477 West 100 South directly next to the proposed development. Ms. Sweat stated, as a mother raising my two babies next to that property, I do have some concerns. You (the Planning Commission) have addressed some of her concerns from her emailed comments. However, another big concern was regarding a paint booth operation. Ms. Sweat asked the applicants if they would be painting vehicles on the property as, since living there, there have been a couple of times that the paint booth had been in operation. At times, the fumes had become so obnoxious that she had stayed with other families, so her children would not have to breathe the paint fumes. Ms. Sweat continued, she was not aware that there was going to be any painting going on because there had not been much going on at the business since she had lived at the residence over the last four years. However, Ms. Sweat continued when the business was being operated as a paint booth, she did get a lot of blow-by paint onto her vehicle, which caused some damage. Ms. Sweat continued she also had some environmental concerns. The hydraulics concerns had already been addressed, but she also had concerns regarding paint, solvents, filters and any other hazardous waste and what the disposal process would look like. Ms. Sweat commented if you (the Planning Commission) were to walk through the property, even though it was zoned commercial, you would see it is very much a residential area. Additionally, according to the information she had, the last bay looked like it had been added later and was against her property. Ms. Sweat thought the bay had been added in 2008 and, with the information she had the added-on bay was on her property. Ms. Sweat was concerned about the demolition process as part of the property had been inhabited by wildlife. She voiced her concerns about the hazards of demolition, such as air quality and how that would be managed.

Brent Groth stated he was representing his Father, Brent Groth, who was the owner of the parcel. Mr. Groth attested that the end bay had not been added since he was born in the 1970s. Also, the paint booth, which had a filtered system, had not been used since the 1980s. Although the equipment had been left there just in case they would have a need for painting again. The paint booth had been used once in a great while. For the most part, only the three main bays were used for standard automotive repair. Mr. Groth mentioned he did not know what Ms. Sweat was referring to as hazardous materials as all that was done was basic oil changes, transmission and anti-freeze work. Mr Groth continued, the other two bays had only been used primarily for storage for the families personal vehicles. Mr. Roberts mentioned the drive-through feature from the bays to what we referred to as the impound lot. In the 1980s and 1990s, the company had a tow service for the Utah Highway Patrol and County. After which, the bays had only been used for storage of personal vehicles as well as the standard automotive repair. Mr Groth stated that he was the one that performed the standard auto repair and most of what was done in the building.

Mr. Roberts read a comment that had been emailed for the Public Hearing. Mr. Roberts read, "I live at and own the property at 122 South 400 West in Heber. I think demolishing the existing building to rebuild it was a good thing. I do have a few concerns such as the property lines need to be professionally resurveyed before building to be sure where each property line was located. The addition to the shop was built on part of a neighbor's property. The shop addition also blocked access for Heber Light and Power to access the power pole. Years ago, HL&P came by to check the pole, they didn't have access to access the property. HL&P stated for safety reasons they would need an access for their truck. I agree, it needs to be accessible to emergency services for HL&P for the safety of our neighborhood. I was to make sure neighborhood safety, personal property, and quality of life were respected as this project happens and operates in our neighborhood. Thank you for your time. Respectfully, Viola Simmons.

Chairman Jordan ended the Public Hearing and asked the applicant if they wanted to address any of the questions or concerns mentioned in the Public Hearing. The applicant responded that there would not be any painting whatsoever. The applicant continued: they would be very conscious of correctly disposing of materials. Additionally, their goal was to become part of the community. They would conduct their business in a respectful, clean manner and would be aware of and uphold the building and fire/safety responsibilities asked of them. But as far as automotive, there would be no painting and there was nothing that they do anymore that would be really dangerous. In that sense, all the fluids they, by law, would have to professionally be disposed of in a very specific way.

Vice-Chair Broughton asked about inspections and compliance. The applicant responded, the Fire Department would check on the business. They would conduct emissions testing for the vehicles, which would place them under another microscope where they would be very sensitive and careful as they complete their audits, ensuring they were doing everything by the book. It was a growing industry and was tighter now tenfold than it ever was, which was good. The applicant wanted to be a part of bettering the world and the community. Additionally, it was hard to break the rules anymore, even if they wanted to in that sense. Chairman Jordan added, OSHA would help as well for occupational safety for your employees, with hazard cabinets that you would need to be compliant with and that you would need to manage properly.

The applicant responded, they had a professional survey performed and, as far as they were aware, there were no red flags regarding the existing building crossing property boundaries. The applicant stated he could be mistaken, but that was not brought up to them when the survey was completed.

