

HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
October 24, 2023

6:00 p.m. – Regular Meeting

1. Regular Meeting:

I. Call to Order

Chairman Gunn called the Planning Commission Meeting to order at 6:07 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 Robert Wilson

Planning Commission Excused:

Commissioner Oscar Covarrbias
Commissioner Darek Slagowski

Staff Present:

Planning Director Tony Kohler
Planning Manager Jamie Baron
Planner Jacob Roberts
Planning Office Admin Meshelle Kijanen

Also Present: Greg Haws, Adam Goser, Tom Bonner, Terry Diehl, Matt & Susan Carlson, Morgen & Marci Johnson, Aubrey Hull, Mike and Kathy Bergan, Cal Johnson, Grace Doerfler, Clayton Vance, Linda L. Middleton, Ashley Stewart, Jan M. Olpin, Kirk North, and City Council Members Yvonne Barney and Mike Johnston

Staff Participating Remotely: Consultant Denna Woodbury GCGarcia, Consultant Jake Young, Consultant John Janson, Consultant Christie Brown

Also Attending Remotely: Bobbie Wolbach, George Bennett, Grace (KPCW), Jennif, Rachel Le Melle

III. Pledge of Allegiance:

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

IV. Recuse for Conflict of Interest

Commissioner Sid Ostergaard recused himself from the 1st Agenda Item (Public Hearing to consider Design Guideline Amendment to the Highlands MDA)

2. Consent Agenda: N/A

3. Action Items:

I. Public Hearing to consider Design Guideline Amendment to the Highlands MDA

Planning Director Tony Kohler led this portion of the meeting. Planning Director Kohler indicated they were discussing the North village next to UVU, and noted this had been recently annexed to the City. Planning Director Kohler said the City had adopted a development agreement as they had done previously. Planning Director Kohler turned the time over to Planner Denna Woodbury. Planner Woodbury reiterated that the land was for the Highlands and would be under DR Horton. Planner Woodbury said the typography of the area was not conducive to their plans which led DR Horton to request some changes to their development agreement. Planner Woodbury said state code requires these discussions in order to change the code. Planner Woodbury said they have had several discussions with DR Horton and Highland Development which have led to plan modifications. Planner Woodbury said the changes are related to the units' design. Planner Woodbury said DR Horton requested 13 changes overall and noted staff is comfortable with all of these changes. Planner Woodbury noted the applicants were present and turned time over to them.

Applicant Greg Haws of DR Horton walked the Council through a PowerPoint presentation of all the proposed changes. Mr. Haws reiterated their commitment to urban design principles and went into his history working for Wasatch County and his subsequent familiarity with code. Mr. Haws said their first issue was the description of how courtyards are formed (consisting of 3 buildings of 5 units each). Mr. Haws noted courtyards require a 50 foot minimum setback between buildings and referred to a visual aid. Mr. Haws asked for some latitude on defining a courtyard and noted their proposal was to allow for 100 feet of spacing between building spacing to account for some narrow "pinch points" between buildings. Mr. Haws said the DNA of the code accounted for the variance in "spacial volumes" and aided in creating a suburban environment. Mr. Haws referred to the site plan and noted the buildings will be naturally spaced 30 feet apart, but emphasized that these spaces were not meant to be inhabited the way a courtyard would be. Mr. Haws said they comply with the spirit of the original code, though it does not meet the minimum 50 foot spacing.

Mr. Haws moved on to the next point, which addressed the percentage of frontage on each street. Mr. Haws said they want to create enough space for motorists and pedestrians, but they have to work with the uphill and downhill of the plot topography. Mr. Haws said they are not trying to contain views or put too much work into architectural facades. Mr. Haws said their proposal is to allow 75% of coverage on street frontage.

Mr. Haws went through the single family home criteria. Mr. Haws said the previous county commissioners did not see the need for any small single family lots which impacted the code construction. Mr. Haws referred to the visual aid to explain the existing code. Mr. Haws said they wanted to push back on the current 5 foot criteria and move to 2 foot criteria for garage setbacks. Mr. Haws referred to the visual aid for a side-by-side comparison between the existing code and proposed change. Mr. Haws noted their proposed changes would give the porch a more enclosed feel, make the columns become a focal point, make the garage door a subservient visual plane, and allow for increased square footage in the 2nd story bedroom.

