

**HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
December 10, 2024**

APPROVED

6:00 p.m. – Regular Meeting

1. Regular Meeting:

I. Call to Order

Chairman Gunn called the Planning Commission Meeting to order at 6:09 p.m. and welcomed everyone present.

II. Roll Call

Planning Commission Present:

Chairman Dennis Gunn
Commissioner Phil Jordan
Commissioner Tori Broughton
Commissioner Darek Slagowski
Commissioner Robert Wilson
Commissioner Greg Royall

Planning Commission Absent:

Vice-Chairman Dave Richards
Commissioner Josh Knight

Staff Present:

Community Development Director Tony Kohler
Planning Manager Jamie Baron
Planner Jacob Roberts
Planning Office Admin Meshelle Kijanen
Engineer Ross Hansen

Staff Participating Remotely:

Anthon Beales

Also Present:

Brian Balls, Bruce Zollinger, Norm Avery, Chuck Zuercher, Doug Murdock, Judy Huhn, John Huhos, Tracy Stratton, Beau Thompson, Oscar Covarubias, Greg Whitehead, (first name unlegible) Miller, Allison Salisbury, Todd (last name unlegible), Kiillion Robinson, Debra West, Scott Horison, Shannen & Greg Poenier, Alex Fisher, Doug Smith, Yvonne Barney,

Del Barney, Max Covey, Grace Doerfler,
Paul Kruger, Luke Searle, Kendall
Crittenden, Nick Provost, Dave Fuller,
Cash Yongreen, Kreele Frenheway,
Matthew Williams

Also Attending Remotely:

Christen Thompson, Jeff Andrews, Lindsay,
,ALK,

Charles Dern, Cherie, Drew Jex, Heb, Jami
Hewlett, Joe

Kamen Goddard, Kenneth Roberts, Thomas
Coleman, TMT

Aaron Cheatwood

III. Pledge of Allegiance: By Invitation

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

IV. Prayer/Thought by Invitation ()

Thought given by Chairman Gunn

V. Recuse for Conflict of Interest N/A

2. Consent Agenda:

I. 10.22.2024 Minutes for Approval

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

Discussion: N/A

Voting Yes: Commissioner Gunn, Commissioner Slagowski, Commissioner Jordan,
Commissioner Wilson, Commissioner Broughton, Commissioner Royall. **Voting No:**
None. The Motion Passed 6-0.

3. Action Items:

I. Consider a Preliminary Subdivision approval for Sawmill Phase 7, located at
1790 S Mill Road. (Jacob Roberts)

This item was discussed first.

Planner Jacob Roberts led this portion of the meeting and consulted Planning Manager
Jamie Baron as needed. Planner Roberts noted this Saw Mill phase 7 subdivision
rested on the East side just North of the Forest Service property with 22 lots for single-
family dwellings under the planned community mixed-used code which is designated
“neighborhoods with open space” as part of the General Plan. Planner Roberts said the
subdivision is expected to be completed in one phase. Planner Roberts said the parcel

has 5.34 acres and is intended to connect with Hidden Creek lane to the East at a later date. Planner Roberts said they wanted to discuss street cross sections as part of the Saw Mill subdivision, though notes the current application abides by the General Plan and will have about 4 units per acre. Planner Roberts noted staff recommends approves

the progression of this subdivision as long as all conditions of the city engineer are met. Someone in the audience made a comment and it was unintelligible [00:07:49].

Planning Manager Baron said 1790 South in the initial Master Plan came out to Mill Road. Planning Manager Baron said there was discussion on whether or not this should meet Hidden Creek Lane as neighbors were concerned with its current location and how traffic would interface with existing driveways and properties. Planning Manager Baron said they felt it would be best to meet Hidden Creek Lane to avoid offsetting any roads, though said this was mostly up to the county. Planning Manager Baron said they still wanted to preserve the ability to line up the area with Hidden Creek Lane so they could keep some East/West connections.

Chairman Gunn introduced the applicant, Brian Balls. Mr. Balls said there are different road cross-sections in the Master Plan. Mr. Balls said

they were worried that the current setup would render several lots smaller. Portions of this part of the meeting had an unintelligible audio beginning at [00:12:25].

Mr. Balls said they hoped to compromise so future roads could line up with existing major roads.

Engineer Ross Hansen asked for a point of clarification though the audio was again unintelligible.

Chairman Gunn turned the time over to the Planning Commission for questions. There were none.

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

Discussion: N/A

Voting Yes: Commissioner Gunn, Commissioner Slagowski, Commissioner Jordan, Commissioner Wilson, Commissioner Broughton, Commissioner Royall.

