

**ON FEBRUARY 26, 2020 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:** Chris Christensen, Ralph Ballard, Mark Sampson, Dayton Hall, and Paul Farthing

**Members Excused:** Michelle Cloud, Rebecca Bronemann, and Shelley Goodfellow

**Staff Present:** Planning Assistant Cindy Beteag, City Attorney Fay Reber, City Engineering representative Darrin LeFevre, and City Council representative Darin Larson

Chairman Farthing called the meeting to order at 6:00 p.m. The Pledge of Allegiance was led by Mark Sampson and Darin Larson offered the prayer. Roll call was taken.

Chris Christensen motioned to approve the agenda as posted, seconded by Ralph Ballard. Motion passed unanimously.

**Chairman Farthing opened the Public Hearing at 6:02 p.m. to take comments on the following:**

- 1. A General Plan map amendment request on 26.7 acres located at approximately 2900 S. Sand Hollow Road from Single Family Residential up to 8 units per acre to Multi-Residential types; 7.196 acres located at approximately 2800 S. Sand Hollow Road from Single Family Residential up to 8 units per acre to Commercial; and 16.8 acres from Single Family Residential up to 4 units per acre to Single Family Residential up to 8 units per acre located at a future west extension of Dixie Springs Drive at approximately 5140 West**

City Attorney Fay Reber passed out a handout to the Commissioners that references the standards they need to consider for General Plan amendments and Zone changes.

**Brett Burgess**, applicant, apologized for missing the last meeting. He explained he had a banquet for the Parade of Homes that he could not miss. He stated he was in a couple weeks ago asking for R-1-8 in this area and it passed. He talked about road widths. This parcel they want to bring in Cole West Homes and do a project similar to The Ledges. He explained the reason they want multifamily is because the units will be vacation rentals, not inexpensive homes, they will be similar to Coral Canyon. The homes will have a flat roof and earth tone colors. He stated they have talked to the Water District about ground water but this is outside of the groundwater area. He mentioned they have talked to a lot of people that think it is a good use there. It will be a village concept with six restaurant pads and some stores. He stated the other parcel is long pie shaped piece that they want to make consistent with the surrounding uses. He stated the multifamily piece allows four to eight units but they won't be close to eight units per acre. He explained they are still playing with the footprint but they will not be stacked homes and he is thinking four to six units per acre. He understands the Commissioners have to look at the use because they could sell it once it is approved. He mentioned they partnered with SITLA so they will come back with a zone change. He thinks it complements the Sand Hollow development.

**John and Kim Fender** stated they have stopped construction at Coral Canyon because there are too many vacation rentals. He went over how many vacation rentals are in the area. He asked if they are so successful then why is Coral Canyon stopping. He mentioned all the hotels and RV camp grounds in the area. He thinks the market is over saturated for this area. Mrs. Fender stated they bought a home in Sand Hollow because they love the small town feel and dark skies. They are concerned about this development because of the following; dark skies, this development doesn't have an HOA, it is unknown where the cars will park, and traffic. She pointed out there are already traffic jams all the time. There isn't a dedicated lane to turn right

into Sand Hollow. She stated they love to bicycle so that is another concern if there is a lot of traffic.

**Lisa Simer** stated she lives in Sand Hollow. She agrees with the previous comments. She has concerns about changing the General Plan without researching everything. She commented the developer is bringing developments in that don't follow the General Plan.

**2. A Zoning Map amendment request on 6.97 acres located east of 2670 West on the north side of 600 North within the Front 9 at Sky Mountain from PDO-R-1-8, condominiums, to PDO-RR, Recreation Resort, resort condominiums**

**Penny James Garcia** manager for Sky Mountain and resident read a letter opposing the request. Letter is attached to these minutes.

**Roye Moffat** stated he has lived in Sky Ridge for eight months. They chose there because it fits their needs. They are amazed at the surrounding beauties but if these condos are built it will block their views. It will damage the views and golf course. He mentioned the golf course is used by a multitude of golfers.

**Sandra Boley** stated she lives in Sky Mountain. She thinks it is the wrong project on the wrong piece of land. It is surrounded by residential. She stated these condos will be right off her back deck. She thinks the area is too small for that many units. She doesn't think renters will care about the land or take care of it but long term residents will. This development will also ruin the playability of the golf course. She mentioned they get golf balls in their back yard all the time. They have had broken windows and roof tiles from the golf balls. She asked them to deny application.

