

Hurricane City Planning Commission minutes 1/28/15

ON January 28, 2015 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, Ryan Cashin, Yovonda Hall, Ralph Ballard, and John Johnson

Members Excused: Larry Jaussi and Bill Wilkey

Staff Present: Planning Director Toni Foran, Planning Assistant Cindy Hyatt, City Attorney Fay Reber, and City Council Representative Pam Humphries

The meeting was called to order by Chairman Cashin at 6:10 p.m. The Pledge of Allegiance was led by Yovonda Hall and Bob Petersen offered the prayer. Roll call was taken.

Approval of agenda: Yovonda Hall motioned to approve the January 28, 2015 agenda as posted. John Johnson seconded the motion. Motion carried with all Commissioners voting aye.

2015-FP-01 Consideration and recommendation to the City Council on a final plat for Peregrine Pointe Phase 1B, a 21 lot subdivision along 2935 West between Cliffhanger Drive and 625 North – Perry Development applicant, Greg Sant agent

Bob Petersen commented he is glad to see activity in this location again. Chairman Cashin asked if the mylar had been signed by the City Engineer. Toni Foran stated yes. Bob Petersen motioned to forward approval of application 2015-FP-01 to the City Council. Ralph Ballard seconded the motion. The vote was as follows; Bob Petersen-Aye, Ryan Cashin-Aye, Yovonda Hall-Aye, Ralph Ballard-Aye, and John Johnson-Aye. Motion carried.

2015-FP-02 Consideration and recommendation to the City Council on a final plat for Park View Subdivision Phase III, a 21 lot subdivision along Park View Drive at approximately 490 North

Ralph Ballard asked if the mylar had been signed. Ms. Foran stated there was a disconnect on when Park View Drive was recorded and the engineer showed a portion of Park View Drive on this plat to be recorded but the City Engineer will sign before it is recorded. Yovonda Hall asked if there were any problems concerning the mylar being signed. Ms. Foran explained the City Attorney will get Park View Drive to the County Recorder tomorrow so it won't be included on this plat approval. Ms. Hall asked if the City Council had discussed Park View Drive being considered a collector road. Ms. Foran stated the City Council determined they did not have any objections to drive ways along Park View Drive. Yovonda Hall motioned to forward a recommendation of approval of application 2015-FP-02 to the City Council. John Johnson seconded the motion. The vote was as follows; Bob Petersen-Aye, Ryan Cashin-Aye, Yovonda Hall-Aye, Ralph Ballard-Aye, and John Johnson-Aye. Motion carried.

2015-CUP-01 Consideration and possible approval of a Conditional Use Permit for an 896 sq. ft. two story casita attached to a detached garage at 1580 W. 400 South – Timothy & Shirley Lundin applicant

Bob Petersen asked how far back the property line went. Gerald Pratt, Pratt Engineering, explained the property line is shown on the map provided. Yovonda Hall asked if the lot line had been moved yet to accommodate the house and outbuilding being on the same parcel. Mr. Pratt stated it hadn't been done yet. He explained the original house was on the whole parcel and if it is a recommendation, then the lot lines will be adjusted. Chairman Cashin asked if the intention is to create a flag lot on the parcel in the back. Toni Foran stated she understands the intention is for the back lot to be a flag lot while making the front lot large enough to meet setbacks and lot widths. Ms. Hall asked how to ensure the lot line is

adjusted. Ms. Foran explained Mr. Pratt will redraw the parcels with legal descriptions and then get it recorded at the County Recorder. Staff will verify it has been done before a permit is issued. Ms. Hall asked if the conditional use was on the front lot only. Ms. Foran stated yes, the outbuilding is an accessory building to the main building on the front lot. Yovonda Hall motioned to approve conditional use permit 2015-CUP-01 with the following conditions; a signed deed restriction and a lot line adjustment that includes the house and casita on same property is recorded. Ralph Ballard asked why the second lot was being referenced if they are separate lots. Ms. Foran explained the current lot line goes through the center of the garage so the lot line needs to be adjusted to allow both buildings to fit on the front parcel. Yovonda Hall amended her motion to include the conditional use permit is for parcel # H-3-1-33-3335. John Johnson seconded. The vote was as follows; Bob Petersen-Aye, Ryan Cashin-Aye, Yovonda Hall-Aye, Ralph Ballard-Aye, and John Johnson-Aye. Motion carried.

