

**PLANNING COMMISSION  
CITY OF ST. GEORGE  
WASHINGTON COUNTY, UTAH  
July 08, 2014 – 5:00 PM**

MINUTES APPROVED  
By: DIANE ADAMS  
Seconded: TODD STAHELI  
Date: 01/13/15

**PRESENT:**

Commissioner Ro Wilkinson  
Chairman Pro Tem Nathan Fisher  
Commissioner Diane Adams  
Commissioner Todd Staheli  
Council Member Joe Bowcutt

**CITY STAFF:**

Development Services Manager Wes Jenkins  
Community Development Coordinator Bob Nicholson  
Project Manager Todd Jacobsen  
Planner II Ray Snyder  
Assistant City Attorney Victoria Hales  
Administrative Secretary Genna Singh

**EXCUSED:**

Chairman Ross Taylor  
Commissioner Don Buehner  
Commissioner Julie Hullinger

**FLAG SALUTE**

Chairman Pro Tem Nathan Fisher called the meeting to order at 5:02 pm and led the flag salute.

1. **FINAL PLATS (FP)**

- A. Consider approval of a final plat for “**Cottam Cove Phase 1**” a twenty-five (25) lot residential subdivision. The representative is Mr. Bob Hermandson, Bush & Gudgell. The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at approximately 2050 S & River Road (east side of River Road). 2014-FP-031. (Staff – Todd J.).

Todd Jacobsen noted that there is a sewer easement that needs to be vacated before recording the plat. If approved tonight it will go to City Council for approval. This plat is contingent on the easement vacation.

- B. Consider approval of a final plat for “**Mulberry Estates Phase 6**” a fourteen (14) lot residential subdivision. The representative is Mr. Roger Bundy, R & B Surveying. The property is zoned R-1-12 (Single Family Residential 12,000 sq. ft. minimum lot size) and is located at Crimson Ridge Drive and 3000 E (Little Valley area). 2014-FP-009. (Staff – Todd J.).

Todd Jacobsen noted that everything north of Crimson Ridge is 3000 E and everything south of Crimson Ridge will have a different name for the road which has yet to be determined.

- C. Consider approval of a final plat for “**Mulberry Estates Phase 7**” an eight (8) lot residential subdivision. The representative is Mr. Roger Bundy, R & B Surveying. The property is zoned R-1-12 (Single Family Residential 12,000 sq. ft. minimum lot size) and is located at approximately 3200 S and 3000 East (Little Valley area). 2014-FP-010. (Staff – Todd J.).

Todd Jacobson had no additional comments on this item.

- D. Consider approval of a final plat for “**Sycamore Phase 6**” an eighteen (18) lot residential subdivision. The representative is Mr. Roger Bundy, R & B Surveying. The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size and is located at approximately 2650 E 3800 S (Little Valley area). 2014-FP-044. (Staff – Todd J.).

Todd Jacobsen had no additional comments on this item.

- E. Consider approval of a final plat for “**Maverik St. George Subdivision**” a one (1) lot commercial subdivision. The representative is Mr. Robert Kunz, Reeve & Associates. The property is zoned PD-C (Planned Development Commercial) and is located at 1450 S & River Road. 2014-FP-005. (Staff – Todd J.).

Todd Jacobsen noted that the Maverik is already up and running. On the plat there is a 100 year floodplain line. Most of this lot is within the 100 year floodplain. In order to get going on this project they had to raise the building pad and get certificates from FEMA. I believe they’re above the floodplain elevation even though they’re still in the 100 year floodplain. We treat commercial differently than residential as far as allowing them to build in the floodplain. The river runs on the north side of this area and they were required to put in rip rap. Hopefully there won’t be issues with erosion or flooding. These issues should have been taken care of before the building permit was issued.

**MOTION: Commissioner Ro Wilkinson made a motion to accept the final plat for item 1A, 1B, 1C, 1D, and 1E with the authorization for chairman to sign.**

*Assistant City Attorney Victoria Hales asked if item 1A be contingent on the properly noticed public hearing for the easement vacation at City Council.*

*Commissioner Ro Wilkinson added the contingency to her motion.*

**SECONDED: Commissioner Diane Adams seconded the motion.**

**AYES (4)**

**Commissioner Ro Wilkinson**

**Chairman Pro Tem Nathan Fisher**

**Commissioner Diane Adams**

**Commissioner Todd Staheli**

**NAYS (0)**

**Motion passes.**

2. **FINAL PLAT AMENDMENT (FPA)**

- A. Consider approval of a final plat amendment for “**Primrose Pointe Subdivision Phase 3 Amended**” a previously recorded residential subdivision final plat. The representative is Mr. Bob Hermandson, Bush & Gudgell. The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size and is located at Acantilado Drive and Arroyo Drive (east of Foremaster Ridge and southwesterly of Red Cliffs Mall). 2014-LRE-009. (Staff – Todd J.).

Todd Jacobsen stated that the only change on this plat is for Note #9. That note states that certain lots should only be built with walkout basements. This is to add, “unless otherwise approved by the City of St. George Public Works Department based on a site plan that meets all applicable City Standards, including but not limited to, grading and setback standards and requirements” This change is for lot 2. That lot was graded more as slab on grade but was included in the walkout basement requirement. Changing the note is so they don’t have to change the grading.

Chairman Pro Tem Nathan Fisher asked if this is opening the door for the change or if they have to come to staff first.

Todd Jacobsen responded that any plan would have to come to staff for approval.

- B. Consider approval of a final plat amendment for “**Southgate Views Amended**” a previously recorded residential subdivision final plat. The representative is Mr. Bob Hermandson, Bush & Gudgell. The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size and is located at 664 W Sir Monte Drive. 2014-FPA-042. (Staff – Todd J.).

Todd Jacobsen stated that this change is also for a note amendment regarding walk out basements. There is also a change to the lot line between lots 11 and 12. There is a house on lot 11 and he also owns lot 12. To have a pool there must be a residence on the lot so they are being merged in order for the pool to be in compliance.

Chairman Pro Tem Nathan Fisher asked if there are easements that need vacating between the lots.

Todd Jacobsen responded there is an easement between the lot line that we will need to vacate.

City Councilman Joe Bowcutt asked if it has to be a public hearing at City Council.

Chairman Pro Tem Nathan Fisher asked if the vacation is contingent upon the merger.

Todd Jacobsen responded that the amendment can have more than one change but we do have to vacate the easement.

Assistant City Attorney Victoria Hales added that the ordinance for City Council will state both.

- C. Consider approval of a final plat amendment for “**Shinava Ridge Amended**” a previously recorded residential subdivision final plat. The representative is Mr. Kevan

Bundy, Bundy Surveying Inc. The property is zoned PD-R (Planned Development Residential) and is located at 2549 W Sinagua Trail, Lot 48 & 49 (Entrada Development). 2014-FPA-035. (Staff – Todd J.).