**Cheryl Case** stated she lives in Sky Mountain. She stated this was presented last May so she is confused why it is being considered again. Cindy Beteag explained the Commissioners determined the application was different enough from the last request so it could be heard again. Ms. Case stated she opposes the vacation rentals. She has lived in an area that allowed them before and there were so many problems; trespassing, long parties, damage to neighboring properties, and damage to the common area. She supports the previous comments. She asked them to deny the application.

**Ed Schofield** stated he is not a full time resident but their house overlooks the golf course. This will create extra traffic. People think this is a single family area. He doesn't think this is going to work. He stated they have been coming here for fifteen years and there use to be a lot of camp grounds but they have turned to slums. He thinks this will go to slums within ten years. He commented he agrees with other the comments.

**Karen Bovyer** stated she lives in Sky Mountain. She stated since the apartments across the street have been built they have seen an increase in joggers and families walking on the golf course paths. She commented she doesn't think they need the liability of more renters in the area. She asked them to deny the application.

**Frank Lindhardt** stated he is the developer of Sky Ridge. He mentioned he was involved with Sky Mountain originally and people were told they would be single family lots. He stated this issue has nothing to do with the buildings or traffic it is strictly the use. He said this is moving two hotels to the middle of the golf course and residential. It is very incompatible to put a motel in the middle of single family residential. He stated he has no problem with the buildings since they were always planned there but the use is not compatible. It was never planned that way. He pointed out they had two places for commercial when the master plan was first approved. So he doesn't think it is right to move the commercial to the middle of the development. He asked them to deny the application because it is an incompatible use.

**Phil Young** stated he lives in Sky Ridge. He agrees with previous comments. He stated if this does pass and nightly rentals are put in then down the road when it doesn't work it will turn into a motel situation that isn't ran well. If this does pass, they can't take it back when it doesn't work. He asked the Commissioners to deny the application.

**Dale Bartmess** stated he lives on 570 North. He agrees with the previous comments. He added that he is concerned with overflow parking. He volunteers at Sky Mountain. He feels that if it is changed to resort it won't be a community golf course it will be a resort golf course. He thinks the prices will go up and they won't be able to golf there anymore.

**Harry Boley** stated he moved here from Utah County where Perry Homes develops a lot. Their developments are hodge-podge. There are inadequate roads and police protection. He thinks the same thing will happen here if we let them. People won't care about the property. They are just here to have fun. He feels 600 North is already inadequate. There was a fatality there a month ago and it's only going to get worse if this is approved.

**Richard Eastman** feels this will affect his property values. His back yard will look right at these condos. People that vacation here don't feel responsible for the property. He stated the residents will end up paying for police and fire protection. It will ruin the golf course. He commented if it's zoned for condos that's fine but don't do vacation rentals. He asked the Commissioners to deny the application. Nothing has changed from last year. He stated he pays his taxes and he expects the City to take care of them.

**3. A Zoning Map amendment request on 9.81 acres located at the east end of 3270 South and north of lot 14A in Cliff View Estates subdivision from RA-1, Residential Agricultural one acre, to RA-0.5, Residential Agricultural half acre**

**Chairman Farthing** mentioned the notice stated they were requested R1-15 but it was a mistake the applicants are asking for RA-0.5.

**Candice Charlet** stated she lives close to the proposed property. She received a copy of the map with the notice. She stated they bought an acre in this area fourteen years ago. They love where they bought but now they are wanting another subdivision. This will add additional roads and lights. She mentioned there is only one road in to their development. This was approved last year and nothing has changed. They moved here to get out of a subdivision. She asked them to deny the request.

**4. A Land Use Code text amendment removing the minimum unit width requirement from multifamily zone development standards**

Dayton Hall stated current standard for lot width is thirty feet and the applicant is requesting twenty five feet. City Attorney Fay Reber pointed out the agenda says remove the minimum width. He asked if that was correct. Cindy Beteag stated they are asking to change to twenty five feet but later in the meeting that was determined incorrect. The applicant is asking to remove the minimum unit width.

