

ON MAY 13, 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, Mark Sampson, Shelley Goodfellow, Paul Farthing, Michelle Cloud, Penny James-Garcia, and Ralph Ballard (late)

Members Excused: Rebecca Bronemann

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. Roll call was taken.

Shelley Goodfellow motioned to approve the agenda as posted. Paul Farthing seconded the motion.

The Pledge of Allegiance was led by Mark Sampson and Jeffery Hardin offered the prayer. Roll call was taken.

Public Hearing opened at 6:03 P.M.

- 1. A Zone Change Amendment request to update an existing PDO, planned development overlay (Copper Rock PDO), now including 1057 acres from the original 864 acres and a total of 2852 units from the original 2200 units and apply an R1-10 zone as underlying zoning to the full property. Totaling in a 2.7 units per acre density**

Jefferey and Janice Hardin submitted a letter and it is attached to the end of these minutes.

- 2. A Proposed Land Use Code amendment to Title 10-Chapter 39-subsection 15 regarding enforcement and permits within a subdivision.**

Christopher Wyler shared that it has been tough to get a permit and that it restricts builders with some of the beginning stages of the building.

Mike Bradshaw is the engineer on the copper rock subdivision. He was the one who brought it before the planning commission months ago. What this would do is allow a permit or two to be pulled prior to the completion of the subdivision. Being able to bond the subdivision to provide security would help move the construction along and not hold the selling of homes off.

New Business:

2021-ZC-14 / 2021-PSPM-01 Consideration and possible recommendation on a proposed zone change and preliminary site plan to update and add to an existing planned development overlay, Copper Rock, now including 1057 acres from the original 864 acres and a total of 2852 units from the original 2200 units. Totaling in a 2.7 units per acre density. Fairway Vista Estates Applicant, Mike Bradshaw Agent

Mike Bradshaw shared that the developers bought the 365 acres to the west of the existing development. He went over the utilities and infrastructure their development will bring to the area, as

well as shared the different sections of the Copper Rock Subdivision and what each section contains as far as facilities and types of housing. They are currently undergoing a traffic study with the new configuration of the road of 3000 South. They feel this new design will help with traffic flow and be better for the overall connectivity within the subdivision. Stephen Nelson went over the new changes that he does like. He shared the change with one of their roads is that it moves it out of line with the master planned road which connects into the Corderro subdivision that is just about to record final plat. Mr. Nelson stated that utilities will gradually extend their way out there but right now, there won't be anything nor is there anything planned. Paul Farthing thinks the new roadway is a significant improvement. He appreciates the comments from the Hardin about growth and unfortunately, growth and development are what is happening. Penny James-Garcia asked what the current zone of the new section is. Mr. Nelson stated that it is RA-1 and the applicant is asking for the underling zone match the rest of their development of R1-10. Mrs. James-Garcia appreciates the Copper Rock development. She thinks the road of 2100 west makes sense, however, where Corderro is so close to recording, she thinks some kind of written agreement and discussion on alignment needs to be fixed. Mark Sampson asked if they have any plans to connect into the new SR-7. Dayton Hall asked about the density change and if the amount is a huge increase. Shelley Goodfellow likes the way the new plan is redone. Her main concern is that where they are approving a lot of developments out this way, 1100 West and the roads leading up to are not upgraded and the traffic has increased. She addressed the concerns of the road that neighbors Corderro. Mrs. Goodfellow asked if surrounding developments will benefit with the utilities they have to bring out there and if they can tie into them. Mr. Bradshaw shared that the utilities brought in are not for just Copper Rock, they are for the city and for the use of the public. Mrs. Goodfellow asked if the new addition includes nightly rentals. Mr. Bradshaw stated that none of it will and that it is all single family. Ralph Ballard asked about the water supporting the subdivision and if it is the city water or the Water Conservancy that will be supplying. Mr. Nelson stated that it will be city water that provides the water for these developments. Councilman Darin Larsen shared that the city has seven well sites secured. What those will do is provide water to the surrounding areas. Mr. Ballard stated that he has a concern that we don't spread ourselves thin with the water. He wants to make sure that we actually have the water to provide. He also asked about power and if we have a plan to provide to the areas coming in. Councilman Larsen shared that the city is constantly looking for ways to get power.

