

**ON FEBRUARY 14, 2019 AT 6:00 P.M., THE HURRICANE CITY PLANNING COMMISSION MET IN THE CITY COUNCIL CHAMBERS LOCATED AT 147 N 870 WEST HURRICANE, UT.**

**Members Present:** Bob Petersen, Paul Farthing, Ralph Ballard, Yovonda Hall, Michelle Cloud, Chris Christensen and Rebecca Bronemann

**Members Excused:** Mark Borowiak

**Staff Present:** Planning Director Toni Foran, Planning Assistant Cindy Beteag, City Council Representative Darin Larson, and City Attorney Fay Reber arriving at 6:12 p.m.

Chairman Ballard called the meeting to order at 6:00 p.m. The Pledge of Allegiance was led by Michelle Cloud and Bob Petersen offered the prayer. Roll call was taken. Chairman Ballard stated tonight will be Bob Petersen last meeting as a Commissioner. He expressed his gratitude to Mr. Petersen and thanked him for everything he has done.

Bob Petersen motioned to approve the agenda as posted, seconded by Rebecca Bronemann. Motion passed unanimously.

Chairman Ballard opened the Public Hearing at 6:03 p.m. to take comments on the following:

1. **A request for a Zoning Map amendment from RA-5, Residential Agricultural half acre, to R-1-10, Single Family Residential 10,000 sq. ft. lots for a .70 acre lot located at 722 W 650 South**

No comments were made

2. **A request for a Zoning Map amendment on a 2.98 acre parcel located on 100 North at approximately 728 West from R-1-10, Single Family Residential 10,000 sq. ft. lots to RM-3, Multi-family residential up to 15 units per acre.**

**Toni Foran** stated the applicant is willing to negotiate different zoning to come up with a different solution. Chairman Ballard pointed out changing the layout might change what the public would like to say. Commissioners decided to hear the applicant's new proposal and then have the public input. **Joe Goodwin** stated after visiting with Ms. Foran they decided to do a mix of zoning instead of just RM-3. He mentioned their goal is to get 27 to 30 units on the property. He explained they feel they would need that many to make the project economically viable after seeing the soils report He stated after reading the staff comments, they felt like this new plan was a good compromise. He explained along on 100 North there would be some four-plexes and 700 West would be completed. He pointed out it currently transitions from Highway Commercial to duplexes on 100 North. If this is approved it would transit to medium density and then R-1-6 on the northern portion of the property.

**Elaine Hicken** asked if 700 West would be completed. Mr. Goodwin stated yes but only to the top of their property. Ms. Hicken asked how the property would be accessed. Mr. Goodwin stated they are trying to avoid an access coming off 100 North but they will need to discuss options with the City. Ms. Hicken asked how many stories the buildings would be. Mr. Goodwin stated it depends on the builder but the duplexes and four-plexes will be a mixture of one and two story. Ms. Hicken stated their concern is the cars. She said everywhere there is multifamily there are a lot of cars. She asked if there would be two car garages. Mr. Goodwin stated the single family homes will have a two car garage. Ms. Hicken

pointed out not many people park both cars in the garage. She is concerned it will be unsightly with too many cars in a small space.

**Mark Hicken** commented the best thing about this is the tumble weeds would go away. He stated they drove around to see what was going on with the other multifamily developments in the community. He commented they have stuff everywhere and it isn't very sightly. He stated they have been happy with Ivy Wood but having this right across the street isn't something they are excited about. He is also concerned with their property values. He commented this area has changed a lot in the last thirty years. He feels this density will add to it much quicker. He mentioned they have dealt with zoning issues on their property and they had to make adjustments. He stated they want to be good neighbors and he sees the interest but they are concerned with the number of people coming and going. Chairman Ballard asked if there was something he didn't particularly like. Mr. Hicken stated the two story four-plexes and the parking. He explained they have a parking policy at their rentals but it has to be enforced. He asked who will control it. He stated they have two duplexes but they are intermixed with other homes so you don't realize they are there. He thinks something like that would be more appealing.

**Wade Beatty** stated he has the flag lot near this property that currently has horses on it. He mentioned their property is zoned R-1-10. He understands what they are wanting to do and the zone change is probably the best way to develop for the cost of the property but it isn't what the area needs. He feels single family homes are needed in this area. He stated if there is a need then he could do the same thing on his property. He doesn't think this is the best thing for the City right now. He commented the seller needs to drop the price of the lot so it can stay single family.

Chairman Ballard closed the Public Hearing at 6:19 p.m. and the Public Meeting continued.