**Chairman Farthing closed the Public Hearing at 6:56 p.m. and the Public meeting continued.**

**New Business:**

**2020-GPA-02 Consideration and possible recommendation to the City Council on a proposed General Plan Map Amendment on 26.7 acres located at approximately 2900 S. Sand Hollow Road from Single Family Residential up to 8 units per acre to Multi-Residential types; 7.196 acres located at approximately 2800 S. Sand Hollow Road from Single Family Residential up to 8 units per acre to Commercial; and 16.8 acres from Single Family Residential up to 4 units per acre to Single Family**

**Residential up to 8 units per acre located a future west extension of Dixie Springs Drive at approximately 5130 West-Utah State School Trust Lands applicant, Brett Burgess agent**

Brett Burgess was present to represent the application. He stated they plan on having similar street lights and roof tops as the Dunes and Retreat at Sand Hollow. They will try to accommodate the dark sky but there has to be public safety. He stated they will work with City on the lighting. He mentioned with the development they will have to increase the width of Sand Hollow Road in front of their project. He would think they will have to do a turn lane. He commented he thinks it will help with the traffic. He explained they are in the hospitality business having nine hotels in the County. He stated location is key for them. He mentioned they have some vacation rentals around the Ledges but the majority of the homes are single family. He feels like Hurricane has a gem here so to keep people here they need to provide a place to stay. This is a good location with the lake, dunes and golf course right there. The architecture will be similar to Sand Hollow. A resident commented the vacation rentals are already over saturating the area. Mr. Burgess mentioned they are cutting down the density and not maxing the units allowed in the General Plan. He explained they looked at the property at a whole and tried to do what made most sense.

Dayton Hall stated he has been here the shortest amount of time and almost every meeting someone has asked for a General Plan amendment. He commented it seems they have out grown the General Plan but a consultant has been hired. He mentioned they denied an application a few weeks ago for that reason. He thinks this makes sense but it might be premature since they are in the process of redoing the General Plan. Mark Sampson pointed out to the audience that they can give input when the General Plan is redone. He stated he senses a lot of frustrations with the surrounding property owners because they bought in this area for a reason. He is inclined to agree with Mr. Hall. He explained the process for updating the General Plan. City Council Representative Darin Larson pointed out there will be another time for General Plan requests before the consultation is done. He stated we can't keep people waiting for that long. He feels the Commissioners do need to consider each application. Mr. Hall stated he wasn't suggesting to not consider this. He was only stating that one of the standards they need to consider is if it is compatible with the surrounding areas. His concern is if they continue to do piece meal changes to the General Plan between now and November when the new plan is approved then they will run the risk of incompatible development. He does understand the cost of waiting.

Ralph Ballard commented he was born here. He stated a lot of people like Hurricane how it was years ago but people changed the City by moving here the same way these future developments will change it. He stated Southern Utah has been discovered and as much as we love it here other people want to love it to. He explained people have a right to develop their property and the Commissioners have to balance those rights.

Chris Christensen mentioned he lives in Dixie Springs. He asked if they had considered moving the commercial to the southern end of the property. He feels that big of a commercial area will need a traffic signal so if they move it further south it might service the resort more easily. He thinks it would be better to move the commercial away from residential uses. Mr. Burgess explained when they first started looking at it they considered the master planned roads. It seemed the area they are requesting would be the interchange for a major road. He mentioned the other thing they have to consider is ground water. He did have AGEC do some testing on the soils and that will play into where they can develop. He clarified their property goes north and south of Dixie Springs Drive. He mentioned from Turf Sod Road to 3150 South will be improved along Sand Hollow Road. He stated they were planning on bringing in another General Plan in August and they are okay waiting for that one until the General Plan is updated but this one they are wanted to proceed now. Chairman Farthing agreed it is not fair to make them wait another year. He thinks commercial makes sense. He doesn't think it is that high of density and it fits with the area. Mr. Ballard stated as walkability is discussed it is beneficial to have commercial close to residential. Mr. Hall observed the applicant is not asking for a specific zone so they will have to

come back to ask for zone change at which time the density and details will be discussed. He stated the Commissioners changed his mind and agreed a year is too long wait but after the General Plan is updated in November they shouldn't be looking at applications every meeting. He stated amendments to the General Plan should be the exception not the general rule. Mr. Ballard commented having a full commission might be better to decide on the issue. *Dayton Hall motioned to recommend approval of application 2020-GPA-02 to the City Council based on the following; 1. Amending the General Plan to commercial is in the best interest of the community. 2. It will not be incompatible with the surrounding uses. 3. It will encourage appropriate use of the property. Ralph Ballard seconded the motion. The vote was as follows; Chris Christensen-Nay, Ralph Ballard-Aye, Mark Sampson-Aye, Dayton Hall-Aye, and Paul Farthing-Aye. Motion carried.*

