

Minutes of the Hurricane City Council meeting held on February 7, 2019, at the Fine Arts Center located at 92 S 100 W, Hurricane, Utah at 6 p.m.

Members Present: Mayor John Bramall and **Council Members:** Pam Humphries, Darin Larson, Kevin Tervort, Kevin Thomas and Cheryl Reeve

Also Present: City Manager Clark Fawcett, Assistant City Manager/Recorder Kaden DeMille, City Attorney Fay Reber, Police Chief Lynn Excell, Power Superintendent Dave Imlay, Planning Director Toni Foran, City Engineer Arthur LeBaron, GIS Specialist Joe Rhodes, Fire Inspector Kevin Gildea and Fire District Chief Tom Kuhlmann

AGENDA

6:00 p.m. - Call to Order –

Pledge: Chief Kuhlmann Prayer: Cheryl Reeve

Approval of Minutes: 01/17/2019

Pam Humphries made a motion to approve the 01/17/2019 minutes. Seconded by Kevin Tervort. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

NEW BUSINESS

1. Presentation from Chamber of Commerce - DeWynn Nelson

DeWynn Nelson is the president of the Hurricane Chamber of Commerce. In regards to the Lost Trails at the Cove project, the first information he heard about it was as actually misinformation. Since then, the Chamber of Commerce hosted a meeting regarding this proposed project. During this meeting, there was a presentation and question and answer session with the project developer, Jim Thomas. In addition to this meeting, the Chamber of Commerce sent out a survey to its membership to gauge how local businesses feel about this project. He reported receiving feedback from just over 40% of their total membership and 84.6% of the responses were in favor of the project while 15% were in opposition. Mr. Nelson read positive comments received from the survey and encouraged Council to look at the project with an open mind and do what is right for the Hurricane Valley.

2. Public Hearing to take comments on:

- A. A General Plan Map amendment request on 340 acres located north of 600 North at approximately 2000 West (“the Cove”) from Single Family Residential up to 4 units per acre designation to Mixed Use including various residential and commercial uses**

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

Karl Rasmussen with ProValue Engineering and Jim Thomas gave an overview of the project. Mr. Rasmussen stated there are approximately 340 acres that they are requesting a land use change on. The proposal is for mixed use which will include streetscapes, commercial properties, trails and a master

planned development. Mr. Rasmussen also met with city staff to discuss the infrastructure for this project. These services are included in the Master Plan and will be available for the developer to tie into when construction begins. Mr. Thomas presented a short video of the covered wagon cookout and wild west show he did in Jackson Hole. The area in which this show was located required Mr. Thomas to meet many different environmental regulations as well as being sensitive to their surrounding neighbors. Like the Jackson Hole venue, Mr. Thomas wants to create family friendly entertainment that will be fun for all ages. This unique experience will include a western themed indoor dinner show, town square shows with horses, hotel, wedding chapel, restaurants and some commercial shops. There will also be hiking and equestrian trails providing access to the Virgin River, Gould's Wash and the Cinder Cone as well as the natural beauty of the area. He has plans for an RV park that will be constructed at a later date. Mr. Thomas read a written statement regarding this project. In closing, Mr. Thomas stated that he wants to work with the City and address any and all concerns regarding this project. He reiterated that he is not going to ruin this property and wants to maintain the beauty that is already there.

Attorney Adam Dunn with the Dun Law Firm was representing Sky Mountain HOA. Mr. Dunn said that the HOA is not opposed to the development of this property and they would like it remain under the current designation of Single Family Residential, up to 4 units per acre. In 2011, the Hurricane Planning Commission concluded that the best use for this property was single family homes. According to City ordinances, the applicant has the burden of proof to show why this change is appropriate and justified. He stated that the current application is deficient in a number of ways and it does not do that. Mr. Dunn referenced a letter he submitted to Council last week. That letter goes in depth as to why this application is insufficient and details the many different impacts this project will have on the community. He concluded that this project is not compatible to the area and there are critical traffic concerns that have not been addressed by the applicant. The HOA would like to preserve Hurricane for what it is, so people can continue to come here and enjoy it for what it is.

