

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

6:00 p.m. – Regular Meeting

1. Regular Meeting:

I. Call to Order

Chairman Gunn called the Planning Commission Meeting to order at 6:11 p.m. and welcomed everyone present.

II. Roll Call

Planning Commission Present:

Chairman Dennis Gunn
Vice-Chairman Dave Richards
Commissioner Phil Jordan
Commissioner Josh Knight
Commissioner Sid Ostergaard
Commissioner Darek Slagowski
Commissioner Robert Wilson

Planning Commission Absent:

Commissioner Oscar Covarrbias

Staff Present:

Planning Manager Jamie Baron
Planner Jacob Roberts
Planning Office Admin Meshelle Kijanen
Consultant Landmark Design Inc.
Consultant GCGarcia

Also Present:

Paul Barg and Cal Johnson

Staff Participating Remotely:

Consultant Landmark Design Inc. (Aubrey Larsen)
Consultant GCGarcia (Denna Woodbury)

Also Attending Remotely:

Planning Commissioner Darek Slawgowski

III. Pledge of Allegiance: By Invitation

Planning Commissioner Phil Jordan led the recitation of the Pledge of Allegiance.

IV. Recuse for Conflict of Interest N/A

2. Consent Agenda:

I. 10.24.2023 Minutes for Approval

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

Discussion: N/A

Voting Yes: Chairman Gunn, Vice-Chair Richards, Commissioner Slagowski, Commissioner Knight, Commissioner Jordan, Commissioner Ostergaard, Commissioner Wilson. **Voting No:** None. The Motion Passed 7-0.

3. Action Items:

I. Request for a Site Plan and CUP approval for American Eagle Ready Mix Concrete Batch Plant #3 (Planner Larsen/Engineer Miner)

Planner Aubrey Larsen from Landmark Design LLC presented the item. Planner Larson reported the site plan was located at 2211 South Airport Road and was a concrete batch plant for the American Eagle Ready Mix Company. She indicated the site was one unit and 5.01 acres, and that the current use was industrial. She further reported the adjacent uses, which were agricultural and industrial. She shared images of the airport overlay zone, and noted the site was within the airport overlay zone as well as the I-2 industrial zone.

Planner Larson gave some history on the item, and noted the applicant had applied for a conditional use permit since the proposed building height exceeded the requirements for the I-2 zone. She reported the site had been found to overall meet requirements, and she said the Staff requirements and comments which had been made at the time of DRM had since been met by the applicant. Planner Larson said that corrections required by the Engineering Department had also been met.

Planner Larson expressed that the building height did meet requirements for the airport overlay zone, and as such a “determination to no hazard to air travel” letter had been issued by the FAA. Due to this, she said lighting and marking were not required, but could be requested by Staff. Planner Larson summarized that the plan met the Municipal Zoning Code as well as the General Code requirements, and was subject to the conditions set forth by Staff, Engineering, and the Planning Commission. Planner Larson then shared images of the site plan and landscaping plan.

Chairman Gunn asked the applicant, Mr. Berg stepped forward and asked the Planning Commission if they had questions for him. Commissioner Ostergaard noted that the letter from the FAA had expired and asked what the process was to have that renewed. Planner Jamie Baron replied that this was not an impediment to the construction process, since it was usually a fast process from the FAA to get a renewal letter. Mr. Berg echoed these comments and noted that he had already reapplied and was now waiting on the letter.

Motion: Vice Chairman Richards moved to approve the items on the Consent Agenda.

Commissioner Slagowski made the second.

Discussion: N/A

Voting Yes: Commissioners Gunn, Richards, Covarrubias, Jordan, Knight, Ostergaard, Slagowski, Wilson Voting No: none. The Motion Passed 7-0.

II. Request for a Site Plan approval for Karl Malone Honda Site Plan Amendment located at 315 North Main Street. (Planner Woodbury/Engineer Miner)

Planner Denna Woodbury explained the Agenda Item. She said Karl Malone had received final approval for their building and site in February of 2021, which included the entire site except for the corner location where the original building had been situated. She explained there had been an agreement made at the time which stated once the original building was demolished that Karl Malone could come back to the Planning Commission to have the corner parcel included in their site. Planner Woodbury expressed the building had been demolished and so this was the site amendment to have the corner parcel added. Planner Woodbury explained Karl Malone would add more parking stalls in the area where the building had stood, as well as landscaping and a monument sign. She clarified the monument sign would go through a separate approval process. She reported that Staff had reviewed this plan and recommended approval.