**2020-ZC-06 Consideration and possible recommendation to the City Council on a proposed Zoning Map amendment request on 6.97 acres located east of 2670 West on the north side of 600 North within the Front 9 at Sky Mountain from PDO R-1-8, condominiums, to PDO-RR, Recreation Resort, resort condominiums-Perry Development applicant, Greg Sant agent**

Greg Sant was present to represent the application. He stated the master plan states the Sky Mountain community's vision is to make the golf course more viable by bringing more visitors to the golf course. He said that is what they are trying to do. He mentioned the master plan also states that extreme design flexibility will be given to this project because of the different conditions placed on the property by the golf course. He doesn't think the General Plan will be adversely affected by this. He agrees with Frank Lindhardt on almost everything he said other than it is not placing a hotel right in the middle of residential. It is placing a resort on the edge of their property. He feels it is a good separation between the developments. He explained there is a drop in elevation so the only thing that is close to this is the property that will be the town homes but that will be separated by a sixty foot road. He stated most of the buildings are not along 600 north they are closer to the golf course. The parking will be another buffer. He pointed out the staff comment answering if the proposed amendment will affect adjacent property, *transient lodging facility are less intense than for units that are occupied full time.* He stated people aren't there seven days a week. The weekends might get busy but 600 North is designed to handle it. He stated there will not be overflow parking anywhere other than their property. They will provide RV parking. He stated the facilities are there to service the development and they will be responsible for road improvements. He stated based on staff comments and his narrative he thinks it meets the requirements. Chris Christensen clarified the units will be transient lodging. Ralph Ballard commented this is one of the most beautiful areas in the City and the people that live there are passionate about it. He asked if there was any other product that could go there and still accomplish what he needs it to. Mr. Sant stated there is no one more sensitive to this development than him. He has been here from the beginning. He explained they are trying to meet different market niches and that is what the preliminary plat showed. Condos have been approved here since 2003. He doesn't feel like it will be a negative use and if it is managed properly it will increase the property value. He said this is not a commercial venture. They couldn't put a hotel there. He stated he thinks it was turned down last time by the City Council because he asked for all the homes and town homes along hole 6 and west of this piece. He stated after he talked with City Council he came up with this smaller piece which he feels is more sensitive to the surrounding property owners. Mark Sampson stated last time this was heard there was a big concern about blocking the views of the neighboring properties. He asked if those issues had been resolved. Mr. Sant stated last time they asked for greater height but they are not asking for that this time. Mr. Sampson mentioned the elevation difference so that shouldn't be an issue. Mr. Sant stated most of the condos will start below grade but one of them is almost at grade with 600 North. They will not exceed the thirty five feet that is allowed. Dayton Hall commented condos are already approved there so the only thing they are discussing is the use. He stated the only difference that

changed from last time is the size that they want as vacation rentals. He stated he voted in favor last time of this application for the reasons Mr. Sant pointed out. He stated none of them have changed in his mind. Mr. Ballard questioned if a vacationer or long term resident wander more. Mr. Hall stated he has owned a vacation rental and what he noticed is people only came there to sleep. Mr. Christensen stated he has three by his home and his experience is they go up and down the road on ATV's and park their cars everywhere. There is a different mindset for vacationers and long term residents. He stated vacationers don't care because they are only there for the weekend. Mr. Sant stated when there is a community with an onsite manager it is treated differently than a residential area where only a few are rentals.

City Attorney Fay Reber asked what the onsite management would do if they are called with a problem from a resident. Mr. Sant stated they would call the police if they have to. Mr. Ballard asked if the renters could be evicted if they weren't following the rules. Mr. Sant stated yes. Chairman Farthing stated the vacation rentals in Dixie Springs were an afterthought that never should have happened. This would be an entire development that was planned like this from the beginning. He stated the concerns about people playing on the course is the responsibility of the golf course. They are liable. He think it is compatible to have a resort by a golf course. He mentioned people talked about the over saturation of rentals but that is the developer's problem. If they don't work then they will have to rent them as long term. He stated there is a big difference if a property manager will be on site. *Mark Sampson motioned to recommend approval of application 2020-ZC-06 to the City Council based on the following; 1. The proposed amendment is consistent with the goal of providing opportunities for visitors to the area. 2. The proposed amendment is harmonious with the overall character of planned development but not necessarily existing development other than the golf course in the vicinity. 3. Necessary public facilities and services are adequate or available to serve the property. 4. The proposed amendment will affect adjacent property because it changes the nature of the existing neighborhood by the introduction of more transient occupants. However, the effect on golf course revenue and the lower traffic volumes must also be considered. This effect may be less impact than full time residential development and it may be more. Dayton Hall seconded the motion. The vote was as follows; Chris Christensen-Nay, Ralph Ballard-Aye, Mark Sampson-Aye, Dayton Hall-Aye, and Paul Farthing-Aye. Motion carried.*

