

NOTICE OF MEETING
PLANNING COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH

Public Notice

Notice is hereby given that the Planning Commission of the City of St. George, Washington County, Utah, will hold a **Planning Commission** meeting in the City Council Chambers, 175 East 200 North, St George, Utah, on Tuesday, **May 26, 2015**, commencing at **5:00 p.m.**

The agenda for the meeting is as follows:

Call to Order
Flag Salute

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

Consider a **height** request to construct a multi-family four (4) story above ground apartment complex called “**Catamaran Plaza**” with associated two (2) levels of underground parking that would be approximately fifty-eight feet (58’) above ground and the courtyard in the rear would be approximately forty-seven feet (47’) high above ground which would exceed the allowable maximum building height of thirty-five feet (35’) unless the City Council grants a CUP (conditional use permit) for a greater height as per city Code 10-10-4. The property is located directly north of the electrical substation at the intersection of Riverside Drive and 1990 East Street and is south of the existing Rebel Creek Ridge apartments. The zoning is R-3 (Multi-Family). The applicant is MVA Properties, Mr. Jared Nielson and the representative is Mr. Rob Reid, Rosenberg Associates. Case No. 2015-CUP-008 (Staff - Ray S.)

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

Consider a **building and site plan** review for the construction of a multi-family four (4) story above ground apartment complex called “**Catamaran Plaza**” with associated two (2) levels of underground parking. This project would provide 164 units in 1, 2, & 3 bedroom units. The property is located directly north of the electrical substation at the intersection of Riverside Drive and 1990 East Street and is south of the existing Rebel Creek Ridge apartments. The zoning is R-3 (Multi-Family). The applicant is MVA Properties, Mr. Jared Nielson and the representative is Mr. Rob Reid, Rosenberg Associates. Case No. 2015-CUP-008 (Staff - Ray S.)

3. **ZONE CHANGE AMENDMENT (ZCA)**

Consider a zone change amendment request to construct a four-story, 78 unit condominium project on approximately 5.7 acres of property in the PD-R (Planned Development Residential) zone. The project is “**Estancia**” and is located at approximately 1151 South plantations Drive. The owner is Capital 5 LLC, the applicant is Mr. David Nasal. Case No. 2015-ZCA-014. (Staff – John Willis)

4. **ZONE CHANGE (ZC)**

Consider a zone change request on approximately 13.36 acres from RE-20 (Residential Estate 20,000 sq. ft. minimum lot size) to R-1-12 (single family Residential 12,000 sq. ft. minimum lot size) to accommodate future residential development of “**The Cove at Little Valley.**” The property is generally located on the south side of Horseman’s Park Drive, and generally between Little Valley Road and 2350 East Street. The owner is Sullivan Field LLC and the representative is Mr. Shaun Sullivan. Case No. 2015-ZC-013 (Staff – John Willis)

5. **ZONING REGULATION AMENDMENT (ZRA)**

Consider a zoning regulation amendment to amend sections pertaining to **accessory structures** in Title 10, Zoning Ordinance, Chapter 2 “Definitions,” Chapter 7A Residential Estate Zones, Chapter 7B Single Family Residential Zones, Chapter 7C Multiple-Family Residential Zones, Chapter 7D Mobile Home Zones, and Chapter 14 Supplementary and Qualifying Regulations. The proposed amendment would make the code more consistent throughout varying zones and would address how to measure height as well as setbacks. Case No. 2015-ZRA-002 (Staff – John Willis)

6. **PRELIMINARY PLAT (PP)**

Consider approval of a preliminary plat for a thirteen (13) lot residential subdivision for “**The Escapes at the Ledges Phase 6.**” The owner is Movie Rock LLC and the representative is Mr. Ryan Thomas, Development Solutions. The property is zoned PD-R (Planned Development Residential) and is located at Canyon Tree Drive and Arcadian Shores Drive. Case No. 2015-PP-015. (Staff – Wes Jenkins).

7. **FINAL PLATS (FP)**

A. Consider approval of a eight (8) lot residential subdivision for “**Oakwood Estates Phase 2**”. The representative is Mr. Brad Petersen, Development Solutions. The property is zoned R-1-10 (Single Family Residential, 10,000 sq. ft. minimum lot sizes) and is located at approximately 3000 East and 3150 South (in the Little Valley area). Case No. 2015-FP-023. (Staff – Todd Jacobsen).

B. Consider approval of a thirteen (13) lot residential subdivision for “**Tonaquint Heights Phase 2.**” The representative is Mr. Brad Petersen, Development Solutions. The property is zoned R-1-40 (Single Family Residential, 40,000 sq. ft. minimum lot sizes)) and is located at approximately 1170 West Street and Chandler Drive. Case No. 2015-FP-011. (Staff – Todd Jacobsen).

C. Consider approval of a six (6) lot residential subdivision for “**Tonaquint Terrace Phase 3**”. The representative is Mr. Brad Petersen, Development Solutions. The property is zoned R-1-10 (Single Family Residential, 10,000 sq. ft. minimum lot sizes) and is located at approximately 1200 West Street and 2440 South Street. Case No. 2015-FP-005. (Staff – Todd Jacobsen).

8. **PRELIMINARY PLAT AMENDMENT (PPA)**

Consider approval of a preliminary plat amendment for “Stone Cliff Phase 13”. The owner is Traveller/Stone Cliff and the representative is Ried Pope/Gail Maxwell. The property is zoned PD-R (Planned Development Residential) and is located southeast of Stone Cliff Phase 11 and the intersection of Cobalt Drive and Flint Drive in the Stone Cliff Development. Case No. 2015-PPA-016. (Staff – Wes Jenkins).

9. **MINUTES**

Consider approval of the minutes from the March 10, 2015 meeting.

10. **DISCUSSION**

Staff will update the Planning Commission on recent City Council actions.

Reasonable Accommodation: The City of St. George will make efforts to provide reasonable accommodations to disabled members of the public in accessing City programs. Please contact the City Human Resources Office at (435) 627-4674 at least 24 hours in advance if you have special needs.

ITEM 1

PLANNING COMMISSION REPORT OF: 05/26/2015

CONDITIONAL USE PERMIT

Case # 2015-CUP-008

- Request:** To construct a multi-family four (4) story above ground apartment complex called “Catamaran Plaza” which would exceed the allowable maximum building height of thirty-five feet (35’) unless a conditional use permit is permitted by City Council.
- Project Overview:** The property is currently vacant and the developer is seeking permission to develop a multi-family residential ‘apartment’ project.
- Ordinance:** Title 10, Chapter 7 Residential Zones Article C “Multiple-Family Residential” Section 10-7C-4 allows a maximum building height of 35 ft...”*unless recommended by the Planning Commission and approved by the City Council as a conditional use permit.*”
- Bldg. Height(s):** The proposed building height for multi-family apartments is four (4) stories above ground with two (2) levels of underground parking.
- The height of the majority of the building is fifty-eight feet (58’) and the courtyard in the rear of the building is forty-seven feet (47’ - see exhibits).
- The “H” shaped apartment building will be tucked in at the base of the bluff where it will not restrict any views from the homes on the bluff.
- In addition to the apartment building, there are two smaller buildings; one is the leasing office and the other is the clubhouse. Both will be single story and will be below 35 feet.
- Units (Apartment):** The applicant proposes 164 units.
- Reference:** Hillside Permit; Case No. 2015-HS-002
The HSRB (Hillside Review Board) met on 5/6/2015, the PC (Planning Commission) met on 5/12/2015, and CC (City Council) met and approved the hillside permit on 5/21/2015.
- BDCSP (Building Design Conceptual Site Plan); Case No. 2015-BDCSP-001 (also on the 5/26/2015 PC agenda)
- Location:** This property is located directly north of the electrical substation at the intersection of Riverside Drive and 1990 East Street and is south of the existing Rebel Creek Ridge apartments.

APN: SG-5-2-28-3102
 SG-5-2-28-310

Property Owner: Mr. Randy Simonsen
 3535 Sugar Leo Road
 St George, Utah 84790

Applicant: MVA Properties
 Mr. Jared Nielson
 399 N Main St, Suite 270
 Logan, Utah 84321

Representative: Mr. Rob Reid
 Rosenberg Associates
 352 East Riverside Drive
 St George, Utah 84790

Zoning: R-3 (SG-5-2-28-3102) (HDR)
 R-1-10 (SG-5-2-28-310) (LDR)

General Plan: LDR / HDR / COM

Noticing: Notice letters were sent to property owners within a 300 ft. radius and notice was posted in four (4) public places [on the City website, State website, and on two (2) bulletin boards in the City].

Adj. Land Uses: To the north is the existing 'Rebel Ridge' apartment complex. To the west will be vacant hillside and then single family residences on top of the ridge. To the south are vacant land and then the electrical substation.

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
Mitigate during construction by regulating the hours of operation. After the apartments are constructed, no excessive noise levels are anticipated with normal operation.		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.

<p>Mitigate during construction by methods of watering and other requirements of air quality permit control.</p>		<p>B. Dust</p>	<ol style="list-style-type: none"> 1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious dust beyond the property line.
<p>Contain all odors during construction.</p> <p>After constructed, no excessive odors are anticipated with the normal operation of an apartment.</p>		<p>C. Odors</p>	<ol style="list-style-type: none"> 1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious odors beyond the property line.
<p>The apartments will complement the existing Rebel Ridge apartments to the north.</p>		<p>D. Aesthetics</p>	<ol style="list-style-type: none"> 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.
<p>Meet all required City, State, and Federal applicable safety standards for construction (e.g. OSHA, etc.)</p>		<p>E. Safety</p>	<ol style="list-style-type: none"> 1. Take the necessary measures to avoid or mitigate any safety problems created by the use, including problems due to traffic, rock fall, 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.
<p>The City Traffic Engineering Department will plan check the layout, design, projected traffic volumes, sight distances, signage, and striping to meet all applicable codes and standards.</p>		<p>F. Traffic</p>	<ol style="list-style-type: none"> 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". 2. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.

<p>The maximum apartment height will be approx. 58 ft. as presented.</p>		<p>G. Height</p>	<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>
<p>Residential use 24/7</p>	<p>N/A</p>	<p>H. Hours of Operation</p>	<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>
	<p>N/A</p>	<p>I. Saturation / Spacing</p>	<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>
<p>The proposed apartment complex will be within the existing character of the R3 zone for the immediate area.</p>		<p>J. Maintain Character and purpose of zone</p>	<p>1. Uses shall be consistent with the character and purpose of the zone within which they are located.</p>
<p>Shall comply with all applicable City, State, and federal standards for public health.</p>		<p>K. Public Health</p>	<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>

Catamaran Plaza

Apartment Community

Conditional Use Permit



1034 West RSI Dr. Suite 130

Logan UT

May 4, 2015

Introduction

A conditional use permit for 2 parcels of land is proposed for the purpose of building multifamily housing. The parcels (SG-5-2-28-3102 and SG-5-2-28-310) are a total of 39 acres at the base of the East Bluff at 1990 East Street. The site is currently zoned R-3 which allows for multifamily housing.

We are planning on using the Hillside Transfer Bonus to move all units onto the 6.82 acre parcel and leave the remaining acreage as untouched bluff. We are seeking a conditional use permit to extend the height restrictions to allow for the current design of the building. The building height is discussed below in Building, Elevation & Floor Plans.

Project Land use

The proposed project is a single building with 2 levels of underground parking consisting of 212 stalls and 4 levels of housing consisting of 164 units built on top of the parking. There will be a bridge to cross the wash, and surface parking consisting of 132 stalls.

Building, Elevations & Floor Plans

There will be one, two, and three bedroom units, ranging from 499 to 1300 square feet, all within the one building. The unit mix will be 22% one bedroom units, 68% two bedroom units, and 10% three bedroom units, for a total of 164 units.

Units	SQ.FT	Units	Unit Mix %
1 Bed 1 Bath Micro	499	2	
1 Bed 1 Bath	712	16	
1 Bed 1 Bath	741	8	
1 Bed 1 Bath Large	775	10	22.0%
2 Bed 2 Bath Small	964	16	
2 Bed 2 Bath	998	31	
2 Bed 2 Bath inside corner	1022	16	
2 Bed 2 Bath	1022	16	
2 Bed 2 Bath large	1076	17	
2 Bed 2 Bath Corner units	1162	16	68.2%
3 Bed 2 Bath	1300	16	9.8%
		164	100.0%

The building has interior corridors with climate conditioning and 3 elevators, two levels of underground parking (73,000 square feet) with four levels of housing units (194,000 square feet), totaling 6 levels with 267,000 square feet. The tallest part of the building is at the entrance of the lower parking garage, on the southeast side, with a finished height of 67 feet. The majority of the front of the building is 58 feet finished height and the court yard in the rear of the building has a finished height of 47 feet. There are two smaller buildings proposed for the property development: one for the leasing offices and clubhouse, with the other being in the courtyard for the fitness center and flex space. Both of these other proposed building are single level and fit within the current height restrictions.

Amenities

This project is planned with numerous amenities on the property including the underground parking garage, climate conditioned interior corridors, a clubhouse, fitness center, resort-style pool and spa, covered flex space, a sports court that will include facilities for both pickle ball and basketball, a fire pit, gas grills, a dog park, storage units on all levels of building, and all units will have private balconies.

Parking

Parking for the project is provided in both the parking garages below the units and in the exterior areas around the building. With the Conditional Use Permit it is requested to reduce the parking to 1.76 spaces per unit as provided in Zoning Regulation 10-19-4. There are 212 parking stalls in the covered underground parking garage and 132 parking stalls outside with 43 of them covered. This provides 1.76 parking ratio, not including guest parking.

Required Parking

Total Units	164	Percentage
Uncovered Parking	164	43%
Covered Parking	164	43%
Guest Parking	54	14%
Total	382	100%

Provided Parking

Total Units	164	Percentage
Parking Garage	212	62%
Covered Parking	43	13%
Surface Parking	35	10%
Guest Parking (surface)	54	15%
Total	344	100%

A similar apartment complex owned and operated by MV Properties in Layton, Utah has 156 units with 272 parking stalls (including guest parking). This is a 1.74 parking ratio. It has been found that on a typical weekday night 12 spaces were not occupied. On a typical weekend night it was found 48 spaces were not occupied.

Topography, Soils & Existing Utilities

Site topography is shown at 2' intervals (see attached Topographic Site Plan). The property slopes up to the top of the bluff. A Geotechnical Report has been completed for the site. All public utilities are available to the site.

Landscaping

Landscaped common areas are indicated on the site plan. Open space areas have been located within the project convenient to the units. Landscaping shall consist of lawn, trees, decorative stone, boulders and bedding plants that are consistent with those found in the general area.

Lighting

Street lights will be installed at the entrance of project adjacent to the public street. The exterior of the building will have decorative exterior lights and can lights attached to the building. Additional parking lights will be installed for parking levels both interior stalls and exterior stalls. All of the exterior, parking garage, and common lighting will be LED. Entrance signage will be installed at entrance of project. Entrance signs will conform to city standard specifications.

Access

Access to the project is proposed from 1990 East Street as shown on the attached site plan. The public street is 66 feet wide. The entrance location is based on St. George city planning staff recommendations. A Traffic Impact Study has been completed for this site.

Summary

This project is located in a perfect location for the use of a Conditional Use Permit for additional height. It is tucked in to the base of the bluff where it won't restrict any views from the homes on the bluff. Using the Hillside Transfer Bonus is a great way for the community to be able to keep over 32 acres left at its natural state. There is a current need for additional Multi-family housing in the St George area. This site located near the hospital, area schools, and a large retail commercial district.

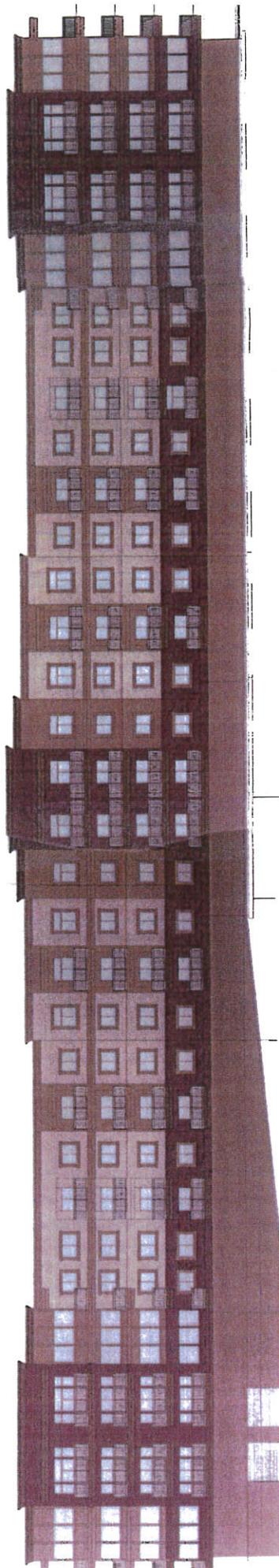


Scale 1"=30'-0"

FOREMASTER RIDGE APARTMENTS

Colored Site Plan





Ray Snyder

From: Ray Snyder
Sent: Tuesday, May 19, 2015 12:09 PM
To: 'Ryan McCune'
Subject: RE: Request for more information about the proposed Catamaran Plaza

Mr. McCune,

Mr. McCune,

You are welcome to attend the PC meeting, or you can send a letter that we can present copies to the members, or you can send an e-mail, and we will provide them a copy. Note that Traffic is reviewed by the City Traffic Engineer as a part of the review process. The Planning Department has a copy of the T.I.S. (Traffic Impact Study) (which is approximately a 125 page document) in the case file and is available for viewing upon request at the public counter.

Ray Snyder
Planner II
175 East 200 North
St George, Utah 84770
(435) 627-4437
ray.snyder@sgcity.org

From: Ryan McCune [mailto:ryanmccune@gmail.com]
Sent: Tuesday, May 19, 2015 11:38 AM
To: Ray Snyder
Subject: RE: Request for more information about the proposed Catamaran Plaza

Thanks so much. This is very helpful. Honestly, my concern is less with the height of the building and more with the **increased traffic** over Foremaster, which has gotten crazy after completion of the Mall Drive bridge.

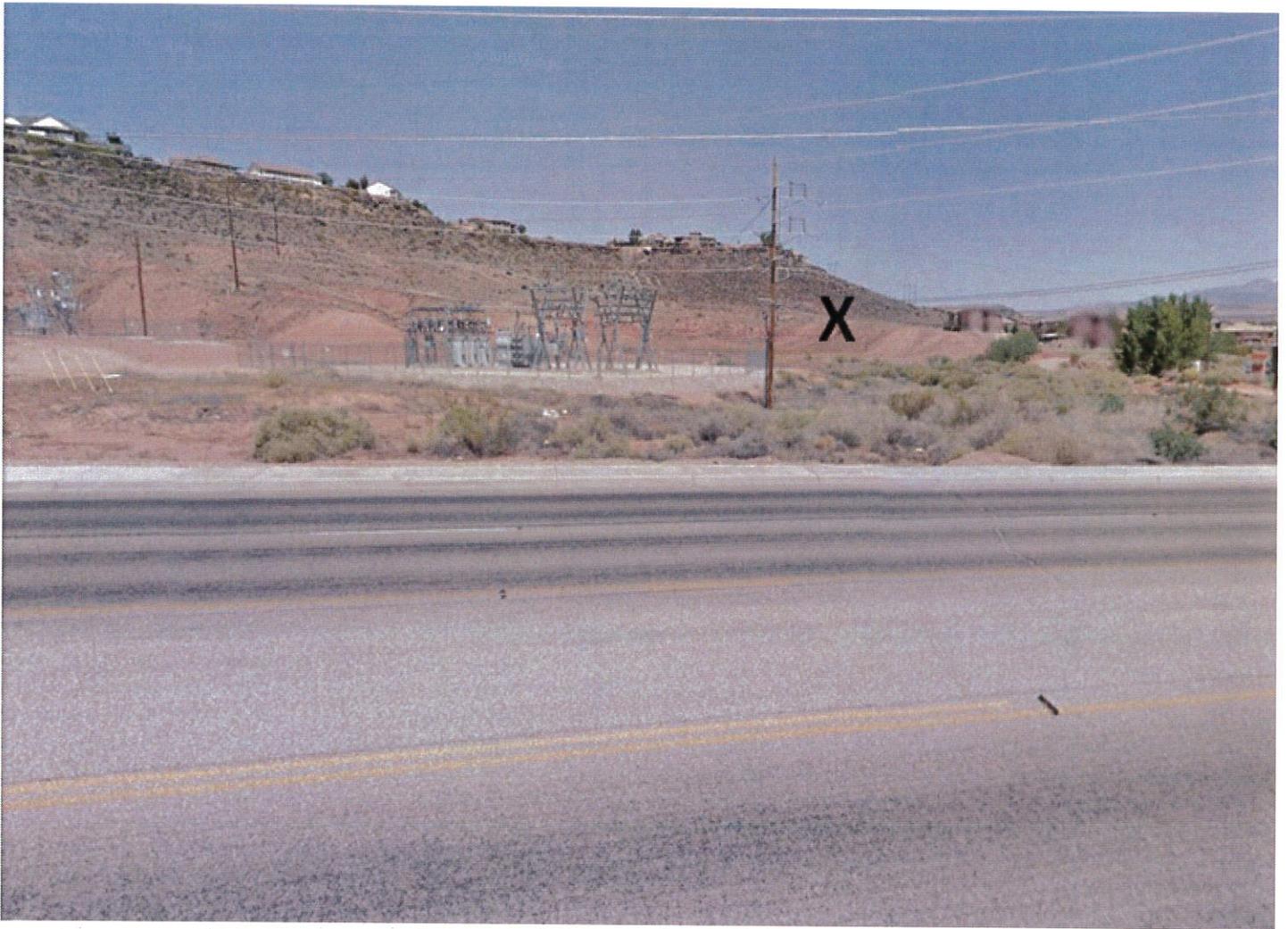
Hopefully I'll be able to make it to the planning meeting, but I hope that these comments will inform your decision.

Ryan

On May 19, 2015 10:28 AM, "Ray Snyder" <ray.snyder@sgcity.org> wrote:

Mr. McCune,

See attached graphics (and also below)



View of site from Riverside Drive

ITEM 2

PLANNING COMMISSION REPORT OF: **05/26/2015**

BUILDING DESIGN CONCEPTUAL SITE PLAN

Case # 2015-BDCSP-001

- Request:** To construct a multi-family four (4) story above ground apartment complex called “Catamaran Plaza.”
- Design Review:** A BDCSP application is required because Section 10-7C-7.M “Design Review for Multi-Family Developments” requires the submittal of the application along with a site plan, elevation drawings, landscaping, and materials and color samples.
- Project Overview:** The property is currently vacant and the developer seeks permission to develop a multi-family residential ‘apartment’ project.
- Units (Apartment):** The applicant proposes 164 units.
- Floor Plans:** The apartments will be one, two, and three bedroom units ranging from 499 to 1,300 sq. ft. all within one building. The unit mix will be 22% one bedroom units, 68% two bedroom units, and 10% three bedroom units, for a total of 164 units.
- Reference:** Hillside Permit; Case No. 2015-HS-002
The HSRB (Hillside Review Board) met on 5/6/2015, the PC (Planning Commission) met on 5/12/2015, and CC (City Council) met and approved the hillside permit on 5/21/2015.