#### **New Business:**

#### **2019-ZC-02 Consideration and possible recommendation to the City Council on a Zoning Map amendment from RA-.5, Residential Agricultural half acre, to R-1-10, Single Family Residential 10,000 sq. ft. lots for a .70 acre lot located at 722 W 650 South – Brad and Jeanette Campbell**

Toni Foran pointed out R-1-10 or R-1-15 will work for the applicant because they just want to create one more lot. Jeanette Campbell agreed. She stated she is not sure if they are going to do something right away but they want different options. Michelle Cloud asked if neighbors had any concerns with this change. Ms. Campbell stated they have talked to them and no one voiced any objections. She mentioned the closest neighbor is family. Paul Farthing stated the Commissioners need to clarify what zone they are recommending. He said he doesn't want them to sell the property and then the new owner come back and create three lots. Ms. Foran explained two lots would be the maximum allowed with the frontage and acreage. Commissioners and applicant discussed the size and frontage requirements. *Yovonda Hall motioned to recommend approval of application 2019-ZC-02 to the City Council subject to the zone being changed to R-1-15 instead of R-1-10 and no more than one lot is created. Approval is based on the following finding ; 1. The proposed amendment is compatible with the existing General Plan map and some important goals and objectives of the General Plan such as Encourage infill development in appropriate locations to efficiently utilize existing urbanized areas. 2. The proposed amendment is harmonious with the overall character of existing development in the vicinity. 3. Public facilities and services are adequate to serve the property. 4. The proposed amendment will affect adjacent property because it is anticipated it will bring an additional house on the property. This is a minimal effect. Rebecca Bronemann seconded the motion. Motion passed unanimously.*

**2019-ZC-03 Consideration and possible recommendation to the City Council on Zoning Map amendment on a 2.98 acre parcel located on 100 North at approximately 728 West from R-1-10, Single Family Residential 10,000 sq. ft. lots to RM-3, Multi-family residential up to 15 units per acre – AGH Investments applicant**

Yovonda Hall asked what the zoning was in Ivy Wood. Toni Foran explained it is PDO with R-1-8 underlying but the lots closest to this property are closer to the size of R-1-10. Ms. Hall pointed out they are asking for ten units per acre. She stated her concern is several applications have come in and there has been a lot of concerns from residents along 100 North. She is not excited about having more high density on that road. She said the Commissioners always hear that the developers need higher density to make the project work. Joe Goodwin stated it is not just for profit. He explained after they got the soils report back they realized they will have to do a lot of work so to get their money back they need higher density. He mentioned any time a zone is changed someone brings up traffic issues and property values. He stated after seeing staff concerns, they felt like what they presented tonight was a good compromise. He mentioned there is a lot of risk for the developer and they have to look at what the end cost of what the lots will be. Ms. Hall stated there has been a lot of development in this area. She feels that the residents that are there already want to see more of what is already there. She asked if they could do fewer units. Mr. Goodwin stated the smallest he can go is twenty seven units. He feels the City needs more than \$350,000 homes and with all the development cost for this property the City needs to compromise. He pointed out developing 700 West will help with the traffic. He mentioned there are some positive aspects if this property is developed. Toni Foran stated there are balances in development cost. She stated roads are expensive. She mentioned if the lots were bigger then there would be less roads development cost.

Ryan Anderson, partners with Mr. Goodwin, stated they are just finishing a four lot subdivision in Washington. He said by the time they finished everything the lots are \$70,000. He mentioned there are established houses around this property and no one wants to see this come in but the reality is our kids won't be able to afford a place to live if projects like this aren't built. He stated costs just keep going up and wages aren't keeping up. Ms. Hall asked if these homes will be affordable housing. Mr. Goodwin stated no but there needs to be a balance. He pointed out one road doesn't always work. There are a lot of things that go into designing it. He pointed out if they were trying to be greedy then they would just push through with what they originally proposed but they are willing to give a little to make a good project. He stated it is not just multifamily projects that have cars parked on the street. He commented they feel this is a good compromise. He stated one of staff comments mentioned the lots abutting Ivy Wood so that is why they came back with R-1-6 there. He stated they are trying to address all the concerns the best they can.

