

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, **January 12, 2016**, commencing at **5:00 p.m.**

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The agenda for the meeting is as follows:

Call to Order

Flag Salute

1. **GENERAL PLAN AMENDMENTS (GPA)** (Public Hearings)

- A. Consider a request to amend the General Plan (GP) **from LDR** (Low Density Residential) **to MDR** (Medium Density Residential) on a total of 20.43 acres. The project is called “**The Joshuas**.” The property is generally located on Tonaquint Drive. The proposal is to change the General Plan to correct the land use for existing Phase 1 and 2 (*GP clean-up*) and to allow for the future submittal of a zone change to allow development of a proposed Phase 3. The applicant for Phase 3 is Salisbury Homes and the representative is Bush & Gudgell, Inc. The applicant for Phases 1 & 2 is the City of St George. Case No. 2016-GPA-002 (Staff Ray Snyder)
- B. Consider a request to amend the General Plan **from LDR** (Low Density Residential) **to COM** (Commercial) on approximately 10.43 acres. The property is generally located at the intersection of Sugar Leo Road and Pioneer Road (between Pioneer Road and the I-15 Freeway). This proposal is to change the General Plan to allow for the future submittal of a zone change to allow development of a covered **Monster Storage RV storage** facility. The applicant is Mr. Denis Lyman. Case No. 2016-GPA-001. (Staff John Willis)

2. **ZONE CHANGE AMENDMENTS (ZCA)** (Public Hearings)

- A. Consider a fourth (4<sup>th</sup>) zone change amendment request to the ‘Atkinville Interchange Zone Plan’ to add a planned development residential neighborhood within the milepost 2 interchange area to be called ‘**The Villas at Sun River St George**’ on 51.95 acres. The property is located along Interstate 15 to the east, Sun River parkway to the north, a future city park and the Atkinville Wash to the south, and Arrowhead Canyon Drive to the west. The applicant is Sun River St George Development L.C., and the representative is Mr. Scott McCall. Case No. 2016-ZCA-001. (Staff Ray Snyder)
- B. Consider a zone change amendment to the Gordon Palmer / Southgate area Planned Development to create a master **sign plan**. The property is located between Blackridge Drive and Hilton Drive and 1470 South and Dixie Drive. The applicant is **Stephen Wade** Auto Group and the representative is Mr. Bill Western. Case No. 2016-ZCA-003. (Staff – Genna Singh)

3. **ZONE CHANGE (ZC)** (Public Hearing)

Consider a request to rezone approximately a 0.176 acre parcel from PD-R (Planned Development Residential) to RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size). The project is called the '**Rocky Point Zone Change**' and the property is located on the south side of Colorado Drive, and generally between 2050 E and Colorado Circle. The owner is Red Cliffs Park LLC and the representative is Mr. James Sullivan, S & S Homes. Case No. 2016-ZC-002. (Staff John Willis)

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

A. Consider a conditional use permit request for establishing a **bulk propane business** with a 30,000 gallon tank, protective steel bollards, building, warehouse, loading dock, etc. The applicant is M&C Warren Investments LLC and the representative is Mr. Mark Burgess, Classic Builders. The property is zoned M-1 (Industrial) and is Lot 98 located on Venture Drive in the Ft Pierce Industrial Park. Case No. 2016-CUP-002 (Staff Ray Snyder)

B. Consider a conditional use permit to allow a maximum of 12 children in an established child family support facility (**Respite**) in the RCC (Residential Central City) zone located at 310 W 200 N. The applicant is "The Family Support Center" and the representative is Ms. Laura Bartschi. Case No. 2016-CUP-001 (Staff Ray Snyder)

C. Consider a conditional use permit to construct a detached **accessory structure** with a maximum midpoint height of approximately twenty feet (20') for personal auto and RV storage. The structure will be constructed of colored CMU brick with a tile roof and be 2,400 sq. ft. (60 ft. x 40 ft.). The property is zoned R-1-10 (Single family Residential 10,000 sq. ft. minimum lot size) and is located at **3810 Sugar Leo Road**. The applicant is Mr. Richard Nerwinski, DR Builders Inc. case No. 2016-CUP-003 (Staff John Willis)

D. Consider a conditional use permit to construct a 15,626 sq. ft. single family **residential home** that will exceed thirty five feet (35') and requires a conditional use permit approval. The project **height** measured per ordinance would be approximately **42 feet**. The proposed residence will be located at **2836 South 2300 East Circle** and is zoned RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size). The applicant is Mr. Kevin Hafen. Case No. 2016-CUP-004. (Staff John Willis)

E. Consider a conditional use permit to construct a residential **home** that exceeds the allowable **height** of thirty five feet (35') and requires a conditional use permit approval. The project height measured per ordinance would be approximately **48 feet**. The proposed residence would be located at 225 South 1160 West Circle and is zoned PD-R (Planned Development Residential). The applicant is Mr. Carey Blake, C. Blake Homes. Case No. 2016-CUP-005 (Staff John Willis)

5. **PRELIMINARY PLAT (PP)**

Consider approval of a preliminary plat for a eight (8) lot residential subdivision development called the "**Don Cannon**" subdivision. The applicant is Mr. Todd West. The property is zoned R-1-10 (Single family Residential 10,000 sq. ft. minimum lot size) and is located on 750 North Street. Case No. 2016-PP-001. (Staff – Wes Jenkins).

6. **FINAL PLATS (FP)**

- A. Consider approval of a final plat for a one (1) lot residential subdivision for “**St George Elementary Subdivision.**” The property is zoned RCC (Residential Central City) and is located between 100 South Street and 200 South Street at approximately 300 East (west of the ‘Sun Bowl’). The representative is Mr. Scott Woolsey, Alpha Engineering. Case No. 2015-FP-064 (Staff – Wes Jenkins).
- B. Consider approval of a final plat for a twelve (12) lot residential subdivision for “**Entrada at Snow canyon ‘Chaco West’ Phase 3.**” The property is zoned PD-R (Planned Development Residential) and is located along the westerly and northerly sides of Tacheene Drive at approximately 2910 West and 2480 North (in Entrada Development). The representative is Mr. Kevin Bundy, Kevin Bundy Surveying Inc. Case No. 2014-FP-034 (Staff Wes Jenkins)
- C. Consider approval of a final plat for a nineteen (19) lot residential subdivision for “**Meadow Valley Farms Phase 7.**” The property is zoned RE-20 (Residential Estate 20,000 sq. ft. minimum lot size) and is located at approximately 3995 South and Little Valley Road. The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-059 (Staff – Wes Jenkins)

7. **LOT LINE ADJUSTMENT (LLA)**

Consider approval of a lot line adjustment on residential property between parcel 1 and 2 for “**Magnolia**” in the Green Valley area. The property is zoned PD-R (Planned Development Residential) and is located near the end of 1790 West Street. The representative is Mr. Eric McFadden, Premier Design and Engineering. Case No. 2015-LRE-033 (Staff – Wes Jenkins)

8. **DISCUSSION**

A discussion of **TND** (Traditional Neighborhood District) is requested by Stacy with Development Solutions.

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 1A

## General Plan Amendment

PLANNING COMMISSION AGENDA REPORT: 01/12/2016

### GENERAL PLAN AMENDMENT: PUBLIC HEARING

#### **Joshuas (Phase 1, 2, & 3)**

Case No. 2016-GPA-002

*(Phase 1 & 2 = City clean-up LU & Phase 3 = Developer application)*

**Request:** To amend the General Plan from LDR (Low Density Residential), to MDR (Medium Density Residential) on a total of 20.43 acres. The property is generally located on Tonaquint Drive. The proposal is to change the General Plan to correct the land use for existing Phase 1 and 2 (clean-up) and to allow for the future submittal of a zone change to allow development of a proposed Phase 3.

**GP Background:** Typically the General Plan may be amended by a GPA (General Plan Amendment) four (4) times a year (in January, April, July, & October) and this requires a complete application submittal approximately a month in advance (*to allow adequate processing and noticing time*). This application fits within the required time period.

**Staff Comments:** The applicant requests a land use amendment for Phase 3. At the same time, staff requests approval to correct or 'clean-up' the land use designation on existing Phases 1 & 2 (*currently zoned R3 with a LDR land use*).

It's the intent of the applicant to return with a zone change application if this GPA is approved. The applicant would then like to rezone the R-3 property (*Phase 1 & 2*) to match the existing PD-R zone (*Proposed Phase 3 area*). Ultimately the applicant wishes to create short term rental units which can only be applied for in a PD-R zone if specific code conditions are met.

**Property Owner:** Salisbury Homes (Phase 3)

**Applicant:** Salisbury Homes (Phase 3)  
City of St George (Phase 1 and 2)

**Representative:** Bush & Gudgeon, Inc.

**Area(s):** 10.43 acres (Phase 1 & 2)  
10.00 acres (Phase 3)

**Location:** In the vicinity of the intersection of Tonaquint Drive and Curly Hollow Drive. Located north of the Southgate Golf Course.

**Current Zones:** R3 (Phase 1 & 2) and PD-R (Phase 3)

**Current General Plan:** LDR (Low Density Residential)

**Proposed General Plan:** MDR (Medium Density Residential)

**Process:** The Planning Commission is responsible for recommending to the City Council a General Plan for the city, or any amendments to an approved General Plan. The General Plan is a guide for land use decisions and contains various policies to help direct decisions related to land use and development of the city.

**Comments:** Zone Change  
If the GPA amendment is approved, then a ZC application will need to be processed for development review and approval (*on Phases 1 & 2*)(R3 to PD-R).

SPR

If the GPA is approved by the City Council and a ZC is approved by council then as a part of the process a SPR (Site Plan Review) application will have to be submitted and civil engineering plan review will be reviewed by staff.

**Example Motion(s):**

Approval

This is a motion to recommend approval to the City Council of a GPA (General Plan Amendment) Case No. 2016-GPA-002 to amend the General from LDR (Low Density Residential) to MDR (Medium Density Residential) on 10.0 acres (for Phase 3) and on 10.43 acres (for Phase 1 & 2). The properties are located on Tonaquint Drive north of the Southgate Golf Course.

Denial

This is a motion to recommend denial to the City Council of a GPA (General Plan Amendment) Case No. 2016-GPA-002 to amend the General from LDR (Low Density Residential) to MDR (Medium Density Residential) on 10.0 acres (for Phase 3) and on 10.43 acres (for Phase 1 & 2). The properties are located on Tonaquint Drive north of the Southgate Golf Course

Table

At the request of the applicant, this matter is tabled to allow the applicant time to provide \_\_\_\_\_ to the Planning Commission for further consideration.

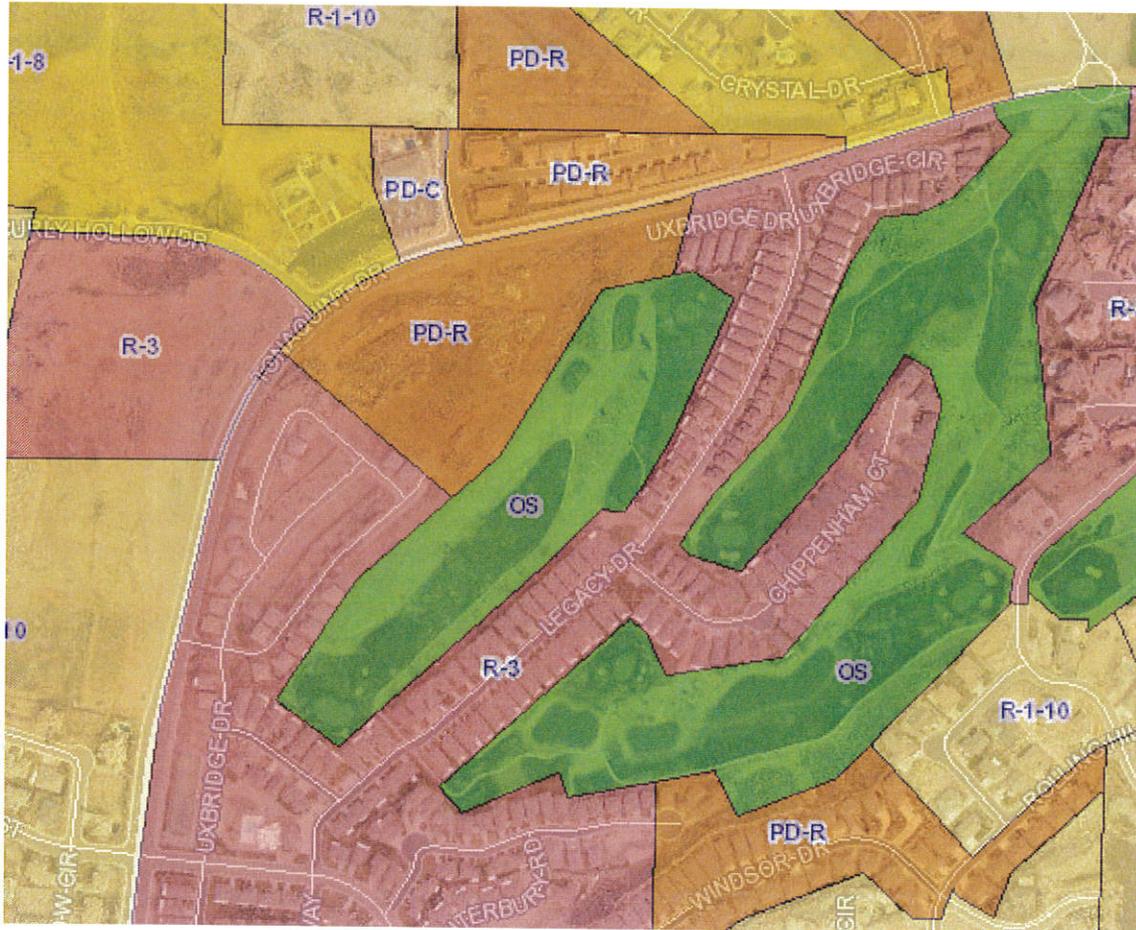
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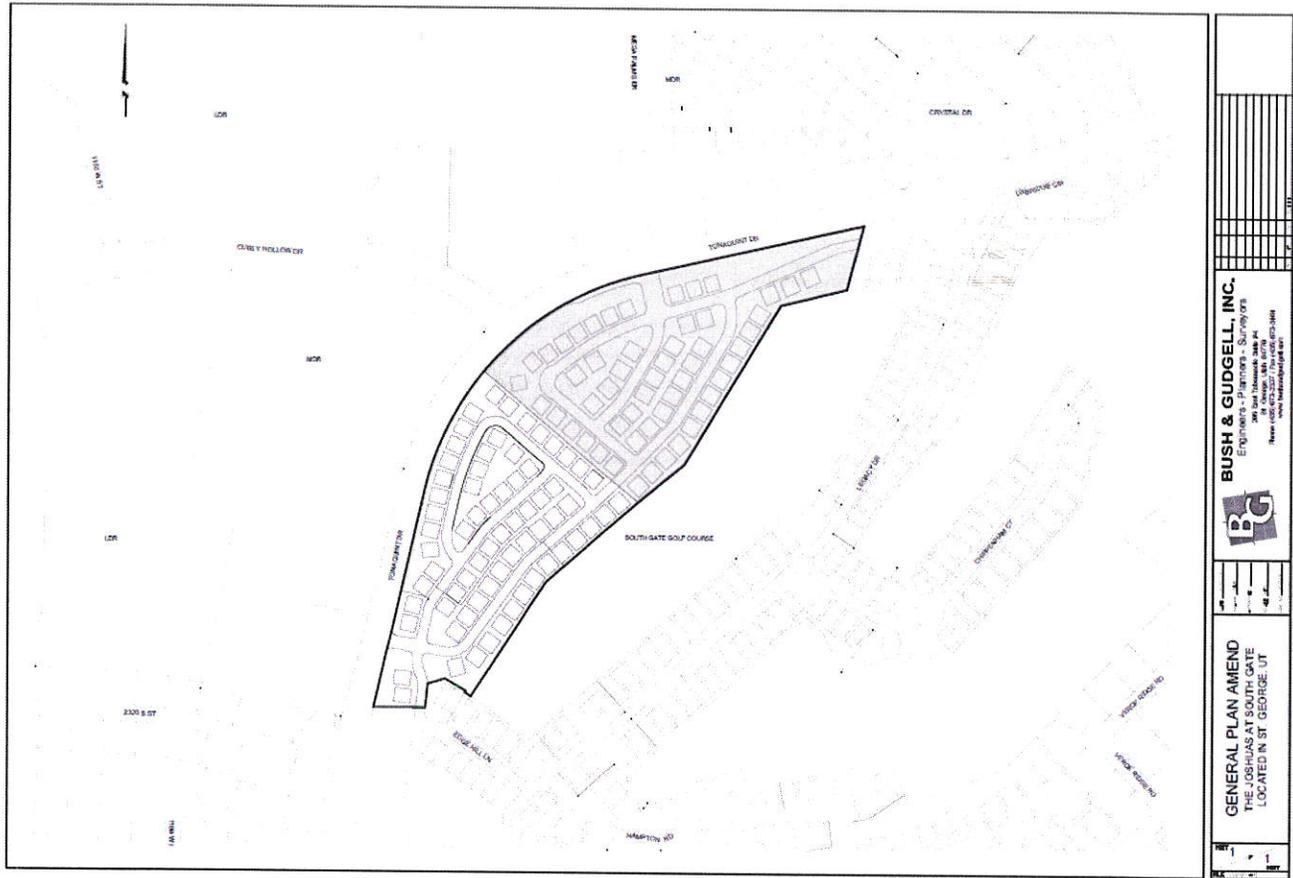


### EXISTING GENERAL PLAN (LDR)



## EXISTING ZONING





### Phase 1 and 2 (Partially developed)



**Phase 3 (Vacant Land)**  
**(Vacant Land)**



### SG-6-3-1-3013

Account Number 0736275  
Parcel Number SG-6-3-1-3013  
Tax District 08 - St George City  
Acres 10.05

Name SALISBURY INV LLC  
494 W 1300 N  
SPRINGVILLE, UT 84663

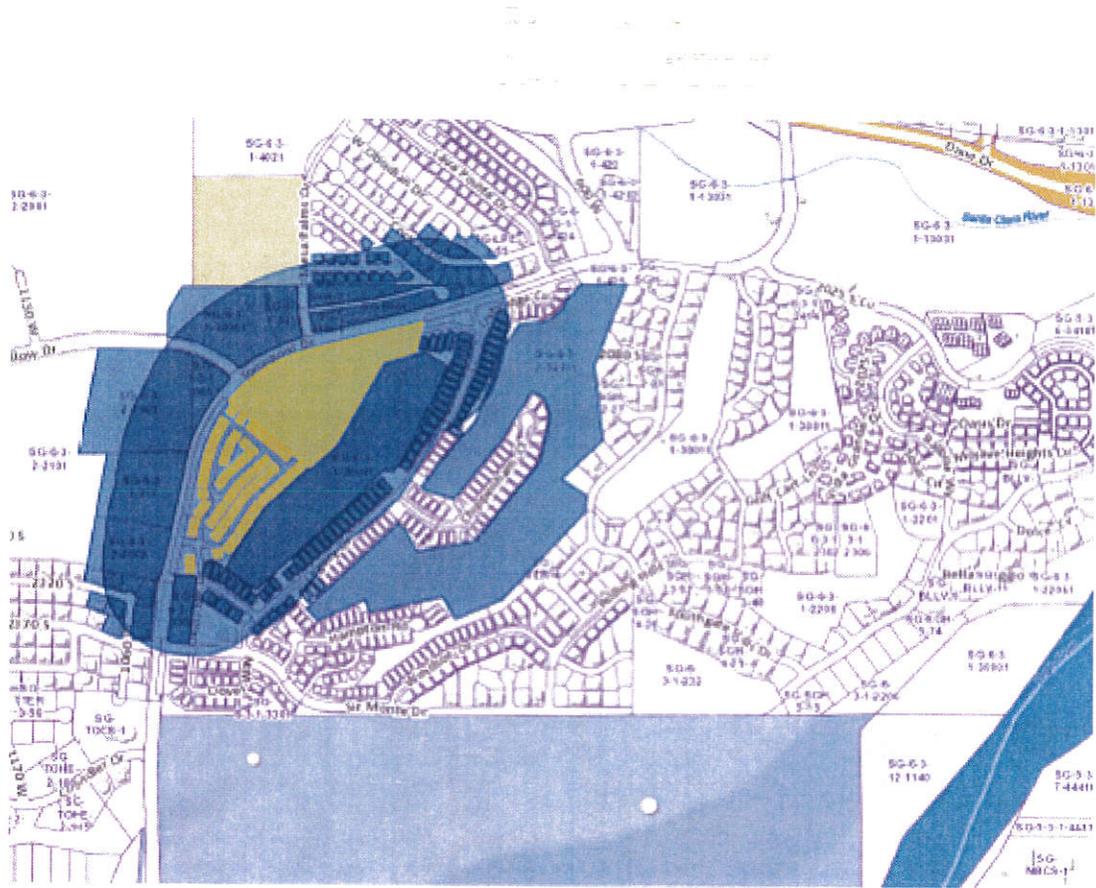
**Situs**  
Legal S: 1 T: 43S R: 16W BEG S89°17'W 1272.08 FT & S  
215.55 FT FM CTR SEC 1 T43S R16W BEING ON S R/W LN  
TONAQUINT DR, TH S 188 FT TO PT SOUTH GATE  
PARTNER'S GOLF COURSE EXTN PARCEL 2, TH S76°28'41"W  
274.99 FT, TH S29°52'11"W 575 FT, TH S47°23'21"W 185.74 FT,  
TH N51°17'43"W 623.41 FT TO PT TONAQUINT DR BEING  
NON-TNGT CUR RGT, TH ALG TONAQUINT DR 590.43 FT  
RAD 892.56 FT DELTA 37°54'05" BEARING TO CTR S51°45'28"E  
TO PT TNGY; TH N76°08'37"E 522.12 FT TO PT CURV 7010.52  
FT RAD CUR LFT, TH ALG CUR 188.88 FT DELTA 01°32'37"  
TO POB. TOG W/LESS ANY PORT W/IN BNDRY LEGACY PH  
10.



Street View(s) (Google Maps)



### Noticing – 500 Ft Radius



# ITEM 1B

## General Plan Amendment

PLANNING COMMISSION AGENDA REPORT: 01/12/2016

### GENERAL PLAN AMENDMENT: PUBLIC HEARING

#### **Monster Storage – RV storage**

Case No. 2016-GPA-001

- Request:** Consider a General Plan Amendment to amend the General Plan from LDR (Low Density Residential), to COM (Commercial) on approximately 10.43 acres. The property is generally located at the intersection of Sugar Leo Road and Pioneer Road (between Pioneer Road and the I-15 Freeway). This proposal is to change the General Plan to allow for the future submittal of a zone change to allow development of a covered RV storage facility. The applicant is Mr. Denis Lyman. Case No. 2016-GPA-001
- Background:** Typically the General Plan may be amended by a GPA (General Plan Amendment) four (4) times a year (in January, April, July, & October) and this requires a complete application submittal approximately a month in advance (*to allow adequate processing and noticing time*). This application fits within the required time period.
- Applicant:** Denis and Diane Lyman
- Area:** 10.43 acres
- Location:** The property is generally located at the intersection of Sugar Leo Road and Pioneer Road (between Pioneer Road and the I-15 Freeway). The property is an island with I-15 to the east and Pioneer Road on the west.
- Current Zones:** OS (Open Space)
- Current General Plan:** LDR (Low Density Residential)
- Process:** The Planning Commission is responsible for recommending to the City Council a General Plan for the city, or any amendments to an approved General Plan. The General Plan is a guide for land use decisions and contains various policies to help direct decisions related to land use and development of the city.
- Narrative:** The applicant proposes to modify the General Plan Land Use Map to support commercial. The current property owner purchased several years ago from the State of Utah and staff believes it was excess I-15 right of way.

**Comments:**

What is being considered is whether the current land use designation is appropriate or should it be changed to COM. The Planning Commission has potentially three options for the application: recommend approval for COM on the property; determine current designation is appropriate, however, the property does have several constraints that would make it difficult to develop as LDR, given the proximity to I-15; or recommend the land use be changed to match the current zoning, given the hills on the site do provide a visual and sound barrier for the existing residential.

Zone Change

If the GPA amendment is approved, then a ZC application will need to be processed for development review and consideration.

SPR

If the GPA is approved by the City Council and a ZC is approved by council then as a part of the process a SPR (Site Plan Review) application will have to be submitted and civil engineering plan review will be made by staff.

**Example Motion(s):**

**Approval**

This is a motion to recommend approval to the City Council of a GPA (General Plan Amendment) to amend the General from LDR (Low Density Residential) to COM (Commercial) on 10.43 acres).

**Denial**

This is a motion to recommend denial to the City Council of a GPA (General Plan Amendment) to amend the General Plan from LDR (Low Density Residential) to COM (Commercial) on 10.43 acres).

**Table**

At the request of the applicant, this matter is tabled to allow the applicant time to provide \_\_\_\_\_ to the Planning Commission for further consideration.

**2016-GPA-001**  
**LDR to COM**

**(Monster Storage – RV Storage Facility)**

Location: Sugar Leo and Pioneer Drive property between Pioneer Road and I-15 Freeway

Current Zone: OS (Open Space)

Current GP (Land Use): LDR (Low Density Residential)

Future proposed use: Canopy covered RV storage facility

Acreage: 10.43 acres



Subject Site

15

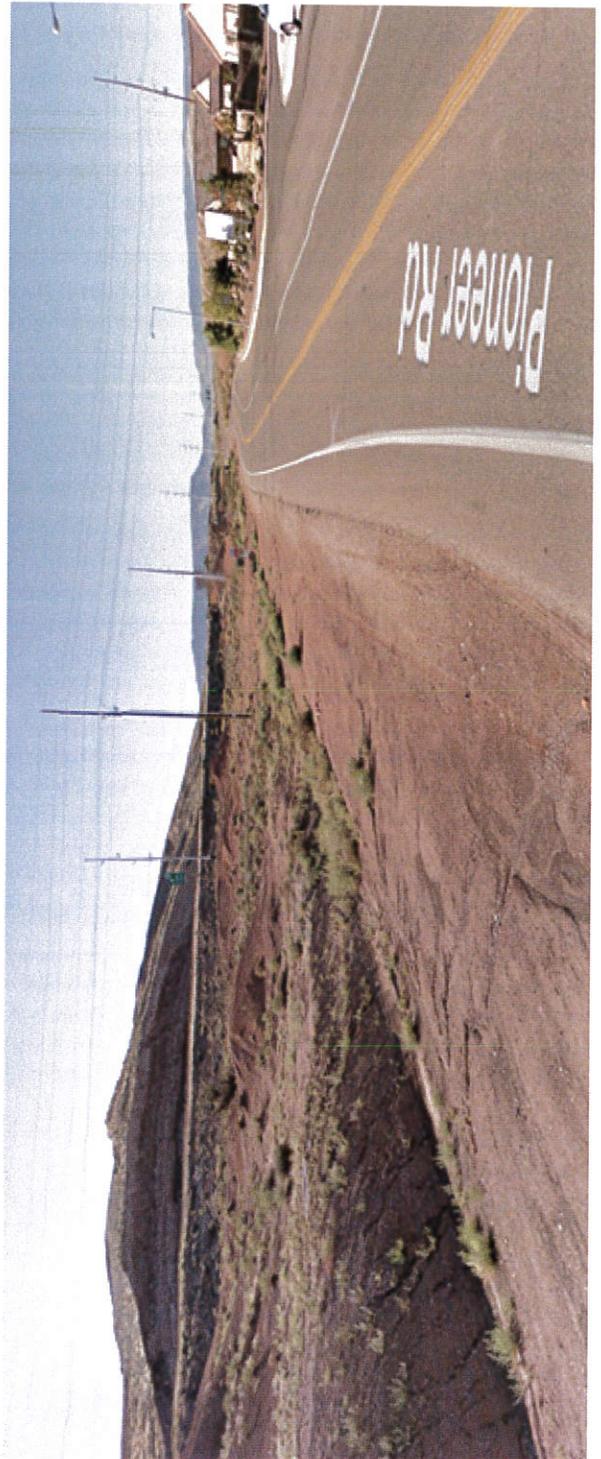
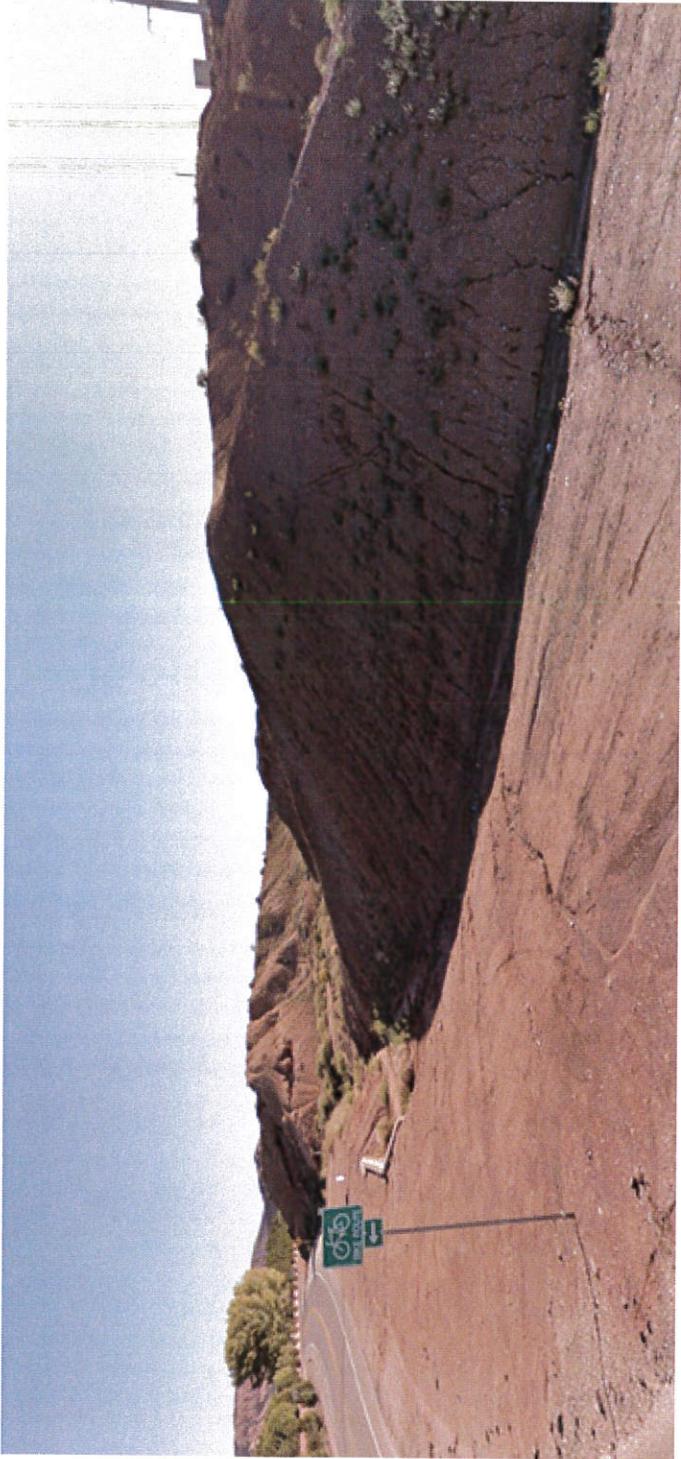
# EXISTING GENERAL PLAN

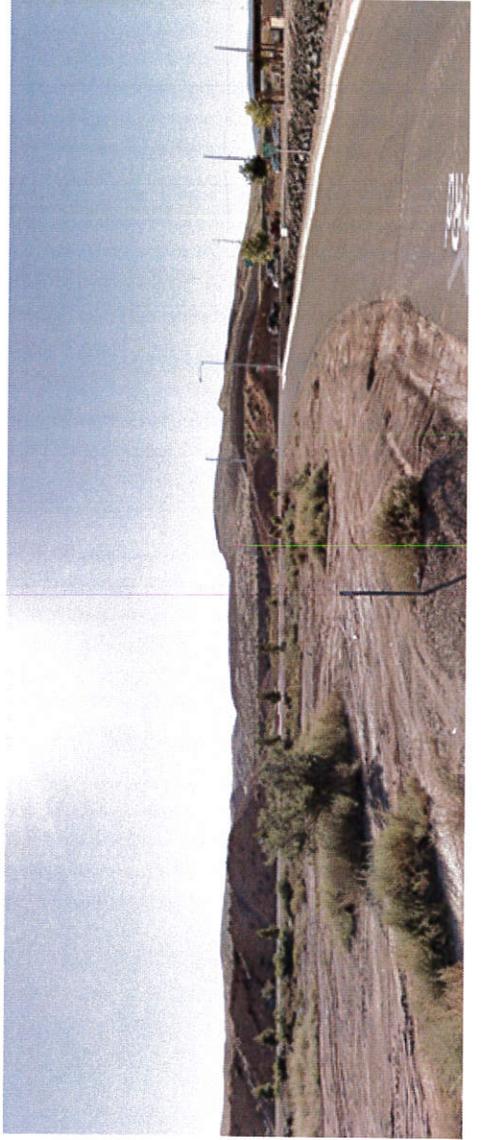
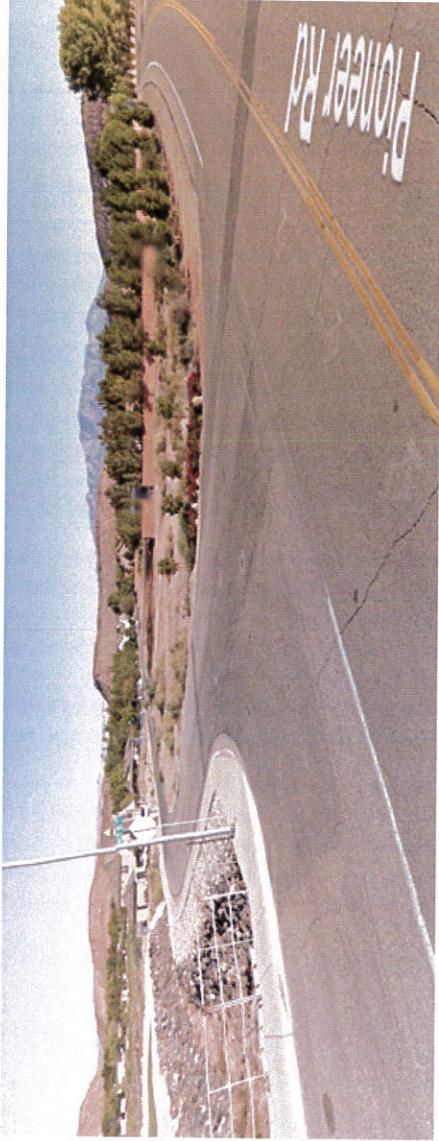
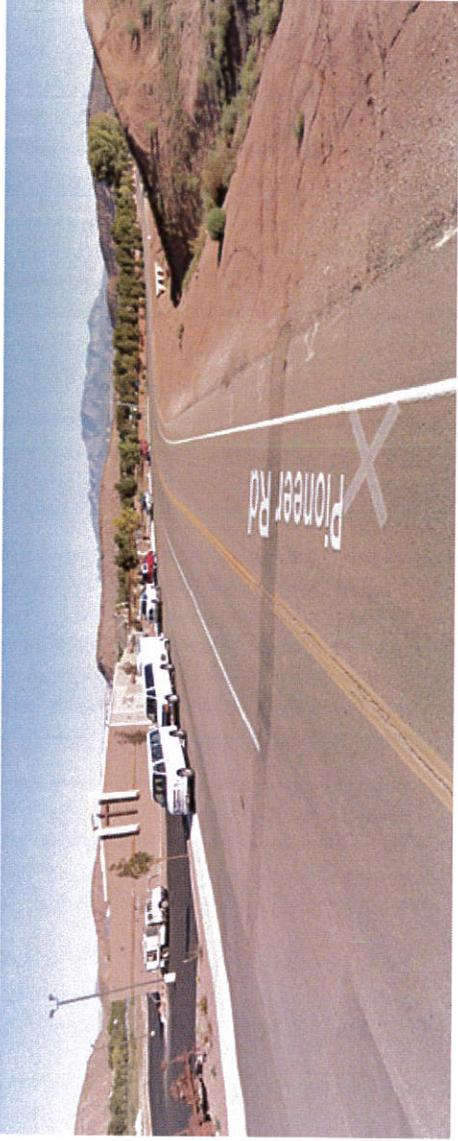


# EXISTING ZONING









**GENERAL PLAN AMENDMENT  
APPLICATION & CHECKLIST**



ZONE CHANGE REQUESTS WHICH ARE NOT CONSISTENT WITH THE GENERAL PLAN SHALL SUBMIT THIS APPLICATION TO THE COMMUNITY DEVELOPMENT DEPARTMENT

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

LEGAL OWNER(S) OF SUBJECT PROPERTY: Denis & Diane Lyman  
HAS a CONTRACT to purchase, money PAID:  
 MAILING ADDRESS: 227 W 700 So. ST. Geo, UT. 84770  
 PHONE: \_\_\_\_\_ CELL: 307-690 6120 FAX: 986-3789 (435)  
 APPLICANT: Denis Lyman  
 (If different than owner)  
 MAILING ADDRESS: 227 W 700 So. ST. Geo, UT-84770  
 PHONE: \_\_\_\_\_ CELL: 307-690 6120 FAX: 986-3789  
 EMAIL ADDRESS(ES): denis diane Lyman @ Q.com  
 CONTACT PERSON / REPRESENTATIVE: Same  
 (i.e. Developer, Civil Engineer, Architect; if different than owner)  
 MAILING ADDRESS: Same  
 PHONE: Same CELL: Same FAX: Same  
 EMAIL ADDRESS(ES): Same

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(s) and the surrounding areas.) **Include a 24"x36" (Arch D - paper size) site plan, highlighting the subject property(s) to be changed, suitable for presentation in public meetings.**

SUGAR LEG AND PIONEER DRIVE  
PROPERTY BETWEEN PIONEER ROAD AND I-15 FREEWAY

The General Plan Amendment becomes effective on the hearing date if approved by the City Council. General Plan Amendment hearings are held only four (4) times per year (typically the 1<sup>st</sup> meeting of the month). A meeting will be scheduled for a Planning Commission hearing in one of the following months: January, April, July, & October.

**FOR OFFICE STAFF USE ONLY**

CASE #: 2014-GPA-001 FILING DATE: 11/20/15 RECEIVED BY: [Signature] RECEIPT #: \_\_\_\_\_

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

10.43      500+ (9.43x50) 971.50

## II. ADDITIONAL INFORMATION

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

1. What is the present zoning on the property? open space
2. What is the current General Plan designation of the property or area? L D R.
3. What is the proposed General Plan designation for the property or area? COMMERCIAL ?
4. What is the purpose for amending the General Plan? (e.g. describe the proposed project) We wish to utilize 7-8A AS A High end canopy covered STORAGE for motor homes
5. How will the proposed project affect adjoining properties? little to no affect. ALMOST zero additional TRAFFIC - ALMOST zero "people" ACTIVITY of ANY kind. NO school bus, garbage or other additional "Service" needed ACTIVITY.
6. Total acreage of the proposed General Plan change: 10.43
7. Does the subject area/property contain any slopes above 20%, floodplains, or wetlands? If so, please describe: Some hills may be over 20% - briefly NO floodplains or wetlands
8. Has a Traffic Impact Study or Traffic Analysis been completed to determine any traffic impacts? Yes \_\_\_\_\_ No X  
*IF YES, submit the Traffic Impact Study with the application for review by Traffic Engineering.  
IF NO, a Traffic Impact Study (TIS) may be required (if determined necessary at Planning Staff Review) to be submitted with this General Plan amendment application or a later Zone Change application.*
8. Will any Master Planned roads be affected by this General Plan Change? NO, SELF STORAGE IS a very Low traffic generator. ACTUALLY ABOUT THE SAME AS A GRAVE YARD - literally.
9. Are neighborhood meetings needed to consider the proposed amendment to the General Plan? Yes \_\_\_\_\_ No X If yes, please explain: IT IS our plan to put in Time walking & Talking thru the neighbor hood to meet and

10. Is the necessary utility capacity available (water, power, sewer and drainage) to serve the zone change parcel? Yes X No \_\_\_\_\_

Please describe the projected demand for utility services: We will have only a drip system to sustain land scaping. Our electricity demand would be all LED lights to be strategically placed under the canopy. We presently are placing solar pannels at monster storage to generate all the solar ~~pannels~~ electricity the city will allow. We expect to "sell" to the city - not consume.

