HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Planning Commission Meeting

June 9, 2026

6:00 p.m. – Regular Meeting

-Time and Order of Items are approximate and may be changed as Time Permits-

Public notice is hereby given that the monthly meeting of the Heber City Planning Commission will be in the Heber City Office Building, 75 North Main, South door, in the Council Chambers upstairs.

1. **Regular Meeting:**
   - I. Call to Order
   - II. Roll Call
   - III. Pledge of Allegiance: By Invitation
   - IV. Prayer/Thought by Invitation ()
   - V. Recuse for Conflict of Interest
2. **Consent Agenda:**
   - I. 05.12.2026 & 05.26.2026 Planning Commission Minutes for Approval
3. **Action Items:**
   - I. Consider Preliminary Subdivision Approval for Springs at Coyote Ridge Phase 5 (Planner Jamie Baron)
4. **Work Meeting: N/A**
5. **Administrative Items:**
   - I. City Council Communication Item
6. **Adjournment:**

Ordinance 2006-05 allows Commission Members to participate in meetings via telecommunications media.
In accordance with the Americans with Disabilities Act, those needing special accommodations during this meeting or who are non-English speaking should contact Meshelle Kijanen at the Heber City Offices at 435.657.7898 at least eight hours prior to the meeting.

Posted on 06.03.2026, in the Heber City Municipal Building located at 75 North Main, the Heber City Website at www.heberut.gov, and on the Utah Public Notice Website at http://pmn.utah.gov. Notice provided to the Wasatch Wave.

HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
May 12, 2026

DRAFT Minutes

6:00 p.m. – Regular Meeting

1. Regular Meeting:

I. Call to Order

Chairman Jordan called the Planning Commission Meeting to order at 6:00 p.m. and welcomed everyone present.

II. Roll Call

Planning Commission Present:	Chairman Phil Jordan Vice-Chair Tori Broughton Commissioner Dave Richards Commissioner Darek Slagowski Commissioner Josh Knight Commissioner Robert Wilson Commissioner Greg Royall Commissioner Robert Mckinley Commissioner Kristina Goodnough
Planning Commission Absent:	N/A
Staff Present:	Community Development Director Tony Kohler Planning Office Admin Meshelle Kijanen City Engineer Ross Hansen
Staff Participating Remotely:	N/A
Also Present:	Kylie Butler, Kim Butler, Mitch Bottare, Carri Wullner, Helmundt Stempher, Cameron Boyd, Kathy Carlile, Ron Carlile, Jared Jones, Natalie Jones, Kim Casserly, Ben Wedeking, Andrew Bernstein, Randy Hillstead, Lana Hillstead, Abbi Probst, Kent Shelton, Jake Mebos, Bethany Rice, Maren Meibos, Seth Plaizier, Kenny Turley Sara Turley, Lindy Reioux, Ryan Pratt, Douglas, Larsen, Marlene Livingston
Also Attending Remotely:	Nathan Jarvis, Brittany Gubler, Ben

Atwood, Gabe Gubler, Lindsay Devonas, Trisha Yvonne Barney, Annemarie Plaizier, Cole Sorenson, Deb Stenger, Grace Doerfler, Jacob Roberts Jamie Hewlett, Jentry Hardman, Kamen Goddard, Kylee Lindsay Devonas

III. Pledge of Allegiance: By Invitation

Commissioner Wilson led the recitation of the Pledge of Allegiance.

IV. Prayer/Thought by Invitation ()

Thought provided by Commissioner Wilson

V. Recuse for Conflict of Interest

Commissioner Dave Richards will recuse from the vote for the Rezone Public Hearing but asked to be allowed to comment on the item and was given that permission. Dave Richards lives close to the site in the rezone property.

2. Consent Agenda:

I. 04.14.2026 Planning Commission Minutes for Approval

Motion: Commissioner Knight moved to approve the items on the Consent Agenda. Board Member Broughton made the second.

Discussion: N/A

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

3. Action Items:

I. Public Hearing to consider a rezone of the City's Hospital Well from R-1 and R-3 Residential to Institutional & Public Facility Zone (IPFZ)

Chairman Jordan commented, This evening we have an Action Item, specifically a Public Hearing to consider a rezoning of the city's hospital well. The rezone would be from R1 and R3 Residential to Institutional and Public Facility (IPF) Zone. As the Planning Commission, we are very interested and engaged with the voice of the public, so holding Public Hearings comes as part of a significant process, and we're very excited this evening to have so many of you here and really appreciate your participation in the conversation and government. Chairman Jordan explained that the Community Development Director, Tony Kohler would explain the Staff Report, and then he would be opening the floor for public comment. Chairman Jordan asked the public to consider that the Planning Commission is not an elected body that they are appointed as representatives for the public. Their position is on a volunteer basis. However, they do get a small stipend for representing the community. Chairman Jordan felt it important that the public realized the Planning Commission's role. The public was

asked to be respectful to one another as thoughts were shared. Planning Administrator Meshelle Kijanen then read the rules of the Public Hearing.

Community Development Director Tony Kohler commented that after his presentation, the applicant's Atlas group also had a brief presentation, as an attempt to relay the content clearly and eliminate confusion. Please refer to the Staff Report, PowerPoints and Video for additional information, through this link: https://hebercityut.portal.civicclerk.com/event/448/overview

Mr Kohler began, The City Council entered into a lease agreement with Atlas Towers earlier this year for locating a cell tower on the city's property. Over the course of the past couple of years, Atlas had already been working with the city. Atlas had a contract on another property that the city owns, the Round Valley Hills, before this location. Mr. Kohler showed some of the City sites that had been considered by Atlas that the City owned. Atlas had considered some private properties as well. Atlas's presentation will show why they are looking in this area as far as self-service.

The contract the city had with Atlas, as of March 2nd, was an agreement between Heber City as a landlord and Atlas Towers as a tenant. Understanding Heber City does not seek these contracts as developers, petitioners and service providers approach the city rather, and that was the same process with this contract. The contract states that Atlas is authorized to construct a cell tower. They have 12 months and this is called a testing period. Once the testing period is complete and if all goes well then Atlas would have a 20-year contract with the city with two five-year extensions. They would need to meet all zoning requirements of the zone.

The City would have revenue from the contract. There would be a $150,000 one-time payment, $800 per month, which equals $192,000. The tower is intended to be a multi-user tower with three users. Mr. Kohler explained with a visual the property map at 750 East and 200 South, showing the cul-de-sac, and the property in question for the rezone as outlined in blue on the map/visual. Mr. Kohler continued to explain the property around the rezone from the visual presentation.

Mr. Kohler explained, currently the towers would be in the R-1 Zone with a Conditional Use, which would need to accommodate three providers at a 35 ft. height limit with a one-mile separation from other towers with a 10-foot antenna height. Additionally, the setback would be 115% of the height from a residential lot line, and designed to blend with the surroundings. A 65-foot height would be permitted if the zone change was granted.

Mr. Kohler continued, some of you received a written notice from the city; some of you did not. The state code requires that the city designates in its zoning ordinance who will receive written notice and the city has adopted that policy. The written notice is to be stamped 10 days in advance of the Public Hearing and to those who live within 300 feet of the rezone in question. A map was show with the 300 foot circle drawn showing the properties and who received the notice of the hearing. Mr. Kohler explained, if you

didn't get a mailed letter noticing it was because you are not within 300 feet of the property, we also posted A-frame signs at 600 East 200 South and 750 East for those who did not receive a written letter.

Mr. Kohler continued, The Planning Commission is a recommending body. This is a legislative or lawmaking process where the city considers changing a zone. The Planning Commission will make a recommendation for or against the rezone after this Public Hearing. The City Council will be making the final decision. We anticipate the Planning Commission will hold this Public Hearing tonight and then reconvene again to make their formal recommendation to the City Council.

Mr. Kohler continued by answering some questions from the public that had been received thus far. A question was asked if the zone change was spot zoning and was the process illegal. Mr. Kohler responded that spot zoning is not prohibited by the Utah State Code. Another question from the public was why did the City not consider the cemetery for the Cell Tower. Mr. Kohler commented that the City did look into this location. However, the concern was that it would be disrespectful to the deceased. An additional concern, a member of the community asked, All of my neighbors have emailed you against this zone change so why was this site was still being considered. Mr Kohler explained, the zone change is a process and that process was underway and only the City Council can make the final decision on the zone change. Mr. Kohler explained that he is the only Staff for Heber City in the process and neither himself nor the Planning Commission have approval or denial authority. Only the City Council can make that decision.

Mr. Kohler explained the IPF Zone in more detail. The IPF Zone has been used in other locations, including the County's Rec Center and Park Facilities, as well as the County's Sheriff and Court. The IPF Zone was adopted a few years ago and is also anticipated for rezoning public properties in the future.

Mr. Kohler reminded the public that the current permitted use height for a cell tower is 35 feet on the property in question. The Rezone and Public Hearing is to respond to and consider a 65-foot tower for mufti users instead of a 30-foot tower. A cell tower can be built at this site. The question is at what height can the cell tower be built.

The applicants, Carrie Wallner and Helmut Schoenfer introduced themselves to the Planning Commission and presented their PowerPoint. Please refer to the Staff Report, PowerPoints and Video for additional information, through this link: https://hebercityut.portal.civicclerk.com/event/448/overview.

Mr. Schoenfer explained that the existing towers cannot handle the demand and provide adequate requirements for coverage and capacity in the area. Mr. Schoenfer spoke extensively about the graphs he was showing and what they meant for different types of coverage and the advantages of having a proposed 65-foot cell tower on the property and that a 35-foot tower would not be sufficient.
Mr. Schoenfer made the points below:

Under federal law, local governments are limited to how they evaluate wireless facilities.
The Federal Communications Commission has established a national radio frequency area of exposure limits for all wireless facilities that must be met, and these sites will obviously meet those requirements.
Under Section 704 of the Telecommunications Act of 1996, local governments may not regulate the placement, construction, and application of wireless facilities on the basis of the environmental effect of radio frequency (RF) emission. If the facility complies with FC standards, it cannot be denied for those reasons.
Property evaluation claims are also not supported by regular standards.
Courts and federal governments have consistently found that the generalization concerns about property values are speculative, and they are not recognized on a technical or regular basis of denial.
Decisions must be based on substantial evidence tied to zoning criteria, not public perception.
What drives the property values are actually quality, the neighborhood demand, housing conditions and upgrades, access and jobs, and transportation in the area.
Buyers expect strong mobile and data connectivity.
Poor connectivity can hurt more reliable infrastructure facilities, and reliable services support remote work, safety, and daily life.
Extensive scientific research confirms that RF emissions from low wireless utilities are safe for people of all ages. Also, that wireless technology supports public safety and community wellbeing.
Federal laws prohibit local jurisdictions from denying applications based on RF height concerns or health concerns.The applicant,

The applicant showed graphs on market value and the impact cell towers had or the lack thereof, a simulation of where the cell tower would be built was shown and also that the tower will operate below maximum allowed limits, which was strongly regulated by the FCC.

The applicant, Mr. Schoenfer, concluded his presentation.

Chairman Jordan opened the Public Hearing stating that the Planning Commission will keep track of questions asked of the public and make sure those are answered.

Cameron Boyd: I'm speaking tonight on behalf of neighboring homeowners who will be directly impacted by this rezone application and the proposed 65-foot cell tower. I'm a local residential realtor and a 35-year resident in the Heber Valley. Let me first start by saying I'm not a certified appraiser, and I'm not here to offer a formal appraisal. But I have spent 25 years helping buyers and sellers navigate the Heber Valley real estate market. I've also taken some time to speak to local appraisers and my local real estate colleagues about this particular situation, and we all unanimously agree this cell phone tower will create a very real negative impact on neighboring property values. Notably, the city's own staff report also acknowledges this, stating that surrounding properties and I quote bear a disproportionate share of the negative impacts of a

telecommunications tower. That's not my language; it is based on the city's very own discovery and admission. Now, from a real-world buyer behavior standpoint, I can tell you what will likely happen when I'm out showing properties in this particular neighborhood. If I drive 10 qualified buyers to a home immediately adjacent to a 65-foot cell tower, especially one visible from a backyard or any primary living space in my opinion, most of those buyers are going to tell me to just keep driving. They won't even want to see inside the home. Which leaves us with a much smaller group that remains interested in the property. Those buyers are going to expect a heavy discount in exchange for accepting the condition of an adjacent 65-foot cell phone tower next to their home. That reduced buyer pool affects both marketability and demand. And ultimately, that reduced demand affects their value. The city's own projections calculate $582,000 in lease revenue from this tower over 20 years. But I would also ask the Commission to seriously consider the other side of that equation. Because, in my professional opinion, the homes most directly affected—in other words, those immediately adjacent as well as within direct line of sight—could each potentially experience impacts well into the six figures on day one. And when you multiply that across multiple homes over time, it becomes highly likely that that cumulative equity loss to neighboring homeowners will far exceed the total public revenue generated by this lease. Over 20 years, this lease revenue tops out in the mid six figures. We respectfully ask the commission hold this Atlas application to the same high standard that would apply if a developer or a private citizen came before you seeking a zone change to place a 65-foot residential cell phone tower in a residential neighborhood.

Mitch Butler: Last April the City put out a letter saying that you were going to prohibit any towers between 500 north, 600 south and 600 west to 600 east. That was on the City website. My question to Atlas Tower is how many watts per channel is going to be on this cell tower that you are proposing and are you able to expand this to go even further after the zone change? The answers to these questions will affect what the realtor just stated. I live within 300 feet and the tower will be an eyesore. Also, all of a sudden, a brand-new generator has shown up on that same property. Where did that come from? Does the cell tower need this generator? What is the generator for? Nobody said a word about this generator being brought to the property, and the rezone has not happened yet nor approved to put any structure on that property. That is going to affect my property value and that is very concerning to me. Also, I would like to know who signed the lease in the first place. Why didn't we have a meeting first, get a designated area to put the cell tower, then sign a lease? That doesn't make sense to me. Additionally, there are a lot of health concerns as there are a lot of cell towers being ripped down by schools everywhere else. It is causing headaches and other health issues for children. There are a lot of kids around there, and the tower will be placed right next to the health department. That makes sense, you know, seriously! I think that we have to reconsider. And I respect what Mr. Kohler says about he respects the dead. But I don't think they are going to feel a thing. So I think we ought to reconsider where we should place the cell tower. Also, we should not allow the rezone but keep it as it is. Thank you.

Kylie Butler: So I'm here tonight because I don't want an Atlas tower group built directly

behind my home and the neighborhood where my friends and family live. I understand the need for better service and technology. I understand towers have to go somewhere, but what I do not understand is why our neighborhood is expected to carry the burden when other locations are considered too disrespectful. We were told placing the tower near the cemetery would be inappropriate because it would be disrespectful of the deceased. And I want to ask this honestly, if it is considered disrespectful to place this tower near those who have passed away, then how is it respectful to place it directly behind the homes of people who are living here every single day? We matter too. Our families matter. Our children matter. Our peace, privacy, and well-being matter. Whether people agree or disagree about the long-term health effects of cell towers, the truth is there are still concerns and unanswered questions. Families should not be expected to simply ignore those concerns when this structure is placed so close to where we sleep, raise our children, and spend our lives. Beyond health concerns, this affects our quality of life. It changes the view from our homes. It changes the feeling of our neighborhood. That can affect property values, create stress for residents, and leave families feeling like their concerns are less important than convenience or profit. And I ask what benefit are the nearby homeowners actually receiving in return for carrying this impact every day? Are we being compensated? Are our concerns being prioritized? Or are we simply expected to accept it because we happen to live closest to the proposed site? A community should not feel sacrificed for a project they never asked for. I'm asking the board and decision-makers to reconsider this placement and truly listen to the people who live here. We deserve the same respect being shown elsewhere. Our homes should not become the acceptable location simply because it is easier. Please remember, this is not just an empty piece of land to us, this is our neighborhood, this is our home, and we deserve to be heard. Thank you

Maren Meibos. I don't have a prepared statement, so hopefully I can get my thoughts out, but I just wanted to echo, it seemed like kind of the overarching tone of the presentations that were given to us tonight that this tower would not be an issue for our property values. It wouldn't be an issue for, you know, the pictures that they showed of what it would look like when it's put in, that it wouldn't be that big of an eyesore, that it overall should not affect us at all and it won't be a big deal. And so I ask if it is not a big deal and if it's not going to impact anybody that much, why is it so impactful to put it at the cemetery where there aren't people looking directly at it? Why is it a problem for, you know, respectfully the deceased to have it there if it's not a big issue for us to have it in that spot? Thank you

Seth Plazier: Hi, I'm happy to be here with you. I've stood here in other forums before, not before this one, trying to get other CUPs approved. I do live within the area, not within the 300 feet, but I live on 120 South. I'm still really confused why this particular site. I get it because of zoning. However, looking at the general plan, this is a residential area. As examples of property values fluctuating on the market or for homes that sit next to a different type of zoning, but not in the middle of a residential zone. I'd really like to see data from sitting in a residential zone, kind of like your general quarter right here in the East part of Heber where it's different than sitting off of main street. They had a lot of sites they said they considered, farther East. I don't think anyone's arguing

about the need to have better communication. We do have some poor signals, but there are some sites farther east. The valley generally tends to go up as you move east. I would think something that sits higher would be more beneficial. I do understand that needs to sit on Heber City property site but I think the school owns some good sites around the area also that could meet the needs for this, where you would not get a visual impact. Especially if you're trying to stick it in a location where I think the challenge you have is you need this infrastructure and you're trying to install it in an existing residential area. Why not try to install it somewhere where there is not an existing development? Because then when people move in they are already being impacted that way.
I would like to understand why the other sites weren't explored further. I had Atlas provide some of those because it seems like there is a lot of other sites potentially that could work. I don't see anything further north around Smith's. I do know that they showed we do have a dead area. It seems like there's a few that I sent into the city today to look at that were farther east. I did that Google Earth view shed where you can do the line of sight. That seems like it has a bigger impact that way. So I'd just like to understand and maybe have a further dialogue. I understand that they could stick one in on this proposed property as it is permitted to put it at 35 feet right now without an argument. But I feel like even trying to explore a zone change. I think there's potentially some better sites Even though this might be easy to do and you might be able to hope we can get this done and fix this problem, I think it's still worth more discussion than just saying hey, let's do this location. Thank you

Kent Shelton: You probably remember me. I was here some months ago with a tower request that went through after an extended period of back and forth with the Planning Commission. My tower exists out on about 2100 South Highway 40, directly behind Border States Electric if you're aware of that location. At that time, I went through the process to get this, and I'm a firm believer in public and private sector divisions that public doesn't involve themselves in private sector businesses or private sector businesses don't try to do public things. I am a little bit thinking that there is a little bit of decidedly unfair competition for the private person that develops property that meets the zoning requirements on commercial property that is subject to property taxes, where a city or a municipality or school or any other government entity can place a tower up there. Now you've created a situation where there is the possibility of some unfairness because they are not subject to property taxes like a private individual that puts this up on a commercial piece of property. You recall I went through the process, and it seems perplexing to me as I went through all the zoning criteria to meet this that we now have a request for a tower. One of the stipulations was that the tower could not be closer than one mile from any adjacent tower. The tower that is proposed here is, as I clock it off on my bike, it's about six tenths to three quarters of a mile between the Chicks Tower and the proposed tower on East Center Street. So I'm just wondering how this is proposed to go around the one-mile mark, because that was a requirement that was placed upon me that we make sure that we met all the requirements with zoning criteria that accompanied our tower request. I would just like some consideration that how unfair competition might affect private property owners that have towers on their property when cities, schools etc. can place towers, and they are not subject to

property taxes. Perhaps even those that are established in public places may not be subject to impact fees or utility hookup fees or anything else. I don't know. But this needs to be something that can be addressed. I appreciate the opportunity I had to work with the city and go through this. It was a long-drawn-out process. And as I say, I am a firm believer in a separation between the public and private sector. If the Planning Commission were entertaining an opening of a restaurant, a hotel, or a Dairy Queen, people would be up in arms, as that too, would be competition for a private sector business that we're kind of getting into a little area there that's a little bit nebulous that I hope it doesn't impact the private property developer that puts up a tower because another tower is able to locate on public property and escape some of the fees that impact the private developer. Thank you

Lindy Reioux: I'm a resident of Heber City. I want to first thank you for taking public comment. And my comment is basically, when somebody buys a home in Heber, there are lots of reasons they buy where they buy. Some people like to be next to a school. Some people like to be near facilities. A big consideration when we purchase our homes is what is the zoning near us? If the zoning is R1, we think that forever, if all the surrounding zoning, that is what the feel of my neighborhood is always going to be. And changing zoning like that really changes how people feel about their homes. Financially, mentally, and it's just not fair to the citizens, I say the little guy, to have people come in and change us constantly. I mean, and I know this has nothing to do with the planning commission, but we've got this mind coming in, Daniel, okay, it's going to be in people's backyards. And it's because of a loophole where we can't change it. I keep hearing all this stuff, we can't do anything about it. We can't do this. Well, this is something we can do something about. And as you really consider the homeowners in that area, they bought it for a reason, and they live there for a reason. They shouldn't be forced to either sell their home or have to live next to a cell tower when they did not purchase their home knowing there would be a cell tower at some point in time. Place the tower someplace where it is not a distraction or in an area where people don't already live. If it is going to be residential, that's great. But place the tower their first then every person that buys a home in area will see that there is a tower already and they can have the option. Thank you

Abbi Probst: This really actually makes me so emotional. My father's name is Brent Burnham. He lives just adjacent to this property. Both of my parents have been in service for the county and the city for 30-plus years. My dad's retired now and his health and safety are something that I value. His safety is where he lives, but now knowing that this cell tower will be in his backyard, there is not great data on the health benefits. I know there will be data on how this will affect him, not just his health, but the surrounding neighborhood and the people living in the space in years to come. But what bothers me the most, not just for him, but for the neighbors, is the lack of choice to choose if they are going to live in a house with a cell tower or not. You are taking a choice away from the neighbors if the cell tower is placed there. I love what you said about placing the cell tower not in a residential area, so people have the choice. For example, Yes, I do want to live here, the cell tower doesn't bother me or, I don't want to live near a cell tower, I choose not to live there. But this is taking choice away from the

neighborhood, from people, from their health and taking away the value of their home. If my father chooses to move the equity in his home can drop, I believe what I read was 20%. That is $200,000 taken from my father's equity that could put him in a home, not in an area with a cell tower, so building a tower takes away choice. I love what you said at the beginning about integrity. And I really, really pray that we can have integrity and intention in our planning, and that it can not just be for this zone, but for everywhere in this whole city. So that's it. Namaste. Thank you very much.