Todd Jacobsen explained that all they are doing is shifting and rotating lots 48 and 49 closer to the cul-de-sac. They are doing this because there is hillside at those lots. In order to avoid grading the hillside they will shift over. There is still enough frontage on the road.

Councilman Joe Bowcutt asked what the setback requirement is.

Todd Jacobsen replied that the setback is typically 20' and they're still meeting that.

Chairman Pro Tem Nathan Fisher noted that lot 48 is narrower and asked if that is okay.

Todd Jacobsen said the lots still meet the distance to the cul-de-sac.

- D. Consider approval of a final plat amendment for **“Boulevard Centre Pad “C” Condominiums Amended”** a previously recorded commercial subdivision final plat. The representative is Mr. Bob Hermandson, Bush & Gudgell. The property is zoned C-4 (Central Business District) and is located at 162 N 400 E, Building Case No. 2014-FPA-023. (Staff – Todd J.).

Todd Jacobsen stated the purpose of this amendment is for the second and third floor. They are going from common area to private ownership. There are doors to be put in that will still meet fire code exit requirements.

Chairman Pro Tem Nathan Fisher noted that the first floor has a hallway that allows two ways to exit. How will they have that up above without that?

Todd Jacobsen responded there are two doors on either side.

Chairman Pro Tem Nathan Fisher asked if they will still have common access.

Todd Jacobsen said yes they will.

Councilman Joe Bowcutt asked if the is plan to divide that area into smaller offices.

Bob Hermandsen (representative) said the entire floor will be combined into one big unit.

- E. Consider approval of a final plat amendment for **“Meadow Valley Estates Phase 3 Amended”** a previously recorded residential subdivision final plat. The representative is Mr. Roger Bundy, R & B Surveying. The property is zoned RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size) and is located at 2286 E 2800 S. Case No. 2014-LRE-008. (Staff – Todd J.).

Todd Jacobsen stated lots 114 and 115 are being affected. The woman owns the east property all the way down south. The son owns the western piece. The son will dedicate some of his lot to her and she will add some area to the south. We're going to vacate the public utility easement and then dedicate easement to where the new road will be. This is a lot line adjustment between mother and son. This whole area is very steep.

Chairman Pro Tem Nathan Fisher asked if it's the southern part goes to the son.

Todd Jacobsen replied she'll keep what's down below. She's receiving from the son and it will all be part of lot 114.

Councilman Joe Bowcutt asked where the easement to be vacated is located.

Todd Jacobsen illustrated where the easement is.

Assistant City Attorney Victoria Hales inserted that item 2B will also be a public hearing at City Council for the easement vacation.

**MOTION: Commissioner Diane Adams made a motion to approve 2A as stated, 2B with the condition of a public hearing for the public utility easement vacation, 2C as written, 2D as written, and 2E as written.**

**SECONDED: Commissioner Todd Staheli seconded the motion.**

**AYES (4)**

**Commissioner Ro Wilkinson**

**Chairman Pro Tem Nathan Fisher**

**Commissioner Diane Adams**

**Commissioner Todd Staheli**

**NAYS (0)**

**Motion passes.**

3. **LOT LINE-SPLIT-MERGER-ROADWAY DEDICATION (LLA/LS/LM/RDWCY)**

- A. Consider approval of a lot line adjustment/lot split/ lot merger-record of survey for "St. George 730 LLC (Record of Survey for the Lakes Development)." Mr. Michael Draper, Rosenberg Associates. The property is located west and south of the Sunbrook development and green valley area. Case No. 2014-FP-043. (Staff – Todd J.)

Todd Jacobsen stated that there are currently seven or eight parcels up there that they want to split into different parcels. There will be open space dedicated to the City as well as two parks. This exhibit is more a record of survey. They will deed each parcel shown and then sell the parcels to future developers who would further subdivide into residential units. The current zoning up there is R-1-10. This item is to approve the beginnings of what the future development will be.

Chairman Pro Tem Nathan Fisher asked if this is to get the streets and improvements in so they can sell.

Todd Jacobsen explained that this is for the lot line adjustment and merger; really for the record of survey that is shown. There are parcel lines that we are reshaping and reconfiguring. The next two items are for roads.

- B. Consider approval of a roadway dedication plat for "Plantations Drive & Alienta Drive Roadway Dedication Plat." Mr. Michael Draper, Rosenberg Associates. The

property is located west and south of the Sunbrook Development and Green Valley area. Case No. 2014-FP-037. (Staff – Todd J.).

Todd Jacobsen said there are four pages to this. The improvements will not be done at this point. They will be done when the parcels are sold and developed.

Chairman Pro Tem Nathan Fisher asked why not do them when the development is done. Why not do the streets at the same time?

Todd Jacobsen said there is already a development agreement in place so they're trying to put the cost on the developer.

Chairman Pro Tem Nathan Fisher asked what they do if the lots are sold in a piecemeal manner.

Todd Jacobsen replied that is all in the development agreement.

Rick Rosenberg (representative) inserted that if a piece is sold far away they'll have to develop infrastructure out to that piece. This gives flexibility to market each pod. The density is already spread out and the road accesses the pods. The right of ways are in place so they could do that as long as they follow the process. It's all covered in the development agreement that was approved by City Council.

Councilman Joe Bowcutt asked if the road will tie into Dixie Drive.

Rick Rosenberg (representative) answered yes, however there's a gap that's not annexed into the City yet.

Todd Jacobsen said eventually it will connect.

- C. Consider approval of a roadway dedication plat for "**Lago Vista Drive, Alienta Drive, Sentieri Vista Drive Road Dedication Plat.**" Mr. Michael Draper, Rosenberg Associates. The property is located west and south of the Sunbrook Development and Green Valley area. Case No. 2014-FP-039. (Staff – Todd J.).

Todd Jacobsen stated this item has the same idea.

Chairman Pro Tem Nathan Fisher asked if this is also just the right of way.

Assistant City Attorney Victoria Hales added that the contingency of connecting to Dixie Drive is covered in the development agreement.

**MOTION: Commissioner Ro Wilkinson made a motion to accept item 3A based on the comments from staff, item 3B based on the comments from the developer and staff, and item 3C based on the comments made.**

**SECONDED: Commissioner Diane Adams seconded the motion.**

**AYES (4)**

**Commissioner Ro Wilkinson**

**Chairman Pro Tem Nathan Fisher**

**Commissioner Diane Adams**

**Commissioner Todd Staheli**

**NAYS (0)**

**Motion passes.**

4. **PRELIMINARY PLAT (PP)**

- A. Consider approval of a preliminary plat for “**Tuscan Hills Phase 3A**” a seven (7) lot residential subdivision. The applicant is Updwell Development, LLC and the representative is Mr. Todd Gardner (Alpha Engineering). The property is zoned PD-R (Planned Development Residential) and is located at Province Way and Plantations Drive. Case No. 2014-PP-028 (Staff Wes J.)

