

Kanab City Planning & Zoning Commission Meeting
May 6, 2025
Kanab City Council Chambers
26 North 100 East
6:30 PM

Agenda Items:

1. Call to Order and Roll Call

In attendance – Commission Members Marlee Swain, Russ Whitaker, Kerry Glover, Dennis Shakespear, Nate Lyman (arrived at 6:45 PM); Building/Land Use Administrator Janae Chatterley, Council Liaison Arlon Chamberlain

Not in attendance – Commission Members Ben Aiken, Terry Edwards, Mark Gilberg; City Attorney Kent Burggraaf

2. Approval of meeting minutes from February 4, 2025, March 6, 2025, and April 1, 2025

Commission Member Whitaker made a motion to approve the minutes from February 4, 2025, March 6, 2025, and April 1, 2025. Commission Member Glover seconded the motion. Motion passed.

Marlee Swain – YES

Russ Whitaker – YES

Kerry Glover – YES

Dennis Shakespear – YES

Nate Lyman – Absent

Ben Aiken – Absent

Terry Edwards – Absent

Mark Gilberg – Absent

3. Public Comment Period – Members of the public are invited to address the Planning Commission. Participants are asked to keep their comments to 3 minutes and follow rules of civility outlined in Kanab Ordinance 3-601

Administrative Decision Items:

1. Discuss, approve, or deny a Site Plan Review for an Ace Hardware on parcel K-19-13-Annex, located approximately 850 S HWY 89A [Applicant: Premier Design/Kanab Double C, LLC]

Ms. Chatterley explained that the project was located at 850 South, Highway 89A, south of the lofts apartments. She stated it was a new commercial building subject to regulations under Chapter 9

(site plan review), 4-18, and Chapter 6. Staff had reviewed the site plan and confirmed it met the requirements, with the only correction being a change in lighting from 4000 K to 3000 K to comply with the lighting ordinance. She noted that the building was 26,000 square feet and required 87 parking spaces, which were provided. The property had two approved entrances off of UDOT, parking in the front and back, and designated landscaping areas. She mentioned a recent vacation of easement reducing the roadway from 66 feet to 42 feet and noted that further drainage review would occur during the construction and building permit process. She added that the applicant and designer were available for questions.

Chair Swain remarked that it seemed the project was well-prepared and acknowledged the adjustment to lighting.

Ms. Chatterley confirmed that the lighting had been slightly dimmed.

Commission Member Glover made a motion to approve the site plan for the new commercial building located at 850 South, Highway 89A, based on staff's analysis findings, recommendations, and the conditions listed in the report Plan SPR 25-002. Commission Member Whitaker seconded the motion. Motion passed.

Marlee Swain – YES

Russ Whitaker – YES

Kerry Glover – YES

Dennis Shakespear – YES

Nate Lyman – Absent

Ben Aiken – Absent

Terry Edwards – Absent

Mark Gilberg – Absent

2. Discuss, approve, or deny a Site Plan Review for an Ace Hardware on parcel K-19-13-Annex, located approximately 850 S HWY 89A [Applicant: Premier Design/Kanab Double C, LLC]

Ms. Chatterley explained that the property was situated behind Straws and the Cape Town gas station and was zoned C2 for commercial use. The applicant intended to subdivide the property to separate a residence from a shop. She clarified the proposed subdivision layout and described the parcel sizes, noting a narrow access strip that originally raised concerns due to its proximity to the realignment of Kanab Creek Drive and 1100 South. She acknowledged that the document she initially presented was incorrect but proceeded to explain the correct layout. She detailed that the current access cuts across city property and a 20-foot strip owned by Mr. Reese. Although there was informal permission to use this access, legal easements had not been established. The city aimed to formalize these easements and improve access. She clarified how the new lot boundaries would look and reiterated the city's ordinance requiring commercial properties to front a public or private street. With support from Mr. Reese and Michael Stewart, the city had approved a public right-of-

way and new easements would be created for both the front and back properties. She also mentioned that the city council had yet to decide who would be responsible for subdivision improvements, such as road construction and utility adjustments, including installing a new water meter and a fire hydrant within the required distance from the commercial building. She stated that the proposal met all ordinance requirements with listed conditions and that the city surveyor had minor items to address. Staff recommended a positive recommendation to the city council.

Chair Swain asked if a fire hydrant already existed at Straws.

Ms. Chatterley responded that there was likely none, based on prior experiences where property owners were required to install hydrants to receive certificates of occupancy. She noted that state regulations had recently changed to require fire hydrants to appear on site plans, which had made gaps in coverage more apparent.

Commission Member Shakespear asked whether the property easement would be vacated and redirected to 1100 South.

Ms. Chatterley explained that there were ongoing discussions between herself, the city manager, and Mike Stewart about potentially trading property in exchange for the city building the roadway. Any such changes would require further city council discussions and possible lot adjustments.

Commission Member Glover made a motion to send a positive recommendation to the city council for the minor subdivision affecting Parcel K-17-25 Annex based on the findings and conditions of approval as outlined in the staff report Plan 25-011. Commission Member Shakespear seconded the motion. Motion passed.

