

**Hurricane Planning Commission
Meeting Minutes
May 12, 2022**

Call to Order - 6:00 P.M.

ON MAY 12, 2022, AT 6:00 P.M., THE HURRICANE CITY PLANNING COMMISSION MET IN THE CITY COUNCIL CHAMBERS LOCATED AT 147 N. 870 WEST HURRICANE UT, 84737

Vice Chairman Paul Farthing called the meeting to order at 6:00 P.M. Roll call was taken.
Pledge: Michelle Cloud Prayer: Kelby Iverson

Members Present: Paul Farthing, Ralph Ballard, Michelle Cloud, Rebecca Bronemann, Brad Winder, and Kelby Iverson

Members Excused: Mark Sampson, Shelley Goodfellow

Staff Present: Assistant Planner Fred Resch, City Attorney Dayton Hall, Councilman Kevin Thomas, Planning Technician Brienna Spencer, and City Engineer Representative Jeremy Pickering.

Rebecca Bronemann motioned to approve the agenda. Michelle Cloud seconded the motion. Unanimous.

Kelby Iverson was sworn into office.

Public Hearing:

- 1. A Zone Change Amendment request located at 825 S 400 W from RA-1, residential agriculture one unit per acre, to R1-15, residential one unit per 15,000 square feet, for a residential development. Parcel number H-3-2-3-1225.**

Brad Winder recused himself from the item due to a conflict of interest.

Jarolyn Stout stated that she is against this zoning. The rights of property owners are always a topic, but what about infringing upon her property rights. She purchased this land in 1990, and it was zoned for two and a half acres. The city expressed that it planned to adhere to the zoning map. Why can't we hold onto the farm areas? These changes cause issues for those who farm in the area.

Reed Reeve's primary concern is the irrigation system. There is an irrigation ditch that runs along the top of the hill. Until now, everyone has encouraged his wastewater to run off his property. Will he be required to raise his ditch and spend the money to correct this?

A gentleman stated that this will create problems for those in the area with agricultural land, and he feels this area is already too dense. If this is approved, it will set a precedent for developing third-acre lots.

Mark Maag agrees with the majority of the previous comments. He reported irrigation water pools on his land and then drains into the ditch. He is worried about the mitigation of irrigation water.

Romanne Richmond asked how many lots will be in the subdivision? Mr. Resch shared that they are proposing ten but could have up to fifteen. Mrs. Richmond doesn't like to tell people what to do with their land, but she doesn't want high density in the area.

Laurie Scholzen shared that she has no concerns as long as it is not smaller than third acre lots. She requested that the city improves 400 West. She would prefer not to have plant strips.

Jarolyn Stout shared that she doesn't want curb gutter and sidewalk because it will affect her irrigation and fields.

2. A Zone Change Amendment request located at 1200 west and 4600 south from RA-1, residential agriculture one unit per acre, to RA-0.5, residential agriculture one unit per half acre. Parcel number H-3403-K.

Comments and a petition submitted are on the record and attached to the end of these minutes.

Ross Johnson is the Airport Manager. This zone change for higher density was already requested and denied in February, and this request is the same. There is a master plan for runway safety, and the proposed amendment adversely affects the adjacent properties.

MaryAnn Perkins shared that this zone change did not meet the four criteria in February, and the new changes are still not compliant. Everything around this is two acres, and you cannot have horses on a half-acre. She agrees with Jarolyn Stout's comments. Hurricane City is overrun with development, and the Planning Commission's job is to preserve the community.

Johanna lives west of the property. She has utility right of way that makes her property a flag lot. Developers are contacting her to buy her utility right of way. She thinks this should be one unit per acre. There is land to the north of Sky Ranch zoned for half an acre, but the people buying the property purchase additional lots because they want larger property.

Mark Hudgins moved from Montanna and lives in Sky Ranch. He has been flying since he was 13 years old. He was an airport manager of a small airport in Montana and has served on many airport committees. These air traffic patterns were established in 1989. Increasing density around the airport is unsafe. He is only 200 feet above the proposed development when he flies out of the airport. What if he had an engine failure? He would like to see an attempt to keep the zoning the way it is. Anyone who buys near an airport needs to understand the risks.

