

Kanab City Council Meeting
March 26, 2019
374 North Main Street
Kanab City Library
6:30PM

In Attendance: Mayor Robert D Houston, Council Members Arlon Chamberlain, Celeste Meyeres, Michael East, Jeff Yates, Byard Kershaw, Recorder Joe Decker, Attorney Jeff Stott and Treasurer Katherine Ohlweiler.

Mayor Houston expressed the USGS representatives that were coming and speaking on the Southern Red Sands Project will be coming to present at a future meeting as they didn't get their material put together in time for this meeting.

Prayer was offered by Jeff Yates and the pledge was led by Arlon Chamberlain. Mayor Houston called the meeting to order and roll call was taken.

Approval of Agenda: A motion was made by Michael East and 2nd by Byard Kershaw to approve the March 26, 2019 meeting agenda. Motion passed.'

Approval of Minutes: A motion was made by Celeste Meyeres and 2nd by Jeff Yates to approve the March 12, 2019 meeting minutes. Motion passed.

Approval of Accounts Payable Vouchers: A motion was made by Jeff Yates and 2nd by Byard Kershaw to approve the accounts payable vouchers and check register dated March 26, 2019 in the amount of \$51,316.86. Motion passed.

Public Comment Period: Richard Gray expressed he has spent time looking at long range plans for City and wanted to point out several things. Kanab is a charming rural town and he doesn't see flexibility concerning curbs gutters and sidewalks. The charm of the North Ranchos is rural adding curbs and sidewalks would change that. The sidewalk and curb that is on one side of the post office and gravel on the other cause the runoff. He believes there is a place for curbs, sidewalk and gutters and a place for leaving gravel. It could make low cost housing more affordable for the developer. Mr. Gray finished with saying gravel is more versatile for walking and also for the many horses that live out in the Ranchos to walk on as well.

Jan Dixon agrees mostly with Richard Gray. She has to ride mobility scooter on road because sidewalks are bad, and she almost gets whiplash on the sidewalk going over the cracks. There are several places in town that have no off ramp. Ms. Dixon explained there is a drop off that she can't get off near the senior center, but gravel paths don't do for a mobility scooter either. She hoped there is surely something someone can do.

Public Hearing to Discuss a proposed zone change to Parcel K-19-8-ANNEX from a RA [Residential Agricultural] to R-1-8 and R-1-15 [Residential Single-Family] Zones. The property is 30.46 acres of undeveloped property located at an approximate area just east of 857 South Hamblin Drive:

A motion was made by Jeff Yates to go in and out of PH at chair discretion. Celeste 2nd.

Kent Douglass expressed he lives on Hamblin Drive and as a retired policeman from Mesa, Arizona he was most concerned that smaller lots tend to have a higher crime rate. Mr. Douglas experienced larger lots and larger houses did have less of a crime rate.

Olivia Wisebloom expressed she has been an employee of Best Friends for two years doesn't think there would be an increase in crime in this area. Most people that will reside there already live in Kanab in substandard housing. She is currently in the fourth home since being here and explained they are regular people just trying to make a living at something their passionate about. Best Friends does experience a high turnover which has to do with difficulty with finding housing. A coworker lived in place that flooded, shorted her electronics, was cold which almost led to the death of her rabbit would. Ms. Wisebloom continued that would be bad for someone that has children or babies. The turnover effects more than Best Friends staff, creates flood of people that come thru Kanab and can't ever integrate into the community. The divide between BF and locals is ludicrous and she wondered how long you have to live here until you're a local. This also creates difficulty for staff to integrate with the community.

Darcie Davis works for Ensign Staffing and talks to people throughout community. She supports this zone change and thinks it is well thought out for the City. Kanab has an affordable housing and employee shortage as does most of the country. The City Council is like parents of the community and they need to decide what's best for the whole community. She continued with you can't make everyone happy. And recommended the Council to stand strong and stay objective because change is hard. The Council has already passed the Future Land Use Map. This will bring utilities and better road conditions to the Ranchos. Ms. Davis explained this development will be open for all not just BF employees with affordable housing and a clean lay out which will benefit business owners to provide more housing for employees. She expressed that we are all residents of Kanab and deserve our own place to live and it will always be next door to someone. The City and County have an opportunity to learn from other communities on housing. Ms. Davis explained the House just passed a bill to approve steps aimed to approve affordable housing. She offered the Council to take advantage of these steps that could provide funding from Utah. Ms. Davis concluded with, change is hard and hopes we can meet on common ground.