Kathleen McAllister said this sounds like a nice project but she is concerned with the potential traffic and air quality. She feels there are already too many apartment type homes in the area. Ms. McAllister would take the proposed Cove development over the amount of homes this property is currently zoned for.

Maxine Taylor read a letter on behalf of her son Kevin Taylor who lives in Sky Mountain. Mr. Taylor is opposed to this development. This letter was submitted to Council.

Deeann Taylor feels that the limited local population is not enough to sustain this type of venue. Hurricane is the gateway to many events and this is an outdated type of venue that is a recipe for disaster. People will not purchase an upscale home adjacent to a commercial operation like this and she feels these homes would end up being used as nightly rentals. Ms. Taylor added that when the City zoned this property they promised surrounding property owners an area that will complement the surrounding area properties, an area that extends the quality of life enjoyed by the surrounding areas and an area that protects the property investment of those in the surrounding area. If the proposed application is approved, the promise that was made will be broken.

Ken Hollman resides on the 14th fairway at the golf course. He appreciates the presentation given by Mr. Thomas regarding this project. He has traffic concerns and traffic that could impede emergency services. He stated that this was denied by the Planning Commission and should also be denied by the City Council.

Andy Holmer and his wife are new to the area and reside in Sky Mountain. He submitted over 1100 signed petitions from individuals from the St. George and Hurricane area who are opposed to this project. He encouraged Council to examine the documents submitted and analyze the reasons why the Planning Commission recommended denial of this project. Mr. Holmer submitted the petitions for the record.

Penny James Garcia is the Community Manager for Sky Mountain HOA. She asked for a show of hands from the audience of who is opposition of this project and stated that this show of hands was democracy speaking. Ms. James Garcia proceeded to read a letter in opposition of this development in this location. She loves this city, and doesn't feel that an outside developer needs to come in and create a tourist entertainment venue here. In her opinion, allowing the proposed amendment to the General Plan to mixed use, is wildly irresponsible and would enable the developer to build high density housing, more commercial and even industrial uses. The community has had its share of failed developments. She suggested moving the development to an area where it can be easily accessed by highways rather than through a residential neighborhood.

Pat Gallagher shared concerns regarding the location of the development, the commercial use of the property, traffic concerns and encouraged Council to examine the application and ensure this project is properly defined. There have been many failed developments already. She requested Council leave the designation as it is.

Victoria Vigyikan is a Sky Mountain resident. She explained that she still has sand in her water that has not been fixed. She asked that her water issue be resolved before adding more to the community. Ms. Vigyikan is afraid of this proposed development and would like the current designation of the property to remain as residential only.

Zack Almaguer lives over by Grandpa's Pond and stated this development will affect the surrounding cities as well. Mr. Almaguer expressed concerns regarding the Chamber of Commerce presentation, stating that the percentage that was represented does not compare to the 1100 signed petitions in opposition of this development. He also questioned previous business ventures of Mr. Thomas.

Gary Bovyer is the president of Sky Mountain HOA. He said the General Plan was drafted to provide continuity and predictably for our community. Without strong support of the General Plan, turmoil could ensue. He shared concerns of the mixed use designation and what that would mean for the developer. He stated they are the existing residents and in the spirit of American Democracy they are saying that this proposed development is not good for the community. It is a violation of the General Plan and a violation of their rights under the plan. He suggested the development be moved to a more suitable location.

Ed McNicoll has lived in southern Utah for 20 years and considers this part of the world his spiritual home. He read a letter and stated that developers will not be satisfied until Washington County is full of cracker box houses, strip malls, billboards; commercial signs and bumper to bumper traffic occupy all of the available space. Trash, traffic, traffic accidents, light and noise pollution and the proposed density are also concerns for Mr. McNicoll.

James Mercer explained that if this General Plan map amendment is denied and the developer builds this project in a more appropriate Hurricane location, then the City will still receive the tax benefits and revenues from this project. This is a win/win for the City.