**2020-ZC-07 Consideration and possible recommendation to the City Council on a proposed Zoning Map amendment request on 9.81 acres located at the east end of 3270 South and north of lot 14A in Cliff View Estates subdivision from RA-1, Residential Agricultural one acre, to RA-0.5, Residential Agricultural half acre-W&B Dirt applicant, Jared Madsen agent**

Jared Madsen was present to represent the application. He mentioned they were in here a year ago for this same property. Chairman Farthing asked what had changed for them to ask for something different. Mr. Madsen stated the way it was approved last time with the split zoning in the middle created a problem with the lot layouts. They want to create a cohesive zoning to spread out the lots. He mentioned with the topography in this area it restricts what they can do. He stated they do have to put a road in to allow access. Ralph Ballard asked how many lots they would be asking for. Mr. Madsen stated they haven't decided for sure but probably three or four more than what is already approved. He pointed out the setbacks will be the same. Mr. Ballard asked where the road to access this development would be. Mr. Madsen stated they would use 3270 South. They will work with the City on the improvements. Mr. Ballard clarified 3270 South is a County road. A resident from Cliff Dwellers stated that is the only road in to their lots. She stated the developer will have to put in another road with a sidewalk. She pointed out her subdivision doesn't have utilities for Hurricane. She stated they like the dark sky too. She asked if they would put in the lights, sidewalks, etc. Mr. Madsen stated they would love to stay with dark sky but they will do what the City requires. Mr. Ballard explained those details are decided with the plat. Mr. Sampson clarified they are asking for this zoning because it lines up the lots

better. Mr. Madsen stated yes it creates better lots. Mr. Sampson stated there are two concerns in the staff comments. The proximity to the gravel pit and it could be subject to a special earthquake fault study area. Mr. Madsen commented he is referencing the plat but they have done a study for rock fall and hazard. Chairman Farthing read the staff comment; *The 2008 Utah Geological Survey maps show this property in an area of high rockfall hazard and in a special study area for earthquake. Increasing unit density may not be wise without the completion of a special study for both rockfall and earthquake hazards.* Mr. Madsen stated the study has been done and they will do the hillside application with the preliminary plat. Mr. Sampson commented that shouldn't impact today's discussion because it will be addressed with plat. Dayton Hall stated the staff is concerned with the gravel pit. He asked if they had concerns with the proximity of the gravel pit. Mr. Madsen stated there are some concerns but if the neighboring property has made it unsafe for their property then it will have to be addressed. Mr. Hall stated there is multifamily zoning in the area and he is next to half acre zone. There are hillside issues that he will have to address. Chairman Farthing stated this was turned down last time because they couldn't address the geotechnical hazards. Mr. Ballard pointed out the development can't be done if that can't be addressed regardless of the zoning. Mr. Hall stated he thinks they are trying to do smaller lots to accommodate the hillside issues. Mr. Ballard asked if this property had been undercut by the gravel pit. Mr. Madsen stated they could have encroached a little on their property but that will be looked at. Mr. Ballard asked if they had surveyed the property. Mr. Madsen stated yes, it is very close. Mr. Christensen read staff comment *1. In hillside areas having slopes greater than 10 percent where existing zoning allows lots less than one acre in size, minimum lot sizes should be increased proportionately with increase in slope as a means to reduce grading, increase space between buildings, reduce visual impact, and provide a transition to open space on higher ridges.* He stated they are asking for smaller zoning but the ordinance asks for larger zoning along the hillside. Mr. Madsen stated the steeper slopes apply to certain lots. He explained when they layout the lots each lot is reviewed and the slope is determined and that is what dictates the size of the lot. He stated there will be more lots so some of the lots will be smaller but there will be some lots that will be bigger because of the hillside. Mr. Ballard commented that will be governed by the hillside ordinance. *Ralph Ballard motioned to recommend approval of application 2020-ZC-07 to the City Council based on the following; 1. The surrounds areas are smaller zoning 2. The applicant can create a better product with smaller lots. 3. It is compatible with the General Plan because geotechnical hazards will have to be addressed prior to any development. 4. The gravel pit is already there so the developer is aware of them. 5. Public facilities will be extended by the applicant. Mark Sampson seconded the motion. The vote was as follows; Chris Christensen-Aye, Ralph Ballard-Aye, Mark Sampson-Aye, Dayton Hall-Aye, and Paul Farthing-Aye. Motion carried.*