Voting No: None. The Motion Passed 6-0.

II. Public Hearing for proposed amendment to the Annexation Policy Plan (Tony Kohler)

This item was discussed second.

Community Development Director Tony Kohler led this portion of the meeting. Community Development Director Kohler began by stating the state of Utah's zoning and annexation laws. Community Development Director Kohler said Utah requires cities to have an annexation policy plan which designates which areas they are willing to annex. Community Development Director Kohler said the 4000 acres worth of properties in question are not currently within the city's annexation policy plan which means they need to amend the current plan. Community Development Director Kohler said this is not the same as annexation - this is so the city can consider annexation. Community Development Director Kohler noted this process can take years. Community Development Director Kohler then moved to a visual aid walking through the different properties in question.

Community Development Director Kohler said they are discussing SITLA and Christiansen Lands which were highlighted on the map in green. Community Development Director Kohler said the state code prescribes a process in amending the plan and they are currently in the second step. Community Development Director Kohler said the first step involves the city meeting with the county and this stage has been finished. Community Development Director Kohler said the third step involves the City Council holding a public hearing and noted that this meeting would not result in any final decisions. Community Development Director Kohler asked the Commission to mull over today's discussion for a few weeks before making a final decision.

Chairman Gunn opened the floor to the applicant, Greg Whitehead.

Mr. Whitehead came forward and identified he represented FILO Development. Mr. Whitehead thanked the Commission and expressed how he welcomed this process. Mr. Whitehead said he had been before the Commission previously to discuss the project. Mr. Whitehead indicated they had previously met with the County and the City to discuss concerns related to the project. Mr. Whitehead said there should be a happy medium in addressing these concerns.

Mr. Whitehead said they are referring to the project as the Wasatch Highlands Development. Mr. Whitehead stressed the specialness of Southern Utah and said there are positive and negative sides to growth. Mr. Whitehead acknowledged this development signaled growth but the goal was to keep things tasteful. Mr. Whitehead said this would be largely available to the public and include wide open spaces and wildlife trails. Mr. Whitehead said they have just under 4500 acres and they plan to hold this for families.

Mr. Whitehead noted how water is "a big deal" and indicated their plan includes high efficiency water usage. Mr. Whitehead said their building envelopes keep things natural. Mr. Whitehead said they are continuing to look at more water efficiency planning and said the same applies to their sewer plan. Mr. Whitehead said local solutions are being prioritized, and they are looking to stay close if they need to pursue nonlocal solutions.

Another representative from FILO came forward and said they have been presented with opportunities to work with other SSDs during this process [00:33:50]. This representative said they are looking at another 10 months of planning before they can set anything in stone.

Commissioner Broughton asked if they still had confidence in accessing water. Mr. Whitehead said they have always been worried but they have amassed confidence. Mr. Whitehead said they don't currently know how much water they need which makes things difficult.

Mr. Whitehead said the next big concern is traffic. Mr. Whitehead said there are a few good things about traffic planning: they have time as this whole process will take decades, they will have mechanisms through taxes and impact fees which will help address inevitable problems - especially as the road widens. Mr. Whitehead said they will eventually grow more and there are built-in systems to help adapt to this growth. Mr. Whitehead moved on to location. Mr. Whitehead said this project is in partnership with the state and the parcel owner, Mr. Christiansen. Mr. Whitehead said they are looking to help the Christiansen family monetize what was left of their land which they have largely made no money from.

The other developer brought up electric power and fiber optic plans [00:41:20]. He said their plan is to meet with Heber City power and light and start developing a plan. He said, similar to other issues, they will uncover solutions as the plan comes together. Mr. Whitehead said he was most excited for their planned recreation spaces which included a vast array of trail systems. Mr. Whitehead said they feel interconnectedness is vital to their plan. Mr. Whitehead said they are hoping to create a village center on the north side of the property to help mitigate traffic and create more walkable outdoor space.

The other developer referred back to the map [00:44:45] to give more of a sense of how the project will be planned.

Mr. Whitehead said he welcomed more discussion as they work on creating a more concrete plan. Mr. Whitehead said they have already changed the phasing of the plan and are looking ahead at affordable housing. Mr. Whitehead said improving roads and utilities will help in this effort as well.

Chairman Gunn opened the floor for questions.

Commissioner Robert Wilson asked why they are looking for an annexation into Heber and what the purpose is outside of “sucking off” Heber’s resources.

Mr. Whitehead said this was a municipal project and not a county project. Mr. Whitehead said he felt this would be a net positive for the city.

Commissioner Phil Jordan said they’ve received a lot of public comment on this from the City. Commissioner Jordan asked how they planned on dealing with the roads connecting to Heber.