Jared Jones: Again, I appreciate being able to come up here and talk and have you listen. A few concerns that I had. I do live within 300 feet of the proposed site. There was a comment made that other towers were a mile apart. Mr. Shelton said the same thing about the distance. The Chick's Café tower is a little over half a mile away from this proposed site. My theory is that another site might be better. Since the city is already in an agreement with Atlas Tower, they might look at down by the City Public works building by the rodeo grounds. That area seems industrial-ish and the housing is quite a distance from there. If they can get the tower there soon enough before future developments that may happen across the street, there will already be a tower there before neighbors purchase a home. The pictures that Atlas provided about the impact of the site of the tower not being placed in this neighborhood in this valley doesn't make sense. Officer Rigby could probably help me out on this if anybody saw the bee or the wasp that was flying around in the back of the room. It didn't look big, but when me and Officer Rigby were right there, that bee or wasp was huge. So when you are close to it, you feel the impact of what a 60-foot tower will be to a neighborhood. With me being 30 or 300 feet away, excuse me, that thing is going to look pretty big. There was one more thing: the service Atlas commented about that it might increase your cell phone coverage. From my understanding, with the cell tower being that tall, it will go over my house, and it is not going to affect my service, so there are no perks to having it in my backyard. I appreciate the time. Thank you very much.

Ron Carlile: My wife Kathy and I live in the impacted neighborhood that's being discussed here, and I'm not going to repeat everything that has been said, but I endorse all the points that have been brought forward. I do have one question about the rezoning for consideration. Broadhead Estates has been there for a couple of decades or more now. But we have a new subdivision that has just come online in the last eight to 10 years there at 120 South, just east of this location. Is there any consideration in rezoning of the density of neighborhoods? Does that come into the thought process? And the reason I'm saying that is it's much denser now than what it was originally zoned. I would like to ask you to reconsider other options that have been stated here in more commercial areas rather than in suburban neighborhoods here in Heber City. Thank you

Vice Chair Broughton asked Mr. Carlile, If your question isn't hypothetical, can you clarify exactly what you mean about the density? Are you asking if this gets rezoned if density will increase?

Ron Carlile responded: I'm asking if density has any impact on the rezoning. If density

comes into play when you're considering rezoning the area.

Kim Casserly: I live on 120 South and before any of you make decisions, I would like you to come and walk down our street. This tower will be more than twice the height of any home in the area. It will dominate our landscape. I personally have never seen a cell tower so close to homes that have been here for more than 10 years. We will see it from our backyard. We will see it from our kitchen windows. We will see it from our street. It will dominate the landscape. And I encourage you to come and walk down our street before you make any decisions. Thank you

Doug Larson: I live in 120 South. This is my first foray into local government, so thank you and just a couple of thoughts. The lovely lady before just mentioned the view from the end of the cul-de-sac in the presentation. Atlas gave proposed what it was going to look like from different angles in this location. I would say that some of those images are a little disingenuous. The location is further east up the street. It is not at the end of the cul-de-sac. I would urge the commission to challenge Atlas to give really more realistic pictures of what this tower is going to look like from all different angles. I could also argue about the real estate comments that were made in the presentation. I don't, you know, comps weren't provided for other homes that weren't adjacent to cell towers, yada, yada, yada, and that the National Association of realtors has some data on their website that challenges the notion that property values are not impacted by cell phone towers. I did email some comments and that link is in there if you guys like to look at them. Thank you

Ryan Pratt: I live on 120 South for more than 10 years my kids have played right there on that cul-de-sac and so, obviously, it's pretty important to me. I really appreciate all the comments my neighbors have made but I want to summarize a couple of things. Because I think what the gentleman, the real estate agent had mentioned is very important. But in my summary of that, I want to rephrase it. So if property values go down for a few homes in Heber, essentially capping out at, what was that, 600,000? Something to that effect, over 20 years for the city. But the property values of those dozen or so homes that are in line of sight go down substantially more. You have essentially taxed those few citizens for a public utility, and that's what's happening. And I want to emphasize that what the private developer had mentioned was that there are options. There was a private development, a private property where then a property tax could be assessed, and it was a win. Instead, you're taking directly out of our equity to fund and taxing us as well. So this isn't like eminent domain where a municipality comes in and pays for the value of a home or a property, right? This is where you take down the value of that asset. My next comment would be, to reiterate, I know that there has been a lot of debate about whether cell towers have a negative impact on kids, on families, on people living close by to them but we just do not have a lengthy case study here. There has not been sufficient time for this technology to have been studied over decades. And again, to echo the invite that Kim gave you to walk down our streets, where you will see the kids playing on that road where they would be exposed to any effects that there may or may not be. And all of this for the benefit supposedly of all but at the expense of just a few citizens. Thank you

Kenny Turley: I live on the circle of 120 South, within 300 feet of this tower, and to be honest, this thought just occurred to me. I have a 10-year-old son with hearing aids, will this interfere? I have no idea, so I just Googled for any information. And I think the same thing with the health benefit or effect on people is not known. The googled information says the radio frequency emission from cell phones usually does interfere and connects to the towers. So, like I said, I have no idea how that is going to affect my kids' hearing aids. It might not, but now it's a thought that I have, and it's like, I don't know. So are we going to have to move now, or do I know? Like I said, it might not, but just another worry and then I agree with everybody else. And that was it. That was just a quick thought.

Jake Mebos: I live on 120 South and I want to echo what several others have said. The gentleman that talked about the WASP, he's right on point. If you go walk into that cul-de-sac, you might change your mind. And I respect where they're coming from, but with respect, I don't think either one of you, if you were to walk to that cul-de-sac would say I'm okay with with that 65 foot tower being there even a 35-foot tower. I respectfully say if there's another option, to take a look at it, because those pictures definitely are not going to do it justice. For everyone that lives in that cul-de-sac that tower will be monstrous. It is going to be right outside of windows and to say that it will not affect property values is just not accurate. And again, if you go, and you see for yourselves, you would say, yep, I would think twice before buying a house with a huge cell tower right there. Thank you

Natalie Jones: It's more of a comment, but this is going to be directly outside my back door almost. It is going to be a hideous site. I don't care if you make it a Christmas tree. It is still going to be a hideous site and again, the pictures that we were shown were very very deceiving. I invite Atlas tower to come to my backyard and take a picture, and they will see what it is going to do to a lot of our backyards. I live on 200 south, and it is literally behind my house. And again, I echo what everybody said here about having a choice. Our choice is being taken here, and it is not right. When I bought my home 10 years ago, I was never under the impression that it could be changed into just putting something there. Like Mitch said, we were never advised there was going to be anything else put on that property. I understand times change, but as a taxpayer, as a citizen, where is our choice in this matter? I would like to understand why Atlas was against some of these other sites that have been discussed. Why, besides the cemetery, we've seen what? Maybe up by the red ledges. Why are these sites not being more thoroughly publicized? You know, that's my opinion. I just really strongly hope that you guys can take this into consideration and give us the choice and keep integrity in this valley because I feel like it's going down the wayside. So again, Atlas title, if they would like to come to my backyard, they are more than welcome to. Thank you

Gentry Hardman: I just want to jump up and echo all the things that have been said and just go along with what someone said about the photos that were proposed about the tower, like not looking at what it would really look like from these locations. Even the

charts that were shown about the property values. It showed values going up but were any of those actually this close to a cell phone tower? I realize a distance away, maybe it doesn't affect them that much, but for the tower to be within 300 feet or 500 feet, where it's in all of our backyards, are any of those properties the same? I guess that's my hypothetical question to think about is, are any of those actually comparable to what would be going on here in our neighborhood and the effect of the property values? The other thing is, it looked like the property data was the value is going up, but that was in 2021, when Heber's market was going wild and everything went up here. Can we get real data that is comparable to what would actually be happening in this situation to take that into account? Thank you

Kim Butler: Thank you for listening to us today. And I've emailed in a letter as well as the petition signed by 95 of our neighbors and our concerns. I won't go over them again because you'll be able to go over them on your own. I would like to ask if you can zoom into that a lot more. Where you're planning to place the cell tower. The placement is not even accurate, because there is a home that sits directly next to it. Where the circle goes around, there's actually in this place, a house that sits 60 feet away from where they are proposing the cell tower? How far off the property line does the cell tower sit? From the property line that is behind the cell tower? It's 115% of its height to the nearest property line. And if it's sitting there, that is not 115% off that property line. So we'll do the math right now. Okay, it cannot be any closer than 75 feet to the nearest property line. So once again, it's very close, very close to the residences that are around that circle. I hate to go over what has already been stated but I am reiterating that other sites such as Heritage Park, which is off Heritage Parkway is one of the sites that has been looked at as well as in front of the Red Lighthouse. And why have we not pursued those? I mean, it looks like the area needing the service is towards the east and up higher. I would ask why we haven't pursued those more. And I mean, are we afraid of red ledges and their comments? You know, like really, because it does not belong this close to residential houses and in the middle of a subdivision. Thank you

Ben Atwood: I'm really proud of all these people that have spoken, they are friends, they are neighbors. It's our community. I echo and want to support on public record what they have said. As you often hear in real estate, location, location. Location, please. Use wisdom, use prudence in this decision, take into account these things that have been spoken and voiced by the community. The pictures that Atlas showed in their slides tells me about all I need to know about Atlas. Those were disingenuous. I was blown away seeing those pictures. That does not reflect what we will see from our neighborhood. So that took away any credibility that they have with statistics, with anything. So, listen to your constituents, listen to the community, and set aside Atlas's disingenuous information they provided. Thank you

Gabe Goobler: I live, like the lady before Ben said, probably less than 66 feet away from the tower and if I have to look at that in my backyard... if I at some point decide to try to sell my house, and I get nowhere but low ball offers because of the location of the cell tower or anything of that nature. One, I'm obviously like the realtor gentleman at the very beginning who said I'm shrinking my pool of perspective buyers down to next to

nothing. And that's not fair because you are taking my choice away from me as a homeowner and a taxpayer. I think the Atlas is, you know, an evaluation of homes around cell towers. I mean, I'm not going to lie, some of the pictures that they showed were dumpster fires for lack of better words. We live in a house that is12 years old, that is worth $800,000. Do you really want to take $200,000 out of my pocket and leave me with no realtor pool for the sale of the home? Also, I echo the rest of what everybody else has said. I think it's disingenuous that they would consider a primary. That is all I have to say. Thank you

Council Member Yvonne Barney: I've received, as a council member, quite a few emails as I'm sure the other council members have. I've received several calls from the citizens in that area and I appreciate each one of them reaching out to me. What I've really appreciated is the respect that they have shown to the Planning Commissioners as they have presented their viewpoint. I also recognize and appreciate that the representative from Atlas tried to sell their product and view point in so many ways. Stating that basically there was no reason for the commissioners and for council in the future to hear because the FCC has made certain requirements in stating that it is unnecessary for either the commissioners or the council to listen to any of the concerns of the citizens, because that is not a reason to stop them from inserting a tower. However, obviously there have been concerns. We know there were concerns regarding the water tower area. And obviously, from the red dots on the map that there has been potentially and other areas where the tower could have been placed. I'm not sure if there was any explanation as to why those other sites were rejected, but as a council member, that will be my first question. Why, were those red dots (other locations) rejected? And why this particular site? I also recognize that this is a city site, but I am going to share something that I noticed in the chat. There was someone who quoted James Madison, and was basically saying that once the living has passed on, and they are gone, that they will have basically no say. And she shared that she's confused as to why there is not a tower being located at the cemetery. I asked myself that same question, why are we rejecting that location? It is for the living and the living are here. I doubt that the dead will be able to collect 95 signatures, and so I think this is something we should consider. I also believe this is something that, when we have that many citizens concerned that we shouldn't reject it and that we should look into finding other locations. I appreciate everything that the commissioners do and I know it can be difficult, and I completely understand. And once again, thank you to all the citizens who have shared their concerns. Thank you

Lindsay Devonas: I wanted to echo all the comments that have been said and add a few questions. As a lot of other people have said there has been a lot of data cherry picking by Atlas. The distance was said to be a 75-foot buffer from the nearest property line, I doubt that is the case. But if we can get some of that data, that would be good since it's kind of special. I've also been involved in conditional use permit hearings personally. Also, I have seen a couple of emails in opposition, but not like 45 an hour worth of comments, 95 signatures, et cetera, et cetera. I hope that all of this then is being considered instead. Even though we do not all have the exact language or the right thing to say. Finally, yes. I understand that this meeting was to change the zoning

from residential to industrial use, not to increase the height of the cell tower. I think, as it is right now, the area is still residential, not industrial. So I don't know what conversation we're having here, but the first step is non-approval. It should be a zoning change and the zone is residential. So that should be the first question, not the height. I'm speaking with the assumption that the zone is still residential, and we definitely are not supporting change to industrial because it does not belong in this residential area as all the other comments have mentioned. If you could help us understand what we are trying to solve here. And I hope key steps have not been skipped over. Yeah, sorry, that was a question. Are we trying to rezone from residential to industrial? That was my understanding for this meeting. Vice Chair Broughton explained, It's being rezoned to a public facilities zone, possibly, not industrial. Lindsay continued: Let's make sure we narrow the scope. And before we start talking about 65 feet, the first step is rezoning. And as all of us have mentioned, there is many reasons why this should not be rezoned. I think it should stay residential. Thank you for your time.

Trisha Welsby: Hi, thanks for everyone attending the meeting tonight. I'm at home with my daughter, so if she interrupts, that is her. I am one of the closest homes to where this 65-foot proposed cell tower might be, hopefully not, and honestly I think it is, just for lack of a better word, ridiculous. We all bought homes here, and I would like to speak on behalf of everyone, but I will just speak on behalf of myself. I bought a home here as an investment towards my future, my retirement for my family and for my daughter. Placing a cell phone tower is going to lower the property value, which is not right. I don't think any citizen that lives by the cell phone tower should have to endure a decrease in their property value for public gain. I know the cemetery site was proposed numerous times, and I really think it is in the best interest of the community and for everyone that is going to potentially be living next to the cell tower, that a different area is proposed. I understand that Atlas can already build the 35-foot tower. They want to build a 65-foot tower so they can have more cell phone carriers. It would be in the best interest of them as well, and the city also, because from my understanding, the city will get more money depending on how many cell phone companies they are able to have on this tower. So it is in the best interest of everyone if it goes to a different place where Atlas can build the 65-foot tower. So anyways, that was just my comments. It's really unfortunate, and I really hope that the Planning Commission and Atlas take everyone's words to heart. Thank you

Brittany Gubler: I am the house that is the closest that was shown by Kim. The house that is 66 feet away from the proposed cell tower, where the Connex boxes used to be located. Atlas, if you want to come and stand in my backyard and stand where I am on my deck, staring right at where the proposed cell tower would be, you are welcome. I am from this valley, my maiden name is Berg. Yep, probably some of you guys are not a fan of my brother, but that's okay. I would just like this tower not to be on the well that my grandpa put in. And I'm afraid for the health risk for my two little boys. It may not be a big deal, but it is not a risk I'm willing to take. And when we bought our house and bought it in this old alfalfa field that my brothers grew hay with Harris Parcell, if some of you know who that great man. Please keep that in your planning and in your thoughts and I will definitely direct this to the City Council as well. Thank you

Marlene Livingston: I live within 300 feet of the tower. You would be able to see it from my kitchen window, from family barbecues. I mean, it's going to be right there. I'm asking you to please reconsider where this tower is going to be placed. If it does affect our homes by 20%, Our neighbors are about $3 million that you would be taking from us here in this room. The cell tower does not only affect these people. If my neighbor five blocks down wants to sell their home, now because my home is valued at 600,000, their home is going to be valued less as well. So you are taking away from not just me and all my neighbors here in this room that are trying not to have this here. If one day we want to refinance medical bills, college funds, anything, it's going to affect us personally. We cannot tap into our equity that we have put into our homes because someone wants better service in their car while they are driving. I just don't think it's fair. We bought the home without it zoned for a cell phone tower. And that is what we expected when we bought the home and now it is being changed. I just, I really would really ask that you reconsider putting this cell phone tower behind our homes. Thank you

Emailed Comments for the Public Hearing:
Dear City Officials, Thank you for providing an open forum for neighborhood input regarding the proposed use of city owned land for cell towers. I appreciate the challenge of accommodating growth while also listening to pushback about that growth. I was in Florida on business yesterday evening when the Planning Commission entertained comment from my neighborhood, so I just listened in. I resonate with the homeowners who expressed their concerns and displeasure regarding the possibility of a cell tower, especially a 65-foot tower looming over their homes. I've seen the data on the negative effect of a cell tower in close proximity to a home on the market. I also heard the claim from Altas that from their point of view there is no negative effect. Wisdom dictates that I heed the "If you do it you'll regret it" data rather than the "everything is fine" data that favors business profit over human experience. The before and after sample photos Atlas used in their pitch were woefully unhelpful if not outright deceptive. The viewer's point of view must be created from within the current 300 circle used to determine who was notified—not from a much greater distance. If Atlas needs help creating such a before and after photo I am happy to provide my professional services to assist. I oppose residential rezoning for anything other than essential changes that protect life and limb in a neighborhood. I also agree with the neighbors who have pointed out that the "Chicks tower" is .6 a mile distant from the proposed placement of the Atlas tower in question. 0.6 of mile is not 1 mile. I do not believe a closer, taller tower respects either the citizens or the City's rules/laws/ordinances. Thank you again for wrestling with this and many other "between and rock and a hard place" issues. Sincerely, Nathan Jarvis