Chris Christensen mentioned a new bill that gives gravel pits more protection.

**2020-LUCA-03 and 2019-LUCA-05 Consideration and possible recommendation to the City Council on a proposed Land Use text amendment removing the minimum width requirement and changing the setbacks in the multifamily zones- Bill Zitting & Mike Stewart applicants**

Bill Zitting and Mike Stewart were present to represent the application. Mr. Stewart explained he was here a few months ago asking for this but he needed to gather more information. He has now teamed up with Mr. Zitting to get both items changed since it is the same section of the code. Dayton Hall asked if they are asking to remove the width or reduce it to twenty five feet. Mr. Zitting stated he is asking to remove the minimum width requirement. Mr. Hall clarified his reasoning for removing it is because density isn't affected. Mr. Zitting explained the density is determined by the zone so it a design issue. Mr. Stewart stated it is same issue with setbacks. Mr. Zitting mentioned the property he is talking about

is next to The Retreat at Sky Mountain. He feels there are enough rentals there but they need some attainable housing. They will still get less units than for the zoning.

Commissioners took a five minute break.

Mr. Hall stated he is favor of giving developers options. If removing the width won't affect the density he is okay with that but he feels the same way about the setback as he did last time. He commented a single cab long bed truck with a hitch is twenty one feet. He said a lot people won't drive trucks but most people won't park inches from the garage door so the vehicles will still be in the sidewalk. He thinks it should stay at twenty five feet. He feels it will give developers more options if the width requirement is removed and they won't need a different setback. Karl Rasmussen stated a flexibility idea is to require ten feet in between structures so they don't have to fire suppression. Ralph Ballard stated flexibility is great but he questioned how it affects the design. Mr. Stewart stated it doesn't because if the garage has to be set back twenty feet it creates a long hallway to get to the living area. He expressed that he would like twenty feet but when staff recommended the twenty one feet he thought it was a good compromise. Mr. Ballard commented they will run into problems if the parking is too short. He stated having the truck hitch in the sidewalk is a problem. Chris Christensen stated he is concerned they are amending the ordinance based on one specific project. Commissioners discussed separating the applications. Chairman Farthing stated he agrees with removing the width but the setback needs to stay at twenty five feet. He pointed out all the other projects have met this code so he doesn't see the need to change the code for one development. Mr. Stewart asked the Commissioners if they are even considering twenty one feet. Chairman Farthing stated he thinks there will still be problems at twenty one feet. *Dayton Hall motioned to recommend approval of application 2020-LUCA-03 to the City Council with removing the minimum lot width. Mark Sampson seconded the motion. The vote was as follows; Chris Christensen-Aye, Ralph Ballard-Aye, Mark Sampson-Aye, Dayton Hall-Aye, and Paul Farthing-Aye. Motion carried.*

Mr. Ballard commented the City is going to have to make some changes to accommodate attainable housing. Mr. Zitting stated there are a lot of areas in Washington that allow private streets which are narrower but Hurricane doesn't allow private streets. He commented that is another reason they are asking for shorter driveways. Mr. Stewart mentioned they designed a project around a forty one foot cross section that had to be changed to forty five feet and it was deal breaker for him on the project. That is why he is asking for shorter setbacks. Mr. Zitting stated if Hurricane is going to get attainable housing then the developers need to be able to compete. *Dayton Hall motioned to recommend denial of application 2019-LUCA-05 to the City Council due to reason the reduction of the setback will inhibit the public and pedestrian use of sidewalks. Chris Christensen seconded the motion. The vote was as follows; Chris Christensen-Aye, Ralph Ballard-Nay, Mark Sampson-Aye, Dayton Hall-Aye, and Paul Farthing-Aye. Motion carried.*