Mr. Haws moved on to the requirements for townhomes. Mr. Haws said they asked that the regulations apply the same across the board for each type of home. Mr. Haws asked that the 200 foot enclosed space be accounted for in each style. Mr. Haws went through a series of photos of their proposed architecture. Mr. Haws said they were sensitive to homogeneity and proposed some Code changes to limit repetition in their lot. Mr. Haws asked for some repetition in every fourth lot. Mr. Haws also noted the Code allows for a greater diversity in building materials. Mr. Haws proposed a code change barring the same elevation and materials used for homes across from one another. Mr. Haws then used a visual aid to give a virtual tour of the proposed neighborhood plan and architectural styles.

Mr. Haws said the current Code required each townhome have a front porch that faced the street. Mr. Haws said they would argue that the active pedestrian area is the courtyard and not a front street. Mr. Haws asked the code reflect this difference in perspective. Mr. Haws said stack flats require a minimum transparency of 25% on all faces of the building and indicated this was at odds with the hilly topography. Mr. Haws asked that this requirement only apply to units which face public streets. Mr. Haws noted there is a building variety requirement for stacked flats and asked that materials and color variety be the sole consideration for meeting variety requirements. Mr. Haws again referred to his visual aid for examples.

Mr. Haws said he understood the need for height variations, but asked for room for interpretation for houses on the same side of the street. Mr. Haws then referred to the "Front Build To Zone" and noted how difficult it would be to keep building heights within 10 to 20 feet because of the hills on the plot of land. Mr. Haws said the next criteria deals with block length and block perimeter and asked for leeway on how this is measured. Mr. Haws said they want to provide connectivity between destinations and origins then opened the floor for questions and comments.

Commissioner Richard Wilson expressed confusion over the different diagrams and asked how they corresponded to one another. Commissioner Wilson compared diagrams on pages 43 and 48 as examples. Mr. Haws clarified those two pages referred to totally different areas of the plan. Commissioner Wilson asked what Mr. Haws was looking to come away with. Mr. Haws asked Staff to weigh on their requests.

Planning Director Kohler interjected and noted that Planner Woodbury had compiled a

file with all of the requested changes. Commissioner Dave Richards chimed in and commented on the presence of ERUs and noted they had done a good job breaking down the development summary. Commissioner Richards clarified that the presentation jumps around but tried to give a comprehensive look at the broad changes they are requesting. Commissioner Wilson asked why they cannot address the pinch point by reducing the size of the buildings. Commissioner Wilson bemoaned the lack of affordable housing in Heber City and worried they were heading in the wrong direction. Commissioner Wilson said they would lose people if they did not focus more on affordable housing. Commissioner Josh Knight asked when they started moving MDAs for topography concerns and Chairman Gunn reminded the Commission that this was why they were meeting. Commissioner Phil Jordan asked about the commercial work and if it was compliant. Commissioner Jordan asked if this would create a precedent. Planning Director Kohler said this is why they were looking at a development amendment and not a code amendment. Planning Director Kohler said any other applicant would have to go through this same process. Commissioner Jordan said the biggest concern was scarring the land.

Chairman Gunn opened the floor for public comments.

Linda Middleton came forward first. Ms. Middleton said she drives past the lot every day and asked for careful planning moving forward. Ms. Middleton said code violations happen frequently in her neighborhood and noted she would deeply appreciate hearing all the changes and whether or not they meet the new codes. Ms. Middleton said the entrances of their town need to reflect the rural makeup of the land.

Jody Flickinger came up next. Ms. Flickinger asked why they are building this neighborhood in an area with such complicated topography, why are they building the neighborhood there in the first place. Chairman Gunn said he would allow the applicant to answer that question. Terry Diehl from Highlands Development came forward to answer the question. Mr. Diehl said they are required to have 10% of their developments qualify for affordable housing. Mr. Diehl then said the City asked them to create more density around the new town center which resulted in this plan being created.