Mr. Whitehead said they have met with contractors and are continuing to work on the plan. Mr. Whitehead said they are currently connecting roads North through South via Lake Creek. Mr. Whitehead said they are also working on several different routes people can take to avoid downtown. Mr. Whitehead said people can take 4800 and 2600 to divert from Lake Creek Road.

The other developer walked through these plans via the visual aid. He said “Christiansen Boulevard” will be the major connection they are building. He said there is currently a dirt road where this new road will be built. He said they are working to have as much connectivity with their neighbors.

Commissioner Jordan asked for more information on how they plan on connecting Highway 32 to the North side of the parcel. Mr. Whitehead said they are working with their traffic engineers to help connect this area to Jordan L Ridge. Mr. Whitehead said there might not be a connection if they can’t connect to this road, but will cross that bridge when they get there.

Commissioner Jordan asked what their strategies are with widening the road. Mr. Whitehead reiterated that they cannot go into detail at this stage of their plan.

Commissioner Jordan stressed that current homeowners will be impacted by this. Mr. Whitehead said they are working closely with their engineers and are confident that they will not disturb any current homeowners.

Commissioner Darek Slagowski asked if they will look to incorporate if there are no changes to the map. Mr. Whitehead said no. Commissioner Jordan asked how they planned to add to Heber City services like civic enforcement and safety. Commissioner Jordan asked which phase this will be determined.

Mr. Whitehead reported they had already met with service districts to ensure the best

coverage for the community.

Chairman Gunn asked if there were more questions. There were none. Chairman Gunn opened the public hearing.

Several written comments had been submitted prior to the meeting. They read as follows:

From Barbara Murdock: "I just want to give my opinion on annexing the 4,000 acres above the Red Ledges. Please, do NOT do this, let the mountains be as they are. We do not need more small towns and thousands of more homes scattered around the valley as the developers are suggesting. They state it will be open to the public and I doubt very much that

this will occur, it will most likely be like the Red Ledges, off limits except to the rich."

From Camden Lawrence: "Dear Councilmen and women, Concerning the proposed development(s) to the northeast of Heber, most immediately that which is referred to as "Wasatch Highlands": there could hardly be a more foolish thing to allow to go forward—full stop. We have not near enough water nor civic infrastructure nor civic services for the developments already under weigh, let alone any more ill-conceived developments scarcely hatched from the minds of greedy men. Moreover, this land is guarded by the aegis of preservation zoning with good reason: to protect it from the very men who come to you now to destroy it in exchange for money. It is a losing situation for all but the smallest handful of men. These unscrupulous men who are ignorant of any value in this world beyond the little slips of cotton in their wallets will burn whatever matchless natural beauty or singular environment, raze whatever inimitable home of human culture or precious sanctuary of common heritage, render as rubble whatever monuments we wish to preserve in memory to our children or any other cherished and treasured thing that stands between themselves and any fraction of wealth measured with a "\$".

We simply do not have enough water. In the "Heber City Water Conservation Plan" of 2021 unanimously adopted and passed as a resolution by the council 7th December 2021, it is reported that average culinary water usage per residential connection was 300 gallons per connection per day in the period of 2017-20. In that same four-year period, it was estimated we use 119 gallons per head per day (gpcd). I also found we used 119 gallons gpcd in 2020 alone, implying an unfortunate plateauing of progress in water conservation efforts. If the data used in this report is reliable (and we have no reason to believe it is not), then we will be using about 44.19% of all the water Heber can produce at the present moment by 2030. We will exceed what we can produce by 2054 if Heber continues to grow at the current rate. It should be kept in mind that as this region of the aquifer continues to be drained at a perilous rate by us and everyone along the Wasatch front, this water may very well not be available in 2054. The aquifer replenishes slowly, and the wells will become less productive until they are dry (unless, of course, we stop pumping out the water). The aquifer should be considered a non-renewable resource. With this in mind, Heber City will exceed its ability to provide water to its citizens within ten-twenty years unless dramatic changes are made. And all this is Heber alone without taking into consideration Midway, Daniel, Charleston, Hideout, Center Creek, Lake Creek, Timber Lakes, and other county lands, all of which rely almost exclusively on ground water. There is not enough water for more development(s). Given the water situation in Wasatch County (and the western US in

general), I would recommend halting all development where it stands, reevaluating current developments and rejecting new proposals.

