

Hurricane Planning Commission Meeting Minutes

January 26, 2022

MINUTES

6:00 p.m. - Call to Order

ON JANUARY 26, 2022 AT 6:00P.M., THE HURRICANE CITY PLANNING COMMISSION MET IN THE CITY COUNCIL CHAMBERS LOCATED AT 147 N. 870 WEST HURRICANE UT, 84737

Chairman Dayton Hall called the meeting to order at 6:00P.M. A roll call was taken.

Pledge: Kevin Thomas

Prayer: Jeff Thomas

Members Present:

Ralph Ballard, Paul Farthing, Rebecca Bronemann, Dayton Hall, Mark Sampson, Shelley Goodfellow, Michelle Cloud

Members Excused:

Penny James-Garcia

Staff Present:

Planning Director Stephen Nelson, Planning Assistant Fred Resch, Planning Technician Brienna Spencer, City Council Representative Kevin Thomas, Engineering Department Representative Darrin LeFevre, and City Attorney Fay Reber.

Rebecca Bronemann motioned to approve the agenda as posted. Seconded by Paul Farthing. Motion carried unanimously.

Public Hearings:

A Zone Change Request located at 4700 S and 2600 W from RA-1, residential agriculture one unit per acre, to R1-10, residential one unit per 10,000 square feet. Parcel numbers: H-3-2-32-330 and H-3-2-32-321

No comments

A Zone Change Request located at approximately 4800 S and 1500 W from RA-1, residential agriculture one unit per acre, to R1-10, residential one unit per 10,000 square feet, with a PDO, planned development overlay, to add to the existing Solaroca PDO. Parcel numbers: H-3403-E-1, H-3403-E-3, H-3403-H, H-3403-A

Comments were submitted and are attached at the end of these minutes.

A Zone Change Request located at approximately 3300 W and 600 N from R1-6, residential one unit per 6,000 square feet, to R1-6 with a PDO, planned development overlay. Parcel numbers: H-3-1-30-320 and H-3-1-30-321

Sal Aledago, who lives in Peregrine Pointe, stated that he is unsure what they are doing with this application. Stephen Nelson stated the applicant is seeking a planned development overlay which will allow for reduced setbacks. Peregrine Point has the same setbacks and overlay zone. They are not proposing higher density or multifamily, just reduced setbacks.

Eric Sorensen submitted a written comment that is attached at the end of these minutes.

New Business:

2022-ZC-01: Discussion and consideration of a recommendation of a proposed zone change located at 4700 S and 2600 W from RA-1, residential agriculture one unit per acre, to R1-10, residential one unit per 10,000 square feet. Parcel numbers: H-3-2-32-330 and H-3-2-32-321. Calypso Ridge Properties Applicant. Karl Rasmussen Agent.

Jeff Thomas stated that they failed to include these two parcels in the original zone change for the rest of the development. They would like to include it with the rest of the Calypso project. Shelley Goodfellow asked if a preliminary site plan is required to be turned in with a zone change. Stephen Nelson stated that only a recreation resort and PDO is required to provide one. Mrs. Goodfellow stated that she doesn't have any issues with it because they are adding to an existing development. She would like to keep this area rural but one day, if we keep annexing into the city, this will no longer be on the outskirts of town but in the middle. Mark Sampson asked Mr. Nelson if they have the obligation to approve this even though they don't have the power services out there. Dayton Hall asked about water and asked if the WCWCD had completed their study for providing water to all approved developments even if they aren't built. Mr. Nelson stated that right now, they have sufficient water for the growth within the city. Utilities were discussed. Rebecca Bronemann stated that she doesn't have any issues it as long as it is added to the existing development agreement. Ralph Ballard understands what they are saying about forgetting to include these in the first go around, but just because we made a mistake once doesn't mean we have to keep making them. But he does wonder about the water and utilities in the area. We are facing a real issue and we are going on like it is never going to happen.

Paul Farthing motioned a recommendation of approval of 2022-ZC-01 subject to staff and JUC comments as well as the project being incorporated with the adjacent Calypso development agreement. Seconded by Rebecca Bronemann. Motion carried.

