

**Hurricane Planning Commission
Meeting Minutes
August 8, 2024**

Minutes of the Hurricane City Planning Commission meeting held on August 8, 2024, at 6:00 p.m. in the City Council Chambers located at 147 N. 870 West Hurricane UT, 84737

Members Present: Mark Sampson, Paul Farthing, Ralph Ballard, Rebecca Bronemann, Brad Winder, and Kelby Iverson.

Members Excused: Michelle Cloud and Shelley Goodfellow

Staff Present: Planning Director Gary Cupp, City Planner Fred Resch III, City Attorney Dayton Hall, Planning Technician Brienna Spencer, and City Engineer Representative Jeremy Pickering.

6:00 p.m. - Call to Order

Roll Call

Pledge of Allegiance by Paul Farthing

Prayer and/or thought by invitation by Ralph Ballard

Declaration of any conflicts of interest

Ralph Ballard motioned approve the agenda as posted. Rebecca Bronemann seconded the motion. Unanimous.

Public Hearings

1. A Zone Change Amendment request located at approximately 2230 W 600 N from NC, neighborhood commercial, to R1-8/PDO, residential one unit per 8,000 square feet with a planned development overlay. Parcel numbers H-3-1-29-2213-RD2 and H-3-1-29-2214-RD2. Comments were submitted and are attached at the end of these minutes.

James Mercer submitted and read a letter to the commission, emphasizing that the area is designated as residential on the general plan and already experiences heavy traffic. He voiced concerns about a lack of park space and increasing density in the city, stating it is getting out of control.

Debbie Isaacs stated that the development would negatively impact property values and raised issues related to trespassing on the golf course after hours, including vandalism, trash, and noise. She also questioned the adequacy of proposed easements and expressed concern for local wildlife.

Rick Williams shared that when he purchased his home, neighbors had been injured by golf balls, with one incident resulting in hospitalization. He felt that the proposed development is incompatible with the existing community and could create liabilities for the city if residents spill onto surrounding areas.

Chuck Fletcher, a resident of eight years, expressed that one of the main reasons he enjoys the area is its safety and controlled environment. He questioned why the city would change existing community rules and urged the commission to reconsider the proposal.

Shirley Stowa, who also submitted a letter, stated that she purchased her property for the view and is alarmed by the increasing high-density developments in Hurricane. She expressed concern that the changes will significantly reduce her property's value.

2. A Land Use Code Amendment to Title 10 Chapter 6 and Chapter 39 regarding subdivisions.

No comments

3. A Land Use Code Amendment to Title 10 Chapter 3, 12, 13, 14, 15, and 16 regarding childcare centers, licensed family child care, and residential certificate child care.

No comments

NEW BUSINESS

1. ZC24-07 PSP24-21: Discussion and consideration of a recommendation to the City Council on a Zone Change Amendment request located at approximately 2230 W 600 N from NC, neighborhood commercial, to R1-8/PDO, residential one unit per 8,000 square feet with a planned development overlay. Parcel numbers H-3-1-29-2213-RD2 and H-3-1-29-2214-RD2. 317 Sycamore LLC, Applicant. Brixton Call, Agent

Beau Ogzewalla and Brixton Call, representing the applicant, presented a request to rezone a commercially zoned parcel to allow for a residential development. Mr. Ogzewalla emphasized their intention to bring a high-quality, value-adding project to the area instead of utilizing the existing commercial zoning to build something like storage units. He acknowledged concerns about development and noted that nearly half of the property would remain green space.

Commissioner Mark Sampson explained that the property had previously been rezoned to R1-8/PDO for an assisted living development but reverted back to neighborhood commercial when the site plan was not finalized within the required two-year period. Commissioner Kelby Iverson inquired about uses allowed under current zoning, and staff confirmed a wide range of commercial uses are permitted by right. While Iverson is generally hesitant about zone changes, he acknowledged potential value in this proposal.

Commissioner Paul Farthing expressed concern about road access issues identified by engineering, even though he felt the project concept was reasonable and well-placed next to a golf course. Jeremy Pickering from engineering stated that access to the east relies on another developer, and without that connection, unit count would be limited. Mr. Ogzewalla confirmed they've had conversations with the neighboring property owners and are working on shared access.

Staff noted that while the City Council generally prefers to preserve commercial zoning, they may be open to compromise. Mr. Pickering said the proposed eastern access meets city standards, and there appear to be no major grading issues. Commissioner Rebecca Bronemann asked if access agreements with neighboring developments would be required before approval; Fred Resch III confirmed they would be required by preliminary plat but could also be requested now by the commission.

Mr. Ogzewalla assured the commission that the units would be high-end, not \$300k entry-level homes, and that short-term rentals are not part of their plan. Commissioner Brad Winder asked about screening

along the west side and Mr. Ogzewalla responded that the green space may provide sufficient buffering, though they're open to further discussion.