### III. SUBMISSION CHECKLIST FOR GENERAL PLAN AMENDMENT

(A COMPLETE GENERAL PLAN AMENDMENT APPLICATION MUST BE SUBMITTED A **MINIMUM 6 WEEKS** PRIOR TO A REGULARLY SCHEDULED PLANNING COMMISSION HEARING IN JANUARY, APRIL, JULY, & OCTOBER)

Development/Project Name (if applicable) MONSTER RV STORAGE  
(Project name **must be** previously approved by the Washington County Recorder & City Planning Department)  
Developer/Property Owner Dennis & Dianne Lyman Phone No. (307) 690-6120  
Contact Person/Representative Ray J Agobson Phone No. 435-773-3213  
Licensed Surveyor (if applicable) Reid Pope Phone No. 435-628-1676

### GENERAL PLAN AMENDMENT 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\*

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

- This General Plan Amendment application form completed and signed by all owners;
- Appropriate Filing Fee **Filing Fee:** \$500 (filing fee and 1<sup>st</sup> acre) + \$50.00 per acre for 2-100 acre **and \$25 per acre 101-500 and \$10.00 per acre 501-plus**
- County ownership plat with the boundary of the proposed general plan amendment outlined;
- List of property owners within **500' feet** and **two sets** of mailing labels;
- Radius Map** of property owners within 500' feet;
- Site Plan showing the area to be changed highlighted – minimum size 24" x 36" (Arch D);
- 8-1/2" x 11" reduction of the site plan;
- An **electronic copy** (CD or E- mail) of the site plan in JPEG, TIFF or PDF format.

# ITEM 2A

## Zone Change Amendment

PLANNING COMMISSION AGENDA REPORT: 01/12/20156

### ZONE CHANGE AMENDMENT

#### **The Villas at Sun River St George**

Case No. 2016-ZCA-001

- Request:** Consider a fourth (4<sup>th</sup>) zone change amendment to the 'Atkinville Interchange Zone Plan' to add a planned development residential neighborhood within the milepost 2 interchange area to be called 'The Villas at Sun River St George' on 51.95 acres.
- Project:** This is a proposed planned development residential neighborhood which would be separate and independent from Sun River St George with its own home owners association. The 'Villas' would be age restricted, 55 or better, and an enclave for recreation orientated active senior home owners.
- This project includes a zone change (*to change a portion of PD-C to PD-R*), colors and materials, building design, a signage plan, short term rentals, twin homes, single family homes, multi-unit residences, amenities, trail, freeway barrier, and roadway system.
- This project includes the request for 'Short Term Rental' properties.
- This project includes the request for 'Private Streets.'
- Owner:** Sun River St George Development L.C.
- Applicant:** Sun River St George Development L.C.
- Representative(s):** Mr. Scott McCall
- Location:** The property is located along Interstate 15 to the east, Sun River Parkway to the north, a future city park and the Atkinville Wash to the south, and Arrowhead Canyon Drive to the west.
- Acreage:** 51.95 acres
- Zoning:** PD-R and PD-C (*The PD-C portion will need to become PD-R*)
- Amendment:** This will be the 4<sup>th</sup> Amendment to the Atkinville Interchange Zone Plan

**General Plan:** Recently at this same location, the General Plan was amended from E (Employment) and MDR (Medium Density Residential) to MHDR (Medium High Density Residential) on approximately 51.95 acres. This was Case No. 2015-GPA-006 and was approved by City Council on September 24, 2015. (*See attached*)

**Adjacent zones:** PD-R and PD-C

**ZCA & Design:** Attached is the applicant's booklet "**The Villas at Sun River St George application and Design Standards**" - December 4, 2015 edition (*See attached*)

**Public Streets:** Arrowhead Canyon Drive  
This is a public roadway and full improvements will be installed with this project. The applicant requests that in addition to the 66 ft. public R.O.W. the total area between the 6 ft. privacy block walls (on each side of the street) will become 107 ft. (*see cross section detail*). This includes the existing 10 ft. landscape area past the west R.O.W. and an 8 ft. landscape area, 10 ft. City Trail, and 15 ft. landscape area on the east side adjacent to the Villas project (*see cross section*). Note that the developer will be responsible for maintaining the landscape areas (*which will meet and exceed City standards*).

Sun River Parkway

This is an existing public roadway and expansive improvements will be made on the south side with this project. The asphalt will be widened to 36 ft. from the street centerline (*see cross section*). The applicant shall maintain the landscaping.

(Unnamed) Street to Future Park

This is located at the south end of the development and will have a 50 ft. R.O.W.

**Private Streets:** Autumn Bloom Drive

This is the central / main entryway to the Villas and will have a 104 ft. R.O.W. It will include 19 ft. wide paved streets, a 10 ft. central landscaped median, 5 ft. sidewalks (on each side), and landscaped areas (*see cross section*).

Grayson Drive

This is located at the north end of the development and will also have a 104 ft. R.O.W. and will also be a 'grand entrance.'

Interior (unnamed) Streets

The interior streets are shown as having 30 ft. and 36 ft. R.O.W. (*see cross sections*). These will have a 4 ft. sidewalk with a 4 ft. wide planter strip on one side of the road.

- Future Park:** Note that to the south and adjacent to this project is a proposed 7.05 acre community park. However, it is not a part of this proposal.
- Barrier:** There will be a 2.7 acre ‘sound and landscape barrier area’ along the interstate and will include an access road for the existing power transmission lines.
- Amenities:** The central amenity parcel will be 2.8 acres and consist of pickle ball courts, a pool, bathroom, maintenance building, parking, and a grass recreation area. It will be completed before 100 units are sold.
- Home Types:** The majority of the project will be attached ‘twin homes,’ but will also include some single family homes. Other permitted products may be patio homes, duplexes, triplexes, and other types of clustered homes. All building types may be single story or two stories (*see attachments*).
- Town Homes:** Two story multi-unit townhomes or condominiums.
- LU Density:** The existing General Plan (*Ref. 2015-GPA-006*) has a portion of MDR (Medium Density residential - 5-9 du/ac) and a portion which is the new MHDR (Medium High Density Residential – 10-15 du/ac). If developed to its maximum density would result in 621 units. If there are only 2 persons per unit, then approximately 1,242 people may be anticipated to call the ‘Villas’ home. (*see ‘Development Intent’ in the Design Standards submittal*)
- Zoning:** The current zoning is PD-C and PD-R. Under the current General Plan Land Use there are 29.9 acres of ‘E’ (Employment) and 23.2 acres of Multi-Family. Note that the General Plan was updated earlier in the year in anticipation of changing the zoning to accommodate all residential use(s).
- Signage:** The applicant submitted a ‘Signage Plan’ (*see pg. 21 of applicant’s submittal*) and requests three (3) types of signage:
1. Villas Monument Signs; Two (2) permanent monument style signs are proposed to be in the medians (Grayson Drive & Autumn Bloom Drive).
  2. Marketing Signs – Arrowhead Canyon Drive; Four (4) marketing signs sized 4 ft. x 4 ft. (*see page 22 of applicant’s submittal*).
  3. Community Signage Monument – on a berm along the freeway the applicant has indicated an area where a monument sign would be located, but no other details are provided (width, height, materials, etc.) and the City does not have enough information to act upon this request at this time (*it is also unclear if this is to advertise the Villas or Sun River St George*)

*Note: You may recall back in 2015 approval was granted to move the existing Sun River sign (as seen from freeway) approximately 200 feet (Case 2015-ZCA-005), but that action is not related to item 3 above.*

**Options:**

The Planning Commission has several options:

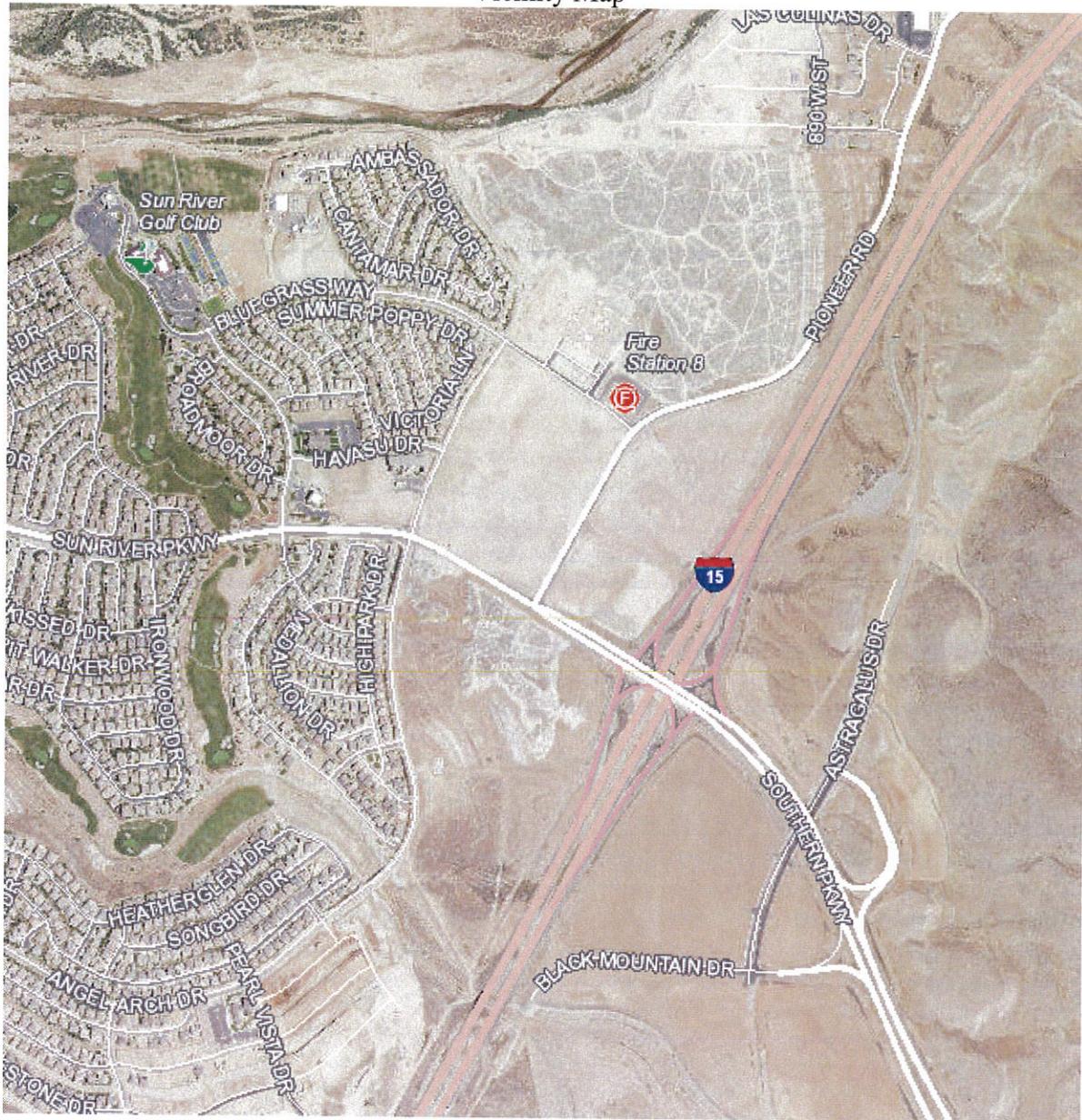
1. **Deny** the zone change amendment as presented.
2. **Approve** the zone change amendment as presented with recommended comments and/or conditions to the City Council:

EXAMPLE

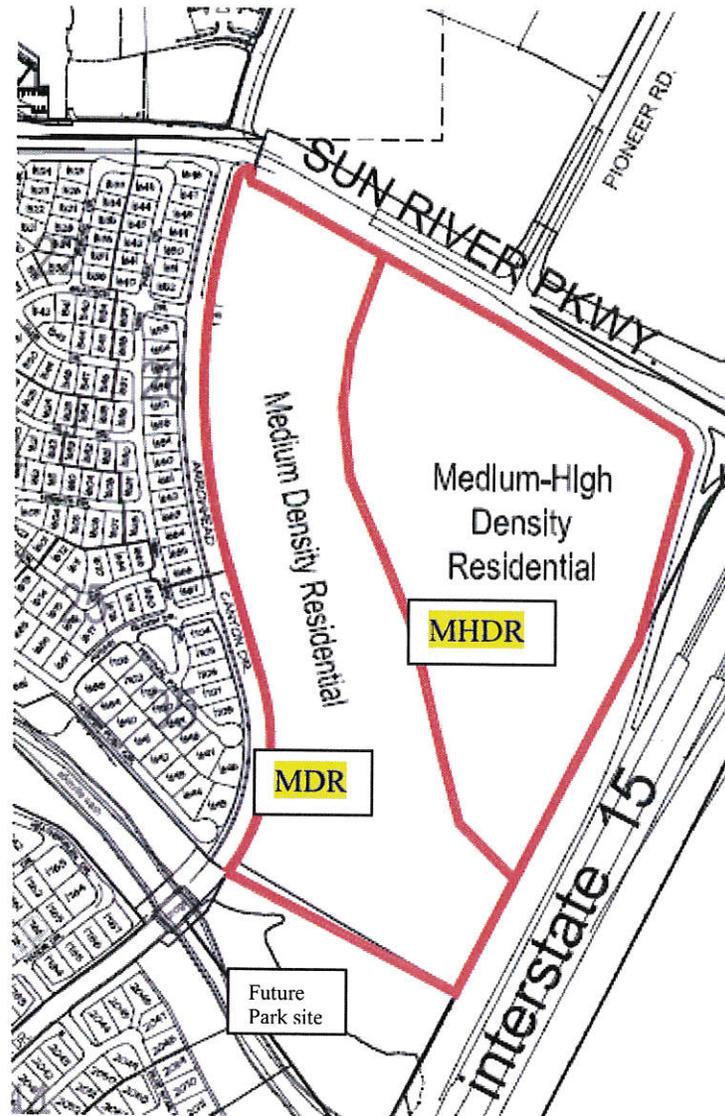
- a. Zone Change; change the PD-C zoning to PD-R (all 51.95 acres shall become PD-R)
- b. Site Plan; approve as presented the conceptual site plan (layout)
- c. Colors and Materials; approve as presented the colors and materials.
- d. Building Design; approve the elevations and designs as presented.
- e. Signage Plan; the signage plan as presented is only recommended for approval on the first two items (the Villas monument signs and the 4 ft. x 4 ft. marketing signs on Arrowhead Canyon Drive). The third item (monument on freeway berm) cannot be approved at this time (*no details were provided*).
- f. Short Term Rentals; as presented, the short term rental component is recommended for approval. All rentals shall be managed by a sole professional management company. This will be explicitly detailed in the CC&Rs and governed by the HOA. No more than 45% of the units within the 51.95 acre parcel shall be allowed to participate in the rental pool. No lockout type rental rooms shall be permitted and will be clarified in the CC&Rs. The project shall meet all requirements of the City's short term rental ordinance. (*Reference Pg. 6 of applicant's submittal*)
- g. Twin Homes / Single Family Homes / Multi-unit residences; as presented are recommended for approval. See the 'Land Use Summary' in the packet (on page 10).
- h. Amenities; the community parcel will be centrally located for all residents. It will provide pickle ball courts, a pool, bathroom, maintenance building, parking, and a grass recreation area. It will be complete before 100 units are sold. (*Note: Clarify what phase this will be completed by*)
- i. Freeway Barrier; a landscaped sound and aesthetical visual barrier will be created between the freeway and the project as depicted.
- j. Landscaping – Arrowhead Canyon Drive; a landscaped 10 ft. wide city trail setback 8 ft. from the curb with an additional 15 ft. of landscaped area before the 'Villas' 6 ft. privacy wall. The developer /HOA shall maintain.
- k. Landscaping - Autumn Bloom Drive; A landscaped 'grand entranceway' as shown and maintained by the developer/HOA.
- l. Landscaping – Sun River Parkway; shall be maintained by developer/HOA.

- m. Permitted Uses; Permitted uses (single family, duplexes, triplexes, clustered homes, recreational facilities, guesthouses, model homes, and short term rentals as outlined in packet (*page 12*))
  - n. Setbacks; as outlined in packet (*page 13*)
  - o. Special Standards; No RV parking, off street parking restrictions, varied setbacks, etc. as outlined in packet (*page 14*) (*Note: Enforcement shall be by the developer / HOA*).
  - p. Street Trees ; Required along major streets
  - q. Guest Houses; Require an application per City Code.
3. **Table the Zone Change**; the zone change amendment is tabled to allow for any additional information to be provided as determined.

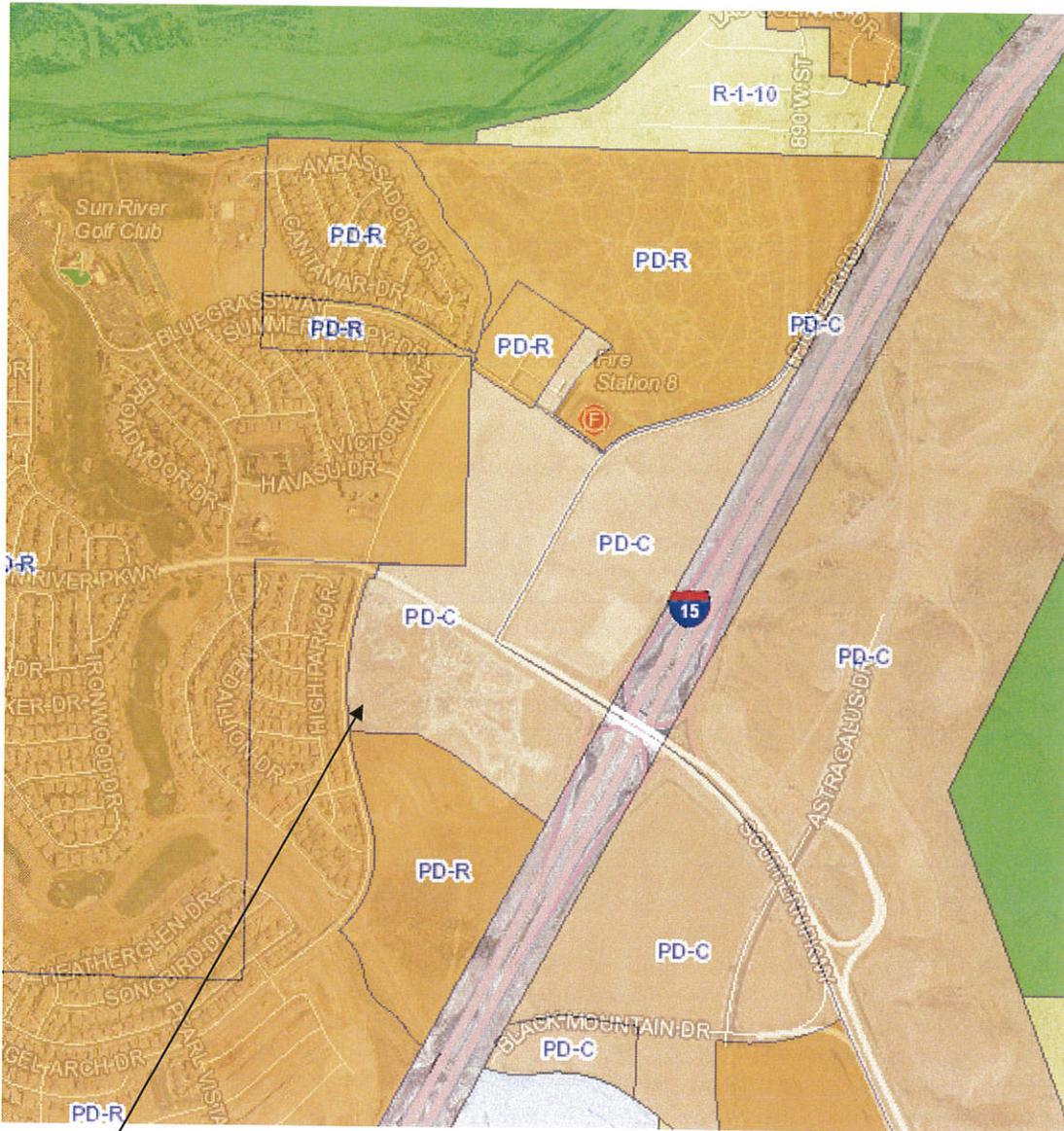
Vicinity Map



Reference: City Council approved amended General Plan Land Use  
(Case No. 2015-GPA-006)

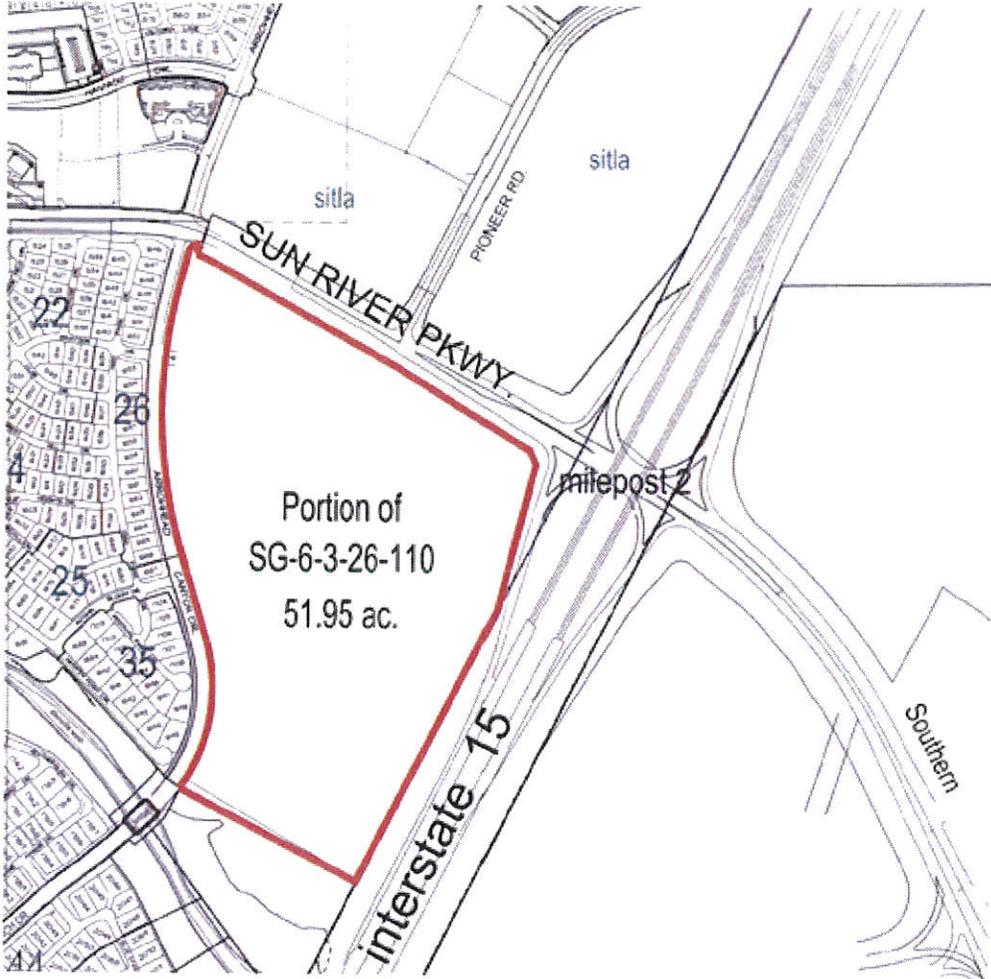


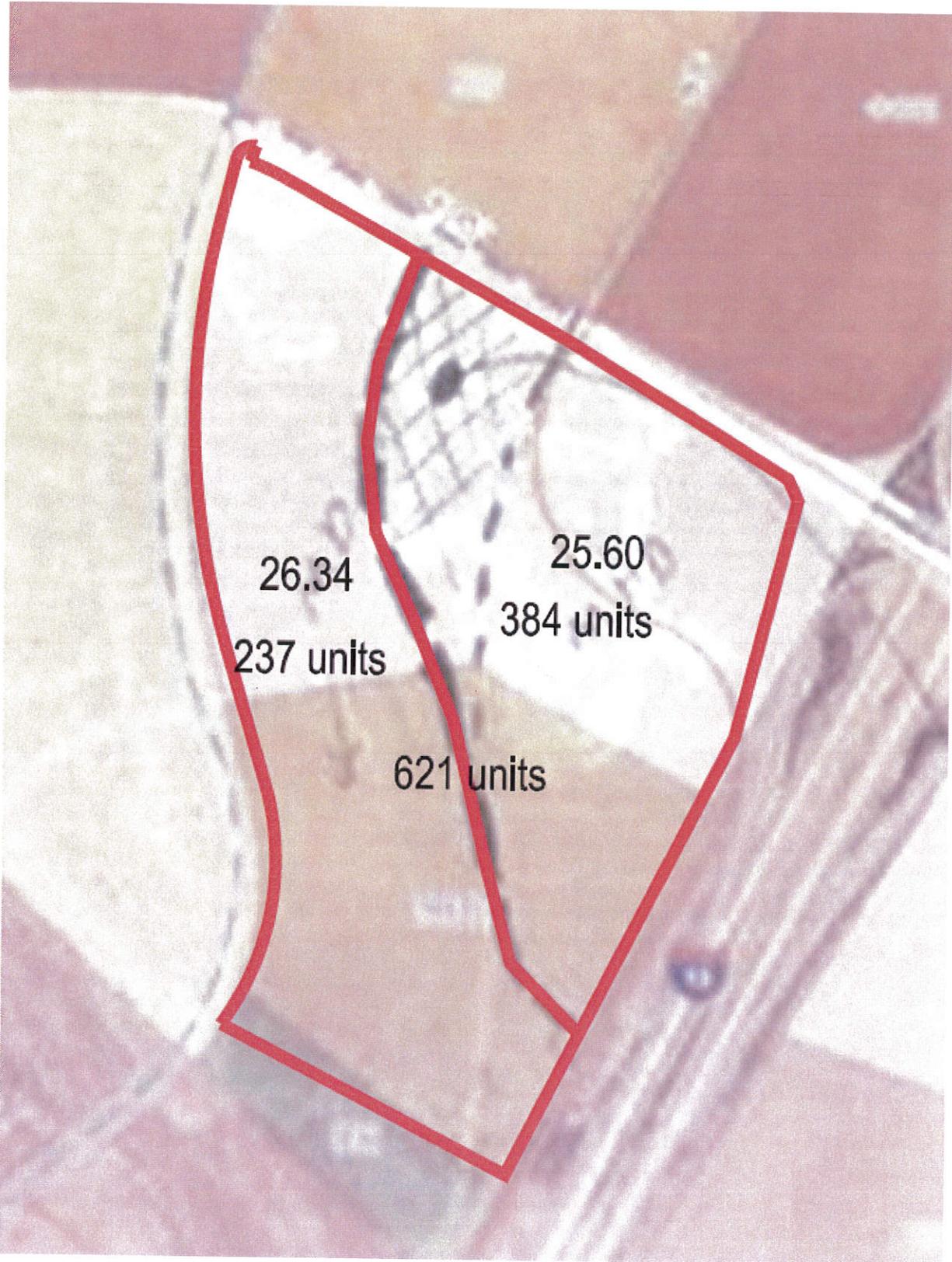
### Existing Zoning



Note: this PD-C portion will need to change to become PD-R

Site





Proposed Atkinville Interchange Amendment to Land Use

**BEFORE**

Exhibit 2-4: Land Use / Planning Area Summary Table

| LAND USE (acres)     |                             |                      |             |             |             |             |                   |                  |
|----------------------|-----------------------------|----------------------|-------------|-------------|-------------|-------------|-------------------|------------------|
| Planning Area        | Visitor Oriented Commercial | Community Commercial | Mixed Use   | Employment  |             | Residential | Public Facilities | ROW & Open Space |
|                      |                             |                      |             | Type 1      | Type 2      |             |                   |                  |
| 1.1                  | 15.1                        |                      |             |             |             |             |                   |                  |
| 1.2                  | 9.9                         |                      |             |             |             |             |                   |                  |
| 1.3                  | 6.6                         |                      |             |             |             |             |                   |                  |
| 1.4                  | 1.0                         |                      |             |             |             |             |                   |                  |
| 1.5                  | 18.9                        |                      |             |             |             |             |                   |                  |
| 1.6                  | 18.9                        |                      |             |             |             |             |                   |                  |
| 2.1                  |                             | 33.9                 |             |             |             |             |                   |                  |
| 2.2                  |                             | 8.1                  |             |             |             |             |                   |                  |
| 2.3                  |                             | 33.3                 |             |             |             |             |                   |                  |
| 3.1                  |                             |                      | 19.7        |             |             |             |                   |                  |
| 4.1                  |                             |                      |             | 29.9        |             |             |                   |                  |
| 4.2                  |                             |                      |             |             | 22.9        |             |                   |                  |
| 4.3                  |                             |                      |             |             | 9.6         |             |                   |                  |
| 4.4                  |                             |                      |             | 4.5         |             |             |                   |                  |
| 4.5                  |                             |                      |             | 12.9        |             |             |                   |                  |
| 4.6                  |                             |                      |             |             | 18.7        |             |                   |                  |
| 5.1                  |                             |                      |             |             |             | 23.2        |                   |                  |
| 5.2                  |                             |                      |             |             |             | 46.0        |                   |                  |
| 6.1                  |                             |                      |             |             |             |             | 4.6               |                  |
| 6.2                  |                             |                      |             |             |             |             | 4.0               |                  |
| OS                   |                             |                      |             |             |             |             |                   | 166.1            |
| <b>TOTAL (acres)</b> | <b>70.4</b>                 | <b>75.3</b>          | <b>19.7</b> | <b>47.3</b> | <b>51.2</b> | <b>69.2</b> | <b>8.6</b>        | <b>166.1</b>     |

Exhibit 2-4: Land Use / Planning Area Summary Table

**AFTER**

| LAND USE (acres)     |                             |                      |             |             |             |             |                   |                  |
|----------------------|-----------------------------|----------------------|-------------|-------------|-------------|-------------|-------------------|------------------|
| Planning Area        | Visitor Oriented Commercial | Community Commercial | Mixed Use   | Employment  |             | Residential | Public Facilities | ROW & Open Space |
|                      |                             |                      |             | Type 1      | Type 2      |             |                   |                  |
| 1.1                  | 15.1                        |                      |             |             |             |             |                   |                  |
| 1.2                  | 9.9                         |                      |             |             |             |             |                   |                  |
| 1.3                  | 6.6                         |                      |             |             |             |             |                   |                  |
| 1.4                  | 1.0                         |                      |             |             |             |             |                   |                  |
| 1.5                  | 18.9                        |                      |             |             |             |             |                   |                  |
| 1.6                  | 18.9                        |                      |             |             |             |             |                   |                  |
| 2.1                  |                             | 33.9                 |             |             |             |             |                   |                  |
| 2.2                  |                             | 8.1                  |             |             |             |             |                   |                  |
| 2.3                  |                             | 33.3                 |             |             |             |             |                   |                  |
| 3.1                  |                             |                      | 19.7        |             |             |             |                   |                  |
| 4.1                  |                             |                      |             | 17.4        |             | 29.9        |                   |                  |
| 4.2                  |                             |                      |             |             | 22.9        |             |                   |                  |
| 4.3                  |                             |                      |             |             | 9.6         |             |                   |                  |
| 4.4                  |                             |                      |             | 4.5         |             |             |                   |                  |
| 4.5                  |                             |                      |             | 12.9        |             |             |                   |                  |
| 4.6                  |                             |                      |             |             | 18.7        |             |                   |                  |
| 5.1                  |                             |                      |             |             |             | 23.2        |                   |                  |
| 5.2                  |                             |                      |             |             |             | 46.0        |                   |                  |
| 6.1                  |                             |                      |             |             |             |             | 4.6               |                  |
| 6.2                  |                             |                      |             |             |             |             | 4.0               |                  |
| OS                   |                             |                      |             |             |             |             |                   | 166.1            |
| <b>TOTAL (acres)</b> | <b>70.4</b>                 | <b>75.3</b>          | <b>19.7</b> | <b>17.4</b> | <b>51.2</b> | <b>99.1</b> | <b>8.6</b>        | <b>166.1</b>     |



Density Calculations @ 16 du/ac (not allowed per General Plan)

Area 4.1 = 29.9 acres x 16 du/ac = 478.4 units

Area 5.1 = 23.2 acres x 16 du/ac = 371.2 units

Area 5.1 = 46.0 acres x 16 du/ac = 736 units

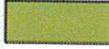
Applicant Calculations @ MDR & MHDR (allowed per General Plan)

MDR = 26.34 acres (see exhibit in staff report); 26.34 x 9 du/ac = 237

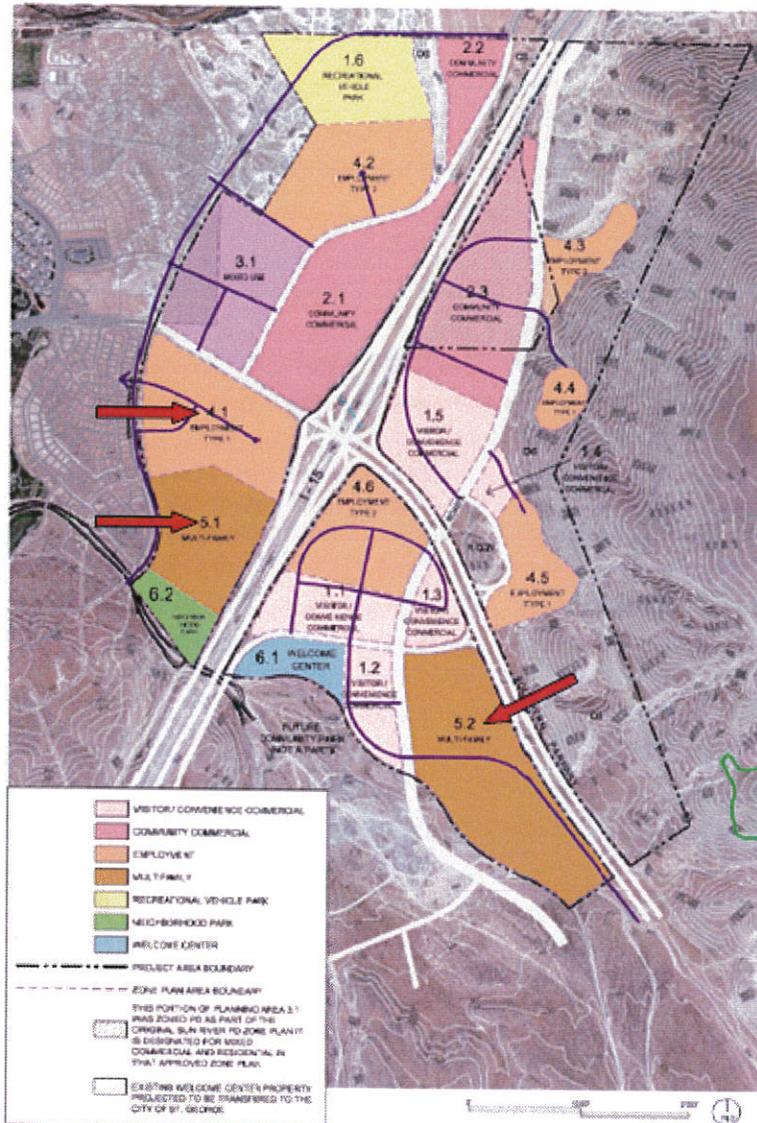
MHDR = 25.60 acres (see exhibit in staff report); 25.60 x 15 du/ac = 384

-----  
Total = 621 units

Reference – City General Plan Land Use Densities

-  HCP Open Space - HCP
-  HDR - High Density Resident (~~10 or more DU/AC~~) (16 or more DU/AC)
-  IND - Industrial
-  LDR - Low Density Residential (Up to 4 DU/AC)
-  MDR - Medium Density Residential (5 to 9 DU/AC except Little Valley 4 to 7)
-  MHD - (~~Little Valley 7 to 10 DU/AC~~) Medium High Density 10 to 15 DU/AC

Reference: Atkinville Land Use – Exhibit 2-1



Prepared by: Planning Area Coordinator  
 City of St. George, Utah  
 Date: 11/15/2016  
 Project: 2016-ZC-001

Adjusted Language in Atkinville Master Plan – Page 14

*RESIDENTIAL*

Three

Two planning areas are designated for residential land use. ~~Four~~ are located adjacent to existing or future residential in Sun River St. George or South Block. They are also both located close to parks, open space and trails which connect to the local retail areas. Proposed residential densities average ~~16 dwelling units~~ per acre over each of the two planning areas.

They are



The 23.2 acre residential Planning Area 5.1 is located adjacent to a 4.0 acre neighborhood park west of I-15. The total units allowed in this area at an average of 16 DU/Acre is 371. These units may be developed with more than one residential product type ranging from products that have a density of about ~~10 DU/Ac to 22 DU/Ac~~. However the total planning area cannot exceed 371 units.

Note: Need to Combine area 4.1 and 5.1



The 46.0 acre residential Planning Area 5.2 is located south of the Southern Parkway and east of Road A. The total units allowed in this area at an average of ~~16 DU/Ac is 736~~. These units may be developed with more than one residential product ranging from products that have a density of about ~~10 DU/Ac to 22 DU/Ac~~. However the total planning area cannot exceed 736 units.

Add area 4-1 – 29.9 ac

*RECREATIONAL VEHICLE PARK*

A recreational vehicle park is located at the northwest corner of the Plan Area along the extension of Arrowhead Canyon Drive. It is adjacent to a parcel designated for a similar use (RV- and Mini-Storage) within the existing Sun River Planned Development Zone. This land use of approximately 18.3 acres would allow an RV Park commercial business that provides space, hookups and other facilities for motor homes or other recreational vehicles. Commercial businesses where unoccupied recreation vehicles are offered for lease, or are maintained and stored, are not permitted. These uses are permitted in the adjacent Sun River PD zone parcel. Permitted uses include recreation and other services directly in support of the users of the Recreational Vehicle Park

# The Villas at Sun River St. George

*Planned Development Zone Change Application  
& Design Standards*

**December 4, 2015**



**The Fourth Amendment to the  
*Atkinville Interchange Area Zone Plan (PD)***  
First Approved January 4, 2007

Applicant: **Sun River St. George Development, L.C.**  
1404 West Sun River Pkwy., #200, St. George, UT 84790, (435) 673-4300

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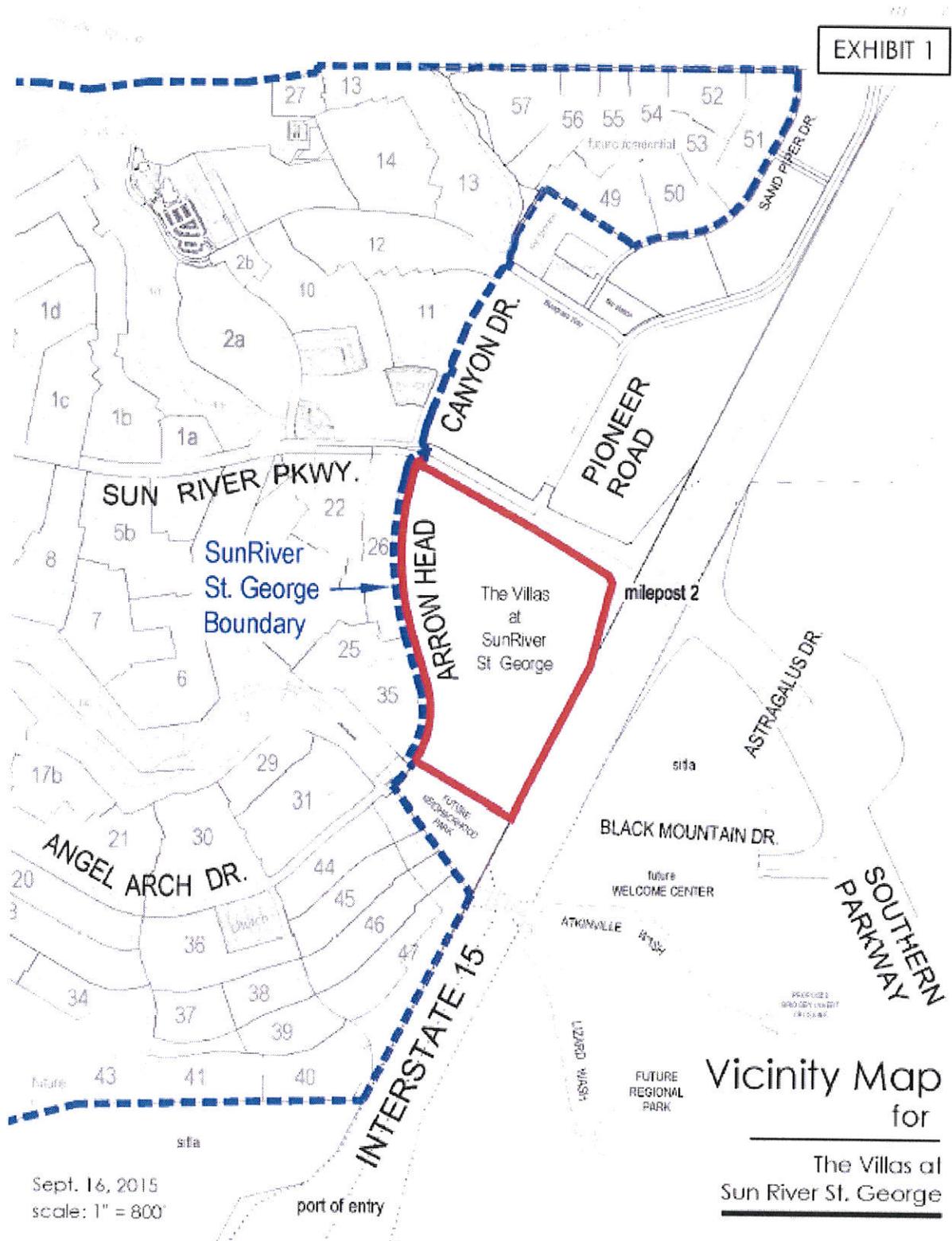
## ***Introduction and Project Overview***

Sun River St. George Development, LC (SRSG) is excited to present its application for a new Planned Development residential neighborhood at the Milepost 2 Interchange – The Villas at Sun River St. George. The Villas is a new neighborhood project and will have a new home owners association completely separate from the original Sun River St. George. The Villas will be age-restricted, 55 or better, like its neighbors west of Arrowhead Canyon Dr., and will be an enclave for the recreation oriented, active homeowner.

