

**ON OCTOBER 14, 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:** Mark Sampson, Shelly Goodfellow, Rebecca Bronemann, Michelle Cloud, and Penny James-Garcia.

**Members Excused:** Dayton Hall, Paul Farthing, and Ralph Ballard

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

Vice Chairman Mark Sampson called meeting to order at 6:00 p.m. Roll call was taken. The Pledge of Allegiance was led by Michelle Cloud and Doug Heideman offered the prayer.

*Penny James Garcia motioned to approve the agenda as presented. Shelly Goodfellow seconded the motion. Unanimous.*

**Public Hearing opened at 6:03**

**1. A Zone Change request located at approximately 4700 S and 2600 W from RA-1 to R1-10 to build a residential neighborhood. Parcel numbers H-3-2-32-310 and H-3-2-32-320.**

No comments

**2. A Zone Change request located at 600 N and 2170 W from R1-6 and R1-10 to R1-6 and R1-10 with a PDO, planned development overlay. Parcel numbers H-3-1-33-44001, H-3-1-33-441, and H-3-1-33-4420.**

No comments

**New Business:**

**2021-ZC-34 Discussion and consideration of a recommendation of a proposed zone change located at approximately 4700 S and 2600 W from RA-1 to R1-10. Parcel numbers H-3-2-32-310 and H-3-2-32-320. Calypso Ridge Properties Applicant, Karl Rasmussen Agent.**

Karl Rasmussen shared that parcel ending in 320 is directly east of the approved Romney project. They are wanting to match the master plan with the zoning. 2600 west is right on the east boundary line. They are putting together a PID that will bring infrastructure down past this property. Shelly Goodfellow reminded the commissioners that they have recently denied zone changes in this area due to no services. She asked Stephen Nelson how long it will be to get infrastructure once the PID is in place. Mr. Nelson stated that they are hoping to have the PID in place soon and but it will be a little while before they get it out there. Water and power, they don't have a solid timeline for when that'll be happen. With the PID, it is possibly 3-5 years until they can develop, maybe sooner. Mrs. Goodfellow asked if they should keep denying zone changes and hold these properties out here hostage. She asked Mr. Rasmussen how they are planning to do the PID out here, are they collecting it all at once or with property taxes? Mr. Rasmussen stated that they have not determined that information yet and will work that out in the meeting they will be having in the next few weeks. Mark Sampson asked if they could approve the zone change contingent on the PID being approved and put into place. Mr. Nelson stated

that he believes so but if there is a recommendation of approval, it should be attached to a development agreement that requires they not be able to develop until utilities are there. He stated that staff had a meeting yesterday about the services in the Benchlake area and how they feel the council and planning commission go about moving forward, but staff is confident and comfortable to continue to approve things because services will be there eventually. Penny James-Garcia stated that her concern with continuing to approve units, is how far away we from servicing these units that are being approved. How long will it really be until we have the services? Even once we have the services, we can only service 3500 homes and we will have exceeded that. Mr. Nelson stated that power and water are confident that they can secure services for this capacity. Typically, we only issue 1,000-1,500 units a year. His opinion is that we probably won't hit that capacity unless we see a huge jump in building permits. Mr. Sampson stated why we wouldn't table this until the city has a plan that they can live by? Mr. Nelson stated that there are a few easements and routes that we are currently looking at to get services out there. There are some reasons they should and should not continue to approve zone changes. It gives entitlements for the property owners. If it meets the general plan and there are means to have services out there, Fay Reber, the city attorney, is nervous to deny them; which is why the approvals should be tied to a development agreement. Mrs. James-Garcia would feel better if the power department were to put into writing that we will be able to service these units. Mr. Nelson stated that studies were done and the power department feels confident to service the 300+ units that are already approved. Michelle Cloud stated that this density is appropriate for the area and if there is a market crash, leaving us stuck with R1-10, she's okay with that. Rebecca Bronemann stated that we don't know what is going to happen with the market but this specific area is a destination area and she doesn't think a crash is going to affect our area as much because people are still coming. The city has plans for this type of use for the area. Mrs. Goodfellow reminded the commissioners that RA-1 is a holding zone and as long as it complies with the general plan, we know there will be services, and it is contingent on a development agreement, we should move forward with the zone change. She asked if developers come together for the PID, those that are not included in it, will they have to pay into it if they want to connect or will they just be able to connect in. Mr. Nelson stated that the access and utilities will be dedicated to the city. Mr. Rasmussen stated that they would have to buy in. There is an agreement that can be signed that would make it so those wanting to connect onto the services would have to join in the PID when they want to develop.

