

**Hurricane Planning Commission
Meeting Minutes
December 12, 2024**

Minutes of the Hurricane City Planning Commission meeting held on December 12, 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, Shelley Goodfellow, Rebecca Bronemann, Brad Winder, and Kelby Iverson.

Members Excused: Michelle Cloud and Ralph Ballard

Staff Present: City Planner Fred Resch III, City Attorney Dayton Hall, Planning Technician Brienna Spencer, City Engineer Representative Jeremy Pickering, and Councilman Clark Fawcett.

6:00 p.m. - Call to Order

Roll Call

Pledge of Allegiance led by Paul Farthing

Prayer and/or thought by invitation given from Rebecca Bronemann

Brad Winder motioned to approve the agenda as presented. Paul Farthing seconded the motion. Unanimous.

Declaration of any conflicts of interest

Public Hearings

1. A Land Use Code Amendment to Title 10 Chapter 25 to establish an airport overlay zone. Fred Resch III shared that state law now requires the city to establish an airport overlay that differs from the one already in place, and this update will implement those changes.

No Comments

2. A Zone Change Amendment request to amend the approved site plan for Pecan Valley to allow for a residential treatment facility located at 5147 W and 5159 W 2200 S. Public Hearing Only. No action on this item will be taken until January 9th, 2025.

Dayton Hall explained that the applicant provided envelopes for noticing, but they included physical addresses instead of mailing addresses. This did not meet the noticing requirements; however, since notice was given and some people are present, the public hearing is being held. New notices will be sent out, and another public hearing will be held at the next planning commission meeting on January 9, 2025. Multiple comments were submitted and have been attached at the end of these minutes.

Michael Chavez shared that he is representing his neighbor, Dean Rostrum, and presented a video statement. Dean Rostrum, a homeowner in the neighborhood, strongly opposes the proposed zone change, stating it is not consistent with the community and would adversely affect his property values. His home was built to accommodate 25 people with recreational amenities, designed for a lively group,

which he feels is incompatible with the proposed residential treatment facility (RTC). He emphasized that the CC&Rs prohibit commercial uses of this type and that HOA approval for the change has not been obtained. Michael Chavez added that he lives nearby and will also be affected, noting that the application's portrayal does not match the neighborhood and that ongoing construction in the area makes it unsuitable for a treatment facility.

Robin Lee, a nurse practitioner residing in Oak Haven, expressed concerns about living half a mile from an inpatient facility. She questioned the security of the facility, the patients' activities, and whether insurance would cover the proposed 90-patient facility. She highlighted potential risks to children and the community, citing concerns about dangerous and unpredictable behavior.

Jon Sweany, a resident experienced with zoning matters, questioned the applicant's motives, stating that the email from Dr. Hendleman was vague and misleading, with no clear information on patient diagnoses or security measures. He suggested the proposed facility may be more financially motivated than community focused.

Stuart Thomas read his written statement, which is attached to these minutes.

Mandy Ellefson stated that she moved to the community for safety and believes that introducing a residential treatment facility could invite unsafe activity, potentially impacting her life savings and neighborhood stability.

Wayne Halterman read his written statement, which is attached to these minutes.

Brick Loring acknowledged the need for treatment facilities but noted that the neighborhood's large homes on small lots could create conflicts with this use.

Sally Avery, residing one block north of the proposed location, shared that her brother-in-law was murdered in a similar facility. She encouraged the commission to visit the neighborhood and questioned the applicant's plans, noting the current condition of Pecan Valley.

John Hendleman, the applicant and a psychiatrist with eight years of experience, clarified that the facility will not operate as a halfway house or court-ordered program. It is intended for patients with depression or anxiety seeking a vacation-style residential program. He emphasized that safety measures will be in place, fewer than 10 patients will occupy each house, and no disruptive behaviors will be permitted.

Jon Woolsey, a medical provider in St. George, submitted a comment included in the packet. He acknowledged the importance of mental health but stated that the neighborhood is opposed, citing a petition with 66 signatures and concerns over future regulation of patients.

Katie Leavitt shared that she grew up next to a treatment facility and experienced no issues, noting that properly monitored facilities can coexist safely in a neighborhood.

Georgette Loring raised concerns about parking, noting that streets become impassable during holidays and UTV events.

3. A Zone Change Amendment request, located at the southeast corner of Gateway Blvd and Jellystone Rd to add a PDO, planned development overlay, over the existing R1-8, residential one unit per 8,000 square feet. Parcel numbers H-4-2-12-1208-GS1 and H-4-2-12-1209-GS1.