**2020-FSP-01 Consideration and possible approval on a final site plan for phases 1A & 1B, the Front 9 at Sky Mountain located north of 600 North between 2720 West and 2670 West-Perry Homes applicant, Greg Sant agent**

Greg Sant was present to represent the application. He feels the staff comments cover everything. He supports staff recommendations. Dayton Hall asked how long their driveways are. Mr. Sant stated twenty three feet. Mr. Hall read staff comment 3, *multi-family projects shall be separated from different land uses by means of a landscape barrier*. He pointed out the Commissioners need to have a discussion to make sure they are comfortable with what the applicant is proposing. Mr. Sant explained on the west side is where the single family and multifamily meet there is a large rock retaining wall because the single family is six feet lower. Mr. Hall stated he feels that is sufficient for this purpose. Ralph Ballard asked if there would be a fence on top of the rock wall or if it would just be a drop off. Mr. Sant explained on the west side of street C there is landscaped area up to the unit and on the east side there

is a planter. The rock wall is on the west side but there will be a wrought iron fence or something for safety purposes. Mr. Hall stated the staff recommends they maintain the landscape strips. He asked if they had any objection to that. Mr. Sant stated no, the strips are important and the HOA will maintain them. Mr. Hall mentioned the plan doesn't have the required number of trees. Mr. Sant stated there are enough but he agreed with the staff comments to have a better plan in place before they start. They have hired a landscape architect that is working on it. Mark Sampson asked what the purpose of the parking at intersection of B and C Street is. Mr. Sant stated those are parking spaces not a parking lot. They are there for overflow parking. Mr. Hall explained the issue is parking spaces can't have direct access to a public street. Mr. Sant stated they can remove the parking stalls. Chris Christensen asked what they will do for golf ball protection. Mr. Sant stated on the north west side is the tee box for hole 5 and the only way they could get hit from there is if the golfer turned around. The other ones are fronting on the fourth green which is probably thirty feet lower than the park area. He explained that is one of the reasons they show the park area on the east side. It will work as a buffer area. Mr. Christensen read staff recommendation 4, *a new light fixture that is fully shielded is approved for residential units before building permits are issued.* Mr. Sant agreed what he submitted doesn't meet that but he has no problem working with staff to get something that is more shielded. *Dayton motioned to approve application 2020-FSP-01 subject to construction drawings being signed and staff comments; 1. CC&R's are submitted for review confirming management and maintenance of common areas and parking of RV's has been addressed before work begins on the site. 2. Building permits are required for each building. 3. An updated landscape plan is submitted and approved by staff before a notice to proceed is issued and work begins on the site. 4. A new light fixture that is fully shielded is approved for residential units before building permits are issued. 5. Common areas adjacent to each building are landscaped and completed for use before occupancy of that building is granted. Park/playground area must be fully improved and ready for use before the 5<sup>th</sup> certificate of occupancy is granted. Ralph Ballard seconded the motion. The vote was as follows; Chris Christensen-Aye, Ralph Ballard-Aye, Mark Sampson-Aye, Dayton Hall-Aye, and Paul Farthing-Aye. Motion carried.*

**2020-FSP-02 Consideration and possible approval on a final site plan for Tagg-N-Go car wash located at 82 N 3400 West-Twin Towers applicant, Premier Design agent**

Chairman Farthing stated the applicants have asked for this application to be tabled because the construction drawings have not been signed. *Chris Christensen motioned to table application 2020-FSP-02 until the construction drawings are signed and the applicants have UDOT's approval. Mark Sampson seconded the motion. The vote was as follows; Chris Christensen-Aye, Ralph Ballard-Aye, Mark Sampson-Aye, Dayton Hall-Aye, and Paul Farthing-Aye. Motion carried.*

**2020-PP-04 Consideration and possible recommendation to the City Council on a preliminary plat for Hurricane Fields Estates, a 94 single family lot subdivision located south of 1500 South between 800 West and 1100 West-Kent Clayton & Scott Stratton applicants, Kent Clayton agent**