Commissioner Farthing noted that the project's 35 proposed units reflect a relatively low density compared to what could be allowed. Mr. Ogzewalla added that single-family homes were considered but would have to be placed closer to the golf course, which they aimed to avoid. The existing golf cart path will be preserved.

Commissioners discussed whether the required conditions for a zone change had been met. While staff had recommended approval, City Attorney Dayton Hall stated he would prefer to see finalized access agreements before making a recommendation to the council.

Paul Farthing motioned to table ZC24-07 and PSP24-21 due to unresolved issues with access and water looping. Ralph Ballard seconded the motion. Roll call. Unanimous.

2. PSP24-20: Discussion and consideration of a possible approval for a preliminary site plan for 65 N LLC, a transient lodging facility located at 57 N State St. Kendall Clements, Applicant. Karl Rasmussen, Agent.

Karl Rasmussen explained that approximately half of the site has already been developed and they are now ready to complete the remainder. Due to updates in the unit layout, they were required to return with a revised site plan. Commissioner Paul Farthing asked whether the lack of comments from some departments meant there were no issues, or simply that the departments had not reviewed the plan. Fred Resch III clarified that if a department does not submit any comments during the review process, he notes it as "no comment." The commission requested that the comment language be clarified to indicate whether a department reviewed the plan and had no comments or did not respond at all.

Kelby Iverson motioned to approve PSP24-20 subject to JUC and staff comments. Brad Winder seconded the motion. Unanimous.

3. AFP24-11: Discussion and consideration of a possible approval of an amended final plat for Quail Creek Industrial Park Phase 3 Lots 13 & 14, located at 5564 W 720 S. William Zitting, Applicant. Eric McFadden, Agent.

Fred Resch III explained that the request involves combining lots, and while the engineering department initially had concerns, those have been addressed in the updated documents submitted to the commission. Commissioner Paul Farthing asked Scott Hughes about a power department comment regarding utility equipment located in the middle of a lot. Mr. Hughes responded that although it would be best for the developer to design around the equipment, if they choose not to and the equipment must be moved, it would be done at the developer's expense. However, the city does not have a reason to require the equipment to be moved at this time.

Rebecca Bronemann motioned to approve AFP24-11 subject to staff and JUC comments. Ralph Ballard seconded the motion. Unanimous.

4. FSP24-28: Discussion and consideration of a possible approval of a final site plan for Liberty Village Phase 1, a civic educational development located at 2820 S 2300 W. Liberty Village-Brett John, Applicant. EPS Group, Agent.

No comments from the commissioners

Rebecca Bronemann motioned to approve FSP24-28 subject to staff and JUC comments. Brad Winder seconded the motion. Unanimous.

5. PP23-17: Discussion and consideration of a possible approval of an extension of the preliminary plat approval for Adventus Phase 1, a mixed use development consisting of hotel condominiums, apartments, commercial, and restaurant space located at the corner of Abbey Road and Sand Hollow Road. Brent Moser, Applicant. Karl Rasmussen, Agent.

Karl Rasmussen explained that the applicant is requesting an additional year for the project. They are preparing to pave Sand Hollow Road and are currently finalizing construction drawings and the final plat. Although the timeline paused when the fee was paid, they are not yet ready to proceed and need more time to complete the necessary steps.

Paul Farthing motioned to approve the extension for PP23-17. Rebecca Bronemann seconded the motion. Unanimous.

6. LUCA24-03: Discussion and consideration of a recommendation to the City Council on a Land Use Code Amendment to Title 10 Chapter 6 and Chapter 39 regarding subdivisions.

Fred Resch III explained that in 2023, the state passed legislation outlining the process for reviewing preliminary and final plats. The original wording of the law required construction drawings to be reviewed during both stages, which was not the intended approach. The language has since been clarified to allow for the review of construction drawings at either the preliminary or final plat stage. Staff is recommending that construction drawings be reviewed with the final plat moving forward.

Ralph Ballard motioned a recommendation of approval of LUCA24-03. Rebecca Bronemann seconded the motion. Unanimous.

7. LUCA24-04: Discussion and consideration of a recommendation to the City Council on a Land Use Code Amendment to Title 10 Chapter 3, 12, 13, 14, 15, and 16 regarding child care centers, licensed family child care, and residential certificate child care.

Gary Cupp explained that the proposed amendment is primarily housekeeping. In 2017, the state updated certain definitions, which the city adopted at that time. However, the city's use tables within various zoning sections were not updated to reflect those new terms. This amendment brings the use tables into alignment with the updated definitions adopted in 2017.

Kelby Iverson motioned a recommendation of approval of LUCA24-04. Paul Farthing seconded the motion. Unanimous.

Rebecca Bronemann motioned to adjourn. Paul Farthing seconded the motion. Unanimous.

Adjournment at 7:45PM