

Minutes of the Hurricane City Council meeting held on September 20, 2018, in the Council Chambers at 147 North 870 West, Hurricane, Utah at 4 p.m.

**Members Present:** Mayor John Bramall and **Council Members:** Pam Humphries, Darin Larson, Kevin Tervort, Kevin Thomas and Cheryl Reeve **Planning Commission Members:** Ralph Ballard, Bob Petersen, Paul Farthing, Rebecca Bronemann, Michelle Cloud, Mark Borowiak and Chris Christensen.

**Also Present:** City Manager Clark Fawcett, Assistant City Manager/City Recorder Kaden DeMille, City Engineer Arthur LeBaron, Public Works Director Mike Vercimak and Planning Director Toni Foran.

## **AGENDA**

### **4:00 p.m. - Joint Meeting with Planning Commission and City Council to hear presentation on the Transportation Master Plan - Jones and DeMille Engineering**

Brady Shakespeare and Jacob Powell with Jones and DeMille Engineering presented the City of Hurricane's Transportation Master Plan to members of the Planning Commission and City Council. Mr. Shakespeare stated that the primary objective of the study was to establish a solid transportation plan to guide future developments and roadway expenditures. This plan includes a short term (0-5 year) action plan, mid-term (6-15 year) project list and a long-term (16-25 year) transportation plan. He added that Hurricane is a rapidly growing community. In order to accurately assess the needs of the City, many factors had to be taken into consideration. According to the U.S. Census Bureau, Hurricane's population increased 66% between 2000 and 2010. Population for the year 2040 is projected to exceed 37,000 residents. Mr. Shakespeare explained how they used these future growth projections and applied them to current roads and future roads. In support of the Hurricane Master Street Plan, Mr. Shakespeare and staff coordinated with City staff to estimate future land use and developed projections for households and commercial acreage for three future scenario years: 2025, 2035 and 2040. In addition, a community survey was conducted that addressed the City's existing and future transportation needs. According to the community, completion of the Southern Parkway is important to relieve traffic congestion around the city.

Arthur LeBaron and Mr. Shakespeare explained that after analyzing the future road network there were 19 projects that were identified to help maintain traffic capacity on Hurricane's roads for the next 20 years. These 19 projects are:

#### Short Term (2015-2024)

- S1: Once the Southern Parkway connects to SR-9, 2800 West should be made to offer a direct connection to 600 North (0.85 miles)
- S2: 1380 north from SR-9 to create a direct connection to 600 North to remove the existing indirect 700 West >100 North>870 West connection between SR-9 and 600 North (0.65 miles)
- S3: Extended 700 West to the north to create a direct connection between SR-9 and 600 North to remove the existing indirect 700 West>100 North>870 West connection between SR-9 and 600 North (0.5 miles)
- S4: Purgatory Road extension to Washington Dam Road (3.9 miles)

#### Mid-term (2025-2034)

- M1: A key connection between Turf Sod Road and uses to the west. Will help alleviate connection along SR-9 (0.5 miles)
- M2: Extending Dixie Springs Drive to Southern Parkway creating a key connection between housing developments north of Sand Hollow and the Southern Parkway (1.25 miles)
- M3: 2300 South from 1150 West to Southern Parkway connects Southern Parkway and downtown Hurricane without utilizing a congested SR-9 (2.0 miles)
- M4: 1150 West from 100 South to 2300 South to create a direct connection to SR-9 from the south (2.15 miles)
- M5: Increase the northern end of Sand Hollow Road to either a 4 or 5 lane cross-section
- M6: Frontage road south of SR-9 from Sand Hollow Road to Southern Parkway and then connection to 150 South (2.15 miles)
- M7: 3400 West is a more direct connection up to SR-9 from housing developments north of Sand Hollow. Will help alleviate potential congestion along Sand Hollow Road (1.7 miles)
- M8: Extend 1150 West to the north to create a direct connection between SR-9 and 600 North to alleviate strain on existing 2260 West and 200 West connection (0.25 miles)
- M9: Turf Sod Road from 4300 West to Southern Parkway (3.6 miles)
- M10: Connection between 3400 West and 2800 West (S2) north of SR-9. Reduces traffic on 600 North (1.20 miles)
- M11: 3000 West from M7 to 600 North (0.75 miles)
- M12: 1400 West from 400 South to 650 South (0.3 miles)

