

**ON MARCH 24, 2021 AT 6:00 P.M., THE HURRICANE CITY PLANNING COMMISSION MET IN THE CITY COUNCIL CHAMBERS LOCATED AT 147 NORTH 870 WEST HURRICANE UT, 84737**

**Members Present:** Dayton Hall, Shelly Goodfellow, Mark Sampson, Ralph Ballard, Rebecca Broneman, Michelle Cloud (electronically).

**Members Excused:** Paul Farthing and Penny James-Garcia

**Staff Present:** Planning Director Stephen Nelson, Planning Technician Brienna Spencer and City Engineer Representative Darrin LeFevre.

Chairman Dayton Hall called meeting to order at 6:00 p.m. The Pledge of Allegiance was led by Ralph Ballard and Shelly Goodfellow offered the prayer. Roll call was taken.

*Chairman Hall amended the agenda for item 2021-PSP-04 state preliminary site plan not final site plan (corrections reflected within minutes below). Rebecca Bronemann motioned to approve the agenda as amended. Seconded by Shelly Goodfellow. Unanimous.*

**Election of Vice-Chair**

Discussion about adding the election of chairman and vice chair bylaws into code was had.

*Mark Sampson was nominated by Shelly Goodfellow, seconded by Rebecca Bronemann. Roll call – all ayes.*

**Public Hearing opened at 6:07 P.M.**

**A Zoning Map amendment request located at Turf Sod Rd and 5000 West from RA-1, residential agriculture 1 unit per acre, to R1-10, residential 1 unit per 10,000 square feet, to be consistent with the existing Pecan Valley development to the West. Parcel H-4-2-11-3301.**

Stewart Thomas moved into the Pecan Valley subdivision in January 2021. He is concerned about the change to the R1-10 and high density in the area. They did not receive notice by mail.

Michael Chavez is currently building a home in Pecan Valley. He was under the impression that the development would be the same as the surrounding lots. The narrow width of Turf Sod Road and the increased traffic is also a concern.

**Zoning Map amendment request located at 122 S 200 West from GC, general commercial, to RM-3, multifamily 15 units per acre, to build 3 townhomes. Parcel H-92-A-1-A-1.**

Comment was submitted and is included at the end of these minutes.

**A Zoning Map amendment located West of Sand Hollow Road near Abbey Road from RA-1, residential agriculture 1 unit per acre, to RM-2, multi-family 10 units per acre, and GC, general commercial. Parcel numbers: H-4-2-11-113, H-4-2-11-112, H-4-2-11-111, and H-4-2-11-121.**

Comment was submitted and is included at the end of these minutes.

Mike Chandler asked Stephen Nelson about the 6 parcels to the north being included.

**A Zoning Map amendment located at Sand Hollow Road and Canterbury Road from PC, planned commercial, to RR, recreational resort. Parcel numbers: H-4-2-11-31031 and H-4-2-11-241.**

Mike Chandler has some concerns. They are directly west to their sewer district farm. They had been asked to lower their density at the last meeting for the parcel south of the requested zone change and has the same concerns as the Planning Commission had with it. This parcel was subdivided without going through the subdivision process. As it was divided, access was not granted, which is leaving them to have the only access through their private drive, which is an easement itself. PC, planned commercial, allows for a lot of uses but RR, recreational resort, allows for higher density. There needs to be a process in allowing this.

**New Business:**

**2021-ZC-10 Consideration and possible recommendations on a zoning map amendment request located at Turf Sod Rd and 5000 West from RA-1, residential agriculture 1 unit per acre, to R1-10, residential 1 unit per 10,000 square feet. Parcel H-4-2-11-3301. Monte Slaven Applicant, Chris Wyler Agent**