Wes Jenkins said they are finishing the lots between the existing development and Phase 3 that came in recently. These lots are shown on the original master plan. The lots will be part of the PD development where they’ll have the amenities and they’ll pay into the HOA fund.

Chairman Pro Tem Nathan Fisher asked if something happens to the developer, does the money go to the HOA.

Assistant City Attorney Victoria Hales responded that is the theory. All preliminary plats will be subject to legal approval.

Chairman Pro Tem Nathan Fisher asked if there is a development agreement that spells out the amenities.

Wes Jenkins said there’s going to be a pool and clubhouse, they’re be some landscaping and then there’s another pool and other amenities shown on the master plan.

**MOTION: Commissioner Ro Wilkinson made a motion to accept item 4A based on legal comments and approve the preliminary plat.**

*Assistant City Attorney Victoria Hales asked if approval is based on legal review.*

**Commissioner Ro Wilkinson added contingency of legal review to the motion.**

**SECONDED: Commissioner Todd Staheli seconded the motion.**

**AYES (4)**

**NAYS (0)**

**Motion passes.**

- B. Consider approval of a preliminary plat for “**Red Storm Townhomes**” a twelve (12) unit residential subdivision. The applicants are Dennis and Sherry Garr and the representative is Mr. Alan Hall (Rosenberg Associates). The property is zoned R-3 (Multi Family Residential) and is located at approximately 1100 East and 500 South. Case No. 2014-PP-029 (Staff Wes J.)

Wes Jenkins explained that one of the issues that came up for this plat was the access point relative to the intersection. Based on the City Traffic Management Policy the access is too close to the intersection... However, the property slopes from north to south so they were willing to move the access north and the units south. The downside to that is the slope. So if there were a heavy storm the units could flood. We felt that due to the volume of traffic with minimal chance for conflict and the slope of the property the units should be on the north end of the property even though it doesn’t meet our traffic management standards. Each of these will be individually owned and they’ll need to have an HOA. They need 30 % open space which they meet and a playground area. They were required to have 28 parking stalls and they have 33.

Councilman Joe Bowcutt asked what the normal distance between the intersection and the driveway should be.

Wes Jenkins replied that distance should be around 150' and it's quite a bit closer. If it was a higher volume street we would be concerned but we felt that it would be okay as is to keep the drainage away from the buildings.

Assistant City Attorney Victoria Hales stated this will also be subject to legal review.

**MOTION: Commissioner Todd Staheli made a motion to approve item 4B conditioned on legal approval.**

**SECONDED: Commissioner Ro Wilkinson seconded the motion.**

**AYES (4)**

**Commissioner Ro Wilkinson**

**Chairman Pro Tem Nathan Fisher**

**Commissioner Diane Adams**

**Commissioner Todd Staheli**

**NAYS (0)**

**Motion passes.**

- C. Consider approval of a preliminary plat for "**Hoopes Lane**" a three (3) lot residential subdivision. The applicant is Mr. Dan Hoopes and the representative is L.R. Pope Engineering. The property is zoned R-1-8 (Single Family Residential) and is located at 650 E 600 S. Case No. 2014-PP-030 (Staff Wes J.)

Wes Jenkins said this is an infill development. There is an existing house with open space in the back. They want to put in 2 lots at the back of their property served by a 25' driveway. A 25' staff can serve a max of two lots or four dwelling units. They both have about 8,000 square feet. The staff will be part of one of the lots. There will be a cross access and maintenance agreement that will have to be established before recording the plat, and the new plan will have to meet City standards. It is also subject to a public utility easement for the sewer line. The road will be private but subject to the public utility easement.

Chairman Pro Tem Nathan Fisher asked if the cross access agreement will also go across the lots.

Wes Jenkins said it will.

Chairman Pro Tem Nathan Fisher asked which lot the staff is part of.

Wes Jenkins answered there is an updated plan that shows the angle point.

Councilman Joe Bowcutt asked if the sewer line easement will tie in on 600 South.

Wes Jenkins replied that 600 South does sit higher; we'll address that at the construction drawing stage.

**MOTION: Commissioner Diane Adams made a motion to approve item 4C subject to legal approval and the public easement.**

**SECONDED: Commissioner Todd Staheli seconded the motion.**

*Assistant City Attorney Victoria Hales asked if the cross access and maintenance agreement*

*would be part of the motion.*

**Commissioner Diane Adams added the cross access and maintenance agreement to the motion as a condition of approval.**

**Todd Staheli seconded the amended motion.**

**AYES (4)**

**Commissioner Ro Wilkinson**

**Chairman Pro Tem Nathan Fisher**

**Commissioner Diane Adams**

**Commissioner Todd Staheli**

**NAYS (0)**

**Motion passes.**

- D. Consider approval of a preliminary plat for “**Hawthorn Estates**” a seventy-seven (77) lot residential subdivision. The applicant is Development Solutions and the representative is Mr. Steve Kamlowksy. The property is zoned R-1-10 (Single Family Residential) and is located at 3000 E Crimson Ridge Drive. Case No. 2014-PP-031 (Staff Wes J.)

Wes Jenkins said the lots along 3000 East will be double fronting requiring the privacy wall and landscape strip. In their master plan they had three park locations. Silkwood Park was increased to three acres as a public park. There is a park in this approval and then there is another planned by the hillside. This park will be dedicated separately and is not part of the plat. The park will also act as a detention basin.

Chairman Pro Tem Nathan Fisher asked if this area will have the different street name and why can't it remain as 3000 East.

Wes Jenkins responded it will be different. The road curves to where it is no longer 3000 East.

**MOTION: Commissioner Todd Staheli made a motion to approve item 4D with the condition that 3000 East has the 10' landscape strip with the 6' privacy wall and that the developer set apart the area for the park.**

**SECONDED: Commissioner Ro Wilkinson seconded the motion.**

**AYES (4)**

**Commissioner Ro Wilkinson**

**Chairman Pro Tem Nathan Fisher**

**Commissioner Diane Adams**

**Commissioner Todd Staheli**

**NAYS (0)**

**Motion passes.**

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

Consider development of approximately a 35,000 sq. ft. building for the “**Meadows Memory Care**” facility located near the intersection of 400 East Street and 1160 South Street (near the I-15 Freeway) and southwest of the existing Meadows facility. The

zoning is PD-R. The representative is Mr. Todd Gardner, Alpha Engineering. Case No. 2014-BDCSP-003 (Staff – Ray S.)

*Note: This item was tabled at the June 24<sup>th</sup> PC meeting*

*Note: The PC told the applicant this item could proceed to the CC on July 10<sup>th</sup> (if approved on July 8<sup>th</sup>).*

Ray Snyder presented the following:

I'll focus on the changes made. They had a green roof and predominately stucco on the outside. They have changed it to all brown with stone accents. The roof will be brown and the elevations have been revised.