Chairman Jordan asked if the survey was required by the City. City Engineer Ross Hansen responded, It absolutely was, yes. When they go through the site plan process, the foundation of a site plan is the exterior boundary of the parcel on which they would be developing. Additionally, the city staff would, in fact, ensure that there were no encroachments and that they would be resolved before moving forward, if there were any.

Commissioner Wilson commented that he respected and admired their business and that they would conduct the business inside the building. However, if the building was demolished and then therefore does not comply with the zoning, the applicant would then be looking at a non-conforming use. Commissioner Wilson continued, It doesn't seem to be the best or highest use of the land as far as I'm concerned. I think we could do a lot better with the location filling in with something that was more characteristic of the neighborhood. Additionally, we have gone through a lot about the Central Heber Overlay Zone earlier this year, and that street connects downtown to the railroad area. I think there would be a better use for that land than an auto shop as you could place an auto shop in many other areas in Heber. Commissioner Wilson concluded that it was tough for him to accept the use for that property, demolishing the building and business, and then allowing it to become a non-conforming use.

Vice-Chair Broughton respectfully disagreed with Commissioner Wilson noting that they had agreed on many things in the past, but not at this time. Broughton continued, she believed the location was great, especially as they were a small business. Broughton felt terrible for neighbors who felt like this would be changing their neighborhood but that this had been the same business in that location since the 1930s or 1950s. Broughton continued, frankly, I'm happy to see a building that had been nothing but an eyesore be used for something that would not only serve our community, but take the eyesore away. Additionally, small business was important in this community. I think we should be thrilled to see something come in that was not corporate. Commissioner Broughton wished the applicants all the best, if it worked out.

Commissioner Royall stated he also liked the idea of this building and development at this location. Royall continued, he had been in the Heber Valley his entire life and had spent a lot of time in that building when he was a kid, probably getting yelled at mostly by Brent, the owner, but I think that the auto shop and what they have designed, would fit in well. Royall stated he had seen other cities where they have mom-and-pop auto shops that fit in really well where just locals can run their cars in to get quick oil changes or purchase or rotate tires. This would be a great fit for just this little area, just for what we have designed this area for. Commissioner Royall hoped that the community would use the services rather than go to Salt Lake to get an oil change or to find a set of tires or to get an emissions check etc. Commissioner Royall liked the idea, liked the way the building would look and wished the applicants the best of luck.

Commissioner Josh Knight agreed with Royall and Broughton but asked if there would be a locked easement on 2nd South. The applicant responded that it was currently locked and they had planned to keep it locked. Knight wanted to make sure the applicant worked out safety procedures with WCF and HL&P. Knight continued it would be brilliant to provide housing for employees above the shop as that was what was needed in this area. Knight liked the landscape plan and thought it would be beautiful and supported the small mom-and-pop business owner idea as he was a small business owner in the community for 20 years himself. Commissioner Knight wished the applicants all the best.

Commissioner McKinley asked if the Commissioners would be seeing the Development Agreement or if the Development Agreement would only be between the applicant and the City Council. Mr. Roberts responded that this was their chance to see it and review the Development Agreement. McKinley commented that he wanted it in the Development Agreement that the business would not be a paint shop. McKinley believed that would persuade some of the residents that they were not going to have the fume problem.

The applicant asked if paint was allowed in the Commercial Zone or was that an Industrial Use? Mr. Roberts commented that a paint use was likely not allowed in this zone based off of the way that was written, but the fact that it would be a Development Agreement and the uses would already not be allowed in the zone, was something that the Commission could add as a condition. It would have to be part of the motion and ultimately, it would be up to the Council whether they wanted to include the condition in the Development Agreement.

Chairman Jordan asked how the Development Agreement would work with the next business owner. Mr. Roberts stated if the current business owner were to sell the property, and they have done all the improvements and they had the Development Agreement, if that business license continues, the new business owner would be able to continue with the same business and be bound by the same Development Agreement restrictions and was specific to the property not the zone.

Commissioner Slagowski stated he agreed with Commissioners Broughton and Knight.

Chairman Jordan confirmed that Commissioner McKinley was ok with the Development Agreement as long as the paint condition was listed in the Development Agreement.