Stephen Nelson addressed the voiced concern about the density stating that Pecan Valley has the same zone, however, the lots are all quarter acre or more. He also addressed the Turf Sod Road concerns. Michelle Cloud likes R1-10 rather than something different. Shelly Goodfellow asked Chris Wyler if they have addressed any of the concerns with the second access. Mr. Wyler shared the plans of the second access. He shared that they are in the process of the storm loop. They've been in contact with Dixie Power and they are in the process of upgrading the line that runs east to west in phase three of Pecan Valley that will have the access for this development. Mr. Nelson showed on the master roadway map the plans of the improvements. Mrs. Goodfellow stated that these improvements will help the surrounding areas. She likes the density of the zone. Dayton Hall feels it appropriate to approve the zone change. Mark Sampson asked if the city has any plans to make upgrade this road. Mr. Nelson stated that the plan is to address the road issues anywhere in the next 5-15 years.

*Mark Sampson motioned a recommendation of approval of 2021-ZC-10. Shelly Goodfellow seconded the motion. Unanimous.*

**2021-ZC-11 Consideration and possible recommendations on a zoning map amendment request located at 122 S 200 West from GC, general commercial, to RM-3, multifamily 15 units per acre. Parcel H-92-A-1-A-1. Sunnie LLC Applicant, Scott Stratton Agent.**

Shelly Goodfellow stated that across the street to the East, there is multi-family and asked what the zoning is for it. Stephen Nelson stated it is also zoned GC. She doesn't see an issue with it and thinks it would add to the area. She also asked Mr. Nelson what he meant by his staff comment. Mr. Nelson addressed what he meant and shared what the code stated. He also went over why the applicant is requesting what they are. Mrs. Goodfellow would much rather see long term instead of a higher density and short term. He could currently put 8 units and rent them short term. He wants 3 units for long term. Dayton Hall shared that he thinks overtime, this area is planned to be a long-term commercial zone. His concern is a spot zone. Ralph Ballard shared some history in the area. His family is occupying the majority of the surrounding areas and he doesn't see it changing. Rebecca Bronemann sees that there could potentially be an issue with townhouses in the middle of an area that could potentially be

commercial. Mark Sampson asked Mr. Nelson if this parcel was part of the discussion for the downtown area. He thinks it's a great area for long term right across from the park. Michelle Cloud brought up the 4 notes to be checked off and that this meets all the criteria. She agrees with Mrs. Goodfellow and Mr. Sampson about this being a better use than a short-term rental would be. Mr. Hall asked Mr. Nelson if Scott Stratton would be allowed to come in and get a building permit for 3 units with the current zone. Mr. Nelson stated that he could come in tomorrow and apply for a building permit for short term because it is permitted under the current zone. He shared his recommendation of changing the code to address the one acre minimum on multi-family. Mr. Hall suggested we amend our general commercial code to address infill like this. There was discussion of the different motion options.

*Rebecca Bronemann motioned to continue 2021-ZC-11 to allow the planning commission to evaluate the General Commercial code. Shelly Goodfellow seconded the motion. Roll Call as follows: Mark Sampson-aye, Rebecca Bronemann – aye, Dayton Hall – aye, Ralph Ballard – aye, Shelly Goodfellow – aye, Michelle Cloud – aye. Motion passed.*

**2021-ZC-12 Consideration and possible recommendations on a zoning map amendment located West of Sand Hollow Road near Abbey Road from RA-1, residential agriculture 1 unit per acre, to RM-2, multi-family 10 units per acre, and GC, general commercial. Parcel numbers: H-4-2-11-113, H-4-2-11-112, H-4-2-11-111, and H-4-2-11-121 Gary Colf Applicant, Bob Hermandson, Bush & Gudgell, Inc Agent.**

