

**HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
October 22, 2024**

Minuted Approved 12.10.2024

6:00 p.m. – Regular Meeting

1. Regular Meeting:

I. Call to Order

Chairman Dennis 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
Commissioner Josh Knight
Commissioner Darek Slagowski
Commissioner Robert Wilson
Commissioner Greg Royall

Planning Commission Absent:

Commissioner Tori Broughton

Staff Present:

Member of City Council Mike Johnston
Member of City Council Yvonne Barney
City Manager Matt Brower
Member of Planning Commission Tori Broughton (non-voting as there were seven PC members on the Dias)
Community Development Director Tony Kohler
Planning Manager Jamie Baron
Planner Jacob Roberts
Planning Office Admin Meshelle Kijanen
Senior City Engineer Russ Funk
City Engineer Ross Hansen
City Consultant John Janson
City Consultant Roger Brooks
City Consultant Kerri Smith

Staff Participating Remotely:

Mayor Heidi Franco, Member of City Council Aaron Cheatwood, Member of City Council Scott Phillips, Alt Member of Planning Commission Jami Hewlett (non-voting as there were seven PC members on the Dias), IT Specialist Anthon Beales, Representative from Jordanelle Ridge Special Services District Max Covey

Also Present:

County Manager Dustin Grabau, Member of County Council Kendall Crittenden, Member of County Council Erik Rowland, Kent Shelton, Greg Whithead, Tracy Stratton, Greg Poirier, Pat Kohler, Rudi Kohler, Bob Brandt, LuAnn Brandt, Rachel Kahler, Todd Anderson, Erk Rowland, Grace Doerfler, George Bennett, Launa Nielson, Craig Cosby, Joe Kim, Jessica Broadhead, Oscar Covarrubias, Brenda Wilby

Also Attending Remotely:

Joseph Kim, (Individuals with last name not listed) Doug, Joanne, Joseph, Richard, Scott, Sunny

III. Pledge of Allegiance: By Invitation

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

IV. Prayer/Thought: By Invitation ()

Thought presented by Chairman Gunn

V. Recuse for Conflict of Interest: N/A

2. Consent Agenda:

I. 09.24.2024 & 10.08.2024 PC 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: Commissioner Gunn, Planning Commission Vice-Chair Richards, Commissioner Slagowski, Commissioner Knight, Commissioner Jordan, Commissioner Wilson, Commissioner Royall. **Voting No:** None. The Motion Passed 7-0.

3. Action Items:

- I. The City Council will be in attendance for a presentation regarding, "The Future of City Square (Main City Park), Heber City's Central Downtown Gathering Place". (Presented by Roger Brooks and Kerri Smith)

City Consultant Roger Brooks presented this agenda item. City Consultant Brooks reported they had been working with the Chamber of Commerce and the City to create a plaza area called City Square. City Consultant Brooks spoke on the importance of business as it pertains to community development. City Consultant Brooks said community development was leading economic development, and stressed the need to improve quality of life in Heber. City Consultant Brooks cited several research organizations who surveyed millennials on their priorities. City Consultant Brooks reported that millennials were largely looking for safety, security, and culture over affordability. City Consultant Brooks segued into the Envision Central Heber 2050 plan which he noted had been broken into seven phases: 1. The Main Stage, 2. City Square (or Plaza) 3. Parking deck with ground level retail, 4. C Street Trail (pedestrian festival street), 5. Second parking deck, 6. Traffic calming (highway 40), and 7. Third parking deck.

City Consultant Brooks then referred to a photo which had “freaked out” individuals during Chamber meetings, and said there were misconceptions about the scale and cost of the project. City Consultant Brooks said they wanted the area to be pedestrian friendly and also have plenty of parking, but noted that downtown areas needed to be about people and not cars. City Consultant Brooks said they started this process about five or six months ago and had put together a destination team to help make this area an ideal gathering place. City Consultant Brooks referred to some original concept designs and then showed the post-feedback final design.

City Consultant Brooks said they did a lot of research on the park itself to determine how many people were coming to the park as well as their average incomes, travel time to the park, and the frequency and duration of their visits. City Consultant Brooks said they cross-referenced this research with other similar parks in Utah and had asked other management groups how they went through their planning process. He shared that the biggest takeaway was learning that these areas all have 250 days of activity a year. City Consultant Brooks stressed the need for activities over events.

