

**HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
September 12, 2023**

APPROVED October 10, 2023

6:00 p.m. – Regular Meeting

1. Regular Meeting:

I. Call to Order

Chairman Gunn called the Planning Commission Meeting to order at 6:05 p.m. and welcomed everyone present.

II. Roll Call

Planning Commission Present:

Chairman Dennis Gunn
Vice Chairman Dave Richards
Commissioner Phil Jordan (On-line)
Commissioner Sid Ostergaard
Commissioner Robert Wilson

Planning Commission Absent:

Commissioner Oscar Covarrubius
Commissioner Josh Knight
Commissioner Darak Slagowski

Staff Present:

Community Development Director Tony Kohler
Planning Manager Jamie Baron
Planner Jacob Roberts
Planning Office Admin Meshelle Kijanen
City Engineer Gordon Miner
Consultant Aubrey Larson

Also Present: Patrick Van Horn, Shanna Horner, Keith Horner, CinDee Bangerter, Nanine Allen, Cal Johnson, Ron Phillips, Matt Wise, Osiris Cabral, Kay Wood, Adrian Guillen, Brad Allen, Russ Wit, Bill Wit, Greg Wilson

Also Attending Remotely: KPCW, Pete Gillwald, Sabrina, Sam, Tyson

III. Pledge of Allegiance: Planning Commissioner Commissioner Dave Richards led the recitation of the Pledge of Allegiance.

IV. Recuse for Conflict of Interest N/A

2. Consent Agenda:

I. 07.25.2023 Meeting Minutes Draft for Approval

Motion: Commissioner Ostergaard moved to approve the items on the Consent Agenda. Planning Commission Vice-Chair Richards made the second.

Discussion: N/A

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

3. Action Items:

I. Public Hearing for Cottages Rezone & Master Development Agreement (MDA) at 1000 South 600 West. (Planner Kohler)

Planner Kohler provided background on the item, and noted the property in question was situated in the R-1 zone and was surrounded by an R-2 area and an industrial business park. He shared photographs of the three homes already in place, and explained the applicant wanted to remove two homes adjacent to those which were in bad shape and then add an additional three homes, for a total of six units. Planner Kohler said the current density was set at three dwelling units per acre although this proposal would bring the density to six dwelling units per acre. Other than that, he said this zone change proposal would promote development of homes in the area and was in line with the General Plan, and he shared the recommended considerations for approval, which included the burial of overhead power lines, trees be planted in each yard, and that the homes not all be identical to one another. Planner Kohler explained tonight was a public hearing in which they would take feedback from the public about this development.

Chairman Gunn asked if the applicant was present and wished to speak, and the applicant Mr. Witt came forward to explain the two homes he wanted to remove were in bad shape and he had been unable to get them into a condition in which they could be lived in. He explained the process he had gone through so far with his proposal, and discussed that both he and his wife as well as his adult daughter lived near this area, so it was important to him that it looked nice and was well developed.

Chairman Gunn asked if this subdivision had any terms or conditions on these homes at the time they had been built. Planner Kohler explained the homes had been built when the land was still part of the unincorporated country, and originally the plan had been to expand the industrial business park nearby. However, he explained that since there were homes nearby the area had become more residential rather than industrial over time, and said he did not think there were any terms on the two houses the applicant wanted to remove specifically. Chairman Gunn clarified the homes had been brought in as existing structures when they were brought into the City, and Planner

Kohler replied that they were, and added that when they had been brought in they were considered to be conforming to the City Code.

Mr. Witt clarified that he intended to sell some of the homes, and keep the rest to be long term rentals. Commissioner Richards asked if the homes would be sold at market rate and if they could be affordable housing units. Mr. Witt discussed this was not intended to be affordable housing, and noted he had friends and family that he wanted to be able to provide homes for. Mr. Witt imagined these would be entry level homes for someone, and noted the lot sizes were smaller, about 19,000 square feet. He added he had actually built a house with the same layout as what he was proposing elsewhere in town, and thought it was a good house layout. Commissioner Richards summarized the price point based on the size of the home would be reasonable, although not affordable. Chairman Gunn commented it was a good mid-way point between affordable and a starter home for someone.