Regarding the agenda item from the Planning Commission meeting to consider a rezone of the City's Hospital Well from R-1 and R-3 Residential to Institutional & Public Facility Zone (IPFZ), I am submitting a question that I presented from the meeting plus a couple of other questions. Here they are:
I stated that with the original R-1 & R-3 zones for the area were established, that

residential neighborhood has become even more densely populated with the addition of the development along 120 South and Center St. in the last 10 years. Would that increased density have any consideration or bearing on being able to rezone from a residential zone to an "Institutional & Public Facility Zone" (IPFZ)?
Why is this location even being considered since its proximity is within a 1 mile minimum of the Chicks Cell Tower, that the city has already established as its standard? Along with that, aren't there other properties in the city that are already zoned "Institutional & Public Facility Zone" (IBFZ)? If so, use those properties rather than trying to rezone residential neighborhoods. If a rezoning is required, a cell tower should not be there in the first place.
With the suggestion of a Master Plan for this topic, I ask a completely "out of the box" question. Can cell towers and power poles coexist on the same pole? If not, I will recognize this is not a solution. If the answer is yes, I understand this idea may not fit the monetary solution that the city desires, but there are some benefits that need to be considered:
Could an agreement be reached with the City and the owners (Rocky Mountain Power, or Heber Light and Power?) of the tall power poles north of Heber City along Hwy 40? This may include a shared investment, but it would also alleviate the need to rezone residential areas.
The poles already exist, possibly reducing the cell tower installation expense.
With multiple poles to choose from, the 1 mile minimum from the Chicks Tower could be achieved.
This location represents a rapidly growing area of the City that needs enhanced cell service capability.
The potential decrease for the city investments will be offset by happier citizens and neighborhoods.Respectfully,Ron & Kathy Carlile
Thank you for taking comments during last night’s meeting. I would like to reiterate my concerns for the rezoning proposal to allow for a 65-foot cell tower. At that height, the structure would stand more than twice as tall as surrounding homes and existing buildings, creating a highly intrusive visual presence that would fundamentally alter the character of this established residential neighborhood. This is a quaint, family oriented community with homes that have been part of this neighborhood for more than a decade. If allowed, this cell tower would sit as close as 66 feet from houses, dominate the landscape, and be highly intrusive. A structure of this scale does not fit within the existing residential landscape and would be clearly visible from all neighboring properties, our street, yards, and throughout the cul-de-sac, significantly impacting the neighborhood’s aesthetic character, livability, as well as home values. I respectfully urge the Planning Commission to visit the street and surrounding homes in person before making a final decision. Walking the neighborhood firsthand would provide valuable perspective on the true visual impact and incompatibility of placing a tower of this magnitude directly adjacent to established residences. Thank you for your time and consideration. Sincerely,Kim Casserly
Hello all:
I just wanted to thank the Planning Commission for their time (and patience) during the public hearing regarding the proposed re-zoning of the hospital well property. I appreciate the Commission's thoughtful and well-balanced approach to this matter and

hope that a more optimal site can be identified for this specific tower. I also support the development of a more comprehensive plan that helps address the current and future telecommunication needs for the valley.
Thanks for your time and service,Douglas Larsen
p.s. Tony - I saw in the agenda packet your responses to many previous emails (thank you for that, it definitely helped illuminate the process), but I don't really require a formal response to my original email (the questions posed were more rhetorical as I was very quickly attempting to get up to speed on this proposal as well as the entire process).
As asked by Commissioner Royall, I am emailing in my points / questions I asked in the public comment section of the meeting
My questions: - the general plan shows this as a residential area; we are in a R-1. Bought our homes in a R-1. - the property comps. Showed from Atlas show homes in a r-3 adjacent to the downtown zone. Not in the middle of an r-1 zone. Have them provide comps - atlas provide a slide showing poor cell signals in this area. Please have them provide more information further east and north. Is this the best location to solve these problems and with potential growth? Please have them provide information on why. They showed many other red dots showing other sites. I'd like to understand why those other sites don't work. As we move east and north the ground raises in elevation and there could be some better sites that would more effective. Using Google Earth view shed - this site does not seem to work as effectively as others. - I emailed earlier today other potential sites using this view shed functionality that could work better. - I would like to understand and have more discussions on why these other sites rejected. - there potentially sites on school owned property that might be useful and work for these sites. They also have sites where the views to TImp wouldn't be blocked as well. - I mentioned there might be some sites to the east that could work as well - I encouraged the commission to find out more information on this site and others to see how the proposed tower would work best for this site and not others. I think we need to make a plan that works best for current needs and future. From what I can see this is an easy site that solves some problems, but not the best for future use / growth of the city, etc. - I encourage more discussion around this and more information on why this is best versus other sites.
Otherwise this site seems like an easy one but outside the intent of the general plan for this location.
I do want the benefit of it and would be happy to work to work with commission to find one better suited to meet the needs of the community.
To Heber City,
Our family has lived in lot 15 (on the zoning map) for the past ten years and would like it noted that we are not in favor of rezoning the proposed area near our home, and are strongly opposed to the proposed cell phone tower being built on the neighboring lot. The proposed building site is not congruent with the neighborhood, the height and size of the tower would dominate our modest neighborhood and completely alter the small town ascetics that were the primary reason we moved here and love it. A tower of this size should be built in a commercial area rather than residential.
Cell towers have been proven to reduce property values by up to 20-30% which not only impacts us directly as home owners but also the city in terms of tax revenue. I understand that health concerns are not enough for the tower to be denied but they

should still be considered.
Based on the council meeting on May 12th, atlas did not provide accurate images of what the cell tower will actually look like. They also didn't provide market values for homes directly adjacent to a cell tower. Our home is within 300 feet and we should not have to bear the financial burden of property loss in order to have this tower placed here.
Please protect the integrity and health of our families and neighborhood and build this tower either away from residential areas or somewhere still in development so residents can choose if the want to live with deceased property values and the potential risks of living by a wireless tower.
Thank you,
Sara Turley
To the Heber City Planning Commission and Heber City Council,I am writing to express my complete opposition and deep concern regarding the proposed cell tower planned directly west of our 120 S. cul-de-sac and so close to established residential homes and families.I am outraged that a structure of this magnitude would even be considered in such close proximity to a neighborhood where families live, children play, and homeowners have invested heavily in their properties and quality of life. This proposal would negatively impact the character, safety, appearance, and overall desirability of our neighborhood.Beyond the visual impact, there are serious concerns regarding property values. Realtors and peer-reviewed studies have reported that cell towers can reduce residential property values by as much as 20%. Buyers often avoid homes located near large tower structures due to aesthetic concerns, perceived health concerns, and the industrial appearance they bring into residential areas. Expert appraisers, municipal filings, and international research have also documented long-term devaluation and reduced marketability of homes located near large cell towers.I am also extremely frustrated that residents were apparently never properly notified or involved regarding the original 35-foot tower proposal. Homeowners who are directly impacted by this project should have been included in the process from the beginning. It is very upsetting that something with such significant impact to our neighborhood could move forward without meaningful resident involvement or transparency.Additionally, residents in this area have already had to absorb increasing impacts from the adjacent city property over the years, including excessive vehicle traffic, noise, and activity that did not exist when many of us purchased our homes. Those ongoing issues have already affected the peaceful residential environment we invested in, and adding a large cell tower only compounds those concerns and further diminishes the quality of life for nearby families.Homeowners in our neighborhood should not be forced to absorb the financial loss and diminished quality of life that this project would create. Families purchased homes in this area expecting a residential environment — not an industrial utility structure looming over our cul-de-sac.I strongly urge the Planning Commission to reject this proposed zone change and protect the integrity, safety, beauty, and property values of the surrounding residential neighborhoods. Please consider alternative locations that are farther removed from homes and family communities.Thank you for your time and consideration.Sincerely,Mallory and Ryan Pratt

To whom it may concern:
As a concerned homeowner and citizen within the vicinity of the proposed cell tower, I've read with interest the planning commission's staff report and the Atlas Tower presentation. A few thoughts based on my limited understanding:
Why was this site originally zoned as R-1 and R-3? Have there been changes in the surrounding areas that warrant a zoning change in the first place? How would this zoning change benefit members of the community (beyond better cell service)? What sort of assessment has been performed for citizens in this area to demonstrate the value-add of this zoning change and tower installation?
The National Association of Realtors reports that cell towers can reduce home property values by up to 20%, with studies suggesting the negative impact may be felt up to 1500-2300 feet from the cell tower site (https://www.nar.realtor/cell-phone-towers). Has there been an assessment on the potential negative impact to adjacent property values?
The telecommunications facility ordinance admits that "surrounding properties bear a disproportionate share of the negative impacts of a telecommunications tower", but this zoning proposal explicitly encourages a more aggressive structure with only very vague descriptions of the appearance of the tower (i.e. "neutral", "stealth") without clear illustrations or models demonstrating how the company will camouflage the visual appearance of the tower. How can the city hold the tower company accountable for the appearance with such vague terminology? And why, in such a non-commercial location, does the tower need to be so tall (beyond rather modest revenue generation from increased lease rates)?
The tower proposal seems to violate current setback rules from current monopoles - why is there such a need to not only re-zone an area, but also ignore current regulations?I can't help but get the impression Atlas Tower and the Planning Commission are, in essence, attempting to force a square peg into a round hole with this proposal, and I would encourage the parties to continue searching for a more appropriate site. As it currently stands, I do not support this proposal, and I will be communicating my position to the Heber City Council and Mayor.
Thank you for your time,Douglas Larsen
Dear Planning Commission Members, City Council Members, and Atlas Tower Representatives,As next week’s meeting approaches regarding the proposed 65-foot monopole cell tower and related zoning considerations near 600 East and 100 South, we want to respectfully reiterate that neighborhood residents take this matter very seriously.This proposal has generated significant concern among surrounding homeowners regarding property values, neighborhood character, proximity to homes, and the cumulative burden already placed on this property and nearby residents.In addition, many residents continue to express concern regarding the public notification process and whether affected homeowners were adequately informed early in the process.There are also serious concerns regarding any zoning changes, variances, or exceptions that may be required to accommodate this project. Residents believe the integrity and consistency of zoning standards are important to preserving the character and protection of residential neighborhoods.This property already includes a well pump house and a commercial generator that creates ongoing noise and diesel odor during regular testing. Adding a 65-foot cell tower would further increase the cumulative impact

on surrounding residents and homeowners.Our neighborhood has come together in a respectful and organized manner to voice these concerns through emails, public participation, and a community petition. We respectfully ask that these concerns be given careful consideration before any approvals or zoning decisions are made.We appreciate your time, your service to the community, and your willingness to hear the voices of the residents most directly impacted by this proposal.Sincerely,
Kimberly Butler
Dear Planning Commission Members,
Thank you for your service on behalf of our city.
I'm sure you and others are bombarded with emails regarding the rezoning of the city property near the hospital well. I need to express my extreme concerns about the financial impact that having a 65' cell tower placed so near our home and my neighbors homes will have on property values. Our property shares the fence line with the city property.
I have attached a link below to nationwide studies that demonstrate the negative impact cell towers have on home values and ability to sell our home at a crucial time in our life.
See link in Staff Report

Instead of repeating the multiple concerns that my community have already expressed I would like for you and the Heber City Council to understand the personal real-life impact this proposal will have on us as retirees.
We moved to Heber Valley 30 years ago. I retired from the Wasatch County School District as a teacher, coach & school counselor. I am the founder of the Cool 2 Care program at our high schools. I started the first Heber Valley Storm girls competitive soccer team and coached for over 12 years on a volunteer basis. I have invested my life into the Heber Valley Community and hope that in return Heber Valley will invest in our well-being as retirees.
Over 1/3 of our retirement portfolio includes the equity we have worked so hard to earn in our home over the years. Now that our children are grown and out of the house we need to sell and downsize.
When looking at the property value impact studies which are attached our home stands to lose between 10-20% which translates at our current market analysis value of our home to be between $150,000 to $250,000. This would be devastating to our retirement financial stability.
Besides looking at all of the other issues presented, I hope you and other planning commission members and the Heber City Council will consider the real-life and personal impacts on those of us directly impacted by these decisions.
I am asking that alternative locations be found that do not place cell towers in well established neighborhoods.
Thanks again for all that you do!
Have a great day,
Brent Burnam
As 30 year residents in the Heber Valley, my husband and I would like to express our deep concern for the proposed rezoning of the 1.5 acre lot adjacent to our community and our home for the purpose of installing a 65 foot cell tower. Mr Kohler has made residents aware that a 35 ft tower could already be placed in that location under its

current zoning, however public records state that Atlas Communication's proposal for a contract with Heber City is only for a 60-65 ft tower which requires rezoning a RA 1 lot. We bought our home in a beautiful community where residents take pride in their homes and yards. Broadhead estates and surrounding neighborhoods were designed with buried power lines to create an open, rural and aesthetically pleasing neighborhood which is why most of us invested in this area. To rezone and put a cell tower in the middle of the neighborhood undermines the quality and financial investment we have all made. Heber is better than this and we hope that you see how necessary it is to preserve the quality areas we have within the city limits.
It is my understanding that this contract with Atlas Communications will generate significant revenue for the city. There has to be other city locations that do not require rezoning and would not have such a negative financial impact on so many homeowners.
Lastly, we also recognize the need for more communication equipment in our valley. We hope you will hear Us (Heber residents) and find a better location that does not require rezoning property so close to homes. I would like to suggest the maintenance area by Cemetery Land (fake pine tree would blend in there), behind the new Smiths, main street locations by businesses, or by the new amphitheater, where property values and neighborhoods are not impacted. We would appreciate knowing the city's pursuit of other locations by leaders who are more aware of potential locations. We would like to request a map of the actual location on the Well Property that the tower would be placed on, and clear measurements of the distance from all of the properties surrounding it. That would help understand the differences between Hospital Well property and other potential locations with greater separation.
To personalize our feelings, I would like you all to imagine this happening next to your home and neighborhood, and consider the equity you would lose in your home investment.

Tanya Elander
Dear Members of the City Council,My name is Andrew Bernstein, and I live at 864 East 120 South. I am writing to oppose the proposed rezoning and cell tower near my neighborhood.This area is clearly designated and developed as low-density residential. Changing a single parcel to allow a commercial or industrial-type use introduces an incompatible use into a stable neighborhood and conflicts with the purpose of the zoning code and the General Plan which is to protect neighborhood character and preserve the quality of life for the residents while emphasizing responsible development. It also raises concerns about spot zoning and sets a precedent for further encroachment into residential areas.While I support responsible growth and infrastructure, projects like this should be located in appropriately zoned commercial or industrial areas—not within established neighborhoods.I respectfully ask the Council to deny this rezoning request.Thank you for your consideration.Sincerely,
Andrew BernsteinPlanning Commission Members,I am writing to express my strong opposition to the proposed 65-foot cell tower planned behind our street in the Broadhead Estates neighborhood.
This proposal is inappropriate for a residential neighborhood. Broadhead Estates and the surrounding area is a community of homes and families, not a commercial or

industrial area. Residents chose to live here because of the quiet, neighborhood atmosphere and the expectation that the area would remain residential in character. Installing a large utility structure directly next to homes is inconsistent with this longstanding neighborhood. It is entirely incompatible with the surrounding homes and would permanently alter the character of our community.
At 65 feet tall, the proposed tower would stand approximately twice the height of all homes in the vicinity, looming directly over residences. Rather than blending into the area, it would dominate the landscape and be highly visible from the surrounding area, back yards, streets, and directly outside our windows. A structure of that scale belongs in a commercial corridor or other non-residential setting, not directly next to homes where families live.
I am also deeply concerned about the effect this would have on surrounding property values. Homes located next to large cell towers are proven to be less favorable by buyers, and the visual impact alone can make properties harder to sell. Homeowners in Broadhead Estates and the surrounding areas have invested heavily in their properties and should not bear the financial consequences of placing an oversized commercial structure beside their homes.
There are more appropriate locations for this type of infrastructure that would serve the same purpose without placing the burden on a residential community. I respectfully ask that the Council deny this proposed zone change and require the applicant to pursue a site in a commercial or other suitable non-residential area. Approving this zone change would show a troubling disregard for the interests of the residents you serve.
Thank you for your time and consideration.Sincerely,Kim Casserly
To Heber City council members,
Our family has lived in lot 15 (on the zoning map) for the past ten years and would like it noted that we are not in favor of rezoning the proposed area near our home. Our opposition in it being rezoned is primarily because we do not want the cell tower to be built right in our neighborhood.
Cell towers have been proven to reduce property values by up to 20-30% and have potential health risks from long term RF radiation exposure. Studies have suggested increased risks of headaches, sleep issues, cognitive impairment, and higher cancer rates among residents living within 300-400 meters.
Additionally, we have not received any notice or information from Atlas about the proposal even though it is my understanding that they must inform residents of proposed wireless facilities directly affecting personal property.
Please protect the integrity and health of our families and neighborhood and build this tower either away from residential areas or somewhere still in development so residents can choose if the want to live with the risks of living by a wireless tower.
Thank you,
Sara Turley
Please see the signatures for the neighborhood petition in the Staff Report

Commissioner Jordan thanked everyone and, as there were no additional comments, closed the Public Hearing and stated, We deeply appreciate you coming here and expressing your fervent opinions and how this is impacting you. Thank you very, very much for bringing that to us this evening. And I hope you can tell that we are all ears

and very much listening to what you have had to say this evening. So with that, we are now ready to shift over to the commission and commissioners for their questions to either Tony and planning or Atlas Towers, who is here, and I'd also welcome our alternate members, Christina Goodnough and Robert McKinley to join the us as well.

Vice Chair Broughton commented she had written down questions from the Public Hearing comments and would like to start with receiving answers for those comments. The first question I have is how many watts per channel and how many channels? The applicant, Helmut Schoenfer responded that Alta would not determine the watts per channel, the carrier's equipment would dictate that information, and it is the technology that gets deployed to the sites. Vice Chair Broughton asked Mr Schoenfer if he knew an average and he did not. Vice Chair Broughton continued, Where did the generator come from? Mr. Kohler responded that the generator was the city's, and it was likely placed there to make sure that we can maintain service in the event of an outage, and it would remain on the site. Vice Chair Broughton continued, Who signed the lease? Mr. Kohler answered, the City Council signed the lease. Vice Chair Broughton continued, Can you explain why further east or further north will not work for the placement of the cell tower? The applicant, Mr. Schoenfer responded, we did not say other locations would not work, but we were limited to locations where there were willing landlords that wanted to lease with us. The city gave us these options of parcels that we can use to develop a tower, so we were limited to both private landlords saying yes or no to willingness, and also locations where we were allowed to develop a tower per the city's options provided to us. Vice Chair Broughton asked about the one-mile proximity from other towers. Mr. Kohler explained, the code states that a tower would need to be a mile apart from other towers unless approved otherwise by the City Council. Chairman Jordan clarified, In other words, the rule is still a mile but this could be a petition to modify that rule, in this case, as an exception. Commissioner Slagowski asked, was it a mile based on the height of the tower or was it a mile no matter what? Chairman Jordan stated, the intension is that, regardless of the height, no tower would be no closer than a mile. Vice Chair Broughton continued, Was the density of the residential neighborhoods considered for this location or is the density a consideration at all? The applicant, Mr. Schoenfer responded, It is driven by the needs by the carrier. The Carrier has a clear need in the area where the maps identified in purple, so density does play a big role. Vice Chair Broughton concluded, Why are we not considering the cemetery other than the dead? Mr. Kohler responded there was not a formal request for that location. Mr. Schoenfer responded, we can absolutely work with the City and look into that location and other locations.

Chairman Jordan asked the Atlas Representatives if they had prioritized any of the other locations in terms of one priority below another one below another one. Based on the availability of certain properties, please determine, with the other carriers, this is priority one because it provides the best coverage, for instance, and then two, three, four, and so forth. Mr. Schoenfer responded that they could provide such a list.

Commissioner Richards explained he lived in the neighborhood, so the cell tower in that location was a concern to him as well, but the biggest question was about the rezone.

Commissioner Richards continued, the point of a previous cell tower discussion was that the higher the tower the fewer towers would be needed and that he would be interested in a graph of those locations as well. Regardless, wherever would be the best place in the City, the adjoining neighbors would feel just like these neighbors. Mr. Richards continued, he didn't want to look at the situation financially as we are currently in more of an emotional state based on the comments, but I want to go back to the fact that if we did have taller towers, how far apart are they going to be? We have to do things within the valley to make the infrastructure better and, it makes it to where we are not popular. That's for sure, as these are hard decisions, really hard decisions. I'm not saying we're making a decision now. I'm bringing us back to discussions we have had over the years about this very same issue with a different set of people in the room and what our conclusions were and, going forward, how are we going to move forward. Because if this fails it is just going to be the next one and the next one and the next one. We need to have some type of structure so we can make these decisions. For now, we are talking about a rezone and the only reason why we would do a rezone is because of the height of the tower, that is the root of the issue. We have to decide what we are going to do from this point on as far as if we did do a rezone for a higher tower. What does that mean for the proximity of any other towers in the valley? Discussion continued about different zones and different heights for cell towers.

Chairman Jordan asked if any other Commissioners had questions. Vice Chair Broughton asked about section 704 of Atlas' presentation. Because of section 704, can Heber City deny this request without litigation? Mr. Schoenfer responded, the City can not deny a cell tower for reasons of health and property evaluation only. Chairman Jordan asked about City owned property near schools as the City cannot deny a cell tower due to health reasons, there were none.

Commissioner Royal asked about Atlas' presentation that stated denials of locations and why those were denied. Mr. Schoenfer responded, they were private properties and Atlas could not attain a lease agreement with the Owners. Commissioner Royal responded so basically the same type of denials that Atlas was receiving currently in the Public Hearing. Mr. Schoenfer responded, yes, it was their choice and they didn't want a tower. Mr. Schoenfer clarified there was quite a few on the map showing as denials, Atlas wanted to show that they did try. We try and make every effort as we want to work with yourselves and the community and make sure we have a location that works for everyone and we can place a tower as you can see from the coverage maps. It is clearly a need. A conversation ensued regarding the cemetery location.

Chairman Jordan mentioned Atlas could look into the areas that are further east understanding that some of these sites are probably going to be future homes, but they are not homes today. The people could move in, understanding that the cell tower is already there. The conversation continued regarding cell location and also the process of moving the cell tower to the cemetery.

The Commissioners discussed the rezone and the use of the City's hospital well location. Vice Chair Broughton commented, the zone change should have a positive

recommendation as that is what is concurrent with the General Plan and that is what the zone's use is now and the City should stay consistant with height and proximity. Commissioner Richards agreed. Commissioner McKinley agreed that a cell tower master plan was needed and continued, I mean, there's no question we need more cell towers, but until we have a lot of these questions in terms of how do you saturate the whole area and how many towers, we are always going be looking at this same question without a master plan.

Chairman Jordan concluded, I believe we have had our public hearing. We have had the opportunity to ask questions that were gathered by the public as well as for ourselves for this evening. The Commissioners have the duty to look at this in two weeks' time and in the in-between time we have a lot of emails to read. I believe that there has been a general conclusion or deduction that there could be an alternative site to be reviewed at the cemetery.