Gary Colf stated that the buffer is there to be between their property and Ash Creek's alfalfa fields. He is in the process of purchasing the 6 parcels that run along there. They have secondary access as of now. Rebecca Bronemann asked about the Public Infrastructure District. Mr. Nelson stated what a PID is. The commissioners discussed how a PID is obtained. Dayton Hall doesn't think the PID is an issue or applies to this property. He does want to talk about the residential right up to agriculture and how that's asking for complaints. The buffer of 30 feet doesn't seem to be enough of a buffer. He thinks they should require more and bind it with a zone change development agreement. RM-1 might be better with the density. The reason being that the more people you put next to the ag use, the more complaints the city will have to deal with. Mr. Colf shared all the things to make it come out feasibly financially sound for them, this zone is what they would need. That is why they had hashed everything out prior to requesting the zone change. Ralph Ballard appreciates the road plans. Mike Chandler shared that what Gary is doing, is appropriate but it's not addressing the overall issue of where the drainage is going. Right now, it's coming and setting right on Ash Creek's property and destroying their fields. They discussed the issue of the storm drains and flooding the area has. Mr. Ballard thinks that the storm drainage issues need to be discussed as applications come in and the impact it has on all developers. It's not fair to throw it all onto one developer. Michelle Cloud stated her biggest concern is the buffering between the properties. She likes what Dayton Hall suggested. There definitely needs to be a buffering included. Mike Chandler does like the idea of a development agreement.

*Ralph Ballard motioned a recommendation of approval of 2021-ZC-12 to the City Council conditioned upon a development agreement locking in the 30-foot buffer against the Ash Creek Special Service District alfalfa fields. Rebecca Bronemann seconded the motion. Unanimous.*

**2021-ZC-13 Consideration and possible recommendations on a zoning map amendment located at Sand Hollow Road and Canterbury Road from PC, planned commercial, to RR, recreational resort. Parcel numbers: H-4-2-11-31031 and H-4-2-11-241. Smoothie Kings Holdings/Dave Nasal Applicant.**

Dave Nasal shared that they thought this zone was appropriate due to the lack of neighbors. From his understanding, PC would allow them to have unlimited density, whereas the RR would cap the density off. They would need to work with the utility companies to provide access for Mr. Black. Ralph Ballard asked what the solution to the road and access is going to be. Stephen Nelson stated that they will be required to provide two separate accesses. He pointed out on a map of where they would need to provide the two accesses. The proposed zone change parcel was subdivided and was not done properly. Mr. Nelson recommends that be resolved prior to a zone change approval. He went over the map and showed where improvements will need to be made. The plans for second access onto Turf Sod Road was discussed. Dayton Hall stated that every time we get an RR zone, we ask how many more are we going to approve. Our kids need places to work and they need places to live. Looking at the bigger picture, he's getting more reluctant to be in favor of RR. He would rather see something commercial instead of the RR. Rebecca Bronemann's concern is having the RR next to the ag. People coming from out of town and what it comes with it. If she was coming out of town and staying in RR, she wouldn't want to be around a field. She referenced the public comment submitted and asked the applicant what his thoughts are on that. Mr. Nasal stated he sees the ag next to the RR as a benefit with the views and open space. He would prefer to do PC but it doesn't seem to be what will work right now. Mark Sampson asked Mr. Nelson how many RV spots we have in the town and suggested having a metric of how many RR and RV spots there is in the city. Michelle Cloud thinks we are at our tipping point of RR however, it does seem to control a bit of the density and what can be done there.

*Ralph Ballard motioned a recommendation of approval of 2021-ZC-13 to the City Council contingent on the resolution of the subdivision issue and subject to a development agreement that is satisfactory to providing utilities and the buffer zone. Mark Sampson seconded the motion. Unanimous.*

Stephen Nelson shared more information on the zone change request

**2021-ZC-09 Consideration and possible recommendations on a zoning map amendment request located at approx. 4650 W Turf Sod Rd from RA-1, residential agriculture, to R1-10, residential 1 unit per 10,000 square feet. Parcel H-4-2-11-320112. Ash Creek Special Service District Applicant, Mike Chandler Agent.**

Shelly Goodfellow asked if this parcel would be required to do all the same things that the previously approved zone change was required to do. Rebecca Bronemann is impressed with the amount of development going on along Turf Sod Road and hopes the improvements are bumped up on the time frame list. Mark Sampson asked about the comment on the light industrial. Stephen Nelson stated that was a mistake. Ralph Ballard stated that with all the development going on out in the Sand Hollow area, these roads need to be improved. We are putting a lot of pressure on these back roads. Mike Chandler stated that the interested party thinks the R1-10 meets their needs. Ash Creek is going to have to work with the city to resolve the issues on putting the curb gutter sidewalk running along their property along turf sod road.

