

**HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
October 14, 2025**

Approved 10.28.2025

6:00 p.m. – Regular Meeting

1. Regular Meeting:

I. Call to Order

Vice-Chair Tori Broughton called the Planning Commission Meeting to order at 6:05 p.m. and welcomed everyone present.

II. Roll Call

Planning Commission Present:

Vice-Chair Tori Broughton
Commissioner Darek Slagowski
Commissioner Greg Royall
Commissioner Robert Mckinley

Planning Commission Absent:

Chairman Phil Jordan
Commissioner Dennis Gunn
Commissioner Dave Richard
Commissioner Josh Knight
Commissioner Robert Wilson

Staff Present:

Community Development Director Tony Kohler
Planning Office Admin Meshelle Kijanen
City Engineer Ross Hansen

Staff Participating Remotely:

Consultant GCGarcia
Planner Jacob Roberts

Also Present:

James Copeland, Ryan Miller, David Stoddard, Cathy Lengily, Jake Hobbs, dna Simmons, Austin Ambrosio, Tracy Taylor, Edwin Stevens, Chrisy Juad, Donna Kuzmish, Gaylyn Latimer, Mullie Monahan, CMoor, Elyssa Brock, Maxwell Burgesr, Niko Goaree, Brenda Wilux, Mark Wilson, Deb Stenger, Ambrie Carnoll, Gorden Carnoll, Meredith Salmon

Also Attending Remotely:

Andy Dorobek, Brad Winegar, CM, Deb Whiting, Grace Doerfler, Jenny Cooper,

John, JS, Neil, Paul

III. Pledge of Allegiance: By Invitation

Commissioner Robert McKinley led the recitation of the Pledge of Allegiance.

IV. Prayer/Thought by Invitation N/A ()

V. Recuse for Conflict of Interest N/A

2. Consent Agenda:

I. 08.26.2025 and 09.09.2025 PC Draft Minutes for Approval

Motion: Commissioner Royall moved to approve the items on the Consent Agenda. Commissioner McKinley made the second.

Discussion: N/A

Voting Yes: Commissioner Slagowski, Commissioner Royall, Commissioner McKinley, Board Member Broughton. **Voting No:** None. The Motion Passed 4-0.

3. Action Items:

I. Consider Subdivision Preliminary approval for Harvest Village (The Slope), located at River Rd and Hwy 40. (Planner Denna Woodbury)

Vice-Chair Tori Broughton clarified that the meeting that evening was a public meeting but not a public hearing, and as such there would be no section for public comment.

Planner Deena Woodbury explained this application. She stated the request was for subdivision preliminary approval. She said the development had proposed 146 lots with 140 townhomes and noted the applicant already had an approved MDA which granted exceptions to building height, setbacks, and driveway requirements. She said the subdivision plats conformed to the site plan that had been submitted with the MDA, so staff recommended approval of the subdivision preliminary site plan, subject to all findings and conditions as outlined in the Staff Report. Planner Woodbury presented maps of the site and the preliminary plat for the townhome, multi-family, and hotel portion. She also presented an image of the site improvement plans and shared the agreement between the water improvement district and the developer.

Community Development Director Tony Kohler interjected to note that in the last several days, they had received a letter about brown water from an adjacent property owner. He asked if the item could be continued so he and the City Engineer had time to work out the issue with the property owner.

City Engineer Ross Hansen elaborated about the brown water issue. He discussed that the City had been working on determining if the development was feasible and said that they did not yet know what the groundwater in the area was like. He reported that the applicant had sent a researcher to determine what the highest historical height of

the groundwater in the area was. City Engineer Hansen explained how that calculation was done and reported that based on the researcher's results, the City had felt comfortable moving forward with the project. He said that the previous day, the City had learned that an adjacent property owner had hired an engineer who had conflicting findings about the groundwater. He said that since there were different testimonies about the groundwater the City needed to pause and further evaluate the issue. He stated that hiring a third-party may be necessary. City Engineer Hansen clarified that the reason this application had made it to the Planning Commission was because the City Staff had felt comfortable with the proposal until yesterday when they had received new information.

Ryan Miller and James Copeland introduced themselves on behalf of the applicant. Mr. Miller noted that the letter which had been received the day prior did not include any evidence, just an opinion about the groundwater.

Vice-Chair Broughton asked the Commission if they would like to table the item until the groundwater issue was resolved. She said they could still use their time in the meeting to ask other questions about the development, although they would not vote on the application that evening.