CUP (Conditional Use Permit); Case No. 2015-CUP-008 (also on the 5/26/2015 PC agenda)
- Location:** This property is located directly north of the electrical substation at the intersection of Riverside Drive and 1990 East Street and is south of the existing Rebel Creek Ridge apartments.
- APN:** SG-5-2-28-3102
SG-5-2-28-310
- Property Owner:** Mr. Randy Simonsen
3535 Sugar Leo Road
St George, Utah 84790
- Applicant:** MVA Properties
Mr. Jared Nielson
399 N Main St, Suite 270
Logan, Utah 84321

- Representative:** Mr. Rob Reid
Rosenberg Associates
352 East Riverside Drive
St George, Utah 84790
- Zoning:** R-3 (SG-5-2-28-3102) (HDR)
R-1-10 (SG-5-2-28-310) (LDR)
- General Plan:** LDR / HDR / COM
- Area(s):** There are two (2) parcels that total approximately 39 acres at the base of the East Bluff at 1990 East Street.
- Approximately 6.84 acres (SG-5-2-28-3102)(HDR)
Approximately 32.02 acres (SG-5-2-28-310)(LDR)
- Bldg. Sq. Ft.:** Parking Level 1 = 24,500 sq. ft.
Parking Level 2 = 48,500 sq. ft.
1st Floor – Apartment = 48,500 sq. ft.
2nd Floor – Apartment = 48,500 sq. ft.
3rd Floor – Apartment = 48,500 sq. ft.
4th Floor – Apartment = 48,500 sq. ft.
- Total square footage = 267,000 sq. ft.
- Lot Coverage:** 16.5%
- Bldg. Height(s):** Reference case No. 2015-CUP-008 - The proposed building height for multi-family apartments is four (4) stories above ground with two (2) levels of underground parking.
- The height of the majority of the building is fifty-eight feet (58') and the courtyard in the rear of the building is forty-seven feet (47' - see exhibits).
- The "H" shaped apartment building will be tucked in at the base of the bluff where it will not restrict any views from the homes on the bluff.
- In addition to the apartment building, there are two smaller buildings; one is the leasing office and the other is the clubhouse. Both will be single story and will be below 35 feet.
- Parking:** The applicant desires to reduce parking to 1.75 spaces per unit as provided in Section 10-19-4.
- Spaces Required - Section 10-19-4.A.3 requires two (2) parking space per dwelling unit, at least one of which must be covered. There are 164 units and $164 \times 2 = 328$ stalls

Location of Spaces - The applicant proposes 212 underground stalls and 132 surface parking stalls. The outside parking will have 43 spaces covered. There will be a grand total of 344 stalls on site.

Guest Parking - Section 10-19-4.A.3 requires that for a project with a density of 6 du/ac or more, the project shall provide guest parking in the amount of one (1) guest parking space per three (3) dwelling units. There are $164 \text{ units} / 3 = 54.66 = 55$ spaces.

Section 10-7C-7.O also requires guest parking.

Guest parking shall be located on premises and within two hundred feet (200') of the dwelling unit it is intended to serve.

The City Council upon recommendation of the Planning Commission may reduce the guest parking spaces where it finds evidence in support of a reduction in the required amount of guest parking spaces.

Total Spaces – $328 + 55$ (guest) = 383 spaces required.

Reduction - Section 10-19-4.A.3 allows the Planning Commission to grant a reduction in the requirement to one and one-half (1.5) spaces per unit where it can be shown that two (2) spaces per unit is an excessive amount of parking. No street parking shall be counted towards meeting the parking requirement. Tandem parking shall not count toward the parking requirement.

Adjustment – The project requires 383 spaces (resident & guest) and 344 spaces are proposed. This is a reduction of 39 spaces.

If the project were calculated at 1.5 spaces per unit, then $164 \times 1.5 = 246 + 55$ guest = 301. That would be 82 spaces less than required, but the applicant is asking for consideration of 39 less.

Comparison: The applicant has a similar apartment complex in Layton Utah which has 156 units with 272 parking spaces (including guest) and is designed at a 1.74 parking ratio. They claim that on a typical weekday night 12 spaces are not occupied and on a typical weekend night 48 spaces are not occupied.

Landscaping: Proposed 30% site landscaping = 89,124 sq. ft.

Adj. Land Uses: To the north is the existing 'Rebel Ridge' apartment complex. To the west will be vacant hillside and then single family residences on top of the ridge. To the south are vacant land and then the electrical substation.

Required Setbacks: Front: 25 ft. Side: 10 ft & 10 ft. Rear: 10 ft.

Proposed Setbacks: Front (1990 East Street): 283.72 ft.
Side (South): 118.70 ft.
Side (North): 80ft.
Rear (West): Varies; 577.91 to 665.91 ft.

Materials / Colors: (See submitted Materials & Colors Board)

Elevators: There will be three (3) elevators.

Amenities: The project shall comply with Section 10-7C-7.J “Recreation and Playground Areas” which requires developments with five (5) or more units to provide usable recreation or playground areas outside of the front yard setback with a minimum of 1,000 sq. ft. for the first 5 units with an additional 200 sq. ft. for each additional unit.

The project is planned with amenities which includes underground parking garage, climate conditioned interior corridors, a clubhouse, fitness center, resort style pool and spa, covered flex space, a sports court that will include facilities for both pickle ball and basketball, a fire pit, gas grills, a dog park, storage units on all levels of building, and all units will have private balconies.

Density Reg.: The project shall comply with Section 10-7C-5 “Density Regulations” for the R3 zone.

Density Transfer: The applicant requests to use a ‘density transfer bonus’ as permitted for in the Hillside Ordinance. The applicant wishes to move all units onto the 6.82 acre parcel and leave the remaining acreage as untouched bluff.

Utilizing the density transfer is a great way for the community to be able to keep over 32 acres left in its natural state. The applicant has stated that it is desired to deed the 32 acres over to the City which will required a separate process.

Lighting: Street lights will be installed at the entrance adjacent to the public street. The exterior of the building will have decorative exterior lights and ‘can’ lights (shielded) attached to the building. Additional parking lights will be installed for parking levels both interior stalls and exterior stalls and all of the exterior, parking garage, and common lighting will be LED.

Access: Access to the project is proposed from 1990 East Street as shown on the submitted site plan. The public street is 66 feet wide. The entrance location is based on St George City Planning staff recommendations. A

T.I.S. (Traffic impact Study) has been completed for this project and will be reviewed by City Traffic Engineering. Note that the T.I.S. report is approximately 125 pages long and a copy is available for review as requested in the case file.

Introduction

A *BDCSP & CUP* for 2 parcels of land is proposed for the purpose of building multifamily housing. The parcels (SG-5-2-28-3102 and SG-5-2-28-310) are a total of 39 acres at the base of the East Bluff at 1990 East Street. The site is currently zoned R-3 which allows for multifamily housing.

We are planning on using the Hillside Transfer Bonus to move all units onto the 6.82 acre parcel and leave the remaining acreage as untouched bluff. We are seeking a conditional use permit to extend the height restrictions to allow for the current design of the building. The building height is discussed below in Building, Elevation & Floor Plans.

Project Land use

The proposed project is a single building with 2 levels of underground parking consisting of 212 stalls and 4 levels of housing consisting of 164 units built on top of the parking. There will be a bridge to cross the wash, and surface parking consisting of 132 stalls.

Building, Elevations & Floor Plans

There will be one, two, and three bedroom units, ranging from 499 to 1300 square feet, all within the one building. The unit mix will be 22% one bedroom units, 68% two bedroom units, and 10% three bedroom units, for a total of 164 units.

Units	SQ FT	Units	Unit Mix %
1 Bed 1 Bath Micro	499	2	
1 Bed 1 Bath	712	16	
1 Bed 1 Bath	741	8	
1 Bed 1 Bath Large	775	10	22.0%
2 Bed 2 Bath Small	964	16	
2 Bed 2 Bath	998	31	
2 Bed 2 Bath inside corner	1022	16	
2 Bed 2 Bath	1022	16	
2 Bed 2 Bath large	1076	17	
2 Bed 2 Bath Corner units	1162	16	68.2%
3 Bed 2 Bath	1300	16	9.8%
		164	100.0%

The building has interior corridors with climate conditioning and 3 elevators, two levels of underground parking (73,000 square feet) with four levels of housing units (194,000 square feet), totaling 6 levels with 267,000 square feet. The tallest part of the building is at the entrance of the lower parking garage, on the southeast side, with a finished height of 67 feet. The majority of the front of the building is 58 feet finished height and the court yard in the rear of the building has a finished height of 47 feet. There are two smaller buildings proposed for the property development: one for the leasing offices and clubhouse, with the other being in the courtyard for the fitness center and flex space. Both of these other proposed building are single level and fit within the current height restrictions.

Amenities

This project is planned with numerous amenities on the property including the underground parking garage, climate conditioned interior corridors, a clubhouse, fitness center, resort-style pool and spa, covered flex space, a sports court that will include facilities for both pickle ball and basketball, a fire pit, gas grills, a dog park, storage units on all levels of building, and all units will have private balconies.

Parking

Parking for the project is provided in both the parking garages below the units and in the exterior areas around the building. With the Conditional Use Permit it is requested to reduce the parking to 1.76 spaces per unit as provided in Zoning Regulation 10-19-4. There are 212 parking stalls in the covered underground parking garage and 132 parking stalls outside with 43 of them covered. This provides 1.76 parking ratio, not including guest parking.

Required Parking

	164	Percentage	
Total Units			
Uncovered Parking		164	43%
Covered Parking		164	43%
Guest Parking		54	14%
Total		382	100%

Provided Parking

	164	Percentage	
Total Units			
Parking Garage		212	62%
Covered Parking		43	13%
Surface Parking		35	10%
Guest Parking (surface)		54	15%
Total		344	100%

A similar apartment complex owned and operated by MV Properties in Layton, Utah has 156 units with 272 parking stalls (including guest parking). This is a 1.74 parking ratio. It has been found that on a typical weekday night 12 spaces were not occupied. On a typical weekend night it was found 48 spaces were not occupied.

Topography, Soils & Existing Utilities

Site topography is shown at 2' intervals (see attached Topographic Site Plan). The property slopes up to the top of the bluff. A Geotechnical Report has been completed for the site. All public utilities are available to the site.

Landscaping

Landscaped common areas are indicated on the site plan. Open space areas have been located within the project convenient to the units. Landscaping shall consist of lawn, trees, decorative stone, boulders and bedding plants that are consistent with those found in the general area.

Lighting

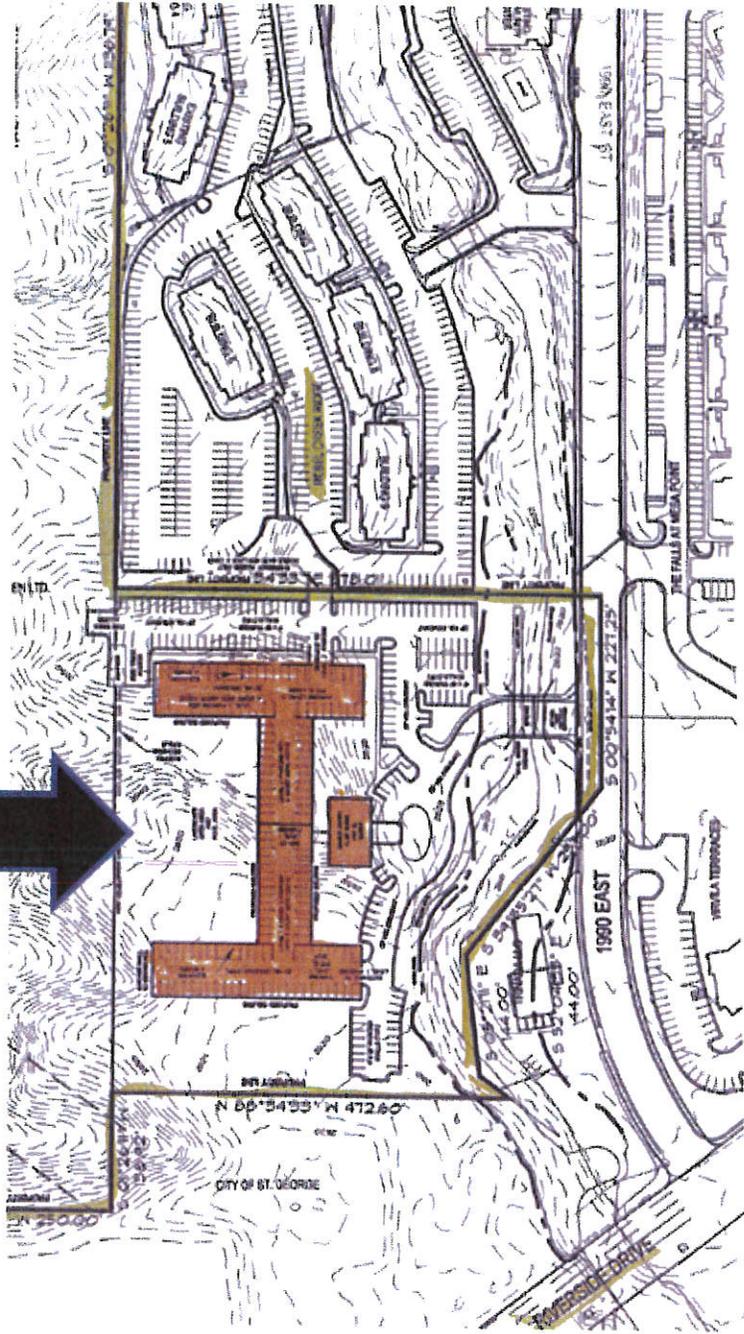
Street lights will be installed at the entrance of project adjacent to the public street. The exterior of the building will have decorative exterior lights and can lights attached to the building. Additional parking lights will be installed for parking levels both interior stalls and exterior stalls. All of the exterior, parking garage, and common lighting will be LED. Entrance signage will be installed at entrance of project. Entrance signs will conform to city standard specifications.

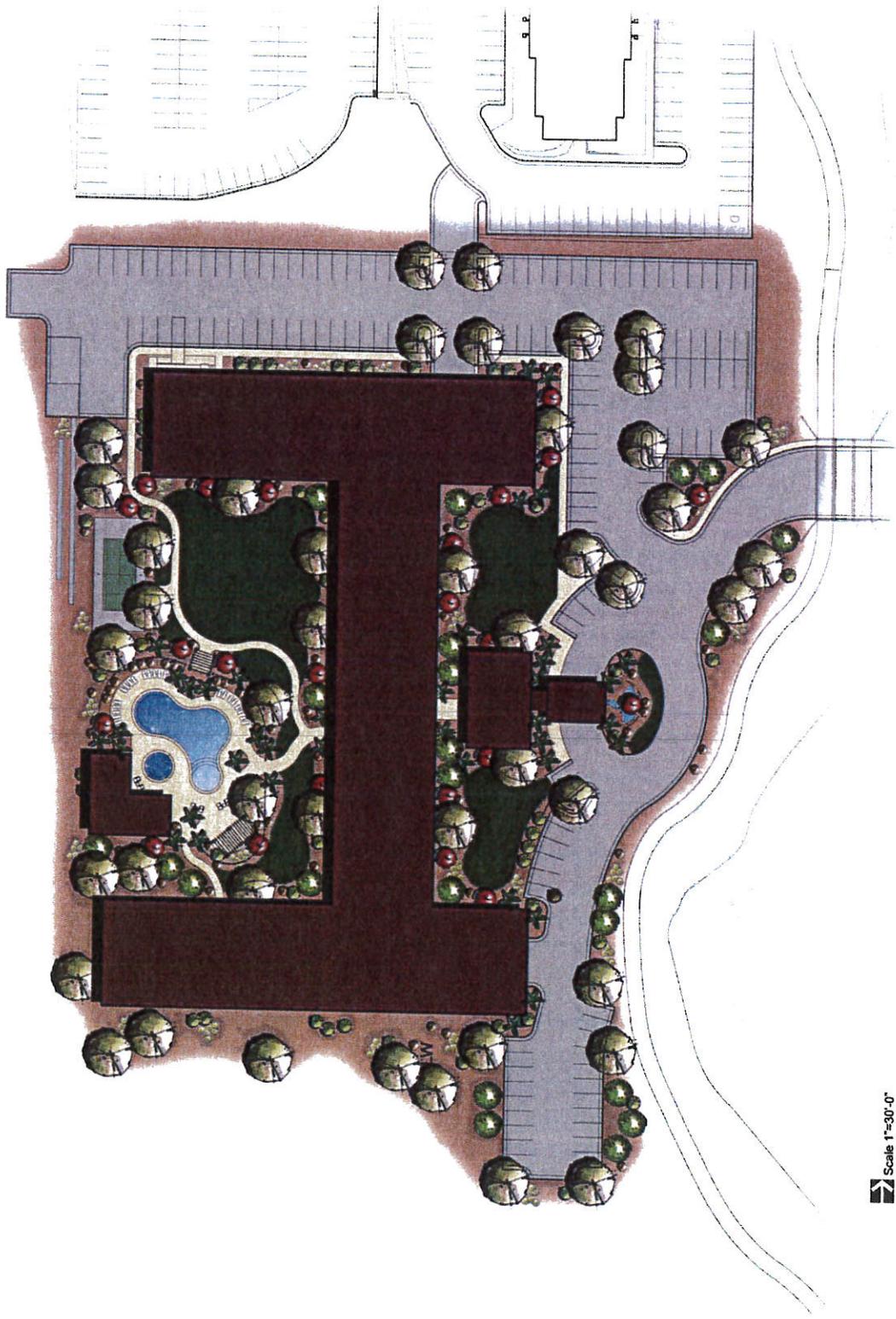
Access

Access to the project is proposed from 1990 East Street as shown on the attached site plan. The public street is 66 feet wide. The entrance location is based on St. George city planning staff recommendations. A Traffic Impact Study has been completed for this site.

Summary

This project is located in a perfect location for the use of a Conditional Use Permit for additional height. It is tucked in to the base of the bluff where it won't restrict any views from the homes on the bluff. Using the Hillside Transfer Bonus is a great way for the community to be able to keep over 32 acres left at its natural state. There is a current need for additional Multi-family housing in the St George area. This site located near the hospital, area schools, and a large retail commercial district.





Scale 1"=30'-0"

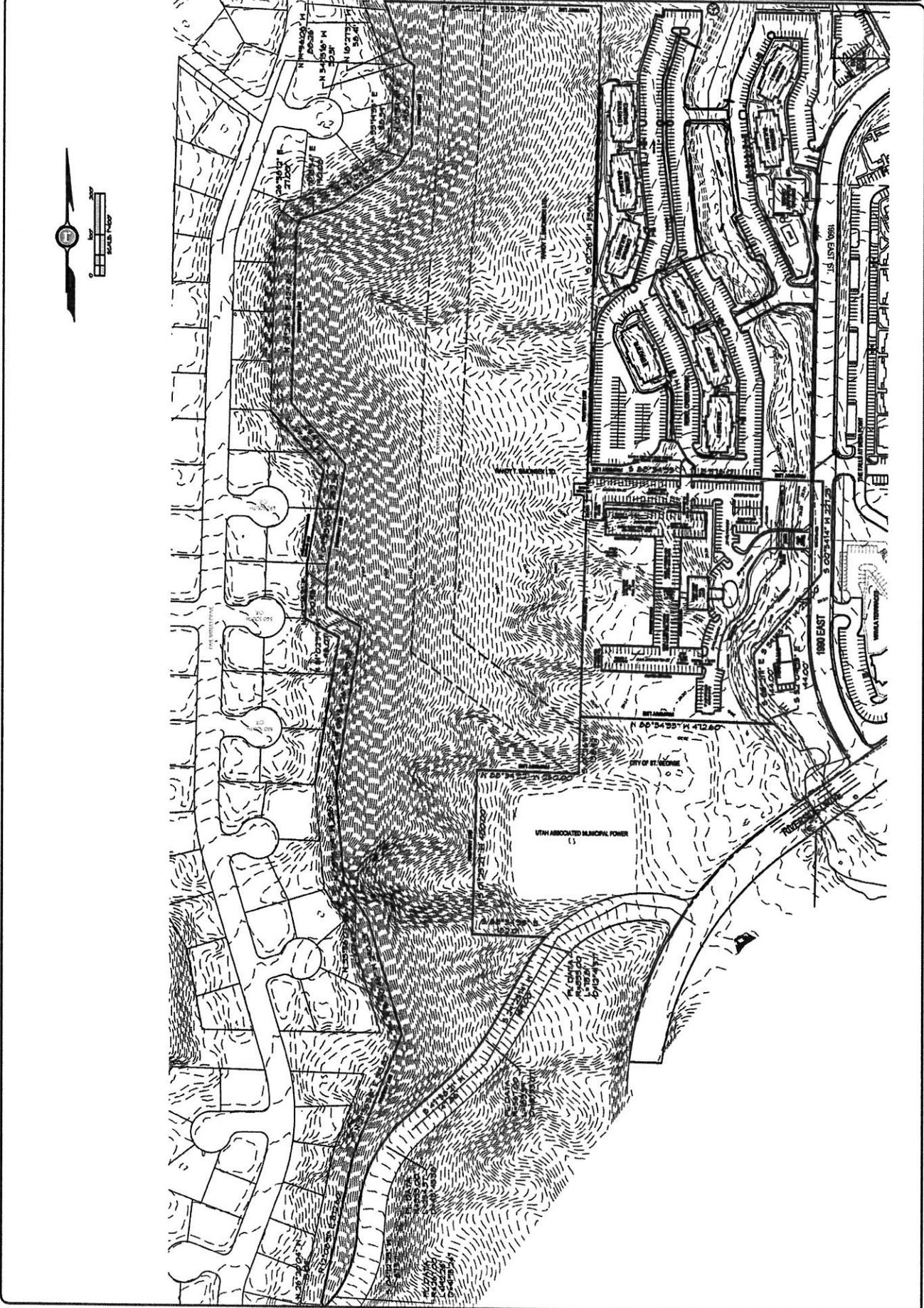
FOREMASTER RIDGE APARTMENTS

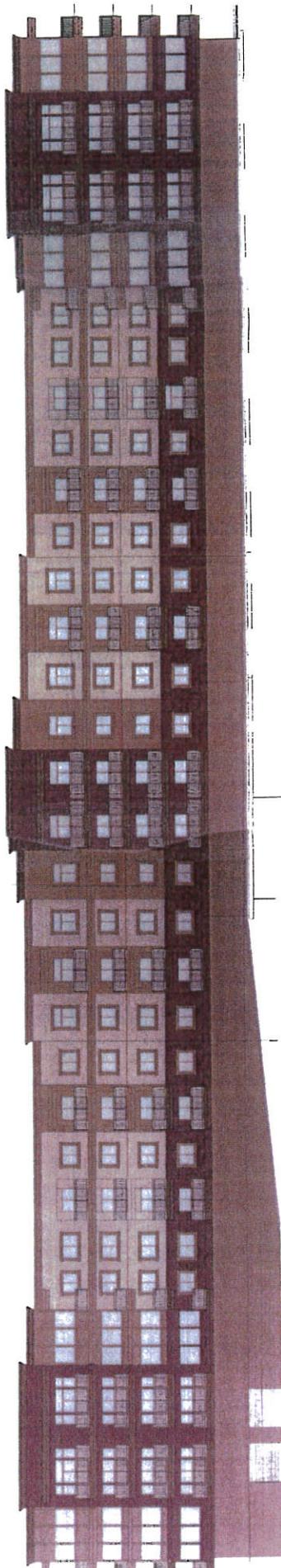
Colored Site Plan

SITE AND PROPERTY PLAN
FOR
MVA PROPERTIES - JARED NIELSON
ST. GEORGE, UTAH

ROSENBERG
ASSOCIATES
CONSULTANTS
INCORPORATED
1000 WEST 1000 SOUTH
ST. GEORGE, UTAH 84770
PHONE: 435-633-1111
FAX: 435-633-1112
WWW.ROSENBERGASSOCIATES.COM