*Shelly Goodfellow motioned a recommendation of approval of 2021-ZC-34 on condition that a preliminary utility plan be filed with the City and an agreement that will omit the ability to start construction of any future project until utility services are adequate including roads. Penny James-Garcia seconded the motion. Unanimous.*

**2021-ZC-35 / 2021-PSP-19      Discussion and consideration of a recommendation of a proposed zone change request located at 600 N and 2170 W from R1-6 and R1-10 to R1-6 and R1-10 with a PDO. Parcel numbers H-3-1-33-44001, H-3-1-33-441, and H-3-1-33-4420. Red Cliffs Development, Jay Rice Applicant. Alpha Engineering, Jared Madsen Agent.**

Jared Madsen stated that they had come forward with a recreation resort a few months ago, which was denied. They re-evaluated and looked at the general plan, deciding to keep the underlying zoning with the PDO. The zoning allows for 50 units and they are asking for 31 units. They have overflow parking to relieve the parking to the south as well as this new development. Penny James-Garcia stated that the thing we have talked about and is still an issue is the parking. She would feel better if the

parking reserved for owner RV/trailer storage was set aside for Zion Village parking. Jay Rice shared that they are planning to put a gate on the parking with a code so Zion Village will be able to access it. He doesn't see the Red Cliffs development using the overflow parking too much, as the lots each have 4 parking spaces and there is additional parking throughout the development plus they are long term homes. Mrs. James-Garcia stated that people love to bring trailers with lots of toys and boats and Zion Village doesn't accommodate that type of thing. Mr. Rice stated that he would feel okay dedicating those 23 spaces to Zion Village, however, that development has more parking than a lot of other resorts in the area. Rebecca Bronemann likes that this is long term because we don't have a lot of that here and it is needed. She asked if there is anywhere for dumpsters and suggested putting them in somewhere. Mr. Rice shared their garbage plan. Shelly Goodfellow asked Stephen Nelson if they have met the parking requirements without the additional parking on the south end of the development. Mr. Nelson stated that it does. Mrs. Goodfellow likes that they haven't built out to full capacity. Michelle Cloud stated that this zone change does not meet the general plan. The general plan has these parcels set aside for multifamily and commercial. However, the current zone already goes against that and they are just requested the overlay. She likes the density and that they are doing duplexes that makes it feel multifamily-ish. Mr. Sampson asked what the plan is with 500 North. Mr. Nelson stated that 500 North connects to Fire Rock and it will serve as a secondary access and a water loop.

*Penny James-Garcia motioned a recommendation of approval of 2021-ZC-34 and 2021-PSP-19 based off staff and JUC comments and that the extra 23 spaces be available to the Zion Village owners with no extra charge.*

Discussion was had about whether or not the city could require the developer to not charge for the use of the RV/owner storage spots.

Motion died.

*Shelly Goodfellow motioned a recommendation of approval of 2021-ZC-34 and 2021-PSP-19 based on staff and JUC comments and also that the parking is available to Zion Village, particularly those 24 spaces to the North. Rebecca Bronemann seconded the motioned.*

Discussion was had to clarify the motion.

*Roll call on motion is as follows: Shelly Goodfellow, Rebecca Bronemann, Michelle Cloud, and Mark Sampson – aye. Penny James-Garcia – nay.*

**2021-CUP-08 Discussion and consideration of approval of a conditional use permit for a metal building at 569 N Sarah Lane. Shawn McDonald Applicant**

Shawn McDonald stated the metal building is for boat storage so he no longer has to pay for storage. The color will be a matte gray. Stephen Nelson has no issues with it. Penny James-Garcia stated that her concern is that Coronado Ridge is very residential and she didn't see another metal building in the entire neighborhood. Mr. McDonald stated that nobody else has a big enough lot. Mrs. James-Garcia shared that her opinion is that a metal building is more appropriate for a rural neighborhood. Mr. Nelson stated that per code, if it complies, the city is obligated to approve the conditional use permit and based off that, staff recommends approval.