John Eldon lives in Sky Mountain and believes that new development is good for the community. However, he does not believe the proposed project is appropriate for this area. This area deserves protection from inappropriate developments. Mr. Eldon also questioned previous business ventures of Mr. Thomas and stated public infrastructure, finances, performance bonds and his qualifications are all information that Mr. Thomas has yet to address. He asked Council to deny this unreasonable request.

Jean Miller read a letter on behalf of her husband, Lorry Miller. They have lived in Sky Mountain for 13 years. They are opposed to this development. She explained that Council Members are elected officials chosen to represent the citizens of Hurricane. They feel they represent the majority of the citizens and the majority is adamantly against this project.

Glenwood Humphries has lived in Hurricane for 78 years. He lives out in Hurricane Fields. He has seen many changes over the years. He said that if this crowd had been present when the Sky Mountain Golf Course was being proposed, none of these people would be here. These residents wouldn't have homes. He is in support of this development. Mr. Humphries visited the venue in Jackson Hole and had a great time in a beautiful setting.

Russ Reed explained that a project like this was turned down about ten years ago. That project was being proposed in the Sand Hollow area. Mr. Reed has concerns regarding the zoning and the impending traffic on 600 North and requests denial of this development.

Mayor Bramall called for a ten minute recess. Meeting resumed at 7:47 p.m.

Alice Loeffler owns property on 600 North. She questioned if there was an impact study done on the emergency services costs, infrastructure, traffic and cost to taxpayers. These are items that need to be addressed and due diligence needs to be done on the developer as well.

Sandra Garner has lived in Hurricane for 28 years. When her and her husband moved here, this was a farming community. City Council just approved the construction of 94 houses on her one way dirt road. She requests Council keep the community safer, quieter and a pleasant place to live.

Glen Moore is a resident of Sky Mountain. He has traffic management concerns that need to be examined for the long term. This development is a "pinch point" and as you add traffic to the "pinch point" it becomes a greater issue. This will be hard to manage if these concerns are not addressed appropriately.

Will DuCrest is the owner of FX Industries and a resident of Hurricane. Mr. DuCrest is in favor of this project and feels this development would be an asset to the community. Positive impacts to the community are the taxable revenue, jobs for the youth and retired population, the visitors coming to this development would be using many of the goods and services offered by various businesses within the community. Hurricane is one of the most beautiful areas in the world and the Cove is one of the most breathtaking settings he has ever seen. There will be houses developed on this property regardless. Mr. DuCrest was able to speak to a customer who attended the venue in Jackson Hole. This customer said nothing but positive things regarding the venue and Mr. Thomas. Mr. DuCrest urged Council to approve this new and exciting development that would bring something different and unique to this community.

Fred Overcamp is concerned with the traffic this development would bring. He was interested in what the Fire Chief thought of the development and the traffic issues the proposed development would bring. He does not believe that this is a safe proposition.

Matthew Hobson is 32 years old and has been a resident of Southern Utah his entire life. He feels like he is the minority in the room. He is very involved with the online petition which supports this development. In ten days they have acquired over 500 signatures. Of those 500 signatures, 93% are from Hurricane Valley residents. Mr. Hobson attended the Chamber of Commerce meeting where many of the questions that are being asked tonight were answered by the developer. In addition, many of those attendees stated they initially signed the petition against the project but admitted they received misinformation and now support the project. Mr. Hobson commented that given additional time, those signatures would increase as there are many people in the community that support this development.

Carolyn Tomlinson asked why the developer is requesting a zone change for the entire 340 acres when only 60 acres of it will be for commercial use. Ms. Tomlinson stated there is no need to rezone the entire 340 acres. She also stated the City of Hurricane does not have a noise ordinance and that gives them no recourse to fall back on.