City Consultant Brooks then gave a virtual tour of the City Square plan. He highlighted that trails will be scattered throughout the City Square and noted how those trails will connect through the rest of Heber City. City Consultant Brooks also presented some concept art for art and practical structures along the trail. City Consultant Brooks then noted there will be 120 trees planted on the trail along the City Square. He said they would also build a trailhead center across the main stage that would be 4500 square feet and include public restrooms, family changing rooms, and a visitor center. City Consultant Brooks said there would also be historical displays, a gift shop, equipment rentals, and a large basement to manage the water, lighting, and electrical lines for the entire square.

City Consultant Brooks relayed the types of materials they hoped to use in construction and stated that they had already contacted UDOT on how to make these changes correctly. City Consultant Brooks said they could also have shows around the square with no noise interference or strain on the utilities. City Consultant Brooks presented different visual plans for these stages.

City Consultant Brooks said they would have a splash pad along the trail appropriately dubbed the 'splash pad trail.' City Consultant Brooks said kids will be able to walk through the splash pad along the trail safely. City Consultant Brooks then pointed out the "jewel boxes;" booths with heaters and lights of varying sizes, as well as the benches, picnic tables, and chairs spread throughout the square. City Consultant Brooks added they had also planned for 1600 square foot buildings reserved for non-chain businesses.

City Consultant Brooks presented a list of potential businesses to fill that space which included ice cream or frozen yogurt shops. He commented they planned for sidewalks throughout the square to be 4 feet to 12 feet wide, and stated that they wanted to make the sidewalks dog friendly but keep dogs off the square itself.

City Consultant Brooks said "etsy style shops" were coming back into fashion and presented some examples they hoped to include on the trail. City Consultant Brooks said they hoped to install a "market" section of the trail reserved for booths and farmers' markets. City Consultant Brooks said their whole goal was to create a vibrant walkable downtown plaza.

City Consultant Brooks presented the lighting blueprints for the square, which would be predominantly down lighting. He added that they also wanted to include a skate trail for kids on roller skates and bikes, and said this skate trail would also include "islands" throughout the trails with benches for breaks.

City Consultant Brooks shared some potential names for the pedestrian trail as follows: K Street Trail, C Street Trail, Festival Street, Kimball Avenue, The Boardwalk, The Alley. City Consultant Brooks presented the potential names for the plaza as follows: C Street Plaza and C Street Square. City Consultant Brooks said they were looking into purchasing the following naming rights: Main Stage, Skate Trail, Trailhead Center, Splash Pad, Playground, Bandshell, and Vendor Row. City Consultant Brooks said they did not want to name the actual plaza to maintain its place in Heber.

City Consultant Brooks then moved on to programming and said they hope to host 30 events annually. City Consultant Brooks said these events could include chili cookoffs, art shows, car shows, and concerts. City Consultant Brooks differentiated between events and activities. City Consultant Brooks said they would have more activities which would be versatile in nature and include things like yoga classes, lawn games, and games like foosball. City Consultant Brooks presented some concept photos of these events and activities. He reported they had already worked on winterization plans and were trying to convert parts of the trail into fire pits.

City Consultant Brooks then presented a plan for a four level garage with 490 parking spaces by the fire station. City Consultant Brooks said these garages would not look like garages, and would include spaces for offices and retail. He stated they were also planning on parking outside of the square and have shuttles come to those spaces every 20 minutes.

City Consultant Brooks said fellow consultant Kerri Smith was responsible for much of this plan and took a moment to thank her for all her work. He summarized that their whole goal was to create a "sense of place" in Heber City. City Consultant Brooks said they were hoping to have the plan fully developed by spring and then build, plan, and fund at the same time, with construction ideally beginning in in 2027. City Consultant Brooks emphasized this plan presented art, culture, and experiences like no other, and

opened the floor for questions.