Shelley Goodfellow motioned a recommendation of approval of 2021-ZC-14 to the city council. Michelle Cloud seconded the motion.

Discussion was had.

Shelley Goodfellow amended her motion to send a recommendation of approval of 2021-ZC-14 to the City Council based on the following findings: the proposed amendment is consistent with the general plan, it is harmonious with overall character of existing development, the public facilities and services will be adequate to service the subject property. Michelle Cloud seconded the motion as amended. Unanimous.

Paul Farthing motioned a recommendation of approval of 2021-PSPM-01 to the City Council subject to the alignment of 2100 west being figured out with the neighboring development. Mark Sampson seconded the motion. Unanimous.

2021-LUCA-02 Consideration and possible recommendation on a proposed Land Use Code Amendment Title 10-Chapter 39-subsection 15 regarding enforcement and permits within a subdivision.

Stephen Nelson read the proposed city code and went over what was changed since the last time the commissioners saw this proposal. A copy of the proposed land use code amendment is attached to the end of these minutes. Commissioners asked if the updated code complies with State Code. Fay Reber stated that he believes it does and noted which sections correspond with State Code. Michelle Cloud asked the developers in the audience if this code change will help them. Mike Bradshaw stated that this amendment will shave 2-3 months off the building permit process. Councilman Darin Larsen stated that bonding this will allow for a guarantee to have the money to finish the infrastructure.

Mark Sampson motioned a recommendation of approval of 2021-LUCA-02. Paul Farthing seconded the motion. Unanimous.

2021-LUCA-01 Consideration and possible recommendations on a proposed Land Use Code Amendment to Title 10-chapter 13, table 10-13-1 regarding minimum lot acreage in RM-2, multifamily 10 units per acre and RM-3, multifamily 15 units per acre. As well as Title 10-chapter 15, table 10-15-1 regarding multifamily use in Commercial Areas in the Downtown area.

Stephen Nelson read the proposed city code and went over what was changed since the last time the commissioners saw this proposal. A copy of the proposed land use code amendment is attached to the end of these minutes. Mark Sampson asked what the intent is of waiting 3 years for the GC conditions. Mr. Nelson stated that it's in hopes to deter people from knocking down a building and immediately coming in to permit housing instead of commercial. Dayton Hall cleaned up some language on the conditions regarding long term multifamily in General Commercial in the downtown area. Penny James-Garcia asked how far out the city is from working on a downtown master plan. Mr. Nelson went over the potential timeline.

Ralph Ballard motioned a recommendation of approval of 2021-LUCA-01 to the city council subject to the review of city legal counsel. Penny James-Garcia seconded the motion. Unanimous.

2021-ZC-11 Consideration and possible recommendations on a zoning map amendment request located at 122 S 200 W 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.

Commissioners discussed the possible motions to be made prior to making a motion.

Ralph Ballard motioned a recommendation of denial of 2021-ZC-11 based on the findings that the proposal would result in a spot zoning and that the planning commission has recommended a land use code amendment that would address this particular type of issue. With the request that should the city council revise the code and the applicant apply for the conditional use permit, the city wave the conditional use application fee. Penny James-Garcia seconded the motion. Unanimous.

2021-PP-09 / 2021-HIL-02 Discussion and consideration of a possible recommendation on a preliminary plat and sensitive lands application for Hillside Estates, a 5-lot subdivision located at 725 S and around 1450 W. Chris Wyler Applicant, Civil Science Agent.