Commissioner Ostergaard pointed out that the proposed plans had already been constructed. Planner Baron clarified that the dealership had already done some of the paving for the parking lot in attempts to get ahead of the snow and mud, with plans to complete the project in the spring once they had final approvals. Planner Baron said that Karl Malone had been aware that they did not have approval at the time they had begun landscaping, and had done so in attempts to avoid having to plow mud once the snow melted in the spring. Commissioner Ostergaard commented this might set a precedent of having construction projects be completed before receiving proper approval, and Planner Baron noted that Karl Malone was aware they would have to make changes if their plans were not approved. Planner Baron also clarified they had not done any public improvements, and said they did not have any plans to fix the curb, sidewalks, and gutters until the spring.

Cal Johnson of Legend Engineering introduced himself as speaking on behalf of the applicant and asked if there were any questions for him. Commissioner Richards clarified that everything met the Code, and expressed he did not have an issue with Karl Malone attempting to mitigate effects from winter weather. Commissioner Richards thought they could move forward, since the changes that Karl Malone had made were in compliance with the plan as well as the City Code. Planner Baron noted there was also a difference between making changes to the private curb and touching public utility connections, and clarified Karl Malone would not make changes to the public side of the property until they had approval.

Motion: Commissioner Jordan moved to Request for Site Plan approval for Karl

Malone Honda Site Plan Amendment located at 315 North Main Street. Commissioner Knight made the second.

Discussion: N/A

Voting Yes: Commissioner Gunn, Planning Commission Vice-Chair Richards, Commissioner Slagowski, Commissioner Knight, Commissioner Jordan, Commissioner Ostergaard, and Commissioner Wilson.

4. Work Meeting: N/A

5. Administrative Items:

I. New Planning Commissioners and Alternates process

Planner Baron stated that at the end of the year two commissioners would be leaving; Commissioner Ostergaard would be leaving since he had won a City Council seat and Commissioner Covarrubias would be leaving since he was moving out of City boundaries. As well, Commissioner Wilson's position as an alternate was up, although he could choose to continue if he wished to. With that, Planner Baron read the requirements for Commissioner Wilson to get approval to serve as a Commissioner. Commissioner Ostergaard expressed his gratitude to his fellow Commissioners and commented how much he enjoyed his time on the Commission. He said moving forward, he wanted to get the Planning Commission involved in the City Council more and emphasized the need for collaboration. Chairman Gunn commended Commissioner Ostergaard for his work on the Planning Commission and thanked him for his work.

Commissioner Ostergaard commented he thought a Planning Commissioner should serve for at least four to six years in order to really get to know the City's needs, although he also noted it was good to get new people and new perspectives involved as well.

Commissioner Jordan also thanked Commissioner Ostergaard for his dedication and work on the Commission, and said he had given him a more thorough understanding of how construction and development worked and impacted the City. He expressed while he would miss him on the Commission, he looked forward to seeing his impact on the City Council. Commissioner Jordan also expressed appreciation for Commissioner Covarrubias for his perspective and commitment to the Planning Commission. Chairman Gunn also thanked Commissioner Wilson for his service and hoped that he would choose to continue to serve on the Commission.

II. Discuss Planning Commissioners attendance to the January 2, 2024 City Council Meeting

Planner Baron announced that the City Council wanted to hear the plans, goals, and wishes for the new year at the January second City Council work meeting, and invited all the Commissioners to attend the session. Planner Baron added he was unsure if the Planning Commission was invited to the budget meeting as well, and said he would email the Commission accordingly once he found out. He noted it was a public meeting so the Commissioners could at least attend as citizens, if not as Commissioners. The Commissioners thought it would be better if they could speak at the budget

meeting rather than on the second, as it would give them more time to discuss their goals and also since by the budget meeting they would have their new Commissioners in place. It was discussed that the first Planning Commission meeting of the year would be on the ninth of January, so it would be nice for them to discuss first and then meet with the City Council at the budget meeting on the 18th of January.

6. Adjournment:

Motion: Commissioner Jordan moved to Adjournment. Commissioner Knight made the second.

Discussion: N/A

Voting Yes: Chairman Gunn, Vice-Chair Richards, Commissioner Slagowski, Commissioner Knight, Commissioner Jordan, Commissioner Ostergaard, Commissioner Wilson. **Voting No:** None. The Motion Passed 7-0.

Meshelle Kijanen
Meshelle Kijanen, Administrative Assistant