Mike Salsman is the President of Grassy Meadows Sky Ranch Landowners, and he also agrees with the previous comments. The Solaroca development that was already approved is impeding on the emergency landing areas. With this approved at half an acre, there is no way to avoid hitting a house if a plane does come down. The general plan states that high density should be closer to the city center. This is not harmonious with the existing development, and the public utilities are not available.

Steve Nation reported that United Airlines is currently trying to hire pilots to fill the gap caused by the COVID outbreak. Pilot training takes place at small airports. He feels that this zone change is an attempt by the city to close the airport.

Julie Crogg feels that greed is the cause of the continuous zone change applications. There are other places to build in Hurricane. This is a unique area, and she would like it to stay that way.

3. A Zone Change Amendment request located at 163 N Main from RM-1, multifamily 6 units

per acre, to RM-3, multifamily 15 units per acre, to add additional units to property.

Marlin Stratton is here on behalf of his parents. He read a letter which is included at the end of these minutes.

Selina Zalesky reported that she has problems with the litter created by tenants. Downtown Hurricane does not need any more apartments, and there are already problems with traffic and crime.

Dan Zalesky asked how more units can be added to this when the parking lot is already full. He agrees that the city needs affordable housing, but it does not need to be on one block. It should be spread throughout the community.

4. A Zone Change Amendment request located at 115 N 100 E and 55 E 100 W from RM-1, multifamily 6 units per acre, and GC, general commercial, to RM-3, multifamily 15 units per acre, to allow for affordable housing along the SR-9 corridor.

Chris Woodbury expressed that his quality of life deteriorated after Maverik was built. He already lives with traffic, sound, and garbage. If this is approved, it is going against the will and request of the community.

Renee Thompson thinks everyone living in Hurricane City is against more rezoning, and developers are the only ones who benefit from rezoning. What guarantees does the city have that this will be affordable housing, and what defines affordable? She suggested building smaller homes for affordable housing instead of rentals. It does not make sense to put that many units into a small space. This which is not harmonious with the surrounding area.

Mr. Foster shared that Zack Forsyth is a credible man. He understands that everyone is against high density. He believes the land should be developed and could benefit the city. There is a solid brick wall separating the residents.

Kay Woodbury shared that two years ago, this was approved for duplexes. The developer wants more property.

Paul Maag lives in Angell Heights and asked if the city has a master plan and, if so, does this fit within it? What is the purpose of a master plan if it is not followed? St. George City will not change a zone if it does not meet the master plan.

Laurie Scholzen pointed out that there is a need for more rentals because there are people who cannot afford to purchase a home. Greed is not always the reason why a developer builds rentals. Mr. Forsyth's properties are all very well maintained, and she thinks he intends to serve those who want to live in Hurricane City.

5. A Zone Change and Development Agreement Amendment PDO update located on the old Collina Tinta project to remove the approved golf course and add more public open space. Parcel number H-3-2-4-214.

Cheryl Frassa submitted a dark sky article for the knowledge of the commission.

Dave Stirland shared that this was initially zoned to have a golf course. He stated that developers always want to increase density, never decrease. There will be 1,900 homes in this development. There are drainage and infrastructure issues. He sees many open spaces but no space for churches or

schools. He has an agriculture protection zone, and having homes along his property line will interfere with his agricultural activities. In 2005, Bob Scow lost crops because of dust produced by development. He feels that the way of life in Hurricane City is changing because of developments.

Mark Hudgins is not against development, but he is concerned with the growth rate. Infrastructure and water are a big concern. He asked the Planning Commission how they are addressing the water issue?

Bob Scow noted that the drain lines in this area run down the side of the road onto his property. Every time a road is built, it increases the water runoff to his property. He has replaced his corner post twice because of trucks not making the turn. His chain link fence is holding five feet of roadway dirt, and he asked for a city employee to look at it.

Daryl Cook discussed the map that was provided to the surrounding property owners. He purchased a property in Zion Vista two years ago, assuming that this land would not be developed because of drainage. However, development is disrupting his life. This development will take several years to complete and will affect everyone in the surrounding area.

Janett Cook moved from Southern California to Arizona. They left Southern California because of the impact of the growth, and they chose to move from Arizona to Hurricane because it is a peaceful area. She understands that development will happen, but high density has a negative impact. She discussed the streetlights between Rlington and 1760 West.