With regard to the “North Village” as well as all land north of Coyote Canyon Pkwy (formerly Coyote Ln) and east of Hwy 40: I would recommend any proposal for development in the vicinity of the intersection of Hwy 40 and River Road/Hwy 32 be stricken from existence as any development will not only severely impair traffic flow, but will (with far greater import) destroy extremely sensitive and precious wetland habitat, habitat which is necessary not only for wildlife, but also for our water supply. Wetlands are reservoirs which replenish our wells and keep the water table stable. There is precious little wetland in this state, and what little we have in the north of the valley had to be rebuilt after earlier residents of the valley ignorantly destroyed them. Let us not repeat the mistakes of the past, corrected hardly thirty years ago. I would also recommend a strict prohibition on any development (other than that which facilitates non-motorized recreation) above/upslope of the upper canal (Timpanogos Canal) regardless of zoning or incorporation status. All county land zoned as Mountain should be rezoned as Preserve, and Heber City land zoned as Mtn. Comm. rezoned as a natural park in which development (other than that which facilitates non-motorized recreation) is strictly prohibited in the interest of minding our water supply and not overextending our resources, as well as preserving the character and beauty of our valley which is our greatest pride as residents. Let us not willfully destroy that which we cherish. But I have begun to digress.

Our sources of water are also in further jeopardy through pollution resulting from the development of the Christensen’s ground. However, to further make my point, I quote Wasatch County’s own report from 2019 titled “Wasatch County Watershed Inventory” section 6.3.1:

Effective county planning and appropriate zoning can minimize erosion issues. The County is observing an increase in higher-density residential and commercial development. Agriculture, though still a very large geographical percentage of the County, is diminishing. Pollution constituents and concentrations vary greatly between agricultural, residential, and commercial development. However, it should be noted that contrary to common belief, residential development frequently causes more nutrient pollution (e.g. fertilizers) than crop farmers because crop farmers are more judicious and economical (limiting) in their use of fertilizer. Other contaminants such as hydrocarbons and heavy metals may be more “bearable” in some locations than in others immediately adjacent to waterbodies. Thus, water quality concerns comprise a viable basis for zoning ordinances.

This quote compares agricultural zoning against residential; agricultural zoning obviously pollutes immeasurably, infinitely more than land under preservation zoning kept fallow. And these proposed developments above the valley upon the Christensen’s ground imperil our water supply considerably more than developments on the valley floor because these are more immediate to our water sources and will pollute our groundwater. Almost all culinary water in the valley comes from groundwater in the form of either springs or wells. Developments on the top of the hill will result in pollutants leeching down into the groundwater which feed our wells and springs. Like all water, groundwater flows downhill, and with development atop the hill, there would be pollutants above the places

wherefrom we draw.

And all this is a small fraction of the water concerns! There still remains the concerns of Electric, gas, and internet utilities; as well as fire, police, and emergency medical services, schooling (we do not have enough school bus drivers to get children from such a development into town), and of course the inability of our infrastructure to support a population in the proposed area. There is but one road, Center Street/Lake Creek, which is geographically situated to be an arterial road for a hypothetical development. This road is but two lanes—insufficient to support a development of thousands of homes and twice that many cars. Moreover, the capacity of the lanes is more-or-less irrelevant when speaking of the road's capacity because this road has intersections. Intersections are easily the limiting factor, not lane number. It takes approximately nine lanes on either side of the intersection (one right, three through, and two left plus the three receiving lanes) to match the capacity of a single lane in the country. Center Street will never be capable of being an arterial road feeding a development on the Christensen's ground. Perhaps the most obvious problem is that it is a ridiculous location to attempt to develop; it is very steep and difficult to navigate. This proposal is absolutely silly in the most pejorative sense possible.

The councilmen and women of Wasatch County and Heber City must reject the developers' proposal to build, or more accurately destroy, as they so wish to do. Their insatiable greed has led them to ignore all sense, as there is no water to supply the proposal, there is no infrastructure to support the proposal, city and county public services will struggle to reach the people who live in the proposal, and the land itself is unsuitable for development in the first. The developers are almost certain to claim that this project will "help to alleviate the housing shortage/crisis", however, if this was their honest intent, they would focus on building truthfully affordable housing, meaning housing which one can pay for with minimum wage: the housing we are actually short of, not single-family homes far from the city center which cost literally millions of dollars. If they wish to build housing in Heber, let them build higher density apartment blocks or condominiums or small-lot housing closer to Main Street where we presently have utility, transport, civic, and public service and safety infrastructure where development will do more help than harm.

Do not let our dear and beloved Mother Earth be flayed alive and stripped of her beauty and life because someone told you there is money to be had. This is far more valuable than money. Money is a dead thing. Our beauteous mountains, bucolic fields, tender skies, and lovely streams yet live. They lived before our foremothers and fathers were born, and if we keep them, protect them, they will live on after we too perish from this earth. I implore you, do not allow development on our Preservation lands; they are worth more than that."