A member of the audience [00:54:45] asked about how this construction would impact existing local businesses and if it would necessitate a zone change, given the added resource constraints. They opined this would be unfair towards current business owners because of the competition and increased fees. City Consultant Kerri Smith asked the community not to make any assumptions, and she explained the City was working hard on a zoning overlay district to help ease the burden on existing businesses. City Consultant Smith said they were trying to create opportunities for new business owners and keep things fair and equal. She acknowledged that she had heard these concerns before and stressed that the City was working hard.

City Consultant Brooks said they were also considering the types of businesses they bring in and how they may compete with existing businesses. The member of the public expressed frustration over the increase in fees. City Consultant Brooks reiterated that there would not be increased fees and said the permit process would work the same for everyone.

Jessica Broadhead then asked how this would impact current property values. City Consultant Smith said they anticipated an increase in property values. City Consultant Smith said they saw \$6 or \$7 lease rates jump to \$20 to \$24. City Consultant Brooks affirmed this and added that businesses were doing 10 times the volume. City Consultant Smith said that competition was a good thing for consumers, and promised that this would be a good thing. City Consultant Brooks reiterated this point and said most plazas in other cities were like the one they had planned in Heber.

Chairman Gunn said these decisions have a large impact on everyone. Chairman Gunn said they want downtown to be a viable space and stressed that change was inevitable, and will happen somewhere if it did not happen in Heber. City Consultant Brooks added that Heber City had lots of “leakage” in that money made in Heber was often spent elsewhere, and this plan would fix that issue.

City Manager Matt Brower stressed that this plaza would massively help the people in the City. City Consultant Smith said each property owner and tenant needed to actively recruit people into their store.

Bob Grant then asked about how they planned on managing foot traffic from the parking garages. City Consultant Brooks said they were working on this issue and were hoping people will take the shuttle. Mr. Grant observed that even if one could build the most beautiful living room, it would not matter if it was not accessible.

City Manager Brower asked about pedestrian overpasses. City Consultant Brooks said they had also looked at constructing these, and said they need to consider this along with other parking structures.

Dallan [01:15:15] told a story which was largely unintelligible. Ms. Broadhead said she had been seeing farmers market booths pop up at Walmart and noted she was excited to see the construction of a place for this.

II. The City Council will be in attendance for a presentation regarding a discussion of the recent Salt Lake City/Heber City Tour and provide feedback on Envision Central Heber Implementation. (John Janson)

Community Development Director Tony Kohler presented the item agenda and City Consultant John Janson led this portion of the meeting. Community Development Director Kohler said this was a follow up to a tour a few weeks ago in which the City looked around C Street, some historic buildings, Salt Lake Valley, Mill Creek, along with various development types. Community Development Director Kohler said they would recap their findings through an interactive presentation and get some ideas on Envision Central Heber and the zoning for the area.

City Consultant Janson reiterated the places they toured and presented suggestions for Central Heber Vision as follows: more flexibility for the residential neighborhoods to allow for some infill options, more flexibility for the connecting corridor from the West Gateway along Midway Lane to Downtown, and a transition area from the downtown to the central neighborhoods with more flexibility. City Consultant Janson presented a visual of the C street area and then went through photos they took from the tour.

Commissioner Sid Ostergaard mentioned how the density around the last stop was interesting. Rachel Kahler had an unintelligible comment [01:28:15] and asked to look at more than just density. City Consultant Janson said the neighborhood had been crime ridden in years prior but has changed because of new housing.

Ms. Kahler said right-of-ways were difficult housing units to implement because of their tight construction. Ms. Kahler said she wanted to be sure they implement things which match with the character of their community. City Consultant Janson said this point was the purpose of this meeting.

City Manager Brower said he noticed the nicer homes pictured in the presentation had special historical preservation requests by the previous owners. City Manager Brower stressed that the residents themselves requested this and many of these homes are not maintained without that push. City Consultant Janson added that big trees also made these areas look nicer.

Chairman Gunn said that people were not comfortable driving quickly through these areas because of the layout and aesthetics. Chairman Gunn said the plaza photos were quite vibrant and stuck out to him.

City Consultant Janson said he wished he would have asked Nick what had previously been in these spaces before they were renovated. City Councilmember Yvonne Barney said she was impressed with the community in the Mill Creek area. City Councilmember Barney said having pride in one's community helps with issues like aesthetics and cleanliness, and opined that they needed to consider how to encourage this kind of pride. She added that more vegetation and trees helped with the look of these communities. She voiced a concern with the narrowness of roads and said they need to discuss infill as it pertained to the narrowness of these roads.