Commissioner Royall asked if all of the other conditions in the report had been addressed by the applicant. Planner Woodbury replied that all other conditions were resolvable. City Engineer Hansen highlighted the first eight conditions and said those were conditions of moving forward and had since been condensed into the final four conditions. City Engineer Hansen clarified that the first eight conditions were out of date, and opined that the last four conditions from Engineering were able to be resolved.

Commissioner Royall asked the applicants if they had worked on the last four conditions. Mr. Miller replied that they had worked on the first two issues, which were about resolving easement conflicts, property gaps and overlaps. Mr. Miller said they had received the final will-serve letter that was addressed in the third condition. Mr. Miller lastly said that they had been in contact with The Crossings to ensure the fourth condition would be met.

Commissioner Robert McKinley asked about parking. Mr. Miller responded that each townhome unit had a two-car garage as well as a 25-foot driveway that could accommodate two additional vehicles. Mr. Miller added there was extra visitor parking stalls. Commissioner McKinley asked if street parking would be allowed. Community Development Director Kohler replied that there would not be on-street parking in front of the units and noted that the road was private, so it was more narrow than a public road.

Planner Woodbury commented on the parking question as well. Commissioner McKinley asked about events and Mr. Miller replied there was free surface parking as well as a parking garage in the project that was available for guests to park in.

Vice-Chair Broughton asked if the development was gated and Mr. Miller replied it was

not.

Commissioner Darak Slagowski asked if the Fire Department was okay with the size of the roads and cul-de-sacs. Mr. Miller replied that they had met with the Fire Department and had been told that the cul-de-sacs were in accordance with the Code.

Commissioner Royall asked about access and Mr. Miller responded that they were working with UDOT and said they had a temporary access point off of Highway 40, and would add an additional access point after UDOT completed their road widening project on Highway 40.

Vice-Chair Broughton asked about amenities and Mr. Miller listed some, noting that all amenities were within walking distance and in accordance with the MDA. He listed that the slope, amphitheater, restaurants, retail stores, and trails were some of the amenities.

Commissioner Royall asked who would be responsible for hiring a third-party to evaluate the groundwater situation. City Engineer Hansen replied he was not certain but believed that per the MDA, the City would hire the researcher and the applicant would pay for the study.

Commissioner McKinley asked about standards for the townhome design. Mr. Miller said that all the townhomes were all built to the standards in the SSD agreement and said they had hired an internationally-acclaimed architect to be the design architect for the project. Mr. Miller said that they would come back before the Commission with an architectural plan for review as well.

City Engineer Hansen commented that it may not be necessary for a third-party to evaluate the groundwater. He said that since exploration pits had already been dug by the original investigation, it may be possible to just monitor the groundwater. He clarified there were several options, although the most practical one was to hire someone else. Mr. Miller spoke about their reasoning for hiring an engineer to do the initial modeling study. City Engineer Hansen said they could dig other exploration pits, or have a geo-technical engineer conduct another modeling study and compare the results with the first study. City Engineer Hansen also noted that modeling was not a perfect science. Mr. Miller reiterated that the conflicting opinion did not have any evidence to back up their claim.

Commissioner Royall asked if the adjacent property owner had been contacted and asked to provide proof. City Engineer Hansen replied that the property owner had alleged to have seen the groundwater come to the surface. City Engineer Hansen said that there was an eyewitness account, although they had not conducted an expert study. City Engineer Hansen elaborated that he did not want to bring in the opinion of every nearby property owner, but acknowledged that an eyewitness account was worthy of further investigation.

Vice-Chair Broughton asked about timeline and Mr. Miller replied that vertical construction would start next spring if the project was approved.

Motion: Commissioner McKinley made a motion to continue the item until the City Staff was able to investigate the groundwater issue and felt comfortable continuing to move forward.

Discussion: Vice-Chair Broughton asked how long the investigation would take. City Engineer Hansen said it depended greatly on what they found and anticipated they could get the issue resolved within 30 days. Mr. Miller said his engineers could defend their study at any time and expressed that he wanted to expedite this process as much as possible.

Vice-Chair Broughton asked if the motion required a time limit and Community Development Director Kohler replied it did not and said they would bring the item back to the Commission as soon as they got the issue resolved.

Commissioner Royall seconded the motion.

Voting Yes: Commissioner Slagowski, Commissioner Royall, Commissioner McKinley, Vice- Chair Broughton.

Voting No: None. The Motion Passed 4-0.

4. **Work Meeting: N/A**

5. **Administrative Items: N/A**

6. **Adjournment:**

Meshelle Kijanen

Meshelle Kijanen, Administrative Assistant