Motion: Commissioner Knight motioned to continue the Action Item to the next meeting. Commissioner Slagowski made the 2nd.
Discussion: Vice Chair Broughton asked if the Item could come back to the next meeting and that was confirmed.
Voting: Aye Commissioners Slagowski, Knight, Royall and McKinley, Chairman Jordan and Vice-Chair Broughton. Voting Nay Commissioner Wilson. Motion passed 6-1

III. Consideration for a Subdivision Preliminary approval for Jordanelle Ridge Village 2 Phase 3 (Planner Aubrey Larsen)

Planner Ms. Aubrey Larsen presented the Agenda Item. Please refer to the 07.14.2026 Staff Report, PowerPoint and Video for additional information through this link: https://hebercityut.portal.civicclerk.com/event/450/files/agenda/1609 Ms Larsen stated, Good Evening Commissioners. This is a subdivision preliminary application for Jordanville Ridge Village 2 Phase 3. This phase of the Jordanville Ridge development is located east of Highway 40, north of the Timpanogos Canal. The vicinity map shows you the general area represented in gray. This phase includes several pods, 16, 17A, 17B, 18A, and 19. Due to its size, there are several general plan designations that apply to this phase of the project, so university village, neighborhood with open space, as well as rural residential.
This area's own mountain community and the acreage is 343.61 and there will be 373 units, some of which will be single family as well as some town homes.

Items to consider for discussion this evening; the Planning Commission serves as the land use authority for preliminary plat approval under the municipal code. The staff review of Jordanville Ridge Village 2 Phase 3 focused on consistency with the Mastery Development Agreement (MDA) as well as key engineering and infrastructure items. Roadways, phasing, drainage, and access to name a few.

To speak to affordable housing, this is part of your packet, but the Fourth Amendment to the Development Agreement has updated the project's affordable housing requirements and replace the previous designation of pod 17B, which I believe is exclusively town homes, as a standalone affordable housing pod. And that's been replaced with affordable housing requirements that apply across the project.

The application requires coordination of the Coyote view drive extension, regional drainage and canal improvements, as well as fire access and emergency response. And then there are a number of engineering and fire comments that will need to be addressed in the subdivision final. Ms. Larsen showed pod data and stated land use by acres, and then unit type and count so 142 single family homes and 231 town homes. Ms. Larsen showed the open space and the calculations for the open space.

Ms. Larsen continued with the pod phasing plan and showed 17B as exclusively town homes. The other pods would be single family homes. The area of disturbance was shown, the red represents areas greater than 30 percent that would remain undisturbed and green was areas greater than 30 percent that would be graded. Access roads were shown and how they would be phased.

Staff recommendation was to approve the application Jordanelle Ridge Village 2 Phase 3, including all the associated pods. The Subdivision Preliminary was subject to the following findings and conditions. Findings were that the application was consistent with the Development Agreement, including applicable amendments. The application was consistent with the development code. The Planning Commission would be the land use authority for preliminary plots. Conditions are as follows; all requirements of the city engineers shall be met, including the following, Ms. Larsen stated she would read through the Conditions, but she would have engineering speak to their Conditions in case there were questions. Ms. Larsen continued, all requirements of Wasatch County Fire shall be met, all requirements of the Special Service District and all other code requirements shall be met.

The applicant Mr. Mike Bradshaw, spoke to the Planning Commission and stated, the project had a Development Agreement (DA) that kept the Developers within a box as Aubrey had outlined and all that she had stated goes along with that DA. One item that Aubrey did not mention was that besides these subdivisions (that were a part of the DA as well), this would facilitate the extension of Coyote Canyon Rd, which would be a minor collector road which would be part of the greater transportation system in the North Village. Mr. Bradshaw continued, the importance of that road and the extension of that road would allow the Developers closer to the Art District area, where there was an anxious group that was planning their first private park that was planned for that area. Additionally, it would allow their project to begin in that area with uses like a city park. Mr. Bradshaw mentioned the extension was important piece of the project as once this was approved the Developers would then begin with the phasing plans which staff will look at one at a time.

City Engineer Mr. Ross Hansen added, the road is called Coyote View Drive not Coyote Canyon Rd. Mr. Bradshaw agreed stating Coyote Canyon is the main road that comes from Highway 40 that then connects to Coyote View Drive. The Commissioners agreed this was a 30,000 foot view of the project and they would be seeing this project in phases in the future.

Motion: Commissioner Slagowski moved to approve a Subdivision Preliminary for Jordanelle Ridge Village 2 Phase 3 Pod 16, 17A, 17B, 18A and 19, subject to the Findings and Conditions in the Staff Report. Commissioner Royall made the second.

Discussion: Applicant Mr. Bradshaw confirmed with Staff that a Public Hearing was not needed for the Application. Staff confirmed a Public Hearing was not needed.