Commissioner Richards stated he would like to see a cell tower infrastructure master plan. At least give us some data to think about. S till looking at this site, if we had some other proposed sites, that we know plug into the master plan, we would have a better discussion in two weeks.

Motion: Vice Chair Broughton moved to continue a rezone of the City's Hospital Well from R-1 and R-3 Residential to Institutional & Public Facility Zone (IPFZ). Commissioner Knight made the second.

Discussion: N/A

Voting Yes: Planning Commission Richards, Commissioner Slagowski, Commissioner Knight, Chairman Jordan, Commissioner Wilson, Commissioner Royall, Vice Chair Broughton. Voting No: None. The Motion Passed 7-0.

4. Work Meeting: N/A

5. Administrative Items:

I. City Council Communication Item N/A

Item was moved to the next meeting.

6. Adjournment:

Vice Chair Broughton motioned to close the meeting, Commissioner Knight made a second to the motion and the meeting was adjourned.

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Meshelle Kijanen, Administrative Assistant

HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
May 26, 2026

DRAFT Minutes

6:00 p.m. – Regular Meeting

1. Regular Meeting:

I. Call to Order

Chairman Jordan called the Planning Commission Meeting to order at 6:00 p.m. and welcomed everyone present.

II. Roll Call

Planning Commission Present:	Chairman Phil Jordan Vice-Chair Tori Broughton Commissioner Darek Slagowski Commissioner Josh Knight Commissioner Robert Wilson Commissioner Greg Royall Commissioner Robert Mckinley Commissioner Kristina Goodnough
Planning Commission Absent:	Commissioner Dave Richards
Staff Present:	Community Development Director Tony Kohler Planning Office Admin Meshelle Kijanen City Engineer Ross Hansen
Staff Participating Remotely:	N/A
Also Present:	Jared Jones, Natalie Jones, Brent Burnham, Tanya Elander, Mitch Butler, Kim Butler, Carol Bates, Cannon Taylor, Seth Plaizier
Also Attending Remotely:	Grace Doerfler

III. Pledge of Allegiance: By Invitation

Commissioner McKinley led the recitation of the Pledge of Allegiance.

IV. Prayer/Thought by Invitation ()

Commissioner Richards offered a prayer and then left the meeting due to a Conflict of Interest with the Agenda Item.

V. Recuse for Conflict of Interest

Commissioner Richards recused himself.

2. Consent Agenda: N/A

3. Action Items:

I. Rezone of Heber City's Hospital Well from R-1 and R-3 Residential to Institutional & Public Facility Zone (IPFZ)

Community Development Director Tony Kohler explained the Staff Report. Please refer to the Staff Report, PowerPoint and Video for additional information, through this link: https://hebercityut.portal.civicclerk.com/event/488/overview
Mr. Kohler began, Tonight is scheduled to be a decision on a recommendation by the Planning Commission on the proposed Heber City Hospital Well site. Mr. Kohler recommended approval of the Zone Change from R1, R3 to the Institutional and Public Facility Zone (IPFZ), conditional upon the City Council not allowing a cell tower at this location and then suggesting the cell tower be placed in the cemetery. Mr. Kohler explained an alternate to the formal recommendation, would be to deny the Zone Change and decide what is the best strategy for the city.

Mr. Kohler mentioned that he had spoken with the applicant, Atlas Group, and they had proposed an amendment to their contract with the City that places the new location in the cemetery. Additionally, the tower would be a tree instead of a monopole and would be taller to meet the needs of the future. The cemetery is in the Residential Agricultural Zone (RAZ). Atlas would want to rezone to IPFZ and then make a text amendment to allow an 80-foot tower instead of 60-foot because the IPFZ only allowed 60-feet. The other option would be a text amendment only to allow an 80-foot tower in the RAZ.

Mr. Kohler explained the uses of the zones. Max height for R3 is 40 feet. In the current zone, the tower could be 35 feet with only one supplier and one carrier. If the Zone Change was allowed in the current zone to the IPFZ the tower could be 65 feet.
Commissioner Slagowski commented on not rezoning the current parcel, because ten years from now a 65-foot tower could be placed there anyway as it would be permitted with the zone change. Commissioner McKinley agreed and added in the future, if someone wants to make a use that is not permitted in this zone again, we would want there to be a Public Hearing available, so people can come in and voice their feelings and opinions about the requested use. Vice-Chair Broughton suggested making cell towers a conditional use. Mr. Kohler responded, making cell towers a conditional use will slow the process down and allow the public to be aware that the Planning Commission will be considering a conditional use for a tower. Additionally if the cell tower will be moved to the cemetery, Atlas will be requesting a height increase so we could change the zone to IPFZ and make the tower a conditional use permitting the higher tower.

Commissioner Slagowski agreed with Mr. Kohler and stated that would allow us to rezone with the risk. Chairman Jordan agreed as well.

Commissioner Royall asked if both locations were considered from the last meeting, the cemetery

and the Red Ledges location. As a potential 80-foot tower in the cemetery would still create a lot of push back. Mr. Kohler responded that he would not pursue the Red Ledges option after the public outcry from the last meeting.

Commissioner McKinley commented that he thought Atlas was going to put together a cell tower master plan for the City and bring that forward this week. Mr. Kohler responded that it would be very easy to make a map showing cell towers one mile apart. Mr Kohler stated he would provide that map to the Planning Commission at a later time.

Commissioners discussed the conditions of a cell tower could be they could not be located within one mile of another tower and the Commissioner could deviate if they needed to with a conditional use. Commissioner Slagowski mentioned part of the reason this particular site was within a mile was because it was the only place they could find to place a tower.

The Commissioners discussed the current site and stated it was 1.1 acres and, other than a cell tower, there would most likely never be another use for that location. Vice Chair Broughton stated she would like to change the zone to IPFZ now so it matches the current use. The parcel is now being used as a Public Facility, but the zone was just never changed to IPF. Discussion continued about the pros and cons of rezoning to IPFZ. Mr. Kohler summarized that if the zone is changed to IPFZ now, then the zone could be used for any use permitted in that zone without notifying the neighbors with a Public Hearing type of noticing. If we do not change the zone to IPFZ now and a use if suggested not in the current zone then a Public Hearing would be held and the neighbors could be aware and voice their concerns.

Commissioner Slagowski mentioned doing the rezone of this parcel after the cell tower was in the cemetery and after cell towers were a conditional use. In the meantime, make cell towers a conditional use for the current zone on this parcel.

Commissioner Wilson, Royall, and Knight agreed with Commissioner Slagowski. Commissioner McKinley recommended sending a negative recommendation to the City Council for the rezone. Vice Chair Broughton stated she wanted to rezone the parcel now for transparency to the public. Commissioner Knight mentioned he has already received backlash regarding placing the tower in the cemetery.

Chairman Jordan stated he would like to open up the meeting to the individuals who had come to the meeting and had some opinions to share.

Kim Butler: I just have a little input on the zoning. It shows in the IPF zone that wells are permitted. If there can be other zoning, such as the DWSP zone, which would be for public waters. My suggestion would be if you zoned just the well properties to a different zone, other than a residential zone where it really does not belong or the IPF zone, which it also does not belong. If you could make a DWSP zone, because that affects your drinking water. For example, there is a hundred feet within that area of the drinking water and it depends on how quick that water gets to that point. I would suggest maybe looking at adding a different zone just for the well properties themselves. And then coming up with uses for well properties, you know, because it is kind of a protected area. For instance, you would not want diesel fuel in that zone because if there was an accident with diesel fuel, and it seeps into the ground, you don't want that in our water. There are some other

concerns regarding that, but that is all I have to add. Thank you so much.

Chairman Jordan asked Mr. Kohler to respond to the comment. Mr. Kohler stated that not many people know about the drinking water source protection plans that the state asks entities to implement providing water. Nor would you want a parking lot where it may be dumping poisons into your well. Vice Chair Broughton asked if this was institutional because of the hospital that use to be in that location. Mr. Kohler responded, the institutional and public facility zone came about with the county's fairgrounds, and it is a fairly recent addition to the zoning ordinance.

Seth Plazier: I like the discussion around not changing the zone right now just because of the ease. Some of the permitted uses in the future I did not consider were solar and wind farms. I would not like to see a potential windmill. I don't think it is windy enough for the money, but I think anytime you plan put a tall structure, even if it is a 45-foot building, we all own homes, all of us in this room in an R1 zone, even though everything that is adjacent to it is in R-3. Therefore, we have different uses. Also, I am going to encourage you while you are talking about policies regarding cell towers. I don't think any of us in this room really know how they work. I don't think limiting ourselves just to one mile, allowing the buffer that I think is helpful. I would argue how many people in this room even know where the TV repeater is in the valley and if you don't, that's probably a good thing. But if there is a solution, it's on Wilson Peak. Is there a solution that we can find where we can hide these, or does it have to be a tall structure in the middle of our valley? And if we do, people are going to complain about the cemetery also. If you shift it a little farther to the west, I don't think the City owns any property around Smiths, but it was down there that I believe you are putting in residential, but you already have the advantage of all those tall power lines. So the visual sight lines are already broken up and everything else in the middle of homes that people get so upset about, so I'm just saying, we need to better understand where we can place these cell towers. Because of some of the other uses that are allowed with a zone change, I don't think a lot of us would care about the zone change. A lot of the neighbors around us actually use a lot of storage, so a permitted use on your zone change could be trailer storage, Anyway, I don't know if I've gone over my three minutes, but those are just some thoughts. Thanks

Brent Burham: I heard in a number of comments about considering the impact on us as neighbors to the well side and you know what it would do to us as far as you know close to being right retirees and and you know things like that equity in our home I really appreciate when I you know hear Dave Richards prayer about really looking out for the citizens I feel like the Planning Commission has listened to our concerns and I want to thank you for that because sometimes I get a little disillusioned by processes right and all that and I just have to say speaking personally to rezone this right now I know for us what creates more anxiety because it expands the possibilities you know that can go into that side and then we're worried about what just pops in there right you know where a rezoning might happen down the road then it will go through the same due process and everyone gets a voice and to me that's a Thank you.

Eve Christensen: I'd love to have a performing arts center there or a wildlife area, but- That's why I asked about how much acreage is there. Disclosure that's why I asked about how much acres Can't fit it can't fit on one end like we don't know what telecommunications facilities will look like in the future We don't know what a public building means Whereas the r3 zone obviously is something where we're much more open to Just the character of our neighborhood would obviously be

strongly affected. I also want to say I'm a structural engineer I had a job for like six months straight where I just designed cell phone tower structures And there are an infinite variety of ways to put cell phone hardware on things. Just everywhere. They're on churches, the sides of schools. People offer their buildings so that they can get the revenue from the cell phone companies. Obviously, you've seen the ones that look like trees. There's flagpoles that are fatter than normal. Church steeples everywhere are plastered in these things. Anyway, so I just want to just let's kind of expand the creativity in what's possible by maintaining the character of our neighborhoods, but also I'm obviously not a Luddite. I do think that the future is here, the future is coming, we need to plan for it. So I do recognize that and that we can't all avoid having these things in our backyard, but we can be more creative. Thank you

Jared Jones: Looking at this site and understanding what utilities that are already underground on that site, such as main sewer lines and a small retention pond, There is also an irrigation system for the old hospital that the county accesses, plus all the water lines for the well. If you rezone that for a future cell tower, that is the only thing that can go there. You can not build a building or a hotel as there is not enough room. There is only enough room for a 50 by 50 plot for a tower. There is the retention pond next door, so that is why I would suggest not rezoning, because that would be the only thing that can go there. I did reach out to Atlas when we first got the letters and I gave them two private property owners. They wanted the tower on their property because they were looking at the income. The property was east of our location by quite a bit, but away from the Chick Cafe tower. I don't know why Atlas did not look more into the private sector, but that was one of my suggestions to them. I want to learn more about conditional use. If it is rezoned and we do a conditional use. Does that only allow it to be there for 50 years, and then it is torn down? Vice Chair Broughton stated, It would have to meet certain conditions set by the Planning Commission, and under those conditions they would make public comment again, so that is what we were talking about. If we changed the zone now, with a conditional use for the cell phone towers, then a public comment would be triggered, and the conditions would be different depending on the objective. For example, for cell phones, obviously, the conditions would be different than a dog boarding facility. But making it a conditional use triggers extra steps, and the applicant would not be able to place a cell phone tower without telling anybody. And it would not put a time frame on how long it could be there.

Chairman Jordan commented, Commissioners, we have had discussion and we have had some public input. I think we might be ready for a motion.

Motion: Commissioner Slagowski moved to forward a negative recommendation to the City Council to rezone Heber City's Hospital Well from R-1 and R-3 Residential to Institutional & Public Facility Zone (IPFZ) and to ask Staff to look into making cell towers a conditional use for all zones. Commissioner McKinley made the second.

Discussion: Vice Chair Broughton agreed that the Planning Commission should not mention the cemetery specifically, and we should be open for them to explore all the other choices.

Voting Yes: Commissioner Slagowski, Commissioner Knight, Chairman Jordan, Commissioner Wilson, Commissioner Royall, Commissioner McKinley, Vice Chair Broughton. **Voting No:** None. The Motion Passed 7-0.

4. Work Meeting: N/A

5. Administrative Items:

I. City Council Communication Item

Mr. Kohler summarized the City Council Communication Item. Please access the minutes, audio/video for the May 19, 2026 City Council Meeting through this link: https://hebercityut.portal.civicclerk.com/event/423/overview
Or you may listen to Mr. Kohler's summary of the May 19, 2026, City Council meeting here:
https://hebercityut.portal.civicclerk.com/event/488/media

6. Adjournment:

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

Discussion:N/A

Voting Yes: Commissioner Slagowski, Commissioner Knight, Chairman Jordan, Commissioner Wilson, Commissioner Royall, Commissioner McKinley and Vice Chair Broughton. **Voting No:** None. The Motion Passed 7-0.

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Meshelle Kijanen, Administrative Assistant

Planning Commission Staff Report

MEETING DATE:	6/9/2026
SUBJECT:	Consider Preliminary Subdivision Approval for Springs at Coyote Ridge Phase 5 (Planner Jamie Baron)
RESPONSIBLE:	Jamie Baron
DEPARTMENT:	Planning
STRATEGIC RELEVANCE:	Necessary Administrative Action

SUMMARY

Thrive Development is seeking Preliminary Plat approval for the Springs at Coyote Ridge Phase 5, containing 12 town homes and 2 commercial lots.
The policy questions are as follows:

1. Does the application comply with the development agreement?
2. Does the application comply with the development code?

RECOMMENDATION

Staff is recommending the Planning Commission approve the Preliminary Plat with the findings and conditions outlined in the conclusion of the report.

BACKGROUND

The Springs at Coyote Ridge was annexed into the City with the VXC Annexation (2019), which included Ivory Homes' Coyote Ridge, Thrive's Springs at Coyote Ridge, the Keele property, and Marelko property. Earlier this year, the City approved the phase 5 development agreement to allow the development of the Marelko Property.



DISCUSSION

Process
Section 18.117.016 identifies the Planning Commission as the Land Use Authority for Preliminary Plats.

Development Agreement
The application is consistent with the Development Agreement (attached) as adopted by the Council.

Phase 4 Amendment and Public Right of Way
A portion of this project is currently within phase 4 and has a dedicated ROW for a future road. The road will be constructed with phase 5, however the location of the ROW will be changed. State code requires a public hearing at the Council to remove the current ROW easement. This is currently being scheduled. This will allow the new ROW to just be platted with the Final Plat of Phase 5.

FISCAL IMPACT

N/A

CONCLUSION

Thrive Development is seeking Preliminary Plat approval for the Springs at Coyote Ridge Phase 5, containing 12 town homes and 2 commercial lots. Staff is recommending the Planning Commission approve the Preliminary Plat with the following findings and conditions:

Findings

1. The application complies with the Development Agreement.
2. The application complies with the Development Code.
3. The Planning Commission is the Land Use Authority for Preliminary Plats.

Conditions

1. The Coyote Ridge Phase 4 Amended Plat shall be completed prior to final plat recording.
2. All conditions of the City Engineer shall be met.
3. All conditions of the FIre District shall be met.
4. All other code requirements shall be met.

ALTERNATIVES

Staff Recommended Option - Approval

I move to **approve** the Springs at Coyote Ridge Phase 5 Preliminary Plat, with the findings and conditions as presented in the conclusion of the staff report.

POTENTIAL MOTIONS

ACCOUNTABILITY

Department: Planning
Staff member: Jamie Baron, Planning Manager

EXHIBITS

1. SPRINGS AT COYOTE RIDGE 5 PLAT
2. Springs at Coyote Ph 5 - Civil
3. Recorded - Springs at Coyote Phase 5 MDA

THE SPRINGS AT COYOTE RIDGE PHASE 5

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 29,
TOWNSHIP 3 SOUTH, RANGE 5 EAST,
SALT LAKE BASE AND MERIDIAN
HEBER CITY, WASATCH COUNTY, UTAH



CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C1	6950.49'	379.40'	3°07'39"	379.36'	N 04°34'58" E
C2	6950.49'	158.58'	1°18'26"	158.57'	N 05°29'35" E
C3	6950.49'	220.83'	1°49'13"	220.82'	N 03°55'45" E
C4	89.00'	22.32'	14°22'13"	22.26'	N 09°46'29" E
C5	151.00'	43.96'	16°40'47"	43.80'	N 08°37'12" E
C6	120.00'	33.93'	16°12'07"	33.82'	S 08°51'39" W
C7	120.00'	34.93'	16°40'47"	34.81'	S 08°37'12" W
C8	151.00'	43.78'	16°36'41"	43.63'	S 08°39'15" W
C9	89.00'	25.91'	16°40'47"	25.82'	S 08°37'12" W
C10	151.00'	33.90'	12°51'42"	33.83'	S 06°46'45" W
C11	151.00'	9.88'	3°44'59"	9.88'	S 15°05'06" W
C12	89.00'	18.26'	11°45'13"	18.23'	S 11°04'08" W
C13	89.00'	7.65'	4°55'33"	7.65'	S 02°44'35" W

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 00°20'54" W	3.79'
L2	S 16°57'35" W	16.65'
L3	S 16°57'35" W	7.93'
L4	S 88°26'20" W	10.57'
L5	S 87°35'14" W	20.46'
L6	S 00°16'48" W	10.00'

LEGEND

- SET REBAR & CAP STAMPED "TITAN"
- SEWER AND DRAINAGE EASEMENT
- CENTER OF RIGHT-OF-WAY
- PUBLIC UTILITY AND DRAINAGE EASEMENT
- BUILDING SETBACK

NARRATIVE

THIS PLAT WAS PREPARED AT THE REQUEST OF THE CLIENT FOR THE PURPOSE OF SUBDIVIDING A PARCELS 21-4368, 21-4369, 21-4370, 21-8118 (BEING VACATED FROM THE SPRINGS AT COYOTE RIDGE PHASE 4), AND PARCEL C AS SHOWN ON THE SPRINGS AT COYOTE RIDGE PHASE 4 (BEING VACATED FROM THE SPRINGS AT COYOTE RIDGE PHASE 4).

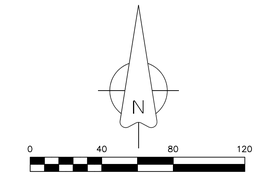
BASIS OF BEARINGS

BASIS OF BEARINGS FOR THIS PROJECT: THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED AS S00°08'13"W 2666.77 FEET BETWEEN FOUND WASATCH COUNTY MONUMENTS FOR THE WEST 1/4 AND SOUTHWEST CORNERS OF SECTION 29, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN.

PLAT NOTES:

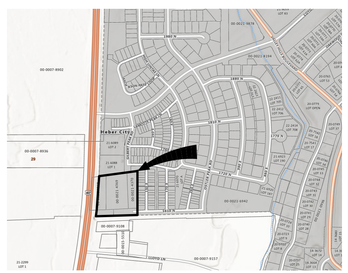
1. LOTS 1 AND 2 ARE RESERVED FOR COMMERCIAL USE. LOTS 3 THROUGH 14 ARE RESIDENTIAL UNITS.
2. A 5/8" REBAR & CAP MARKED "TITAN" WILL BE SET AT ALL EXTERIOR BOUNDARY AND REAR LOT CORNERS UNLESS OTHERWISE NOTED ON THIS PLAT. ALL FRONT CORNERS WILL BE SET AT THE CURB, LOT LINE EXTENDED, WITH A COPPER RIVET.
3. LOT 2 AND PARCEL 1 ARE SUBJECT TO A SEWER DRAINAGE AND TRAIL PERMANENT EASEMENT AND ARE HEREBY GRANTED TO HEBER CITY WITH RIGHT-OF-WAY FOR THE PURPOSE OF HEBER CITY UTILITIES AND APPURTENANCES, TOGETHER WITH THE RIGHT TO CONSTRUCT, OPERATED, MAINTAIN, REPAIR AND REPLACE SAID FACILITIES AND THE RIGHT OF INGRESS AND EGRESS AT ANY TIME FOR SUCH PURPOSES.