Michelle Cloud was excused from the meeting.

New Business

- 1. 2022-ZC-20: Discussion and consideration of a recommendation to the City Council on a Zone Change Amendment request located at 163 N Main from RM-1, multifamily 6 units per acre, to RM-3, multifamily 15 units per acre, to add additional units to property. Zachary Forsyth Applicant.**

Zach Forsyth apologized for the problems with the previous tenants and agreed that there were problems with the tenants before he purchased the property. The rent in the fourplex is thirty percent lower than other rentals in the area. He receives a multitude of calls from renters seeking affordable housing. Commissioner Ballard asked how Mr. Forsyth would mitigate the parking concerns discussed during the Public Hearing. Mr. Forsyth intends to have diagonal parking along the north boundary to accommodate the additional units. There are eleven parking spaces right now, exceeding the requirement for four units. Mr. Resch stated that the parking will be adequate. Commissioner Bronemann reviewed the downtown definition in the general plan. This is compatible with the general plan. It is a hard decision because the Planning Commission has to find a balance as a community. Commissioner Winder is concerned about adding more units on a half-acre. Commissioner Farthing stated that the city does need more affordable housing, but he is concerned with the parking. He asked if it is better to postpone this item until the downtown master is approved. Dayton Hall stated that the applicant has the right to a decision in a timely manner. Commissioner Iverson asked for clarification on the current zoning. Mr. Resch reported that the request is to change from RM-1 to RM-3. Commissioner Iverson favors the general plan and is a promoter of property rights. Mr. Forsyth noted that the staff had no concerns. Mr. Resch stated that the staff feels approval is appropriate.

Ralph Ballard motioned a recommendation of approval of 2022-ZC-20. The commission agrees with staff findings this is close to downtown and fits with the master plan. Rebecca Bronemann seconded the motion, stating that this meets the four requirements. Ralph Ballard, Rebecca Bronemann, and Paul

Farthing - aye. Brad Winder - nay, because of the concern expressed by the surrounding residents. Kelby Iverson - nay, because it will adversely affect the adjacent property owners. Motion carried.

- 2. 2022-ZC-21: Discussion and consideration of a recommendation to the City Council on A Zone Change Amendment request located at 115 N 100 E and 55 E 100 W from RM-1, multifamily 6 units per acre, and GC, general commercial, to RM-3, multifamily 15 units per acre, to allow for affordable housing along the SR-9 corridor. Zachary Forsyth Applicant.**

Mr. Forsyth discussed his intentions for this property. This is close to the park and will provide affordable housing. Commissioner Bronemann asked why the applicant is applying to have more than two duplexes. Mr. Forsyth stated that it is impossible to provide affordable housing without more units. Commissioner Winder thinks this meets the zone change criteria. Commissioner Farthing stated that this was changed to RM-6, and it should be held to that approval. Commissioner Iverson asked if the applicant intends to add more density to the smaller parcel or remove the current structures. Mr. Forsyth stated that he is not planning to as of right now. Commissioner Ballard thinks the requested density is too high. There is a long history of issues with tenants at this location. Mr. Forsyth explained that he could use this property as Airbnb's, but he wants to provide affordable housing. He does not want to change the general commercial zoning unless the density is approved.

Brad Winder motioned a recommendation of approval of 2022-ZC-21, including staff findings. Rebecca Bronemann seconded the motion. Ralph Ballard, Rebecca Bronemann, Brad Winder, and Kelby Iverson – aye. Paul Farthing – nay. Motion carried.

- 3. 2022-ZC-18: Discussion and consideration of a recommendation to the City Council on a Zone Change Amendment request located at 825 S 400 W from RA-1, residential agriculture, to R1-15, residential one unit per 156,000 square feet, for a residential development. Parcel number H-3-2-3-1225. Ferel Campbell Applicant. Jilyn Nelson Agent**

The applicant explained that he is applying for a family subdivision with nine lots. Commissioner Ballard shared that the Planning Commission has worked hard to preserve the agriculture in this area. However, this is in harmony with the general plan. Commissioner Bronemann agrees that this is harmonious with the general plan. Mr. Hall explained that the commission's job is to analyze the four factors and make recommendations to the City Council. He reviewed the legalities of approving and denying zone changes. Commissioner Bronemann asked for clarification on the number of units. The applicant reported that they plan to have nine units. Mr. Resch stated that the applicant can have fifteen units if the zone change is approved. The applicant will have to make improvements to 400 west. Commissioner Farthing reviewed developments in other agriculture areas. He recommended a development agreement limiting the subdivision to nine lots. Commissioner Iverson noted that the master plan focuses on preserving and investing in agriculture. This is not harmonious and does not have adequate services. The wastewater is also a significant concern.