City Councilmember Barney said she loved the pockets of courtyards scattered throughout these developments and felt these could help beautify more affordable apartment complexes. Commissioner Ostergaard said community members love living in their neighborhoods because of their neighbors. Commissioner Ostergaard said moms can feel comfortable sitting outside and watching their kids play in the yard. City Consultant Janson said they should consider building more porches for this reason.

Community Development Director Kohler said he needed more feedback. City Councilmember Mike Johnston said architecture was all across the board and that they did not need to be strictly regulating it. City Councilmember Johnson said the biggest difference was whether or not someone rented or owned their home. He expressed people have to want to change their community and flexible ordinances will help encourage this. He also thought more walking and fewer cars was something they should encourage. He expressed that they needed to get buy-in with people, and said the City needed to look to the future and not just cater to the people who were in their 70s and 80s, but their children and grandchildren.

Chairman Gunn said Central Park in New York City was initially carved out of nothing. Chairman Gunn said they need to make a plan now to lay out the groundwork for the future.

Ms. Kahler said she has fought to preserve homes and stated they had 360 homes which qualify for historical preservation. Ms. Kahler asked the Commission to recognize that increasing density was changing how people do things and urged them not to make any irreversible decisions about historic housing. Ms. Kahler advocated for historic districts.

City Consultant Janson went through an overlay with three sub-districts, highlighting the new and revised land use concepts along with some architectural standards. City Consultant Janson said they needed to have flag lots and allow detached ADUs on a separate lot accessed by a permanent easement. City Consultant Janson presented some housing options as follows: lots on a private row, duplex and twin homes, mansion homes, townhouses, multi-family courtyard-oriented development, mixed-use buildings, and commercial buildings. HE showed visual examples of all these architectural types.

City Consultant Janson presented infill options for Midway Lane and noted which would be conditional. He said the Transitional Overlay would have permitted infill options.

City Consultant Janson then presented ideas for historic building preservation. He said they need to create incentives for not knocking down buildings. City Consultant Janson said they would require people to keep the front of buildings and consider a transfer of development rights incentive. He added they would also need something to financially help these homeowners with upkeep.

City Consultant Janson explained more about transfer of development rights and said they would try to institute this process for historical home preservation. City Consultant Janson said historic homes received credits which helped account for density, and noted these transactions are also all private. City Councilmember Barney worried this would usher in a “gimme” of credits. City Consultant Janson responded and said this was not a gimme but rather a buy-in of credits. Member of City Council Barney expressed concern over tensions with developers.

The audio cut out or was unintelligible from [02:09:19 - 2:25:24]. There was a technical difficulty which was discussed. The audio resumed at [2:25:24].

III. The City Council may be in attendance for a Public Meeting with Affected Entities regarding proposed amendment to the City's Annexation Policy Plan (Tony Kohler)

Community Development Director Kohler led this portion of the meeting and explained