*Rebecca Bronemann motioned to approve 2021-CUP-08 as presented. Shelly Goodfellow seconded the motion. Unanimous.*

**2021-PSP-16 Discussion and consideration of approval of a preliminary site plan for a proposed recreation resort containing 35 units plus a restaurant, located at 475 N State Street. Corporation of the Episcopal Church in UT and Shamo Christen D and Charos Applicants. Matt Lowe Agent.**

Karl Rasmussen went over the changes from the last time this was presented. He referenced the map presented. Stephen Nelson stated that Paul Farthing's concern was that the commercial restaurant area takes up a lot of the property, which leaves the resort area not meeting the minimum lot size. (His written comment is provided at the end of these minutes). Mr. Rasmussen stated that they have met with staff and have no issues with making sure the roads comply and address any concerns. Rebecca Bronemann asked if there was anything extra needed to happen for fire access. Shelly Goodfellow shared that her only concern is the restaurant being subdivided. What happens if it never comes in and they sell off the commercial area? Mr. Nelson stated that the zoning will still be the same and that subdividing allows for a different ownership. The development of the commercial will be tied to the restrictions and covenants of the resort.

*Michelle Cloud motioned approval of 2021-PSP-16. Shelly Goodfellow seconded the motion. Unanimous.*

**2021-PP-27 Discussion and consideration of a recommendation of a preliminary plat for a proposed recreation resort containing 35 units plus a restaurant, located at 475 N State Street. Corporation of the Episcopal Church in UT and Shamo Christen D and Charos Applicants. Matt Lowe Agent.**

*Michelle Cloud motioned a recommendation of approval of 2021-PP-27. Shelly Goodfellow seconded the motion. Unanimous.*

**2021-PSP-17 Discussion and consideration of approval of a preliminary site plan for a proposed commercial building located on the southwest corner of Sand Hollow Pkwy and Caddy Lane. Hurricane Hills Ranch, LLC Applicant, Valerie Espinoza Agent.**

Tony Carter is the engineer on the project. The last time they were here, staff had an issue with parking. The code requires 63 spots and they have 58 spots. Staff came to the agreement that they maybe don't need all 63 spots and this is what they came with. Stephen Nelson stated that the reason staff is comfortable with less spots is because there will likely be a lot of foot traffic. Staff is confident that 58 parking spots will be sufficient, the planning commission just has to be the one to approve that change. Mr. Carter stated that the building is also proposed to be 41 feet while all the other buildings are 36 feet. Mr. Nelson stated the per code, 35 feet is the maximum height allowed, but this does have a PDO, which allows for commercial and that maximum height is 50 feet. He shared that he would need to go through the development agreement but that will not affect the site plan approval process. Shelly Goodfellow stated that the additional parking with it being tied to the resort meets the need of the proposed use.

*Rebecca Bronemann motioned approval of 2021-PSP-17 with exception to the parking requirements as per Hurricane City Code 10-34-9-C. Shelly Goodfellow seconded the motion. Unanimous.*

**2021-PP-28 Discussion and consideration of a recommendation of a preliminary plat for a proposed commercial building located on the southwest corner of Sand Hollow Pkwy and Caddy Lane. Hurricane Hills Ranch, LLC Applicant, Valerie Espinoza Agent.**

*Rebecca Bronemann motioned a recommendation of approval of 2021-PP-28. Shelly Goodfellow seconded the motion. Unanimous.*

**2021-PP-29 Discussion and consideration of a recommendation of a preliminary plat for a proposed single-family subdivision located at 5200 W 2500 S. Chris Wyler Applicant, Civil Science Agent.**

Bryson Wyler stated that Chris's concern was the layout of the road and how it was recommended to cut through the property. He would like the commissions thoughts on it. Stephen Nelson stated that when the master planned roads are put through, they are intended to be realigned. Mr. Wyler stated that they will have to completely reconfigure their development to keep Dixie Springs Drive in line and go straight through. Shelly Goodfellow stated that she thinks it's important that this road continue and not dead end in a subdivision. She understands that they want it to work for their property but this is a main corridor and it can't just dead end. Rebecca Bronemann stated that we have to look at the bigger picture and the overall connectivity of the city. Penny James-Garcia stated that she appreciates the density and the comments for the dark sky compliance.