Commissioner Jordan confirmed this was before the Planning Commission because it required a change of zoning density, and Planner Kohler confirmed that was correct. Commissioner Jordan then asked what the City Council had requested for the area, and Planner Kohler discussed the conditions set forth by the City Council. Mr. Witt spoke about the landscaping requirements, and said he would landscape the homes before he sold them so that the landscaping would be consistent.

Planning Office Administrator Meshelle Kijanen read aloud the rules for public comments. Chairman Gunn opened the public hearing.

Brad Allen said he lived on 200 West, and had five children who he hoped one day would be able to own homes in the Valley. He thought six more homes would help increase the inventory of affordable housing in the area, and opined it was more helpful to have six more affordable houses rather than two more expensive ones. He pointed out all of the requirements set forth by the City Council would increase the cost of constructing those homes and thus their sale price.

Commissioner Richards thought the large lots needed to be divided up, and expressed he was in favor of the plan and in favor of changing the zone. He thought the location was good and it was a good use of the property to build the homes Mr. Witt had planned. He added he did not think this would add too much additional traffic to the area. Commissioner Richards discussed many people wanted to own their homes, but understood the advantage to Mr. Witt to rent out the units.

Commissioner Ostergaard agreed with Commissioner Richards' comments, and said the area was prime for redevelopment. He discussed how developers could not build larger homes anymore since no one could afford them, so he said having these slightly smaller homes would be good for the community. Commissioner Jordan echoed both of these sentiments, and thought it was great that the homes would not be cookie cutter and have nice curb appeal.

Commissioner Ostergaard made a motion to approve the zone change and MDA, with the conditions that the City Council's points be considered and an effort be made to keep costs low. The motion passed unanimously.

II. Public Hearing for Wittco Rezone and Master Development Agreement (MDA) at 801 South 100 West. (Planner Kohler)

Planner Kohler indicated the properties he would be discussing that evening, and said the petitioner was again Mr. Witt. He highlighted some issues with the properties, namely their location, as the City had plans for future roads which would intersect with the intersection where the property was situated. Planner Kohler explained the zone the properties were located in was R-2, with some commercial located on the south end, and he shared a map listing existing improvements. He said the concept had not been totally finalized, but clarified it had been updated from the concept he had included in his presentation.

Planner Kohler circled back to the planned roads, and noted the intersection met UDOT's standards as to where a stop light could be placed. He reported the City Staff had met with several developers about putting a street in the area where the properties were located. He elaborated they did not have a specific timeline as to when they would put the street in, and added they would not do the alignment for the road until they had plans to develop it.

Planner Kohler shared some other conceptual maps which showed how the building layout would work, and said it would likely be a two or three story building. He discussed the area currently had a density of six dwelling units per acre, although this new plan would bring the density to about 18 dwelling units per acre. He also explained the R-2 zone had an 8,000 square acre lot size minimum and a minimum frontage of 80 feet. He added that many of the twin homes in the neighborhood had been grandfathered into the City and were legal non-conforming. Planner Kohler discussed that this redevelopment would give the City the opportunity to acquire a right of way that they would ultimately need to develop the downtown, and also would allow them to redevelop some of the more tired units in the area. He said the plan promoted redevelopment in the area, had good walkability to nearby stores, and in all, was consistent with the General Plan.

Planner Kohler went over the City's requirements and conditions, which included that no driveways be placed on the new road, building heights not exceed three feet, and that the right of way be dedicated to the City.

The applicant, Mr. Witt explained that he was the owner of the properties. He said the buildings were tired and old and had been built in the 1950s, and he felt it was time to do something new with the land. He clarified he would be preserving the mature trees

on the lot. Mr. Witt also clarified he had nothing to do with the road; that was the request of the City and he had not asked the City for a new road. Mr. Witt explained the design of the building, and said it would be apartment buildings. He noted historically, the apartments had been rented out by people who worked in the surrounding commercial area, so it was a good area in which people could live, work, and shop without needing a car. He reported that the plan was to have 13 units, one of which would be an affordable housing unit and another one would be an ADA unit on the ground floor. Mr. Witt summarized that the only thing he was requesting was a zone change, and did not need any exceptions. There was some confusion as to if the main floor of a building in the C-2 zone was allowed to include housing units, and Planner Kohler noted that several years ago the Planning Commission had decided to permit housing on the main floor in the commercial zone to allow for ADA units.