Roll Call Vote:

Yes: Paul Farthing, Rebecca Bronemann, Michelle Cloud, Shelley Goodfellow, Mark Sampson

No: Ralph Ballard, Dayton Hall

Abstain: None

2022-ZC-02: Discussion and consideration of a recommendation for a Zone Change Request located at approximately 4800 S and 1500 W from RA-1, residential agriculture one unit per acre, to R1-10, residential one unit per 10,000 square feet, with a PDO, planned development overlay, to add to the existing Solaroca PDO. Parcel numbers: H-3403-E-1, H-3403-E-3, H-3403-H, H-3403-A. The Will Group Applicant. Tyson Williamson Agent.

Tyson Williamson stated that they are trying to add four parcels to the existing development of Solaroca. They would be master planned with everything that has already been approved with the underlying density of R1-10. Also, part of their intent on the part already approved was to have short-term rentals. Stephen Nelson shared that while part of the applicants' initial intent, short-term rentals are not permitted under the current code. The applicant can come back with a request to have part of the property as a vacation rental, but that'll be something that would need to be discussed further and is not on the property of discussion tonight. Michelle Cloud confirmed that the proposed property tonight is not vacation rentals. She asked for clarification on the density being 2.5 or 3.5 units per acre. Mr. Nelson stated that 2.5 units an acre was a stipulation the Planning Commission made in the original application and he thinks it should match the existing zoning of the existing development. Paul Farthing asked if they would need a slope study. Mr. Nelson stated that typically we require one to be submitted but the area is relatively flat, but based on the county's topography, he doesn't have any concerns, it just wasn't submitted with the plan. Ralph Ballard asked about the line being put in between 3000 south and 3200 south and if there would be a change on 1100 west. Mr. Nelson stated that the work they are currently doing is a sewer line that will go down to Rock Hollow and eventually to Copper Rock. We do have some concerns about this area. The Romney Group just signed a contract with UDOT to put in an intersection along SR7 which will alleviate some of the traffic along 1100 West, but for right now, it'll all go off 1100 West. The Fire District had been considering access through Warner Valley as secondary access, but they are now reconsidering that because of the conditions of the roads. Mr. Ballard asked about timelines for the development. Mr. Williamson stated that they have a contract with the water department to put the water tanks in. He would like to be open for selling lots by 2023. They aren't part of the PID but they aren't opposed to it if it helps the city. Mr. Ballard thought we were at capacity with the power. Scott, of the power department, stated that we aren't at capacity, but they wouldn't be able to get power to the property off 1100 West. It would have to come in a different way. 1100 West doesn't have any plans to be expanded right now. Mr. Nelson stated that a traffic study will be required, but 1100 West doesn't show that it won't be able to service the development and there will be an increase in traffic. All of this should be done but we are approving this without services already there. However, we've approved everything else. Rebecca Bronemann stated that there aren't any services, but they are asking for additional to a development that we have already approved. Mr. Williamson stated that they feel like these parcels are important to their development as well as the other areas. Dayton Hall stated that the general plan has this set aside for residential agriculture. Looking at that first criterion, R1-10 doesn't meet that. On the utilities, what we need is course correction. Yes, we can require a development agreement that will require services to be put in at a later time, but he thinks it's just good policy to follow the zone change consideration criteria. It's the best time to slow down growth and allow the city to catch up, which is why he voted against this with the original PDO zone change. Mark Sampson asked why there wasn't a comment from WCWCD. Mr. Nelson stated that when the conservancy doesn't have any comments, they will state so in the JUC meetings. Shelley Goodfellow asked if they would continue if the PID doesn't go through. Mr. Williamson stated that they don't think they need the PID. They believe they can stand alone. Mrs. Goodfellow asked Councilman Kevin Thomas if the new council is likely to put through the PID. Councilman Thomas stated that he doesn't think it is as likely as it would have been with the old council. He agrees with Mr. Hall about a course correction. Mrs. Goodfellow likes that this property doesn't need the PID to go

in. In terms of looking at this with land use, this makes sense with the surrounding use. Mr. Farthing agrees with Mr. Hall, but also agrees with Mrs. Goodfellow. This isn't a spot zone. We've approved the surrounding areas. He doesn't think we should exclude this. Mr. Ballard stated that everything we are approving has access off 1100 West, which needs to be improved. Mr. Farthing stated that Coral Canyon was the best example of a planned development. The overpass, golf course, and all the roads to the beginning of internal streets were all put in on day one, not pieced together. If Copper Rock were done the same way, the services would already be there. Mr. Hall stated that we are kind of ignoring the General Plan. He doesn't think that RA-1 is a holding zone.