No comments.

4. A Zone Change Amendment request approximately located at the northeast corner of Gateway Blvd and Jellystone Rd to add a PDO, planned development overlay, over the existing R1-6, residential one unit per 6,000 square feet. Parcel numbers H-4-2-1-1112-GS1, H-3-2-6-340, and H-4-2-1-11112-GS1.

No comments.

5. A Zone Change Amendment request located at approximately 2600 W 100 N from HC, highway commercial, to RM-3, multifamily 15 units per acre. Parcel number H-3-1-32-312 and a portion of parcel numbers H-3-1-32-314 and H-3-1-32-41011.

Brian Dial shared his concern about moving the project to a denser multifamily zone right next to single-family homes. He stated he is not necessarily opposed to the project but suggested considering something less dense adjacent to single-family housing.

6. A Zone Change Amendment request located at approximately 2800 W 100 N from MH/RV, mobile home/RV, and R1-8, residential one unit per 8,000 square feet, to GC, general commercial. Parcel numbers H-3-1-32-341, H-3-1-32-342, H-3-1-32-343, H-3-1-32-344, H-3-1-32-44031, and H-3-1-32-440112.

No comments.

OLD BUSINESS

1. PP24-28: Discussion and consideration of a possible approval of a preliminary plat for Hawk Ridge, a 149-lot townhome subdivision, located at the east end of Cliffhanger Dr. Mitch Weis, Applicant. Bush & Gudgell, Agent.

The original preliminary plat was approved in 2022 and would have expired after one year if a final plat had not been applied for, but the first phase met those deadlines. This request is for a change from the original preliminary plat. Brady from Perry Homes explained that the changes shift density, with fewer single-family homes and a few more multifamily units, while still remaining below the allowed number of units. Rebecca Bronemann asked about engineering comments and a streets department comment. Brady stated that they have spoken with the water department and that all issues will be worked out.

Shelley Goodfellow motioned to approved PP24-28 subject to staff and JUC comments. Rebecca Bronemann and Paul Farthing seconded the motion. Unanimous.

NEW BUSINESS

1. FSP24-61: Discussion and consideration of a possible approval of a final site plan for Liberty Village Phase 2, a civic educational development located north of the northwest corner of W 3000 S and S 2100 W. United We Pledge, Applicant. David Hughes, Agent.

Stephanie Broker is the CEO of Liberty Village. She explained the layout of buildings on this site. Kelby Iverson asked if this is expanding the property boundaries of what the balance of nature property already was. Ms. Broker shared that it is within the existing boundaries.

Paul Farthing motioned to approve FSP24-61 subject to staff and JUC comments. Shelley Goodfellow seconded the motion. Unanimous.

2. LUCA24-09: Discussion and consideration of a recommendation to the City Council on a Land Use Code Amendment to Title 10 Chapter 25 to establish an airport overlay zone. Hurricane City, Applicant.

Fred Resch III shared that Gary worked on this to get it up to state compliance. It's really just clerical clean up. Shelley Goodfellow asked if this overlay restricts density. Dayton Hall explained that the

proposed change does not restrict density but will restrict building height depending on proximity to the airport. He noted that height limitations would only apply to properties located very close to the airport. The primary purpose of this State change is to require the city to provide notice to any development occurring within 5,000 feet of the airport, designating those properties as being within an airport influence area. In addition, notice would be required to be provided to any purchaser of a lot within a subdivision located inside the 5,000-foot boundary.

Rebecca Bronemann motioned a recommendation of approval of LUCA24-09. Shelley Goodfellow seconded the motion. Unanimous.

3. ZC24-13 PSP24-38: Discussion and consideration of a recommendation to the City Council on a Zone Change Amendment request and preliminary site plan approval approximately located at the southeast corner of Gateway Blvd and Jellystone Rd to add a PDO, planned development overlay, over the existing R1-8, residential one unit per 8,000 square feet. Parcel numbers H-4-2-12-1208-GS1 and H-4-2-12-1209-GS1. Western Mortgage and Realty Co - Tim Tippet, Applicant. Karl Rasmussen, Agent.