Karl Rasmussen was present to represent the application. He stated in 2018 when this approved it was recommended they line of up the streets. They understand 2300 South is shown as a major collector but the road has a T intersection. He explained where the detention basin is shown on the bottom they tore a house down there that was accessible off the street. They tried laying it out with two streets but they like this layout better. It gives them a good detention basin to take care of storm drainage. He explained they have been settling the ground and he didn't realize the plat expired. He handed out test results on the soils. He summarized the report. Mark Sampson asked if they are going to excavate and repack it to eliminate collapsible soil. Mr. Rasmussen stated yes, they are wetting per the recommendations. Mr. Sampson pointed out it is the developers responsibility to ensure the soil recommendations are met not the City's. Mr. Rasmussen mentioned the City requires them to meet certain standards before they will

accept it. Dayton Hall asked if they are prewetting the entire subdivision or just the roads. Mr. Rasmussen stated the entire development. Mr. Sampson asked if having the pivot there before helped with the settling. Mr. Rasmussen stated no because the water doesn't soak down far enough. Mr. Sampson asked if they would pave 1500 South. Mr. Rasmussen stated yes down to 700 West. He stated they are asking for lot 2 to front 1500 South. They can't redesign it any other way. Mr. Sampson asked about the wall that was discussed last time to separate this development from the existing homes. Mr. Rasmussen stated they will do all of staff comments but they are asking for lot 2 to front 1500 South because it will not hinder any traffic. Chris Christensen asked if basin was detention. Mrs. Rasmussen stated yes and they are working with City to bring the storm drain to it. Mr. Hall stated he doesn't understand what he is asking for about the two lots. Mr. Rasmussen pointed out JUC comment 12, *No lots should front 2300 South. A re-design may be required.* Mr. Rasmussen realized the comment states 2300 South not 1500 South so his request is invalid. He stated they will have to work something out on the lots 57 and 58 because they are larger lots and the road comes to a T intersection so it shouldn't be a problem. *Dayton Hall motioned to recommend approval of application 2020-PP-04 to the City Council subject to staff and JUC comments; 1. Full drainage study and design will be required after preliminary plat is approved. 2. Power must be developed to the site and shown on construction drawings. 3. Soils report and recommendations required before construction drawings are submitted. Soil is in an area of known collapsible and expansive characteristics and are gypsum bearing soils. 4. Road dedications are required. 5. Sewer was designed to run on 920 West, not 800 West. Coordination with Ash Creek Special Service District for design is required. Upsize required in 1500 South. 6. Fire District regulations require a second access in and out of the property after Phase 2. 7. Power line easement must be accommodated. 8. A modified cross section for 60' ROW is recommended to eliminate the planter strip to help protect the integrity of the sidewalk and gutter in the collapsible soil. 9. A water model for the project will be required. A water model should include sizing in 1100 West. 10. Dust control during and after construction, settling, and grading is critical. 11. No lots should front 2300 South. A re-design may be required. 12. Design shown for 2300 South is not acceptable with gaps in the road and dead-ending into City airport property. 13. Lots all meet or exceed 100' frontage required for the RA-.5 zone. 14. Lot sizes range from .5 acres to .99 acres. 15. Soils report and recommendations required before construction drawings are submitted. Soil is in an area of known collapsible and expansive characteristics and are gypsum bearing soils. 16. A 10' public utility easement along all street frontages is required. 17. Developer must coordinate with the Post Office for the purchase and siting of mail boxes for the project. 18. Fencing to protect adjoining agricultural properties per the code is the developer's responsibility. 19. Dust control in all phases to protect adjoining property is critical. 20. The project is divided into 8 phases. The first phase contains 10 lots and the remaining 7 each contain 12 lots. 21. Developer must coordinate with the Post Office for the purchase and siting of a mail box for the project.* Ralph Ballard seconded the motion. The vote was as follows; Chris Christensen-Aye, Ralph Ballard-Aye, Mark Sampson-Aye, Dayton Hall-Aye, and Paul Farthing-Aye. Motion carried.

**Approval of minutes:** Ralph Ballard stated on the 29<sup>th</sup> minutes page 2, line 22 it should read there is not an age restriction of who can live there. Dayton Hall stated on 16<sup>th</sup> minutes page 4, line 28 add Toni clarified the proposed zone change does fit within the parameters for General Plan amendment. *Ralph Ballard motioned to approve the January 16<sup>th</sup> and 29<sup>th</sup> minutes with the corrections. Mark Sampson seconded the motion. The vote was as follows; Chris Christensen-Aye, Ralph Ballard-Aye, Mark Sampson-Aye, Dayton Hall-Aye, and Paul Farthing-Aye. Motion carried.*

Meeting adjourned at 9:28