Scott Collins is a retired assistant Fire Chief for Salt Lake County fire. He was a commander in New York on 9/11. He explained this is more than just gravel and cement tar roads. The Fire Chief has to plan ahead, and everyone has to grow. He hopes the City will take a good hard look at the area and notice that there is a lot of work that needs to be done.

Ted Prihoda explained he lives on South Lee and came from Denver, he picked out a parcel of land because it was $\frac{3}{4}$ of an acre and built a house on it. Denver changed their rural areas and let small square foot homes and apartments be built there. Mr. Prihoda loves BF and doesn't see why they can't build there on the property they already own. There is plenty of land south and east and once this is changed it opens up a Pandora's box. He picked Kanab because he loved it doesn't want it to turn into Denver. He continued with a half an acre could be fine for a house. Affordable housing doesn't mean cabins like by the hotel. He is worried that that would happen in the ranchos. Mr. Prihoda questioned, once that box opens up and everyone is gone, how are they going to close the lid. Has no problem paying sewer tax if things are going to get better. Keep Kanab pristine because there are plenty of land other places. The influx of travelers choosing rental properties, the hotels lose out. Mr. Prihoda finished with saying keep this type of zoning in the City and not in the Ranchos.

Vicki Collins lives on Kanab Creek, husband and she bought their home in 2010 because of the pristine living and the views with neighbors you can wave to. They love Kanab and bought because of the zoning and the way the property was laid out. The Ranchos will not be the Ranchos any longer if development like what is proposed comes into the area. Mrs. Collins believes this area is not made for curb and gutter. The number of homes for this development started out at 30 and they have been told it went up from there. The rental units will be temporary, as far as people that are in the dwellings. She explained she knows and understands people need a place to live and she's not denying that but when a business like BF has property already closer to their main buildings, she doesn't see why they can't build there even though they can't get water. Mrs. Collins explained she knows the property hasn't been sold to them but thinks it is unfair to the people in the same area that have bought property for them to request a zone change that doesn't fit. She's not denying people to live there, but just wants it done properly to fit the change.

Kristin Griffiths lives on Hamblin and knows that they're going to be hooked onto sewer but wondered if everyone else in the Ranchos will eventually be required to be on sewer as well. Normally the homeowner will pay for that. The first couple of meetings she attended it was explained that this development was just for BF employees. But has now learned that it will be open to other people too. When they moved onto Hamblin, they built and knew that the back field would eventually be sold, and people would build homes. All homes on Hamblin are two to three acres and they chose that for a purpose. As long as houses fit in the existing community, she doesn't feel this would be good for area. The traffic is already bad where the driveway is supposed to come out and it would be close to the curb. Mrs. Griffiths explained she has almost been hit several times while on curb and feels like traffic would be major issue. Hamblin is small and she doesn't feel that is feasible if there was a fire there would be one way in one way out which would be a tough situation if there was a fire. This would affect everyone. She expressed that we had a past mayor that said the town needs to grow with grace. She doesn't feel this development would accomplish that. Mrs. Griffiths has two rentals

and feels for people that are looking for housing and feels for people that can't find housing which causes them to lose out on jobs in this area.

Cassie Rowell wanted to say that she loves everyone and doesn't care who you are and that there shouldn't be a divide. Things are very different than when she got to Kanab six years ago. Ms. Rowell explained you can hate BF employees, but they aren't going anywhere. Kanab is no longer magically unspoiled because people have discovered Kanab. She can't go into any restaurants because its packed and would like it to be nice little town. She explained there have been 2.81 million visitors to Zion and in six years its jumped to double that. People are coming here for everything. Ms. Rowell waves to everyone when she walks her dog and finished with the divide needs to stop.

Kathy Parent is in support of this zone change and hopes the Council vote in support. It is well established that there is a housing problem and Kanab is growing. It is clear that the City planned for this, BF is the only one that is looking at addressing the housing situation in Kanab. She expressed not one hotel has offered to provide housing for their employees, BF is the only one trying to solve this that is already in the City plan and should be voted for.