From Catherine Moore: "To the Heber City Planning Commission: This new annexation being proposed, saddens me dearly. All this development is ruining the quaintness of Heber City. I moved here 13 years ago, bought an old 1890's home. I love my house, but I hate the development on and/or around my own street. Let alone all the development just outside of the city limits. The city is contradicting itself every time they have a meeting to vote on something. We want to develop downtown so people will come...and park where? Now you are saying you want to develop land for homes,

shopping, and amenities. With all that why go downtown?

Heber City is not proactive to problems, but rather reactive. Where are all these people going to park when they do decide to come into the downtown area? You took several parking places to put in that new unwanted/needed stage. The city plans to cram as much stuff in the little 3 acres of city park for who? Not to kids who just want to play and have fun without having to spend money.

Due to the city's need to at least have 270 days of planned activities per year in the park to make it a viable success. We will no longer be able to enjoy the peace and serenity of the after summer. We will be exposed to noise & air pollution. Not to mention excessive amount to vehicle traffic and dealing with rude people trying to park in my driveway and/or block it!

All Heber citizens quality of life will be affected by this expansion negatively. Please do not annex the 4000-acre development northeast of town."

From Megan Pickette: "The proposed change to the Heber City annexation map to include the Christensen Corporation property would ultimately result in a project to build 3,000-5,000 additional homes in this area.

This is not a sustainable project. Heber's services (water, sewer, fire, rescue, etc.) are not equipped to support this leap in residents, nor are the roads that would lead in and out of the neighbourhood.

Thank you for listening and considering my feedback.."

From Jeffery Weiss: "Dear Heber City Planning Commission and Heber City Council, I am writing as a concerned Heber City resident regarding the proposed annexation of nearly 4,000 acres east of Heber City between Red Ledges and Wolf Creek. I am strongly opposed to the annexation of the Christensen Corporation property. I would like my comments here to be read at your upcoming meeting on December 10, 2024. The proposed annexation of the Christensen Corporation property by Heber City and associated planned development would result in thousands of additional homes built in this area. Although I very much support affordable housing, putting 3,000-5,000 housing units so far out of town makes no sense whatsoever. This area is zoned for one house per 160 acres (the same as Wolf Creek). There would be multiple negative impacts of a housing addition of this size in this location, including traffic overload on Lake Creek Road, loss of open space, and pressure on our water supply. The sewer and electrical system infrastructure cannot accommodate this project at all. Further, this development would result in a massive increase in the population of the city and county. The negative impact of this type of development to the citizens of Heber City and Wasatch County far outweigh any potential "benefits" (such as more tax dollars to the city). The County Council has already voiced their concerns regarding this proposed development, highlighting several significant issues related to infrastructure, in a written letter to the Heber City Council.

Heber City has an obligation to adhere to its General Plan, and the proposed annexation is in conflict with several of its principles: "Heber actively works with neighboring communities and Wasatch County on strategies to implement the permanent protection of farmlands, natural open spaces, and rural character, to keep the distinct separation between communities."

"Heber City will work with the County and surrounding communities to create permanent farm and mountain land protection through such mechanisms as

conservation easements."

"Heber actively clusters development to focus growth and protect remaining open land from dispersed development."

I attended the recent interlocal meeting via zoom and found it informative. The developer made it clear that it was not financially feasible to develop the high density affordable housing by itself on the SITLA property. There would be no profit given the cost of producing the <\$400k housing units plus the cost of infrastructure (sewer, water, electrical). For the developer to be able to afford building the affordable housing piece of the project, they need to partner with the Christensen Corporation property so there is enough land to sell estate size lots and thus make a profit on the overall package. Given this important piece of information, I believe the easy way to put an end to this project is to say "no" to updating the annexation map to include the Christensen Corporation property. The current developer indicated the project simply didn't pencil out without the Christensen Corporation property, so they will back out of the project. This will very likely be the case for other developers as well. With this outcome, SITLA could choose to subsidize the cost of the affordable housing with a developer (a money loser for the schools), sell the land, or work out a trade for land that is already within city zoning. Although SITLA can force utility hookups, they cannot force the utilities to absorb the costs of providing service to this area. Given what we heard at the interlocal meeting regarding issues and limitations related to sewer transport and treatment, water, and electrical hookup capacity in the area, this would be a deal breaker for SITLA and any potential developer without annexation of the Christensen Corporation property. Please simply say "no" to updating the annexation map and put an end to this proposed project."