Ms. Hall asked how much multifamily has been approved but not built. Ms. Foran stated probably about five hundred multifamily units and about three hundred of them are within a mile of this property. Ms. Hall stated her concern is they have seen a lot come in on 100 North and it is all adding more units. Taylor Ricks, engineer for this project, pointed out multifamily matches the General Plan. He pointed out Ivy Wood is R-1-8 but the closer you get to the downtown it should become more dense to promote walkable communities. He stated while it may seem dense it is in compliance with the General Plan. Michelle Cloud stated the road shows an access on 700 West but the other road looks like it dead ends. Ms. Foran explained right now it comes out on Mr. Beatty's property. She stated it is up to him if he wants to work with the City to purchase part of his property so all three properties can be accessed off one road from 100 North. Ms. Cloud stated she tries to be an advocate for affordable housing but there is a lot of multifamily in this area. She is inclined to leave it how it is zoned. Mr. Goodwin pointed out everyone is mentioning a lot of multifamily has been approved but that is in high demand because that is what people can afford. He stated they started out with this because that is what shows on the

General Plan. He expressed this is not high density. This is mixed density with it increasing as it gets closer to 100 North.

Rebecca Bronemann stated they have had a lot of high density come in the last few months but she knows there are still a lot of people that can't find homes. She thinks there is still a need. She mentioned another zone change that was approved on the south end of town making smaller lots because smaller lots are easier to sell. She asked if parking was allowed on 700 West and 100 North. Ms. Foran stated she thinks it is allowed on 100 North but not 700 West. Ms. Bronemann asked if the City could require no parking on 100 North. Ms. Foran stated if she lived in this project she would park on the internal streets. Ms. Bronemann pointed out Hurricane is growing and traffic is increasing so the City Council needs to provide safe conditions for pedestrians. Mr. Goodwin stated on the original drawing they did plan for ample parking within the project but they didn't have time to draw it all out on the new plan. Chairman Ballard asked about the expected width of 700 West. Ms. Foran stated seventy feet but they would only have to develop their half. Chairman Ballard asked for the width of 100 North. Ms. Foran stated possibly sixty feet. Chairman Ballard commented he appreciates them trying to keep their parking within the development. He pointed out this is within walking distance to the schools. He stated the engineer's comments did make sense but it is tight along 100 North. Paul Farthing commented he didn't think the first proposal was right but the proposal they handed out tonight is roughly the same size as Silver Leaf that was approved. He doesn't think it's fair to deny this one just because they came in second. He pointed out the market will demand what the cost of all of them are and it will depend on what is being developed. He stated his concern is it needs two car garages. He thinks it is good use for the property. Mr. Goodwin mentioned he has another mixed use property and it works great. He thinks having single family residences within multifamily helps anchor the project. Bob Petersen stated he agrees with Mr. Farthing other than he doesn't like the four-plexes, especially the two story. He thinks the twin homes match the other homes in the area. Mr. Goodwin stated if they can get this density then he thinks they have proven they are willing to make something work for everyone. He stated he doesn't want to put his name on something he isn't proud of. Ms. Hall asked the Hickens if it would make a difference if the four-plexes weren't along 100 North. Mrs. Hicken asked what size the single family lots would be. Mr. Ricks explained the smallest size allowed is forty eight hundred square feet but the average size is six thousand square feet so some of the lots are more than six thousand square feet. He pointed out it makes more sense to be denser along 100 North. Chairman Ballard asked if there was room for three duplexes instead of two four-plexes. Mr. Goodwin stated yes. Mr. Farthing mentioned if this is approved and the owner sells it then the new owner could put whatever they want. Ms. Foran explained the Commissioners could approve the R-1-6 and RM-2 on the front as the applicant have provided tonight. Mr. Farthing asked if they would have to come back when they know the correct acreage for each zone. Ms. Foran stated they can approve the proposed layout and then the applicant can present the City Council with the correct acreage. *Rebecca Bronemann motioned to recommend approval of application 2019-ZC-03 to the City Council subject to the current layout with R-1-6 and RM-2 and the acreage clarified before City Council. Total units may not exceed twenty seven. Bob Petersen seconded the motion. The vote was as follows; Bob Petersen-Aye, Paul Farthing-Aye, Ralph Ballard-Aye, Yovonda Hall-Nay, Michelle Cloud-Nay, Chris Christensen-Nay and Rebecca Bronemann-Aye. Motion carried.*

**2019-CUP-01 Consideration and possible approval of a Conditional Use Permit for a metal accessory building at 2111 W. 200 South – Patrick and Mary Beth Price**

Patrick Price explained he is just trying to construct a metal building on his lot to store his belongings and make the lot look nicer. He stated it will match as close as possible to the house. He mentioned these buildings are well built and they are not an eyesore. Bob Petersen asked where they would put the building. Mr. Price stated the southwest corner. He mentioned they also made it smaller so it would

fit better on the lot. Mary Beth Price commented they talked to all neighbors and no one has any problems with it. Rebecca Bronemann asked if a certain amount of the lot had to be non-pervious. Ms. Foran clarified the code has been changed so the criteria now is that no more than fifty percent of the lot may be covered with buildings. *Paul Farthing motioned to approve application 2019-CUP-01 based on the staff findings; 1. The proposed building is of durable, low maintenance materials. 2. Colors are compatible with surrounding structures. 3. No problems with glare or reflectivity are anticipated. Michelle Cloud seconded the motion. Motion passed unanimously.*