NO.	DATE	DESCRIPTION
1	08/15/2011	ISSUED FOR PERMIT
2	08/15/2011	ISSUED FOR PERMIT
3	08/15/2011	ISSUED FOR PERMIT
4	08/15/2011	ISSUED FOR PERMIT
5	08/15/2011	ISSUED FOR PERMIT
6	08/15/2011	ISSUED FOR PERMIT
7	08/15/2011	ISSUED FOR PERMIT
8	08/15/2011	ISSUED FOR PERMIT
9	08/15/2011	ISSUED FOR PERMIT
10	08/15/2011	ISSUED FOR PERMIT





CRSA





EAST EXTERIOR ELEVATION



NORTH EXTERIOR ELEVATION





WEST EXTERIOR ELEVATION



SOUTH EXTERIOR ELEVATION





STUCCO - SYNERGY

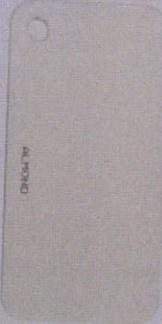
CARDAMON

BRUNET

PPG MOSSY GOLD

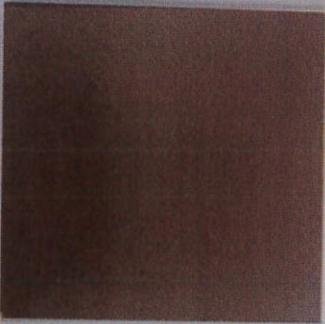
ALUMINUM / VINYL - ALMOND

CEMENTITIOUS SIDING



ALUMINUM - MUSKET BROWN

EXTERIOR WOOD STAIN



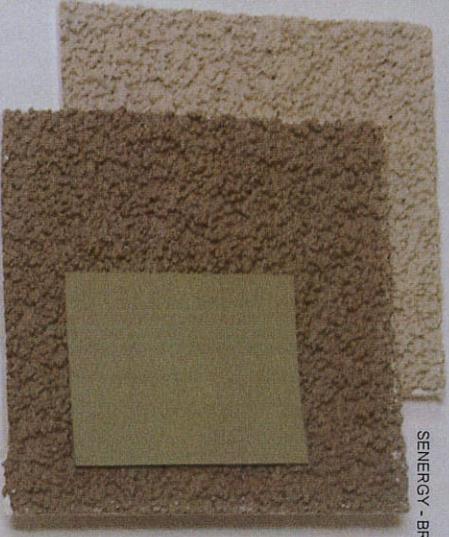
ARTIFICIAL STONE - EASTERN MOUNTAIN LEDGE



BRICK - SONOMA



SENERGY - CARDAMON



SENERGY - BRUNET

SENERGY MATCH - PPG MOSSY GOLD

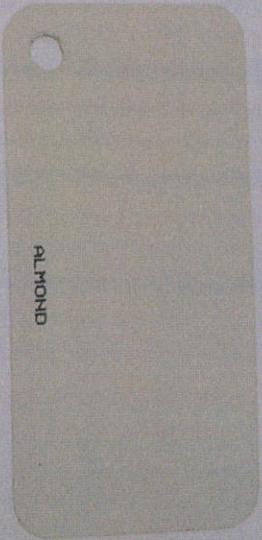


CORONADO - EASTERN MOUNTAIN LEDGE



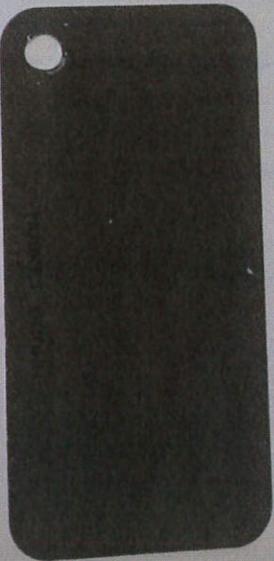
ROBINSON BRICK - SONOMA

ALUMINUM & VINYL - ALMOND

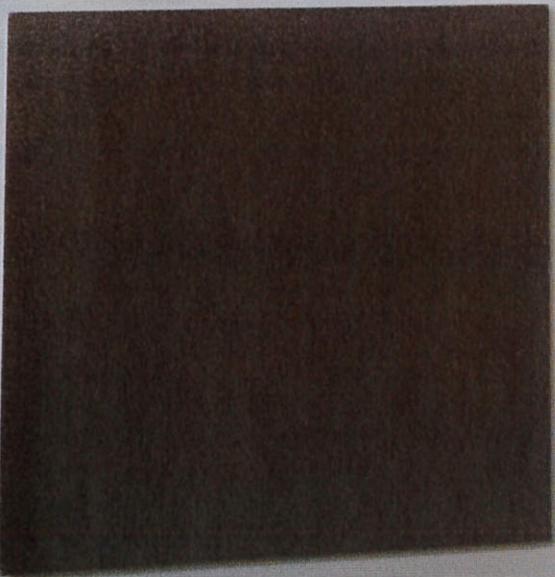


ALMOND

ALUMINUM - MUSKET BROWN



WOOD STAIN



ITEM 3

Estancia Resort Condos

PLANNING COMMISSION AGENDA REPORT: 05/26/2015

Estancia Condominiums at Green Valley
2015-ZCA-014 Amendment PD-R

Request: Consider a zone change amendment to construct a four-story, 78 unit condominium project on approximately 5.7 acres in the PD-R (Planned Development Residential) zoning district. The project is located at approximately 1151 South Plantations Drive.

Project Name: Estancia Resort

Owner / Developer: Capital 5 LLC

Representative: David Nasal

Zone: PD-RES (Planned Development Residential)

General Plan: HDR (High Density Residential) 10-22 du/acre

Location: Located on Plantations Drive between the Trendwest Vacation Rental development and the Cottages South development (approximately 1151 South).

Acreage: 5.7 acres

Density: 13.6 du/ac

Building Area: The original approval was four buildings, each 3-stories tall with a couple buildings having minor 4-story section in middle, with 78 total units. The applicant is proposing to eliminate one of the buildings and increase the height to four-stories, as well as, expand the footprint of the other buildings. The project will maintain the same number of units.

Ordinance: “Planned Development Zone” Section 10-8-3(C) requires the submittal of a colored site development plan, a written text, and colored elevations.

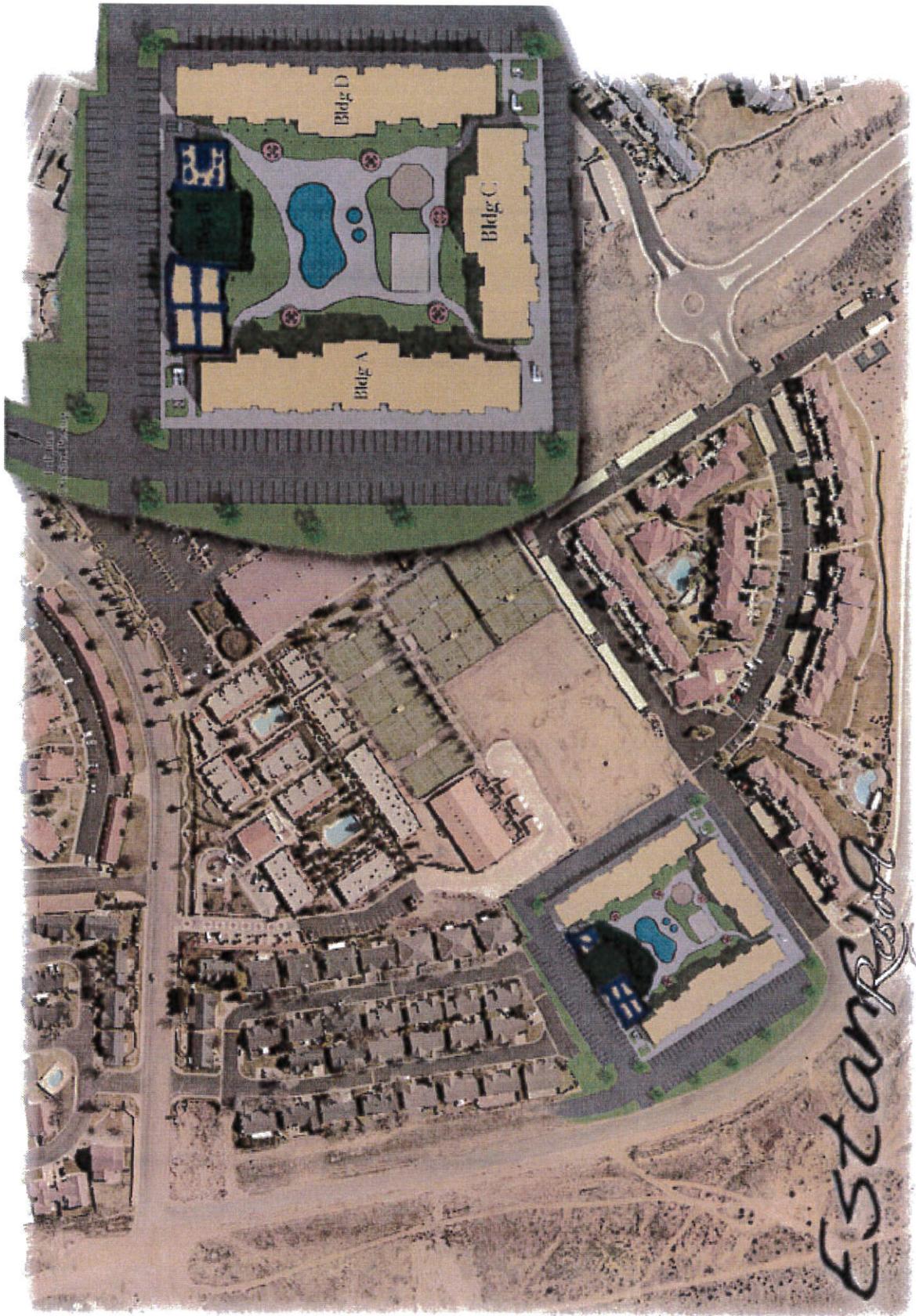
Setbacks (Required): (measured from PL) Front = 25 ft., Side = 10 ft. Street side = 25 ft., and rear = 10 ft.

- Height:** The applicant is proposing four story buildings, which will be fifty-three feet (53') in height. According to City Code, buildings that exceed 35' in height must be approved as part of the PD approval.
- Materials:** The exterior building materials consist of tile roofs, textured stucco walls, with stone accents on columns.
- Parking:** No change is being proposed to the parking area. 182 parking spaces are required, and provided as per site plan. Parking is calculated at 2 parking spaces/unit + 1 space per 3 units for guest parking.
- Landscape & Recreation Area:** The proposed site plan will increase the amount of landscaping, given one building is being removed. Landscape coverage is 2.2 acres which equals 38% of site. A minimum of 30% landscaping is required per zoning code. As part of the overall landscape area, a recreation area equal to 200 sq ft per unit is required. That minimum amount for a 78 unit project is 15,600 sq ft (78 units X 200 sq ft/unit). The projects interior courtyard is 26,208 sq ft and consists of lawn, pool, playground equipment, pickle ball court, basketball, and hardscape.
- Lighting:** The site shall be designed to be "dark sky" friendly and avoid any light pollution to neighbors.
- Comments:** The amended site plan meets the requirements of the PD-Residential zone, including parking, and landscaping. The proposed buildings have front and rear balconies which provide depth and interest to the building. According to the applicant, the reduction to three buildings will provide views for the other buildings, as well as, increasing recreation and landscaped areas. Building heights are required to be approved as part of the PD amendment.









Estancia

THE GENERAL CONTRACTOR RECEIVES THE RIGHT TO MODIFY OR OBTAIN APPROVAL FROM THE ARCHITECT FOR ANY CHANGES TO THE CONTRACT DOCUMENTS AND GENERAL SPECIFICATIONS. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM THE ARCHITECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES.



MARK L. NEILSON - ARCHITECT
 & ASSOCIATES
 115 SOUTH MAIN STREET, SUITE 200, GREEN VALLEY, GEORGIA 30750

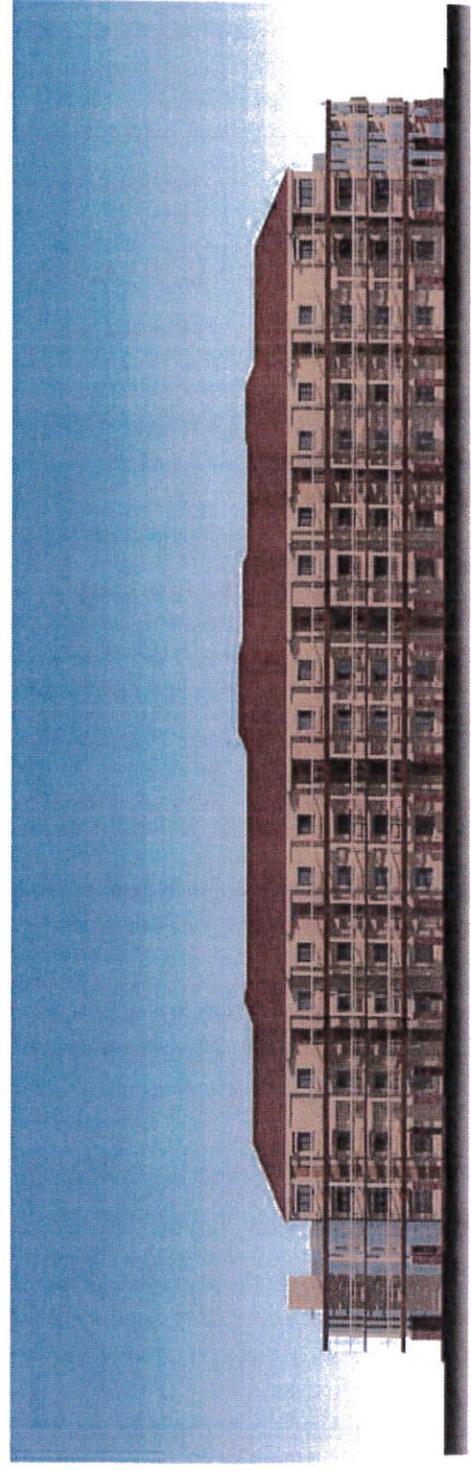
CONCEPT PLANS
 1/11/2011

Concept Plans

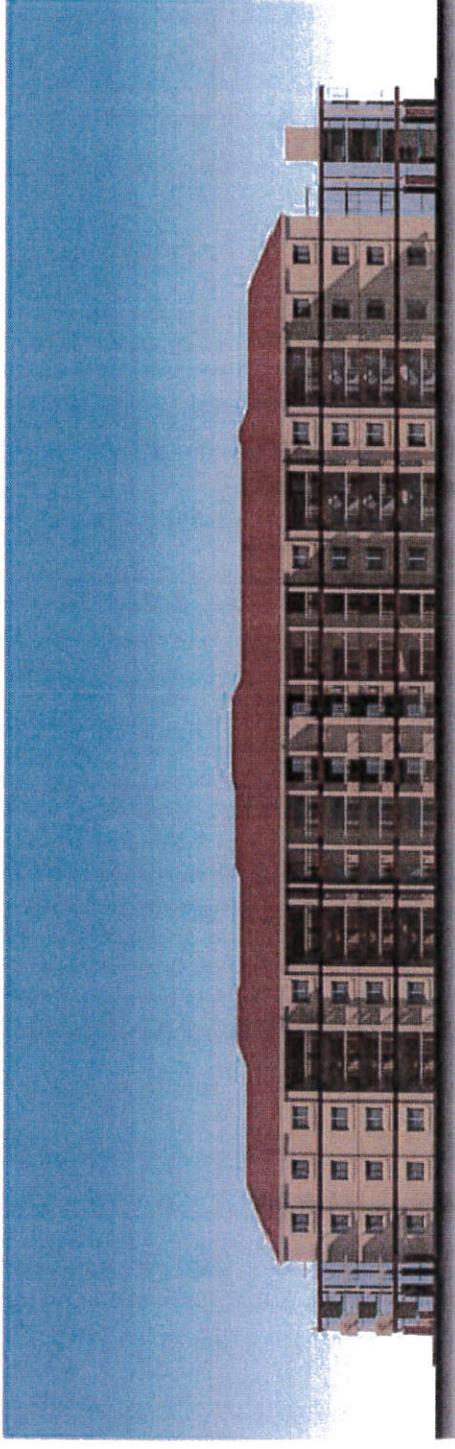
ESTANCIA RESORT
 NEW MULTIFAMILY RESIDENCES FOR
 GREEN VALLEY
 GEORGIA, USA

DATE: 1/11/2011
 DRAWN BY: [Name]
 CHECKED BY: [Name]

A



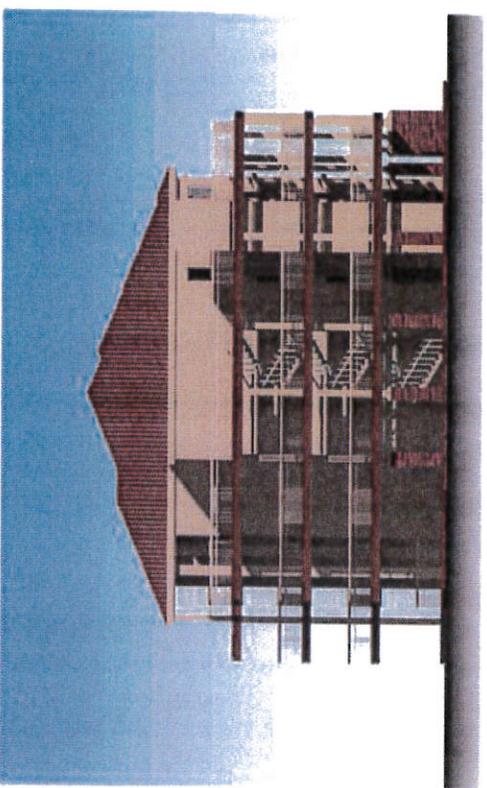
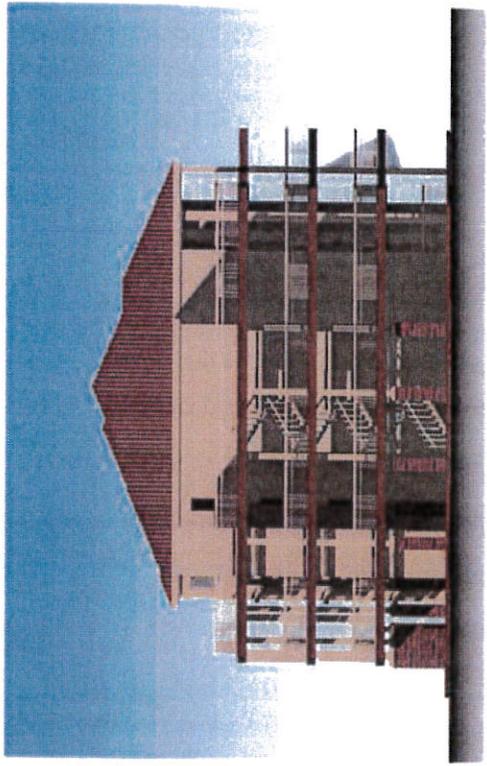
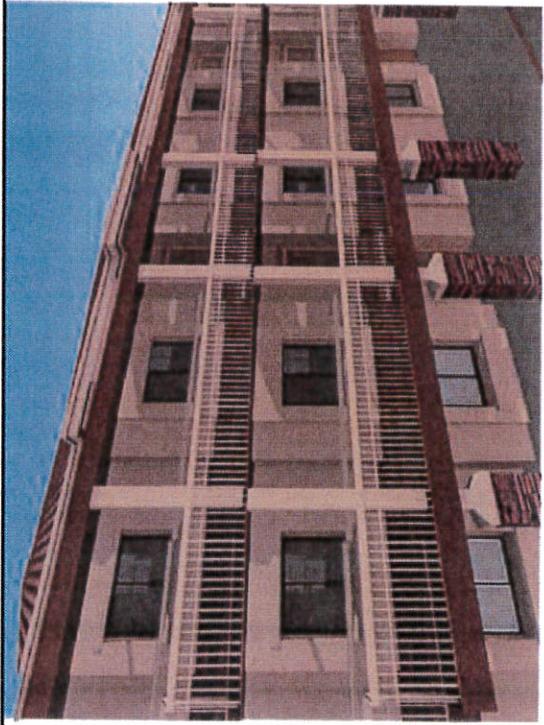
WEST (STREET) ELEVATION