*Rebecca Bronemann motioned to continue 2021-PP-29 until they bring in a plat that is compatible with the master transportation plan. Michelle Cloud seconded the motion. Unanimous.*

*Rebecca Bronemann motioned to substitute her motion that 2021-PP-29 be tabled until the applicant brings in a plat that is compatible with the master transportation plan. Michelle Cloud seconded the motion. Unanimous.*

**2021-PP-30 Discussion and consideration of a recommendation of a preliminary plat for a proposed single-family subdivision located at approximately 3350 W and 500 N. Mortar & Beam Applicant, Jim Lyman Agent.**

Applicant was not present but engineer, Gerald Pratt requested the item be continued until the staff comments can be addressed and reflected.

*Michelle Cloud motioned to continue 2021-PP-30. Rebecca Bronemann seconded the motion. Unanimous.*

**2021-AFP-15 Discussion and consideration of a recommendation of a proposed amended final plat for Dixie Springs Plat E Amendment "A". Lots 88 and 89. Steve Brinkman Applicant, Ethan Anderson Agent**

Ethan Anderson shared that the owner would like to build a pool house which is why he purchased the lot next door. Stephen Nelson stated that they will have to abandon their utility connections on the undeveloped lot.

*Rebecca Bronemann motioned a recommendation of approval of 2021-AFP-15 subject to the resolution of the utilities being figured out prior to going to the City Council. Michelle Cloud seconded the motion. Unanimous.*

**2021-ZC-31 / 2021-PSP-20** Discussion and consideration of a recommendation of a proposed zone change amendment request located at approx. 4800 South and 1500 West from RA-1, residential agriculture, to R1-10, residential one unit per 10,000 square feet, with a PDO, planned development overlay. Parcel numbers H-3403-W, H-3403-X, and H-3403-U. The Will Group Applicant, Tyson Williamson Agent.

Stephen Nelson reminded the commissioners what was discussed at the last meeting. Tyson Williamson shared that they have done studies and while they are asking to be a little denser, they are still the least dense new development in the area. He went over the changes they made from the last time, while referencing the map presented. Once Ash Creek has obtained an easement, they will be able to service all of Sky Mountain and this development. Penny James-Garcia stated that if this is approved, the language in the development agreement state that it be contingent on utilities and the adequacy of the roadways. Mr. Nelson stated that the water tower and water well will be one of the first things required to service this development. Shelly Goodfellow stated that with all the development going on out there, because of the water tank that will have to be put in, this one is actually the most beneficial to the city.

*Penny James-Garcia motioned a recommendation of approval of 2021-ZC-31 / 2021-PSP-20. Michelle Cloud seconded the motion. Unanimous.*

**2020-PP-18** Discussion and consideration of a one-year extension of the final plat deadline for Sage Point Phase 5 and 6, located at 1255 N 100 W. JB Holdings, LLC-Lane Blackmore Applicant, Gerald Pratt Agent.

Stephen Nelson explained why the applicant needs the extension and stated that they are currently working on their construction drawings.

*Rebecca Bronemann motioned to grant 2020-PP-18 an extension. Shelly Goodfellow seconded the motion. Unanimous.*

**2021-PSP-18** Discussion and consideration of a Preliminary Site Plan application for a new commercial building for Construction Sales and Services, located at 530 W 600 N. Jeremy Witte Applicant.

Stephen Nelson shared the background on the lot. Typically, these types of projects don't have to come to the planning commission but because they are on a commercial lot, they need approval. The application is lacking information that site plans typically require. He went on to share with the commission the information missing.

*Michelle Cloud motioned to continue 2021-PSP-18 so the applicant can provide the missing information. Rebecca Bronemann seconded the motion. Unanimous.*

**2021-LUCA-03** Discussion and consideration of a recommendation of a proposed code amendment to Hurricane City Code 10-26. Hurricane City Planning Applicant.

Stephen Nelson went over a few of the changes that he made about the garbage/dumpster section of the code. Conversation is still pending with the Solid Waste District. He also added a table for the development standards and went over the proposed requirements.

*Michelle Cloud motioned to continue 2021-LUCA-03. Rebecca Bronemann seconded the motion.  
Unanimous.*

**Planning Commission Business:**

- Development Report – 13,416 units were approved from September 2020 to September 2021. 5732 single family units, 1999 townhome units, 2346 multifamily units, and 3339 resort units
- Penny James-Garcia brought forward code enforcement issues
- City Council Recap

**Adjournment**