Karl Rasmussen shared that the property is currently zoned R1-8 and that the proposed PDO change is primarily for setback adjustments, allowing reduced setbacks. Dayton Hall stated that the intent of the PDO code is to permit clustering and reduced setbacks. Mr. Rasmussen added that the plan includes pocket parks and some trails. Mr. Hall commented that it seems this change is mainly to reduce setbacks. Fred Resch III noted that there is some minor clustering, with lots averaging 7,500 square feet. Paul Farthing asked about the original density, and Karl responded that it was 205 units and is now 200.1 units under the proposed plan.

Paul Farthing motioned a recommendation of approval of ZC24-13 and PSP24-38 subject to staff and JUC comments. Shelley Goodfellow seconded the motion. Unanimous.

4. ZC24-14 PSP24-35: Discussion and consideration of a recommendation to the City Council on A Zone Change Amendment request and preliminary site plan approval approximately located at the northeast corner of Gateway Blvd and Jellystone Rd to add a PDO, planned development overlay, over the existing R1-6, residential one unit per 6,000 square feet. Parcel numbers H-4-2-1-1112-GS1, H-3-2-6-340, and H-4-2-1-1112-GS1. Western Mortgage and Realty Co -Tim Tippet, Applicant. Karl Rasmussen, Agent.

Karl Rasmussen stated that the proposed lots will have an average size of 6,100 square feet. Fred Resch noted that this plan is less dense than the original proposal, which had 371 lots, while the current plan has 338 lots. The primary purpose of the change is to alter the setbacks, and the rest of the subdivision meets R1-6 standards.

Kelby Iverson motioned a recommendation of approval of ZC24-14 and PSP24-35 subject to staff and JUC comments. Brad Winder seconded the motion. Unanimous.

5. ZC24-18: Discussion and consideration on a recommendation to the City Council on A Zone Change Amendment request located at approximately 2600 W 100 N from HC, highway commercial, to RM-3, multifamily 15 units per acre and at approximately 2800 W 100 N from MH/RV, mobile home/RV, and R1-8, residential one unit per 8,000 square feet, to GC, general commercial. Parcel numbers H-3-1-32-341, H-3-1-32-342, H-3-1-32-343, H-3-1-32-344, H-3-1-32-44031, H-3-1-32-440112 and H-3-1-32-312 and a portion of parcel numbers H-3-1-32-314 and H-3-1-32-41011. Western Commercial Real Estate, PLLC, Applicant. Joby Venuti, Agent.

Joby Venuti shared that on Parcel A, a lot line adjustment was completed to clear things up for the future. On Parcel B, the corner is where the roadway was, and it is the only section zoned R1-8. Parcel A is currently zoned commercial and could be developed as a hotel.

Shelley Goodfellow motioned a recommendation of approval of ZC24-18 subject to staff and JUC comments. Rebecca Bronemann seconded the motion. Unanimous.

6. PSP24-13: Discussion and consideration of a possible approval of a preliminary site plan for Southern Utah sheds, a commercial development located at 980 W State St. Rachael Rasmussen, Applicant.

Fred Resch III shared that this item has been on the agenda twice before, but each time the applicant asked to be removed. They have now worked things out and are ready to move forward. Rachael Rasmussen asked about the engineering comment regarding the secondary access, noting she thought this was being resolved with the Applebee's applications. Jeremy Pickering clarified that the comment regarding 100 North access had already been worked out and predated the current application. Ms. Rasmussen stated that this is just a temporary site and asked if the landscape requirements could be waived since they do not plan to put in any water.

Paul Farthing motioned to approved PSP24-13 subject to staff and JUC comments. Brad Winder seconded the motion. Unanimous.

7. PSP24-30: Discussion and consideration of a possible approval of a preliminary site plan for Silverwood Industrial Subdivision, an industrial subdivision located at 850 N Old Highway 91. Jeff Andrus, Applicant. Rhett Beazer, Agent.

Rhett Beazer shared that they are planning a commercial development. The subdivision originally consisted of three large parcels, but his client would like to develop his portion differently. The proposed units are essentially glorified storage but could also be used for other purposes. A comment was raised regarding the shared access on the southern boundary. Rebecca Bronemann asked the engineering department about their comments, and Jeremy Pickering responded that some assumptions must be made at this stage. Regarding proposed line work and utilities, he noted that for a preliminary site plan, it is acceptable. However, for walls or fences, if the drive space is between the buildings, there could be significant slope issues. He added that those details can be addressed as the project moves forward.

Rebecca Bronemann motioned to approve PSP24-30 subject to staff and JUC comments. Shelley Goodfellow seconded the motion. Unanimous.