John Thackrey came forward and identified himself as one of the owners of Highlands Development. Mr. Thackrey said the gateway comment got his attention. Mr. Thackrey said they will retain the bottom 28 acres of the plot and said they hope to maintain the integrity of the space.

Chairman Gunn closed the public comment sections and opened the floor back up to the Commission. Chairman Gunn said they would postpone the vote for 2 weeks as is tradition.

Commissioner Richards said they need to be mindful of density. Commissioner Richards said they are doing their best to manage the density alongside the code and

asked staff to work with what they have. Chairman Gunn agreed and reminded the body that they would be returning to this issue before any changes were approved. Commissioner Richards said they were not simply going to tear apart the hillside and leave it mid-project. Commissioner Jordan echoed Commissioner Richards' statements. Commissioner Jordan applauded the efforts of the applicant and their commitment to variety. Commissioner Jordan said the look felt right then asked about the height of the stacked flats. Mr. Diehl said they are about 60 to 70 feet above highway 40. Chairman Gunn asked if they had a visual aid for this height difference. Mr. Diehl said they have this view in their presentation.

Commissioner Jordan asked if there were height restrictions as they went up the hill. Planning Director Kohler broke down the land proposal via land density. Commissioner Jordan said that would place the tallings buildings in the middle of the hill. Planning Director Kohler said yes. Chairman Gunn said they have ridgeline requirements which would address these height restrictions. Mr. Diehl added that they also have views of these changes in the first presentation.

Commissioner Wilson asked they look back at the architectural makeup and whether or not it offers true variety. Commissioner Wilson said he did not like the look of big garages right up front. Commissioner Richards asked they make the visual aid a little easier to look at.

II. Public Hearing to consider Master Development Agreement (MDA) for the Wasatch County Event Center grounds (Kohler)

Planning Director Kohler led this portion of the meeting. Planning Director Kohler noted this was also a request for a development agreement and would address the new campground at 650 West. Planning Director Kohler referred to the visual aid for pictures of the grounds. Planning Director Kohler noted the City created the Institutional and Public Facilities Zone in 2010. Planning Director Kohler said the county facility were annexed in 2 or 3 different chunks before this and referred to the zone map to demonstrate the differences. Planning Director Kohler said they worked with the county and the CAPS students in 2020 to rezone the county and city, though acknowledged that most of this area is public. Planning Director Kohler said the public facilities were consolidated in the rezone. Planning Director Kohler said this county facility was in a different jurisdiction outside of Heber City and noted this was common. Planning Director Kohler said they were attempting to develop the area contrary to the standards adopted in the public facility zone. Planning Director Kohler said they could demand compliance or work on a new development agreement - which he noted they were doing that night.

Planning Director Kohler said the county facilities prefer to have a combination sidewalk

(a sidewalk up against the curb), though said this would be difficult because of a fence present. Planning Director Kohler said this fence also presented issues as it did not include a transparent clear view area for the intersection by 650 South and the railroad area. Planning Director Kohler said the city has a great interest in this visibility. Planning Director Kohler said UDOT is the one who instituted these standards. Planning Director Kohler said the other issue was a 10 foot landscaping strip which conflicted with the sewage area. Planning Director Kohler said they also had an issue with an 8 foot tall masonry fence which should be at 6 feet. Planning Director Kohler said they also need to have dark sky compliance on the grounds. Planning Director Kohler said the internal roads are not hard surfaced which is required per RV standards. Planning Director Kohler said he did not know the future of this area, but they should nonetheless discuss the potential of this development agreement. Planning Director Kohler said they had previously worked on Envision Heber 2050 which had the goal of creating an area less industrial and more tourism focused. Planning Director Kohler said a different plan called Envision Central Heber focused on creating a more concrete tourism and recreation area. Planning Director Kohler said they will be working more with UDOT and the railways on this issue. Planning Director Kohler said this development agreement could become relevant to these different plans. Planning Director Kohler clarified that the development agreement is designed to be an agreement between two parties and would involve negotiation.