ADDRESS TABLE	
LOT 1	XXX GILBERT PEAK ROAD
LOT 2	XXX GILBERT PEAK ROAD
LOT 3	XXX GILBERT PEAK ROAD
LOT 4	XXX GILBERT PEAK ROAD
LOT 5	XXX GILBERT PEAK ROAD
LOT 6	XXX GILBERT PEAK ROAD
LOT 7	XXX GILBERT PEAK ROAD
LOT 8	XXX GILBERT PEAK ROAD
LOT 9	XXX GILBERT PEAK ROAD
LOT 10	XXX GILBERT PEAK ROAD
LOT 11	XXX GILBERT PEAK ROAD
LOT 12	XXX GILBERT PEAK ROAD
LOT 13	XXX GILBERT PEAK ROAD
LOT 14	XXX GILBERT PEAK ROAD



VICINITY MAP

N.T.S.



SURVEYING FIRM NAME: TITAN LAND SURVEYING
SURVEYING FIRM ADDRESS: 983 E. 270 N. HEBER CITY, UT
PROJECT NO.: T26-077

SURVEYOR'S CERTIFICATE

I, DEREK KOHLER, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD A LICENSE (11725351) IN ACCORDANCE WITH UTAH CODE TITLE 58, CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT, BY AUTHORITY OF THE OWNERS, I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS AMENDED SUBDIVISION PLAT IN ACCORDANCE WITH SECTION 17-23-17, HAVE VERIFIED ALL MEASUREMENTS, HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, STREETS, TOGETHER WITH EASEMENTS, AND HAVE PLACED MONUMENTS ON THE GROUND AS REPRESENTED ON THE PLAT. I ALSO CERTIFY THAT I HAVE FILED WITH THE WASATCH COUNTY SURVEYOR, PURSUANT TO STATE LAW, A MAP OF THE SURVEY I COMPLETED.

BOUNDARY DESCRIPTION

BEGINNING AT A POINT S89°51'50"E 1493.66 FEET ALONG THE QUARTER SECTION LINE AND SOUTH 458.05 FEET FROM THE WEST QUARTER CORNER OF SECTION 29, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 1, WASATCH MEDICAL SUBDIVISION;
THENCE ALONG N82°16'24"E 239.69 FEET ALONG SAID WASATCH MEDICAL SUBDIVISION TO A POINT ON THE SPRINGS AT COYOTE RIDGE PHASE 1 SUBDIVISION; THENCE ALONG SAID SPRINGS AT COYOTE RIDGE PHASE 1 AND PHASE 4 SUBDIVISIONS THE FOLLOWING FIVE COURSES: (1) S00°20'59"W 2.04 FEET; (2) N81°49'00"E 122.46 FEET; (3) SOUTH 410.70 FEET; (4) S88°26'20"W 88.90 FEET; (5) S87°35'14"W 300.43 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF US HIGHWAY 40, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY AND TO WHICH POINT A RADIAL LINE BEARS S83°51'12"E; THENCE ALONG SAID HIGHWAY 40 379.40 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°07'39", WITH A CHORD BEARING AND DISTANCE OF N04°34'58"E 379.36 FEET.
PARCEL CONTAINS 3.355 ACRES

PROFESSIONAL LAND SURVEYOR
04/28/2026
No. 11725351
DEREK KOHLER
STATE OF UTAH
PRELIMINARY-FOR REVIEW ONLY
SURVEYOR'S SEAL

OWNER'S DEDICATION

THE UNDERSIGNED OWNER OF THE ABOVE-DESCRIBED TRACT OF LAND HAS/HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PARCELS, AND STREETS, TOGETHER WITH EASEMENTS AND RIGHTS-OF-WAY, TO BE HEREAFTER KNOWN AS:

THE SPRINGS AT COYOTE RIDGE PHASE 5

I, THE UNDERSIGNED OWNER OF THE LAND SHOWN AND DESCRIBED ON THIS SUBDIVISION PLAT, HAVE CAUSED SAME TO BE SUBDIVIDED AS SHOWN AND WITH PUBLIC UTILITY EASEMENTS GRANTED AS SHOWN, HEREAFTER TO BE KNOWN AS THE SPRINGS AT COYOTE RIDGE PHASE 5. I ALSO DO HEREBY CONSENT TO THE RECORDATION OF THIS PLAT

IN WITNESS WHEREOF I HAVE SET FORTH MY HAND THIS_____ DAY OF _____ , 20__.

SIGNATURE PRINT NAME TITLE

OWNER'S ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF UTAH

ON THIS_____DAY OF _____, 20___, PERSONALLY APPEARED BEFORE ME, _____ THE SIGNER OF THE FOREGOING INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT HE/SHE IS THE _____ , AND IS AUTHORIZED TO EXECUTE THE FOREGOING DEDICATION IN ITS BEHALF AND HE/SHE EXECUTED IT IN SUCH CAPACITY

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC FULL NAME: _____

OWNER'S ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF UTAH

ON THIS_____DAY OF _____, 20___, PERSONALLY APPEARED BEFORE ME, _____ THE SIGNER OF THE FOREGOING INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT HE/SHE IS THE _____ , AND IS AUTHORIZED TO EXECUTE THE FOREGOING DEDICATION IN ITS BEHALF AND HE/SHE EXECUTED IT IN SUCH CAPACITY

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC FULL NAME: _____

APPROVAL BY LEGISLATIVE BODY

THE CITY COUNCIL OF HEBER CITY, COUNTY OF WASATCH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR THE PUBLIC PURPOSE OF THE PERPETUAL USE OF THE PUBLIC.

Mayor Date

RECORDER'S SEAL

PLANNING DIRECTOR

Approved on this _____ day of _____, 20____

PLANNING MANAGER

CITY ENGINEER

Approved on this _____ day of _____, 20____

CITY ENGINEER

WASATCH CO. FIRE DISTRICT

Approved on this _____ day of _____, 20____

FIRE CHIEF

CITY ATTORNEY

Approved on this _____ day of _____, 20____

CITY ATTORNEY

COUNTY SURVEYOR

Approved on this _____ day of _____, 20____

COUNTY SURVEYOR

COUNTY RECORDER

ENTRY #: _____ *DATE:* _____ *TIME:* _____
FEE: _____ *BOOK:* _____ *PAGE:* _____ *FOR:* _____
BY: WASATCH COUNTY RECORDER MARCY M. MURRAY

THE SPRINGS AT COYOTE RIDGE – PHASE 5
1615 N GILBERT PEAK ROAD
HEBER CITY, UTAH 84032

VICINITY MAP



INDEX

C-0 Cover Sheet
C-1 Site Plan
C-2 Preliminary Grading Plan
C-3 Preliminary Utility Plan
C-4 Details
C-4.1 Utility Details
C-5 Preliminary Gilbert Peak Road Plan and Profile

DEVELOPER
THRIVE DEVELOPMENT
ZACH OLSON
7585 UNION PARK AVE. SUITE 200
MIDVALE, UTAH 84047
(801) 948–8800

CIVIL ENGINEER
LEGEND ENGINEERING
CAL JOHNSON
52 WEST 100 NORTH
HEBER CITY, UTAH 84032
(435) 654–4828

SURVEYOR
TITAN LAND SURVEYING
DEREK KOHLER
983 EAST 270 NORTH
HEBER CITY, UTAH 84032
(435) 671–0392

LEGEND & ABBREVIATION TABLE

R.O.W./PROPERTY LINE		INVERT ELEVATION	IE
EASEMENT LINE		TOP BACK CURB	TBC
CENTER LINE		TOP ASPHALT	TA
PROPOSED TRAIL		TOP OF GRATE	TOG
PROPOSED WATER LINE	W	FINISHED GRADE	FG
PROPOSED PRESSURIZED IRRIGATION	PI	TOP OF CONCRETE	TC
PROPOSED SEWER LINE	SS	HIGH WATER ELEVATION	HWE
PROPOSED STORM DRAIN LINE	SD	CATCH BASIN	
EXISTING SEWER LINE	-SS-	EXISTING STREET LIGHT	
EXISTING WATER LINE	-W-	STORM DRAIN MANHOLE	SD
EXISTING STORM DRAIN LINE	-SD-	EXISTING FIRE HYDRANT	
EXISTING CONTOUR	4960	EXISTING WATER VALVE	W
FINISHED CONTOUR	4960 / 4961	EXISTING WATER METER	WM
		EXISTING SEWER MANHOLE	SS
		PROPOSED FIRE HYDRANT	
EXISTING CURB AND GUTTER		PROPOSED WATER VALVE	
PROPOSED CURB AND GUTTER		PROPOSED WATER METER	WM
		PROPOSED SEWER CLEANOUT	
		PROPOSED SEWER MANHOLE	S

A. TYPICAL:
1. Contractor assumes all responsibility for job site conditions during construction of this project, including the safety and well–being of all persons and property. This responsibility shall apply continuously and not be limited to normal working hours.
2. Contractor shall obtain all applicable permits and/or written agreements necessary to complete the work.
3. City owned water valves may be operated only by City staff. Opening, closing or tampering with a City water valve without permission of the City public works department is a Class B misdemeanor punishable by up to six months in jail and a $1,000 fine.
4. Contractor shall schedule a pre–construction meeting with the City.s Engineering Department at least 5 business days prior to the start of construction. Contractor must attend and bring one set of the Acknowledged construction drawings and a copy of the current Heber City Standard Specifications and Drawings Manual (available at heberut.gov).
5. Contractor shall have in possession and on–site at all times one copy of the current acknowledged construction plans stamped, signed, and dated by the Engineer of Record, the Applicant, and the City.
6. Developer.s Engineers (Civil and Geotechnical) shall perform sufficient inspections and surveys during grading and construction to render an opinion in writing as to adherence to the accepted plans and compliance with Heber City Standard Specifications and Drawings Manual.
7. Any work done in the absence of an inspector.s approval shall be subject to rejection. All underground GPS data must be collected by a City representative prior to backfill. Inspectors may request the contractor to expose work that has been backfilled without prior inspection or collection of GPS data. All such rework shall be completed at the Developer.s or Owner.s expense.
8. Survey monuments must be installed in accordance with the current Heber City and Wasatch County Surveyor.s Office requirements.
9. All disturbed property survey markers shall be reset in their original locations upon completion of all construction activities.
10. Contractor shall provide all traffic control which must conform to the current MUTCD. Provide site–specific Traffic Control Plans [prepared by an American Traffic Safety Services Association (ATSSA) or AGC–Certified Individual] prior to installation of any traffic control device. Traffic Control Plans must be Accepted by the City prior to implementation and before any shoulder, lane, or street closure.

B. TRENCHES AND UTILITIES
1. Trenches shall be completed and restored per City Standard Drawing UTIL–1.
2. Pothole existing utilities in accordance with City Standard Drawing UTIL–5.
3. Contractor is responsible to locate, avoid, protect, and repair all utilities encountered during construction, whether or not they are shown on the plans. Locations of underground utilities shown on plans are approximate and require field verification by Contractor.
4. All trenches within public right–of–way must be backfilled or securely plated during nonworking hours. Trenches outside these areas shall be back–filled or protected by approved temporary fencing and/or barricades during non–working hours. Trenches in the roadway must be backfilled, compacted, and paved within 48 hours of road–cut. Paint striping shall be replaced in accordance to City Standards within 48–hours of restoration of pavement.

NO.	REVISIONS	BY	DATE

ENGINEER: CJ CHECKED BY: LR

LEGEND ENGINEERING
52 WEST 100 NORTH
HEBER CITY, UT 84032
PHONE: 435–654–4828
www.legendengineering.com

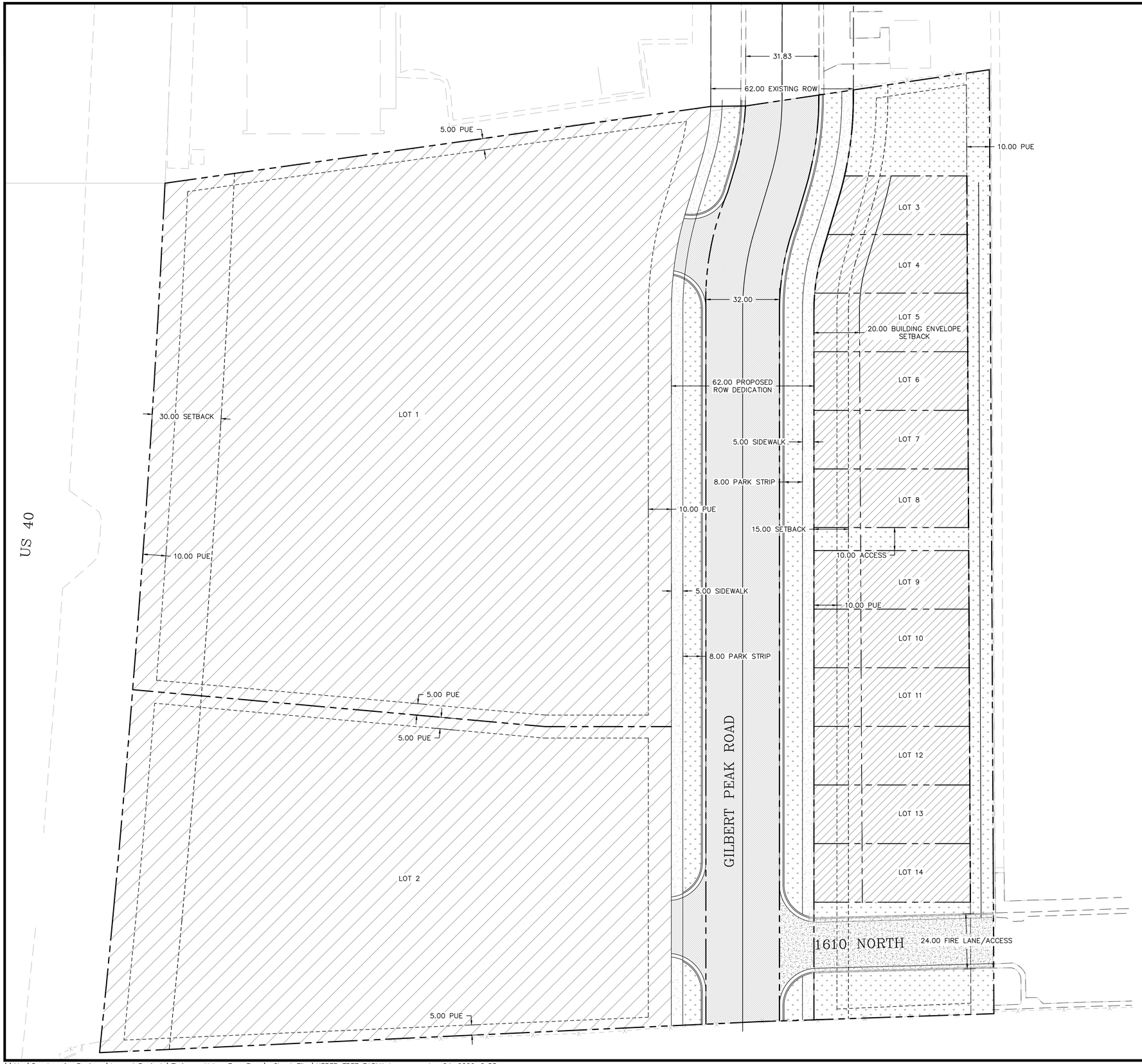
THE SPRINGS AT COYOTE RIDGE – PHASE 5
COVER SHEET
1615 N GILBERT PEAK ROAD, HEBER CITY, UTAH 84032

PROFESSIONAL ENGINEER
No. 11316562-2202
CALVIN S JOHNSON
STATE OF UTAH

SHEET: C-0

PRELIMINARY

DATE: 4/24/2026



LEGEND

- LOT LINES (PROPERTY)
- EXISTING CURB AND GUTTER
- PROPOSED CURB AND GUTTER
- REVERSE PAN CURB AND GUTTER
- SETBACK LINE
- EXISTING FENCE
- LANDSCAPE AREA
- CONCRETE AREA

SITE DATA.

DEVELOPMENT AREA:	146,137	SF (3.35 ACRES)
RESIDENTIAL AREA:	30,507	SF± (0.70 ACRES)
RESIDENTIAL LOTS:	20,266	SF± 66.4%
OPEN SPACE AREA:	8,365	SF± 27.4%
FIRE ACCESS:	1,876	SF± 6.2%
ROW DEDICATION:	24,994	SF (0.57 ACRES)
COMMERCIAL AREA:	90,634	SF (2.11 ACRES)

A NOTICE TO PROCEED MUST BE OBTAINED FROM THE CITY ENGINEER PRIOR TO DOING ANY WORK ON THE PROJECT.

GENERAL NOTES:
1. CONTRACTOR SHALL CALL 811 PRIOR TO CONSTRUCTION.
2. CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION OF ALL EXISTING UTILITY LINES AND STRUCTURES PRIOR TO CONSTRUCTION.
3. ALL PROPOSED WATER LINES SHALL HAVE A MINIMUM OF 5' OF COVER.
4. ALL SEWER, WATER AND STORM DRAIN PIPES SHALL BE BACKFILLED WITH SELECT GRANULAR FILL AS PER CITY STANDARDS.
5. ANY OFF SITE DAMAGE TO EXISTING ASPHALT, CURB & GUTTER, LANDSCAPING AND ALL UTILITIES SHALL BE REPLACED IN KIND.
6. SEE UTILITY PLAN FOR CONSTRUCTION OF SEWER AND WATER LINES.
8. SITE LIGHTING SHOWN FOR REFERENCE ONLY. SEE SITE ELECTRICAL PLANS FOR LOCATION.
9. ALL WORK SHALL BE ACCORDING TO CITY STANDARDS.

811

N

0 20 40 60
1" = 20'
Scale in Feet

NO.	REVISIONS	BY	DATE
	ENGINEER: LR	CHECKED BY: LR	

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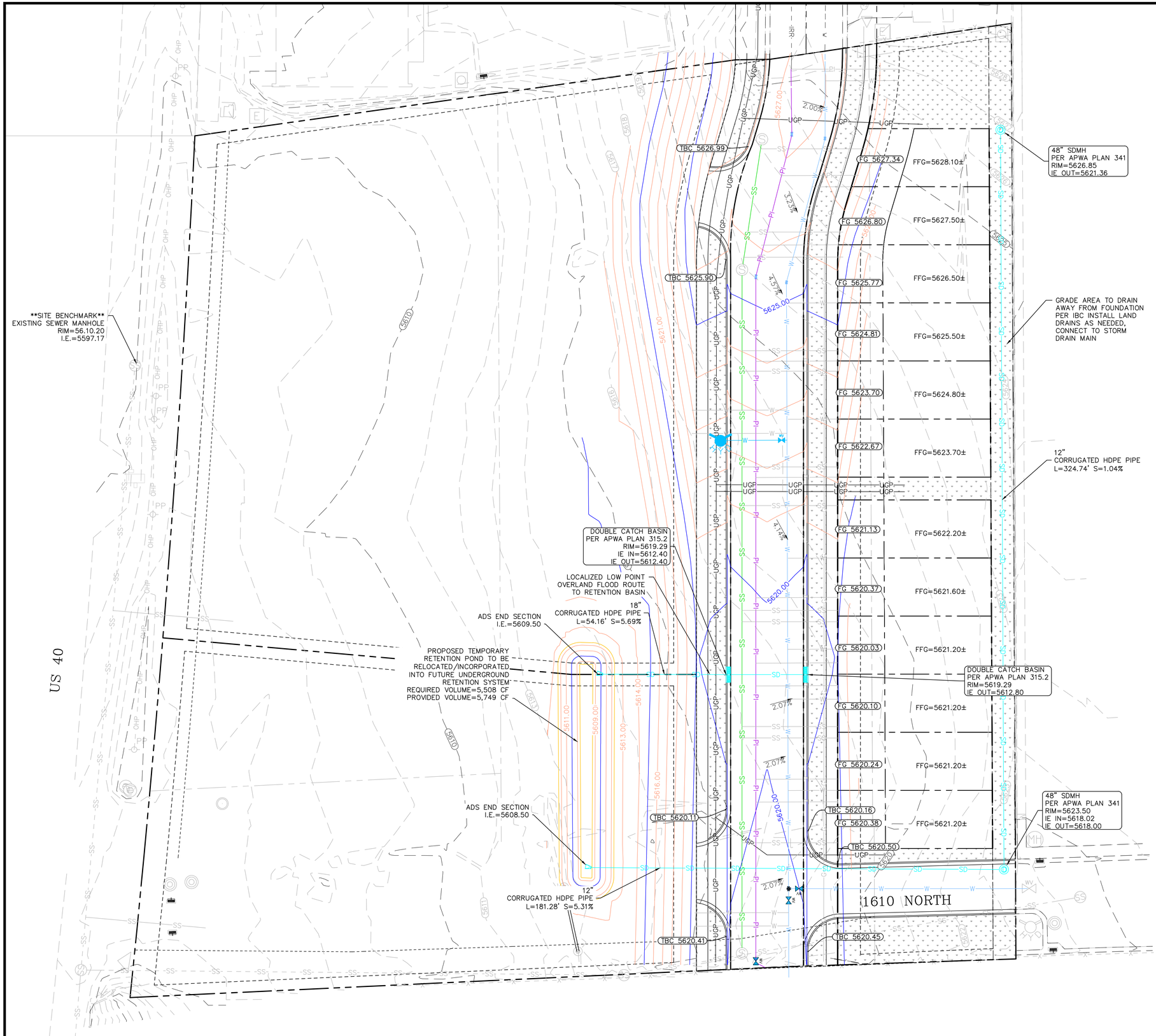
THE SPRINGS AT COYOTE RIDGE - PHASE 5
SITE PLAN
1615 N GILBERT PEAK ROAD, HEBER CITY, UTAH 84032

PROFESSIONAL ENGINEER
No. 11316562-2202
CALVIN S JOHNSON
STATE OF UTAH

SHEET: C-1

PRELIMINARY

DATE: 4/24/2026



LEGEND

LOT LINES (PROPERTY)	
EXISTING CURB AND GUTTER	
PROPOSED CURB AND GUTTER	
PROPOSED STORM DRAIN LINE	SD
EXISTING STORM DRAIN LINE	-SD-
PROPOSED SEWER LINE	SS
EXISTING SEWER LINE	-SS-
PROPOSED WATER LINE	W
EXISTING WATER LINE	-W-
EXISTING FENCE	-X-
GRADE BREAK	GRADE BREAK
FINISH GRADE CONTOUR LINES	4960 / 4961
EXISTING GRADE CONTOUR LINES	4960
FINISH GRADE SLOPE	SLOPE
GRADE BREAK	GB
INVERT ELEVATION	IE
TOP OF GRATE	TOG
TOP OF ASPHALT	TA
TOP BACK OF CURB	TBC
PROPOSED	PROP
EXISTING	EX
FINISHED GRADE	FG
FINISHED FLOOR ELEVATION	FFE
BACK OF SIDEWALK	BOW
LANDSCAPE AREA	
CONCRETE AREA	

CONSTRUCTION NOTES:
CONTRACTOR AND/OR EXCAVATOR TO PROVIDE AN XML FILE OF THEIR FINISHED GRADE MODEL FOR REVIEW BY LEGEND ENGINEERING. THE EXCAVATOR'S MODEL WILL BE EXPECTED TO BE WITHIN 0.05± OF THE DESIGN SURFACE. LEGEND WILL REVIEW AND PROVIDE A COMPARISON ANALYSIS TO BOTH THE EXCAVATOR AND THE CONTRACTOR.