Chairman Pro Tem Nathan Fisher asked what the roof material will be.

Todd Gardner (representative) said it is still metal and it matches the existing building.

Chairman Pro Tem Nathan Fisher asked if the blue stripe is gone.

Todd Gardner said it will be replaced by the burnt marshmallow and the tan will be most of the building with the gray for the beams.

Commissioner Ro Wilkinson commented that the new design blends in much better.

Chairman Pro Tem Nathan Fisher agreed it does look a lot better. It will stand out there because of its location and I don't think they need to make it more noticeable.

Assistant City Attorney Victoria Hales advised the commission that some of the colored pictures in the packet have the green roof rather than the revised colors and that the approval is for the revised.

Ray Snyder stated the applicant will submit the revised colors for City Council.

Assistant City Attorney Victoria Hales noted that any motion would be for the revised colors.

Chairman Pro Tem Nathan Fisher added that we can condition approval stating the revised colors must be in the packet for City Council.

**MOTION: Commissioner Diane Adams made a motion to accept Item 5 subject to the changes in the color palette displayed here this evening and that it must be submitted for City Council as revised.**

**SECONDED: Commissioner Todd Staheli seconded the motion.**

**AYES (4)**

**Commissioner Ro Wilkinson**

**Chairman Pro Tem Nathan Fisher**

**Commissioner Diane Adams**

**Commissioner Todd Staheli**

**NAYS (0)**

**Motion passes.**

6. **MIXED USE BUILDING DESIGN CONCEPTUAL SITE PLAN / PROJECT DENSITY / PARKING APPROVAL (BDCP / DEN / PRK)**

Consider approval of the building design, conceptual site plan and residential density for a mixed use (commercial & residential) project called “**Joule Plaza**” located on approximately 3.9 acres between 200 West and 300 West Streets and south of Tabernacle Street in the commercial C-4 zone. Also, consider a request for a parking ratio of 1.5 parking spaces per residential unit, rather than 2 spaces per unit. The applicant is Dixie Sun Ventures, and the representative is Mr. Wes Davis. Case No. 2014-BDCSP-004 (Staff – Bob N.)

Bob Nicholson presented the following:

Item 6 and 7 are the same project but different requests.

Item 6 is a building design, conceptual site plan, density and parking reduction. The property is owned by the Wilkinson family. The project consists of three four-story buildings. These projects are subject to plan review by Planning Commission and City Council. They propose 129 residential units with 23,626 square feet of commercial floor area. There are 288 total parking spaces. Of those spaces, 135 are below grade and the balance will be above grade. The applicant wants a ratio of 1.5 spaces per residential unit rather than 2 which the Planning Commission may approve per ordinance 10-19-4 which says Planning Commission may allow a reduction in parking to 1.5 per unit with projects with more than 50 units if the applicant can prove adequate parking. They have provided a video that we will show at this time.

*\*\*Video was shown with narrative of the project by Bob Nicholson and Wes Davis\*\**

Chairman Pro Tem Nathan Fisher asked if the facility will have tenants for that.

Wes Davis replied yes, the buildings are lower than the existing courthouse as far as elevation and visibility.

Chairman Pro Tem Nathan Fisher asked if there is an illustration of the courthouse so we can see it in relation.

Commissioner Todd Staheli asked if this is shorter than the courthouse.

Wes Davis said it is shorter than the courthouse.

Chairman Pro Tem Nathan Fisher asked if the center will all be open court area.

Commissioner Diane Adams asked if the max is 129 residential units.

Bob Nicholson said that is correct.

Wes Davis stated that page 3 of the plans shows the overall site plan from an aerial view

Councilman Joe Bowcutt asked if parking would be allowed on the south side of Tabernacle.

Wes Davis said there is off street parking allowed there but that is not included in our ratios.

Councilman Joe Bowcutt questioned if the road is wide enough there.

Wes Davis indicated it was.

Bob Nicholson continued stating the flyby shows what they are trying to accomplish. There are some drawings on the board. The building height (which will be looked at as item 7) is 54' to the maximum. The roof line does jog around with an architectural feature. Building A will be 54'. Building B and C are to the rear. Building B is 51' approximately and Building C is 50'4" to the highest point. All buildings have variation on the roof line. Under the mixed use requirements

half the ground floor area has to be commercial. They have met that requirement. They have slightly more than is required for the commercial.

Chairman Pro Tem Nathan Fisher asked if there is commercial in the interior.

Bob Nicholson said the total ground floor foot print is 47,192 square feet for all three buildings. 50% is 23,596 square feet and they propose 23,626 square feet as their commercial area. That is mostly in Building A (the entire ground floor) and then Building B and C at the end caps. Building materials will have sandstone as accent along Tabernacle and 200 West facades. They also have brick, stucco and hardi-siding exterior finishes.

Chairman Pro Tem Nathan Fisher – the material color things look different than what is ..  
Scott Gilbert (architect) answered those are the metal for the fascia.

Bob Nicholson said zoning is C4 to the north, east and west. South of the project is RCC. They propose 129 residential units which is a density of 33 dwelling units per acre. In the mixed use ordinance there is not a density formula or limitation. Density is part of the design review. Staff is comfortable with what is proposed. It is limited by parking availability as well as the landscaping requirements. There is underground parking under each building and surface parking. There are four access points: Tabernacle, 300 West and two accesses on 200 West.

Chairman Pro Tem Nathan Fisher – future development is not included in this application.

Bob – correct. Bldg A is the main building along Tabernacle. The high point is the corner piece at 54' up to the top. The majority of the roof line drops down.

Chairman Pro Tem Nathan Fisher asked if there is the same footprint on each floor.

Bob Nicholson said Wes Davis can address that in a moment.

Commissioner Diane Adams asked what is currently on the property right now and how much will be removed.

Bob Nicholson said there are two homes on 200 West and one home on 300 West and a building on Tabernacle that's coming down.

Wes Davis inserted there are five to six homes, a commercial building and a metal building to be removed. They are all owned by the family right now.

Bob Nicholson continued stating that they meet the requirement of the C4 mixed use. You need to consider the parking reduction. The request is not for the commercial area it is for the residential area. The standard for residential is 2 parking spaces per unit but can be reduced to 1.5 spaces per Planning Commission. Wes Davis has done some research on other communities and 1.5 spaces in a mixed use is not uncommon. Part of my comfort level with that is the number of one bedroom units they'll have as well as the commercial mix.

Chairman Pro Tem Nathan Fisher asked if these are rentals or separate ownership.

Wes Davis responded they will be rentals as apartments.

Bob Nicholson added that because they meet the commercial at 94 spaces. Those offices will be closed in the evening. So the peak parking demands offset each other. For the first part of this that is all I have. The second part we'll consider as the height will be after this motion.

Chairman Pro Tem Nathan Fisher asked how many stalls are needed if the parking remained at two per unit.

Bob Nicholson said they have 129 units so 194 at 1.5 spaces and 258 at 2 spaces.