Chris Wyler stated that when this was seen before, they needed to gain secondary fire access as well as a water loop. The updated preliminary plat is what they came up with as a resolution for those prior concerns. Stephen Nelson stated that anything over 30 lots, you have to have a secondary fire access as well as a secondary water loop. Water adopted a new design section this week which will affect the proposed preliminary plat, resulting in the water access still being an issue. They have proposed to do a flag lot and the reason they are requesting that is because the front lot will not really be developable and the flag lot is the only way to utilize that land. Mr. Nelson stated that the updated grading plan now complies with the sensitive lands ordinance. Penny James-Garcia asked Mr. Wyler if he has any ideas on addressing and gaining access for the water. Paul Farthing stated that the water issue is a big issue and it needs to be addressed. Where the current water line is proposed, Shelley Goodfellow doesn't see it being an issue. She would consider that being a public utility easement. Mr. Wyler stated that they have the okay from Ash Creek to add sewer in the same area so he didn't think there would be an issue with the water being where it is.

Shelley Goodfellow motioned a recommendation of approval of 2021-PP-09 and 2021-HIL-02 to the City Council based on them meeting all the criteria that has been addressed as well as the water line not being on the back or side lot because it will be in a public utility easement as well as allowing the flag lot because it is the last resort due to demography. Michelle Cloud seconded the motion. Unanimous.

2021-PP-11 Discussion and consideration of a possible recommendation on a preliminary plat for Oak Haven, a 39-lot subdivision located on Turf Sod Road and 5140 W. Monte Slavens Applicant, Civil Science Agent.

Sand Hollow Village has proposed they will line up with the first road.

Paul Farthing motioned a recommendation of approval of 2021-PP-11 to the City Council subject to JUC and staff comments. Penny James-Garcia seconded the motion. Unanimous.

2021-CUP-02 Discussion and consideration of possible approval of a conditional use permit application for a metal building located at 1179 W 650 S. Rory & Wendy Bringhurst Applicants.

Leif Bjornson submitted some modifications. Stephen Nelson went over the modifications as well as presented some similar in color buildings. The issue with this is that the metal building cannot exceed the 16 feet because it does not qualify for a greater height conditional use permit. Commissioners and contractor discussed the possible options for this building. Mr. Bjarnason stated that he can get three sides down to 16 feet but one side will still be 17 feet. The homeowners have already purchased this building so they cannot change the engineering. If the building was stucco or had a different facade, it would meet code.

Paul Farthing motioned to table 2021-CUP-02. Ralph Ballard seconded the motion. Unanimous.

2021-PP-12 Discussion and consideration of a possible recommendation on a preliminary plat for Rock Hollow Subdivision, a 53-lot subdivision located on 1100 W near 3000 S. Chad Palmer Applicant, Bob Hermandson (Bush & Gudgell, Inc) Agent.

Bob Hermandson shared that they have address all the staff and JUC comments. They have requested the will serve letter from Ash Creek. Stephen Nelson talked with Ash Creek and they want to see an alignment. Shelley Goodfellow asked about JUC comment 4. Dayton Hall asked how wide 1100 is

supposed to be. The property owner to the East has already dedicated the right of way to the City. Penny James-Garcia pointed out that there are a lot of questions from JUC and staff that need to be addressed.

Paul Farthing motioned a recommendation of approval of 2021-PP-12 to the City Council subject to JUC and staff comments. Ralph Ballard seconded the motion. Unanimous.

Planning Commission Business:

-Road Improvement (Exaction) Ordinance Amendments

Dayton Hall went over the language he drafted up and explained his idea behind it. Shelley Goodfellow shared that she would like to define proportionality needing to dedicate a certain amount. Commissioners and staff discussed what would be proportionate as well as what they would like this code to clarify/specify.

-City Council Recap

Stephen Nelson went over the previous planning commission items that moved forward to the city council and their decisions on those applications.

-Agriculture Preservation Committee

A few individuals interest in agriculture. Some of the responsibilities they could have is policy adviser, advocacy for farmers (peach days, farmers markets, water preservation), etc.

-Planned Commercial Ordinance Update

Minimum lot size requirement is currently 5 acres. The City Council would like to see some exceptions for certain locations.

- The continuation of online meetings was discussed

Adjournment