Cindy Lindsten stated she is a California transplant who retired here with an income and has not taken a local job from anyone, and contributes to the local economy. To clarify, Sky Mountain Golf Course is a City owned and it was voted on by the residents and approved by the City Council. This is not comparable to the big private venue being proposed. She went to the City office and inquired about the code of conduct and ethics for City Council. She was worried that City Council members might vote on issues they were financially invested in. Ms. Lindsten was told that there is not a specific code of conduct and ethics for City Council members but they loosely follow Robert's Rules of Order. She also obtained a copy of Council's "Oath of Office". She hopes that Council will apply their oath when it comes to this development. The developer has yet to submit final plans and there are many questions that still have to be answered.

Vicky Ballard has been a resident of Hurricane for a long time. A developer has to put everything on the line and take a big risk to develop an area such as this. Developers are required to answer and address all of these questions and concerns before the City will allow them to begin development. It is also important to look at the economic impact of this project. Young people in the community deserve an opportunity to progress. She feels that people over 70 years of age shouldn't be stopping this progression.

Paula Hirschi Arrioli has strong family roots in this area. This development will make a place for our children and grandchildren to go to. Hurricane is going to grow and developers should be encouraged when they come here. She urged Council to do their due diligence and vote in favor of this project.

Cheryl Case has lived in Hurricane for four years. She stated that the requested plan amendment does not fit within the City's visions and goals. This amendment would create an unfair and inappropriate burden on residents. The proposed development is not complementary to the area and will have an impact traffic, safety, water, sewer, environmental concerns and noise. Ms. Case attended the Planning Commission meeting and the Chamber of Commerce meeting, and her concerns regarding Mr. Thomas have increased.

Lana Hone said that it is unfortunate that people are attacking the character of a man they don't know and that she spoke with a resident of Jackson Hole who spoke very highly of Mr. Thomas. The current population of Hurricane City is almost 19,000 people and the 1100 signatures do not represent the majority of the City's population. When the Sky Mountain Golf Course was proposed, there were many people who were against it. The golf course was approved by a wise City Council, and now we have great neighbors. The property being proposed is already approved for 1400 homes without any zone change. This would be far more traffic than the development being proposed. This project will bring much needed revenue to this community and Mr. Thomas deserves all the respect and support to make this happen.

Bruce Bugland lives in Sky Ridge and is against this project. He is a cowboy action shooter who is active in different competitions. The noise from these shows will travel. He urged Council to vote no.

Willy (last name unknown) has lived here for 30 years. As his family grows, he sees how important growth is. He stated we cannot close off other people's opportunity to come into this community. There has been a lot of false information given and he has spoken with many people about the reality of this project and they are in favor of it. He is cognizant of the concerns from the golf course community and encouraged people to come together and comprise to find a solution. This will be a beautiful community.

Rebecca Bronemann is a member of the Planning Commission. The population of Hurricane is 17,000 and the 1,100 signatures represent 6% of that population. She loves that this development includes a trail that goes around the perimeter and it doesn't close off access to Confluence Park. This still preserves the accessibility for hiking and horseback riding. This is an asset for the community. She is in favor of this project.

James Williams recently moved here from Washington and now resides in Dixie Springs. The area he moved from had very little family friendly venues. He stated the City needs to be cognizant of the impending traffic issues and those will need to be managed. He is in support of this family friendly venue.

Dale Kay stated he and his wife decided to move to Hurricane because when they were visiting they came into town and seen the "Merry Christmas" sign over SR9. Now that he is here, he has major concerns regarding the traffic and weather conditions on 600 North. He also expressed concerns over the mixed use designation. He is against this development.

Matt Nield he lives east of the proposed development. He stated that this room is not a true representation of the City. There are no young families present. Mr. Nield feels that this is a wonderful location for this development. He likes that this development is a western style theme and it fits with our little country community. Growth is inevitable. The developer is investing a lot of time and effort and believes this development will improve our community and make it a better place.

Steve Garcia stated that legal, safety, traffic and crime concerns have already been mentioned. The most compelling reason is the wishes of the people, the majority of which are against this project. Planning Commission voted 5-3 to deny this change. Council is in the position to be hero's and deny this request and protect the beautiful cove.