The Villas will be on a 51.95 acre parcel located along Interstate 15 to the east, Sun River Parkway to the north, a future City park and the Atkinville Wash to the south, and Arrowhead Canyon Dr. to the west – see Exhibit 1. Arrowhead Canyon Drive will be completed to a full 66 ft. Public R.O.W. including a 10 ft. City Trail running the whole length of the project. Approximately 1.5 acres will be devoted to the trail and its landscaping, 2.8 acres to the community amenities parcel, and 2.7 acres to a sound and landscape berm along the interstate and an access road for the power transmission lines there. That leaves about 45 acres for various residential products.

The developer's intent is to create a vibrant residential community oriented to the needs of home buyers seeking the rewards of an age-restricted, active-adult community. It's anticipated that the majority of the project will be attached twin homes, and some single family homes, though we request the approval for several different residential products detailed in the Land Use section of this application.

The subject property is within the Atkinville Interchange Area Zone Plan, a planned development zone approved by the St. George City Council January 4, 2007. This PD request, if approved, will be an amendment to that PD.



### **Development Team**

The Sun River development team is highly experienced in residential and commercial development in Southern Utah, most notably as the creators of Sun River St. George, a 55 or better, age-restricted residential community in St. George, UT. Sun River has built over 1800 homes since 1998, with final build out anticipated to be approximately 2315 units.

#### **Sun River St. George Development, LC**

Darcy Stewart, Managing Partner:  
Colleen Stewart, General Manager, Controller:  
Kelly Stephens, Operations Manager:  
Dalan Madsen, Sales Manager:  
Derek Rowley, Strategic Projects:  
Scott McCall, Land Development Manager:  
Todd Fuller, Purchasing and Accounting Manager:  
Clark Kelsey, Marketing Director:  
Janeen Langford, Design Center Manager:

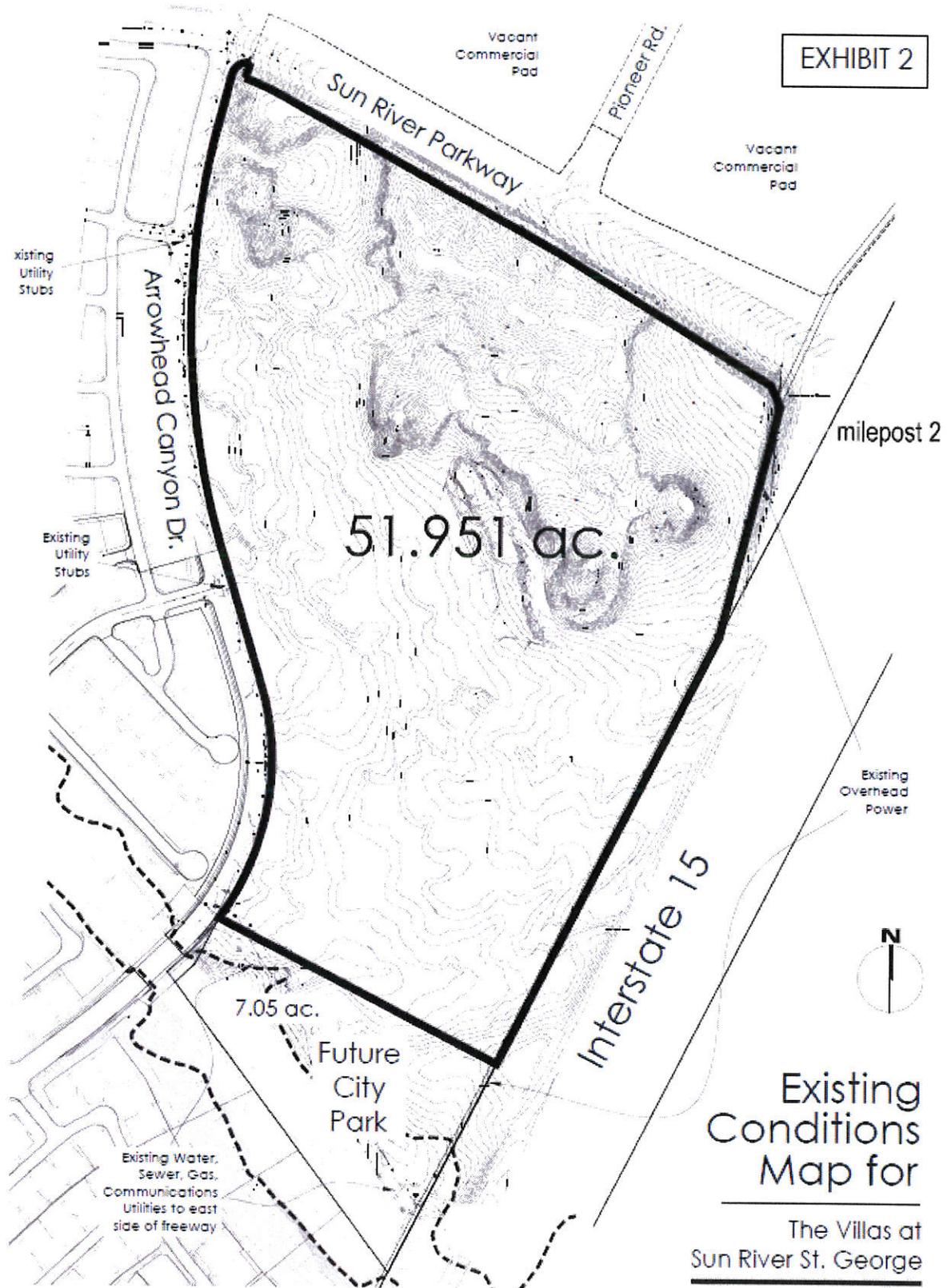
1404 W. Sun River Parkway, Suite 200, St George, Utah 84790  
Telephone: (435) 673-4300 Fax: (435) 634-1830  
Contact: Scott McCall - mobile (435) 215-8316

In cooperation with:

**State of Utah School and Institutional Trust Lands Administration**  
2303 North Coral Canyon Blvd., Suite 100A, Washington, UT 84780  
Telephone: (435) 652-2950 Fax: (435) 652-2952  
Contact: Kyle Pasley

#### **Key Consultants include:**

Engineering & Survey: Rosenberg Associates: Rick Rosenberg, PE, (435) 673-8586  
Geotechnical: Landmark Testing & Engineering, Russ Owens, PE, (435) 986-0566  
Land Planning and Landscape Theming: CRSA, Ben Rogers, (435) 673-7362



### **Existing Conditions and Entitlements**

The current condition of the property is a mix of native badlands and desert flats with sparse vegetation. There are small confined areas being used for materials staging and a concrete washout area – less than an acre out of the 51.95 acres. As previously stated, the property is bounded on 3 sides by existing roads, one of them Interstate 15, and by the Atkinville Wash on the south end, with a future City park between the wash and the subject property – see Exhibit 2.

The existing general plan designation is a portion of Medium Density Residential (5-9 units per acre) and a portion of Medium-High Density Residential (10-15 units per acre), which if developed to its maximum density would yield 621 units.

The subject property is part of the Atkinville Interchange Area Zone Plan (*Interchange PD*) which was approved by the St. George City Council on January 4, 2007. The zone change application was submitted by the State of Utah and the School and Institutional Trust Lands Administration for a 516 acre portion of the area known as the South Block, on both the east and west side of I-15 and the then-future Milepost 2 interchange. There has been a previous amendment in 2012 that transferred 1.8 acres to the Sun River PD for an RV storage project, a second amendment which shifted the boundary between the Interchange PD and the Sun River PD, and a third to update the travel plaza site on the east side of the interchange. This would be the 4<sup>th</sup> amendment to the PD.

Under the Interchange PD the property is currently zoned Employment 1 (29.9 ac.) and Multi-Family (23.2 ac.). Among the permitted uses for Employment 1 are business and professional offices, health clubs, hotels, restaurants, manufacturing, machine shops warehouse storage, and more. The multi-family parcel allows for 16 units per acre and is currently approved for 371 units on that 23.2 acre parcel alone. The General Plan was amended earlier this year in preparation for updating the zoning to all residential uses.

## **Land Use**

### **Development Intent**

We see the Villas at Sun River St. George as an extension of the original Sun River community in vision, community spirit, and quality, but we want to broaden the variety of residential products outside of the limited uses in the Sun River PD. The Villas, like Sun River, will be an enclave for recreation oriented, retired or semi-retired homeowners interested in living an active, quality lifestyle. We expect that our first phases will be a twin home product which, if successful, may be the majority of this project. Other permitted residential products will include single family detached and attached dwellings, including but not limited to: patio homes, duplexes, triplexes, other types of clustered homes, and two-story multi-unit townhomes or condominiums. All building types may be single or two-story buildings. All of these building types are the same as those approved under the Sun River PD except for the inclusion of two-story multi-unit townhomes or condominiums and the exclusion of zero lot-line homes.

In order to respond appropriately to unpredictable shifts in market preference and economic conditions, the developer wishes to maintain flexibility with respect to specific densities assigned to any given parcel within the Villas at SRSG. Accordingly, the developer reserves the right to build at a lesser density than indicated on the Land Use Plan in any given parcel, and to transfer these "unused" units into another development parcel. The number of units transferred to any parcel may not exceed 30% of the number originally permitted for that particular parcel per the Land Use Summary. Under no circumstances shall the total number of homes exceed the maximum number permitted by the General Plan. This provision will allow The Villas developers to adjust product type and neighborhood design at the Preliminary Plat stage in order to adjust to market conditions without jeopardizing the integrity of the Land Use Plan. The developer's intent is to create a community founded on individual pride of ownership, with a sense of neighborhood. The land uses proposed for the Villas illustrated on the Land Use Plan (Exhibit 3) and the Land Uses Summary (Exhibit 4) represents a summary of the number of acres, dwelling unit, and development densities graphically illustrated on the Land Use Plan.

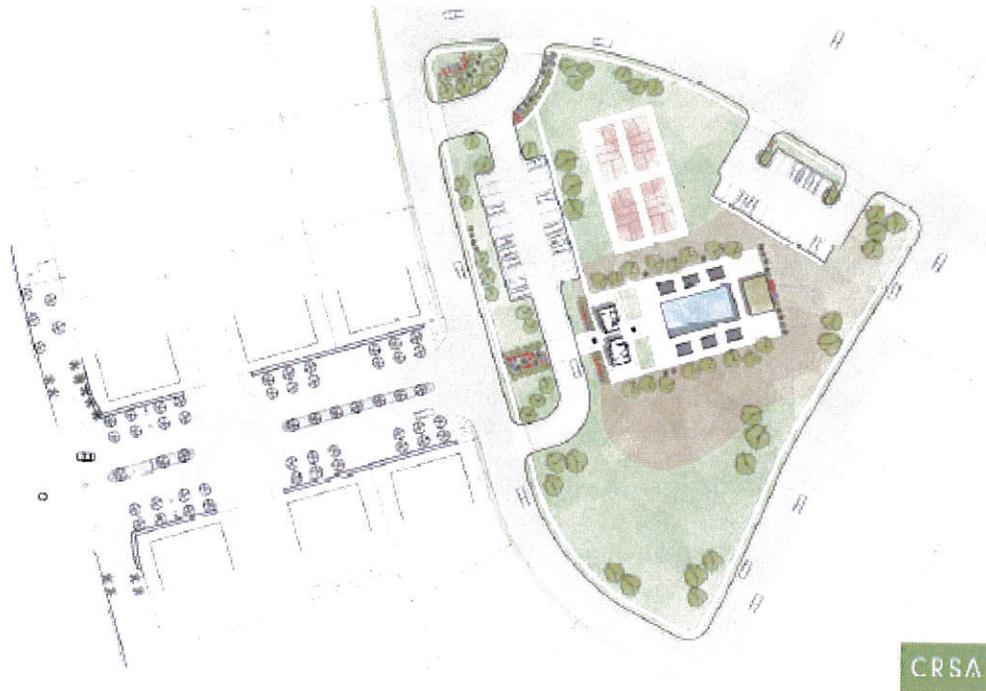
The developer requests approval of short-term rentals within this project. The rentals will be managed by a sole professional management company and any unit owner desiring to add their unit to the rental pool will be required to register and contract through the management company. This will be explicitly detailed in the CC&Rs and governed by the HOA and management company. No more than 45% of the units within the 51.95 acre parcel will be

Short Term  
Rentals

allowed to participate in the rental pool. The rental units may be anywhere within the project. No lockout-type rental rooms will be permitted – this will be clearly stated in the CC&Rs. No other rental pool will be allowed within the development. This project meets all the requirements of the City's Short-Term Lease ordinance for PD Zones.

### **Community Amenity Parcel and Non-Residential Space**

The Community Amenity Parcel will be centrally located to provide simple access for all residents and will provide pickle ball courts, a pool, a bathroom changing and maintenance building, vehicle parking, and grassed recreation and relaxation areas to be constructed in phases in pace with residential development and will be complete before 100 units are sold. The developer wishes to retain the right but not the obligation to build more extensive amenities and buildings on this site in the future. We request that the approval of this application constitute approval of the amenity parcel with no additional zone change amendment required for the amenity parcel. Development on the amenity parcel will proceed to Planning Staff review and improvement plan review and approval processes.



Community Amenity Parcel Concept

Other non-residential areas designated on the Land Use Plan include a landscaped City Trail along the entire length of Arrowhead Canyon Drive and Sun River Parkway along the south side of the Parkway. From the bottom of the on-ramp to the southern boundary of the property there will be a landscaped berm topped with a privacy wall to create separation and sound mitigation from Interstate 15.



**EXHIBIT 3**

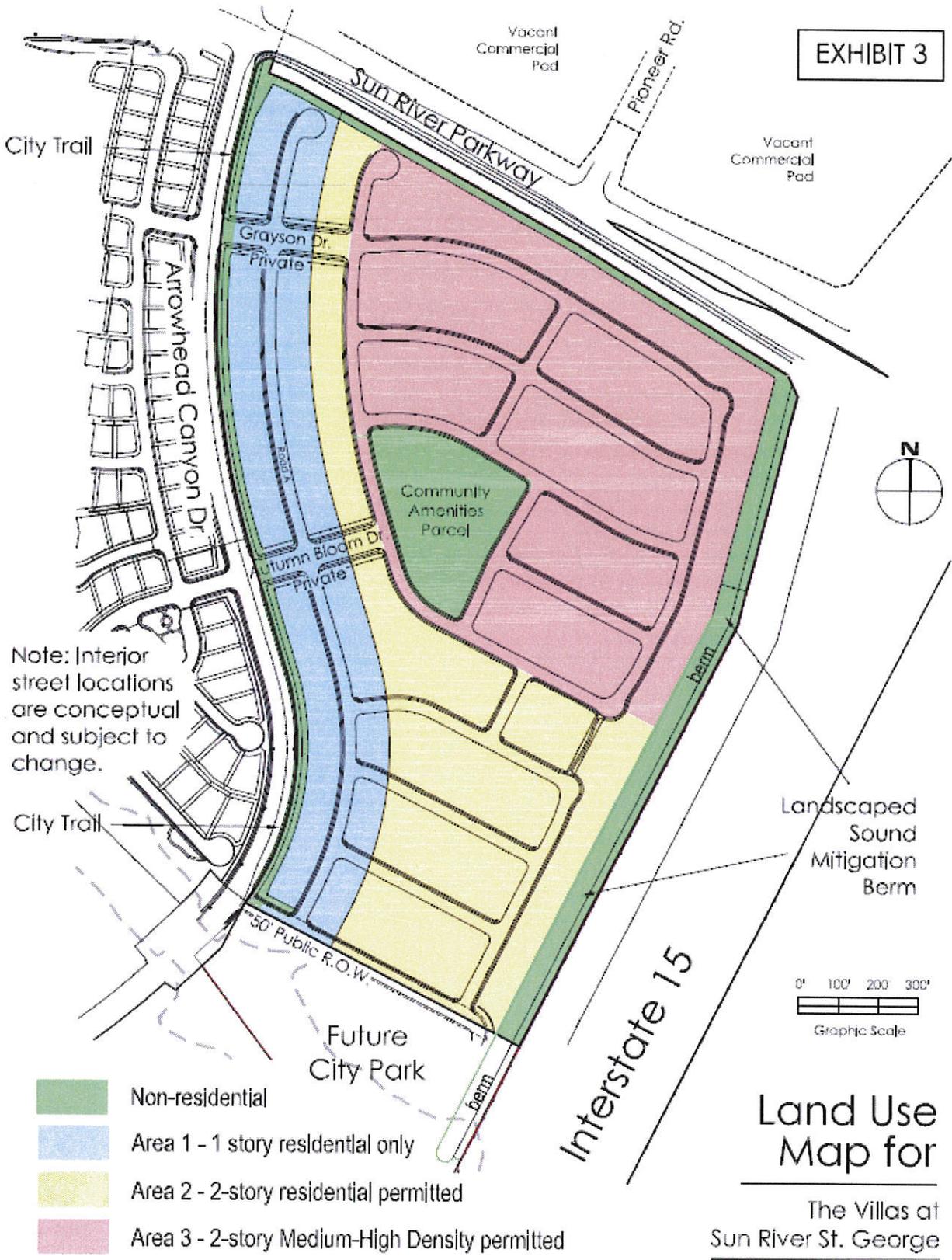


EXHIBIT 4

**Land Use Summary**

|  | <u>Acres</u> | <u>DU Totals Sought</u> | <u>%</u>       |
|--|--------------|-------------------------|----------------|
| <b>Area 1</b> - 1-story residential only<br>Medium Density (5-9)             | 10.02        | 90                      | 19.28%         |
| <b>Area 2</b> - 2-story residential permitted<br>Medium Density (5-9)        | 13.61        | 122                     | 26.19%         |
| <b>Area 3</b> - 2-story residential permitted<br>Medium-High Density (10-15) | 20.47        | 288                     | 39.40%         |
| Berm & landscaped open space   | 2.75         | 0                       | 5.29%          |
| City Trail & landscaped open space   | 2.3          | 0                       | 4.43%          |
| Community Amenity Parcel   | 2.81         | 0                       | 5.41%          |
| <b>Total</b>   | <b>51.96</b> | <b>500</b>              | <b>100.00%</b> |

**Notes:**

Acreages subject to minor adjustments.

Residential products include single family detached and attached dwellings, including but not limited to: patio homes, duplexes, tri-plexes, other types of clustered homes, and two-story multi-unit townhomes or condominiums. All building types may be single or two-story buildings with the exception of no two-story residences will be built in Area 1.

Recreation Area Required for 500 units is 2.30 acres (10-8-5-k).

Developer reserves the right to build at a lower density.

620 units allowable per General Plan, 500 are requested in this application.

## ***Community Design and Standards***

### **Community Design**

Homeowners and visitors approaching The Villas will notice immediately the broad, richly landscaped City Trail along the east side of Arrowhead Canyon Dr., complementing the beautifully landscaped boundary of Sun River St. George on the west side. The trail will have an 8' setback from the curb, a 10' trail, then 15' of additional landscaping bounded by The Villas privacy wall. The trail will be flanked by stretches of trees on both sides which will create a shaded canopy as they mature. There will be alcoves with benches set back from the trail creating areas to rest and enjoy the passing activity of the neighborhood. There will be two grand entrances and a smaller third access into the parcel at the south end of the parcel which will be shared by the future City Park. The grand entrances will be thickly tree-lined with a wide landscaped median. One of these entrances will frame the approach to the Amenity Parcel. The sidewalks on both sides of these entrances will have pedestrian portals - gateway features to pass through and signal arrival into the community. Throughout the Villas, again and again, the design encourages pedestrian use and connection to the greater area.

The following standards were created to guide the development of The Villas. These standards are largely taken from the Sun River St. George PD document, which has proven to be a highly successful design format, both in terms of aesthetics and function. These standards are also consistent with the Atkinville Interchange PD the City's Planned Development Zone.

### **Purpose/Intent of Standards**

- 1) Provide flexibility to adjust to changes in housing trends and patterns while maintaining compatibility with surrounding development.
- 2) Encourage diversity and the application of creative approaches to the physical development of the land through a variety of housing densities.
- 3) Provide recreation, leisure and community areas for the residents.
- 4) Promote and encourage an active, engaging, and aesthetically satisfying environment for age-restricted residents.

**Project Data / Use of Land**

|   |                                     |
|---|-------------------------------------|
| Units Requested                             | 500 units                           |
| 620 allowable by General Plan:              |                                     |
| Medium density (5-9 units/ac.) acres        | Approx. 26.3<br>Potential 236 units |
| Medium-high density (10-15 units/ac.) acres | Approx. 25.6<br>Potential 384 units |

**Permitted Uses**

- 1) Single Family detached and attached dwellings, including but not limited to: patio homes, duplexes, triplexes and other types of clustered homes.
- 2) Private non-commercial recreational facilities. Clubhouses and/or homeowner association and/or special district meeting places associated with recreational amenities.
- 3) Guesthouses per City Standards.
- 4) Accessory structures and uses necessary and customarily incidental to a permitted use.
- 5) Model Complexes and Sales Offices for the Villas at Sun River St. George. Locations may change throughout the community over the course of the project. Model complex locations will require no additional zoning review and shall proceed to Planning Staff review and improvement plan review and approval processes. As usual, off-street parking and emergency vehicle access will be addressed.
- 6) Short-term rentals – max. 45% of units over the whole project, managed and regulated by the CC&Rs and a professional community management company.
- 7) Other uses may be permitted by the City of St. George Zoning Ordinance for a comparable zone district.
- 8) Private streets within the development. See Circulation and Access for road section designs. Streets shall conform to the city of St. George standard specifications for design and construction as to the quality of construction. Maintenance will be performed by the HOA with a robust reserve fund detailed in the CC&Rs.
- 9) Any combination of the above.

**Development Standards**

The following residential development standards for the Villas at Sun River St. George are consistent with those established for Sun River St. George (approved as Sun River Ranch) and the Atkinville Interchange PD.

|   |   |
|---|---|
| Maximum Lot Coverage  | 50%   |
| Maximum Building Height   | 35'   |
| Maximum Density   | 500 requested (620 units allowable by General Plan) |
| Medium density (5-9 units/ac.) acres  | Approx. 26.3<br>Potential 236 units                 |
| Medium-high density (10-15 units/ac.) acres   | Approx. 25.6<br>Potential 384 units                 |
| Minimum Frontage* per lot from –  |   |
| The Street  | 30'   |
| Front building wall   | 35'   |
| Cul de sacs or similarly curved roads & flag lots   | 25'   |
| *As measured to or along public streets only; there shall be no minimum frontage associated with private streets. |   |
| Off-Street parking requirement  | Two spaces per residential unit                     |

**Minimum Setbacks and Building Separation**

|  |   |
|--|---|
| Front Building Setback                             | 10' from back of sidewalk, or curb where there is no sidewalk   |
| Garage Setback                                     | 20' from back of sidewalk, or curb where there is no sidewalk   |
| Sidyard along priv. road                           | 10' from back of sidewalk, or curb where there is no sidewalk   |
| Setback from Public Arterial Roads:                | 25'   |
| Minimum Building Separation                        |   |
| Side yard with no fence or retaining wall over 3': | 10' for single and two story  |
| Side yard with fence or retaining wall over 3':    | 16' for single and 18' for two story  |
| Rear yard  | Single story: 10' to property line or 20' building separation<br>Two story: 20' to property line or 40' building separation |

### **Special Standards**

- Recreational Vehicle parking shall be prohibited unless said RV is enclosed in a garage. Garages shall not be allowed to be converted into living spaces without additional enclosed parking being made available. To be regulated by the HOA.
- Off-street parking other than that which is required may be allowed within all setbacks, but shall not compromise landscaping and other buffering measures.
- Minimum building area shall not include unfinished basements or garages.
- Staggering variation in building setbacks shall be encouraged.
- Roof overhangs, decks, bay windows, chimneys, and other building appurtenances shall be allowed within setback areas up to a maximum of a two foot projection.

### **General Notes**

The developer has the right to build at a lower density in any planning area. This density reduction shall be considered a minor change enabling the developer to gain approval of the site without amending the application.

A preliminary plat shall be submitted to the City for each residential land use parcel.

Roadway systems are conceptually located to provide access to and within the site. All efforts will be made to provide smooth flowing roads that function well with the complete build out of the project. Except for access from Arrowhead Canyon Drive, which is designated in this application, final alignments, access and design will be determined at the time of preliminary plat and shall be in substantial accordance with this application to the extent that is reasonable and possible. Roadways within the development shall conform to the roadway design standards established within this application.

The owner/developer of any property within the area subject to these planning standards has the right to continue existing uses until the time of Final Plat approval.

The development guidelines and standards contained herein shall govern the development of the property.

This is a Planned Development Zone district. Standard zoning and development standards as found in the City of St. George Building and Zoning Code will apply if not addressed by this application, the CC&Rs, or the Association's Design Standards.

The property is not a part of the Hillside Ordinance Overlay Zone.

The City will maintain the trail asphalt or concrete. The Villas Community Management company will maintain the landscaping along Arrowhead Canyon Dr. and Sun River Parkway. Community entrances at Grayson Dr. and Autumn Bloom Dr. will have landscaped entry features and community signage monuments.

### **Community Management**

The HOA will be formed as a non-profit corporation and administered by a professional community management company. The HOA will be responsible for the maintenance of the open spaces, landscaping along its side of the public roads, amenity parcel facilities, private roads, and short-term rental management. An Architectural Review Committee will be formed within the framework of the HOA or management company to review plans, specifications, landscaping and color schemes of the homes to be built and ensure the adequate maintenance of appearance.

## ***Infrastructure and Technical Considerations***

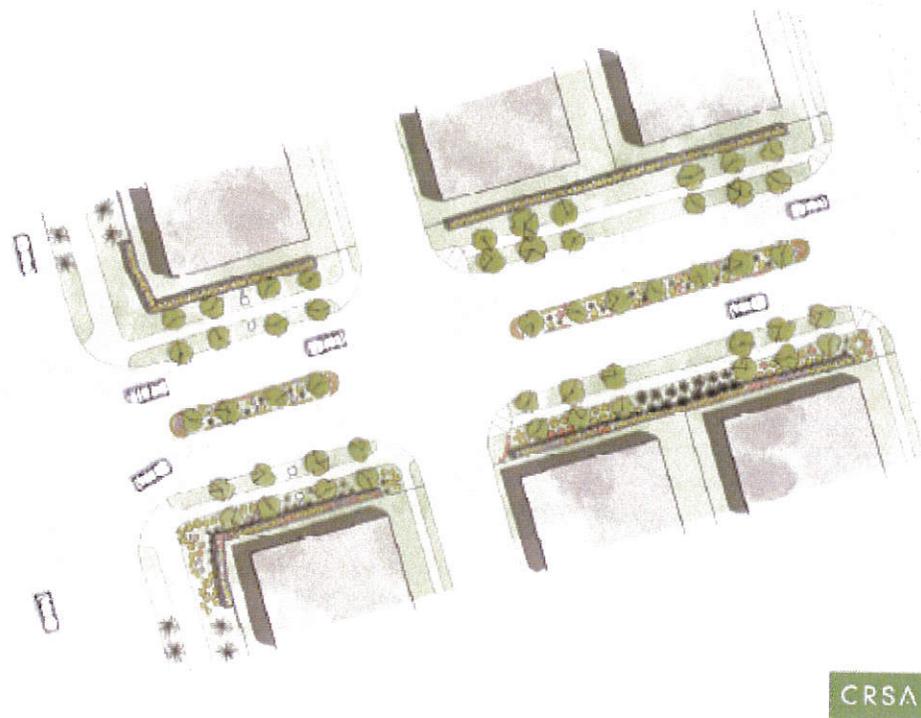
### **Traffic Study, Access, and Circulation**

A traffic impact study was prepared by Horrocks Engineers for the Villas at Sun River St. George, dated September 15, 2015 and is attached to this application. The traffic model was generated using 500 active adult retirement community homes. Traffic operations analyses were performed for AM and PM peak hour conditions for existing and existing plus project conditions. Other than widening Arrowhead Canyon Drive to three lanes (see 66' Public R.O.W. Road Section Design), no other intersection improvements or changes were needed to accommodate project traffic.

As mentioned earlier, the project will have three entrances into the property from Arrowhead Canyon Drive. Two will be private grand entrances situated directly across from existing roads from the Sun River community and the third will be 50' public road that will also be the access to the future City Park, adjacent and southerly of the project boundary. Internal circulation will be private roads using the same road section geometry as has been used successfully at Sun River St. George over the last 18 years. The preliminary road layout is shown on all the exhibits and is very likely the layout that will be built, however, we will need to be flexible due to which

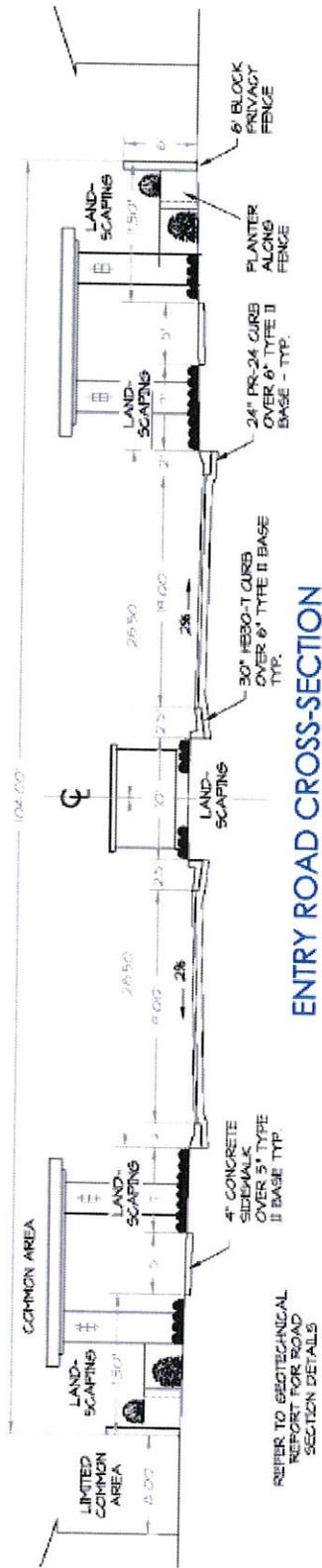
residential product types are proposed. City Staff will review the ultimate layout of each phase during the Preliminary Plat process. As shown on the preliminary road layout, neighborhood connectivity is extensive, with the use of cul de sacs minimized and long streets curved or broken up. The private roads will be maintained by the Association which will have a robust reserve fund for this and other private infrastructure maintenance. In our experience, which is evidenced by the condition of the private streets at Sun River, private streets are far better maintained than public streets in our region when a well-structured reserve fund is in place.

### Public and Private Road Sections



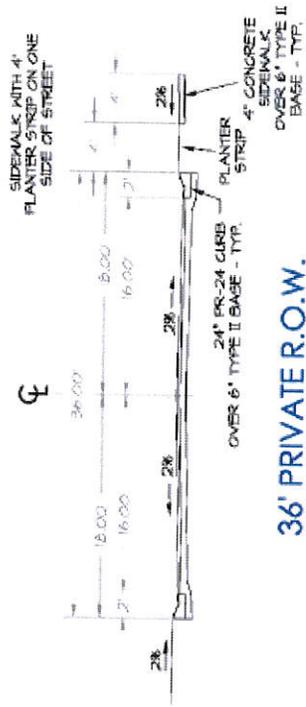
Concept Community Entrance from above





**ENTRY ROAD CROSS-SECTION**

PRIVATE STREET SCALE: NONE



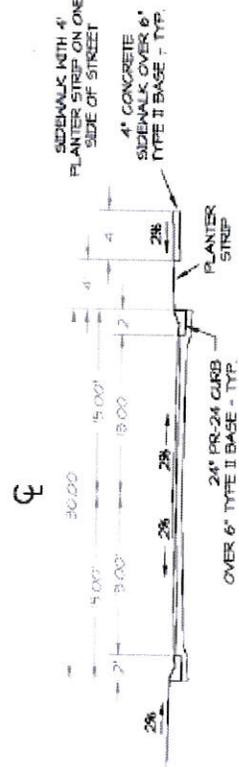
**36' PRIVATE R.O.W.**

SCALE: NONE



**50' PUBLIC R.O.W.**

SCALE: NONE



**30' PRIVATE R.O.W.**

SCALE: NONE

### **General Utilities**

Sanitary sewer will be serviced by the City of St. George. The parcel has three separate sewer main stubs available for connection.

Culinary water service will be provided by the City of St. George. There is a 10" water main in Arrowhead Canyon and an 8" loop line along the south boundary. There is also a minimum 18" regional transmission waterline in process, designed to provide the necessary water for development around Milepost 2 and more. Construction is anticipated to be completed by December 2016.

Dixie Power will provide electricity for the project. All lines will be installed underground and shall meet the standards established by Dixie Power.

Questar shall provide natural gas service. Questar has substantial gas mains in Arrowhead Canyon Dr.

Refuse collection will be by the Washington County Solid Waste District.

### **Phasing Plan**

The Villas community is estimated to develop over a 5 to 7 year period, depending on market conditions. The number of units in each phase can also vary due to the market. Exhibit 4 shows a conceptual Phasing Plan with 12 Phases, to show how phasing might move forward. The Developer reserves the right to modify the order and size of phases.

See Exhibit 5.

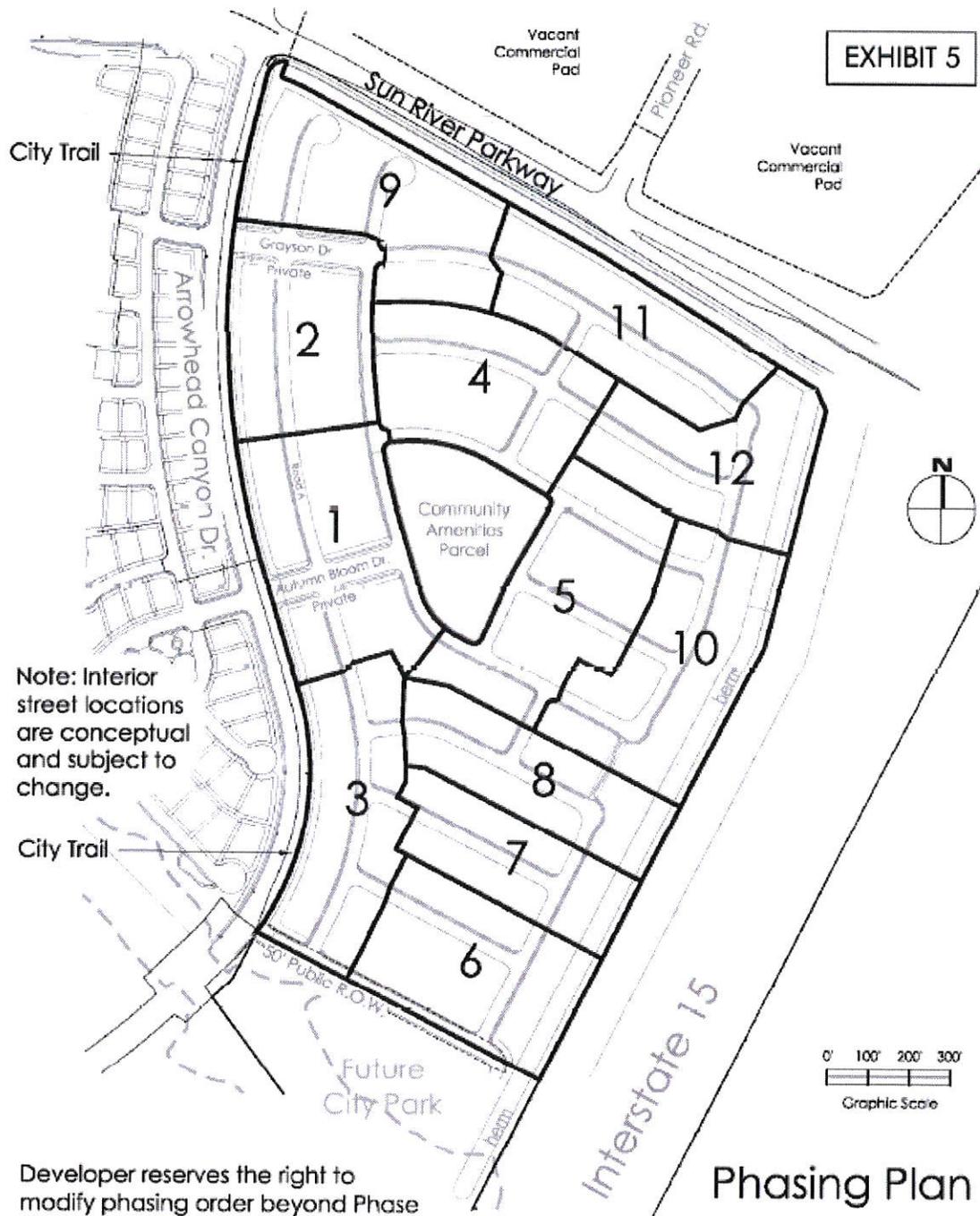


EXHIBIT 5

Note: Interior street locations are conceptual and subject to change.

Developer reserves the right to modify phasing order beyond Phase 1. Market preference and economic conditions require adjustment and flexibility.

# Phasing Plan

The Villas at Sun River St. George

Note: #3) The community signage monument along the freeway cannot be approved at this time

### Signage Plan

The Signage Plan for the Villas asks approval for three types of signage: 1) two permanent monument-style signs to be in the medians in the entrances at Grayson Dr. and Autumn Bloom Dr. respectively, 2) four locations along Arrowhead Canyon Dr. for 4' by 4' marketing signage, and 3) a community signage monument to be constructed along the freeway berm. See Exhibit 6. The permanent entrance monuments will be very similar to the one shown in the concept community entrance rendering below. The 4' by 4' marketing signs will be updated several times a year and will be mounted on 2 - 4" by 4" posts – see example below. These are temporary and will be removed with the sale of the last unit. We request zoning approval for the community signage monument at the location shown on Exhibit 6. The actual design, size, materials and colors will be reviewed by City Staff as the design is finalized.