#### Long-term (2035-2040)

- L1: Babylon Road creating an alternative connection to all points north, which will reduce SR-9 connection
- L2: Long-term extra connectivity that might not be essential until Hurricane is more built out, but rights-of-way should be maintained.
- L3: Frontage roads to Southern Parkway that might not be essential until development around the Southern Parkway is more built out, but rights-of-way should be maintained

Mr. Shakespeare recommended that Council should organize an Active Transportation Committee that would help guide this plan into fruition. They could assist with obtaining the grant money needed to assist these projects. Mr. Shakespeare also proposed using Dave Foster a project manager with Alta, as a sub-contractor to help facilitate a kickoff meeting for the Active Transportation Committee. Mr. LeBaron stated that the sub-consultant services are included in this project and they would like to set up a meeting next month.

In closing, Mr. Shakespeare requested members of Planning Commission and City Council review the Transportation Master Plan and submit any revisions they may have. He will send out the final copy in the next coming weeks so that the adoption process can begin.

The Joint Meeting adjourned at 5:00 p.m. and the members of the Planning Commission left before the Council pre-meeting began.

**Staff Present for the Pre-meeting:** City Manager Clark Fawcett, Assistant City Manager/Recorder Kaden DeMille, City Attorney Fay Reber, Police Lieutenant Jerod Brisk, Power Superintendent Dave Imlay, Public Works Director Mike Vercimak, Planning Director Toni Foran, City Engineer Arthur LeBaron, GIS Specialist Joe Rhodes and Fire Department Inspector Kevin Gildea.

#### **5:10 p.m. Pre-meeting** - Discussion of Agenda Items, Department Reports

**Kevin Gildea** reported that one engine is assisting with the fire in Nephi. He anticipates that will return next week. They had a new paramedic start with the Fire District on Monday and will be extending two other job offers next week.

**Lieutenant Brisk** informed Council of a Department post on social media that turned into a controversial matter. He explained that a post regarding medical marijuana quickly snowballed and turned into a public frenzy. The post has since been deleted and replaced with a link to the Governor's website addressing this issue. Lieutenant Brisk apologized if the post offended anyone and their position is to remain neutral.

**Dave Imlay** reminded Council of the upcoming Public Power Day on October 9, 2018. They are planning different games and power related events for the community to participate in. Mr. Imlay requested that Council revisit the current standard for street light requirements and address the dark sky issue. Mulberry Estates subdivision displays the current lighting standard and Mr. Imlay encouraged Council to drive out there when it's dark so they can view the amount of light that is being illuminated. Also, the Power Board approved the increase in impact fees. Even with this increase, these fees are still the lowest impact fees in the county. He will email the full document to Council and will present the final document to Council in the upcoming weeks.

**Mike Vercimak** stated that the Dixie Springs Water Tank project is moving along and they are now at the point where they need to blast and excavate rock for the roadway. With regards to the 300 North project, the curb is in and work is starting on the driveways. 600 North will be closed for lane widening and will reopen next week.

**Toni Foran** explained that the Zion Vista project is progressing and there are many other projects that are coming in.

**Arthur LeBaron** reported that the design of the new rodeo grounds is underway and he is hopeful that this project will be completed by Peach Days 2019. Mr. LeBaron also just received the plat for the annexation of Sand Mountain which he would like to review before discussing it with Council.

**Fay Reber** stated that all documents have been filed in the Julie Judd matter. The next step is to have her served so that a court date can be set. Mr. Reber also received notice that the Board of Adjustment decision regarding an accessory building in Sky Ridge will be appealed to District Court. He will keep Council updated on this matter.

## **6:00 p.m. - Call to Order –**

Pledge: Kaiden Bohne Prayer: Richard Holms

## **6:15 p.m. – Public Forum – Comments From Public**

Gerald Molyneux resides at 438 North 3450 West in Hurricane. He is concerned with the sporadic cell phone service in the area. He switched cell phone providers from AT&T to Verizon in hopes of better service, but it was still bad. Mr. Molyneux has concerns that with the high population of senior citizens in the area, that a 911 call might be dropped. It was his understanding that a cell booster was installed at the Fire Department. Mayor Bramall explained that he would call Verizon and request another booster be installed.