Chairman Gunn asked Mr. Witt about his plan for the commercial units, and Mr. Witt said they would need to rent out the spaces on the main level. Mr. Witt elaborated he would like to have businesses which could serve the tenants of the building, such as a gym, yoga studio, or daycare. Mr. Witt thought it would be nice to have built-in customers, and he also pointed out they had limited parking so he needed to carefully consider which businesses that could move in which would not put an undue strain on the parking space they had. Mr. Witt commented as well they were just in the preliminary stages of this development, so he had not yet reached out to the surrounding businesses to see if they could share any parking. Mr. Witt added that he would like to have some of the employees of the surrounding businesses live in his building, but noted that it was difficult to get in touch with some of the larger chain stores that surrounded his site. Mr. Witt discussed it was a very walkable location, and imagined if some of the employees from the nearby businesses moved into his units, they could possibly use the parking spots of whatever business they worked for.

Chairman Gunn recalled they had discussed in a recent Planning Commission meeting that there was not a lot of housing for people in the area where the proposed development was, so he thought apartments could be a good idea and commented that flex space might be helpful in that area. Mr. Witt said currently, he had 47 parking stalls which came out to two parking stalls per apartment unit with 21 parking spots left over for the businesses, which did meet standards for the zone. Mr. Witt also specified the mature trees on the property would be preserved and not cut down for parking.

Commissioner Wilson did not understand the logic of developing commercial along 100 West since the City wanted to focus on Main Street. He pointed out 100 West was a busy street and primarily residential, and he asked why not develop in an area which was already just residential. Mr. Witt replied that the C-2 zone was the easiest one to get approval, and stated he would be comfortable making this building just apartments with no commercial tenants. Planner Kohler added they did not have a zone which neatly lined up with the scope of this development, and said this seemed the easiest option, so the City had recommended this to Mr. Witt as the best course of action.

Planner Kohler elaborated that if they wanted to, they could work with the City Attorney to see if this could go in the R-2 zone instead.

Chairman Gunn opened the floor for public comments.

Brad Allen said that he owned two homes on 200 West, right around the corner from the planned development. He expressed he had been unaware of the plan for the road, and thought that would be a huge asset to the area. He discussed how congested traffic currently was and stated how beneficial a new road would be. He also stated if there was going to be commercial, he preferred it to face east, and he also requested that the building height be two stories rather than three.

Osiris Kabral noted there were some apartments to the west of the planned development, and thought it would be nice to have more residential rather than commercial. He thought since there were already residential units close by, it should be easier to get that approved rather than trying to push commercial through.

Matt Wiser, the director for Lee's Marketplace, thought the multiplexes currently there were an eyesore and agreed it would be nice to have those torn down. He said they owned the parking lot behind the KFC, and said it was the employee parking lot for Lee's Marketplace. He explained if they put the new road in, the employees would have to cross it to get to work and that would be a safety hazard. Mr. Wiser said he had invested millions into the parking lot and Lee's Marketplace, and he worried the road extension would stunt their growth and diminish their ability to serve the community.

Ronald Phillips spoke and said he was working with Mr. Witt for this project. He reminded everyone this was not a public hearing about the road; this was just about the zone change and clarified that if anyone was worried about the road there would be another meeting in the future to address those concerns.

There was one written comment which had been submitted and read as follows:

"In preparation for the Heber City Planning Meeting tonight (9/12/2023), we wanted to share some thoughts on the major consequences that Lee's Marketplace would be affected by if the Wittco development is given the green light. Hopefully, these can be used to aid your comments in the meeting tonight.