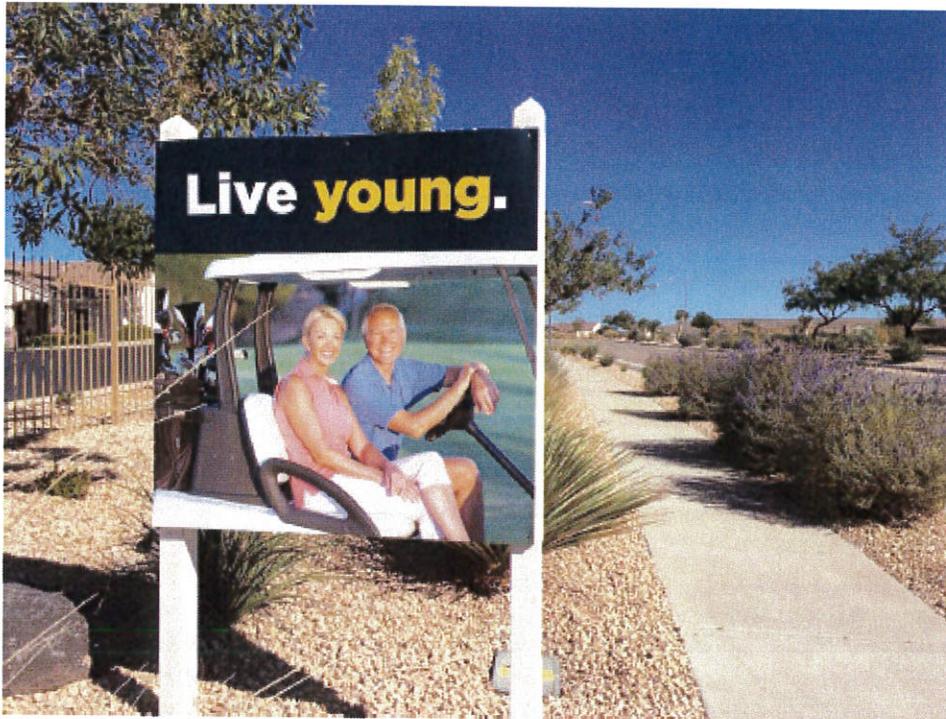
#1) Entry Monument



Concept Community Entrance

Note the entrance monument in the center of the median. This will be constructed of a combination of stone, tile and/or stucco.

#2) Marketing Signs

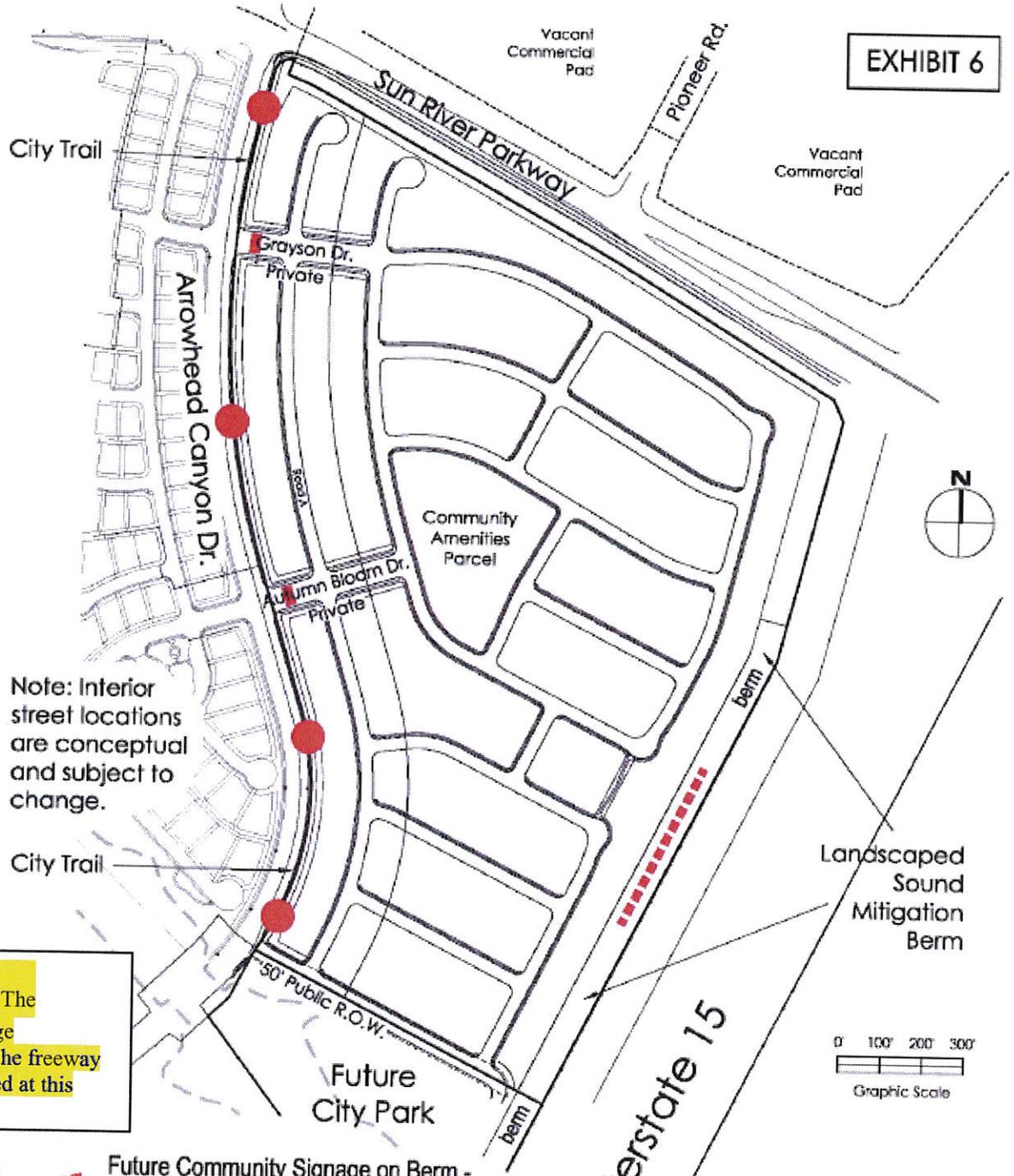


Example – 4' by 4' Marketing Sign – temporary. These sign are typically graphics on form core, mounted on painted plywood with painted 4" x 4" posts.



#1) Entry Monument

**EXHIBIT 6**



Note: Interior street locations are conceptual and subject to change.

Note: #3) --- The community signage monument along the freeway cannot be approved at this time

- Future Community Signage on Berm - Approved per this Zoning Application - final details to be reviewed by Planning Commission and City Staff
- 4' x 4' Marketing Signage - Located between curb and trail
- Community Monument Sign - Located in entrance median - permanent

**Signage Plan**  
 The Villas at Sun River St. George

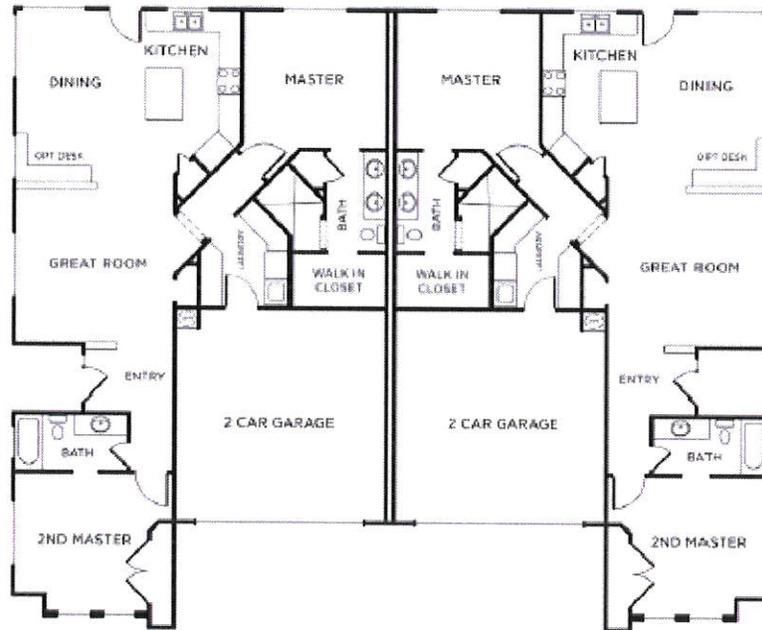
### **Geotechnical Report**

A geotechnical report was prepared for this parcel by Landmark Testing and Engineering dated June 27, 2014 and is attached to this application. Nine test pits were excavated and surface and sub-surface conditions were evaluated. The soils are very similar to what has been previously encountered in the Sun River area.

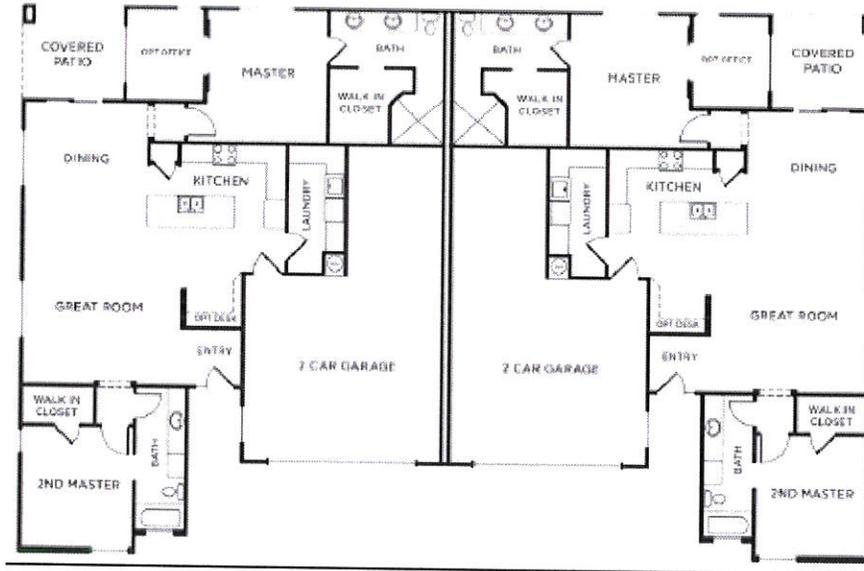
### ***Residential Products - Exhibits***

As stated earlier in this application, we expect that our first phases will be a twin home product which, if successful, may be the majority of this project. Other allowable residential products will include single family detached and attached dwellings, including but not limited to: patio homes, duplexes, tri-plexes, other types of clustered homes, and two-story multi-unit townhomes or condominiums. All building types may be single or two-story buildings. All of these building types are the same as those approved under the Sun River PD except for the inclusion of two-story multi-unit townhomes or condominiums.

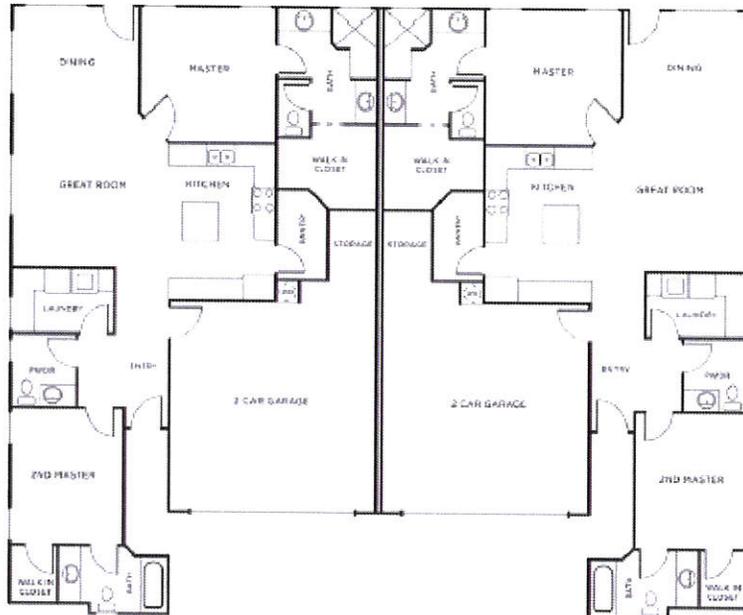
**Plan 1446 – Twin Home**



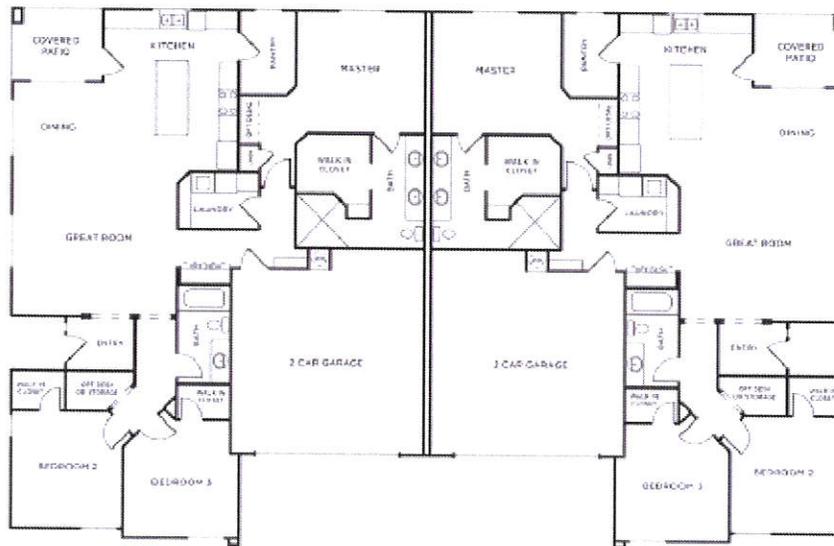
**Plan 1620 – Twin Home**



**Plan 1392 – Twin Home**



**Plan 1896 – Twin Home**

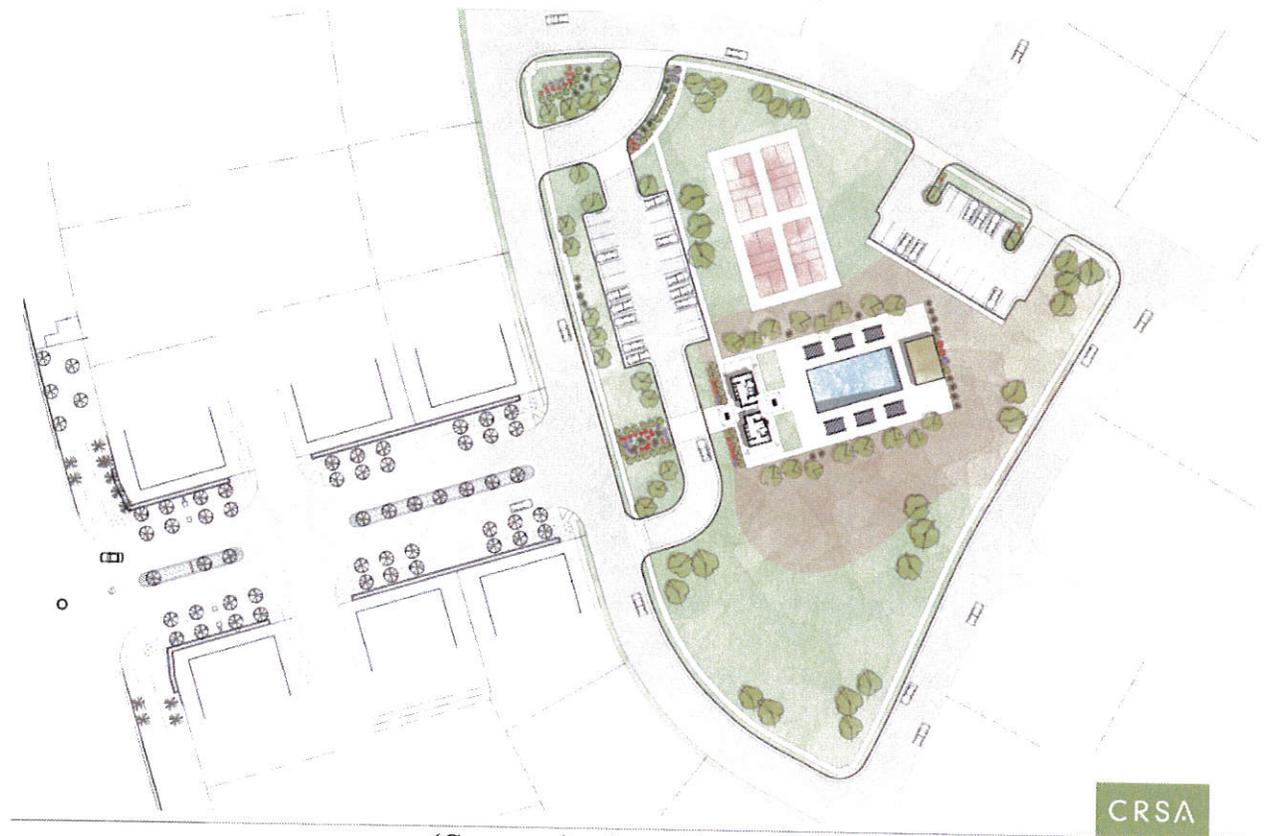




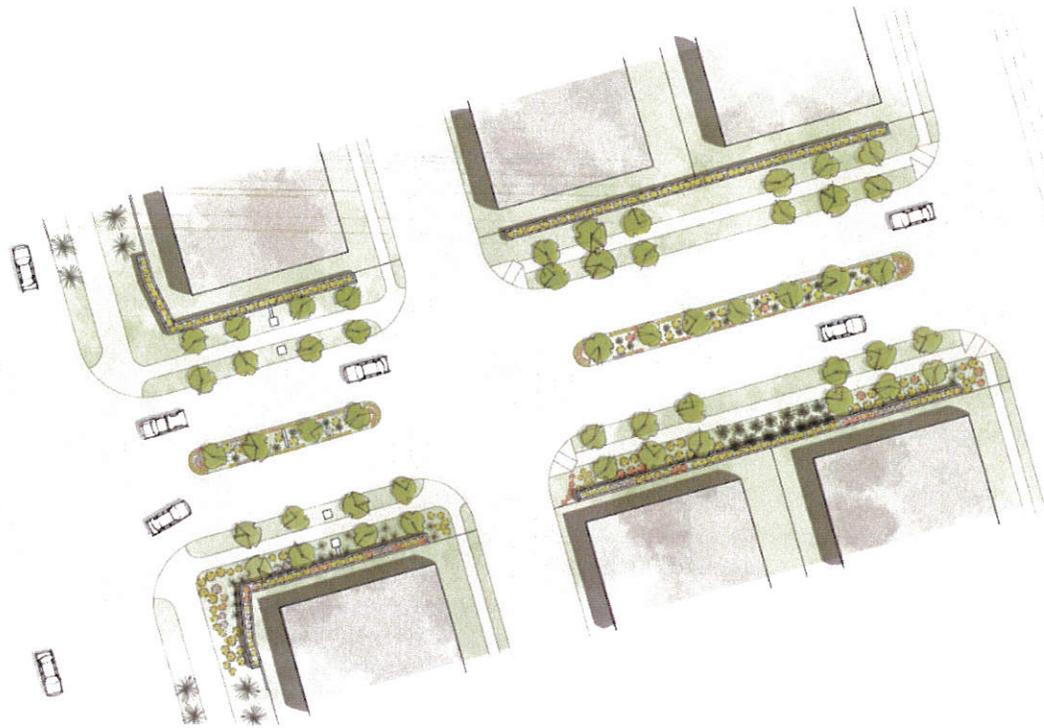
Concept multi-unit residential



Entrance - & Overhead View



(Community Amenities Parcel)



Entrance





Villas – Entrance



**Reference – TIS (Traffic Impact Study)**  
*(Cover only shown – 58 pages - full report in case file)*

## The Villas at Sun River

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### Traffic Impact Study

Prepared by:



Prepared for: Sun River St. George Development

St. George, Utah

September 15<sup>th</sup>, 2015



**Reference – Geotechnical Investigation Report**  
*(Cover only shown – 30 pages - full report in case file)*

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**GEOTECHNICAL INVESTIGATION REPORT**

for

**SUN RIVER 60 ACRE PARCEL**

St. George, Utah

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Submitted to:

Sun River Development  
Attention: Darcy Stewart  
1404 West Sun River Parkway Suite #200  
St. George, UT 84790

Landmark Project No. 14269

June 27, 2014

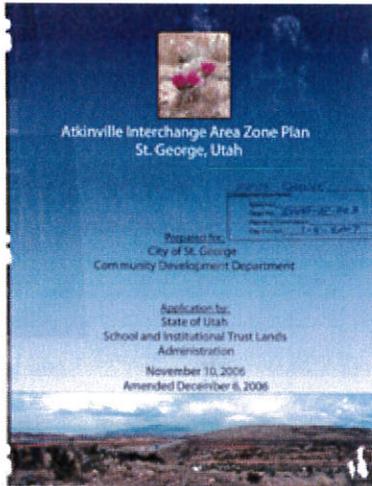


795 E. FACTORY DRIVE, ST. GEORGE, UT 84790  
PHONE: (435) 986-0566 • FAX: (435) 986-0568

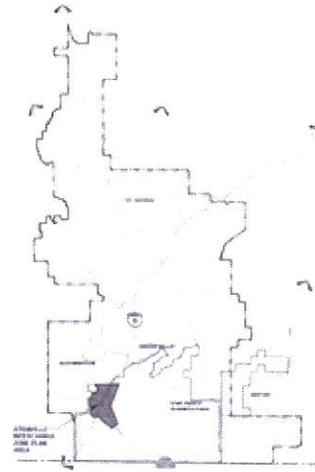
(Reference from GPA)

**Reference – Atkinville Interchange Area Zone Plan**

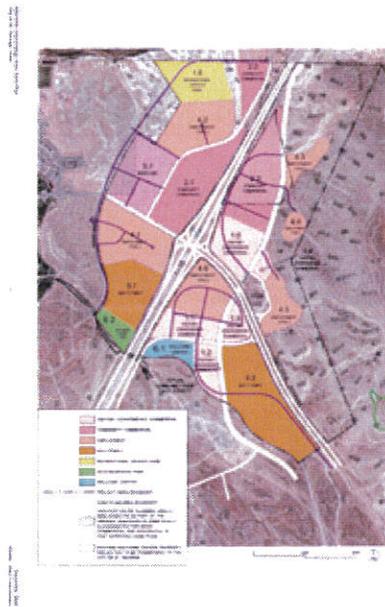
(The following are selected portions from the plan)



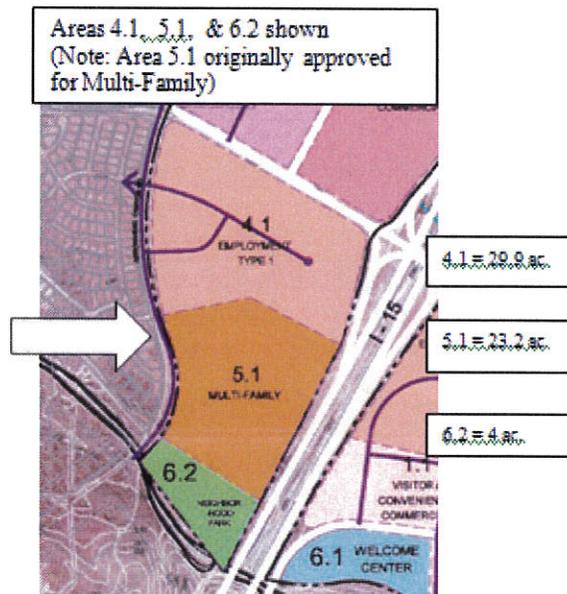
Cover



Area



LU Map



# Application

**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: STATE OF UTAH  
(KYLE PASLEY - 435-662-2950)

MAILING ADDRESS: 2303 N. CORAL CANYON BLVD., WASHINGTON, UT 84780  
 PHONE: (435) [REDACTED] 150 CELL: \_\_\_\_\_ FAX: [REDACTED] 52

APPLICANT: SUN RIVER ST. GEORGE DEV., L.C.  
 (If different than owner)

MAILING ADDRESS: 1404 W. SUN RIVER PKWY. ST. GEORGE, UT 84790  
 PHONE: (435) 673-4300 CELL: 215-4316 (SCOTT) FAX: 634-1830  
 EMAIL ADDRESS(ES): scott@sunriver.com ; kylepasley@utah.gov

CONTACT PERSON / REPRESENTATIVE: Scott McCall  
 (i.e. Developer, Civil Engineer, Architect, if different than owner)

MAILING ADDRESS: SAME AS APPLICANT  
 PHONE: \_\_\_\_\_ CELL: \_\_\_\_\_ FAX: \_\_\_\_\_  
 EMAIL ADDRESS(ES): scott@sunriver.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.  
approx. 1230 W. 4720 S.

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 # 20 \_\_\_-ZC-\_\_\_ FILING DATE: \_\_\_\_\_ RECEIVED BY: \_\_\_\_\_ RECEIPT # \_\_\_\_\_

\*FEE \$500 (Filing fee and 1<sup>st</sup> 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? P.D.
2. What zone or zones are requested by this application? Amended P.D.
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? N/A  
*(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: 51.957 ac.
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:  
WATER: THE AREA HAS BEEN MASTER-PLANNED FOR WATER  
POWER: " FOR POWER (DIXIE POWER)  
SEWER: 3 SEWER CONNECTIONS ARE SUBMITTED TO PROPERTY  
DRAINAGE: 36" STORM DRAIN STUBS AT NORTH END AND  
ATKINVILLE WASH AT THE SOUTH END.

A TRATOR WATER TRANSMISSION LINE IS BEING PLANNED FROM THE AIRPORT ALONG THE SOUTHERN CORRIDOR TO MINEPOST 2. ANTICIPATE COMPLETION DEC. 2016.

**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 THE VILLAS AT SUN RIVER ST. GEORGE  
*(Project name must be previously approved by the Washington County Recorder & City Planning Department)*  
 Developer/Property Owner SUN RIVER ST. GEORGE # SIDA Phone No 252-8316 # 652-2960  
 Contact Person/Representative SCOTT MCNEIL # KYLE PASKLEV Phone No \_\_\_\_\_  
 Licensed Surveyor BRANDON ANDERSON - ROSENBERG ASSOC. Phone No 673-8502

**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 1" 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 2<sup>nd</sup> and 4<sup>th</sup> 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 1<sup>st</sup> 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, private storm drain facilities, and all other improvements required under City Ordinance shall

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) SITA & SUN RIVER ST. GEORGE DEV. LC  
 (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 _____              | <u>2303 N. CORAL CANYON BLVD. #102-A</u><br>Address <u>WASHINGTON, UT 84780</u> |
| Signature <u>[Signature]</u> | <u>1424 W. SUN RIVER PLINY #202</u><br>Address <u>ST. GEORGE, UT 84790</u>      |
| Signature _____              | Address _____   |
| Signature _____              | Address _____   |
| Signature _____              | Address _____   |

Attach additional sheets if necessary for additional owners.

# ITEM 2B

## Zone Change Amendment

PLANNING COMMISSION AGENDA REPORT: 01/12/2016

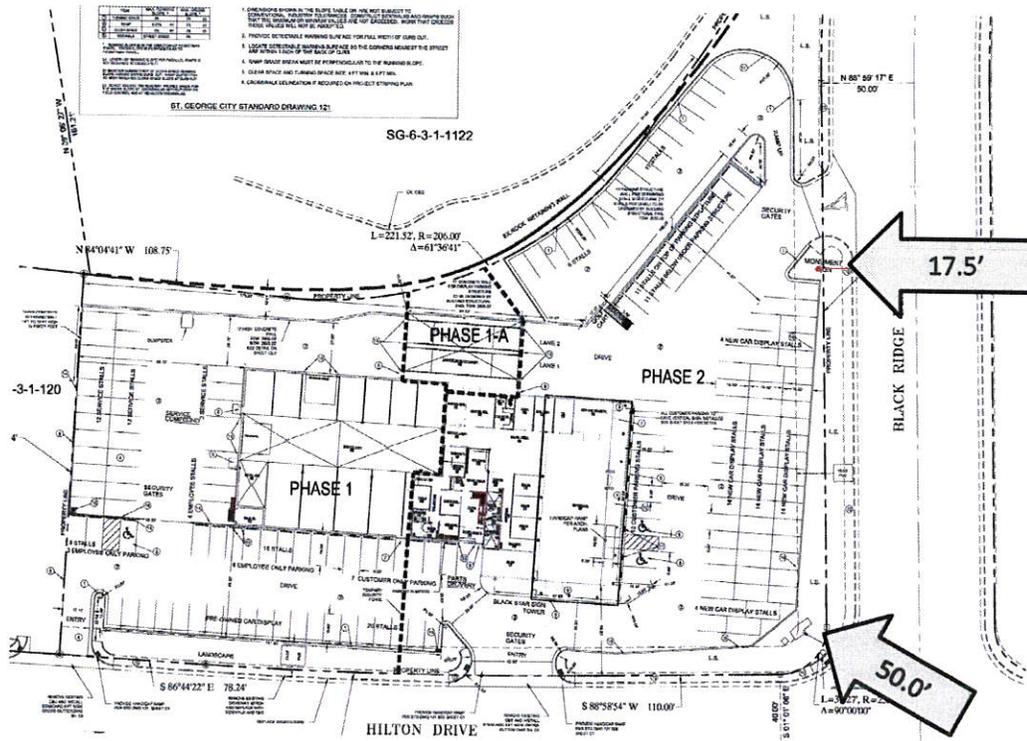
### ZONE CHANGE

#### **Stephen Wade Sign Plan**

Case No. 2016-ZCA-003

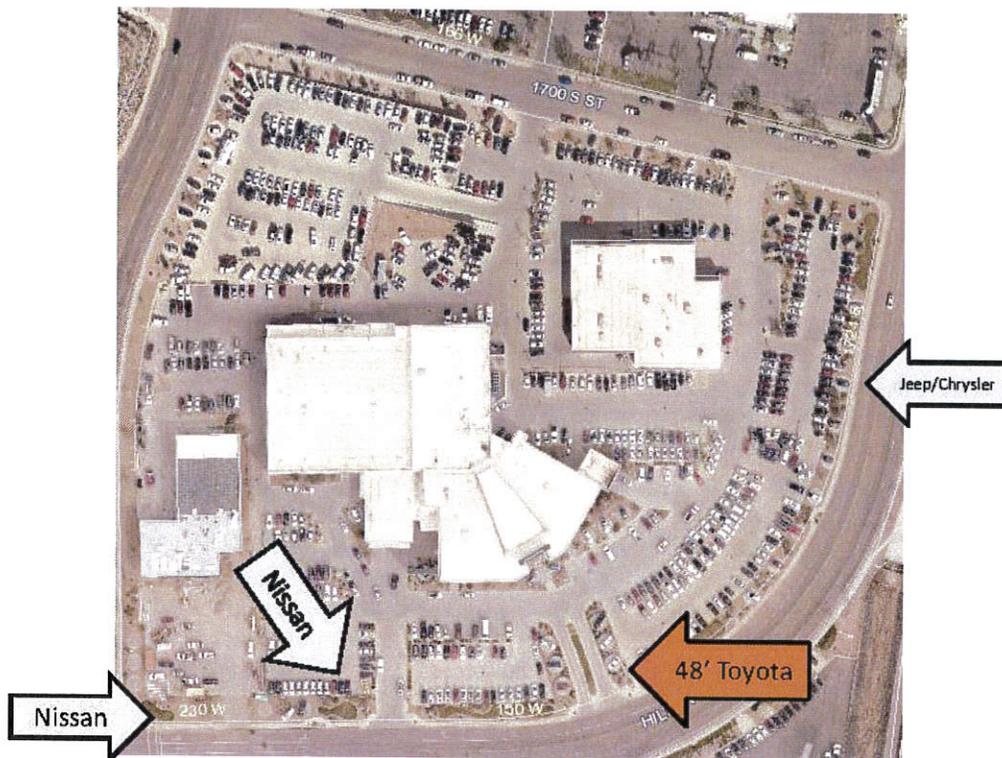
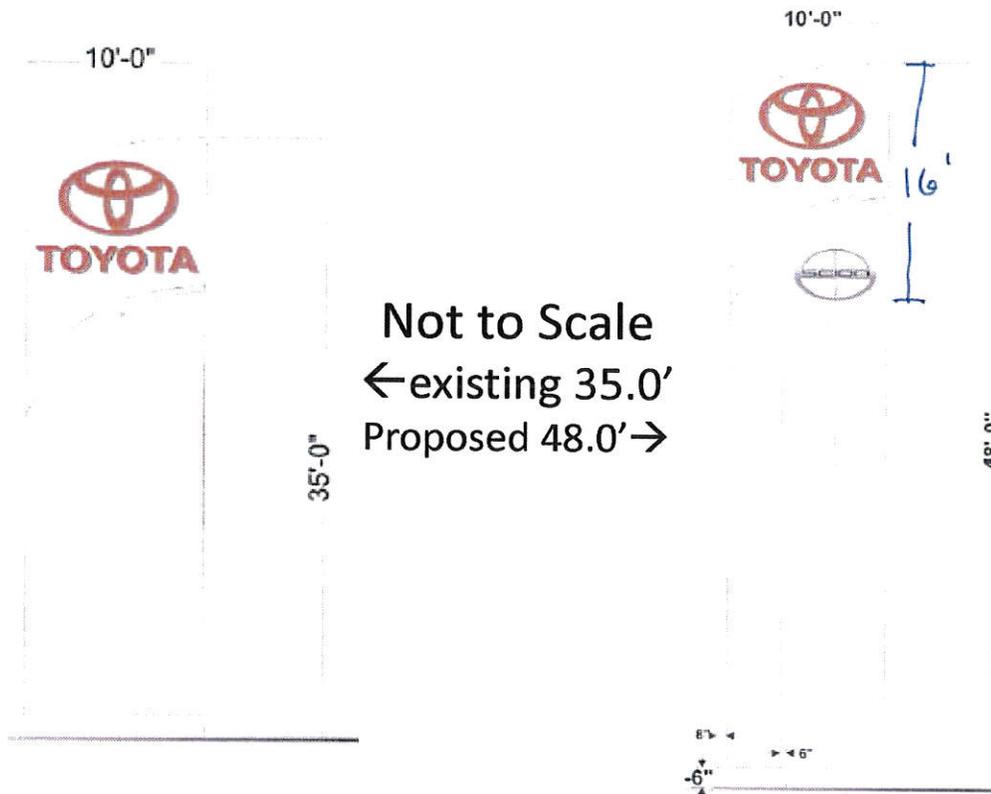
- Request:** Consider a zone change amendment to the Gordon Palmer/Southgate Area Planned Development to create a master sign plan.
- Project:** This is a proposal to allow for signage that exceeds allowances in the current sign code.
- Owner:** Stephen Wade Auto Group
- Applicant:** Stephen Wade Auto Group
- Representative(s):** Mr. Bill Western
- Location:** Mercedes Benz is located at 1792 S Blackridge Dr  
Toyota is located at 150 W Hilton Dr
- Zoning:** PD-C (Planned Development Commercial)
- General Plan:** COM (Commercial)
- Adjacent zones:** PD-C
- ZCA & Design:** Attached is the applicant's proposed signage for Mercedes Benz and Toyota Dealerships
- Applicable Code(s):** PD Zones are allowed to request an overall sign program that exceeds what is permitted per the sign ordinance. per 10-8-4.M  
M. Signs: Overall sign program if proposed signage differs from what is allowed as outlined in the sign ordinance set forth in title 9, chapter 13 of this code.  
  
9-13-4.B outlines the number, size, and height allowances for signage.
- Proposal:** The applicant proposes three (3) signs that exceed the code allowance. Mercedes 1 exceeds the height limitation of 15'.  
Mercedes 2 exceeds the size allowance of 120 s.f..  
Toyota exceeds the size allowance of 120 s.f..

| Applicant Request   | Code Allowance                 |
|---|--------------------------------|
| Mercedes Sign 1<br>Height 17.5'<br>Size 96.25 s.f.  | Height 15.0'<br>Size 120 s.f.  |
| Mercedes Sign 2<br>Height 50.0'<br>Size 185 s.f.  | Height 50.0'<br>Size 120 s.f.  |
| Toyota<br>Height 48.0'<br>Size 160 s.f.   | *Height 50.0'<br>Size 120 s.f. |
| <p>*Where two or more pole type signs are allowed, subsequent signs shall not exceed seventy percent (70%) of the allowed height of the main sign.</p> <p>There are existing signs on the property:<br/>           Nissan Trucks 24'<br/>           Nissan 30'<br/>           Jeep/Chrysler 35'<br/>           Toyota 35' (to be replaced by 48.0 sign)</p> |                                |



Not to Scale  
 ← 17.5'  
 50.0' →





# ITEM 3

## Zone Change

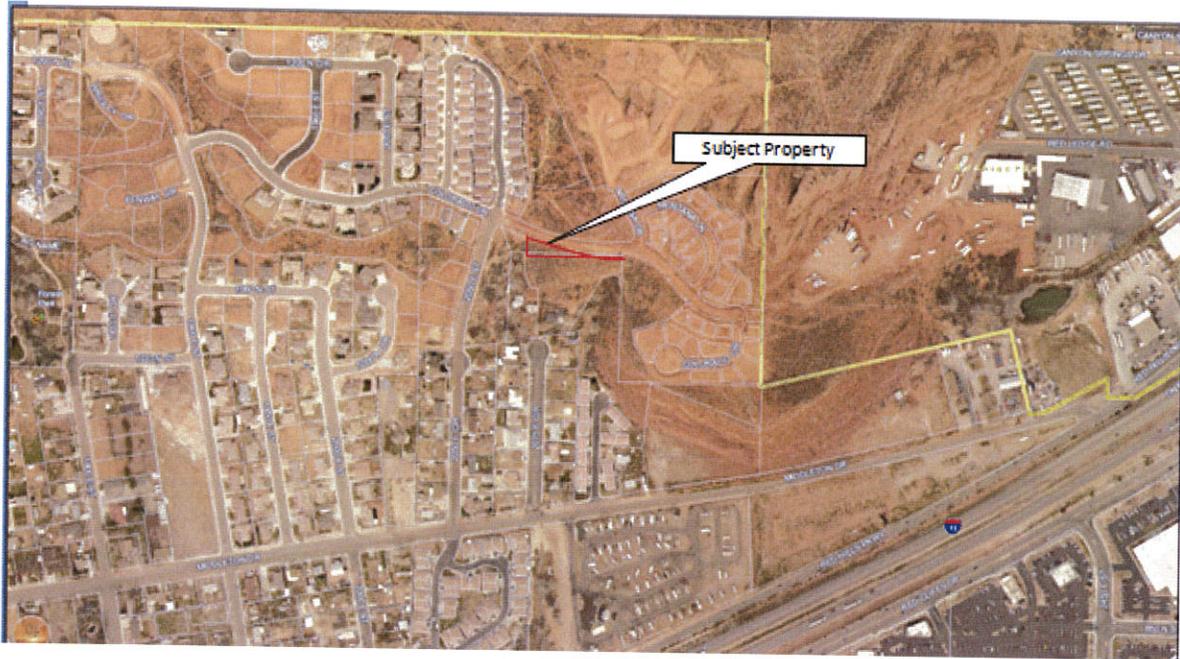
PLANNING COMMISSION AGENDA REPORT: 01/12/20156

### ZONE CHANGE

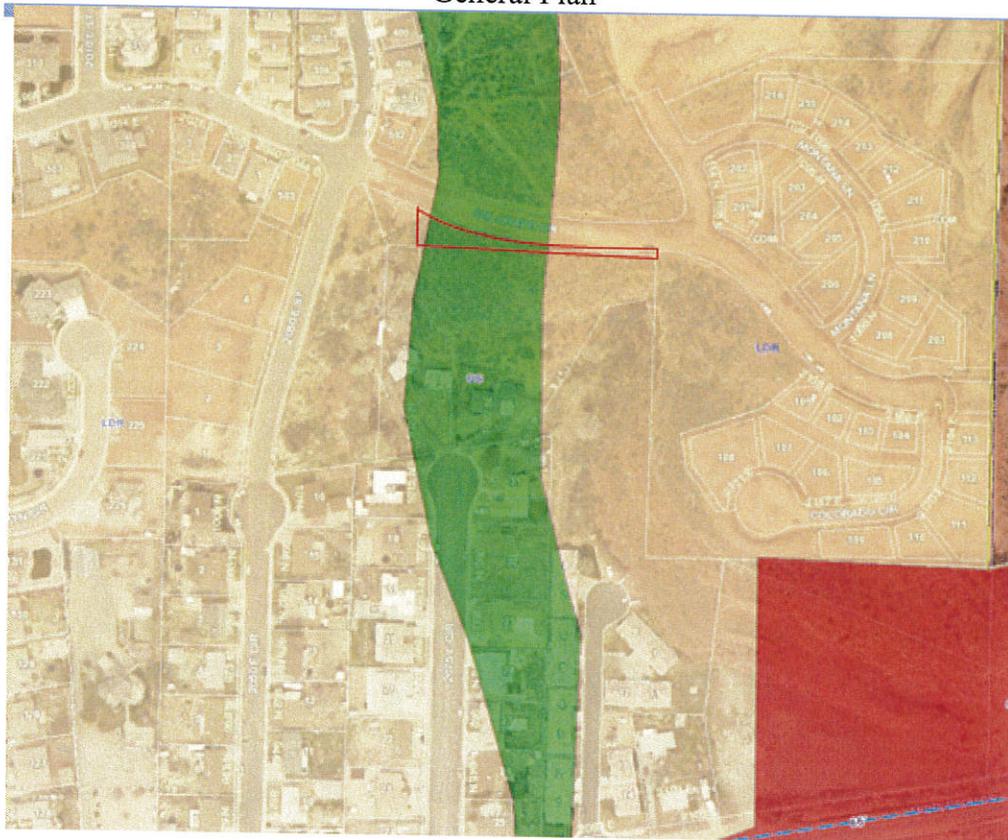
#### **Rocky Point Zone Change**

Case No. 2016-ZC-002

- Request:** To rezone an approximately 0.176 acre parcel from PD-R (Planned Development Residential) to RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size). The property is located on the south side of Colorado Drive, and generally between 2050 E and Colorado Circle.
- Owner:** Red Cliffs Park LLC
- Applicant:** James Sullivan, S and S Homes
- Representative(s):** Brandee Walker, Bush and Gudgell
- Location:** The property is located on the south side of Colorado Drive, and generally between 2050 E and Colorado Circle.
- Acreage:** 0.176 acres
- Existing Zoning:** PD-R
- Requested Zone:** RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size). The property was dedicated to the city, however, was recently vacated to the applicant. The applicant intends to combine with property to the south and create three single family lots.
- General Plan:** LDR and OS. The OS land use designation was due to a historic drainage channel in the area. The drainage has been piped and relocated to the east out of the OS. The OS may need to be cleaned up in the future by the City, in order to reflect the change in drainage and remove existing residential, which is also located in OS.
- Adjacent zones:** PD-R Red Cliffs PD and RE-12.5
- Options:** The Planning Commission has several options:
1. Deny the zone change
  2. Approve the zone change as presented
  3. Table the zone change to allow for any additional information to be provided as determined.