Chairman Pro Tem Nathan Fisher inserted plus the 94 commercial spaces.

*\*The height issues will be discussed before a motion is made for item 6\**

7. **CONDITIONAL USE PERMITS (CUP)**

- A. Consider a request for a conditional use permit to construct three buildings which exceed a height of 35', in a mixed-use project called "**Joule Plaza**" located between 200 West and 300 West on the south side of Tabernacle Street in a commercial C-4 zone. The main building located along Tabernacle Street proposes a height up to *fifty-four (54')* to roof peak, and the two interior buildings, located to the rear of the main building would have heights ranging from forty-five feet to fifty feet ( 45' to 50'). The applicant is Dixie Sun Ventures, and the representative is Mr. Wes Davis. Case No. 2014-CUP-014.

Bob Nicholson began stating the main building has the architectural feature on the corner. That architectural feature is the highest point. The rest drops down so there is variation. The bulk is 52'.

Commissioner Todd Staheli asked if the other corner is 54' as well.

Bob Nicholson said I'm not positive. There is a list of 15 buildings in your packet that are taller than 35'. All of which have been commercial buildings. There is a provision that allows the request for additional height.

Councilman Joe Bowcutt referred to Item 6 asking if the underground parking is under Buildings B and C.

Bob Nicholson responded that underground parking is under all three buildings.

Councilman Joe Bowcutt asked what below grade means. Will all parking be under or just half?

Wes Davis replied that parking will be entirely below grade.

Councilman Joe Bowcutt questioned the space between the private property owner across the parking lot on the south side.

Wes Davis responded there is over 110'.

Councilman Joe Bowcutt asked what the back of Buildings B and C look like.

Chairman Pro Tem Nathan Fisher inquired where Building C elevation is looking from. Is it looking north from the south?

Wes Davis responded that all around are architectural features with some depth.

Chairman Pro Tem Nathan Fisher reminded the Commission that what the application today is for is to approve this design so what we see now would be constructed. Now is the time to address any issues we have.

Assistant City Attorney Victoria Hales added this is a mixed use building design, conceptual site plan so we address all details. We have an ordinance that deals directly with mixed use in a C4 zone (10-10-5K). All the things you consider are listed in that ordinance, including the density with findings, parking reduction, and whether or not that is recommended for the residential, the building design details including the height and materials board, the landscape design, and any details about phasing, and any details about the types of apartments or the impacts those apartments would have on pedestrian access, safety as well as the impact on the parking requirements because there are 1, 2 and 3 bed apartments, and whether they are leased or purchased as condos which may impact these issues as well. Each should be addressed at this time.

Bob Nicholson stated there is a letter from Ms. Emily Cox objecting to the height of the project.

Wes Davis said we came in with an original plan and at the time there were no codes in place for a project like this. We spent months adjusting the ordinance and our plans. We did conduct studies concerning the mixed use showing we should try to get 40 units per acre. We looked at other ordinances for other cities and for the most part they require 1.5 parking stalls. Your peak and off peak hours vary which is why we're only looking for the parking reduction for the residential units and not the commercial.

Commissioner Diane Adams asked how parking would be managed; by the lease agreement for the parking in the residential area? Is it permitted parking?

Wes Davis stated the code says one covered parking stall so there will be some management for those stalls but other than that it will be shared. Given the target demographic here is a not large family. These will be younger families or single parent working families. The City wants pockets and areas where people can walk to and from work and amenities we envision given the location near Smiths and Main Street there will be opportunities to walk.

Chairman Pro Tem Nathan Fisher said that's the purpose of this ordinance to create pedestrian friendly environment.

Ro Wilkinson asked how many commercial buildings there are. Are they all the bottoms?

Wes Davis said that sheet AS101 shows the entire main floor and the 2<sup>nd</sup> floor of Building A.

Commissioner Ro Wilkinson asked if the commercial spaces can be offices or restaurants. She stated concerns about noise. If there is a restaurant with a band it may be loud.

Wes Davis stated that we don't anticipate restaurants or bands.

Chairman Pro Tem Nathan Fisher noted that parking would be different for a restaurant than office space. Are we restricting them to no restaurants with the parking requirement?

Bob Nicholson stated that their parking does limit them.

Wes Davis said we're looking at offices and small retail.

Commissioner Ro Wilkinson noted that parking does need to be addressed for how large this area is.

Commissioner Todd Staheli stated you can't prevent it, but if I were a restaurant owner I would love to be there right downtown. Especially for parking there would be tons of night time cars.

Wes Davis countered that we don't anticipate that. There are several restaurants within a few blocks of here.

Chairman Pro Tem Nathan Fisher asked if they are asking for office retail per definition.

Bob Nicholson advised that any form of commercial that fits in the C4 zone. However food service requires parking.

Chairman Pro Tem Nathan Fisher said for approval it includes restaurants but they don't satisfy the parking. How do we deal with that down the road?

Assistant City Attorney Victoria Hales stated there is an inconsistency.

Bob Nicholson answered that when they come in for a business license they have to prove they can handle the parking.

Assistant City Attorney Victoria Hales said this should be discussed. You're not restricting the uses so it has to be considered in your parking in order to accommodate all C4 uses.

Chairman Pro Tem Nathan Fisher asked if we could condition that in the design approval.

Wes Davis inserted that the parking calculations are true in any commercial complex.

Commissioner Todd Staheli said the difference is the residential potentially above a restaurant.

Chairman Pro Tem Nathan Fisher asked what ratio the commercial parking is.

Bob Nicholson responded 1:100 square feet is for the restaurant.

Chairman Pro Tem Nathan Fisher stated if they come in for a business license they have to show that parking.

Commissioner Todd Staheli countered there are 288 spaces they say the public can park in.

Assistant City Attorney Victoria Hales said if you reduce the parking it will affect the business license later but if you don't reduce it will help accommodate for all C4 uses.

Chairman Pro Tem Nathan Fisher asked if they're asking 94 for commercial and whatever for residential, is that applicable?

Assistant City Attorney Victoria Hales stated that it's difficult to differentiate.

Bob Nicholson inserted that the code says it as either 2 spaces or 1.5 spaces. The commercial is based on the floor area.

Chairman Pro Tem Nathan Fisher replied, right but when we approve the parking stalls it is generalized.

Wes Davis said if anyone comes in for site plan they have to count stalls and count units and then they can do the math.

Chairman Pro Tem Nathan Fisher asked if that is how it happens at the business license stage.

Commissioner Todd Staheli said it's based on square footage.

Bob Nicholson said there is a residential and commercial component and they are separate based on the commercial floor area and parking they are not designed to handle food services. Right now the parking isn't there for restaurant use.

Commissioner Todd Staheli clarified so if I want a restaurant there and have  $x$  amount of footage and there is  $x$  parking that isn't designated I can say they're all open spaces.