Lee's Marketplace is a community partner. The results of such partnerships are evident in the positive impact that each Lee's Marketplace brings to its respective community. Lee's has invested millions of dollars in the renovation and renewal of the existing grocery store and the neighboring parking lots. The Lee's family has helped revitalize a tired grocery store and brought life back to this area. As such, it is evident that Lee's is invested in a long-lasting partnership with the Heber City community and intends to continue serving its citizens.

If the Wittco development is approved, the existing Lee's Marketplace will be greatly affected by the proposed extension to 850 S, including but not limited to:

1. The proposed extension of 850 S will cut right through the parking lot of the store. The ROW would directly eliminate more than 20 parking spaces (red boxes in the below screenshot). Access to an entire strip of parking would be greatly affected and potentially inaccessible (the screenshot below shows the parking spaces that will be removed or affected by the road, highlighted in the blue boxes). Additionally, the strip of parking that is currently adjacent to the Taco Bell would need to be adjusted and would create an awkward strip of land between the parking spaces and the new road.

1. An entire portion of the Lee's Marketplace parcel (the northmost section between the proposed development and the Betos/Tacobell) would be completely separated. This would restrict access to 24 more parking spaces that have traditionally been where employees of the store park. This would create an orphaned parcel which would be rendered useless. Those who park in that area would be forced to cross a main thoroughfare to access the store. This would create a potential safety hazard for those crossing this new street.

2. These parking reductions would push the grocery store below its required parking capacity creating an additional adverse effect on the grocery store.

We are in support of revitalizing these homes and aren't opposed to a new development on those parcels. However, we strongly oppose the proposed roadway. If the city is planning on approving this roadway, there would need to be a significant amount of compensation to Lee's Marketplace in order to justify the efforts that will be required to mediate the

3. Acreage of the parking lot that would be reduced as a result of the road cutting through the parcel, 2) lost access to/separation of the orphaned parcel, and 3) potential of having to redesign the parking lot to accommodate existing parking requirements to service the grocery store."

Cindy Bangeter said she lived nearby on 100 West and owned her townhome, although many of her neighbors did not own their units. She discussed how congested traffic was where she lived, and said it was nearly impossible to get in and out on busy days or days when it snowed. She expressed concerns about parking and thought if they added another building, the issue would just get worse. Chairman Gunn noted in the winter, people were not supposed to park on the street, although many people did as there was nowhere else to park. He agreed this was an issue and it was a safety concern.

Kay Wood said she lived on 200 West, and asked why they were allowing for three story buildings when the area was not walkable and had no sidewalks. She felt this was not safe for children, and discussed how the traffic was so bad on Main Street it was spilling over to 100 and 200 West and causing accidents. She pointed out they

had zoning rules in place for a reason, although the City allowed developers to have exceptions to those rules and in her opinion this caused a mess. Ms. Wood said she had moved to Heber 27 years ago, and had seen many things change for the worse as the Planning Commission allowed developers to bypass zoning rules. She clarified she was not saying the development should not be allowed; but it should only be allowed to be built within the parameters of the zone. She opined there should not be three stories if it was not allowed in the zone, and expressed they needed to know where to draw the line and adhere more closely to the zoning standards and rules set in place by the City. Ms. Wood commented she was concerned for the Valley as things were allowed to be built when she thought they should not be and caused traffic to become worse.

Chairman Gunn closed the public hearing.

Chairman Gunn summarized that most people were in favor of this building just being residential and were not in favor of the commercial. Chairman Gunn noted the only reason they had to do commercial was just to be in line with the Code, although the consensus was no one was actually interested in this. Chairman Gunn thought it would work if they went strictly residential and found a way to get rid of the commercial.

Chairman Gunn also asked Mr. Witt if he was willing to go to two rather than three stories, to which Mr. Witt discussed that he wanted to build something nice that the community wanted, although it was not as financially feasible for him to make it just two stories. Mr. Witt thought that between the cost of bulldozing the existing multiplexes and new construction, it was not viable for him to make money off of the building if it was only two stories and a basement. Chairman Gunn summarized that people's issue with the stories was the height of the building, and pointed out if they got rid of the commercial the overall building would be a bit shorter. Planner Kohler said that was correct, although not by a significant amount, maybe around three or four feet. Chairman Gunn also noted without the commercial there would be less of an increase to traffic. Chairman Gunn thought they should consider just residential without any commercial and asked Planner Kohler if there was a way to make that happen.