8. PSP24-32: Discussion and consideration of a possible approval of a preliminary site plan for Desert Dunes at Desert Sands, a 100 unit single family "patio home" development located at 4750 W Dixie Springs Dr. The Hollows LLC, Applicant. DSG Engineering - Logan Blake, Agent.

Brett Burgess explained the project, noting that it is a portion of their master plan. The product is intended as a move-up option from patio homes, consisting of smaller two-story units of about 2,200 square feet. The idea is for residents to move from townhomes to these units and then to larger single-family homes. He mentioned they are working on the water model and that engineering concerns will be addressed. The project fits within the allocations for area "K." Dayton Hall asked why the project was not being presented as a preliminary plat. Mr. Burgess responded that it would eventually be platted, but his understanding was that the process began with a preliminary site plan. Fred Resch clarified that since the project consists of single-family homes, a preliminary site plan is not required, and instead a preliminary plat will need to be submitted at a later time.

Kelby Iverson motioned to approve PSP24-32 subject to staff and JUC comments. Brad Winder seconded the motion. Unanimous.

9. PSP24-33: Discussion and consideration of a possible approval of a preliminary site plan for the Rock Place, a construction sales and service facility, located at 3272 W 600 N. Interstate Rock Products, Applicant. Chase Stratton, Agent.

Paul Farthing asked about the concerns that had been voiced by engineering. Chase Stratton stated that he figured those issues would simply be worked out during the construction drawing process. Jeremy Pickering explained that in terms of access, it would be beneficial to sit down and determine the future plans for the rest of the property. With the current proposal showing a curb cut, sidewalk, and trail along the roadway, engineering would generally discourage that at this stage in favor of establishing a temporary access. He noted there is another possible access point just off what is currently shown that could provide two access options. He added that this can be evaluated further during the construction drawing process. Kelby Iverson asked if this will be temporary or semi-permanent. Mr. Stratton said that it is permanent.

Rebecca Bronemann motioned to approve PSP24-33 subject to staff and JUC comments. Kelby Iverson seconded the motion. Unanimous.

10. PP24-30: Discussion and consideration of a possible approval of a preliminary plat for The Orchards, a 32 lot single family subdivision located at approximately 3600 W 1640 S. Dennis Miller, Applicant. Karl Rasmussen, Agent.

Karl Rasmussen shared that this project is located just south of the zone changes recently approved and is adjacent to Peach Springs. He noted that in the first part of next year, Gateway Blvd will be extended down to Dixie Springs Drive. Fred Resch III explained that the current property is landlocked from any public right-of-ways, with access gained through Peach Springs, which is not yet developed. He added that Jeremy had raised concerns about block lengths, and staff had provided the applicant with a couple of options—they just need to decide which they prefer. Brad Winder asked about the additional comments regarding the conditions of dedicated public access and the provision of utilities to the site. Jeremy Pickering responded that since Peach Springs is currently under construction, if this project attempts to plat first, it would be subject to Peach Springs platting beforehand. Dayton Hall asked, assuming the commission approved this with conditions but without public access, how far the development could proceed without meeting the public access requirement. He questioned whether construction drawings could even be accepted under those circumstances and cautioned about where the commission should draw the line. Mr. Rasmussen replied that a reasonable plan would be put in place to address those concerns. He explained that the drawings already approved for each road with utilities would be incorporated into this project's plan set so that if the applicant does not build them, the city would. A final plat would also need to show that road extending and tying into the subdivision. The commission and staff then continued to discuss back and forth about the risks of moving forward with approval without established public access.

Paul Farthing motioned to approve PP24-30 subject to staff and JUC comments with the added requirement that documentation of a deed of dedication of a public right of way be submitted with the construction drawings. Also adding that they stub access into the property to the north, following the engineering redlines for this application. Shelley Goodfellow seconded the motion. Unanimous.

11. PSP24-34: Discussion and consideration of a possible approval of a preliminary site plan and recommendation to the City Council on an amendment to a development agreement for Stirling Orchards, a mixed-use development consisting of storage units, townhomes, a reception center and creamery, located at 1468 S 3400 W. Stirling Development and Enhanced Homes, Applicant. Karl Rasmussen, Agent.

Rebecca Bronemann motioned to table PSP24-34 and PP24-31 until such time as the applicant is ready. Paul Farthing seconded the motion. Unanimous.

12. PP24-33: Discussion and consideration of a possible approval of a preliminary plat of Copper Vista, a 338-lot single family subdivision located at the northeast corner of Gateway Blvd and Jellystone Road. Western Mortgage and Realty Co - Tim Tippet, Applicant. Karl Rasmussen, Agent.