Councilman Joe Bowcutt inserted being the devious person I am I would park anywhere I wanted to unless they're designated.

Wes Davis said when businesses come in they always count stalls. Where they park is irrelevant as long as it meets code or ordinance.

Commissioner Diane Adams asked if there is enough parking without the reduction.

Wes Davis said no.

Assistant City Attorney Victoria Hales inserted that if the density were reduced then you can meet the parking requirement.

Wes Davis said we don't want to reduce the residential; we want to reduce the commercial.

Bob Nicholson added that parking is based on use. Some uses require much less parking. If some of these uses were furniture stores or plumbing the demand would be low and would free up spaces for a restaurant. There is flex in the commercial depending on the mix of tenants. So they may be allowed to have a restaurant.

Wes Davis said they'll all have to come in for a license.

Chairman Pro Tem Nathan Fisher stated so when they go in for the application with the City they will have to look at the residential and subtract that from the total stalls available.

Assistant City Attorney Victoria Hales inserted I understand they are designated on the plan as residential and commercial but are they reserved? There needs to be detail on how you get into the covered parking and if they are assigned exclusively to a residential tenant so the commercial and residential parking are differentiated other than it being simply on the plan.

Wes Davis indicated we could do that. We could say no commercial parking under and all residential under.

Assistant City Attorney Victoria Hales asked how it is now.

Wes Davis said the ordinance didn't call for that.

Assistant City Attorney Victoria Hales said I'm asking because it impacts density and use.

Wes Davis stated we'll meet all the requirements in the ordinance.

Chairman Pro Tem Nathan Fisher said there has to be some way because there has to be one covered parking that has to be separate somehow.

Assistant City Attorney Victoria Hales added plus guests

Wes Davis said guests don't need covered parking.

Bob Nicholson inserted that we didn't apply guests to this ordinance.

Commissioner Ro Wilkinson asked about traffic flow. Will it impact both Tabernacle and 100 South?

Wes Davis responded there are access points on Tabernacle, 200 West, and 300 West. There is not an access on 100 South.

Assistant City Attorney Victoria Hales noted that per ordinance all must comply with parking for commercial and residential (10-10-5K;2g).

Bob Nicholson added that in Chapter 19 guest parking is under residential area requirements. I don't know if that means residential zone. We'll have to resolve that issue. If you look under guest parking the requirement is 1:3 with some flexibility that Planning Commission and City Council may reduce it. Again part of the mixed use is the requirement for commercial area and most will be closed in the evenings. If there are professional offices they'll be closed in the evening which will free up parking for guests.

Councilman Joe Bowcutt asked if that is for all residential or is it part of C4.

Bob Nicholson said parking is Chapter 19.

Assistant City Attorney Victoria Hales inserted that the mixed use ordinance says parking must comply with Chapter 19.

Chairman Pro Tem Nathan Fisher inserted that Bob is pointing out that we have latitude to lower the requirement for the residential and guest parking. We need to address that component because we won't only be adjusting the two per unit but also the guest.

Councilman Joe Bowcutt said it sounds like there are a lot of questions on the mixed use and how we vote on this affects what happens in the future. It seems like these things need to be clarified.

Bob Nicholson this is the first mixed use project. Most cities of our size have mixed use. If there are questions we want to address them.

Councilman Joe Bowcutt clarified that no one is against the idea but there are some questions in the ordinance.

Chairman Pro Tem Nathan Fisher said we need to address the guest parking and use what Wes Davis has already researched so we know why it's worked. We should evaluate that information and address the guest parking.

Commissioner Todd Staheli inserted that would really affect the two and three bedroom units.

Chairman Pro Tem Nathan Fisher asked the applicant what research he has regarding parking.

Wes Davis said the research has been forwarded to staff. Most were 1 to 1.5 for commercial and residential because the peak times vary. This project has 2.5 -3 proposed. We would like to do less commercial because the market says it's not needed. We would do commercial on Tabernacle and 200 West only and have the rest as residential if we could. We spent months working on this ordinance.

Commissioner Todd Staheli asked if parking would change with a reduction to the commercial.

Wes Davis said it would help.

Commissioner Ro Wilkinson said the growth of St. George is going to impact downtown. Will it sit empty?

Wes Davis said the study we conducted showed that this would be a great site for residential units. They suggested 160 apartments.

Commissioner Ro Wilkinson said they're in a great big metropolis. I don't know that our growth will accommodate that.

Wes Davis said there has been one apartment complex built each year since 2005 in St. George. 70% of the apartment market is open.

Assistant City Attorney Victoria Hales asked the applicant to address the details for the apartments.

Wes Davis replied that they're all leases. We will maintain control and manage them professionally.

Assistant City Attorney Victoria Hales asked if they will be long term leases.

Wes Davis responded they will not be vacation rentals. We don't want the high turnover.

Chairman Pro Tem Nathan Fisher asked Staff if the research submitted is something that can be given to the Planning Commission.

Bob Nicholson responded that the information isn't prepared to present but it is something the commissioners can get.

*\*Commissioner Ro Wilkinson stepped out of the meeting at 7:04 pm\**

Chairman Pro Tem Nathan Fisher commented that the best way to address these concerns would be to see similar projects.

Wes Davis commented that one is from Georgetown. Their parking requirement was one for residential and 1.4 for office mixed. On the

*\*Assistant City Attorney Victoria Hales stepped out at 7:04 pm\**

Chairman Pro Tem Nathan Fisher asked what the population of Georgetown is.

Wes Davis responded I can forward this information to you. Whatever the peak hour parking was constituted the max density.

Chairman Pro Tem Nathan Fisher asked what that would come out to.

Wes Davis said 1 – 1.5. Scottsdale, Arizona used a similar parking. That was 1.05.

*\*Assistant City Attorney Victoria Hales returned at 7:06 pm\**

Wes Davis continued stating Hayward, California's mixed use max was 1.5 and they count off street parking as well. None of our research had over 1.5 and ours is over 2.

Chairman Pro Tem Nathan Fisher asked if there was any research done throughout Utah.

Wes Davis said he didn't find any online.

Chairman Pro Tem Nathan Fisher reiterated that what we have here is what we're approving so if you think we're missing something speak now before the motion is made.

**Commissioner Diane Adams moved for a recess.**

**Commissioner Todd Staheli seconded the motion.**

**Meeting recessed at 7:09 pm**

**Meeting resumed at 7:23 pm**

Commissioner Ro Wilkinson recused herself from voting on Items 6 and 7.

Chairman Pro Tem Nathan Fisher explained that Councilman Joe Bowcutt will now be a voting member. Anything going forward needs a unanimous vote.

Wes Davis said if there are any other questions we would like to address them tonight. If there are concerns we would like to hear them. If we can't address them tonight we would like to go back and work on them.

Councilman Joe Bowcutt asked what the phasing of this project will look like.

Wes Davis stated we can't build just the residential first. We have to phase it with the economics of it and the ordinance requirements.