Commissioner Ostergaard asked if there was a way to include affordable housing, and thought if the units were affordable that could be a way to incentivize doing the project.

Commissioner Wilson commented how people got confused about affordable housing; he noted "affordable housing" referred to buying a home, not renting. He said if someone rented, rent prices continued to increase, although if they were able to purchase a home the mortgage payment would be consistent. Commissioner Ostergaard agreed with Commissioner Wilson in that they did need affordable housing home ownership, although he disagreed about renting not being affordable as there was also workforce housing, in which people rented although the rent price was deed-restricted and would not increase. Commissioner Ostergaard clarified these units would be for rent, and thought they could still incentivize developers to come in and do affordable housing developments even if they were for rental units.

Ms. Bangeter again spoke about problems with the parking, and pointed out that with rent prices so high, people needed roommates and having additional tenants compounded the parking issues. Chairman Gunn asked if they could add a stipulation to the development that on-street parking could only be temporary. Planner Kohler replied that was already a City-wide rule, and that people could only park on the street for 72 hours. However, Planner Kohler added there were no limits as to how many cars a single family home could own, and he thought it would be unfair to limit the number of vehicles someone could own. Planner Kohler said they did have rules about how many families could live in one home, which was one way they could try to limit how many vehicles were parked at one property.

City Engineer Gordon spoke about the proposed road extension. He said they wanted to take advantage of this opportunity to acquire the right of way, and Chairman Gunn agreed with this. Chairman Gunn clarified this would only be a right of way and not ownership, and Planner Kohler clarified it would be City-owned, although there was no obligation to put a road in if they decided it was not necessary. Planner Kohler added that if the City chose to vacate the right of way it would go back to the owner.

Planner Kohler said the Planning Commission could include in their conditions that they wanted to limit the heights of the buildings and limit the use to residential, would ensure there was adequate parking, so City Council could include those things in the MDA.

Planner Kohler summarized that it seemed as though the Planning Commission wanted to leave this in the R-2 zone, so they needed to work with the City Attorney to find a way to do this. Chairman Gunn agreed they did not want to do a re-zone and would prefer to find a way to keep this in a residential zone. Chairman Gunn also commented on the vagueness of calling something affordable housing, and thought they needed to specify how this would work. Commissioner Richards replied they could clarify in the MDA how many of the units would need to be affordable, and the Commissioners discussed those prices were based on average median income.

Commissioner Richards pointed out if they moved to just residential, Mr. Witt could increase the number of units in the building since they had the parking available. Commissioner Richards concluded that they did not want to rezone the area to commercial; they wanted to request that the building become only residential.

Mr. Witt said he wanted to have this project approved by the end of the year. Ron Phillips spoke on behalf of Mr. Witt, and stated they preferred for the area to be rezoned C-2 and have the building heights be three stories from the ground. Mr. Phillips did not think it was legal to leave the area residential and then increase the density higher than the standards of the zone. Planner Kohler said they could do this; they would have to include in the development agreement that the density could exceed what the maximum density of the zone was. Planner Kohler explained this process, and said they still went through the rezone process for the development agreement.

Planner Kohler agreed with Mr. Phillips in that C-2 was a more appropriate zone for this project, and he said it would be best to rezone it to C-2 with a requirement that there be no commercial on the ground floor.

Commissioner Richards asked how they would handle the height of the building if they moved forward with the C-2 zone. Planner Kohler replied they could set conditions on it and mandate any number of stories that they wanted to have. Planner Kohler reiterated this would still just be residential with no commercial spaces, even if it was zoned C-2. Commissioner Richards thought they could go to three stories if there was affordable housing and limit it to two stories if not. Mr. Phillips did not think it was legal to limit the height in a C-2 zone, and Commissioner Richards said they would need to work with their City Attorney to find out. Planner Kohler thought they could move forward with the C-2 zone and limit the height, and Commissioner Richards commented they were just a recommending body anyway and the City Council might not move this through. Commissioner Richards emphasized they would need to do affordable housing if they wanted to push this project through.