Karl Rasmussen shared that this is the second zone change request with an average lot size of 6,100 square feet. He explained that the applicant's intent is simply to start the process so they can move forward with design work. Dayton Hall asked whether the proposed plat would still meet the requirements of the current zoning if the requested zone change were not granted. Fred Resch confirmed that it does.

Kelby Iverson motioned to approve PP24-33 subject to staff and JUC comments. Shelley Goodfellow seconded the motion. Unanimous.

13. PSP24-36 PP24-34: Discussion and consideration of a possible approval of a preliminary site plan and preliminary plat for BASH Mancaves, a mixed-use development consisting of 14 mancaves, 42 residential units, and office/retail space located at west of Marla at Elim Valley. Western Mortgage and Realty Co - Tim Tippet, Applicant. Karl Rasmussen, Agent.

Karl Rasmussen stated that he would like to follow staff's recommendation and continue this item in order to work through some remaining issues before bringing it back at the next meeting.

Brad Winder motioned to continue PSP24-36 and PP24-34 until next meeting Paul Farthing seconded the motion. Unanimous.

14. PSP24-37: Discussion and consideration of a possible approval of a preliminary site plan for Luisa's Corner, a commercial development located at the southwest corner of Sand Hollow Road and Bash Parkway. Brent Moser, Applicant. Karl Rasmussen, Agent.

Fred Resch III shared that the applicant provided an updated site plan showing the use is allowed in the zoning. The update was received at about 3:30 PM, so staff recommends continuing the item to allow time for review. Karl Rasmussen explained that one of their CAD staff mistakenly labeled the building as warehouse/office space, but Fred caught the error. He clarified that it will be a general commercial carpet business with a showroom, similar to Stout Home Furnishings.

Paul Farthing motioned to continue PSP24-37. Rebecca Bronemann seconded the motion. Unanimous.

15. PSP24-39: Discussion and consideration of a possible approval of a preliminary site plan for BASH Carwash, a commercial development located at the northwest corner Bash Parkway and Sand Hollow Road. Brent Moser, Applicant. Karl Rasmussen, Agent.

Rebecca Bronemann motioned to approve PSP24-39 with the modified site plan. Paul Farthing seconded the motion. Unanimous.

16. PSP24-40: Discussion and consideration of a possible approval of a preliminary site plan for Mad Moose Rentals, a vehicle/equipment rental facility located at 4345 W Abbey Road. Spencer Finch, Applicant. Karl Rasmussen, Agent.

Spencer Finch shared that they are currently located in the Quail Creek Industrial Park, at the Sand Hollow Resort, and the Quail Creek State Park. Jeremy Picking noted there has been some discussion of a cross access easement along this property for Bash Mancaves. Karl Rasmussen stated they are already struggling to make the building fit without allowing an access easement.

Shelley Goodfellow motioned to approve PSP24-40 subject to staff and JUC comments with the exception that the easement benefiting the property to the south is not required due to the nature of the business and the size of the lot. Rebecca Bronemann seconded the motion. Unanimous.

17. PSP24-41: Discussion and consideration of a possible approval of a preliminary site plan for Gateway Park, a park located at the southwest corner of Jellystone Road and Gateway Blvd. Western Mortgage and Realty Co - Tim Tippet, Applicant. Karl Rasmussen, Agent.

Mark Sampson asked how large the green space is. Karl Rasmussen shared that it is the size of a soccer field. Fred Resch III stated he was unable to get comments from the parks department and that they will need to contact the department to determine what will be required from the applicant.

Paul Farthing motioned to approve PSP24-41 subject to staff and JUC comments. Brad Winder seconded the motion. Unanimous.

18. CUP24-24: Discussion and consideration of a possible approval of a conditional use permit for a building of greater height and size located at 3960 W 2470 S. Enhanced Home Builders, Applicant. Trent Johnson, Agent.

All commissioners agree with the application.

Kelby Iverson motioned to approve CUP24-24. Rebecca Bronemann seconded the motion. Unanimous.

19. Approval of the 2025 Meeting Schedule

Paul Farthing motioned to approve the 2025 meeting schedule as presented. Rebecca Bronemann seconded the motion. Unanimous.

Paul Farthing motioned to adjourn. Shelley Goodfellow seconded the motion. Unanimous.

Adjournment at 8:58PM