2015—WP-01 Possible granting of written permission for a wall higher than 48” in a front yard at 434 W. 100 North – Mike McCool applicant

Mike McCool explained his house faces 100 North and has two front doors. There isn't another egress on the back of the house. He explained the front door with a small porch is on the right side and the door on the left side enters into the kitchen. The yard is very small and set down from road. He stated they would like to partition the doors with a wall. The section of the fence that is six feet tall would be in front of the left side of the house to have some sort of yard for their animals and for privacy. John Johnson asked if the wall would obstruct drivers coming out of the private drive along the west side of the property. Mr. McCool stated they would set the wall back six feet from the sidewalk to ensure there aren't any sight restrictions. He mentioned they would like the wall along the sidewalk for more yard room however they recognized the sight restriction it would create. He stated if six feet wasn't acceptable then they are willing to go ten feet back. He stated there is currently a retaining wall on the west side that they will remove and replace with a new retaining wall and blocks on the top. The front wall wouldn't be retained, it would be a normal block wall. It was clarified the wall on the west side would be an additional five feet from the three feet retaining since the top of the retaining wall is at ground level. Bob Petersen asked what they would do in the back of the property. Mr. McCool stated they would have to retain about four feet or more and then put block on top. He mentioned the storage units across the street have a lot of people coming and going. They would like some privacy as well as functional use in their yard. Ms. Foran asked if a block wall would be on the east side. Mr. McCool stated yes. He explained the neighbor's property is lower than theirs and they have a driveway along the east side. There is currently a concrete wall separating the parcels but it is starting to lean. His plan is to remove the current wall and replace it with a retaining wall. He stated the wall will step down as it gets to the front. Ms. Foran stated that side would be a sight concern and will need to be stepped down to the road for sight clearance. Mr. McCool stated they are willing to do what is needed. Yovonda Hall asked why the ordinance doesn't allow taller fences in the front yard. Ms. Foran explained it is to protect the neighborhood character but this is a unique situation. Yovonda Hall motioned to approve 2015-WP-01 for a wall that exceeds 48' in height in a front yard but not to exceed six feet above grade level. The wall must step down on east side according to diagram provided at six feet back from sidewalk. John Johnson seconded the motion. Bob Petersen asked if the approval should include approval from the power department must be obtained before the wall is built. Mr. McCool commented he had seen that in the staff comments and they plan on putting a gate for the power department to have access to the meter. Ms. Foran explained the power department doesn't normally allow that so they will need their approval first. The vote was as follows; Bob Petersen-Aye, Ryan Cashin-Aye, Yovonda Hall-Aye, Ralph Ballard-Aye, and John Johnson-Aye. Motion carried.

2015-PP-01 Consideration and possible recommendation to the City Council for a preliminary plat for Park Side Subdivision located north of Park View Drive and west of 3400 West – Interstate Rock Products, Inc, Mike Madsen agent

Karl Rasmussen and Mike Madsen were present to represent this application. Yovonda Hall asked if the solid dark line on the plans was the trail. Mr. Rasmussen stated the red line is the trail. Toni Foran commented when the Commissioners saw the concept plan it was done in 5 phases but it has grown a little. Mr. Rasmussen explained after the discussion with the City regarding the trails, street widths, sewer, and drainage, they decided to map out the entire project to show where everything would be located. The official name will be Park Side at Grandpa's Pond. He stated originally there were 150 lots and now there are 177 lots. He stated after walking the property with the City Council and Trail Committee members they decided to extend past the old orchard and extend to the east to include the trail. Chairman Cashin stated he has concerns with the topography. He expressed his desire to go on a field trip with the applicants and other Commissioners for a better understanding of the property and what they are proposing. He commented that he is alright with approving phase 1 but would like further explanation on the rest of the phases before he is comfortable approving them. Mr. Madsen stated he is happy to do a field trip but he would like to expedite the date so they can move forward. He stated he would like to address the other comments tonight. Mr. Madsen read JUC comment #2 *Roadway widths within the project must be decided based on a traffic study*. Mr. Rasmussen explained they proposed a 45 and 60' roadway. The 60' right of way would be 3700 West and Park View Drive is already in place at 58'. All other streets are proposed for 45' right of ways. He explained the street north of Park View Drive would have the greatest number of units accessing the road and it only has forty three units. He stated that is assuming all the homes to the east and north in phases 3, 4, 5 use that route. He stated in phase 2 one street would have twenty one units and the other would have eleven. To the north in phases 3, 4, 5 were the trail would be is thirty nine units. He explained units is a household. Residential local can support 11-50 units so they feel they are under what is allowed. Yovonda Hall asked if the JUC comment was made by the City Engineer. Ms. Foran stated she thought the City Engineer debated whether the roads were considered standard or local and he wanted to review them beforehand. Applicants and Commissioners discussed the calculations. Mr. Madsen questioned why the sewer pump station was a comment for the Commissioners. He asked if it had to be done before the Commissioners can approve the application. Ms. Foran explained a plat wouldn't be put on agenda unless it was served by sewer and the only way this property can be served is by this pump station. She stated it must be resolved before anyone can approve this as a buildable preliminary plat. Mr. Madsen clarified he can build the pump station and Park Side at the same time if they are both approved. He asked about trail location; it was his assumption the trail would be along the bottom. Ms. Foran explained the City Council walked both proposed trails when the field trip was held. They discussed them at the next meeting and decided they liked the route along the edge better. Mr. Madsen asked if the City would buy that property from him to do the trail. Ms. Foran stated that would have to be negotiated. Mr. Madsen stated he thinks that location will devalue his property because people don't like having the trail in their back yards. He feels both location wouldn't affect people's ability to walk the trail and the other location would be safer. They would also have to move things around on the plat to make the trail work on the rim. He stated it will be more costly and dangerous to have the trail located on the rim. Chairman Cashin stated on the field trip that would be something to consider. Mr. Rasmussen stated if they do a field trip he can create a map with the elevations to help Commissioners visualize the project. Ms. Foran suggested creating a slope map to cover all six phases on 11x17. She commented she thought some of the slopes were man made slopes and they don't need to be retained. It was decided to do fieldtrip on Friday, February 6th at 9:00 a.m. Mr. Rasmussen will provide two maps; a slope map with the section views and the grades by Wednesday before the field trip. Ms. Hall asked if the applicants wanted to talk to the City