*Shelly Goodfellow motioned a recommendation of approval of 2021-ZC-09 to the City Council. Ralph Ballard and Rebecca Bronemann seconded the motion. Recognizing Rebecca Bronemann's second, the motion carries unanimously.*

**2021-PSP-04 Discussion and consideration of possible approval of a preliminary site plan for Glampers Inn, a 225 Unit RV Park Located on Sand Hollow Road. Western MTG and Realty Co. Applicant, Scott Nielson Agent.**

Karl Rasmussen stated that they have a meeting with Stephen Nelson and Arthur LeBaron on a few parcels and how they are going to make the splits legal. In order for the city to have the correct legal description, staff has to approve lot splits or lot line adjustments. Per code, if the property is not in a subdivision, they can just go to the county. If they are creating a lot and have the okay from engineering, they don't need to plat it just through staff approval. Stephen Nelson stated that per state code, if the lot is not in a subdivision, there can be an adjustment to the lot line as long as they aren't eliminating or creating a lot and they don't need city approval to do that. If they are going to create one lot, with the approval of water and sewer, they can do a lot split which is a record of survey approved by engineering and planning. It doesn't require planning commission or city council approval. If they are creating more than one lot or there are roadways needed, they would need to go through the platting process. Mr. Rasmussen shared that the RV pads are more open with more open space. They plan to have some water features, a dog park, a lazy river, a playground area, and swimming pool. It will be kind of like a resort with all the accommodations. The applicant is willing to work with the City on access into the property. Dayton Hall asked which department reviews the retention pond. Mr. Nelson stated it would be the engineering department. Rebecca Bronemann likes the amenities and the plans for food in that area. She is excited to see something finally happening. Mark Sampson asked when this will be opening. Mr. Rasmussen stated that Scott Nielson wants to get going now and he would like to see the opening in the fall 2021. Mr. Sampson asked about the first turn across from Diamond Ranch Academy and how many lanes they plan to have to control traffic. Mr. Rasmussen stated the right of way will be 112 feet on Sand Hollow Rd. Shelly Goodfellow asked if this is part of the PID that was discussed earlier this evening. Mr. Nelson stated that it will be. Mrs. Goodfellow also asked if these road improvements will be done prior to the development. Ralph Ballard asked what was going in around this development. Mr. Rasmussen and Mr. Nelson addressed this comment on the zoning map presented. Dayton Hall asked Stephen Nelson if connectivity had been addressed. Mr. Nelson showed on a map where staff concerns are with the roadways.

*Mark Sampson motioned approval of 2021-PSP-04 subject to staff and JUC comments. Ralph Ballard seconded the motion. Unanimous.*

**2021-PP-06 Discussion and consideration of a possible recommendation on a preliminary plat for Peregrine Point West: Phases 1-3, a 74-lot subdivision located on 600 N and 3100 W. Lagom, LLC Applicant, Greg Sant Agent.**

Greg Sant stated he reviewed the staff comments and has no issues with them. Shelly Goodfellow asked about the buffer between Interstate Rock. Stephen Nelson pointed out that buffer on the map presented. Mr. Sant shared their drainage plan for the property and where they would locate it. Mr. Nelson stated that this is in the Desert Reserve and explained the steps they have to go through to get approval to build. Mark Sampson asked if the only way in and out of here is 3000 South. Mr. Sant stated there are a total of three accesses into the area.

*Rebecca Bronemann motioned a recommendation of approval of 2021-P-06 subject to staff and JUC comments. Shelly Goodfellow seconded the motion. Unanimous.*

**2021-FSPA-02 Discussion and consideration of possible approval for a Final Site Plan Amended for Performance Fitness Addition, located at 24 S 2170 W. M&C Warren INV LLC Applicant, Karl Rasmussen Agent.**

Karl Rasmussen stated that they only want to add on 1500 square feet onto the building. Mark Sampson asked what they are doing with the refueling station. Mr. Rasmussen stated that they aren't even coming close to it.