Voting Yes: Commissioner Slagowski, Commissioner Knight, Commissioner Jordan, Commissioner Wilson, Commissioner Royall, Commissioner McKinley, Board Member Broughton. **Voting No:** None. The Motion Passed 7-0.

IV. Consideration for a Subdivision Preliminary approval for Jordanelle Ridge Village 2 Pod 21 C (Planner Aubrey Larsen)

Aubrey Larsen explained the Staff Report. Please refer to the 07.14.2026 Staff Report, PowerPoint and Video for additional information through this link: https://hebercityut.portal.civicclerk.com/event/450/files/agenda/1609. Ms Larsen began, the application was for a Subdivision Preliminary for Pod 21C which was a smaller footprint than the previous application just discussed. Ms. Larsen showed the map explaining the site was highlighted in gray. The project was North of Fitzgerald Road and East of Valley Hills Boulevard. In the General Plan designation the project was Neighborhoods with Open Space (NOS) and the zoning was Mountain Community Zone (MCZ). The project was 15.25 acres and would include 123 townhomes.

Ms. Larsen continued, the Staff review of Jordanel Ridge Village 2 Pod 21C focused on site improvements, infrastructure requirements, including drainage, traffic, geotechnical, canal coordination, fire access, and intersection site distances. The application required resolution of a number of remaining items, including an updated traffic impact study, geotechnical recommendations for development near the canal, sensitive lands analysis, and completion of outstanding plan and stormwater report comments, which were in the process of completion. The relative department comments identified items to be addressed through Subdivision Final, and those were included as conditions of approval. The conditions included streetlight compliance, steep slope limitations and buildable areas, fire access, hydrant spacing, as well as turnaround requirements.

Ms. Larsen displayed a Land Use Table and commented, the table shows the lot area, HOA open space, HOA limited common area, private streets, total area and then the 123 lots that are planned. The project had four phasing plans A, B, C and D with some discussion regarding intersection site distances that were requested by the Engineer and also canal grading was another conversation with the applicant.

Ms. Larsen concluded Staff recommended approval of Jordanelle Ridge Village 2 pod 21 C Subdivision Preliminary subject to the following findings and conditions. Findings: The application was consistent with the General Plan. The Planning Commission was the Land Use Authority for the Preliminary status. Conditions: All requirements would be met including the requirements from Wasatch County Fire, the Planning Department, as well as all other code requirements.

The Applicant, Mr. Mike Bradshaw, commented that he agreed with the findings and conditions from the Staff Report and understood what was needed to complete the application. City Engineer Ross Hansen did not have any comments.

Vice-Chair Broughton asked if there had been any concerns or issues that had come up from the building of Fitzgerald Road. Mr. Bradshaw responded, when the Fitzgerald Road was built and tied into Highway 40, all the city's expectations were met and that there was no anticipation of any concerns about the road going forward. At some point they may remove the left-hand turn, but the light had helped significantly.

Motion: Commissioner Royall moved to approve the Subdivision Preliminary for Jordanelle Ridge Village 2 Pod 21 C with the Findings and Conditions and conclusions of the Staff Report. Commissioner Knight made the second.

Discussion: N/A

Voting Yes: Commissioner Slagowski, Commissioner Knight, Commissioner Jordan, Commissioner Wilson, Commissioner Royall, Commissioner McKinley, Board Member Broughton. **Voting No:** None. The Motion Passed 7-0.

4. Work Meeting:

I. Telecommunication Code Update and Report on Atlas Cell Tower Site (Development Community Director Tony Kohler)

Community Development Director Tony Kohler explained the Staff Report. Please refer to the 07.14.2026 Staff Report, PowerPoint and Video for additional information through this link: https://hebercityut.portal.civicclerk.com/event/450/files/agenda/1609. The item was to report on the contract, what City Council had done, to report on the intended Zoning Change that would be brought back to the Planning Commission as a Public Hearing. The intended process was to go through approvals as well as present conceptual drawings and receive the Planning Commissions' feedback for a trajectory that they supported and understood.
Mr. Kohler continued, the City Council agreed and approved a modified contract with Atlas for a Telecommunications Tower to be placed in the cemetery and the contract was signed. The Parks and Cemetery Team has worked out the access to the Telecommunication Tower site,

Mr. Kohler had designed a potential Code Amendment that would allow for fewer, yet taller towers as the Planning Commission had requested. Mr. Kohler also suggested 300 feet for a setback from an existing dwelling and at least 150 percent height set back of the monopole to the nearest existing dwelling. Another change to the code would be to make all zones at least 80 feet in height, except for the Commercial and Industrial zones, which would remain 100 feet. Additionally, Mr. Kohler was going to suggest striking the one-mile separation exception from the code, which would allow City Council to make an exception to the one-mile setback from one pole to the next. However, had decided not to strike this section as the Council would still have a case-by-case ability to assess the site should it be within the mile parameters or the mile circle.