CONSTRUCTION STAKING SURVEYOR TO PROVIDE CHECK SHOTS OF EXISTING BUILDING CORNERS AND FINISH FLOOR ELEVATIONS PRIOR TO SETTING NEW BUILDING GRIDS.

I HEREBY CERTIFY THAT THIS DESIGN FOR THE MANAGEMENT OF STORM WATER OF THIS DEVELOPMENT WAS PREPARED BY ME, OR UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH THE PROVISIONS OF HEBER CITY'S DRAINAGE MANUAL AND STANDARD SPECIFICATIONS AND DRAWINGS, AND WAS DESIGNED TO COMPLY WITH THE PROVISIONS THEREOF. I UNDERSTAND THE CITY ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THIS REPORT.

A NOTICE TO PROCEED MUST BE OBTAINED FROM THE CITY ENGINEER PRIOR TO DOING ANY WORK ON THE PROJECT.

GENERAL NOTES:
1. CONTRACTOR SHALL CALL 811 PRIOR TO CONSTRUCTION.
2. CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION OF ALL EXISTING UTILITY LINES AND STRUCTURES PRIOR TO CONSTRUCTION.
3. ALL PROPOSED WATER LINES SHALL HAVE A MINIMUM OF 5' OF COVER.
4. ALL SEWER, WATER AND STORM DRAIN PIPES SHALL BE BACKFILLED WITH SELECT GRANULAR FILL AS PER CITY STANDARDS.
5. ANY OFF SITE DAMAGE TO EXISTING ASPHALT, CURB & GUTTER, LANDSCAPING AND ALL UTILITIES SHALL BE REPLACED IN KIND.
6. SEE UTILITY PLAN FOR CONSTRUCTION OF SEWER AND WATER LINES.
8. SITE LIGHTING SHOWN FOR REFERENCE ONLY. SEE SITE ELECTRICAL PLANS FOR LOCATION.
9. ALL WORK SHALL BE ACCORDING TO CITY STANDARDS.

811

N

NO.	REVISIONS	BY	DATE
	ENGINEER: LR	CHECKED BY:	LR

LEGEND ENGINEERING
52 WEST 100 NORTH
HEBER CITY, UT 84032
PHONE: 435-654-4828
www.legendengineering.com

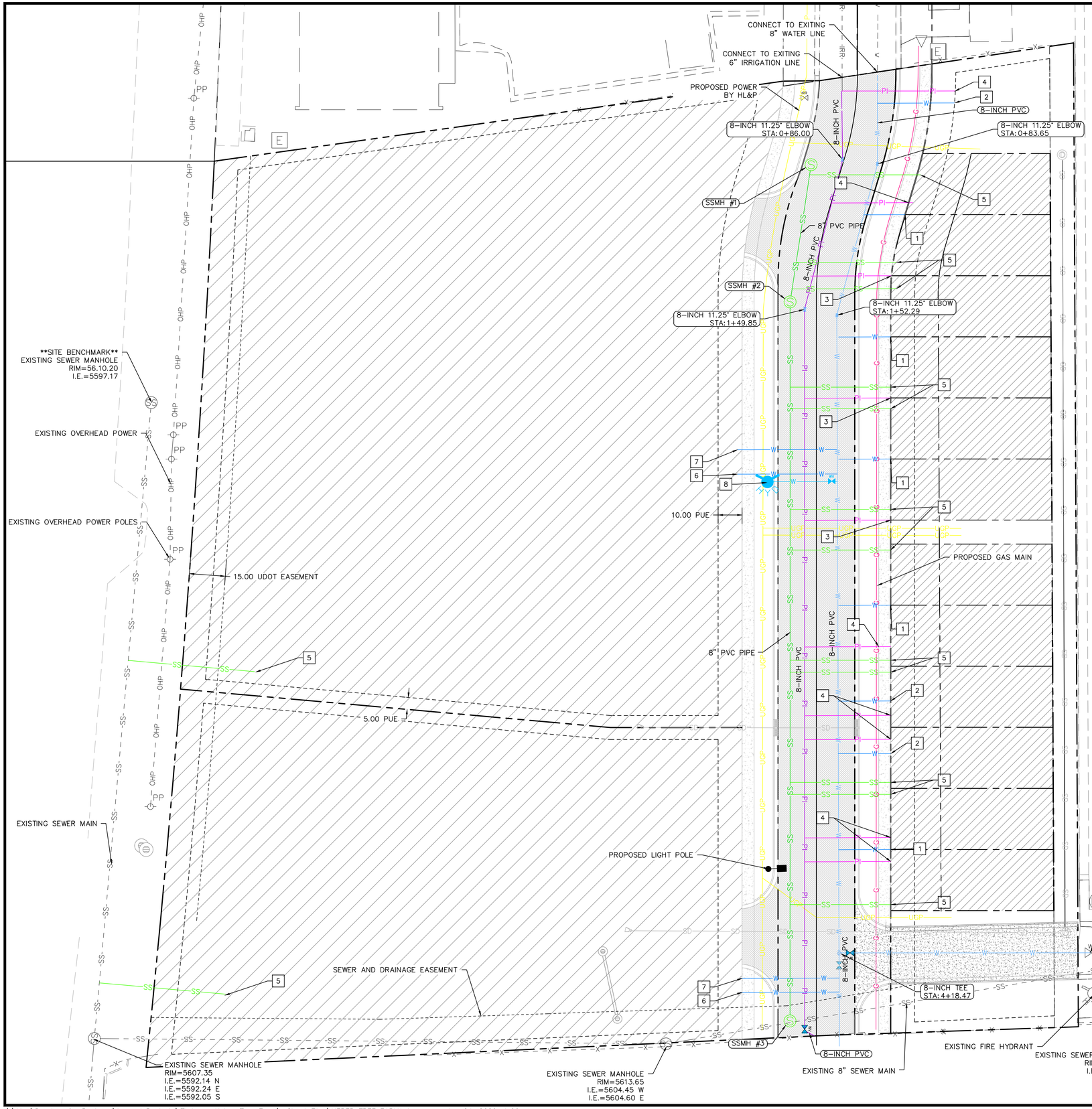
THE SPRINGS AT COYOTE RIDGE - PHASE 5
PRELIMINARY GRADING AND DRAINAGE PLAN
1615 N GILBERT PEAK ROAD, HEBER CITY, UTAH 84032

PROFESSIONAL ENGINEER
No. 11316562-2202
CALVIN S JOHNSON
STATE OF UTAH

SHEET: C-2

PRELIMINARY

DATE: 4/24/2026



LEGEND

PROPERTY/ROW LINE	
EXISTING CURB AND GUTTER	
PROPOSED CURB AND GUTTER	
PROPOSED STORM DRAIN LINE	SD
EXISTING STORM DRAIN LINE	SD
PROPOSED SEWER LINE	SS
EXISTING SEWER LINE	SS
PROPOSED WATER LINE	W
EXISTING WATER LINE	W
PROPOSED PRESSURIZED IRRIGATION	PI
PROPOSED GAS LINE	G
PROPOSED POWER LINE	P
EXISTING GAS LINE	G
INVERT ELEVATION	IE
PROPOSED	PROP
FINISHED FLOOR ELEVATION	FFE
EXISTING FIRE HYDRANT	
EXISTING WATER VALVE	
EXISTING WATER METER	WM
EXISTING SEWER MANHOLE	SS
PROPOSED FIRE HYDRANT	
PROPOSED WATER VALVE	
PROPOSED WATER METER	WM
PROPOSED SEWER CLEANOUT	
PROPOSED SEWER MANHOLE	S

A NOTICE TO PROCEED MUST BE OBTAINED FROM THE CITY ENGINEER PRIOR TO DOING ANY WORK ON THE PROJECT.

INSTALL CURB STAMPS INDICATING LOCATIONS OF UTILITY LATERALS AND PROPERTY LINES PER SECTION 700.1.15.A.13 AND 14 OF THE HEBER CITY STANDARD SPECIFICATIONS.

UTILITY DESIGN NOTES:

1. 2-LOT 1" WATER SERVICE PER HEBER CITY WATER STD #6
2. SINGLE 1" WATER SERVICE PER HEBER CITY WATER STD #6B
3. 2-LOT 1" IRRIGATION SERVICE PER HEBER CITY IRRIGATION STD #1A
4. SINGLE 1" IRRIGATION SERVICE PER HEBER CITY IRRIGATION STD #1B
5. 4" SEWER SERVICE PER HEBER CITY SEWER STD #1
6. SINGLE 2" WATER SERVICE PER HEBER CITY WATER STD #6B
7. 8" FIRE LATERAL
8. FIRE HYDRANT PER HEBER CITY WATER STD #1

811

N

0 20 40 60
1" = 20'
Scale in Feet

NO.	REVISIONS	BY	DATE
	ENGINEER: LR	CHECKED BY: LR	

LEGEND ENGINEERING
52 WEST 100 NORTH
HEBER CITY, UT 84032
PHONE: 435-654-4828
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LEGEND ENGINEERING

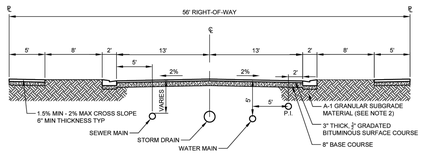
THE SPRINGS AT COYOTE RIDGE - PHASE 5
PRELIMINARY UTILITY PLAN
1615 N GILBERT PEAK ROAD, HEBER CITY, UTAH 84032

PROFESSIONAL ENGINEER
No. 11316562-2202
CALVIN S JOHNSON
STATE OF UTAH

SHEET: C-3

PRELIMINARY

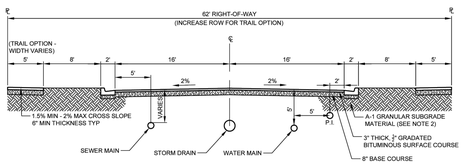
DATE: 4/24/2026



TYPICAL CRITERIA FOR USE OF MINOR RESIDENTIAL LOCAL STREET:

1. THE MAXIMUM AVERAGE DAILY TRIPS SHALL NOT EXCEED 500.
2. THE TOTAL NUMBER OF UNITS MUST BE LESS THAN 100.
3. PARKING TO BE RESTRICTED AS DIRECTED BY THE CITY ENGINEER.

MINOR RESIDENTIAL LOCAL



TYPICAL CRITERIA FOR USE OF MAJOR RESIDENTIAL LOCAL STREET:

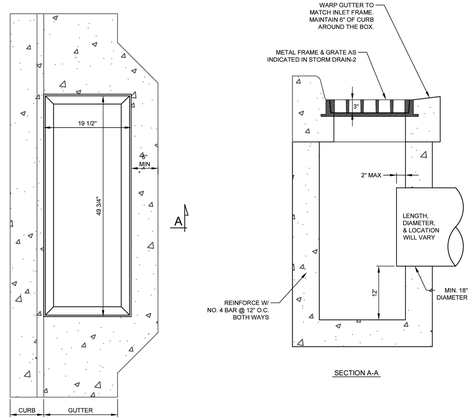
1. THE MAXIMUM AVERAGE DAILY TRIPS SHALL NOT EXCEED 2000.
2. THE TOTAL NUMBER OF UNITS MUST BE LESS THAN 200.

MAJOR RESIDENTIAL LOCAL

NOTES FOR RESIDENTIAL STREETS:

1. ACCESS REQUIREMENTS PER THE INTERNATIONAL FIRE CODE INCLUDING APPENDIX D (VERSION AS ADOPTED BY THE LOCAL FIRE AUTHORITY).
2. SUBGRADE SHALL BE A-1 GRANULAR MATERIAL PER SECTION 02225.
3. MAXIMUM ROAD GRADE IS 8% WITHOUT CITY ENGINEER'S APPROVAL.
4. PARK STRIPS TO BE FILLED TO WITHIN ONE INCH OF T.B.C. AND TOP OF SIDEWALK.
5. WHERE HEBER CITY APPROVES INSTALLING A TRAIL OR SIDEWALK ON ONLY ONE SIDE, THE FULL RIGHT-OF-WAY DEDICATION IS STILL REQUIRED TO ALLOW FOR FUTURE INSTALLATION OF SIDEWALK.
6. TRAIL OPTION AND WIDTH IS DETERMINED BY HEBER CITY ACCORDING TO THE CURRENT TRAILS MASTER PLAN.

DATE	JUNE 2020	HEBER CITY	HEBER CITY STANDARD DRAWING
SCALE	N.T.S.	HEART OF THE WASATCH BACK	STREETS-1
75 NORTH MAIN STREET HEBER CITY, UTAH 84032 (435) 654-0757			



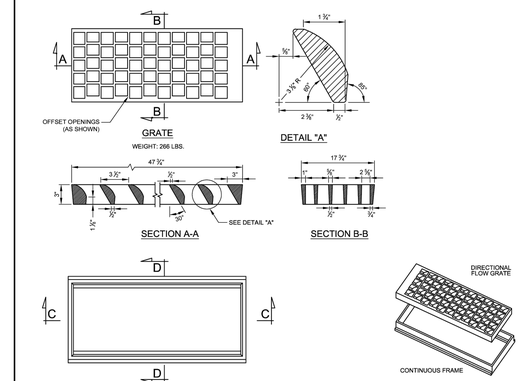
SECTION A-A

NOTES:

1. ALL FRAMES & GRATES TO BE CAST IRON.
2. CONSTRUCT BOX (WALL THICKNESS) TO MATCH EXISTING OR NEW TYPE OF CURB AS SHOWN.
3. A SNOUT OR APPROVED EQUAL SHALL BE USED WHERE THE STORM WATER IS LEAVING THE BOX OR STORM WATER SYSTEM AND ENTERING A SUMP, RETENTION / DETENTION POND, OR DISCHARGE POINT.

CURB DROP INLET STANDARD BOX

HORROCKS ENGINEERS	DATE FEBRUARY 2019	HEBER CITY	HEBER CITY STANDARD DRAWING
728 WEST 100 SOUTH #2 HEBER CITY, UTAH 84032 (435) 654-2226	SCALE N.T.S.	HEART OF THE WASATCH BACK	STORM DRAIN-1
	75 NORTH MAIN STREET HEBER CITY, UTAH 84032 (435) 654-0757		



NOTES:

1. ALL DIMENSIONS ARE INCHES (in) UNLESS OTHERWISE NOTED.
2. GRATE AND FRAME MAY BE FURNISHED IN EITHER DUCTILE IRON (ASTM A-536 GRADE 80) OR CAST GRAY IRON. AASHTO M-105, CLASS 30 B (ASTM A-48).
3. INSTALLATION REQUIRES SUPPORT UNDER LONGITUDINAL AXIS OF FRAME. ORIENT GRATE WITH DIRECTION OF FLOW.
4. GRATE & FRAME SHALL BE D&L I-1803 OR APPROVED EQUAL.

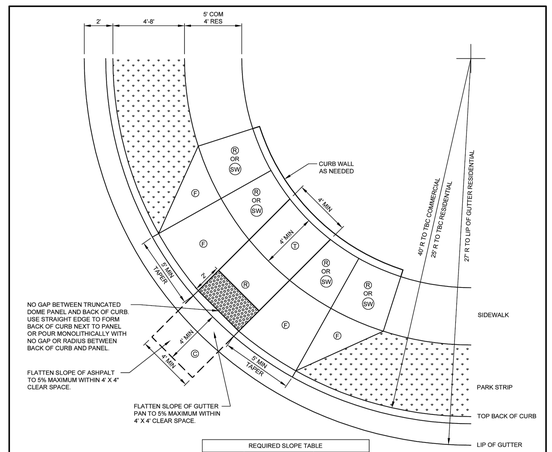
DESIGN DATA:

MS 18 (HS-20) OR INTERSTATE ALTERNATE LOADING IN ACCORDANCE WITH CURRENT AASHTO AND INTERIM SPECIFICATIONS.

DUCTILE IRON AND STRUCTURAL STEEL: fs=138 MPa

GRATE AND FRAME

HORROCKS ENGINEERS	DATE FEBRUARY 2019	HEBER CITY	HEBER CITY STANDARD DRAWING
728 WEST 100 SOUTH #2 HEBER CITY, UTAH 84032 (435) 654-2226	SCALE N.T.S.	HEART OF THE WASATCH BACK	STORM DRAIN-2
	75 NORTH MAIN STREET HEBER CITY, UTAH 84032 (435) 654-0757		



REQUIRED SLOPE TABLE		
LOCATION	RUNNING SLOPE	CROSS SLOPE
C	5% MAX	2% MAX *
F	10% MAX	
R	5.1% MIN TO 8.3% MAX	2% MAX *
T	2% MAX	2% MAX *
SW	-	2% MAX

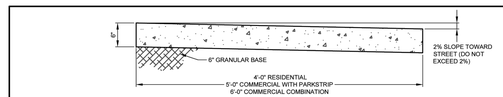
* DO NOT EXCEED THE ROADWAY PROFILE GRADE FOR THE CROSS SLOPE AT LOCATIONS WITHOUT A STOP OR YIELD SIGN OR AT MID-BLOCK RAMPS.

NOTES:

1. RAMP TO INCLUDE ADA DETECTABLE WARNING STRIP, IE. ADA SOLUTIONS, ARMOR-TILE CAST-IN-PLACE, MASCO CASTINTACT, WAUSAU, OR TEKWAY.
2. COLOR OF ADA DETECTABLE WARNING STRIP SHALL BE DARK RED OR GRAY.
3. TRUNCATED DOME PANEL WIDTH SHALL MATCH THE WIDTH OF THE CONNECTING SIDEWALK OR TRAIL.
4. CURB TAPER SLOPE SHALL BE 10% MAXIMUM.
5. NO LIPS ALLOWED. AT THE CURB CUT, A LIP IS A VERTICAL DISCONTINUITY GREATER THAN 1/4". AT THE GUTTER/ROAD TRANSITION, A LIP IS A VERTICAL DISCONTINUITY GREATER THAN 1/2". VERTICAL DISCONTINUITIES GREATER THAN 1/4" SHALL BE BEVELED WITH A SLOPE NOT GREATER THAN 50%.
6. ALL PEDESTRIAN RAMPS ARE SUBJECT TO THE REQUIREMENTS SHOWN ON THE UDOT PEDESTRIAN ACCESS STANDARD DRAWINGS. WHERE CONFLICTS EXIST, THE MORE STRINGENT SHALL GOVERN.