Commissioner Jordan asked to hear from the County. Tom Bonner from Parks and Recreation came forward to represent the county. Mr. Bonner said they have contacted UDOT for a recommendation on the intersection and will comply once they receive it. Mr. Bonner said they hope to own the area with the fence and can address that issue once they have acquired it. Mr. Bonner said they would not put any big lights in the area to ensure they will comply with dark sky requirements. Mr. Bonner said this will be an equestrian center which will address the RV concerns. Mr. Bonner said they will only allow missionaries to stay on the grounds.

Commissioner Sid Ostergaard how they came to be in this situation. Mr. Bonner said they were on the verge of losing their contract with State High School Rodeo Finals and needed to prove they would build a lot in order to keep the contract. Mr. Bonner said they would take care of the property and noted this project has indicated they need to make changes to meet city standards - especially with water. Mr. Bonner said they have worked closely with engineering. Mr. Bonner said they are amenable to changes and said their staff works well together. Mr. Bonner added that they are not a KOA and will only host events.

Commissioner Jordan asked what this would look like down the line. Mr. Bonner said the biggest issues were parking and covered stalls. Mr. Bonner said they would need more area for covered stalls which would both help with cleanliness and event management.

Commissioner Wilson chimed in and stressed the importance of clear visibility, parking, and pedestrian ways. Commissioner Wilson said they walk down to the fairgrounds

when his family is in town and he consistently notes the danger involved in walking. Mr. Bonner said they plan to install a 5 foot sidewalk between the fence and the curb. Mr. Bonner reiterated the parking issue and railway safety issue. Mr. Bonner assured the Council he would meet the standards required.

Chairman Gunn opened the floor for public comments.

Matt Carlson came forward and said the fence height and appearance was a concern. Mr. Carlson said he would like the trees to be up and the fence to be higher.

Planning Director Kohler read a letter from Kate Map. Ms. Map expressed disappointment at the City's failure to address the dust storms of the area. Ms. Map asked the County to adhere to dust management during events and beyond. Ms. Map asked the county to be held accountable.

Marcy Johnson came forward and echoed Mr. Carlson's concerns - especially regarding parking and landscaping. Ms. Johnson also echoed Ms. Map's dust concerns and its impact on the health and well-being of the community. Ms. Johnson also said it is not a welcoming sight to individuals coming to Heber.

Linda Middleton came forward next. Ms. Middleton said Heber had made news because of poor traffic management. Ms. Middleton said she had seen lots of damage at the intersection in question. Ms. Middleton asked who pays for stoplight installation and arms for the train. Planning Director Kohler said the railway received a grant to install these features. Ms. Middleton then asked who would pay for a stoplight at Southfield. Planning Director Kohler said that would fall on the city. Ms. Middleton demanded to know what is happening in the spaces adjacent to residential areas. Ms. Middleton said she knows residential areas are assessed every 300 square feet and demanded to know who would be responsible for maintaining these grounds. Ms. Middleton said residential tax payers are suffering because of this poor planning.

Clayton Vance came forward and first said it was cool Heber City hosted a rodeo. Mr. Vance then pointed out ironies in managing dust and water usage. Mr. Vance said they would simply have to choose one to manage.

Jody Flickinger came forward and asked if the generators would be allowed and, if so, if they would be loud. Commissioner Richards said they could run a generator at any time without regulation, though pointed out they are trying to get power distributed through the area.

Chairman Gunn closed the Public Hearing and turned the time over to the Planning Commission.

Commissioner Richards said they have discussed these issues several times before and stressed the need for compromise as they pursue more tourist attractions.

Commissioner Richards said they have discussed dark sky compliance in the past and have run into issues with having appropriate lighting. Commissioner Richards asked that everyone decide if they are on the side of safety or lighting. Chairman Gunn noted this was all a balancing act. Commissioner Richards agreed and stressed the need for staff to work together and compromise.

Commissioner Richards said they should address the specific concerns they have related to the property as it pertains to light and dust. Chairman Gunn said the reality is they all pay for this upkeep.

Commissioner Ostergaard said there were products out there which can control dust. Chairman Gunn said many do not realize this is an issue until they live around it. Commissioner Ostergaard added that horses would not be on every square foot of the spot. Commissioner Ostergaard said this would be an event space first and foremost and did not need to be entirely dirt.