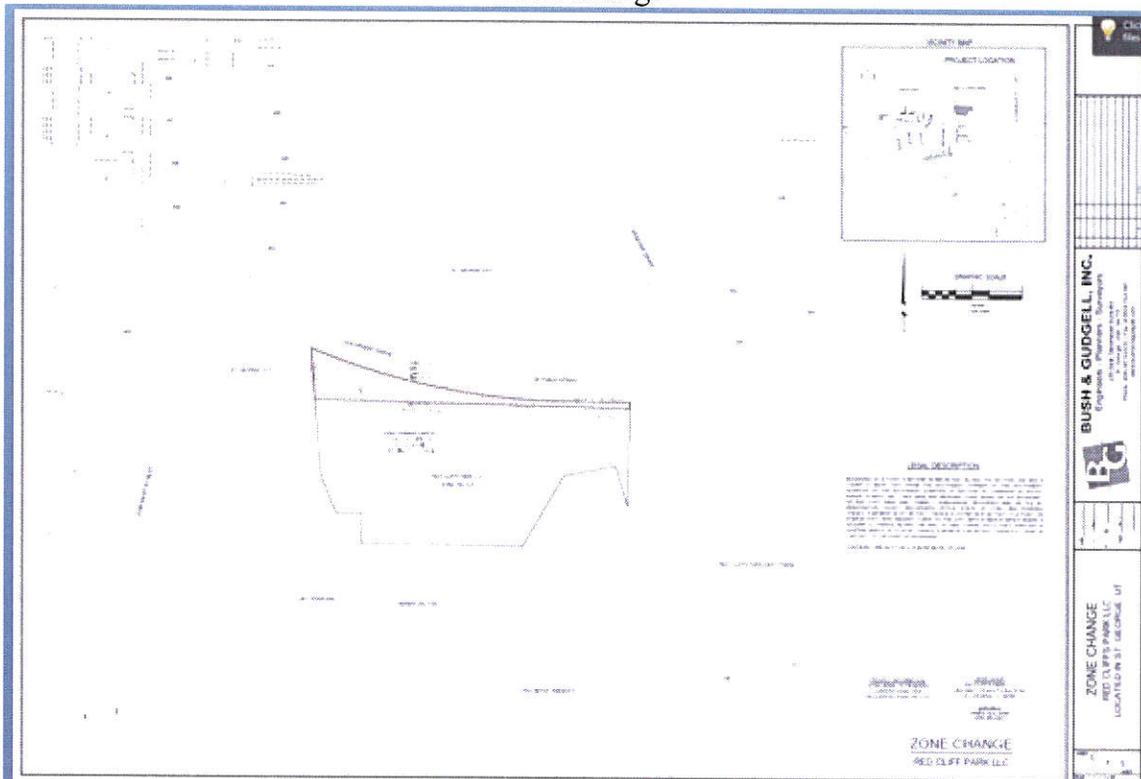
General Plan

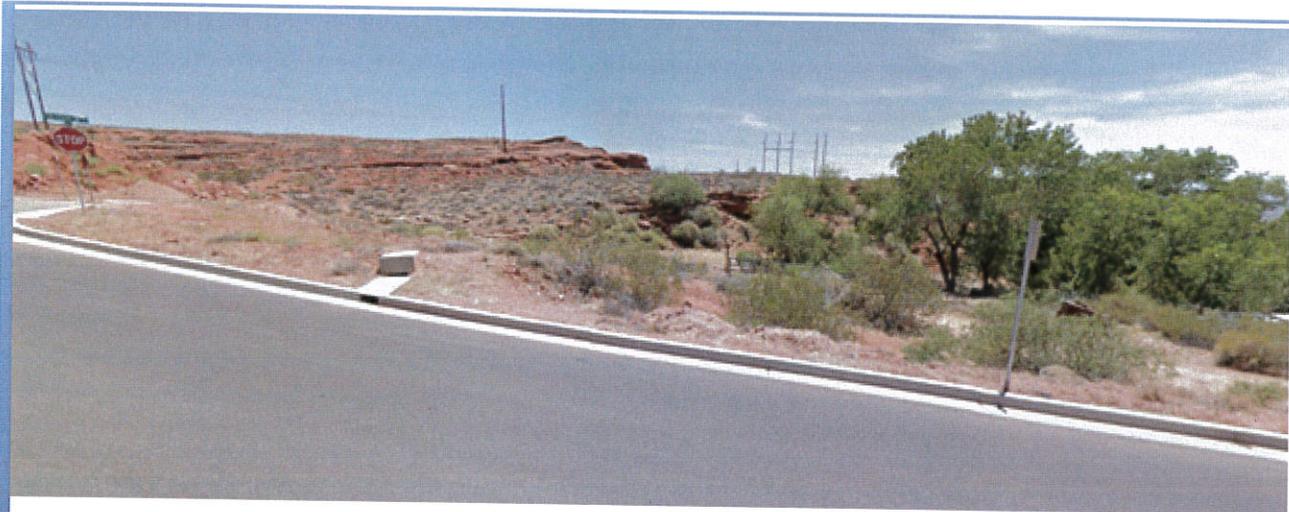


### Existing Zoning



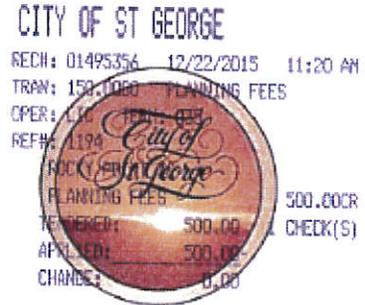
### Zone Change





Application

**ZONE CHANGE  
ALL ZONES (EXCEPT PD)  
APPLICATION & CHECKLIST**



APPLICATION FOR A ZONE CHANGE *EXCEPT* PD (PLANNED DEVELOPMENT)  
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: Red Cliffs Park LLC

MAILING ADDRESS: 1363 East 170 South, St. George, UT 84790

PHONE: \_\_\_\_\_ CELL: \_\_\_\_\_ FAX: \_\_\_\_\_

APPLICANT: James Sullivan

(If different than owner)

MAILING ADDRESS: 1363 East 170 South, St. George, UT 84790

PHONE: [REDACTED] CELL: \_\_\_\_\_ FAX: \_\_\_\_\_

EMAIL ADDRESS(ES): james@sshomes.info

CONTACT PERSON / REPRESENTATIVE: B&G - Brandee Walker

(i.e. Developer, Civil Engineer, Architect, if different than owner)

MAILING ADDRESS: 205 East Tabernacle #4, St. George, UT 84770

PHONE: [REDACTED] CELL: \_\_\_\_\_ FAX: \_\_\_\_\_

EMAIL ADDRESS(ES): [REDACTED] andgudgell.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 site plan suitable for presentations in public meetings. \_\_\_\_\_

The Zone Change becomes effective on the hearing date if approved by the City Council.

\*NOTE: NO FEE FOR ACREAGE REZONED TO OPEN SPACE.

**OFFICE STAFF USE ONLY**  
CASE #: 2016-ZC-002 FILING DATE: 12/22/15 RECEIVED BY: RS RECEIPT #: \_\_\_\_\_  
\*FEE: \$500 (Filing fee and 1<sup>st</sup> 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? PDR
2. What zone or zones are requested by this application? RE-12.5
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: 0.176
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: Project fronts on existing Colorado Drive which is a 50' public street with all necessary utilities existing within the right of way.

**III. SUBMISSION CHECKLIST FOR ZONE CHANGE**

(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 Rocky Point  
 (Project name **must be** previously approved by the Washington County Recorder & City Planning Department)  
 Developer/Property Owner Red Cliffs Park LLC Phone No. \_\_\_\_\_  
 Contact Person/Representative James Sullivan Phone No. \_\_\_\_\_  
 Licensed Surveyor Bob Hermanson Phone No. \_\_\_\_\_

**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 1<sup>st</sup> acre) + \$50.00 per acre for 2-100 acre \$500.00 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. Site Plan – minimum size 24" x 36" (Arch D). Colored site plans are preferred;
- ✓ 11. 8-1/2" x 11" reduction of the site plan;
- ✓ 12. CD with the above images in JPEG, BMP, TIFF or 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 2<sup>nd</sup> and 4<sup>th</sup> 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 1<sup>st</sup> acre) + \$50.00 per acre for 2-100 acre **and** \$25 per acre 101-500 **and** \$10.00 per acre 501-plus - There is **NO FEE** for acreage rezoned to Open Space

**IV. APPLICANT AGREEMENT**

We the undersigned applicant(s) \_\_\_\_\_  
 (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 \_\_\_\_\_  
 \_\_\_\_\_

Address 1363 E. 170 S. St. 301 St. George UT 84790

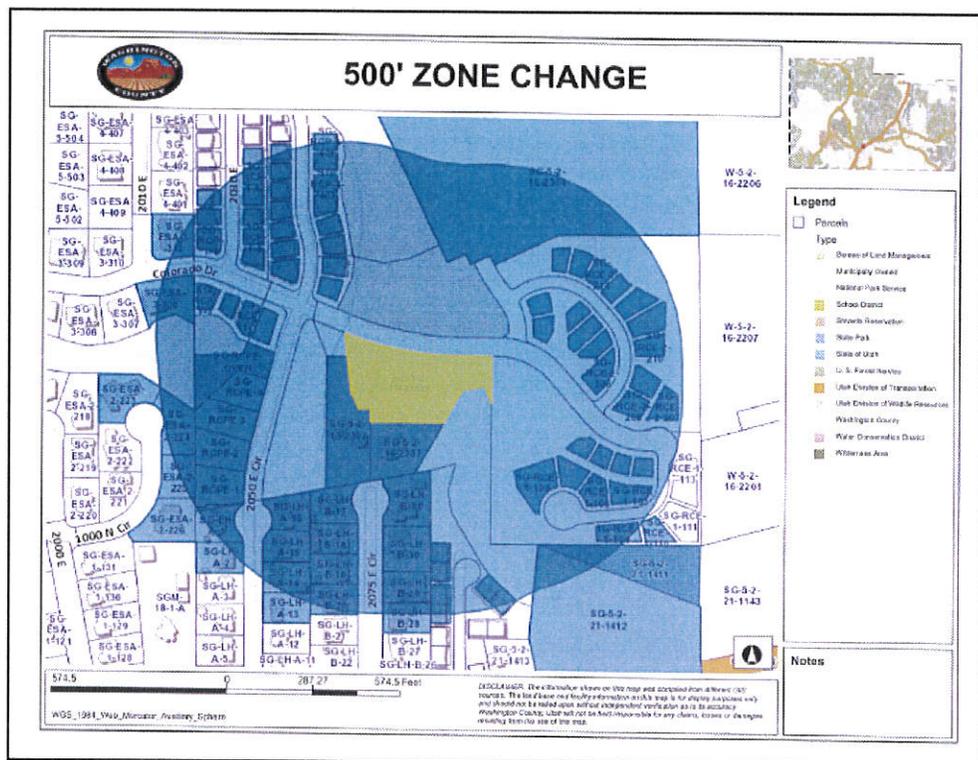
Signature \_\_\_\_\_  
 \_\_\_\_\_

Address \_\_\_\_\_

Signature \_\_\_\_\_  
 \_\_\_\_\_

Address \_\_\_\_\_

Attach additional sheets if necessary for additional owners.



# ITEM 4A

## CUP – Propane Business

PLANNING COMMISSION AGENDA REPORT: 01/12/2016

CONDITIONAL USE PERMIT:

Case # 2016-CUP-002

- Request:** Consider a request for a conditional use permit for establishing a bulk propane business with a 30,000 gallon tank, protective steel bollards, building, warehouse, loading dock, trash enclosure, parking, landscaping, etc.
- Location:** This property is located on Lot 98 in the Ft Pierce Industrial Park on Venture Drive.
- APN:** SG-5-3-20-437
- Property:** 1.99 acres (86,881 sq. ft.)
- Building:** 14,400 sq. ft. (16.6% of site)  
Office area = 1,590 sq. ft.  
Warehouse area = 12,810 sq. ft.
- Building Height:** 25'-6"
- Applicant:** M & C Warren Investments LLC
- Representative:** Mr. Mark Burgess, Classic Builders
- Zoning:** M-1 (Industrial)
- Setbacks Required:** F = 60 ft., S = 10 ft., R = 10 ft.
- Setbacks Proposed:** F (North) = 92 ft., S (West) = Varies 130 - 150 ft., S (East) = 58 ft., R (South) = 58 ft.
- Landscape Area:** 6,991 sq. ft. (8 % of site)
- Parking:** Office area = 6.4 spaces (1:250) (1,590/250)  
Warehouse area = 12.8 spaces (1:1,000) (12,810/1,000)  
Required = 19.2  
Provided = 23

**Storage Yard:** The rear storage yard will be located behind a solid block wall with two (2) rolling fence gates (as seen from Venture Drive). The sides and rear will have open chain link (allowed per code).

**Tank:** A 30,000 gallon natural gas tank; 65 ft. lg. x 10 ft. diameter set back at 50 feet from the west and south property line. Surrounded by protective steel bollards at 5 ft. maximum spacing.

**Ordinance:** A conditional use permit is required for a bulk plant in the M-1 zone; Shown below is a portion of Section 10-11-2

**10-11-2: USES:**

In the following list of possible uses, those designated in any zone as "P" will be a permitted use. Uses designated with the letter "C" are allowed on a conditional use basis. Uses designated as "N" will not be permitted in that zone.

|  | M-1 | M-2 |
|--|-----|-----|
| ATVs and parts sales and repair (indoor only)                                    | N   | P   |
| Auto salvage yard, storage yards for wrecked or partially dismantled vehicles    | C   | N   |
| Automobile repair shop   | P   | N   |
| Body piercing establishment  | P   | N   |
| Building materials sales   | P   | N   |
| → Bulk plants (class 1 and 2 flammable liquids and gases)                        | C   | C   |
| Caretaker's residence, incidental to the use of the land for industrial purposes | C   | C   |
| Carpenter, electrical, plumbing or heating shops                                 | P   | P   |

**Comments:** Staff has not received any opposition to this request. If the Planning Commission recommends approval, staff suggests the following conditions with additional comments and clarifications as required:

1. Facility; the site plan and elevations as presented for a bulk plat are recommended for approval to the City Council.

2. Fencing; solid block wall as seen from Venture Drive with chain link on sides and rear as presented.
3. Safety; Steel bollards shall be installed at a maximum of 5 ft. spacing around the proposed 30,000 gallon natural gas storage tank. Comply with all applicable City, State, and Federal requirements. Meet all applicable fire codes.
4. Landscaping; the landscaping shall comply with Title 10 Chapter 25.
5. SPR; Submit a SPR (Site Plan Review) application along with the required civil engineering plans for staff review and processing.

**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   |
|---|-----|---------------|---|
| Contain all noise on site   |     | 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. |
| Mitigate all dust during construction.                            |     | B. Dust       | 1. Comply with all air quality standards, state, federal and local.<br><br>2. Use shall not create unusual or obnoxious dust beyond the property line.  |
| Meet all applicable codes   |     | C. Odors      | 1. Comply with all air quality standards, state, federal and local.<br><br>2. Use shall not create unusual or obnoxious odors beyond the property line.   |
| Landscaping and fencing shall be used to mitigate site aesthetics |     | D. Aesthetics | 1. Blend harmoniously with the neighborhood so the use does not change the characteristics of the zone and the impact of the use on surrounding properties is reduced.  |

|  |   |   |   |
|--|---|---|---|
| Meet all applicable fire codes<br><br>Fencing shall prevent site access by non-employees |   | E. Safety                                 | <p>1. Take the necessary measures to avoid or mitigate any safety problems created by the use, including problems due to traffic, rockfall, erosion, flooding, fire, hazardous materials, or related problems.</p> <p>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> |
|  | X | F. Traffic                                | <p>1. Traffic increases due to the conditional use shall not cause streets or nearby intersections to fall more than one grade from the existing level of service grade or fall below a level of service "D".</p> <p>2. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.</p>  |
| Single story and shall comply with approved elevations and rendering                     | X | G. Height                                 | <p>1. Buildings shall fit into the overall context of the surrounding area.</p> <p>2. Photo simulations are required showing all sides of the building(s) and showing how the building fits into the surrounding area to include not less than five hundred feet (500') in all directions from the building and including its relationship to nearby ridges, hills, and buildings.</p>  |
|  |   | H. Hours of Operation                     | <p>1. Nonresidential uses operating in proximity to or within a residential zone shall limit hours of operation so as not to disturb the peace and quiet of the adjacent residential area.</p>  |
|  | X | I. Saturation / Spacing                   | <p>1. To the extent feasible, nonresidential uses allowed in residential zones as conditional uses shall be dispersed throughout the community rather than concentrated in certain residential areas</p>  |
| Obtain Ft Pierce association approval and City approval                                  |   | J. Maintain Character and purpose of zone | <p>1. Uses shall be consistent with the character and purpose of the zone within which they are located.</p>  |
| Meet all applicable state requirements   |   | K. Public Health                          | <p>1. Use shall comply with all sanitation and solid waste disposal codes.</p> <p>2. Use shall not create public health concerns. (Ord. 2007-01-001, 1-4-2007)</p>  |

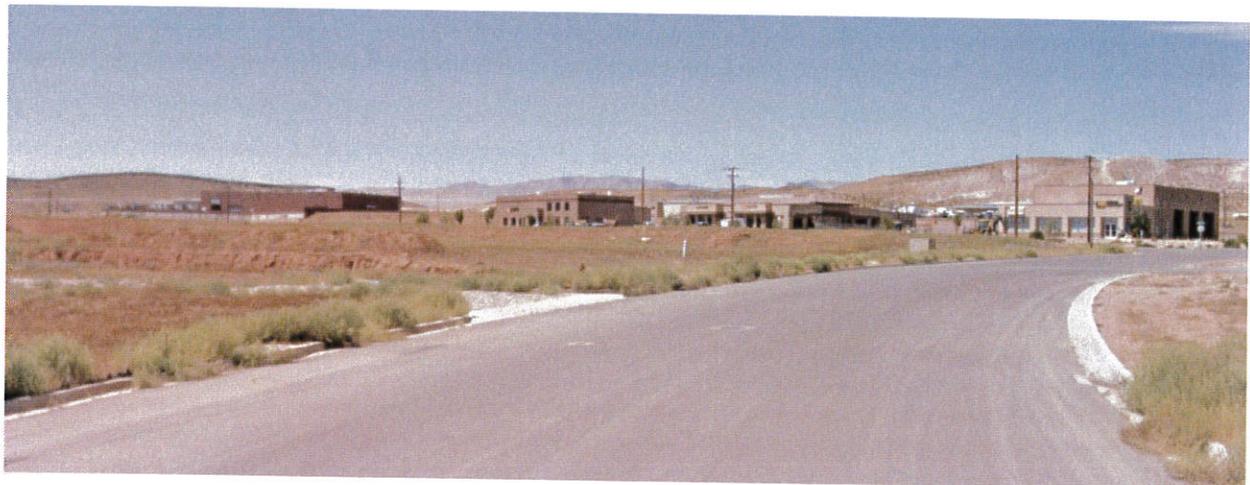
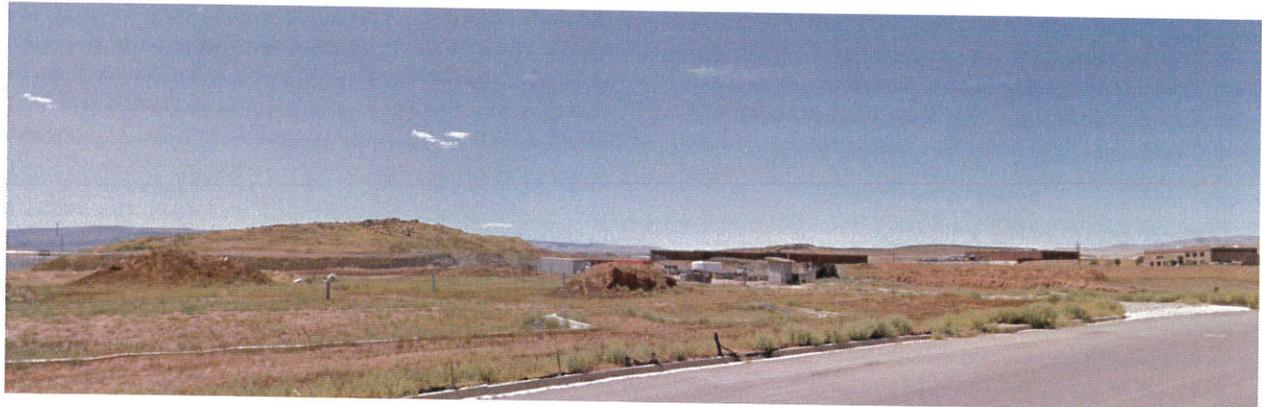
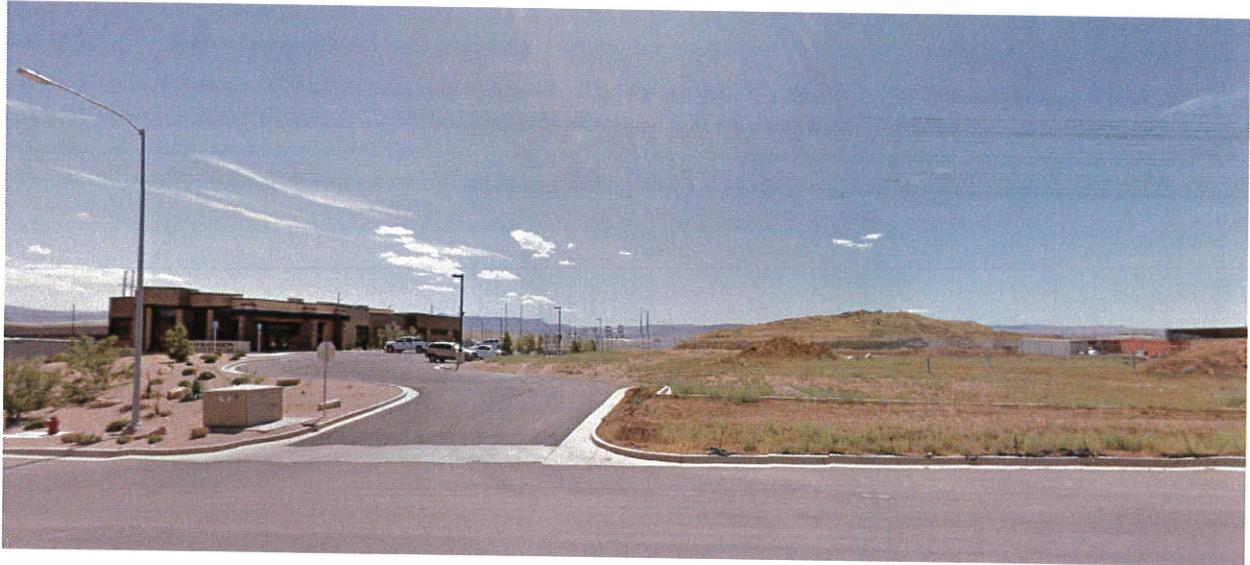
### Aerial - Vicinity



Lot 98 - Vacant Property



## Google Maps – Street Views







**Ray Snyder**

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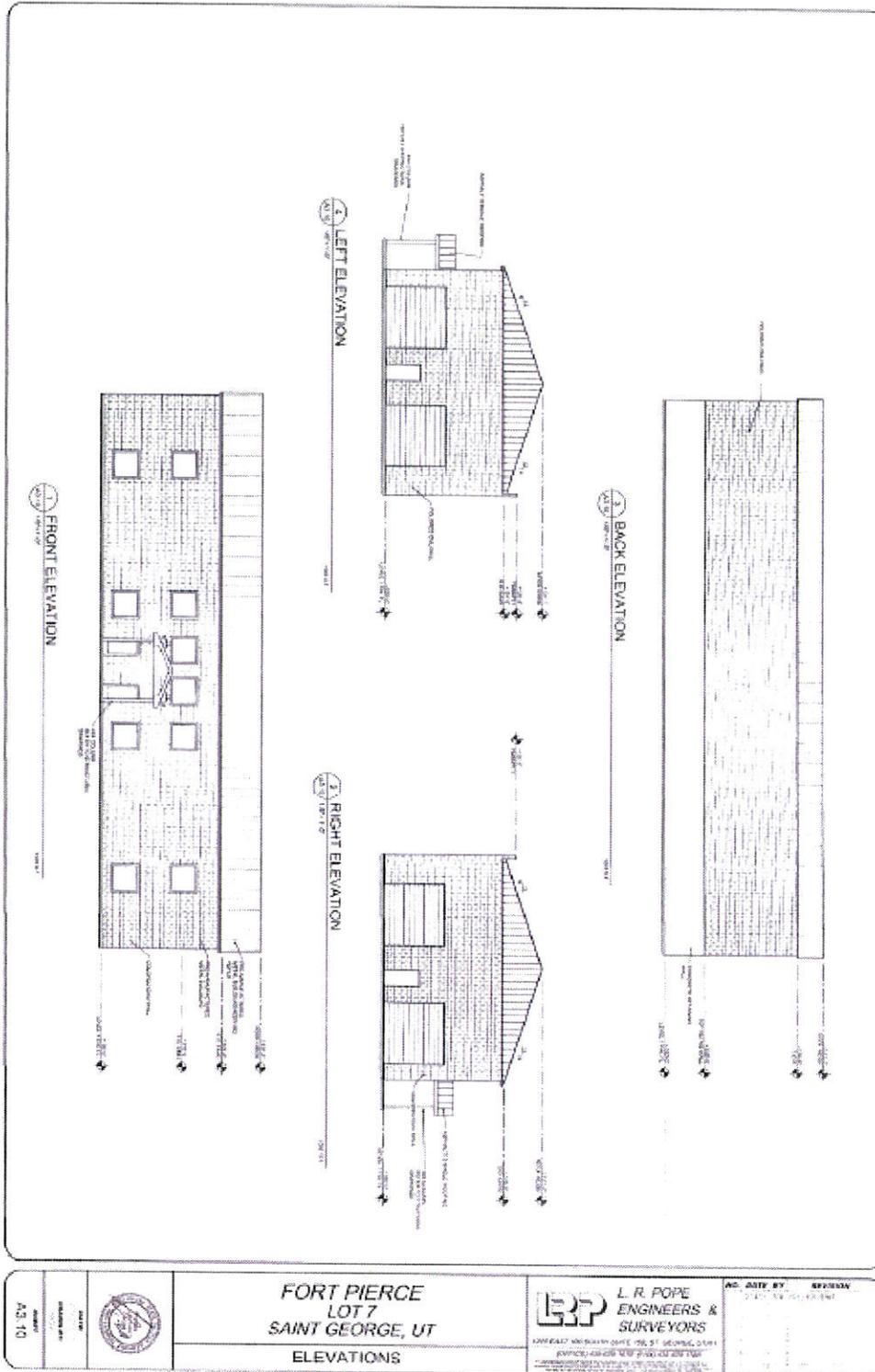
**From:** Mark Burgess [classicbuildersinc@yahoo.com]  
**Sent:** Friday, December 18, 2015 1:23 PM  
**To:** Ray Snyder  
**Subject:** Fort Pierce Industrial Park lot 98 Conditional Use permit request  
**Attachments:** IMG\_1472.JPG; A3.10.pdf

Ray,

Here is a picture of an existing tank found in the Fort Pierce Industrial park of the exact size as the one we are proposing to install.

Also, I have attached a copy of building elevations of a similar building built in the park. The front and back elevations are 120 feet in width but the sides are only fifty in this elevation. We would increase the width of the building to 120 feet also to make the building 14,400 sq. ft. in size or slightly smaller. Building we are proposing would be a combination of masonry and metal.

Reference: Similar Building on Lot 7 is proposed for Lot 98  
(Actual plans will be submitted with a SPR (Site Plan Review))





## Re: Ft Pierce Property Owners Association

December 18, 2015

Fort Pierce Lot 98 Conditional Use Permit Application

Dear Ray,

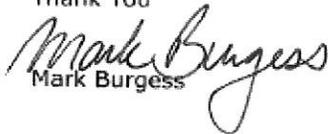
I have met with Gilbert Jennings of the Fort Pierce Industrial Park review Board on the proposed 30,000 gallon tank placement on lot 98 in the park. Mike Warren also has talked with Steve Jennings and sent him information on the tank.

Gilbert Jennings indicated verbally that he didn't see a reason to oppose the tank as long as the State Fire marshal and the local Fire Marshal approved the proposed tank placement on the lot. However, he did indicate that the board would have to review and approve the site plan to make sure that it met the park requirements.

He indicated that the board would review the request if and when the city had reviewed and approved the Conditional use permit.

Feel free to contact either Steve or Gilbert with any additional questions or concerns.

Thank You

  
Mark Burgess

# Application

**CONDITIONAL USE PERMIT  
APPLICATION & CHECKLIST**



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

APPLICANT: INFC Warren Investments LLC  
(If different than owner)  
MAILING ADDRESS: P.O. Box 524 St. George ut 84771

PHONE: \_\_\_\_\_ CELL: 435-619-1608 FAX: 435-656-3348  
E-MAIL ADDRESS: michael.warren@kyundhb.com  
LOCATION OF SUBJECT PROPERTY: Lot # 98 Fort Pierce Industrial

CONTACT PERSON / REPRESENTATIVE (if applicable): Mark Burgess (Classic Builders)  
(If different than owner)  
MAILING ADDRESS: 1483 E 3850S St George, ut. 84790

PHONE: 435-673-5999 CELL: 435-862-6240 FAX: \_\_\_\_\_  
E-MAIL ADDRESS: \_\_\_\_\_

## II. PROPERTY INFORMATION

ZONING: M1 SUBDIVISION: Fort Pierce

TAX I.D. NUMBER (PARCEL SERIAL NUMBER): SG-5-3-20-437

EXISTING USE: Raw Ground  
Use of property and/or Buildings

PROPOSED USE: Propane Business/Warehouse  
Use of property and/or Buildings

**OFFICE STAFF USE ONLY**  
CASE NO. 2015-CUP-002 FILING DATE: 12/22/15 RECEIVED BY: RS RECEIPT: \_\_\_\_\_  
FEE: ~~\$300.00~~ - PAYABLE BY CHECK OR MONEY ORDER. CASH WILL NOT BE ACCEPTED

**III. SUBMITTAL CHECKLIST**

- 1. General Information Form - completed. (This application-first page)
- 2. Mailing Labels - Property Owner's (The mailing labels can be obtained from the Washington County Recorder's Office)
- 3. Radius Map - Property Owner's- identifying all properties within the required 300 ft. radius. (The radius map can be obtained from the Washington County Recorder's Office).
- 4. Narrative - minimum one (1) page of proposed use. (ALL projects).
- 5. Two (2) copies of the Subdivision Plat.
- 6. Two (2) copies of the Site Plan - minimum size 22" x 34" (ANSI D).
- 7. Two (2) copies of the Elevation(s) - minimum size 22" x 34" (ANSI D) for building height requests
- 8. One (1) copy (each) - 8-1/2" x 11" reduction of the subdivision plat and site plan.
- 9. One (1) copy - 8-1/2" x 11" reduction of the elevation(s) for building height requests.
- 10. Color and Materials Board (or approved equivalent as required).
- 11. Payment of \$300.00 filing fee by Check or Money Order .

**IV. SITE PLAN REQUIRED INFORMATION CHECKLIST**

- 1. Current address of project, County Assessor's parcel number(s), and the applicant's and plan preparer's name, address, email address, phone and fax numbers.
- 2. North Arrow and scale.
- 3. Property Lines, with dimensions, and the location, width and description of any easements.
- 4. Existing and proposed streets, including names, centerlines, widths, and future rights of way and improvements.
- 5. Show existing fire hydrants within 300 feet of the project site.
- 6. Show proposed Fire Department access lane(s) (if applicable).
- 7. Show and dimension all existing and proposed buildings and structures;
  - Show distances between existing and/or proposed buildings.
  - Show distances from existing and/or proposed buildings to property line.
  - Show all required and proposed building setback lines.
  - Show any nearby buildings, proposed or existing, within 30 feet of the subject property lines.
  - Show proposed walls, fences, trash enclosures, accessory
- 8. Show proposed and existing parking, driveways and on-site any off-site parking within the vicinity). Indicate width of distances between driveways. Show parking space dimensions indicate one-way and two-way drive aisles.
- 9. Show any significant natural features such as rock outcrops
- 10. Show proposed landscaping, including quantity and, location substitutes instead of showing information on the site plan.
- 11. Show locations and dimensions of pedestrian access ways, areas.

- 12. Show proposed lighting fixtures in parking areas, adjacent to walkways, and on buildings, and indicate type.
- 13. Show all existing and proposed public improvements, including water, sewer, catch basins, curbs, gutters, sidewalks, street lights, signals, power lines, utility vaults, and utility poles.
- 14. Show existing contour lines and proposed contour lines indicating finished grade on the site; a grading plan may be substituted instead of showing contours on the plan, if desired.
- 15. Show location of on-site and off-site drainage, both existing and proposed.
- 16. Provide a legend (data box) on the site plan that includes:
  - a. Current Zoning
  - b. Total lot square footage
  - c. Total building square footage
  - d. Percentage of Lot Coverage
  - e. Setbacks (Existing and/or Proposed)
  - f. Building Height (Proposed)
  - g. Parking (show calculations)
  - h. Open Space
  - i. Landscaping (show calculations and % of coverage)
  - j. Proposed Use (e.g. restaurant, retail, office, etc.)(show square footage allocated to each use within building(s).
  - k. For multiple family residential projects; include unit type, number of bedrooms, square footage per unit, unit mix, etc.
  - l. Indicate the intended occupancy type of all buildings.
  - m. Identify building sprinkled and/or non-sprinkled

**V. GENERAL STANDARDS FOR APPROVAL OF CONDITIONAL USES (Section 10-17-7)**

The following standards must be met to mitigate the reasonably anticipated detrimental effects if imposed as a condition of approval: (if category applies, attach a separate sheet with explanation)

| Yes | N/A | Category      | Description   |
|-----|-----|---------------|---|
|     |     | 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. |
|     |     | B. Dust       | 1. Comply with all air quality standards, state, federal and local.<br>2. Use shall not create unusual or obnoxious dust beyond the property line.  |
|     |     | C. Odors      | 1. Comply with all air quality standards, state, federal and local.<br>2. Use shall not create unusual or obnoxious odors beyond the property line.   |
|     |     | D. Aesthetics | 1. Blend harmoniously with the neighborhood so the use does not change the characteristics of the zone and the impact of the use on surrounding properties is reduced.  |
|     |     | E. Safety     | 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 flood plain as identified by FEMA unless expressly recommended by the city engineer in conformance with city engineering standards and all state, local and federal laws.  |
|  |  | F. Traffic                                | 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".<br><br>2. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.   |
|  |  | G. Height                                 | 1. Buildings shall fit into the overall context of the surrounding area.<br><br>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. |
|  |  | H. Hours of Operation                     | 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.   |
|  |  | I. Saturation / Spacing                   | 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   |
|  |  | J. Maintain Character and purpose of zone | 1. Uses shall be consistent with the character and purpose of the zone within which they are located.   |
|  |  | K. Public Health                          | 1. Use shall comply with all sanitation and solid waste disposal codes.<br><br>2. Use shall not create public health concerns. (Ord. 2007-01-001, 1-4-2007)   |

**VI. COMMENTS**

1. Please be aware that, if determined necessary by City staff, additional information and/or special studies may be required to review the project. These studies may include, but not be limited to: a soils report, hydrology report, traffic study, etc.
2. Until the following information is submitted, your application will be considered incomplete:
3. The applicant has the ability and intention to utilize said **CONDITIONAL USE PERMIT within twelve (12) months from date of final approval** by the City Council; and the applicant understands this **CONDITIONAL USE PERMIT** application, if granted, becomes null and void and of no effect if unused within twelve (12) months from the date of filing the application, or if any time after granting the use is discontinued for a period of twelve (12) months, or developed by someone other than the applicant
4. A **CONDITIONAL USE PERMIT** approval does not eliminate the necessity of obtaining a building permit, which is required for construction of all buildings in the project.

5. Are there any deed restrictions affecting the use of the property involved? Give the expiration date of these restrictions, if applicable

No

6. 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.

**VII. APPLICANT AGREEMENT**

I (we) have read and understood the requirements of this application and all information is true and accurate to the best of my (our) abilities.

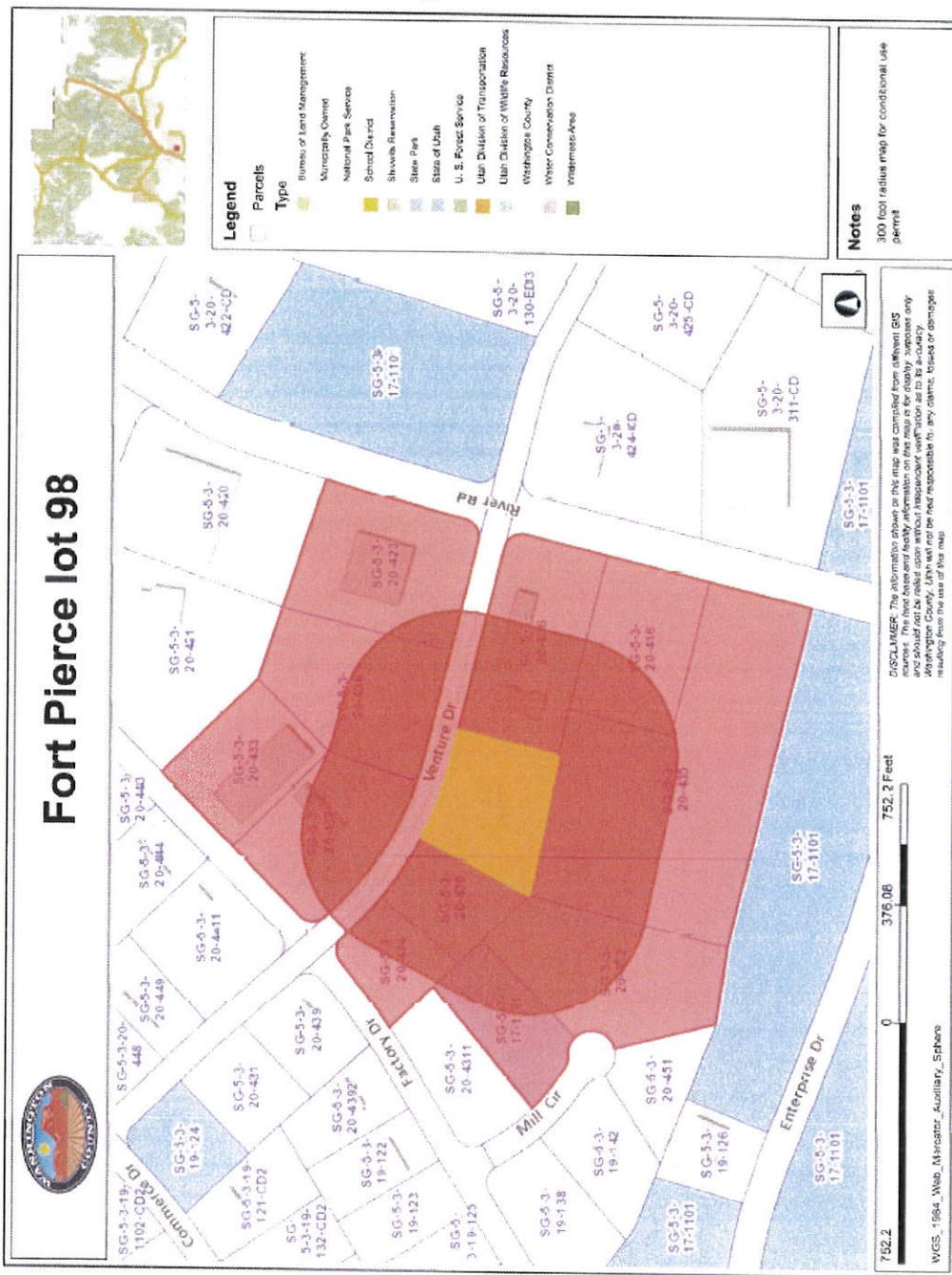
Mark Burgess  
 Signature

12-16-15  
 Date

Signature

Date

### Mailing - Radius List



# ITEM 4B

## CUP - Respite in RCC

PLANNING COMMISSION AGENDA REPORT: 01/12/2016

CONDITIONAL USE PERMIT: Case No. 2016-CUP-001

**Request:** This conditional use permit is a request for permission to change from allowing a maximum of 8 children to a maximum of 12 children in an established and operating child family support facility (Respite) in the RCC zone (*at 310 W 200 N*). Note: The State allows up to a maximum of 12.