Mr. Witt reminded the Planning Commission that he was giving up a portion of the property to the City for not much in return, and he was also okay with having the right of way abutting his property. He expressed he was not asking for much and was being tolerant of the City's demands. He also discussed the neighbors would not be happy if they packed too many people into the new building, and he worried about maximizing the amount of parking he had available. Mr. Witt said he was hoping to attract families as well as multiple adults in the two and three bedrooms, and expressed concerns over having a large number of studio apartments. Commissioner Richards thought it would not be necessary to go up to three stories.

Commissioner Richards asked Mr. Witt what he would do with the ground floor if they did not have commercial space, and Mr. Witt said he would be able to add four more residential units. Planner Kohler said the City required 10% of the units to be affordable, so if they had sixteen total units then there would be two units that would have to be affordable. Commissioner Richards expressed he was okay with this.

Commissioner Ostergaard moved to approve the request for the Wittco Rezone and Master Development Agreement (MDA) at 801 South 100 West with the conditions that they will entertain a development agreement and work with the City Attorney to remove commercial from the first floor and add residential, with the 10% affordable housing component. The motion carried unanimously.

III. Request for a Site Plan approval for Old 40 North, located at 4705 North Old Highway-40 (Parcel 20-7956, Northwest of the intersection between Old Highway-40 and SR-32)(Planner Woodbury/Engineer Miner)

Planner Woodbury gave an overview of the request, and said the development agreement allowed for mixed-use commercial. She stated the buildings were all three stories tall and built into a slope. She explained a variety of commercial support uses

were allowed on the upper floor such as a break room and locker rooms. She noted the building met the requirements for materials and colors as mandated by the Code, and stated the building met parking requirements as well. She added the plan also met the landscaping requirements and indicated the plan included new landscaping around the building and parking lot, and the rest of the property would retain its natural vegetation. Planner Woodbury shared a rendering of what the completed buildings would look like and illustrated how they would be accessible at different stories as they were built into the slope. She also shared an aerial view of the site plan and noted it was accessible off of Highway 40, with a secondary access off Route 32. Planner Woodbury also indicated the parking study which had been completed to prove the plan met parking requirements.

Greg Wilson, engineer for the development, made some clarifications to the site plan and explained that the one shown was not the most recent one they had submitted. He indicated a portion of the site which was UDOT's property and explained UDOT had not approved the access off of their property, so their engineer had redesigned the access point so it did not interfere with UDOT.

Planner Woodbury listed the findings and conditions of Staff, and said it was recommended to approve subject to the application being consistent with the General Plan, the Municipal Code, City ordinances and Federal and State laws. She read the conditions, which included all conditions set by the City Engineer, the Planning Commission, and all Code requirements be met. She added they also needed to get permission from UDOT to have an access off of Route 32, and the builder would have to get building permits for the retaining wall.

Patrick Vanhorn identified himself as the application and reiterated that they were moving their access farther down on Route 32. Mr. Wilson elaborated on this and reported that they had met with UDOT to understand their concerns with the access, and had moved it accordingly. Chairman Gunn clarified that the plan met all other City standards and the Engineer replied that it did.

Commissioner Richards clarified these units were all individually owned, and asked how many units there would be in total. Mr. Vanhorn replied there would be 20 individually owned units, with both residential and commercial uses, so people could both live and work there. Commissioner Richards asked if there were any stipulations on what kind of commercial could go in, and asked for example if they would be permitted to have something like an auto body shop go in there. Planner Kohler could not recall if the North Village area Code restricted commercial uses, but did not think an auto body shop would be allowed.