Marlee Swain – YES

Russ Whitaker – YES

Kerry Glover – YES

Dennis Shakespear – YES

Nate Lyman – YES

Ben Aiken – Absent

Terry Edwards – Absent

Mark Gilberg – Absent

3. PUBLIC HEARING to discuss and recommend to City Council a preliminary plat for Hidden Canyon Subdivision, Phase 1, 2, 3, 4, and 14 on parcels K-15-1-Annex and K-14-15-Annex located approximately at 1600 E HWY 89 [Applicant: Jim Guthrie/Brown Consulting]

Ms. Chatterley explained that although there were two separate applications, she combined them into one staff report for efficiency since they involved the same subdivision. She outlined Phase 1,

which consisted of a commercial lot with highway frontage and access from a public road identified in the preliminary site plan. Phase 2 included 46 single-family residential lots and would be accessed by a public road transitioning into a private, gated road. She noted that because the development was a Planned Development Overlay, it required a development agreement, which had already been approved. The agreement allowed for smaller lot sizes (minimum 5000 sq ft) and reduced street frontages (50 ft) compared to standard ordinance requirements. She continued with Phase 3, a hotel development, and Phase 4, a 16.26-acre multi-family residential lot. Phase 14 was included because it was the site for a required one-million-gallon water storage tank, which had to be installed before residential lots could proceed. She clarified that infrastructure for this tank would support multiple phases, and more preliminary plat applications were expected for phases 5 and 8 in the near future to align with infrastructure installation. She emphasized that the development agreement required a secondary emergency egress once 200 residential units were reached, including hotels and multi-family units. Mr. Guthrie planned to fulfill this requirement by connecting the development through a frontage road into town, which would also serve long-term transportation planning. She confirmed that engineering reviews were complete and signed off, with only minor revisions from the city surveyor remaining, mostly involving boundary closures and easement clarifications. Staff recommended a positive recommendation to the city council.

Chair Swain confirmed that the only outstanding condition of approval was the final sign-off from the city surveyor.

Commission Member Shakespear inquired about the continuation of the frontage road across the property's western end.

Jim Guthrie, the applicant, responded that he would construct the frontage road across his property, including a deceleration and acceleration lane for the main entrance. He also explained that the secondary access would use a UDOT-approved connection behind a building, which would tie into the frontage road.

Ms. Chatterley added that the road would align with Rodeo Drive and confirmed that traffic studies had been previously conducted. Although a preliminary plat was approved years ago, it expired, requiring the current re-approval process.

Commission Member Glover made a motion to send a positive recommendation to the city council for the preliminary plot on phase 1, 2, 3, 4, and 14 of Hidden Canyon Subdivision based on the findings and conditions of approval as outlined in the staff report for file Plan pre-sub 25-001 and 25-002. Commission Member Shakespear seconded the motion. Motion passed.

Marlee Swain – YES

Russ Whitaker – YES

Kerry Glover – YES

Dennis Shakespear – YES

Nate Lyman – YES
Ben Aiken – Absent
Terry Edwards – Absent
Mark Gilberg – Absent

Legislative Decision:

4. Discuss and recommend to the City Council an amendment to a development agreement for Ventana Resort Village Subdivision [Applicant: Iron Rock Engineering]

Ms. Chatterley explained that the amendment was largely a formality resulting from changes made during the final plat approval of Phase 2. Some land from Phase 3 had been added to Phase 2, and part of Phase 5 had been removed. Because the original development agreement contained master plan exhibits that defined phase boundaries, the applicant needed to update the agreement to reflect the actual configuration. Janae noted that language addressing a previously reviewed trail requirement was also included, as the trail-related amendment had not yet been recorded. Both amendments would now be recorded together as one. She displayed updated maps and explained that workforce housing apartments and a service commercial area were now included in Phase 2. A road originally part of Phase 2 was reassigned to Phase 5, which comprised single-family lots already approved under subdivision improvement plans. Janae added that the applicant had also introduced "sub-phasing" to split larger phases, such as Phase 6, into 6A, 6B, and 6C. This gave the developer more flexibility to submit smaller portions for final plat approval over time. She confirmed that legal counsel had reviewed and signed off on the updated agreement and that all changes were in order.

Commission Member Glover asked whether a prior discussion with Ms. Chatterley involved this amendment.

Ms. Chatterley clarified that it partly did — an issue had been identified involving single-family homes in Phase 2 that had not been properly reflected in the development agreement. The applicant would need to return with either an amendment to the agreement or a revised final plat, depending on their preferred approach. She noted that the original inclusion of single-family housing in Phase 2 had been a city council request, not a planning commission recommendation, and the council member who proposed it was no longer serving.

Chair Swain confirmed that regardless of the current vote, the applicant would need to return to address the single-family housing issue.

Ms. Chatterley added that although the staff report mistakenly labeled the item as a public hearing, the actual public hearing would occur at the city council level.

Commission Member Whitaker made a motion to accept the amendments to the development agreement for parcel K-13-1 Utah annex, as shown in the staff report. Commission Member Glover seconded the motion. Motion passed.

Marlee Swain – YES
Russ Whitaker – YES
Kerry Glover – YES
Dennis Shakespear – YES
Nate Lyman – YES
Ben Aiken – Absent
Terry Edwards – Absent
Mark Gilberg – Absent

Work Meeting:

Staff Report:

Ms. Chatterley provided an update on Chapter 20, explaining that while the planning commission had recommended allowing mixed-use throughout all commercial zones, the city council preferred a more limited approach. They favored an overlay zone that included the downtown area and select portions of C2 and C3 zones rather than a blanket mixed-use allowance. She indicated that she was revising the language accordingly and noted that further discussion would occur in the next city council meeting.

Commission Member Report:

Council Member Liaison Report:

Mr. Chamberlain mentioned that he had missed the recent city council meeting concerning Chapter 20 but had attended the county commission meeting where the fire issue was approved. He believed the matter would resolve smoothly as it progressed to the planning commission.

Adjournment:

Commission Member Glover made a motion to adjourn the meeting. Commission Member Shakespear seconded the motion. Motion passed.

Marlee Swain – YES
Russ Whitaker – YES
Kerry Glover – YES
Dennis Shakespear – YES
Nate Lyman – YES
Ben Aiken – Absent
Terry Edwards – Absent
Mark Gilberg – Absent