Linda Hardy is a resident of Hurricane. When she purchased her home she paid a \$5,000 water impact fee. She is concerned with all of the building and tourists visiting our community, that we will have a water shortage. Ms. Hardy also expressed concern regarding the Lake Powell Pipeline project. Mayor Bramall explained that the water impact fees are assessed by the Water Conservancy District, not the City. He also reassured Ms. Hardy that the City has underground wells and water storage as well as two lakes. It would have to be a long drought in order for the City to run out of water. Mayor Bramall added that the Lake Powell Pipeline project is a few years out. Ms. Hardy also commented that Interstate Rock has been blasting next to her house and it shakes everything. She is concerned that they are getting too close to her house. Mayor Bramall explained that the blasting is due to the replacement of a sewer line and they cannot go any further than their property line.

## **OLD BUSINESS**

1. *Consideration and possible approval of a zone change request from RA-1, Residential Agricultural one acre and A-5, Agricultural 5 acre, to 50 acres Recreation Resort with approximately 188 single dwelling unit lots and a small amenity area per preliminary site plan; 34.8 acres to R-1-15 and 11.8 acres to R-1-10 - Chris Wyler and Steve McCleery*

Steve McCleery submitted an amended zoning exhibit for their Recreation Resort project. This amended exhibit shows the different areas are the proposed 11.8 acres of R-1-10 zoned area, the 34.8 acres of R-1-15 zoned area and the 50.16 acres of Recreational Resort Area. Mr. McCleery also read a letter in support of this project from Jeremy Wilson, Property Manager at Wilson Peach & Pecan Farm. Ms. Humphries explained that Staff suggested making line of separation between two different zones a street rather than two backyards that abut each other. Mr. McCleery explained that they put the zoning separation lines along the backyards because they felt it was less invasive than having it in the front yards. Another suggestion made by Ms. Humphries was to centrally locate the pool and recreation area. Mr. McCleery stated that this is just a concept plan and they are open to suggestions and revisions.

Pam Humphries made a motion to approve the zone change request from RA-1, Residential Agricultural one acre and A-5, Agricultural 5 acre, to 50 acres Recreation Resort with approximately 188 single dwelling unit lots and a small amenity area per preliminary site plan; 34.8 acres to R-1-15 and 11.8 acres to R-1-10, with the proposed changes of having zoning separation lines on streets rather than backyards,

and to centrally locate pool and recreation areas. Seconded by Kevin Tervort. Motion approved with Pam Humphries, Darin Larson, Kevin Tervort and Kevin Thomas voting aye. Cheryl Reeve voted no.

## **NEW BUSINESS**

1. *Presentation and update on services provided by Dixie Regional and grand opening event in September - Mitch Cloward*

Mitch Cloward was not present at this meeting.

2. *Presentation regarding Washington County School District Tax Neutral Bond - Steven Dunham*

Richard Holms and David Stirland with the Washington County School Board gave an overview of the Tax Neutral Bond that will be on the ballot this November. The proposed bond amount of 125 million will affect every school in Washington County. A big portion of this bond will go towards school security. This bond will ensure that elementary, intermediate and middle schools will receive a second set of doors as an added measure of security. Mr. Holms explained that the high schools are more complex with their different buildings and students coming and going in different directions, but security will be addressed. The community is rapidly growing and Hurricane High School has approximately 1,000 students. The District has also grown over 1,100 students as well. The two major growth areas are Desert Hills and Hurricane. The current schools are at capacity. Crimson Cliffs High School will be completed 2019. With all of this growth, the District will be adding two new elementary schools and a new CT high school that will be centrally located within the county. It will be for grades 9-12 and students will leave the high school with a diploma and an industry certification. This type of high school is half the cost of a regular high school because the athletics, theatre and fine art portions are eliminated. If this bond passes, they anticipate this high school opening in 2021. Mr. Stirland stated that this bond will prevent the increase in property taxes. He added that this bond has been endorsed by the Utah Taxpayers Association and they are here to seek an endorsement from Council.