Kelby Iverson motioned a recommendation of denial of 2022-ZC-18 based on the surrounding historic farms, the concerns of wastewater, the premature nature of the density, and the four criteria not being met. Paul Farthing seconded the motion. Kelby Iverson, Paul Farthing, Ralph Ballard – aye. Rebecca Bronemann- nay. Brad Winder – abstained. Motion carried.

- 4. 2022-ZC-19: Discussion and consideration of a recommendation to the City Council on a Zone Change Amendment request located at 1200 west and 4600 south from RA-1, residential agriculture one unit per acre, to RA-0.5, residential agriculture one unit per half acre. Parcel number H-3403-K. Joshua Coen Applicant. Clark Spilker and Poppe Engineering Agent.**

Robbie Poppe shared that initially, they requested different zoning with higher density. Several concerns were brought up in the City Council meeting. They attempted to create a concept using one-acre lots, but there are more restrictions and standards. He feels that this application matches the general plan and eliminates the previous concerns. This neighborhood is approximately twenty half-acre lots with one house per lot. Many of the one-acre lots in the area have two structures. Mr. Poppe presented pictures of the surrounding zoning and discussed staff findings. This plan was developed by researching the FAA guidelines for active runways. Mr. Poppe stated that this is out of the runway path. He understands that utilities are pending. He is open to feedback as to what is best for the community. Commissioner Ballard asked if Grassy Meadows could annex more area into their HOA. The Airport Manager stated that this is in the runway safety zone. Councilman Thomas asked if these were one-acre lots would they have to do a cul-de-sac. Mr. Poppe confirmed that they would have to do a cul-de-sac which would be too long to meet the standard. Commissioner Bronemann discussed staff comment number three. This airport is in Washington County and does not have the same protections as the Hurricane Airport. She feels that if this is unsafe, it is not compatible with the general plan. Commissioner Farthing is concerned because there is no infrastructure, which could take more than five years to have in that area, depending on the market. Commissioner Iverson feels that this is premature. Most of the developments surrounding this were approved with development agreements limiting construction until infrastructure is in the area. He does not think this meets the four criteria.

Kelby Iverson motioned a recommendation of denial of 2022-ZC-19 because it does not meet the four zone change criteria. Ralph Ballard seconded the motion. Ralph Ballard, Kelby Iverson, Paul Farthing, Brad Winder – aye. Rebecca – aye, because she would like to wait for the annexation before deciding. Motion carried.

5. 2022-ZC-22 / 2022-PSP-15: Discussion and consideration of a recommendation to the City Council on a Zone Change and Development Agreement Amendment PDO update located on the old Collina Tinta project to remove the approved golf course and add more public open space. Parcel number H-3-2-4-214. WPP Hurricane Land LLC Applicant. Austin Overman Agent

Mr. Resch stated the applicant is eliminating the golf course but keeping the same density. The applicant is asking for more single-family units and fewer multifamily units, and there will be more open public space. Mr. Resch stated that the recommendation of approval should be subject to a legal review of the development agreement. Austin Overman feels more single-family units are beneficial to the city. Mr. Hall stated that they could build this with the golf course with the current development agreement in place. The applicant is asking to revamp the project without the golf course. He reviewed the staff comments. The Planning Department's recommendation is to grant a density bonus to match the proposal. Commissioner Ballard noted that the issue with the retention of the road on 1760 west has to be addressed at some point. Commissioner Bronemann's concerns about the road and drainage were addressed. She asked how the applicant will address the light pollution concerns. The applicant stated that they are not changing the number of units, so he does not think this will create more light pollution. Commissioner Iverson stated that he is grateful that the area is being improved.