the discussion that night was the first discussion in a three step process that would be ultimately decided by the City Council. Community Development Director Kohler said the City cannot solicit annexations and this meeting would have Heber City and Wasatch County assess what could be on the properties in question. He announced they had representation from the developers present, and gave them the floor. Greg Whitehead from Filo Development came forward and presented a map of Wasatch County and pointed out all the federal and protected land. Mr. Whitehead noted there was not much left of the County eligible for development. Mr. Whitehead introduced Tracy Stratton who spoke more on the current landowners, predominantly the Christianson family. Mr. Stratton noted Sitla was the property manager and said the family wants to be part of the development process. Mr. Whitehead said the area up for development is deceptively large and will require meticulous planning. Mr. Stratton said the preliminary plan required understanding of all the slopes of the property and showed the Council a map of slopes greater than 30 degrees. Mr. Whitehead said much of the property would be kept as natural as possible and include mostly trails. Mr. Whitehead pointed out private open space on a map. Mr. Whitehead said these areas were one acre or larger and would be viewable to anyone because of all the surrounding open space. Mr. Stratton said they estimated the vast majority of the space will be open to the community and said the trail system proposed would be highly accessible. Mr. Whitehead then went through the list of possible amenities. Mr. Whitehead said they were hoping to have nature trails through protected woods and planned on working with state organizations to keep everything sustainable. Mr. Stratton said they were hoping to get density reports as they created the site plan. Mr. Whitehead hoped this area could be an affordable space with a nice range in pricing. Mr. Whitehead said the initial Utah State land had proven tricky for density, and expressed that he wanted the area to have several amenities while keeping the owners and the state happy. Mr. Stratton said they had already reached out to neighbors who would be potentially affected. Mr. Stratton introduced some of these individuals including Deborah West, Jo Kim, and Keith Jacobson, all of whom wanted to be considered as part of the annexation. Ms. West said they currently operated a horse rescue nonprofit on this land. Ms. West said she had faith in Filo and their commitment to taking care of the land. Mr. Jacobson said he has watched the land change since he was a kid. Mr. Jacobson said his goal was to create a legacy. Mr. Kim said he was not initially for this annexation but his mind changed when he saw Mr. Whitehead's commitment to conservation. Chairman Gunn opened up the floor for questions. Commissioner Phil Jordan asked if they had any plans for affordable housing and how the annexation would impact city services. Mr. Whitehead said affordable housing was fully subsidized by federal voucher systems. Mr. Whitehead said he was careful with words because of this definition. Mr. Whitehead said these homes will be varied in cost and size and expressed that they ultimately wanted to keep people in the area. Commissioner Greg Royall asked how far down the line Phase 10 was, which pertained to affordable housing. Mr. Whitehead said phasing was just an identifier and could change easily.

Commissioner Jordan asked about water. Mr. Whitehead said they were working with a large private water owner who was helping them ensure things go smoothly.

Commissioner Gunn asked County Planner Doug Smith to make a comment. County Planner Smith said the Council had not been overly willing to rezone properties although they have had some discussions about this with City Staff. County Planner Smith said there was currently no plan to deliver water to certain areas or build sewer lines, and said the County was worried about the quality of life for individuals in the area.

Chairman Gunn said a development of this size required them to get the most information possible, and noted this could be drawn out for some time to ensure they learn as much as possible. Chairman Gunn said the petitioner could approach the City Council after they have gone through a public hearing.

Commissioner Royall asked Mr. Whitehead if there were any other options if this annexation did not go through. Mr. Whitehead said there were other options but they were not pursuing those.

Commissioner Dave Richards said traffic was the biggest issue they needed to address. Commissioner Richards recognized how much they needed to figure out. Commissioner Richards said affordability is one of the main things they frequently discuss and noted its importance, and he asked that they just focus on the map for tonight's meeting.

Commissioner Darek Slagowski asked about the density of the area. County Planner Smith said it would be the same. Mr. Whitehead said Sitla would abide by the zoning of the county and acknowledged its a nuanced issue.

Max Covey from Jordanelle Ridge Special Services said they had met with Filo several times and had not previously included the parcels in their master plan. Mr. Covey said they have discussed bringing in water in different ways. Mr. Covey said they must understand the water rights they had, and reported they were waiting to hear back from the developer on most of these issues.

Jim Goodley from Heber Valley Special Services District (HVSSD) said he had not yet sat down with a developer and could not weigh in just yet. Mr. Goodley said they mostly focused on treatment.

Chairman Gunn said it was important to understand how wide these impacts are, and also stressed that they were just looking at the annexation map today.

County Manager Dustin Grabeau reiterated the premature nature of many of the issues brought up today. County Manager Grabeau said they have a shared interest in issues like affordable housing but can't comment more. Community Development Director Kohler said they need to start having these conversations now. County Planner Smith

said the impact fees will be available to City and could assist with any of these needs moving forward.

Community Development Director Kohler thanked everyone for discussing the item.

4. Work Meeting:

- I. (Item Pushed Due to Time) Review of C-2, C-4 setbacks. (Jamie Baron)

5. Administrative Items:

- I. City Council Communication Item

6. Adjournment:

Meshelle Kijanen
Meshelle Kijanen, Administrative Assistant