Engineer before a motion is made. Mr. Rasmussen stated he will send letter to the City Engineer regarding a traffic study. Yovonda Hall motioned to continue application 2015-PP-01 to next meeting after the fieldtrip. Bob Petersen seconded the motion. The vote was as follows; Bob Petersen-Aye, Ryan Cashin-Aye, Yovonda Hall-Aye, Ralph Ballard-Aye, and John Johnson-Aye. Motion carried.

Approval of minutes Bob motioned to approve the January 15, 2015 minutes with the grammar corrections. Yovonda Hall seconded the motion. The vote was as follows; Bob Petersen-Aye, Ryan Cashin-Aye, Yovonda Hall-Aye, Ralph Ballard-Aye, and John Johnson-Aye. Motion carried.

Planning Commission business:

A. Discussion regarding possible changes to subdivision ordinance regarding improvements.

Toni stated on page 1, how the paper would be submitted wasn't discussed at the previous meeting. She read in the changes that were made. Staff will advertise for a public hearing that will take place on February 12th.

B. Discussion and review of possible ordinance regarding regulating vacation rentals in certain residential zones.

Toni stated the changes are highlighted, underlined, or stricken. She explained vacation rental will be a licensed business and regulated through that ordinance. She read in the changes on pages 1-4. She explained on page 5 the length of stay for vacation rentals was added. She commented on page 6 #B was added from a suggestion from resident. *The owner of a short term rental must provide address labels and stamped envelopes for all other residential property owners within 300' of the rental so the City may provide to those owners a copy of the regulations for short term rentals and contact information for the rental owner and the responsible party contact number for concerns.* Commissioners commented they like this requirement and agreed the neighbors should be notified of who to contact and what to expect. Yovonda suggested requiring the owner of the vacation rental to send out the regulations instead of the City. Toni stated to ensure it gets done she would rather have the City do it but if it becomes a cost burden, the City Council can set a higher license fee. Ryan suggested putting the regulations on the City website as well.

Toni stated on page 7 she added *Parking may not impact more than 40% of a front yard* to keep the neighborhood feel and not have the entire front yard a driveway. Commissioners discussed how to word #F on page 7. It was decided the second example shown was easier to read and that is one that will be used.

Ralph stated the size of the sign needs to be referenced. Toni stated she put an approved sign is allowed and asked the Commissioners if they wanted to reference a size. Ralph suggested putting no bigger than and no smaller than so they had something base it on. Commissioners discussed having it the same size as home based business sign, 2x3. The location for the sign was discussed. If the sign is posted below address, then 12x18 would be sufficient. Commissioners decided to put no larger than 12x18. Toni mentioned she added an initial inspection is required at the business license review on page 8 #K. Commissioners discussed the charts on pages 9-12. A public hearing will be advertised for February 12, 2015.

Toni handed out a report showing the number of building permits for the month of December and information on the Spring Planning Conference.

How court yards are approved was discussed. Commissioner's terms were discussed.

Adjournment at 7:36 p.m.