Rebecca Bronemann motioned a recommendation of approval of 2022-ZC-22 and 2022-PSP-15 subject to staff and JUC comments and legal review. Brad Winder seconded the motion. Unanimous.

6. 2022-ZC-15: Discussion and consideration of a recommendation to the city council on a Zone Change Amendment request located at 200 North and 2260 West on the north 2.9 acres from MH/RV, mobile home/RV, to PC, planned commercial so the applicant doesn't have to build an RV park. Parcel number H-3-1-32-1102. Sky Mountain Properties

Applicant.

2022-PSP-13: Discussion and consideration of an approval for a Preliminary Site Plan for Hurricane Sky Mountain Townhomes, a Planned Commercial development consisting of commercial space and 172 townhomes, located at 200 N 2260 W. Sky Mountain Properties Applicant

Mr. Resch stated that the applicant requested to table the application until they bring in an updated site plan.

Rebecca Bronemann seconded to table 2022-ZC-15 and 2022-PSP-13 until the applicant brings back a new application. Kelby Iverson and Ralph Ballard seconded the motion. Unanimous.

7. 2022-ZC-17: Discussion and consideration of a recommendation to the City Council on a Zone Change Amendment request located at approx.. 5300 West 2600 South from A-5, agricultural one unit per 5 acres, to RR, recreational resort to expand the existing resort zoning. Parcel numbers H-4138-L and H-4138-E. Chris Wyler Applicant. Civil Science-Brandee Walker Agent.

Mr. Resch stated that the applicant requested to continue this application to the next meeting.

Ralph Ballard motioned to continue 2022-ZC-17 to the next meeting. Brad Winder seconded the motion. Unanimous.

8. 2022-PSP-14: Discussion and consideration of an approval of a Preliminary Site Plan for Sand Hollow Townhomes, a Planned Commercial development consisting of commercial space and 164 townhomes, located at the corner of Ash Creek Dr and Sand Hollow Road. Smoothie Kings Holdings Applicant. Premier Design Agent.

Luke Godfrey is representing the applicant. Mr. Resch shared that the City Council approved a new Planned Commercial ordinance. The staff has no general concerns, but the applicant will have to add three more streets. Staff would prefer these to be public streets. The commissioners, staff, and applicant discussed the staff and JUC comments. Commissioner Farthing recommended public streets. Commissioner Iverson stated that citizens do not want 4-foot park strips. Mr. Resch stated that the park strips are for safety. Commissioner Iverson confirmed that the applicant could not do more than thirty units unless the roads are completed.

Rebecca Bronemann motioned to approve 2022-PSP-14 subject to changing the name and staff and JUC comments. Brad Winder seconded the motion. Unanimous.

9. 2022-AFP-05: Discussion and consideration of a recommendation to the City Council on an amended final plat on Angell Heights Phase 4, located at 2153 S Angell Heights Dr. Robert and Jody Hardesty Applicant. Ryan Scholes-Alpha Engineering Agent.

Mr. Resch stated that staff recommendation of approval is conditional upon the property being used for the permitted use.

Kelby Iverson motioned to approve 2022-AFP-05 subject to permitted use. Brad Winder seconded the motion. Unanimous.

10. 2022-FSP-06: Discussion and consideration of an approval of a final site plan for Eagle

Pointe Amenity Center, located at 2670 W and 625 N. Perry Development Applicant. Greg Sant Agent.

Greg Sant stated that the construction plans are approved for 625 north, and they need to have the amenities site plan approved before starting construction. Mr. Resch stated that there is a concern that the pool equipment building is too close to the utility easement.

Brad Winder motioned to approve 2022-FSP-06 subject to staff and JUC comments and the appropriate public utility easement requirements on 625 north and 2670 west. Kelby Iverson seconded the motion. Unanimous.

Planning Commission Business:

1. City Council Recap

Approved	Denied	Continued	Tabled
Planned Commercial Ordinance		American Village Zone Change	

2. Site Plan Design

Approval of Minutes:

3. February 10, 2022

4. April 14, 2022

Rebecca Bronemann motioned to approve the minutes for February 10, 2022, and April 14, 2022. Ralph Ballard seconded the motion. Unanimous.

Ralph Ballard motioned to adjourn. Rebecca Bronemann seconded the motion. Unanimous.
Adjournment