Commissioner Ostergaard asked why they were overparked, and Mr. Wilson discussed the original plan had required them to have 220 parking stalls, and this was a difficult number for them to reach so they had conducted a parking study which found that they actually only needed 148. However, he said they had been able to find space for 206 spots before the study was completed, so they had left all of the stalls due to the

commercial component. Mr. Wilson added they had six ADA stalls. Planner Woodbury pointed out the development agreement called for 213 spaces, so they were actually under-parked by seven stalls. It was clarified that while the parking study had found only 148 stalls were needed, they were under-parked based on the standards of the Code.

Commissioner Richards asked for the total size of the property and Mr. Wilson replied the whole property was over eight acres, although only around three of the acres were developable. Commissioner Richards clarified they had water, sewer, and power hooked up, and Mr. Wilson replied that they did, and reiterated they also had their access points worked out with UDOT. Commissioner Richards also asked about Wasatch Fire Department, and Mr. Wilson stated all their roads were graded in accordance with the fire department's standards, and he reported he had met with the fire department and they had approved the plan. Commissioner Richards asked about the topography, and Mr. Wilson replied he had sent a topography plan to the Planning Commission, although he noted the plan he had sent them also had the old point of access.

Commissioner Wilson asked about the storm water drains and City Engineer Miner explained how the drainage worked and commented Mr. Wilson had done a great job with this. Mr. Wilson elaborated on their drainage system and commented that although it had been an exercise, they had gotten it figured out. Mr. Wilson shared some 3D renderings to show how the gradation worked with the slope.

Commissioner Richards moved to approve the request for a Site Plan approval for Old 40 North, located at 4705 North Old Highway- 40 (Parcel 20-7956, Northwest of the intersection between Old Highway-40 and SR-32) contingent that all findings and conditions be met. The motion passed unanimously.

The Commission acknowledged that it was a difficult site to work with and wished the applicants luck.

4. Work Meeting:

I. Heber City Park Design Standards - Draft Review (Planner Baron, LDI)

Planner Aubrey Larson presented on the Heber City park design standards, and explained the standards were intended to give a cohesive and comprehensive park design. She said that evening she hoped to get general feedback and points for direction from the Planning Commission. She also gave some background and emphasized Heber's position as an emerging recreation destination and noted having a comprehensive park design would be conducive to achieving this goal.

Planner Larson shared the park standards guidebook and highlighted some key features. She noted there were seven sections and appendices. She explained the

introductory section established the need to have standards as well as where they applied and where they did not, and also positioned their guidelines in relation to other city's standards. She added the introductory section also included Heber's land use plan and illustrations of the planned Envision Heber districts and listed the characteristics of each district.

Planner Larson reported that the second section listed park type standards. She read through the minimum standards and explained this was a set standard, and as such was not flexible. She explained all parks had to meet a minimum level of amenities which would be based on their size. She said this was quantified by a point system and gave a brief explanation as to how this would work. Planner Larson also acknowledged that not all land was developable, and there were some sensitive land features which would not be subject to these same standards. She then listed some standards for bathrooms, sports fields, and trails. Commissioner Ostergaard asked some clarifying questions about the point system and Planner Larson explained that there were different kinds of parks, and indicated there were different requirements for different types of parks. She reiterated the requirements were based on the square footage of the park, so larger parks needed more amenities. She explained the parks could pick which amenities to include, and each amenity corresponded to a certain amount of points so the park would need to just meet their minimum point requirement. Planner Larson commented the more the system was used, the more clear it would become.

Planner Baron commended Planner Larson and her team, and thought this system would work well. He explained they had based their system off of what similar sized cities had done, and thought this utilized some of the best parts of those other systems.

Planner Baron elaborated that this way, they knew they were going to get consistency with things such as curbing and irrigation, and then smaller design features could be the developer's prerogative. Planner Baron added they were switching to a weather tracking system for irrigation, which was waterwise as it automatically shut their irrigation water off on days when it rained. Commissioner Jordan commented this was a significant amount of work, and Chairman Gunn agreed and said it looked very professional.