Commissioner Diane Adams commented that the concept and the height is all one package. Would you consider less commercial and come down one story?

Wes Davis said if the ordinance read differently we could look at it.

Commissioner Diane Adams said that would resolve parking.

Commissioner Todd Staheli asked if that is something we can vote on to change the commercial.

Chairman Pro Tem Nathan Fisher answered that the commercial is per ordinance.

Bob Nicholson said the building height at three stories instead of four would be the conditional use permit, so you can make the recommendation for item 7A to City Council and they'll decide. Councilman Joe Bowcutt asked if the project can pass and then the conditional use for height can not be passed which would then make the original thing not approved. Non approval of the conditional use permit drastically changes the building design, conceptual site plan.

Wes Davis – the height and elevation requires 12' ground commercial in ordinance. Our project is lower than the courthouse. Wes explained elevations and such in reference to residences and sight distances. It is no more obtrusive to those on the south. Wes handed out the explanation of that.

Commissioner Diane Adams asked what the purpose of that thing on top is.

Wes Davis commented that it's architectural.

Commissioner Todd Staheli said he likes the idea of bringing it down a story.

Assistant City Attorney Victoria Hales said the project size would have to reduce in proportion.

Commissioner Diane Adams asked what would happen if the project came down a story.

Wes Davis said the commercial is based on the footprint not the residential units.

Chairman Pro Tem Nathan Fisher stated it would improve the parking ratio.

Wes Davis countered that it would also reduce the density by 30% which would make the project not feasible.

Assistant City Attorney Victoria Hales stated that density is an issue that needs to be addressed.

Chairman Pro Tem Nathan Fisher opened the item up to the public to ask questions.

Diane Tew – I own property on 100 South. I think this would have a tremendous impact on traffic. We went through the neighborhood and took pictures of Bluff and Main – the only buildings on the sidewalk were Juds and the corner store on Main. The feeling with the setbacks is that it makes it not overwhelming so it feels like a neighborhood. I heard indication that the height of this would be less than Main Street Plaza.

Wes Davis inserted that Main Street Plaza is 71' in height.

Diane Tew continued saying being shorter than Main Street Plaza would block the mountain.

Wes Davis said the further away you get shouldn't impact.

Diane Tew added this will have a major impact on the neighborhood. The Villas has 42 units.

Assistant City Attorney Victoria Hales said she could ask questions of the applicant or staff.

Diane Tew said I just want it back from the sidewalk and shorter

Wes Davis said the project is designed per ordinance.

Chairman Pro Tem Nathan Fisher stated there was considerable effort in drafting this ordinance to try to create a manner to develop certain areas of the City that couldn't be developed any other way. Staff spent a lot of time looking at other cities to create this. That's why there are certain features such as the zero set back. It's not something that was just thrown together.

Wes Davis added that the elevation changes and green spaces above ground will make it look much softer than Main Street Plaza.

Assistant City Attorney Victoria Hales said if there are other questions for the applicant the Planning Commission will entertain those.

There were no further comments from the public.

Chairman Pro Tem Nathan Fisher returned the item to the Planning Commission.

Commissioner Diane Adams asked if in regards to density, can the Planning Commission limit the apartment mix.

Chairman Pro Tem Nathan Fisher stated that density is only units per acre.

Assistant City Attorney Victoria Hales advised it all is covered in this review so it's in the scope of what you can discuss and make findings and recommendations to City Council.

Chairman Pro Tem Nathan Fisher said if none of the ordinances apply do we have to drill down to the degree of the number of individuals who can be in a unit and who has to be related.

Assistant City Attorney Victoria Hales said those are covered in other places in the ordinances

Chairman Pro Tem Nathan Fisher added density is only the number of units per acre.

Commissioner Todd Staheli asked if all the parking is underground.

Wes Davis no there is surface parking.

Commissioner Todd Staheli asked if the underground parking is gated or open to anyone.

Wes Davis said that it hasn't been finalized but we do address ingress and egress with a key fob or something for the elevators.

Commissioner Todd Staheli asked if the area would be well lit.

Wes Davis said the area will be well lit and will also have cameras.

Commissioner Diane Adams asked if there is one ramp in and out for each building.

Wes D answered that the U shaped building has a ramp in on the west and the north. Building A has one and Building C has one.

Chairman Pro Tem Nathan Fisher clarified that Building B has two access points.

Wes Davis agreed that Building B had two accesses.

Alan Tew (resident) stated he works at Cinnamon Hills. We have a lot of delivery trucks that come in and out of our tiny driveway. With that much commercial is there accommodation for the truck traffic. How will that traffic impact the neighborhood?

Wes Davis replied there is a staging area for loading and unloading. We anticipate that the commercial users will be professional offices so there won't be a lot of deliveries that have that high truck usage.

Assistant City Attorney Victoria Hales stated the decision must be unanimous or there is an option to postpone.

Chairman Pro Tem Nathan Fisher added that it is the applicant's decision to table or not otherwise the vote must be unanimous.

Wes Davis asked what the consequences are.

Chairman Pro Tem Nathan Fisher said if you table it will table until the next meeting and you can address what you think you need to. If we go forward with the motion we can approve, approve with conditions or recommend denial.

Councilman Joe Bowcutt added that if you had a full quorum it would not have to be unanimous.

Bob Nicholson inserted that the parking issue ends at the PC per ordinance. The rest will go to CC.

Councilman Joe Bowcutt asked if it goes to City Council is it a public hearing.

Bob Nicholson stated no, none of this is technically a public hearing. So July 17 if it goes forward would be the conditional use permit for the height and the Mayor decides how much public comment he would like to entertain. The building design, conceptual site plan is not a public hearing.

Wes Davis asked if there are questions regarding the site plan that we should address.

Commissioner Todd Staheli said there are concerns with the parking but you've addressed them as best you can.

Commissioner Diane Adams inserted that we're still vague on the parking.

Bob Nicholson added that guest parking will have to be clarified concerning residential areas.

Wes Davis reminded all that there will be 288 stalls for 129 units and peak hour for residential and guests differ than the commercial.

Bob Nicholson said the Planning Commission can recommend that guest parking is not needed due to the commercial stalls.

Chairman Pro Tem Nathan Fisher addressed the application stating the question is still to the applicant to table or do you want us to move forward with a motion?

Wes Davis responded it doesn't sound like there are any other issues. We are well above and beyond other markets and we're below what the residential unit suggestion was from the research we've done.

Todd Staheli asked if the Planning Commission or realtor can determine what sort of commercial goes into this project. Can they restrict?

Assistant City Attorney Victoria Hales advised that City ordinance limits what is allowed in the C4 zone so the City can only limit to what is already written. The City wouldn't deny a business license to use these commercial if allowed in the C4 and they met the requirements. Whether or not the owner leases to a tenant is between the commercial tenant and the landowner – that's a private agreement and we don't have a position on that.