From Daniel Lyman: "As I understand it, the Heber City Planning Commission will be discussing annexation boundaries at their upcoming meetings. I couldn't find the specific agenda items on your webpages, so I'll do my best to explain my understanding of the upcoming issues.

First, I'm on the Wasatch County Planning Commission as an alternate for the past year and I've been more closely following the political landscape in our valley and its impact on growth and quality of life. I have a Masters of Architecture with a focus on urban design with a graduate certificate in real estate development. Professionally I've developed properties across the country and have interacted with over 100 different municipalities. I don't develop in Utah. I only own my personal home in our beautiful valley. I have four kids in the schools here and would like to see the future and current development of our valley considered holistically.

I've been fascinated by the City's approach to a community reinvestment area (CRA) plan and the seemingly altruistic reasons for such an approach. And while I agree that the downtown area could use some greater focus and help, I've petitioned the County and the School District to NOT support the endeavor. I can't see how the city could consider improving the downtown commercial district while at the same time considering further commercial developments outside the downtown core! It's like adjusting my lawn's sprinkler zones to provide more water to one grass area while stealing from another. It will only cause my lawn to look patchy overall.

I don't like the idea of approving thousands of additional homesites in far off mountainous locations, but I especially see the demographics and market

characteristics of our valley being unable to support additional commercial pods that will only cannibalize the downtown core. With the result that all become patchy pods.

The Heber Main Street core is a shared resource by the entire valley. It is the literal heart of the valley and should be given the greatest consideration. Please consider that spreading our valley too thin isn't good for any part of the whole."

The Commission heard public comments via Zoom.

Tracey Stratton spoke via Zoom and identified herself as part of the request for annexation. Ms. Stratton said she works hard to protect the natural beauty of this area. Ms. West said they have been complimented on their efforts. Ms. Stratton said she felt these developers had similar goals. Ms. Stratton stressed her commitment to stewardship and safety and said these developers agreed. Ms. Stratton said they fully utilized their properties and previous owners were not. Ms. Stratton said people look forward to coming to Heber City to see this nature and felt these developers could help preserve the beauty of Heber while providing more to do and celebrating their heritage. Beau Thompson came forward next and said this land had been in his family since his great grandma. Mr. Thompson said his mom is the oldest surviving member of the Christiansen family. Mr. Thompson said they hope to share this with other members of their community. Mr. Thompson said he does not feel this is a zero-sum game and stressed the skill and competency of the applicants.

This was the end of Zoom comments.

Planning Office Admin Meshelle Kijanen read the rules of in-person public comments.

Chairman Gunn reminded the public that this was not actually about annexation and actually about amending the current plan. Chairman Gunn encouraged people to come up.

Doug Smith came forward. The audio was very faint [01:18:00]. Mr. Smith said they had previously discussed rezoning and had been assured that qualified people were in charge of planning. Mr. Smith said it was difficult to comment without specifics but did have concerns regarding traffic. Mr. Smith said the Temple intersection previously proposed had failed and led to the construction of a roundabout. Mr. Smith also said he realized his concerns would be more relevant in 10 to 20 years, but wanted more answers on traffic plans.

Community Development Director Kohler reiterated that Council's general policy was not to consider annexation without a development agreement. Community Development Director Kohler said an annexation of this magnitude would take at least a year. Community Development Director Kohler said they have a meeting on development on January 15th and this would be far from the only meeting. Community Development Director Kohler said they would meet at least a dozen times.

Commissioner Jordan asked if they had looked into the possibility of accessing from the North in order to develop the property. Mr. Whitehead said yes. Commissioner Jordan said he asked on the basis of understanding.

Bruce Solinger came forward next. Mr. Solinger said he had a property that was not included in the annexation but was close. Mr. Solinger asked if it was worth annexing more towards the East. Mr. Solinger asked what the average home price was in this area currently. Commissioner Jordan responded, "scary."

Mr. Solinger said it made more sense to annex other parts of this northern area first. Mr.

Solinger walked through a series of other areas which could be annexed first. Mr. Solinger said he was not against the Christiansen family but that they were detracting from other areas more deserving of annexation.

Doug Murdoch came forward next. Mr. Murdoch said he grew up with the Christiansen family. Mr. Murdoch said this area was near and dear to his heart. Mr. Murdoch said this area had a lot of natural beauty and could be a hodgepodge of things. Mr. Murdoch had

a problem with describing this issue as “municipal.” Mr. Murdoch felt this was a clear attempt at making more money. Mr. Murdoch was hesitant to trust that these trails being planned would be adequately cared for or even opened to the public. Mr. Murdoch said they only want to annex the area for the taxes.