Commissioner Jordan asked if they were embracing xeriscaping in the parks whenever possible. Planner Baron discussed they had different types of park and not all of them had a lot of irrigation, so they based the xeriscaping and irrigation requirements off of the characteristics of each individual park. Planner Baron continued to say it was not always feasible to do xeriscaping, and he added some parks really called for grass fields, although all of the parks emphasized waterwise landscaping wherever possible.

Planner Larson continued to elaborate on the point system, and also commented that a park should match its setting. She also indicated the third section went over park design principles, and the fourth section distinguished between softscape and hardscape. She stated section five was dedicated to park furnishings, and said all of the standards were based on the overall goals of Heber City.

Commissioner Jordan asked if the guidebook addressed accessibility issues, and Planner Larson replied there was a section specifically dedicated to accessibility requirements for the parks. Planner Larson said the section went over inclusive play areas and ADA requirements. Commissioner Jordan asked if they included language specific to autism, and Planner Larson replied that the language was currently very broad to incorporate all special needs, although they could specify it if the Commission wanted to do so.

Planner Larson said lighting and fencing were both fixed standards, and both were based off of the City Code. Planner Larson then addressed signage, and acknowledged there was not a City-wide signage system in place and thought this could be a good place to start one. She shared some images of some possible entrance signs to the parks. She proposed stone signs since they already had stone entry signs throughout Heber so this would be consistent, and added they could require that all the stone come from the same quarry for consistency, or they could use a mixed material. Planner Baron said the intent was to have a consistent sign for the parks so City parks were easily recognizable. Planner Baron said the question was if they wanted to keep the stone to be consistent with the rest of the City, or switch to mixed materials to make it clear that this was a public park. Planner Baron noted that the Trees and Trails Committee recommended that they go with the stone signs.

Commissioner Jordan wanted to see more variety with signs, and wanted to move beyond the same stone material they had been using. Chairman Gunn thought it was sufficient to have the City logo on the sign, and agreed they did not have to use the exact same kind of sign that was elsewhere throughout Heber City.

Planner Larson went over recreational and play amenities, which she noted was flexible. She highlighted the section which overviewed ADA requirements and specified that these requirements were fixed. She said parks were not required to be inclusive, although all had to meet the baseline ADA standards. Planner Larson clarified that all inclusive parks were ADA, although not all parks were inclusive.

Commissioner Jordan made some comments about autism, and commented how all arenas and large event centers were adding areas that were sensitive to sensory issues and people with autism.

Planner Larson summarized her presentation and commented they could include a table of contents or anything else the Commissioners wished to see. Planner Larson explained that the point system was based off of the Eagle Mountain City Code, and the park types were pulled from the Heber City Code. She discussed how each park was assigned a number of points based on their type and size, and then they needed to include a certain number of amenities which also corresponded to a number of points in order to reach their minimum required points. Planner Larson said she had run some tests and each time it had been pretty easy to reach the required number of points.

The Commissioners commended her on her work. Commissioner Jordan noted the restroom requirement was the most expensive on the system, although Chairman Gunn pointed out restrooms were the most expensive amenity to build and maintain. Planner Baron noted the restrooms were usually locked in the winter.

5. Administrative Items:

I. City Council Communication Item (Planner Baron)

Planner Baron went over the most recent City Council meeting, and said they had discussed fleet issues in their consent agenda. He reported a Mayor's Award had been given out for those who had helped with the City Police Chief interview process, and a conditional authorization had been given to hire the new police chief. Planner Baron explained the police chief was from out of state, so the hire was conditional only because he needed to transfer in from out of state. He stated there had also been a discussion from the Historical Preservation Committee. He reported the Hicken fieldhouse MDA had been approved with the conditions set forth by the Planning Commission. Planner Baron also explained the Memorandum of Understanding between the County, the City, and the Church of Latter Day Saints had been approved, and this clarified who would do what within the right of way. Planner Baron announced Envision Heber had been adopted into the General Plan, so the next thing they would work on was determining what were the key code updates that they wanted to address. Chairman Gunn said it sounded like the Council had accepted the Planning Commission's suggestions.

6. Adjournment:

Meshelle Kijanen
Meshelle Kijanen, Planning Administration