REAR (EAST) ELEVATION

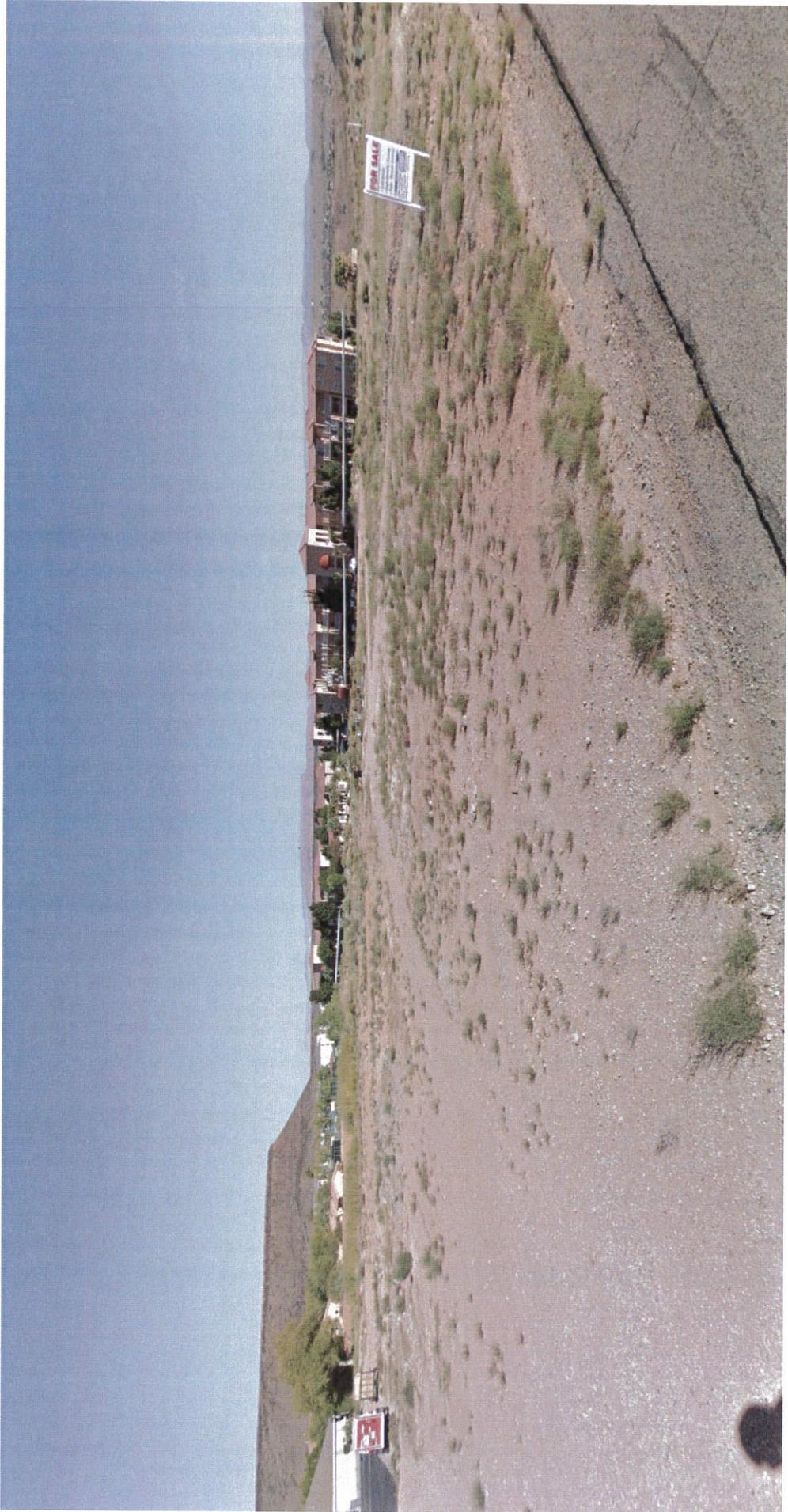
36 UNIT PHASE III

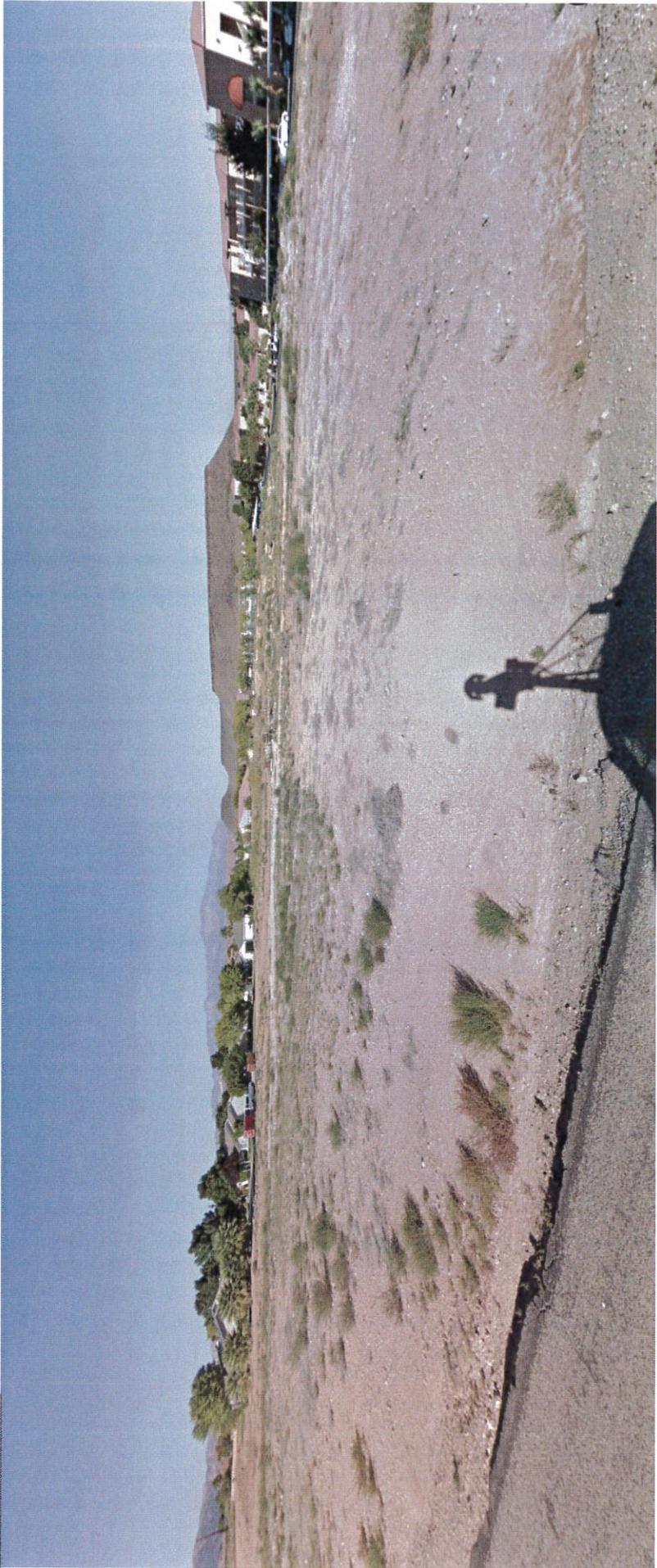
THIS DOCUMENT IS THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY DAMAGE, LOSS, OR INJURY CAUSED BY THE USE OF THIS DOCUMENT OR THE INFORMATION CONTAINED HEREIN. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT AND DOES NOT EXTEND TO ANY OTHER MATTER.

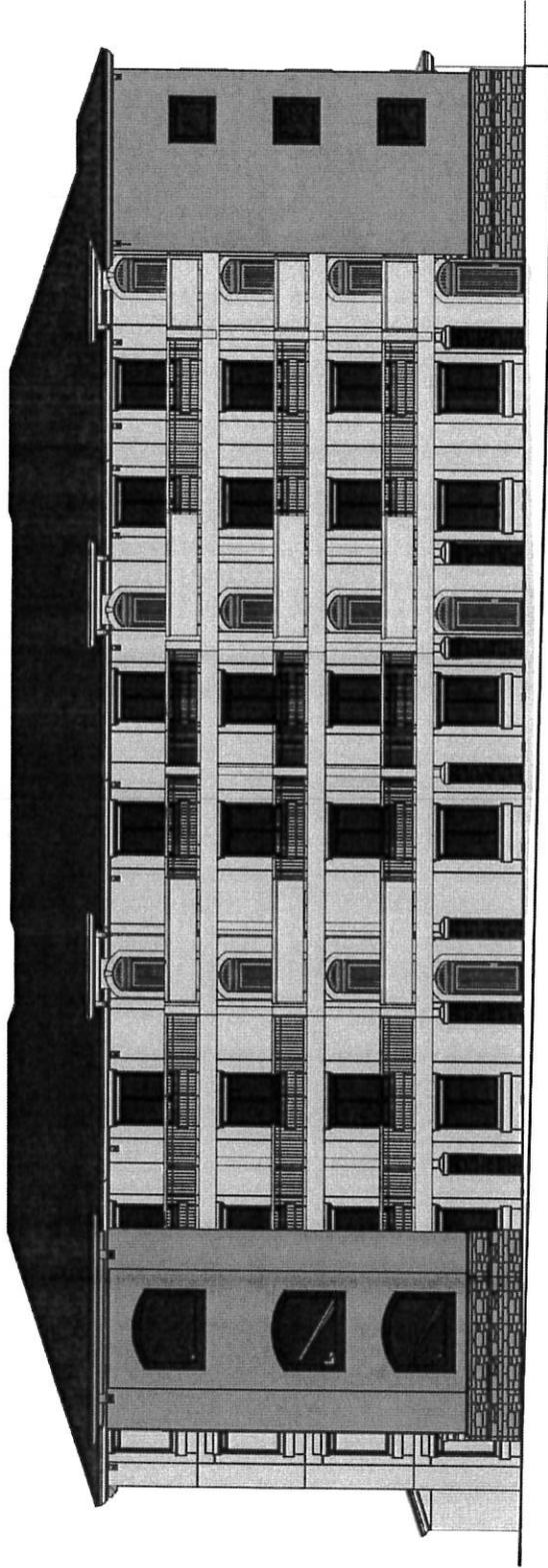


16 UNIT PHASE II

THESE CONCEPT PLANS ARE NOT BEING PREPARED FOR CONSTRUCTION. THEY ARE FOR ILLUSTRATIVE PURPOSES ONLY. ANY CHANGES TO THESE PLANS WILL BE MADE AS NECESSARY TO ACCOMMODATE THE CLIENT'S REQUIREMENTS AND TO COMPLY WITH ALL APPLICABLE REGULATIONS AND CODES.







SOUTH BUILDING CONCEPT ELEVATION

SCALE 1" = 10'-0"

16 UNIT PHASE II

Estancia Resort Narrative

Section 10-8-4

- A. Use of Land:
 - Total Site- 5.70 acres
 - Building Coverage- .96 acres = 16.87%
 - Parking Coverage- 2.26 acre = 39.65% (182 stalls)
 - Landscape Coverage- 2.48 acres 43.48%
- B. Height and Elevations: Maximum height is 53'. See Attached Elevations.
- C. Density: 13.68 units/acre (78 units on 5.70 acres)
- D. No schools or churches. Open space is located in the courtyard in the middle of the buildings.
- E. Phasing Plan- Bldg W (26 units) will be built first. Bldg S (16 units) will be built second. Bldg E (36 units) will be built third. See Phasing Plan.
- F. Topography: See attached Site Plan.
- G. Landscape Plan: See attached Landscape Plan
- H. Area reserved for landscaping: 2.48 acres (43.48% of land)
- I. Utilities: All utilities shall be underground. Transformer equipment shall be screened form streets and adjacent properties.
- J. Refuse Storage Areas: Dumpsters are located behind a solid screen and metal gates.
- K. Lighting Plan: The plans submitted shall include a general lighting plan indicating the location of lights to be installed on the site.
- L. Turning Space: Safe and convenient turning spaces shall be provided for cars, sewer vehicles, refuse collection, firefighting equipments, etc at the end of private drives and dead end streets.
- M. Signs: Signage will conform to code and be development quality. It remains to be designed and submitted.

**PD ZONE CHANGE
PLANNED DEVELOPMENT (PD)
APPLICATION & CHECKLIST**



APPLICATION FOR A ZONE CHANGE AS PROVIDED BY THE
CITY OF ST. GEORGE ZONING ORDINANCE
CITY OF ST. GEORGE, UTAH

I. PROPERTY OWNER(S) / APPLICANT & PROPERTY INFORMATION

LEGAL OWNER(S) OF SUBJECT PROPERTY: ESTANCIA RESORT DEVELOPMENT LLC

MAILING ADDRESS: 1173 S 250 W # 311 ST GEORGE 84770

PHONE: _____ CELL: 435-705-4474 FAX: _____

APPLICANT: _____
(If different than owner)

MAILING ADDRESS: _____

PHONE: _____ CELL: _____ FAX: _____

EMAIL ADDRESS(ES): DAVENASAL@GMAIL.COM

CONTACT PERSON / REPRESENTATIVE: DAVE NASAL
(i.e. Developer, Civil Engineer, Architect; if different than owner)

MAILING ADDRESS: 2513 S 2260 E ST GEORGE UT 84790

PHONE: _____ CELL: 435-705-4474 FAX: _____

EMAIL ADDRESS(ES): DAVENASAL@GMAIL.COM

A general description of the property location is as follows: (Give approx. street address, general location etc., and attach a vicinity map or property plat showing the subject property and the surrounding areas.) Include a **colored** site plan and **colored** landscape plan, and **colored** elevation drawings (all four sides) suitable for presentations in public meetings. 1111 S. PLANTATION DRIVE

The Zone Change becomes effective on the hearing date if approved by the City Council. A PD (Planned Development Residential Zone is approved for a period of 18 months only unless building permits have been issued and the project commenced prior to 18 months from the above hearing date.

OFFICE STAFF USE ONLY

CASE #: 2015-ZC-104 FILING DATE: 5/11/15 RECEIVED BY: [Signature] RECEIPT #: 1054

*FEE: \$500 (Filing fee and 1st acre) + \$50.00 per ac for 2-100 ac and \$25 per ac 101-500 and \$10.00 per ac 501-plus

II. ADDITIONAL INFORMATION

Provide the following information: (Attach additional sheets if necessary)

1. What is the present zoning on the property? PD-R
2. What zone or zones are requested by this application? PD-R
3. Is the zone change in harmony with the present City General Plan? Yes No
4. If no, what does the City General Plan propose for the subject property? _____
(If the application is not in harmony with the City General Plan, a General Plan Amendment hearing will be required prior to the zone change request. General Plan Amendment hearings are held four (4) times per year in January, April, July, and October. A General Plan Amendment application can be obtained from the Community Development Department or online at <http://www.sgcity.org/commdev/forms.php>)
5. Total acreage of proposed zone change: _____
6. Are there deed restrictions against the property that might affect the requested zone change?
Yes _____ No
A copy of the deed restrictions, if any, may be submitted in support of the application and shall be submitted if contrary to the request zone change.
7. Has a Traffic Impact Study or Traffic Analysis been completed to determine any traffic impacts?
Yes _____ No
*IF YES, submit the Traffic Impact Study with the application for review by Traffic Engineering.
IF NO, a Traffic Impact Study will be required (if determined necessary at Planning Staff Review) to be submitted with the application and reviewed prior to approval by the City Council.*
8. Is the necessary utility capacity available (water, power, sewer and drainage) to serve the zone change parcel? Yes No _____
Please describe the projected demand for utility services: _____
THE PROPERTY CONTAINS 78 RESIDENTIAL CONDO UNITS. WE ARE
REMOVING A BUILDING AND ADDING THOSE UNITS TO PHASE II AND III.
THE UTILITY DEMAND WILL STAY THE SAME.

III. SUBMISSION CHECKLIST FOR PD (PLANNED DEVELOPMENT) ZONE

(A COMPLETE ZONE CHANGE APPLICATION MUST BE SUBMITTED A MINIMUM OF 3 WEEKS PRIOR TO THE NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING)

Development/Project Name ESTANCIA RESORT
(Project name **must be** previously approved by the Washington County Recorder & City Planning Department)
Developer/Property Owner ESTANCIA RESORT DEVELOPMENT Phone No. 435-705-4474
Contact Person/Representative DAVE NASAL Phone No. 435-705-4474
Licensed Surveyor MIKE PURDY Phone No. 435-619-5528

PD ZONE CHANGE PROCEDURE

Step #1 **Meet with Planning Staff Review (PSR) – Meets every Tuesday at 8:30 a.m. Call Community Development at 627-4206 to be scheduled for this meeting.**

Note: Call at least one day in advance to schedule.

Step #2 **Document Submission Checklist***

Legal Description Documents:

Submit the following documents: (These documents **must** be prepared by a licensed surveyor)

1. Described bearings on all documents must be rotated to HCN;
2. Legal description prepared on 8-1/2" x 11" sheet and signed by a licensed Surveyor;
3. Minimum size 8-1/2" x 11" graphical representation of Survey Boundary;
4. Legal description and Surveyed Site Plan (Record of Survey) drawing in DWG format on a CD for the GIS Department;
5. 24"x36" Surveyed Site Plan (Record of Survey) drawing sheet(s) for meeting exhibit

Other Submission Documents:

6. ✓ This Zone Change application form completed and signed;
7. ✓ Appropriate** **Filing Fee:** \$500 (filing fee and 1st acre) + \$50.00 per acre for 2-100 acre and \$25 per acre 101-500 and \$10.00 per acre 501-plus
8. ✓ County ownership plat with boundary of zone change outlined;
9. ✓ List of property owners within 500' and **two sets** of mailing labels;
10. ✓ **Colored** Site Plan & Landscape Plan – minimum size 24" x 36";
11. ✓ Building elevation(s) – **Colored** renderings, all four building sides;
12. **Board mounted** materials and color samples (i.e. roof tile samples, stucco samples, stone samples, and paint color swatches, etc.);
13. ✓ For buildings over 35' ft in height also provide a **colored photo simulation**;

- 14. ✓ 8-1/2" x 11" reduction of the site plan, landscape plan, and building elevations;
- 15. ✓ Written text (as outlined in Zoning Ordinance Chapter 8, Section 10-8-4);
- 16. ✓ CD with the above images in JPEG, BMP or TIFF format and the written text in PDF format

**Note: This application will be considered incomplete without the above documents*

***Note: There is NO FEE for acreage rezoned to Open Space*

Step #3 Planning Commission and City Council Hearings

Planning Commission usually meets the 2nd and 4th Tuesday of the month at 5:00 p.m. All applications, the legal description and surveyed site plan drawing (Record of Survey) must be complete and submitted at least 3 weeks prior to the meeting. Incomplete or inaccurate applications **will not** be accepted or scheduled. City Council sets a public hearing date after a recommendation for approval from the Planning Commission, and then there is a 14-day advertising period prior to the public hearing.

Hearing Dates:

Planning Commission _____
 City Council Set Date _____
 City Council Hearing Date _____
 Council Action _____

Filing Fee: \$500 (filing fee and 1st acre) + \$50.00 per acre for 2-100 acre and \$25 per acre 101-500 and \$10.00 per acre 501-plus - NO FEE for acreage rezoned to Open Space

IV. COMMENTS

1. Please be aware that, if determined necessary by City staff, Planning Commission and the St. George City Council, additional information and/or special studies may be required to review the project. These may include, but not be limited to: Additional Color Renderings, Photo simulations, Computer fly-bys, Site Section Cuts, Color 'Bird's Eye' renderings, and additional color swatches and building materials.

2. Until the following information is submitted, your application will be considered incomplete:

3. Required site improvements such as pavement for parking areas, curb and gutter, privacy walls, landscaping, storm drain facilities, and all other improvements required under City Ordinance shall be completed prior to

the issuance of a certificate of occupancy or approval for permanent electric power service. In the event such improvements cannot be completed prior to receiving permanent or a certificate due to weather conditions or other unusual circumstances, a financial guarantee in the form of a cashiers check, bond, escrow, or other financial guarantee acceptable to the City attorney shall be provided to the City guaranteeing that such improvements will be fully completed within ninety (90) days of the issuance of permanent power and/or a certificate of occupancy.

V. APPLICANT AGREEMENT

We the undersigned applicant(s)  ESTANCA RESORT DEVELOPMENT LLC
(is)(are) the owner(s) _____

or (agent) of the following legally described property and **request the zone change as described above.**

(Exact legal description and surveyed site plan (Record of Survey) drawing prepared and stamped by licensed surveyor, and/or property ownership plat must accompany application and must be attached hereto along with the legal description and the surveyed site plan (Record of Survey) drawing in DWG format on CD.) The legal description, if separated from the surveyed site plan (Record of Survey) drawing, must be stamped, signed, and dated, and have a firm name or surveyor's name address and phone number. Note: Surveyed Site Plan (Record of Survey) drawing and legal description shall comply with the pertinent subdivision Final Plat Checklist requirements.


Signature

2513 S 2260 E ST GEORGE UT 84790
Address


Signature

1091 N VENTANA DRIVE WASHINGTON, UT 84780
Address


Signature

713 W MURPHY ST ST GEORGE, UT 84780
Address

Signature

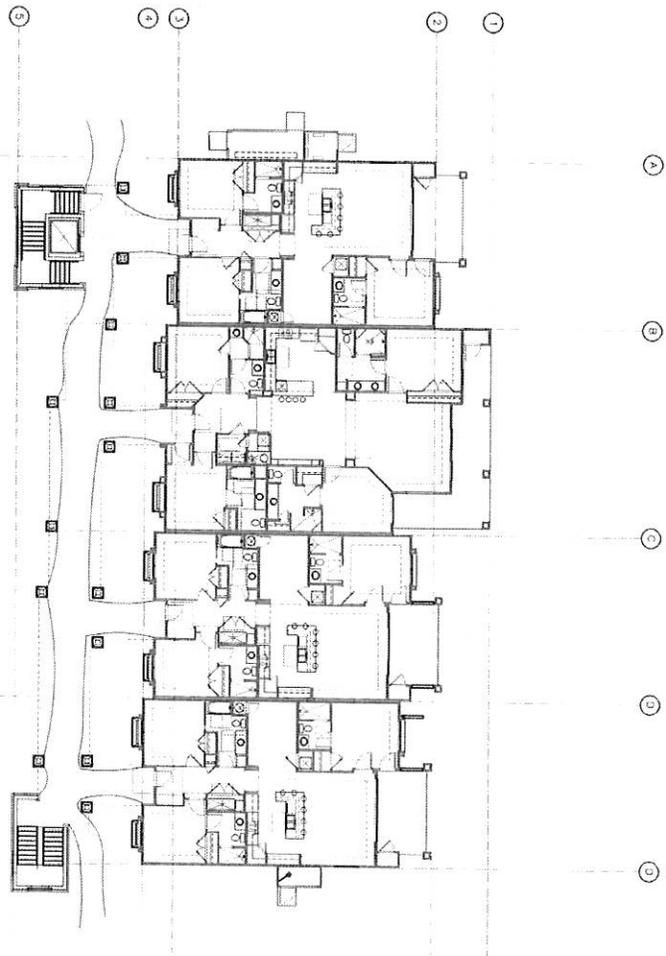
Address

Signature

Address

Attach additional sheets if necessary for additional owners.

Z:\Common\Zone Changes\Zone Change Applications\PD Zone Change Application_REV-05-10-2012.doc



MAIN FLOOR PLAN **GROUND FLOOR**
 SCALE: 1" = 10'-0" SCALE: 1" = 10'-0"

ALL DIMENSIONS SHOWN ON THIS DRAWING ARE APPROXIMATE. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE DIMENSIONS AND THE LOCATION OF ALL FEATURES SHOWN ON THIS DRAWING. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

FLOOR
 UTILITY 6,708 x 4 = 26,832 SQ. FT.
 156 SQ. FT.

ITEM 4

Zone Change

PLANNING COMMISSION AGENDA REPORT: **05/12/2015** (Tabled)

PLANNING COMMISSION AGENDA REPORT: **05/26/2015**

ZONE CHANGE

Cove at Little Valley

Case No. 2015-ZC-013

- Request:** To rezone an approximately 13.36 acre parcel from RE-20 (Residential Estate 20,000 sq. ft. minimum lot size) to R-1-12 (Single Family Residential 12,000 sq. ft. minimum lot size). The property is located on the south side of Horseman Park Drive, and generally between Little Valley Road and 2350 East.
- Applicant:** Sullivan Field LLC
558 E Riverside Dr Suite 102
St. George, Utah 84790
- Representative:** Mr. Shaun Sullivan
- Area:** 13.36 acres
- Current Zone(s):** RE-20 (Residential Estate 20,000 sq. ft. minimum lot size)
- General Plan:** LDR - Low Density Residential (Up to 4 du/acre)
- Density:** Up to 4.0 du/acre
- Adjacent zones:** North: RE-20/RE-12.5 Sunrise Ridge Intermediate School
East: A-1 Existing Residential
South: R-1-12/RE-20 Existing Residential
West: R-1-12 Vacant Property
- Project:** This zone change, if approved would allow for the future submittal of residential subdivision plats.
- Comments:** The proposed zone change is consistent with the General Plan Land Use Map and is adjacent to R-1-12 to the south and west. Staff finds that this change is in harmony with the current General Plan of this area and Staff recommends approval.

ITEM 5

Accessory Structures

PLANNING COMMISSION AGENDA REPORT: 05/12/2015 (Tabled)
PLANNING COMMISSION AGENDA REPORT: 05/26/2015

AMENDMENT TO ZONING REGULATIONS; PUBLIC HEARING

Case No. 2015-ZRA-002

Request: Proposed amendment to Title 10, Zoning Ordinance, Chapter 2 "Definitions," Chapter 7A Residential Estate Zones, Chapter 7B Single Family Residential Zones, Chapter 7C Multiple-Family Residential Zones, Chapter 7D Mobile Homes Zones, and Chapter 14 Supplementary And Qualifying Regulations.