John Beck moved from California and now lives in Dixie Springs. He is against this development. He shared concerns regarding the additional traffic, the hours of operation, and travel busses going in and out of a residential neighborhood. This is not appropriate.

Vyonne Spilsbury-Mendenhal explained that her family came and settled here in the early 1800's. Her family owns the Cove property. She is a 5th generation land owner. Over the years her family has given right-of-ways for infrastructure, for roadways, for 600 North and multiple other easements and property throughout the community for growth purposes. The golf course was debated and talked about for a very long time, but an agreement was made. There can be an agreement made here as well.

Donald (last name unknown) thinks that this would be a great project; however he has concerns regarding the mixed use zone change. He suggested approving the property in sections and doing it appropriately.

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

- 3. Consideration and possible approval of a General Plan Map amendment request on 340 acres located north of 600 North at approximately 2000 West ("the Cove") from Single Family Residential up to 4 units per acre designation to Mixed Use including various residential and commercial uses - Jim Thomas, applicant and Karl Rasmussen, agent**

City Attorney Fay Reber discussed the General Plan Amendment process. He explained that our ordinances indicate that amendments to the General Plan are a legislative process. This means the Council decision has to be supported by testimony and evidence to be upheld in District Court. The ordinance is very specific about what needs to be included in the application and what is to be considered for a General Plan Amendment. He encouraged Council to have a discussion that centers on those specifics.

Pam Humphries reiterated that Council is only voting on the land use change, not the project itself. Within that decision, Council needs to determine if Mr. Thomas has done his job to justify the change to mixed use. This mixed use would be light industrial, commercial and residential on 340 acres. Ms. Humphries does not agree that the entire 340 acres needs to be changed to this designation. She also asked for clarification of a small road or trail that is on the east end of the project. Mr. Rasmussen stated that it is a 55 foot wide utility and emergency access road that goes through two BLM parcels that

were deeded by the Spilsbury family to BLM in the 1980's for the tortoise habitat. Ms. Humphries suggested moving the development closer to SR7 to relieve traffic concerns and also make it easier for tourist traffic to get to this destination.

Kevin Thomas explained that the General Plan is developed by the City Council and is reviewed every few years. This is not a document that is intended to remain the same. It is meant to be changed. It is within their rights to change the General Plan. Mr. Thomas stated that he is a little disturbed by the tactics that have been used to deter people from learning the facts about this project. A tremendous effort went into trying to scare people away from this development. There was a large attempt to smear the name of a man that he doesn't know. Mr. Thomas said that he feels that it is disingenuous of many of the people who are making arguments against this general plan change, because most of those arguments made would apply to the way it is currently in the General Plan as well as to the way that it is proposed to be changed. He questions how people can be opposed to this development but not opposed to the subdivision. The arguments against this development have been all over the place. They range from "this project will not succeed - it will fail" to "this project will be too big and we'll have too much traffic because it will be too successful". Mr. Thomas has a concern regarding the traffic, but the traffic will be there either way. 600 North will need to be widened to make it a more useable and safer road. The infrastructure is there for this development. It is the Council's job to determine if this is a reasonable change to the General Plan or not.

Darin Larson has attended the Planning Commission, Chamber of Commerce and Rotary meetings regarding this project. He appreciates all of the public comments that have been given. Mr. Larson reiterated that the decision tonight is whether this property should be just residential or should the property have mixed options. If this change were approved, there are additional steps. This item will go back to the Planning Commission for their zone change requests, where another public hearing will be held, and then back to the City Council for a vote on the zone change requests. Those are the steps that will address the traffic concerns, the ability for the City to provide services, the viability of the developer and his investors, etc. These aspects are very important and could derail the project. If the zone changes are approved, then it goes back to the Planning Commission for preliminary site plan approval, then final site plan approval. All of these different steps create the opportunity for the City to work with the Developer. If this change is made and this process goes forward, he suggests adding a Development Agreement to give oversight to this project. There are many steps to this process, but tonight is a decision for just a land use change. Mr. Larson added that there are different projects in the community that are far bigger than this project. The Copper Rock subdivision is another golf course community being constructed at the south end of town that is 3 to 4 times larger than this project. There were only a few objections received from the community regarding this project because it's not in their backyard. There are many projects out there that are in the development stages. Mr. Larson stated that as a Council, we want to see opportunities for families and help guide responsible development. People from our community are always asking for restaurants, but that is a population based business. He concluded that he has his concerns regarding this project, and more questions will develop if this project moves forward but tonight decision is just for a land use change.