Paul Farthing motioned a recommendation of approval of 2022-ZC-02 subject to JUC and staff comments noting there will be a max density of 2.5 units per acre subject to a development agreement consistent with other properties in the area and approved by the city attorney. Seconded by Shelley Goodfellow.

Roll Call Vote:

Yes: Paul Farthing, Rebecca Bronemann, Michelle Cloud, Shelley Goodfellow

No: Ralph Ballard, Mark Sampson, Dayton Hall

Abstain: None

2022-ZC-03: Discussion and consideration of a recommendation for a Zone Change request located at approximately 3300 W and 600 N from R1-6, residential one unit per 6,000 square feet, to R1-6 with a PDO, planned development overlay. Parcel numbers: H-3-1-30-320 and H-3-1-30-321. Perry Development, LLC Applicant. Greg Sant Agent.

Greg Sant stated that all they are wanting is to decrease the setback requirements like the first four phases of the neighboring development. By doing this, it could resolve the power easement issue that was brought forward with the preliminary plat presented at the last commission meeting. Ralph Ballard asked if this was a compromise to the easement issue. Stephen Nelson stated that ultimately this could help fix the issue we put ourselves in as a city. Paul Farthing asked Mr. Sant if he had seen the comment from Eric Sorenson. Mr. Sant stated he hasn't but would be happy to address any concerns they may have. Mr. Nelson stated that he had a conversation with Eric. The pictures submitted are of unfinished construction, so it's not set how they've been shown. He further went into the issues. Public Works has been notified and they will be watching to make sure things go in the way construction drawings show. Michelle Cloud stated that they aren't changing the density and she thinks it's good. Mark Sampson asked if we were adjusting the PDO or creating it. Mr. Sant stated that we would be creating it. Mr. Nelson stated that the PDO won't change the type of housing within the development but mirror what is already there. Mr. Sampson asked Scott from the power department if the issue of access to power was an issue in the original phases and why it's now an issue. Mr. Nelson addressed that by stating that one of the reasons the issue probably wasn't raised is because the power line is located within the right of way whereas this one runs along the back of the properties and you don't have the right of way access like the other area. Dayton Hall asked if this included the M-1 property, which it was stated that it does not. He stated he is fine with this but he thinks the powerline issue should be resolved with this zone change approval so it doesn't keep coming back.

Mark Sampson motioned a recommendation of approval of 2022-ZC-03 subject to the

exclusion of the M-1 from the PDO and a documented agreement with the city regarding the power easements. Seconded by Shelley Goodfellow. Motion carried unanimously.

2022-PP-03 2022-HIL-01 Discussion and consideration of a recommendation for a preliminary plat for Mountain View Estates Preliminary Plat, a 37-lot subdivision, located at 1300 W 650 S. Craig Engel, RAC Inc Applicant. Marc Brown Agent.

Craig Engle stated that adding the additional lots helps keep the road grade under 10%. Also, the lots will allow the rest of the lots within the subdivision to be consistent in size as well as the grades to be kept at 15%. Paul Farthing asked if engineering has reviewed and is okay with this. He has no objections, just that we keep adding development along 650 south and no additional roads to take care of some of the congestion of traffic. There needs to be a traffic study even if there aren't 100 or more units because we keep approving developments that will access the schools and churches from 700 west down to 650 south. Ralph Ballard stated that if we find ourselves in a hole, we need to stop digging. He doesn't have any issues with the development, but he does think we need a course correction and it needs to be done. Planning for the future is their job. Rebecca Bronemann stated that most developers want to increase density to make money, but this is to resolve a problem that is there. She thinks it makes sense. Dayton Hall stated that the applicant is requesting an exception to our hillside ordinance. He understands that if you have smaller lots, you may be able to terrace them more, but he doesn't think there isn't anything here that couldn't be accomplished by doing the exact same thing but not creating more density. Mr. Engle shared that the terracing on larger lots does cause more resistance, but then there is concern about the consistency of the lot sizes. Mr. Hall stated that with that view combined and the fact that we are dealing with a road that we don't know when will be improved, he's just not sure the standard has been met for the exception. Shelley Goodfellow doesn't see a problem, it's five lots. Michelle Cloud stated that it does make sense for the lots being more cohesive this way.