**History:** Case No. 2007-ZRA-018; on December 6, 2007, the City Council approved a zoning regulation amendment (ZRA) to amend Title 10 Zoning Regulations, Chapter 7 Residential Zones Article "C" Multiple Family Zones (R-2, R-3, R-4), Section 10-7C-3 "Conditional Uses," to allow a residential child family support facility (with conditions listed in code). This allowed the possibility of establishing a 'Respite' in a MF zone (*Note: only in a single family home located in a multi-family zone*)  
(*Note: at the time, the applicant had expected to establish the respite in a MF zone*).

On February 12, 2008, an applicant submitted a CUP for a daytime only crisis child care in the RCC zone. However, the request could not be processed because a day care center operator must be a resident and live in the home per existing code. The code had not yet been changed to allow a respite in the RCC zone.

Case No. 2008-ZRA-002; on April 4, 2008 the City Council approved amending Title 10, Chapter 2 "Definitions" to add a definition of "Respite" to the code. The council also approved amending language to several sections to allow a respite as a conditional use permit; in Sections 10-7F-2 / RCC zone, 10-7A-3 / RE zones, and 10-7B-3 / R-1 zones.

Case No. 2008-CUP-002; on March 20, 2008, the City Council approved a maximum of 8 children in a residential family support facility (respite) at 310 W 200 N.

**Respite:** By definition a 'respite' is "*a temporary relief facility designed to provide for young children at risk of abuse, maltreatment, and neglect, and to offer an array of support services to the families, caregivers, and primary providers of the children.*"

**Reference:** Case No. 2008-ZRA-002  
Case No. 2008-CUP-002 (*for this same location - 310 W 200 N*)

**Applicant:** "The Family Support Center" (501c-3)

**Rep.:** Ms. Laura Bartschi

**Property:** 310 West 200 North.

**Zoning:** RCC (Residential Central City).

**Parking:** Previously parking was determined for a Respite in the multiple family zones to be; “Parking shall be 1 space for each staff member, plus 1 space for each 8 children.”

**Ordinance:** 10-7F-2 “Permitted, Conditional, or Accessory Uses.” (RCC language)

D. Child family support facility is a conditional use in this district. A child family support facility is a facility that is licensed as a residential support program by the department of human services office of licensing to provide temporary respite, crisis and supplemental care for children from ages zero to eleven (11) at any time of day for no more than thirty (30) days. The use may be conducted only within a single-family dwelling. No multiple-family dwelling may be approved for a child family support facility. The planning commission will determine the maximum number of children to be allowed for overnight stays and the maximum number of children to be allowed for daytime only stays. The facility must comply with all state licensing regulations and guidelines. This use specifically does not include support centers for substance abuse treatment or homeless shelters. The facility would accept children brought and signed in by parents, legal guardians, law enforcement or those entrusted with protective custody such as Utah department of human services and the division of child and family services. Parking shall be one space for each staff member, plus one space for each eight (8) children. The applicant shall provide a narrative and site plan. All other requirements of the zone shall be complied with. A minimum separation of three (3) miles is required between child family support facilities as measured in a straight line from the property line of one facility to the property line of another. (Ord. 2008-04-002, 4-3-2008; amd. Ord. 2009-04-004, 4-2-2009)

**Comments:** This request is a CUP for a maximum of 12 children.

A-narrative by the applicant is attached to this report (*see attached*)

Parking shall be 1 space for each staff member, plus 1 space for each 8 children.

All other requirements of the RCC zone shall be complied with.

Findings for a CUP are required (*see below*)

**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  |
|---|-----|---------------|--|
| Contain Noise inside building & to site |     | 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.          |
|   | X   | B. Dust       | 1. Comply with all air quality standards, state, federal and local.<br>2. Use shall not create unusual or obnoxious dust beyond the property line.   |
| Contain all odors to meet standards     |     | C. Odors      | 1. Comply with all air quality standards, state, federal and local.<br>2. Use shall not create unusual or obnoxious odors beyond the property line.  |
| Existing Bldg                           | X   | D. Aesthetics | 1. Blend harmoniously with the neighborhood so the use does not change the characteristics of the zone and the impact of the use on surrounding properties is reduced.   |
|   | X   | E. Safety     | 1. Take the necessary measures to avoid or mitigate any safety problems created by the use, including problems due to traffic, rockfall, erosion, flooding, fire, hazardous materials, or related problems.<br><br>2. Uses shall not locate within the 100-year floodplain as identified by FEMA unless expressly recommended by the city engineer in conformance with city engineering standards and all state, local and federal laws. |
| PC to Discuss any traffic concerns.     |     | F. Traffic    | 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".<br>2. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.  |
| Existing Bldg                           | X   | G. Height     | 1. Buildings shall fit into the overall context of the surrounding area.<br>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.  |

|  |   |   |  |
|--|---|---|--|
| Discuss hours of operation<br><br><i>(see narrative)</i> |   | H. Hours of Operation                     | 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.            |
|  | X | I. Saturation / Spacing                   | 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. |
| Ref. 2008-ZRA-002  |   | J. Maintain Character and purpose of zone | 1. Uses shall be consistent with the character and purpose of the zone within which they are located.  |
|  |   | K. Public Health                          | 1. Use shall comply with all sanitation and solid waste disposal codes.<br>2. Use shall not create public health concerns. (Ord. 2007-01-001, 1-4-2007)  |

**Request change for maximum amount  
of children in facility**

**Asking that the amount be changed to 12  
instead of 8**

12/10/2015

While we are asking that the amount be changed to 12, please note that  
the center very rarely exceeds 10.

NARRATIVE



Dedicated to Protecting Children & Strengthening Families

310 W. 200 N.  
St. George, Utah 84770  
Phone # 435-674-5133

**24 HOUR CRISIS HOTLINE # 435-773-0585 OR 435-703-4666**

**[www.thefamilysupportcenter.com](http://www.thefamilysupportcenter.com)**

Dear Parents,

Welcome to the Family Support Center of Washington County's crisis and respite care nursery. We are delighted to have your children spend time with us. Attached is our Parent Handbook. Our services are designed to provide your children with a safe and enjoyable time with us. This will help make your time away from them worry free.

Please keep this information available for your own reference and never hesitate to call with any questions or concerns. Our phone number is 435-674-5133. This number will also connect you to our 24 hour crisis hotline in case of emergency situations.

The Family Support Center is founded on a set of principles designed to maintain the dignity and rights of all persons. Policies have been established which are conducive to both individual well-being and program achievement.

We will not discriminate based on race, religion, natural origin, age, gender, or disability. We will provide services to anyone who meets the guidelines of our program and for whom we are licensed to provide services to. We will treat all clients with respect and dignity and ask that you give us the same courtesy. Thank you for trusting us with your children.

The Family Support Center of Washington County reserves the right to refuse services to anyone who has been uncooperative, abusive, or neglectful in dealing with Center staff and/or policies. We reserve the right to refuse services to children who have a history of violence, sexually reactive behaviors, may attempt to run away, or who are at risk of harming other children or themselves.

## What services does the Family Support Center provide?

### ~ Respite Care ~

Respite Care is designated for children ages birth through eleven. Respite Care is typically scheduled in advance no more than 3 hours per week unless there are extenuating circumstances in which those times will need to be approved by the family support center Director.

We can schedule children for almost any reason EXCEPT for care related to parents attending work or school. Some of the reasons parents schedule their children for respite care include: medical or therapy appointments, support groups (AA, NA, Grief, DV, etc.) parenting skills classes, job search & other DWS meetings, generic "Stress Breaks" (Date Nights, Alone Time, etc).

### ~ Crisis Care ~

Crisis Care is also designated for children ages birth through eleven. This service is available seven days a week, 24 hours per day. Parents can have their children signed in for Crisis Care for up to 72 consecutive hours (3 full days). We cannot take children for more than 72 hours straight regardless of the crisis situation. Any Single crisis stay longer than 72 hours may be subject to scrutiny if the center believes the parent(s) are taking advantage of the center's services.

It is requested that you schedule as far in advance as possible for crisis care although we understand that this is rarely possible in emergency situations. Some of the reasons parents may consider leaving their children for crisis care include: emergency medical situations, birth of a sibling, serving jail time, struggling with family emergencies, overwhelming grief or mental distress, etc. Crisis care can be requested for any time the child may be put into an unsafe situation.

Other available services:

~ visitation exchange ~

~ Parent support services ~

~ Adoption Support Respite ~

**\*Please note:** Children are scheduled on a "First scheduled, First Served" basis for respite care BUT children requiring crisis care will always take priority over any other scheduling. Please understand that we will call you if we need to cancel scheduled respite care appointments for your children to make room for children in crisis. If possible, we will attempt to reschedule the respite care to another date and time available.

## HEALTH CARE AND GUIDELINES

Children who are ill are not allowed to be at the Center due to risk of infecting others. The following are standard guidelines to go by when trying to determine whether you should bring your child in to the Center. **A child will not be accepted with:**

- **Fever (Child must be fever free for 24 hours before returning)**
  - **Diarrhea**
  - **Vomiting**
  - **Mouth Sores**
  - **Rash (Bleeding & increased pain which causes crying)**
  - **Eye Infections (Child must be treated for 24 hours before returning)**
  - **Infestation (Lice, Pinworm, Scabies, etc.)**
  - **Impetigo (Infectious Sores)**
  - **Strep-Throat**
  - **Ringworm Infections**
  - **Green Runny Nose**
  - **Uncontrolled coughing**
  - **Chicken Pox (Child & exposed siblings may not return until all lesions have dried & crusted)**
  - **Any other illness that may cause pain or prolonged crying that should be soothed by a parent.**
1. **The Center reserves the right to deny any child that staff members feel have any of the above symptoms or is obviously too sick to be at the Center.**
  2. **A child will not be allowed to return until the Center staff feels that the child is well enough. A note from the physician may be requested.**
  3. **If a child experiences signs of illness while at the Center the parent WILL be contacted to pick up their children immediately.**

## **DAYS CLOSED:**

New Years Eve ½ day

**New Years Day**

**Martin Luther King Day**

**Presidents Day**

**Memorial Day**

**4<sup>th</sup> of July**

**24<sup>th</sup> of July**

**Labor Day**

**Columbus Day**

**Veterans Day**

**Thanksgiving Day**

Day after thanksgiving

Christmas Eve

**Christmas Day**

Day after Christmas

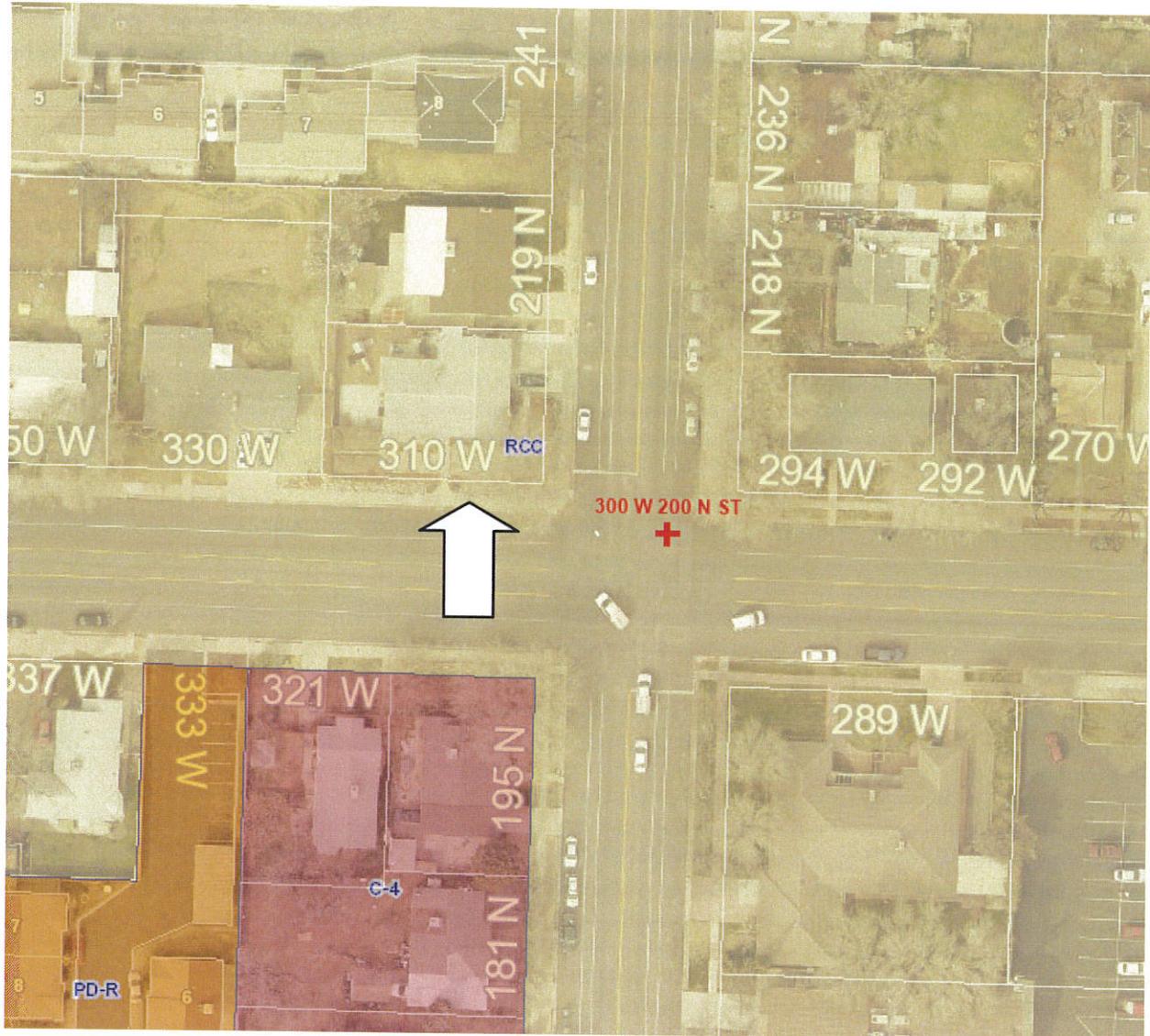
### **Operating Hours:**

|                  |                    |
|------------------|--------------------|
| <b>MONDAY</b>    | <b>9a.m.-6p.m.</b> |
| <b>TUESDAY</b>   | <b>9a.m.-6p.m.</b> |
| <b>WEDNESDAY</b> | <b>12-8p.m.</b>    |
| <b>THURSDAY</b>  | <b>9a.m.-6p.m.</b> |
| <b>FRIDAY</b>    | <b>12-8p.m.</b>    |

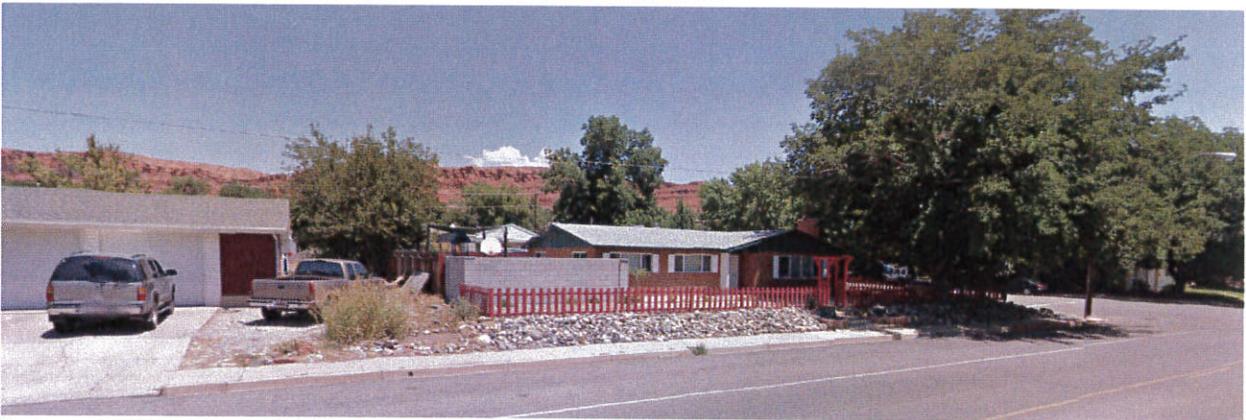
AERIAL



### ZONING



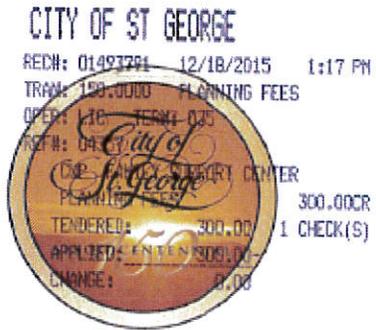
### Street View (Google Maps)





# APPLICATION

**CONDITIONAL USE PERMIT  
APPLICATION & CHECKLIST**



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

APPLICANT: The Family Support Center  
(If different than owner)  
MAILING ADDRESS: 310 W 200 N. St George VT 84770

PHONE: 435-674-5133 CELL: 435-703-3732 FAX: \_\_\_\_\_  
E-MAIL ADDRESS: famsupportofwc@gmail.com  
LOCATION OF SUBJECT PROPERTY: \_\_\_\_\_

CONTACT PERSON / REPRESENTATIVE (if applicable): Laura Bartschi  
(If different than owner)  
MAILING ADDRESS: N/A

PHONE: \_\_\_\_\_ CELL: \_\_\_\_\_ FAX: \_\_\_\_\_  
E-MAIL ADDRESS: \_\_\_\_\_

**II. PROPERTY INFORMATION**

ZONING: RCC SUBDIVISION: -

TAX I.D. NUMBER (PARCEL SERIAL NUMBER): \_\_\_\_\_

EXISTING USE: \_\_\_\_\_  
Use of property and/or Buildings

PROPOSED USE: \_\_\_\_\_  
Use of property and/or Buildings.

**OFFICE STAFF USE ONLY**  
CASE NO. 2016-CUP-001 FILING DATE: 12/18/15 RECEIVED BY: [Signature] RECEIPT: \_\_\_\_\_  
**FEE: \$300.00 - PAYABLE BY CHECK OR MONEY ORDER. CASH WILL NOT BE ACCEPTED**

## PROPERTY OWNERS LIST DECLARATION

### City of St. George

175 East 200 North – St. George, UT 84770 – (435) 627-4000 – www.sgcity.org

The property owners listed identifies the owners of properties within a certain distance or radius of the external boundaries of a project or property. The labels may be prepared by the Washington County Recorder's Office, Title Company, or by another approved party. A complete property owners list shall consist of the following:

1. Completed and signed declaration
2. List identifying each property owners name, mailing address, and Assessor's Parcel Number (APN)
3. Typed set of mailing labels for each property owner prepared on 8-1/2"x11" sheets of self-adhesive labels in three column format, as shown on the attached sample. All type shall be in capital letters with no punctuation or APN's.
4. Property owner radius map identifying all properties within the required radius. An example radius map is attached.

The property owners list and the required radius shall be based on the application type as described below:

- **Zone Change**
  - Record owner of each parcel within 500 feet of that property (2 sets)
- **Conditional Use Permit or Variance**
  - Record owner of each parcel within 300 feet of that property (1 set)
- **Amended Final Plat**
  - Record owner of each parcel within 300 feet of that property (1set)
    - if each (100%) record owner of the subdivision gives their consent to the amendment, then labels are not required
- **Vacating a Roadway or Abandoning an Easement**
  - Record owner of each parcel within 300 feet of that property (1 set)

### LABELS PREPARED BY:

\_\_\_\_\_  
Organization Name

The attached list contains the names and addresses of all persons to whom all property is assessed, and as they appear on the most current County Assessment Roll. This list identifies all properties located within the required area measured from the exterior boundaries of the property legally described by Assessor's Parcel Number(s).

\_\_\_\_\_  
Legal Owner/Agent of property

Date: \_\_\_\_\_

\*The list of property owners shall be submitted with the application applying for.

### III. SUBMITTAL CHECKLIST

- 1. General Information Form - completed. (*This application-first page*)
- 2. Mailing Labels - Property Owner's (*The mailing labels can be obtained from the Washington County Recorder's Office*)
- 3. Radius Map – Property Owner's- identifying all properties within the required 300 ft. radius. (*The radius map can be obtained from the Washington County Recorder's Office*).
- 4. Narrative - minimum one (1) page of proposed use. (*ALL projects*).
- 5. Two (2) copies of the Subdivision Plat.
- 6. Two (2) copies of the Site Plan – minimum size 22" x 34" (ANSI D).
- 7. Two (2) copies of the Elevation(s) – minimum size 22" x 34" (ANSI D) for building height requests
- 8. One (1) copy (each) - 8-1/2" x 11" reduction of the subdivision plat and site plan.
- 9. One (1) copy - 8-1/2" x 11" reduction of the elevation(s) for building height requests.
- 10. Color and Materials Board (*or approved equivalent as required*).
- 11. Payment of \$300.00 filing fee by Check or Money Order .

### IV. SITE PLAN REQUIRED INFORMATION CHECKLIST

- 1. Current address of project, County Assessor's parcel number(s), and the applicant's and plan preparer's name, address, email address, phone and fax numbers.
- 2. North Arrow and scale.
- 3. Property Lines, with dimensions, and the location, width and description of any easements.
- 4. Existing and proposed streets, including names, centerlines, widths, and future rights of way and improvements.
- 5. Show existing fire hydrants within 300 feet of the project site.
- 6. Show proposed Fire Department access lane(s) (*if applicable*).
- 7. Show and dimension all existing and proposed buildings and structures;
  - Show distances between existing and/or proposed buildings.
  - Show distances from existing and/or proposed buildings to property line.
  - Show all required and proposed building setback lines.
  - Show any nearby buildings, proposed or existing, within 30 feet of the subject property lines.
  - Show proposed walls, fences, trash enclosures, accessory buildings, etc.
- 8. Show proposed and existing parking, driveways and on-site access points (where applicable show any off-site parking within the vicinity). Indicate width of driveways and drive aisles, and show distances between driveways. Show parking space dimensions, handicapped accessible spaces, and indicate one-way and two-way drive aisles.
- 9. Show any significant natural features such as rock outcroppings and water courses.
- 10. Show proposed landscaping, including quantity and, locations; a separate landscaping plan may be substitutes instead of showing information on the site plan.
- 11. Show locations and dimensions of pedestrian access ways, loading areas, and access to service

5. Are there any deed restrictions affecting the use of the property involved? Give the expiration date of these restrictions, if applicable.

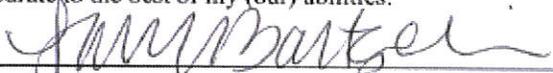
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6. Required site improvements such as pavement for parking areas, curb and gutter, privacy walls, landscaping, storm drain facilities, and all other improvements required under City Ordinance shall be completed prior to the issuance of a certificate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

**VII. APPLICANT AGREEMENT**

I (we) have read and understood the requirements of this application and all information is true and accurate to the best of my (our) abilities.

 12-18-15  
Signature Date

\_\_\_\_\_  
Signature Date

|  |  |   |   |
|--|--|---|---|
|  |  |   | 2. Uses shall not locate within the 100-year flood plain as identified by FEMA unless expressly recommended by the city engineer in conformance with city engineering standards and all state, local and federal laws.  |
|  |  | F. Traffic                                | 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".<br><br>2. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.   |
|  |  | G. Height                                 | 1. Buildings shall fit into the overall context of the surrounding area.<br><br>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. |
|  |  | H. Hours of Operation                     | 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.   |
|  |  | I. Saturation / Spacing                   | 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   |
|  |  | J. Maintain Character and purpose of zone | 1. Uses shall be consistent with the character and purpose of the zone within which they are located.   |
|  |  | K. Public Health                          | 1. Use shall comply with all sanitation and solid waste disposal codes.<br><br>2. Use shall not create public health concerns. (Ord. 2007-01-001, 1-4-2007)   |

**VI. COMMENTS**

1. Please be aware that, if determined necessary by City staff, additional information and/or special studies may be required to review the project. These studies may include, but not be limited to: a soils report, hydrology report, traffic study, etc.  

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

---

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3. The applicant has the ability and intention to utilize said **CONDITIONAL USE PERMIT within twelve (12) months from date of final approval** by the City Council; and the applicant understands this **CONDITIONAL USE PERMIT** application, if granted, becomes null and void and of no effect if unused within twelve (12) months from the date of filing the application, or if any time after granting the use is discontinued for a period of twelve (12) months, or developed by someone other than the applicant
4. A **CONDITIONAL USE PERMIT** approval does not eliminate the necessity of obtaining a building permit, which is required for construction of all buildings in the project.

- 12. Show proposed lighting fixtures in parking areas, adjacent to walkways, and on buildings, and indicate type.
- 13. Show all existing and proposed public improvements, including water, sewer, catch basins, curbs, gutters, sidewalks, street lights, signals, power lines, utility vaults, and utility poles.
- 14. Show existing contour lines and proposed contour lines indicating finished grade on the site; a grading plan may be substituted instead of showing contours on the plan, if desired.
- 15. Show location of on-site and off-site drainage, both existing and proposed.
- 16. Provide a **legend** (data box) on the site plan that includes:
  - a. Current Zoning
  - b. Total lot square footage
  - c. Total building square footage
  - d. Percentage of Lot Coverage
  - e. Setbacks (Existing and/or Proposed)
  - f. Building Height (Proposed)
  - g. Parking (show calculations)
  - h. Open Space
  - i. Landscaping (show calculations and % of coverage)
  - j. Proposed Use (e.g. restaurant, retail, office, etc.)(show square footage allocated to each use within building(s).
  - k. For multiple family residential projects; include unit type, number of bedrooms, square footage per unit, unit mix, etc.
  - l. Indicate the intended occupancy type of all buildings.
  - m. Identify building sprinkled and/or non-sprinkled

**V. GENERAL STANDARDS FOR APPROVAL OF CONDITIONAL USES (Section 10-17-7)**

The following standards must be met to mitigate the reasonably anticipated detrimental effects **if imposed** as a condition of approval: *(if category applies, attach a separate sheet with explanation)*

| Yes | N/A | Category      | Description   |
|-----|-----|---------------|---|
|     |     | 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. |
|     |     | B. Dust       | 1. Comply with all air quality standards, state, federal and local.<br>2. Use shall not create unusual or obnoxious dust beyond the property line.  |
|     |     | C. Odors      | 1. Comply with all air quality standards, state, federal and local.<br>2. Use shall not create unusual or obnoxious odors beyond the property line.   |
|     |     | D. Aesthetics | 1. Blend harmoniously with the neighborhood so the use does not change the characteristics of the zone and the impact of the use on surrounding properties is reduced.  |
|     |     | E. Safety     | 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.  |

# ITEM 4C

## CUP- Height

PLANNING COMMISSION AGENDA REPORT: 01/12/2016

### CONDITIONAL USE PERMIT

Case No. 2016-CUP-003

**Request:** To construct a **detached accessory structure** with a maximum midpoint height of approximately twenty feet (20') for personal auto and RV storage. The structure will be colored CMU brick with a tile roof and be 2,400 sq. ft. (60 ft. x 40 ft.)

**Property:** The property is located at 3810 S Sugar Leo RD.

**Applicant:** Richard Nerwinski, DR Builders Inc

**Zoning:** R-1-10(Single Family Residential)

**Ordinance:** The Title 10, Chapter 14 "HEIGHT REGULATIONS," Section 10-14-12:6. reads: "*Accessory buildings shall be limited to one story and 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;*"

The proposed structure is approximately twenty (20') feet in height measured from the mid-point, thus necessitating the purpose of this conditional use permit request. The applicant is proposing a twenty four feet (24') setback from the rear property line and three feet (3') from the side property line. The applicant is proposing to encroach into the side yard easement, therefore, approval from JUC will be required prior to issuance of a permit if the CUP is approved.

The applicant is proposing tile roof and CMU brick, which will be colored similar to the main structure

**Adj. Land:** Single-family residences and the Virgin River

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

**Comments:**

1. According to the applicant, the garage will be for personal auto and RV storage.
2. The proposed detached structure will be setback 24 ft. from the rear, 3' from the side property line, and 27' from existing home. Proposed side and rear yard setback is in compliance with code.

3. The structure is proposing to encroach into a easement. Must receive approval from JUC prior to issuance of a building permit.
4. The proposed height to the midpoint of roofis approximately twentyfeet (20') to accommodate an RV.
5. The detached structure will be constructed with CMU brick, which is different than the main structure. However, it will be colored brick to match the house. Tile roof proposed to match the house.

**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   |
|--|-----|-------------------------|---|
|  | N/A | 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.           |
|  | N/A | B. Dust                 | 1. Comply with all air quality standards, state, federal and local.<br>2. Use shall not create unusual or obnoxious dust beyond the property line.  |
|  | N/A | C. Odors                | 1. Comply with all air quality standards, state, federal and local.<br>2. Use shall not create unusual or obnoxious odors beyond the property line.   |
| The detached structure will be color CMU brick and tile.       |     | D. Aesthetics           | 1. Blend harmoniously with the neighborhood so the use does not change the characteristics of the zone and the impact of the use on surrounding properties is reduced.  |
|  | N/A | E. Safety               | 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.<br><br>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. |
|  | N/A | F. Traffic              | 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".<br><br>2. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.   |
| The detached structure will be approximately 20feet in height. |     | G. Height               | 1. Buildings shall fit into the overall context of the surrounding area.<br><br>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.   |
|  | N/A | H. Hours of Operation   | 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.   |
|  | N/A | I. Saturation / Spacing | 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.  |

2016-CUP-003  
 Detached Accessory Structure  
 Page 3 of 2

|   |            |  |  |
|---|------------|--|--|
| <p>This detached structure is within the existing character of the residential estate zone. Several detached garages are located in the area and CUP's have been approved for increase of height.</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>N/A</p> | <p>K. Public Health</p>                          | <p>1. Use shall comply with all sanitation and solid waste disposal codes.<br/>         2. Use shall not create public health concerns. (Ord. 2007-01-001, 1-4-2007)</p> |

2016-CUP-003

3810 S Sugar Leo



Overhead View

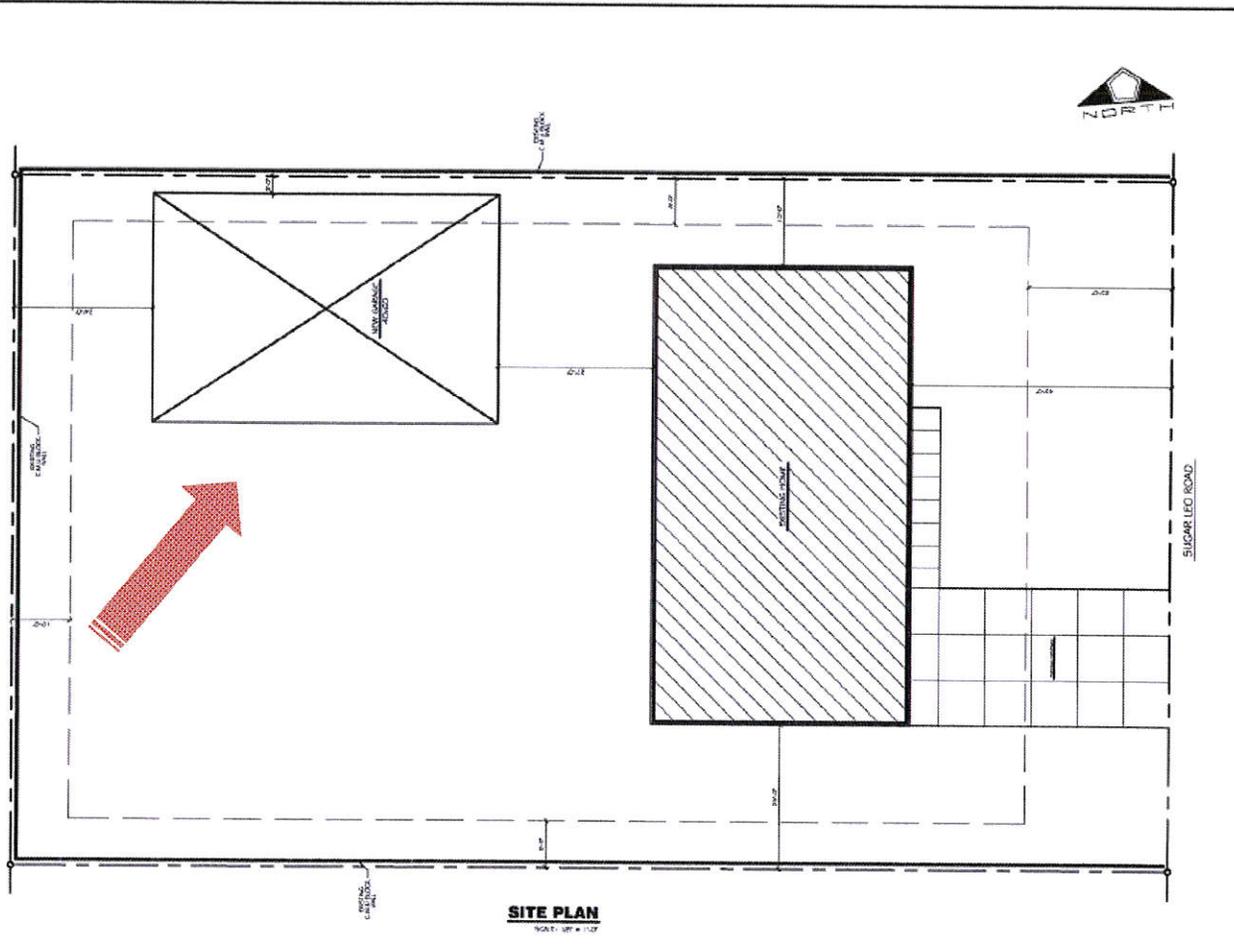
# Site Plan

SHEET NO.  
**SD-1**

|              |             |
|--------------|-------------|
| DATE PLOTTED | 1/27/2017   |
| DATE         | 1/27/2017   |
| PROJECT NO.  | 170101      |
| PROJECT NAME | DR BUILDERS |

**RV Custom Home Design**  
**DR Builders (Sugar leo garage Addition)**

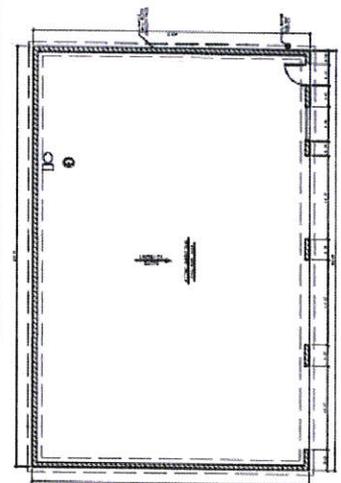
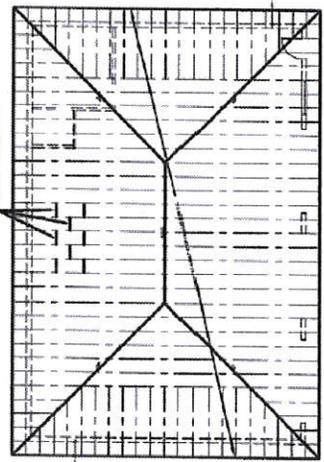
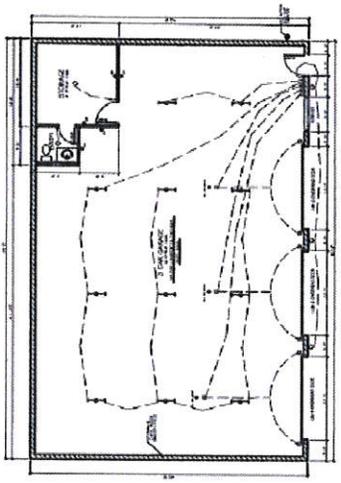
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|              |   |
|--------------|---|
| DATE         | NOV. 7, 2015                            |
| DESIGNED BY  | R. MERSON                               |
| PROJECT NO.  | 15-01-07                                |
| PROJECT NAME | MAIN FLOOR PLAN                         |
| CLIENT       | DR BUILDERS (Sugar Leo garage Addition) |

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(433)-673-0874

**R.M. Custom Home Design**



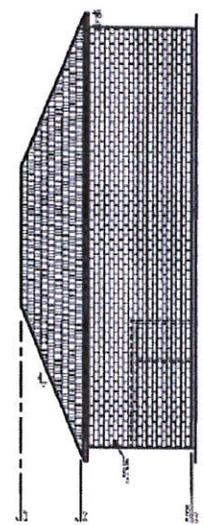
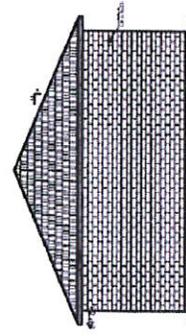
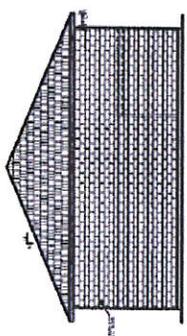
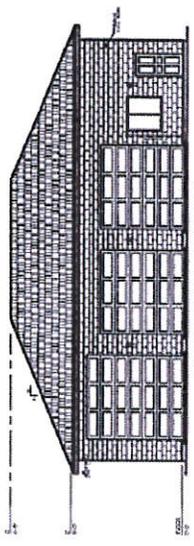
**ELECTRICAL SYMBOLS LEGEND**

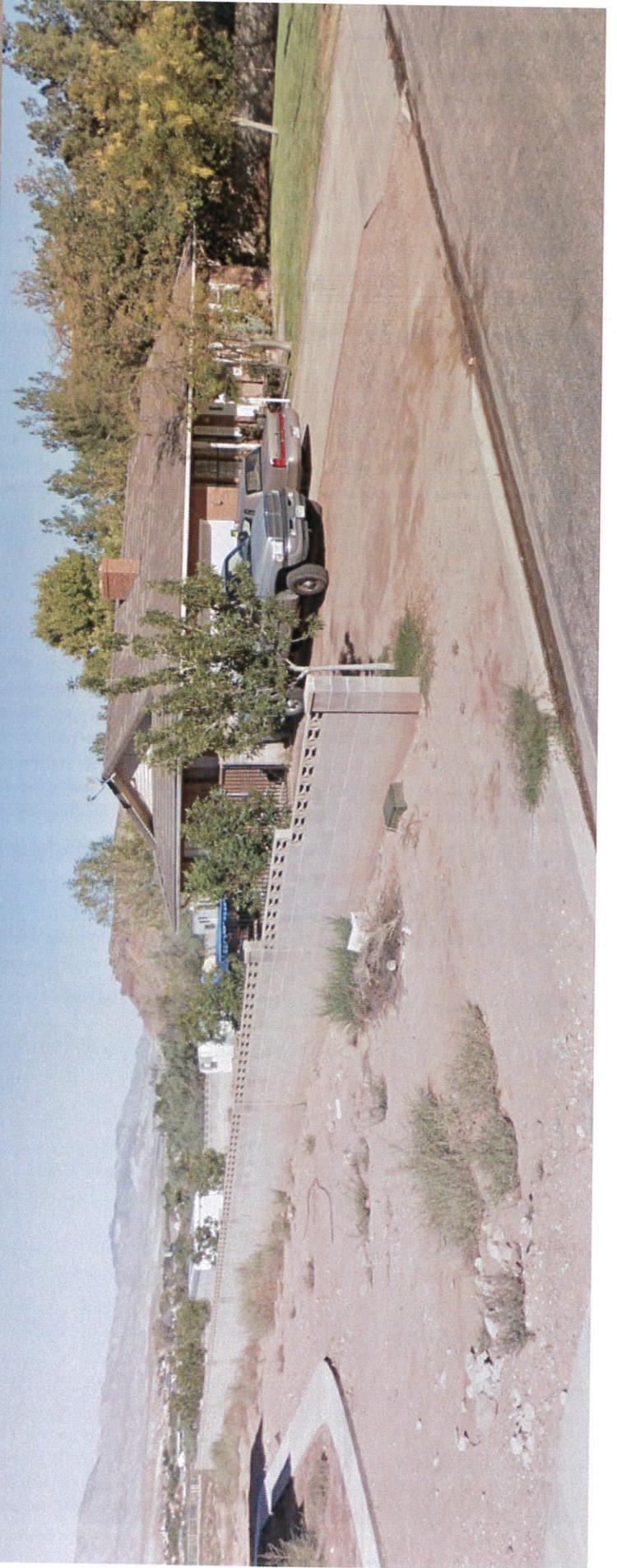
|                           |                         |
|---------------------------|-------------------------|
| Symbol                    | Description             |
| Circle with dot           | 120V AC POWER OUTLET    |
| Circle with cross         | 240V AC POWER OUTLET    |
| Circle with diagonal line | 20 AMP GFI POWER OUTLET |
| Circle with 'X'           | 20 AMP GFI POWER OUTLET |
| Circle with 'G'           | 20 AMP GFI POWER OUTLET |
| Circle with 'A'           | 20 AMP GFI POWER OUTLET |
| Circle with 'B'           | 20 AMP GFI POWER OUTLET |
| Circle with 'C'           | 20 AMP GFI POWER OUTLET |
| Circle with 'D'           | 20 AMP GFI POWER OUTLET |
| Circle with 'E'           | 20 AMP GFI POWER OUTLET |
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| Circle with 'H'           | 20 AMP GFI POWER OUTLET |
| Circle with 'I'           | 20 AMP GFI POWER OUTLET |
| Circle with 'J'           | 20 AMP GFI POWER OUTLET |
| Circle with 'K'           | 20 AMP GFI POWER OUTLET |
| Circle with 'L'           | 20 AMP GFI POWER OUTLET |
| Circle with 'M'           | 20 AMP GFI POWER OUTLET |
| Circle with 'N'           | 20 AMP GFI POWER OUTLET |
| Circle with 'O'           | 20 AMP GFI POWER OUTLET |
| Circle with 'P'           | 20 AMP GFI POWER OUTLET |
| Circle with 'Q'           | 20 AMP GFI POWER OUTLET |
| Circle with 'R'           | 20 AMP GFI POWER OUTLET |
| Circle with 'S'           | 20 AMP GFI POWER OUTLET |
| Circle with 'T'           | 20 AMP GFI POWER OUTLET |
| Circle with 'U'           | 20 AMP GFI POWER OUTLET |
| Circle with 'V'           | 20 AMP GFI POWER OUTLET |
| Circle with 'W'           | 20 AMP GFI POWER OUTLET |
| Circle with 'X'           | 20 AMP GFI POWER OUTLET |
| Circle with 'Y'           | 20 AMP GFI POWER OUTLET |
| Circle with 'Z'           | 20 AMP GFI POWER OUTLET |

- NOTES:**
1. FLOOR MANUFACTURING SPEC. STREET SIDE, W/STREET
  2. FLOOR FINISH TO BE DETERMINED BY ARCHITECT
  3. FLOOR FINISH TO BE DETERMINED BY ARCHITECT
  4. FLOOR FINISH TO BE DETERMINED BY ARCHITECT
  5. FLOOR FINISH TO BE DETERMINED BY ARCHITECT
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  8. FLOOR FINISH TO BE DETERMINED BY ARCHITECT
  9. FLOOR FINISH TO BE DETERMINED BY ARCHITECT
  10. FLOOR FINISH TO BE DETERMINED BY ARCHITECT

- CONCRETE:**
1. CONCRETE SHALL BE STRENGTH RATED WITH AN MINIMUM STRENGTH OF 4000 PSI. DESIGN CALCULATIONS AND MIXTURE DESIGN SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW AND APPROVAL.
  2. CONCRETE SHALL BE PLACED IN 4" MINIMUM THICKNESS LAYERS.
  3. REINFORCING STEEL SHALL BE CONFORM TO ASTM A618, GRADE 60.
  4. REINFORCING STEEL SHALL BE CONFORM TO ASTM A618, GRADE 60.
  5. CONCRETE SHALL BE PLACED IN 4" MINIMUM THICKNESS LAYERS.
  6. ALL REINFORCING STEEL SHALL BE CONFORM TO ASTM A618, GRADE 60.
  7. ALL REINFORCING STEEL SHALL BE CONFORM TO ASTM A618, GRADE 60.
  8. ALL REINFORCING STEEL SHALL BE CONFORM TO ASTM A618, GRADE 60.
  9. ALL REINFORCING STEEL SHALL BE CONFORM TO ASTM A618, GRADE 60.
  10. ALL REINFORCING STEEL SHALL BE CONFORM TO ASTM A618, GRADE 60.