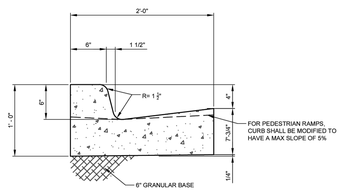
CORNER PEDESTRIAN RAMPS

DATE	JUNE 2021	HEBER CITY	HEBER CITY
SCALE	N.T.S.	HEART OF THE WASATCH BACK	STREETS-5
75 NORTH MAIN STREET HEBER CITY, UTAH 84032 (435) 654-0757			



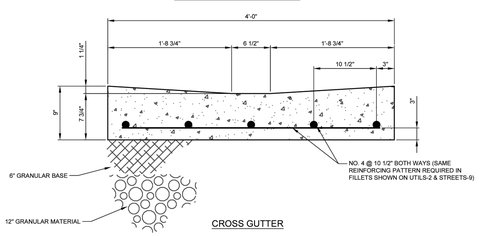
NOTE: WHEN REPLACING SIDEWALK, THICKNESS MAY BE REDUCED TO 4" WITH CITY ENGINEER APPROVAL.

SIDEWALK



NOTES:THE TOP BACK OF CURB SHALL BE STAMPED ACCORDING TO SECTION 700 - 1.02 - L.

HIGH BACK CURB & GUTTER



CROSS GUTTER

SIDEWALK, HIGH BACK CURB & GUTTER, CROSS GUTTERS

HORROCKS ENGINEERS	DATE FEBRUARY 2019	HEBER CITY	HEBER CITY STANDARD DRAWING
728 WEST 100 SOUTH #2 HEBER CITY, UTAH 84032 (435) 654-2226	SCALE N.T.S.	HEART OF THE WASATCH BACK	STREETS-4
	75 NORTH MAIN STREET HEBER CITY, UTAH 84032 (435) 654-0757		

NO.	REVISIONS	BY	DATE

ENGINEER: LR CHECKED BY: LR

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52 WEST 100 NORTH
HEBER CITY, UT 84032
PHONE: 435-654-4828
www.legendengineering.com

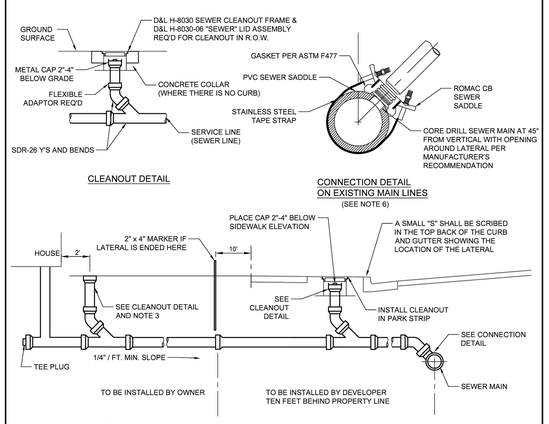
THE SPRINGS AT COYOTE RIDGE - PHASE 5
DETAILS
1615 N GILBERT PEAK ROAD, HEBER CITY, UTAH 84032

PROFESSIONAL ENGINEER
No. 11316562-2202
CALVIN S JOHNSON
STATE OF UTAH

SHEET: C-4

PRELIMINARY

DATE: 4/24/2026



CLEANOUT DETAIL

CONNECTION DETAIL
ON EXISTING MAIN LINES
(SEE NOTE 6)

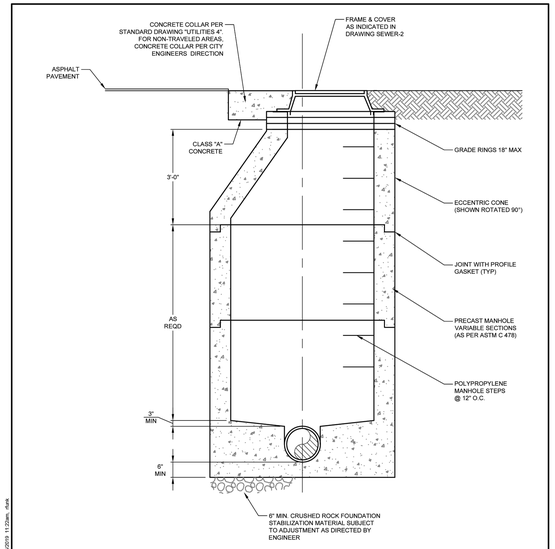
NOTES:

1. PIPE GRAPHICS DO NOT NECESSARILY INDICATE TYPE OF PIPE TO BE USED.
2. ALL PVC SEWER LATERAL PIPE AND FITTINGS WITHIN THE R.O.W. SHALL BE A MINIMUM OF SDR-26.
3. MAXIMUM SPACING BETWEEN CLEANOUTS IS 100' AND AT ALL BENDS.
4. MAXIMUM ALLOWED BEND IN LATERAL IS 22 1/2 DEGREES.
5. SEWER & WATER LATERALS ARE PROHIBITED IN COMMON TRENCH PER STATE CODE R 309-550-7.
6. "INSERTA TEE" MAY BE USED FOR CERTAIN CONDITIONS WITH PRIOR CITY ENGINEER APPROVAL.
7. WHEN APPROVED, "INSERTA TEE" INSTALLATION MUST BE WITNESSED, INSPECTED AND CERTIFIED BY AUTHORIZED CITY AGENTS
8. IN CERTAIN AREAS WHERE CONCERN FOR SEWER BACKUP EXISTS, A SEWER BACKFLOW PREVENTER (RECTORSEAL 97034) SHALL BE REQUIRED.
9. PIPE SLOPE SHALL BE 1/4" / FT MIN UNLESS OTHERWISE APPROVED BY HEBER CITY.

SEWER LATERAL & DETAILS

V:\EAGR\Data\dwt\Design 2019\Dwg Files\SEWER-1.dwg Layout: LAYOUT1 05/01/2021 - 10:48am dlark

DATE: JUNE 2021	HORROCKS ENGINEERS 726 WEST 100 SOUTH #2 HEBER CITY, UTAH 84032 (435) 654-2226	HEBER CITY HEART OF THE WASATCH BACK	HEBER CITY
SCALE: N.T.S.	75 NORTH MAIN STREET HEBER CITY, UTAH 84032 (435) 654-0757		SEWER-1



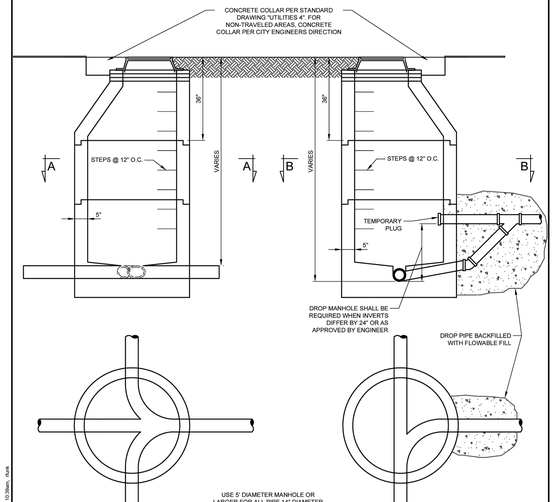
NOTES:

1. LOCATE MANHOLE COVER ON SIDE OF MANHOLE AS SHOWN ABOVE. SET MANHOLE FRAME IN GROUT.
2. ALL MANHOLES TO BE WATER TIGHT AND TESTED AS PER STD. SPEC. 02660.
3. MANHOLE BASE AND 1ST SECTION OF MANHOLE TO BE FABRICATED AS AN INTEGRAL UNIT.
4. USE 5' DIAMETER OR LARGER MANHOLE FOR PIPES 14" DIAMETER AND LARGER.
5. USE 4' DIAMETER MANHOLE FOR ALL PIPES SMALLER THAN 14" DIAMETER.

PRECAST CONCRETE SEWER MANHOLE

V:\EAGR\Data\dwt\Design 2019\Dwg Files\SEWER-5.dwg Manhole Precast - 2/26/2019 11:22am dlark

DATE: FEBRUARY 2019	HORROCKS ENGINEERS 726 WEST 100 SOUTH #2 HEBER CITY, UTAH 84032 (435) 654-2226	HEBER CITY HEART OF THE WASATCH BACK	HEBER CITY STANDARD DRAWING
SCALE: N.T.S.	75 NORTH MAIN STREET HEBER CITY, UTAH 84032 (435) 654-0757		SEWER-5



SECTION A-A

SECTION B-B

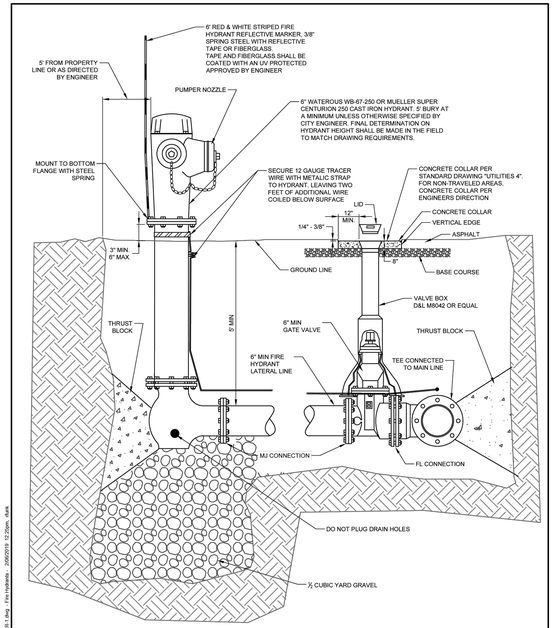
JUNCTION MANHOLE

DROP MANHOLE

JUNCTION & DROP MANHOLES

V:\EAGR\Data\dwt\Design 2019\Dwg Files\SEWER-3.dwg SEWER-3 - 2/26/2019 10:36am dlark

DATE: FEBRUARY 2019	HORROCKS ENGINEERS 726 WEST 100 SOUTH #2 HEBER CITY, UTAH 84032 (435) 654-2226	HEBER CITY HEART OF THE WASATCH BACK	HEBER CITY STANDARD DRAWING
SCALE: N.T.S.	75 NORTH MAIN STREET HEBER CITY, UTAH 84032 (435) 654-0757		SEWER-3



NOTES:

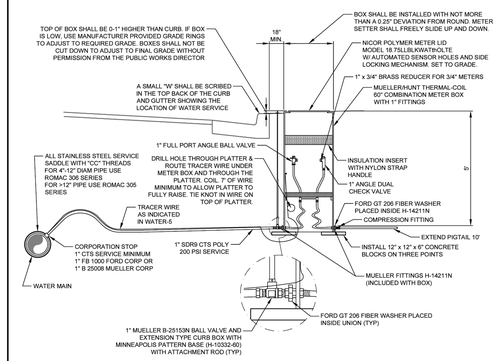
1. FIRE HYDRANT DRAINS SHALL NOT BE CONNECTED TO, OR LOCATED WITHIN, 10 FEET OF SANITARY SEWERS. WHERE POSSIBLE, HYDRANT DRAINS SHALL NOT BE LOCATED WITHIN 10 FEET OF STORM DRAINS.

V:\EAGR\Data\dwt\Design 2019\Dwg Files\WATER-1.dwg Layout: LAYOUT1 05/01/2021 - 10:47am dlark

DATE: FEBRUARY 2019	HORROCKS ENGINEERS 726 WEST 100 SOUTH #2 HEBER CITY, UTAH 84032 (435) 654-2226	HEBER CITY HEART OF THE WASATCH BACK	HEBER CITY STANDARD DRAWING
SCALE: N.T.S.	75 NORTH MAIN STREET HEBER CITY, UTAH 84032 (435) 654-0757		WATER-1

SERVICE LINE SIZE	MINIMUM METER BOX SIZE	BOX MODEL	FRAME MODEL	COMMENTS	INSULATION INSERTS
1" MINIMUM	18" x 60"	330CS1860FSBS000390N	NA	NEW SERVICES	790153
1 1/2"	24" x 60"	500VS2460FVB000520N	700098-1	"	790325
2"	27" x 60"	550VS2760FVB000520N	700098-1	"	790327

NOTE 1: FOR LARGER SIZES CONTACT PUBLIC WORKS FOR REQUIREMENTS



NOTES:

1. METER BOX, COVER, COPPER SETTER, CORPORATION STOP, & SERVICE LINES TO BE FURNISHED AND INSTALLED BY DEVELOPER AND CONFORM TO AWWA C800.
2. STAINLESS STEEL STIFFENERS ON ALL POLY CONNECTIONS.
3. METER BOXES ARE ALLOWED WITHIN DRIVEWAY ZONE ONLY WITH PRIOR APPROVAL FROM PUBLIC WORKS DIRECTOR.
4. WATER METER WILL BE INSTALLED BY HEBER CITY.
5. SEE UTILS-3 FOR PLAN VIEW.
6. WATER METER CAN TO BE LOCATED IN THE MIDDLE OF THE PLANTER STRIP OR BETWEEN SIDEWALK AND PROPERTY LINE (FOR COMBINATION SIDEWALK) OR AS DIRECTED BY ENGINEER.
7. WATER SERVICE SHOULD CONNECT DIRECTLY TO THE MAIN LINE AND NOT "TEE" OFF FIRE HYDRANT LINE OR SERVICE LINES.
8. WATER METER CAN SHALL BE COMPLETELY BACKFILLED WITH COMPACTED 3" MINUS GRANULAR MATERIAL FROM TOP TO BOTTOM.
9. ANY NIPPLES USED FOR SERVICE SHALL BE STAINLESS STEEL.
10. METER FEE WILL BE ASSESSED WITH BUILDING PERMIT OR AT TIME OF METER INSTALLATION.

WATER SERVICE - SINGLE LOTS

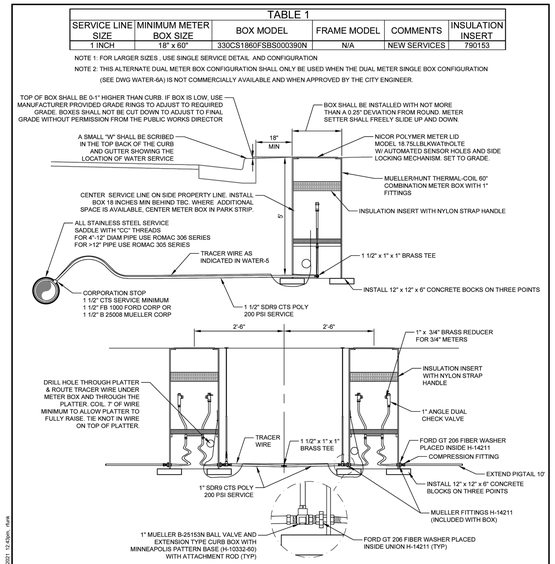
V:\EAGR\Data\dwt\Design 2019\Dwg Files\WATER-6B.dwg Service 1 Lot - 8/1/2021 12:47pm dlark

DATE: JUNE 2021		HEBER CITY HEART OF THE WASATCH BACK	HEBER CITY
SCALE: N.T.S.	75 NORTH MAIN STREET HEBER CITY, UTAH 84032 (435) 654-0757		WATER-6B

SERVICE LINE SIZE	MINIMUM METER BOX SIZE	BOX MODEL	FRAME MODEL	COMMENTS	INSULATION INSERT
1 INCH	18" x 60"	330CS1860FSBS000390N	N/A	NEW SERVICES	790153

NOTE 1: FOR LARGER SIZES , USE SINGLE SERVICE DETAIL AND CONFIGURATION

NOTE 2: THIS ALTERNATE DUAL METER BOX CONFIGURATION SHALL ONLY BE USED WHEN THE DUAL METER SINGLE BOX CONFIGURATION (SEE DWG WATER-6A) IS NOT COMMERCIALLY AVAILABLE AND WHEN APPROVED BY THE CITY ENGINEER.



NOTES:

1. METER BOX, COVER, COPPER SETTER, CORPORATION STOP, & SERVICE LINES TO BE FURNISHED AND INSTALLED BY DEVELOPER AND CONFORM TO AWWA C800.
2. STAINLESS STEEL STIFFENERS ON ALL POLY CONNECTIONS.
3. METER BOXES ALLOWED WITHIN DRIVEWAY ZONE ONLY WITH PRIOR APPROVAL FROM PUBLIC WORKS DIRECTOR.
4. WATER METER WILL BE INSTALLED BY HEBER CITY.
5. SEE UTILS-3 FOR PLAN VIEW.
6. WATER METER CAN TO BE LOCATED IN THE MIDDLE OF THE PLANTER STRIP OR BETWEEN SIDEWALK AND PROPERTY LINE (FOR COMBINATION SIDEWALK) OR AS DIRECTED BY ENGINEER.
7. WATER SERVICE SHOULD CONNECT DIRECTLY TO THE MAIN LINE AND NOT "TEE" OFF FIRE HYDRANT LINE OR SERVICE LINES.
8. WATER METER CAN SHALL BE COMPLETELY BACKFILLED WITH COMPACTED 3" MINUS GRANULAR MATERIAL FROM TOP TO BOTTOM.
9. ANY NIPPLES USED IN SERVICE SHALL BE STAINLESS STEEL.
10. METER FEE WILL BE ASSESSED WITH BUILDING PERMIT OR AT TIME OF METER INSTALLATION.

WATER SERVICE - TWO LOTS

V:\EAGR\Data\dwt\Design 2019\Dwg Files\WATER-6A.dwg Service 2 Lots - 8/1/2021 12:43pm dlark

DATE: JUNE 2021		HEBER CITY HEART OF THE WASATCH BACK	HEBER CITY
SCALE: N.T.S.	75 NORTH MAIN STREET HEBER CITY, UTAH 84032 (435) 654-0757		WATER-6A

NO.	REVISIONS	BY	DATE

ENGINEER: LR CHECKED BY: LR

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52 WEST 100 NORTH
HEBER CITY, UT 84032
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THE SPRINGS AT COYOTE RIDGE - PHASE 5
UTILITY DETAILS
1615 N GILBERT PEAK ROAD, HEBER CITY, UTAH 84032

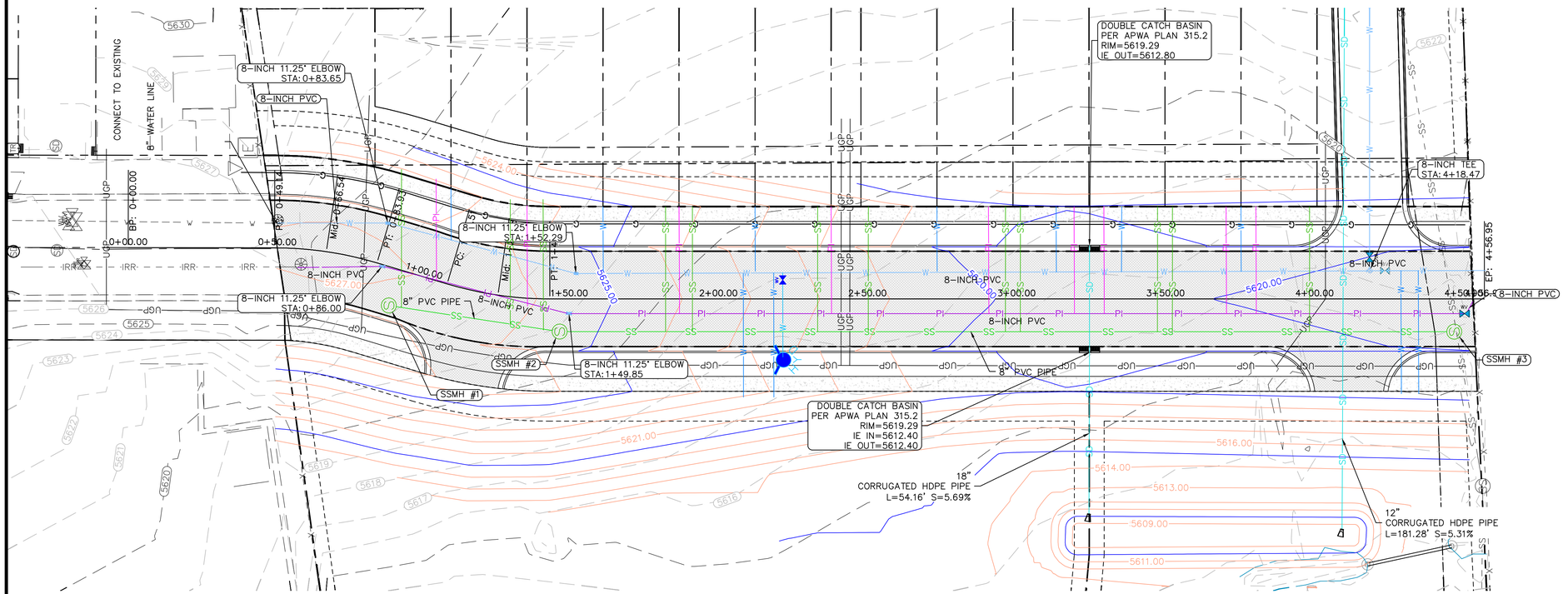
PROFESSIONAL ENGINEER
No. 11316562-2202
CALVIN S JOHNSON
STATE OF UTAH

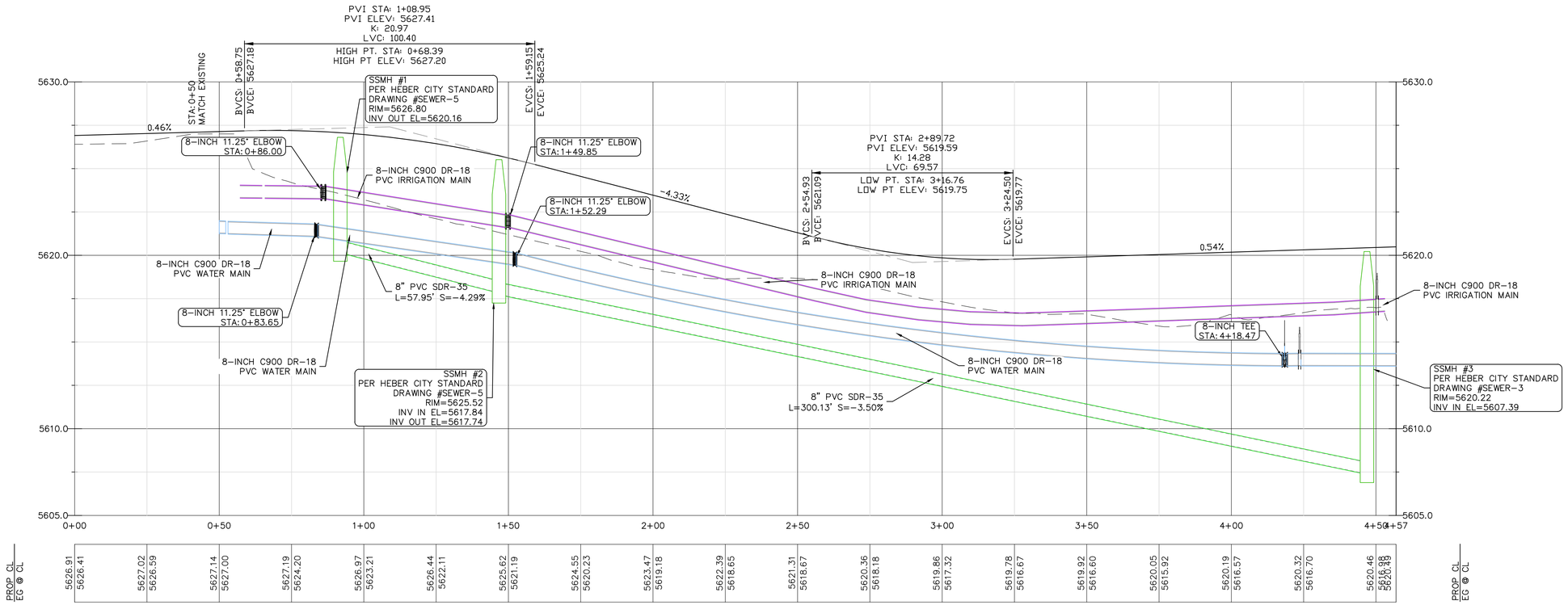
SHEET:
C-4.1

PRELIMINARY

DATE: 4/24/2026

\\Mac\Dropbox for Business\Legend Projects\Thrive – Heber Tree Farm_Sheet Files\HEBER TREE FARM1.dwg – – Apr 24, 2026–2:53pm