Applicant: City of St George

Background: Currently the Zoning Ordinance is unclear and lacks consistency in regards to accessory buildings in residential zones. Each zone has different requirements and this amendment would make it easier to administer and provide consistency in the code. For instance, in most sections of the code, accessory structures are measured from the midpoint of the roof; however in the single family zones, height is measured from the ground to peak. Additionally, current code requires building setbacks based on wall height and provides ranges, but no guidance when applying ranges. The proposed amendment will help administer the code, by being concise, as well as, consistent.

Proposed Amendment:
(New wording is underlined)

10-2-1 Definitions:

BUILDING, ACCESSORY: A detached subordinate building clearly incidental to and located upon the same lot occupied by the main building. Accessory structures include garages, sheds, gazebos or other similar subordinate structures.

ARTICLE A. RESIDENTIAL ESTATE ZONES (RE-5, RE-12.5, RE-20, RE-37.5)

10-7A-4: HEIGHT REGULATIONS:

B. No accessory building shall be erected to a height greater than fifteen feet (15') unless reviewed by the planning commission and approved by the city council as a conditional use permit. (1998 Document § 13-4; amd. 2003 Code)

10-7A-6: MODIFYING REGULATIONS:

A. Side Yards: The side yard setback on a "street side" yard shall be the same as a front yard setback. Accessory buildings located at least ten feet (10') away from a main building may have two foot (2') side or rear property setback on interior lot lines, but no less.

B. Distance Between Buildings: No two (2) accessory buildings on adjacent properties shall be located closer together than ten feet (10'). No building, structure or run housing animals or fowl shall be constructed closer than fifty feet (50') to a dwelling unit on the same or an adjacent lot.

C. Detached Accessory Buildings: Accessory buildings located to the rear and at least ten feet (10') away from the main dwelling may be built, provided that:

1. The roof shall not project across the property line;

2. Stormwater runoff from the building shall not run onto adjacent property;

3. All corner lots shall maintain twenty five foot (25') setbacks on all street sides;

4. Any nonportable structure placed over a utility easement shall require written approval from the city water and power department prior to obtaining a building permit;

5. Accessory buildings shall not cover more than twenty five percent (25%) of the rear yard area unless a conditional use permit is granted for a larger accessory building;

6. Building setbacks from rear and side property lines vary depending on the height of the vertical wall nearest the side or rear property line according to the following table, unless a conditional use permit is granted for a higher wall and setback ten feet (10') feet:

<u>Setback From Property Line</u>	<u>Height Of Building Wall</u>
	-
<u>5 feet</u>	<u>8 feet</u>
<u>8 feet</u>	<u>10 feet</u>

7. Detached garages and accessory buildings shall be limited to an overall height of fifteen feet (15') for pitched roofs (i.e., gable end roof) and twelve feet (12') for flat roofs (shed style), unless a conditional use permit is granted for a greater height;

8. Detached accessory buildings in a side yard:

a. May be located in a side yard, provided that it meets all required side and front yard setbacks for the zone and is at least six feet (6') from the main dwelling.

b. Exterior shall look similar to the main structure by using the same building materials, colors, and design.

ARTICLE B. SINGLE-FAMILY RESIDENTIAL ZONES (R-1-6, R-1-7, R-1-8, R-1-10, R-1-12, R-1-20, R-1-40)

~~Detached Private Garages And Accessory Buildings: Private garages and a~~Accessory buildings located to the rear and at least ten feet (10') away from the main dwelling may be built, ~~to the property line and may also be built in the side yard;~~ provided that:

1. The roof shall not project across the property line;
2. Stormwater runoff from the building shall not run onto adjacent property;
3. All corner lots shall maintain twenty five foot (25') setbacks on all street sides;
4. Any nonportable structure placed over a utility easement shall require written approval from the city water and power department prior to obtaining a building permit;
5. Accessory buildings shall not cover more than twenty five percent (25%) of the rear yard area unless a conditional use permit is granted for a larger accessory building;
6. Building setbacks from rear and side property lines vary depending on the height of the vertical wall nearest the side or rear property line according to the following table, ~~(unless a conditional use permit is granted for a higher wall and setback ten feet (10') feet):~~

Setback From Property Line	Height Of Building Wall
0-5 feet -5 feet-	8 feet
8-5 feet -10 feet-	10 feet

7. Detached garages and accessory buildings shall be limited to an overall height of fifteen feet (15') for pitched roofs (i.e., gable end roof) and twelve feet (12') for flat roofs (shed style) ~~as measured from adjacent grade to highest point of roof, unless a conditional use permit is granted for a greater height;~~

8. ~~Detached garages and accessory buildings in a side yard:~~

- a. May be located in a side yard, provided that it meets all required side and front yard setbacks for the zone and is at least six feet (6') from the main dwelling.
- b. Exterior shall look similar to the main structure by using the same building materials, colors, and design. (Ord. 2006-12-001, 12-7-2006)

ARTICLE C. MULTIPLE-FAMILY RESIDENTIAL ZONES (R-2, R-3, R-4)

10-7C-4: HEIGHT REGULATIONS:

A. No main building shall be erected to a height greater than thirty five feet (35') or two and one-half (2^{1/2}) stories, whichever is less. No accessory building shall be erected to a height greater than fifteen feet (15'), unless recommended by the planning commission and approved by the city council as a conditional use permit (see section 10-14-14 of this title for restrictions).

B. An accessory building shall be limited to one story. (1998 Document § 15-4; amd. 2003 Code)

10-7C-7: MODIFYING REGULATIONS:

A. Setback On Street Side And Rear Yard: The side and rear yard setback on a street side yard shall be the same as for a front yard setback (setback requirement is 25 feet from any public street).

B. Detached Accessory Buildings: Accessory buildings located to the rear and at least ten feet (10') away from the main dwelling may be built, provided that:

1. The roof shall not project across the property line;

2. Stormwater runoff from the building shall not run onto adjacent property;

3. All corner lots shall maintain twenty five foot (25') setbacks on all street sides;

4. Any nonportable structure placed over a utility easement shall require written approval from the city water and power department prior to obtaining a building permit;

5. Accessory buildings shall not cover more than twenty five percent (25%) of the rear yard area unless a conditional use permit is granted for a larger accessory building;

6. Building setbacks from rear and side property lines vary depending on the height of the vertical wall nearest the side or rear property line according to the following table, unless a conditional use permit is granted and setback ten feet (10') feet:

<u>Setback From Property Line</u>	<u>Height Of Building Wall</u>
5 feet	8 feet
8 feet	10 feet

7. Detached accessory buildings shall be limited to an overall height of fifteen feet (15') for pitched roofs (i.e., gable end roof) and twelve feet (12') for flat roofs (shed style), unless a conditional use permit is granted for a greater height;

8. Detached garages and accessory buildings in a side yard:

a. May be located in a side yard, provided that it meets all required side and front yard setbacks for the zone and is at least six feet (6') from the main dwelling.

b. Exterior shall look similar to the main structure by using the same building materials, colors, and design. (Ord. 2006-12-001, 12-7-2006)

~~Private Garages And Accessory Buildings: Private garages and accessory buildings located to the rear and at least ten feet (10') away from the main dwelling may be built to the property line; provided, that:~~

~~1. The roof shall not project across the property line;~~

~~2. Stormwater runoff from the building shall not run onto adjacent property;~~

~~3. All corner lots shall maintain twenty five foot (25') setbacks on all street sides;~~

~~4. Any nonportable structure placed over a utility easement shall require written approval from the city water and power department prior to obtaining a building permit;~~

~~5. Accessory buildings shall not cover more than twenty five percent (25%) of the rear yard area, unless a conditional use permit is granted for a larger building;~~

~~6. Building setbacks from rear and side property lines vary depending on the height of the vertical wall nearest the side or rear property line according to the following table (unless a conditional use permit is granted for a higher wall):~~

<u>Setback From Property Line</u>	<u>Height Of Building Wall</u>
-	-
0 feet - 5 feet	8 feet

5 feet - 10 feet -

10 feet -

7. Detached garages and accessory buildings shall be limited to an overall height of fifteen feet (15') for pitched roofs (i.e., gable end roof) and twelve feet (12') for flat roofs (shed style), as measured from adjacent grade to highest point of roof, unless a conditional use permit is granted for a greater height.

ARTICLE D. MOBILE HOME ZONES (MH-6, MH-8, MH-10, MH-12, MH-20, MH-40)

10-7D-7: MODIFYING REGULATIONS FOR MOBILE HOME SUBDIVISIONS:

B. Detached Accessory Buildings: Private accessory buildings located to the rear and at least ten feet (10') away from the main dwelling may be built, provided that:

1. The roof shall not project across the property line;
2. Stormwater runoff from the building shall not run onto adjacent property;
3. All corner lots shall maintain twenty five foot (25') setbacks on all street sides;
4. Any nonportable structure placed over a utility easement shall require written approval from the city water and power department prior to obtaining a building permit;
5. Accessory buildings shall not cover more than twenty five percent (25%) of the rear yard area unless a conditional use permit is granted for a larger accessory building;
6. Building setbacks from rear and side property lines vary depending on the height of the vertical wall nearest the side or rear property line according to the following table, unless a conditional use permit is granted and setback ten feet (10') feet:

<u>Setback From Property Line</u>	<u>Height Of Building Wall</u>
<u>5 feet</u>	<u>8 feet</u>
<u>8 feet</u>	<u>10 feet</u>

7. Detached garages and accessory buildings shall be limited to an overall height of fifteen feet (15') for pitched roofs (i.e., gable end roof) and twelve feet (12') for flat roofs (shed style), unless a conditional use permit is granted for a greater height;

8. Detached accessory buildings in a side yard:

a. May be located in a side yard, provided that it meets all required side and front yard setbacks for the zone and is at least six feet (6') from the main dwelling.

b. Exterior shall look similar to the main structure by using the same building materials, colors, and design. (Ord. 2006-12-001, 12-7-2006)

~~Private Garages And Accessory Buildings: Private garages and accessory buildings located to the rear and at least ten feet (10') away from the main residence may be built to the property line; provided, that: 1) the roof shall not project across the property line; 2) storm water runoff from the building shall not run onto adjacent property; and 3) all corner lots shall maintain front yard setback requirement on both streets. Detached private garages and accessory buildings shall not exceed one thousand (1,000) square feet in size unless a larger building is approved by the planning commission.~~

Chapter 14

SUPPLEMENTARY AND QUALIFYING REGULATIONS

10-14-9: YARDS UNOBSTRUCTED; EXCEPTIONS:

C. Detached Storage Sheds: Detached storage sheds up to a maximum size of one hundred twenty (120) square feet and twelve feet (12') maximum height may be located within ten feet (10') of the dwelling where a ten foot (10') separation is not feasible between the dwelling and the shed due to the width of the rear yard; and provided, that all other provisions regulating accessory buildings are complied with (see subsections 10-7B-6B and 10-7C-7B of this title). Detached storage sheds shall not be located in a side yard setback unless approved by the community development director or a designated representative, provided: 1) the rear yard is not feasible, referring to width and location, not a lack of space due to other structures or plant life occupying the rear yard; 2) the location shall be an interior side yard setback (not street side on a corner lot); and 3) the shed shall be architecturally compatible with the dwelling, referring to color and material.

10-14-11: DOUBLE FRONTAGE LOTS IN RESIDENTIAL ZONES:

Lots which have the rear or side property lines adjacent to a public street shall maintain the following minimum rear or side setbacks:

A. With a six foot (6') masonry wall along rear or side property line, dwellings may be located within twenty feet (20') of rear or side property lines; accessory buildings no higher than fifteen feet (15') in height may be ten feet (10') from the rear property line; and storage sheds no higher than six feet (6') in height may be placed adjacent to the six foot (6') block wall.

10-14-12: AREA OF ACCESSORY BUILDINGS:

No accessory building nor group of accessory buildings in any residential district shall cover more than twenty five percent (25%) of the rear lot area, unless a larger accessory building is approved under a conditional use permit. (Ord. 2003-02-001, 1-20-2003)

10-14-13: HEIGHT REQUIREMENTS; EXCEPTIONS:

D. Maximum Height Of Accessory Building: No building which is accessory to a one-family, two-family, three-family or four-family dwelling shall be erected to a height greater than one story or fifteen feet (15'). (1998 Document § 3-14)

10-14-14: ACCESSORY BUILDINGS:

Accessory buildings shall not be constructed upon a lot until the building permit has been issued for the principal building. (1998 Document § 3-15)

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ITEM 6

Preliminary Plat

PLANNING COMMISSION AGENDA REPORT: 05/26/2015

PRELIMINARY PLAT

Escapes Phase 6

Case No. 2015-PP-015

- Request:** A request to approve a preliminary plat for a twelve (12) lot residential subdivision with an open space amenity area for the Escapes subdivision.
- Location:** Canyon Tree Drive and Arcadian Shores Drive which is located east of the Ledges round-about.
- Property:** 1.91 acres
- Number of Lots:** 13
- Density:** 6.77 DUA
- Zoning:** PD-R, Plat is part of the overall Ledges PD
- Adjacent zones:** This plat is surrounded by the following zones:
North – PD-R
South – PD-R
East – PD-R
West – PD-R
- General Plan:** LDR
- Applicant:** Development Solutions Group
- Representative:** Ryan Thomas
- Comments:**



NO.	DESCRIPTION	DATE	APP'D.

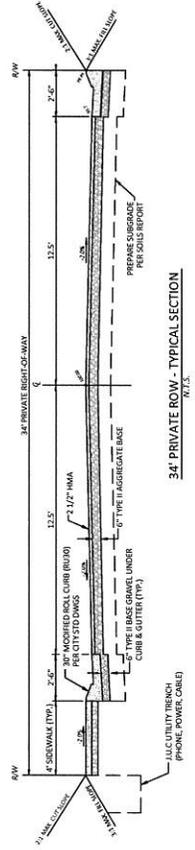
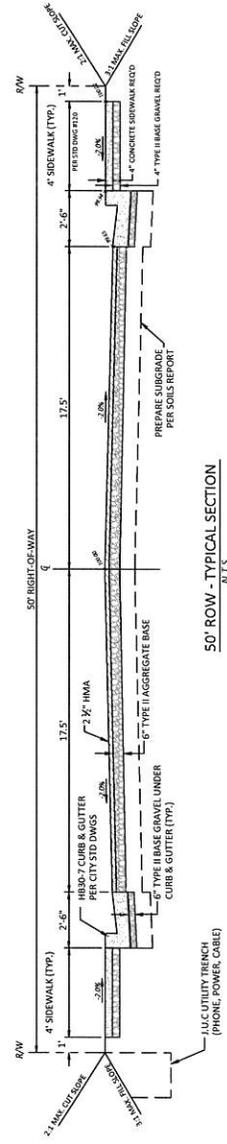
PROJECT NAME: ESCAPES AT THE LEDGES PHASE 6
 PLANNED DEVELOPMENT
 LOCATED IN ST. GEORGE, UTAH
 SHEET NAME: CROSS SECTIONS

DEVELOPMENT SOLUTIONS, INC.
 LAND PLANNERS, CIVIL ENGINEERS
 113 EAST 200 NORTH SUITE #2
 ST. GEORGE, UT 84790
 OFFICE (435) 628-1171 • FAX (435) 628-9553
 WWW.DEVELOPMENTOLUTIONS.COM

DATE: 04/20/23
 DRAWN BY: [blank]
 CHECKED BY: [blank]
 PROJECT NO.: 15003
 SCALE: [blank]
 SHEET NUMBER: [blank]

PP-2
 2 OF 2 TOTAL

Know what's below. Call 811 before you dig.
 BLUE STAKES OF UTAH
 UTILITY MARKING CENTRE, INC.
 1000 W. 2000 S. ST. GEORGE, UT 84790
 WWW.BLUESTAKES.COM
 801-627-4111



ITEM 7A

Final Plat

PLANNING COMMISSION AGENDA REPORT: 05/26/2015

FINAL PLAT

Oakwood Estates Phase 2

Case No. 2015-FP-023

- Request:** Approval of an 8 Lot Residential Subdivision Final Plat
- Representative:** Brad Petersen, Development Solutions
120 East St. George Blvd, Suite #300
St. George, UT 84770
- Property:** Located at approximately 3000 East and 3150 South (in the Little Valley area)
- Zone:** R-1-10
- Staff Comments:** All aspects of this Final Plat were carefully looked at and reviewed by the Public Works 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.
- This Final Plat is ready for Planning Commission's consideration for approval.

NOTIFICATION AND CONSENT TO IMPACT FEE OBLIGATION:

THE OWNERS AND MORTGAGEES, BY SIGNING THIS PART DO HEREBY CONSENT THAT NOTWITHSTANDING ANY SUBSEQUENT INSTRUMENT RECORDED WITH RESPECT TO SAID TRACT, THIS INSTRUMENT SHALL REMAIN VALID AND ENFORCEABLE AGAINST THE PARTIES TO SAID TRACT UPON THE FIRST TO OCCUR OF THE FOLLOWING EVENTS:

- THE SALE OF THE LOT TO A THIRD PARTY BY THE OWNER, OR ANY SUCCESSOR IN INTEREST
- THE ISSUANCE OF A BUILDING PERMIT FOR CONSTRUCTION ON THE ANY PORTION OF THE TRACT; OR
- PROMISSORY NOTE AND SECURITY AGREEMENT EXECUTED AND RECORDED WITH THIS SUBDIVISION PLAT.

ACKNOWLEDGEMENT BY WASHINGTON COUNTY WATER CONSERVANCY DISTRICT:

THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT HEREBY ACKNOWLEDGES THE NOTIFICATION AND CONSENT TO IMPACT FEE OBLIGATION ON THIS DATE:

ED BURRESS, MANAGER
WASHINGTON COUNTY WATER CONSERVANCY DISTRICT

STATE OF UTAH } s.s.

ON THIS _____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, ED BURRESS, A UTAH LIMITED LIABILITY COMPANY, WHICH IS THE MANAGER OF KOOD, L.L.C., A UTAH LIMITED LIABILITY COMPANY, AND THAT SHE IS THE PERSON WHOSE NAME IS LISTED IN THE FOREGOING DOCUMENT AND ACKNOWLEDGED BEFORE ME THAT SHE SIGNED IT VOLUNTARILY FOR ITS STATED PURPOSE.

NOTARY PUBLIC FULL NAME: _____
 COMMISSION NUMBER: _____
 A NOTARY PUBLIC COMMISSIONED IN UTAH
 WHOSE STATE OF UTAH CODE, TITLE 46, CHAPTER 1, SECTION 151.

NOTARY PUBLIC

OWNER'S ACKNOWLEDGEMENT OF WATER IMPACT FEES:

THE UNDERSIGNED, ED BURRESS, MANAGER OF QUALITY DEVELOPMENT L.L.C. DO HEREBY ACKNOWLEDGE AND CONSENT TO THE TERMS AND CONDITIONS OF THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT IMPACT FEE OBLIGATION AS STATED HEREON, FOR THE USES AND PURPOSES STATED THEREIN.

QUALITY DEVELOPMENT L.L.C.
BY: ED BURRESS, MANAGER

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH } s.s.

ON THIS _____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, ED BURRESS, A UTAH LIMITED LIABILITY COMPANY, WHICH IS THE MANAGER OF KOOD, L.L.C., A UTAH LIMITED LIABILITY COMPANY, AND THAT HE EXCLUDED THE FOREGOING OWNER'S KNOWLEDGE AND CONSENT TO THE TERMS AND CONDITIONS OF THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT IMPACT FEE OBLIGATION AS STATED HEREON, FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC FULL NAME: _____
 COMMISSION NUMBER: _____
 A NOTARY PUBLIC COMMISSIONED IN UTAH
 WHOSE STATE OF UTAH CODE, TITLE 46, CHAPTER 1, SECTION 151.

NOTARY PUBLIC

OWNER'S ACKNOWLEDGEMENT OF WATER IMPACT FEES:

THE UNDERSIGNED, ED BURRESS, MANAGER OF QUALITY DEVELOPMENT L.L.C., A UTAH LIMITED LIABILITY COMPANY, WHICH IS THE MANAGER OF KOOD, L.L.C., A UTAH LIMITED LIABILITY COMPANY, DO HEREBY ACKNOWLEDGE AND CONSENT TO THE TERMS AND CONDITIONS OF THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT IMPACT FEE OBLIGATION AS STATED HEREON, FOR THE USES AND PURPOSES STATED THEREIN.

KOOD, L.L.C.
BY: ED BURRESS, MANAGER

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH } s.s.

ON THIS _____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, ED BURRESS, A UTAH LIMITED LIABILITY COMPANY, WHICH IS THE MANAGER OF KOOD, L.L.C., A UTAH LIMITED LIABILITY COMPANY, AND THAT HE EXCLUDED THE FOREGOING OWNER'S KNOWLEDGE AND CONSENT TO THE TERMS AND CONDITIONS OF THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT IMPACT FEE OBLIGATION AS STATED HEREON, FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC FULL NAME: _____
 COMMISSION NUMBER: _____
 A NOTARY PUBLIC COMMISSIONED IN UTAH
 WHOSE STATE OF UTAH CODE, TITLE 46, CHAPTER 1, SECTION 151.

NOTARY PUBLIC

MORTGAGEE CONSENT TO RECORD

WE, CACHE VALLEY BANK, A UTAH CORPORATION, MORTGAGEE OF THE HEREBY DESCRIBED TRACT OF LAND, DO HEREBY GIVE OUR CONSENT TO THE RECORDING OF THIS PLAT AND JOINS IN ALL DECLARATIONS AND CONDITIONS AND RESTRICTIONS DESCRIBED ON THIS PLAT AND JOINS IN ALL DECLARATIONS AND CONDITIONS.

BY: _____
 TITLE: _____

CORPORATE ACKNOWLEDGMENT (CONSENT)

STATE OF UTAH } s.s.

ON THIS _____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, ED BURRESS, A UTAH LIMITED LIABILITY COMPANY, WHICH IS THE MANAGER OF KOOD, L.L.C., A UTAH LIMITED LIABILITY COMPANY, AND THAT SHE IS THE PERSON WHOSE NAME IS LISTED IN THE FOREGOING DOCUMENT AND ACKNOWLEDGED BEFORE ME THAT SHE SIGNED IT VOLUNTARILY FOR ITS STATED PURPOSE.

NOTARY PUBLIC FULL NAME: _____
 COMMISSION NUMBER: _____
 A NOTARY PUBLIC COMMISSIONED IN UTAH
 WHOSE STATE OF UTAH CODE, TITLE 46, CHAPTER 1, SECTION 151.

NOTARY PUBLIC

MORTGAGEE'S CONSENT TO OWNER'S CONSENT OF WATER IMPACT FEES

WE, CACHE VALLEY BANK, A UTAH CORPORATION, MORTGAGEE OF THE HEREBY DESCRIBED TRACT OF LAND, DOES HEREBY CONSENT TO THE OWNER'S CONSENT OF WATER IMPACT FEES FOR THE USES AND PURPOSES STATED THEREIN.

BY: _____
 TITLE: _____

CORPORATE ACKNOWLEDGMENT (WATER IMPACT FEES)

STATE OF UTAH } s.s.