Mr. Bonner said the grounds currently have gravel and a road base where the campsites are. Mr. Bonner said they plan on mitigating dust and will not rely on grass. Commissioner Ostergaard asked if they had planned on planting more trees. Mr. Bonner promised they would landscape on the South side of the fence and guaranteed they would plant trees. Mr. Bonner said every single facility in Wasatch county made since 1998 has been paid for through impact fees and other indirect means. Mr. Bonner said they have not raised taxes in ages and stressed that property tax money would not be used to upkeep this facility. Mr. Bonner added that they would install more trails.

Chairman Gunn emphasized the importance of tourism dollars in keeping Heber intact.

Mr. Bonner reiterated the need to put down a chemical to mitigate dust and said they are especially committed now that the project is almost done. Mr. Bonner asked residents to call him to air their concerns. Mr. Bonner said the sidewalk would be installed by the last weekend in May.

Commissioner Jordan asked how he felt about the county's ability to manage event traffic. Mr. Bonner said they mitigate the traffic by limiting the window in which outside competitors can come into Heber. Mr. Bonner also asked them to build a bypass.

Commissioner Ostergaard said they need to build facilities which benefit everyone and suggested building an 8 foot fence. Chairman Gunn said they could ask the neighbors if they prefer an 8 or 6 foot fence.

Marcy Johnson came forward and commented. Ms. Johnson said trees are wonderful for the individuals camping on the sight. Ms. Johnson asked if people would be open to a xeriscape to offset the water being used for the trees and beautify the area.

Mr. Bonner said they would install more water and power outlets and clean up the area as they move through the construction process.

Commissioner Jordan asked about the terms of the MDA and how they work with the county. Commissioner Jordan asked for some rephrasing - particularly reconsidering the use of the word waive. Chairman Gunn asked for more asphalt to help mitigate dust. Commissioner Knight pushed for more trees being planted and added that trees mute sound. Commissioner Knight said you can never go wrong with planting trees and said they could discuss the fence height and landscaping further. Commissioner Knight said he has seen lots of change during his time in Heber and stressed that Heber is no longer a straight forward farming community. Commissioner Knight said he felt this beautification could aid in tourism efforts.

Commissioner Jordan added that Utah has some of the widest streets in the country and this has presented a series of safety issues. Commissioner Jordan said they need to consider this as they move forward. Mr. Bonner said there was a wide area across from the adjacent neighborhood, which could be great for parking. Chairman Gunn said they clearly need to sit down with staff and work on parking further.

III. Public Hearing to consider proposed amendments to the Downtown C-3 Commercial Zone altering permitted uses, historic design standards and reducing parking requirements and General Plan Update to include the Central Heber Vision

Planning Director Kohler led this portion of the meeting. Planning Director Kohler said this combines a General Plan update along with an update of the C3 zone (permitted uses, historic design standards, parking). Planning Director Kohler said Heber City has a contract with People and Place who drafted the General Plan amendments and zoning updates. Planning Director Kohler turned the time over to Jake Young and John Janson from People and Place.

Mr. Young brought up the Central Heber Vision document and noted this is part of the General Plan and includes the main ideas of downtown beautification. Mr. Young pulled up a map of downtown and walked the Council through it. Mr. Young noted Main Street was meant to be historic in nature and the land use and architecture requirements changed outside of that area. Mr. Janson said their primary concern was consistency in their changes and presented a list of updates. Mr. Janson said they updated the introductory letters, the future land use map, district names and boundaries, quality neighborhoods definitions, tourist recreation area, and General Plan priorities. Mr. Janson said this was the broad summary of changes.

Mr. Janson then discussed C3 changes. Mr. Janson said they wanted to focus on C3 before C4. Mr. Janson said the changes included more retail/restaurant philosophies, no drive-ins, hotels as conditional use, commercial parking restrictions, hospital reform, residential use off of Main Street, flexible permittance of chain stores downtown, corner

plaza installations, setback changes to encourage outdoor dining, historic design features, more brick and stone use in design, open space requirements in residential use, height adjustments, and no parking requirement for commercial uses. Mr. Janson said he would be happy to elaborate on some of the red lined items.