Christian Thompson came forward next. Mr. Thompson said they should look to Summit County and how they preserved land and kept it accessible. Mr. Thompson asked if they could put out a bond on open land.

Chairman Gunn said they would have to work on the details after approving the annexation plan.

Mr. Thompson said he felt the trails should be built first and focus on density downtown before they look to other areas.

Matt Provost came forward next. Mr. Provost said he had lived in the area for years and felt this land should not be in Heber City.

The audio cut out from [55:30 - 53:12]

When the audio came back Matt Williams stated he was against amending the annexation plan.

Wasatch County Councilmember Kendall Crittenden came forward next and pointed out the staff report said they would further discuss the City and County role in annexation.

Mr. Crittenden said there are some discrepancies between Mr. Kohler and FILO said regarding density requirements. Mr. Crittenden said SITLA did not recommend specific densities though FILO said they wanted eight units per acre. Mr. Crittenden said they should slow down and work with the parties involved.

Todd Anderson came forward next. Mr. Anderson said he had watched several annexations come through this body and always felt they happened because of fear.

Mr. Anderson said he did not feel the concerns posed by the county were properly addressed.

Mike Vangardner came forward next. Mr. Vangardner said he has seen the city grow a lot through the years and felt the city needed to pump the breaks. Mr. Vangardner said there would be no chance of affordable housing in this area. Mr. Vangardner said they should focus their efforts on preservation.

Another person came forward though their name was unintelligible [01:50:10]. This person did not unmute their Zoom in time, so the meeting moved on.

Greg Poenier came forward next. Mr. Poenier said he was a small business owner in town and felt more people moving in could help his business. Mr. Poenier said he was worried nonetheless because the massive growth could negatively impact quality of life. Mr. Poenier said responsible growth was more important. Mr. Poenier said density was more important within city limits. Mr. Poenier said he also had concerns about affordable housing. Mr. Poenier said he also had concerns because they are already building a new highschool. Mr. Poenier reiterated the need for responsible growth.

Chairman Gunn asked if there were any more questions. There were none. Chairman Gunn closed the public meeting.

Chairman Gunn explained why they have these types of meetings. Chairman Gunn said landowners altering current use policy impacted people, which makes it a public issue and not just a property rights issue. Chairman Gunn said it was in the public's best interest to expand Heber City, but it was important to be concerned about what got developed. Chairman Gunn said a lot of issues need to be addressed. Chairman Gunn said the emailed comments will be provided to the Commission and considered throughout the process. Chairman Gunn stressed that they are a recommending body and the final decision is left up to the City Council. Chairman Gunn recommended delaying a recommendation so governing bodies could further discuss these issues. Planning Manager Baron said the next meeting to discuss this item would be January 14th.

Chairman Gunn said at that meeting they would either have a positive recommendation, a negative recommendation, or ask for more time after this meeting.

Motion: No one moved to approve; no one made the second.

Discussion: N/A

Voting Yes: N/A

Voting No: N/A

III. Consider a Recommendation for the Wellberg/Kruger Annexation, located at 3725 Lake Creek Road - Parcel no. 07-8563. (Jamie Baron)

This item was discussed third.

Planning Manager Baron led this portion of the meeting. Planning Manager Baron said the property owner was present and could answer questions. Planning Manager Baron said the parcel is over 300 acres and just East of Red Ledges. Planning Manager Baron said the property was petitioned to be annexed a year or so in conjunction with the

Jordan L Ridge annexation. Planning Manager Baron said the original owner was

proposing more density, though this has been changed by the new applicant. Planning Manager Baron said the City Council amended the City Plan to allow for annexation. Planning Manager Baron said the Commission is recommending the Mountain Community but with the stipulations including two lots and a 30-acre parcel turned over to Red Ledges. Planning Manager Baron said the Red Ledges development agreement includes a trail requirement for the East side, though the current trail does not meet the slope requirements. Planning Manager Baron said the new applicant is looking to help make those changes.

Planning Manager Baron said they are giving a positive recommendation once all the utility requirements, ordinances, and Master Plan requirements are met. Planning Manager Baron reiterated that the applicant was present to answer any questions. The applicant, Paul Kruger, came forward. Mr. Kruger thanked the Commission and said he was there to build a single-family home. Mr. Kruger said he had always wanted to live in Heber and be a property owner. Mr. Kruger said he has no intention to develop it further or make any money off the property. Mr. Kruger said they are early in the process but would be happy to answer any questions.

Chairman Gunn asked if this was already in the annexation plan. Planning Manager Baron said they have already amended the plan. Chairman Gunn apologized and said he was getting mixed up.