Richard Gray lives on Hamblin and wondered if they took the emotional content out of this and if it had been proposed by anyone else, would we be at this stage. Hamblin owners have bought half of the Garkane access road and plan on dumping 100+ homes on Hamblin. Which would then bring a city street on a local road and they should plan to build a minor collector from Powell to Kanab Creek. Mr. Gray thinks that is not a good idea when you come out on Kanab Creek you have to be careful of traffic from the hill going west. The City has managed to bypass long range planning for roads. If this were Red Sands would we be in the same situation. Mr. Gray suggests the road infrastructure is not there to support hundreds of homes in that undeveloped section of land. He is only against the zone change and wondered if Kanab wants to look like St. George and risk losing the uniqueness that Kanab offers if this is approved. He explained there is no going back once this is approved and put in. This would change the whole character of north ranchos and asked the Council to please vote against it.

Holly Sizemore a resident of Kanab of nine years explained she almost couldn't find a rental to live in. She lived in the Ranchos for a year and saw to the west her views go because of development. After a year she lost her home but was able to buy another place. As far as public safety issues, BF conducts background checks on all employees. The neighborhood will have sidewalks and curbs that people will be walking on. She supports growth although it can be a nuisance as a community needs. BF listened to citizens feedback and supplied that, support the zone change.

Ranna Brian lives on Kanab Creek Drive and has been here six years. She believes there is not anyone who doesn't understand the need for affordable housing. Ms. Brian does think the location is wrong and worries about aesthetic and character of the area. She wondered about the environmental impact so close to the creek and about density and cluster of building affecting animals that pass through. She expressed how

polarizing it would be. She knows everyone understands growth, but the petitions and calls show that the location is wrong and that's what's created this unhappy issue. Location could be better.

Rob VanDyke spoke in favor of the zone change and explained what's before the Council is whether or not they'll change the zone not the details of the development. He suggested considering the plan already in place for future development. Mr. Van Dyke expressed this is the right time and there are other organizations and businesses looking to address housing problems in this town. He works with Kane County drug court and is a prosecutor and thinks it's pretty ridiculous the situation criminal justice individuals don't have stable housing and can't be successful without good stable housing. This project will help alleviate that need and bring down the cost around the city. Mr. Van Dyke is a father that lives on Kanab Creek Drive and traffic is a concern. If the zone change is passed, they will have to consider traffic. Mr. Van Dyke asked the Council to vote in favor of zone change.

Jan Dixon is fine with sidewalks on one side of the road although the road is smoother than sidewalks. Her top speed is 3 mph and is breaking the law riding facing the traffic. Ms. Dixon explained she knows of a two-bedroom rental coming available but no pets and to talk to her after if interested.

Nick Mccausland expressed his concern that the Council has already made up their mind on this.

Gregory Castle explained he is one of founders of BF and has lived here for 25 years. He expressed Kanab is a wonderful community and wanted to thank the Council for the opportunity for people to voice their opinions. He explained there is two basic things this boils down to: neighbors not wanting this in their backyard and people not wanting to change the community. He is sympathetic to that but thinks people ignore a couple of facts that's happening in community. Housing is a real crisis not just for individuals that can't find homes but also for businesses that need employees. This community is growing, and we need to face consequences of that. Mr. Castle urged the Council to vote for this zone change and thanked them for the opportunity. They have done a great job in planning for the community, which is complicated and probably isn't perfect, but should acknowledge the fact that community is growing.

Walt Thirion explained many people move here for small town feel and know it is growing. As business owners they feel the pain of needing housing for employees. Having subdivision with four houses per acre is a step too far. Lived in Austin and now its largest place where they created subdivisions all over and channeled it certain ways. He really likes BF and wants to support them and wants to see a solution and see some development done. It needs to be all, or nothing rather see change happen and have housing built with reduced density.

Bruce Davis thinks the Council should take this rezoning off the table and start over with a survey from the owners of the areas. This has been changed so many times he

recommends starting over because you can't fit a square peg into a round hole. This is an organization with a million-dollar budget and a lot of land. They are attempting to fit something of benefit to them and not to the property owners of the area. Mr. Davis thinks since they have money into it is bullying. The rezoning application needs to start over as this is poorly thought out. He explained lots of businesses don't pay what it costs to live in this town, since it is a well to do town, they need to pay a living wage.

Betty Williams explained the North Ranchos are RR-1 with one acre per house or more. Hamblin is close to three acres and she owned a house in the North Ranchos area for nine plus years. She explained the plan that they keep going to is a plan and not set in stone. She was never notified of any zoning change in this area or else this would have been fought way back when. Ms. Williams is a supporter of BF as animal lovers and protectors but not in support of this zone change. Not going to solve all problems many people have said east, north south of town everything on that side of the actual creek is where it should be. Apartment buildings are going to be built by subway and townhomes by BLM and there are duplexes going in are all on that side of the creek. The fire hazards exist, and this is the wrong location. She hopes they listen to the community and longtime residents.

Hal Hamblin is a resident here for 68 years and doesn't think this is about BF or anything but the density that the Council is trying to throw into a less densified area. He explained he is talking to the Council but especially to Councilman Byard Kershaw. Byard has talked about property rights and if BF or any other developer doesn't want to be a part of this community they would try and blend and not change drastically. Mr. Hamblin brought the local paper SUN and read from the flashback section about an article that was from 10 years ago talking about Kanab being one of the top twenty places to live in the west. Kanab is considered one of the best and has earned national recognition. People live here for the open space, people moving here are buying open spaces because that is what they want. He urged the Council to be careful where they put low income housing and finished with if you can furnish water to RSR you can furnish water to BF.

Levi LeFevre explained he has been involved since October, wife and he have spent lots of time going through the General Plan and their opinion on this has never changed. The zone change does not fit with area being proposed in, there is no buffer and land owners would appreciate buffer. They have scrimped and saved to buy where they wanted with open space and open land. Many people saw the petition and they didn't start that to create hate or division but hoped it would be informative and give those a voice. There have been some constructive comments and some not and a few people not from the area signed but the vast majority are from Kanab. 700+ supporters to go against the zone change which is 1/2 the adult population in Kanab that feels this would be a bad zone change. 20 years ago, Moab was a similar town to Kanab and Moab is not where we want Kanab to go. It is a tourist town and a ghost town in the winter. Mr. LeFevre explained Moab has the same housing problems as Kanab and it is not where General Plan needs to go. Grow with grace and grow slowly, and he would welcome one acre lots in his backyard.

Samantha LeFevre explained she is the one that wrote petition and wanted to mirror what her husband said. She did not write the petition to cause division and not Kanab vs BF as she worked at BF for five years and ended on great terms with them. She explained this is about a zone change and not about housing or finding a place to live. If BF or any other corporation wanted to take land and put houses on as what its currently zoned that would be fine instead, they are trying to change something that works for them and not caring what other people think or feel. She expressed them allowing others to buy the houses is a bribe and that should not affect the zone change. 90% of land use map is spot on, this portion of the future plan has 17 points that this zone change goes against the future plan. Mrs. LeFevre continued saying this type of decision and division needs to be addressed before a loophole is provided. If someone wanted to buy land as it is zoned that would be great this isn't; and they are infringing on property rights. BF is not the only people looking for housing solutions, as duplexes put in falls in right with the zone also the condos being put in. They are not against growth; they are about proper growth and welcome one acre lots in that area. She urged the Council to find middle ground that works for everyone.

Anna Davis explained she lives in Vermilion Cliffs and this isn't an anti BF situation. She called 25 of her best friends and thought they would say no because they are BF supporters but they did say yes because they are property owners. The County sometimes follows what the City does and is afraid this will spread to the whole county. To change a zone isn't about BF it's about developers following money. In the future people would wonder what happened that they allowed just anything, tried and elected officials didn't care and changed zoning anytime they wanted. Ms. Davis asked if it's going to be a beautiful city or are we going to have ugly city to make people question what citizens were thinking.

Vicki Collins explained that she drove to Tremonton and saw a north bound sign saying Abra Kanabra and thought it was great that advertising for Kanab is so far north. She was proud to come home and thought that idea was genius because people come to Kanab because it is beautiful. We have to grow gracefully as other places have not and she doesn't want to see that happen here. She and her husband bought property to enjoy community and scenery and not take away housing from others. It is not a crisis for BF as they own property in other areas and should spend the money where they own. Keep Abra Kanabra beautiful and pristine and vote no against zone change.

Bart Battista requested that this zone change is approved. He knows there are lots of concerns and understands them as he lives two blocks away from this development. This is going to be done in a well thought out manner and not going to be blight. They are going to be proud of it as it is not going to be rife with crime and thinks this is a good thing. His involvement with the project is trying to shape it to become a good thing. Mr. Battista explained people don't have places to live here and have no place to rent. He is a retired Marine who had money saved up but there was nothing on the market to rent. He knows everyone else is not of the same means, but everyone needs housing. People making a decent wage in Kanab can't find places to stay. He explained

someone has to build something to solve the problem and he doesn't want to be in development business, but we have a problem that no one else is addressing. BF is trying to address the problem for themselves. BF said they'd open some of homes to the regular community because they don't want it to just be a BF community. The residential multi-family variance which was not in accordance with plan was denied but this plan gives people certainty on how community is going to grow. There are a lot of technical concerns that would be dealt with during the site plan, road, storm water issues will be details they will resolve to comply with ordinances. Mr. Battista was offended by the bribe comments and thought it was insulting. He knows BF does not bribe and as a Marine Officer it is an offense to him. He urged the Council to please approve this.

Out of public hearing.

Discuss Vote on Zone Change on Parcel K-19-8-ANNEX from RA (Residential Agricultural) to R-1-8 and R-1-15 (Single-Family Zones) Applicant Karen Alvey and Best Friends:

Mayor Houston disclosed that the Zone Change could affect property he owns and property he partially owns although he does not get to vote but thinks he can participate in debate. He believes in real property rights and that they are equal, that is the challenge. Mayor Houston asked the Council if there was zone change or planning happening around lot they owned, wouldn't they want people to consider their concerns. With that, he encouraged the Council to approve the zone change with the following conditions:

1. All the lots within the subdivision are to be hooked up to Kanab City sewer system before a building permit is issued.
2. If development is not started on the property within 12 months, the zone change will revert back to the current zone.
3. Subdivision developers will have to establish a minor collector access road that will run from the subdivision property due north to Powell Drive.
4. All lots on west side of parcel K-19-8-ANNEX will be zoned RR-1 with the remainder of land be divided equally between R-1-8 and R-1-15.

Mayor Houston explained he knows that is not what Best Friends wants to work into their financial model, but he thinks their decision should be made on what is best for the community and not on finances.

Arlon Chamberlain commented that he had a lot of time to get a feel from public and appreciates comments and emails which helps them to be better informed. One thought he had, even though they've talked about this helping with housing, it will supply housing for BF and others. And when their employees are housed that will open up places in town. He knows there's a need for people to work and finding suitable housing should help eliminate housing problems we have and maybe even drive down rent. He goes along with idea that everything needs to be connected to sewer the subdivision is fairly close to the creek so soils and stuff could become saturated if not careful. Sewer is a must. A big concern Arlon has is the traffic. He realizes the streets

are narrow and crumbling off on corners but that will be addressed in development and doesn't necessarily pertain to zone change.

Celeste Meyeres thanked everyone for their hundreds of emails she enjoys learning the communities prospective. She thinks it is important to stay consistent and they have already set precedence in town for future planning and developments such as Sedona Valley and Creekside that is near this. She empathizes with anyone who is upset by this and it is understandable to have mistrust with BF. She assured that the City has checks and balances to make sure once this is approved it will be strictly reviewed. This is just for a zone change. Property rights belong to everyone. Her own rights end at her neighbor's property. Mrs. Meyeres has noticed there has been resistance from Best Friends the Red Sands mining project kind of in their backyard. She asked Best Friends to give the same respect of property rights to the sand mining project as they are asking neighbors are giving them. She thinks this is good, housing is great and she also urged them to pay sustainable wage to all employees to local hires consider employees to work offsite to alleviate bottleneaking that's happening in canyon.

Michael East explained he will be voting no on this vote not because we don't need housing, we absolutely need housing. He is voting no because there is no site plan requirement here and he has no idea what is going to be built. The Council has one chance to get this right. After this zoning takes place, they can do anything they want. In the future, they should change requirements to any zone change should have site plan so that they are informed of what will be happening. We need housing. The map that the City is relying on should be looking at words of general plan and not the pretty pictures. Mr. East had yellow stickies that existing community needs to be compatible with. One of goals on page seven encourages attractive, stable and safe residential neighborhoods then it says compatible mixtures of densities throughout the City. Mr. East said the plan doesn't say they create density but that they manage density. He hopes the Council has read document because the picture says one thing, but words don't always jive with picture. The plan says to consult the map but require that we fit with existing homes. Shouldn't lean entirely on the map. There are property rights as it is currently zoned. The applicant is coming and asking to change their property rights, not asking to do what they're already permitted to do. When someone comes to the Council with a change, Mr. East explained he starts with a position of saying no because there are rules in place to then figure out if it would be in the City's best interest to say yes. We need housing and he is all in favor of zone changes, but they have to be right type of housing. Has to be planned development that transitions nicely or is compatible with as the General Plan states, with existing homes. The map has R-1-8 lots in the area and putting cluster up to 125 homes in that box. If you truly believe that is balanced and compatible with the existing zone, then it should be approved. Putting 125 homes there doesn't even remotely come close to balance with the existing zones. There is a pretty picture in transportation master plan that calls out roads that should be minor and major corridors City hasn't done what it needs to do to comply with plan. The developer should have to pay to make the roads major collectors. MR. East is against the zone change because the project doesn't fit. It has nothing to do with BF as he is indifferent about. But it is about the project just isn't right. We need housing but

there are places for it. If we do this then the next property to it will be compatible with property next to it without needing a buffer. Driving down the dip all you will see is R-1-8 zoned lots.

Jeff Yates explained the Kanab General plan is not perfect and he was involved in redoing which is every five years. 2005 this property was future zoned to what's being asked. In 2015 the plan wasn't changed. The streets in middle of town aren't up to standard either it's a problem everywhere. Mr. Yates asked how do we know how to plan if we don't follow the General Plan. It is coming up to redo now. What exactly buffer means he doesn't know and across the street from these properties is already high density. He expressed that the applicant is trying to obey the rules we have set out even if they are flawed. The things they will have to deal with are in the development side of things with traffic and so forth and studies will have to be done. Mr. Yates agrees with Michael in that they have no idea what it will be since we don't require it. That is probably a flaw in our own plan. He would like to see changes to streets maybe but thinks he needs to have information of what it looks like in order to make decisions.

Byard Kershaw explained he moved here 14 years ago because his wife told him they were going to retire here, and she liked the view in all directions of their property. Someone built across the street blocking those views. He agrees with some points made tonight but if he didn't want the house to be built across the street, to satisfy his wife he should have made more money to buy that lot too.

Arlon Chamberlain explained they cannot put that many houses on the lots and they need to have open space. There could be possibly around 80 homes and he thinks BF has the idea of putting in what they need and open it for everyone else. There are 1000 lots in ranchos over half of them have been built on and it could take a while before building out the rest. As far as roads, bringing them up to standards is a big concern to him especially with construction. If this goes through, Mr. Chamberlain proposed to the City to make sure they know what roads are like before development and any damage done through construction would have to be brought back up by the developer. More importantly there needs to be an outside traffic study done that would say if these roads are capable of carrying the necessary traffic that will come. If roads can't handle it in the development situation, BF would have to come up with money to fix the roads. There are things to be looked at in development but as far as the zone change he proposed that they take what the Mayor suggested, or at least take half acre zone down at the bottom scatter them that would border the Ranchos and keep R-1-8 to the side to be further away from homes.

Celeste Meyeres wanted to go through the suggestions from the Mayor. She agrees with point one connecting all the lots to the sewer system BF has already offered that as well. Mrs. Meyeres is opposed to the zone reverting back after 12 months of no development because it says on the building permit application that the applicant signed and paid good money, they get 18 months. That six-month difference would open them up to accusations of unfairness and trickery. On point three she agrees with Jeff Yates and thinks they should wait until they see a sight plan and not make the zone change

contingent upon that because there will be plenty of time to address the roads. She thought point three was interesting to put the lowest density right along Hamblin Drive and agrees with that. Mrs. Meyeres thought the traffic idea Arlon Chamberlain brought up would be good to have a flyover to see foot by foot what the road looks like before construction and any damages must be fixed by BF. An independent study would be great to have done by an outside company as there could be some mistrust to have the same people doing the engineering for the project also do the study. Her last point talking about the compatibility of these zones. High density multi-plexes would be incompatible and she thinks single family residences are compatible with single family residences.

Michael East explained some math he had done to figure out that there would be 122 potential homes built. Right, wrong or indifferent his point was that he doesn't have a sight plan to see what will be done there. He asked if the site plan will come back to City Council or if it stays with the Planning Commission and it was explained that the Preliminary and Final Plat will come back to City Council for decision. If the property is zoned the same as your house, you can expect the same type of home will be built on the lots next to you. These people have bought and think the same homes will be built in their area, changing the zone would change their property rights.

Jeff Yates explained he disagrees with Michael East in that all of the Ranchos were once zoned RA. There was a zone change that allowed it to be developed. Sedona Valley Estates and La Estancia were also zoned differently, and zone changes were passed so they could allow for development. Powell Drive was once a dead-end road and the first crossing was in 1995. This is not without precedence and it allows people to have some input on the way their property is zoned. Mr. Yates continued that this area is not zoned RR-1 now it is zoned RA. The Future Land Use Map shows what the City sees in the future as the way they want development to go. It isn't perfect and it can be tweaked along the way, at the same time it gives developers a guide to see if its compatible to what they would like to do with it.

Byard Kershaw agrees with Michael East that if someone asked for a zone change across his street, he would have to accept what the City decided to do. No doubt there's a housing problem in Kanab and he thinks whatever needs to happen isn't the City's problem. It is the industries need to solve housing problem. The City's involvement with the housing problem would be these kinds of decisions. Mr. Kershaw explained he doesn't disagree with the four points from the Mayor and somebody has got to start somewhere.

Mayor Houston explained one of the reasons he did what he did in coming up with those four points is because they have one bite of the apple. Once this is passed, they have to follow the ordinances. The City Manager and he have looked at traffic studies and, in his opinion, they wouldn't require BF to do major improvements to the roads legally. Right now is their chance to give a transition period for the people that live there and have equity in their properties. If the zone change passes as is, they then can only follow what the ordinances require.

Mayor Houston asked if there are any conditions or changes that they would want to put to the proposed zone change. Byard Kershaw is in favor of putting the four conditions the Mayor listed. Jeff Yates supports R-1-20 and asks for transitions next to what is RR-1. He would be happy with having RR-1 to R-1-20 and then split R-1-20 and the rest of the lots depending on development divided between R-1-15 and R-1-8 would be an L shape against the adjacent lots on Hamblin and Kanab Creek. Michael East is opposed. R-1-8 on the outside will transition to the other acreage for sale there. Celeste Meyeres would approve of sewer, Jeff Yates idea about dividing the lots and Arlon Chamberlain's traffic idea. She wanted to address that saying this is the one chance to make extra stipulations is like saying it's the once chance to not follow their own rules. She thinks they should follow their own rules and respect the laws already in place. Arlon Chamberlain likes the things the Mayor has proposed but is a little concerned about the minor collector road that would come out and where it would go. He asked if we can't require them to maintain and upgrade roads, how can we ask them to build a road that's not part of their subdivision.

Mayor explained they are impacting Hamblin, Stewart and Powell and this would eliminate the impact. It is his opinion that we can't force the applicant to upgrade those roads. Everybody agreed that they will need to be connected to the sewer system. If the traffic study says to improve the roads, then they need to. And they decided to go with Jeff Yates recommendation to have the lots be R-1-20 that border the Ranchos on the west side of this property and the south side. And then divide the remaining lots by R-1-8 and R-1-15.

The zones on the L will be R-1-20 and R-1-15. Then R-1-20 towards the creek. Michael East suggested to have 50/50 mix of neighborhoods and to let developer design it in a way that's livable for everyone. The remaining property be divided by equal number of lots. Michael East recommended doing what is correct.

All lots on sewer, outside perimeter will be R-1-20 inside will be divided to R-1-8 and R-1-15. With the condition if the applicant doesn't want what was suggested they can reject it and it will reverse back to what was requested.

A motion was made by Arlon Chamberlain and 2nd by Celeste Meyeres to approve the Zone Change of Parcel K-19-8-ANNEX from RA to what has been outlined in discussion with the following conditions: all lots be hooked up to City sewer; the lots that border the Ranchos on the West and the South be R-1-20 and the remaining lots be divided equally by R-1-8 and R-1-15. Motion was passed by roll call vote with Arlon Chamberlain voting aye, Celeste Meyeres aye, Michael East nay, Jeff Yates aye and Byard Kershaw aye.

Jeff Yates adjourned the meeting.

Mayor

Recorder