**2019-FSP-04 Consideration and possible approval of a final site plan for Cover It Storage at 759 S. 5520 West in the Quail Creek Industrial Park – Vance Swartz**

Yovonda Hall pointed out the name is Cover It Storage but the covers will be built as budget allows. Vance Swartz explained because of steel cost right now they will have to do it in phases. Ms. Hall asked if they are going to change the name. Mr. Swartz stated yes. Michelle Cloud asked how long he thinks before they will be covered. Mr. Swartz stated hopefully nine months. Chris Christensen thanked the applicant for providing a lighting detail. *Bob Petersen motioned to approve application 2019-FSP-04. Paul Farthing seconded the motion. Motion passed unanimously.*

**2019-FSP-05 Consideration and possible approval of a final site plan for Color Country RV Sales at 1539 W State Street – Joe Holland**

Toni Foran explained the driveway will have to be moved to the east end but JUC is okay with that. Joe Holland stated this is phase 1 of their plan. He explained in the future they would like to build a new RV and car repair shop and have RV sales on this site. He stated the state allows a satellite lot to display the RV's but they can't sell them from this lot until everything is completed. *Michelle Cloud motioned to approve application 2019-FSP-05 based on the staff comments; 1. Shared access for this phase uses the Baptist Church/storage unit access drive. The applicant will move the fence back 15' from the property line to allow cars to pull off the driveway if people come look at RV's without a representative from the sales location. 2. The entire phase is covered in gravel to control dust. 3. A 10' landscape strip including 1 tree and 3 shrubs for every 35' of frontage is shown. The area is covered in rock ground cover and watered with drip irrigation. 4. A 4' X 8' sign is shown at the northwest corner and details on the sign design and location have been provided. This meets the code and is required by the dealer licensing requirements for a display lot. 5. This property is impacted by the future 1530 (approximately) West road and a layout of how that will be accommodated in the future is provided. 6. Access through the adjoining property has been approved by the property owner. 7. This is a display only site and no power or lighting will be provided at this time. Rebecca Bronemann seconded the motion. Motion passed unanimously.*

**2019-APP-01 Consideration and possible recommendation to the City Council on an amended preliminary plat for the Gateway North Industrial Subdivision at Old Highway 91 and 5500 North – Truck-Pro applicant**

Scott Saxton was present to represent the application. He stated this is the development on 5500 West and Old Hwy 91. They came in a few months ago and received approval but now they would like to add one lot, do some lot line adjustments, and changed the numbering. Paul Farthing asked if UDOT had any concerns regarding this change. Mr. Saxton stated they have discussed this with staff and they have agreed no structures will be built within a fifty foot easement in case the interchange is built there. He mentioned they are excited for the interchange. *Chris Christensen motioned to recommend approval of application 2019-APP-01 to the City Council with a strong recommendation there is an agreement with UDOT before lots 3A through 3F are developed. Paul Farthing seconded the motion. Motion passed unanimously.*

**2019-FSP-06 Consideration and possible approval of a final site plan for a multifamily building on Lot k-3 in Marla at Elm Valley 1437 S. Regent Park Road- Silver Stream Advisors**

Karl Rasmussen and Greg Wood were present to represent the application. Mr. Wood stated they haven't determined the final use of the building but this building was approved for higher density. He commented it will probably be used as a townhome and it could be used as nightly rentals. He commented it is already zoned for the T5 transit. Chris Christensen clarified this application is for a third acre and they are putting ten units in one building. He asked why this one was different from previous applications. Toni Foran explained the overall density for this property was already approved and the number of units is set by the transect as long as they can provide the parking. Ms. Foran explained the zoning in Elm Valley and how density is determined. Michelle Cloud asked if the City is okay to approve this application because they aren't making changes to what was already approved. Ms. Foran stated yes. *Paul Farthing motioned to approve application 2019-FSP-06 subject to staff comments and recommendations; 1. The lighting plan is submitted and approved before work starts on the site. 2. A building permit is required before building construction commences. 3. All landscaping and site improvements such as benches and bike racks are installed before occupancy is granted. Rebecca Bronemann seconded the motion. Motion passed unanimously.*