ON THIS _____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, ED BURRESS, A UTAH LIMITED LIABILITY COMPANY, WHICH IS THE MANAGER OF KOOD, L.L.C., A UTAH LIMITED LIABILITY COMPANY, AND THAT HE EXCLUDED THE FOREGOING OWNER'S KNOWLEDGE AND CONSENT TO THE TERMS AND CONDITIONS OF THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT IMPACT FEE OBLIGATION AS STATED HEREON, FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC FULL NAME: _____
 COMMISSION NUMBER: _____
 A NOTARY PUBLIC COMMISSIONED IN UTAH
 WHOSE STATE OF UTAH CODE, TITLE 46, CHAPTER 1, SECTION 151.

NOTARY PUBLIC

ITEM 7B

Final Plat

PLANNING COMMISSION AGENDA REPORT: 05/26/2015

FINAL PLAT

Tonaquint Heights Phase 2

Case No. 2015-FP-011

- Request:** Approval of a 13 Lot Residential Subdivision Final Plat
- Representative:** Brad Petersen, Development Solutions
120 East St. George Blvd, Suite #300
St. George, UT 84770
- Property:** Located at approximately 1170 West St. and Chandler Drive
- Zone:** R-1-40
- Staff Comments:** All aspects of this Final Plat were carefully looked at and reviewed by the Public Works 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.
- This Final Plat is ready for Planning Commission's consideration for approval.

SURVEYOR'S CERTIFICATE:

I, B. BRADSHAW PETERSON, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 362275. IN ACCORDANCE WITH TITLE 19, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND SURVEYORS ACT, I HAVE CONDUCTED A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAN AND DESCRIBED BELOW. I HAVE BEEN FULLY ADVISED OF THE RIGHTS AND OBLIGATIONS OF A SURVEYOR AND I HAVE AGREED TO BE BOUND BY THE PROVISIONS OF THE PROFESSIONAL ENGINEERS AND SURVEYORS ACT. I HAVE MADE A SEARCH OF THE PUBLIC RECORDS, PLATS, RECORDS, EASEMENTS, AND OTHER RECORDS IN THE PUBLIC RECORDS AND TRACT OF LAND RECORDS, PUBLIC RECORDS, EASEMENTS, AND OTHER RECORDS IN THE PUBLIC RECORDS AS REQUIRED BY THE PROFESSIONAL ENGINEERS AND SURVEYORS ACT.

TONAQUANT HEIGHTS - PHASE 2

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, THE LOTS SHOWN ON THIS PLAN MEET THE CURRENT ZONING ORDINANCE.



DATE: _____

LEGAL DESCRIPTION:

BEGINNING AT THE NORTH-EAST CORNER OF LOT 103, TONAQUANT HEIGHTS PHASE 1 SUBDIVISION, AS RECORDED WITH PLAT NO. 111,112,113,114,115,116,117,118,119,120,121,122,123,124,125,126,127,128,129,130,131,132,133,134,135,136,137,138,139,140,141,142,143,144,145,146,147,148,149,150,151,152,153,154,155,156,157,158,159,160,161,162,163,164,165,166,167,168,169,170,171,172,173,174,175,176,177,178,179,180,181,182,183,184,185,186,187,188,189,190,191,192,193,194,195,196,197,198,199,200,201,202,203,204,205,206,207,208,209,210,211,212,213,214,215,216,217,218,219,220,221,222,223,224,225,226,227,228,229,230,231,232,233,234,235,236,237,238,239,240,241,242,243,244,245,246,247,248,249,250,251,252,253,254,255,256,257,258,259,260,261,262,263,264,265,266,267,268,269,270,271,272,273,274,275,276,277,278,279,280,281,282,283,284,285,286,287,288,289,290,291,292,293,294,295,296,297,298,299,300,301,302,303,304,305,306,307,308,309,310,311,312,313,314,315,316,317,318,319,320,321,322,323,324,325,326,327,328,329,330,331,332,333,334,335,336,337,338,339,340,341,342,343,344,345,346,347,348,349,350,351,352,353,354,355,356,357,358,359,360,361,362,363,364,365,366,367,368,369,370,371,372,373,374,375,376,377,378,379,380,381,382,383,384,385,386,387,388,389,390,391,392,393,394,395,396,397,398,399,400,401,402,403,404,405,406,407,408,409,410,411,412,413,414,415,416,417,418,419,420,421,422,423,424,425,426,427,428,429,430,431,432,433,434,435,436,437,438,439,440,441,442,443,444,445,446,447,448,449,450,451,452,453,454,455,456,457,458,459,460,461,462,463,464,465,466,467,468,469,470,471,472,473,474,475,476,477,478,479,480,481,482,483,484,485,486,487,488,489,490,491,492,493,494,495,496,497,498,499,500,501,502,503,504,505,506,507,508,509,510,511,512,513,514,515,516,517,518,519,520,521,522,523,524,525,526,527,528,529,530,531,532,533,534,535,536,537,538,539,540,541,542,543,544,545,546,547,548,549,550,551,552,553,554,555,556,557,558,559,560,561,562,563,564,565,566,567,568,569,570,571,572,573,574,575,576,577,578,579,580,581,582,583,584,585,586,587,588,589,590,591,592,593,594,595,596,597,598,599,600,601,602,603,604,605,606,607,608,609,610,611,612,613,614,615,616,617,618,619,620,621,622,623,624,625,626,627,628,629,630,631,632,633,634,635,636,637,638,639,640,641,642,643,644,645,646,647,648,649,650,651,652,653,654,655,656,657,658,659,660,661,662,663,664,665,666,667,668,669,670,671,672,673,674,675,676,677,678,679,680,681,682,683,684,685,686,687,688,689,690,691,692,693,694,695,696,697,698,699,700,701,702,703,704,705,706,707,708,709,710,711,712,713,714,715,716,717,718,719,720,721,722,723,724,725,726,727,728,729,730,731,732,733,734,735,736,737,738,739,740,741,742,743,744,745,746,747,748,749,750,751,752,753,754,755,756,757,758,759,760,761,762,763,764,765,766,767,768,769,770,771,772,773,774,775,776,777,778,779,780,781,782,783,784,785,786,787,788,789,790,791,792,793,794,795,796,797,798,799,800,801,802,803,804,805,806,807,808,809,810,811,812,813,814,815,816,817,818,819,820,821,822,823,824,825,826,827,828,829,830,831,832,833,834,835,836,837,838,839,840,841,842,843,844,845,846,847,848,849,850,851,852,853,854,855,856,857,858,859,860,861,862,863,864,865,866,867,868,869,870,871,872,873,874,875,876,877,878,879,880,881,882,883,884,885,886,887,888,889,890,891,892,893,894,895,896,897,898,899,900,901,902,903,904,905,906,907,908,909,910,911,912,913,914,915,916,917,918,919,920,921,922,923,924,925,926,927,928,929,930,931,932,933,934,935,936,937,938,939,940,941,942,943,944,945,946,947,948,949,950,951,952,953,954,955,956,957,958,959,960,961,962,963,964,965,966,967,968,969,970,971,972,973,974,975,976,977,978,979,980,981,982,983,984,985,986,987,988,989,990,991,992,993,994,995,996,997,998,999,1000,1001,1002,1003,1004,1005,1006,1007,1008,1009,1010,1011,1012,1013,1014,1015,1016,1017,1018,1019,1020,1021,1022,1023,1024,1025,1026,1027,1028,1029,1030,1031,1032,1033,1034,1035,1036,1037,1038,1039,1040,1041,1042,1043,1044,1045,1046,1047,1048,1049,1050,1051,1052,1053,1054,1055,1056,1057,1058,1059,1060,1061,1062,1063,1064,1065,1066,1067,1068,1069,1070,1071,1072,1073,1074,1075,1076,1077,1078,1079,1080,1081,1082,1083,1084,1085,1086,1087,1088,1089,1090,1091,1092,1093,1094,1095,1096,1097,1098,1099,1100,1101,1102,1103,1104,1105,1106,1107,1108,1109,1110,1111,1112,1113,1114,1115,1116,1117,1118,1119,1120,1121,1122,1123,1124,1125,1126,1127,1128,1129,1130,1131,1132,1133,1134,1135,1136,1137,1138,1139,1140,1141,1142,1143,1144,1145,1146,1147,1148,1149,1150,1151,1152,1153,1154,1155,1156,1157,1158,1159,1160,1161,1162,1163,1164,1165,1166,1167,1168,1169,1170,1171,1172,1173,1174,1175,1176,1177,1178,1179,1180,1181,1182,1183,1184,1185,1186,1187,1188,1189,1190,1191,1192,1193,1194,1195,1196,1197,1198,1199,1200,1201,1202,1203,1204,1205,1206,1207,1208,1209,1210,1211,1212,1213,1214,1215,1216,1217,1218,1219,1220,1221,1222,1223,1224,1225,1226,1227,1228,1229,1230,1231,1232,1233,1234,1235,1236,1237,1238,1239,1240,1241,1242,1243,1244,1245,1246,1247,1248,1249,1250,1251,1252,1253,1254,1255,1256,1257,1258,1259,1260,1261,1262,1263,1264,1265,1266,1267,1268,1269,1270,1271,1272,1273,1274,1275,1276,1277,1278,1279,1280,1281,1282,1283,1284,1285,1286,1287,1288,1289,1290,1291,1292,1293,1294,1295,1296,1297,1298,1299,1300,1301,1302,1303,1304,1305,1306,1307,1308,1309,1310,1311,1312,1313,1314,1315,1316,1317,1318,1319,1320,1321,1322,1323,1324,1325,1326,1327,1328,1329,1330,1331,1332,1333,1334,1335,1336,1337,1338,1339,1340,1341,1342,1343,1344,1345,1346,1347,1348,1349,1350,1351,1352,1353,1354,1355,1356,1357,1358,1359,1360,1361,1362,1363,1364,1365,1366,1367,1368,1369,1370,1371,1372,1373,1374,1375,1376,1377,1378,1379,1380,1381,1382,1383,1384,1385,1386,1387,1388,1389,1390,1391,1392,1393,1394,1395,1396,1397,1398,1399,1400,1401,1402,1403,1404,1405,1406,1407,1408,1409,1410,1411,1412,1413,1414,1415,1416,1417,1418,1419,1420,1421,1422,1423,1424,1425,1426,1427,1428,1429,1430,1431,1432,1433,1434,1435,1436,1437,1438,1439,1440,1441,1442,1443,1444,1445,1446,1447,1448,1449,1450,1451,1452,1453,1454,1455,1456,1457,1458,1459,1460,1461,1462,1463,1464,1465,1466,1467,1468,1469,1470,1471,1472,1473,1474,1475,1476,1477,1478,1479,1480,1481,1482,1483,1484,1485,1486,1487,1488,1489,1490,1491,1492,1493,1494,1495,1496,1497,1498,1499,1500,1501,1502,1503,1504,1505,1506,1507,1508,1509,1510,1511,1512,1513,1514,1515,1516,1517,1518,1519,1520,1521,1522,1523,1524,1525,1526,1527,1528,1529,1530,1531,1532,1533,1534,1535,1536,1537,1538,1539,1540,1541,1542,1543,1544,1545,1546,1547,1548,1549,1550,1551,1552,1553,1554,1555,1556,1557,1558,1559,1560,1561,1562,1563,1564,1565,1566,1567,1568,1569,1570,1571,1572,1573,1574,1575,1576,1577,1578,1579,1580,1581,1582,1583,1584,1585,1586,1587,1588,1589,1590,1591,1592,1593,1594,1595,1596,1597,1598,1599,1600,1601,1602,1603,1604,1605,1606,1607,1608,1609,1610,1611,1612,1613,1614,1615,1616,1617,1618,1619,1620,1621,1622,1623,1624,1625,1626,1627,1628,1629,1630,1631,1632,1633,1634,1635,1636,1637,1638,1639,1640,1641,1642,1643,1644,1645,1646,1647,1648,1649,1650,1651,1652,1653,1654,1655,1656,1657,1658,1659,1660,1661,1662,1663,1664,1665,1666,1667,1668,1669,1670,1671,1672,1673,1674,1675,1676,1677,1678,1679,1680,1681,1682,1683,1684,1685,1686,1687,1688,1689,1690,1691,1692,1693,1694,1695,1696,1697,1698,1699,1700,1701,1702,1703,1704,1705,1706,1707,1708,1709,1710,1711,1712,1713,1714,1715,1716,1717,1718,1719,1720,1721,1722,1723,1724,1725,1726,1727,1728,1729,1730,1731,1732,1733,1734,1735,1736,1737,1738,1739,1740,1741,1742,1743,1744,1745,1746,1747,1748,1749,1750,1751,1752,1753,1754,1755,1756,1757,1758,1759,1760,1761,1762,1763,1764,1765,1766,1767,1768,1769,1770,1771,1772,1773,1774,1775,1776,1777,1778,1779,1780,1781,1782,1783,1784,1785,1786,1787,1788,1789,1790,1791,1792,1793,1794,1795,1796,1797,1798,1799,1800,1801,1802,1803,1804,1805,1806,1807,1808,1809,1810,1811,1812,1813,1814,1815,1816,1817,1818,1819,1820,1821,1822,1823,1824,1825,1826,1827,1828,1829,1830,1831,1832,1833,1834,1835,1836,1837,1838,1839,1840,1841,1842,1843,1844,1845,1846,1847,1848,1849,1850,1851,1852,1853,1854,1855,1856,1857,1858,1859,1860,1861,1862,1863,1864,1865,1866,1867,1868,1869,1870,1871,1872,1873,1874,1875,1876,1877,1878,1879,1880,1881,1882,1883,1884,1885,1886,1887,1888,1889,1890,1891,1892,1893,1894,1895,1896,1897,1898,1899,1900,1901,1902,1903,1904,1905,1906,1907,1908,1909,1910,1911,1912,1913,1914,1915,1916,1917,1918,1919,1920,1921,1922,1923,1924,1925,1926,1927,1928,1929,1930,1931,1932,1933,1934,1935,1936,1937,1938,1939,1940,1941,1942,1943,1944,1945,1946,1947,1948,1949,1950,1951,1952,1953,1954,1955,1956,1957,1958,1959,1960,1961,1962,1963,1964,1965,1966,1967,1968,1969,1970,1971,1972,1973,1974,1975,1976,1977,1978,1979,1980,1981,1982,1983,1984,1985,1986,1987,1988,1989,1990,1991,1992,1993,1994,1995,1996,1997,1998,1999,2000,2001,2002,2003,2004,2005,2006,2007,2008,2009,2010,2011,2012,2013,2014,2015,2016,2017,2018,2019,2020,2021,2022,2023,2024,2025,2026,2027,2028,2029,2030,2031,2032,2033,2034,2035,2036,2037,2038,2039,2040,2041,2042,2043,2044,2045,2046,2047,2048,2049,2050,2051,2052,2053,2054,2055,2056,2057,2058,2059,2060,2061,2062,2063,2064,2065,2066,2067,2068,2069,2070,2071,2072,2073,2074,2075,2076,2077,2078,2079,2080,2081,2082,2083,2084,2085,2086,2087,2088,2089,2090,2091,2092,2093,2094,2095,2096,2097,2098,2099,2100,2101,2102,2103,2104,2105,2106,2107,2108,2109,2110,2111,2112,2113,2114,2115,2116,2117,2118,2119,2120,2121,2122,2123,2124,2125,2126,2127,2128,2129,2130,2131,2132,2133,2134,2135,2136,2137,2138,2139,2140,2141,2142,2143,2144,2145,2146,2147,2148,2149,2150,2151,2152,2153,2154,2155,2156,2157,2158,2159,2160,2161,2162,2163,2164,2165,2166,2167,2168,2169,2170,2171,2172,2173,2174,2175,2176,2177,2178,2179,2180,2181,2182,2183,2184,2185,2186,2187,2188,2189,2190,2191,2192,2193,2194,2195,2196,2197,2198,2199,2200,2201,2202,2203,2204,2205,2206,2207,2208,2209,2210,2211,2212,2213,2214,2215,2216,2217,2218,2219,2220,2221,2222,2223,2224,2225,2226,2227,2228,2229,2230,2231,2232,2233,2234,2235,2236,2237,2238,2239,2240,2241,2242,2243,2244,2245,2246,2247,2248,2249,2250,2251,2252,2253,2254,2255,2256,2257,2258,2259,2260,2261,2262,2263,2264,2265,2266,2267,2268,2269,2270,2271,2272,2273,2274,2275,2276,2277,2278,2279,2280,2281,2282,2283,2284,2285,2286,2287,2288,2289,2290,2291,2292,2293,2294,2295,2296,2297,2298,2299,2300,2301,2302,2303,2304,2305,2306,2307,2308,2309,2310,2311,2312,2313,2314,2315,2316,2317,2318,2319,2320,2321,2322,2323,2324,2325,2326,2327,2328,2329,2330,2331,2332,2333,2334,2335,2336,2337,2338,2339,2340,2341,2342,2343,2344,2345,2346,2347,2348,2349,2350,2351,2352,2353,2354,2355,2356,2357,2358,2359,2360,2361,2362,2363,2364,2365,2366,2367,2368,2369,2370,2371,2372,2373,2374,2375,2376,2377,2378,2379,2380,2381,2382,2383,2384,2385,2386,2387,2388,2389,2390,2391,2392,2393,2394,2395,2396,2397,2398,2399,2400,2401,2402,2403,2404,2405,2406,2407,2408,2409,2410,2411,2412,2413,2414,2415,2416,2417,2418,2419,2420,2421,2422,2423,2424,2425,2426,2427,2428,2429,2430,2431,2432,2433,2434,2435,2436,2437,2438,2439,2440,2441,2442,2443,2444,2445,2446,2447,2448,2449,2450,2451,2452,2453,2454,2455,2456,2457,2458,2459,2460,2461,2462,2463,2464,2465,2466,2467,2468,2469,2470,2471,2472,2473,2474,2475,2476,2477,2478,2479,2480,2481,2482,2483,2484,2485,2486,2487,2488,2489,2490,2491,2492,2493,2494,2495,2496,2497,2498,2499,2500,2501,2502,2503,2504,2505,2506,2507,2508,2509,2510,2511,2512,2513,2514,2515,2516,2517,2518,2519,2520,2521,2522,2523,2524,2525,2526,2527,2528,2529,2530,2531,2532,2533,2534,2535,2536,2537,2538,2539,2540,2541,2542,2543,2544,2545,2546,2547,2548,2549,2550,2551,2552,2553,2554,2555,2556,2557,2558,2559,2560,2561,2562,2563,2564,2565,2566,2567,2568,2569,2570,2571,2572,2573,2574,2575,2576,2577,2578,2579,2580,2581,2582,2583,2584,2585,2586,2587,2588,2589,2590,2591,2592,2593,2594,2595,2596,2597,2598,2599,2600,2601,2602,2603,2604,2605,2606,2607,2608,2609,2610,2611,2612,2613,2614,2615,2616,2617,2618,2619,2620,2621,2622,2623,2624,2625,2626,2627,2628,2629,2630,2631,2632,2633,2634,2635,2636,2637,2638,2639,2640,2641,2642,2643,26

NOTIFICATION AND CONSENT TO IMPACT FEE OBLIGATION:

THE OWNERS AND MORTGAGEES, BY SIGNING THIS PLAT DO HEREBY CONFIRM THAT, NOTWITHSTANDING ANYTHING TO THE CONTRARY THAT MAY BE STATED THEREIN, THEY SHALL BE WAIVER AVAILABLE TO THEM AND PAYABLE ON THE LOTS WITHIN SAID TRACT UPON THE FIRST TO OCCUR OF THE FOLLOWING EVENTS:

- a) THE DATE OF THE FIRST SALE OF ANY PART OF THE TRACT, OR ANY SUCCESSION IN INTEREST;
- b) THE DATE OF ANY BUILDING PERMIT FOR CONSTRUCTION ON ANY PORTION OF THE TRACT;
- c) THREE YEARS FROM THE DATE OF THE RECORDING OF THIS PLAT AS SET FORTH IN A WATER CONSERVANCY DISTRICT AGREEMENT EXECUTED AND RECORDED WITH THIS SUBDIVISION PLAT.

ACKNOWLEDGEMENT BY WASHINGTON COUNTY WATER CONSERVANCY DISTRICT:

NOTIFICATION AND CONSENT TO IMPACT FEE OBLIGATION ON THIS PLAT.

BARBARA L. HULL, ASSISTANT GENERAL MANAGER
WASHINGTON COUNTY WATER CONSERVANCY DISTRICT
WASHINGTON COUNTY } s.s.
STATE OF UTAH

ON THIS _____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, BARBARA G. BURGESS, NOTARY PUBLIC, WHO KNOWS THE SIGNER, HER NAME, ADDRESS AND IDENTIFICATION, AND ADMITS TO BE THE PERSON WHOSE NAME IS SIGNED IN THE FOREGOING DOCUMENT AND ACKNOWLEDGES BEFORE ME THAT SHE SIGNED IT VOLUNTARILY FOR ITS STATED PURPOSE.

NOTARY PUBLIC FULL NAME: _____
 MY COMMISSION EXPIRES: _____
 A NOTARY PUBLIC COMMISSIONED IN UTAH
 TITLE 46, CHAPTER 1, SECTION 141. _____
 NOTARY PUBLIC

OWNERS ACKNOWLEDGEMENT OF WATER IMPACT FEES

I, _____, DO HEREBY ACKNOWLEDGE AND CONSENT TO THE TERMS AND CONDITIONS OF THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT IMPACT FEE OBLIGATION AS STATED HEREON, FOR THE USES AND PURPOSES STATED HEREIN.

QUALITY PROPERTIES, INC., A UTAH CORPORATION
 BY: ED BURGESS, PRESIDENT

STATE OF UTAH } s.s.
 COUNTY OF WASHINGTON

ON THIS _____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, ED BURGESS, WHO BEING BY THE DULY SWORN, DO SAY THAT HE IS THE PRESIDENT OF QUALITY PROPERTIES, INC., AND THAT THE SIGNER OF THE FOREGOING DOCUMENT HAS SIGNED THE WATER IMPACT FEES WAS SIGNED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BOARD OF DIRECTORS, AND HE DID NOT KNOWLEDGE OR BELIEVE TO BE THAT THE CORPORATION EXECUTED THE SAME FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC FULL NAME: _____
 COMMISSION NUMBER: _____
 A NOTARY PUBLIC COMMISSIONED IN UTAH
 TITLE 46, CHAPTER 1, SECTION 141. _____
 NOTARY PUBLIC

CORPORATE ACKNOWLEDGMENT

QUALITY PROPERTIES, INC., A UTAH CORPORATION
 BY: ED BURGESS, PRESIDENT

STATE OF UTAH } s.s.
 COUNTY OF WASHINGTON

ON THIS _____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, ED BURGESS, WHO BEING BY THE DULY SWORN, DO SAY THAT HE IS THE PRESIDENT OF QUALITY PROPERTIES, INC., AND THAT THE SIGNER OF THE FOREGOING DOCUMENT HAS SIGNED THE WATER IMPACT FEES WAS SIGNED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BOARD OF DIRECTORS, AND HE DID NOT KNOWLEDGE OR BELIEVE TO BE THAT THE CORPORATION EXECUTED THE SAME FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC FULL NAME: _____
 COMMISSION NUMBER: _____
 A NOTARY PUBLIC COMMISSIONED IN UTAH
 TITLE 46, CHAPTER 1, SECTION 141. _____
 NOTARY PUBLIC

MORTGAGEE CONSENT TO RECORD

THE MORTGAGEE, BY SIGNING THIS PLAT DO HEREBY CONFIRM THAT, NOTWITHSTANDING ANYTHING TO THE CONTRARY THAT MAY BE STATED THEREIN, THEY SHALL BE WAIVER AVAILABLE TO THEM AND PAYABLE ON THE LOTS WITHIN SAID TRACT UPON THE FIRST TO OCCUR OF THE FOLLOWING EVENTS:

- a) THE DATE OF THE FIRST SALE OF ANY PART OF THE TRACT, OR ANY SUCCESSION IN INTEREST;
- b) THE DATE OF ANY BUILDING PERMIT FOR CONSTRUCTION ON ANY PORTION OF THE TRACT;
- c) THREE YEARS FROM THE DATE OF THE RECORDING OF THIS PLAT AS SET FORTH IN A WATER CONSERVANCY DISTRICT AGREEMENT EXECUTED AND RECORDED WITH THIS SUBDIVISION PLAT.