Shelley Goodfellow motioned a recommendation of approval of 2022-PP-03 and 2022-HIL-01 subject to staff and JUC comments with the finding that there should be an exception granted based off sound engineering principles. Seconded by Rebecca Bronemann. Motion carries.

Roll Call Vote:

Yes: Ralph Ballard, Paul Farthing, Rebecca Bronemann, Michelle Cloud, Shelley Goodfellow, Mark Sampson

No: Dayton Hall

Abstain: None

2022-PP-04: Discussion and consideration of a recommendation for a preliminary plat for Gateway at Sand Hollow Commercial, a 6-lot commercial subdivision, located between SR-9 and Sand Hollow Road. Western MTG and Realty Co Applicant. Brent Moser Agent.

Stephen Nelson stated we are still lacking one of the owner's signatures. To avoid any conflict, he recommends continuing the item until that signature is obtained.

Mark Sampson motioned to table 2022-PP-04 until the proper signatures can be obtained. Seconded by Paul Farthing. Motion carried unanimously.

2022-PSP-02: Discussion and consideration of approval of a preliminary site plan for storage units located at 600 N and 3100 W. James Cheney Applicant.

James Cheney stated that they were told to find something the property was zoned for so this is what they figured out. They thought it was a good fit for the area. Dayton Hall noted that the property tax ID ends in 13 not 23 as listed. Rebecca Bronemann stated the staff notes list quite a few things not shown or given and asked if the applicant is good with agreeing to staffs' comments. Mr. Cheney stated that they are just doing garages with doors on them, very simple. Dimensions for setbacks will be added onto the next stage of development. Mrs. Bronemann asked about employee parking, which Mr. Cheney replied there wouldn't be any employees. Ralph Ballard asked if retention basins are required for something like this. Stephen Nelson stated they will have to provide storm water storage on the property. Mr. Hall asked if storage units have to comply with the dark sky. Mr. Nelson stated that they will have to comply with lighting requirements.

Shelley Goodfellow motioned to approve 2022-PSP-02 subject to staff comments. Seconded by Rebecca Bronemann. Motion carried unanimously.

2022-PP-05 2022-HIL-02: Discussion and consideration of a recommendation for a preliminary plat for Mesa Cove, a 91-lot residential subdivision, located at 1117 W 600 N. GVS Holdings LLC Applicant. Dwain Schallenberger Agent

Taylor Ricks represents the applicant. Stephen Nelson stated there have been some updates which have been presented to the commissioners. Mark Sampson asked what changed between this time and last time. Mr. Nelson stated that there were originally some pretty steep lots but they have added unbuildable areas to the problem-lots which lower those slopes. The flag lot issue has also been addressed. He likes to avoid flag lots if possible. Rebecca Bronemann asked if they had worked anything out with Valley Academy about adding a road in between their property and the proposed development. Dave Nasal stated that the school seems to have a different interpretation of the state code than they do. He anticipates that if they expand, that road will likely connect and should work in the future. Shelley Goodfellow asked if the city would rather see a flag lot or a lot that connects to a master-planned road. Mr. Nelson stated they would rather it access a master-planned road simply because flag lots tend to have utility issues.

Rebecca Bronemann motioned a recommendation of approval of 2022-PP-05 and 2022-HIL-02 subject to staff and JUC comments with the exception of the sensitive land which is addressed in the engineer's letter. Seconded by Paul Farthing. Motion carried unanimously.

Planning Commission Business:

Planned Commercial

1. The goal Stephen Nelson would like to achieve at this meeting would be to get things to where we can hold a public hearing at the next planning commission meeting.
2. The purpose of a planned commercial zone was discussed.
3. Current concerns with our existing planned commercial was mentioned.
4. Different types of mixed uses in a planned commercial was discussed -horizontal, vertical, livework units.

5. Livework units were further discussed as well as what the qualifications would be to qualify as that type of unit.
6. Leaning more towards commercial use instead of residential use - higher commercial density with lower residential density.

The PowerPoint presented before the commission is attached at the end of these minutes.

Site Plan Design

Accessory Dwelling Units

Fred Resch went over the potential changes to the accessory dwelling unit code. Stephen Nelson stated that it does not have to be detached, it is a completely separate living space with separate entrances.

Adjournment

Mark Sampson motioned to Adjourn. Seconded by Paul Farthing. Motion carried unanimously.