Kevin Thomas inquired if there were plans to put a road in on the west side of the elementary school and the charter school to connect that area where people drop-off and pick-up their children. Mr. Stirland responded that he wasn't sure if that was district property or not. Mayor Bramall and Mr. Stirland agreed to work together to see what can be done. School safety is a high priority.

3. *Consideration and possible approval of an Off-Premise Beer Retailer License for Maverik, Inc.*

Kevin Tervort made a motion to approve the Off-Premise Beer Retailer License for Maverik, Inc. and send it to the State. Seconded by Darin Larson. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

4. *Public Hearing to take comments on:*

- a. **General Plan Amendment request to change a 3 acre portion of a 9.22 acre parcel from Agricultural/Rural Residential 5+ to Business/Light Industrial**
- b. **General Plan Amendment request for 1.3 acres located at the southwest corner of 100 North and 520 West from Commercial to Multi-Residential types**

Pam Humphries made a motion to move into a Public Hearing. Seconded by Darin Larson. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

Dave Imlay explained that with regards to item A, the Power Department has a transmission route plan to come down the Southern Parkway, head across 3000 South then along 1500 West. This will be for a new substation. Mr. Imlay wants to make sure that the decision made regarding this item will not hinder the Power Departments plans.

Keith Scholzen who resides at 304 North 700 West. He also represented Scholzen Products Company at 548 West 100 North. He is addressing item B. His business is located in the middle of a street block. Many years ago his father bought the property, made a road and donated it to the City for an entrance to Scholzen Products. The business has a minimum of ten trucks a day for deliveries and pickups. It has become increasingly difficult for these semi-trucks to travel this street. The traffic and congestion causes a lot of difficulty for these drivers. Mr. Scholzen is asking Council to keep the property on 520 West as commercial.

Gene Kiholm resides at 614 West 100 North. He is a former member of the Power Board in the 1990's. The proposed apartment building has parking for one or two vehicles per household, but families tend to have more vehicles than that. Families tend to have boats, trailers and other recreational vehicles. The street is going to be a collector of all the overflow parking and it is going to be a nightmare. Mr. Kiholm stated that 100 North does not have any stop signs and people use that street as a thoroughfare. He expressed concerns regarding the current traffic and congestion and safety concerns for children.

David Scholzen resides at 560 West 150 North. He shared concerns regarding the current parking issues and the traffic congestion along the road that leads to Scholzen's. Delivery trucks already have a difficult time coming and going from their business and adding an apartment building will only add to the existing problems. He added that 100 North is a heavily used road, especially with the school traffic. People living there will have visitors, this too will add to the traffic and parking issues. Mr. Scholzen is strongly against it and feels the zoning should remain commercial.

Scott Denton resides at 564 West 100 North. Traffic has been so bad at times that he's had to wait five minutes before he could back out of his driveway. Mr. Denton said that the trailer park across from him has tarps, trash and toilets in their front yards. There are issues with drugs and alcohol. Increasing the density in this area is not a good idea. Parking, traffic congestion and the increase in noise is going to be an issue, not to mention the safety of the children. He stated that they are the most affected by this potential project and he is strongly against it.

Toni Foran stated that Nick Scholzen asked her to speak on his behalf. He wanted to express his concern about the potential added traffic and parking issues. He does not feel that this zone change is a necessity and would like it to remain commercial.

Pam Humphries made a motion to move out of the Public Hearing. Seconded by Kevin Tervort. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

5. *Consideration and possible approval of a **General Plan Amendment request to change a 3 acre portion of a 9.22 acre parcel from Agricultural/Rural Residential 5+ to Business/Light Industrial** - Adam Stout, applicant*

Adam Stout stated that their purpose is to run their farm and roofing business out there. They farm about 100 acres. The roofing business helps sustain their farming activities. Mr. Stout stated that he paid to have utilities brought down to their property. His wife works for the business and lives in the home. Their business employees come in on Monday morning, and then they are gone all week. They travel all over Utah, Arizona and Colorado. On a daily basis, there are only a handful of employees that will be there.