CORPORATE ACKNOWLEDGMENT (CONSENT)

STATE OF UTAH } s.s.
 COUNTY OF WASHINGTON

ON THIS _____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, _____, WHO BEING BY THE DULY SWORN, DO SAY THAT HE IS THE _____ OF CACHE VALLEY BANK, AND THAT THE SIGNER OF THE FOREGOING DOCUMENT HAS SIGNED THE WATER IMPACT FEES WAS SIGNED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BOARD OF DIRECTORS, AND HE DID NOT KNOWLEDGE OR BELIEVE TO BE THAT THE CORPORATION EXECUTED THE SAME FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC FULL NAME: _____
 MY COMMISSION EXPIRES: _____
 A NOTARY PUBLIC COMMISSIONED IN UTAH
 TITLE 46, CHAPTER 1, SECTION 141. _____
 NOTARY PUBLIC

MORTGAGEE'S CONSENT TO OWNER'S CONSENT OF WATER IMPACT FEES

I, _____, DO HEREBY ACKNOWLEDGE AND CONSENT TO THE TERMS AND CONDITIONS OF THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT IMPACT FEE OBLIGATION AS STATED HEREON, FOR THE USES AND PURPOSES STATED HEREIN.

STATE OF UTAH } s.s.
 COUNTY OF WASHINGTON

ON THIS _____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, _____, WHO BEING BY THE DULY SWORN, DO SAY THAT HE IS THE _____ OF CACHE VALLEY BANK, AND THAT THE SIGNER OF THE FOREGOING DOCUMENT HAS SIGNED THE WATER IMPACT FEES WAS SIGNED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BOARD OF DIRECTORS, AND HE DID NOT KNOWLEDGE OR BELIEVE TO BE THAT THE CORPORATION EXECUTED THE SAME FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC FULL NAME: _____
 MY COMMISSION EXPIRES: _____
 A NOTARY PUBLIC COMMISSIONED IN UTAH
 TITLE 46, CHAPTER 1, SECTION 141. _____
 NOTARY PUBLIC

CORPORATE ACKNOWLEDGMENT (WATER IMPACT FEES)

STATE OF UTAH } s.s.
 COUNTY OF WASHINGTON

ON THIS _____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, _____, WHO BEING BY THE DULY SWORN, DO SAY THAT HE IS THE _____ OF CACHE VALLEY BANK, AND THAT THE SIGNER OF THE FOREGOING DOCUMENT HAS SIGNED THE WATER IMPACT FEES WAS SIGNED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BOARD OF DIRECTORS, AND HE DID NOT KNOWLEDGE OR BELIEVE TO BE THAT THE CORPORATION EXECUTED THE SAME FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC FULL NAME: _____
 COMMISSION NUMBER: _____
 A NOTARY PUBLIC COMMISSIONED IN UTAH
 TITLE 46, CHAPTER 1, SECTION 141. _____
 NOTARY PUBLIC



DEVELOPMENT SOLUTIONS, INC.
 11142 7th South
 11142 7th South, Suite 45, P. O. Box 118477
 Office: 360.425.7177 Fax: 360.425.7153

ITEM 7C

Final Plat

PLANNING COMMISSION AGENDA REPORT: 05/26/2015

FINAL PLAT

Tonaquint Terrace Phase 3

Case No. 2015-FP-005

- Request:** Approval of a 6 Lot Residential Subdivision Final Plat
- Representative:** Brad Petersen, Development Solutions
120 East St. George Blvd, Suite #300
St. George, UT 84770
- Property:** Located at approximately 1200 West St. and 2440 South St.
- Zone:** R-1-10
- Staff Comments:** All aspects of this Final Plat were carefully looked at and reviewed by the Public Works 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.
- This Final Plat is ready for Planning Commission's consideration for approval.

NOTIFICATION AND CONSENT TO IMPACT FEE:

THE OWNERS AND MANAGERS, BY SIGNING THIS PLAT DO HEREBY CONSENT TO ANY SUBSEQUENT INSTRUMENT RECORDED WITH RESPECT TO SAID TRACT, THERE SHALL BE WATER AVAILABILITY FEES DUE AND PAYABLE ON THE LOTS WITHIN SAID TRACT UPON THE FIRST TO OCCUR OF THE FOLLOWING EVENTS: a) THE COMMENCEMENT OF CONSTRUCTION OF ANY IMPROVEMENTS TO THE TRACT; OR b) THE COMMENCEMENT OF CONSTRUCTION OF ANY PORTION OF THE TRACT; OR c) THE COMMENCEMENT OF THE RECORDING OF THIS PLAT AS SET FORTH IN A PROMISSORY NOTE AND FURTHER AGREEMENT RECEIVED AND INCORPORATED INTO THIS SUBDIVISION PLAT.

NOTIFICATION AND CONSENT TO IMPACT FEE OBLIGATION:

THE OWNERS AND MANAGERS, BY SIGNING THIS PLAT DO HEREBY CONSENT TO ANY SUBSEQUENT INSTRUMENT RECORDED WITH RESPECT TO SAID TRACT, THERE SHALL BE WATER AVAILABILITY FEES DUE AND PAYABLE ON THE LOTS WITHIN SAID TRACT UPON THE FIRST TO OCCUR OF THE FOLLOWING EVENTS: a) THE COMMENCEMENT OF CONSTRUCTION OF ANY IMPROVEMENTS TO THE TRACT; OR b) THE COMMENCEMENT OF CONSTRUCTION OF ANY PORTION OF THE TRACT; OR c) THE COMMENCEMENT OF THE RECORDING OF THIS PLAT AS SET FORTH IN A PROMISSORY NOTE AND FURTHER AGREEMENT RECEIVED AND INCORPORATED INTO THIS SUBDIVISION PLAT.

ACKNOWLEDGEMENT BY WASHINGTON COUNTY WATER CONSERVANCY DISTRICT:

THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT HEREBY ACKNOWLEDGES THE NOTIFICATION AND CONSENT TO IMPACT FEE OBLIGATION ON THIS PLAT.

BARBARA G. UTELLE, ASSISTANT GENERAL MANAGER
WASHINGTON COUNTY WATER CONSERVANCY DISTRICT
STATE OF UTAH } 55
COUNTY OF WASHINGTON }
ON THIS _____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, ED BURGESS, PRESIDENT OF QUALITY PROPERTIES, INC., A UTAH CORPORATION, AND THAT SHE SIGNED THIS VOLUNTARY INSTRUMENT FOR THE PURPOSES AND FOR THE REASONS STATED THEREIN.

NOTARY PUBLIC FULL NAME: _____
MY COMMISSION EXPIRES: _____
NO STAMP IS REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 49.

OWNER'S ACKNOWLEDGEMENT OF WATER IMPACT FEES:

THE UNDERSIGNED, ED BURGESS, PRESIDENT OF QUALITY PROPERTIES, INC., DOES HEREBY ACKNOWLEDGE AND CONSENT TO THE TERMS AND CONDITIONS OF THE WASHINGTON COUNTY WATER IMPACT FEE OBLIGATION AS STATED HEREON, FOR THE USES AND PURPOSES STATED THEREIN.

QUALITY PROPERTIES, INC., A UTAH CORPORATION
BY: ED BURGESS, PRESIDENT
STATE OF UTAH } 55
COUNTY OF WASHINGTON }
ON THIS _____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, ED BURGESS, PRESIDENT OF QUALITY PROPERTIES, INC., A UTAH CORPORATION, AND THAT SHE SIGNED THIS VOLUNTARY INSTRUMENT FOR THE PURPOSES AND FOR THE REASONS STATED THEREIN.

NOTARY PUBLIC FULL NAME: _____
MY COMMISSION EXPIRES: _____
NO STAMP IS REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 49.

OWNER'S ACKNOWLEDGEMENT OF WATER IMPACT FEES:

THE UNDERSIGNED, ED BURGESS, MANAGER OF QUALITY PROPERTIES, L.L.C., DOES HEREBY ACKNOWLEDGE AND CONSENT TO THE TERMS AND CONDITIONS OF THE WASHINGTON COUNTY WATER IMPACT FEE OBLIGATION AS STATED HEREON, FOR THE USES AND PURPOSES STATED THEREIN.

QUALITY PROPERTIES, L.L.C., A UTAH LIMITED LIABILITY COMPANY
BY: ED BURGESS, MANAGER
STATE OF UTAH } 55
COUNTY OF WASHINGTON }
ON THIS _____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, ED BURGESS, MANAGER OF QUALITY PROPERTIES, L.L.C., AND THAT SHE SIGNED THIS VOLUNTARY INSTRUMENT FOR THE PURPOSES AND FOR THE REASONS STATED THEREIN.

NOTARY PUBLIC FULL NAME: _____
MY COMMISSION EXPIRES: _____
NO STAMP IS REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 49.

MORTGAGEE'S CONSENT TO WATER IMPACT FEES:

WE, CASHE VALLEY BANK, MORTGAGEE OF THE HEREIN DESCRIBED TRACT OF LAND, DOES HEREBY CONSENT TO THE USES AND PURPOSES DESCRIBED ON THIS PLAT AND JOIN IN ALL DECLARATIONS.

CORPORATE ACKNOWLEDGMENT (CONSENT)
STATE OF UTAH } 55
COUNTY OF WASHINGTON }
ON THIS _____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, _____, WHO BEING IN FULLY AWAKE AND OF SOUND MIND, DO HEREBY ACKNOWLEDGE AND CONSENT TO THE USES AND PURPOSES DESCRIBED ON THIS PLAT AND JOIN IN ALL DECLARATIONS.

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MY COMMISSION EXPIRES: _____
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CORPORATE ACKNOWLEDGMENT (CONSENT)
STATE OF UTAH } 55
COUNTY OF WASHINGTON }
ON THIS _____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, _____, WHO BEING IN FULLY AWAKE AND OF SOUND MIND, DO HEREBY ACKNOWLEDGE AND CONSENT TO THE USES AND PURPOSES DESCRIBED ON THIS PLAT AND JOIN IN ALL DECLARATIONS.

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CORPORATE ACKNOWLEDGMENT (CONSENT)
STATE OF UTAH } 55
COUNTY OF WASHINGTON }
ON THIS _____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, _____, WHO BEING IN FULLY AWAKE AND OF SOUND MIND, DO HEREBY ACKNOWLEDGE AND CONSENT TO THE USES AND PURPOSES DESCRIBED ON THIS PLAT AND JOIN IN ALL DECLARATIONS.

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MY COMMISSION EXPIRES: _____
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MORTGAGEE'S CONSENT TO WATER IMPACT FEES:

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CORPORATE ACKNOWLEDGMENT (CONSENT)
STATE OF UTAH } 55
COUNTY OF WASHINGTON }
ON THIS _____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, _____, WHO BEING IN FULLY AWAKE AND OF SOUND MIND, DO HEREBY ACKNOWLEDGE AND CONSENT TO THE USES AND PURPOSES DESCRIBED ON THIS PLAT AND JOIN IN ALL DECLARATIONS.

NOTARY PUBLIC FULL NAME: _____
MY COMMISSION EXPIRES: _____
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CORPORATE ACKNOWLEDGMENT (CONSENT)
STATE OF UTAH } 55
COUNTY OF WASHINGTON }
ON THIS _____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, _____, WHO BEING IN FULLY AWAKE AND OF SOUND MIND, DO HEREBY ACKNOWLEDGE AND CONSENT TO THE USES AND PURPOSES DESCRIBED ON THIS PLAT AND JOIN IN ALL DECLARATIONS.

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CORPORATE ACKNOWLEDGMENT (CONSENT)
STATE OF UTAH } 55
COUNTY OF WASHINGTON }
ON THIS _____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, _____, WHO BEING IN FULLY AWAKE AND OF SOUND MIND, DO HEREBY ACKNOWLEDGE AND CONSENT TO THE USES AND PURPOSES DESCRIBED ON THIS PLAT AND JOIN IN ALL DECLARATIONS.

NOTARY PUBLIC FULL NAME: _____
MY COMMISSION EXPIRES: _____
NO STAMP IS REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 49.



DISCREET COURTESY, INC.
1115 JAMES E. GARLAND PARK, S.E. CORNER 100 BLOCK
OF THE INTERSECTION OF 11TH AVENUE, WASHINGTON
STATE, 99116
www.discreetcourtesy.com

ITEM 8

Amended Preliminary Plat

PLANNING COMMISSION AGENDA REPORT: 05/26/2015

AMENDED PRELIMINARY PLAT

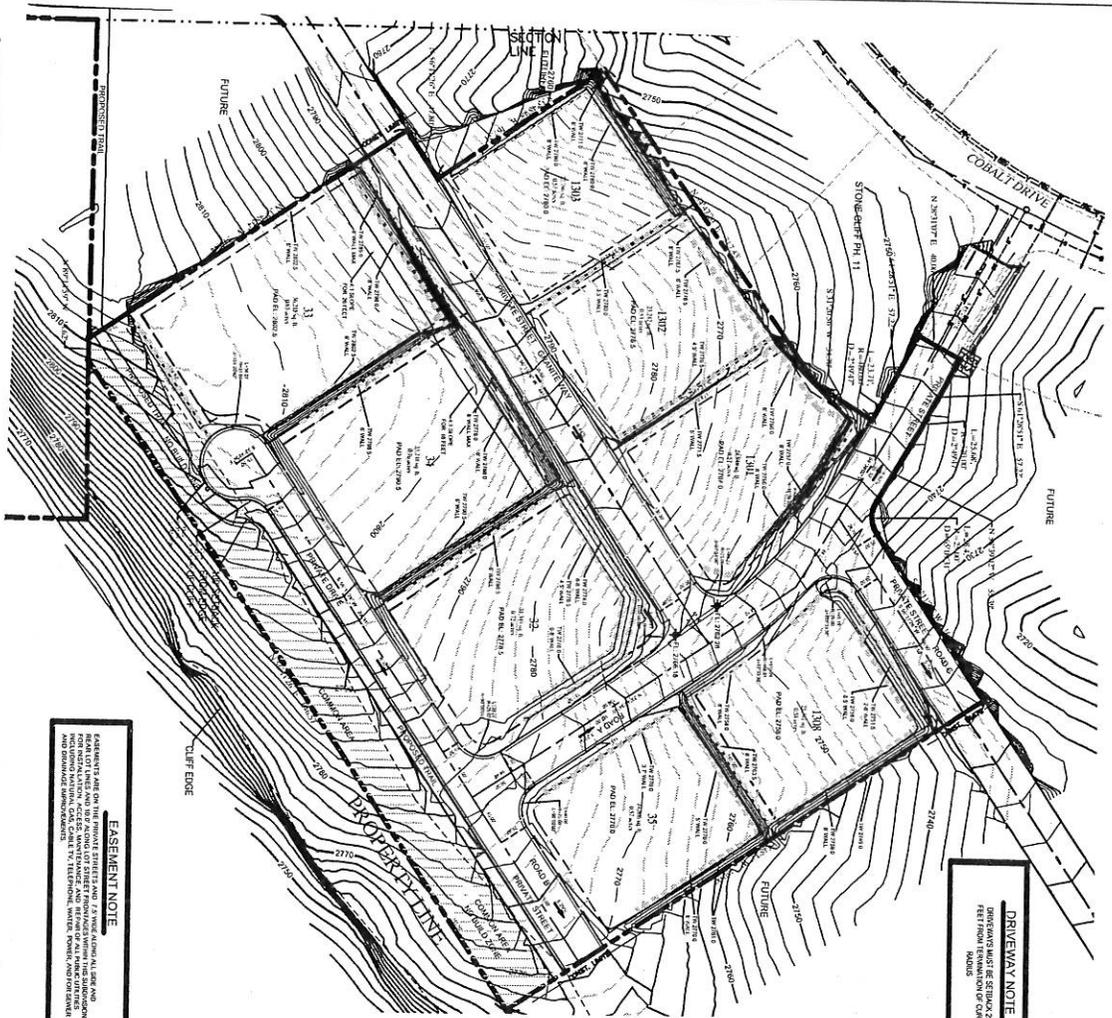
Stone Cliff Phase 13

Case No. 2015-PPA-016

- Request:** A request to approve an amended preliminary plat for an eight (8) lot residential subdivision
- Location:** The property is located southeast of Stone Cliff Phase 11 and the intersection of Cobalt Drive and Flint Drive in the Stone Cliff development.
- Property:** 7.47acres
- Number of Lots:** 8
- Density:** 1.07 DU/AC
- Zoning:** PD-R, Planned Development Residential
- Adjacent Zones:** This plat is part of the overall Stone Cliff PD
- General Plan:** LDR
- Applicant:** Traveller/Stone Cliff
- Representative:** Ried Pope/Gail Maxwell

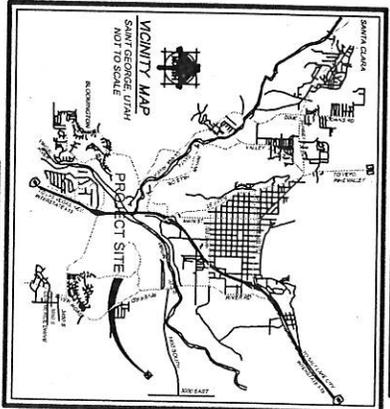
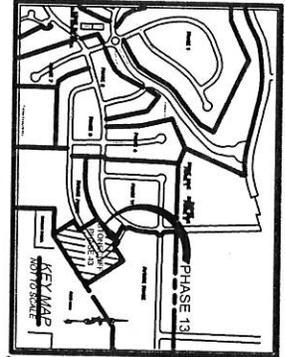
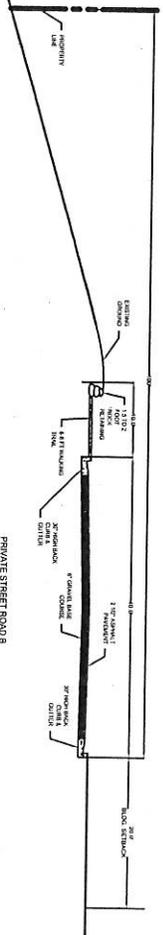
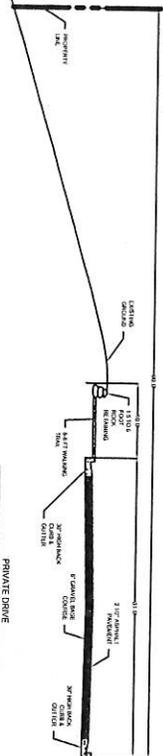
Comments:

1. The purpose of this amendment is to add lot 33 and to provide a private drive as access to lots 32, 33 and 34. Originally lots 32, 33 and 34 were getting access from Granite Way.



DRIVEWAY NOTE
 DRIVEWAY MUST BE 20 FEET FROM TERMINATION OF CURB MINUS

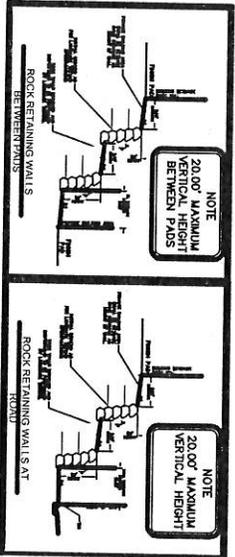
EASEMENT NOTE
 EASEMENTS ARE SHOWN IN THIS PLAN FOR THE PROPOSED DRIVEWAYS AND FOR THE PROPOSED SIDEWALKS AND FOR THE PROPOSED UTILITY EASEMENTS. THE EASEMENTS ARE SHOWN FOR THE PROPOSED DRIVEWAYS AND FOR THE PROPOSED SIDEWALKS AND FOR THE PROPOSED UTILITY EASEMENTS. THE EASEMENTS ARE SHOWN FOR THE PROPOSED DRIVEWAYS AND FOR THE PROPOSED SIDEWALKS AND FOR THE PROPOSED UTILITY EASEMENTS.



SITE DATA
 DATE: 01/11/2013
 TIME: 10:00 AM
 DRAWN BY: J. POPE

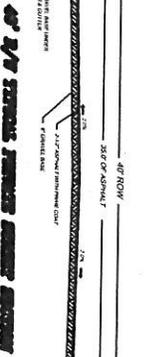
CONTACT INFO:
 DON WATKINS
 4531 96th AVE
 973-4453

OWNER/DEVELOPER
 STONECLIFF DEVELOPMENT
 8201 ST. GEORGE, UT. 84201
 973-4453



LEGEND

	PAVEMENT/SURFACES
	ELEVATIONS
	SLOPES & CONTOURS
	ROCK WALLS
	DRAINAGE



K.H. TRAVELLER
STONE CLIFF PHASE 13
PRELIMINARY
 LOCATED IN SECTION 34, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SLB&M

LRP
L. R. POPE ENGINEERING INC.
 1000 SOUTH 1000 WEST, SUITE 100
 ST. GEORGE, UT 84201
 PHONE: 435-653-8112
 FAX: 435-653-8113
 WWW.LRPE.COM



NO.	DATE	BY	APPVD	REVISION	DESCRIPTION

SCALE: 1" = 50'
 SHEET
 1 OF 1

**PLANNING COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH
March 10, 2015 – 5:00 PM**

PRESENT: Chair Ross Taylor
Commissioner Ro Wilkinson
Commissioner Julie Hullinger
Commissioner Nathan Fisher
Council Member Joe Bowcutt

CITY STAFF: Assistant Public Works Director Wes Jenkins
Planning & Zoning Manager John Willis
City Surveyor Todd Jacobsen
Deputy City Attorney Paula Houston
Planning Associate Genna Singh

EXCUSED: Commissioner Don Buehner
Commissioner Todd Staheli
Commissioner Diane Adams
Planner II Ray Snyder
Assistant City Attorney Victoria Hales

FLAG SALUTE

Chair Ross Taylor called the meeting to order and asked Commissioner Julie Hullinger to lead the flag salute at 5:0 pm.

1. **FINAL PLATS (FP)**

Consider approval of a twelve (12) lot residential subdivision for “**Cornerstone Phase 2**”. The representative is Mr. Roger Bundy, R&B Surveying. The property is zoned R-1-10 (Single Family Residential, 10,000 s.f. minimum lot sizes) and is located at approximately 3100 East and 2840 South (in the Little Valley Area). Case No. 2015-FP-001 (Staff – Todd Jacobsen).

Todd Jacobsen presented the item with no comments.

MOTION: Commissioner Ro Wilkinson made a motion to accept Cornerstone Phase 2 and authorize chairman to sign.

SECONDED: Commissioner Nathan Fisher seconded the motion.

AYES (4)

Commissioner Ro Wilkinson

Chair Ross Taylor

Commissioner Nathan Fisher

Commissioner Julie Hullinger

NAYS(0)

Motion carries.