Bob Nicholson suggested that your hesitancy to make a motion shows you're uncertain so maybe this should be a work meeting item.

Chairman Pro Tem Nathan Fisher said again it's up to the applicant based on what you're not hearing as far a motion. Perhaps you table and schedule a work meeting in order to resolve some concerns.

Wes Davis asked if the work meeting is with City Council or Planning Commission. I've tried to do that and we were instructed to go through the process. We want to know the concerns so we can work on them.

Chairman Pro Tem Nathan Fisher said it has everything to do with the number of apartments and parking to make sure it works. A work meeting where we can look at this and discuss it would be beneficial. We may find out that there are some in Utah where we can understand it.

Wes Davis said we are open to that.

Bob Nicholson added that we can look at Provo and some other areas and we can look at theirs. Green Valley came years ago and asked for a reduction – staff doesn't usually support the reduction. I have a comfort level with this one. With 94 commercial spaces that will probably be vacant in the evening plus the number of 1 bedroom units. We can research and bring that forward.

Commissioner Diane Adams inserted that she has issues with the height. I know it's less than the courthouse and Main Street Plaza but I still think it's too tall. I would like to see some of the areas. I know it's hard to compare to some of the bigger cities. I would love to hear our other commissioners input as well.

Commissioner Todd Staheli said I would like to hear the other studies in the state of Utah. It's a different ball game when you're used to mass transit and walking. Even if you live downtown you have to drive to where you work.

Commissioner Diane Adams clarified that it's a beautiful project, please don't mistake that.

Wes Davis said we have one person show up against this so that has to be considered that those around the area liked it.

Assistant City Attorney Victoria Hales asked if the applicant desires to withdraw and postpone.

Wes Davis stated we would like to postpone.

Chairman Pro Tem Nathan Fisher suggested we schedule the work meeting right away.

Assistant City Attorney Victoria Hales noted the work meeting must precede the next Planning Commission meeting.

Chairman Pro Tem Nathan Fisher said we don't meet again until August 12.

Wes Davis restated that yes, we'll table.

Councilman Joe Bowcutt added that the concept I love. I have no challenge with that. There are people on the Commission who like the concept but just have questions.

Wes Davis said we will request that both items are tabled until the August 12 Planning Commission meeting.

Bob Nicholson said we'll pursue to see that there is a joint meeting on July 31.

Councilman Joe Bowcutt strongly urged that the meeting not be combined as the Planning Commissioners may not get their opinions heard and the parking is only a Planning Commission item.

Bob Nicholson said July 29 could be a possible work meeting for Planning Commission. Genna will coordinate the meeting.

**The item was tabled until the next Planning Commission meeting (August 12, 2014). The applicant will attend a work meeting with the Planning Commission (tentatively July 29) and a work meeting with City Council (tentatively July 31) prior to returning to Planning Commission.**

- B. Consider a request for a Conditional Use Permit to construct a **detached accessory structure** with a maximum wall height of sixteen feet (16') for a proposed RV garage, a wall height of eleven feet (11') for a proposed attached single car garage, a storage area, and an external outside fireplace. The maximum ridge height will be

approximately twenty-one feet (21') high. The structure will have 1,650 sq. ft. (RV garage, single car garage, & storage area). The property is Lot 601 in Stone Cliff subdivision located at the intersection of View Point Drive and Lepido Way. The applicant is S.G. Properties and the representative is Mr. Brent Baxter. Case No. 2014-CUP-013 (Staff – Ray S.)

Bob Nicholson presented item 7B.

The conditional use permit is for the overall height of 21'. This lot has triple frontage. They're coming forward for the overall height which is over the 15' max unless granted by the conditional use permit. Distance from the main dwelling is approx 41' the tallest portion will be for the RV garage. The height will be 21' for the RV. It is not within any city easements.

Chairman Pro Tem Nathan Fisher asked if the design is similar to the house.

Bob Nicholson said he believes it is.

Chairman Pro Tem Nathan Fisher asked what the elevation change is at the round about.

Bob Nicholson stated the applicant can address that. The building is a single story.

Commissioner Todd Staheli asked which side faces the neighbors.

Brent Baxter (representative) stated the east.

Chairman Pro Tem Nathan Fisher asked if you see the shorter side from the street.

Bob Nicholson continued stating there were three letters of opposition. One thought it should go to the architectural control board for the area.

Assistant City Attorney Victoria Hales inserted that the City is not involved in the private agreement between the HOA and home owners.

Councilman Joe Bowcutt asked where access to the house is.

Brent Baxter stated the squared out section is the driveway. There was an original plan where this was attached to the house. The plans had a flat roof and we had to come in and make a pitched roof. That makes the house and garage aesthetically similar. We have downsized the garage from the original plans when it was attached to the house. Because of the height we were asked to come present this so now you can understand why we're here. We're complying with the setbacks and there are similar detached garages in the area. The HOA measures from the pad on site not the curb. We got approved from the top of curb to the top of slab. The neighbor concerns, I don't know how we can accommodate not blocking views. The garage itself has no further impact than the house.

Commissioner Todd Staheli asked if the HOA height limitation is higher than the City limit.

Brent Baxter responded the HOA just wanted us under the 25' we didn't find it in the CCRs yet. I don't know if that's an issue but the Stone Cliff HOA will have to approve the plans upon your approval.

Commissioner Ro Wilkinson asked the applicant about a complaint from a neighbor stating the floor of the RV garage is 8-10' above the street level making the structure about 30' high.

Brent Baxtor addressed the question; the original top of curb versus the slab. We dropped the whole elevation down 2'. The top of the slab versus curb is 7' and then we drop the garage so it's only 5.5' from the curb and that's for ease of getting into the garage.

Chairman Pro Tem Nathan Fisher inserted that really this lot just sits higher naturally.

Brent Baxter agreed. It's not as much as the impact as the letter states.

Assistant City Attorney Victoria Hales noted that we're considering the height of the building not the height of the pad.

**MOTION: Commissioner Diane Adams made a motion to approve the conditional use permit 7B subject to the aesthetics being similar to the main dwelling, the building height of approximately 21' and that the detached structure is within the existing character of the zone.**

**SECONDED: Commissioner Ro Wilkinson seconded the motion.**

**AYES (4)**

**Commissioner Ro Wilkinson**

**Chairman Pro Tem Nathan Fisher**

**Commissioner Diane Adams**

**Commissioner Todd Staheli**

**NAYS (0)**

**Motion passes.**

### **ADJOURN**

**MOTION: Commissioner Diane Adams made a motion to adjourn.**

**SECONDED: Commissioner Ro Wilkinson seconded the motion.**

**AYES (4)**

**Commissioner Ro Wilkinson**

**Chairman Pro Tem Nathan Fisher**

**Commissioner Diane Adams**

**Commissioner Todd Staheli**

**NAYS (0)**

**Meeting adjourned at 8:23 pm.**