Mr. Larson explained that the Planning Commission recommended denial of this item based on the findings that changing the General Plan Map for this portion of the property to allow the property owners to use an approved agricultural building for an industrial use does not meet the criteria for changing the General Plan. Also, the surrounding area has not changed enough to justify a change at this time and the roads are not adequate for industrial uses. Mr. Larson agrees that this is not what was originally planned for this area, but he feels that the impact is negligible for what this zone change does. It is possible that the City could receive other requests for light industrial in this area in the future. Ms. Humphries clarified that if this General Plan Amendment request is granted, Mr. Stout would be responsible for the cost of the road improvements. Her concern is that there is not another development like this in that area and the Planning Commission denied it because it is not appropriate for this area. Ms. Foran and Mayor Bramall explained that the Stratton Gravel Pit is zoned light industrial and the airport is close by. Kevin Thomas commented that he doesn't have a problem with this and feels that it will have a minimal impact to the City. Mr. Reber added that if Council is concerned with the light industrial zoning, a Development Agreement could be implemented to provide some limitations.

Ralph Ballard commented that he believes that the City is limited on their industrial and commercial areas. This is something that the City should be planning for going forward. There are many large subdivisions that are going in.

Kevin Thomas made a motion to approve the General Plan Amendment request to change a 3 acre portion of a 9.22 acre parcel from Agricultural/Rural Residential 5+ to Business/Light Industrial. Seconded by Cheryl Reeve. Motion approved with Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye. Pam Humphries voted no.

6. *Consideration and possible approval of a **General Plan Amendment request for 1.3 acres located at the southwest corner of 100 North and 520 West from Commercial to Multi-Residential types** - Brandon Adams and Jerry Eves, applicants*

Kevin Thomas declared a potential conflict as Mr. Adams and Mr. Eves may become potential clients.

Brandon Adams stated that Planning Commission recommended approval of their project 5-1. The opposition vote was cast because there was concern over the potential street traffic. Mr. Adams understands that this street is not close to its capacity. He doesn't know how this would cause such a traffic impact when a hotel could be built on that same property and require much more parking than his proposed apartment building. He feels this is something that is needed in our community. This is a project that will look good, it will be maintained by a management company and it will add to the City.

Ms. Humphries said that this is already a tight street with parking issues. The delivery trucks for Scholzen's have trouble getting up and down the street. It's inevitable that tenants will also be parking vehicles on the street. She added that everything around Scholzen's has changed and now there's a potential apartment building by their entrance with multi-family housing. This is only going to cause more traffic congestion. Scholzen Products brings in over \$250,000 in sales tax to the City and she would hate to see them move their business to St. George. Ms. Reeve commented that 400 West has a portion of it that is zoned for no parking, and this could be a solution for this street as well. Mr. Larson stated that the speed on 100 North can be mitigated with stop signs and the City could require 520 West be zoned for no parking to help with the parking issues. The multi-housing unit will be required to have two entrances for safety. This is a good use of that property and he is in support of this project. Mr. Thomas stated that during their League of Cities and Towns conference last week, elected officials were encouraged to look at their General Plan's and approve more affordable housing. There is a lot of growth going on throughout the State. There is also a possibility that affordable housing will be mandated by the legislature. He is in favor of this project. Mr. Tervort stated that he isn't in favor of the density that is being proposed. Two 12-unit complexes with approximately 70 people in 1.3 acres is too high of a density. Mr. Tervort would be open to a smaller complex with a smaller density. He agrees that the traffic issue can be mandated and managed, but the density is an issue. Jerry Eves stated that a smaller complex wouldn't pencil out and they would need to keep this density. Mr. Eves added that this General Plan Amendment is the beginning step to this project.

Cheryl Reeve made a motion to approve the General Plan Amendment request for 1.3 acres located at the southwest corner of 100 North and 520 West from Commercial to Multi-Residential types. Seconded by Darin Larson. Motion approved with Darin Larson, Cheryl Reeve and Kevin Thomas voting aye. Pam Humphries and Kevin Tervort voted no.