Planning Director Kohler said Council would make the final decision on this adoption, but the purpose of this meeting was a simple recommendation. Planning Director Kohler said there was no requirement for an additional meeting.

Chairman Gunn opened the Public Hearing.

Michael Burgen came forward and asked for the timeline on this project. Mr. Burgen asked if he and his family would be evicted as they live right where many of the changes are occurring. Chairman Gunn said they could address this after the Public Hearing.

Chairman Gunn closed the Public Hearing and reiterated that no one would have to move.

Planning Director Kohler rehashed some of the details of the plan. Planning Director Kohler noted Mr. Burgen's property was located in the C3 zone, but the heart of the residential areas would be intact. Planning Director Kohler said Mr. Burgen would be grandfathered into the plan. Planning Director Kohler said the bulk of the changes were parking and design criteria and reassured Mr. Burgen that these changes would not impact him unless he completely tore down his house and re-did it. Planning Director Kohler said the Council has no plan to use eminent domain. Planning Director Kohler said the plan had ambitious changes proposed largely for downtown. Planning Director Kohler added that they would be utilizing the private sector for many of the changes. Mr. Burgen commented from the audience, though the audio was unintelligible [02:46:00].

Chairman Gunn said Mr. Burgen could work with neighboring property owners. Chairman Gunn said growth was inevitable, and this plan served as a management tool. Chairman Gunn turned the time over to the Planning Commission.

Commissioner Ostergaard asked to discuss parking. Chairman Gunn clarified they were looking to do away with parking restrictions on Main Street. Planning Director Kohler said they had several different options from reducing to increasing regulations. Planning Director Kohler said the main goal was utilizing all the buildings downtown.

Commissioner Ostergaard asked for the Council's perspective. Commissioner Ostergaard noted there were several off-premise parking spots in different towns. Chairman Gunn said they needed some amount of parking to entice visitors.

Clayton Vance came forward and commented. Mr. Vance said he liked the idea of leaving it all up to the market. Mr. Vance said he had seen midblock parking structures

work in other downtowns similar to theirs. Commissioner Ostergaard asked if the developer or City would pay for this. Planning Director Kohler said the funding would come from a combination of places. Chairman Gunn said they needed to remember that these changes would not take place overnight and the goal was for things to look radically different by 2050.

Commissioner Jordan asked Mr. Janson about street improvement standards. Mr. Janson said they did not need to go about regular street improvements when they approached parking. Mr. Janson wanted to stress that these are separate issues. Mr. Janson said he also received a list of finance options, but again stressed that this is a separate issue. Mr. Janson said these opportunities come from income. Commissioner Jordan asked what part of the street would be expected to improve. Mr. Janson said there was a minimum of one off-street parking per unit currently. Mr. Janson said they would drop commercial parking and look into different options for residential. Mr. Janson said they are looking for options which are of minimal cost to the City. Commissioner Jordan asked if they are obliging the developer to improve city streets. Mr. Janson said yes. Commissioner Jordan said he was unclear what developers would have to do. Mr. Janson said they would ask developers to calculate necessary parking and then ask they move this to the street. Mr. Janson noted he forgot to include more notes on residential use. Commissioner Jordan expressed concerns over competition for parking between residents and those going to businesses. Commissioner Ostergaard said he knew of areas which restricted their commercial parking after certain hours.

Commissioner Richards said they did not need to reinvent the wheel but rather revitalize C3 code. Commissioner Richards asked about the inclusion of chain retail shops downtown. Planning Director Kohler said this stemmed from Roger Brooks' philosophy which had very specific types of use. Planning Director Kohler said they wanted the businesses downtown to cater to this environment. Commissioner Jordan said the goal was to bring mom and pop restaurants downtown. Commissioner Knight said the goal was to create niche markets downtown and create a specific special place.