Cheryl Reeve stated that water and power are legitimate concerns. However, Ron Thompson with the Washington County Water Conservation District gave a presentation to Council a few months back. In that presentation, Mr. Thompson told Council that they should not limit growth because of water concerns. Dave Imlay from Hurricane Power explained that this is a perfect spot for development as far

as the power is concerned. It is a perfect location for a substation for a high load development and there is already an existing transmission line there.

Fire Inspector Kevin Gildea explained that the fire code was adopted by the City Council, so the Developer would need to conform to that code.

City Engineer Arthur LeBaron explained that traffic on 600 North is going to be an issue no matter what is developed there. 600 North at its highest capacity would be 2000-2500 cars per hour, while the current count is 2000 cars per day. This road has a high capacity and even with this development 600 North would not need to be a four lane highway. He added that a project like this will require a traffic impact study that would address traffic at key intersections, including offsite intersections. Mr. LeBaron anticipates some spot improvements for extra lanes for acceleration, deceleration, turning, etc. These improvements would be the responsibility of the Developer. Mr. Rasmussen gave a proposed Traffic Trip Count handout to Council. He used the trip generation manual to come up with two different scenarios for the development. Scenario one had 1200 homes resulted in 1102 trips in the p.m. peak hours, while scenario two had 650 homes and 50 acres of commercial use resulted in 1022 trips in the p.m. peak hours. Mr. Larson appreciated the proposed traffic trip counts, it gives an idea of what could potentially be, but the City will require a third party to do an intensive traffic study if this is to move forward.

Kevin Tervort explained that without this change, the current designation would result in 1400 houses. With an average of three people per household that is an estimated 4200 people; with an estimated 2 cars per household is another 2800 cars on the road. There will be traffic regardless and it will have to be mitigated properly by the Developer. He will need to make this work and he deserves his chance. By the end of 2020, there will be a flyover at 2800 West that will come over the helicopter business and it will eventually tie into 600 North.

Ms. Foran stated that she did a rough analysis regarding the current zoning for this development. She figured that there could be approximately 800 homes constructed under the current zoning. The flood plain, slopes and other constraints make certain areas of the property unbuildable, thus resulting in the approximate number of homes. Ms. Foran added that included within the 340 acres are 13 acres that are in County and not Hurricane City. She believes a General Plan change can be made on property that's adjoining our boundaries, but the zoning could not be changed by the City. The County currently has these 13 acres zoned as open space. Ms. Foran stated that these 13 acres have county parcel number and not Hurricane City parcel numbers. Yvonne Spilsbury-Mendenhal stated that this is incorrect and she has the documentation proving that these 13 acres are part of the City and not part of the County. The BLM included these 13 acres in the deal that was made for the tortoise habitat conservation deal. Ms. Foran said this issue will need to be resolved before a zone change can be made.

Fay Reber suggested Council continue this item until the next meeting to allow time for the clarification of the 13 acres and to allow the Developer time to submit additional information regarding traffic, the utility and emergency access road and any other concerns that need to be addressed. Mayor Bramall was in agreement and added that he still has concerns with the roads and traffic. He would prefer the areas next to Sky Mountain to remain residential and only a limited mixed area for commercial and a limited area for the RV Park.