7. *Consideration and possible approval on a **zone change request based on a preliminary site plan for Foothills Townhomes on 13.33 acres located at approximately 296 N Foothills Canyon Drive from RM-2 and RM-3 to PDO/RM-2** - SBM22 LLC, applicant; Brad Merrill, agent*

Ethan Anderson represented the Developer on this project. The proposed project consists of 125 units, an average of 1400 sq. ft. with a two car garage and a price point of approximately \$250,000. Ms.

Humphries stated that she likes this site plan but she would prefer to see a footpath where the easement is on the long cul-de-sac for connectivity. Mr. Anderson explained that the Developers are planning for a block wall and not a walking path. Mr. Larson stated that Planning Commission recommended approval of this item.

Darin Larson made a motion to approve the zone change request based on a preliminary site plan for Foothills Townhomes on 13.33 acres located at approximately 296 N Foothills Canyon Drive from RM-2 and RM-3 to PDO/RM-2. Seconded by Kevin Tervort. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

8. *Consideration and possible approval on a **Preliminary Plat for Westfield Estates a 10 lot subdivision located at approximately 1370 West 400 South - Z 7 Development, applicant; Colt Stratton, agent***

Mayor Bramall stated that this item was recommended for approval by the Planning Commission. Colt Stratton explained that this will be a ten lot project with the smallest lot being .33 acres. Clark Fawcett reiterated the importance of connectivity and suggested a walkway leading out of the subdivision. Ms. Humphries mentioned that there is a future City park planned for that area and adding a walkway to the park would be ideal. Mr. Stratton stated that their clientele does not want to have that connectivity.

Kevin Tervort made a motion to approve the Preliminary Plat for the Westfield Estates a 10 lot subdivision located at approximately 1370 West 400 South with a connective walkway. Seconded by Pam Humphries. Pam Humphries and Kevin Tervort voted aye. Cheryl Reeve, Kevin Thomas, Darin Larson voted no.

Darin Larson made a motion to approve as presented the Preliminary Plat for Westfield Estates a 10 lot subdivision located at approximately 1370 West 400 South. Seconded by Kevin Thomas. Motion approved with Darin Larson, Cheryl Reeve and Kevin Thomas voting aye. Pam Humphries and Kevin Tervort voting no.

9. *Consideration and approval on a **Preliminary Plat for Sky Ridge Phases 13-16 a 78 lot project located west of 2720 West and south of 600 North - Shoshone Land Co., applicant; Frank Lindhardt, agent***

Pam Humphries made a motion to approve the Preliminary Plat for Sky Ridge Phases 13-16 a 78 lot project located west of 2720 West and south of 600 North. Seconded by Kevin Tervort. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

10. *Consideration and possible approval of an **ordinance amending Title 10, Land Use, Chapter 6, Section 5 pertaining to the Appeals Board - Hurricane City applicant***

Cheryl Reeve suggested that the Board of Adjustment remain and not be changed to Appeals Board. She would also like the board members to be from Hurricane City and not from outside of the city. Ms. Humphries would like to see something different by having a neutral, three person board.

Pam Humphries made a motion to approve the ordinance amending Title 10, Land Use, Chapter 6, Section 5 pertaining to the Appeals Board. Seconded by Kevin Tervort. Motion approved with Pam Humphries, Darin Larson and Kevin Tervort voting aye. Cheryl Reeve and Kevin Thomas voted no.

11. *Mayor, Council and Staff reports*

Mayor Bramall	Airport, Administration, Police, Animal Control, School Crossing Guards, Victim Services, Public Works, Engineering-
Kevin Thomas	Emergency Management, Streets & Drainage, Youth City Council-
Pam Humphries	Court, Water, Power, Solid Waste-
Darin Larson	Planning Commission, Economic Development, Planning Department, Building and Inspection, Recreation-
Cheryl Reeve	Parks & Cemetery, Swimming Pool, Board of Adjustment, Historical Preservation, Tree Board, Beautification-
Kevin Tervort	Ash Creek Special Service District, Golf Course, Industrial Park, Mosquito Abatement, Fire District-
Clark Fawcett	City Administration-

12. **Adjournment: 8:30 p.m.**