*Shelly Goodfellow motioned approval of 2021-FSPA-02 subject to the landscape being what they are showing. Mark Sampson seconded the motion. Unanimous.*

**2021-PP-07 Discussion and consideration of a possible recommendation on a preliminary plat for BAJR, LLC Subdivision, a 3-lot subdivision located approx. 600 N Old Highway 91. BAJR, LLC Applicant, Rosenberg Associates Agent.**

The applicant went over what they are requesting. Dayton Hall stated it looks like a good place for this kind of development. Ralph Ballard asked Stephen Nelson which way traffic will flow through. Mr. Nelson stated it will most likely head South. Darin LeFevre stated they will require road improvements during construction drawing approval. Mr. Hall asked the applicant if they have any concern with the staff and JUC comments. The applicant stated that their concern is that the other side of the road will never get developed and that it will never get done because there are no properties fronting that side. Stephen Nelson stated that the developer will only be required to improve their frontage as well as the landscaping required for commercial areas.

*Ralph Ballard motioned a recommendation of approval of 2021-PP-07 to the City Council subject to staff and JUC comments. Mark Sampson seconded the motion. Unanimous.*

**2021-AFP-03 Discussion and consideration of a possible recommendation on an Amended Final Plat for Zion's Gate Estates, Phase 2 Lots 54 & 55 Amended. Vincent Blackmore Applicant.**

Stephen Nelson explained what the application is and what they applicant is requesting with the map presented at the meeting. He explained there has been some lawsuits to have access to the power pole. He stated that setbacks comply with the zoning. Shelly Goodfellow asked if this would affect their lot size. Mr. Nelson stated that it would not and the property owners have to sign off on the mylar prior to recording.

*Mark Sampson motioned a recommendation of approval of 2021-AFP-03 to the City Council. Rebecca Bronemann seconded the motion. Unanimous.*

**2021-AFP-04 Discussion and consideration of a possible recommendation on an Amended Final Plat for Dixie Springs Subdivision Plat "A" Lots 82, 83, & 84 Amended. Richard Faddis Applicant, Marc Brown BCE Agent.**

Richard Faddis stated what they are doing with the lots. Dayton Hall asked if lot 82 will meet the zoning minimum lot requirement. Stephen Nelson stated that it will.

*Rebecca Bronemann motioned a recommendation of approval of 2021-AFP-04 to the City Council. Shelly Goodfellow seconded the motion. Unanimous.*

**2021-FSP-13 Discussion and consideration of possible approval for a Final Site Plan for Painted Hills Dino Mart, a Gas Station and Convenience Store located at 40 S Rlington Parkway. CIG Hurricane Holdings, LLC Applicant, Charles Hammon Agent.**

Stephen Nelson stated that originally this was approved with no improvements along SR9. However, in the pre-construction meeting, engineering requested they put in curb, gutter, and sidewalk along the road to match the neighboring property. Engineering has requested that they are held to what they agreed to do in the pre-construction meeting and this process will require them to do so.

*Ralph Ballard motioned approval of 2021-FSP-13 subject to the improvements of curb, gutter, and sidewalk. Shelly Goodfellow seconded the motion. Unanimous.*

**Planning Commission Business:**

**- Workshop: Building Permits in Subdivision**

Stephen Nelson briefed on the State code and how the process works. Our current code doesn't allow for building permits until everything is signed off on. He will come back in two weeks with a draft on the code. Dayton Hall asked if the code for the required amount of infrastructure be put in for a 5-acre single lot also be included in with that workshop.

**- City Council Recap**

**Approval of Minutes: December 10, 2020**

Corrections discussed will reflect on the posted minutes.

*Mark Sampson motioned to approve the minutes with the amended improvements. Rebecca Bronemann seconded the motion. Unanimous.*

**Adjournment**