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  2. CONCRETE SHALL BE PLACED IN 4" MINIMUM THICKNESS LAYERS.
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  7. ALL REINFORCING STEEL SHALL BE CONFORM TO ASTM A618, GRADE 60.
  8. ALL REINFORCING STEEL SHALL BE CONFORM TO ASTM A618, GRADE 60.
  9. ALL REINFORCING STEEL SHALL BE CONFORM TO ASTM A618, GRADE 60.
  10. ALL REINFORCING STEEL SHALL BE CONFORM TO ASTM A618, GRADE 60.





# ITEM 4D

## CUP- Height (Single Family Home)

PLANNING COMMISSION AGENDA REPORT: 01/12/2016

### CONDITIONAL USE PERMIT

#### **Hafen Single Family Height**

Case # 2016-CUP-004

**Request:** To construct a 15,626 square feet single family residence that will exceed the allowable height of thirty-five (35') feet. The height will exceed 35 ft. and requires a conditional use permit approval. The proposed height measured per ordinance would be approximately 42 feet. The proposed residence will be located at 2836 South 2300 East Circle and is zoned RE-12.5.

**Applicant:** Mr. Kevin Hafen

**Location:** 2836 South 2300 East Circle

**APN:** SG-5-3-9-1320

**Zoning:** RE-12.5 (Residential Estate Zone)

**General Plan:** LDR (Low Density Residential)

**Project:** The applicant is proposing to construct a single family residence

**Ordinance(s):** Section 10-7A-4: Height Regulations: A. No building shall be erected to a height greater than two and one-half (2<sup>1/2</sup>) stories or thirty five feet (35'), whichever is less, unless reviewed by the planning commission and approved by the city council as a conditional use permit.

Section 10-2-1: Zoning Definitions:

BUILDING, HEIGHT OF: The vertical distance from the grade of the average of the midpoint of the walls of the two (2) tallest elevations as measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the main height level between ridge and eaves of a gable, hip, or gambrel roof.

GRADE: A. For buildings adjoining one street only, the elevation of the sidewalk at the center of that wall adjoining the street.

B. For buildings adjoining more than one street, the average of the elevations of the sidewalks at the centers of all walls adjoining the street.

C. For buildings having no wall adjoining the street, the average level of the ground (finished surface) adjacent to the exterior walls of the building. All

walls approximately parallel to and not more than five feet (5') from a street line are to be considered as adjoining a street.

**Setbacks:** Setbacks for the zone are as follows:

Front yard: Required: 25' Proposed: 233,  
Side yard: Required: 10' Proposed: 119' and 30'  
Rear yard: Required: 10' Proposed: 110'

**Acreage:** 2.96 acres

**Layout:** See attached site plan and elevations.

**Height:** Height is determined by averaging the center of the two highest elevations, from grade to midpoint of roof which are 35' and 50', therefore, the height per code is 42.5' in height.

**Options:**

1. Deny.
2. Approve as presented with findings.
3. Approve with specific conditions and findings.

**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   |
|--|-----|---------------|---|
| Noise only anticipated during construction - control levels to prevent disturbing neighbors. | N/A | A. Noise      | 1. Excessive noise (unwanted or undesired sound) can cause serious impacts to health, property values, and economic productivity. Conditional uses shall not impose excessive noise on surrounding uses. "Excessive noise" generally means noise that is prolonged, unusual, or a level of noise that in its time, place and use annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others. |
| Comply with Local, State, and Federal air quality  | N/A | B. Dust       | 1. Comply with all air quality standards, state, federal and local.<br>2. Use shall not create unusual or obnoxious dust beyond the property line.  |
| Contain odors to meet city and state std.  | N/A | C. Odors      | 1. Comply with all air quality standards, state, federal and local.<br>2. Use shall not create unusual or obnoxious odors beyond the property line.   |
|  |     | D. Aesthetics | 1. Blend harmoniously with the neighborhood so the use does not change the characteristics of the zone and the impact of the use on surrounding properties is reduced.  |

|  |     |   |   |
|--|-----|---|---|
| During construction<br><br>follow all City, State, & Federal const. req'mts) | N/A | E. Safety                                 | <p>1. Take the necessary measures to avoid or mitigate any safety problems created by the use, including problems due to traffic, rockfall, erosion, flooding, fire, hazardous materials, or related problems.</p> <p>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> |
|  | N/A | F. Traffic                                | <p>1. Traffic increases due to the conditional use shall not cause streets or nearby intersections to fall more than one grade from the existing level of service grade or fall below a level of service "D".</p> <p>2. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.</p>  |
| Approx. 42' average measured from midpoint                                   |     | G. Height                                 | <p>1. Buildings shall fit into the overall context of the surrounding area.</p> <p>2. Photo simulations are required showing all sides of the building(s) and showing how the building fits into the surrounding area to include not less than five hundred feet (500') in all directions from the building and including its relationship to nearby ridges, hills, and buildings.</p>  |
|  | N/A | H. Hours of Operation                     | <p>1. Nonresidential uses operating in proximity to or within a residential zone shall limit hours of operation so as not to disturb the peace and quiet of the adjacent residential area.</p>  |
|  | N/A | I. Saturation / Spacing                   | <p>1. To the extent feasible, nonresidential uses allowed in residential zones as conditional uses shall be dispersed throughout the community rather than concentrated in certain residential areas.</p>   |
| Residential  |     | J. Maintain Character and purpose of zone | <p>1. Uses shall be consistent with the character and purpose of the zone within which they are located.</p>  |
| During const. Comply with City, State, & Federal standards                   | N/A | K. Public Health                          | <p>1. Use shall comply with all sanitation and solid waste disposal codes.</p> <p>2. Use shall not create public health concerns. (Ord. 2007-01-001, 1-4-2007)</p>  |

**2016-CUP-004**

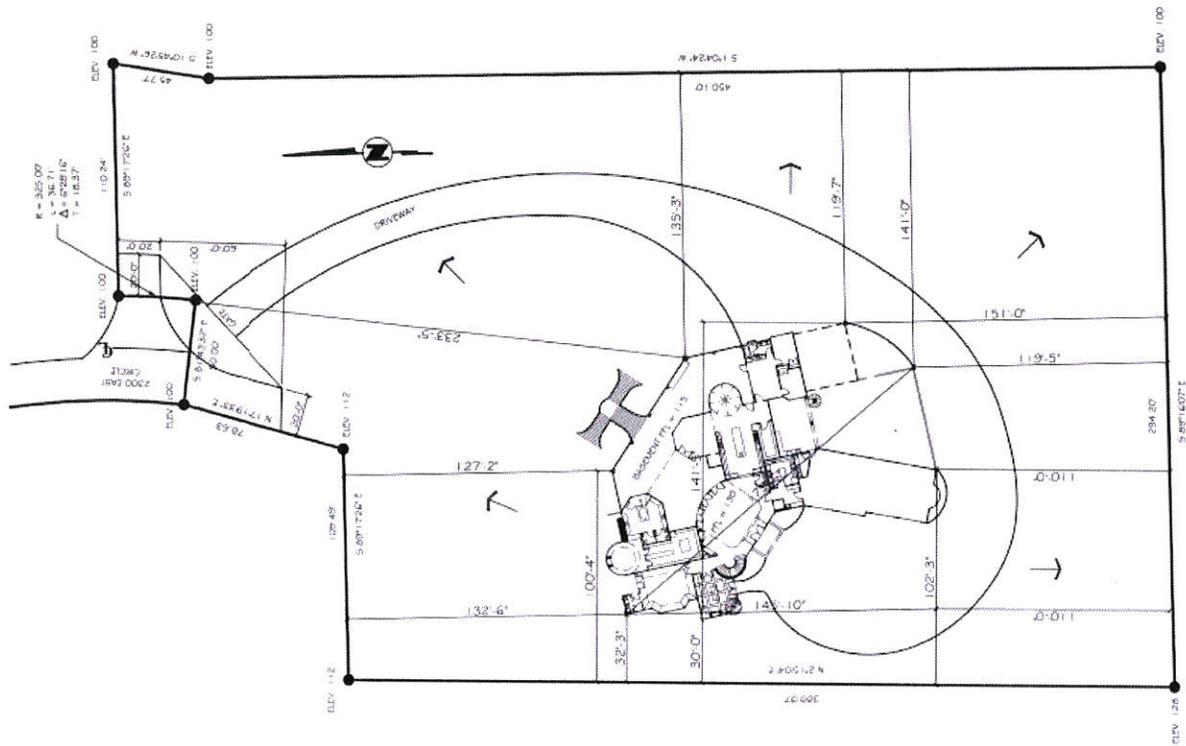
**Hafen Single Family Residence Increase in  
Height CUP Request**





Zoning

Owner hereby Design, Utility and Engineering fees for the reproduction of this plan. Permission is granted for the reproduction of this plan.



**NOTES:**

- \* OTHER ADDRESSES ON STAND MUST NOT BE USED AS A CLUE TO BE CONNECTED TO THIS PLAN.
- \* OWNER MUST VERIFY ALL DIMENSIONS TO MATCH PLAT MUST MATCH THE ORIGINAL RECORD PLAT.
- \* SCALE OF THE RECORD SECTION MUST BE USED FOR ALL DIMENSIONS, BEARINGS AND IDENTIFICATIONS.
- \* DIMENSIONS ARE IN FEET AND INCHES.
- \* DIMENSIONS MUST MATCH PLAT.
- \* DIMENSIONS AND IDENTIFICATIONS MUST MATCH PLAT.
- \* OWNER MUST PROVIDE DETAILS FOR ALL DIMENSIONS, BEARINGS AND IDENTIFICATIONS.
- \* OWNER MUST PROVIDE DETAILS FOR ALL DIMENSIONS, BEARINGS AND IDENTIFICATIONS.

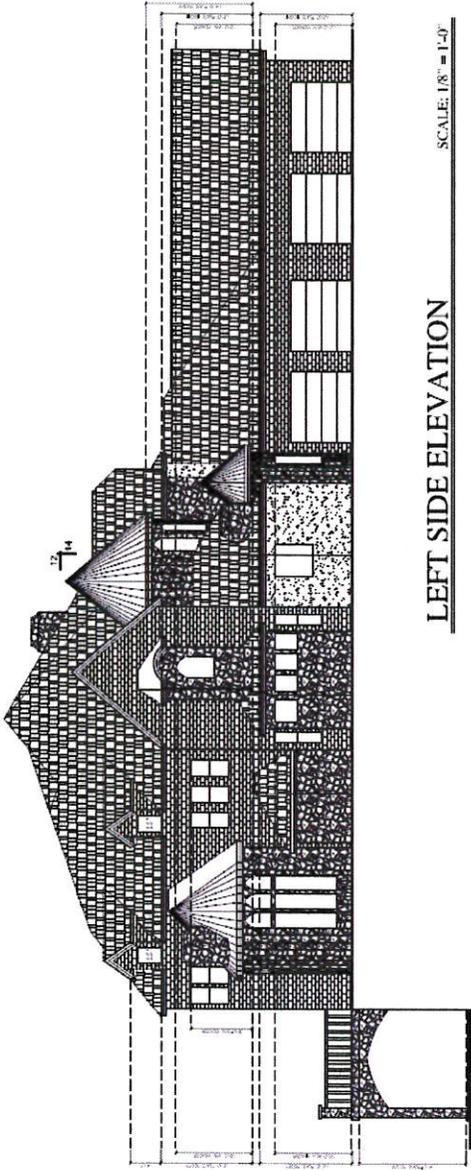
**NOTE:**

REMARKS: THIS PLAN IS FOR THE USE OF THE OWNER AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. THIS PLAN IS NOT TO BE USED FOR ANY OTHER PURPOSE. THIS PLAN IS NOT TO BE USED FOR ANY OTHER PURPOSE.

**PLOT PLAN** SCALE: 1" = 30'

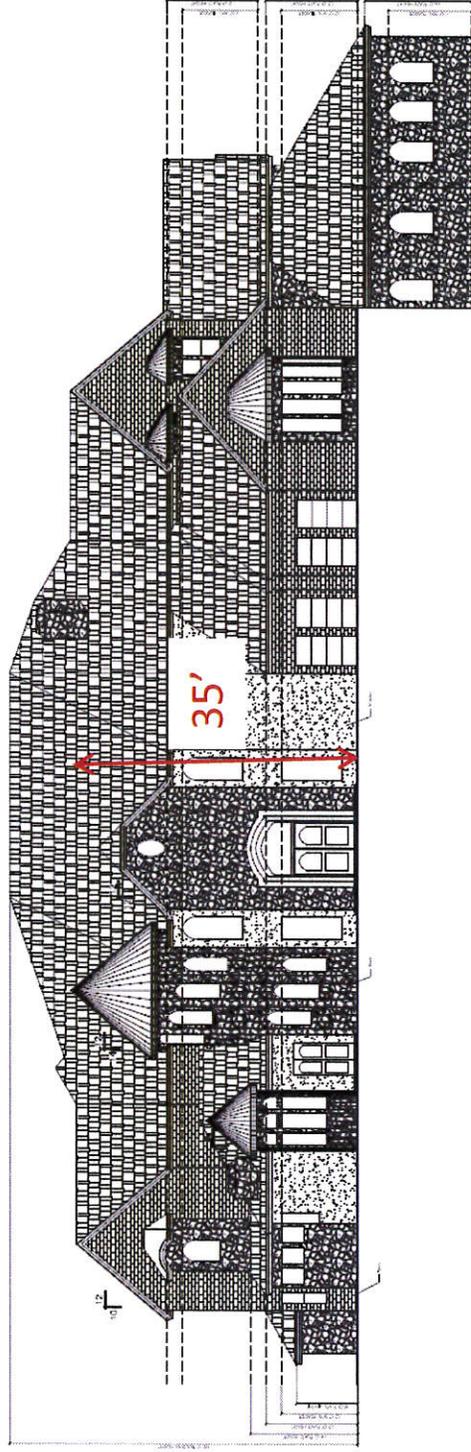
**LEGAL DESCRIPTION**

2.96 ACRES  
 PARCEL NO. 5G-5-3-9-1.320  
 2300 EAST 2800 SOUTH  
 ST. GEORGE, UTAH 84790



**LEFT SIDE ELEVATION**

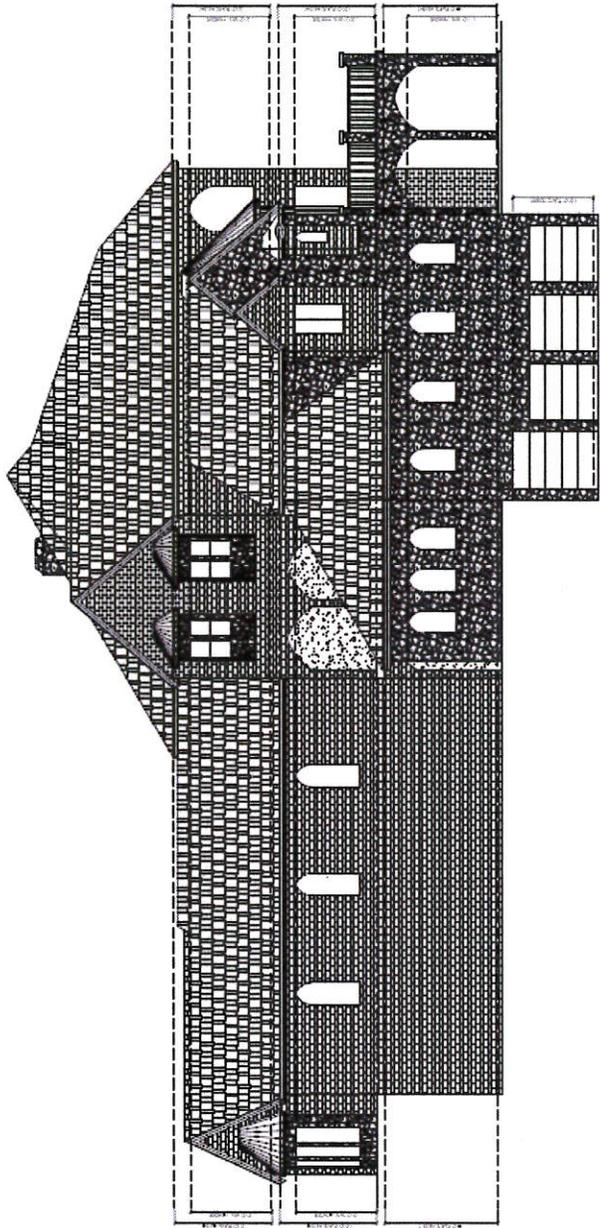
SCALE: 1/8" = 1'-0"



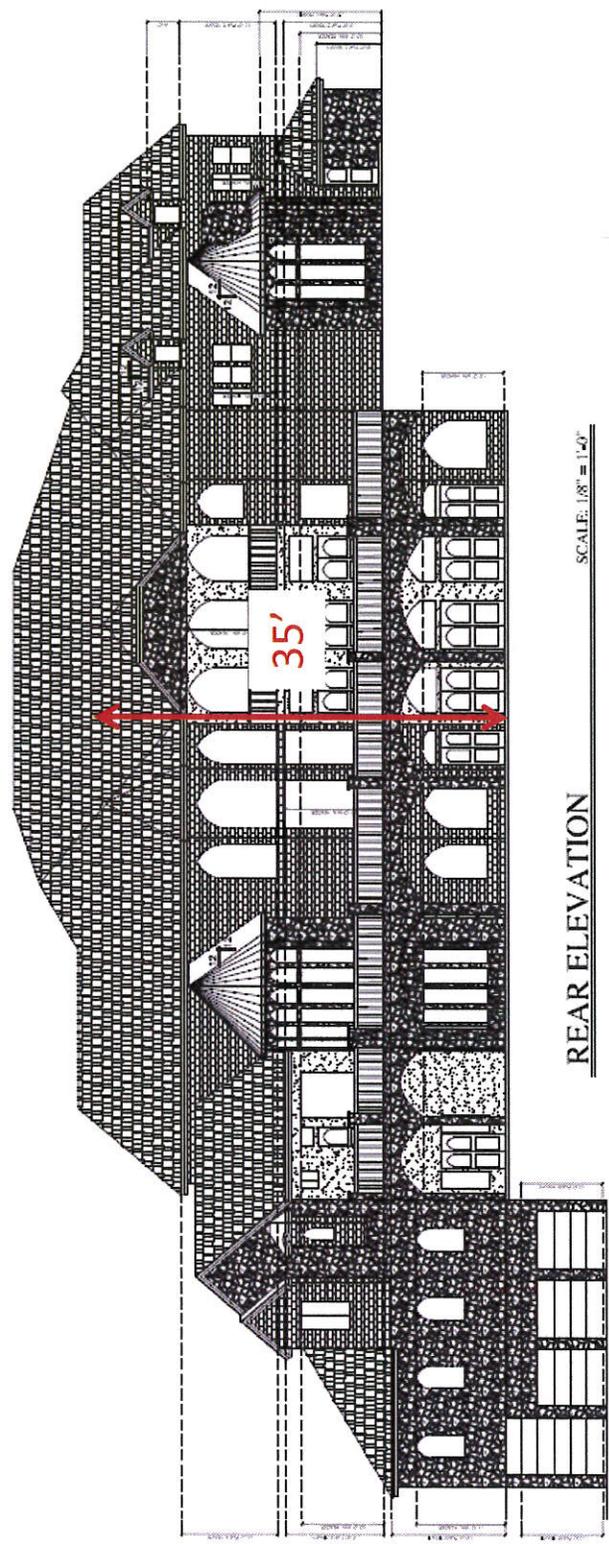
**FRONT ELEVATION**

SCALE: 1/8" = 1'-0"

**NOTE**  
 ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK AND THE INTERNATIONAL BUILDING CODE. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.



RIGHT SIDE ELEVATION  
SCALE: 1/8" = 1'-0"

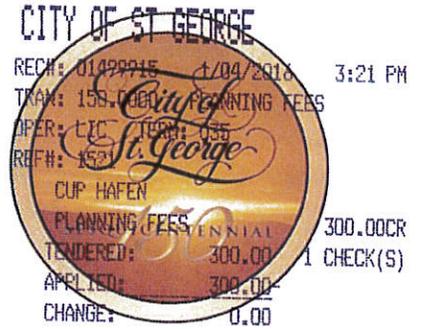


REAR ELEVATION  
SCALE: 1/8" = 1'-0"





**CONDITIONAL USE PERMIT  
APPLICATION & CHECKLIST**



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

APPLICANT: Kevin Hafen  
(If different than owner)  
MAILING ADDRESS: 1146 W - 2320 S. St. George 84770

PHONE: \_\_\_\_\_ CELL: 435-862-4720 FAX: \_\_\_\_\_  
E-MAIL ADDRESS: Kevin Hafen @ Yahoo . Com  
LOCATION OF SUBJECT PROPERTY: 2836 S. 2300 E ST George 84780

CONTACT PERSON / REPRESENTATIVE (if applicable): Kirk Hafen  
(If different than owner)  
MAILING ADDRESS: 1352 W South Wind Dr. St George UT 84770

PHONE: \_\_\_\_\_ CELL: 435-669-0519 FAX: \_\_\_\_\_  
E-MAIL ADDRESS: KS H Family @ Beyond bb. Com

**II. PROPERTY INFORMATION**

ZONING: \_\_\_\_\_ SUBDIVISION: \_\_\_\_\_

TAX I.D. NUMBER (PARCEL SERIAL NUMBER): SG-5-3-9-1320

EXISTING USE: \_\_\_\_\_  
Use of property and/or Buildings

PROPOSED USE: \_\_\_\_\_  
Use of property and/or Buildings.

**OFFICE STAFF USE ONLY**  
CASE NO. 2016-CUP-024 FILING DATE: 1/4/16 RECEIVED BY: [Signature] RECIEPT: \_\_\_\_\_  
FEE: \$300.00 – PAYABLE BY CHECK OR MONEY ORDER. CASH WILL NOT BE ACCEPTED

# ITEM 4E

## Single Family Height

PLANNING COMMISSION AGENDA REPORT: 01/12/2016

### CONDITIONAL USE PERMIT

#### **Blake Single Family Height**

Case # 2016-CUP-005

- Request:** To construct a 12,226 square feet single family residence that will exceed the allowable height of thirty-five (35') feet. The height will exceed 35 ft. and requires a conditional use permit approval. The proposed height measured per ordinance would be approximately 48 feet. The proposed residence will be located at 225 South 1160 West Circle and is zoned PD-R.
- Applicant:** Mr. Carey Blake, C. Blake Homes
- Location:** 225 South 1160 West Circle
- APN:** SG-SM-8-309
- Zoning:** PD-R (Planned Development Residential)
- Project:** The applicant is proposing to construct a single family residence
- Ordinance(s):** Two sections regulate height for buildings and specify processes for requesting higher buildings. The PD zone allows the request at the time of the zoning approval. Chapter 14 Supplementary and Qualifying Regulations allows for a CUP, in order to increase the height. Given the project has already received zone approval back in 1997, staff is processing the additional height request as a CUP, because they are not making amendments to the PD zone.

#### **10-8-5: RESIDENTIAL DEVELOPMENT STANDARDS**

G. Height Regulations: No building shall be erected to a height greater than thirty five feet (35') unless specifically approved as a part of the zone change approval.

#### **10-14-13: HEIGHT REQUIREMENTS; EXCEPTIONS:**

A. Additional Height Allowed: Buildings and structures, when authorized in a zoning district, may be erected to a height greater than the height allowed by the district subject to conditional use recommendation by the planning commission and approval by the city council. (1998 Document § 3-11)

Section 10-2-1: Zoning Definitions:

**BUILDING, HEIGHT OF:** The vertical distance from the grade of the average of the midpoint of the walls of the two (2) tallest elevations as measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the main height level between ridge and eaves of a gable, hip, or gambrel roof.

**GRADE:** A. For buildings adjoining one street only, the elevation of the sidewalk at the center of that wall adjoining the street.

B. For buildings adjoining more than one street, the average of the elevations of the sidewalks at the centers of all walls adjoining the street.

C. For buildings having no wall adjoining the street, the average level of the ground (finished surface) adjacent to the exterior walls of the building. All walls approximately parallel to and not more than five feet (5') from a street line are to be considered as adjoining a street.

**Setbacks:** Setbacks for the zone are as follows:

Front yard: Required: 25'

Side yard: Required: 10'

Rear yard: Required: 10'

**Acreage:** 28,572 square feet

**Layout:** See attached site plan and elevations.

**Height:** Height is determined by averaging the center of the two highest elevations, from grade to midpoint of roof which are approximately 49' and 47'. Therefore, the height per code is approximately 48' in height. The property is located on a hill with changes in elevation from front to rear, which creates several exposed elevations. Other homes on the street have utilized retaining walls to raise the elevation of lot, oppose to building to the elevation change. As such, the overall elevations of the proposed and existing homes appear to be similar.

**Options:**

1. Deny.
2. Approve as presented with findings.
3. Approve with specific conditions and findings.

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

| <b>Yes</b>   | <b>N/A</b> | <b>Category</b> | <b>Description</b>   |
|--|------------|-----------------|--|
| Noise only anticipated during construction - control levels to prevent disturbance of neighbors. | N/A        | A. Noise        | 1. Excessive noise (unwanted or undesired sound) can cause serious impacts to health, property values, and economic productivity. Conditional uses shall not impose excessive noise on surrounding uses. "Excessive noise" generally means noise that is prolonged, unusual, or a level of noise that in its time, place and use annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.          |
| (Comply with Local, State, and Federal air quality)  | N/A        | B. Dust         | 1. Comply with all air quality standards, state, federal and local.<br>2. Use shall not create unusual or obnoxious dust beyond the property line.   |
| (Contain all odors to meet city and state standards)   | N/A        | C. Odors        | 1. Comply with all air quality standards, state, federal and local.<br><br>2. Use shall not create unusual or obnoxious odors beyond the property line.  |
|  |            | D. Aesthetics   | 1. Blend harmoniously with the neighborhood so the use does not change the characteristics of the zone and the impact of the use on surrounding properties is reduced.   |
| During construction<br><br>follow all City, State, & Federal const. req'mts)                     | N/A        | E. Safety       | 1. Take the necessary measures to avoid or mitigate any safety problems created by the use, including problems due to traffic, rockfall, erosion, flooding, fire, hazardous materials, or related problems.<br><br>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. |
|  | N/A        | F. Traffic      | 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".<br>2. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.  |
| Approx. 42' average measured from midpoint   |            | G. Height       | 1. Buildings shall fit into the overall context of the surrounding area.<br>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.  |
|   | N/A | H. Hours of Operation                     | 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.            |
|   | N/A | I. Saturation / Spacing                   | 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. |
| Residential   |     | J. Maintain Character and purpose of zone | 1. Uses shall be consistent with the character and purpose of the zone within which they are located.  |
| During const.<br>Comply with City, State, & Federal standards | N/A | K. Public Health                          | 1. Use shall comply with all sanitation and solid waste disposal codes.<br>2. Use shall not create public health concerns. (Ord. 2007-01-001, 1-4-2007)  |

**CONDITIONAL USE PERMIT  
APPLICATION & CHECKLIST**



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

APPLICANT: C Blake Hines

(If different than owner)

MAILING ADDRESS: 112 N. Painted Hill Dr.

11125 VT 84738

PHONE: (485) 633-8173 CELL: (485) 229-9700 FAX: (485) 688-0350

E-MAIL ADDRESS: cblake@invest.com

LOCATION OF SUBJECT PROPERTY: 225 South 1160 West Circle

Shadow Mountain Phase 8, Lot 309

CONTACT PERSON / REPRESENTATIVE (if applicable): Cary Blake

(If different than owner)

MAILING ADDRESS: Same as Above

PHONE: Same CELL: Same FAX: Same

E-MAIL ADDRESS: Same

**II. PROPERTY INFORMATION**

ZONING: \_\_\_\_\_ SUBDIVISION: Shadow Mountain

TAX I.D. NUMBER (PARCEL SERIAL NUMBER): SG-CM-8-309

EXISTING USE: Residential Home  
Use of property and/or Buildings

PROPOSED USE: Residential Home  
Use of property and/or Buildings.

**OFFICE STAFF USE ONLY**

CASE NO. 20\_\_-CUP-\_\_ FILING DATE: \_\_\_\_\_ RECEIVED BY: \_\_\_\_\_ RECEIPT: \_\_\_\_\_

FEE: \$300.00 - PAYABLE BY CHECK OR MONEY ORDER. CASH WILL NOT BE ACCEPTED

2016-CUP-005

C. Blake Homes

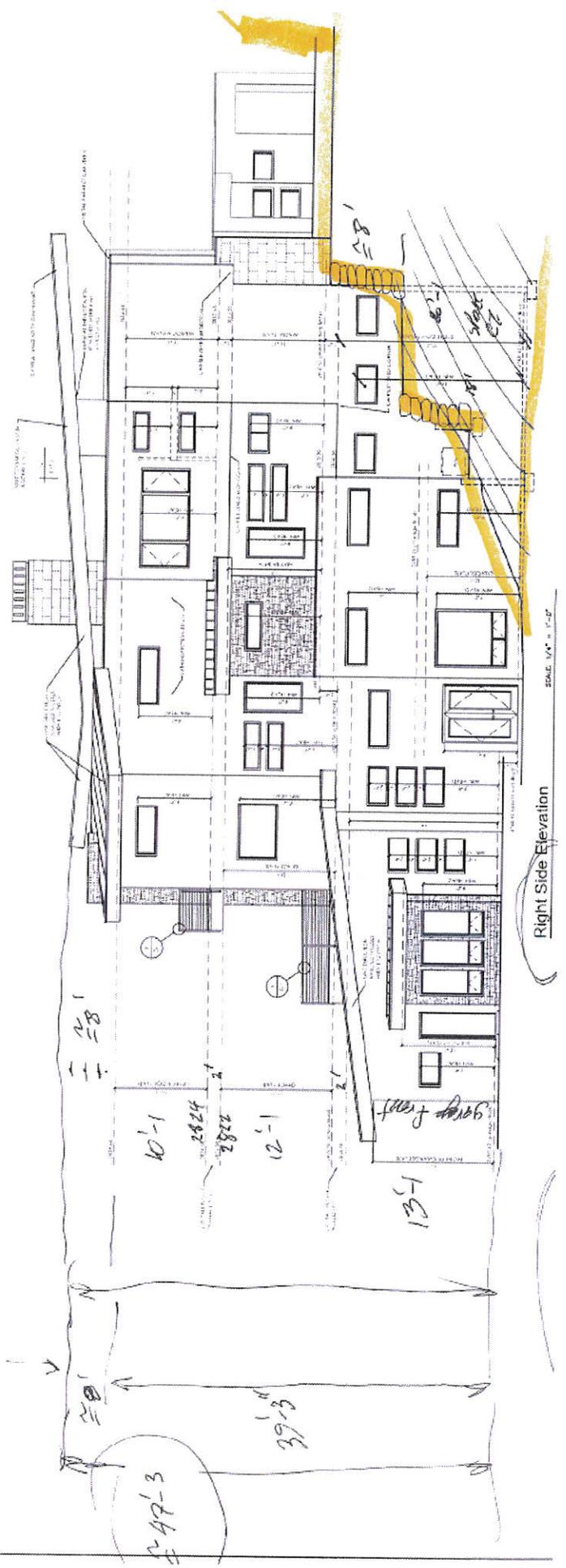
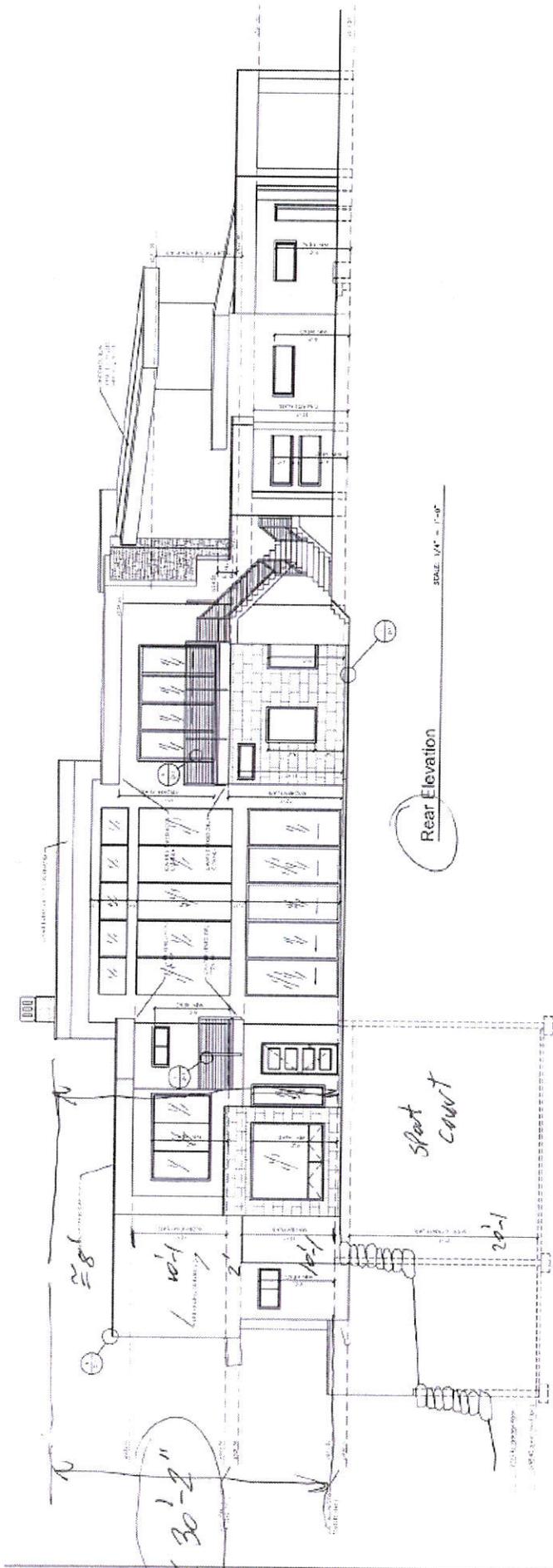
Single Family Residence Increase in Height  
CUP Request