Commissioner Jordan asked for a review on parking as he worried they would be limiting businesses from coming downtown. Commissioner Jordan felt parking would be the biggest single inhibitor to new businesses. Chairman Gunn said they needed to let business owners do what they think is best for them. Commissioner Jordan said some of the intent is pushing back on car usage.

Commissioner Jordan motioned to recommend approval. Commissioner Knight seconded. Commissioner Richards said he would not vote yay as he needed time to reflect and wanted to discuss the chain-business topic further. Commissioner Richards felt they needed to define their purpose and insisted that businesses will move away from downtown if they leave things as they are. Commissioner Knight asked if the business sector was the biggest holdout. Commissioner Richards said yes. Commissioner Jordan stressed that this was all for the community. Commissioner Richards pushed back. Commissioner Jordan asked how they could move forward.

Chairman Gunn reminded the Council that they can continue the discussion at a later date.

Motion: Planning Commission Vice-Chair Richards moved to **continue** the discussion for the Public Hearing to consider proposed amendments to the Downtown C-3 Commercial Zone, altering permitted uses, historic design standards and reducing parking requirements and General Plan Update to include the Central Heber Vision, with a specific continued conversation on Architectural features Identification and Chain store definition Commissioner Jordan made the second. Planning Director Kohler said the next meeting would be in 3 weeks. Commissioner Jordan asked if they could move this to the November 14th meeting. Chairman Gunn asked that everyone do their homework. Commissioner Jordan echoed this sentiment.

Discussion: N/A

Voting Yes: Chairman Dennis Gunn, Asst. Chair Dave Richards, Joshua Knight, Phil Jordan, Sid Ostergaard, Robert Wilson **Voting No:** None. The Motion Passed 6-0

IV. Public Hearing to consider a General Plan and Zoning Map Amendment with a Master Development Agreement located at 22 South 100 West (Planner Roberts).

Planner Jacob Roberts led this portion of the meeting. Planner Roberts noted this was a zone change request from R3 to C3. Planner Roberts said it would have the Master Development Agreement attached to it. Planner Roberts said staff's recommendation was approval.

Clayton Vance came forward as the applicant. Mr. Vance said they needed to add a provision to double frame their windows for aesthetics. Mr. Vance then added that chains have the money to make these beautification efforts and noted he would struggle with these changes given his status as a small business owner. Mr. Vance walked through some images of the area and mentioned some aesthetic changes he was advocating for. Mr. Vance said this area was an island of residential architecture totally surrounded by commercial use buildings. Mr. Vance said he wanted to add his office in this area and showed some more concept images. Commissioner Jordan said they have allowed changes like this before.

Chairman Gunn opened the floor for the public hearing.

Planner Roberts read an email supporting the rezoning. The email said these changes would keep Heber City up to date and aid in evolution.

Chairman Gunn closed the public hearing.

Commissioner Ostergaard and Commissioner Richards voiced support of the change. Commissioner Richards said these C3 changes would make positive direct impacts.

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

Discussion: N/A

Voting Yes: Chairman Dennis Gunn, Asst. Chair Dave Richards, Joshua Knight, Phil Jordan, Sid Ostergaard, Robert Wilson **Voting No:** None. The Motion Passed 6-0.

4. Work Meeting: N/A

5. Administrative Items:

I. City Council Communication Item (Jamie Baron)

Senior Planner Jamie Baron said there would be some discussion on park standards including not requiring bathrooms at all parks and looking at more parks with fewer amenities. Senior Planner Baron said they would discuss this more at a later date. Senior Planner Baron said they swore in the new Police Chief. Senior Planner Baron noted the Mayor nominated a new slate of members for the Arts Advisory Council. Senior Planner Baron noted there was a presentation by Big Brothers and Big Sisters. Senior Planner Baron said there was an update on the Center Heber Project. Senior Planner Baron said there the sawmill NDA was discussed and removed from the code. Senior Planner Baron said they Heber Phase 3 code updates which included discussion on the definition of family and ensuing provisions. Senior Planner Baron said this would be discussed more at a later meeting.

6. Adjournment:

Commissioner Jordan motioned for adjournment. Commissioner Knight seconded. The meeting was adjourned.

Meshelle Kijanen, Administrative Assistant