**2019-FSP-07 Consideration and possible approval of a final site plan for the updated Chevron site at 687 W. State Street –Vasu Patel applicant**

Greg Whitehead was present to represent the application. He commented they have preliminary site plan approval and now they just need final approval. Yovonda Hall asked if he saw the staff comments regarding a lighting plan. Tyler Hoskins stated they have an electrical engineer that has been working on the lighting. Ms. Foran mentioned a lighting plan has not been submitted. Mr. Hoskins pointed out they do have two street lights shown with the intention to light the driveways. He stated they can eliminate out lighting if needed. Rebecca Bronemann commented to be mindful of the sign brightness. Mr. Patel stated the sign will stay as it is with a possible gas pricing panel added. Mr. Hoskins asked if they need to submit a lighting plan. Ms. Foran stated yes. Ms. Bronemann asked about the dumpster enclosure. Mr. Hoskins stated there will be an enclosure. He explained they are extending the exterior wall and then the other side will be a gate. Ms. Bronemann clarified the existing sign will stay the same but they are adding the gas prices below it. Yovonda Hall asked for clarification on staff comment four. Ms. Foran explained a sign permit is required when they are ready to do the sign.

Paul Farthing mentioned staff comment nine regarding the site appearing to show two restaurants but there is not enough parking for two. Mr. Hoskins stated they have limited themselves on what can go in there because of the one inch water meter. Ms. Foran stated when this was approved at preliminary they designated how much space was restaurant and how much was convenience store. She stated from this drawing it appears that has been changed. Mr. Whitehead pointed out their parking isn't compliant with the existing building so if they decided to have two restaurants there they would have to come back to get an exception. He stated they do not intend to have two restaurants at this time. It will be a convenience store, fast food and retail. Ms. Foran stated they have never presented a retail store before and there is not room for it. Ms. Foran stated the floor plan shows three different sections. Mr. Hoskins explained the restaurant will be on the east side and the middle area is flex space. Paul Farthing pointed out there is a place for three signs. Mr. Whitehead commented they have not changed their elevations or foot print. Ms. Foran stated they have never seen elevations before this application. Mr. Whitehead stated the square footage has not changed. Mr. Hoskins stated they will adhere to the exceptions on parking they received at preliminary site plan approval. Chris Christensen asked if staff needed anything else. Ms. Foran stated no, it can be taken care of with business licensing and certificate of occupancy. She stated the use has to conform to what was approved on the preliminary site plan when the exception on the parking requirement was discussed. *Bob Petersen motioned to approve application*

*2019-FSP-07 subject to the following; 1. A lighting plan meeting the requirements outlined in 6 above be submitted and approved before any lights are ordered or installed. 2. Details on the dumpster enclosure are submitted and approved before it is constructed. 3. Signs will require a separate permits. 4. The exception for parking will revert back to the preliminary site plan approval limiting it to the C-store and one fast food restaurant. Rebecca Bronemann seconded the motion. Motion passed unanimously.*

**Approval of Minutes:** Rebecca Bronemann motioned to approve the January 10<sup>th</sup> and 23<sup>rd</sup> minutes, seconded Bob Petersen. Motion passed unanimously.

**Planning Commission business:**

1. **Planning Commission concerns and ideas.** Chris expressed great appreciation to Bob for his years of service. He thanked him for all he did.
2. **Report on City Council actions.** Toni stated the Council tabled both General Plan applications. They did approve the zone change by the golf course subject to a development agreement. They approved a lot line adjustment in Zion's Gate.
3. **Proposed land use code changes for buildings and pools in front yards and current standards.** She stated she came up with some language to fix this problem but she is not sure if it is a problem. She asked if the Commissioners cared if pools were in the front yard. Ralph asked how it could be fixed. Toni handed out her suggestion. Yovonda stated if it is in the front yard then it becomes an attractive nuisance for children. Toni stated it has never been a problem but they can add her suggestions so it doesn't come up in the future. Yovonda stated if they combine two lots then it could be someone's front yard. Toni stated when they combine lots it is considered side or back yard. Commissioners agreed to change it to read, *Pools must be located in a rear or side yard. Setback is measured from rear and side property lines.*
4. **Nomination and election of vice-chair for 2019.** Toni explained the current vice chair will move to Chairman and the new vice will be chair next year. Ralph questioned if that was a good idea. Commissioners agreed it was best. Toni announced that Yovonda has asked to be replaced on the Planning Commission because she has new time demands and therefore should not be nominated. Rebecca nominated Paul. Yovonda nominated Michelle. Commissioners voted. Michelle will be the vice chair.

**Meeting adjourned at 8:03 p.m.**