Zoning



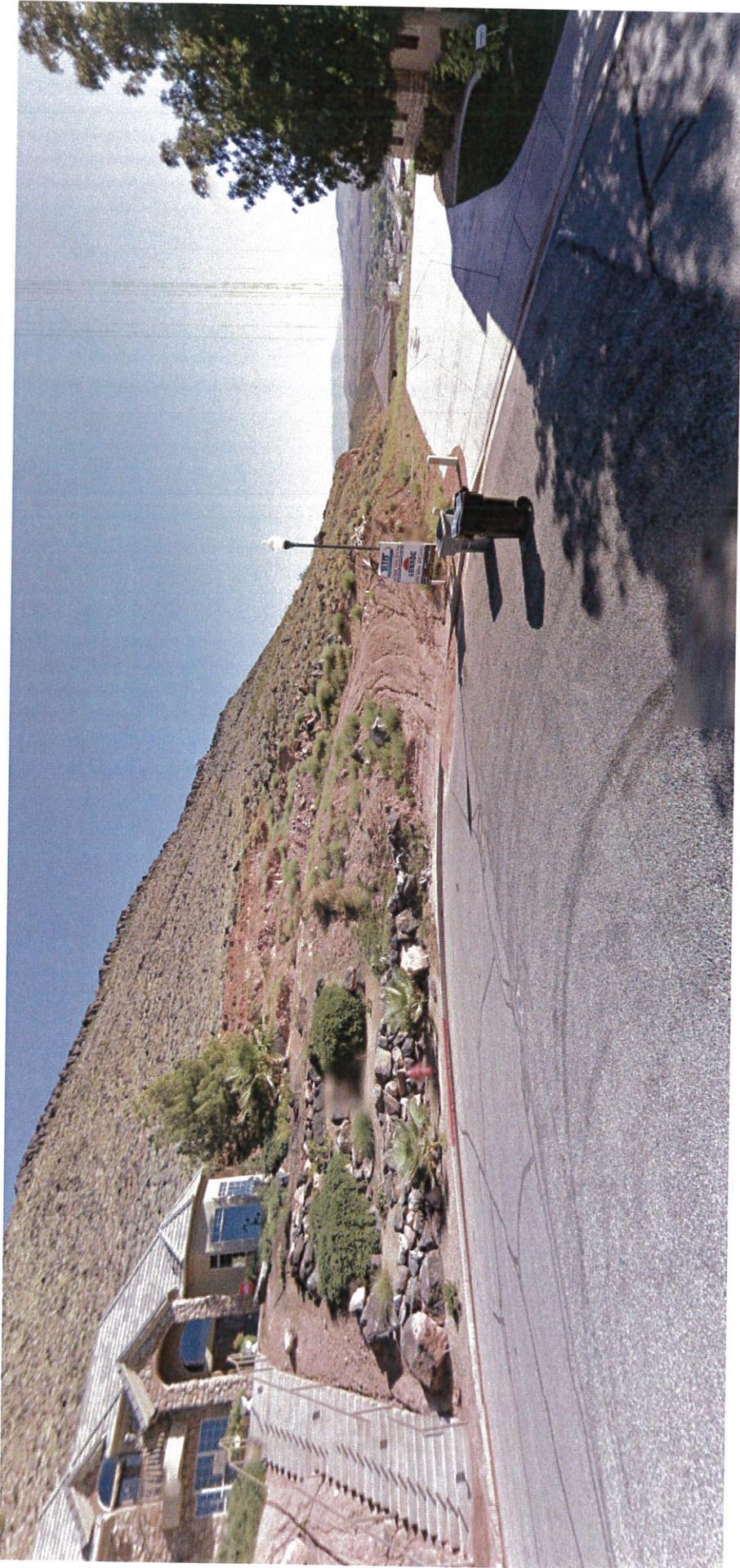


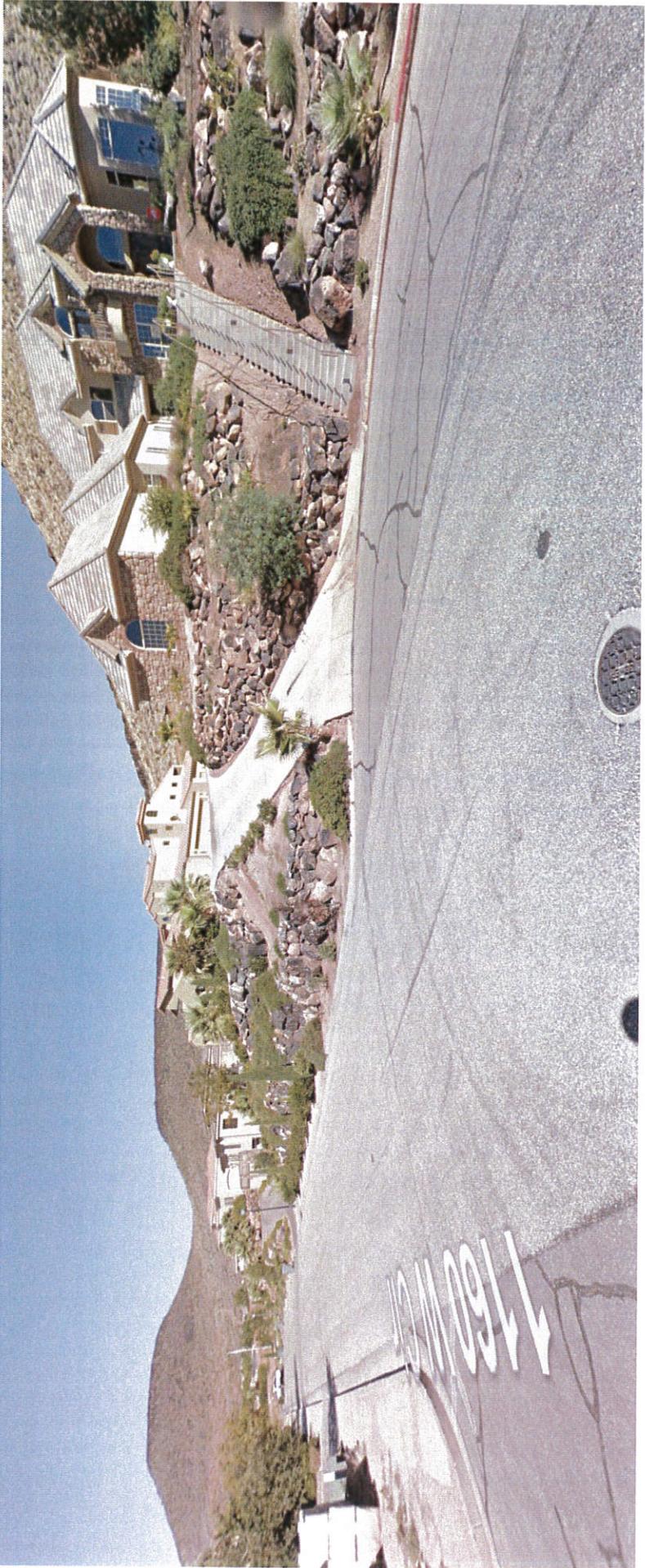


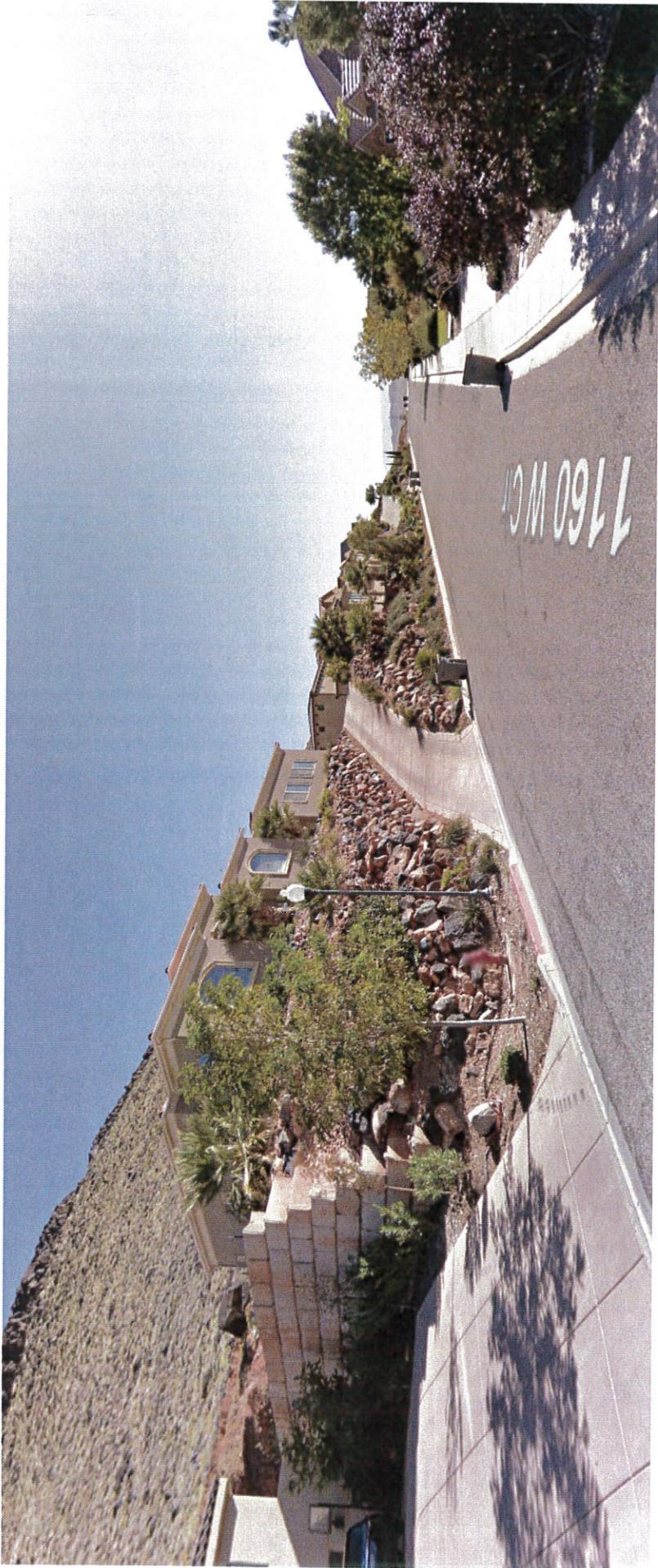












# ITEM 5

## Preliminary Plat

PLANNING COMMISSION AGENDA REPORT: 01/12/2016

### PRELIMINARY PLAT

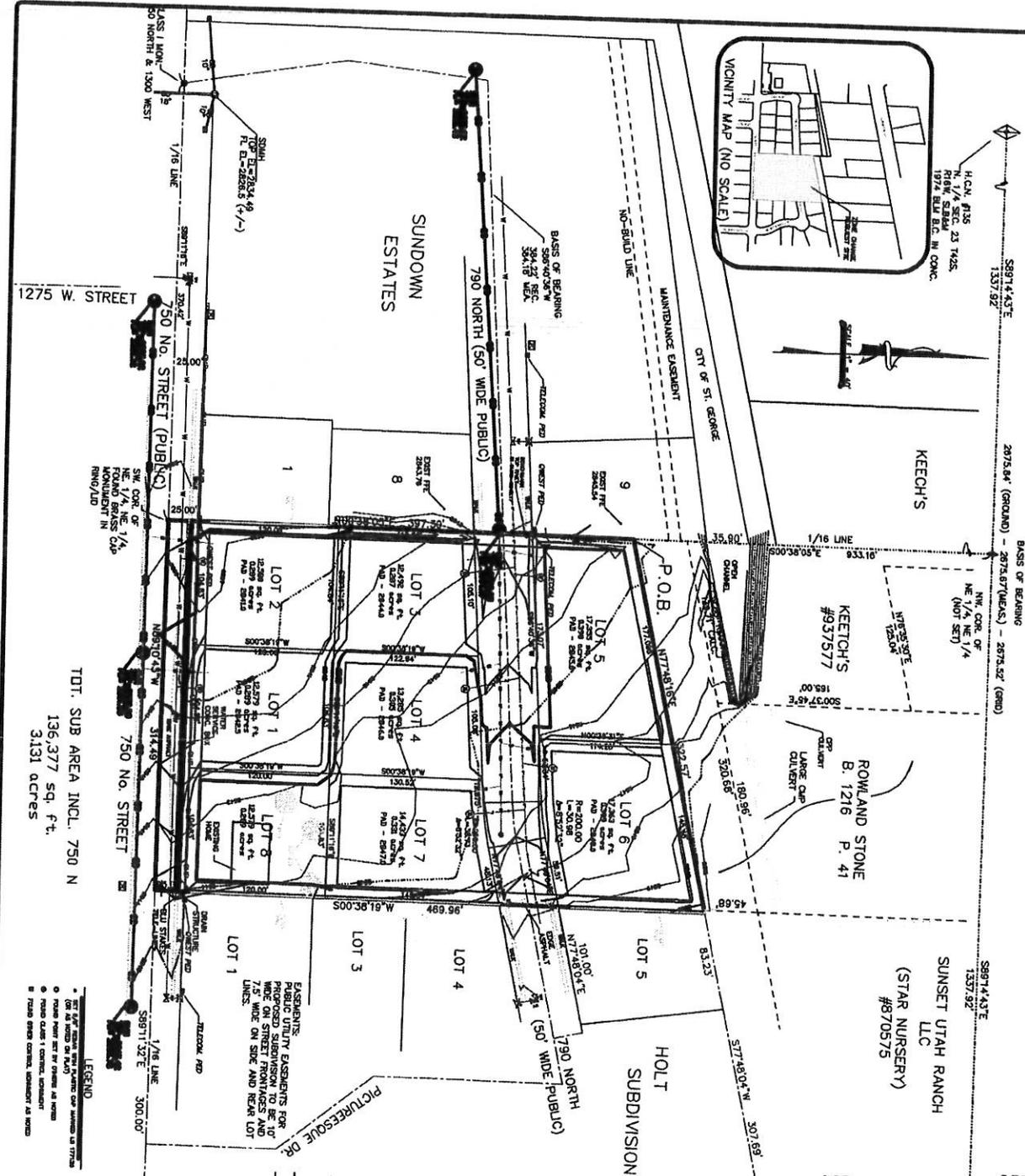
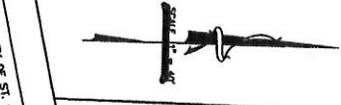
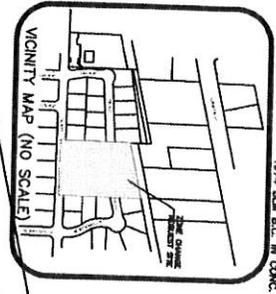
Don Cannon

Case No. 2016-PP-001

- Request:** To approve a preliminary plat for an eight (8) lot residential subdivision
- Location:** The site is located along 750 North at approximately 1200 West.
- Property:** 3.131 acres
- Number of Lots:** 8
- Density:** 2.56 du/ac
- Zoning:** R-1-10 (Single Family, 10,000 s.f. lot sizes)
- Adjacent zones:** This plat is surrounded by the following zones:  
North – C-3  
South – R-1-10  
East – R-1-10  
West – R-1-10
- General Plan:** LDR (Low Density Residential)
- Applicant:** Todd West
- Representative:** Todd West

### **Comments:**

1. A 6-foot high privacy wall will be required along the north property lines of lots 5 and 6 to separate this residential subdivision from the existing commercial to the north.



1275 W. STREET

TOT. SUB AREA INCL. 750 N  
136,377 sq. ft.  
3.131 acres

LEGEND

- 1. LOT AREA
- 2. LOT PERCENTAGE
- 3. LOT AREA PERCENTAGE
- 4. LOT PERCENTAGE PERCENTAGE
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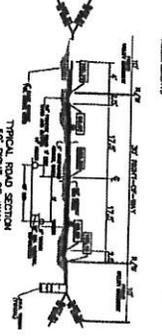
TOPO LEGEND

- 1. BENCHMARK
- 2. STORM LINE
- 3. STORM MAINLINE
- 4. STORM SUB/BRANCH
- 5. WATER LINE
- 6. WATER MAIN
- 7. WATER METER
- 8. DESTROY FIRE HYDRANT
- 9. HOSE REEL/WATER TAP
- 10. STORM DRAIN MAINLINE
- 11. CATCH BASIN
- 12. NATURAL GAS LINE
- 13. NAT. GAS VALVE
- 14. OVERHEAD POWER LINE
- 15. UTILITY POLE
- 16. STREET LIGHT
- 17. 60 ELECTRIC WALK
- 18. ELECTRIC TRANSFORMER
- 19. ELECTRIC METER
- 20. CABLE TV FEDERAL
- 21. TELEPHONE LINE
- 22. TELEPHONE RECESSED
- 23. CLOSING CONTROL LANS

NARRATIVE

THE PURPOSE OF THIS SURVEY AND MAP IS TO PREPARE A PLAT

PRELIMINARY  
PLAT OF  
DON CANNON  
SUBDIVISION  
AN 8 LOT RESIDENTIAL  
SUBDIVISION



BOUNDARY DESCRIPTION

ZONE CHANGE REQUIRES REAPPOINTMENT OF CERTIFICATION

SURVEYOR'S CERTIFICATE

I, DONALD L. BERRY, P.E., No. 17723



BOUNDARY DESCRIPTION

ZONE CHANGE REQUIRES REAPPOINTMENT OF CERTIFICATION

SURVEYOR'S CERTIFICATE

I, DONALD L. BERRY, P.E., No. 17723

# ITEM 6A

## Final Plat

PLANNING COMMISSION AGENDA REPORT: 01/12/2016

### FINAL PLAT

#### **St. George Elementary Subdivision**

Case No. 2015-FP-064

- Request:** Approval of a 1 Lot Subdivision Final Plat
- Representative:** Scott Woolsey, Alpha Engineering  
43 South 100 East #100  
St. George, UT 84770
- Property:** Located between 100 South St. and 200 South St. at approximately 300 East. (West of the Sun Bowl)
- Zone:** RCC
- 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.
- Recommendation:** Recommend APPROVAL to City Council of this Final Plat Subdivision (St. George Elementary Subdivision) and authorize the Chairman to sign.



# ITEM 6B

## Final Plat

PLANNING COMMISSION AGENDA REPORT: 01/12/2016

### FINAL PLAT

#### **Entrada at Snow Canyon “Chaco West” Phase 3**

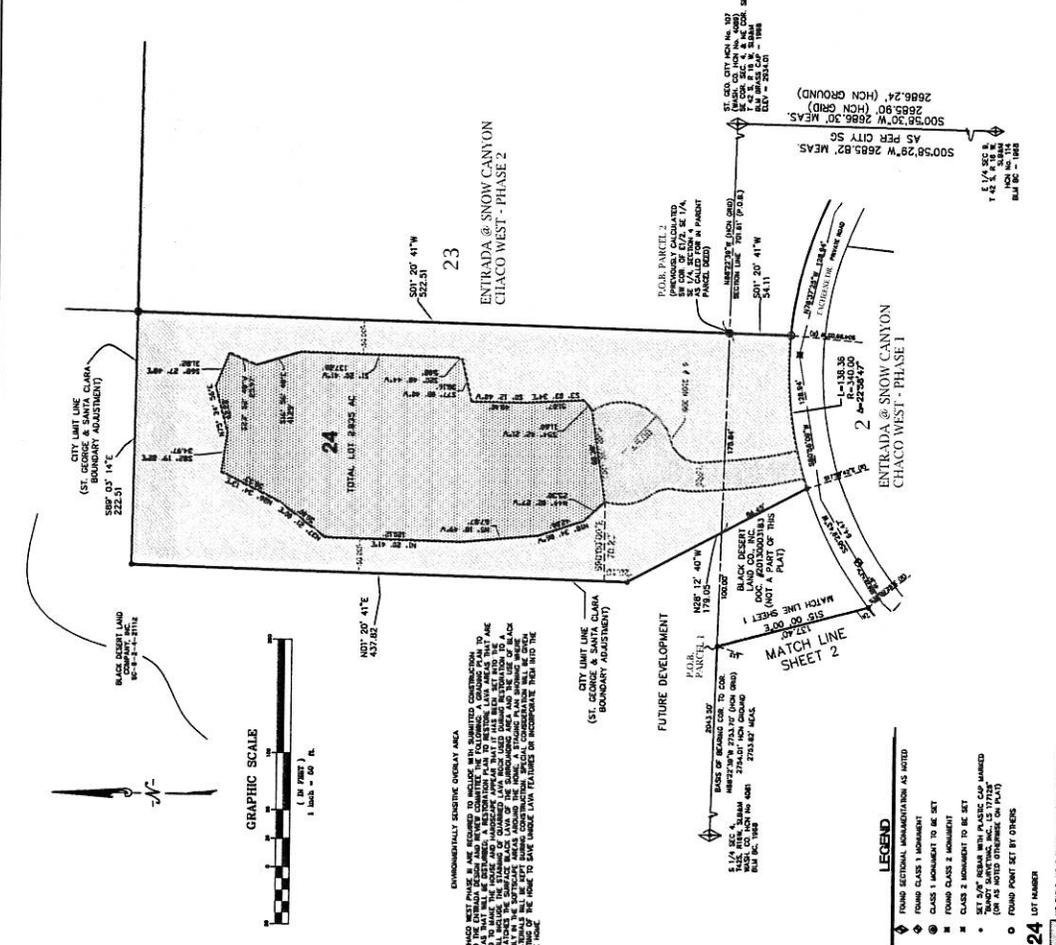
Case No. 2014-FP-034

- Request:** Approval of a 12 Lot Residential Subdivision Final Plat
- Representative:** Kevan Bundy, Bundy Surveying Inc.  
935 North 1300 West #8  
St. George, UT 84770
- Property:** Located along westerly and northerly sides of Tacheene Dr. at approximately 2910 West and 2480 North (in the Entrada Development)
- Zone:** PD-R
- 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.
- Recommendation:** Recommend APPROVAL to City Council of this Final Plat Subdivision (Entrada at Snow Canyon “Chaco West” Phase 3) and authorize the Chairman to sign.

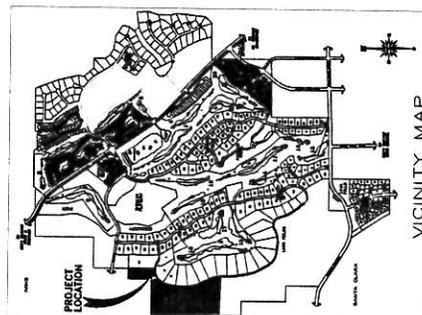


# ENTRADA AT SNOW CANYON CHACO WEST™ - PHASE 3

LOCATED IN:  
THE SE 1/4 OF SECTION 4, AND THE NE 1/4 OF  
SECTION 9, TOWNSHIP 42 SOUTH, RANGE 16 WEST,  
SALT LAKE CITY BASE & MERIDIAN  
SHEET 2 OF 3

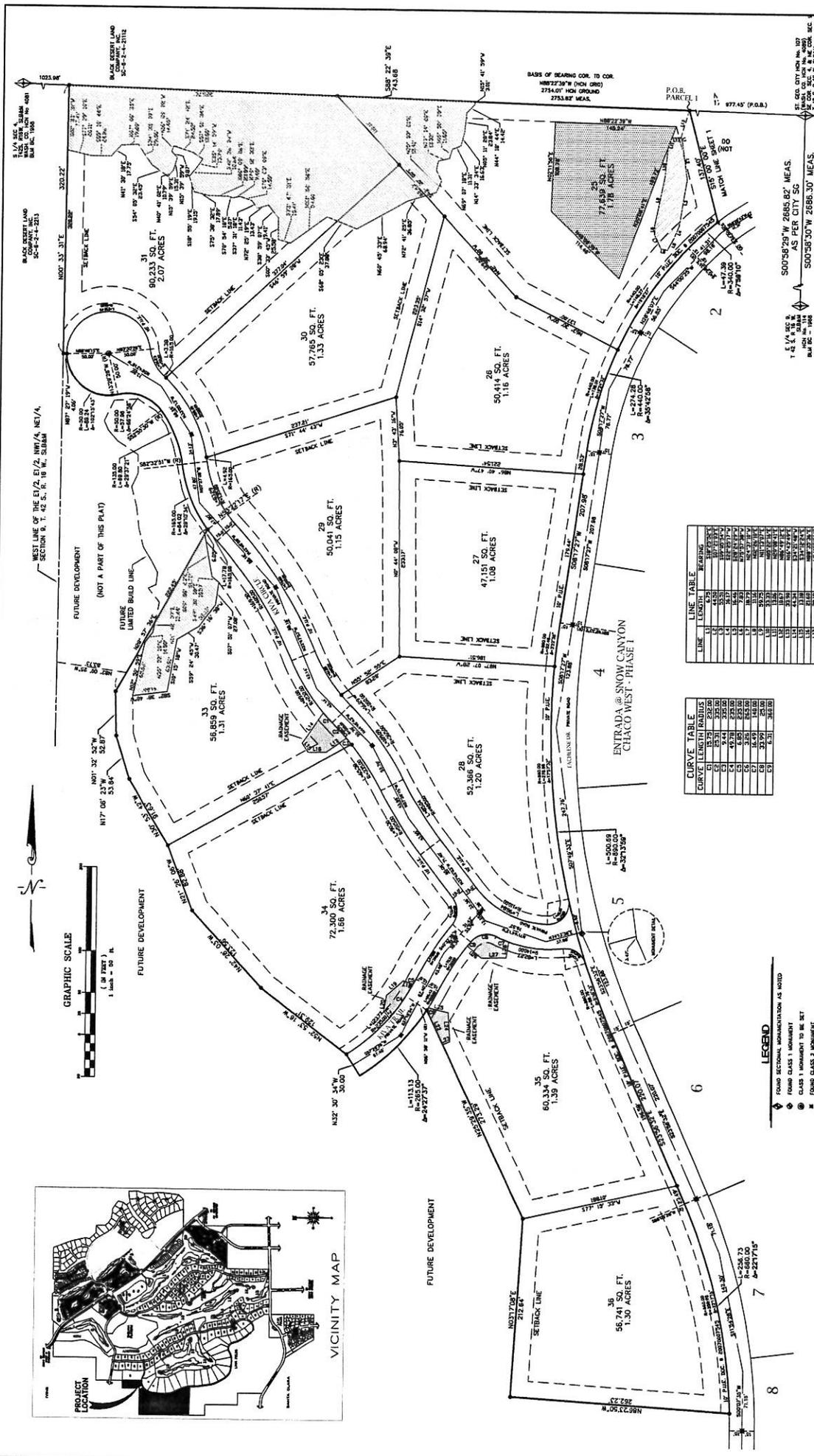


- NOTES AND RESTRICTIONS:**
- A 10-FOOT PUBLIC UTILITY EASEMENT EXISTS ALONG PRIVATE STREETS AS SHOWN ON ENTRADA AT SNOW CANYON "CHACO WEST" - PHASE 1.
  - THE CITY OF ST. GEORGE HAS REVIEWED THIS PLAN AND HAS DETERMINED THAT THE PROPOSED DEVELOPMENT IS IN ACCORDANCE WITH THE CITY OF ST. GEORGE ZONING ORDINANCE AND ANY OTHER APPLICABLE AND PERTINENT REGULATIONS THAT MAY BE APPLIED TO THIS PROJECT. THE CITY OF ST. GEORGE HAS REVIEWED THIS PLAN AND HAS DETERMINED THAT THE PROPOSED DEVELOPMENT IS IN ACCORDANCE WITH THE CITY OF ST. GEORGE ZONING ORDINANCE AND ANY OTHER APPLICABLE AND PERTINENT REGULATIONS THAT MAY BE APPLIED TO THIS PROJECT.
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**BUNDY SURVEYING  
INCORPORATED**  
180 WEST 400 SOUTH, ST. GEORGE, UTAH 84770  
PHONE: (435) 819-1160

REVISIONS:  
NOVEMBER 17, 2010 PRIVATE ENVELOPE CROSS HATCH



# ENTRADA AT SNOW CANYON "CHACO WEST" - PHASE 3

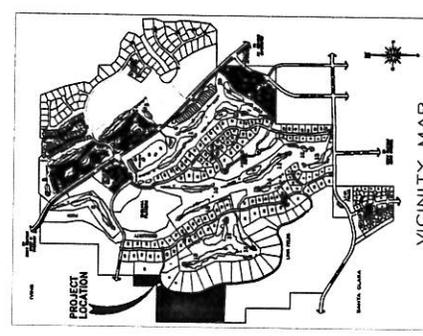
LOCATED IN:  
THE SE 1/4 OF SECTION 4, AND THE NE 1/4 OF SECTION 9, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE CITY BASE & MERIDIAN  
SHEET 3 OF 3



| LINE | LINE TABLE | BEARINGS                   |
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| 1    | 90         | S00°58'30"W 2686.30' MEAS. |
| 1    | 91         | S00°57'00"W 2685.82' MEAS. |
| 1    | 92         | S00°58'30"W 2686.30' MEAS. |
| 1    | 93         | S00°57'00"W 2685.82' MEAS. |
| 1    | 94         | S00°58'30"W 2686.30' MEAS. |
| 1    | 95         | S00°57'00"W 2685.82' MEAS. |
| 1    | 96         | S00°58'30"W 2686.30' MEAS. |
| 1    | 97         | S00°57'00"W 2685.82' MEAS. |
| 1    | 98         | S00°58'30"W 2686.30' MEAS. |
| 1    | 99         | S00°57'00"W 2685.82' MEAS. |
| 1    | 100        | S00°58'30"W 2686.30' MEAS. |

| CURVE | CURVE TABLE | RADIUS   |
|-------|-------------|----------|
| 1     | 1           | 1000.00' |
| 1     | 2           | 1000.00' |
| 1     | 3           | 1000.00' |
| 1     | 4           | 1000.00' |
| 1     | 5           | 1000.00' |
| 1     | 6           | 1000.00' |
| 1     | 7           | 1000.00' |
| 1     | 8           | 1000.00' |
| 1     | 9           | 1000.00' |
| 1     | 10          | 1000.00' |
| 1     | 11          | 1000.00' |
| 1     | 12          | 1000.00' |
| 1     | 13          | 1000.00' |
| 1     | 14          | 1000.00' |
| 1     | 15          | 1000.00' |
| 1     | 16          | 1000.00' |
| 1     | 17          | 1000.00' |
| 1     | 18          | 1000.00' |
| 1     | 19          | 1000.00' |
| 1     | 20          | 1000.00' |
| 1     | 21          | 1000.00' |
| 1     | 22          | 1000.00' |
| 1     | 23          | 1000.00' |
| 1     | 24          | 1000.00' |
| 1     | 25          | 1000.00' |
| 1     | 26          | 1000.00' |
| 1     | 27          | 1000.00' |
| 1     | 28          | 1000.00' |
| 1     | 29          | 1000.00' |
| 1     | 30          | 1000.00' |
| 1     | 31          | 1000.00' |
| 1     | 32          | 1000.00' |
| 1     | 33          | 1000.00' |
| 1     | 34          | 1000.00' |
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| 1     | 60          | 1000.00' |
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| 1     | 64          | 1000.00' |
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| 1     | 89          | 1000.00' |
| 1     | 90          | 1000.00' |
| 1     | 91          | 1000.00' |
| 1     | 92          | 1000.00' |
| 1     | 93          | 1000.00' |
| 1     | 94          | 1000.00' |
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| 1     | 96          | 1000.00' |
| 1     | 97          | 1000.00' |
| 1     | 98          | 1000.00' |
| 1     | 99          | 1000.00' |
| 1     | 100         | 1000.00' |

- LEGEND**
- FOUND SECTIONAL MONUMENTATION AS NOTED
  - FOUND CLASS 1 MONUMENT
  - FOUND CLASS 2 MONUMENT TO BE SET
  - FOUND CLASS 3 MONUMENT
  - FOUND CLASS 4 MONUMENT TO BE SET
  - SET 3/4" REBAR WITH PLASTIC CAP MARKED (OR AS NOTED OTHERWISE ON PLAT)
  - FOUND POINT SET BY OTHERS
  - LOT NUMBER
  - NO BOUNDARY DISTANCE MEAS. (SEE NOTE # 9)
  - LIMITED BOUND AREA
  - PRIVATE BOUNDARY ENVELOPE



**BUNDY SURVEYING INCORPORATED**  
100 WEST 4500 S., SUITE 200, SALT LAKE CITY, UT 84119  
PHONE: (435) 531-1100

REVISIONS:  
NOV. 11, 2005  
DETERMINED AREA BOUNDARY

# ITEM 6C

## Final Plat

PLANNING COMMISSION AGENDA REPORT: 01/12/2016

### FINAL PLAT

#### **Meadow Valley Farms Phase 7**

Case No. 2015-FP-059

- Request:** Approval of a 19 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 3995 South and Little Valley Road  
(Little Valley Area)
- Zone:** RE-20
- 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.
- Recommendation:** Recommend APPROVAL to City Council of this Final Plat Subdivision (Meadow Valley Farms Phase 7) and authorize the Chairman to sign.



**NOTIFICATION AND CONSENT TO IMPACT FEE OBLIGATION:**

THE UNDERSIGNED, ED BURGESS, PRESIDENT OF DESERT VALLEY DEVELOPMENT, INC., DO HEREBY ADVISE THAT THE WATER AVAILABILITY FEES DUE AND PAYABLE ON THE LOTS WITHIN SAID TRACT ARE NOT TO BE PAID BY THE UNDERSIGNED, BUT BY THE OWNER OF SAID LOTS AT THE TIME OF THE SALE OF THE LOT TO A THIRD PARTY BY THE OWNER, OR ANY SUCCESSOR IN INTEREST IN SAID LOTS. THE UNDERSIGNED DOES NOT WARRANT THAT THE WATER AVAILABILITY FEES WILL BE PAID BY THE OWNER OF SAID LOTS AT THE TIME OF THE SALE OF THE LOT TO A THIRD PARTY BY THE OWNER, OR ANY SUCCESSOR IN INTEREST IN SAID LOTS. THE UNDERSIGNED DOES NOT WARRANT THAT THE WATER AVAILABILITY FEES WILL BE PAID BY THE OWNER OF SAID LOTS AT THE TIME OF THE SALE OF THE LOT TO A THIRD PARTY BY THE OWNER, OR ANY SUCCESSOR IN INTEREST IN SAID LOTS. THE UNDERSIGNED DOES NOT WARRANT THAT THE WATER AVAILABILITY FEES WILL BE PAID BY THE OWNER OF SAID LOTS AT THE TIME OF THE SALE OF THE LOT TO A THIRD PARTY BY THE OWNER, OR ANY SUCCESSOR IN INTEREST IN SAID LOTS.

**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. HELLE, ASSISTANT GENERAL MANAGER  
WASHINGTON COUNTY WATER CONSERVANCY DISTRICT

STATE OF UTAH }  
WASHINGTON COUNTY }

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, PERSONALLY APPEARED BEFORE ME, BARBARA G. HELLE, PERSONALLY KNOWN TO ME OR PROVIDED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE, ED BURGESS, PRESIDENT OF DESERT VALLEY DEVELOPMENT, INC., AND SHE DID ACKNOWLEDGE TO ME THAT SHE SIGNED IT VOLUNTARILY FOR THE STATED PURPOSES.

NOTARY PUBLIC FULL NAME: \_\_\_\_\_  
COMMISSION NUMBER: \_\_\_\_\_  
A NOTARY PUBLIC COMMISSIONED IN UTAH  
BY ABOVE INFORMATION IS PROVIDED.  
MY STATE OF COMMISSION EXPIRES ON: \_\_\_\_\_  
TITLE 46, CHAPTER 1, SECTION 1-41

NOTARY PUBLIC

**OWNER'S ACKNOWLEDGEMENT OF WATER IMPACT FEES:**

THE UNDERSIGNED, ED BURGESS, PRESIDENT OF DESERT VALLEY DEVELOPMENT, INC., DOES HEREBY ACKNOWLEDGE AND CONSENT TO THE TERMS AND CONDITIONS OF THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT IMPACT FEE OBLIGATION AS SET FORTH HEREIN, FOR THE USES AND PURPOSES STATED HEREIN.

DESERT VALLEY DEVELOPMENT, INC.  
BY: ED BURGESS, PRESIDENT

**CORPORATE ACKNOWLEDGMENT**

\_\_\_\_\_ }  
COUNTY OF WASHINGTON }

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, PERSONALLY APPEARED BEFORE ME, ED BURGESS, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE PRESIDENT OF DESERT VALLEY DEVELOPMENT, INC., A UTAH CORPORATION, AND THAT HE HAS BEEN AUTHORIZED BY THE BOARD OF DIRECTORS OF SAID CORPORATION BY AUTHORITY OF ITS CHARTERS OR RESOLUTIONS OF ITS BOARD OF DIRECTORS TO DO SO. HE DID VOLUNTARILY AND KNOWINGLY SIGN AND ACKNOWLEDGE TO ME THAT SUCH CORPORATION EXECUTED THE SAME FOR THE USES AND PURPOSES STATED HEREIN.

NOTARY PUBLIC FULL NAME: \_\_\_\_\_  
COMMISSION NUMBER: \_\_\_\_\_  
A NOTARY PUBLIC COMMISSIONED IN UTAH  
BY ABOVE INFORMATION IS PROVIDED.  
MY STATE OF COMMISSION EXPIRES ON: \_\_\_\_\_  
TITLE 46, CHAPTER 1, SECTION 1-41

NOTARY PUBLIC

**MORTGAGEE CONSENT TO RECORD**

WE, CACHÉ VALLEY BANK, AS MORTGAGEE, HEREBY CONSENTS TO THE RECORDING OF SAID INSTRUMENT FOR THE COUNTY OF SAID TRACT OF LAND TO BE USED FOR THE USES AND PURPOSES SET FORTH ON THIS PLAT AND ON ALL DECLARATIONS.

BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_

**CORPORATE ACKNOWLEDGMENT (CONSENT)**

\_\_\_\_\_ }  
COUNTY OF WASHINGTON }

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, PERSONALLY APPEARED BEFORE ME, \_\_\_\_\_, WHO BEING BY ME DULY SWORN, DID SAY THAT SHE IS THE \_\_\_\_\_ OF CACHÉ VALLEY BANK, AND THAT SHE HAS BEEN AUTHORIZED BY THE BOARD OF DIRECTORS OF SAID CORPORATION BY AUTHORITY OF ITS CHARTERS OR RESOLUTIONS OF ITS BOARD OF DIRECTORS TO DO SO. SHE DID VOLUNTARILY AND KNOWINGLY SIGN AND ACKNOWLEDGE TO ME THAT SUCH CORPORATION EXECUTED THE SAME FOR THE USES AND PURPOSES STATED HEREIN.

NOTARY PUBLIC FULL NAME: \_\_\_\_\_  
COMMISSION NUMBER: \_\_\_\_\_  
A NOTARY PUBLIC COMMISSIONED IN UTAH  
BY ABOVE INFORMATION IS PROVIDED.  
MY STATE OF COMMISSION EXPIRES ON: \_\_\_\_\_  
TITLE 46, CHAPTER 1, SECTION 1-41

NOTARY PUBLIC

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

WE, CACHÉ VALLEY BANK, MORTGAGEE OF THE HEREIN DESCRIBED TRACT OF LAND, DOES HEREBY CONSENT TO THE OWNER'S CONSENT OF WATER IMPACT FEES FOR THE USES AND PURPOSES SET FORTH HEREIN.

BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_

**CORPORATE ACKNOWLEDGMENT (WATER IMPACT FEES)**

\_\_\_\_\_ }  
COUNTY OF WASHINGTON }

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, PERSONALLY APPEARED BEFORE ME, \_\_\_\_\_, WHO BEING BY ME DULY SWORN, DID SAY THAT SHE IS THE \_\_\_\_\_ OF CACHÉ VALLEY BANK, AND THAT SHE HAS BEEN AUTHORIZED BY THE BOARD OF DIRECTORS OF SAID CORPORATION BY AUTHORITY OF ITS CHARTERS OR RESOLUTIONS OF ITS BOARD OF DIRECTORS TO DO SO. SHE DID VOLUNTARILY AND KNOWINGLY SIGN AND ACKNOWLEDGE TO ME THAT THE CORPORATION EXECUTED THE SAME FOR THE USES AND PURPOSES STATED HEREIN.

NOTARY PUBLIC FULL NAME: \_\_\_\_\_  
COMMISSION NUMBER: \_\_\_\_\_  
A NOTARY PUBLIC COMMISSIONED IN UTAH  
BY ABOVE INFORMATION IS PROVIDED.  
MY STATE OF COMMISSION EXPIRES ON: \_\_\_\_\_  
TITLE 46, CHAPTER 1, SECTION 1-41

NOTARY PUBLIC



DEVELOPMENT SOLUTIONS, INC.  
111 East 28th North, Suite 401, N. Ogden, UT 84202  
Office: 801.633.9333 Fax: 801.633.9333

# ITEM 7

## Lot Line Adjustment

PLANNING COMMISSION AGENDA REPORT: 01/12/2016

### LOT LINE ADJUSTMENT

#### **Magnolia**

Case No. 2015-LRE-033

- Request:** Approval of a Lot Line Adjustment on residential property
- Representative:** Eric McFadden, Premier Design & Engineering  
75 East 100 North  
Ivins, UT 84738
- Property:** Located near the end of 1790 West St (Green Valley Area)
- Zone:** PD-R
- Staff Comments:** The purpose of this Lot Line Adjustment is to adjust the Lot Line between Parcel 1 and Parcel 2 as shown on the attached exhibit. The cross hatched area belongs to Parcel 1 and will be added to Parcel 2. This is to accommodate the subdivision design and plan for Magnolia in the Green Valley area.
- All aspects of this Lot Line Adjustment 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 conditions and approvals.
- This Lot Line Adjustment is ready for Planning Commission's consideration for approval.
- Recommendation:** Recommend APPROVAL to City Council of this Lot Line Adjustment for Magnolia