N

0 20 40 60
1" = 20'
Scale in Feet

NO.	REVISIONS	BY	DATE

ENGINEER: LR CHECKED BY: LR

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52 WEST 100 NORTH
HEBER CITY, UT 84032
PHONE: 435-654-4828
www.legendengineering.com

THE SPRINGS AT COYOTE RIDGE - PHASE 5
STA 0+00.00-4+57.00
1615 N GILBERT PEAK ROAD, HEBER CITY, UTAH 84032

PROFESSIONAL ENGINEER
No. 11316562-2202
CALVIN S JOHNSON
STATE OF UTAH

SHEET: C-5

PRELIMINARY

DATE: 4/24/2026

Ent 574054 Bk 1557 Pg 1798-1809
Date: 18-MAY-2026 10:51:20AM
Fee: $45.00 Check Filed By: CO
MARCY M MURRAY, Recorder
WASATCH COUNTY CORPORATION
For: MARELKO LC 3

When recorded return to:

Heber City Corporation
Attn: City Recorder
75 North Main Street
Heber City, UT 84032

Parcel Nos. 00-0021-4368, 00-0021-4369, 00-0021-4370 and 00-0021-8118.

DEVELOPMENT AGREEMENT
(The Springs at Coyote Ridge Phase 5)

THIS DEVELOPMENT AGREEMENT (the "Agreement") entered into this 2nd day of December, 2025, by and between HEBER CITY, a Utah municipality ("City") and Marelko LC 3 (a.k.a. Marelko #3, L.C.) a Utah limited liability company, and Thrive RE Holdings LLC ("Developer" or "Owner"). Developer and City are hereinafter referred to individually as a "Party" and collectively as the "Parties."

RECITALS

WHEREAS, Developer is the owner of approximately 4 acres of real property which is designated as Parcel Nos. 00-0021-4368, 00-0021-4369, 00-0021-4370 and 00-0021-8118, and more particularly described in Exhibit A (the "Property");

WHEREAS, Developer has proposed a site plan (the "Site Plan") for the Springs at Coyote Ridge Subdivision, Phase 5 consisting of 12 Townhomes and Two Commercial Office Buildings (the "Project"), a copy of which is attached hereto as Exhibit B;

WHEREAS, subject to the terms and conditions of the Agreement, City has approved the Site Plan;

WHEREAS, the City, acting pursuant to its authority under Utah Code Ann. §10-9a-101, et. seq., in compliance with the Heber City Land Use Code, and in furtherance of its land use policies, goals, objectives, ordinances and regulations, has made certain determinations with respect to the Property, and therefore has elected to approve and enter into this Agreement to advance the policies, goals and objectives of the City, and to promote the health, safety and general welfare of the public.

NOW, THEREFORE, the parties hereby agree as follows:

1. **Zoning**. The Property is currently zoned as R-3 COZ. Except as specifically set forth herein, the Property shall be developed in accordance with the Site Plan, and the requirements of the City's Development Code; the R-3 COZ zone; the City's Engineering Standards and

Specifications; and all other development ordinances, processes, standards, requirements, policies and regulations of Heber City related to zoning, subdivisions, development, public improvements and other similar or related matters that are in effect as of the Effective Date (collectively, the "City's Vested Laws"). The following additional uses shall be allowed in the Project: (1) professional offices; and (2) retail and services without drive-throughs.

2. **Development Requirements**. In addition to all development requirements in the City's Vested Laws, the following requirements shall apply to the Project:

a. Master Plan Trail. Developer shall construct an asphalt trail along the frontage of the Project and along U.S. 40 in accordance with the City's Master Trail Plan. Once constructed, the trail shall be dedicated to and maintained by the City.

b. Landscape Plan. Developer shall provide a Landscape plan for the commercial areas and townhome area to be reviewed and approved by the City prior to any construction in the respective areas.

c. Fencing. All fences shall be of earth tone colors. Fences shall not be allowed in front yards except decorative split rail fences not to exceed four feet in height. A six-foot privacy fence shall be constructed along the along the shared property line with Parcel No. 00-0007-9108.

d. Townhome Colors. All townhomes shall be of earth tones and consist of different color and pattern schemes to distinguish buildings.

e. Water Service. All townhomes are required to have separate water and sewer services. Common irrigation service will be allowed to accommodate the HOA maintaining the landscaping for all Townhome lots, buildings, and common areas. Should any property or lot be subsequently conveyed to new owners, not a part of the HOA, Property owner shall be responsible for the installation of separate irrigation services from the City's public line to serve these lots.

f. Landscaping and Stormwater. Common area landscaping within the townhomes shall be owned and maintained by the townhome HOA. Parking lots and associated open space within the office parcels shall be owned and maintained by the ownership entity of each office parcel. Any facilities which collect or convey storm drainage from private property, alleys, or streets shall be private and maintained by the townhome HOA or the ownership entity of each office parcel.

g. HOA. Developer will establish, prior to recording a plat for any of the townhome units, a Homeowners Association for the following purposes:

1. Ownership, operation, maintenance, and collection of fees for the continuing maintenance of the common areas including the storm water areas, the road connection to 1610 N., and all trails and common area landscaping, excepting the trails running immediately adjacent to US40 which shall be City maintained.
2. Ensure all exterior lighting, is full cut off and dark sky compliant.

3. Ensure consistent fencing standards, including the prohibition of white vinyl fences.

h. Road Connections and Standards. Gilbert Peak Road shall be constructed in accordance with the Site Plan and shall stub to the southern property line and connect to 1610 N. Developer shall dedicate all public streets to Heber City and slurry seal per Heber City's Standard Specifications during the warranty period.

3. **Vested Rights**. The Parties intend that this Agreement grants to Owner the right to develop the Property in accordance with the Site Plan and the City's Vested Laws (collectively, "Vested Right"), provided that nothing in this Agreement shall be construed to limit the City's ability to rezone the Property during the term of this Agreement, provided that such rezoning shall not limit or restrict the Owner's Vested Rights.

4. **Exceptions to Vested Rights**. The Vested Rights are subject to the following exceptions:

a. Agreed to Regulations. City's future laws or other regulations to which the Owner agrees in writing;

b. State and Federal Compliance. City's future laws or other regulations that are enacted or required to comply with State or Federal laws or regulations;

c. Development Review Processes. Amendments or changes to the City's application processes, review criteria, required application materials or submittal checklists that are generally applicable, and do not materially impact (i) the ability of Owner to develop the Project in accordance with this Agreement;

d. Safety Codes. Any City's future laws that are updates or amendments to building, fire, plumbing, mechanical, electrical, dangerous buildings, drainage, or similar construction or safety related codes, such as the International Building Code, the APWA Specifications, AAHSTO Standards, the Manual of Uniform Traffic Control Devices or similar standards that are enacted to meet legitimate concerns related to public health, safety or welfare;

e. Engineering Standards. Amendments or changes to the City's Engineering Standard Drawings and Specifications provided that the amendments or changes (i) do not materially impact the ability of Owner to develop the Project in accordance with this Agreement, or (ii) are not enacted as a means to reduce or limit the ability of Owner to develop the Project in accordance with this Agreement.

f. Taxes. Taxes, or modifications thereto, so long as such taxes are lawfully imposed and charged uniformly by the City to all properties, applications, or similarly situated persons and entities;

g. Fees. Changes to the amounts of fees for the processing of Development Applications that are generally applicable to all development within the City (or a portion of the

City as specified in the lawfully adopted fee schedule) and which are adopted pursuant to State law;

h. Impact Fees. Impact Fees or modifications thereto which are lawfully adopted, and imposed by the City pursuant to Utah Code Ann. Section 11-36a-101 (2024) et seq.;

i. Planning and Zoning Modifications. Changes by City to its planning principles and design standards such as architectural or design requirements, setbacks or similar items so long as they don't' materially impact the ability of Owner to develop the Project in accordance with the Site Plan and this Agreement; and

j. Compelling, Countervailing Interest. Laws, rules or regulations that the City's land use authority finds, on the record, are necessary to avoid jeopardizing a compelling, countervailing public interest pursuant to Utah Code Ann. § 10-9a-509(1)(a)(ii)(A) (2024).

5. **Affordable Housing**. Owner shall provide one affordable housing (the "Affordable Unit") in the Project. The Affordable Unit must be similar in size and amenities to the average market rate unit in the Project. The Affordable Unit may either be a for-sale owner occupied unit or a rental unit. If the Affordable Unit is a for-rent unit or capable of being rented, the unit shall be available at an average monthly rent of no more than 60% of the average medium income (AMI) for Wasatch County, divided by twelve months and minus the monthly cost of standard utilities and HOA fees. A rental unit shall be available to a household with a gross household income equal to or less than 100% of the Area Median Income ("AMI") for households of four. If the Affordable Unit is an owner-occupied for sale unit, the unit shall be available for sale to households with a gross household income equal to or less than 120% of the Area Median Income ("AMI") for households of four, and monthly mortgage payments cannot be more than 30% of the household income based on 80% AMI, divided by 12 months minus the cost of standard utilities, services, HOA fees, and property taxes. All affordable housing units shall be subject to restrictive covenants that shall be in a form provided by the City with the deed restrictions to be managed by Wasatch County Housing Authority or such other party designated by Heber City or Wasatch County Housing Authority. Owner's failure to comply with the affordable housing obligation pursuant to the terms of this Agreement shall constitute a material breach of this Agreement, and the City may pursue all available remedies to enforce compliance, including but not limited to legal and equitable relief.

b. Timing. The affordable housing unit shall be completed and made available no later than issuance of a certificate of occupancy for 70% of the market rate units.

6. **North Fields Preservation**. Prior to recording a subdivision plat for residential portion of the Project, Owner shall pay to the City a one-time fee equal to $2,500 per residential ERU (the "North Fields Preservation Fee") for all market rate units. The City shall utilize funds collected pursuant to the North Fields Preservation Fee solely for the purpose of preserving open space in the North Fields, including purchase of development rights. The City agrees that the North Fields Preservation Fee shall not be charged for development units constructed and operated and/or sold as affordable housing.

7. **Default and Remedies**. Any failure by any party to perform any term or provision of this Agreement, which failure continues uncured for a period of ten (10) calendar days following the receipt of written notice of such failure from the other party shall constitute a "Default" under this Agreement.

7.1 Notice. Any notice of default ("Default Notice") shall: (1) specify the claimed event of Default; (2) identify with particularity the provisions of any applicable law, rule, regulation or provision of this Agreement that is claimed to be in Default; (3) identify why the claimed Default is claimed to be material; and (4) specify the manner in which said failure may be satisfactorily cured.

7.2. Cure. Following receipt of a Default Notice, the defaulting Party shall have thirty (30) days in which to cure such claimed Default (the "Cure Period"). If more than 30 days is required for such cure, the defaulting Party shall have such additional time as is reasonably necessary under the circumstances in which to cure such Default so long as the defaulting Party commences such cure within the Cure Period and pursues such cure with reasonable diligence. City may, in City's sole discretion, withhold permits or approvals during any Cure Period.

7.3. Owner's Exclusive Remedy. Owner's sole and exclusive remedy under this Agreement shall be specific performance of the rights granted in this Agreement and City's obligations under this Agreement. **IN NO EVENT SHALL CITY BE LIABLE TO OWNER, ITS SUCCESSORS OR ASSIGNS, OR ANY OWNER, PROPERTY OWNER OR OTHER PARTIES UNDER THIS AGREEMENT, FOR ANY INDIRECT, SPECIAL, PUNITIVE, INCIDENTAL OR CONSEQUENTIAL DAMAGES, INCLUDING, WITHOUT LIMITATION, LOST PROFITS, COSTS OF DELAY, OR LIABILITIES TO THIRD PARTIES**.

7.4 City's Remedies Upon Default. In addition to all other remedies available at law or in equity, City shall have the right to withhold all further reviews, approvals, licenses, building permits and other permits for development of the Property in the case of a Default by Owner, until the Default has been cured. City shall further have the right to draw on any security posted or provided in connection with the Property and relating to remedying of the particular Default.

8. **Term of Agreement**. The term of this Agreement shall commence on the Effective Date and continue for a period of ten (10) years. Unless otherwise agreed between the City and the Developer, the Developer's vested interests and rights contained in this Agreement expire at the end of the Term, or upon termination of this Agreement. Upon termination of this Agreement, the obligations of the Parties to each other hereunder shall terminate, but none of the dedications, easements, deed restrictions, licenses, building permits, or certificates of occupancy granted prior to the expiration of the term or termination of this Agreement shall be rescinded or limited in any manner.

9. **Other Necessary Acts**. Each Party shall execute and deliver to the other Party any further instruments and documents as may be reasonably necessary to carry out the objectives and intent of this Agreement and to provide and secure to the other Party the full and complete enjoyment of its rights and privileges hereunder.

10. **Covenants Running with the Land and Manner of Enforcement**. The provisions of this Agreement shall constitute real covenants, contract and property rights and equitable servitudes, which shall run with all of the land subject to this Agreement. The burdens and benefits of this Agreement shall bind and inure to the benefit of each of the Parties, and to their respective successors, heirs, assigns and transferees. Notwithstanding anything in this Agreement to the contrary, the owners of the individual lot in the Project shall have no right to bring any action under this Agreement as a third-party beneficiary. The City may look to the Owner, its successors and/or assigns, or the lot owners for performance of the provisions of this Agreement relative to the portions of the Projects owned or controlled by such party. The City may, but is not required to, perform any obligation of the Developer that the Developer fails adequately to perform. Any cost incurred by the City to perform or secure performance of the provisions of this Agreement shall constitute a valid lien on the Project, including prorated portions to the individual lots or units in the Project.

11. **Attorney Fees**. In the event there is a Failure to Perform under this Agreement and it becomes reasonably necessary for any party to employ the services of an attorney in connection therewith (whether such attorney be in-house or outside counsel), either with or without litigation, on appeal or otherwise, the losing party to the controversy shall pay to the successful party reasonable attorney's fees incurred by such party and, in addition, such costs and expenses as are incurred in enforcing this Agreement.

12. **Annexation Agreement**. This Development Agreement does not amend or change any provision of the prior VXC Annexation Agreement and First Addendum to the VC Annexation Agreement, and those Agreements remain in full force and effect.

13. **Entire Agreement.** This Agreement contains the entire agreement between the parties regarding the subject matter hereof, and no statement, promise or inducement made by either party hereto, or agent of either party hereto which is not contained in this written Agreement shall be valid or binding; and this Agreement may not be enlarged, modified or altered except in writing approved by the parties.

14. **Time Is Of The Essence.** In case any party shall fail to perform the obligations on its part at the time fixed for the performance of such obligations by the terms of this Agreement, the other party or parties may pursue any and all remedies available in equity, at law, and/or pursuant to the terms of this Agreement.

15. **Waiver of Rights Under Utah Code Section 10-9a-532**. The Parties have been represented by an attorney throughout this process. Owner acknowledges that this Agreement does not restrict any of Owner's rights under clearly established state law or that Owner has been advised in writing of any such rights being restricted. As an essential term of this Agreement, Owner hereby waives any claim that any term of this Agreement is void, illegal, invalid, or unenforceable as the result of any failure on the City's part to disclose in writing any rights being restricted by this Agreement.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands the day and year this agreement was first above written.

DATED this 14th day of May ~~April~~, 2026

HEBER CITY

BY: Heidi Franco

Heidi Franco, Mayor

ATTEST: Irina N Cooke

Heber City Recorder

HEBER CITY CORPORATE Seal WASATCH COUNTY, UTAH

Marelko LC 3

By: Rae Lynne Kohler

Rae Lynne Kohler

STATE OF U T A H

:ss.

COUNTY OF WASATCH)

On this 23RD day of April 2025, personally appeared before me the above named Owner, who duly acknowledged to me that she is the owner in fee and executed the same as such.

Notary Public

RUSSELL B POULSEN
Notary Public - State of Utah
Comm. No. 744155
My Commission Expires on
Jul 16, 2029

4925-1657-8688, v. 1

State of Utah)
:SS
County of Wasatch)

On this 14th day of May, in the year 2026, before me, Trina N. Cooke, a notary public, personally appeared Heidi Franco, who duly acknowledged to me that (s)he had authority to and did execute the foregoing document as the Mayor of Heber City.

Witness my hand and official seal

(seal)

TRINA N COOKE
NOTARY PUBLIC • STATE OF UTAH
COMMISSION# 725852
COMM. EXP. 08-21-2026

Trina N Cooke
Notary Public

Thrive RE Holdings, LLC

By: _____

Steve Broadbent

STATE OF U T A H)

:ss.

COUNTY OF WASATCH)

On this 22nd day of April 2025, personally appeared before me the above named Owner, who duly acknowledged to me that he is the owner in fee and executed the same as such.

_____

Notary Public

RUSSELL B POULSEN
Notary Public - State of Utah
Comm. No. 744155
My Commission Expires on
Jul 16, 2029

EXHIBIT A

Legal Description

DESCRIPTIONS ON PHASE 5 PLAT:

BEGINNING AT A POINT S89°51'50"E 1493.66 FEET ALONG THE QUARTER SECTION LINE AND SOUTH 458.05 FEET FROM THE WEST QUARTER CORNER OF SECTION 29, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 1, WASATCH MEDICAL SUBDIVISION;

THENCE ALONG N82°16'24"E 239.69 FEET ALONG SAID WASATCH MEDICAL SUBDIVISION TO A POINT ON THE SPRINGS AT COYOTE RIDGE PHASE 1 SUBDIVISION; THENCE ALONG SAID SPRINGS AT COYOTE RIDGE PHASE 1 AND PHASE 4 SUBDIVISIONS THE FOLLOWING FIVE COURSES: (1) S00°20'59"W 2.04 FEET; (2) N81°49'00"E 122.46 FEET; (3) SOUTH 410.70 FEET; (4) S88°26'20"W 88.90 FEET; (5) S87°35'14"W 300.43 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF US HIGHWAY 40, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY AND TO WHICH POINT A RADIAL LINE BEARS S83°51'12"E; THENCE ALONG SAID HIGHWAY 40 379.40 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°07'39", WITH A CHORD BEARING AND DISTANCE OF N04°34'58"E 379.36 FEET.

PARCEL CONTAINS 3.355 ACRES

EXHIBIT B

Site Plan