Commissioner Slagowski asked if the MCZ gave one unit per acre or one unit per five acres if it was septic. Planning Manager Baron said this was correct. Commissioner Slagowski asked if there would be the ability to change this in the future. Planning Manager Baron said this would be up to the Council in the future.

Mr. Kruger said the property has been landlocked for years and includes deed restrictions. Mr. Kruger said the deed does not allow for additional homes in the property. Mr. Kruger added that they will have to be on a septic plan. Mr. Kruger added that they are also waiting for additional roads to be built in the area which may change things.

Chairman Gunn asked if there were any more comments. There were none.

Commissioner Slagowski motioned for a positive recommendation. Commissioner Jordan seconded. The motion passed unanimously.

Motion: Commissioner Slagowski motioned for a positive recommendation.

Commissioner Jordan made the second.

Discussion: N/A

Voting Yes: Commissioner Gunn, Commissioner Slagowski, Commissioner Jordan, Commissioner Wilson, Commissioner Broughton, Commissioner Royall.

Voting No: None.

The Motion Passed 6-0.

4. Work Meeting: N/A

5. Administrative Items:

Planning Manager Baron referenced the yearly Council retreat and noted the Council requested attendance at the January 7th Council meeting to relay their 2024

achievements and 2025 goals. Planning Manager Baron said only one person from the Commission needed to be present as a representative. Planning Manager Baron said this was both forward and backward looking. Commissioner Jordan said they would ask Planner John Janson to prepare a statement for the meeting.

Planning Manager Baron said the biggest thing was working on a list of goals. Commissioner Jordan asked Mr. Baron and the staff if they had a lot more work ahead of them next year. Planning Manager Baron said they are revisiting short term rental and the overlay zone in the upcoming year. Planning Manager Baron added that they would look at things the state legislature requires of them though that is up in the air. Commissioner Broughton asked if they did this last year. Chairman Gunn said yes and reminded the Commission that they needed to have their required training hours completed as well.

Chairman Gunn brought up an older issue regarding the South end of Main Street. Chairman Gunn said they asked them to move the front of the building to create a better

flow. Chairman Gunn said this was disregarded. Chairman Gunn said he takes responsibility because they did not ensure the code was properly up to date.

Planning Manager Baron said he looked into this ordinance which gave an allowance because it technically met the code. Commissioner Wilson said this also negatively impacted parking. Chairman Gunn said now they have a “big thumb” sticking out in this area. Chairman Gunn said he last heard it was supposed to be a car wash but now it’s an office building.

Planning Manager Baron said the recommending body and the policy body does not always agree. Planning Manager Baron said the Council can always modify things despite their recommendations. Chairman Gunn said he brought this up so the Commission would bring up things they felt needed to be changed in the code.

Planning

Manager Baron said it sounds like amendments have been codified differently than their recommendations.

Commissioner Jordan asked if there was a Council Report update. Planning Manager Baron said he had one from December 3rd which covered trail maintenance off 300 South and where the new trail should be. Planning Manager Baron said they decided on a location on the North side by 600 West. Planning Manager Baron said they discussed

sewer access and floodplain encroachments. Planning Manager Baron said they did not get to Master Plan amendments and this would probably be discussed next week.

Planning Manager Baron said there was some discussion but no action on North Village Crossing along with some discussion on park policy. Planning Manager Baron said they

did not do a presentation on development but have received some additional applications which will impact future decisions. Planning Manager Baron said they will also look into how this further impacts affordable housing. Chairman Gunn spoke about when he first bought his house. Commissioner Slagowski

joked that back then they really did have affordable housing. Chairman Gunn said when he first bought his house he had to show it to his friends in California because they

could not believe he bought a house that cheap.

Commissioner Jordan asked if there were any issues about the North Village Crossing that they should know about. Planning Manager Baron said they have been working through a change of ownership and the new owner is proposing a different plan.

Planning Manager Baron said they are looking at impact at UDOT plans. Commissioner Jordan said the new owners told the press that their plans do not impact UDOT plans.

Commissioner Broughton said the new owner's plans have not yet been approved.

Planning Manager Baron said they may have to start over and Council reserves the right to change their initial agreement. Planning Manager Baron said other states might annex first then change their zoning. Planning Manager Baron said they will likely change things during annexation.

Commissioner Jordan asked if this was relevant to the hearing from earlier today.

Planning Manager Baron said no. Chairman Gunn asked if this area had been annexed yet. Planning Manager Baron said no.

6. Adjournment:

Commissioner Jordan moved to adjourn. Commissioner Wilson seconded. The motion passed unanimously.

Meshelle Kijanen

Meshelle Kijanen, Administrative Assistant