Kevin Thomas commented that the majority of the people who are present tonight are in opposition of the plan change. However, outside of this venue, all of the people who have spoken to him regarding this development have been in favor of it. He is not convinced that the majority of people within this community are against it. We are living in a Representative Republic where it is not always majority rule. Those who are elected make decisions based on what they believe is best for the community as a whole, based on the best knowledge they have. He stated that this is what a Representative Republic does and if people don't agree with that, they can vote him out. As an attempt to save his reelection he could vote against this project, but he doesn't feel that would be right. He suggested continuing this item for two weeks to give time to review these issues and make sure that the correct decision is made.

Kevin Thomas made a motion to continue the General Plan Map amendment request on 340 acres located north of 600 North at approximately 2000 West ("the Cove") from Single Family Residential up to 4 units per acre designation to Mixed Use including various residential and commercial uses in order to further study the issues that have been presented. Seconded by Cheryl Reeve. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

4. Public Hearing to take comments on:

B. A General Plan Map amendment request on 11.8 acres located at approximately 232 N. 2260 West from the Commercial designation to Mixed Use designation

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

Cheryl Case clarified that the Developer is requesting half office buildings and half apartments. Mayor Bramall confirmed that the applicant is requesting a mixed use designation of commercial and residential. Ms. Case hopes that this designation remains commercial and added that there are already numerous apartment buildings and senior living centers in that area.

Charles Reeve owns property directly across the street from this proposed development. This is a busy road and they are opposed to any residential uses being so close to the industrial park. It causes concern if families and kids would be next to this already established industrial park. If an industrial park was being proposed in a residential neighborhood, the objections would be plenty.

Karl Rasmussen stated that the applicants have additional information to submit to the City, so they request this item be continued until the next meeting.

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

5. *Consideration and possible approval of a **General Plan Map amendment request on 11.8 acres located at approximately 232 N. 2260 West from the Commercial designation to Mixed Use designation*** - Pravin Patel, applicant and Bill Boulter, agent

Darin Larson stated that the Planning Commission had a split vote of 4-4 on this item. The proposal showed commercial venues on the side adjacent to other commercial use and the residential on the backside was adjacent to multi-family on the backside. The mix of the property was split in half which was the debate during the meeting. However, applicants have requested this be continued to the February 21, 2019 meeting.

Kevin Thomas made a motion to continue this item until the February 21, 2019 City Council meeting. Seconded by Darin Larson. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

6. *Consideration and possible approval of a **zoning map amendment from PDO/Neighborhood Commercial to PDO/R-1-8 for 7.83 acres located on the north side of 600 North at approximately 2270 West*** - Sector 5, applicant

Toni Foran stated that Planning Commission recommended unanimously approving this item with a Development Agreement. Mr. Larson added that this property is adjacent to Sky Mountain and the building would be as proposed, with no sleeping units bordering 600 North.

Pam Humphries made a motion to approve the zoning map amendment from PDO/Neighborhood Commercial to PDO/R-1-8 for 7.83 acres located on the north side of 600 North at approximately 2270 West, with the Development Agreement and to make sure their road and 2270 match up. Seconded by Kevin Tervort. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

7. *Consideration and possible approval of a **Land Use Code text amendment to Title 10, Chapter 23 regarding accessory building size and location in Planned Development Overlay zones*** - Hurricane City, applicant

Toni Foran explained that code is amended by the deletion of the accessory building size to determine side yard setbacks.

Pam Humphries made a motion to approve the Land Use Code text amendment to Title 10, Chapter 23 regarding accessory building size and location in Planned Development Overlay zones. Seconded by Kevin Thomas. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

8. *Consideration and possible approval of a **subdivision lot line adjustment for Zions Gate Estates Ph.1, Lots 7 & 8*** - Benzer Development Solutions LLC applicant

Toni Foran explained that the applicants designed a house that was bigger and now need a lot line adjustment. Both lots will still be legal lots with the proposed adjustment.

Kevin Thomas made a motion to approve the subdivision lot line adjustment for Zions Gate Estates Ph. 1, Lots 7 & 8. Seconded by Pam Humphries. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

9. Mayor, Council and Staff reports

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

Adjournment: