

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
MAY 15, 2014, 5:00 P.M.
CITY COUNCIL CHAMBERS**

PRESENT:

**Mayor Jon Pike
Councilmember Gil Almquist
Councilmember Jimmie Hughes
Councilmember Michele Randall
Councilmember Joe Bowcutt
Councilmember Bette Arial
City Manager Gary Esplin
City Attorney Shawn Guzman
City Recorder Christina Fernandez**

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Councilmember Almquist and the invocation was offered by Reverend Alex Wilkie.

Mayor Pike read proclamation proclaiming May 11, 2014 as The St. George Exchange Club's 40th Anniversary.

AWARD OF BID:

Consider award of bid for the installation of storm drain pipe in City Creek.

Purchasing Manager Connie Hood advised that JP Excavation, Inc. was the low bidder at \$57,850.

MOTION: A motion was made by Councilmember Hughes to approve the bid for \$57,850 to JP Excavation, Inc. for the City Creek pipe installation.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid for concrete repair along the City Creek Wash.

Purchasing Manager Connie Hood advised that Progressive Contracting was the low bidder at \$60,553.

MOTION: A motion was made by Councilmember Arial to award the bid to Progressive Contracting for \$60,553.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

AGREEMENT:

Consider approval of an agreement with Interstate Rock Products to construct the Mall Drive Bridge access roads.

Purchasing Manager Connie Hood advised the low bidder was Interstate Rock Products at \$981,714.95 which is lower than the engineer's estimate.

City Manager Gary Esplin although the bid is lower than the budgeted amount, the City will have to purchase a portion of the material for the traffic signal that will be installed at Mall Drive and Riverside Drive.

MOTION: A motion was made by Councilmember Randall to approve the agreement with Interstate Rock Products for \$981,714.95 to construct the Mall Drive Bridge access roads.

SECOND: The motion was seconded by Councilmember Hughes.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

City Manager Gary Esplin stated that the target date for the bridge opening is October 1, 2014.

ENERGY SERVICES AGREEMENT:

Consider approval on an engineering services agreement with Alpha Engineering for the design and construction management of the Stone Cliff Tank.

COST SHARING AGREEMENT:

Consider approval of the Stone Cliff Tank cost sharing agreement.

City Manager Gary Esplin advised that these two items have been tabled.

MOTION: A motion was made by Councilmember Almquist to table items 2D and 2E.

SECOND: The motion was seconded by Councilmember Hughes.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid for 2014 fireworks presentation.

Purchasing Manager Connie Hood advised one bid was received from Fireworks West International for \$40,000. Canyon Media will reimburse the City \$20,000.

MOTION: A motion was made by Councilmember Arial to award Fireworks West International for \$40,000.

SECOND: The motion was seconded by Councilmember Hughes.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

AMENDED FINAL PLAT/ORDINANCE:

Consider approval of an ordinance amending the final plat for River Hollow Phase 3 and River Hollow Phase 4 subdivisions.

Wes Jenkins presented a request to amend the final plat for River Hollow Phase 3 and River Hollow Phase 4 subdivisions located 1190 South Circle and 1240 South. The purpose of the amendment is to amend note #4 on each final plat by removing the last sentence of that note. Removing this sentence changes the setback from 30 feet to 25 feet along 2580 East Street.

City Manager Gary Esplin inquired if staff has obtained signatures of the adjacent property owners.

Mr. Jenkins replied yes.

MOTION: A motion was made by Councilmember Hughes to approve the final plat amendment for River Hollow Phase 3 and River Hollow Phase 4 subdivisions.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist - aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

AMENDED FINAL PLAT/ORDINANCE:

Consider approval of an ordinance amending the final plat for Sun River St. George Phase 16 Amended.

Wes Jenkins presented a request to amend the final plat for Sun River St. George Phase 16 Amended located at 4861 South Horizon View Drive. The purpose of this final plat amendment is to add lot 1913 into phase 16. This area was common area on the original final plat.

MOTION: A motion was made by Councilmember Almquist to amend the final plat for Sun River St. George Phase 16 Amended.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist - aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

DIXIE CENTER EDA/RESOLUTION:

Consider approval of a resolution appointing City representatives to the Dixie Center EDA.

City Manager Gary Esplin advised that the Dixie Center EDA is an existing EDA around the Dixie Center that expires in 2018. The City has two representatives on the taxing agency committee for the Dixie Center EDA. In order to consider amendments to the EDA, the taxing agency committee is required to meet and take action. Other representatives include the Washington County School District, State School Board, Washington County and the Washington County Conservancy District. He recommends that Mayor Pike and he be appointed as the City representatives to the taxing agency committee.

MOTION: A motion was made by Councilmember Hughes to appoint the City Manager and Mayor as representatives for the City of St. George.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

OUTDOOR WATERING RESTRICTIONS:

Consider approval of mandatory outdoor watering restrictions for the summer months.

Rene Fleming stated that summer watering restrictions are generally voluntary. With this being such a dry year she would like to make them mandatory. The restrictions would not apply to irrigation water users, only to those using culinary water. She proposes to make the restrictions effective immediately and for them to remain into effect until October 1, 2014.

Councilmember Almquist commented that City golf courses and parks use reuse water when watering, not culinary water.

Mayor Pike explained that Ron Thompson has stated that the reservoirs are 40% of their normal capacity.

MOTION: A motion was made by Councilmember Hughes to approve the mandatory watering schedule for the summer season.
SECOND: The motion was seconded by Councilmember Bowcutt.

Mayor Pike advised that the watering will be allowed from 8 p.m. to 8 a.m.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

Councilmember Almquist stated that it is important to note that Salt Lake City's plan does not apply here.

SET PUBLIC HEARINGS:

Ray Snyder advised that the Planning Commission, at its meeting held May 13, 2014, recommended public hearings be set for June 5, 2014 to consider: 1) A zone change request to modify the PD-C zone for Stephen Wade Chevrolet located at 150 West Hilton Drive to change the building's front facade by adding new reflective material and to construct a back lit entry portal to accommodate the Toyota Corporation's design proposal; 2) A zone change request to amend the PD-R zone for the Ledges to designate two areas on the east side of U-18 to allow for short term residential units; and 3) A request to amend Title 10 Zoning Regulations, Chapter 19, Section 10-19-4.2 to provide a 25% reduction in the required number of parking spaces for Dixie State University off-campus college housing subject to certain criteria within a pedestrian access area.

MOTION: A motion was made by Councilmember Almquist to set the public hearings for June 5, 2014.
SECOND: The motion was seconded by Councilmember Hughes.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

FINAL PLATS:

Todd Jacobsen presented the final plats for The Cottages at Fossil Hills P.U.D. Phase 4, a 23 lot residential subdivision and The Cottages at Fossil Hills P.U.D. Phase 5, a 31 lot residential subdivision. Both subdivisions are zoned PD-R and are located at approximately 3419 South River Road. When the preliminary plats were approved, there were some hillside issues. Within in the conservation easement, the developer was required to landscape the hillside.

MOTION: A motion was made by Councilmember Hughes to approve the final plats for The Cottages at Fossil Hills Phases 4 and 5 and to authorize the Mayor to sign them.

SECOND: The motion was seconded by Councilmember Randall.

Councilmember Almquist commented that the hillside board was very specific on what was type of landscape is to be installed.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Wes Jenkins presented the preliminary plat for Confluence Commercial Center, a 4 lot commercial subdivision located at 150 East 270 South, east of the Dixie Center. The property is zoned C-3. The site has two accesses and sits within the erosion hazard boundary and the 100 year flood plain. The City has contracted with an engineering firm to perform erosion hazard study to determine what measures need to be taken to mitigate the erosion hazard and to pull the project out of the floodplain through FEMA.

MOTION: A motion was made by Councilmember Randall to approve the preliminary plat for the Confluence Commercial Center.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

CONDITIONAL USE PERMIT:

Consider approval of a conditional use permit to operate a tattoo shop in Phoenix Plaza. Eric McFadden, applicant.

Presented the request for a conditional use permit to establish the Last Call Ink tattoo shop in Unit #1D of the Phoenix Plaza. The property is zoned C-3. The owner has had a

tattoo shop on Sunland Drive which was approved with a CUP. PC recommends approval with the following conditions: 1) Per Section 10-10-2 "Permitted Uses", a tattoo shop requires approval of a CUP; 2) This CUP approval is only for Unit #1D at Phoenix Plaza located at the corner of Sunset Boulevard and Valley View Drive. Any future expansion into other units would require another CUP; 3) The shop will be licensed through the State and every two years they will have to re-apply for a State license; 4) The applicant proposes three tattooing stations within approximately a 1,225 sq. ft. commercial unit; 5) The applicant will contact the Chief of Police and work with the Police Department to foster good community relations; no gang symbols or graphics will be inked and they reserve the right to refuse service to anyone; 6) No smoke shop paraphernalia will be sold; it will be exclusively a tattoo shop; 7) No restrictions on hours; 8) No exterior modifications to the commercial unit are proposed. Per finding 'D' below, Council would review any proposed exterior changes prior to issuance of a building permit; 9) Findings A. Noise, B. Dust, C. Odors, D. Aesthetics, E. Safety, J. Maintain character and purpose of zone and K. Public Health apply; 10 All signage requires approval of a sign permit; and 11) All other standard conditions shall apply (setbacks, parking, lighting, etc.).

MOTION: A motion was made by Councilmember Randall to approve the conditional use permit with the recommendations and findings of the Planning Commission for Last Call Ink.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

BUILDING DESIGN CONCEPTUAL SITE PLAN:

Ray Snyder presented the building design conceptual site plan for a proposed development of a 40,000 square foot building addition to the existing Fiesta Fun located on 1160 South Street near the I-15 freeway. Zoning is C-2. The Planning Commission was concerned with access and has recommended approval subject to Legal Department review for site access. It will cost the applicant approximately \$25,000 to install a new private access road.

City Manager Gary Esplin commented that staff supports the project. The major concern with a building this size, is that the access is through an existing parking lot. He believes that the road should be completed all along the project. An additional issue is that there will be approximately two acres of undeveloped land; when the land is developed, there will be no access. He recommends working with the Washington County School District to assist in the cost of the road as they have mentioned connecting their parking lot with this road. Staff recommends requiring a 30-foot road with no sidewalk.

Councilmember Bowcutt stated that he still has a challenge with there being only one access. He would like to see the road connect with 900 South. If there was a need to dig up the easements, there will not be emergency access.

City Manager Gary Esplin advised there would be access if the City and the School District could connect the parking lot.

Councilmember Hughes stated that access concerns him as well.

Mayor Pike stated that typically with a commercial subdivision, the City requires the owner to fund a portion of the road.

Travis Davis, the applicant's contractor, stated that they have done a feasibility study. The amenities will have to be there to make the project work. If they have to pay \$25,000 towards the road, they will have to remove some of the amenities. With regard to emergency access, there is a gravel road to the west, that can be utilized in

emergencies. Kevin Taylor has reviewed the site and does not see a concern. With regards to future development, access may have to be addressed at that time.

City Manager Gary Esplin explained that if the School District participates, the applicant may only have to improve the property down at the bottom. He inquired if the applicants will have to change the existing miniature golf area.

Brett Crockett, applicant, stated that they will have to remove one tree and relocate it. To put in the bowling, it will cost them over a \$1 million. He mentioned that they have donated thousands of dollars to the community. They cannot reduce the size of the proposed building.

Councilmember Hughes stated that the long term future of the property needs to be looked at. He would like the City to work with the School District to see if they would be willing to fund a portion of the road.

City Attorney Shawn Guzman stated that the road would make the property more valuable. Additionally, the property cannot be subdivided if there is only the one access. One possibility is to do a cost sharing agreement that can span over two years.

City Manager Gary Esplin stated that he may need a week to talk with the School District.

Councilmember Almquist mentioned that the alternate proposal may be an option if the School District does not participate.

MOTION: A motion was made by Councilmember Hughes to table the building design conceptual site plan for Fiesta Fun until next week and authorize next Thursday to be a regular meeting.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

APPOINTMENT:

Mayor Pike advised that Kris Neal has been attending the Animal Shelter Board meetings. He would like to officially nominate her as a board member.

MOTION: A motion was made by Councilmember Arial to appoint Kris Neal to the Animal Shelter Board.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

MINUTES:

Consider approval of the minutes from the City Council meeting held on April 3, 2014.

MOTION: A motion was made by Councilmember Almquist to approve the minutes.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

MINUTES:

Consider approval of the minutes from the City Council meeting held on April 17, 2014.

MOTION: A motion was made by Councilmember Randall to approve the minutes.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

ADJOURN TO CLOSED SESSION:

MOTION: A motion was made by Councilmember Bowcutt to discuss property and potential litigation.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

RECONVENE AND ADJOURN:

MOTION: A motion was made by Councilmember Randall to reconvene and adjourn.
SECOND: The motion was seconded by Councilmember Arial.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

DRAFTAgenda Item Number : **2A****Request For Council Action**

Date Submitted 2014-05-07 16:40:13**Applicant** Jay Sandberg**Quick Title** Contract Award - City Creek Pipe Installation**Subject** Consider approval to award a contract to JP Excavation, Inc. for the installation of storm drain pipe in City Creek.**Discussion** This project includes installation of 400 feet of 60" HDPE storm drain pipe in City Creek near Sunset Blvd. at approximately 1100 West. The project will enclose a 400 foot gap, increase safety, and reduce long-term maintenance costs for the wash in the vicinity.**Cost** \$57,850**City Manager Recommendation** Recommend approval as project was approved in the 2013-2014 budget.**Action Taken****Requested by** Cameron Cutler**File Attachments** [City Creek Bid Tabs.pdf](#)**Approved by Legal Department?****Approved in Budget?** Amount:**Additional Comments****Attachments** [City Creek Bid Tabs.pdf](#)

Bid Tabulation for:

City Creek Concrete Repair

<i>Item</i>	Quantity	Unit	PCI	Pacific Pools	B Hanson
Mobilization	1	Lump	4,060		3,000
Traffic Control	1	Lump	696		2,500
Dust Control	1	Lump	2,552		1,850
Environmental	1	Lump	5,800		1,500
Remove Concrete Panel	7000	Sq. Ft.	2.32	16,240	1.50
Road Base	500	Cu. Yd.	2.35	1,175	18.00
Concrete	7000	Sq. Ft.	4.29	30,030	8.00
				\$71,445	\$84,350
			\$60,553		

City Creek Pipe Installation

<i>Item</i>	Quantity	Unit	JP Excavation	B Hanson	PCI
Mobilization	1	Lump	8,400	2,500	4,640
Traffic Control	1	Lump	2,000	1,500	696
Dust Control	1	Lump	2,000	5,000	1,392
Environmental	1	Lump	1,250	2,500	5,800
Install Pipe	400	Ln.Ft.	44	17,600	104.11
Install Diversion Box	2	Each	2,400	4,000	1,740
Borrow	1500	Cu.Yd.	14	33,750	13.27
Remove Concrete	1	Lump	800	5,000	6,960
				\$72,250	\$84,517
			\$57,850		

DRAFTAgenda Item Number : **2B****Request For Council Action**

Date Submitted 2014-05-07 16:38:15**Applicant** Jay Sandberg**Quick Title** Contract Award - City Creek Concrete Repair**Subject** Consider approval to award a contract to Progressive Contracting, Inc. for concrete repair along City Creek Wash.**Discussion** This project includes repair of 7,000 sq. ft. of concrete along City Creek wash near Sunset Blvd. west of Westridge Drive. The existing concrete channel was constructed in the early 1980s and several sections are in need of replacement.**Cost** \$60,553**City Manager Recommendation** This project is in the current 2013-2014 budget.**Action Taken****Requested by** Cameron Cutler**File Attachments** [City Creek Bid Tabs.pdf](#)**Approved by Legal Department?****Approved in Budget? Amount:****Additional Comments****Attachments** [City Creek Bid Tabs.pdf](#)

Bid Tabulation for:

City Creek Concrete Repair

<i>Item</i>	Quantity	Unit	PCI	Pacific Pools	B Hanson
Mobilization	1	Lump	4,060		3,000
Traffic Control	1	Lump	696		2,500
Dust Control	1	Lump	2,552		1,850
Environmental	1	Lump	5,800		1,500
Remove Concrete Panel	7000	Sq. Ft.	2.32	16,240	1.50
Road Base	500	Cu. Yd.	2.35	1,175	18.00
Concrete	7000	Sq. Ft.	4.29	30,030	8.00
				\$71,445	\$84,350
					\$60,553

City Creek Pipe Installation

<i>Item</i>	Quantity	Unit	JP Excavation	B Hanson	PCI
Mobilization	1	Lump	8,400	2,500	4,640
Traffic Control	1	Lump	2,000	1,500	696
Dust Control	1	Lump	2,000	5,000	1,392
Environmental	1	Lump	1,250	2,500	5,800
Install Pipe	400	Ln.Ft.	44	14,000	104.11
Install Diversion Box	2	Each	2,400	8,000	1,740
Borrow	1500	Cu.Yd.	14	33,750	13.27
Remove Concrete	1	Lump	800	5,000	6,960
				\$72,250	\$84,517
					\$57,850

DRAFT

Agenda Item Number : **2C**

Request For Council Action

Date Submitted 2014-05-07 16:29:57

Applicant Cameron Cutler

Quick Title Mall Drive Bridge Access Rd. Construction

Subject Consider approval of an agreement with Interstate Rock Products \$981,714.95 to construct the Mall Drive Bridge Access Roads.

Discussion These two roads will connect the new Mall Drive bridge with Riverside Drive and 3000 east.

Cost \$981,714.95

City Manager Recommendation The bid is under the estimate and lower than budgeted amount. It includes a traffic signal at Mall Drive and Riverside Drive. Recommend approval.

Action Taken

Requested by Cameron Cutler

File Attachments [MallDriveBidTabulation.xlsx](#)

Approved by Legal Department?

Approved in Budget? **Amount:**

Additional Comments

Attachments [MallDriveBidTabulation.xlsx](#)

Bid Schedule

PROJECT: MALL DRIVE ROADWAY PROJECT
 OWNER: ST. GEORGE CITY
 LOCATION: ST. GEORGE, UTAH
 DATE: MAY 6, 2014 2:00 P.M.

Bid Schedule

No.	Description	Qty	Unit	Engineer's Estimate		INTERSTATE ROCK		B. HANSEN	
				Cost	TOTAL	Cost	TOTAL	Cost	TOTAL
ROADWAY									
1	MOBILIZATION	1	lump	\$125,000.00	\$125,000.00	\$45,000.00	\$45,000.00	\$226,790.00	\$226,790.00
2	DUST CONTROL AND WATERING (APPROX. 1,821,000 GALS)	1	lump	\$30,000.00	\$30,000.00	\$36,000.00	\$36,000.00	\$25,000.00	\$25,000.00
3	TRAFFIC CONTROL	1	lump	\$35,000.00	\$35,000.00	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00
4	SURVEY	1	lump	\$15,000.00	\$15,000.00	\$12,200.00	\$12,200.00	\$18,000.00	\$18,000.00
5	SWPPP	1	lump	\$15,000.00	\$15,000.00	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00
6	CLEARING AND GRUBBING (PLAN QUANTITY)	7.4	acre	\$2,000.00	\$14,800.00	\$1,200.00	\$8,880.00	\$2,000.00	\$14,800.00
7	ASPHALT AC-20 MIX	10	ton	\$120.00	\$1,200.00	\$150.00	\$1,500.00	\$200.00	\$2,000.00
8	ASPHALT AC-30 MIX	3,422	ton	\$75.00	\$256,650.00	\$70.00	\$239,540.00	\$71.85	\$245,870.70
9	UNTREATED BASE COURSE (PLAN QUANTITY)	3,801	cu yd	\$26.00	\$98,826.00	\$23.85	\$90,653.85	\$35.00	\$133,035.00
10	GRANULAR BORROW (PLAN QUANTITY)	2,501	cu yd	\$15.00	\$37,515.00	\$19.35	\$48,394.35	\$20.00	\$50,020.00
11	ROADWAY EXCAVATION (PLAN QUANTITY)	5,808	cu yd	\$10.00	\$58,080.00	\$5.30	\$30,782.40	\$4.00	\$23,232.00
12	EMBANKMENT FILL (PLAN QUANTITY)	25,033	cu yd	\$12.00	\$300,396.00	\$10.35	\$259,091.55	\$19.50	\$488,143.50
13	PEDESTRIAN ACCESS RAMP	1	each	\$2,500.00	\$2,500.00	\$1,200.00	\$1,200.00	\$4,500.00	\$4,500.00
14	REMOVE PAINT (APPROX. 3,565 FT)	1	lump	\$2,000.00	\$2,000.00	\$2,200.00	\$2,200.00	\$6,000.00	\$6,000.00
15	REMOVE LIGHT POLE	1	each	\$1,200.00	\$1,200.00	\$528.00	\$528.00	\$2,000.00	\$2,000.00
16	RECONSTRUCT MANHOLE	5	each	\$1,000.00	\$5,000.00	\$660.00	\$3,300.00	\$2,500.00	\$12,500.00
DRAINAGE									
17	STANDARD MANHOLE	1	each	\$4,500.00	\$4,500.00	\$2,300.00	\$2,300.00	\$5,000.00	\$5,000.00
18	24" RCP	184	ft	\$90.00	\$16,560.00	\$36.20	\$6,660.80	\$60.00	\$11,040.00
19	60" RCP	180	ft	\$250.00	\$45,000.00	\$298.80	\$53,784.00	\$250.00	\$45,000.00
20	24" ELLIPTICAL RCP (19 INCH X 30 INCH)	315	ft	\$130.00	\$40,950.00	\$64.60	\$20,349.00	\$89.00	\$28,035.00
21	CONCRETE END SECTION 24 INCH	4	each	\$600.00	\$2,400.00	\$895.00	\$3,580.00	\$1,500.00	\$6,000.00
22	ELLIPTICAL CONCRETE END SECTION 19 X 30 INCH	2	each	\$1,000.00	\$2,000.00	\$1,720.00	\$3,440.00	\$2,400.00	\$4,800.00
23	REMOVE EXISTING CONCRETE DITCH	136	ft	\$20.00	\$2,720.00	\$5.00	\$680.00	\$30.00	\$4,080.00
24	REMOVE EXISTING PIPE	228	ft	\$15.00	\$3,420.00	\$5.00	\$1,140.00	\$20.00	\$4,560.00
TRAFFIC SIGNAL									
25	REMOVE SIGNAL	3	each	\$100.00	\$300.00	\$115.00	\$345.00	\$500.00	\$1,500.00
TRAFFIC SIGNAL SYSTEM									
26	TRAFFIC SIGNAL SYSTEM	1	lump	\$50,000.00	\$50,000.00	\$54,626.00	\$54,626.00	\$35,000.00	\$35,000.00
27	INSTALLATION OF CITY-FURNISHED MATERIAL	1	lump	\$20,000.00	\$20,000.00	\$10,780.00	\$10,780.00	\$12,000.00	\$12,000.00
ROADWAY									
28	GRANULAR BORROW (PLAN QUANTITY) - CITY-RE-USE MATERIAL	4,400	cu yd	\$0.00	\$0.00	\$7.90	\$34,780.00	\$14.50	\$63,800.00
				GRAND TOTAL =		\$1,186,017.00		\$881,714.95	

Engineer's Estimate: \$1,186,017.00
 Apparent Low-Bidder: \$981,714.95
 Difference from Engineer's Estimate and Apparent Low-Bidder: -\$204,302.05

Average Bid Amount: \$1,144,117.26
 Difference between lowest bid and highest bid: \$510,991.25

Bidders	Base Bid Amount	Amount diff from Low Bid
INTERSTATE ROCK	\$981,714.95	\$0.00
B. HANSEN	\$1,492,706.20	-\$510,991.25
MEADOW VALLEY	\$1,090,835.30	-\$109,120.35
MEL CLARK	\$1,155,450.60	-\$173,735.65
PROGRESSIVE	\$1,167,291.73	-\$185,576.78
SUNROC	\$1,056,996.70	-\$75,281.75
JP EXCAVATING	\$1,063,825.35	-\$82,110.40

Bid Schedule

PROJECT: MALL DRIVE ROADWAY PROJECT
 OWNER: ST. GEORGE CITY
 LOCATION: ST. GEORGE, UTAH
 DATE: MAY 6, 2014 2:00 P.M.

Bid Schedule

No.	Description	Qty	Unit	Engineer's Estimate		MEADOW VALLEY		MEL CLARK		PROGRESSIVE	
				Cost	TOTAL	Cost	TOTAL	Cost	TOTAL	Cost	TOTAL
ROADWAY											
1	MOBILIZATION	1	lump	\$125,000.00	\$125,000.00	\$66,000.00	\$66,000.00	\$35,000.00	\$35,000.00	\$39,550.00	\$39,550.00
2	DUST CONTROL AND WATERING (APPROX. 1,821,000 GALS)	1	lump	\$30,000.00	\$30,000.00	\$35,300.00	\$35,300.00	\$6,500.00	\$6,500.00	\$9,040.00	\$9,040.00
3	TRAFFIC CONTROL	1	lump	\$35,000.00	\$35,000.00	\$14,300.00	\$14,300.00	\$41,250.00	\$41,250.00	\$10,168.40	\$10,168.40
4	SURVEY	1	lump	\$15,000.00	\$15,000.00	\$13,700.00	\$13,700.00	\$11,500.00	\$11,500.00	\$14,166.81	\$14,166.81
5	SWPPP	1	lump	\$15,000.00	\$15,000.00	\$9,210.00	\$9,210.00	\$5,000.00	\$5,000.00	\$6,328.00	\$6,328.00
6	CLEARING AND GRUBBING (PLAN QUANTITY)	7.4	acre	\$2,000.00	\$14,800.00	\$583.00	\$4,314.20	\$1,000.00	\$7,400.00	\$791.00	\$5,853.40
7	ASPHALT AC-20 MIX	10	ton	\$120.00	\$1,200.00	\$137.00	\$1,370.00	\$136.00	\$1,360.00	\$137.50	\$1,375.00
8	ASPHALT AC-30 MIX	3.422	ton	\$75.00	\$256,650.00	\$79.00	\$270,338.00	\$76.00	\$260,072.00	\$74.75	\$255,794.50
9	UNTREATED BASE COURSE (PLAN QUANTITY)	3,801	cu yd	\$26.00	\$98,826.00	\$23.50	\$89,323.50	\$26.40	\$100,346.40	\$26.38	\$100,270.38
10	GRANULAR BORROW (PLAN QUANTITY)	2,501	cu yd	\$15.00	\$37,515.00	\$19.00	\$47,519.00	\$25.00	\$62,525.00	\$23.67	\$59,198.67
11	ROADWAY EXCAVATION (PLAN QUANTITY)	5,808	cu yd	\$10.00	\$58,080.00	\$6.40	\$37,171.20	\$3.75	\$21,780.00	\$3.39	\$19,689.12
12	EMBANKMENT FILL (PLAN QUANTITY)	25,033	cu yd	\$12.00	\$300,396.00	\$12.00	\$300,396.00	\$14.40	\$360,475.20	\$16.29	\$407,787.57
13	PEDESTRIAN ACCESS RAMP	1	each	\$2,500.00	\$2,500.00	\$1,010.00	\$1,010.00	\$1,500.00	\$1,500.00	\$1,017.00	\$1,017.00
14	REMOVE PAINT (APPROX. 3,565 FT)	1	lump	\$2,000.00	\$2,000.00	\$4,880.00	\$4,880.00	\$1,000.00	\$1,000.00	\$5,317.78	\$5,317.78
15	REMOVE LIGHT POLE	1	each	\$1,200.00	\$1,200.00	\$680.00	\$680.00	\$1,000.00	\$1,000.00	\$700.60	\$700.60
16	RECONSTRUCT MANHOLE	5	each	\$1,000.00	\$5,000.00	\$569.00	\$2,845.00	\$1,000.00	\$5,000.00	\$1,829.19	\$9,145.95
DRAINAGE											
17	STANDARD MANHOLE	1	each	\$4,500.00	\$4,500.00	\$2,450.00	\$2,450.00	\$4,000.00	\$4,000.00	\$3,167.09	\$3,167.09
18	24" RCP	184	ft	\$80.00	\$16,560.00	\$53.50	\$9,844.00	\$88.00	\$10,672.00	\$81.49	\$14,994.16
19	60" RCP	180	ft	\$250.00	\$45,000.00	\$205.00	\$36,900.00	\$300.00	\$54,000.00	\$289.28	\$52,070.40
20	24" ELLIPTICAL RCP (19 INCH X 30 INCH)	315	ft	\$130.00	\$40,950.00	\$85.50	\$26,932.50	\$85.00	\$26,775.00	\$109.80	\$34,587.00
21	CONCRETE END SECTION 24 INCH	4	each	\$600.00	\$2,400.00	\$907.00	\$3,628.00	\$900.00	\$3,600.00	\$1,188.12	\$4,752.48
22	ELLIPTICAL CONCRETE END SECTION 19 X 30 INCH	2	each	\$1,000.00	\$2,000.00	\$2,150.00	\$4,300.00	\$1,800.00	\$3,600.00	\$2,035.77	\$4,071.54
23	REMOVE EXISTING CONCRETE DITCH	136	ft	\$20.00	\$2,720.00	\$6.40	\$870.40	\$10.00	\$1,360.00	\$16.17	\$2,199.12
24	REMOVE EXISTING PIPE	228	ft	\$15.00	\$3,420.00	\$16.00	\$3,648.00	\$15.00	\$3,420.00	\$3.39	\$772.92
25	REMOVE SIGN	3	each	\$100.00	\$300.00	\$28.50	\$85.50	\$125.00	\$375.00	\$141.25	\$423.75
SIGNAL											
26	TRAFFIC SIGNAL SYSTEM	1	lump	\$50,000.00	\$50,000.00	\$50,800.00	\$50,800.00	\$51,000.00	\$51,000.00	\$52,347.25	\$52,347.25
27	INSTALLATION OF CITY-FURNISHED MATERIAL	1	lump	\$20,000.00	\$20,000.00	\$12,100.00	\$12,100.00	\$12,200.00	\$12,200.00	\$12,506.84	\$12,506.84
ROADWAY											
28	GRANULAR BORROW (PLAN QUANTITY) - CITY RE-USE MATERIAL	4,400	cu yd	\$0.00	\$0.00	\$9.30	\$40,920.00	\$13.35	\$58,740.00	\$9.09	\$39,986.00
				GRAND TOTAL =		\$1,186,017.00		\$1,090,835.30		\$1,167,291.73	

Engineer's Estimate: \$1,186,017.00
 Apparent Low-Bidder: \$981,714.95 INTERSTATE ROCK
 Difference from Engineer's Estimate and Apparent Low-Bidder: -\$204,302.05

 Average Bid Amount: \$1,144,117.26
 Difference between lowest bid and highest bid: \$510,991.25

Bidders	Base Bid Amount	Amount diff from Low Bid
INTERSTATE ROCK	\$981,714.95	\$0.00
B. HANSEN	\$1,492,706.20	-\$510,991.25
MEADOW VALLEY	\$1,090,835.30	-\$109,120.35
MEL CLARK	\$1,155,450.60	-\$173,735.65
PROGRESSIVE	\$1,167,291.73	-\$185,576.78
SUNROC	\$1,056,996.70	-\$75,281.75
JP EXCAVATING	\$1,063,825.35	-\$82,110.40

Bid Schedule

PROJECT: WALL DRIVE ROADWAY PROJECT
 OWNER: ST. GEORGE CITY
 LOCATION: ST. GEORGE, UTAH
 DATE: MAY 6, 2014 2:00 P.M.

Bid Schedule

No.	Description	Qty	Unit	Engineer's Estimate		SUNROC		JP EXCAVATING	
				Cost	TOTAL	Cost	TOTAL	Cost	TOTAL
	ROADWAY								
1	MOBILIZATION	1	lump	\$125,000.00	\$125,000.00	\$15,000.00	\$15,000.00	\$45,000.00	\$45,000.00
2	DUST CONTROL AND WATERING (APPROX. 1,821,000 GALS)	1	lump	\$30,000.00	\$30,000.00	\$33,000.00	\$33,000.00	\$5,000.00	\$5,000.00
3	TRAFFIC CONTROL	1	lump	\$35,000.00	\$35,000.00	\$11,084.00	\$11,084.00	\$12,000.00	\$12,000.00
4	SURVEY	1	lump	\$15,000.00	\$15,000.00	\$8,450.00	\$8,450.00	\$9,000.00	\$9,000.00
5	SWPPP	1	lump	\$15,000.00	\$15,000.00	\$4,800.00	\$4,800.00	\$3,000.00	\$3,000.00
6	CLEARING AND GRUBBING (PLAN QUANTITY)	7.4	acre	\$2,000.00	\$14,800.00	\$2,686.00	\$19,876.40	\$800.00	\$5,920.00
7	ASPHALT AC-20 MIX	10	ton	\$120.00	\$1,200.00	\$160.00	\$1,600.00	\$136.00	\$1,360.00
8	ASPHALT AC-30 MIX	3,422	ton	\$75.00	\$256,650.00	\$77.00	\$263,494.00	\$71.00	\$242,962.00
9	UNTREATED BASE COURSE (PLAN QUANTITY)	3,801	cu yd	\$26.00	\$99,826.00	\$23.65	\$89,893.65	\$30.00	\$114,030.00
10	GRANULAR BORROW (PLAN QUANTITY)	2,501	cu yd	\$15.00	\$37,515.00	\$22.50	\$56,272.50	\$20.00	\$50,020.00
11	ROADWAY EXCAVATION (PLAN QUANTITY)	5,808	cu yd	\$10.00	\$58,080.00	\$5.87	\$34,092.96	\$4.00	\$23,232.00
12	EMBANKMENT FILL (PLAN QUANTITY)	25,033	cu yd	\$12.00	\$300,396.00	\$12.43	\$311,160.19	\$13.95	\$349,210.35
13	PEDESTRIAN ACCESS RAMP	1	each	\$2,500.00	\$2,500.00	\$1,364.00	\$1,364.00	\$800.00	\$800.00
14	REMOVE PAINT (APPROX. 3,565 FT)	1	lump	\$2,000.00	\$2,000.00	\$5,545.00	\$5,545.00	\$5,200.00	\$5,200.00
15	REMOVE LIGHT POLE	1	each	\$1,200.00	\$1,200.00	\$730.00	\$730.00	\$675.00	\$675.00
16	RECONSTRUCT MANHOLE	5	each	\$1,000.00	\$5,000.00	\$492.00	\$2,460.00	\$700.00	\$3,500.00
17	STANDARD MANHOLE	1	each	\$4,500.00	\$4,500.00	\$3,223.00	\$3,223.00	\$3,200.00	\$3,200.00
18	24" RCP	184	ft	\$90.00	\$16,560.00	\$53.45	\$9,834.80	\$45.00	\$8,280.00
19	60" RCP	180	ft	\$250.00	\$45,000.00	\$236.00	\$42,480.00	\$210.00	\$37,800.00
20	24" ELLIPTICAL RCP (19 INCH X 30 INCH)	315	ft	\$130.00	\$40,950.00	\$83.00	\$26,145.00	\$80.00	\$25,200.00
21	CONCRETE END SECTION 24 INCH	4	each	\$600.00	\$2,400.00	\$1,085.00	\$4,332.00	\$800.00	\$3,200.00
22	ELLIPTICAL CONCRETE END SECTION 19 X 30 INCH	2	each	\$1,000.00	\$2,000.00	\$1,966.00	\$3,932.00	\$1,700.00	\$3,400.00
23	REMOVE EXISTING CONCRETE DITCH	136	ft	\$20.00	\$2,720.00	\$6.50	\$884.00	\$4.50	\$612.00
24	REMOVE EXISTING PIPE	228	ft	\$15.00	\$3,420.00	\$10.15	\$2,314.20	\$8.00	\$1,824.00
25	REMOVE SIGN	3	each	\$100.00	\$300.00	\$148.00	\$444.00	\$100.00	\$300.00
	SIGNAL								
26	TRAFFIC SIGNAL SYSTEM	1	lump	\$50,000.00	\$50,000.00	\$54,584.00	\$54,584.00	\$49,000.00	\$49,000.00
27	INSTALLATION OF CITY-FURNISHED MATERIAL ROADWAY	1	lump	\$20,000.00	\$20,000.00	\$13,041.00	\$13,041.00	\$11,700.00	\$11,700.00
28	GRANULAR BORROW (PLAN QUANTITY) - CITY RE-USE MATERIAL	4,400	cu yd	\$0.00	\$0.00	\$8.40	\$36,960.00	\$11.00	\$48,400.00
				GRAND TOTAL =		\$1,186,017.00		\$1,056,996.70	

Engineer's Estimate: \$1,186,017.00
 Apparent Low-Bidder: \$981,714.95 INTERSTATE ROCK
 Difference from Engineer's Estimate and Apparent Low-Bidder: -\$204,302.05

Average Bid Amount: \$1,144,117.26
 Difference between lowest bid and highest bid: \$510,991.25

Bidders	Base Bid Amount	Amount diff from Low Bid
INTERSTATE ROCK	\$981,714.95	\$0.00
B. HANSEN	\$1,492,706.20	-\$510,991.25
MEADOW VALLEY	\$1,090,835.30	-\$109,120.35
MEL CLARK	\$1,155,450.60	-\$173,735.65
PROGRESSIVE	\$1,167,291.73	-\$165,576.78
SUNROC	\$1,056,996.70	-\$75,281.75
JP EXCAVATING	\$1,063,825.35	-\$82,110.40

DRAFTAgenda Item Number : **2D****Request For Council Action**

Date Submitted 2014-05-07 08:17:17**Applicant** Water Services Dept**Quick Title** Stone Cliffs Tank Engineering Services Agreement**Subject** Consider Approval of Engineering Services for the design and construction management of the Stone Cliff Tank**Discussion** The Engineering Services Agreement between the City and Alpha Engineering is for the design and construction of the Stone Cliffs Tank. The tank will be bid as a concrete tank with a steel tank alternative. Engineering fee for the design is \$29,866. Engineering fee for the construction management is \$12,696.**Cost** \$42,565**City Manager Recommendation** This new tank will help with the water supply and pressure issues on Stone Cliff. Recommend approval.**Action Taken****Requested by** Scott Taylor**File Attachments** [Proposal for Stone Cliff Water Tank 1-16-2014.pdf](#)**Approved by Legal Department?****Approved in Budget? Amount:****Additional Comments****Attachments** [Proposal for Stone Cliff Water Tank 1-16-2014.pdf](#)



43 South 100 East, Suite 100 T 435.628.6500
St George, Utah 84770 F 435.628.6553

alphaengineering.com

January 16, 2014

City of St. George
Attn: Mr. Scott Taylor, P.E.
811 East Red Hills Parkway
St. George, Utah 84770

Re: Stone Cliff Water Tank

Dear Scott,

We appreciate the opportunity to submit this proposal to provide civil engineering services for the above mentioned project. It is our understanding the proposed project will consist of the design and construction management of a 300,000 gallon reinforced concrete water tank with associated piping and appurtenances located within the Stone Cliff Development. In addition we understand the existing pump station will need to be relocated to a lower elevation to fully utilize the tank.

Outlined on the following pages is our proposed scope of work to provide professional civil engineering services and the associated costs (Exhibit A). We have estimated the total improvement costs including engineering are \$350,000 (See Attached).

We appreciate the opportunity to work with you on this project. Please let us know if you have any questions regarding this proposal.

Sincerely,

Kade Bringhurst, P.E.
Alpha Engineering Company

EXHIBIT A - SCOPE OF WORK CITY OF ST. GEORGE - STONE CLIFF WATER TANK

ARTICLE 1

DESIGN ENGINEERING SCOPE OF WORK

The general extent of design engineering work to be performed is outlined as follows:

- 1.1 Topographic and Right of Way Survey.** The ENGINEER will complete a topographic and boundary survey of the tank site. This will include locating the floor and lid of the existing water tank and pump station and adjacent curbing and connection points. The ENGINEER will also plot the road dedication and property ownership for the project.
- 1.2 Preliminary Design.** The ENGINEER will utilize the topographic survey completed in task 1.1 to develop preliminary drawings and cross sections of the tank and site. The ENGINEER will coordinate with the water department to pothole and locate the existing connection points within the site to assist in the vertical design of the connection points. We understand the City will assist with the potholing.
- 1.3 Geotechnical Report.** The ENGINEER will coordinate with Landmark Testing and Engineering to prepare a geotechnical report for the project. The geotechnical report will make recommendations for subgrade preparation and treatment. In addition, the report will address excavation requirements, suitability and use of on-site materials and recommended compaction requirements.
- 1.4 Construction Plans and Specifications.** Final construction plans and specifications will be prepared for the tank including cross sections, grading plans, structural details, piping plan, and utility relocations with appropriate details. The drawings will also include relocation of the existing pump station and connection details. The plans and specifications will be submitted to the OWNER for review.
- 1.5 Make Revisions/Additions.** After receiving comments from the City of St. George, the construction drawings, Engineer's estimate, and contract documents will be revised accordingly.
- 1.6 Assemble Bid Package.** The revised construction drawings, Engineer's estimate, and contract documents will be assembled and submitted to the City of St. George for final review and approval. Upon receiving final approval of the plans and specifications, the Bid package will be put together for bidding the project.

ARTICLE II

CONSTRUCTION ENGINEERING SCOPE OF WORK

The general extent of construction engineering work to be performed is outlined as follows:

- 2.1 Bid Advertisement.** The ENGINEER will prepare for the OWNER an advertisement for bids for the water tank and associated piping and pump station relocation. The ENGINEER will also provide copies of the drawings, specifications, and contract documents required by prospective bidders, material suppliers, and other interested parties, but may charge for the actual cost of such copies.
- 2.2 Pre-Bid Meeting.** The ENGINEER will invite all potential bidders and conduct a pre-bid meeting. Elements of the contract will be discussed and presented to potential bidders to aid them in preparation of their bids.
- 2.3 Bid Opening.** The ENGINEER will attend the bid opening and tabulate the bid proposals and shall make an analysis of the bids and make recommendations for awarding contracts for construction.
- 2.4 Contract Award.** Upon award of the Contract, the ENGINEER will furnish to the OWNER, five (5) sets of contract plans and specifications for execution of the contract.
- 2.5 Preconstruction Conference.** The ENGINEER shall provide notification for and conduct a Preconstruction Conference for the project prior to beginning work. Invitations to the Preconstruction Conference shall be issued to the OWNER, Contractor, and others having specific interest in the project.
- 2.6 Construction Staking.** The ENGINEER will provide construction staking for the project including water tank, pump station location as well as critical connection points for piping.
- 2.7 Contractor Partial Payments.** The ENGINEER will review the Contractor's applications for progress and final payment and, when approved, submit the same to the OWNER for payment.
- 2.8 Construction Observation & Testing.** The ENGINEER will provide part time observation of the work to ascertain satisfactory completion of work performed. In addition, periodic testing including proctors to determine optimum density, density tests, gradations, and concrete testing will be performed. The ENGINEER does not guarantee the performance of the Contractor(s) by the ENGINEER's performance of said periodic construction observations. The ENGINEER's undertaking hereunder shall not relieve the Contractor of the obligation to perform the work in conformity with the drawings and specifications and in a workmanlike manner; shall not make the ENGINEER an insurer of the Contractor's performance; and shall not impose upon the ENGINEER any obligation to see that the work is performed in a safe manner. We understand the OWNER will provide inspectors to insure performance of the contractors.

2.9 Substantial Completion. The ENGINEER will make a final review prior to the issuance of the statement of substantial completion of all construction and submit a written report to the OWNER. Prior to submitting the final pay estimate, the ENGINEER shall submit a statement of satisfactory completion to and obtain the written acceptance of the facility from the OWNER.

2.10 Record Drawings. The ENGINEER will provide the OWNER with one set of reproducible record drawings and two sets of prints to the OWNER. Such drawings will be based upon construction records provided by the Contractor during construction and reviewed by the ENGINEER and from the ENGINEER's construction data.

ARTICLE III

BASIS OF COMPENSATION

The OWNER agrees to pay compensation to the ENGINEER for work performed on the project as specified below:

3.1 Design Fee. For all design engineering services as outlined in Article 1, "Design Engineering Scope of Work", the ENGINEER shall be compensated the fixed fee of: Twenty Nine Thousand Eight Hundred Sixty Six dollars, \$29,866.00. The design fee has been broken down for the different aspects of the project as follows:

Design:

3.1.1	Topographic and Right-of-Way Survey	\$1,087.00
3.1.2	Preliminary Design	\$5,794.00
3.1.3	Geotechnical Report	\$1,333.00
3.1.4	Construction Plans & Specifications	\$12,434.00
3.1.5	Make Revisions/Additions	\$4,344.00
3.1.6	Assemble Bid Package	\$4,874.00
	Total Design	\$29,866.00

3.2 Construction Engineering Fee. For all construction engineering services as outlined in Article 2, "Construction Engineering Scope of Work", the ENGINEER shall be paid on an hourly rate basis in accordance with our *Standard Rate Schedule* (Attachment "A"). The following amounts are estimated assuming a 12-week (5 days/week for 3 months) construction period with part time construction observation.

Construction Management

Item	Rate	Quantity	Cost
Principal Engineer, P.E. (1 hr/wk)	\$132	12	\$1,584.00
Project Engineer II, P.E. (1 hr/wk)	\$89	12	\$1,068.00
Project Engineer I, P.E. (5 hrs/wk)	\$83	60	\$4,980.00
Land Surveyor, L.S.	\$92	3	\$ 276.00
Survey Crew Chief w/ GPS (3 trips)	\$101	16	\$1,616.00
Design Technician (Record Drawings)	\$58.00	4	\$232.00
Field Materials Testing (Landmark Testing)	\$2,640	1	\$2,640.00
Direct Costs	\$300	1	\$300.00
Total Estimated Construction Management			\$12,696.00

3.3 Additional Services. Additional work and reproduction expenses will be invoiced per our *Standard Rate Schedule* (Attachment "A"). No extra work will be performed without the consent of the OWNER.

ATTACHMENT "A"

ENGINEERING SERVICES AGREEMENT BETWEEN CLIENT AND ENGINEER

- A. **CONDITIONS OF AGREEMENT:** This Agreement expires if not signed and the stipulated retainer paid within thirty days from the Agreement date. An increase in fees will be negotiated if notice to proceed is not given on all items within 180 days of the Agreement date.
- B. **AUTHORIZATION TO PROCEED:** Execution of this Agreement by Client will be authorization for Alpha Engineering Company to proceed with the work unless otherwise provided for in this Agreement.
- C. **SERVICES OFFERED:** This Agreement does not include a hydrology study, traffic study, environmental study, cultural study, NPDES, tortoise survey, landscape plans, irrigation plans, site lighting plans, electrical load calculations, record drawings, ALTA, inspection, or testing unless specifically addressed in the Agreement or any other service not specifically addressed. The improvement plans will be limited to areas within the project boundary. The project will be designed as a single phase unless stated otherwise.
- D. **OWNERSHIP OF INSTRUMENTS OF SERVICE:** All reports, plans, specifications, field data and notes, and other documents, including all documents on electronic media, are prepared by the Engineer as instruments of service and shall remain the property of the Engineer. Photocopies and blueprints may be purchased and will be made available within a reasonable amount of time upon request by the Client.
- E. **RESPONSIBILITY OF CLIENT:** The Client shall be responsible to provide the Engineer with all information in his possession pertinent to our completion of this project. Client will designate a representative to review and approve documents submitted by Alpha Engineering Company. The representative shall be empowered to render decisions and provide information in a timely manner that will not delay the orderly progress of the work. Alpha Engineering is entitled to rely upon the information, decisions and approvals furnished by Client's representative.
- F. **COST OPINIONS:** Any cost opinions or project economic evaluations provided by Alpha Engineering Company will be on a basis of experience and judgement, but, since Alpha Engineering Company has no control over market conditions or bidding procedures, Alpha Engineering Company cannot warrant that bids, ultimate construction cost, or project economics will not vary from these opinions.
- G. **STANDARD OF CARE:** The standard of care applicable to Alpha Engineering Company's services will be the degree of skill and diligence normally employed by professional engineers or consultants performing the same or similar services at the time Alpha Engineering Company's services are performed.
- H. **ASBESTOS OR HAZARDOUS SUBSTANCES:** To the maximum extent permitted by law, Client will indemnify Alpha Engineering Company from all claims, damages, losses, and costs, including litigation expenses and attorney's fees, arising out of or relating to the presence, discharge, release, or escape of hazardous substances, contaminants, or asbestos on, under, or from the project.
- I. **LIMITATION OF LIABILITY:** To the maximum extent permitted by law, Client agrees to limit the Engineer's liability to the Client and to all construction contractors and subcontractors on the project, due to the Engineer's negligent acts, errors or omissions, such that the total aggregate liability of the Engineer to all those named shall not exceed \$50,000.00 or the Engineer's total fee for services rendered on the project, whichever is greater. Client acknowledges that Alpha Engineering Company has agreed to charge Client a reduced fee for services in exchange for the above limitation of liability and that said reduction in fees is consideration for said limitation. The Engineer will not be liable for consequential damages of any kind, nature, or description.
- J. **INTERPRETATION:** The limitations of liability and indemnities will apply whether Alpha Engineering Company's liability arises under breach of contract or warranty; tort, including negligence; strict liability; or any other cause of action, except the limitations will not apply to willful misconduct or gross negligence for limitations of liability or sole negligence for indemnification. Said limitations shall apply to Alpha Engineering Company's officers, affiliated corporations, employees, and subcontractors.
- K. **UTAH LAW:** The laws of the State of Utah shall govern any litigation, controversy or adversary proceeding.
- L. **SEVERABILITY AND SURVIVAL:** If any provisions contained in this Agreement are held illegal, invalid, or unenforceable, the enforceability of the remaining provisions shall not be impaired thereby. Limitations of liability indemnities, and other express representations shall survive termination of this Agreement for any cause.
- M. **PAYMENT:** Progress payments shall be made in proportion to services performed. All payments shall be due within 30 days of the Engineer's submittal of his invoice. Any invoiced amounts not paid within 30 days from date of presentation of the invoice shall commence to bear an interest of 18% per annum. Alpha Engineering Company is entitled to suspend the performance of any and all obligations under this agreement if payment is not received within 30 days from Engineer's submittal of invoice. If the amount is not paid and must be placed into the hands of a collector or attorney, additional charges will be due for the cost of collection, interest costs, and reasonable attorney's fees.
- N. **COSTS:** The Client will pay the costs of all fees related to this project including checking, inspection, zoning, annexation, applications, assessments, permits, bond premiums, title company charges, utility design charges, and all other charges not specifically covered under terms of this contract. Additional work and reproduction expenses will be invoiced per our Standard Rate Schedule. Prices for construction staking (if offered) are for one time staking only. Replacement stakes will be provided at our standard hourly rates. Should any proceedings be brought against the Engineer because of any failure or alleged failure to perform, error, omission, or negligence and if not successfully prosecuted, client agrees to pay the Engineer any and all costs of defense.

CITY OF ST. GEORGE

STONECLIFF WATER TANK

Engineer's Preliminary Opinion of Probable Cost

January 15, 2014

ITEM NO.	ITEM DESCRIPTION	QUANTITY	UNITS	UNIT PRICE Dollars & Cents	ITEM PRICE Dollars & Cents
1	Mobilization	1	L.S.	\$18,200.00	\$18,200.00
2	300,000 Gallon Reinforced Water Tank	1	L.S.	\$225,000.00	\$225,000.00
3	Earthwork	1	L.S.	\$30,000.00	\$30,000.00
4	Piping and Valves	1	L.S.	\$25,000.00	\$25,000.00
5	Move Existing Pump Station (piping, electrical, foundation)	1	L.S.	\$20,000.00	\$20,000.00
6	Realign Chain Link Fencing	100	L.F.	\$20.00	\$2,000.00
TOTAL OF BID SCHEDULE					\$320,200.00
ENGINEERING					\$29,866.00
TOTAL ESTIMATED BASE BID COST					\$350,066.00

DRAFTAgenda Item Number : **2E****Request For Council Action**

Date Submitted 2014-05-07 08:11:46**Applicant** Water Services Dept**Quick Title** Stone Cliff Tank Cost Sharing Agreement**Subject** Consider Approval of the Stone Cliff Tank Cost Sharing Agreement**Discussion** An additional 300,000 gallons of culinary water storage is required for the remaining properties that will be included and developed as part of the Stone Cliff development. The developer has agreed to pay one-half the cost of the new tank. The new tank is estimated to cost \$300,000.**Cost** \$300,000**City Manager Recommendation** This agreement is between the developer of Stone Cliff and the City for a new storage tank to allow additional homes in this area. 50/50 cost sharing is proposed.**Action Taken****Requested by** Scott Taylor**File Attachments** [Traveller improvement and cost sharing agreement v2ph-st.docx](#)**Approved by Legal Department?****Approved in Budget?** **Amount:****Additional Comments****Attachments** [Traveller improvement and cost sharing agreement v2ph-st.docx](#)

When Recorded Return To:
City of St. George
175 East 200 North
St. George, Utah 84770

Tax ID: SG-SCF-10-1006, SG-SCF-10-1011, SG-SCF-10-1012, SG-SCF-10-1013, SG-SCF-10-1014, SG-SCF-10-1015, SG-SCF-10-1020, SG-SCF-10-1022, SG-SCF-10-1023, SG-SCF-10-1025, SG-SCF-10-1028, SG-SCF-10-1031, SG-SCF-10-1040, SG-SCF-10-1046, SG-SCF-10-1048, SG-SCF-10-1049, SG-SCF-10-1052, SG-SCF-10-1054, SG-SCF-10-1060, SG-SCF-10-1061, SG-SCF-10-1062, SG-SCF-10-1063, SG-SCF-10-1064, SG-5-3-4-110, SG-5-3-3-440, SG-5-2-34-3411, SG-5-34-399, SG-5-2-34-3303

IMPROVEMENT AND COST SHARING AGREEMENT FOR STONE CLIFF WATER SYSTEM AND TANK

This agreement is made effective as of _____, 2014, by and between the City of St. George, Utah, a Utah municipality, hereinafter referred to as "CITY", and TRAVELLER/STONE CLIFF, L.C., a Utah limited liability company hereinafter referred to as "TRAVELLER".

Whereas, TRAVELLER continues to develop additional residential properties in the Stone Cliff subdivision which has created an additional need for water to supply all the homes in the various phases of the subdivision; and

Whereas, CITY will construct and maintain a new 300,000 gallon tank to serve the current and future development of the Stone Cliff subdivision and HOA; and

Whereas, TRAVELLER will contribute \$150,000 towards the construction of this new tank; and

Whereas, TRAVELLER entered into an agreement on April 24, 2006 with CITY pursuant to their Supplemental Declaration of Covenants, Conditions and Restrictions And Declaration of Annexation for Stone Cliff – Phase 10 Subdivision to design and construct a culinary water system to service Stone Cliff – Phase 10 and each lot owner would pay the HOA and then the HOA would pay City for the ongoing operation and maintenance costs as well as the cost of an ongoing capital reserve for replacement, all which is known as the “Water System Assessment”; and

Whereas, TRAVELLER would like to pay a lump sum for the Water System Assessment instead of paying the ongoing fees; and

Whereas, the City Council has determined that this agreement is in the best interest of the health, safety, and welfare of the citizens of the City of St. George.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the parties, the parties agree as follows:

1. The Project. CITY will design and construct a water tank and associated facilities to connect to the existing culinary water system in the Stone Cliff subdivision. The tank will be located as shown in Exhibit A. CITY will pay for all costs associated with the design and construction.
2. Reimbursement for water tank. TRAVELLER will reimburse CITY a total of \$150,000 which is estimated to be one half of the costs for the water tank and associated facilities. TRAVELLER owns multiple lots in Stone Cliff subdivision and parcels which are near Stone Cliff subdivision. Whenever TRAVELLER sells any lot or parcel listed above by tax identification number, he will reimburse CITY \$5,000 until CITY is reimbursed \$150,000. If the lot sales do not total \$150,000 before December 31, 2016, TRAVELLER by January 10, 2017 will reimburse CITY the remaining balance as a lump sum. At the closing of each lot sale, the title company will be responsible to collect the \$5,000 and remit it to CITY.
3. Reimbursement for the 2006 "Water System Assessment". CITY has accepted a water system pursuant to the 2006 agreement. TRAVELLER through the HOA was suppose to collect \$17.51 per sold lot for ongoing operation and maintenance costs as well as the cost of an ongoing capital reserve for replacement of the Water System. To date, no money has been submitted to CITY pursuant to that agreement. TRAVELLER agrees to pay CITY a lump sum of \$75,000.00 to satisfy this agreement. CITY shall release TRAVELLER and the HOA from any further requirements for the Water System which was proved in the Supplemental Declaration of Covenants, Conditions and Restrictions And Declaration of Annexation for Stone Cliff – Phase 10 Subdivision. Payment of this lump sum shall be made within 30 days of execution of this agreement.
4. Reserved Legislative Powers. Nothing in this Agreement shall limit the future exercise of the police power by CITY in enacting zoning, subdivision, development, transportation, environment, open space, and related land use plans, policies, ordinances, and regulations after the date of this Agreement, but which shall not be retroactively applied to or modify this Agreement.
5. All exhibits attached hereto are incorporated in this agreement.
6. Compliance with Applicable Laws. OWNER expressly acknowledges and agrees that nothing in this Agreement shall be deemed to relieve OWNER from any obligation to comply with all applicable requirements of CITY including the payment of fees and compliance with all other applicable ordinances, resolutions, regulations, policies and

procedures of CITY, except as modified, waived or declared in this Agreement.

7. Assignment. Neither this Agreement nor any of the provisions, terms or conditions hereof can be assigned to any other party, individual or entity without assigning the rights as well as the responsibilities under this Agreement and without prior written consent of CITY, which consent shall not be unreasonably withheld.
8. Binding Effect. All of the provisions of this Agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto.
9. No Joint Venture, Partnership or Third Party Rights. It is not intended by this Agreement to, and nothing contained in this Agreement shall, create any partnership, joint venture or other arrangement between the parties. No term or provision of this Agreement is intended to or shall, be for the benefit of any person, firm, organization or corporation not a party hereto, and no such other person, firm, organization or corporation shall have any right or cause of action hereunder.
10. Integration. This Agreement contains the entire Agreement with respect to the subject matter hereof and integrates all prior conversations, discussions or understanding of whatever kind or nature and may only be modified by a subsequent writing duly executed by the parties hereto.
11. Severability. If any part or provision of this Agreement shall be determined to be unconstitutional, invalid or unenforceable by a court of competent jurisdiction, then such a decision shall not affect any other part or provision of this Agreement except that specific provision determined to be unconstitutional, invalid or unenforceable. If any condition, covenant or other provision of this Agreement shall be deemed invalid due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.
12. Survival. It is expressly agreed that the terms, covenants and conditions of this Agreement shall survive any legal act or conveyance required under this Agreement.
13. Headings. The section and other headings in this Agreement are for reference purposes only and shall not in any way affect the meaning or interpretation of this Agreement.
14. Governing Law and Venue. This Agreement shall be construed according to the laws of the State of Utah. The parties agree that venue for all legal actions, unless they involve a cause of action with mandatory federal jurisdiction, shall be the Fifth District Court for the State of Utah. The parties further agree that the Federal District Court for the District of Utah shall be the venue for any cause of action with mandatory federal jurisdiction.
15. Notices. All notices required herein, and subsequent correspondence in connection with this agreement shall be mailed to the following:

TRAVELLER/STONE CLIFF, L.C.: CITY:

DRAFT

Agenda Item Number : **2F**

Request For Council Action

Date Submitted 2014-05-05 12:10:32

Applicant C. Hood

Quick Title Bid Award of Fireworks for July 4th

Subject This request is in preparation for the Fireworks show for 4th of July.

Discussion Only 1 proposal was received. Fireworks West International was the respondent and met all the bid specification requirements.

Cost \$40,000

City Manager Recommendation Recommend approval. We have sponsors to help with this cost.

Action Taken

Requested by Marc Mortensen

File Attachments

Approved by Legal Department?

Approved in Budget? Amount:

Additional Comments \$ 20,000 will be reimbursed to the City from Canyon Media.

DRAFT

Agenda Item Number : **4A**

Request For Council Action

Date Submitted 2014-05-12 11:52:29

Applicant Brandon Anderson - Rosenberg Associates

Quick Title Ordinance

Subject Request to approve the Final Plat Amendments for RIVER HOLLOW PHASE 3 and RIVER HOLLOW PHASE 4 SUBDIVISIONS

Discussion See Item 2A of the Planning Commission Report (May 13, 2014)

Cost \$0.00

City Manager Recommendation

Action Taken

Requested by Todd Jacobsen

File Attachments

Approved by Legal Department?

Approved in Budget? Amount:

Additional Comments Public Hearing is not required.

When Recorded Return To:
City of St. George
175 East 200 North
St. George, Utah 84770

Tax ID: SG-RHW-3-44 thru 50 and SG-RHW-4-51 thru 54

**RIVER HOLLOW PHASE 3 AMENDED SUBDIVISION AND
RIVER HOLLOW PHASE 4 AMENDED SUBDIVISION
LOCATED IN ST. GEORGE, WASHINGTON COUNTY, UTAH**

AMENDING LANGUAGE ON PLAT NOTES REGARDING SETBACKS

NOTICE OF APPROVAL

The St. George City Council, having received petition to amend *River Hollow Phase 3* and *River Hollow Phase 4*, has approved the proposed amendments to River Hollow Phase 3 Amended Subdivision Final Plat and River Hollow Phase 4 Amended Subdivision Final Plat.

Note #4 of 'River Hollow Phase 3' Amended Subdivision Final Plat and 'River Hollow Phase 4' Amended Subdivision Final Plat shall now read as follows:

"All Lots in this subdivision are subject to building setbacks as follows. 25.00 Feet along all public streets, 10.00 Feet on all interior side yards, and 10.00 Feet on rear yards."

APPROVED by the City Council of the City of St. George, this ____ day of _____, 2014.

Jonathan T. Pike, Mayor

ATTEST:

Christina Fernandez, City Recorder

APPROVED AS TO FORM:



Victoria H. Hales, Assistant City Attorney

DRAFT

Agenda Item Number : **4B**

Request For Council Action

Date Submitted 2014-05-12 11:54:27

Applicant Brandon Anderson - Rosenberg Associates

Quick Title Ordinance

Subject Request to approve the Final Plat Amendment for SUN RIVER ST.
GEORGE PHASE 16 AMENDED.

Discussion See Item 2B on the Planning Commission Report (May 13, 2014).

Cost \$0.00

**City Manager
Recommendation**

Action Taken

Requested by Todd Jacobsen

File Attachments

**Approved by Legal
Department?**

Approved in Budget? **Amount:**

Additional Comments Public Hearing is not required.

DRAFT

Agenda Item Number : **5A**

Request For Council Action

Date Submitted 2014-05-08 15:00:11

Applicant Gary S. Esplin

Quick Title Resolution appointing reps to Dixie Center EDA

Subject Appointment of City representatives to the Dixie Center EDA.

Discussion The City has two representatives on the taxing agency committee for the Dixie Center EDA. In order to consider amendments to the EDA the Taxing agency committee needs to meet and take action. The school district has three reps, Washington County has two, and the Water District has one.

Cost \$0.00

City Manager Recommendation Recommend Mayor Pike and the City Manager be appointed as the City Reps on this EDA taxing agency committee.

Action Taken

Requested by Gary S. Esplin

File Attachments

Approved by Legal Department?

Approved in Budget? Amount:

Additional Comments

Resolution No. _____

RESOLUTION APPOINTING CITY REPRESENTATIVES TO THE TAXING ENTITY COMMITTEE FOR THE ST. GEORGE I-15 ECONOMIC DEVELOPMENT PROJECT AREA AND FOR ALL OTHER URBAN RENEWAL AND ECONOMIC DEVELOPMENT PROJECT AREAS PROPOSED TO BE ADOPTED IN THE CITY OF ST. GEORGE UNTIL THE APPOINTMENT IS RESCINDED OR TERMINATED

WHEREAS, the St. George City Council, St. George, Utah has appointed pursuant to Section 17C-1-402, Utah Code Annotated, 1953 as amended, two representatives to be members of the taxing entity committee for the Neighborhood Redevelopment Agency of the City of St. George's I-15 Economic Development Project Area, herein referred to as the "I-15 EDA;" and

WHEREAS, the St. George City Council, St. George, Utah has found it to be necessary and appropriate to appoint new members to the taxing entity committee for the I-15 EDA and for all other urban renewal and economic development project areas proposed to be adopted in the City of St. George;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That Mayor Jonathan T. Pike be appointed by the St. George City Council, St. George, Utah, to be a member of the taxing entity committee for the I-15 EDA and for all other urban renewal and economic development project areas proposed to be adopted in the City of St. George, replacing _____.
2. That City Manager Gary S. Esplin, be appointed by the St. George City Council, St. George, Utah, to be a member of the taxing entity committee for the I-15 EDA and for all other urban renewal and economic development project areas proposed to be adopted in the City of St. George, replacing _____.
3. That _____ be appointed by the St. George City Council, St. George, Utah, to be an alternate to represent the City of St. George with the taxing entity committee for the I-15 EDA and for all other urban renewal and economic development project areas proposed to be adopted in the City of St. George, when an appointed City of St. George member is unable to attend a meeting of the above-mentioned taxing entity committee.

RESOLVED AND ORDERED this ____ day of May, 2014.

**ST. GEORGE CITY COUNCIL
ST. GEORGE, UTAH**

Jonathan T. Pike, Mayor

Gil Almquist, Councilmember

Jimmie Hughes, Councilmember

Michele Randall, Councilmember

Joe Bowcutt, Councilmember

Bette Arial, Councilmember

ATTEST:

Christina Fernandez, City Recorder

APPROVED AS TO FORM:

Shawn Guzman, City Attorney

DRAFTAgenda Item Number : **6A****Request For Council Action**

Date Submitted 2014-05-07 13:35:12**Applicant** Rene Flemng**Quick Title** Tlme of Day Watering Restrictions**Subject** Request mandatory outdoor watering using culinary water from 8:00 pm - 8:00 am for the summer months.**Discussion** We generally request those irrigating with drinking water do so during the evening/night hours. With this being such a dry year and reservoir storage being so low, watering during the evening/night hours will lessen the amount of water lost due to evaporation. I am requesting that this become mandatory.**Cost** \$0.00**City Manager Recommendation** Recommend approval.**Action Taken****Requested by** Rene Fleming**File Attachments****Approved by Legal Department?****Approved in Budget? Amount:****Additional Comments** This restriction would not apply to those using irrigation quality water for irrigation as the irrigation system capacity and storage is limited. It would not be possible for all the large irrigation users to complete their watering in a 12 hour period. It is a better use of resources to allow them to water during the day as opposed to allowing the use of culinary water on these facilities.

DRAFTAgenda Item Number : **6B****Request For Council Action**

Date Submitted 2014-05-05 15:52:53**Applicant** PC**Quick Title** PC Report from May 13, 2014**Subject** Consider the report from the Planning Commission meeting held May 13, 2014.**Discussion** The PC report will consist of setting public hearing dates, considering 2 final plats, plus an amended plat, 1 preliminary plat for hotel sites east of Dixie Center, a building design review for a proposed 40,000 sq ft building at Fiesta Family Fun Center, and a CUP for relocation of a tattoo shop from Sunland Drive to the Phoenix Plaza. The CUP is listed separately on the Council agenda.**Cost** \$0.00**City Manager Recommendation** Zone change hearings and plat approvals with a CUP and a building design approval request for additional building at Fiesta Fun are the main items at the Planning Commission.**Action Taken****Requested by** Bob N**File Attachments****Approved by Legal Department?****Approved in Budget? Amount:****Additional Comments**

**CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH**

PLANNING COMMISSION REPORT: MAY 13, 2014
CITY COUNCIL MEETING: MAY 15, 2014

1. **PUBLIC HEARINGS TO BE ADVERTISED FOR JUNE 5, 2014**

- A. Consider a zone change amendment to modify the PD-C (Planned Development Commercial) zone for **Stephen Wade** Chevrolet at 150 West Hilton Drive to change the building's front façade by adding new reflective material and to construct a back lit entry portal to accommodate the Toyota Corporation's design proposal. The applicant is Mr. Steven Wade and the representative is Mr. Bill Western. Case No. 2014-ZCA-006. (Staff – Ray S.)

Note: see item #8B below for additional information on this item.

- B. Consider a zone change amendment to amend the PD-R (Planned Development Residential) zone for the "**Ledges**" to designate two areas on the east side of U-18 to allow for short term residential units. Development Solutions Inc. is the applicant. Case No. 2014-ZCA-008. (Staff – Bob N.).
- C. Consider a proposed amendment to Title 10 Zoning Regulations, Chapter 19, Section 10-19-4.2 to provide a 25% reduction in the required number of **parking spaces for DSU (Dixie State University) off-campus college housing** subject to certain criteria within a P.E.A. (Pedestrian Access Area). Case No. 2014-ZRA-002. (Staff – Bob N.).

2. **FINAL PLATS (FP)**

- A. Consider approval of a final plat for "**The Cottages at Fossil Hills Phase 4**" a twenty-three (23) lot residential subdivision plat. The representative is Mr. Roger Bundy, R & B Surveying. The property is zoned PD-R (Planned Development Residential) and is located at approximately 3419 South River Road. Case No. 2014-FP-024. (Staff – Todd J.)
- B. Consider approval of a final plat for "**The Cottages at Fossil Hills Phase 5**" a thirty-one (31) lot residential subdivision plat. The representative is Mr. Roger Bundy, R & B Surveying. The property is zoned PD-R (Planned Development Residential) and is located at approximately 3419 South River Road Case No. 2014-FP-025. (Staff – Todd J.)

3. **FINAL PLAT AMENDMENTS (FPA)**

- A. Consider approval of a final plat amendment for "**Sun River St George Phase 16**" to add Lot 1913 to the Phase 16 residential subdivision plat. The owner is St George Sun River and the representative is Mr. Brandon Anderson, Rosenberg Associates. The property is zoned PD-R (Planned Development Residential) and is located at

approximately 4861 South Horizon View Drive (in the Sun river Development). Case No. 2014-FP-005. (Staff – Todd J.)

- B. Consider approval of a final plat amendment for “**River Hollow Phase 3 and Phase 4**” to amend note #4 on Phase 3 and note #4 on Phase 4. The representative is Mr. Brandon Anderson, Rosenberg Associates. The property is zoned RE-12.5 (Residential Estate 12,500 square foot minimum lot size) and is located at 1190 South Circle and 1240 South which both streets are off of 2580 East Street. Case No. 2014-LRE-005. (Staff – Todd J.)

4. **LOT LINE ADJUSTMENT / EASEMENT VACATION (LRE)**

Consider approval of a lot line adjustment and easement vacation for “**Lot 39 of Bloomington Hills No. 3 Subdivision.**” The representative is Mr. Roger Bundy, R & B Surveying. The property is zoned R-1-8 (Single Family Residential 8,000 square foot minimum lot size) and is located at 1487 E Tamarisk Drive (Bloomington Hills area). Case No. 2014-LRE-004. (Staff – Todd J.) *Note: Public Hearing item*

5. **PRELIMINARY PLAT (PP)**

Consider approval of a preliminary plat for “**Confluence Commercial Center**” a 4 lot commercial subdivision. The applicant is the City of St. George and the representative is the City of St. George. The property is zoned C-3 (General Commercial Zone) and is located at 150 East 270 South, east of the Dixie Center. Case No. 2014-PP-024. (Staff – Wes J.).

6. **CONDITIONAL USE PERMIT (CUP)**

Consider a request to establish “**Last Call Ink**” tattoo shop in Unit #1D in the **Phoenix Plaza**. The property is zoned C3 and is generally located near the intersection of Sunset Blvd and Valley View Drive. The applicant is Mr. Eric McFadden. Case No. 2014-CUP-007 (Staff – Ray S.)

7. **BUILDING DESIGN CONCEPTUAL SITE PLAN (BDCSP)**

Consider development of a 40,000 sq. ft. building addition to the existing ‘**Fiesta Fun**’ located on 1160 South Street near the I-15 Freeway. The zoning is C-2. The applicants are Mr. and Mrs. Brett Crockett and the representative is Mr. Travis Davis, Hughes Contractors. Case No. 2014-BDCSP-002 (Staff – Ray S.)

8. **OTHER PLANNING COMMISSION BUSINESS**

- A. The Planning Commission met from 5:00 pm until 9:00 pm (4 hours); Approximately two (2) hours of that meeting time were devoted entirely to discussing Case No. 2014-GPA-004 the general plan amendment request for the intersection of 2450 South and River Road. The council chambers and the overflow area were filled with concerned

residents. Staff explained that this request was for a general plan land use change and not a zone change at this time. After careful consideration, the Planning Commission made a motion to recommend denial to the City Council (5:2). At the time of this writing, the applicant desired to proceed on to the City Council level.

- B. The Planning Commission recommended denial (7:0) of Case No. 2014-ZCA-006 – Toyota Corporation’s request to modify the exterior colors and materials of the existing Cadillac / Chevrolet dealership to meet Toyota Corporation standards.

PCR ITEM 2A

Final Plat

PLANNING COMMISSION AGENDA REPORT: 05/13/2014
CITY COUNCIL MEETING: 05/15/2014

FINAL PLAT

The Cottages at Fossil Hills P.D. Phase 4

Case No. 2014-FP-024

Request: Approval of a 23 Unit Residential Subdivision Final Plat

Representative: Roger Bundy, R&B Surveying
257 Prickley Pear Drive
Washington, UT 84780

Property: Located at 3419 South River Road

Zone: PD-R

Staff Comments: All aspects of this Final Plat were carefully looked at and reviewed by the Community Development Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the preliminary plat conditions and approvals.

P.C.: The Planning Commission recommends approval.

PCR ITEM 2B

Final Plat

PLANNING COMMISSION AGENDA REPORT: 05/13/2014
CITY COUNCIL MEETING: 05/15/2014

FINAL PLAT

The Cottages at Fossil Hills P.D. Phase 5

Case No. 2014-FP-025

Request: Approval of a 31 Unit Residential Subdivision Final Plat

Representative: Roger Bundy, R&B Surveying
257 Prickley Pear Drive
Washington, UT 84780

Property: Located at 3419 South River Road

Zone: PD-R

Staff Comments: All aspects of this Final Plat were carefully looked at and reviewed by the Community Development Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the preliminary plat conditions and approvals.

P.C.: The Planning Commission recommends approval

PCR ITEM 3A

Final Plat Amendment

PLANNING COMMISSION AGENDA REPORT: 05/13/2014
CITY COUNCIL MEETING: 05/15/2014

FINAL PLAT AMENDMENT

Sun River St. George Phase 16 Amended

Case No. 2013-FPA-005

Request: Approval of a Final Plat Amendment to add Lot 1913 to Phase 16

Representative: Brandon Anderson, Rosenberg Associates
352 E. Riverside Drive #A2
St. George, UT 84790

Property: Located at approximately 4861 South Horizon View Drive (in the Sun River Development)

Zone: PD-R

Staff Comments: The purpose of this Final Plat Amendment is to add Lot 1913 into Phase 16. This area was Common Area on the original Final Plat.

All aspects of this Final Plat Amendment were carefully looked at and reviewed by the Community Development Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the preliminary plat conditions and approvals.

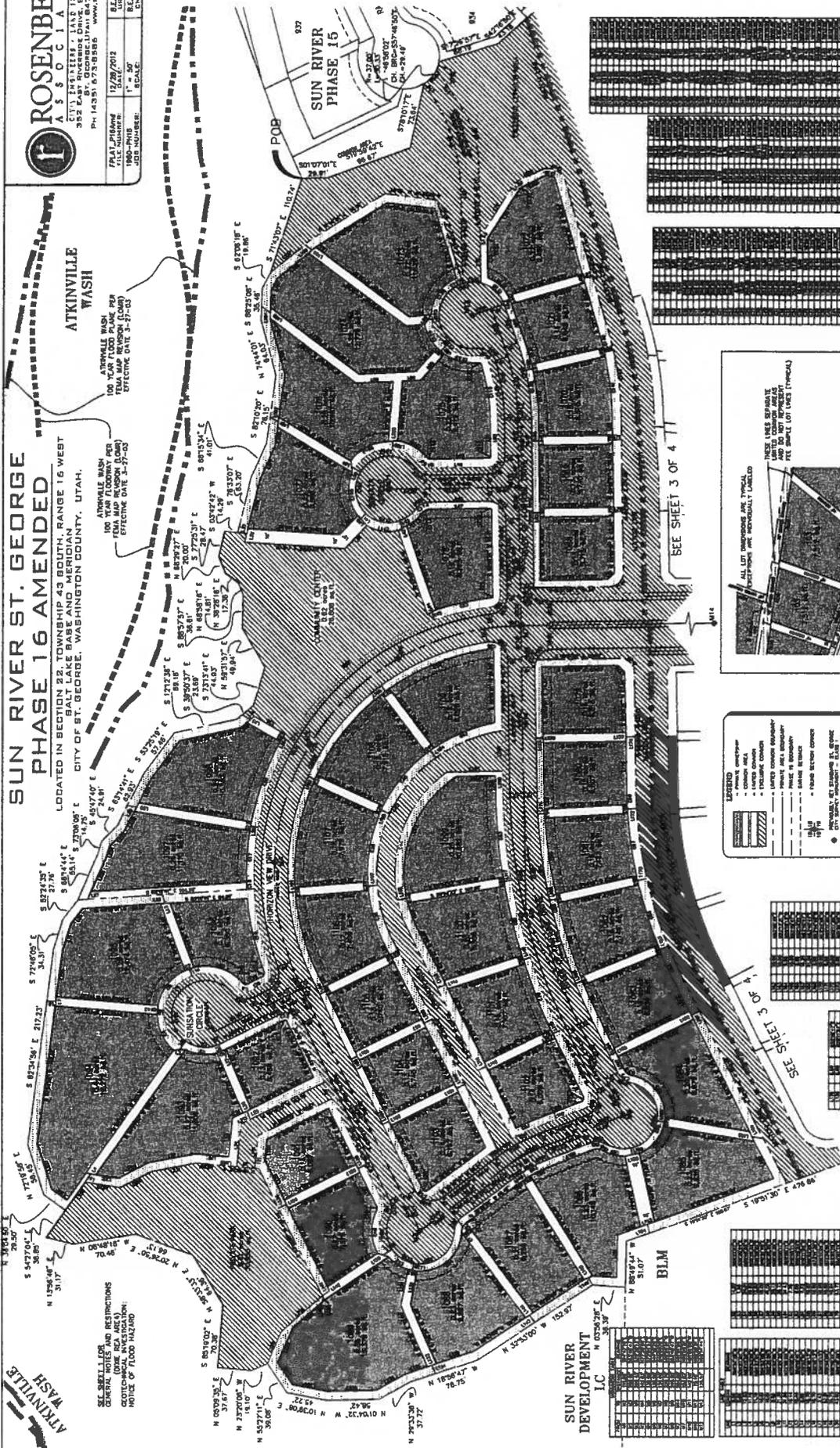
P.C.: The Planning Commission recommends approval

**SUN RIVER ST. GEORGE
 PHASE 16 AMENDED**

LOCATED IN SECTION 22, TOWNSHIP 43 SOUTH, RANGE 16 WEST
 BEACON LAKE BASIN AND MERIDIAN
 CITY OF ST. GEORGE, WASHINGTON COUNTY, UTAH.

ATKINVILLE WASH
 100 YEAR FLOOD PLANE PER
 UTILITY RECORD (COM)
 EFFECTIVE DATE 3-27-03

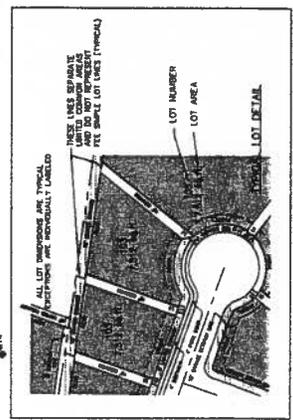
ATKINVILLE WASH
 100 YEAR FLOOD PLANE PER
 UTILITY RECORD (COM)
 EFFECTIVE DATE 3-27-03



LEGEND

- EXISTING IMPROVEMENTS
- PROPOSED IMPROVEMENTS
- EXISTING LOT
- PROPOSED LOT
- EXISTING DRIVEWAY
- PROPOSED DRIVEWAY
- EXISTING SIDEWALK
- PROPOSED SIDEWALK
- EXISTING CURB
- PROPOSED CURB
- EXISTING UTILITY
- PROPOSED UTILITY
- EXISTING FENCE
- PROPOSED FENCE
- EXISTING SIGN
- PROPOSED SIGN
- EXISTING LIGHT
- PROPOSED LIGHT
- EXISTING TREE
- PROPOSED TREE
- EXISTING BENCH
- PROPOSED BENCH
- EXISTING BIKEWAY
- PROPOSED BIKEWAY
- EXISTING TRAIL
- PROPOSED TRAIL
- EXISTING PATH
- PROPOSED PATH
- EXISTING STAIR
- PROPOSED STAIR
- EXISTING RAMP
- PROPOSED RAMP
- EXISTING ELEVATOR
- PROPOSED ELEVATOR
- EXISTING ESCALATOR
- PROPOSED ESCALATOR
- EXISTING PLATFORM
- PROPOSED PLATFORM
- EXISTING CANOPY
- PROPOSED CANOPY
- EXISTING SHED
- PROPOSED SHED
- EXISTING GARAGE
- PROPOSED GARAGE
- EXISTING PORCH
- PROPOSED PORCH
- EXISTING DECK
- PROPOSED DECK
- EXISTING PATIO
- PROPOSED PATIO
- EXISTING TERRACE
- PROPOSED TERRACE
- EXISTING BALCONY
- PROPOSED BALCONY
- EXISTING STAIRWAY
- PROPOSED STAIRWAY
- EXISTING WALKWAY
- PROPOSED WALKWAY
- EXISTING DRIVEWAY
- PROPOSED DRIVEWAY
- EXISTING SIDEWALK
- PROPOSED SIDEWALK
- EXISTING CURB
- PROPOSED CURB
- EXISTING UTILITY
- PROPOSED UTILITY
- EXISTING FENCE
- PROPOSED FENCE
- EXISTING SIGN
- PROPOSED SIGN
- EXISTING LIGHT
- PROPOSED LIGHT
- EXISTING TREE
- PROPOSED TREE
- EXISTING BENCH
- PROPOSED BENCH
- EXISTING BIKEWAY
- PROPOSED BIKEWAY
- EXISTING TRAIL
- PROPOSED TRAIL
- EXISTING PATH
- PROPOSED PATH
- EXISTING STAIR
- PROPOSED STAIR
- EXISTING RAMP
- PROPOSED RAMP
- EXISTING ELEVATOR
- PROPOSED ELEVATOR
- EXISTING ESCALATOR
- PROPOSED ESCALATOR
- EXISTING PLATFORM
- PROPOSED PLATFORM
- EXISTING CANOPY
- PROPOSED CANOPY
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- PROPOSED SHED
- EXISTING GARAGE
- PROPOSED GARAGE
- EXISTING PORCH
- PROPOSED PORCH
- EXISTING DECK
- PROPOSED DECK
- EXISTING PATIO
- PROPOSED PATIO
- EXISTING TERRACE
- PROPOSED TERRACE
- EXISTING BALCONY
- PROPOSED BALCONY

SCALE 1" = 50 FEET

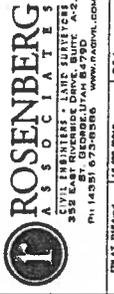


SEE SHEET 3 OF 4

SEE SHEET 3 OF 4

SUN RIVER
 DEVELOPMENT
 LC

BLM



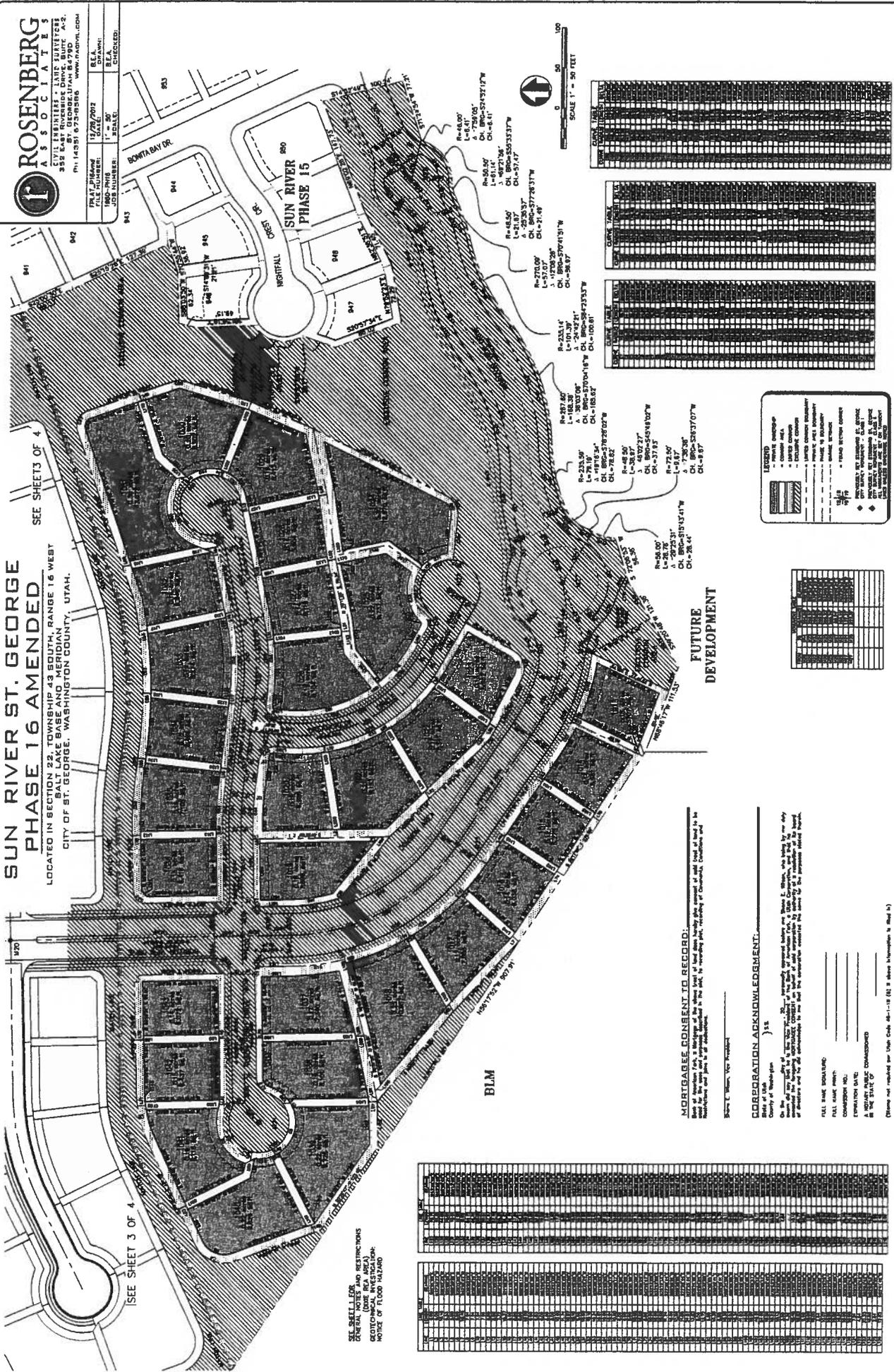
ROSENBERG ASSOCIATES
 CIVIL ENGINEERS & LAND SURVEYORS
 353 EAST RIVERSIDE DRIVE, SUITE #A-2
 SALT LAKE CITY, UTAH 84143
 PH: 435.531.2265 FAX: 435.531.2266
 WWW.ROSENBERG-UTAH.COM

DATE: 12/07/2012
 FILE NUMBER: 12-07
 JOB NUMBER: 12-07
 SCALE: B.L.A.
 CHECKED: B.L.A.

**SUN RIVER ST. GEORGE
 PHASE 16 AMENDED**
 LOCATED IN SECTION 22, TOWNSHIP 43 SOUTH, RANGE 16 WEST
 OF THE 6TH PRINCIPAL MERIDIAN
 CITY OF ST. GEORGE, WASHINGTON COUNTY, UTAH.

SEE SHEET 3 OF 4

SEE SHEETS 3 OF 4



SEE SHEET 16 FOR ROAD RESTRICTIONS
 (SOME REA AREA)
 NOTICE OF FLOOD HAZARD

BLM

MORTGAGE CONSENT TO RECORD:
 I, the undersigned, being the owner of the above land hereby consent to the recording of this plan, including all conditions, covenants and restrictions thereon, and to the use of the same for the purposes herein stated.

CORPORATION ACKNOWLEDGMENT:
 I, the undersigned, being the duly authorized officer of the above corporation, do hereby certify that the above plan was adopted by the board of directors and is the true and correct plan of the same for the purposes stated herein.

FULL NAME: _____
 FULL NAME: _____
 CORPORATION NO.: _____
 EXPIRATION DATE: _____
 IN THE STATE OF _____

Drawn and recorded per Utah Code 63a-1-10 (RE: "Public Information" in 63a-1-10)

PCR ITEM 3B

Final Plat Amendment

PLANNING COMMISSION AGENDA REPORT: 05/13/2014
CITY COUNCIL MEETING: 05/15/2014

FINAL PLAT AMENDMENT

River Hollow Phase 3 and Phase 4

Case No. 2014-LRE-005

Request: Approval of a Final Plat Amendment to amend note #4 on Phase 3 and note #4 on Phase 4

Representative: Brandon Anderson, Rosenberg Associates
352 E. Riverside Drive #A2
St. George, UT 84790

Property: Located at 1190 South Circle and 1240 South Circle which both streets are off of 2580 East Street

Zone: RE-12.5

Staff Comments: The purpose of these Final Plat Amendments is to amend note #4 on each Final Plat, River Hollow Phase 3 and River Hollow Phase 4, by removing the last sentence of note #4. By removing the last sentence from each note this changes the setback from 30 Feet to 25 Feet along 2580 East Street.

All aspects of this Final Plat Amendment were carefully looked at and reviewed by the Community Development Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the preliminary plat conditions and approvals.

P.C.: The Planning Commission recommends approval.

PCR ITEM 4
Sale of City Property
Easement Vacation / Lot Line Adjustment

PLANNING COMMISSION AGENDA REPORT: **05/13/2014**
CITY COUNCIL MEETING: **05/15/2014**

SALE OF CITY PROPERTY/EASEMENT VACATION/LOT LINE ADJUSTMENT

Lot 39 of Bloomington Hills No. 3 Subdivision – PUBLIC HEARING

Case No. 2014-LRE-004

Request: Approval to sale 726 sq/ft of City property and Vacate the existing Public Utility Easement and adjust the Lot Line of Lot 39, Bloomington Hills No. 3 Subdivision

Representative: Roger Bundy, R&B Surveying
257 Prickley Pear Drive
Washington, UT 84780

Property: Located at 1487 E. Tamarisk Drive (Bloomington Hills area)

Zone: R-1-8

Staff Comments: The 726 sq/ft is located on the westerly side of 1487 E. Tamarisk Drive. This is part of an existing 60 Foot wide parcel of land that the City currently owns between 1437 E and 1487 E Tamarisk. By approving the sale of City property it reduces the space from 60 Feet to 52 Feet, which still provides plenty of room for access if needed.

The home owner at 1487 E Tamarisk would like to build a garage on his current property but in doing so he does not have the required 8 foot setback needed from his property line. This purchase would provide him the required 8 foot setback.

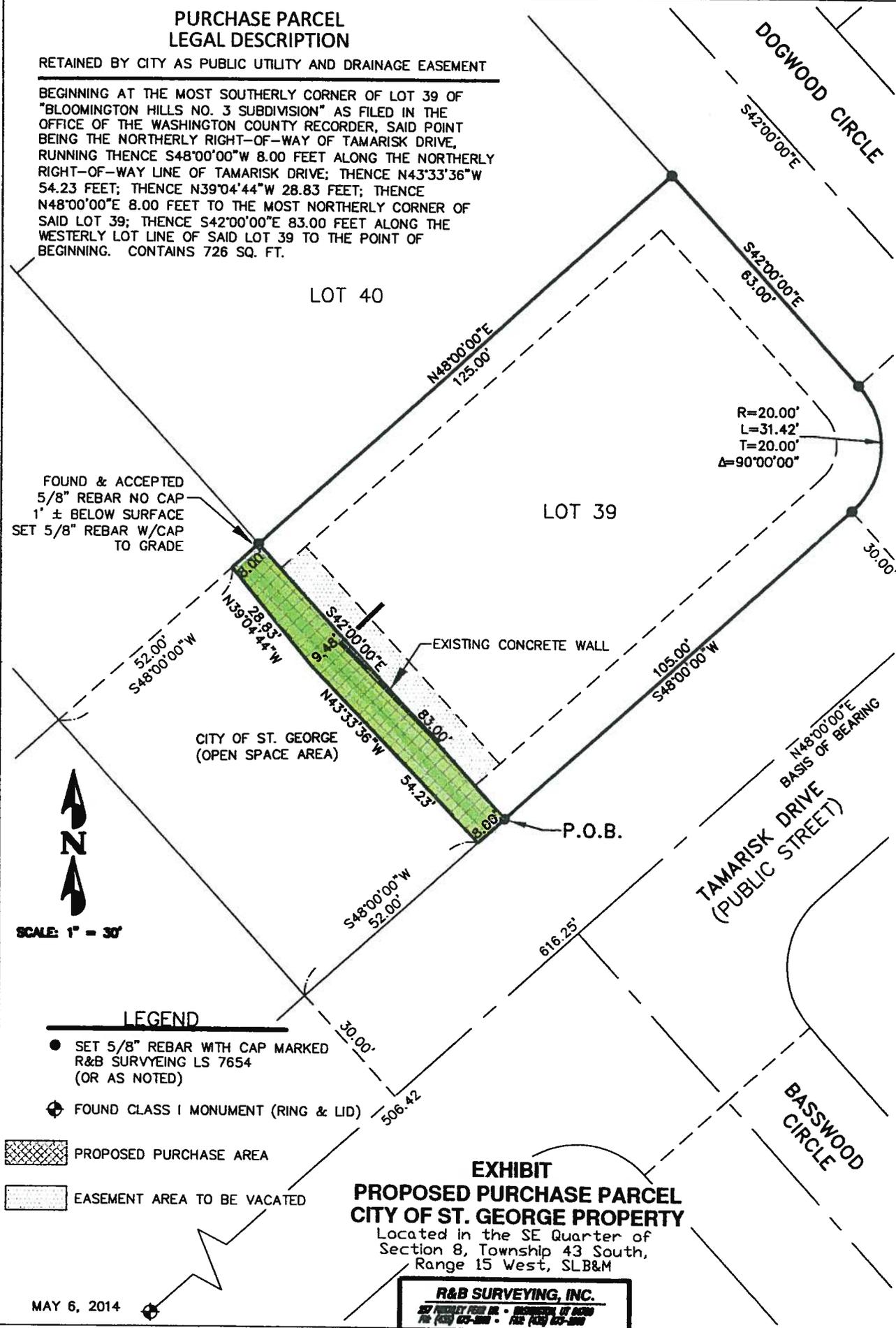
All aspects of this Easement Vacation/Lot Line Adjustment were carefully looked at and reviewed by the Community Development Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the conditions and approvals. Also the proposal was approved by JUC (Joint Utility Committee).

P.C.: The Planning Commission recommends approval.

**PURCHASE PARCEL
LEGAL DESCRIPTION**

RETAINED BY CITY AS PUBLIC UTILITY AND DRAINAGE EASEMENT

BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT 39 OF "BLOOMINGTON HILLS NO. 3 SUBDIVISION" AS FILED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER, SAID POINT BEING THE NORTHERLY RIGHT-OF-WAY OF TAMARISK DRIVE, RUNNING THENCE S48°00'00"W 8.00 FEET ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF TAMARISK DRIVE; THENCE N43°33'36"W 54.23 FEET; THENCE N39°04'44"W 28.83 FEET; THENCE N48°00'00"E 8.00 FEET TO THE MOST NORTHERLY CORNER OF SAID LOT 39; THENCE S42°00'00"E 83.00 FEET ALONG THE WESTERLY LOT LINE OF SAID LOT 39 TO THE POINT OF BEGINNING. CONTAINS 726 SQ. FT.



FOUND & ACCEPTED
5/8" REBAR NO CAP
1' ± BELOW SURFACE
SET 5/8" REBAR W/CAP
TO GRADE

R=20.00'
L=31.42'
T=20.00'
Δ=90°00'00"

N
SCALE: 1" = 30'

- LEGEND**
- SET 5/8" REBAR WITH CAP MARKED R&B SURVEYING LS 7654 (OR AS NOTED)
 - ⊕ FOUND CLASS I MONUMENT (RING & LID)
 - PROPOSED PURCHASE AREA
 - EASEMENT AREA TO BE VACATED

**EXHIBIT
PROPOSED PURCHASE PARCEL
CITY OF ST. GEORGE PROPERTY**
Located in the SE Quarter of
Section 8, Township 43 South,
Range 15 West, SLB&M

MAY 6, 2014

R&B SURVEYING, INC.
357 HUNLEY FARM DR. • BLOOMINGTON, UT 84302
PH: (435) 625-3888 • FAX: (435) 625-3888



1487 Tamarisk

Made by the City of St. George GIS Department
SGCityMaps - <http://maps.sgcity.org/sgcitymaps>

May 6, 2014

PCR ITEM 5

Preliminary Plat

PLANNING COMMISSION AGENDA REPORT: **05/13/2014**
CITY COUNCIL MEETING: **05/15/2014**

PRELIMINARY PLAT

Confluence Commercial Center Phase 1

Case No. 2014-PP-024

Request: A request to approve a preliminary plat for a four (4) lot commercial subdivision

Location: The property is located at 150 East 270 South, east of the Dixie Center.

Property: 8.3777 acres

Number of Lots: 4

Zoning: C-3

Adjacent zones: This plat is surrounded by the following zones:
North – C-3
South – C-3
East – C-3
West – C-3

General Plan: Com

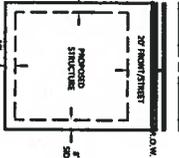
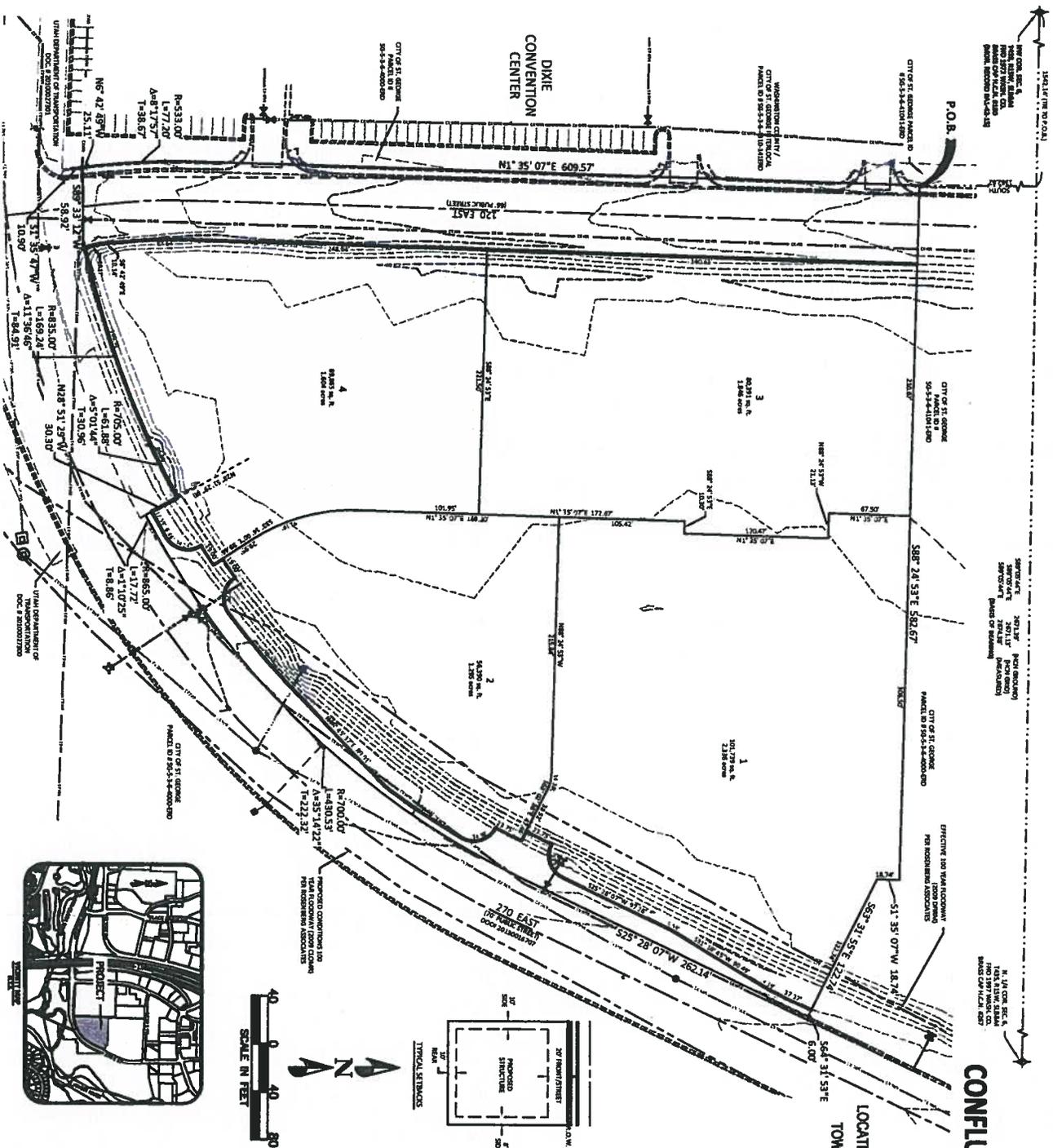
Applicant: City of St. George

Representative: City of St. George

P.C.: Recommends approval

PRELIMINARY PLAT FOR CONFLUENCE COMMERCIAL CENTER PHASE 1 SUBDIVISION

LOCATED IN THE NORTHWEST QUARTER OF SECTION 8,
TOWNSHIP 43 SOUTH, RANGE 15 WEST, S1.B.M.



LEGEND

- SUBDIVISION BOUNDARY
- EXISTING PROPERTY LINE
- EXISTING CORNERS & CUTTERS
- STREET CENTERLINE
- EXISTING STREETS
- EXISTING WATER LINE
- EXISTING SANITATION LINE
- EXISTING CONDUITS
- EXISTING CURB AND GUTTER
- EXISTING FIRE HYDRANT
- EXISTING WATER VALVE
- EXISTING STORM MANHOLE

LEGAL DESCRIPTION:

THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 15 WEST, S1.B.M. CONTAINS 160 ACRES OF LAND. THE SUBDIVISION DESCRIBED HEREIN IS A PART OF SAID LAND. THE SUBDIVISION IS BOUND BY THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 15 WEST, S1.B.M. TO THE NORTH; BY THE WEST HALF OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 15 WEST, S1.B.M. TO THE WEST; BY THE EAST HALF OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 15 WEST, S1.B.M. TO THE EAST; AND BY THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 15 WEST, S1.B.M. TO THE SOUTH. THE SUBDIVISION IS BOUND BY THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 15 WEST, S1.B.M. TO THE NORTH; BY THE WEST HALF OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 15 WEST, S1.B.M. TO THE WEST; BY THE EAST HALF OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 15 WEST, S1.B.M. TO THE EAST; AND BY THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 15 WEST, S1.B.M. TO THE SOUTH. THE SUBDIVISION IS BOUND BY THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 15 WEST, S1.B.M. TO THE NORTH; BY THE WEST HALF OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 15 WEST, S1.B.M. TO THE WEST; BY THE EAST HALF OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 15 WEST, S1.B.M. TO THE EAST; AND BY THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 15 WEST, S1.B.M. TO THE SOUTH.

BENCHMARK

NORTH EAST CORNER SECTION 8, TOWNSHIP 43 SOUTH, RANGE 15 WEST, S1.B.M.
ELEVATION: 5278.00 FEET
DATE: 08/24/2011 (LOCAL - BEARER BEARS)

SITE DATA:

ACRES: 160.00
TOTAL ACRES: 160.00
TOTAL BUILDING STALLS: 847 STALLS

NOTES:

1. ALL TRACES TO BE PLACED WITHIN OF CURB, CONFINED TO CITY STREETS.
2. THIS SITE IS NOT LOCATED WITHIN A HAZARDOUS OXYGEN ZONE.

FLOOD NOTE

THIS SITE IS LOCATED WITHIN THE SPECIAL FLOOD INSURANCE RATE MAP NUMBER 050020001A, WITHIN ZONE AE.



NO.	DESCRIPTION	DATE	BY

PROJECT NAME: **CONFLUENCE COMMERCIAL CENTER - PHASE 1**
LOCATED IN ST. GEORGE, UT
SHEET NAME: **PRELIMINARY PLAT**

DEVELOPMENT SOLUTIONS, INC.
LAND PLANNERS, CIVIL ENGINEERS
113 East 200 North Suite 42
St. George, UT 84770
Office (435) 638-2121 Fax (435) 674-3353
www.developmentsolutions.com

DS SOLUTIONS
DATE: JAN 2011
DRAWN BY: JAC
CHECKED BY: JAC
PROJECT NO.: 14663
SHEET NUMBER: 1 OF 1

1 OF 1 TOTAL
pp-1

PCR ITEM 6

CUP / Tattoo Shop

PLANNING COMMISSION AGENDA REPORT: 05/13/2014
CITY COUNCIL MEETING: 05/15/2014

CONDITIONAL USE PERMIT

Last Call Ink

Case # 2014-CUP-007

Request: Permission to manage and operate a (relocated) tattoo shop.

Background: In 2010 the City Council approved a CUP (Ref. Case No. 2010-CUP-010) for a tattoo shop at 344 E Sunland Drive. The applicant now wishes to relocate that business to a new location in Phoenix Plaza.

Location: Phoenix Plaza, Unit 1D (corner of Sunset Blvd & Valley View Drive).

Owner: Last Call Ink
75 East 100 North
Ivans, Utah 84738

Representative: Mr. Eric McFadden
Priemere Design & Engineering
75 E 100 N
Ivans, Utah 84738

Zoning: C-3 (General Commercial).

General Plan: COM (Commercial)

Ordinance: Per Section 10-10-2 "Permitted Uses," a tattoo shop requires a CUP.

10-10-2: PERMITTED USES:

In the following list of possible uses, those designated as being permitted in a zone will be identified with the letter "P". Uses designated with the letter "C" are allowed on a conditional use basis. Uses designated with the letter "N" will not be allowed in that zone. The following listing is not intended to be all inclusive, but rather, indicative of uses permitted in the zone:

Service businesses, including the following and similar uses:	C-1	C-2	C-3	C-4
Barbershop/beauty shop	P	P	P	P
Body piercing, incidental to a permitted use	N	P	P	P
Pest control and extermination	N	P	P	P
Tattoo establishment	N	N	C	N

- Setbacks:** Existing building, no change to setbacks.
- Parking:** The existing commercial site was designed for office, retail, and service commercial type uses. This use will fit within the 1:250 ratio for parking. A floor plan is attached that indicates low occupancy.
- Design:** No exterior changes are proposed.
- Adj. Land:** The site is surrounded by other commercial businesses.
- Landscaping:** Existing commercial site landscaping exists; no changes required with this request.
- P.C.:** The Planning Commission recommends approval with recommended conditions and findings (listed below). The recommended conditions are based upon those assigned by the City Council for the previous location on Sunland Drive;
1. Per Section 10-10-2 “Permitted Uses,” a tattoo shop requires approval of a CUP.
 2. This CUP approval is only for Unit #1D at Phoenix Plaza located at the corner of Sunset Blvd. and Valley View Drive. Any future expansion into other units would require another CUP.
 3. The shop will be licensed through the State and every two years they will have to re-apply for a State license.
 4. The applicant proposes three (3) tattooing stations within approximately a 1,225 sq. ft. commercial unit.
 5. The applicant will contact the Chief of Police and work with the Police Department to foster good community relations; no gang symbols or graphics will be inked and they reserve the right to refuse service to anyone.
 6. No smoke shop paraphernalia will be sold; it will be exclusively a tattoo shop.
 7. No restrictions on hours.

8. No exterior modifications to the commercial unit are proposed. Per finding ‘D’ below council would review any proposed exterior changes prior to issuance of a building permit.
9. Findings A,B,C,D,E,J & K apply (see associated comment with each).
10. All signage requires approval of a sign permit.
11. All other standard conditions shall apply (setbacks, parking, lighting, etc.).

Findings:

The following standards must be met to mitigate the reasonably anticipated detrimental effects if imposed as a condition of approval:

Yes	N/A	Category	Description
Control all noise levels to prevent disturbance of neighbors.		A. Noise	1. Excessive noise (unwanted or undesired sound) can cause serious impacts to health, property values, and economic productivity. Conditional uses shall not impose excessive noise on surrounding uses. "Excessive noise" generally means noise that is prolonged, unusual, or a level of noise that in its time, place and use annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.
Comply with Local, State, and Federal air quality		B. Dust	1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious dust beyond the property line.
Contain all odors to meet city and state standards		C. Odors	1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious odors beyond the property line.
Any proposed exterior changes shall be approved CC		D. Aesthetics	1. Blend harmoniously with the neighborhood so the use does not change the characteristics of the zone and the impact of the use on surrounding properties is reduced.
Meet State and Federal safety standards		E. Safety	1. Take the necessary measures to avoid or mitigate any safety problems created by the use, including problems due to traffic, rockfall, erosion, flooding, fire, hazardous materials, or related problems. 2. Uses shall not locate within the 100-year floodplain as identified by FEMA unless expressly recommended by the city engineer in conformance with city engineering standards and all state, local and federal laws.

PC to Discuss traffic.	X	F. Traffic	<p>1. Traffic increases due to the conditional use shall not cause streets or nearby intersections to fall more than one grade from the existing level of service grade or fall below a level of service "D".</p> <p>2. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.</p>
Existing building	X	G. Height	<p>1. Buildings shall fit into the overall context of the surrounding area.</p> <p>2. Photo simulations are required showing all sides of the building(s) and showing how the building fits into the surrounding area to include not less than five hundred feet (500') in all directions from the building and including its relationship to nearby ridges, hills, and buildings.</p>
Noon to 9 pm daily		H. Hours of Operation	<p>1. Nonresidential uses operating in proximity to or within a residential zone shall limit hours of operation so as not to disturb the peace and quiet of the adjacent residential area.</p>
	X	I. Saturation / Spacing	<p>1. To the extent feasible, nonresidential uses allowed in residential zones as conditional uses shall be dispersed throughout the community rather than concentrated in certain residential areas.</p>
		J. Maintain Character and purpose of zone	<p>1. Uses shall be consistent with the character and purpose of the zone within which they are located.</p>
Comply with State standards		K. Public Health	<p>1. Use shall comply with all sanitation and solid waste disposal codes.</p> <p>2. Use shall not create public health concerns. (Ord. 2007-01-001, 1-4-2007)</p>

LAST CALL INK TATTOO SHOP

Phoenix Plaza, Unit 1D
St. George, Utah

Over the past 4 years LAST CALL INK, has been the leader in the tattoo industry in St. George. We have grown with the community sponsoring numerous local sporting teams and convention events. Including Charity drives and fund raising events. We even do a weekly give away on 2 local radio stations. With tattoos becoming more socially accepted the past few years, there has been a large demand for a higher quality of tattoos in the St. George area.

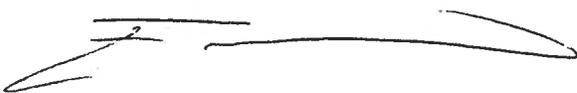
LAST CALL INK, is a locally owned and operated tattoo shop. Our staff consists of some of the finest Artists in the business, with over 30 years experience in the industry. Artists that have been featured in TATTOO magazine, and many other publications. Artists that are true Artists, whom not only love the art of tattooing, but also painting, sculpting, and other art forms. These Artists also set up and sponsor many non-profit charitable functions, art showings and auctions.

LAST CALL INK, is very excited to have these Artists to the St. George area. We understand the need for a fresh, clean, high quality tattoo shop, that is why we are in the business of strictly tattooing. No hair salons or smoke shops attached to our shop, our focus is delivering a comfortable, professional, high quality tattoo experience. Using today's most advanced pigments, instruments, and sterilization practices.

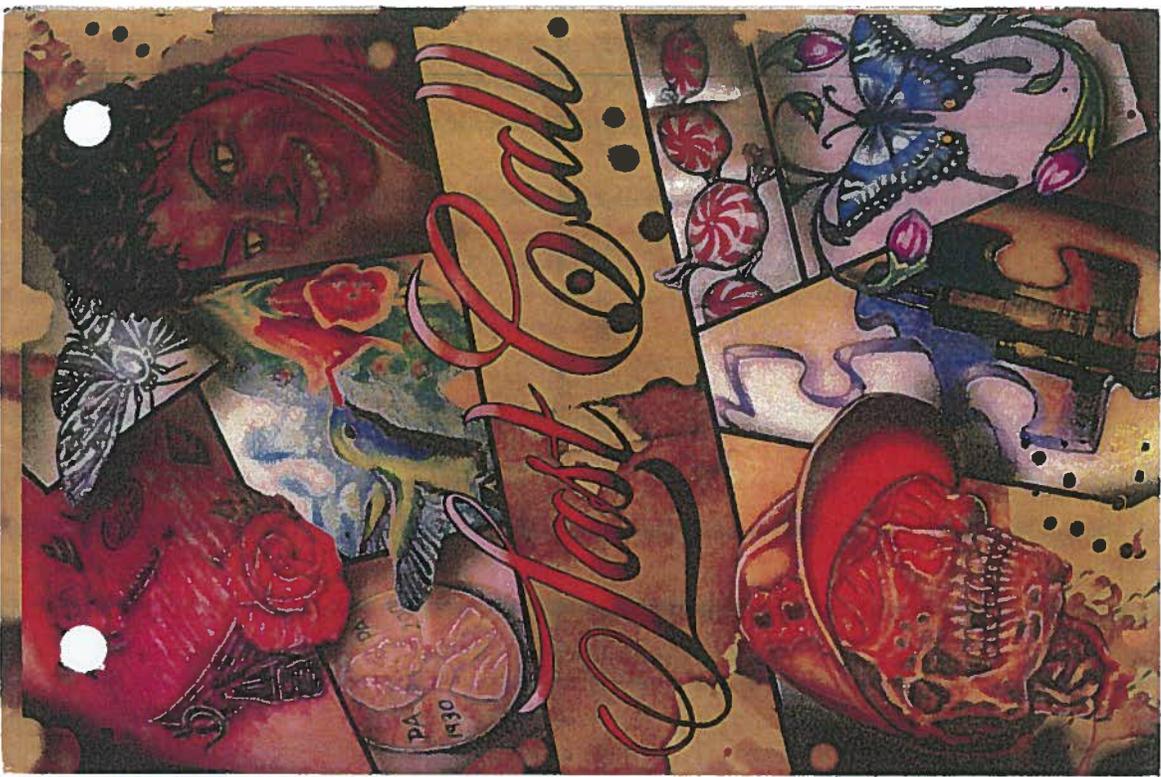
We understand the negative stereotypes associated with tattoos and tattoo shops. We would like to express that we run a very professional shop, and have very strict policies in place to prevent these stereotypes from entering our shop. LAST CALL INK is not just another tattoo shop.

We are confident that LAST CALL INK will be a great asset to the Phoenix Plaza and the St. George community. Not only by providing the highest quality of tattooing available, but also by sponsoring local events, charities, and various other outlets to better our community.

Sincerely,



LAST CALL INK



HOME OF THE \$50 FRIDAY!



Last Call Ink

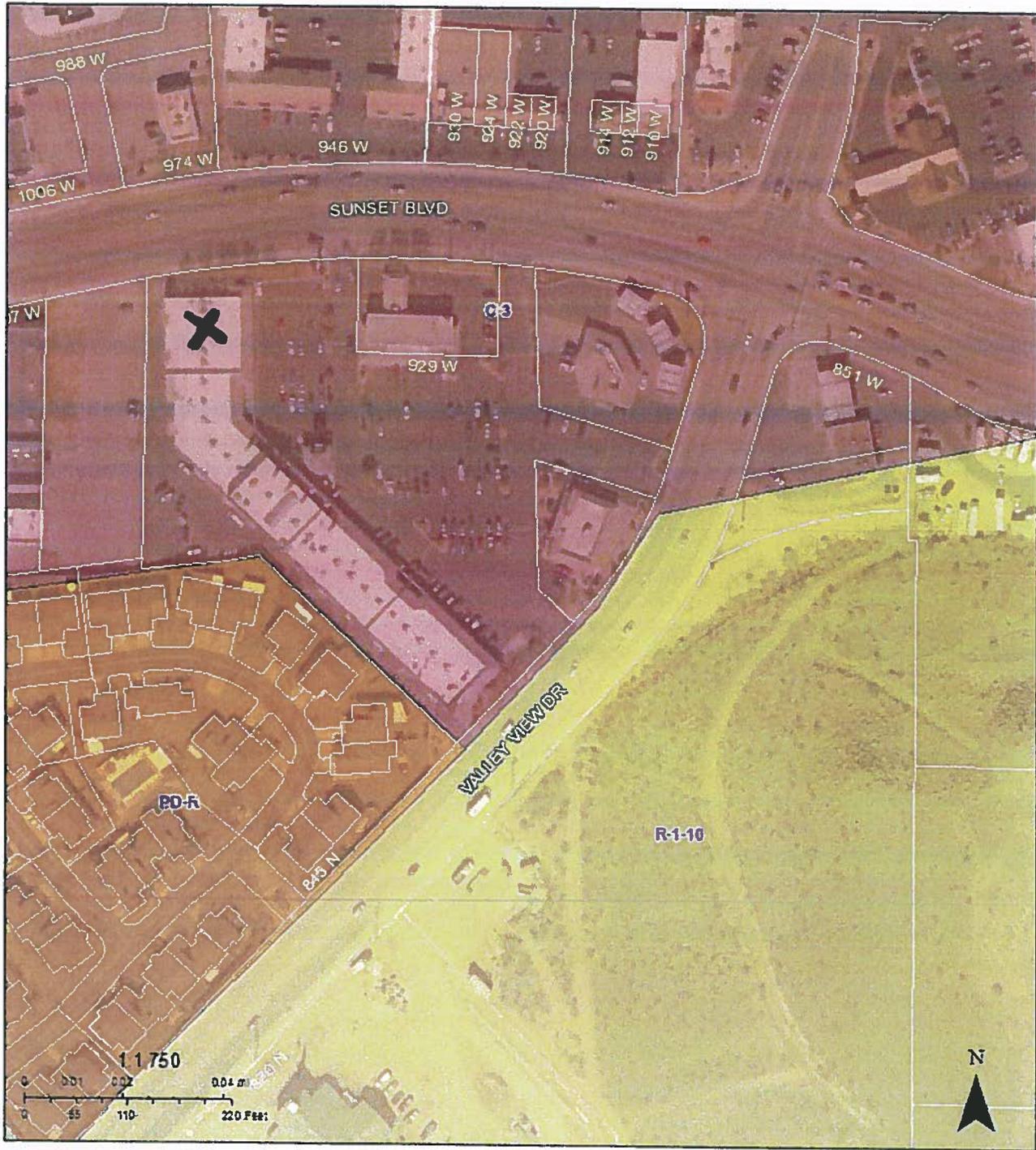
**344 E Sunland Dr
St. George, UT
84790**

**Open Daily
12pm-9pm**

Lastcalltattoo@yahoo.com

Lastcallink.com

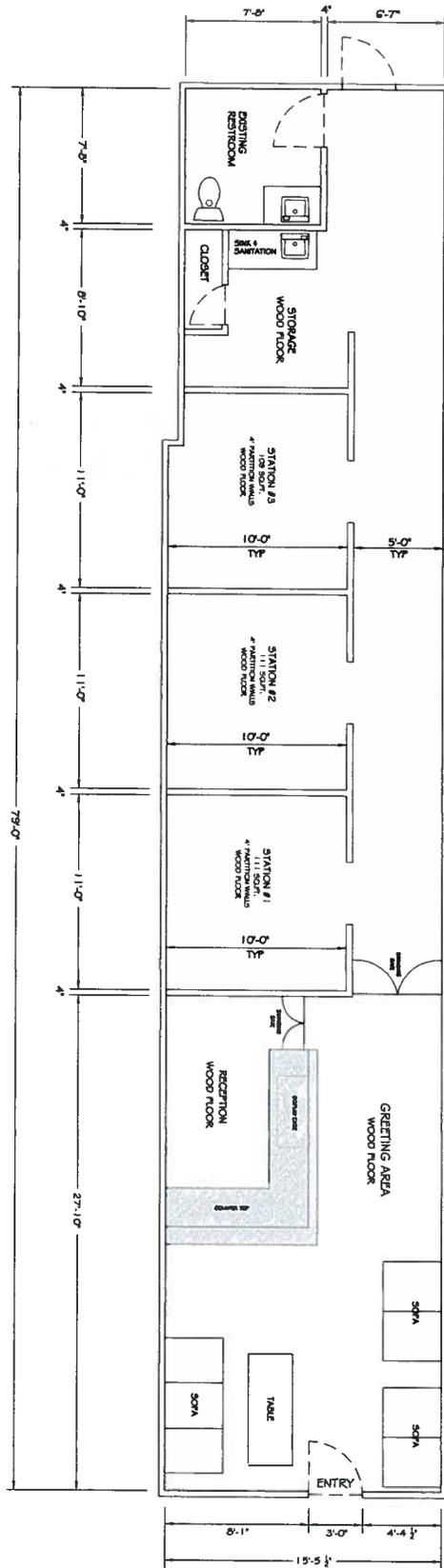
435.656.2525



Phoenix Plaza

Made by the City of St. George GIS Department
 SGCityMaps - <http://maps.sgcity.org/sgcitymaps>

April 11, 2014



LC LAST CALL INK TATTOO SHOP FLOOR PLAN
 TOTAL SPACE = APPROX. 1,204 SQ.FT.
 SCALE 1/4" = 1'

PREMIER
 Design & Engineering
 75 EAST 100 NORTH, MNS, UTAH 84738 (435) 628-2516

FLOOR PLAN
 LAST CALL INK
 TATTOO SHOP
 ST. GEORGE, UTAH 84770

DATE: 4/1/2014
 DRAWN BY: F.A.M.
 CHECKED BY: M.S.J.
 CLIENT: L&L/CAL
 SCALE: 1/4" = 1'-0"

SHEET
 OF 1 SHEETS

**LAST CALL INK
TATTOO SHOP
PROBRIX PLAZA UNIT 1D
ST. GEORGE, UTAH 84770**



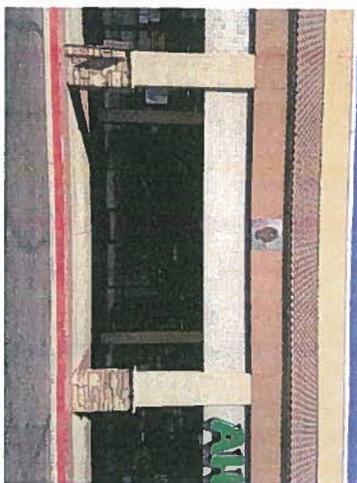
PREMIER
Design & Engineering
75 EAST 800 NORTH WASH, UTAH 84708 (435) 829-2516

VICINITY MAP
CONDITIONAL USE PERMIT
LAST CALL INK TATTOO SHOP
LOCATED IN ST. GEORGE, UTAH

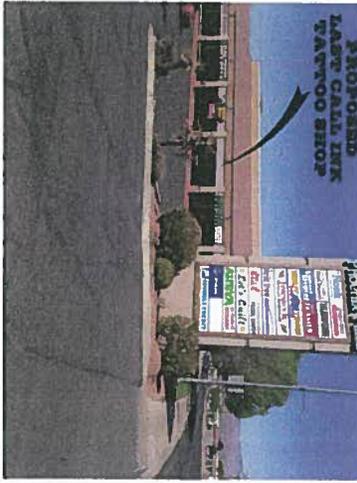
DATE: 4/20/15
DRAWN BY: EAK
CHECKED BY: JAK
SCALE: AS SHOWN
NORTH ARROW

LAST CALL INK TATTOO SHOP

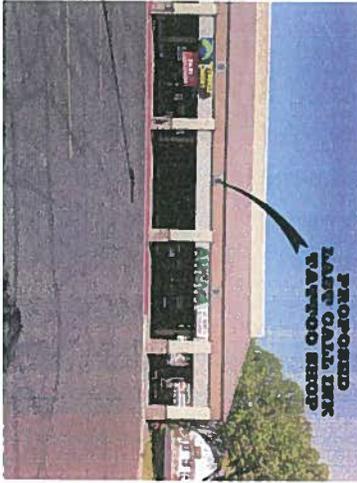
PROBETIX PLAZA UNIT 1D
ST. GEORGE, UTAH 84770



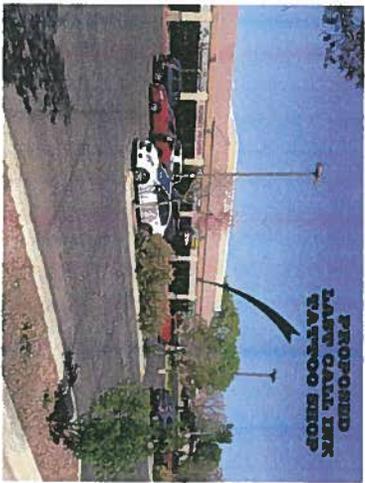
UNIT 1D
STORE FRONT



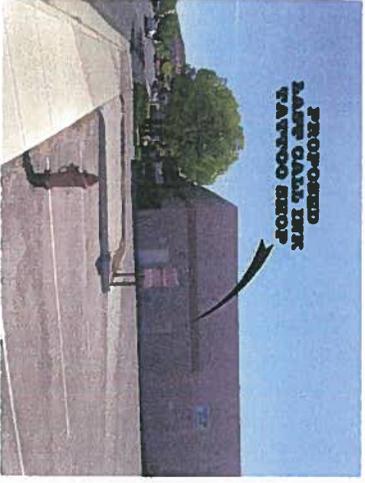
ENTRANCE FROM
SUNSET BLVD



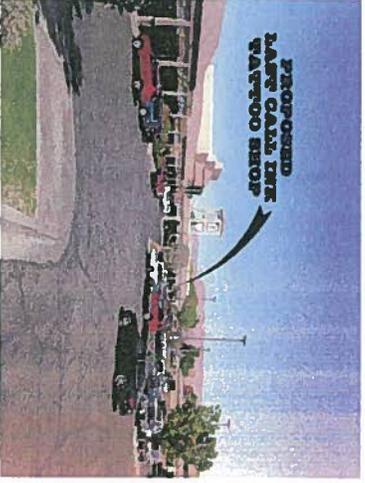
COMPLEX



LOOKING NORTH
TOWARDS SUNSET BLVD



REAR OF UNIT



LOOKING NORTH
FROM VALLEY VIEW DR

NO.	25014
DATE	04/11/11
BY	PREMIER
FOR	PROBETIX
PROJECT	LAST CALL INK TATTOO SHOP

BUILDING PHOTOS
CONDITIONAL USE PERMIT
LAST CALL INK TATTOO SHOP
LOCATED IN ST. GEORGE, UTAH

PREMIER
Design & Engineering
78 EAST 100 NORTH WVH, UTAH 84708 (435) 628-2258

PCR ITEM 7

Fiesta Fun

PLANNING COMMISSION AGENDA REPORT: 05/13/2014
CITY COUNCIL MEETING: 05/15/2014

Fiesta Fun Entertainment Center
2014-BDCSP-002 (Design Review & Approval)

Request: Building design and conceptual site plan approval for a proposed 40,000 sq. ft. building addition to the existing Fiesta Fun site.

Project Name: New Fiesta Fun Center (new building addition)

Project Description: It's proposed to replace the current 7,500 sq. ft. entertainment facility with a new 40,000 sq. ft. building. The facility has been in operation for over thirteen (13) years and is an attraction which currently offers miniature golf, arcade games, go karts, bumper boats, kiddy carts, soft play, batting cages, and a golf driving range. The new facility will expand its indoor operations to include a 20 lane bowling lane venue, video game arcade, laser tag, and cafe. The existing outdoor golf driving range will be discontinued.

According to the applicant(s), approximately 60% of the business is tourist traffic. The business also caters to corporate parties and functions to rent out the entire facility.

The miniature golf, go-carts and bumper boats will remain in existing positions (see site plan).

Ordinance: A BDCSP application is required per Section 10-10-5.I (below)

10-10-5: SPECIAL PROVISIONS

- I. Buildings With A Large Ground Floor Area: Buildings with a ground floor (footprint) area of twenty thousand (20,000) square feet or more or a site with an aggregate ground floor (footprint) square footage of twenty thousand (20,000) square feet or more shall be subject to design review and approval by the city council. A site plan along with colored building elevations of all sides of the building and a three-dimensional rendering shall be submitted for review by the planning commission which will make a recommendation to the city council. The city council will review the building design and conceptual site plan in order to achieve the following desired objectives:
 1. Vehicle access and parking lots properly designed for safety, efficiency and beauty. Parking lots should be landscaped with shade trees throughout the lot to avoid major heat islands, and to break up large asphalt areas.

2. Landscaping of the project site to promote community appearance.
3. Building facade articulation shall include a variation in base, middle, and top of a building created by variations in color and materials. Articulated tops should consist of pitch dormers, gable ends, cornice detailing, or similar details. The base of a building shall include elements that relate to human scale such as doors, windows, texture, projections, awnings and canopies, ornament, etc. Buildings shall provide visual interest through articulation of the facade. This can be achieved through: a) combinations of stepping back or extending a portion of the facade (pop outs), b) vertical divisions using different textures and materials, c) divisions into storefronts, with separate display windows and entrances, variation in rooflines by alternating dormers, stepped roofs, gables, or other roof elements, and d) arcades, awnings, window bays, arched windows, and balconies at intervals.
4. Building colors shall be earth tones that blend with the predominant colors of the natural surrounding area and shall not be of high contrast. Bright, white or contrasting colors shall be limited to trim. A materials and color sample board shall be provided.

PSR: A Planning Staff Review (PSR) meeting was held by staff on April 29, 2014 to initially discuss this project.

APN: SG-5-2-31-424211

Owner / Developer: Halcyon Holding LC
Mr. and Mrs. Brett Crockett
P.O. Box 2680
St George, Utah 84771

Representative: Mr. Travis Davis, Project Manager
Hughes General Contractors
St George Office
62 W Industrial Road
Washington, Utah 84780

Zone: C2 (Highway Commercial Zone)

General Plan: COM (Commercial)

Narrative (PD Text): The applicant has provided a narrative (see attached).

Location: Located at 171 East 1160 South Street (near the I-15 freeway).

Developed Acreage: 118,715 sq. ft. (2.73 acres)

Building (Floor) Area:

Bowling Alley	= 21,010 sq. ft.
Café	= 1,800 sq. ft.
Arcade	= 13,900 sq. ft.
Office	= 1,350 sq. ft.
Laser Tag	= 1,900 sq. ft.

Building Height: Single story, 22 feet high

Building Materials: The new building will be constructed of architectural tilt-up concrete similar to the Dixie Center and many of the local schools. A material sample board has been provided that includes aluminum store front doors and earth tone concrete accent colors (see color board legend attached to staff report).

Ordinance: Section 10-10-5-I requires the submittal of a colored site development plan, colored rendering, colored elevations, material and color samples, and a narrative.

Setbacks (Required): Front = 20 ft., Side = 10 ft. Street side = 20 ft., and rear = 10 ft. (measured from PL)

Setbacks (Proposed):

North = 121 ft. within proposed improved area plus 377 feet to property line.
South = Approx. 470 ft. (from 1160 South Street) (Note: behind existing facility).
West = Approx. 24 ft.
East = Approx. 139 ft.

Adjacent L/U:

North = Vacant land (owned by applicant)
South = Existing Fiesta Fun & 1160 South Street
East = City property; JC Snow Park / Skateboard Park
West = Temple RV Park

Parking:

<u>Parking Calculations</u>		
Bowling Lanes:	20 lanes x 5 spaces per alley	= 100 spaces
Dining Area:	1,800 sq. ft. / 100	= 18 spaces
Retail Area:	17,240 sq. ft. /250	= 69

Total required:	187	
Provided:	194 (+7)	

Landscape Area(s):

Interior parking lot landscaping required	= 3,235 sq. ft.
Interior parking lot landscaping proposed	= 3,830 sq. ft.
Landscape strip area; 15 ft. x 315 ft.	= 4,725 sq. ft.
Other site landscaping	= 1,020 sq. ft.

Total Landscape area	= 9,575 sq. ft.

Lighting: The site shall be designed to be “dark sky” friendly and avoid any light pollution to neighbors. A photometric plan shall be submitted during the SPR (Site Plan Review) process by the City for staff to review.

Additional Comments: **Existing Building**
At this time there are no known plans for use of the existing 7,500 sq. ft. building (which will be replaced by the new 40,000 sq. ft. building).

Access
The applicant proposes a new private access road (25 ft. asphalt width for two-way traffic in and out of the site). However, traffic engineering trip generation will need to be reviewed by the City Traffic Engineer to see if it is adequate. At this time the applicant proposes the one private access only, but the land to the north (owned by the applicant – existing golf driving range) could potentially generate a future need for a second access, a tie-in to 900 South Street (reference aerial) might be deemed necessary.

Right-of-Way
The land to the east shown as the private access road was ‘quit claimed’ by the City to the applicant. The City had no interest in the land.

P.C.: The Planning Commission recommends approval subject to Legal Department review for site access.

The New Fiesta Fun Center
Project Narrative
May 2, 2014

The current 7,500 square foot Fiesta Fun Center located at 171 East 1160 South has been in operation for over 13 years. The facility is noted as an area attraction and offers miniature golf, arcade games, go karts, bumper boats, kiddie karts, soft play, batting cages, and a golf driving range.

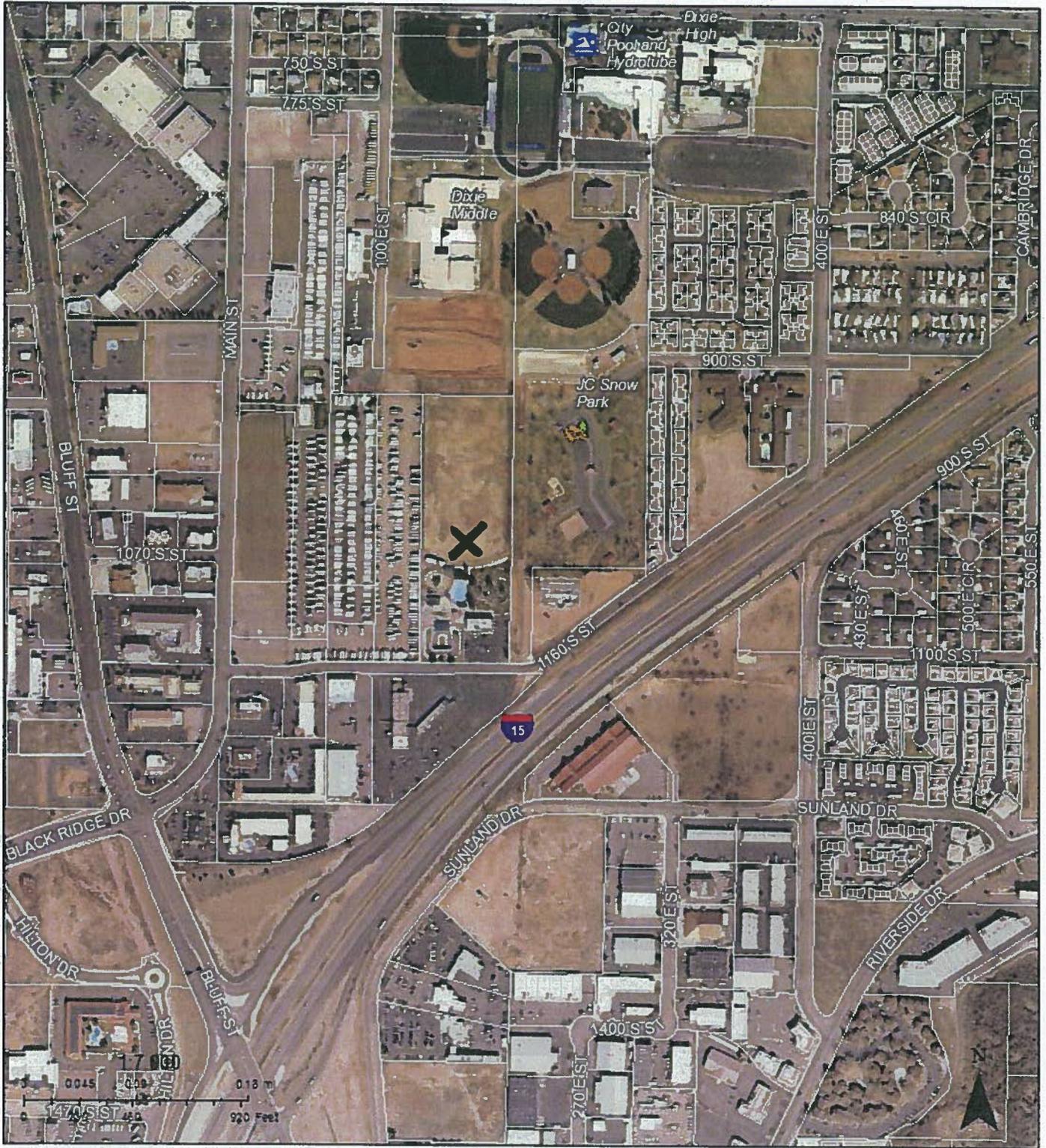
The Fiesta Fun owners have completed extensive feasibility studies to determine that the St. George area can support a significant expansion of their indoor operations as well as the addition of a bowling lane venue. Consequently, the proposed plan is to construct a new 40,040 square foot building and 64,700 square foot parking lot on approximately half (2.73 acres) of the existing golf driving range.

The current building will be maintained and vehicular access to the new building will be through the current 1160 South street approach into the existing parking lot, around the miniature golf course on a newly constructed private drive as shown on the attached site plan.

The new building will be constructed of architectural tilt-up concrete similar to the Dixie Center and many area schools. It will house a video game arcade, 20 bowling lanes, a café, and laser tag.

Fiesta Fun Center is excited to propose the expansion of their operation and its further contribution to the St. George area.





Vicinity

Made by the City of St. George GIS Department
 SGCityMaps - <http://maps.sgcity.org/sgcitymaps>

April 30, 2014



Zoning

Made by the City of St. George GIS Department
 SGCityMaps - <http://maps.sgcity.org/sgcitymaps>

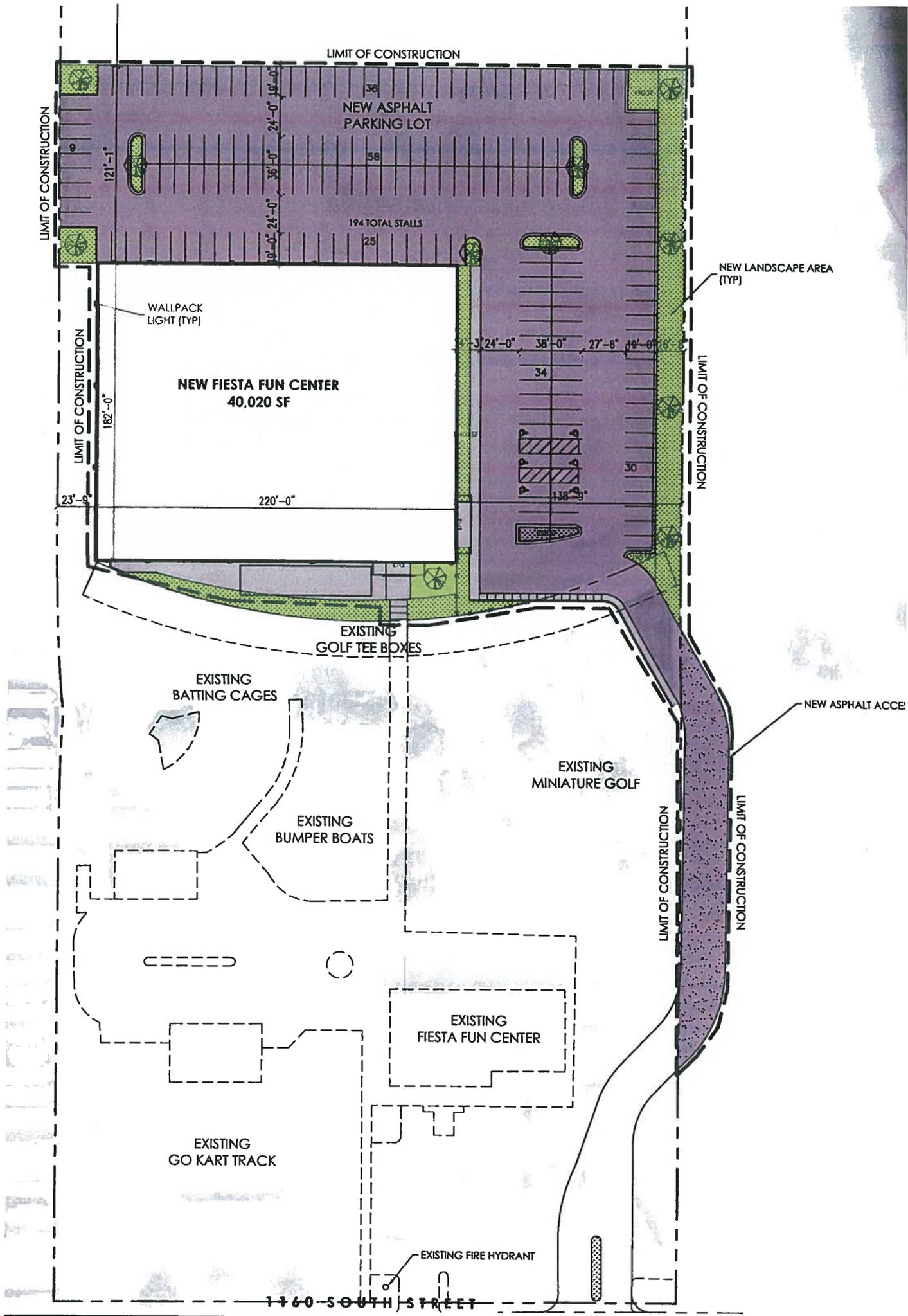
April 30, 2014



Existing Site - Aerial

Made by the City of St. George GIS Department
SGCityMaps - <http://maps.sgcity.org/sgcitymaps>

April 30, 2014





HUGHES
GENERAL CONTRACTORS

COMPANY OFFICE
495 West 12th Street
North Salt Lake, Utah 84064-2700
Phone: 801.225.1410
Fax: 801.225.1500

ST. GEORGE OFFICE
675 West 100th Street
St. George, Utah 84770
Phone: 435.628.1007
Fax: 435.628.1008

CONSULTANT

PROJECT

**Fiesta Fun
Center**

PROJECT ADDRESS
171 E. 1160 S.
St. George, Utah

DATE

SHEET NUMBER
BUILDING VIEWS

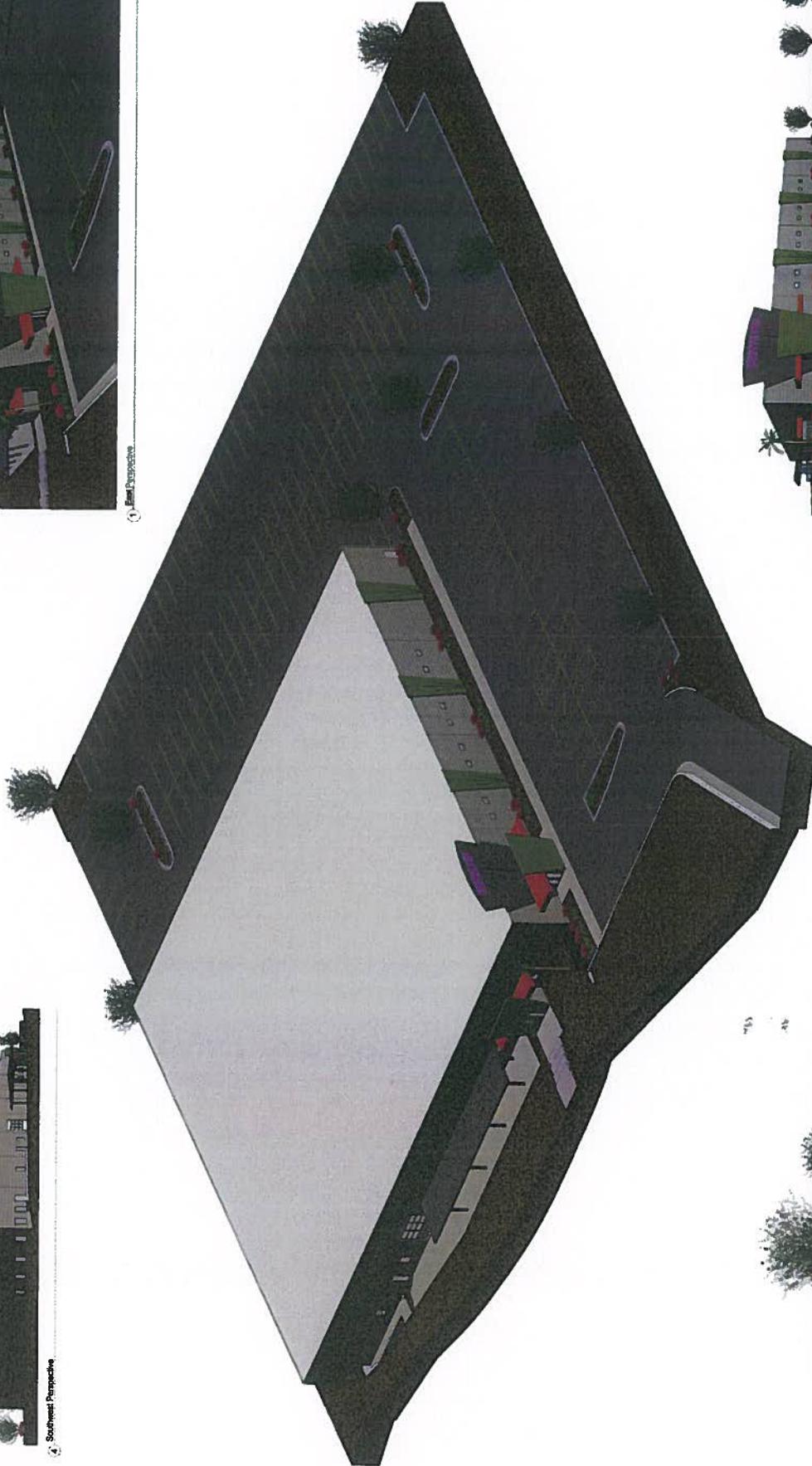
SHEET NUMBER
A105



1 East Perspective



4 Southwest Perspective



5 Overall Perspective



2 North Perspective



3 Southeast Perspective



HUGHES
GENERAL CONTRACTORS

COMPASS OFFICE
1000 W. 1000 S.
SALT LAKE CITY, UT 84119

Phone: 801.225.1111
Fax: 801.225.1111

ST. GEORGE OFFICE
171 E. 1160 S.
ST. GEORGE, UT 84770

Phone: 435.638.5247
Fax: 435.638.5247

CONSULTANT

PROJECT

Fiesta Fun Center

PROJECT ADDRESS

171 E. 1160 S.
St. George, Utah

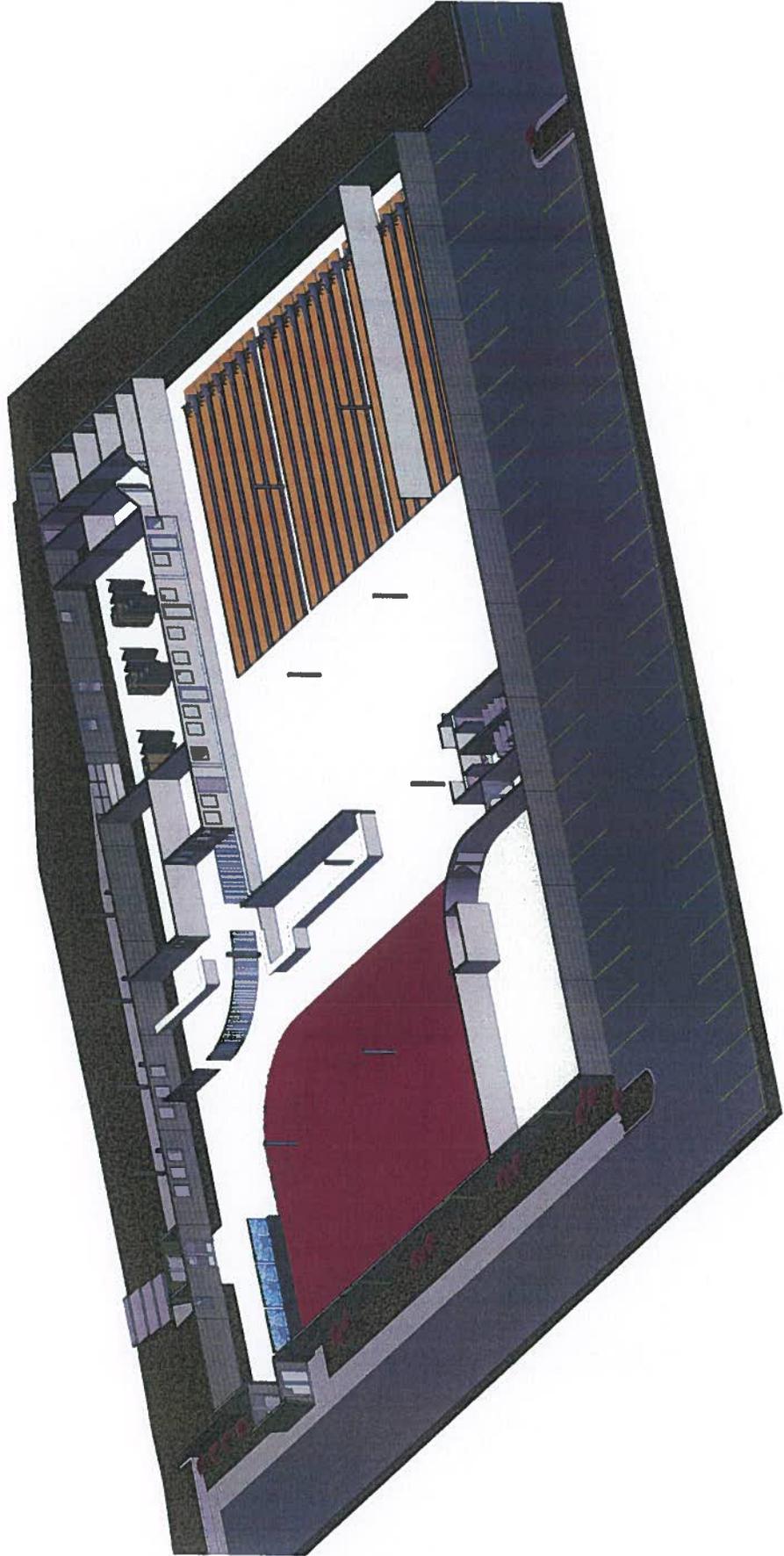
DATE

SHEET NAME

Interior Isometric Plan

SHEET NUMBER

A106





COLOR BOARD LEGEND



ARCHITECTURAL TILT-UP
CONCRETE BASE COLOR



ARCHITECTURAL TILT-UP
CONCRETE ACCENT COLOR



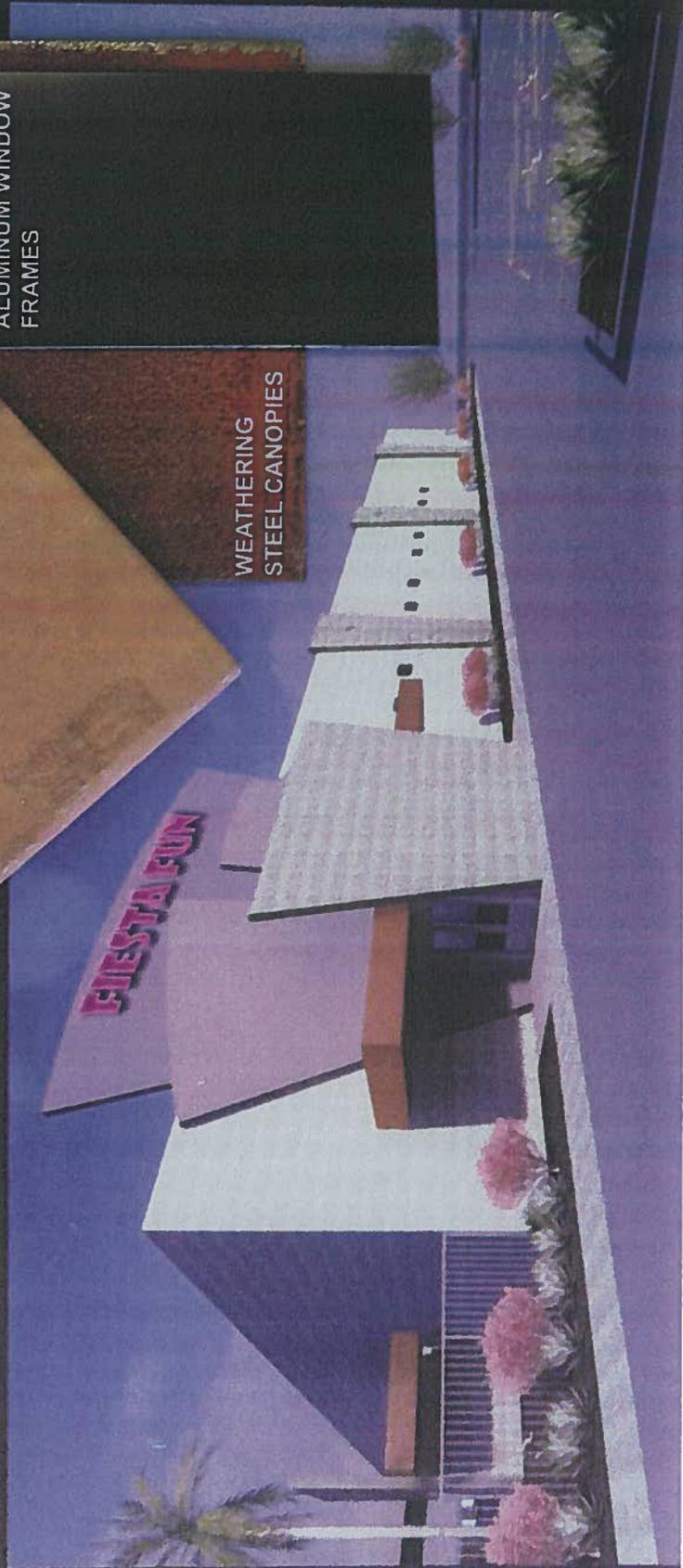
ARCHITECTURAL TILT-UP
CONCRETE ACCENT COLOR



ALUMINUM STORE FRONT DOORS



ALUMINUM WINDOW
FRAMES



WEATHERING
STEEL CANOPIES

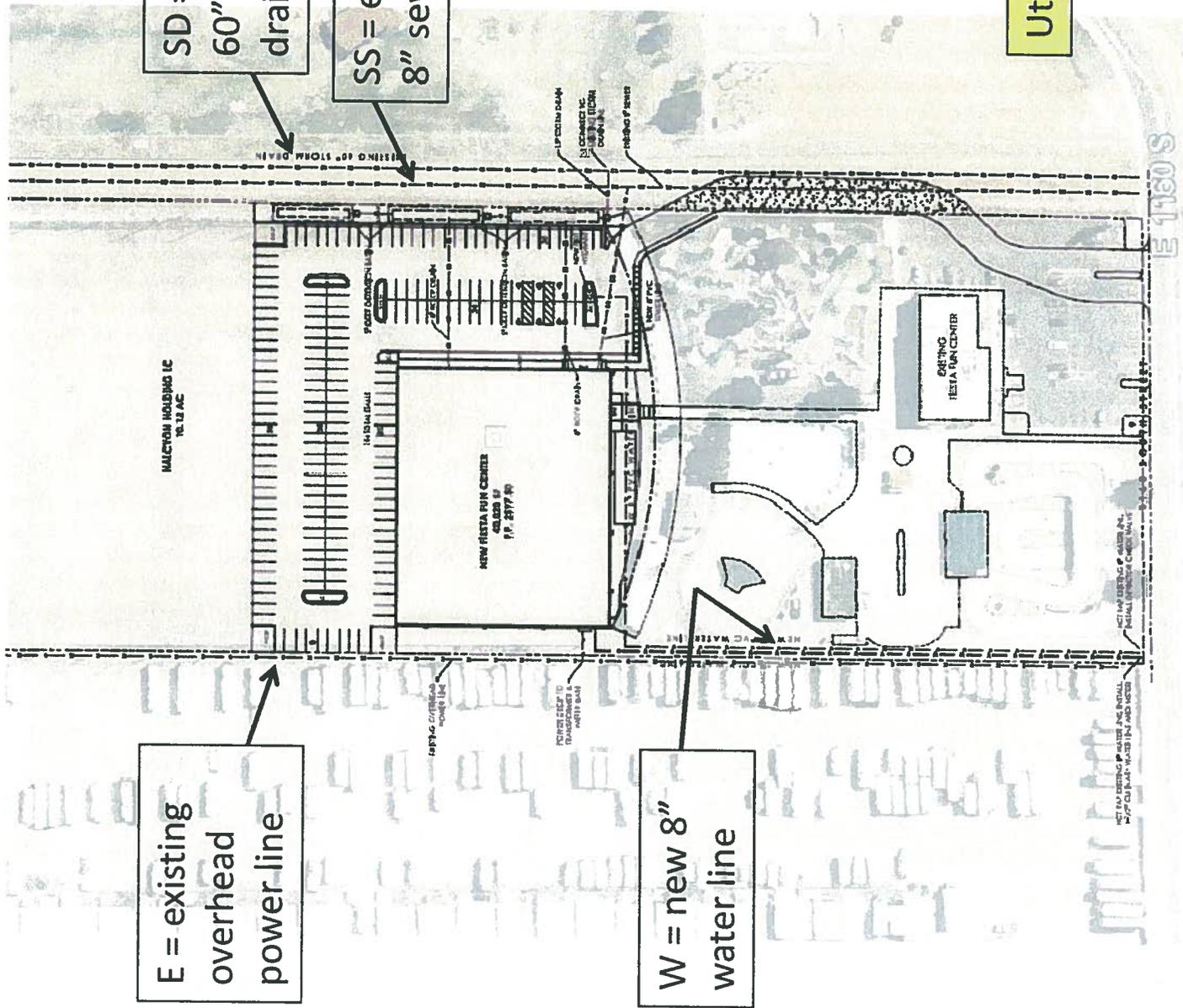
SD = existing
60" storm
drain

SS = existing
8" sewer line

E = existing
overhead
power line

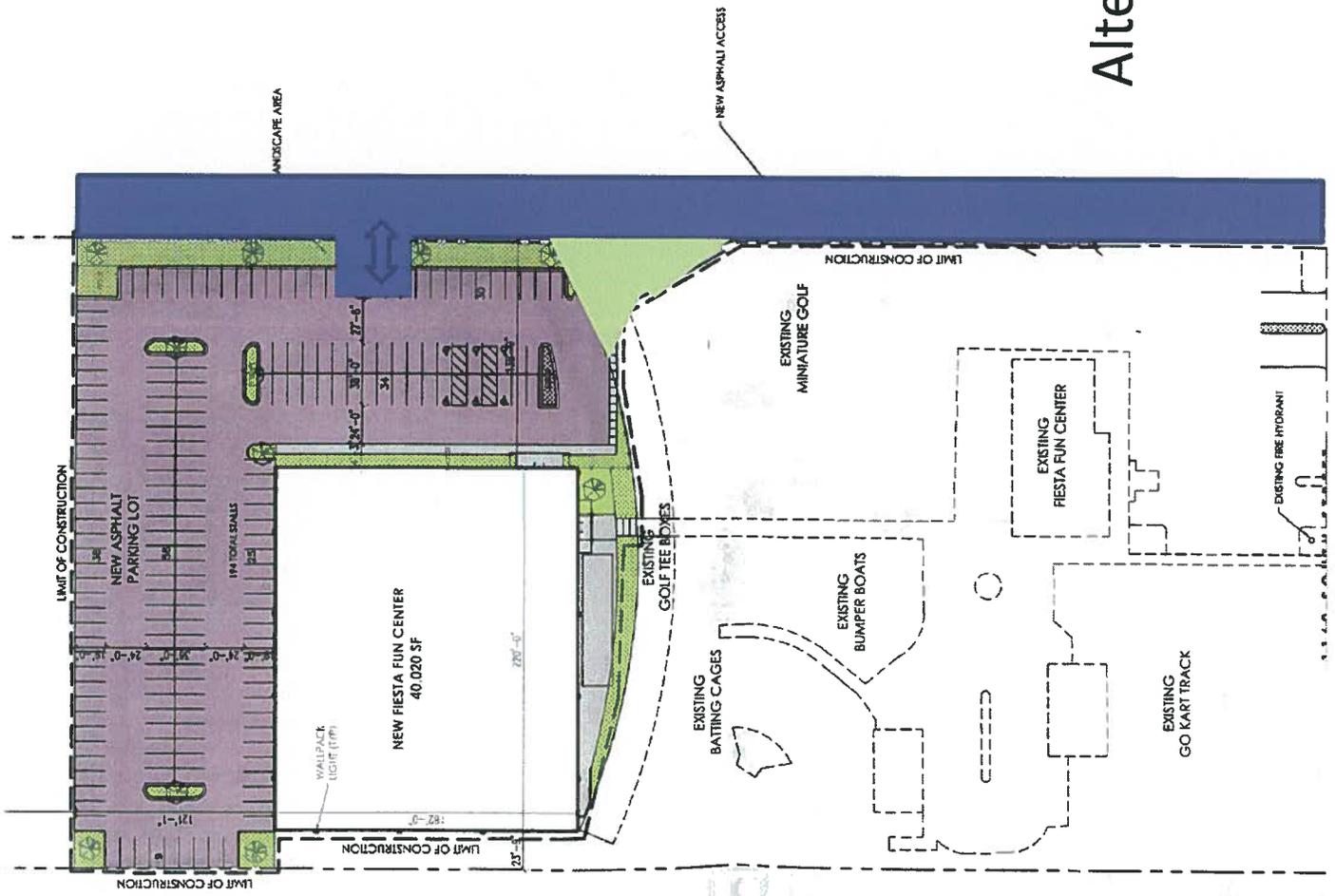
W = new 8"
water line

Utility Information



NOT AN EXISTING POWER LINE. INSTALL APPROXIMATE CENTER MARK.

NOT AN EXISTING WATER LINE. INSTALL APPROXIMATE CENTER MARK.



Alternate Access

DRAFTAgenda Item Number : **6C****Request For Council Action**

Date Submitted 2014-05-05 16:03:02**Applicant** Mr. Eric McFadden**Quick Title** CUP for tattoo shop in Phoenix Plaza on Sunset Dr.**Subject** Consider a request to establish a tattoo shop in the Phoenix Plaza located on the corner of Sunset Blvd and Valley View Drive in a C-3 commercial zone.**Discussion** The applicant has operated a tattoo shop in a small shop on Sunland Drive for the past few years and now desires to relocate to the Phoenix Plaza (C-3 zone). The space in the Phoenix Plaza is unit 1D and is approximately 1,200 sq ft total with reception area, 3 stations, and storage area. Tattoo shops are listed as a conditional use in a C-3 zone and thus the need for the applicant to submit a CUP request. The PC will consider the request on May 13th and make a recommendation to the Council.**Cost** \$0.00**City Manager Recommendation** This use is allowed in the C-3 zone on a conditional use basis. The planning commission will hear the item on the 13th and have a recommendation after their meeting.**Action Taken****Requested by** Bob N**File Attachments****Approved by Legal Department?****Approved in Budget? Amount:****Additional Comments**

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
APRIL 3, 2014, 5:00 P.M.
CITY COUNCIL CHAMBERS**

PRESENT:

**Mayor Jon Pike
Councilmember Gil Almquist
Councilmember Jimmie Hughes
Councilmember Michele Randall
Councilmember Joe Bowcutt
Councilmember Bette Arial
City Manager Gary Esplin
City Attorney Shawn Guzman
City Recorder Christina Fernandez**

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Councilmember Almquist and the invocation was offered by Reverend Alex Wilkie.

Mayor Pike mentioned that the street signs designating 700 East as University Avenue have been installed. Additionally, he mentioned the Heads Up Thumbs Up campaign press conference that took place this afternoon. He read a proclamation proclaiming April 17, 2014 as "Head Up Thumbs Up Day".

COMMENTS FROM THE PUBLIC:

Carson Cox, a scout, stated that he is concerned with the condition of the much-used City parks. For example, at Circle Park in south Bloomington Hills the water fountains do not work and the slides are cracked.

Mayor Pike stated that he will have Parks staff look into these issues.

PROFESSIONAL SERVICES AGREEMENT:

Consider approval of a professional services agreement with SWCA Incorporated.

Purchasing Manager Connie Hood that the City currently uses JBR Environmental Consultants to perform various environmental projects. Staff would like to be able to use additional firms as to not get tied to one consultant.

MOTION: A motion was made by Councilmember Randall to approve the professional services agreement with SWCA Incorporated.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

CHANGE ORDER:

Consider approval of a change order to the Bud Mahas contract for the East Annex office renovation project.

City Manager Gary Esplin advised that \$60,000 was approved in the last budget opening. This change order will cover the cost to renovate the entrance in lower level of the East Annex building.

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MOTION: A motion was made by Councilmember Almquist to approve the change to the Bud Mahas contract for the East Annex office renovation project as explained in the amount of \$60,542.
SECOND: The motion was seconded by Councilmember Arial.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid for the Pioneer Park restroom construction.

City Manager Gary Esplin advised that the funds for a new restroom at Pioneer Park have been approved in the current budget. The park is extremely busy.

Purchasing Manager Connie Hood stated that the recommendation is to award the bid to B. Hansen Construction in the amount of \$94,750 for the base and alternate bids. The bid came in below the budgeted amount.

Mark Goble commented the restroom will be by the east side of the park.

MOTION: A motion was made by Councilmember Hughes to award the bid to B. Hansen Construction in the amount of \$94,750.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

SPECIAL EVENT PERMIT FEE WAIVER:

Consider approval of a request for a special event permit fee waiver for the 15th Annual Dixie Power Kite Festival. Monty Thurber, applicant.

Monty Thurber advised this is the 15th year for the kite festival.

Stella Iverson explained that the Kite Festival was started because Dixie Power wanted an event in St. George. This is an affordable family oriented event. Parking and admission will be free. They joined with Washington County School District Foundation's reading program to promote reading. Students keep track of their reading for 4 months, bring to the Kite Festival and receive either a book or a kite. The funds are donated to the Washington County School District's literacy program. She thanked the City for sponsoring the event.

MOTION: A motion was made by Councilmember Arial to approve the fee waiver for the 15th Annual Dixie Power Kite Festival.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

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Councilmember Arial - aye

The vote was unanimous and the motion carried.

FEE WAIVER REQUEST:

Consider approval of a request to use Vernon Worthen Park for the Special Olympic Summer Games Torch Run. Lona Trombley, applicant.

St. George Police Officer, Lona Trombley, explained the Torch Run is to increase awareness for the Special Olympics. Athletes and officers carry the Flame of Hope to the opening ceremony of the Special Olympics which will be held on May 10, 2014. They will be having a festival following the Torch Run. They are requesting a fee waiver for the use Vernon Worthen Park.

MOTION: A motion was made by Councilmember Almquist to approve the fee waiver for the use of Vernon Worthen Park on May 8, 2014 for the Special Olympics Summer Games Torch Run opening ceremony.

SECOND: The motion was seconded by Councilmember Hughes.

VOTE: Mayor Pike called for a vote, as follows:

- Councilmember Almquist- aye
- Councilmember Hughes - aye
- Councilmember Randall - aye
- Councilmember Bowcutt - aye
- Councilmember Arial - aye

The vote was unanimous and the motion carried.

FEE WAIVER REQUEST:

Consider approval of a request to use the Airport for a special event for the Warbirds Museum. Jack Hunter, applicant.

Jack Hunter stated that they are holding an Armed Forces Celebration on May 17, 2014 at the Airport. Additionally, on May 16, 2014, they will be holding their 2nd Annual Hangar Dance. He explained that the museum is free of charge and they do receive donations from the public.

City Manager Gary Esplin explained that they have events all year long. Rather than the applicant bring each request to the Council for approval, he suggests giving the Airport Manager the authority to approve the events. This way, the events can be scheduled in advance.

MOTION: A motion was made by Councilmember Almquist to approve the fundraising event on May 16, 2014 as well the event on May 17, 2014. Additionally, he allows the applicant to coordinate with the Airport Manager to create a schedule of future events.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

- Councilmember Almquist- aye
- Councilmember Hughes - aye
- Councilmember Randall - aye
- Councilmember Bowcutt - aye
- Councilmember Arial - aye

The vote was unanimous and the motion carried.

FEE WAIVER REQUEST:

Consider approval of a request for a fee waiver for the use of Confluence Park for the Walk to Cure Diabetes event. Stacey Bowen, applicant.

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Chad Parker stated that he represents the applicant. This is the 3rd year for this event and will be held April 12, 2014. They are asking for a fee waiver to use Confluence Park. The purpose of the event is to raise funds to find a cure for diabetes.

MOTION: A motion was made by Councilmember Hughes to waive the fee for the use of Confluence Park for the Walk to Cure Diabetes event.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

PUBLIC HEARING/FINAL PLAT AMENDMENT/ORDINANCE:

Consider a request of an amendment to the Final Plat for Artesia Terrace by merging lots 19 & 20 into one lot and vacate the public utility easement between said lots. Bob Hermanson, applicant.

Todd Jacobsen presented the request for an amendment to the final plat for Artesia Terrace. The lots are located at 1593 West Russell Circle, zoning is R-1-10. The purpose of amending the final plat is to merge lots 19 and 20 into one lot to be known as lot 19 and to vacate the public utility and drainage easement between said lots. Additionally, it is proposed to amend the language to note 8 to include the portion starting with "unless otherwise approved by the City of St. George Community Development Department based on a site plan that meets all applicable city standards, including, but not limited to grading and setback standards and requirements". There is an existing house on lot 19 that will be expanded.

Mayor Pike opened the public hearing. There being no public comment, he closed the public hearing.

MOTION: A motion was made by Councilmember Hughes to approve the ordinance amending the final plat for Artesia Terrace by merging lots 19 & 20 to be known as lot 19.

SECOND: The motion was seconded by Councilmember Randall.

AMENDED MOTION: Councilmember Hughes amended to include vacating the public utility easement between said lots.

SECOND: The amended motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

City Manager Gary Esplin explained that there are two ways to amend a plat. The applicant can obtain signatures of all lot owners in the subdivision, consenting to the amendment, or go through the public hearing process.

SET PUBLIC HEARINGS:

Wes Jenkins advised that the Planning Commission, at its meeting held March 25, 2014, recommended that public hearings be scheduled on April 17, 2014 to consider: 1) a request for a zone change from RE-20 to R-1-10 on a 4.409 acre parcel generally located

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southwest of the intersection of Crimson Ridge Drive and Little Valley Road and west of Sun Valley Estates subdivision and 2) A request for a proposed amendment to the Title 10 Zoning Regulations, Chapter 18, Section 7B-2 to allow the keeping of chickens (hens only) and rabbits as an accessory use to a single-family dwelling to produce food for the family residing on the subject property.

MOTION: A motion was made by Councilmember Hughes to set the public hearings for April 17, 2014.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

- Councilmember Almquist- aye
- Councilmember Hughes - aye
- Councilmember Randall - aye
- Councilmember Bowcutt - aye
- Councilmember Arial - aye

The vote was unanimous and the motion carried.

FINAL PLATS:

Todd Jacobsen presented the final plats for: 1) Estates at Valderra Phase 2, a 5 lot residential subdivision located along Petroglyph Drive at approximately 4800 North, near The Ledges Development, zoning is PD-R and 2) Kenny Estates, a 6 lot residential subdivision located at approximately 430 North between 2480 East and 2660 East, zoning is R-1-7. He explained that the lots will front 430 North and that 450 North has not yet been improved.

Councilmember Bowcutt inquired if the owner has to install a wall on both sides of the lots since 450 North is not yet improved.

Wes Jenkins stated that the wall will be installed along 450 North as each lot is developed.

City Manager Gary Esplin advised that this is a unique situation with regards to all of the roads in that area. Mr. Jenkins has been working with Mr. Blake to work out the issues.

MOTION: A motion was made by Councilmember Randall to approve the final plat for Estates at Valderra Phase 2 and Kenny Estates.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

- Councilmember Almquist- aye
- Councilmember Hughes - aye
- Councilmember Randall - aye
- Councilmember Bowcutt - aye
- Councilmember Arial - aye

The vote was unanimous and the motion carried.

FINAL PLAT AMENDMENT:

Todd Jacobsen explained that a public hearing is not needed since there is not a utility easement that needs to be vacated. He presented the final plat amendment for Snowfield Estates Amended #5 a 58 lot residential subdivision located at 93 South and 97 South Clinton Circle, zoning is R-2 on lots 29A thru 44B and R-1-10 on lots 1 thru 28. The purpose of this final plat amendment is to adjust the lot line between lots 38A and 38B to match the construction of a new twin home.

MOTION: A motion was made by Councilmember Hughes to approve the final plat amendment for Snowfield Estates Amended #5 to move the lot line.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

- Councilmember Almquist- aye

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Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Wes Jenkins presented the preliminary plat for The Plaza at Sunbrook, a 2 lot commercial subdivision located at approximately 36 North Dixie Drive, zoning is C-3. The parcel will be subdivided into 2 parcels and will have accesses line up with 360 North. There is an existing wall along the south side, the developer is proposing to work with the adjacent property owners to raise the height to 8 feet. Additionally, staff has requested the developer provide access to the future phase. A portion of the existing trail on the back side of the property will run through their property; they will dedicate that to the City for the future trail. The trail will have a slope of 2.1, therefore, staff has requested the developer to install a wall to lessen the slope.

City Manager Gary Esplin advised that this section is critical with regards to the trail system. The master plan shows a crossing under Dixie Drive and the trail will continue down to the golf course.

Councilmember Bowcutt stated he is concerned that if the wall is built now, it may have to be torn up when the trail is built.

Mr. Jenkins stated that he believes there will be room to build the trail without having to tear down the wall. The engineer suggested putting in a 8 foot wall. The developer talked about beautifying parts of the City property, including the wash and possibly installing landscaping.

City Manager Gary Esplin stated that sounds like a great idea. There is always water running through the wash. Until the property owner to the north decides to develop, the City cannot build the trail.

Dave Gardner, who represents the developer, stated that there were concerns initially regarding privacy. It is less expensive for them to build a 2.1 slope and not build a wall. He suggested they build a 4 foot wall and the City build the other 4 feet. The cost for them to do the entire 8 foot would be much greater.

City Manager Gary Esplin stated that is not a bad tradeoff. He believes it is a fair offer if the developer is willing to invest in the trail. He suggests to enter into a contract with the developer for them to install the 8 foot wall and the City would reimburse the developer for half the cost.

MOTION: A motion was made by Councilmember Hughes to approve the preliminary plat for The Plaza at Sunbrook with a recommendation that the wall be installed with the City participating in the cost of the wall, to have trail access, subject to the agreement being approved by staff and the Legal Department.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Wes Jenkins presented the preliminary plat for Estancia, a 78 lot residential subdivision located at approximately 1151 South Plantations Drive, zoning is PD/Resort Overlay. The

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project will be done in 5 phases. Each phase will have to standalone with regard to parking. The amenities which will be constructed in Phase 1, will include a pool and clubhouse.

MOTION: A motion was made by Councilmember Almquist to approve the preliminary plat for Estancia.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

Mr. Jenkins noted that at the last Planning Commission meeting, Ross Taylor was elected as the new Chairman and Nathan Fisher was elected as the Vice Chairman.

AGREEMENT:

Consider approval of an agreement with EnviroSystems Management, Inc. to complete a Wildlife Hazard Assessment for the Airport.

City Manager Gary Esplin advised this is an agreement with EnviroSystems to perform a wildlife hazard assessment at the Airport. The assessment is mandated and will be funded by the FAA.

MOTION: A motion was made by Councilmember Hughes to approve the agreement with EnviroSystems Management, Inc.

SECOND: The motion was seconded by Councilmember Almquist.

Mayor Pike stated the amount is \$37,470.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

LEASE EXTENSION:

Consider approval of an extension to the Hangar One lease. Lynn Ginocchio, applicant.

City Attorney Shawn Guzman advised that Fedex has yet to complete a facility. Staff has been monitoring the progress. The rent will increase to \$1,600 per month and will run through November 30, 2014.

MOTION: A motion was made by Councilmember Almquist to extend the lease with Mr. Ginocchio as discussed through November 30, 2014.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

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The vote was unanimous and the motion carried.

LETTER ON INTENT:

Consider approval of a letter of intent with Siemens.

City Manager Gary Esplin advised this item has been tabled.

APPROVAL OF MINUTES:

Consider approval of the minutes from the City Council meeting held on February 13, 2014.

MOTION: A motion was made by Councilmember Randall to approve the minutes.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a vote, as follows:

- Councilmember Almquist- aye
- Councilmember Hughes - aye
- Councilmember Randall - aye
- Councilmember Bowcutt - aye
- Councilmember Arial - aye

The vote was unanimous and the motion carried.

APPROVAL OF MINUTES:

Consider approval of the minutes from the City Council meeting held on February 20, 2014.

MOTION: A motion was made by Councilmember Bowcutt to approve the minutes.
SECOND: The motion was seconded by Councilmember Arial.
VOTE: Mayor Pike called for a vote, as follows:

- Councilmember Almquist- aye
- Councilmember Hughes - aye
- Councilmember Randall - aye
- Councilmember Bowcutt - aye
- Councilmember Arial - aye

The vote was unanimous and the motion carried.

APPROVAL OF MINUTES:

Consider approval of the minutes from the City Council meeting held on February 27, 2014.

MOTION: A motion was made by Councilmember Hughes to approve the minutes.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a vote, as follows:

- Councilmember Almquist- aye
- Councilmember Hughes - aye
- Councilmember Randall - aye
- Councilmember Bowcutt - aye
- Councilmember Arial - aye

The vote was unanimous and the motion carried.

ADJOURN TO CLOSED SESSION:

MOTION: A motion was made by Councilmember Hughes to adjourn to a closed session to discuss property issues and litigation.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a roll call vote, as follows:

- Councilmember Almquist- aye

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Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

RECONVENE AND ADJOURN:

MOTION: A motion was made by Councilmember Hughes to reconvene and adjourn.

SECOND: The motion was seconded by Councilmember Bowcutt.

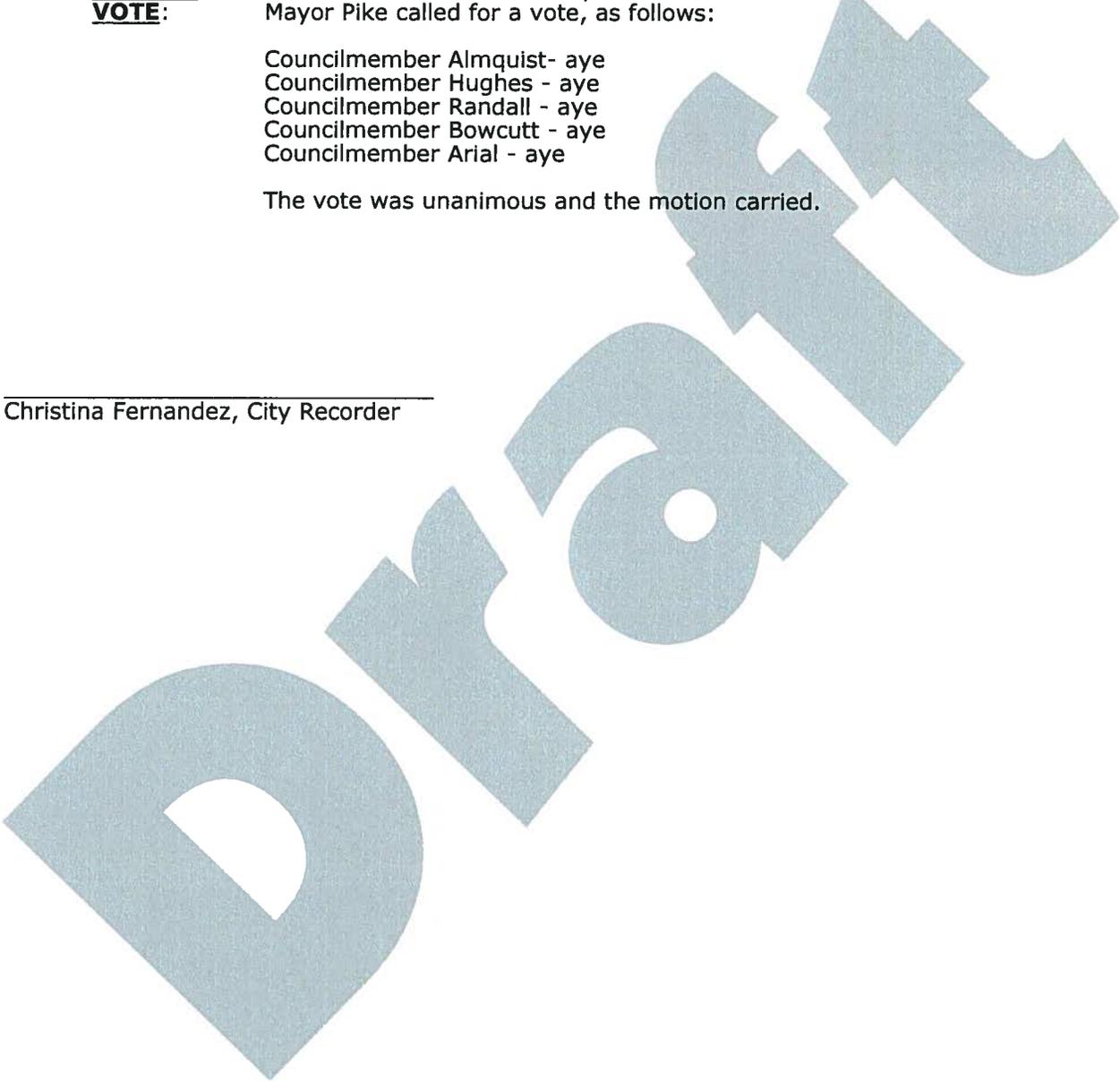
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

Christina Fernandez, City Recorder

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**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
APRIL 17, 2014, 5:00 P.M.
CITY COUNCIL CHAMBERS**

PRESENT:

**Mayor Jon Pike
Councilmember Gil Almquist
Councilmember Jimmie Hughes
Councilmember Michele Randall
Councilmember Bowcutt
City Manager Gary Esplin
City Attorney Shawn Guzman
City Recorder Christina Fernandez**

EXCUSED:

Councilmember Bette Arial

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Councilmember Bowcutt the invocation was offered by Reverend Jimi Kestin.

Councilmember Randall read a proclamation proclaiming the 3rd Saturday of May as "Armed Forces Day".

Councilmember Almquist read a proclamation proclaiming April 26, 2014 as "Arbor Day".

Councilmember Hughes read a proclamation proclaiming today, April 17, 2014 as "Heads Up, Thumbs Up Day".

Alisha Pullman-Burton, Chair of the Arts Commission, stated they are here to present Excellence in the Arts awards to Daniel D. McArthur and Gail Bunker.

Deborah Reeder introduced Gail Bunker and presented a powerpoint presentation outlining Ms. Bunker's achievements in the arts.

Gregg McArthur presented a powerpoint presentation outlining Daniel McArthur's life and achievement in the arts. He read a statement from the Arts Commission detailing why they chose Dan McArthur to receive this award.

Dan McArthur thanked the Mayor and City Council, recited a poem and sang a song.

Mayor Pike and Councilmembers presented the awards to Gail Bunker and Dan McArthur.

Leisure Services Director Kent Perkins mentioned that the Arts Festival will take place this weekend.

PUBLIC HEARING/AMEND CITY ZONING REGULATIONS/ORDINANCE:

Public hearing to consider an amendment to the City Zoning Regulations, Title 10, Section 7B-2 to allow the keeping of chickens (hens only) and rabbits as an accessory use to a single family dwelling to produce food for the family residing on the property.

Bob Nicholson stated that the request is to amend the City Zoning Regulations to allow the keeping of chickens (hens only) and rabbits as an accessory use to a single family dwelling to produce food for the family residing on the property. In 2010, the council adopted an ordinance which allowed chicken (hens only) on lots in the R-1 and RCC zones that are greater than 10,000 square feet in area. This amendment removes the 10,000 square feet provision .

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Mayor Pike opened the public hearing. There being no public comment, he closed the public hearing.

MOTION: A motion was made by Councilmember Bowcutt to allow the keeping of chickens (hens only) and rabbits on a single family dwelling above 6,000 square feet.

SECOND: The motion was seconded by Councilmember Hughes.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

PUBLIC HEARING/ZONE CHANGE/ORDINANCE:

Public hearing to consider a request for a zone change from R-1-10 to C-2 on 1.86 acres located at approximately 650 South 1000 East. Don Wieser, applicant.

Bob Nicholson presented the request for a zone change from R-1-10 to C-2 on 1.86 acres located at approximately 650 South 1000 East. No opposition has been expressed and the proposed use meets the intent of the General Plan. The Planning Commission recommends approval of the zone change. The applicant proposes to construct a 20,000 sq. foot medical dialysis center on the property.

Councilmember Almquist inquired about a small piece of land that is between the Gardner property to the north, and the property to the south.

City Manager Gary Esplin stated that believes that is a dedicated, yet unimproved right-of-way.

Alan Laulainen, who represents the applicant, stated that area has been cleaned up and is part of the 1.86 acres.

Mayor Pike opened the public hearing.

Lisa George, resident, stated she is curious to know how this type of medical office will affect the traffic in the area.

Mr. Laulainen stated that this type of facility typically has less traffic than a normal medical office. There will be two driveways to access the building.

Mayor Pike closed the public hearing.

Councilmember Hughes stated that the traffic concern is a valid point.

Councilmember Almquist commented that traffic may be less with the proposed zone change than if the parcel was left zoned R-1-10.

MOTION: A motion was made by Councilmember Hughes to approve the zone change from R-1-10 to C-2 on 1.86 acres located at approximately 650 South and 1000 East.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

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PUBLIC HEARING/ZONE CHANGE/ORDINANCE:

Public hearing to consider a request for a zone change from RE-20 to R-1-10 on approximately 2.306 acres located at the intersection of Crimson Ridge Drive and Little Valley Road. S&S Homes, applicant.

Craig Harvey presented the zone change request from RE-20 to R-1-10 on approximately 2.306 acres located at the intersection of Crimson Ridge Drive and Little Valley Road. He stated that the original property owner came in for a zone change on 4.4 acres. The main issue with this request is the 200 foot buffer in the General Plan for this property on the area adjacent to Little Valley Road. Therefore, to be consistent with the General Plan and also with zoning changed recently approved for the "Villages at Little Valley" subdivision, the Planning Commission recommends that an area 200 feet deep along Little Valley Road remain RE-20. Density on this project is 3.03 dwelling units per acre on the 2.306 acres; however, on the entire project the density is 2.2 dwelling units per acre.

Mayor Pike opened the public hearing. There being no public comment, he closed the public hearing.

Councilmember Hughes commented that there will not be a buffer zone on the south side of the property.

Councilmember Almquist inquired if there is an existing wall on the east side of the property and if the intersection at Crimson Ridge Drive and Little Valley Road has sidewalks. Residents will have to enter off Crimson Ridge Drive.

Zach Renstrom, applicant, stated that there is a six foot wall on the east side.

Mr. Harvey stated that there are sidewalks on both sides and the road is a 50 foot right-of-way.

Mayor Pike advised there is a 4-way stop at the intersection and that 3000 East has been paved. This request is in accordance with the General Plan.

MOTION: A motion was made by Councilmember Almquist to approve the zone change from RE-20 to R-1-10 on approximately 2.306 acres.

SECOND: The motion was seconded by Councilmember Randall

VOTE: Mayor Pike called for a roll call vote, as follows:

- Councilmember Almquist- aye
- Councilmember Hughes - nay
- Councilmember Randall - aye
- Councilmember Bowcutt - aye

The motion carried.

AIRPORT HANGAR LEASE:

Consider approval of an airport hangar lease with David L. Patterson for airport hangar 57I.

City Manager Gary Esplin advised the applicant has met all requirements and staff recommends approval.

MOTION: A motion was made by Councilmember Randall to approve the airport hangar lease with David L. Patterson for airport hangar 57I.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

- Councilmember Almquist- aye
- Councilmember Hughes - aye
- Councilmember Randall - aye
- Councilmember Bowcutt - aye

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The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid for the St. George Art Museum permanent collection storage system.

Purchasing Manager Connie Hood stated that this request is for a storage system for the permanent collection at the St. George Art Museum. The recommendation is to award the bid to SpaceSaver International, which is a division of Henriksen Butler, in the amount of \$50,200.

MOTION: A motion was made by Councilmember Randall to award the bid for the permanent collection storage system for the St. George Art Museum for \$50,200.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a vote, as follows:

- Councilmember Almquist- aye
- Councilmember Hughes - aye
- Councilmember Randall - aye
- Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

ANNUAL SPILLMAN MAINTENANCE FEES:

Consider approval of the renewal of the annual Spillman maintenance fees.

Purchasing Manager Connie Hood advised that this request is for the renewal of the annual Spillman maintenance fees for the records management of the evidence and for hardware support for 2014. The cost of the renewal is \$66,027.75.

City Manager Gary Esplin stated as part of the dispatch contract, the other agencies in Washington County will be billed based upon population.

MOTION: A motion was made by Councilmember Hughes to approve the bid for the renewal of the annual Spillman maintenance fees in the amount of \$66,027.75.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

- Councilmember Almquist- aye
- Councilmember Hughes - aye
- Councilmember Randall - aye
- Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid for yellow and white traffic paint.

Purchasing Manager Connie Hood advised this request is to purchase yellow and white traffic paint from Ennis, who holds the State contract for street and roadway paint in the amount of \$79,392.

MOTION: A motion was made by Councilmember Hughes to approve the paint purchase of \$79,392.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

- Councilmember Almquist- aye
- Councilmember Hughes - aye
- Councilmember Randall - aye
- Councilmember Bowcutt - aye

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The vote was unanimous and the motion carried.

SET PUBLIC HEARING:

Bob Nicholson advised that the Planning Commission, at its meeting held April 8, 2014, recommended that public hearings be scheduled on May 1, 2014 to consider a request to amend the City General Plan Land Use Map by changing the land use designation from low density residential to medium density residential on approximately 8.62 acres located at approximately 1850 South and River Road.

MOTION: A motion was made by Councilmember Almquist to set the public hearing for the amendment to the City General Plan for May 1, 2014.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

- Councilmember Almquist- aye
- Councilmember Hughes - aye
- Councilmember Randall - aye
- Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

FINAL PLAT:

City Manager Gary Eskin advised that the final plat for Villa Highlands at Hidden Valley Phase 1 has been tabled since there are issues with a non-conforming roadway.

PRELIMINARY PLAT:

Wes Jenkins presented the preliminary plat for The Garages at Sun River, for 36 privately-owned hobby garages subdivision, not for commercial use, located at approximately 1200 Blue Grass Way, zoning is PD-C. One issue that was discussed was that the applicant has asked to be approved for a shared water meter. Staff has indicated that they should have separate meters, therefore, the applicant is trying to form a condominium association wherein the overall area is owned by one individual that will lease the space.

MOTION: A motion was made by Councilmember Randall to approve the preliminary plat for the Garages at Sun River.

SECOND: The motion was seconded by Councilmember Almquist

VOTE: Mayor Pike called for a vote, as follows:

- Councilmember Almquist- aye
- Councilmember Hughes - aye
- Councilmember Randall - aye
- Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Wes Jenkins presented the preliminary plat for Jiffy Lube, a 1 lot commercial subdivision located at approximately 1425 South River Road, zoning is PD-C. The applicant will be required to build the erosion protection.

MOTION: A motion was made by Councilmember Hughes to approve the preliminary plat for Jiffy Lube.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

- Councilmember Almquist- aye
- Councilmember Hughes - aye
- Councilmember Randall - nay
- Councilmember Bowcutt - aye

The motion carried.

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PRELIMINARY PLAT:

Wes Jenkins presented the preliminary plat for Aspen Estates, an 80 lot residential subdivision located at 2905 South 3000 East, zoning is R-1-10. There will be double fronting lots on 3000 East, therefore a 10 foot landscape strip and privacy wall will be required. The Planning Commission recommends approval with the conditions that the plat be revised to show the road between phases 5 and 6 extended and that the right-of-way of "Road G" be resolved with the adjacent property owner.

MOTION: A motion was made by Councilmember Bowcutt to approve the preliminary plat subject to extending the road between phases 5 and six and the right-of-way of "Road G" be resolved with the adjacent property owner.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

- Councilmember Almquist- aye
- Councilmember Hughes - aye
- Councilmember Randall - aye
- Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Wes Jenkins presented the preliminary plat for Tonaquint Valley Phases 4 & 6, a 48 lot residential subdivision located at 1100 West Curly Hollow Drive, zoning is R-1-10. There was discussion regarding a water line loop being installed so that a dead-end line will not occur. The Planning Commission recommends approval with the condition that the water connection be resolved to the satisfaction of the City Water Department and subject to the Legal Department's review and approval.

City Manager Gary Esplin inquired why the adjacent property owners would not be required to find the water for their property.

Mr. Jenkins stated that would have to be something that would have to worked out with the developer.

Mayor Pike stated that staff may need to speak with the two adjacent property owners, which are churches. He does not believe they will ever build on those empty lots.

MOTION: A motion was made by Councilmember Almquist to approve the preliminary for a 48 lot residential subdivision located at 1100 West Curly Hollow Drive on approximately 15.116 acres with the caveat that the water issues be worked out.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

- Councilmember Almquist- aye
- Councilmember Hughes - aye
- Councilmember Randall - aye
- Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Wes Jenkins presented the preliminary plat for Tuscan Heights, a 21 lot residential subdivision located near Plantations Drive and Province Way, zoning is PD-R. The Planning Commission recommends approval subject to Council approval of the revised plat with the open space being dedicated to the City and subject to Legal Department review and approval.

Councilmember Almquist asked Mr. Jenkins to look to see if this project would be in violation of the hillside ordinance.

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MOTION: A motion was made by Councilmember Hughes to approve the preliminary plat for Tuscan Heights, a 21 lot residential subdivision.

SECOND: The motion was seconded by Councilmember Randall.

Councilmember Almquist commented that this is currently a long cul-de-sac. Since the area is steep, he wonders if the Fire Department will be able to access the area.

Mr. Jenkins replied that they will have to look at a way to get access for fire crews if the need arises.

Councilmember Hughes advised he is amending his motion to add that the request is approved subject to legal review.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

CONDITIONAL USE PERMIT:

Consider approval of a conditional use permit to construct a detached garage to a height of 24 feet at 1890 East 800 North in a RE-12.5 zone. Stephen Gubler, applicant.

Craig Harvey presented a request permit to construct a detached garage with a height of 24 feet . The proposed structure will be located in the rear of the property and will look similar to the existing home. Planning Commission recommends approval.

MOTION: A motion was made by Councilmember Bowcutt to approve the conditional use permit to construct a detached garage at 1890 East 800 North.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

CONDITIONAL USE PERMIT:

Consider approval of a conditional use permit to operate a swap meet in an existing building at 1028 East Tabernacle Street in a C-3 zone. Karen Sunderland, applicant.

Bob Nicholson presented a request for a conditional use permit to operate an indoor swap meet in the old Robert's Craft Store located at 1028 East Tabernacle Street. The main floor, which is 16,000 square feet, is where the proposed swap meet will be located. The Planning Commission was concerned with the lack of parking. Based upon the 16,000 square feet, 64 parking spaces are required; there are 96 spaces for the entire property. The Swap Meet will operate Thursday through Sunday from 9:00 a.m. to 5:00 p.m. Each of the 100 proposed vendors will have to obtain a City business license.

Councilmember Hughes commented that there are 96 parking stalls for the entire property, however, they are proposing to have 100 vendors. If all vendors show up with a car, there will not be parking for customers.

Karen Sunderland, applicant, stated that most vendors had over 2 booths when they were located on Dixie Drive. She explained that there is parking on both sides of the street that

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can be used. Additionally, vendors will be required to park on the side street. She commented that 75% of the vendors are permanent vendors that will leave their merchandise on the property.

Councilmember Almquist commented that other businesses in that area may believe the street parking is for them to use as well. He does not know if it is fair for Ms. Sunderland to have her vendors use the street for parking.

Carl Sorensen, who represents the building owners, stated that he has offered the building to the college for years. He believes there is ample parking in the area. The same owner owns the south half of the block from 1000 East to 900 East. If there is a problem with the parking, the owners can work something out.

Ms. Sunderland stated that they had 30 vendors at their original location; however, they currently have a list of approximately 70 vendors for this location.

Mayor Pike asked City Attorney Shawn if parking becomes a problem, if the Council can limit the number of vendors allowed.

City Attorney Shawn Guzman advised that there are conditions that are used for a conditional use permit. If the business is in violation of these conditions, the Council can have the applicant return for further approval. He stated that this can be approved on a trial basis to make sure that no violations are committed. Additionally, he suggested giving the applicant a time frame. If there is off-site parking, that may be a concern.

Steve Solyom stated that he ran a booth at the swap meet at the former location. He explained that the vendors will take up about half of the parking spaces. The other businesses have mainly afternoon and evening hours. There will be approximately 50 parking stalls for their customers and additional parking by Dixie Gun & Fish that can be used as well.

City Attorney Shawn Guzman stated that each business has a number of parking stalls for their business. If a limit is set on the number of vendors allowed, that may help with the parking issues as they take up a good portion of the parking. Parking spaces that are allocated to other businesses cannot be counted toward the number of required parking stalls.

City Manager Gary Esplin advised that the ordinance requires so many stalls per square foot. If the proposed business is successful, and other businesses come in, there may not be enough parking. He suggests giving the applicant a time frame of six months to see how things evolve.

Mr. Sorenson stated that the applicant is putting a lot of money into remodeling the building. He does not believe that 6 months is long enough for them to recover their money.

Councilmember Hughes stated he would like this to be done on a trial basis if the applicant is confident that the parking will be sufficient.

City Attorney Shawn Guzman advised that at the end of the trial basis, the Council can have the property owner sign an agreement that states that this is the only business that will be in the building.

City Manager Gary Esplin stated that if the applicant is going to invest in the property, and they knew that they would need to meet the retail requirements, they could limit the number of vendors to a minimum of 60.

MOTION: A motion was made by Councilmember Hughes to approve the conditional use permit for a six month period, to establish an indoor swap meet with the condition that if there are traffic problems, when the applicant returns in six months, that the conditional use permit is either denied or they can have a remedy to fix the problem.

SECOND: The motion was seconded by Councilmember Randall.

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City Attorney Shawn Guzman advised that he would like language in the motion that states that parking on the street as well as on other parcels of property is evidence that there is not sufficient parking.

AMENDED

MOTION: Councilmember Hughes amended his motion to add the items as stated by City Attorney Shawn Guzman and also adding any complaints from other businesses.

SECOND: The amended motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

- Councilmember Almquist- aye
- Councilmember Hughes - aye
- Councilmember Randall - aye
- Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

GRANT CONTRACT:

Consider approval of a grant contract with the Division of State History for a \$10,000 matching grant for various historic preservation projects.

City Manager Gary Esplin stated that he had some initial concerns with what they are doing to identify historic sites. He has been assured that State law governs how sites are identified as historic. The grant was recommended by the Historic Preservation Committee.

MOTION: A motion was made by Councilmember almquist to approve the grant contract with the Division of State History for a \$10,000 matching grant for various historic preservation projects.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

- Councilmember Almquist- aye
- Councilmember Hughes - aye
- Councilmember Randall - aye
- Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

PURCHASE OF PROPERTY:

Consider approval of the purchase of property located at 948 North 1300 West, in St. George, for \$1.5 million.

City Manager Gary Esplin advised this item is the official approval to purchase the property located at 948 North 1300 West for \$1.5 million. As discussed in previous meetings, the potential use for this property will be the St. George Resource Center Building to deal with various social related issues. Different agencies will be located in the building. CDBG funds will be used to purchase the property. Staff has inspected the building, there were no major issues. There were four back up offers on this property.

Councilmember Hughes stated that he has been involved with the Homeless Coordinating Council for the past few years. He promised them that something would start to happen. He thanked Matt Loo and others who are involved in helping the homeless.

Mayor Pike thanked all of those that have been involved with helping the homeless for the last 30 years especially the Dixie Care & Share.

MOTION: A motion was made by Councilmember Almquist to approve the purchase of property located at 948 North 1300 West in the amount of \$1.5 million and also approve the trustee note for \$1.2 million that will expire through to 2017 or sooner.

SECOND: The motion was seconded by Councilmember Hughes.

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City Manager Gary Esplin clarified that the City has a payment of \$300,000 at closing and the seller will carry the note for the balance to be paid in payments at 6% interest with the final payment due July 1, 2017.

Mayor Pike explained that the City cannot pledge CDBG funds for future use. Donations or funds from the City budget can be used for this project if CDBG funds are not available.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

AGREEMENT:

Consider approval of an agreement with Five County AOG to administer a grant program for assistance with utility deposit.

City Manager Gary Esplin advised that the City has a housing fund in which people can donate through their utility bills. This fund also contains funds from the Economic Development Agency that can only be used for affordable housing programs. The proposal is to allocate \$5,000 to a special fund that can assist individuals who cannot afford to pay the deposit to turn on utility services. Under the proposal either the Five County or the City can administer the program.

Councilmember Bowcutt stated that he would like to allow the Five County AOG to administer the program.

City Manager Gary Esplin stated that he would want to make sure that the guidelines are followed.

Finance Director Phil Peterson stated that the City would like to enter into an agreement with the Five County AOG to administer the program. Once the qualified applicant receives the grant, that guarantee deposit would be the same as if they had paid the deposit themselves.

MOTION: A motion was made by Councilmember Hughes to approve the utility assistance program with the agreement with the Five County AOG.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

CLOSED SESSION:

MOTION: A motion was made by Councilmember Hughes to discuss property.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

RECONVENE AND ADJOURN:

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MOTION:
SECOND:
VOTE:

A motion was made by Councilmember Randall to reconvene and adjourn.
The motion was seconded by Councilmember Hughes.
Mayor Pike called for a vote, as follows:

Councilmember Almquist - aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

Christina Fernandez, City Recorder

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