Mr. Kohler suggested the zoning remained Residential Agriculture (RA) and Residential Agriculture-2 (RA-2), and prove that it was a Conditional-Use. The Mayor had asked to make sure that all surrounding neighbors would receive an invitation or notice for a Telecommunications Tower Conditional Use Permit (CUP). Mr. Kohler continued, the closest home was 300 feet away but most of the homes were 400 to 800 feet away.

The Planning Commission had also asked for a Telecommunications Master Plan. Mr. Kohler had designed a Master Plan map but was not sure that it should be called a Master Plan map but more of a heat map. The red represented the hottest areas based on a one-mile separation from pole to pole and the most likely locations within Heber City limits to receive a request for a future cell pole. The red was a presumption that one, the regulation remained with a mile separation, and two, that technology did not change, and generally, industry kept the poles separated by about a mile. Mr. Kohler continued to explain the heatmap and his predictions for future Telecommunication Towers. And then there was a third presumption, the location he had placed on the map by the Jordanelle Ridge area but that red depended on the ability to place towers around MIDA, the new hotel by the Jordanelle, and on how the resort area develops.

Chairman Jordan added, the D.R. Horton area may need a cell tower as well. Mr. Kohler continued that this was his uninitiated or uneducated presumption of cell phone towers and of what he was seeing from at least the city perspective of the anticipated growth of housing and traffic. Mr. Kohler stated he did not account for new technology nor did he know the applicant's position. Also, that there would be a bypass eventually. Mr. Kohler guessed that the west side of Heber would have some small residential and commercial demands, but the 10,000 or 20,000 vehicle trips per day would get the attention of cell tower companies.

Mr. Kohler asked the applicant, Helmuck Stempler, what he thought of his presumptions and the heat map. Mr. Stempler responded, his company had also looked into areas that may need future development of towers. The mapping from Mr. Stempler's company's research was the same as Mr. Kohlers, Mr. Stempler continued, hearing the developments happening now, are the incentives to also look further into the future and begin acquiring and getting things down the pipeline when developments do start being built and people do start moving to these new developments. Cell Tower companies will not build towers without a population. However, if a development is going to be built, tower companies can do the front-end work and then, when the development becomes populated, construct the tower. But at least that way, the individuals will purchase homes knowing there will be a cell tower in certain locations.

Mr. Kohler asked the applicant, Mr. Stempler, to explain the new cell tower site at the cemetery. Mr. Stempler explained they had met with the Park Director to ensure Heber Citt's future developments of the area would be taken into consideration. The cell tower site will be located in an area that will not impede future developments. Mr. Stempler explained the approved location at the cemetery, the cell tower would be a monopine design which would cost extra, but the company wanted to invest to ensure less visual impact. Three additional spaces for future carriers was shown. Which would be concrete pads and the carrier would install an outdoor shelter, but they are lower than the fence so they will not be seen.

Commissioner Royall discussed possibly a different type of design but didn't know what a different design could look like. Commissioner Wilson suggested some kind of land art and gave examples of different places where land art exists. Commissioner Royal stated he thought the tower was going to be further towards the old maintenance shed. Mr. Kohler explained, the location it would be placed was the base separation from all the houses in the area. A further discussion continued regarding more pines would be planted and, eventually, the monpine would not stick out as much. Mr. Kohler also explained how the City Council had responded to the monopine.

Commissioner Knight asked about property ownership in the area, Mr. Kohler explained ownership and upcoming changes and developments, including trees and landscaping. Mr Kohler explained the ongoing process for the application.

Commissioner Slagowski asked Mr. Kohler to provide a picture of a simple pole instead of a monopine, so the Commissioners could see both and compare. Mr. Stempler added, a simple pole could be painted, if that were a preference, but some pictures of a simple pole will be provided at the next meeting (August 25th).

5. Administrative Items:

6. Adjournment:

Motion: Commissioner Slagowski moved to Adjourn, Commissioner Royall made the second.

Discussion: N/A

Voting Yes: Commissioner Slagowski, Commissioner Knight, Chairman Jordan, Commissioner Wilson, Commissioner Royall, Commissioner McKinley, Vice-Chair Broughton. **Voting No:** None. The Motion Passed 7-0.

__ __Meshelle Kijanen________________
Meshelle Kijanen, Administrative Assistant