2. **LOT LINE ADJUSTMENT (LRE)**

Consider approval of a lot line adjustment for “**731 & 735 North Industrial Road**”. The representative is Mr. Marc Brown, Brown Consulting Engineers. The property is zoned

Todd Jacobsen explained that the lot line is closer to the building in the back. They want the line to be equidistant between the two buildings. Shifting the lot line allows better circulation for the trucks. There are no easements associated with this one.

Deputy City Attorney Paula Houston asked if the building on 735 North meet the setbacks.

Todd Jacobsen said yes, the smallest distance is 26’ and the requirement is 10’.

Deputy City Attorney Paula Houston asked if the drive entrance to 731 North is an easement access or do they own it. Is it paved?

Todd Jacobsen said it is paved. The access is a 25’ easement granted between the two lots to the building on the back.

Deputy City Attorney Paula Houston asked if the access is remaining the same.

Todd Jacobsen said it was.

MOTION: Commissioner Nathan Fisher made a motion to recommend approval of the lot line adjustment.

SECONDED: Commissioner Julie Hullinger seconded the motion.

AYES (4)

Commissioner Ro Wilkinson

Chair Ross Taylor

Commissioner Nathan Fisher

Commissioner Julie Hullinger

NAYS(0)

Motion carries.

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

A. Consider approval of a fourteen (14) lot residential subdivision amendment for “**Escalera Phase 5 Amended**”. The representative is Mr. Bob Hermandson, Bush & Gudgell. The property is zoned RE-12.5 (Residential Estates, 12,500 s.f. minimum lot sizes) and is located at 1938 East 1200 North Circle. Case No. 2015-FPA-008 (Staff – Todd Jacobsen).

Todd Jacobsen explained that this is the lot that had the Parade home. The pool crosses the lot line so they are swinging the lot line over to correct the pool. It is moving 4’.

Deputy City Attorney Paula Houston asked if the pool is out of the easement.

Todd Jacobsen said it’s still in the easement.

Deputy City Attorney Paula Houston asked if there are utilities there.

Todd Jacobsen said there are none there.

Chair Ross Taylor clarified that this is to correct an error.
Todd Jacobsen said yes, this is to correct on paper the mistake made on the ground.

MOTION: Commissioner Ro Wilkinson made a motion to accept item 3a with approval from legal counsel and staff and authorize chairman to sign.
SECONDED: Commissioner Nathan Fisher seconded the motion.
AYES (4)
Commissioner Ro Wilkinson
Chair Ross Taylor
Commissioner Nathan Fisher
Commissioner Julie Hullinger
NAYS(0)
Motion carries.

- B. Consider approval of a twenty-four (24) lot residential subdivision amendment for “**Gentry Lane Amended**”. The representative is Mr. Bob Hermandson, Bush & Gudgell. The property is zoned RE-12.5 (Residential Estates, 12,500 s.f. minimum lot sizes) and is located at approximately 3000 South and Gentry Lane (in the Little Valley area). Case No. 2015-FPA-009 (Staff – Todd Jacobsen)

Todd Jacobsen presented that this was recorded a few weeks ago. The trail was built a bit differently than what is recorded. The Parks Department is okay with the adjustment. This is also to correct on paper what was built on the ground.

Councilman Joe Bowcutt asked if the trail still meets the width.

Todd Jacobsen said yes, the trail is still 15’ wide.

Deputy City Attorney Paula Houston added that this item will be subject to legal approval for some language modification on the plat.

MOTION: Commissioner Julie Hullinger made a motion to approve item 3b subject to legal approval and authorize chairman to sign.
SECONDED: Commissioner Ro Wilkinson seconded the motion.
AYES (4)
Commissioner Ro Wilkinson
Chair Ross Taylor
Commissioner Nathan Fisher
Commissioner Julie Hullinger
NAYS(0)
Motion carries.

4. PRELIMINARY PLAT

- A. Consider approval of a preliminary plat for a nine (9) lot commercial subdivision for “**The Fields at Mall Drive**”. The applicant is Suburban Land Reserve and the representative is Mr. Dan McCay. The property is zoned PD-C (Planned

Development – Commercial) and is located at 3000 East and Mall Drive. Case No. 2015-PP-007. (Staff – Wes Jenkins).

Wes Jenkins presented the following:

This recently came forward as a zone change. Some issues with the project - there is a low spot in 3000 East. There is a ditch to be relocated which will dump into the Virgin River. The property south of Mall Drive will be dedicated to the City. We'll need to work out the accesses over City property so that will need to be discussed. The City will deal with the culverts but the accesses are to be maintained by the developer.

Commissioner Nathan Fisher asked if that would be addressed with the development agreement. Wes Jenkins said yes it would.

Councilman Joe Bowcutt asked about the relocation of the drainage ditch. Wes Jenkins explained where it is moving and where the drainage goes.

Wes Jenkins stated that the southern entrance on 3000 East is a RI/RO for delivery trucks only but still needs to be worked out.

Chair Ross Taylor said that is difficult for a truck to turn right out of there.

Wes Jenkins said that's why we're still working it out.

Commissioner Ro Wilkinson asked why the project name is the Fields at Mall Drive. It sounds like the Fields at Washington rather than being a project in St. George. Is that going to change? Wes Jenkins answered that staff has brought that up and it is not going to change.

Commissioner Ro Wilkinson said it is confusing to the general public because a lot of people think that the Fields at Little Valley are part of Washington.

Councilman Joe Bowcutt asked if more property will be given up on 3000 East.

Wes Jenkins said normally we do a pork chop but it doesn't work with semi trucks. I would like a one way where they pull in on 3000 East and exit to the west.

Councilman Joe Bowcutt asked if the owner needs to give up more property.

Wes Jenkins stated a deceleration lane may be necessary.

Councilman Joe Bowcutt noted that that would change the Preliminary Plat.

Chair Ross Taylor asked if the delivery trail goes all the way over to the western street.

Wes Jenkins said it does so that's something to work through with the design process.

Commissioner Nathan Fisher asked if there is parking behind the retail shops.

Wes Jenkins said yes, that is probably for employees of the retail shops. The retail shops will have some cross parking and cross access agreements.

Councilman Joe Bowcutt asked if each retail shop would need to stand alone.

Wes Jenkins said they have provided the parking for the retail shops but the pads would have to stand alone for their parking.

Commissioner Nathan Fisher clarified that the pads will have to provide parking within the pad area.

Deputy City Attorney Paula Houston said approval is subject to the development agreement which will address many of these issues.

Chair Ross Taylor asked that the truck delivery be explained by the representative.

Ray Alton stated that we know that is tricky because we can't do a pork chop. Once the preliminary plat is approved we'll submit construction drawings that will tweak that access.

Chair Ross Taylor asked if they could circulate clear through to the other street.

Ray Alton said that is a possibility.

Chair Ross Taylor said that would be helpful to all the tenants and to the trucks.

Councilman Joe Bowcutt asked what the timeframe on the road to the west is (2780 East).

Ray Alton said we are designing it. I don't know if it is coming forward with Lin's or the other retail areas.

Chair Ross Taylor noted that if it is part of your circulation it would be beneficial to do it sooner rather than later.

Commissioner Nathan Fisher stated that the plat shows the road, so won't it come forward now?

Ray Alton replied that they are phasing the project so that road would come forward with a later phase. That is the intent but we can bring it up with the developer. They won't want to improve it until those tenants come in. With just Lin's they can go around Lin's and come out onto Mall Drive. We can look into the circulation. If we can restrict left turn into the drive from 3000 East that is what we want to look at.

Councilman Joe Bowcutt said that people will try to use that access.

Commissioner Nathan Fisher asked if phase 1 includes the store and the retail pads.

Ray Alton said it is just Lin's for now.

Chair Ross Taylor said the retail spots should be platted out to identify where they are.

MOTION: Commissioner Nathan Fisher made a motion to recommend approval of the Preliminary Plat conditioned on legal approval of the development agreement that has terms that are satisfactory to the City for not just the global preliminary plat but the phasing as well.

SECONDED: Commissioner Julie Hullinger seconded the motion.

AYES (4)

Commissioner Ro Wilkinson

Chair Ross Taylor

Commissioner Nathan Fisher

Commissioner Julie Hullinger

NAYS(0)

Motion carries.

- B. Consider approval of a preliminary plat for a four (4) lot residential subdivision for "**Blackberry Court Phase 3.**" The applicant is Mr. Blaine Webber and the representative is Mr. Alan Hall, Rosenberg Associates. The property is zoned R-1-10 (Single Family Residential, 10,000 s.f. minimum lot sizes) and is located at Blackberry Circle. Case No. 2015-PP-006. (Staff – Wes Jenkins).

Wes Jenkins presented that this plat is to finish off the cul-de-sac. It will add four lots to the cul-de-sac. It has been graded. The contours on their drawing looked like the drainage was negatively impacting adjacent lots. They have revised the drawing so the contours are accurate and convey out to an open field.

Chair Ross Taylor asked for clarification on the drainage.

Wes Jenkins explained that the subdivision above these lots is lower than Blackberry. It looked like the drainage was going north by the contours but the applicant said they are not. The rainage will go west.

Deputy City Attorney Paula Houston asked if this plat is in the flood plain.

Wes Jenkins said it was originally. The northeastern lot was in the floodplain when another plat came forward and they removed it because it wasn't raised up yet so that is why it is part of this plat now. They are out of the floodplain but they are in the erosion hazard boundary and will need erosion protection for the lots.

MOTION: Commissioner Nathan Fisher made a motion to recommend approval of preliminary plat for Blackberry Court Phase 3.

SECONDED: Commissioner Ro Wilkinson seconded the motion.

AYES (4)

Commissioner Ro Wilkinson

Chair Ross Taylor

Commissioner Nathan Fisher

Commissioner Julie Hullinger

NAYS(0)

Motion carries.

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

Consider a request for a Conditional Use Permit for permission to use a landmark site as a vacation rental. The property is located at **295 South Main Street**. The zoning is RCC (Residential Central City). Case No. 2015-CUP-005. (Staff – John Willis).

John Willis presented the following:

This is an existing landmark site and was one of the first established. It is known as the Miner Grant Prisbey home. Not only is the home a landmark but so is the Mulberry tree. Recently the Planning Commission has recommended that vacation rentals be conditionally permitted for landmark sites as well. The difference between the B&B and vacation rental is an on-site owner/manager. Parking at this location – it was previously the Book Loft. They are proposing 3-4 bedrooms and will provide 4-5 on site parking spaces. It fronts on Main. Zoning is RCC. The applicant intends to rent to groups with occupancy of 8-10 individuals. Renting to a group rather than having multiple units will limit the parking demand. Staff does recommend that if the tree were to be modified the City Forester be contacted. There are suggested conditions listed in the staff report from previous cases. Findings will also need to be address in the motion.

Councilman Joe Bowcutt asked if renting to groups rather than individual rooms needs to be an agreement with the City.

Deputy City Attorney Paula Houston said it does. That can be covered in the findings as far as mitigating traffic.

Commissioner Nathan Fisher asked if we police short term rentals enough to make it effective?

Deputy City Attorney Paula Houston replied that if we get a complaint then we look at the conditions and the conditional use can be pulled if they are not complying. We don't go out and look for them but do follow through when complaints are submitted

John Willis added that the applicant will be pulling permits to renovate the inside so that is another way we can verify that this is one overall unit.

Chair Ross Taylor noted that the applicant has suggested as many as 8-10 people there at one time. There is a sensitivity to noise level so one finding could be applicable is that the applicant's contract states noise cannot disturb the neighborhood.

Deputy City Attorney Paula Houston advised that other issues can be addressed through the findings such as the number of people or vehicles.

Commissioner Nathan Fisher asked if the City's noise ordinance already regulates that.

Deputy City Attorney Paula Houston said it does cover some of the issues but there are not specified hours in the ordinance. It says "unreasonable noise".

Chair Ross Taylor said the contract could address potential noise issues.

Commissioner Ro Wilkinson asked if there is ample parking for that amount of people on-site.

John Willis explained that the standard is one per unit for a hotel so they meet that standard.

Commissioner Ro Wilkinson said the outside is in disrepair and I would say they need to update the landscaping as well.

Commissioner Nathan Fisher stated they do have to come in with substantial improvements.

John Willis added that the applicant does intend to put money into the site. It is a landmark site so any exterior modifications would go to Historic Preservation Commission and City Council for approval.

Deputy City Attorney Paula Houston inserted that the items can be required if it is a concern as part of the significant improvements.

Commissioner Nathan Fisher added that we cannot force him to do improvements later we can only approve what is here now and then add conditions of approval. Ordinance does say that they must maintain the nature of the historic home so we don't have to worry about that part.

Chris Potter

As far as renting to large groups, 8-10 people is pushing it for this property. I would prefer smaller groups for less wear and tear. I will improve it to a level that I want to monitor the flow through there. As far as improvements – all the books are gone now, but there are floor boards that have been eaten away and it needs a lot of work. I've got to renovate everything eventually. I'll update the landscaping otherwise people won't want to rent. I called the City Forester, and he told me that the City doesn't have jurisdiction and I asked him to send an email and he never did. The tree looks like it's about to fall so it really needs some help.

Deputy City Attorney Paula Houston stated that the City's jurisdiction is only over street trees so if Planning Commission wants to preserve the tree it needs to be a condition of approval.

Commissioner Nathan Fisher added that we need to keep in mind the safety of the property and the occupants. If we require the tree to be maintained I consider it a risk.

John Willis inserted that the City Forester examining the tree would be beneficial.

Councilman Joe Bowcutt stated that stipulation then creates liability for the City.

Deputy City Attorney Paula Houston advised that if you want to keep it say so but condition that someone look at and determine if it's safe to keep. If a licensed arborist says it is not safe then they can remove it. A third party, not the City Forester should look at it.

Chair Ross Taylor advised that the applicant may want the rental contract to address the same items the city would be concerned with.

Chair Ross Taylor opened the public hearing

Phillip Rebber 254 S Main, also chairman of Primrose HOA across the street

Our group is concerned about the vacation rental being across the street from us. We don't want to prohibit development and appreciate your concerns. We're in a very impacted area. We're impacted by traffic and several half way houses in our community. It's hard for us to continue accepting these things. They are not very compatible and we're already on a busy street. Having a facility like that with additional traffic in and out will make it more difficult for us. The parking should be on site because there are already a lot of people who park on the street. Noise was also a concern. Not having an onsite person there to control the activities makes it possible to have 8-10 individuals there being a bit too much for the neighborhood. We hope there can be a better use for the house.

Chair Ross Taylor closed the public hearing

Commissioner Nathan Fisher stated that vacation rentals allowing multiple groups is my concern because of noise and parking. The real question is how to police or limit that. On the parking – I have been to that building and you can get into that concrete area pretty well but if there are multiple vehicles it is hard to get out again. It would nice for staff to work with them for a parking scheme that is useful and reasonable. They should have enough space there. I think a limitation could be that on street parking would not be allowed because the assumption is they will park on Main Street because that is where the front door is. We can also put a curfew for noise. As far as management – there needs to be something in there that if something occurs when being rented there needs to be a local management company or individual who would deal with issues as they come up. Many neighborhood issues can be solved with that.

Chris Potter said that the real estate company is three blocks away. Tenants can have the office number and my cell number.

Councilman Joe Bowcutt asked if neighbors can have access to a cell number as well.

Chris Potter said yes.

Chair Ross Taylor said we're thinking of things that have occurred previously and getting in touch with a responsible person is not always easy. I think it would be beneficial to have the phone number posted so people can call at any time.

Commissioner Ro Wilkinson asked if there are many complaints regarding short term rentals. Deputy City Attorney Paula Houston said it depends on the management of the rental. It is usually large groups that become a problem.

Chris Potter added that there are actually very few homes that have a CUP for this type of rental. Aren't complaints for illegal short term rentals?

Deputy City Attorney Paula Houston said right –most are in illegal short term rentals but there are also some in the permitted areas.

Chris Potter explained that one reservation I had on this project was the number of listings on VRBO for St. George is up 13% in the last few months. More than half are illegal. I know the areas that are approved for nightly rentals. There were 342 listings yesterday. You really don't want those illegal rentals by you – you want a rental like this that has a CUP and is closely watched by someone who is invested in the property. This is also a big lot and not an illegal rental that has another house 20' away.

Councilman Joe Bowcutt said that one of the challenges for any vacation home is that the neighbors are the ones who suffer. By the time a complaint goes through the person who was renting is gone. Unless that is controlled there can be problems. It has to be monitored.

Commissioner Nathan Fisher said there are some things a management company might turn a blind eye to. All it takes is a few complaints to the City and the City can determine if the conditions are being met. If they are not, the CUP can be pulled. The neighbors are going to be the best police for an item like this. I believe the applicant has enough self interest with this property to manage it well.

Chair Ross Taylor noted that the motion needs to include the findings. A suggested item for noise is that there will be a statement in the contract that excessive noise noticeable to the neighborhood is not acceptable, no items with dust or odors need to be included, signs and posters should be addressed, and occupancy can fall under traffic but needs to be addressed.

Chris Potter said there will most likely be four bedrooms with 2 people a bedroom and a pull out bed, so 10 people maximum.

Commissioner Nathan Fisher noted that we need to limit it but not knowing the number of bedrooms I think we should state 2 per bedroom and 2 in the front so if 3 beds max at 8, or 4 bedrooms max at 10 – it should be reasonable to the number of rooms.

Chair Ross Taylor asked if a 10 person maximum is sufficient.

Chris Potter said there are only 2 bathrooms so I think 10 will suffice.

Chair Ross Taylor said the set maximum would be 10 occupants for nightly lodging.

Commissioner Nathan Fisher inserted; unless there are only 3 bedrooms.

Councilman Joe Bowcutt asked what happens if there are 10 people in there and the property manager comes over to kick them out in the middle of the night – it's not going to happen. There has to be some kind of deposit.

Chris Potter said there will be a deposit of \$500-\$1000. This isn't a low budget rental. They're paying \$200-\$300 a night base rate plus the 200-300 cleaning fee. They pay an 11.5% transient

tax. It really does add up. There is also the deposit. This will have better renters than some long term. I may scale the rate depending on the occupancy.

Chair Ross Taylor added that an identified quiet time would also be needed in the contract. Is 11:00 pm reasonable?

Deputy City Attorney Paula Houston said the policy is not before 6:00 am or after 9:00 pm for construction. For other items it is 10:00 pm.

Commissioner Ro Wilkinson said that in her HOA quiet hour is 10:00 pm unless it is a weekend then it is 11:00 pm.

Chris Potter agreed that 11:00 pm is reasonable.

Chair Ross Taylor said another finding would be for public health; the phone number of someone available needs to be posted so the neighbors can make that call and that will help and will comfort the neighbors.

Commissioner Nathan Fisher noted that a limit on vehicles may be necessary. I can see if someone brings a boat or trailer they wouldn't be able to park on site so we may need to allow off street parking on a limited basis.

Deputy City Attorney Paula Houston said that RVs and such are not allowed on the street – there should be enough on site but whether they park onsite or not is hard to enforce.

Commissioner Nathan Fisher noted that the CUP won't be revoked for parking because we have a hard time proving it so we just need to make sure there is sufficient parking on site.

John Willis stated there is room for 4-5 parking stalls if they don't stack. If it's one group they can stack to allow more vehicles on site.

Commissioner Nathan Fisher noted that the condition should then be that the parking area not be reduced in size by any means.

MOTION: Commissioner Nathan Fisher made a motion to recommend approval to City Council the CUP Item 5 on the agenda with the following conditions designed to minimize the impact of the CUP on the community and neighbors:

1 – as to the condition of landscaping there be significant improvement to what is existing in order to make it attractive and unobtrusive and that it be maintained in that condition throughout the tenure of the CUP

2 – only one group be allowed to rent the facility at a time; no combining groups of any manner and no more than 10 tenants be allowed overnight at any time and in the event that the number of bedrooms be less than four the number of tenants be reduced by 2 per bedroom unit

3 – require local manager for facility and that manager is available at all times of occupancy to ensure that the rooms are clean between rentals or groups and that at the very least if the group is there longer than a week it be cleaned at least one a week and that the contact information for the local manager be on the property visible at all times not to just the occupants but to the neighbors as well

4 – the applicant maintain the size of the existing parking – parking can be increased but not decreased

5 – the tree in the front of the house be inspected by an arborist, someone licensed and qualified and if the tree can be preserved it is done so and the recommendations of the

licensed professional be followed

6 – the applicant restrict noise on the premises after 11:00 pm so it is not noticeable inside the homes of the adjoining neighbors

7 – the onsite parking is developed b the applicant be approved by staff for configuration

8 – the applicant comply with code requirements for hotels except the on-site manager is not required and the rooms do not need to be cleaned daily but at least weekly and between groups

9 – the records related to this business be maintained by the manager at the managers facility or office

10 – if the building is not used as a vacation rental it shall revert back to SF use and the CUP be terminated and any other use would have to be presented as a new CUP application

11 – not to be used as office or commercial or retail unless approved with new CUP

SECONDED: Commissioner Ro Wilkinson seconded the motion.

AYES (4)

Commissioner Ro Wilkinson

Chair Ross Taylor

Commissioner Nathan Fisher

Commissioner Julie Hullinger

NAYS(0)

Motion carries.

6. GUEST HOUSE

Consider a request for a guest house to exceed the maximum allowable floor area of four hundred square feet (400 s.f.) and a basement. The property is located at 2051 West 450 South. The zoning is R-1-10 (Single Family Residential, 10,000 s.f. minimum lot size). Case No. 2015-GH-001 (Staff – John Willis).

John Willis presented the following:

The applicant has modified the application. Originally the submittal had a basement request but now they want storage on the main floor and not a basement. The approval is per the Planning Commission it is not a recommendation. You may hear the original submittal or the revised. You may decide if you want to hear the revised or table until next meeting. The overall footprint is 448 s.f.. The livable s.f. is 352 s.f. and then 96 s.f. storage.

Chair Ross Taylor asked how the storage was separated.

Gregg Smith said the storage would be accessible through the living space to limit the number of exterior doors. We had two plans – slab on grade with storage or basement plan. We wanted a pool house and also some storage space.

Deputy City Attorney Paula Houston asked how large the storage area would be.

Gregg Smith said 8x12.

Chair Ross Taylor advised that if the storage had its own entry and wasn't accessible from the inside it would give some comfort. As is, the storage can be more livable space. A separate entrance would help.

Deputy City Attorney Paula Houston stated that someone in the future would rent it out as two rooms rather than a storage area and that's the concern.

Commissioner Nathan Fisher stated that we have to look at the worst case scenario. It would be better as not livable space.

Deputy City Attorney Paula Houston noted that in the past there have been approvals for guest houses with storage space but the storage area was smaller where you can't put a bed in there.

Gregg Smith asked if the recorded deed restriction prohibits that.

Commissioner Nathan Fisher noted that monitoring becomes an issue.

Gregg Smith said the overall footprint can be reduced to less than 400 s.f.

Chair Ross Taylor said that if the size is reduced below 400 s.f. the Planning Commission would not need to hear the item. So you're going to withdraw this and we won't act tonight?

Gregg Smith said he would withdraw the request and bring something forward if necessary.

7. **MINUTES**

Consider approval of the minutes from the October 10, 2014, December 09, 2014, January 13, 2015 and January 28, 2015 meetings.

The minutes were tabled to be heard at a later date.

ADJOURN

MOTION: Commissioner Nathan Fisher made a motion to adjourn
SECONDED: Commissioner Julie Hullinger seconded the motion.
Meeting adjourned at 6:51 pm.